
Transylvania County Planning Board
Thursday, July 18, 2024, at 6:00 PM
101 South Broad Street, Brevard
Multipurpose Chambers

CALL TO ORDER

I. WELCOME

II. PUBLIC COMMENT (15-minute time limit. Speakers are limited to three minutes.)

III. AGENDA MODIFICATIONS

IV. CONSENT AGENDA

A. Minutes (April 18, 2024)

V. NEW BUSINESS

A. Transylvania County Community Appearance Initiative Visibility Policy Text Amendment

Transylvania County Planning is requesting consideration of a text amendment to the Community Appearance Initiative, Scope and Priorities, broadening the scope from the restrictive reading of visibility from State Roadways.

B. Consideration of CAI# 24-03, John Hoxit requesting Community Appearance Initiative assistance.

John Hoxit, applicant, is requesting CAI assistance to remove junk collecting on the premises, along with the demolition debris of dilapidated structure at 95 Tom McKinney Dr., PID# 8564-94-7726-000, in an un-zoned area of the County. The request will be reviewed under the Community Appearance Initiative policy, as amended on November 27, 2023.

C. Consideration of CAI# 24-04, Rodney Hamilton, on behalf of Christine Hamilton is requesting Community Appearance Initiative assistance.

Rodney Hamilton, applicant, is requesting CAI assistance to remove junk collecting on the premises at 50 Maple Hill Rd., PID# 9516-71-3318-000, in an un-zoned area of the County. The request will be reviewed under the Community Appearance Initiative policy, as amended on November 27, 2023.

VI. INFORMATIONAL OR DISCUSSION ITEMS

- A. Subdivision & Exemptions Update
- B. Transportation Update
- C. Comprehensive Plan Update
- D. Community Appearance Initiative Update
- E. Housing Study Update

VII. PUBLIC COMMENT (15-minute time limit. Speakers are limited to three minutes.)

VIII. BOARD MEMBERS' COMMENTS

IX. ADJOURNMENT

Transylvania County Planning Board Staff Report

From: Jeff Adams, Director
Date: July 18, 2024
Subject: **Community Appearance Initiative Visibility Amendment**

Department: Transportation, Planning & Community Development

Public Hearing: No

Attachments: **ATT 01:** Transylvania County Community Appearance Initiative Policy, as Adopted, November, 2023;
ATT 02: Proposed Transylvania County Community Appearance Initiative Policy, as Amended, (Strike-Thru and Clean) July, 2024;
ATT 03: Past Projects Map of Community Appearance Initiative projects, Staff produced, 2023;
ATT 04: TDA Annual Report, Staff produced, 2023;

Purpose:

Consideration of proposed Amendment to the Transylvania County Community Appearance Initiative (CAI) Policy's Scope and Priorities.

Background:

Community Appearance Commissions operate under North Carolina General Statute 160D, Article 3, Section 304, according to the powers and duties assigned through G.S. 160D-960: "A community appearance commission shall make careful study of the visual problems and needs of the local government within its planning and development regulation jurisdiction and shall make any plans and carry out any programs that will, in accordance with the provisions of this Part, enhance and improve the visual quality and aesthetic characteristics of the local government."

Transylvania County previously supported a Community Appearance Initiative (CAI) from February 2007 through August 2015 when the commission was dissolved due to a lack of projects to consider. In its operation from 2007 to 2015, the group was responsible for identifying parcels throughout the County that had gone into disrepair or collected large assortments of junk and trash and work with the property owner to improve the visual appearance of the parcel. At the time, the program was specific to properties located on the scenic corridors of U.S. 64, U.S. 178, U.S. 276, NC 215, and NC 280. Property owners would participate in the program on a volunteer basis by applying for assistance and agreeing to maintain the property after the parcel had been cleaned.

As shown in the Past Projects mapping of previous CAI projects provided (ATT 1), there were many projects located many miles from a scenic corridor, with many clustered around the waterways of Transylvania County, indicating that aesthetics was more broadly interpreted than the strict visibility of the adverse effects of accumulated and unwanted junk.

Although the Scope and Priorities of the current policy states, “The initiative will apply to abandoned manufactured homes, junked / abandoned motor vehicles, junk and junkyards visible from state roads. Priority will be given to safety and health and to the major corridors in the County; U.S. 64, U.S.178, U.S. 276, NC 215 and NC 280, but shall include all property visible to an NCDOT state-maintained public right-of-way in Transylvania County,” there are many reasons to believe that the aesthetics of the community may include all of Transylvania County, rather than that limited to “all property visible to an NCDOT state-maintained public right-of-way.”

For instance, in a hypothetical case where there is a historical trend of dumping off of a state-maintained public right-of-way, where the actual junk deposited is over a cliff, where the junk is not directly visible from the roadway, and yet, as the policy states, “***all*** property visible” (my emphasis) would include the property where these trucks have been dumping from, not to mention the remainder of the property, which is visible from a state road.

However, more pertinent, aesthetically speaking, “the safety and health” of the properties and community downstream of the dumping could still be a community appearance concern and this is where the purposes and goals of the policy might be instructive.

The Purpose and Goals of the current Policy language speaks of more than directly observable junk, where “concerns about the appearance and effect of abandoned manufactured homes, junked or abandoned motor vehicles, junkyards, and junk in general have been expressed by County citizens. The concerns include possible adverse effects on adjacent property values, tourism, safety and health, and potential residential and business relocations.” In other words, as the hypothetical case above, or many of those clustered around waterways and other natural resources of the county in the previous rendition of the CAI are concerned, the aesthetics of the community and the health and safety of the community, may be interpreted more broadly than from a strict visibility perspective of the offending matter. Just as the goals and objectives of the Transylvania County Comprehensive Plan “Encourages the preservation of aesthetically and economically valuable views ***and green spaces***,” (my emphasis), the proposed language amendment seeks to clarify the broader way it has been interpreted by the CAI historically.

Program participants receive assistance depending on the work necessary to enhance the appearance of their property. Assistance provided by the County includes decrepit structure demolition, scrap and trash clean up, grading, landscaping, and waste removal. The Community Appearance Committee meets regularly and considered an application to determine if the parcel was applicable to receive assistance, exactly what assistance would be provided, and then prioritize projects to be completed with funds available each fiscal year.

The County was granted \$20,000 annually from the Transylvania County Tourism and Development Authority during the COVID disruption, along with a match of the county’s contribution to support the procurement of the contract services necessary to complete the program’s scope of work. The applicable service that can be contracted is authorized under North Carolina General Statute 160D, Article 3, Section 304, and includes physical waste removal, waste disposal fees, structure demolition, and grading services.

On October 9, 2023, the Board of County Commissioners approved the Planning Board as the Community Appearance Commission for Transylvania County and has This installation of the Committee would fall to the Planning Board, with input from the Transylvania County Solid Waste Director, Transylvania County Health Department Representative, Transylvania Building, Permitting and Enforcement Director and the Transylvania County Planning and Community Development Director. This iteration of the Committee would also expand the scope of applicable parcels. Where the previous Initiative limited applications to properties located on the five (5) scenic corridors listed in the background section, staff would recommend including any property visible from a public road in Transylvania County.

Since the relaunch of the program in November of 2023, the CAI has received five applications, and has considered two applications and approved one application, providing up to \$1,000 to benefit the clean-up of a property in Rosman. As of this writing, that initial application, although approved, never came to agreement with the property owners and no funds were expended. The second application has been tabled due to visibility concerns. The Tourism Development Authority's Destination Infrastructure Committee considered the annual report and the lack of any funds being utilized and approved rolling-over the first year's funds to FY 24/25 but tabled a vote on whether to continue the full three-years of funding, originally granted.

Proposed Amendment:

The language proposed for amendment:

Scope and Priorities

The initiative will apply to abandoned manufactured homes, junked / abandoned motor vehicles, accumulated junk and junkyards ~~visible from state roads~~. Priority will be given to safety and health and to the major corridors in the County; U.S. 64, U.S.178, U.S. 276, NC 215 and NC 280, but shall include all property ~~visible to an NCDOT state-maintained public right-of-way~~ found to be adversely impacting adjacent properties and the community appearance of ~~in~~ Transylvania County.

Planning Board Review:

The Planning Board (PB) shall consider the proposed amendment and recommend to the County Commission any changes deemed necessary.

Financial Impact:

The CAI has been granted \$20,000 from Transylvania County, with matching \$20,000 from the Tourism Development Authority's Destination Infrastructure grant program, for a three-year period. As no funds were awarded in the initial FY 23/24 fiscal year, the TDA allowed those funds to roll-over and elected to bring the matter up in the following reporting period to reconsider whether funding would continue, as previously awarded.

Strategic Plan Goal & Strategy:

Goal 3: “County government is service driven, transparent and performance based with more active and engaged citizens.”

Strategy 3B: “Provide timely, accurate, transparent and informative communication to the public and across the organization with superior customer service delivery.”

Recommendation(s):

Motion to approve/deny/revise Recommended Policy Amendment to Scope and Priorities, as Amended on November 27, 2023.

Transylvania County Community Appearance Initiative
As Amended on November 27, 2023

Purpose and Goals

Transylvania County is a special place known for its scenic beauty and excellent quality of life. These features have led to steady increases in population as people move to the County to live, work and visit. Concerns about the appearance and effect of abandoned manufactured homes, junked or abandoned motor vehicles, junkyards, and junk in general have been expressed by County citizens. The concerns include possible adverse effects on adjacent property values, tourism, safety and health, and potential residential and business relocations.

Many citizens are also concerned about the protection of private property rights but are interested in finding ways to help improve the appearance of the County and to help remove accumulated but unwanted junk.

The Transylvania County Comprehensive Plan includes several goals and objectives related to this initiative: 1) Encourage the preservation of aesthetically and economically valuable views and green spaces (Goal 2, Objective 10); Promote the best use of land while protecting citizen's property rights (Goal 7); Promote Best Management Practices for Corridors (Goal 7, Objective 2);

The goals of the Transylvania County Community Appearance Initiative (CAI) are:

- Preserve and protect the natural beauty of Transylvania County
- Preserve and protect property rights
- Promote and protect the health and safety of citizens of Transylvania County.
- Promote economic development while protecting individuals and businesses from burdensome regulations.

Mission

Transylvania County will assist citizens to remove and dispose of abandoned manufactured housing, junked / abandoned motor vehicles and junk. The County will also assist owners of junkyards with vegetative screening efforts. The County will help identify areas for improvement, coordinate efforts and may provide financial assistance in some cases to aid in this effort. The County will provide information for citizens and junkyard owners about the initiative, will establish an Advisory Committee and appoint an Administrator.

Scope and Priorities

The initiative will apply to abandoned manufactured homes, junked / abandoned motor vehicles, junk and junkyards visible from state roads. Priority will be given to safety and health and to the major corridors in the County; U.S. 64, U.S.178, U.S. 276, NC 215 and NC 280, but shall include all property visible to an NCDOT state-maintained public right-of-way in Transylvania County.

Description of Roles

Advisory Committee – The Planning Board, appointed by the County Commissioners, periodically reviews applications from citizens requesting assistance and complaints from concerned citizens and prioritizes improvement efforts. The Committee also provides guidance

for the administrator and reports to the Board of Commissioners. The Committee takes input from the Administrator, the Director of Solid Waste, the Building Department Director, Health Department Director and other applicable parties.

Administrator – the Transylvania County Planning & Community Development Director coordinates the improvement efforts, contacts property owners and resources to implement improvement efforts, keeps records of applications for assistance, complaints from citizens and action on each case approved by the advisory council. The administrator will be appointed by the Commissioners/County Manager.

Board of Commissioners – appoints the Advisory Committee, establishes budget and policies governing the initiative.

Citizens – make applications for assistance, comply with initiative standards, communicate concerns, volunteer to support and provide resources for initiative implementation.

Procedures

- Citizens apply to the Administrator for assistance under the voluntary initiative or call regarding concerns.
- The administrator keeps records of applications and concerns.
- The Advisory Committee meets periodically (could be monthly to start and quarterly after the initiative is underway) to review applications and concerns and set priorities for the next period. The Advisory Committee and the Administrator agree on the approach for improvement efforts for the next period.
- The Administrator contacts the property owner and utilizes resources as needed to obtain agreements and waivers of liability and to implement the improvement effort. Records of the action are kept. If payment is needed for any service the administrator verifies the work done and submits a request for payment from the County. A file is kept on each case.

Education / Awareness

The Advisory Committee and Administrator will develop an education and awareness program that will include:

- Articles in local newspapers on recycling, Community Appearance Initiative.
- Public service announcements on cable TV.
- County and economic development website to have information about the initiative.
- Service Organizations and Business Associations help publicize.
- Solid Waste Collection Centers distribute initiative information.
- County clean-up week quarterly, including solid waste pick-up and tipping assistance.

Resources

Potential sources of assistance may include the following:

- Commissioners – Approval of: initiative, funds, solid waste equipment, administrative staff
- Solid Waste – equipment, containers, appliance and tire handling
- Salvage Dealers – disposal of vehicles, scrap metal and other salvage materials
- Co-operative Extension / Soil & Water – plantings
- Job Corps – plantings, clean-up

- Grading Contractors / Salvage Dealers – demolition
- Fire Departments – Burning
- NCDENR, NCDOC, NCDOT, USDA, The Rural Center, Congress – Grants
- Public / Environmental groups / Service Clubs – volunteers, fund drives
- TDA - funds
- Private donations / sponsorships
- Other (To Be Determined)

Standards / Regulation

The benefits under this initiative are meant to be a one-time benefit to any property owner. Persons benefiting from this initiative shall agree to prevent further placement or accumulation of abandoned manufactured homes, abandoned motor vehicles or junk on their property and maintained for a period of at least ten years. This agreement shall be in writing as determined by the County Attorney. The County shall be entitled to recover any expense benefiting the person who violates this agreement.

Junkyard owners benefiting from this initiative shall agree to maintain junkyard standards as listed below:

- Limit stacking or piling of material to no more than eight feet.
- Maintain a vegetative screen on sides of the junkyard that are visible from a public road.
- Avoid placement of salvage material or vehicles within fifty (50) feet of any water source, pond, lake, creek, stream or river. Use berms or plantings in this buffer zone to help control storm water run-off.
- Avoid placement of material outside the screened area.

Health violations shall be referred to the health department for action under G.S. 130A-19. Illegal dumping violations shall be subject to penalty per the Transylvania County Solid Waste Ordinance section 8.17 and/or referred to the NC Department of Environment and Natural Resources.

Annual Report

The Advisory Committee shall issue a report annually describing the initiative’s effectiveness, specific results achieved and any issues or non-compliance. Recommendations for making the initiative more effective and efficient and means of addressing initiative deficiencies shall also be included.

Budget

The planning board recommends the following budget items for the first year of the initiative:

- Contract costs for demolition of 10 abandoned manufactured homes
- Landfill fees for 100 tons of solid waste
- Assistance with screening
- Miscellaneous initiative costs (advertising, printing, postage,

The planning board estimates that 7.5 hours per week of administrative time will be needed to conduct this initiative during the first year.

Definitions

Abandoned Mobile / Manufactured Home – a mobile/manufactured home not habitable as a dwelling and not providing complete, independent living facilities including permanent provisions for living, sleeping, eating, cooking and sanitation or has not received the proper permits to be located within the County’s jurisdiction.

Accumulated Junk - junk covering 600 square feet (approximately 20 feet by 30 feet) or more of surface area, in total, whether in one area or several, on the same or contiguous parcels of land.

Junk – Wrecked, scrapped, disassembled, unusable, cannibalized, inoperable, or un-repairable boats, trailers, camping trailers, construction equipment, appliance, vehicle parts, building materials, scrap metal, rope, rags, paper, and rubber.

Junked Motor Vehicle: A motor vehicle that does not display a current North Carolina license plate and may be partially dismantled or wrecked and cannot be self propelled or moved in the manner in which it was originally intended to move.

Junkyard – Any establishment, place of business or place that is maintained, operated or used for storing, keeping buying or selling junk or for maintenance or operation of an automobile graveyard.

Vegetative Screen – An evergreen, continuous and opaque vegetative planting. Vegetation not less than two feet (2’) in height shall be planted not more than six feet (6’) apart and shall grow to at least six (6) feet in height within four (4) years of planting. Plants should have leaves or foliage at all times of year and shall include, but not be limited to, white pine, hemlock, southern pine, and spruce trees.

Transylvania County Community Appearance Initiative
As Amended on July 18, 2024

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The Transylvania County Comprehensive Plan includes several goals and objectives related to this initiative: 1) Encourage the preservation of aesthetically and economically valuable views and green spaces (Goal 2, Objective 10); Promote the best use of land while protecting citizen's property rights (Goal 7); Promote Best Management Practices for Corridors (Goal 7, Objective 2);

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As Amended on ~~November 27, 2023~~ July 18, 2024

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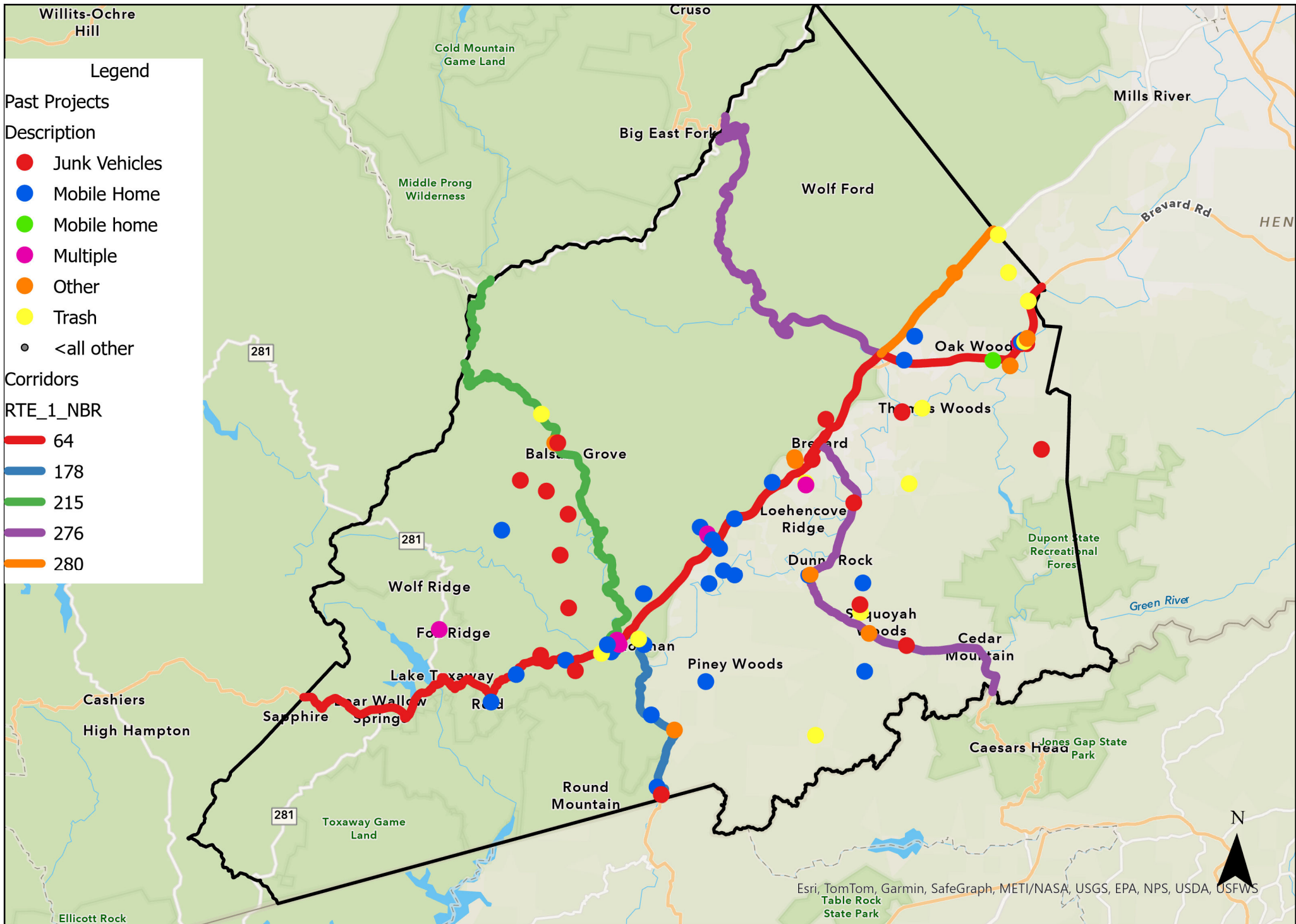
Accumulated Junk - junk covering 600 square feet (approximately 20 feet by 30 feet) or more of surface area, in total, whether in one area or several, on the same or contiguous parcels of land.

Junk – Wrecked, scrapped, disassembled, unusable, cannibalized, inoperable, or un-repairable boats, trailers, camping trailers, construction equipment, appliance, vehicle parts, building materials, scrap metal, rope, rags, paper, and rubber.

Junked Motor Vehicle: A motor vehicle that does not display a current North Carolina license plate and may be partially dismantled or wrecked and cannot be self propelled or moved in the manner in which it was originally intended to move.

Junkyard – Any establishment, place of business or place that is maintained, operated or used for storing, keeping buying or selling junk or for maintenance or operation of an automobile graveyard.

Vegetative Screen – An evergreen, continuous and opaque vegetative planting. Vegetation not less than two feet (2') in height shall be planted not more than six feet (6') apart and shall grow to at least six (6) feet in height within four (4) years of planting. Plants should have leaves or foliage at all times of year and shall include, but not be limited to, white pine, hemlock, southern pine, and spruce trees.



Community Appearance Initiative Past Projects

Memorandum

From: Jeff Adams, Planning Director
To: Transylvania County Development Authority: Destination Infrastructure Committee
Date: April 19, 2024
Subject: **Community Appearance Initiative, Quarterly Report**

Attachment(s):

1. Community Appearance Initiative (CAI) Policies & Procedures
2. CAI Past Projects Map
3. Transylvania Times Article, October 10, 2023
4. CAI# 23-01 Findings
5. CAI# 23-01 Application Materials
6. CAI# 24-01 Application Materials

On October 9, 2023, the Transylvania County Planning Board was granted the authority by the Board of County Commissioners to act as the Community Appearance Initiative Advisory Committee, reviewing and approving applications from citizens requesting assistance to voluntarily clean-up their properties.

The Community Appearance Initiative, in its previous incarnation from 2006 to 2015, helped over ninety property owners improve their properties, from removing solid waste and junk vehicles to dilapidated structures and other unsightly waste. The previous program was initially targeted at properties visible from the Scenic Corridors, but with the recent edition broadens that scope.

Shortly following the publication of a press release, in the Transylvania Times, the Planning Board received, reviewed, and approved its first application, on December 21, 2023. Although approved to expend up to \$1,000 for the removal of trash on the property, located off of Pickens Highway, in Rosman, an agreement with the property owner was never reached and the funds were never expended.

On March 21, 2024, the Planning Board heard their second application, for removing junk from a dump site off of Becky Mountain Road, north of Brevard. Staff and NCDOT representatives met with the property owners to discuss the project, which would remove debris while placing boulders to discourage further dumping onto the property. The Planning Board was hesitant to approve, as they stated that it wasn't visible from the Right-of-Way due to the location of the dumping. The Planning Board requested for the application to be tabled until more information could be gathered, from competitive bids on the removal and clarification of the applicant's financial contribution to the project.

As the applicant is working farm, they asked for the application to be tabled until further notice. The Planning Board, as of their April 18th meeting have granted the request and as a result, the County has yet to expend funds towards the Community Appearance Initiative.

Transylvania County Planning Board

Staff Report:

COMMUNITY APPEARANCE INITIATIVE APPLICATION **CAI# 24-03**, A REQUEST BY JONATHAN HOXIT; PIN# 8564-94-7726-000; FOR ASSISTANCE IN REMOVAL OF JUNK FROM AN UNZONED AREA OF TRANSYLVANIA COUNTY, LOCATED AT 95 TOM MCKINNEY DRIVE, IN UNINCORPORATED TRANSYLVANIA COUNTY, NORTH CAROLINA, 28766.

Agenda Date: July 18, 2024

Prepared By: Darby Terrell

GENERAL INFORMATION

NOTICE

None required;

DISCLOSURES

Any disclosures (i.e. conflicts of interest, site visits or ex parte communications)?

EXHIBITS

“A” Exhibits – Application Materials

- A-1 Community Appearance Initiative Application, CAI# 24-03, Jonathan Hoxit Property;
- A-2 CAI-#24-03 Site Map;
- A-3 Estimate from Solid Waste Staff;

“B” Exhibits – Transylvania County Supplemental Materials

None as of this date

“C” Exhibits – Agency Response

None as of this date

Background

The applicant and owners of the .24-acre property at 95 Tom McKinney Dr., **Jonathan Hoxit**, request assistance through the Community Appearance Initiative (CAI) in the removal of household garbage and junk, which has accumulated on the property over a number of years and is causing a nuisance for neighboring properties. The property has demolished the existing structure and has contracted with a company to remove the debris.

The property owners are asking for assistance in paying the tipping fees, which are estimated to be seven loads to the county dump. The owner has someone to haul the debris for free and is asking for assistance with the tipping fees.

Proposed project costs:

Description	Vendor	Qty & Cost	Total
Demolition		<u>\$1,000 (x1)</u>	\$1,000
Tipping Fees	Complimentary	\$750 (x7)	\$5,250
Project Total Cost			\$6,500

Staff Response

As the decision will likely fall to what is determined around the broadening of the ‘visibility’ language, staff would suggest that the determination could be made under the broader health and safety concerns of the CAI and that one could find compliance on that point alone.

Applicable Criteria

TRANSYLVANIA COUNTY COMPREHENSIVE PLAN 2025 (TCCP)

GOAL 2, OBJECTIVE 10 – Encourage the preservation of aesthetically and economically valuable views and green spaces.

Staff comment: The project proposal takes steps to clean up an area that has been a concern to the community.

GOAL 7—Promote the best use of land while protecting the citizen’s property rights.

Staff comment: The applicant has come forward to assist in the clean-up of an unsightly property.

TRANSYLVANIA COUNTY COMMUNITY APPEARANCE INITIATIVE

GOALS-

The goals of the Transylvania County Community Appearance Initiative (CAI) are:

- *Preserve and protect the natural beauty of Transylvania County*
- *Promote and protect property rights*
- *Promote and protect the health and safety of Transylvania County*
- *Promote economic development while protecting individuals and businesses from burdensome regulations.*

Staff comment: Disposal of the junk, waste and demolition debris will be an improvement to the community.

MISSION-

Transylvania County will assist citizens to remove and dispose of abandoned manufactured housing, junked / abandoned motor vehicles and junk.

The County will help identify areas for improvement, coordinate efforts and may provide financial assistance in some cases to aid in this effort.

Staff comment: The CAI Committee is within their right per the program to provide any type of financial assistance to the applicant that they deem appropriate.

SCOPE AND PRIORITITES-

The initiative will apply to abandoned manufactured homes, junked / abandoned motor vehicles, junk and junkyards visible from state roads. Priority will be given to safety and health and to the major corridors in the County; U.S. 64, U.S.178, U.S. 276, NC 215 and NC 280, but shall include all property visible to an NCDOT state-maintained public right-of-way in Transylvania County.

Staff comment: As stated above, the 'visibility' criteria will be determined in the text amendment decision.

DEFINITIONS-

***Junk:* Wrecked, scrapped, disassembled, unusable, cannibalized, inoperable, or un-repairable boats, trailers, camping trailers, construction equipment, appliance, vehicle parts, building materials, scrap metal, **rope, rags, paper,** and rubber.**

Staff comment: The policy was written to encourage the removal of demolition debris, junk and to clean up properties to the benefit of the community.

STANDARDS/REGULATION-

The benefits under this initiative are meant to be a one-time benefit to any property owner. Persons benefiting from this initiative shall agree to prevent further placement or accumulation of abandoned manufactured homes, abandoned motor vehicles, or junk on their property. This agreement shall be in writing as determined by the County Attorney. The County shall be entitled to recover any expense benefiting the person who violates this agreement.

Staff comment: The property will sign the Transylvania CAI Agreement binding them to keep the property free of accumulated junk over the next ten years as a condition of approval.

STAFF RECOMMENDATION

Staff would point out that eight months have passed since the CAI policy went into effect and the Board of County Commissioners appointed the Planning Board to serve as the CAI Committee. The CAI Committee over those eight months has provided \$1,000 of a budgeted \$40,000 in assistance.

Whether this is the appropriate use of the funds falls to the Committee decision, however, it should be noted that the TDA Destination Infrastructure Committee, which gave half of the funds, definitely had concerns over the last report stating that no funds had been utilized.

The Technical Advisory Committee recommends this property to the Planning Board for consideration and approval, upon the following conditions:

1. Staff will work with the property owner to obtain the CAI Agreement.
2. Limitations or conditions to be placed on the agreement:
 - a. Time period for cleanup and pick up date of bin;
 - b. Not to exceed amount of County matching-funds;
 - c. Others?

Decision and Conditions

Motion: Having considered the evidence in the record, based on a motion by Board Member (Name) and seconded by Board Member (Name), the Transylvania County Planning Board acting as the Community Appearance Advisory Committee moves to (approve, conditionally approve or disapprove) **the Hoxit, Community Appearance Initiative Application CAI# 24-03.**

Site Map

Transylvania County Hub Site

General Use Map

Portal Admin
Transylvania County ArcGIS Enterprise

Summary
Customizable map with all published data layers available.

[View Full Details](#)

- Application
Web Mapping Application
- March 1, 2024
Date Updated
- November 1, 2023
Published Date
- Public
Anyone can see this content
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Request permission to use

8564-94-7726-000	
OWNER_NAME	Hoxit, Jonathan Christopher
ADDRESS_1	
ADDRESS_2	
ADDRESS_3	89 Tom McKinney Dr
CITY	Brevard
STATE	NC
ZIP_CODE	28712
DEED_BK	001117
PAGE	000346
SALE_PRICE	2000.000000
SALE_DATE	202406
COUNTY_ID	T292 00168 03
PIREDIST	
Zoom to	

Site Photos





John

(Smith)
577-1950

Community Appearance Application



The name, email, and photo associated with your Google account will be recorded when you upload files and submit this form

* Indicates required question

Contact
(John Hoxit)

Address of property. * 95 Tom McKinney Drive
Brevard NC 28712

Your answer



Are you the owner of the property? *

Yes

No

Type of concern. *

Unsafe or unsecured structure

Structure in disrepair or dilapidated

Junk collecting on premises

Household garbage collecting on premises

Abandoned vehicles

Other: Roach and other infestations * Causing problems for neighbors *

Details of the concern (please be specific) *

Your answer HOME'S Condition OF falling in / Smell

Are there any known or suspected hazards at this location, such as dangerous or *
unstable residents, dogs, suspected criminal activity, etc.?

Yes

No

Unknown

If yes, please identify the hazard(s) in detail:

Your answer

Would you like to be contacted regarding this matter? *

Yes

No

If yes, please provide an email address or phone number where we may reach you.

Your answer (828) 388-8818



Is the concern visible from a roadway? *

Yes

No

If yes, from which road is the concern visible?

Your answer Tom McKinney Drive

Are you a neighbor of the property in question? *

Yes

No

If you have photos or other related information that might aid in our investigating the concern, please submit the information by attaching below. The documents submitted will not be returned and will become part of the evidence in the County's record of the property.

 Add file



Submit

Clear form

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Google Forms



95 TOM MCKINNEY DR

Show search results for 95 TO...

8564-94-7726-000

OWNER_NAME	Hoxit Jonathan Christopher
ADDRESS_1	
ADDRESS_2	
ADDRESS_3	89 Tom McKinney Dr
CITY	Brevard
STATE	NC
ZIP_CODE	28712
DEED_BK	001117
PAGE	000346
SALE_PRICE	2000.000000
SALE_DATE	202406
COUNTY_ID	T292 00168 03
FIREDIST	
Zoom to	

NC CGIA, Maxar, Microsoft

POWERED BY **esri**



Hoxit Property Site Map

Hoxit Property

House is on the Ground Ready to load.

Tear Down WAS Aprox \$1,000 +

Clean up \$1,000

Tipping Fee's - (7) LOADS on Dump Trucks
AT Estimate \$750 load including Haul Bill.

\$ 5250

1000

\$6500 TOTAL Estimate

Owner has someone to haul House for free.

CAI would only pay tipping fee!!
Its my experience when this is done by friends that the loads will be fewer, because of loading more on the truck.!!

I CAN explain IF need BE

Smith

Staff Price Estimate

Transylvania County Planning Board

Staff Report:

COMMUNITY APPEARANCE INITIATIVE APPLICATION **CAI# 24-04**, A REQUEST BY RODNEY HAMILTON; PIN# 9516713318; FOR ASSISTANCE IN REMOVAL OF JUNK FROM AN UNZONED AREA OF TRANSYLVANIA COUNTY, LOCATED AT 50 MAPLE HILL ROAD, PENROSE, TRANSYLVANIA COUNTY, NORTH CAROLINA, 28766.

Agenda Date: July 18, 2024

Prepared By: Darby Terrell

GENERAL INFORMATION

NOTICE

None required;

DISCLOSURES

Any disclosures (i.e. conflicts of interest, site visits or ex parte communications)?

EXHIBITS

“A” Exhibits – Application Materials

- A-1 Community Appearance Initiative Application, CAI# 24-04, Rodney Hamilton Property;
- A-2 9516-71-3318 Transylvania County Parcel Information Data Card;
- A-3 Aerial and Photo’s of Site;
- A-4 Estimate from Solid Waste Department

“B” Exhibits – Transylvania County Supplemental Materials

- B-1 Pictures of Property from Crab Creek Road and Maple Hill Road;

Background

The applicant of the 0.72-acre property at 50 Maple Hill Road, **Rodney Hamilton**, requests assistance through the Community Appearance Initiative (CAI) in removal junk, which has accumulated on the property. The applicant lives on the property which his mother owns. He lives in the trailer at the back of the property off Maple Hill Road. In the application Mr. Hamilton notes that most of what he wishes to remove is junk and he is unable to remove it without help. He states that he is a double amputee and is in a wheelchair which makes it impossible for him to clean up. Mr. Hamilton is having friends and neighbors help him clean up his section of the property, but the junk is too much to do simple loads. The issue is viewable on both Maple Hill Road and Crab Creek Road, both of which are public roads. Staff was directed to look into this property by Commissioner Larry Chapman, to see if the property could be considered for the Community Appearance Initiative by the Planning Board.

Dwayne Smith, Solid Waste Operations Director has talked to the property owner and visited the site to inspect it for this program. After his inspection he confirmed there was junk, mostly what he saw was

cardboard boxes, paper, plywood, and other building materials. Mr. Smith did state there is metal on the property that he has talked to the applicant about and has referred him to the appropriate resource. Mr. Smith stated from his evaluation and depending on how much the applicant must remove he sees him using 2 or so roll off boxes from Solid Waste. He is not sure the weight once they are loaded due to some of the junk, he witnessed being wet. Mr. Smith has also had conversations with the volunteers who are helping Mr. Hamilton with removal of the junk, and they confirmed this program is what he needs to help fully remove the issue.

This site was approved to be reviewed and considered by the Planning Board, due to it meeting multiple areas of the Community Appearance Initiative policy. Staff wishes for the Planning Board to review the materials and discuss its qualifications on being approved.

Proposed project costs:

Description	Estimate Cost
Roll Off Boxes (4), Drop Fee, Tonnage	\$4,500
Loading and Tearing Down	\$1,200
Grand Total	\$6,700

Notes:

- \$62 a ton = (Tipping Fee + Haul Bill + Box drop fees)
- The above rate is an estimate a private party would charge
- Solid Waste who gave us the quote stated it is hard to give an estimate not knowing what exactly the applicant wants to be hauled off.

Applicable Criteria

TRANSYLVANIA COUNTY COMPREHENSIVE PLAN 2025 (TCCP)

GOAL 2, OBJECTIVE 10 – Encourage the *preservation of aesthetically and economically valuable views and green spaces.*

Staff comment: The project proposal takes steps to clean up a property within the county that has been affected by the accumulation of junk.

GOAL 7—Promote *the best use of land* while protecting the citizen’s property rights.

Staff comment:

TRANSYLVANIA COUNTY COMMUNITY APPEARANCE INITIATIVE

GOALS-

The goals of the Transylvania County Community Appearance Initiative (CAI) are:

- ***Preserve and protect the natural beauty of Transylvania County***
- *Promote and protect property rights*
- ***Promote and protect the health and safety of Transylvania County***
- *Promote economic development while protecting individuals and businesses from burdensome regulations.*

Staff comment: This property meets the first and third goals of the program by cleaning up an area that due to junk is affecting its overall natural beauty, and with the junk sitting over time potentially the health and safety of the surrounding properties.

MISSION-

*Transylvania County will assist citizens to remove and dispose of abandoned manufactured housing, junked / abandoned motor vehicles **and junk.***

*The County will help **identify areas for improvement, coordinate efforts and may provide financial assistance in some cases to aid in this effort.***

Staff comment: The applicant has tried to remove the issue and is requesting help from this program to fully remove the junk from his home. He is a disabled veteran who is at a disadvantage at being able to do it without the help of his community and Solid Waste providing their roll of boxes.

SCOPE AND PRIORITITES-

*The initiative will apply to abandoned manufactured homes, junked / abandoned motor vehicles, junk and junkyards **visible from state roads.** Priority will be given to safety and health and to the major corridors in the County; U.S. 64, U.S.178, U.S. 276, NC 215 and NC 280, but **shall include all property visible to an NCDOT state-maintained public right-of-way in Transylvania County.***

Staff comment: The junk can be seen from multiple NCDOT state-maintained public right of ways. One on Crab Creek Road and the other Maple Hill Road.

DEFINITIONS-

Junk: *Wrecked, scrapped, disassembled, unusable, cannibalized, inoperable, or un-repairable boats, trailers, camping trailers, construction equipment, appliance, vehicle parts, **building materials, scrap metal, rope, rags, paper, and rubber.***

Staff comment: Mr. Smith stated during his visit, he saw the issue area and it had building materials, scrap metal, wet paper and cardboard boxes, as well as plywood.

STAFF RECOMMENDATION

The Technical Advisory Committee recommends this property to the Planning Board for consideration and approval, upon the following conditions:

1. Staff will work with the property owner to obtain agreements and waivers of liability to implement the improvement effort.
2. Limitations or conditions to be placed on the agreement:
 - a. Time period for cleanup and pick up date of box;
 - b. Not to exceed amount of County matching-funds;
 - c. Others?

Decision and Conditions

Motion: Having considered the evidence in the record, based on a motion by Board Member (Name) and seconded by Board Member (Name), the Transylvania County Planning Board acting as the Community Appearance Advisory Committee moves to (approve, conditionally approve or disapprove) **the Hamilton, Community Appearance Initiative Application CAI# 24-04.**

Community Appearance Application



The name, email, and photo associated with your Google account will be recorded when you upload files and submit this form

* Indicates required question

Rodney Hamilton
Address of property. * 50 Maple Hill rd Perrose N.C. 28766

Your answer

Are you the owner of the property? *

Yes

No

my mother owns the land, I got a
mobile home on the property : 50
Maple Hill rd.



Type of concern. *

- Unsafe or unsecured structure
- Structure in disrepair or dilapidated
- Junk collecting on premises
- Household garbage collecting on premises
- Abandoned vehicles
- Other:

Details of the concern (please be specific) *

Your answer

Junk collecting on property from me Jim is
wheel chair guy can't walk. need some help cleaning up
old metal n debris

Are there any known or suspected hazards at this location, such as dangerous or *
unstable residents, dogs, suspected criminal activity, etc.?

- Yes
- No
- Unknown

If yes, please identify the hazard(s) in detail:

Your answer



Would you like to be contacted regarding this matter? *

Yes

No

If yes, please provide an email address or phone number where we may reach you.

Your answer *rodney.hamilton@tel.com*
828-808-9716 cell phone

Is the concern visible from a roadway? *

Yes

No

If yes, from which road is the concern visible?

Your answer *maple Hill rd. - 50*
Craig Creek rd. - 2751

Are you a neighbor of the property in question? *

Yes

No



If you have photos or other related information that might aid in our investigating the concern, please submit the information by attaching below. The documents submitted will not be returned and will become part of the evidence in the County's record of the property.

 Add file

I'm a double amputee both leggs off below knee :
and cannot walk, I'm in wheel chair
Can't Clean up mess.

Clear form

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Google Forms





Parcel Information Data Card

Information contained in this report is for informational purposes only and is based on data compiled by the Transylvania County Tax Office, in conjunction with Transylvania County Emergency Services.

PIN 9516-71-3318-000
Owner Hamilton Christine A
Township 09
Calculated Acreage 0.72
Land Value \$30,000
Building Value \$93,840
Assessed Value \$134,800
Sale Price \$0
Sale Date 200212
Fire District Little River Fire Department
Deed Book 0003E, **Page** 0002



Card	Year Built	Heated Sq. Feet	Basement	Bedrooms	Bathrooms	Half Baths	Fireplaces
1	1960	1,092	Y	3	1	0	1

Ariel Photos of Property

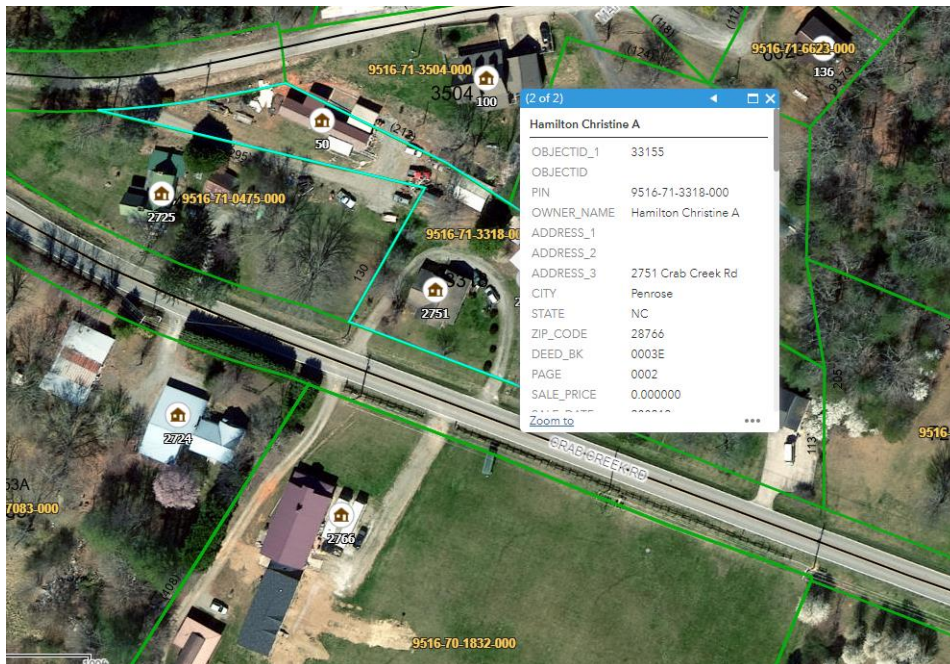
Attachment 3



View from Maple Hill Rd (Google Maps Image)



Transylvania County GIS Tax Administration Portal



Ham. How Project

Estimate

* Boxes - Estimate 4 Boxes \$4500 Estimate

After Drop Fee's + Tonnage

* Loading + Tearing Down - 1,200

\$62 TON - Tipping Fee + Haul Bill + Box Drop Fees.

4500

1200

Estimate \$6700 (Private Party)

HARD TO Estimate NOT KNOWING what is Actually going to be hauled off!!

Smith

Photos taken by Staff off Maple Hill Road

Attachment B-1

Headed from Crab Creek Rd on Maple Hill Road



Headed toward Crab Creek Road on Maple Hill Road

From: Ashley Minery, Planner

Date: July 8, 2024

Subject: Transylvania County 2050 Comprehensive Plan Update

Department: Transylvania County Planning and Community Development

Attachments: None

Purpose: Provide an unofficial update and general summary of feedback received from multiple 2050 Comprehensive Plan Kickoff Events.

Summary:

Turnout: The attendance for almost all of these events exceeded staff expectations. Across all meetings, at least 190 individuals attended the meetings, and 147 field journals were collected. Please note that Planning Board members and others that attended multiple meetings in an observation capacity were removed from these numbers. A Planning Board member's or multiple event attendee's attendance was only counted when they participated at a table level discussion.

Focus Areas: In the events, participants were asked to prioritize a focus area from the 2025 Comprehensive Plan. Those areas are: 1) Economic Health 2) Environmental Health 3) Land Use and Livability 4) Health, Culture and Equity. Despite the overlapping nature of the focus areas, 'Land Use and Livability' and 'Health, Culture and Equity' were identified as the most important goals to carry forward to the 2050 Plan.

Consensus: Lack of affordable housing, quality healthcare providers, and high paying jobs were commonly identified as hindrances to future goals. Government communication, transportation infrastructure, natural resources conservation, and school funding/ buildings were also common concerns. In the budgeting exercise the most popular categories were 1) Education, 2) Affordable and Workforce Housing, and 3) Economic Development and Jobs.

Critiques: Some expressed concern about working citizens' inability to attend community meetings. In response to this concern, we have scheduled two additional meetings during the night and weekend to accommodate various work schedules. One event will take place in the small building at Lake Toxaway Community Center on July 17th from 6-8pm. The other event will be held on July 20th at the Transylvania County Library from 3-5pm.

Transylvania County Planning Board

Staff Report:

COMMUNITY APPEARANCE INITIATIVE UPDATE

Agenda Date: July 18, 2024

Prepared By: Darby Terrell

GENERAL INFORMATION

CAI#23-01 Powell Property

At the last staff committee meeting, Solid Waste staff updated the committee on the status of the application, reporting that they did not think the property issues would not be resolved, since the property owners no longer have interest in cleaning up the property.

CAI#24-01: Purple Bucket Enterprises LLC Property

The owners requested to table their application until further notice. Staff is planning on reaching out to them to see in August to see if they would like to continue the application process for the August or September Planning Board meeting.

CAI#24-02: McCall Property

At the Technical Advisory Meeting Solid Waste staff reported that the property had changed hands and that the new property owners were still interested in receiving help with disposing of the demolished house on the property. Staff has closed the initial application, and a new one has been submitted on behalf of the new owners.

STAFF RECOMMENDATION

This is an informational staff report, no action is needed.

Transylvania County Planning Board

Staff Report:

TRANSYLVANIA COUNTY COMPREHENSIVE HOUSING STUDY UPDATE

Agenda Date: July 18, 2024

Prepared By: Jeff Adams

GENERAL INFORMATION

TPMA, Transylvania County’s consultant for the Comprehensive Housing Study, has held two public meetings over the past month, in Brevard and Rosman, which reached nearly fifty community housing stakeholders. The Housing Survey was released on June 24th and has received over 500 responses since its release.

The TPMA has also launched its interviewing campaign of individuals in the community to target in-depth interviews with housing stakeholders from across the county and across the housing spectrum.

STAFF RECOMMENDATION

This is an informational staff report, no action is needed.