

**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 UDO -Article 18-Section 2 – Complaints 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 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.

Attachment G – Powers referred to the UDO-Article 10-Section 7 – Enforcement, 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**: 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.

Attachment H -UDO-Article 17 – Section 2 – Appeals

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 10th, 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 its final decision, it could be conditional upon certain things.

Member Hurlbrink suggested the April 30th, 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 and other citizens 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

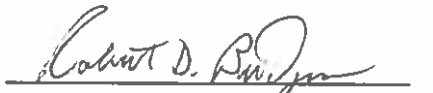
(i) Public Hearing

Member Brock made a motion to set the Public Hearing date on Monday, April 26, 2021 at 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.


Robert D. Bridges, Chairperson


Hillary Gropp, Town Clerk

TOWN MANAGER
Debbie Powers, MSBA, CZO

TOWN FINANCE OFFICER
Helga Sappington

TOWN CLERK
Hillary Gropp, CMC

AGENDA ITEM

10) A (i)



TOWN OF SEVEN DEVILS

A

TOWN COUNCIL

MAYOR - *Larry Fontaine*
MAYOR PRO-TEM - *Brad Lambert*
Jeff Williams
Wayne Bonomo
Leigh Sasse

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

December 30, 2020

Norman May
1336 Johns Creek Road
Wilmington, NC 28409

Re: Lot 25 Alpine Meadows Construction Violation

Mr. May:

I have written you multiple times about the slow progress of the construction of your Seven Devils home. I have received numerous written complaints from neighbors and Council Members, and the Town has been more than lenient with you. That leniency ends today.

I am issuing a Violation in the amount of \$250 for your failure to comply with the Town Ordinance requiring a Certificate of Occupancy within two (2) years.

You are required to complete your project no later than January 31, 2021, or the Town will issue a separate violation for each and every day that the project continues, in the amount of \$250 per day.

Fact: Your Building permit was issued on October 5, 2017

Fact: Email concerning start of project on April 26, 2018

Fact: Email regarding 18-month deadline to pour footers on March 22, 2019

Fact: Email regarding lack of progress at 2 years, 4 months, on February 18, 2020

Fact: Your email to "finish as soon as I can" on March 13, 2020

Fact: Another email warning at 3 years, 2 months on December 10, 2020

Fact: Your email to "hope to finish by the end of February" on December 11, 2020

Sincerely,

Debbie Powers

Town Manager/Zoning Administrator

cc: Rob Angle, Town Attorney

Jeff Williams, Council Member

VIOLATION NOTICE

TOWN OF SEVEN DEVILS
157 1888 Seven Devils Rd.
Seven Devils, NC 28604

DATE 12/30/20 TIME 11:40 ☒ PM
LICENSE NO. _____ STATE _____
MAKE _____
LOCATION _____
OFFICER _____ ID _____

VIOLATION
YOU ARE CHARGED WITH THE
VIOLATION MARKED BELOW

1. ☒ PURSUANT TO TOWN OF SEVEN DEVILS
ORDINANCE # UDO Construction
VIOLATION failure to complete in
FINE \$ 250.00 24hrs.

2. ☐ FIRE HYDRANT
3. ☐ FIRE LANE
4. ☐ HANDICAPPED ZONE

5. ☐ BLOCKING INTERSECTION
6. ☐ NO PARKING AREA
7. ☐ PARKING IN TRAVEL LANE
8. ☐ OTHER _____ \$ _____

TO ANSWER THIS CHARGE YOU
MUST PAY FINE AT :
SEVEN DEVILS TOWN HALL
157 or mail to:
1888 Seven Devils Rd.
Seven Devils, NC 28604

FAILURE TO ANSWER THIS NOTICE MAY
RESULT IN THE ISSUANCE OF A SUMMONS

NAME Norman May ADDRESS 1336 John's Creek Rd
CITY Wilmington STATE NC ZIP 28409
DOB _____

0492

B

C

April 26, 2018 Email:

Hello Debbie, hope you are doing well,

I just wanted to touch base with you about the progress of our lot clearing and getting started with our project. As you know there has been a lot of snow and bad weather in your area this winter and a lot of rain recently. Adam Rice is doing the clearing and grading for us but, because of the weather and trying to catch up on a couple of things he had going on has not started on our lot. I have talked to Adam this week and with some luck and good weather he can finish up on the project he is on and start soon. We are very anxious to get started. Please let me know if you have any questions or comments on this.

Thanks,
Norman May

March 22, 2019 Email:

Hello Debbie,

Thanks for reaching out to us. Yes it has been a slow go getting started up there. With all the rain and snow over the last year and our Grading and Clearing contractor trying to finish jobs they were already on, it has been a challenge. I just spoke with my nephew up there and the footings are almost complete and plans to pour concrete the first of next week. We would like to go a head and request the Extension just in case it rains or snows. Hopefully we can move on with construction, weather permitting, very soon. We are ready to be able to enjoy some time there.

Take Care,

Norman May
nmaycpl@aol.com

February 18, 2020 Email:

On Feb 18, 2020, at 11:43 AM, Debbie Powers <townmanager@sevendevels.net> wrote:

Norman and Kay –

We had a Town Council meeting last Tuesday evening, and your construction project was discussed; your next door neighbor, Jeff Williams, has been elected to the Town Council. He stated that he has met you & had conversations with you about your construction project. He is understandably very frustrated at the lack of progress on your home, and feels you are not making good efforts to complete it. I am afraid that if you do not make some visible progress very soon, I will be forced to revoke your permits and charge you all the fees again; the County would follow my actions & revoke your permits, as well. Your permit was issued on October 4, 2017, and expired in two years (October 2019), so we are now at 2 years plus 4 months. As a reminder, our UDO states that construction projects must be completed from start to finish in two years.

I have been as lenient as possible, but this is my last plea to you before I take action. Please let me know what your plan is, to actively work towards completion of your project.

Regards,

Debbie Powers, Town Manager

March 13, 2020 Email:

Hello Debbie,

My plan is to finish my project as soon as I can. I have hired another company to come in to finish the framing, siding, etc. The company that I have hired is Clear Waters Construction, LLC, (Serigo Luna), with understanding that workers should be on site when weather permits.. They are local to the area and have several different crews that do different trades. They work in the Blue Ridge Mountain Club and along with other parts of the area. They started this past Tuesday. Their estimated plan is to start building the lower deck and should take approximate 3 people 8 labor days. Then they will start the second floor deck, post, and braces. this will take 12 days with 3 people. Then they will bring in another crew so they can use them to start framing and drying in the rest of the house. They estimate this part will take 4 weeks. After the framing inspection is complete then they will start to put siding on the exterior of the house. Also after the framing inspection is complete we will start to rough in the plumbing, electric, and HVAC.

I have been in Seven Devils the last two weekends to work on getting my garage slab ready to pour. Terminix is coming out Tuesday to treat for termites under the garage slab , I will have it inspected and then have it poured and ready for the framing crew to frame that part of the house.

The crew has already framed the joist for my lower deck and poured the footer for deck post this past week. They will be installing deck boards next week, and then move up to the upper deck.

* All of their schedule is based on working weather.

if you have any other concerns please let me know.

Thanks, Norman

December 10, 2020 Email:

Hello Debbie,

I just got my insulation inspection sign off today and sheet rock will be going in, in about a week. Then we can start the final trim out and so forth. My propane tank is being buried tomorrow. hope we can keep things moving and hopefully be finished by the end of February.
Regards..

On Dec 10, 2020, at 1:20 PM, Debbie Powers <townmanager@sevendevils.net> wrote:

Norman May – I have had complaints from the citizens who travel Rocky Top about your slow construction project. You were to be completed within 2 years according to Town Ordinances, but we are now at 3 years and 2 months since inception. Quite frankly, the Town has been very lenient with you and your project, and you need to step up progress. I need an end-date when I can expect a Final CO

inspection, otherwise I will be forced to take action. Please reply via email what your next steps are to complete, and your completion date.

Regards,

Debbie Powers

D

**Town of Seven Devils
Permit Checklist**

Owner: Norman and Kaye May

Location of Property: Lot 25 Alpine Meadows

Project: New Construction

☒ Site/Landscaping plan

☒ Water Tap Fee

☒ Zoning Permit

☒ Grading Permit

N/A Soil & Erosion Permit

☒ Driveway Permit

☒ Performance Bond

☐ No permits required from Seven Devils

Norman and Kaye May has met all of the requirements imposed by the Town of Seven Devils to obtain a building permit from Watauga County.

Signature: Deborah Powers Title: Town Manager

Date: 10/5/17 Permit Number: 2017-1

Amount collected: \$ 2500.00 Bond
* 3650.00 Payment Method: 2 checks

Check Number if Applicable: CK# 101
CK# 102

Town Seal:



Town of Seven Devils

1356 Seven Devils Road
Seven Devils, NC 28604

Zoning Permit

Phone (828) 963-5343
Fax (828) 963-7418

Permit Number: 2017-1 Date Issued 10/4/17

Name: <u>Norman May Kaye Mitchell May</u>		Phone: <u>910-512-1035 - Cell</u>	
Address: <u>1336 John's Creek Rd, Wilkesboro, NC 28640</u>		<u>910-619-4929 - Cell</u>	
Property Owner (if different):		Phone: <u>910-799-6238 - Home</u>	
Address: <u>1011 Chestnut Trail, Seven Devils, NC Lot 25</u>		<u>Alpine Meadows</u>	
Location: <u>SEVEN DEVILS - ALPINE MEADOWS</u>		<input checked="" type="checkbox"/> Inside Town <input type="checkbox"/> Inside ETJ	
Tax Parcel ID: <u>1878496788000</u>		Lot Dimensions: <u>167' X 161' X 314' X 143'</u>	
Zoning: <input type="checkbox"/> OLDR <input checked="" type="checkbox"/> MDR <input type="checkbox"/> T <input type="checkbox"/> RB <input type="checkbox"/> GB <input type="checkbox"/>			
Proposed Use: <u>NEW HOME</u>			
Does the lot meet the required street frontage? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes			
The house is located on a <input checked="" type="checkbox"/> Public Street <input type="checkbox"/> Private Street. If private street, attach a copy of the recorded easement and/or the Street Maintenance Agreement. (Note: No maintenance or snow removal is provided by the Town of Seven Devils on private roads/streets, etc.) Attachment <input type="checkbox"/> Yes <input type="checkbox"/> No			
Setbacks		Utilities	Type of Activities
Required Actual		<input type="checkbox"/> Well	<input checked="" type="checkbox"/> New Construction
Front: <u>17.5</u>	<u> </u>	<input checked="" type="checkbox"/> Town Water	<input type="checkbox"/> Alteration
Rear: <u>17.5</u>	<u> </u>	<input checked="" type="checkbox"/> Septic Tank	<input type="checkbox"/> Addition
Side: <u>15</u>	<u> </u>		<input type="checkbox"/> Repair
Side: <u>15</u>	<u> </u>		<input type="checkbox"/> Manufactured Home
Height: <u> </u>	<u> </u>		<input type="checkbox"/> Septic Tank
Lot Width: <u> </u>	<u> </u>		<input type="checkbox"/> Sign
			<input type="checkbox"/> Site Preparation
			<input type="checkbox"/> Driveway
			<input type="checkbox"/>
			Other Regulations
			Signs
			Type <u> </u>
			Size <u> </u> Sq.Ft.
			Buffer Required?
			<input type="checkbox"/> No <input type="checkbox"/> Yes, In accordance with:
			Town Engineer Approval Required?
			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <u>10/4/17</u>
			State D.O.T. Driveway permit required? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

I do hereby certify that the information on this permit is accurate and correct to the best of my knowledge and I agree to comply with all state, county and/or town codes regulating such use/activity, and with all plans or specifications submitted herewith. I understand that the Zoning Permit will expire after six (6) months if the authorized work has not begun. I also understand that the permit will expire if the authorized work is suspended or abandoned for a period of one (1) year. In all cases, the Zoning Permit will expire on the last day of the eighteenth (18) month after issuance. I understand that any driveway installation includes installation of all necessary drainage facilities as specified by the Town Engineer/Public Works.

Norman W. May

Signature of Applicant

9/25/17

Date

I hereby certify that the proposed use and/or activity described above is in compliance with the Zoning Ordinance of the Town of Seven Devils.

Deborah J. Power

Signature of Zoning Officer

10/4/17

Date



ROCKY TOP TRAIL
45' R/W

LOT 24
ALPINE MEADOWS
SECTION III
P.B. 14, PG. 206

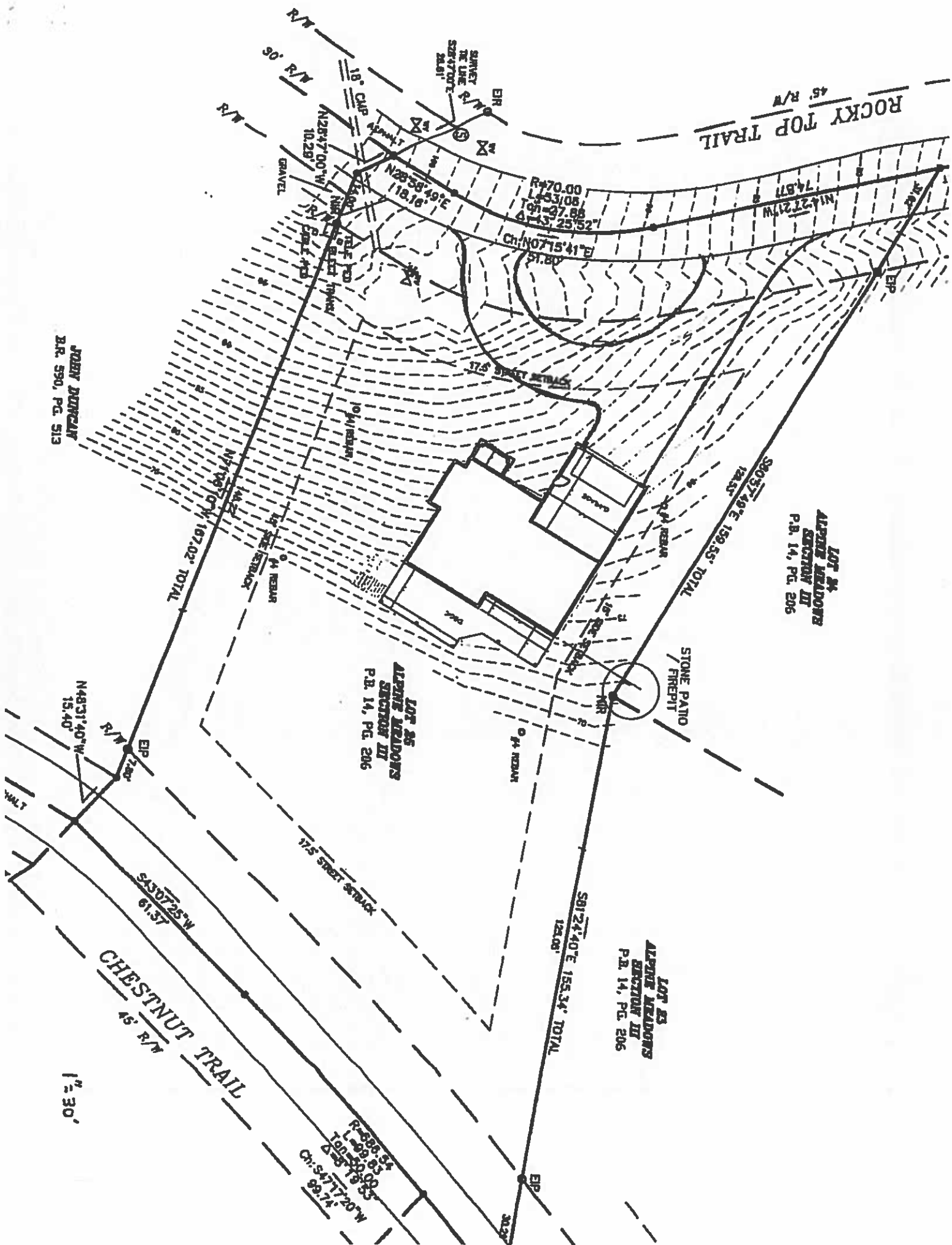
LOT 23
ALPINE MEADOWS
SECTION III
P.B. 14, PG. 206

LOT 25
ALPINE MEADOWS
SECTION III
P.B. 14, PG. 206

JOHN DUNCAN
B.R. 590, PG. 513

CHESTNUT TRAIL
45' R/W

1" = 30'



Allegheny (536) 372-8813 Ashs (536) 246-3356 Watonga (828) 264-4995

SITE PLAN

ON-SITE WASTEWATER PERMIT # 112759

NAME Norman May Koye Mitchell New Well Section



4/17/17

INDEX

AGENT / APPLICANT

DATE _____

Tree Permit #: TR/NC 2017-1



TOWN OF SEVEN DEVILS
TREE REMOVAL/NEW CONSTRUCTION

DATE: 9/25/17

SEVEN DEVILS PROPERTY LOCATION: ~~101 Chestnut Trail~~ - Lot 25 Alpine Meadows

PROPERTY OWNER: Norman May Kaye Mitchell-May

ADDRESS: 1336 John's Creek Rd, Wilmington, NC 28409

PHONE: 910-512-1035 910-799-6238 - Home

CONTRACTOR: Adam Rice PHONE: 828-406-2562, Blowing Rock, NC

SIGNATURE*: Norman W. May

*By signing the permit, the above understands that if any information is incorrect and/or changes, the above is subject to a fine.

Purposed of Requested Permit:

1. Removal of trees on construction site. TREES THAT CANNOT BE REMOVED WILL BE MARKED WITH TAPE. Contractor/Homeowner must mark, on site, the following:
 - All corners of building lot ✓
 - Footprint of building ✓
 - Footprint of driveway ✓
 - Footprint of parking area ✓
 - Footprint of septic tank and septic drain field ✓

Note: Once permit is applied for and any changes to above requirements are made, contractor/homeowner must reapply for new Tree Removal Permit.

of trees marked: 0 (To be filled in by Zoning Administrator)
Contractor to leave as many trees as possible; Remove dead/diseased

Permit Approved: ✓ Not Approved: _____

Method of brush removal: Contractor to Remove All Brush/Debris/Logs

Zoning Administrator: Deborah Powers Date: 10/4/17

Town of Seven Devils
Department of Planning & Inspections
1356 Seven Devils Road
Seven Devils, NC 28604
(828) 963-5342
Grading Permit Application

Application Date: 9/25/17

Expected Start Date: 10/15/17

Property Owner: NORMAN MAY KAYE MITCHELL-MAY

Address: 1336 JOHN'S CREEK RD

City: WILMINGTON State: NC Zip: 28409

Phone: 910-512-1035-N 910-619-4929-K

Project Location: STREET ADDRESS IS ~~1336 JOHN'S CREEK RD~~ LOT 25 ALPINE MEADOWS

Intersecting Streets: CHESTNUT TRAIL & ROCKY TOP TRAIL

Special Features: _____
(Rock Outcropping, Streams, Forests, etc.)

Grading Contractor: Adam Rice

Contractor Information: 828-406-7562, Blowing Rock, NC.

(Address, phone, etc.)

Purpose of Grading: HOUSE CONSTRUCTION

Area to be Graded: LOCATION FOR HOUSE & DRIVEWAY

Planned Completion Date: _____

Applicant Signature: NORMAN W. MAY Date: 9/25/17

Grading Permit
(Department Notes Only)

Permit Fees: \$ 200⁰⁰ Paid?: YES Date Paid: 10/4/17

Permit data reviewed by: DAVID POORE (yes/no) YES Date: 10/4/17
KEVIN ALDRIDGE
DEBORAH POWERS

Erosion Plan required: NO If no, why not: one condition

If yes, see checklist for data required before permit is issued.

Exceptions / Conditions: Silt fence required on lower end of property, by Chestnut Ridge Trail
silt fence required by neighboring properties on lot 23 and lot 24

Plan review by: DAVID POORE Approved By: DEBORAH POWERS

Permit issued by: D. POWERS Date issued: 10/4/17



DRIVEWAY PERMIT

Town of Seven Devils
1356 Seven Devils Road
Seven Devils, NC 28604

Phone (828) 963-5343
Fax (828) 963-7418

Permit Number: 2017-1

Date Issued: 10/4/17

Name: Norman May Kay Mitchell-May Phone Number: 910-799-6238 - Home
910-512-1035 - Cell - U
910-619-4929 - Cell - K

Address: 1336 John's Creek Rd, Wilmington, NC 28409

Driveway Location:

Street: Rocky Top Trail Distance: 75' feet SE (direction)
From: Chestnut Trail (nearest intersecting street)

Agreement

- I, the undersigned property owner, request access and permission to construct driveway on public right of way at the above location.
- I agree to construct and maintain driveway in absolute conformance with Town of Seven Devils Ordinance.
- I agree that no signs or objects will be placed on or over the public right of way.
- I agree that the driveway will be constructed as shown on the sketch on (reverse side)(attached plans)
- I agree that if any future improvements to the roadway become necessary, the portion of driveway located on public right-of-way will be considered the property of the Town of Seven Devils and I will not be entitled to reimbursement or have any claim for present expenditures for driveway construction.
- I agree to provide during construction traffic control devices in conformance with the current NCDOT "Manual on Traffic Control Devices for Streets and Highways" (as revised and/or retitled).
- I agree to indemnify and save harmless the Town of Seven Devils from all damages and claims for damage that may arise by reason of this construction.
- I agree to post with the Town of Seven Devils a single family building deposit in the amount as described in the Budget Ordinance.
- I agree to notify the Town of Seven Devils a minimum of 48 hours prior to commencing construction.

Norman W. May
Signature of Property Owner

9/25/17
Date

Deborah J. Powers
Approved

10/4/17
Date

RE: May property - Lot 25 Alpine Meadows - Seven Devils

From: Elaine Griffith

Sent: Thu, Oct 5, 2017 at 8:30 am

To: Debbie Powers

Image001.gif (15.5 KB) 1878496788000.pdf (65.9 KB) — Download all

Good morning, Debbie. Thank you for your email. I hope you are doing great.

The tax records incorrectly had the address of the Butcher property, 1878-49-8920-000, on both the Butcher property where it should be and incorrectly on the parcel in question. We do not assign addresses to vacant parcels. I have removed that address from the tax records and attached a copy of the updated property card with this email. Please disregard this address. I will come out and GPS and address point and assign a new address when I am notified by Planning and Inspections after the rough-in inspection. At that time I will notify the property owners by letter at their current mailing address.

I am sorry for the confusion. Thank you for bringing that to my attention.

Keep having a great week. Elaine

Elaine D. Griffith

Watauga County Communications

184 Hodges Gap Rd., Ste. D

Boone, NC 28607

Phone: (828) 265-5708

Fax: (828) 265-7617

wataugacounty.org



From: Debbie Powers [mailto:townmanager@sevendevils.net]

Sent: Wednesday, October 04, 2017 4:18 PM

To: Elaine Griffith

Subject: May property - Lot 25 Alpine Meadows - Seven Devils

Hi Elaine - I hope you are doing well! I have received the building packet for the above property - parcel ID# 1878-49-6788-000. It is listed as 1011 Chestnut Ridge Trail on their application, and on the County website.

In actuality, their driveway will be on E. Rocky Top Trail, between 177 and 215.

How shall I proceed? Thank you!

Debbie Powers, Town Manager

Town of Seven Devils

1356 Seven Devils Rd.
Seven Devils, NC 28604
828-963-5343
townmanager@sevendevils.net

"Hire the best. Pay them fairly. Communicate frequently. Provide challenges and rewards. Believe in them. Get out of their way and they'll knock your socks off."
Mary Ann Allison

PARC: 1878496788000
 NBHD: 1320
 MAY, NORMAN

JUR: C93
 ROLL: REAL
 1011 CHESTNUT RIDGE TR.

Parcel

Parcel	1878496788000
Tax Year	2018
STUS Address	
City, State, Zip	
Unit #	
Unit Description	
NBHD	1320 - ALPINE MEADOWS
Spot	
Class	R1 - RESIDENTIAL 1
Land Use Code	R00 - RESIDENTIAL VACANT
Living Units	
CAMA Acres	49
Location	6
Fronting	0
Parking Proximity	
Parking Quantity	
Parking Type	1-OFF STREET
Zoning	
Map #	1878-49 6788-000
Route Number	
PIN Number	
Total Cards	0
Storm Name	
Field Review	
Field Review Date	
Review Notes	
Note Code 2	
Note 4	
Note 4	
Note 4	
Note 4	
Storm Data	
Minor / Major / Destroyed	
\$ Amount of Damage	
Habitable Y/N	
Inches of Water	
Damage Description 1	
Damage Description 2	
Damage Description 3	

Owner Mailing

Tax Year	2018
Sequence Number	0
Owner Number	1780986
Owner	MAY, NORMAN
Mailing Address	MITCHELL-MAY, KAYE
	1336 JOHNS CREEK RD
City, State, Zip	WILMINGTON NC 28409

Owner Details

Owner 1	Owner 2	Owner Code (Customer #)	% Ownership	Nature of Ownership
MAY, NORMAN	MITCHELL-MAY, KAYE	1780986		
MAY, KAYE MITCHELL				
MITCHELL-MAY, KAYE				
MITCHELL-MAY, KAYE				

Owner Mailing

Tax Year	2018
Sequence Number	0
Owner Number	1780986
Owner	MAY, NORMAN
Mailing Address	MITCHELL-MAY, KAYE
	1336 JOHNS CREEK RD
City, State, Zip	WILMINGTON NC 28409

Owner Details

Owner 1	Owner 2	Owner Code (Customer #)	% Ownership	Nature of Ownership
MAY, NORMAN	MITCHELL-MAY, KAYE	1780986		
MAY, KAYE MITCHELL				
MITCHELL-MAY, KAYE				

MITCHELL MAY, KAYE

Sales

Sale Date	Book	Page	Sale Price	Grantor	Grantee
29-DEC-15	1839	684		40,000 SIMMONS, PATRICIA ANNE	MAY, NORMAN
29-NOV-99	545	736	27,500		

Sale Details

1 of 2

Deed Date	29-DEC-15
Book	1839
Page	684
LT #	
Instrument Type	WARRANTY DEED
Instrument No	1839984
Grantor	SIMMONS, PATRICIA ANNE
Grantee	MAY, NORMAN
Sale Date	29-DEC-15
Sale Type	
Sale Validity	Y-VALID SALE
Sale Source	-
Sale Price	40,000
Stamp Value	
Adjustment Amount	
Adjusted Price	40,000
Adjustment Reason	
Note 1	LOT 25 SUB ALPINE MEADOWS TP WATAUGA SEC III
Note 2	643509 DEED
Note 3	
Note 4	

Land Summary

Line Number	Land Type	Land Code	USC Flag	Square Feet	Acres	Land Value
1	A-Acreage	A1-PRIMARY RES SITE	N	21,344	0.49	40,100

Land

Line Number	1
Land Type	A-Acreage
Land Code	A1-PRIMARY RES SITE
Square Feet	21,344
Acres	0.49
Units	
Lot Front Footage	
Lot Depth	
Override Rate	
Base Size	1
Base Rate	60,000
Incremental	60,000
Decremental	38,000
Influence Code 1	
Influence Code 2	
Influence Factor	0
Zoning	
NBHD Model	120
Land Value	40,100
Use Value Flag	N
Land Change Reason	
Note 1	
Note 2	

Legal Description

Township	15 - WATAUGA
City Code	
Jurisdiction	C04 - SEVEN DEVILS
Property Address	
Unit Desc	
Unit #	
Book	1839
Page	684
Legal Desc 1	LOT 25 ALPINE MEADOWS
Legal Desc 2	
Legal Desc 3	
Note 1	
Note 2	
Deeded Acres	0.493
Sq Ft	
Subd #	SD02
Subdivision Name	ALPINE MEADOWS
Subd Block	

Subd Lot
Condo Bldg #
Condo Unit #
Subd Code

Values

Reason Code	
Review Code	1
Review Reason	
Entrance Date	14-JAN-13
Appraiser ID	CWS
Spec Proc Flag	
Appraised Land	40,100
Appraised Building	0
Appraised Total	40,100
Cost Land Value	40,100
Cost Building Value	0
Cost Total Value	40,100
Market Value	
Income Value	0
GRM Value	0
Total Residential Living Area	
Total Commercial Living Area	
Note 1	
Note 2	
Solid Waste Fee Units	
Land Use Value	
Land Deferred Value	
Land Value	40,100
Building Value	0
*****	*****
Appraisal Total	40,100
Senior Exemption	0
100% Exclusion	0
Partial Exclusion	0
VET Exemption	0
*****	*****
Taxable Total	40,100

License Details

[Home \(/\)](#) / [License Details](#)

License Number	62134
Status	Archived
Renewal Date	2011-03-14
Name	Rice, Adam
Address	385 Saddle Way Dr. Blowing Rock, NC 28605-2119
County	Watauga
Telephone	(828) 268-2874
Limitation	Limited
Classifications	Building
Qualifiers	No qualifiers on file

5400 Creedmoor Road, Raleigh, NC
27612

Post Office Box 17187, Raleigh, NC
27619

P. 919 571-4183

F. 919 571-4703

E

VIOLATION NOTICE

TOWN OF SEVEN DEVILS
151 1858 Seven Devils Rd.
Seven Devils, NC 28604

DATE 2/5/21 TIME ☐ AM ☐ PM
LICENSE NO. STATE
MAKE
LOCATION
OFFICER ID

VIOLATION
YOU ARE CHARGED WITH THE
VIOLATION MARKED BELOW

1. ☒ PURSUANT TO TOWN OF SEVEN DEVILS
ORDINANCE # UDO construction
VIOLATION failure to complete in 2 yrs
FINE \$250/day starting 2/1/2021

\$250 VIOLATION

2. ☐ FIRE HYDRANT
3. ☐ FIRE LANE
4. ☐ HANDICAPPED ZONE

\$50 VIOLATION

5. ☐ BLOCKING INTERSECTION
6. ☐ NO PARKING AREA
7. ☐ PARKING IN TRAVEL LANE
8. ☐ OTHER \$

TO ANSWER THIS CHARGE YOU
MUST PAY FINE AT :
SEVEN DEVILS TOWN HALL

or mail to:

151 ~~1858~~ Seven Devils Rd.
Seven Devils, NC 28604

FAILURE TO ANSWER THIS NOTICE MAY
RESULT IN THE ISSUANCE OF A SUMMONS

NAME Norman May DOB / /
ADDRESS 1336 Johns Creek Dr CITY Wilmington STATE NC ZIP 28409 0494

F

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
Size of Property .49 County WATAUGA PIN# 1878496788000
Current Zoning District _____
Current General Use of Property RESIDENCE

Applicant Information

Name: NORMAN W. MAY
Title: OWNER
Address: 1336 JOHN'S CREEK RD.
WILMINGTON, NC 28409
Phone # (s): 910-512-1035 C
910-799-6238 H
E-mail: NMAYCPH@AOL.COM

Property Owner Information

Name: NORMAN W. MAY KAYE MITCHELL-MAY
Title: OWNERS
Address: 1336 JOHN'S CREEK RD.
WILMINGTON, NC 28409
Phone # (s): 910-512-1035 C
910-799-6238 H
E-mail: NMAYCPH@AOL.COM
KM DESIGNS 25 @ AOL.COM

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

- 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.
- 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.
- \$250.⁰⁰ 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 PROJECT WITHOUT FINES.

Date of the decision: 12/30/2020

Date you received the decision: JAN. 3 2021

How do you think the ordinance or guidelines should be interpreted?

"THE HAIRSHIP IS NOT THE RESULT OF THE APPLICANT'S OWN ACTIONS"

What section(s) of the ordinance or guidelines support your interpretation?

ARTICLE 17 SECTION 3, 1, C

Why do you think your interpretation is correct? CONTROL OF WEATHER AND PEOPLES SCHEDULES ARE IMPOSSIBLE.

Why do you think that the agent of the Town's interpretation is wrong? NOT KNOWING COMPLETE RAIN, SNOW TOTALS AT BEGINNING OF PROJECT. 2017, 2018

Other comments/information that you would like to have considered: RAIN AND SNOW DATA; CONTRACTORS SCHEDULES BACKING UP BECAUSE OF WEATHER PRESENTING 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.

Norman W. May
Signature of Applicant

2/1/2021
Date

Amount Paid \$ 250.00 Received by: D. Powers Date: 2/3/2021 @ 5:00pm
CK # 2003

NORMAN W MAY
KAYE MITCHELL-MAY
1336 JOHNS CREEK RD
WILMINGTON, NC 28408-4801

2/1/2021
Date

2003
66-19/530 NC
58548

Pay To The Order Of TOWN OF SEVEN DEVILS \$ 250.00

TWO HUNDRED FIFTY & 00/100 Dollars



BANK OF AMERICA

ACH R/T 083001

For Appl

1:0531

Norman W. May
2003

Section 7. Enforcement

(a) Violations

Upon determination that any provision of this Ordinance is being violated, the Zoning Administrator shall deliver written notice to the owner by either personal delivery or registered mail return receipt requested by US Postal Service First Class mail. A copy of the notice shall be delivered to the developer in the same manner. The notice shall specify the corrective action(s) required and the time limits for compliance. If the corrective action has not been taken in a manner acceptable to the Town, a Stop Work Order shall be issued directing that all work cease until deficiencies are corrected.

If the developer continues work after a Stop Work Order has been issued, a penalty will be assessed to the property owner in the amount of two-hundred and fifty dollars (\$250) per day until the Stop Work Order is lifted. No Certificate of Occupancy shall be issued until all assessed penalties are paid to the satisfaction of the Town. Any act constituting a violation of this Ordinance or a failure to comply with any of its requirements shall also subject the offender to a civil penalty of two-hundred and fifty dollars (\$250), plus the court costs and attorney fees incurred by the Town. The Town, in a civil action in the nature of a debt, may recover the penalty if the offender fails to pay the penalty within ten (10) working days of receiving final written notice of a violation.

This Ordinance may also be enforced by any appropriate, equitable action or proceedings instituted by the Town of Seven Devils that would prevent, restrain, correct, or abate a violation of this Ordinance.

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.

(b) Appeal of a Decision of the Zoning Administrator

The person aggrieved by any decision of the Zoning Administrator made in the administration of the provisions of this Article may make an appeal to the Board of Adjustment.

Town of Seven Devils

1356 Seven Devils Road
Seven Devils, NC 28604

Zoning Permit

Phone (828) 963-5343

Fax (828) 963-7418

Permit Number: 2017-1

Date Issued 10/4/17

Name: <u>Norman May Kaye Mitchell May</u>		Phone: <u>910-512-1035 - cell</u>		
Address: <u>1336 John's Creek Rd, Wilkesboro, NC 28640</u>		Phone: <u>910-619-4929 - cell</u>		
Property Owner (if different):		Phone: <u>910-799-6238 - Home</u>		
Address: <u>1011 Chestnut Trail, Seven Devils, NC, Lot 25 Alpine Meadows</u>				
Location: <u>SEVEN DEVILS - ALPINE MEADOWS</u>		<input checked="" type="checkbox"/> Inside Town <input type="checkbox"/> Inside ETJ		
Tax Parcel ID: <u>1878496788000</u>		Lot Dimensions: <u>167' X 161' X 314' X 143'</u>		
Zoning: <input type="checkbox"/> LDR <input checked="" type="checkbox"/> MDR <input type="checkbox"/> T <input type="checkbox"/> RB <input type="checkbox"/> GB <input type="checkbox"/>				
Proposed Use: <u>NEW HOME</u>				
Does the lot meet the required street frontage?		<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes		
The house is located on a <input checked="" type="checkbox"/> Public Street <input type="checkbox"/> Private Street. If private street, attach a copy of the recorded easement and/or the Street Maintenance Agreement. (Note: No maintenance or snow removal is provided by the Town of Seven Devils on private roads/streets, etc.) Attachment <input type="checkbox"/> Yes <input type="checkbox"/> No				
Setbacks		Utilities	Type of Activities	Other Regulations
Front: Required <u>7.5</u> Actual _____		<input type="checkbox"/> Well	<input checked="" type="checkbox"/> New Construction	Signs
Rear: <u>7.5</u> _____		<input checked="" type="checkbox"/> Town Water	<input type="checkbox"/> Alteration	Type _____
Side: <u>15</u> _____		<input checked="" type="checkbox"/> Septic Tank	<input type="checkbox"/> Addition	Size _____ Sq.Ft.
Side: <u>15</u> _____			<input type="checkbox"/> Repair	Buffer Required?
Height: _____			<input type="checkbox"/> Manufactured Home	<input type="checkbox"/> No <input type="checkbox"/> Yes, In accordance with:
Lot Width: _____			<input type="checkbox"/> Septic Tank	Town Engineer Approval Required?
			<input type="checkbox"/> Sign	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <u>10/4/17</u>
			<input type="checkbox"/> Site Preparation	State D.O.T. Driveway permit
			<input type="checkbox"/> Driveway	required? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

I do hereby certify that the information on this permit is accurate and correct to the best of my knowledge and I agree to comply with all state, county and/or town codes regulating such use/activity, and with all plans or specifications submitted herewith. I understand that the Zoning Permit will expire after six (6) months if the authorized work has not begun. I also understand that the permit will expire if the authorized work is suspended or abandoned for a period of one (1) year. In all cases, the Zoning Permit will expire on the last day of the eighteenth (18) month after issuance. I understand that any driveway installation includes installation of all necessary drainage facilities as specified by the Town Engineer/Public Works.

Norman W. May

Signature of Applicant

9/25/17

Date

I hereby certify that the proposed use and/or activity described above is in compliance with the Zoning Ordinance of the Town of Seven Devils.

Deborah J. Powell

Signature of Zoning Officer

10/4/17

Date



Article 18. ENFORCEMENT

Section 1. Violation

Whenever by the provisions of this Ordinance, the performance of any act is required, or the performance of any act is prohibited, or whenever any regulations or limitation is imposed on the use of any land, or on the erection, alteration, or the use or change of use of a structure a failure to comply with such provisions shall constitute a violation of this Unified Development Ordinance.

Section 2. Complaints 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.

Section 3. Persons Liable

The owner, tenant, or occupant of any land or structure, or part thereof and any architect, engineer, builder, contractor, agent or other person who participates in, assists, directs, creates or maintains any situation that is contrary to the requirements of this Ordinance may be held responsible for the violation and be subject to the penalties and remedies provided herein.

Section 4. Procedures Upon Discovery of Violations

Upon determination that any provision of this Article is being violated, the Zoning Administrator shall deliver a written notice by personal service or by registered or certified mail, return receipt requested, to the person(s) responsible for such violation and ordering the action necessary to correct it. The person(s) responsible must remedy violation within ten (10) calendar days after the receipt of notice of violation.

The notice of violation, shall state the action the Zoning Administrator intends to take if the violation is not corrected, and shall advise that the Zoning Administrator's order may be appealed to the Seven Devils Board of Adjustment as provided in Article 17 of this Ordinance.

Notwithstanding the foregoing, in cases when delay would seriously threaten the effective enforcement of this Ordinance or pose a danger to the public health, safety or welfare, the Zoning Administrator may seek enforcement without prior written notice by invoking any of the penalties authorized in Section 5 of this Ordinance.

Section 5. Penalties and Remedies.

Violations of the provisions of this Ordinance or failure to comply with any of its requirements shall constitute a misdemeanor, punishable as provided in the North Carolina General Statute 14.4.

Any act constituting a violation of this Ordinance or failure to comply with any of its requirements, including the violations of any conditions and safeguards established in connection with grants of

Variances or Conditional Use Permits shall also subject the offender to a civil penalty of two-hundred and fifty dollars (\$250.00) (plus court costs and attorney fees incurred by the Town). If the offender fails to pay the penalty within ten (10) working days of receiving final written notice of a violation, the Town may recover the penalty in a civil action in the nature of a debt. A civil penalty may not be appealed to the Board of Adjustment if the offender received a final written notice of violation and did not appeal to the Board of Adjustment within the time limit prescribed in Article 17, of this Ordinance.

Failure to develop or maintain the property in accordance with the plans submitted will result in the revocation of any and/or all permits.

This ordinance may also be enforced by any appropriate, equitable action or proceedings instituted by the Zoning Administrator which would prevent, restrain, correct or abate a violation of this Ordinance.

Each calendar day that any violation continues after receipt of the final written notice of such violation shall constitute a separate violation and a separate offense for the purpose of the penalties and remedies specified herein.

Article 17. INTERPRETATIONS, APPEALS AND VARIANCES

Section 1. Interpretations

Where there is any uncertainty as to the intent or actual meaning of this Ordinance, or as to the intended location of any zoning district boundary shown on the Zoning Map, the Zoning Administrator shall make an interpretation of said provision or boundary on request of any person.

Any person aggrieved by such interpretation (as defined in Article 3, Section 2 of this Ordinance) may appeal the interpretation to the Board of Adjustment in accordance with the provisions of Article 2, Section 3(d) of this Ordinance.

In making an interpretation of any zoning district boundary, or in deciding any appeal thereof, the Zoning Administrator or Board of Adjustment shall apply the following standards:

1. Boundaries indicated as approximately following the centerlines of streets, highways, or alleys shall be construed as following such centerlines.
2. Boundaries indicated as approximately following lot lines shall be construed as following such lot lines.
3. Boundaries indicated as approximately following corporate limits shall be construed as following such limits.
4. Boundaries indicated as approximately following the shorelines or centerlines of streams, rivers, lakes, or other bodies of water shall be construed as following such shorelines or centerlines. In the event of a change in the shoreline or centerline, the boundary shall be construed as moving with the actual shoreline or centerline.
5. Boundaries indicated as approximately parallel to, or as extensions of, features described in 1 through 4 above shall be so construed. Distances not specifically indicated on the Zoning Map shall be determined by reference to the scale of the map.

Where features described in 1 through 5 above, as existing on the ground, are at variance with those indicated on the Zoning Map, or in other circumstances not covered by 1 through 5 above, the Board of Adjustment shall interpret the district boundaries.

Section 2. Appeals

(a) Decision of the Zoning Administrator

The person aggrieved by any decision of the Zoning Administrator made in the administration of the provisions of this ordinance may make an appeal to the Board of Adjustment.

An application for appeal shall be filed within thirty (30) calendar days of the filing of the decision being appealed or the delivery of any required written notice of the decision,

whichever is later. See Figure 17.1 for application form, guidelines, and fees. No refund of the fee or any part thereof shall be made once the application is filed unless the applicant withdraws the application by written notice before letters of notice are sent to adjoining property owners or publication of the public hearing, whichever is sooner. The portion of the fee that may be refunded will be reduced by 10% per day starting from the date of application submittal.

(b) *Stay of Further Action*

An appeal by aggrieved parties to the Board of Adjustment stays all actions seeking enforcement of, or compliance with, the decision being appealed. The only exception is if the Zoning Administrator certifies to the Board of Adjustment that, based on findings stated in the certificate, a stay would cause imminent peril to life or property, or because the situation appealed from is transitory in nature, an appeal would seriously interfere with enforcement of this Ordinance.

Section 3. Variance

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.

To grant a variance, the Board of Adjustment, by a four-fifths majority, must make the following findings:

1. There are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of the ordinance.

Specifically, in reaching their conclusion under this finding, the Board of Adjustment must determine that all of the following are true:

- a. The hardship results from the application of the ordinance.
 - b. The hardship is suffered by the applicant's property rather than personal circumstances.
 - c. The hardship is not the result of the applicant's own actions.
 - d. The hardship is peculiar to the applicant's property.
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.

3. In the granting of the variance, the public safety and welfare have been assured and substantial justice has been done.

Section 4. Procedures for Appeals and Variances

(a) Application Submittal Requirements

Applications for appeal (Figure 17.1) or a Variance (Figure 17.2) shall be filed with the Zoning Administrator. No refund of the fee or any part thereof shall be made once the application is filed unless the applicant withdraws the application by written notice before letters of notice are sent to adjoining property owners or publication of the public hearing, whichever is sooner. The portion of the fee that may be refunded will be reduced by 10% per day starting from the date of application submittal.

This Unified Development Ordinance shall prescribe the form(s) on which applications are made, as well as any other materials that may reasonably be required to make the determinations called for in the particular case, with sufficient copies for necessary referrals and records.

The Zoning Administrator shall accept no application unless it complies with such requirements. Applications that are not complete shall be returned forthwith to the applicant, with a notation of the deficiencies in the application.

On receipt of a complete application, the Zoning Administrator shall transmit the application to the Board of Adjustment. In the case of applications for appeal, the Zoning Administrator shall also transmit to the Board of Adjustment all documents constituting the record on which the decision being appealed was based. All appeals to the Board of Adjustment shall be de novo (as if it had not been previously decided). To be placed on the agenda, applications, fees, and all accompanying material must be received no less than thirty (30) calendar days before the next regularly scheduled meeting of the Board of Adjustment.

If the applicant proposes any substantial change to the application subsequent to acceptance of the application, an amended application shall be submitted and treated as an original application, with all fees and requirements applicable.

(b) Public Hearing

Upon receipt of an application for appeal or for a Variance, the Board of Adjustment shall hold a public hearing on the application at its next regularly scheduled meeting.

The Town of Seven Devils is responsible for notification of the public hearing. Additionally, the Town is responsible for mailing notices to owners of all property within 100 feet of the property in question. The applicant is responsible for providing to the Town the list of owners who should receive this mailed notice.

The hearing shall be open to the public and all interested persons shall be given the opportunity to present evidence and arguments and to ask questions of persons who testify. All persons who intend to present evidence at the public hearing shall be sworn in. The Board of Adjustment may limit the introduction of repetitive testimony and may exclude irrelevant evidence.

In the case of applications for a Variance, the applicant shall bear the burden of presenting evidence sufficient to establish conclusively that the requested Variance will comply with each of the determinations required in Section 17.03.

A record of the proceedings of the hearing shall be made and shall include all documentary evidence presented at the hearing, a summary of its findings, and the evidence supporting those findings.

(c) *Action on the Application*

After completion of the public hearing, the Board of Adjustment shall take action on the application within thirty-five (35) calendar days.

In the case of applications for appeal, such action shall be to reverse, or affirm (wholly or partly), or modify the decision being appealed.

If for some reason the Board of Adjustment does not have enough information, action will be suspended until further evidence can be obtained. Action must be taken at the first Board meeting following the obtaining of all necessary information.

In the case of applications for a Variance, such action shall be based on findings as to each of the determinations required in Section 17.3. Action taken on the application shall be one of the following:

1. Approval
2. Approval with conditions
3. Denial

The Board of Adjustment may impose reasonable conditions on the granting of any Variance to ensure that the public health, safety, and general welfare shall be protected and substantial justice done. In its consideration of applications for a Variance, the Board of Adjustment shall not use the existence of nonconformities in the vicinity as justification for the granting of Variances.

The concurring vote of four-fifths (4/5) of the membership shall be necessary to reverse any order, requirement, decision or determination of the Zoning Administrator or any agent charged with the enforcement of this ordinance. The concurring vote of four-fifths (4/5) of the membership of the Board of Adjustment shall be necessary to decide in favor of the applicant on any matter upon which it is required to pass under this Ordinance or to effect any variation of this Ordinance. All standard rules and regulations for voting apply to members of the Board of Adjustment in enforcement of this Ordinance.

In every case, the record of the action of the Board of Adjustment shall include a summary of its findings and the evidence supporting them.

(d) *Actions Subsequent to Decision*

The Zoning Administrator shall notify the applicant of the action taken on the application by registered or certified mail and shall cause a copy of the decision to be filed in Town Hall.

If a Variance is granted, the nature of the Variance and any conditions attached thereto shall be entered on the face of any necessary Zoning Permit. See Figure 17.4 for Variance form.

If an application for a Variance is denied, the applicant may not resubmit a Variance application unless it is substantially different from the application for which the permit was denied. If an Appeal of a decision of the Zoning Administrator has been denied, the appellant may not resubmit an Appeal unless the subject of the Appeal is substantially different from the subject for which the Appeal was denied.

(e) *Appeal of Decision*

An aggrieved party may appeal any decision made by the Board of Adjustment concerning an application for an Appeal or a Variance 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 in Town Hall or the delivery of the notice as required in Subsection 17.04, whichever is later.

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: _____
Size of Property _____ County _____ PIN# _____
Current Zoning District _____
Current General Use of Property _____

Applicant Information

Name: _____

Title: _____

Address: _____

Phone # (s): _____

E-mail: _____

Property Owner Information

Name: _____

Title: _____

Address: _____

Phone # (s): _____

E-mail: _____

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

- 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.
- 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.
- 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.

\$ 250.00

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, _____ 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? _____

Briefly describe what the decision prevents you from doing? _____

Date of the decision: _____

Date you received the decision: _____

How do you think the ordinance or guidelines should be interpreted?

What section(s) of the ordinance or guidelines support your interpretation?

Why do you think your interpretation is correct? _____

Why do you think that the agent of the Town's interpretation is wrong? _____

Other comments/information that you would like to have considered: _____

I certify that the information presented in this application and attachments is accurate to the best of my knowledge, information, and belief.

Signature of Applicant

Date

Amount Paid _____ Received by: _____ Date: _____

Article 17—Figure 3—Requirements for Public Hearing—Appeal or Variance

Requirements for Public Hearing and Property Owner Notification in Relation to Application for Appeal or Variance

Notice should include:

- Party requesting the public hearing.
- Date, time, and place where public hearing is to be located.
- Subject of the Hearing (including location of property and reason for appeal or requested (variance).
- Contact Information for 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

Notices must be sent in accordance with Article 2, Section 3(k)

Notice of hearings conducted pursuant to this section shall be mailed to the person or entity whose appeal, application, or request is the subject of the hearing; to the owner of the property that is the subject of the hearing if the owner did not initiate the hearing; to the owners of all parcels of land abutting the parcel of land that is the subject of the hearing; and to any other persons entitled to receive notice as provided by the Unified Development Ordinance. In the absence of evidence to the contrary, the city may rely on the county tax listing to determine owners of property entitled to mailed notice. The notice must be deposited in the mail at least 10 days, but not more than 25 days, prior to the date of the hearing. Within that same time period, the city shall also prominently post a notice of the hearing on the site that is the subject of the hearing or on an adjacent street or highway right-of-way.

Public Hearing

The Town of Seven Devils will hold a Public Hearing at 5:30 pm on Monday, June 20, 2011 at Town Hall. The Public is invited to discuss the request by J & D Development to (appeal)(request a variance) {description}. For more information, please contact The Town of Seven Devils at 1356 Seven Devils Road, Seven Devils, NC 29604. Phone: (828) 963-5343. Fax: (828) 963-7418

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

The Board of Adjustment for the Town of Seven Devils, having held a public hearing on _____ to consider the Variance application submitted by _____ for the property located at _____, in a matter not permissible under the literal terms of the Unified Development Ordinance, and having heard all of the evidence and arguments presented at the hearing, makes the following Findings of Fact and draws the following Conclusions:

1. It is the Board of Adjustment's conclusion that there are/are not practical difficulties or unnecessary hardships in the way of carrying out the strict letter of the ordinance, specifically section(s) _____. This conclusion is based on the following Findings of Fact: _____
2. It is the Board of Adjustment's conclusion that the variance is/is not 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. This conclusion is based on the following Findings of Fact: _____
3. It is the Board of Adjustment's conclusion that in the granting of the variance, the public safety and welfare has/has not been assured and substantial justice has/has not been done. This conclusion is based on the following Findings of Fact: _____

Therefore, based upon the foregoing, it is ordered that the application for a VARIANCE be GRANTED/DENIED, subject to the following 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.

I

Debbie Powers

From: norman may <nmaycpl@aol.com>
Sent: Monday, January 11, 2021 9:19 PM
To: Debbie Powers
Subject: Lot 25, 197 East Rocky Top

First, I would like to say that no one in Seven Devils wants to finish my project more than I do. The time that has past has been a blur to me and you probably think differently. You may not think so but, during this time I have not sat idle. I didn't know a lot of sub-contractors in the beginning and getting in people's schedule and having them show up and work has been my problem. I have contracted and built two personal houses in Wilmington in the normal time it takes to build a house and never had the problems that I have encountered there. I only want to finish my project.

In reference to the penalty after the end of January, I cannot afford \$250.00 a day penalty. I need this money to finish my project and believe this will impede me even further in my completion. I would like to forfeit the refund of the \$2500 bond that I paid in the beginning and pay the current citation of \$250 by the end of the month for going past the allotted time. The Ordinance states a completion time, but doesn't reference a penalty for going past.

I spoke with the Interior contractors that I have now and believe that we can finish my project by end of March, but after speaking to my sheet-rocker today, that may need to move out to the middle of April because they are running behind. They are suppose to finish hanging this week and then the finisher is coming in at the end of the week and he said he may need a couple of weeks.. Still this could be dependent on lost days to snow. I plan to work on the exterior to make the house look finished as soon as possible and get rid of the dumpster.

I can see the light at the end of the tunnel now and only want to finish my project so I can get my life back to some normalcy.

The \$2750, I believe is a substantial amount of dollars to give up in order to complete my project. Again, I cannot afford to pay \$250 a day penalty and believe this would impede me even further. I only want to complete my project.

Thanks for your time and consideration.

Norman May

Name	Address	Permit	Issued	CO	NOTES
Colin Crothers	Lot 59 Section 2	Building	1/2/2009		
Vasquez Family	Section 1 Lot 73	Building	3/23/2009		
Bobby West/Ideal Design	Lot 3 Nettles Knob	Building	6/24/2009		
C. Huffman/Warren Shepherd Const	164 Telemark Ln	Building	10/12/2012		
Donovan & Jennifer Thompson	Lot 19 Alpine Meadows	Building	8/5/2013		
Mike Douglas/Bob Haugh	1015 Alpine Drive	Building	10/2/2013	11/3/2014	
Bailey	290 Alpine	Building	7/4/2014	10/3/2015	
Mark & Tina Bailey/Bob Haugh	205 Devils Lake Drive	Building	9/2/2014	9/30/2016	
Perez/Bob Haugh	125 Meadowview Ct	Building	10/7/2015	9/23/2016	
Larry & Pat Steigleman/Cash Custom Homes	243 W Rocky Top	Building	3/7/2016	9/1/2017	
Perez/Bob Haugh	845 Alpine Drive	Building	1/1/2017	9/30/2017	
Norman May	Lot 25 East Rocky Top	Building	10/4/2017		VIOLATION 1/31/21
Chris Kathe	122 Grandview Drive	Building	4/1/2018	1/17/2020	
Tony Nottage	840 Alpine Drive	Building	6/15/2018	1/17/2020	
Fred Dorman	Lots 13-16 Blair Mtn	Building	9/9/2020		
Rick Osborne	Lot 36 Alpine Drive	Building	1/27/2021		

2

K

Debbie Powers

From: Jeff Williams
Sent: Wednesday, December 30, 2020 10:25 AM
To: Debbie Powers; Larry Fontaine
Subject: Lot 25 Alpine Meadows

Hello Debbie,

I hope you and your family had a nice holiday season!

On a more serious note, I want to file a formal complaint concerning the house under construction at lot 25 Alpine Meadows. I purchased my house in June of 2018 and have looked at a construction site for 2 1/2 years. It was my understanding in March 2020 this house would be finished by the end of the year, was I wrong in my assumption? I was informed the town had a ordinance stating house construction was to be completed within 2 years. It was determined back in March 2020 construction had already exceeded 2 1/2 years, and will be at 3 1/2 years by March 2021.

At the current pace of construction it will be at least another eight months to a year to complete. As a concerned full time resident of Seven Devils and adjoining resident to the construction, why is not more being done to get this project finished? I understand COVID- 19 may have slowed progress this past year but what was the excuse for the first 2 /2years? What is the purpose of having bylaws if they are not enforced?

Since November 23, 2020 there has only been 1 subcontractor working, and that was the gas company burying the propane tank which took about 4 hours. My view consists of a blue dumpster, a Porta-John, numerous piles of lumber and trash, and a half finished house. We can't go sit out on our back deck or front porch and enjoy our view without having to look at this eyesore.

I have been very patient but my patience is wearing thin, I'm tired of the dumpster I'm tired of the outhouse, I'm tired of ladder laying on the side of the house for 2 months, I'm tired of cleaning up trash that blows into my yard and it's time to finish this project!

Jeff Williams

Get [Outlook for iOS](#)

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
Size of Property .49 County WATAUGA PIN# 1878496788000
Current Zoning District _____
Current General Use of Property RESIDENCE

Applicant Information

Name: NORMAN W. MAY
Title: OWNER
Address: 1336 JOHN'S CREEK RD
WILMINGTON, NC 28409
Phone # (s): 910-512-1035 C
910-799-6238 H
E-mail: NMAYCP2@AOL.COM

Property Owner Information

Name: NORMAN W. MAY KAYE MITCHELL-MAY
Title: OWNERS
Address: 1336 JOHN'S CREEK RD
WILMINGTON, NC 28409
Phone # (s): 910-512-1035 C
910-799-6238 H
E-mail: NMAYCP2@AOL.COM
KM DESIGNS 25 @ AOL.COM

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

- 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.
- 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.

\$ 250.⁰⁰ •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 Project Without Fines.

Date of the decision: 12/30/2020

Date you received the decision: JAN. 3 2021

How do you think the ordinance or guidelines should be interpreted?

"THE HARSHNESS IS NOT THE RESULT OF THE APPLICANT'S OWN ACTIONS"

What section(s) of the ordinance or guidelines support your interpretation?

ARTICLE 17 SECTION 3, 1, C

Why do you think your interpretation is correct? CONTROL OF WEATHER AND PEOPLES SCHEDULES ARE IMPOSSIBLE.

Why do you think that the agent of the Town's interpretation is wrong? NOT KNOWING COMPLETE RAIN, SNOW TOTALS AT BEGINNING OF PROJECT. 2017, 2018

Other comments/information that you would like to have considered: RAIN AND SNOW DATA; CONTRACTORS SCHEDULES BACKING UP BECAUSE OF WEATHER PREVENTING 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.

Norman W. May
Signature of Applicant

2/1/2021
Date

Amount Paid \$ 250.00 Received by: D. Powers Date: 2/3/2021 @ 5:00pm
CK # 2003

NORMAN W MAY
KAYE MITCHELL-MAY
1336 JOHNS CREEK RD
WILMINGTON, NC 28409-4801

2003
66-19/530 NC
585-18

2/1/2021
Date

Pay To The Order Of TOWN OF SEVEN DEVILS \$ 250.00

Two Hundred Fifty & 00/100 Dollars

BANK OF AMERICA

ACH R/T 06

For A

1:05

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.**

Record of Climatological Observations

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

Month	Day	Temperature (F)		Precipitation				Evaporation		Soil Temperature (F)						
		24 Hrs. Ending at Observation Time		24 Hour Amounts Ending at Observation Time				24 Hour Wind Movement (mi)	Amount of Evap. (in)	4 in. Depth		8 in. Depth				
		Max.	Min.	At Obs.	Rain, Melted Snow, Etc. (in)	Falling (in)	Snow, Ice Pellets, Hail (in)			Falling (in)	At Obs. Time	Ground Cover (see *)	Max.	Ground Cover (see *)	Min.	Max.
10	01				0.00		0.0									
10	02				0.00		0.0									
10	03				0.00		0.0									
10	04				0.00		0.0									
10	05				0.00		0.0									
10	06				0.00		0.0									
10	07				0.00		0.0									
10	08				0.03		0.0									
10	09				6.11		0.0									
10	10				0.19		0.0									
10	11				0.16		0.0									
10	12				0.00		0.0									
10	13				0.05		0.0									
10	14				0.01		0.0									
10	15				0.00		0.0									
10	16				0.16		0.0									
10	17				0.00		0.0									
10	18				0.00		0.0									
10	19				0.00		0.0									
10	20				0.00		0.0									
10	21				0.00		0.0									
10	22				0.00		0.0									
10	23				1.43		0.0									
10	24				4.02		0.0									
10	25				0.00		0.0									
10	26				T		T									
10	27				0.00		0.0									
10	28				0.00		0.0									
10	29				2.58		0.0									
10	30				T		T									
10	31				0.00		0.0									
Summary					14.72		0.0									

or blank, cells 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 mulch; 8=Bare mulch; 0=Unknown

data value failed one of NCDC's quality control tests.

*At Obs. * = Temperature at time of observation

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

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

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

Record of Climatological Observations

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

National Centers for Environmental Information
 151 Patton Avenue
 Asheville, North Carolina 28801

Observation Time Temperature: Unknown Observation Time Precipitation: Unknown

Month	Day	Temperature (F)		Precipitation				Evaporation		Soil Temperature (F)							
		24 Hrs. Ending at Observation Time		24 Hour Amounts Ending at Observation Time			24 Hour Wind Movement (mi)	Amount of Evap. (in)	4 In. Depth		8 In. Depth						
		Max.	Min.	At Obs. Time	Rain, Melted Snow, Etc. (in)	Falling			Snow, Ice Pellets, Hail (in)	Falling	Ground Cover (see *)	Max.	Min.	Ground Cover (see *)	Max.	Min.	
12	01				0.03		0.0										
12	02				0.00		0.0										
12	03				0.00		0.0										
12	04				0.00		0.0										
12	05				0.00		0.0										
12	06				0.13		0.0										
12	07				0.00		0.0										
12	08				0.01		0.3										
12	09				0.62		7.4										
12	10				0.07		0.8										
12	11				T		T										
12	12				0.00		0.0										
12	13				T		T										
12	14				0.00		0.0										
12	15				0.00		0.0										
12	16				T		T										
12	17				0.00		0.0										
12	18				T		0.0										
12	19				0.00		0.0										
12	20				0.09		0.0										
12	21				0.38		0.0										
12	22				0.00		0.0										
12	23																
12	24				0.37		0.0										
12	25				0.03												
12	26				T		T										
12	27				0.00		0.0										
12	28				0.00		0.0										
12	29				0.00		0.0										
12	30				0.00		0.0										
12	31				T		T										
Summary					1.73		8.5										

Blank cells indicate that a data observation was not reported.

Ground Cover: 1=Grass; 2=Fallow; 3=Bare Ground; 4=Brome grass; 5=Sod; 6=Straw mulch; 7=Grass mulch; 8=Bare mulch; 9=Unknown

At Obs. = Temperature at time of observation

data value failed one of NCDC's quality control tests.

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

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

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

Year	Month	Day	Temperature (F)		Precipitation				Evaporation		4 In. Depth		8 In. Depth				
			24 Hrs. Ending at Observation Time		24 Hour Amounts Ending at Observation Time				24 Hour Wind Movement (mi)	Amount of Evap. (in)	Ground Cover (see *)	Max.	Min.	Ground Cover (see *)	Max.	Min.	
			Max.	Min.	At Obs.	Rain, Melted Snow, Etc. (in)	F	Snow, Ice Pellets, Half (in)									F
	01	01				0.10		2.8									
	01	02				T		T									
	01	03				0.00		0.0									
	01	04				T		T									
	01	05				T		T									
	01	06				0.00		0.0									
	01	07				0.00		0.0									
	01	08				0.00		0.0									
	01	09				0.07		T									
	01	10				0.00		0.0									
	01	11				0.47		0.0									
	01	12				4.86		0.0									
	01	13				1.42		0.1									
	01	14				0.02		0.2									
	01	15				0.00		0.0									
	01	16				0.00		0.0									
	01	17				0.12		1.5									
	01	18				0.09		2.2									
	01	19				0.00		0.0									
	01	20				0.00		0.0									
	01	21				0.00		0.0									
	01	22															
	01	23				0.45		0.0									
	01	24				0.00		0.0									
	01	25				0.00		0.0									
	01	26															
	01	27				0.00		0.0									
	01	28				0.22		0.0									
	01	29				0.39		0.0									
	01	30				0.16		2.7									
	01	31				0.02		1.0									
		Summary				8.39		10.5									

Blank cells 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 mulch; 8=Bare muck; 9=Unknown
 this data value failed one of NCEC's quality control tests. *At Obs. = Temperature at time of observation
 values in the Precipitation or Snow category above indicate a "trace" value was recorded.
 values in the Precipitation Flag or the Snow Flag column indicate a multiday total, accumulated since last measurement, is being used.
 value inconsistency may be present due to rounding calculations during the conversion process from SI metric units to standard Imperial units.

Month	Day	Temperature (F)		Precipitation				Evaporation		Soil Temperature (F)			
		24 Hrs. Ending at Observation Time		24 Hour Amounts Ending at Observation Time		At Obs. Time	Snow, Ice Pellets, Hail, Ice on Ground (in)	24 Hour Wind Movement (mi)	Amount of Evap. (in)	4 In. Depth		8 In. Depth	
		Max.	Min.	Rain, Melted Snow, Etc. (in)	Fall, Ice Pellets, Hail (in)					Ground Cover (see *)	Max.	Ground Cover (see *)	Min.
02	01			0.00	0.0								
02	02			0.09	T		T						
02	03			0.01	0.6		0.5						
02	04			0.29	0.3		0.5						
02	05			1.32	0.1		T						
02	06			0.00	0.0		0.0						
02	07			0.03	0.0		0.0						
02	08			0.63	0.0		0.0						
02	09			0.00	0.0		0.0						
02	10			0.04	0.0		0.0						
02	11			1.30	0.0		0.0						
02	12			0.32	0.0		0.0						
02	13			0.29	0.0		0.0						
02	14			T	0.0		0.0						
02	15			0.16	0.0		0.0						
02	16			0.05	0.0		0.0						
02	17			0.09	T		0.0						
02	18			0.16	0.0		0.0						
02	19			T	0.0		0.0						
02	20			T	0.0		0.0						
02	21			0.02	0.0		0.0						
02	22			0.09	0.0		0.0						
02	23			0.00	0.0		0.0						
02	24			T	0.0		0.0						
02	25			0.00	0.0		0.0						
02	26			0.25	0.0		0.0						
02	27			T	0.0		0.0						
02	28			0.00	0.0		0.0						
Summary				5.14	1.0								

* or blank, cells indicate that a data observation was not reported.
 *id Cover: 1=Grass; 2=Fallow; 3=Bare Ground; 4=Brome grass; 5=Sod; 6=Straw mulch; 7=Grass mulch; 8=Bare mulch; 0=Unknown
 * is data value failed one of NCDC's quality control tests. *At Obs. = Temperature at time of observation
 * uses in the Precipitation or Snow category above indicate a "trace" value was recorded.
 * uses in the Precipitation Flag or the Snow Flag column indicate a multiday total, accumulated since last measurement, is being used.
 * like inconsistency may be present due to rounding calculations during the conversion process from SI metric units to standard Imperial units.

Record of Climatological Observations

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

Month	Day	Temperature (F)		Precipitation				Evaporation		4 In. Depth		8 In. Depth	
		24 Hrs. Ending at Observation Time	At Obs.	Rain, Melted Snow, Etc. (in)	F	Snow, Ice Pellets, Hail (in)	F	At Obs. Time	24 Hour Wind Movement (mi)	Amount of Evap. (in)	Ground Cover (see *)	Max.	Min.
03	01			0.61		0.0							
03	02			0.36		T							
03	03			0.00		0.0							
03	04			0.00		0.0							
03	05			0.00		0.0							
03	06			0.09		0.0							
03	07			0.05		0.0							
03	08			0.07		0.5							
03	09			0.01		0.1							
03	10			0.00		0.0							
03	11			T		0.0							
03	12			0.61		0.7							
03	13			0.23									
03	14			0.31		6.5							
03	15			0.02		T							
03	16			0.00		0.0							
03	17			T		0.0							
03	18			0.40		0.0							
03	19			0.00		0.0							
03	20			0.30		0.0							
03	21			0.64		0.1							
03	22												
03	23			0.03				0.0					
03	24			0.02		0.3							
03	25			1.26		4.1							
03	26			0.00		0.0							
03	27			0.00		0.0							
03	28			0.00		0.0							
03	29			0.00		0.0							
03	30			0.18		0.0							
03	31			0.06		0.0							
Summary				5.27		12.3							

Blank cells indicate that a data observation was not reported.

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

*) data value failed one of NCEP's quality control tests.

*) At Obs = Temperature at time of observation

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

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

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

Month	Day	Temperature (F)		Precipitation					Evaporation		Soil Temperature (F)					
		24 Hrs. Ending at Observation Time		24 Hour Amounts Ending at Observation Time				24 Hour Wind Movement (mi)	Amount of Evap. (in)	4 in. Depth		8 in. Depth				
		Max.	Min.	At Obs.	Rain, Melted Snow, Etc. (in)	Fall (in)	Snow, Ice Pellets, Hail (in)			Fall (in)	Ground Cover (see *)	Max.	Min.	Ground Cover (see *)	Max.	Min.
04	01				0.00		0.0		0.0							
04	02				0.00		0.0		0.0							
04	03				0.00		0.0		0.0							
04	04				0.05		0.0		0.0							
04	05				0.00		0.0		0.0							
04	06				0.00		0.0		0.0							
04	07				0.56		0.0		0.0							
04	08				0.08		T		T							
04	09				0.01		T		T							
04	10				0.01		T		0.0							
04	11				0.00		0.0		0.0							
04	12				0.00		0.0		0.0							
04	13				0.00		0.0		0.0							
04	14				0.00		0.0		0.0							
04	15				0.23		0.0		0.0							
04	16				4.74		T		0.0							
04	17				0.09		0.5		0.5							
04	18				0.00		0.0		0.0							
04	19				0.00		0.0		0.0							
04	20				0.00		0.0		0.0							
04	21				0.00		0.0		0.0							
04	22				0.00		0.0		0.0							
04	23				0.09		0.0		0.0							
04	24				4.19		0.0		0.0							
04	25				1.59		0.0		0.0							
04	26				0.04		0.0		0.0							
04	27				0.39		0.0		0.0							
04	28				0.00		0.0		0.0							
04	29				0.00		0.0		0.0							
04	30				0.00		0.0		0.0							
				Summary	12.07		0.5									

ty or blank, cells 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 mulch; 8=Bare mulch; 9=Unknown
 this data value failed one of NCDC's quality control tests. "At Obs" = Temperature at time of observation
 values in the Precipitation or Snow category above indicate a "trace" value was recorded
 values in the Precipitation Flag or the Snow Flag column indicate a multiday total, accumulated since last measurement, is being used.
 value inconsistency may be present due to rounding calculations during the conversion process from SI metric units to standard imperial units.

Record of Climatological Observations

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

Observation Time Temperature: Unknown Observation Time Precipitation: Unknown

Department of Commerce
National Oceanic & Atmospheric Administration
National Environmental Satellite, Data, and Information Service
15151 Location: Elev 3270 ft. Lat: 36.1461° N Lon: -81.7877° W
FOSCOE 1.2 WSW, NC US US1NCWTD0011

[illegible]

or blank, cells 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 mulch; 8=Bare mulch; 0=Unknown

data value failed one of NCDC's quality control tests.

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

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

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

Department of Commerce
 National Oceanic & Atmospheric Administration
 Environmental Satellite, Data, and Information Service
 Location: Elev: 3270 ft. Lat: 36.1481° N Lon: -81.7877° W
 FDSOE 1.2 WSW, NC US USINCW0011

Record of Climatological Observations

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

National Centers for Environmental Information
 151 Patton Avenue
 Asheville, North Carolina 28801

Observation Time Temperature: Unknown Observation Time Precipitation: Unknown

Month	Day	Temperature (F)		Precipitation					Evaporation		4 in. Depth			8 in. Depth		
		24 Hrs. Ending at Observation Time		24 Hour Amounts Ending at Observation Time			At Obs. Time	24 Hour Wind Movement (mi)	Amount of Evap. (in)	Ground Cover (see *)	Max.	Min.	Ground Cover (see *)	Max.	Min.	
		Max.	Min.	At Obs.	Rain, Melted Snow, Etc. (in)	F Snow, Ice Pellets, Hail (in)	F Snow, Ice Pellets, Hail, Ice on Ground (in)									
06	01				0.08		0.0									
06	02				0.46		0.0									
06	03				0.05		0.0									
06	04				1.39		0.0									
06	05				0.00		0.0									
06	06				0.00		0.0									
06	07				0.00		0.0									
06	08				0.00		0.0									
06	09				T		0.0									
06	10				0.00		0.0									
06	11				0.01		0.0									
06	12				0.12		0.0									
06	13				0.00		0.0									
06	14				0.17		0.0									
06	15				0.00		0.0									
06	16				0.00		0.0									
06	17				0.00		0.0									
06	18				0.09		0.0									
06	19				0.00		0.0									
06	20				T		0.0									
06	21				0.00		0.0									
06	22				0.01		0.0									
06	23				0.06		0.0									
06	24				T		0.0									
06	25				0.03		0.0									
06	26				0.31		0.0									
06	27				0.50		0.0									
06	28				0.11		0.0									
06	29				T		0.0									
06	30				0.00		0.0									
Summary					3.39		0.0									

IV. 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

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

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

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

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

Month	Day	Temperature (F)		Precipitation					Evaporation		Soil Temperature (F)							
		24 Hrs. Ending at Observation Time		24 Hour Amounts Ending at Observation Time			At Obs. Time	24 Hour Wind Movement (mi)	Amount of Evap. (in)	4 In. Depth		8 In. Depth						
		Max.	Min.	At Obs.	Rain, Melted Snow, Etc. (in)	Fall (in)	Snow, Ice Pellets, Hail (in)			Fall (in)	Snow, Ice Pellets, Hail, Ice on Ground (in)	Ground Cover (see *)	Max.	Min.	Ground Cover (see *)	Max.	Min.	
07	01				0.14		0.0											
07	02				0.14		0.0											
07	03				0.00		0.0											
07	04				0.00		0.0											
07	05				0.00		0.0											
07	06				0.00		0.0											
07	07				0.55		0.0											
07	08				0.07		0.0											
07	09																	
07	10				0.00			0.0										
07	11				0.00		0.0											
07	12				T		0.0											
07	13				0.31		0.0											
07	14				0.00		0.0											
07	15				0.00		0.0											
07	16				0.34		0.0											
07	17				0.28		0.0											
07	18				0.03		0.0											
07	19				T		0.0											
07	20				0.00		0.0											
07	21				0.19		0.0											
07	22				0.01		0.0											
07	23				1.20		0.0											
07	24				0.49		0.0											
07	25				0.04		0.0											
07	26				T		0.0											
07	27				0.00		0.0											
07	28				0.00		0.0											
07	29				0.00		0.0											
07	30				0.08		0.0											
07	31				0.58		0.0											
	Summary				4.45		0.0											

or blank, cells 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 mulch; 8=Bare mulch; 0=Unknown

"At Obs." = Temperature at time of observation

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

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

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

National Centers for Environmental Information
151 Patton Avenue
Asheville, North Carolina 28801

Environmental Satellite, Data, and Information Service

Ashville, North Carolina 28801
131 FAIRVIEW AVENUE

These data are quality controlled and likely to be identical to the original observations.

Observation Time Temperature: Unknown Observation Time Precipitation: Unknown

Month	Day	Temperature (F)		Precipitation					Evaporation			Soil Temperature (F)						
		24 Hrs. Ending at Observation Time		24 Hour Amounts Ending at Observation Time			At Obs. Time	24 Hour Wind Movement (mi)	Amount of Evap. (in)	4 In. Depth		8 In. Depth						
		Max.	Min.	At Obs.	Rain, Melted Snow, Etc. (in)	Falling				Snow, Ice Pellets, Hail (in)	Falling	Ground Cover (see *)	Max.	Min.	Ground Cover (see *)	Max.	Min.	
08	01						0.16			0.0								
08	02						2.29			0.0								
08	03						1.92			0.0								
08	04						1.10			0.0								
08	05						0.19			0.0								
08	06						0.00			0.0								
08	07						0.05			0.0								
08	08						0.00			0.0								
08	09						0.31			0.0								
08	10						0.00			0.0								
08	11						0.94			0.0								
08	12						0.01			0.0								
08	13						0.43			0.0								
08	14						0.00			0.0								
08	15						0.00			0.0								
08	16						T			0.0								
08	17						0.00			0.0								
08	18						0.00			0.0								
08	19						0.02			0.0								
08	20						0.08			0.0								
08	21						0.44			0.0								
08	22						0.43			0.0								
08	23						0.07			0.0								
08	24						0.00			0.0								
08	25						0.00			0.0								
08	26						0.00			0.0								
08	27						0.00			0.0								
08	28						0.00			0.0								
08	29						0.00			0.0								
08	30						0.22			0.0								
08	31						0.03			0.0								
Summary							8.69			0.0								

or blank, cells 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 mulch; 8=Bare muck; 0=Unknown

***At Obs.* = Temperature at time of observation.**

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

values in the Precipitation Flag or the Snow Flag column indicate a multiday total accumulated since (see measurement) is below used.

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

Month	Day	Temperature (F)		Precipitation				Evaporation		Soil Temperature (F)							
		24 Hrs. Ending at Observation Time		24 Hour Amounts Ending at Observation Time				24 Hour Wind Movement (mi)	Amount of Evap. (in)	4 in. Depth		8 in. Depth					
		Max.	Min.	At Obs.	Rain, Melted Snow, Etc. (in)	Falling	Snow, Ice Pellets, Hail (in)			Falling	At Obs. Time	Ground Cover (see *)	Max.	Min.	Ground Cover (see *)	Max.	Min.
09	01				0.50		0.0		0.0								
09	02				0.56		0.0		0.0								
09	03				0.47		0.0		0.0								
09	04				T		0.0		0.0								
09	05				0.00		0.0		0.0								
09	06				0.10		0.0		0.0								
09	07				0.00		0.0		0.0								
09	08				0.03		0.0		0.0								
09	09				0.08		0.0		0.0								
09	10				0.55		0.0		0.0								
09	11				0.16		0.0		0.0								
09	12				1.04		0.0		0.0								
09	13				0.14		0.0		0.0								
09	14				0.00		0.0		0.0								
09	15				0.02		0.0		0.0								
09	16				0.79		0.0		0.0								
09	17				4.77		0.0		0.0								
09	18				0.42		0.0		0.0								
09	19				0.00		0.0		0.0								
09	20				0.00		0.0		0.0								
09	21				0.02		0.0		0.0								
09	22				0.00		0.0		0.0								
09	23				0.04		0.0		0.0								
09	24				0.54		0.0		0.0								
09	25				0.24		0.0		0.0								
09	26				0.05		0.0		0.0								
09	27				0.05		0.0		0.0								
09	28				0.34		0.0		0.0								
09	29				0.00		0.0		0.0								
09	30				0.37		0.0		0.0								
				Summary	11.28		0.0										

or blank, cells 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
is data value failed one of NCDC's quality control tests.
values in the Precipitation or Snow category above indicate a "trace" value was recorded.
values in the Precipitation Flag or the Snow Flag column indicate a multiday total, accumulated since last measurement, is being used.
plus inconsistency may be present due to rounding calculations during the conversion process from SI metric units to standard Imperial units.

Month	Day	Temperature (F)		Precipitation					Evaporation		Soil Temperature (F)							
		24 Hrs. Ending at Observation Time		At Obs.	24 Hour Amounts Ending at Observation Time			At Obs. Time	24 Hour Wind Movement (mi)	Amount of Evap. (in)	4 in. Depth		8 in. Depth					
		Max.	Min.		Rain, Melted Snow, Etc. (in)	Fog	Snow, Ice Pellets, Hail (in)				Fog	Ground Cover (see *)	Max.	Min.	Ground Cover (see *)	Max.	Min.	
10	01							0.08										
10	02							0.00										
10	03							0.00										
10	04							0.00										
10	05							0.00										
10	06							0.00										
10	07							1.52										
10	08							0.00										
10	09							0.18										
10	10							0.43										
10	11							6.00										
10	12							2.26										
10	13							T										
10	14							T										
10	15							0.21										
10	16							0.04										
10	17							0.14										
10	18							T										
10	19							0.00										
10	20							T										
10	21							T										
10	22							0.00										
10	23							0.00										
10	24							0.00										
10	25							0.00										
10	26							0.57										
10	27							1.12										
10	28							0.12										
10	29							0.20										
10	30							0.00										
10	31							0.00										
Summary								12.57										

Y or blank, cells 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; 9=Unknown
 this data value failed one of NCEC's quality control tests. "At Obs." = Temperature at time of observation
 values in the Precipitation or Snow category above indicate a "trace" value was recorded.
 values in the Precipitation Flag or the Snow Flag column indicate a multiday total, accumulated since last measurement, is being used.
 value inconsistency may be present due to rounding calculations during the conversion process from SI metric units to standard Imperial units.

Month	Temperature (F)		Precipitation				Evaporation		4 in. Depth		8 in. Depth	
	24 Hrs. Ending at Observation Time		24 Hour Amounts Ending at Observation Time		At Obs. Time	24 Hour Wind Movement (mi)	Amount of Evap. (in)	Ground Cover (sec %)	Max.	Min.	Ground Cover (sec %)	Max.
	Max.	Min.	Rain, Melted Snow, Etc. (in)	F Snow, Ice Pellets, Hail (in)	F Snow, Ice Pellets, Hail, Ice on Ground (in)							
11	01		0.00	0.0	0.0							
11	02		0.53	0.0	0.0							
11	03		0.42	T	0.0							
11	04		0.00	0.0	0.0							
11	05		0.12	0.0	0.0							
11	06		0.21	0.0	0.0							
11	07		0.05	0.0	0.0							
11	08		0.00	0.0	0.0							
11	09		0.01	0.0	0.0							
11	10		0.17	0.0	0.0							
11	11		0.00	0.0	0.0							
11	12		0.00	0.0	0.0							
11	13		1.33	T	0.0							
11	14		0.02	0.0	0.0							
11	15		1.07	0.4	0.5							
11	16		0.57	T	T							
11	17		0.00	0.0	0.0							
11	18		0.00	0.0	0.0							
11	19		0.00	0.0	0.0							
11	20		0.02	0.0	0.0							
11	21		0.00	0.0	0.0							
11	22		0.00	0.0	0.0							
11	23		0.00	0.0	0.0							
11	24		1.54	0.1	T							
11	25		0.08	0.0	0.0							
11	26		T	0.0	0.0							
11	27		0.01	0.1	0.1							
11	28		0.08	1.4	1.5							
11	29		T	0.3	1.0							
11	30		0.27	0.0	0.0							
Summary			6.50	2.3								

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

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

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

plus in the Precipitation Flag or the Snow Flag column indicate a multi-day total, accumulated since last measurement, is being used.

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

Month	Day	Temperature (°F)		Precipitation				Evaporation		Soil Temperature (°F)		8 in. Depth	
		24 Hrs. Ending at Observation Time		24 Hour Amounts Ending at Observation Time		At Obs. Time		24 Hour Wind Movement (mi)	Amount of Evap. (in)	Ground Cover (see *)	Min.	Max.	Min.
		Max.	Min.	At Obs.	Rain, Melted Snow, Etc. (in)	F	Snow, Ice Pellets, Hail (in)	F	Snow, Ice Pellets, Hail, Ice on Ground (in)				
01	01				0.03		0.0		0.0				
01	02				0.00		0.0		0.0				
01	03				0.24		0.0		0.0				
01	04				0.05		0.0		0.0				
01	05				0.82		T		0.0				
01	06				T		T		0.0				
01	07				0.00		0.0		0.0				
01	08				0.00		0.0		0.0				
01	09				0.00		0.0		0.0				
01	10				T		T		0.0				
01	11				0.00		0.0		0.0				
01	12				T		0.1		T				
01	13				1.40		0.4		0.5				
01	14				0.06		0.0		0.0				
01	15				0.08		0.6		0.5				
01	16				0.00		0.0		T				
01	17				0.00		0.0		T				
01	18				0.11		1.0		T				
01	19				0.01		0.0		0.0				
01	20				0.82		0.2		T				
01	21				0.02		0.1		T				
01	22				0.00		0.0		T				
01	23				0.10		T		0.0				
01	24				2.02		0.0		0.0				
01	25				T		T		T				
01	26				T		T		0.0				
01	27				0.00		0.0		0.0				
01	28				0.00		0.0		0.0				
01	29				0.00		0.0		0.0				
01	30				0.03		0.3		T				
01	31				T		T		T				
Summary					5.89		2.7						

or blank, cells indicate that a data observation was not reported.
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 us data value failed one of NCDC's quality control tests.
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 values in the Precipitation or Snow category above indicate a "trace" value was recorded.
 values in the Precipitation Flag or the Snow Flag column indicate a multiday total, accumulated since last measurement, is being used.
 value inconsistency may be present due to rounding calculations during the conversion process from SI metric units to standard Imperial units.

Record of Climatological Observations

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

Observation Time Temperature: Unknown Observation Time Precipitation: Unknown

Generated on 01/26/2021

FOSCOE 1.2 WSW, NC US US1NCWT0011

FOSCOE 1.2 WSW, NC

[illegible]

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

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

"At Obs" = Temperature at time of observation

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Record of Climatological Observations

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

National Centers for Environmental Information
 151 Patton Avenue
 Asheville, North Carolina 28801

Observation Time Temperature: Unknown Observation Time Precipitation: Unknown

Month	Day	Temperature (F)		Precipitation				Evaporation		Soil Temperature (F)		Min.	Max.	Min.	Max.
		24 Hrs. Ending at Observation Time	At Obs.	Rain, Melted Snow, Etc. (in)	Fog	Snow, Ice Pellets, Hail (in)	Fog	24 Hour Wind Movement (mi)	Amount of Evap. (in)	Ground Cover (see *)	4 In. Depth	Ground Cover (see *)	8 In. Depth	Ground Cover (see *)	Min.
04	01			T		T									
04	02			0.00		0.0									
04	03			0.00		0.0									
04	04			0.00		0.0									
04	05			0.29		0.0									
04	06			0.36		0.0									
04	07			T		0.0									
04	08			0.12		0.0									
04	09			0.27		0.0									
04	10			0.00		0.0									
04	11			0.00		0.0									
04	12			0.14		0.0									
04	13			0.36		0.0									
04	14			0.85		0.0									
04	15			2.96		0.0									
04	16			T		T									
04	17			0.00		0.0									
04	18			0.00		0.0									
04	19			0.69		0.0									
04	20			3.98		0.0									
04	21			0.35		0.0									
04	22			T		0.0									
04	23			0.00		0.0									
04	24			0.00		0.0									
04	25			T		0.0									
04	26			0.33		0.0									
04	27			0.29		0.0									
04	28			0.02		0.0									
04	29			0.00		0.0									
04	30			0.00		0.0									
Summary				11.01		0.0									

ly or blank, cells 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 mulch, 8=Bare muck, 0=Unknown

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