### TOWN OF SEVEN DEVILS BOARD OF ADJUSTMENT MEETING Tuesday, April 27, 2021 – 5:30pm

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United States: +1 (669) 224-3412 One-touch: <u>tel:+16692243412</u>,331996005#

Access Code: 331-996-005

- 1) Call to Order
- 2) Roll Call/Quorum 4 BOA minimum
- 3) Adopt Agenda
- 4) Old Business
  - A. Approve Minutes Board of Adjustment March 23, 2021
  - B. Deliberations of May Appeal
    - (i) Call for Additional Disclosure
    - (ii) Parties with Standing Comments/Email Comments
    - (iii) Discussion
    - (iv) Vote Simple Majority rules 3 BOA
  - C. Decision Affirm, Reverse or Modify
- 5) New Business
  - A. Variance Application/Presentation Roxanne Schwebke Saltman, Petitioner
    - (i) Open Evidentiary Hearing Motion
    - (ii) Opening Statement Chair
    - (iii) Witness Oath Clerk
    - (iv) Disclosures Chair
    - (v) Presentations of Facts/Evidence Debbie Powers, Town Manager/Zoning
    - (vi) BOA Discussion
    - (vii) Close Evidentiary Hearing Motion
  - B. Board of Adjustment Future Dates
    - (i) Set Public Hearing Monday, May 24th at 1:00pm Motion
    - (ii) Board of Adjustment Meeting Tuesday, May 25th at 5:30pm
- Adjourn

### Town of Seven Devils Board of Adjustment Meeting

Tuesday - March 23, 2021 5:30pm

The Seven Devils Board of Adjustment met on Tuesday, March 23, 2021 and the format of the meeting was dual format via Electronic – Go To Meeting #340086245 and In-Person at Town Hall.

In-Person attendance included Regular members: Bob Bridges, Faye Brock, Jack Byrnes, Bobbye Hurlbrink & Frank Sell. A quorum was met. Alternate Bert Valery attended and observed. Alternate John Wells IV was absent.

Town Manager/Zoning Administrator Debbie Powers recused herself from the procedural duties of the BOA meeting. The minutes were recorded by Town Clerk Hillary Gropp.

### CALL TO ORDER

Town Clerk Gropp called the meeting to order at 5:30pm.

### ROLL CALL

Each member of the Board of Adjustment stated their name and announced their presence for Roll Call.

### NOMINATION OF CHAIR

Town Clerk Gropp opened the floor for nominations of Chairperson. Member Hurlbrink nominated Bob Bridges; Member Byrnes seconded the motion. With no other nominations, all members agreed. The gavel and meeting were turned over to Chair Bob Bridges.

### NOMINATION OF VICE CHAIR

Chair Bridges asked for nominations of a Vice Chairperson. Member Hurlbrink nominated Jack Byrnes; Member Brock seconded the motion. With no other nominations, all members agreed.

### **OATH OF OFFICE**

Town Clerk Gropp administered the Oath of Office to the Board of Adjustment New/Reappointed/Alternate members: Faye Brock, Jack Byrnes, Frank Sell, Bob Bridges, Barbara Hurlbrink, and Bert Valery.

### AMENDA AGENDA

Chair Bridges amended the agenda reversing Items 9) Witness Oath and 10) New Business – Opening Statement, deleting New Business Item C. Deliberation and adding New Business Item – D. Close Evidentiary Hearing. Member Brock made a motion to adopt the amended agenda; Member Sell seconded the motion. All members agreed.

### APPROVAL OF MINUTES - Public Hearing/Board of Adjustment - May 28, 2019

Member Byrnes made a motion to approve the minutes; Member Brock seconded the motion. All members agreed.

### **OLD BUSINESS - None**

### **NEW BUSINESS - Opening Statement**

### Chair Bridges gave the following opening statement.

"This hearing is a quasi-judicial evidentiary hearing. That means it is like a court hearing. State law sets specific procedures and rules concerning how this board must make its decision. These rules are different from other types of land use decisions like rezoning cases.

"The board's discretion is limited. The board must base its decision upon competent, relevant, and substantial evidence in the record. A quasi-judicial decision is not a popularity contest. It is a decision constrained by the standards in the ordinance and based on the facts presented. If you will be speaking as a witness, please focus on the facts and standards, not personal preference, or opinion.

"Participation is limited. This meeting is open to the public. Everyone is welcome to watch. Parties with standing have rights to participate fully. Parties may present evidence, call witnesses, and make legal arguments. Parties are limited to the applicant, the local government, and individuals who can show they will suffer special damages. Other individuals may serve as witnesses when called by the board. General witness testimony is limited to facts, not opinions. For certain topics, this board needs to hear opinion testimony from expert witnesses. These topics include projections about impacts on property values and projections about impacts of increased traffic. Individuals providing expert opinion must be qualified as experts and provide the factual evidence upon which they base their expert opinion.

"Witnesses must swear or affirm their testimony. At this time, we will administer the oath for all individuals who intend to provide witness testimony."

### WITNESS OATH

Town Clerk Gropp administered the Witness Oath to the following: Norman May, Kay May, and Debbie Powers.

### **Disclosures**

Chair Bridges stated the following: "The parties to this case are entitled to an impartial board. A board member may not participate in this hearing if she or he has a fixed opinion about the matter, a financial interest in the outcome of the matter, or a close relationship with an affected person. Does any board member have any partiality to disclose and recusal to offer?"

No board member replied.

### **Ex Parte Communication**

Chair Bridges stated the following: "The parties to this case have rights for any ex parte communication to be disclosed. Ex parte communication is any communication about the case outside of the hearing. That may include site visits as well as conversations with parties, staff, or the general public. Does any board member have any site visits to disclose?

Member Hurlbrink stated she has looked at the property.

**Chair Bridges** stated the property is located along his walking route, and he has walked by it for several years prior to being on the Board of Adjustment.

Member Brock stated the property is located along her walking route.

Member Byrnes stated he drives by and walks by the property.

**Chair Bridges asked the following:** "Does any board member have any conversations or other communications to disclose?"

No board member replied.

**Chair Bridges asked the following:** "Based on the disclosures we've heard from the board concerning partiality and ex parte communications, does any member of the board or any party to this matter have an objection to a board member's participation in this hearing?"

No board member replied.

### **NEW BUSINESS**

### A. Presentation of Case - Zoning Administrator - Debbie Powers

Zoning Administrator Powers introduced herself, and stated she has provided attachments, included in the agenda packet for reference by the Board Members. Powers stated the Town's UDO (Unified Development Ordinance) – Article 10, page 104 provides the details for construction regulation, noting the completion within two (2) years on page 105.

Attachment D - On October 4, 2017, Powers met for the pre-construction meeting with the May's and reviewed all the required permits, including Zoning, Grading, Driveway, Tree, Water Tap Fee & Performance Bond. The Zoning Permit is included, and at the bottom includes a paragraph with verbiage the Zoning Permit will expire after six (6) months if the authorized work has not begun. Additional verbiage includes the Zoning Permit will expire on the last day of the eighteenth (18) month after issuance. This is a 2 year total. The initial verbiage of this paragraph includes, I do hereby certify and requires the owner's signature and date. The Zoning Permit was signed by Norman May on 9/25/17 and by Zoning Officer, Debbie Powers on 10/4/17.

**Attachment C** – Provides the history of email communication with Debbie Powers and Norman May between the dates of April 2018 to December 2020. The content includes citizen's complaints, and updates from Norman May on the scope of work.

Attachment K- Powers referred to the following from the <u>UDO -Article 18-Section 2 – Complaints</u>
Regarding Violations - Whenever the Zoning Administrator receives a written, signed complaint alleging a violation of this Ordinance, he shall investigate the complaint, take whatever action is warranted, and inform the complainant in writing what actions have been or will be taken.
Attached is a complaint email from Jeff Williams, with electronic signature, dated December 30, 2020.

Attachments A, B & E – Powers reviewed the (B) Violation Notice #0492, dated 12/30/20, Fine \$250 and (A) Certified Mail-Return Receipt Requested Construction Violation letter, dated December 30, 2020 to Norman May. Contents of the letter, as noted by Powers includes a <u>Violation in the amount of \$250 for failure to comply with the Town Ordinance requiring a Certificate of Occupancy within two (2) years: required to complete your project no later than January 31, 2021, or the Town will issue a separate violation fee for each and every day that the project continues, in the amount of \$250 per day.

(E) Violation Notice #0494, dated 2/5/21, Fine \$250 per day starting 2/1/2021. Powers stated the fine to date, 51 days @ \$250 as of today's meeting date is \$12,750, and the fine continues to accrue.</u>

Attachment G – Powers referred to the <u>UDO-Article 10-Section 7 – Enforcement</u>, dictates the steps to follow upon issuing a Construction Violation, and were followed in **Attachments A**, **B & E**. Powers emphasized the following verbiage in **Attachment G**: <u>After the offender is in receipt of the final written notice of such violation, each day that any violation continues shall constitute a separate offense for each separate violation for purposes of the penalties and remedies specified in this section.</u>

### Attachment H - <u>UDO-Article 17 - Section 2 - Appeals</u>

Powers stated, as a Town Manager/Zoning Administrator, she has taken an oath to protect the interests of the Town and to make the best decisions for the Town and has followed the procedures in UDO to the best of her ability.

Attachment J – This chart lists all the Building Permits issued dating back to 1/2/2009 to 1/27/2021. Since the issuance of the Building Permit to May on 10/4/2017, there have been two (2) separate permits issued on 4/1/2018 and 6/15/2018. Both of the latter constructions have been built with a Certificate of Occupancy issued in January 2020, respectively taking 22 months and 20 months, or within the two year timeframe.

In closing, Zoning Administrator Powers read the following from the *Quasi-Judicial Handbook* (Adam S. Lovelady, 2017, Page 100).

"The board of adjustment may reverse or affirm, wholly or partly, or may modify the decision appealed from and shall make any order, requirement, decision, or determination that ought to be made. The board shall have all the powers of the official who made the decision. The decision must resolve contested facts, be based on competent, material, and substantial evidence in the record, and be provided to the parties as a written decision document.

Chair Bridges asked the Board of Adjustment members the following: "Are there any preliminary questions for the Zoning Administrator Powers?"

No board member replied, however Chair Bridges asked two questions:

- 1) In regard to Attachment C, is this the entire correspondence that has occurred? Powers replied yes. Were there any verbal discussions? Powers replied, very little.
- 2) Why did she allow the 2 year limit to be passed, as it was quite substantial? Powers replied she was being lenient and using her discretion in the situation.

### B. Violation Appeal - Applicant - Norman May

Norman May, Applicant/Owner introduced himself and thanked the Board of Adjustment considering his request. He acknowledged Zoning Administrator Powers has been lenient & supportive to him.

Attachment L – Application for Appeal to the Town's Board of Adjustment. May stated that his personal experience of building three (3) previous houses in Wilmington, NC were successful, approximately 7-9 month timeframe, and nothing like the experience he has encounter with challenges here. May states he has a license, but is not a builder by trade, and his primary occupation is in the power utility industry. May stated a big setback has been the weather, especially in the first months/year of the new construction, as it prevented much progress.

In the appeal package, he has included data for rain & snow, as reported by the *Record of Climatological Observations* for Foscoe.

Total rainfall = 18 inches	Total snowfall = 8.5 inches	October – December 2017
Total rainfall = 112.70 inches	Total snowfall = 47.40 inches	January - December 2018
Total rainfall = 25.16 inches	Total snowfall = 5.70 inches	January - April 2019

During 2018, May stated the lot was cleared, and septic installed. His contractor was unreliable, and he relied on a relative to oversee the project, but without a pool of subcontractors to call on, that was a challenge/setback. May hired a new contractor to dig out for the house. Meanwhile, weather conditions created havoc for scheduling and caused additional problems with clean up after heavy rainfall.

In the early months of 2019, once again May was waiting of weather conditions to improve. In April, the footers were dug and poured. Between April – August, the foundation block was laid, as well as the leveling of the crawlspace and framing started, but stopped, due to lack of help.

In March of 2020, May hired another framing crew. In July, the plumbing was roughed-in. In August, the roof, framing and siding are completed. From August – September, the HVAC and electrical rough-in are completed. In October 2020, the framing and rough-in inspections are signed off. In November, the insulation and sealed crawlspace are completed, and on December 10<sup>th</sup>, the insulation inspection was signed off.

During the year of 2020, the Covid pandemic caused a slowdown in material availability, and often it was 3-4 weeks between subcontractor activity.

On January 1st of 2021, the drywall is started and completed in February. The trim work started in February. May stated he has been driving up to help work manually on the task, but the weekends have had reoccurring snowfall, causing a challenge.

To summarize, May stated he is very near completion, and the issue of a Certificate of Occupancy. The expected completion is by the end of April. He states this process has been very negative, much more than he could have ever expected, and he is more than ready for it to be completed. The accumulating \$250 daily fine is a financial burden. He has paid the \$250 Violation fine on February 1, 2021. He acknowledged he has gone past the two years to build, and Zoning Administrator Powers has been lenient. May asked the Board of Adjustment to consider the circumstances of weather and his challenges for his Appeal.

Chair Bridges asked the Board of Adjustment members the following: "Are there any questions for Mr. May?"

Member Hurlbrink asked, "How much longer will you take?" May replied, the Certificate of Occupancy should be issued by the end of April, or before.

Member Hurlbrink asked, "What else has to be done?" May replied, the cabinets, countertops are to be installed soon, connect the heat/HVAC, and complete the electrical/plumbing.

Member Hurlbrink asked, "So all the work to be completed is inside?" May replied, no, the concrete porch and landscape are to be done this week.

Member Hurlbrink asked, "What about the Porta Potty?" May replied, as soon as the Certificate of Occupancy is issued, the Porta Potty will be removed. The dumpster has already been removed, and the outdoors are cleaned up, on the side with a neighbor. There is still a small black trailer on the land.

Member Brock asked, "You stated you have a license, what type of license?" May replied a Residential Building license.

Chair Bridges asked, "The weather data he provided are for what years, as the copies have a column cut off, he's uncertain what years?" May replied, October 2017 to April 2019.

Chair Bridges asked, "Why did he only supply this date range, and not all?" May replied, the weather conditions affected him most at the beginning, in the first two years of the construction project, and not a problem afterwards.

Chair Bridges asked, "You were acting as your own General Contractor?" May replied yes.

Chair Bridges continued "As the General Contractor, is it your responsibility to make sure all the sub-contractors are lined up, and everything is coordinated?" "And, as his own General Contractor, he had no one he could fire?" May replied, yes, but he had a family member acting as the project manager.

Chair Bridges stated, "But in essence, you were an absentee owner acting as the General Contractor, which is a tough way to do it?" May replied, yes. He was counting on his family member/project manager to be on site more.

### C. Board of Adjustment - Discussion

Chair Bridges stated to the Board of Adjustment, now is opportunity for them to discuss, but a decision will not be made today, it will be made at the next Board of Adjustment meeting, with that date to be announced at the end of today's meeting. And per the opening statement, the parties involved have the right to listen to all discussions. Chair Bridges suggested, "let us continue on with discussion, what are the members thoughts, or additional questions to be asked?"

Prior to the Board of Adjustment's discussion, Applicant May offered additional detail on the complaint from the neighbor about the silt fence. The sagging silt fence was fixed, but rock run off was never seen.

Chair Bridges encouraged discussion to begin.

Member Byrnes stated he wants to know why the other two (2) construction projects were completed. Those two (2) houses were being built in the same period of time, and the weather conditions would have been the same.

Chair Bridges surmised that perhaps the size of the house, or the complexity of the lot. Member Hurlbrink stated she thinks one of the houses built is larger.

Discussion occurred that other two (2) houses likely had General Contractors.

Member Brock stated it bothers her that the Applicant's project did not have a General Contractor, as it should have made the process easier with a pool of sub-contractors. If a General Contractor had been hired, they would be on site throughout the project. Chair Bridges agreed, or the General Contractor is fired, but in this case, there isn't one to be fired.

Applicant May stated he was able to obtain some help at times using the Home Advisor website.

Member Sell commented, he is sympathetic to the Applicant, stating it was likely an impossible situation from the beginning, to try and contract out the construction from 300 miles away. Sell's biggest concern is the amount of time this has taken for Zoning Administrator Powers. He would like Applicant May to make a firm commitment to a date of the completion of this project.

Chair Bridges stated that when the Board of Adjustment makes it final decision, it could be conditional upon certain things.

Member Hurlbrink suggested the April 30<sup>th</sup>, date should be the final deadline, as the Applicant has stated he expects the project to be completed by then. Hurlbrink agrees Zoning Administrator was correct in issuing the violation/fine, however it is a large sum.

Chair Bridges agreed, even though the project has exceeded the deadline by one year, he thinks it's important to be good neighbors.

Chair Bridges encouraged any additional discussion, as once the Evidentiary Hearing is closed, they will be limited to further discussion. A future public hearing will occur and citizens with standing will be able to comment, prior to the Board of Adjustment's final decision.

Member Sell questioned Chair Bridges, "What exactly does he mean by "final decision?" Chair Bridges stated the Board of Adjustment's options for final decision include:

- Approve the Appeal and the \$250 daily fine is cleared.
- Deny the Appeal and the \$250 daily fine stays effective.
- Condition the Appeal, and the fine is adjusted/cleared if the conditions are met.

Applicant May said he had paid the first \$250.00 fine, but the \$12,750 is large, but offered he could forfeit the \$2500 Performance Bond Fee.

Chair Bridges explained the purpose of the \$2500 Performance Bond, and the Applicant is not expecting to get it back.

Member Brock asked if every new construction pays a Performance Bond, and Bridges replied yes.

Bert Valery, Board of Adjustment, as Alternate, was observing from the audience and requested the opportunity to ask questions. Chair Bridges replied, no he could not.

### D. Close Evidentiary Hearing

Member Sell made a motion to close the Evidentiary Hearing; Member Byrnes seconded the motion. All members agreed.

\*Clerk's Note – All labeled attachments submitted with the agenda or referenced in this Board of Adjustment proceeding are included at the conclusion of these minutes.

### E. Board of Adjustment - Future Dates

### (i) Public Hearing

Member Brock made a motion to set the Public Hearing date on Monday, April 26, 2021at 1:00pm; Member Byrnes seconded the motion. All members agreed.

(ii) Board of Adjustment Meeting – Tuesday, April 27, 2021 at 5:30pm

### **ADJOURN**

Member Byrnes made a motion to adjourn; Member Hurlbrink seconded the motion. All members agreed. The meeting adjourned at 6:26pm.

Bob Bridges, Chairperson	Hillary Gropp, Town Clerk

### Article 17—Figure 1—Application for Appeal Page 1

### Application for Appeal to the Town of Seven Devils Board of Adjustment

Town of Seven Devils 157 Seven Devils Road Seven Devils, NC 28604 Phone: (828) 963-5343

**Description of Property** Location of Property: Lot 25 ALPINE MEADOWS \_\_\_County WATAUSA Size of Property 49 Current Zoning District\_ RESIDENCE Current General Use of Property\_\_\_\_ Applicant Information Property Owner Information Name: Norman W. May Krys Mirchell-May Name: Norman W. May Title: Owner Title: OWNERS Address: 1336 Johns Crestal Address: 1336 John's CrackRo WilmIHOTOH, NC 28409 WAMINGTON, NC 28409 Phone # (s): 910-512-1035 C Phone # (s): 910-512-/035 c 910-799-6238 H 910-799-6238 H E-mail: NMAYCPLE AOL. Com E-mail: NMAYCPLO Ad. Com KM DESIGNS 25 O AOL, COM

- •Two (2) copies of this completed form (both pages), typed or filled out in black ink.
- •Two (2) copies of the scaled site plan for the property in question.

In order for this application to be complete, the applicant must submit the following:

•Two (2) copies of current zoning map with location of property indicated.

•Two (2) copies of any additional information the applicant intends to present at the public hearing.

•A list of names and addresses of the owners of property within 100 feet of the property in question.

4 250. • Personal or Certified Check in the amount determined by the current Fee Schedule for each application for an appeal to cover the necessary administrative costs.

To be placed on the agenda, completed applications, fees, and all accompanying materials must be presented no less than thirty (30) calendar days before the next scheduled meeting of the Board of Adjustment.

### Article 17—Figure 1—Application for Appeal Page 2

### To the Town of Seven Devils Board of Adjustment:

I, Norman May hereby appeal to the Board of Adjustment from the following adverse decision by an agent of the Town of Seven Devils.
Who rendered the decision? Debbie Powers  Briefly describe what the decision prevents you from doing? Completing Protect
Briefly describe what the decision prevents you from doing? Completing Protect  Without Fines.
Date of the decision: 12/30/2020  Date you received the decision: 32021  How do you think the ordinance or guidelines should be interpreted?  "The Hardship is NOT The VESUT OF The Applicants our Actions"
What section(s) of the ordinance or guidelines support your interpretation?  ATTICLE 17 SECTION 3, 1, C
Why do you think your interpretation is correct? CONTrol of WEATHER AND PEOPLES Schedules AND TMPOSSIBLE.
Why do you think that the agent of the Town's interpretation is wrong? Not Knowing Complete RAIN SNOW TOTALS AT Beginning of Crosses. 2017, 2018
Other comments/information that you would like to have considered: RAIN AND SNOW DATA:  CONTRACTORS Schedules backing up DECAUSE OF WEATHER PRISUENTING  THEM TO COMPLETE MY WORK. COVID HAS DELAYED MATERIAL
I certify that the information presented in this application and attachments is accurate to the best of my knowledge, information, and belief.
Arrana W. Ma 2/1/2021
Signature of Applicant Date
Amount Paid \$250.00 Received by: 1. Powers Date: 2 3 2021 @ 5:00 pm
CALL DESCRIPTION OF THE PROPERTY OF THE PROPER
NORMAN W MAY  KAYE MITCHELL-MAY  1336 JOHNS CREEK RD  WH.MINGTON, NC 28409-4801  211 2021  Date
Pay To The Town of Spur Drui's \$ 250.00  Two Hundred Fifty + 900
BANK OF AMERICA
ACH R/T 053000196
FOI APPEAL FEE W. May - 168

### CONSTRUCTION TIME LINE

### 2017

10-4-2017 RECEIVED PERMIT FROM SEVEN DEVILS 11-3-2017 RECEIVED PERMIT FROM WATAUGA COUNTY REVIEW RAIN AND SNOW DATA,

### 2018

JANUARY TO APRIL WAITING ON CONTRACTOR TO CLEAR LOT MAY TO JULY LOT CLEARED AND SEPTIC INSTALLED OCTOBER TO NOVEMBER 4—HIRED ANOTHER CONTRACTOR TO DIG OUT FOR HOUSE REVIEW RAIN AND SNOW DATA

### 2019

JANUARY TO MARCH -WAITING ON WEATHER
APRIL- FOOTERS ARE DUG AND POURED
APRIL TO AUGUST -FOUNDATION BLOCK ARE LAIDED
AUGUST- LEVELING CRAWL SPACE AND FRAMING STARTS
REVIEW RAIN AND SNOW DATA

### 2020

MARCH- HIRE ANOTHER FRAMING CREW
JULY- PLUMBING ROUGH-IN
AUGUST- ROOF, FRAMING, SIDING ARE COMPLETE
AUGUST TO SEPTEMBER- HVAC AND ELECTRICAL ROUGH-IN
OCTOBER- FRAMING AND ROUGH-IN INSPECTIONS ARE SIGNED
OFF
NOVEMBER- INSULATION AND SEALED CRAWL SPACE COMPLETE
DECEMBER 10- INSULATION INSPECTION SIGNED OFF

### 2021

JANUARY 1- DRYWALL STARTS FEBRUARY - DRYWALL COMPLETE FEBRUARY-TRIM WORK STARTS.

iii Location: Elev 3270 ft. Lat: 36.1461" N Lon: -81 7577" W nul Environmental Salahita, Data, and Information Service # FOSCOE 1.2 WSW, NC US USINCWT0011 nal Oceanic & Almospheric Administration Department of Commerce

## Record of Climatological Observations

National Centers for Environmental Information

151 Patton Avenue

Asheville, North Carolina 28801

These data are quality controlled and may not be identical to the original observations.
Generated on 01/28/2021

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## Record of Climatological Observations

151 Patton Avenue

Asheville, North Carolina 28801

Netional Centers for Environmental Information

These data are quality controlled and may not be identical to the original observations.

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y or blank, colls Indicate that a data observation was not reported.

ind Cover 1=Grass; 2=Fallow; 3=Bere Ground; 4=Brome grass; 5=Bod; 6=Straw mulch; 7=Grass muck; 8=Bere muck; 0=Unknown "Al Obs." = Temperature at time of observation \*\* data value falled one of NCDC's quality control tests.

ikuss in the Precipitation or Snow category above indicate a "trace" value was recorded.

<sup>\*</sup>ues in the Pracipitation Flag or the Snow Flag column indicate a multiday total, accumulated since last measurement, is being used.

who inconsistency may be present due to rounding calculations during the conversion process from SI metric units to standard imperial units.

IN LOCATION: Elev 3270 ft. LBI: 36.1461\* N LOI: -81 7677\* W IN FOSCOE 1.2 WSW, NC US US1NCWT0011 uni Erwironmental Satalita, Data, and Information Service anal Oceanic & Atmospheric Administration

### Record of Climatological Observations

These data are quality controlled and may not be identical to the original observations. Generaled on 01/28/2021

151 Petton Avenue Asheville, North Carolina 28801 Observation Time Temperature: Unknown Observation Time Pracialtation: Linkno

National Centers for Environmental Information

		1	The Party of the last			The country of											
			emperature (r.				Precipitation			EVBDG	Evaporation			Soll Temp	Soll Temperature (F)		
20	٥	24 Hrs. Ending at Observation Time	nding at on Time		24 ±0	ir Amot bservat	24 Hour Amounts Ending at Observation Time		At Obs. Time	12.76			4 in. Depth			8 In. Depth	
E-E	<b>#</b> >	Mer.	Min.	At Obs.	Rain, Meltad Snow, Etc. (in)	u. – a ta	Snow, kes Pettets, Hall (in)	u-==	Snow, Kra Palleta, Hall, Ice on Ground (in)	Wind Movement (ml)	Amount of Evap. (in)	Ground Cover (see *)	Max.	Min.	Ground Cover (see *)	Max.	¥.
12 01					0.03		0.0		0.0								
12 02	2				0.00		0.0		0.0								
12 03					00'0		0.0		0.0								
12 04					00.0		0.0		0.0								
	LP.				00.0	Ť	0.0		0.0								
					0.13		0.0		0.0								
					0.00		0.0		0.0								
12 08	-				0.01		0.3	Ī	0.5								
12 09					0.62		7.4		8.0								
12 10					0.07		0.8		7.0								
					T		_		7.0								
12 12					0.00		0.0										
		2			Ŀ		F										
12 14					0.00	7	0.0										
2 15					00:0	J	0.0										
12 16					ļ-		_										
12 17					0.00		0.0										
12 18					_	3	0.0										
2 19					0.00	٥	0.0		0.0								
12 20					60.0	7	0.0	J	0.0								
					0,38	و	0.0	7	0.0					Burn State			
					0.00	9	0.0	J	0.0						300000000000000000000000000000000000000		
12 24				No. of the last	0.37	9	0.0	<u></u>	0.0								
					0.03												
			-		1	<u></u>			_								
					00:00	9	0.0	0	0.0								
					0.00	0	0.0	0	0.0								ĺ
12 29					0.00	0	0.0	0	0.0								
12 30					0.00	0	0.0	9	0.0								
					Į-	Τ		1									
and China	Chamenan				14.4	-	t t										

IN blank, calls indicate that a data observation was not reported

aki Cover 1=Grass; 2=Fallow; 3=Bara Ground; 4=Brome grass; 5=Sod; 6=Straw muldh; 7=Grass much; 8=Bara much; 0=Unknown

"At Obs." \* Temperature at time of observation us clata value falled one of NCDC's quality control lasts.

has in the Precipitation or Snow category above indicate a "trace" value was recorded.

who incombistency may be present due to rounding calculations during the conversion process from SI metric units to standard importal units. lues in the Precipitation Flag or the Snow Flag column Indicate a mutiday total, accumulated since last measurement, is being used.

Dupartment of Commerca
unt Oceanic & Atmospheric Administration
nut Environmental Salellie, Deta, and Information Service
an Location: Elev. 3270 ft. Lat. 36.1461\* N Lon: -81.7877\* W

# Record of Climatological Observations

These data are quality controlled and may not be identical to the original observations.

Generated on 01/26/2021

National Centers for Environmental Information
151 Pation Avenue
Astevitie, North Carolina 28801

	ĮĮ.	Temperature (F	E			Precipitation			Evapo	Evaporation			Soll Tem	Soll Temperature (F)		
		24 Hrs. Ending at Observation Time		24 Hour Ob	r Amou bearvat	r Amounts Ending at		At Obs. Time				4 In. Depth			9 In. Depth	
) E-2	Max.	Min.	₹Ā	Rain, Melted Snow, Elc. (in)	L-==	Snow, Ica Pallets, Hatl (In)	L-80	Snow, kea Pellets, Hall, Ice on Ground	Wind Movement (ml)	Amount of Evep. (in)	Ground Cover (see *)	Mex.	Min.	Ground Caver (see *)	Max	耋
10				0.10		2.8		3.0								
				Ţ		1		2.0								
01 03				00.0		0.0										
				T												
				-		-		To the second	Wilder.							
01 06				0.00		0.0		400000000000000000000000000000000000000								
01 07				0.00		0.0	_									
				00'0		0.0										
				0.07		1	Ĭ	0.0			1000000					
1000				0.00	_	0.0	Ĭ	0.0								
11		200		0.47		0.0	Ť	0.0								
				4.86		0.0	٦	0.0								
				1,42	_	0.1	-	F								
01				0.02		0.2										
				00.0	Ĭ	0.0	_	•								
				00.00	Ī	0.0	T									
17 10				0.12	<u> </u>	1.5	-	1.5								
18				60.0		2.2	67	3.5								
01 10				0.00	Ť	0.0	N	2.5	<b>!</b>							
				0.00	Ī	0.0		1.0								
				0.00	Ĭ	0.0		0.0								
						su)										
23				0.45	Ĭ	0.0	.0	0.0								
100				00:0		0.0	0	0.0			200					
25				0.00	٦	0.0	0	0.0								
01 27				0.00	Ū	0.0	¢	0.0								
01 28				0.22		0.0	0	0.0								
01 29				0.39		0.0	o	0.0								
01 30				0.16	-	2.7	2	2.5								
				0.02		1.0										
-																

wor blank, cells indicate that a data observation was not reported.

and Cover 1=Grass; 2=Fellow; 3=Bere Ground; 4=Brome grass; 5=Sod; 6=Straw mulch; 7=Grass muck; 8=Bere muck; 0=Linknown

his data value falled one of NCDC's quality control tests. "At Obs." = Temperature at time of observation

lius in the Precipitation or Snow category above indicate a "trace" value was recorded.

alous in the PrachMatlon Flag or the Show Flag column indicate a multiday total, accumulated since last measurement, is being used.

white inconsistency may be present due to rounding calculations during the conversion process from St metric units to standard imperial units.

Department of Commerce nal Oceanic & Atmospheric Administration and Oceanic & Atmospheric Administration and Information Service nat Location: Elev. 3270 ft. Lat. 36.1481" N.Lon: -81,7877" W.

# Record of Climatological Observations

151 Patton Avenue

Ashaville, North Carolina 28801

National Centers for Environmental Information

These data are quality controlled and may not be identical to the original observations.

Observation Time Temperature: Unknown Observation Time Precipitation: Unknown 돌 8 in. Depth Hax Soll Temperature (F) Ground Cover (see 1) 穒 4 in. Depth Max. Amount of Evap. (In) Evaporation 24 Hour Wind Movement (mi) Snow, Ice Pallets, Hall, Ice on Ground (In) Generated on 01/26/2021 At Obs. 0.0 0.0 0.0 8 0.0 0.0 0.0 8 0.0 0,0 0.0 0.0 0.0 24 Hour Amounts Ending at Observation Time Precipitation Snow, ke Pellets, Hell (In) 0.0 0.3 00 0.0 0.0 0.0 0.0 00 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 Rain, Mettad Snow, Etc. (In) 0.00 0.09 0.00 0.00 0.29 1.32 0.03 0.63 0.04 1.30 0.29 0.05 0.09 0.0 0.32 0.16 0.09 5.14 0.00 0.25 0.00 0.16 0.02 0.00 ĕ ë Temperature (F) 24 Hrs. Ending at Observation Time Ę. FOSCOE 1.2 WSW, NC US USINCWT0011 Max Summary 04> 888 8 8 2 5 4 4 5 2 Ξ 4 2 6 2 23 S<sub>2</sub> 7 22 2 200--

ur blank, cells indicate that a data observation was not reported.

ind Cover 1\*Grass; 2eFallow; 3\*Bare Ground; 4\*Brome grass; 5\*Sod; 6\*Straw mulch; 7\*Grass muck; 8\*Bare muck; 6\*Unknown

is data value falled one of NCDC's quelity control tests. "At Obs." = Temperature at time of observation

ues in the Prachilstion or Snow category above indicate a "traca" value was recorded.

iluss in the Pracipitation Flag or the Snow Flag column indicate a multiday total, accumulated since last measurement, is being used.

mike inconsistency may be present due to rounding calculations during the conversion process from Si metric units to standard imperial units.

Ent Location Elev. 3270 ft. Let: 38.1481\* N Lon: -81,7877\* W with Environmental Satelitte, Data, and Information Service wai Oceanic & Atmospheric Administration lepartment of Commerce

Record of Climatological Observations

These data are quality controlled and may not be identical to the original observations.

151 Patton Avenue Asheville, North Carolina 28801

National Centers for Environmental Information

1			Ţ	Temperature (f	9		Ī	Precipitation	4	Evepo	Evaporation		Soll Tem	Soll Temperature (F)		
1	<b>E</b> (	-	24 Hrs.	Ending at		24 Hou	r Amou	ints Ending at Ion Time	At Obs.	14.0		4 In. Depth			8 in. Depth	
61         0.61         0.61         0.00           02         0.28         T           03         0.00         0.00           04         0.00         0.00           05         0.00         0.00           06         0.00         0.00           07         0.07         0.01           10         0.07         0.01           10         0.07         0.01           11         T         0.00           12         0.00         0.00           14         0.01         0.00           15         0.00         0.00           16         0.00         0.00           17         0.00         0.00           16         0.00         0.00           16         0.00         0.00           17         0.00         0.00           18         0.00         0.00           19         0.00         0.00           10         0.00         0.00           23         0.00         0.00           24         0.00         0.00           25         0.00         0.00           29	2-2	) = >	Max.	Min.	Sp.	Rain, Helted Snow, Elc. (in)	<b>tr ~ 4 €</b>	Snow, kee Pellets, Hatt (in)	Snow, ice Pellets, Half, ice on Ground (In)			Max.	Min.	Graund Cever (see *)	Max	Mh.
02         0.38         T           04         0.00         0.00           05         0.00         0.00           06         0.00         0.00           07         0.05         0.00           09         0.07         0.01           10         0.07         0.01           10         0.00         0.00           10         0.00         0.00           11         T         0.00           12         0.00         0.00           14         0.00         0.00           15         0.00         0.00           16         0.00         0.00           17         0.00         0.00           16         0.00         0.00           17         0.00         0.00           18         0.00         0.00           19         0.00         0.00           10         0.00         0.00           10         0.00         0.00           10         0.00         0.00           24         0.00         0.00           25         0.00         0.00           29         0.00		94				0.61		0.0								
03         0.00         0.00           04         0.00         0.00           05         0.00         0.00           06         0.00         0.00           07         0.05         0.00           09         0.01         0.0           10         0.01         0.0           11         T         0.0           12         0.00         0.0           14         0.00         0.0           15         0.00         0.0           16         0.00         0.0           17         0.00         0.0           18         0.00         0.0           19         0.00         0.0           21         0.00         0.0           22         0.00         0.0           24         0.03         0.0           25         0.00         0.0           26         0.00         0.0           27         0.00         0.0           28         0.00         0.0           29         0.00         0.0           29         0.00         0.0           29         0.00         0.0		20				0.38		_								
04         0.00         0.00           05         0.00         0.0           06         0.00         0.0           07         0.05         0.0           09         0.07         0.0           10         0.07         0.0           10         0.07         0.0           11         0.00         0.0           12         0.00         0.0           13         0.00         0.0           14         0.00         0.0           15         0.00         0.0           16         0.00         0.0           17         0.00         0.0           18         0.00         0.0           19         0.00         0.0           20         0.00         0.0           21         0.00         0.0           22         0.00         0.00           24         0.00         0.0           25         0.00         0.0           26         0.00         0.0           27         0.00         0.0           28         0.00         0.0           29         0.00         0.0		33			1000	0.00		0.0								
05         0.00         0.00           06         0.09         0.00           07         0.05         0.00           09         0.07         0.0           09         0.07         0.0           10         0.01         0.1           11         0.00         0.0           12         0.01         0.0           14         0.00         0.0           16         0.00         0.0           16         0.00         0.0           17         1         0.0           18         0.00         0.0           10         0.00         0.0           10         0.00         0.0           20         0.00         0.0           21         0.00         0.0           22         0.00         0.0           24         0.00         0.00           25         0.00         0.0           26         0.00         0.0           27         0.00         0.0           28         0.00         0.0           29         0.00         0.0           20         0.00         0.0		Z				0.00		0.0		1000000						
06         06         0.09         0.0           07         0.05         0.0         0.0           08         0.07         0.0         0.0           10         0.00         0.0         0.0           11         T         0.0         0.0           12         0.00         0.0         0.0           14         0.00         0.0         0.0           16         0.00         0.0         0.0           16         0.00         0.0         0.0           16         0.00         0.0         0.0           16         0.00         0.0         0.0           16         0.00         0.0         0.0           16         0.00         0.0         0.0           17         0.00         0.0         0.0           20         0.00         0.0         0.0           21         0.00         0.0         0.0           22         0.00         0.0         0.0           24         0.00         0.0         0.0           25         0.00         0.0         0.0           26         0.00         0.0         0.0 <td></td> <td>75</td> <td></td> <td></td> <td></td> <td>00 0</td> <td></td> <td>0.0</td> <td></td> <td></td> <td></td> <td></td> <td>7</td> <td></td> <td></td> <td></td>		75				00 0		0.0					7			
07         0.05         0.0           08         0.07         0.5           10         0.01         0.1           10         0.00         0.0           11         0.00         0.0           12         0.01         0.0           13         0.02         0.0           14         0.02         0.0           15         0.00         0.0           16         0.00         0.0           18         0.00         0.0           19         0.00         0.0           10         0.00         0.0           20         0.00         0.0           21         0.00         0.0           22         0.00         0.0           24         0.00         0.0           25         0.00         0.0           26         0.00         0.0           27         0.00         0.0           28         0.00         0.0           29         0.00         0.0           29         0.00         0.0           29         0.00         0.0           20         0.00         0.0		95				60.0		0.0								
906         0.07         0.5           10         0.01         0.1           10         0.00         0.0           11         T         0.0           12         0.61         0.7           13         0.23         0.7           14         0.03         0.0           15         0.00         0.0           14         0.00         0.0           14         0.00         0.0           14         0.00         0.0           14         0.00         0.0           14         0.00         0.0           14         0.00         0.0           14         0.00         0.0           14         0.00         0.0           14         0.00         0.0           14         0.00         0.0           20         0.00         0.0           21         0.00         0.0           24         0.0         0.0           25         0.00         0.0           28         0.00         0.0           29         0.00         0.0           20         0.00         0.0 <td></td> <td>2</td> <td></td> <td></td> <td></td> <td>0.05</td> <td></td> <td>0.0</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td>		2				0.05		0.0								
09         0.01         0.1           10         0.00         0.0           11         T         0.0           12         0.61         0.0           13         0.23         0.23           14         0.03         0.0           15         0.00         0.0           16         0.00         0.0           18         0.00         0.0           20         0.00         0.0           21         0.00         0.0           22         0.00         0.0           24         0.03         0.0           25         0.00         0.0           26         0.00         0.0           27         0.00         0.0           28         0.00         0.0           29         0.00         0.0           29         0.00         0.00           29         0.00         0.0           29         0.00         0.0           29         0.00         0.0           29         0.00         0.0           29         0.00         0.0           20         0.00         0.0     <		2			Skinking	20.0		0.5				2011				
10         0.00         0.00           112         T         0.01           12         0.61         0.7           13         0.23         0.7           14         0.23         6.5           15         0.02         T           16         0.00         0.0           17         0.00         0.0           18         0.00         0.0           20         0.00         0.0           21         0.00         0.0           22         0.03         0.03           24         0.03         0.0           25         0.00         0.0           26         0.00         0.0           27         0.00         0.0           28         0.00         0.0           29         0.00         0.0           29         0.00         0.0           29         0.00         0.0           29         0.00         0.0           29         0.00         0.0           29         0.00         0.0           29         0.00         0.0           0.00         0.00         0.0		19				10.01		0.1								
17         0.00           12         0.61         0.7           13         0.23         6.5           14         0.23         6.5           15         0.02         T           16         0.00         0.0           17         0.00         0.0           18         0.00         0.0           19         0.00         0.0           20         0.00         0.0           21         0.00         0.0           22         0.02         0.0           24         0.02         0.0           25         1.26         4.1           26         0.00         0.0           27         0.00         0.0           28         0.00         0.0           29         0.00         0.0           29         0.00         0.0           30         0.06         0.0           30         0.06         0.0           30         0.06         0.0           0.08         0.00         0.0           0.00         0.00         0.0           0.00         0.00         0.0	1000	10				0.00		0.0								
12     0.61     0.7       13     0.23     6.5       14     0.31     6.5       15     0.02     T       16     0.00     0.0       18     0.40     0.0       19     0.00     0.0       20     0.00     0.0       21     0.04     0.0       22     0.04     0.0       24     0.02     0.0       25     1.26     4.1       26     0.00     0.0       28     0.00     0.0       29     0.00     0.0       29     0.00     0.0       29     0.00     0.0       29     0.00     0.0       30     0.06     0.0       31     0.06     0.0       31     0.06     0.0       31     0.06     0.0       31     0.06     0.0		=				1		0.0								
13     0.23     6.5       14     0.31     6.5       15     0.02     T       16     0.00     0.0       18     0.46     0.0       20     0.00     0.0       21     0.00     0.0       22     0.03     0.0       24     0.02     0.0       25     0.09     0.0       26     0.00     0.0       28     0.00     0.0       29     0.00     0.0       29     0.00     0.0       30     0.08     0.0       31     0.08     0.00       31     0.08     0.00		2				0.61		0.7								
14     0.31     6.5       15     0.02     T       16     0.00     0.0       18     0.46     0.0       20     0.00     0.0       21     0.00     0.0       22     0.03     0.0       24     0.02     0.0       25     0.02     4.1       26     0.00     0.0       28     0.00     0.0       29     0.00     0.0       30     0.00     0.0       31     0.08     0.00       31     0.08     0.00		3				0.23										
15         15         T         0.02         T           17         17         0.0         0.0         0.0           18         0.46         0.0         0.0         0.0           20         0.00         0.0         0.0         0.0           21         0.64         0.1         0.1         0.0           23         0.03         0.0         0.0         0.0           24         1.26         4.1         0.0         0.0           25         1.26         4.1         0.0         0.0           26         0.00         0.00         0.0         0.0           29         0.00         0.00         0.0         0.0           29         0.00         0.00         0.0         0.0           30         0.08         0.00         0.0         0.0           31         0.08         0.08         0.0         0.0		4				0.31	-	8.5								
16         0.00         0.0           17         7         0.0           18         0.46         0.0           20         0.00         0.0           21         0.20         0.0           22         0.03         0.0           24         0.03         0.0           25         1.26         4.1           26         0.00         0.0           27         0.00         0.0           28         0.00         0.0           29         0.00         0.00           30         0.00         0.0           31         0.06         0.00           31         0.06         0.00		in in				0.02		<b>J</b>								
17     T     0.0       16     0.0     0.0       20     0.00     0.0       21     0.2     0.0       22     0.03     0.1       23     0.03     0.0       24     0.02     0.0       25     1.26     4.1       26     0.00     0.0       28     0.00     0.0       29     0.00     0.0       30     0.06     0.0       31     0.06     0.0       31     0.06     0.00       31     0.06     0.00		Đ				00.0		0.0								
18         0.46         0.0           50         0.00         0.0           20         0.30         0.0           21         0.64         0.1           23         0.03         0.03           24         0.02         0.0           25         1.26         4.1           26         0.00         0.0           27         0.00         0.0           29         0.00         0.0           30         0.00         0.0           31         0.08         0.0           31         0.08         0.0		17				<u>-</u>	_	0.0								
16         0.00         0.00           20         0.30         0.0           21         0.04         0.1           22         0.03         0.1           23         0.02         0.3           24         0.02         4.1           25         1.26         4.1           26         0.00         0.0           27         0.00         0.0           29         0.00         0.0           30         0.00         0.0           31         0.08         0.0           31         0.08         0.0		100				0.40		0.0								
20         0.30         0.0           21         0.64         0.1           22         0.1         0.1           23         0.03         0.03           24         0.02         4.1           25         1.26         4.1           26         0.00         0.0           27         0.00         0.0           28         0.00         0.0           29         0.00         0.00           30         0.18         0.0           31         0.08         0.00		6				0.00	-	0.0								
21         0.64         0.1           22         0.03         0.03           23         0.05         0.03           24         0.05         4.1           25         1.26         4.1           26         0.06         0.0           27         0.00         0.0           29         0.00         0.00           30         0.18         0.0           31         0.06         0.00           31         0.06         0.00		0				0.30	-	0.0								
22         0.03           23         0.02           24         0.02           25         4.1           26         0.09           27         0.00           28         0.00           29         0.00           30         0.18           31         0.06           31         0.06		-				0.64	,	0.1								
23     0.03       24     0.02     0.3       25     1.26     4.1       26     0.09     0.0       27     0.00     0.0       29     0.00     0.0       30     0.18     0.0       31     0.06     0.0       31     0.06     0.0		12														
24     0.02       25     1.26       26     0.00       27     0.00       29     0.00       30     0.18       31     0.06		<u></u>				0.03			0.0				1			
25     1.26       26     0.00       27     0.00       29     0.00       30     0.18       31     0.06		3				0.02		0.3								
26     0.00       27     0.00       28     0.00       29     0.00       30     0.18       31     0.06		151				1.26	1	1,1								
26     0.00       29     0.00       30     0.18       31     0.06		9				0.00		0.0								
26     0.00       29     0.00       30     0.18       31     0.06		7				0.00	_	0.0								
29 0.00 30 0.18 31 0.08		6				0.00		0.0								
30 0,18		gn.				0.00	-	0.0	_							
0.08	6)	0				0,18	٦	0.0								
		-				0.06	٦	0.0								

in thank, cells indicate that a data observation was not reported.

and Cover 1=Grass, 2=Fallow, 3=Bare Ground, 4=Brome grass; 5=Sod; 5=Straw mulch; 7=Grass much; 6=Bare much; 0=Unknown "At Obs." a Temperature at time of observation \*\*\* data value felled one of NCDC's quality control tests.

luss in the Pracipitation or Snow calegory above indicate a "trace" value was recorded.

ives in the Pracipitation Flag or the Snow Flag column indicate a multiday total, accumulated since tast measurement, is being used.

white inconsistency may be present due to rounding calculations during the conversion process from SI metric units to standard imperial units.

nt Location: Elev 3270 ft. Lat; 38;1481\* N Lon; -81,7877\* W nn FOSCOE 1,2 WSW, NC US US1NCW70011 nal Environmental Saleillie, Data, and Information Service nal Oceanic & Atmospheric Administration Department of Commerce

### Record of Climatological Observations

National Centers for Environmental Information

151 Patton Avenue

Asheville, North Carolina 28801

These data are quality controlled and may not be identical to the original observations. Generaled on 01/26/2021

Observation Time Temperature: Unknown Observation Time Preciolation: Unknown

205-2	1															
	Te	Temperature (F				Precipitation			Evaporation	negon			Soll Temperature	erature (F)		
	24 Hrs. Ending at Observation Time	inding at		24 Hou O	r Amou	24 Hour Amounts Ending at Observation Time		At Obs.	24 65			4 In. Depth			8 In. Depth	
	Max.	Min.	Ø₽.	Rain, Melted Snow, Etc. (in)	11.一 報 数	Bnow, Ice Pellets, Hall (in)	L-80	Snow, ica Pellets, Hall, ica on Ground (In)	Wind Movement (mi)	Amount of Evep. (in)	Ground Cover (see *)	zi M	Min.	Ground Cover (see *)	Mex.	Min.
10 1				0.00		0.0	0	0.0								
04 02				0.00		0.0	0	0.0								
				00.0		0.0	0	0.0						1000		
04 04	1 (Sult			0.05		0.0	0	0.0								
0.4				00.0		0.0	0	0.0								
				0.00		0.0	0	0.0								
4 07				0.56		0.0	0	0.0								
04				0.08		Ε.	F	100000								
60				0.01		_	F									
				10.01		7	O.	0.0								
11				0.00		0.0	0	0.0								
				0.00		0.0	0	0.0								
				00.0	Ť	0.0	0	0.0								
14				00:00	_	0.0	0	0.0								
15				0.23	Ī	0.0	0	0.0				9				
				4.74		T	Đ	0.0								
				60.0		0.5	0	5.0								
				00'0	Ĭ	0.0	O	0.0								
18	2000			0.00	_	0.0	0	0.0								
				0.00		0.0	0	0.0								
04 21				0.00	_	0.0	0.0	0								
				0.00		0.0	Ö	0.0								
		No. of Persons		60.0		0.0	0.0	0					100			
				4.19	)[	0.0	0.0	0								
				1.69	J	0.0	0.0	0								
				0.04	)	0.0	0.0	0								
				0.39	Ĭ	0.0	0.0	0								
04 28				0.00	J	0.0	0.0	0								
29				00.0	Ĭ	0.0	0.0	0								
				000	J	0.0	0.0	0								
Summary				12.07	0	0.5										

ly or blank, cells indicate that a data observation was not reported.

"At Obs." - Temperature at time of observation

nid Cover, 1=Grass, 2=Fallow, 3=Bare Growid; 4=Brome grass, 5=Sod; 6=Straw mulch; 7=Grass much; 8=Bare much; 0=Unknown

HE tista value falled one of NCDC's quality control tests.

thus in the Precipitation or Snow category above holicate a "trace" value was recorded.

value inconsistency may be present due to nounding calculations during the conversion process from SI metric units to standard imperial units. dues in the Precipitation Flag or the Snow Flag column inclicate a multiday lotal, accumulated since last measurement, is being used.

usi Oceanic & Atmospheric Administration

int Location: Elev. 3270 ft. Lat. 36.1461\* N Lon; -81.7877\* W POSCOE 1.2 WSW, NC US US1NCW70011

Record of Climatological Observations

National Contars for Environmental Information

151 Palton Avenue

Ashaville, North Carolina 28801

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Generaled on 0.700.7021

		T	Temperature (F)	6		1	Precipitation		Evap	Evaporation			Soll Tema	Soll Temperature (F)	The same	
<b>E</b> (	-	24 Hrs. Observa	24 Hrs. Ending at Observation Time		24 Hour	r Amou	Amounts Ending at servation Time	At Obs. Time				4 in. Depth			8 In. Depth	
3-2	14>	Max.	Min.	Obs.	Rain, Melted Snow, Etc. (in)	t a a	Snow, ke Pelleta, Hall (in)	F Pellets, Hell, Kee on Ground	Les Wind L. Movement Ind (ml)	Amount of Evap. (In)	Ground Cover (see ")	Mex.	Min.	Ground Cover (see ")	Mex.	, e
05	01				0.00		0.0	0,0								1000
	02				0.00		0.0	0.0								
	03				0.00		0.0	0.0								
	04				0.00		0.0	0.0								
	05				0.00		0.0	0.0								
	90				0.17	100000	0.0	0.0								
02 0	20				0.02		0.0	0.0								
	90				0.13	-	0.0	0.0								
35	60				0.00	Ť	0.0	0.0								
Section 1	10				0.00	~	0.0	0.0								
	11				0.18		0.0	0.0								
05.	12		•		00:0		0.0	0.0								
	13				0.00	7	0.0	0.0								
1 20	4				0.00	۲	0.0	0.0								
05	15				00.0	٦	0.0	0.0								
	91				0.72	Ç	0.0	0.0								
	17				2.56	٦	0.0	0.0								
	18				1.49	נ	0.0	0.0								
	19				7.71	Ç	0.0	0.0	18							
1	20				0.03	3	0.0	0.0								
	1				0.00	9	0.0	0.0								
2 50	22				0.47	9	0.0	0.0								
	23				0,14	ф	0.0	0.0								
	7				0.04	0	0.0	0.0	10		35105					
	25				000	0	0.0	0.0								
	þ				0.04	0	0.0	0.0	10							
05 27	7				1.39	0	0.0	0.0								
	60				0.31	0	0.0	0.0								
	ē				1.62	0	0.0	0.0								
92	0				2.46	0	0.0	0.0								
31					1.99	9	0.0	0.0								
4	Sammen	1			147.49	1	1							-		

w or blank, calls indicate that a data observation was not reported.

and Cover 1=Grass; 2=Fallow; 3=Bare Ground; 4=Brome grass; 5=Sod; 6=Straw mulch; 7=Grass muck; 8=Bare muck; 0=Unknown

at data value falled one of NCDC's quality control lests. "At Obs." = Temperature at time of observation

Aues in the Pracipitation or Snow category above indicate a "trace" value was recorded.

who incorplisiency may be present due to rounding calculations during the conversion process from SI metric units to standard impertal units. thers in the Precipitation Flag or the Snow Flag column indicate a multiday total, accumulated since last measurement, is being used.

enal Oceanic & Atmospheric Administration Department of Commerce

ni Location: Elev 3270 ft. Lat: 36.1461" N Lon: -81.7877" W und Environmental Satellita, Data, and Infolmation Service

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### Record of Climatological Observations

Netional Centers for Environmental Information

151 Patton Avenue

Asheville, North Carolina 28801

These data are quality controlled and may not be identical to the original observations.

Observation Time Temperature: Unknown Observation Time Precipitation: Unknown 돌 8 in. Depth Nex. Soil Temperatura (F) Ground Cover (see ") M. 4 In. Depth Max. Ground Cover (see \*) Amount of Evap. (in) Evaporation 24 Hour Wind Movement (mi) Generaled on 01/25/2021 Snow, ica Pallets, Hall, ica on Graund At Obs. Time 0.0 0.0 0.0 00 8 0.0 0.0 00 0.0 00 0.0 9 88 0.0 0.0 24 Hour Amounts Ending at Observation Time Precipitation Snow, Ice Pellets, Hall (In) 0,0 0.0 0.0 0.0 0.0 0.0 8 8 0.0 000 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 Rain, Matted Snow, Etc. (in) 0.08 0.46 0.05 0.00 0.00 0.00 000 0.00 0.12 0.00 0.00 0.00 1.39 0.01 0.00 0.17 0.09 0.00 900 0.03 0.00 0.06 0.50 0.01 0.31 0.11 종 Temperature (F) 24 Hrs. Ending at Observation Time Ħ. n FDSCDE 1.2 WSW, NC US USINCWT0011 Max. 04>

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**5 5** 귀 뛰 뛰 1 9 \$ 되지 ty, or blank, cells indicate that a data observation was not reported.

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uiki Cover 1-Grass, 2-Fallow; 3-Bara Ground; 4-Brome grass; 5=Sod; 6-Straw mulch; 7-Grass much; 8-Bera muck; 0-Unknown

0.0

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"At Obs." a Temperature at time of observation His data value falled one of NCDC's quality control tests.

HABS In the Precipitation or Snow category above indicate a "trace" value was recorded.

tious in the Precipitation Flag or the Snow Flag column indicate a multiday total, accumulated since test measurement, is being used.

withe inconsistency may be present due to rounding calculations during the convention process from SI matric units to standard imperial units.

ant Location: Elev: 3270 ft. Let: 36.1461\* N Lor: -81.7877\* W nal Environmental Satelitte, Data, and Information Service nal Oceanic & Atmospheric Administration Department of Commerce

# Record of Climatological **Observations**

National Centers for Environmental Information

151 Pation Avenue

Asheville, North Carolina 28801

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		F	Temperature (F)	6		-	Precipitation			Evapo	Evaporation			Soll Tems	Soil Temperature (F)		
20	-	24 Hrs. Observe	24 Hrs. Ending at Observation Time		24 Hour Obj	r Amou	Amounts Ending at servation Time		At Obs.				4 in. Depth			8 in. Depth	
15~E	183	Max.	Min.	₹8	Rain, Melted Snow, Etc. (in)	r-=2	Show, kes Patiets, Hall (in)	n - 8	Snow, ice Pellets, Hall, ice on Ground	Wind Wind Mevement (mi)	Amount of Evsp. (in)	Ground Cover (see ")	Rex	Min.	Ground Cover (see ")	Max	12
07	10				0.14		0.0	-									
	02				0.14		0.0	_									
	03				0.00		0.0										
	2				0.00	-	0.0	-									
	05				00'0		0.0										
	90				0.00		0.0										
	07				0.55	Ť	0.0	-									
07	60				0.07		0.0										
t t	60																
	10				0.00			0.0	6								
	11				00.0	1	0.0										
	12				T	Ĭ	0.0										
07	13	-			0.31		0.0										
	14				0.00		0.0										
	15				00.00	-	0.0										
20	16				0.34	Ľ	0.0		The same of								
	17				0.28	٦	0.0										
	18				0.03	7	0.0	_									
. 20	19				F	3	0.0	_									
	20				0.00	٦	0.0										
	21				0.19	3	0.0							1			
	22				10.0	٥	0.0										
20	23				1.20	9	0.0										
	24				0.49	-	0.0										
	25				0.04	9	0.0	L	7								
	26				T	0	0.0	41.57									
	27				0.00	0	0.0										
07	28				0.00	0	0.0										
07	29				00.0	0	0.0	M									
	30				0.08	0	0.0										
	31				0.58	0	0.0										

. or blank, cells indicate that a data observation was not reported.

ini Cover 1-Grass, 2-Fallow, 3-Bare Ground, 4-Brome grass; 5-Sod; 6-Straw mulch; 7-Grass muck; 8-Bare muck; 0-Unknown

"At Obs." = Temperature at time of observation 115 data value falled one of NCDC's queffly control tests.

sues in the Precipitation or Snow category above indicate a "trace" value was recorded.

value inconsistency may be present due to rounding calculations during the conversion process from SI metric units to standard impedial units. vivus in the Precipitation Flag or the Snow Flag column Indicate a mutiday total, accumulated since last measurament, is being used.

HILL Environmental Satetitle, Data, and Information Service

H Lucation; Elev; 3270 ft. Lat: 36.1461\* N Lon: -81,7877\* W nul Oceanic & Atmospheric Administration

### Record of Climatological Observations

National Centers for Environmental Information

151 Patton Avenue

Asheville, North Carolina 28801

These data are quality controlled and may not be identical to the original observations. Generaled on 01/26/2021

Observation Time Temperature: Unknown Observation Time Precipitation: Unknown Ę. 8 In. Depth Max Ground Cover (see \*) Soll Temperatura (F) Min. 4 In. Depth Mex. Ground Cover Amount of Evep. (in) Evaporation 24 Hour Wind Wovement (mi) Snow, ice Pellets, Hall, ice on Ground (in) At Obs. 0.0 0.0 0.0 0.0 00000 0.0 0.0 88 0.0 24 Hour Amounts Ending at Observation Time Precipitation Snow, ke Pellets, Half (in) 0.0 0 0 0.0 0.0 8 0.0 0 0 8 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 Rain, Metted Snow, Etc. (in) 0.00 0.05 0.00 0.43 0.00 0.00 0.00 0.00 0.94 0.01 0.00 0.02 90.0 0.31 0.44 0.43 9.00 0.00 0.07 0.00 0.00 0.00 목 Temperature (F) 24 Hrs. Ending at Observation Time HH. # FOSCOE 1.2 WSW, NC US USINCWT0011 Zex. 

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ur blank, cells indicate that a data observation was not reported

nd Cover 1 sGrass; 2 = Fellow; 3 = Bare Ground; 4 = Brome grass; 5 = 50d; 6 = Straw mulch; 7 = Grass muck; 6 = Bare muck; 0 = Undrown

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"At Obs." = Temperature at time of observation a data value falled one of NCDC's quality control tests.

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when inconsistency may be present due to rounding calculations during the conversion process from SI metric units to standard imperial units. itus in the Pracipitation Flag or the Snow Flag column indicate a multiday total, accumulated since last measurement, is baing used.

at Location: Elev. 3270 ft. Lat: 36.1461\* N Lon: -81,7877\* W ual Environmental Salaitte, Data, and information Sarvice uni Oceanic & Almospheric Administration Department of Commerce

Record of Climatological Observations

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151 Patton Avenue Asheville, North Carolina 28801

National Contors for Environmental Information

	Ter	Temperature (F	6			Precipitation			Ever siztion	retton			Soil Tem	Soil Temperature (F)		
	24 Hrs. Enoing at Observation Time	inoling at fon Time		24 Hour	r Amou	ur Amounts Ending at Observation Time		At Ocs.	4			4 In. Depth			B in. Depth	
) E > Z	Max	. Min.	Ş. Opera	Rain, Mettod Snow, Etc. (fn)	14 — 18 ES	Snow, ke Pellets, Hall (in)	n-===	Snow, Ice Pellats, Hall, Ice on Ground (In)	Velnd Velnd Movement (ml)	Amaunt of Evop. (In)	Ground Cover (see ")	Max.	Mh.	Ground Cover (see ")	Max	Ř
09 01				0.50		0.0	0.0									
				95.0		0.0	0.0	9								
				0.47		0.0	0.0	0	,							
				1		0.0	0.0	0	100000000000000000000000000000000000000							
				00.0		0.0	0.0									
				0.10		0.0	0.0	0								
				0.00		0.0	0.0									
90 60				0.03		0.0	0.0	-								
				0.08	0	0.0	0.0									
				0.55		0.0	0.0		b							
				0.18		0.0	0.0	_								
12				1.04		0.0	0.0								-	
13				0,14	-	0.0	0.0									
				00.0		0.0	0.0									
				0.02		0.0	0.0									
				0.79		0.0	0.0									
17 60				4.77		0.0	0.0	_								
				0.42		0.0	0.0									
				0.00	-1	0.0	0.0									
				00.0	7	0.0	0.0									
				0.02	J	0.0	0.0							The state of the s		
				00.0	J	0.0	0.0	_								
09 23				0.04	7	0.0	0.0	_								
		*		0.54	Ĭ	0.0	0.0									
100				0.24		0.0	0.0									
				0.05		0.0	0.0	1000								
				0.05		0.0	0.0									
				0.34		0.0	0.0	_								
				00.0	C	0.0	0.0									
00 30				0.37	٥	0.0	0.0									
Summary				11,28	9	0.0	Ш									

. or blank, cells indicate that a data observation was not reported.

nel Cover. 1=Grass; 2=Fallow; 3=Bare Ground; 4=Brome grass; 5=Sod; 6=Straw mukh; 7=Grass muck; 8=Bare much; 0=Unknown "At Obs." a Temperature at time of observation is data value falled one of NCDC's quality control tests.

iluos in the Precipitation or Snow calegory above Indicate a "trace" value was recorded.

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Department of Commerce
not Oceanic & Atmospheric Administration
not Ecvironmental Salettile, Data, and Information Service
of Location: Elev. 3270 ft. Lat. 36.1461\* N Lon: -81 7877\* W

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151 Patton Avenue

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Observation Time Temperaturs: Unknown Observation Time Precipitation: Unknown 粪 8 in. Depth Mak Soll Temperature (F) Ground Cover 뚩 4 In. Depth Max. Ground Cover Amount of Evap. (In) Evaporation 24 Hour Wind Movement (ml) Snow, kee Pellets, Hall, Ice on Ground At Obs. Time 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 00 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 24 Hour Amounts Ending at Observation Time Precipitation Snow, Ica Pellets, Hall (in) 0.0 0.0 88 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 Rain, Metted Snow, Etc. (in) 12.87 0.00 900 0.00 0.00 0.08 0.00 1.52 0.18 0.43 6.00 0.00 9.0 0.14 0.00 0.00 0.00 2.28 0.21 0.00 0.00 0.57 1,12 0.12 0.20 0.00 ¥å Temperature (F) 24 Hrs. Ending at Observation Time MIn. Fex. 의 뒤웨 98 99 8 밁 Ü 7 5 무 12 # £ 20 22 23 24 52 8 23 28 23 205-5 의의 무 유유 5 5 5 5 2 우 우 묘 우 오 **하 의 의 의 의 의** 밀밀 9 2 2

v or blank, calls indicate that a data observation was not reported.

ind Cover 1=Grass, 2=Fallow; 3=Bare Ground; 4=Brome grass; 5=Sod; 6=Straw mulch; 7=Grass muck; 8=Bare muck; 0=Unknown

has data vakee falled one of NCDC's quality control lests. "At Obs." = Temperature at time of observation

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and Oceanic & Atmospheric Administration

nal Emironmental Safelita, Data, and information Service

nt Location: Elev: 3270 ft. Let: 36,1461" N Lon -81,7877" W

# FOSCOE 1.2 WSW, NC US US1NCWT0011

### Record of Climatological **Observations**

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151 Patton Avanua

Asheville, North Carolina 28801

These data are qualky controlled and may not be identical to the original observations.

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nt Location: Elev. 3270 ft. Lat. 36,1461" N Lon. -51,7877" W mai Environmental Satelitia, Data, and Information Service mail Oceanic & Almospheric Administration

Observations

These data are quality controlled and may not be identical to the original observations. Record of Climatological

151 Patton Avenue

Asheville, North Carolina 28801

National Centers for Environmental Information

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Int Location: Elev: 3270 ft. Lat: 36,1461" N Lon; -61,7877" W

### Record of Climatological Observations

These data are quality controlled and may not be Identical to the original observations. Generaled on 01/26/2021

151 Pation Avenue Asheville, North Carolina 28801

National Centers for Environmental Information

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"H Location: Elev. 3270 ft. Lat. 36,1461" N Lon; -81 7877" W ині Environmental Salellite, Data, and Information Service nul Oceanic & Atmospheric Administration Department of Commerce

## Record of Cilmatological Observations

National Centers for Environmental Information

151 Patton Avenue

Asheville, North Carolina 28801

These data are quality controlled and may not be identical to the original observations. Generated on 01/28/2021

Observation Time Temperature: Unknown Observation Time Precipitation; Unknown

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### Record of Climatological Observations

National Centers for Environmental Information

151 Pattors Avenue Ashaville, North Carolina 28801

> These data are quality controlled and may not be identical to the original observations. Generated on 01/26/2021

Observation Time Temperature: Unknown Observation Time Precipitation: Unknown Ę 8 In. Depth Max Soil Temperature (F) Ground Cover (840 °) Æ. 4 In. Depth MEX Cover (see .) Amount of Evsp. (in) Evaporation 24 Hour Wind Movement (mi) Snow, ice Pellets, Hell, Ice on Ground (in) At Obs. 0.0 0.0 0.0 0.5 0.0 0.0 0.0 0.0 0.0 0.0 8 0.0 0.0 0.0 0.0 24 Hour Amounts Ending at Observation Time Precipitation Snow, kea Pellets, Hall (In) 0.0 0.0 6.0 0.0 0.0 0.0 0.0 0.0 0.1 2 0.0 0.0 0.0 0.0 0.0 00 9 0.0 0.0 0.0 0.0 0.0 1,2 Rain, Metted Snow, Etc. (in) 0.02 0.46 0.00 0.38 0.07 0.00 0.0 0.00 0.00 0.20 0.00 94.0 0.97 0.00 0.13 0.00 0.00 0.02 0.00 0.00 0.00 0.00 0.00 0.20 000 0.00 0.19 0.00 3.08 종 Temperature (F) 24 Hrs. Ending at Observation Time 톭 Max 045 Z 2 2 8 8 6 8 다 단 후 5 9 2 무 5 2 2 2 2 2 2 29 26 뭐 유 E 305-£ 8 8 2 2 8 8888 88888

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### Article 17—Figure 3—Requirements for Public Hearing—Appeal or Variance Order to Grant/Deny A Variance for Property in the Town of Seven Devils, North Carolina

Town of Seven Devils 157 Seven Devils Road Seven Devils, NC 28604 Phone: (828) 963-5343

•	Seven Devils, having held a public hearing on to ed by for the property located at
in a matter not	permissible under the literal terms of the Unified Development dence and arguments presented at the hearing, makes the
It is the Board of Adjustment's con unnecessary hardships in the way section(s) This c Findings of Fact:	clusion that there are/are not practical difficulties or of carrying out the strict letter of the ordinance, specifically onclusion is based on the following
2. It is the Board of Adjustment's con purposes and intent of the Unified Comprehensive Land Use Plan, and	clusion that the variance is/is not in harmony with the general Development Ordinance, Vision Statement, and the d preserves their spirit. This conclusion is based on the
and welfare has/has not been assu	clusion that in the granting of the variance, the public safety ared and substantial justice has/has not been done. This ag Findings of Fact:
	ordered that the application for a VARIANCE be ng conditions:
Ordered this day of	, 20
Chairman, Board of Adjustment	Town Clerk

NOTE: An aggrieved party may appeal every decision of the Board of Adjustment to the Watauga or Avery County Superior Court. Such appeal shall be in the nature of certiorari and must be filed within thirty (30) calendar days of the filing of the decision by the Town Clerk or the delivery of the notice required in Article 17, Section 4(d), whichever is later.

### Article 17—Figure 2—Application for Variance Page 1 Application for a Variance for Property in the Town of Seven Devils

Town of Seven Devils 1356 Seven Devils Road Seven Devils, NC 28604 Phone: (828) 963-5343 Fax: (828) 963-7418

I Koxum Schwebk, Salfman hereby petition the Board of Adjustment for a Variance from the literal
provisions of the Seven Devils Unified Development Ordinance because, under the interpretation given to me by the Zoning Administrator, I am prohibited from using the parcel of land in a manner shown by the
Scaled Site Plan attached to this application. I request a variance from the following provisions of the
Unified Development Ordinance: <u>See attached</u>
I request the variance so that the aforementioned property can be used in a manner indicated by the Scal
Site Plan attached to this application or, if the Scaled Site Plan does not adequately reveal the nature of
the variance, as more fully described herein (if variance is requested for a limited time only, specify duration of request):

### **FACTORS RELEVANT TO THE ISSUANCE OF A VARIANCE:**

To The Town of Seven Devils Board of Adjustment:

A Variance from the regulations of this Ordinance may be granted by the Board of Adjustment if it finds that strict enforcement of the regulations would result in practical difficulties or unnecessary hardships to the applicant for the Variance, and that, by granting the Variance, the intent of this Ordinance, the Vision Statement, and the Comprehensive Land Use Plan will be observed, public safety and welfare secured, and substantial justice done as prescribed by the North Carolina Municipal Zoning Enabling Act, Chapter 160A, Article 19. The burden of proving that these conditions exist is on the applicant.

In the spaces provided below, indicate the facts that you intend to show and the arguments that you intend to make to assist the Board of Adjustment in determining their findings:

### Article 17—Figure 2—Application for Variance Page 2

a.	Strict compliance with the regulations allows no reasonable return from, or no reasonabl use of, the applicant's property. (It is not sufficient that failure to grant the variance simple makes the property less valuable.)  See attached
b.	The hardship results from the application of the ordinance. (The Board of Adjustment must limit itself to evidence of hardship resulting from the application of the ordinance to the property involved.)
c.	The hardship is suffered by the applicant's property rather than personal circumstances. (The hardship must be one that affects the applicant's property directly. The public's hardship is irrelevant. Also, unique personal or family hardships are irrelevant because a variance, if granted runs with the land not with the current landowner's present circumstances.)
d.	The hardship is not the result of the applicant's own actions. (The applicant may not show hardship that he inflicted on himself or that the applicant could have avoided.) Sec attack d
e.	The hardship is peculiar to the applicant's property. (If the hardship results from the conditions that are neighborhood-wide, relief becomes a matter for the Town Council to amend the ordinance.)

### Article 17—Figure 2—Application for Variance Page 3

2.	The variance is in harmony with the general purposes and intent of the Unified Development Ordinance, Vision Statement, and the Comprehensive Land Use Plan, and preserves their spirit.  State facts and arguments to show that the variance requested represents the least possible
	deviation from the letter of the ordinance that will allow reasonable use of the land and that the use of the property, if the variance is granted, will not substantially detract from the character of the neighborhood.
3. –	In the granting of the variance, the public safety and welfare has been assured and substantial justice has been done.
	State facts and arguments to show that, on balance, if the variance is denied, the benefit to the
	public will be substantially outweighed by the harm suffered by the applicant
	SCE WINCHIA
	In order for this application to be complete, the applicant must submit the following:
	Two (2) copies of this completed form, typed or filled out in black ink.
	Two (2) copies of the scaled site plan for the property in question.
	<ul> <li>Two (2) copies of any additional information the applicant intends to present at the public</li> </ul>
	hearing.  List of names and addresses of affected property owners
	<ul> <li>Personal or Certified Check for the application fee as specified in the latest Fee Schedule.</li> </ul>
	Application fee shall be paid to the Town of Seven Devils, NC for each application for a
	Variance in order to cover the necessary administrative costs.
	<ul> <li>Names and addresses of owners of property within 100 feet of the property in question (see Figure 17.3).</li> </ul>
	To be placed on the agenda, completed applications, fees, and all accompanying materials must be
	presented no less than thirty (30) calendar days before the next scheduled meeting of the Board
	of Adjustment.
	I certify that all of the information presented by me in this application is accurate to the best of my knowledge, information, and belief.
	(Xxanstan) 3/16/2021
	Signature of Applicant Date
	Amount Paid \$ 250° Received by: 12 Powers Date: 3/24/2021
	CK + 8510

## Answers to Article 17- Figure 2 Application for a Variance at The Shoppes of Tynecastle, an annexed property into The Town of Seven Devils

#### Paragraph 1, page 169

I request a variance from the following provisions of the Unified Development Ordinance for placement of an Airstream to be located at the Shoppes of Tynecastle to promote my business. New business to be located in the tower building @ The Shoppes of Tynecastle.

#### Paragraph 2, page 169

I request the variance so that the aforementioned property can be used in a manner indicated by the Scale Site Plan attaches to this application of if the Scaled Site Plan does not adequately reveal the nature of the variance, as more fully described herein (if a variance is requested for a limited time only, specify duration of request). Location of the airstream to be in the vicinity of the parking lot between the State Employment Union Cash Points and the tower building as shown in the highlighted area of the attached copy of an older survey of the property.

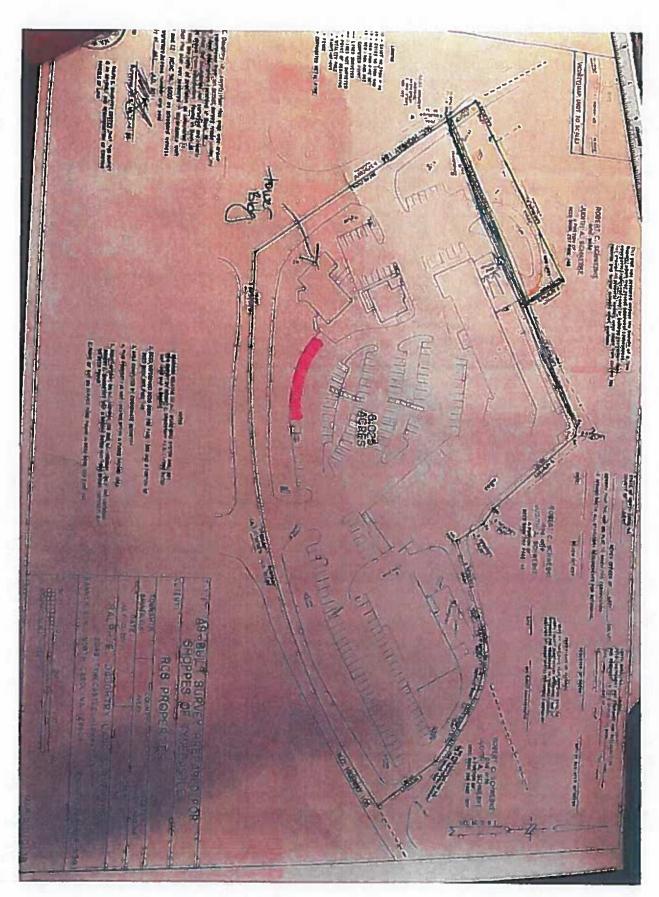
#### Page 170

- A. Ordinance will not allow the placement of the airstream to promote the business during upfitting of the space or for future use of this airstream as a mobile extension of the business to travel to remote functions and locations.
- B. The ordinance does not allow for this airstream to be parked at The Shoppes of Tynecastle even though the difficulties related to why the ordinance was written do not apply in this capacity for the following reasons
  - 1. The Shoppes of Tynecastle is not technically in the "Town Limits" of Seven Devils.
  - 2. The size, width and grade does not pertain to the roads at the Shoppes of Tynecastle parking lot.
  - It will not be left on a public street, park, square, avenue, alley, or public way in the city, or parked on any vacant lot, or parked in any private yard or driveway.
- C. The ordinance does not allow for this airstream to be used for our proposed use. We feel that the ordinance is applicable for residential RVs and campers, and not for commercial use in a business capacity.
- D. The ordinance as written does not apply in this capacity, asking for a Variance based on commercial use proposed.

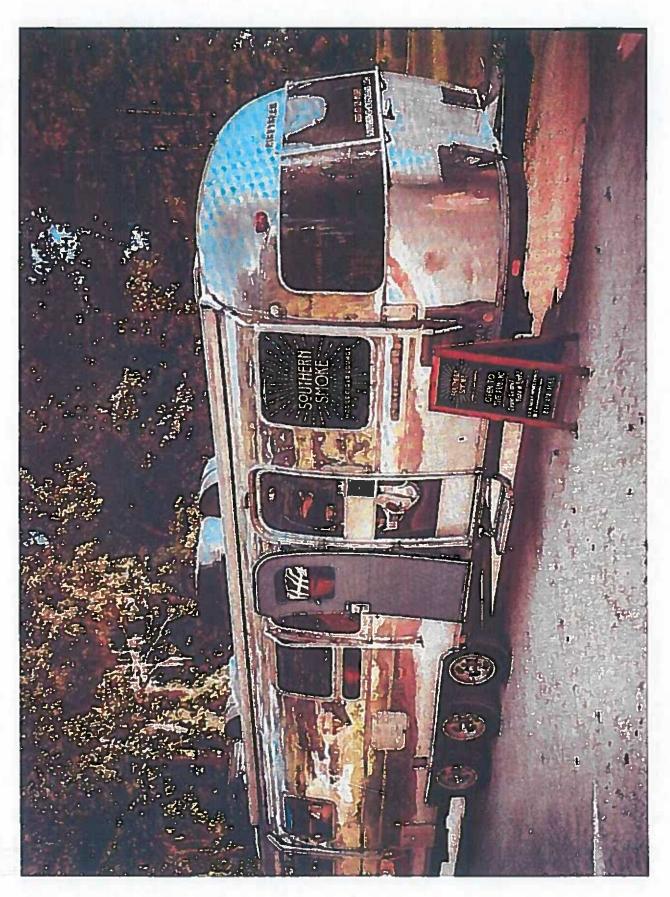
E. The hardship is that this use is unrelated to "neighborhood wide use" as the airstream will be located at The Shoppes of Tynecastle and will be for commercial use only.

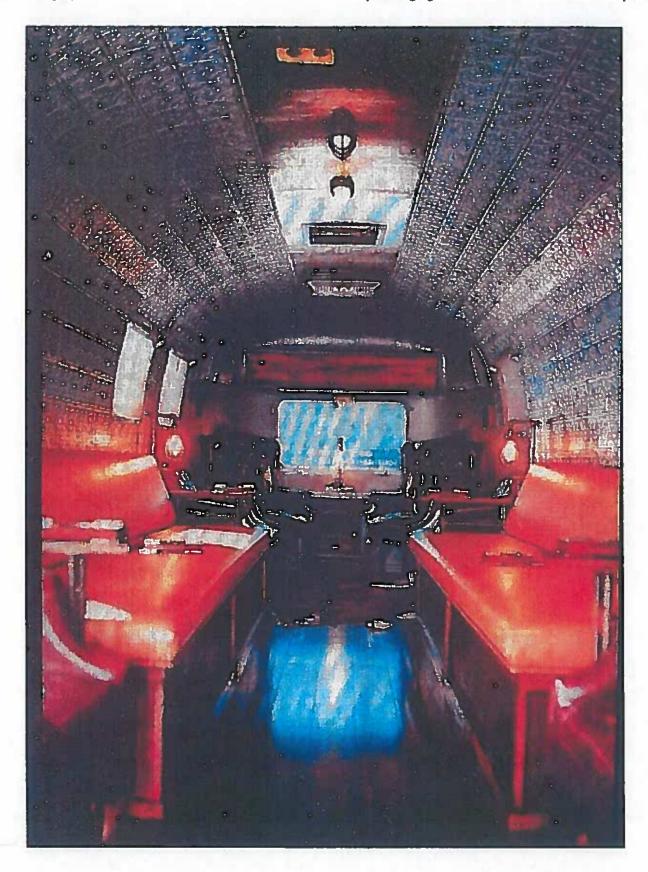
#### Page 171

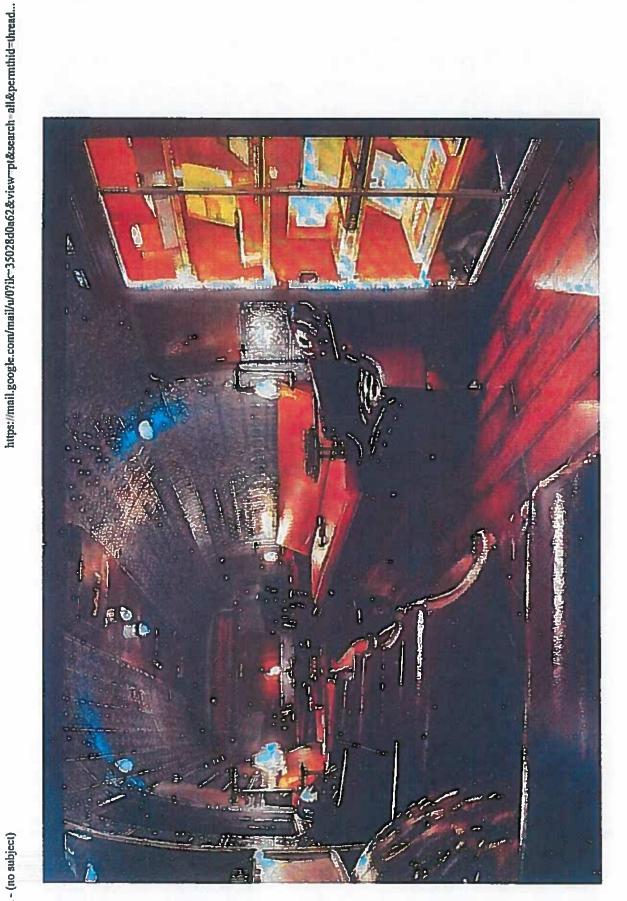
- 2. Since The Shoppes of Tynecastle is annexed into Seven Devils and not technically in the "town limits" we do not feel that there is no "character of the neighborhood" to detract from.
- 3. As The Shoppes of Tynecastle is a commercial property and this is for business purposes as a new business in the area, we feel any new business is a benefit for residents and visitors alike.

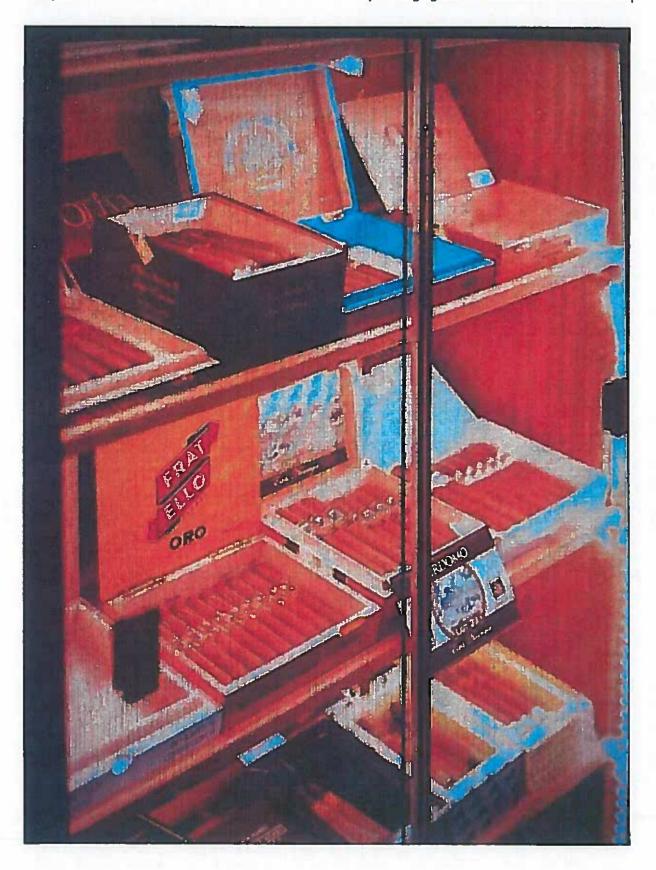


שווו טר ר ורח הואר









Property Owner:

Judith Schwebke 50 Tynecastle Drive Banner Elk, NC 28604 • File an Annual Report/Amend an Annual Report • Upload a PDF Filing • Order a Document Online • Add Entity to My Email Notification List • View Filings • Print a Pre-Populated Annual Report form • Print an Amended a Annual Report form

#### **Limited Liability Company**

#### Legal Name

THE SHOPPES OF TYNECASTLE, L.L.C.

#### Information

SosId: 0396317

Status: Current-Active ①
Date Formed: 5/16/1996
Citizenship: Domestic

Annual Report Due Date: April 15th CurrentAnnual Report Status:

Registered Agent: Wotell, Samantha

#### **Addresses**

Reg Office	Reg Mailing	Mailing
4501 Tynecastle Highway #7	4501 Tynecastle Highway #7	4501 Tynecastle Highway Box #7
Banner Elk, NC 28604	Banner Elk, NC 28604	Banner Elk, NC 28604

Principal Office 4501 Tynecastle Highway Box #7 Banner Elk, NC 28604

#### **Company Officials**

All LLCs are managed by their managers pursuant to N.C.G.S. 57D-3-20.

Manager Manager

Judith Schwebke Samantha Wotell

50 Tynecastle Drive 4501 Tynecastle Highway Box #7

Banner Elk NC 28604 Banner Elk NC 28604

#### **Debbie Powers**

From:

Debbie Powers

Sent:

Friday, March 19, 2021 9:13 AM

To:

roxanne@skybest.com

Subject:

Variance Application - Seven Devils

Attachments:

SHOPPES OF TYNECASTLE LLC.pdf

Roxanne – I have reviewed your Variance Application; I will need a letter from one of the Shoppes of Tynecastle LLC Company Officials, either Judith Schwebke or Samantha Wotell, to Indicate their knowledge and approval of your request as It applies to their property. You can email that document back to me & I will attach it to your application. Once I receive that letter, I will add your Application to the next Board of Adjustment meeting.

#### Regards,

Delibne Powers

Town Manager Town of Seven Devils 157 Seven Devils Road Seven Devils, NC 28604 828-963-5343 www.sevendevils.net Shoppes of Tynecastle, LLC 4501 Tynecastle Highway, Unit #7 Banner Elk, NC 28604 828-898-6246 Phone 828-898-6256 Fax

March 22, 2021

Debbie Powers
Town Manager
Town of Seven Devils
157 Seven Devils Road
Seven Devils, NC 28604

RE: Tower Building Tenant/Roxanne Saltman

Dear Debbie,

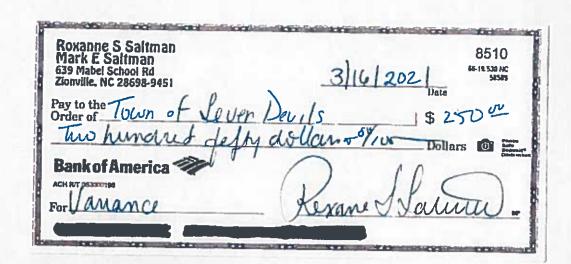
Please use this letter as acknowledgment of the variance request made by Roxanne Saltman with regards to the placement of the mobile Air Stream Cigar Lounge to be placed in the parking lot at The Shoppes of Tynecustle. We are aware of and have agreed to the intended use of this mobile unit to help get their name out to the public and to stir anticipation for the opening of the business sometime in early to mid 2022.

If you have any other questions please do not hesitate to contact me.

Regards,

Somantha Wotell

Shoppes of Tynecastle, LLC

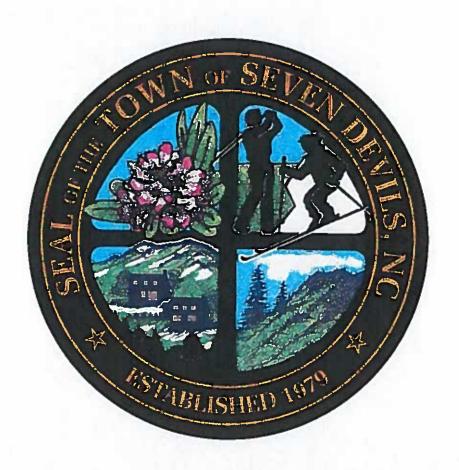


#### **Findings of Fact:**

- The Town of Seven Devils received an Application for Variance from Ms.
   Roxanne Schwebke Saltman, delivered to Town Hall on March 16, 2021.
- I required Ms. Saltman to deliver a letter from the owner of the Shoppes of Tynecastle, indicating their knowledge and acceptance of her proposed businesses (attached in packet).
- The application was complete and was accompanied by the \$250 fee and all required documentation.
- The property address is Shoppes of Tynecastle LLC at 4501 Tynecastle Highway, Seven Devils, NC 28604. Parcel ID # 1867-00-14-7120. Taxes are current.
- Property is in GB (General Business) on Official Zoning Map of Town of Seven Devils.
- Ms. Saltman verbalized her intent to lease the tower portion of the Shoppes of Tynecastle on the corner for a future distillery, and to place an Airstream RV in the adjacent parking area to accommodate a cigar bar.
- The Town of Seven Devils <u>Nuisance Ordinance</u>, <u>Article 13 Recreational</u>
   <u>Vehicles Prohibited</u>, was referenced when the inquiry was delivered to the
   Zoning Administrator. RVs are not allowed in Town limits.
- Discussions with Ms. Saltman included:
  - a. Concerns regarding the RV systems water intake, grey & black water collection, and disposal of these fluids.
  - b. Process of obtaining ABC permits from the State to operate a distillery; requirements of Town personnel to inspect and sign off on the ABC application (Fire, Zoning, Police) and the building permitting process for the Town of Seven Devils and Watauga County Planning & inspections Department, even though the Shoppes of Tynecastle is physically in Avery County.

Debbie Powers, Town Manager/ Zoning Administrator

### **NUISANCE ORDINANCE**



# TOWN OF SEVEN DEVILS NORTH CAROLINA

ADOPTED: NOVEMBER 14, 2006

Amended: 12/14/09, 10/08/12, 7/9/19, 3/10/2020, 2/9/2021

#### ARTICLE 13 – RECREATIONAL VEHICLES PROHIBITED

#### 13.1 Purpose

Due to the limited size and width and grade of the Town roads, all Recreational Vehicles are prohibited in the Town of Seven Devils town limits.

#### 13.2 Definitions

Recreational vehicle means a motorhome, bus, semi-trailers, travel trailer, truck camper, camping trailer, boat trailer, van camper, van conversion, horse trailers, with or without motive power for recreational, emergency or other human occupancy.

#### 13.3 Parking Prohibited

It is unlawful for a person to park or leave standing any recreational vehicle on any public street, park, square, avenue, alley or public way in the city, or parked on any vacant lot, or parked in any private yard or driveway.

#### 13.4 Exceptions

Commercial work trailers operated by contractors, (i.e., landscapers, tree arborists, handyman, etc.) during normal work hours. Buses or RV's visiting Commercially Zoned (GB Zone) and Recreational Business (RB Zone) businesses during normal business hours.

#### 13.5 Violations

Unless otherwise specified, all violations of this chapter shall be an infraction and such persons shall be subject to citation, towing or both. First violation shall be a \$500 fines, and each subsequent day shall be an additional \$500 fine. Violations may be issued by the Town Manager, Zoning Administrator, Police Chief, Police Officer on Duty, or Public Works Director.