

**Town of Seven Devils**  
Planning Board Minutes  
Continuation Meeting  
May 28, 2014

The Seven Devils Planning Board met on Wednesday, May 28, 2014, at Town Hall. Vice Chairman Bob Haugh called the meeting to order at 5:30 p.m. Members present were Vice Chair Bob Haugh, George Ehlinger, Michael Douglas, Frank Sell, Barry Isquith, and Brady Sasse. Chairman Butch McLean was absent. Town Manager/Zoning Administrator Ed Evans was also present. The minutes were recorded by Sara Miller, Town Clerk.

**Old Business**

**Setback Requirements and Building Height-Discussion**—After brief discussion, the Board recommended the following changes to the Unified Development Ordinance, utilizing a list of changes Manager Evans had prepared for the meeting.

The Board agreed to add a definition to Article III, Section 3.02 General Definitions of the UDO that stated,

**“Front Yard Setback:** the setback shall be thirty (30) feet from the edge of the road travel surface, but in no case may any structure or component part of the structure protrude into the right-of-way.”

**Height (of a structure or part thereof)** was changed to,  
“The vertical distance from the sill (sole) plate on the foundation wall to the highest portion of the structure, excluding chimneys. Chimneys can be no more than three (3) feet tall.”

Several changes were made to Article VII, Intensity Regulations of the UDO. The Board changed **Section 7.07 Building Height** to,

“The height of a structure shall be defined as the vertical distance from the sill (sole) plate on the foundation wall to the highest point of the building. The highest point of the building shall be the highest point:

- a. of the peak of the highest roof; or
- b. of railings, decking, or other such attachments which may be affixed to and rise above the roof (not to include chimneys that rise above the roof which shall be limited to a maximum of three (3) feet high)”

**Section 7.09 Front Yard Setback** was changed to,  
“The setback shall be thirty (30) feet from the edge of the road travel surface, but in no case may any structure or component part of the structure protrude into the right-of-way.”

The Board added a new standard to Article VIII Community Design Standards, **Section 8.02 Building Appearance Standards**, that stated,

**“(d)** For houses, the side of the lot adjoining the street is considered the front. It is this frontage to which “front setback” applies. In case a property faces two streets, the property will have two “front setbacks.” The main floor living level shall not be more than five (5) feet below the average elevation of the roadway edge along this front setback as determined by a registered surveyor or engineer. For each additional ten (10) feet of voluntary setback from what is required, the elevation of the main floor living level can be lowered by two (2) feet. The exposed foundation wall at this elevation can be no more than three (3) feet on the side of the house facing the highest street frontage. Exception: For any house located sixty (60) or more feet from the front setback, the elevation requirements do not apply.”

Member Ehlinger made a motion to recommend the above changes to the Unified Development Ordinance to the Town Council. Member Sasse seconded the motion. The members agreed unanimously. ~CLOSED~

### **Citizen Comments**

**Byron Gentry, 172 Hanging Rock Villas Unit 421,** wanted the Board to know that the new paving near the Villas had changed the pitch of the drainage area closest to their green space. This had caused water to run into the green space, and he was concerned about erosion and damage to the area. Manager Evans stated that Mr. Gentry would need to contact the State DOT regarding the issue.

### **Board Member Comments**

Manager Evans thanked the Board for their hard work on the recommendation to the Town Council.

### **Adjourn**

Member Isquith made a motion to adjourn at 6:40 PM. Member Ehlinger seconded the motion. The members agreed unanimously.

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Bob Haugh, Vice Chair

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Sara Miller, Town Clerk