

TOWN OF SEVEN DEVILS
BOARD OF ADJUSTMENT MEETING
Tuesday, July 26, 2022
5:30pm

Agenda

- 1) Call to Order
 - 2) Quorum *3 BOA minimum*
 - 3) Adopt Agenda *Motion*
 - 4) Old Business
 - A. Approve Minutes - *Motion*
 - (i) Board of Adjustment – Meeting – February 22, 2022
 - 5) New Business
 - A. Application for Special Use Permit – Mark Williams, 268 E. Rocky Top Trail
 - (i) Open Evidentiary Hearing *Motion*
 - (ii) Opening Statement – Chair
 - (iii) Disclosures
 - (iv) Determination of Witnesses
 - a. Parties with Standing
 - b. Expert Witness
 - c. General Witness
 - (v) Witness Oath – Clerk
 - (vi) Presentations of Findings of Fact – Eddie Barnes, Zoning Administrator
 - (vii) Presentation of Application – HCenergy, Contractor
 - (viii) Witness Opposed to Application
 - (ix) Board of Adjustment Discussion
 - (x) Decision - *Motion*
 - 6) Adjourn - *Motion*
-

This meeting will be live streamed and can be viewed via Go To Meeting

<https://meet.goto.com/142996461>

**Town of Seven Devils
Board of Adjustment Meeting
Tuesday, February 22, 2022
5:30pm**

The Seven Devils Board of Adjustment met on Tuesday, February 22, 2022 at Town Hall. In-person attendance included: Members - Bob Bridges, Faye Brock, Bobbye Hurlbrink, Frank Sell & Stu Ryan-Alternate; Remote attendance by Member Jack Byrnes. John Wells IV-Alternate. Electronic format – Go To Meeting #4166349381

Staff included Debbie Powers-Zoning Administrator; the minutes recorded by Hillary Gropp-Town Clerk. Also in attendance:

Michael & Karen Zavislak – Applicants- 178 Woodwinds Circle – In person
Ann McConnell – President – Woodwinds POA - Remote

CALL TO ORDER

Zoning Administrator Powers called the meeting to order at 5:30pm.

ROLL CALL

Board of Adjustment members Bobbye Hurlbrink, Stu Ryan, Bob Bridges, Frank Sell, Faye Brock, Jack Byrnes & John Wells stated their name and announced their presence for Roll Call. A quorum was met.

OATH OF OFFICE

The oath of office was administered In-person at Town Hall by Town Clerk Gropp prior to tonight's meeting to Reappointed Member Faye Brock (2/10/22) & New Appointed Member Stu Ryan-Alternate (2/16/22).

John Wells IV – Alternate has not been administered the oath for his current term. He viewed tonight's meeting without participation.

NOMINATION OF CHAIR

Zoning Administrator Powers opened the floor for nominations of Chairperson. Member Hurlbrink nominated Bob Bridges; Member Brock 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 for Vice Chairperson. Member Hurlbrink nominated Jack Byrnes; Member Brock seconded the motion. Member Byrnes accepted, with no other nominations, all members agreed.

ADOPT AGENDA

Member Brock made a motion to adopt the agenda; Member Hurlbrink seconded the motion. All members agreed.

OLD BUSINESS

A. Approve Minutes

(i) Board of Adjustment – Meeting – October 26, 2021

Chairperson Bridges requested to amend and add on page 3, **No board member, nor any party with standing replied.** Member Sell made a motion to approve the amended minutes; Member Brock seconded the motion. All members agreed.

B. Open Recessed Evidentiary Hearing – Zavislak -Variance Request

Member Brock made a motion to open the Recessed Evidentiary Hearing; Member Hurlbrink seconded the motion. All members agreed.

Opening Statement

Chair Bridges read 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."

Any witnesses that were previously sworn in (10/26/21) are still under oath.

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?"

No board member replied.

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, nor party with standing replied.

Chair Bridges stated the requested items from the applicant have been submitted to Town Clerk Gropp and included in the agenda packet for tonight's meeting. Discussion of items to occur as needed.

Items submitted:

Engineered Plans – Lot 4 – Dated 12/1/2021

As-Built Survey – Lot 4 – Dated 12/1/2021

Septic Letter – Dated 01/17/2022

Septic Plans – Lot 4 – Date Illegible

Septic Plans – Lot 5 – Dated 02/08/1990

Woodwinds POA Statement – Dated 12/14/2021

Chair Bridges asked the Applicant Zavislak, if he had anything else to say.
Zavislak replied, No.

Chair Bridges asked the BOA members if they had any questions.
No board member replied.

Chair Bridges stated that he had two questions.

Chair Bridges asked the Applicant Zavislak if it was a conflict of interest for him to be both the applicant and the engineer? Zavislak replied, no, as he is a professional engineer and he is the owner of the property. Bridges continued further questioning about the survey lines and the accuracy of it. Zavislak stated it is accurate and he took measurements from the survey pins, and the survey pins have not been moved.

Chair Bridges asked the Applicant Zavislak about the Woodwinds POA statement and the criteria the proposed structure is not a separate structure, but rather is integrated into the existing house structure. Zavislak replied that is already his intention, therefore it's a non-issue.

Discussion/Board Deliberations on Variance Request

Chair Bridges stated:

The board must decide on the following findings and all must be **TRUE** to approve the Variance request.

1. There are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of the ordinance. All of the following must be true under this finding:

a. The hardship results from the application of the ordinance.

Chair Bridges stated this is **TRUE**.

b. The hardship is suffered by the applicant's property rather than personal circumstances.

Chair Bridges offered that while to some extent, personal circumstances do enter into the variance request (too many vehicles, not enough storage space, etc.), the footprint of the existing house does create an inability for the project to comply with the side set back ordinance. This is **TRUE**.

c. The hardship is not the result of the applicant's own actions.

Chair Bridges stated that the Applicant has followed required Variance procedure and did not start the project which would be a self-inflicted violation of the variance. This is **TRUE**.

d. The hardship is peculiar to the applicant's property.

Chair Bridges stated even though this is a common problem for the Woodwinds POA, while suspected, no evidence has been submitted to indicate that other property in the development suffer from the same set back challenges due to property line angles and house foundation footprint. This is **TRUE**.

2. The variance is in harmony with the general purpose and intent of the UDO, Vision Statement, and Comprehensive Use Plan, and preserves their spirit.

All agreed this is **TRUE**.

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

Chair Bridges stated no evidence was presented that would indicate a negative impact on nearby septic drain fields (public safety), and there is no set back requirement from septic systems for driveway expansion (per evidence submitted by Licensed Soil Scientist). Additionally, set back from a septic drain field is not at issue, set back from the legal property line is. And, public safety is improved by getting vehicles off the street to the benefit of emergency vehicles necessary for the safety of citizens.

This is **TRUE**.

Chair Bridges added his personal thoughts, as he is troubled by the apparent conflict of interest, the Applicant & Engineer being one in the same, regarding set back measurements from the property line. Chair Bridges expected the surveyor to have shown these measurements on the submitted 12/1/2021 survey – Agenda Item E. (iii).

However, Chair Bridges acknowledged the Applicant – Zavislak stated, under oath, that the setback distances are accurate as being measured from the independent survey of the property line in question, and therefore, Chair Bridges reluctantly accept the measurements as accurate in this case.

Decision

Member Brock made a motion to approve the Variance Request; Member Hurlbrink seconded the motion.

Vote on Variance Request

Motion: The Board of Adjustment voted to Approve the Variance Request.

(5) Yeas (0) Nays

A roll call vote of the Board of Adjustment members is as follows:

Frank Sell-Yea Faye Brock-Yea Bob Bridges-Yea Bobbye Hurlbrink-Yea Jack Byrnes-Yea

Close Evidentiary Hearing

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

ADJOURN

The meeting adjourned at 5:55pm.

Robert D. Bridges, Chairperson

Hillary Gropp, Town Clerk

Town of Seven Devils Board of Adjustment

July 26, 2022

Witness Oath

Do you solemnly swear (or affirm) that the evidence you shall give to the board in this action shall be the truth, the whole truth, and nothing but the truth, so help you God?

Name:

Position:

Address:

[illegible]

Application for a Conditional Use Permit for Property in the Town of Seven Devils

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

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

I hereby petition the Board of Adjustment for a Conditional Use Permit as authorized by Article XIV of the Unified Development Ordinance for the Town of Seven Devils. I understand that the requirements set forth in the Town of Seven Devils Unified Development Ordinance will apply to all plans submitted.

Description of Property

Physical Location of Property (including street address): 268 E. Rocky Top Tr.
Seven Devils, NC 28604
Size of Property _____ County Watauga PIN # _____
Current Zoning District _____
General Use of Property: Res. Home Solar

Applicant Information

Name Mark Williams
Title Owner
Address 268 E. Rocky Top Tr.
Seven Devils, NC 28604
Phone # (s) (828) 773-9762

Property Owner Information

Name Same
Title _____
Address _____
Phone # (s) _____

E-mail h.c.energy.solutions@gmail.com E-mail _____

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

- Two (2) copies of this completed form, typed or filled out in black ink
- Eight (8) copies of current zoning map with location of property indicated.
- A surveyed plat of the property in question.
- Statements from the applicant describing how the proposed Conditional Use would meet the criteria for approval of such a permit as described in Article XIV of the Unified Development Ordinance.
- Personal or Certified Check in the amount of \$500 for the application fee. Application fee shall be paid to the Town of Seven Devils, NC for each application for a Conditional Use Permit in order to cover the necessary administrative costs.

I certify that all of the information presented by me in this application is accurate to the best of my knowledge

Mark Williams

Signature of Applicant

6/21/22

Date

Amount Paid \$500.00 Received by _____ Date _____



Vicinity Map

Falling Waters at
Vale Cruon LLC
1397/443

Thompson
1673/060

Thompson
1673/060

- NOTES**
1. Area calculated by computer.
 2. Bearings are relative to Deed Book 223 of Page 121.
 3. All property measurements were taken from current tax records.
 4. This survey was prepared without the aid of a title search and is subject to any facts which may be revealed by an accurate and up to date title search.
 5. The site referenced was that shown as recorded in Deed Book 2005 of Page 325, in the Watauga County Register of Deeds Office.
 6. This Plot is subject to any easements, agreements, or right of way, including mineral rights, of record prior to date of this plot.
 7. Curves are indicated points, unless otherwise noted.
 8. Utility Right of Way are unknown. Any underground utilities not located.
 9. ACCORD, hereunder signed was prepared under Section 6 of the Watauga County Ordinance No. 17-2005, which is subject to zoning regulations or Land Restrictions.
 10. Subject property is not located within a Flood Hazard Zone according to FEMA Map 0 27121-070001 dated December 03, 2005, also this plot does not create a Flood Certificate.
 11. Property is subject to any ordinances regulating Subdivisions in Watauga County.

2.20 acres

Falling Waters at
Vale Cruon LLC
1397/443

State of North Carolina, I Christopher G. Shephard, certify that this plot was drawn under my supervision from an actual survey made under my inspection. That the rate of precision as calculated by latitude and departure is 1/11,000. And the boundaries are surveyed or shown as shown from records from the records found in the records of the Watauga County Register of Deeds Office. This map was prepared in accordance with G.S. 17-2005.

State of North Carolina, I Christopher G. Shephard, certify that this plot was drawn under my supervision from an actual survey made under my inspection. That the rate of precision as calculated by latitude and departure is 1/11,000. And the boundaries are surveyed or shown as shown from records from the records found in the records of the Watauga County Register of Deeds Office. This map was prepared in accordance with G.S. 17-2005.



0.68 Acres

Williams
DB 2005 / PG 324

**Mark Alan Williams and wife,
Tiffany Marie Teate Williams**

Surveyor's License No. 1397/443, State of North Carolina

Deed Reference: Deed Book 2005 Page 325, Deed Book 2005 Page 325

(Book 17-2005, 17-2005, 2005/117, Date 03/10/2005)

Associated Drafting and Surveying

8750 Elm Knott Road - Laurel Springs, NC 28044

SEND TO LEFT TO VIEW TRUE WAVELENGTH IN PAPER. HEAT SENSITIVE RED LOCK DISAPPEARS WHEN HEATED

HIGH COUNTRY ENERGY SOLUTIONS, INC

PH: 828-773-9762
PO BOX 64
BOONE, NC 28607

69-129/515

3562

DATE

6/22/22

PAY TO THE
ORDER OF

Town of Seven Devils

\$ 500.00

Five Hundred + $\frac{00}{100}$

DOLLARS

 **First
Community Bank**

Permit 268 Rocky Top Solar

MEMO

1:05

3562

Gravitt Engineering, PLLC.

828-606-6963

jkggravit@gmail.com

June 15, 2022

Mr. Kent Hively
High Country Energy Solutions, Inc.
Boone, NC 28607

Re: Solar PV System at
268 Rocky Top Trail
Seven Devils, NC 28604

Dear Mr. Hively,

Pursuant to your request, I have examined the structure at the address listed above with regard to its suitability for the solar photovoltaic (PV) system specifically proposed by High Country Energy Solutions, Inc.

It is my opinion that the existing roof structure will safely support the additional loading incurred by the (24) solar panels and racking system. In addition, the installation design meets or exceeds standards for minimum live loading set forth by the **2018 North Carolina Residential Building Code**.

Opinion-supporting data:

ASCE 7-10 Values:	Elevation 4068 ft, Wind speed 120 mph, Exposure Cat. D
Total rooftop system weight:	less than 1280 lb
Number of attachments:	40
Distributed weight:	less than 2.9 psf

The modules, roof attachment feet, rail and associated hardware shall be installed in accordance with the manufacturer's instructions. Specifically, (40) waterproof attachment brackets shall be secured to trusses or 2x6 blocking by 5/16" by 4" lag screws. Typical lateral (East-West) distance between attachment brackets shall be 4'-0" and shall not exceed 6'-0".

Sincerely,

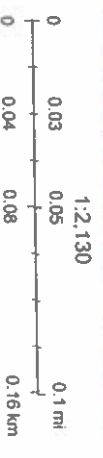


John Gravitt, P.E.

Watauga County Auditor



July 8, 2022





MSE PERC 60

MISSION SOLAR ENERGY

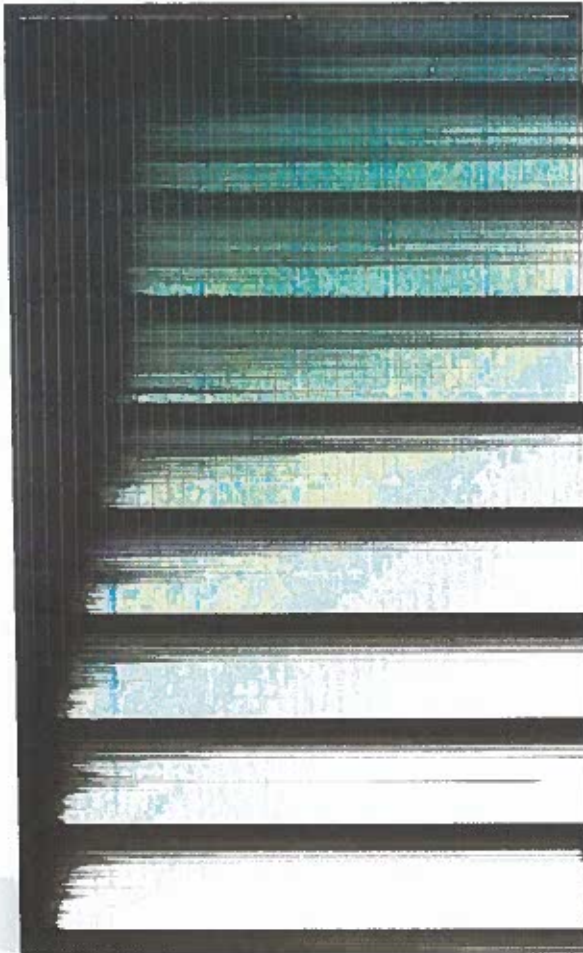


345W

Class leading power output

Positive
Power
Tolerance

-0 to +3%



FRAME-TO-FRAME WARRANTY

Degradation guaranteed not to exceed 2% in year one and 0.58% annually from years two to 30 with 84.08% capacity guaranteed in year 25.

For more information, visit www.missionsolar.com/warranty

CERTIFICATIONS

CEC



UL 61730 / IEC 61215 / IEC 61730 / IEC 61701

If you have questions or concerns about certification of our products in your area, please contact Mission Solar Energy.

True American Quality True American Brand

Mission Solar Energy is headquartered in San Antonio, Texas where we manufacture our modules. We produce American, high-quality solar modules ensuring the highest-in-class power output and best-in-class reliability. Our product line is tailored for residential, commercial and utility applications. Every Mission Solar Energy solar module is certified and surpasses industry standard regulations, proving excellent performance over the long term.

Demand the best. Demand Mission Solar Energy.



Certified Reliability

- Tested to UL 61730 & IEC Standards
- PID resistant
- Resistance to salt mist corrosion



Advanced Technology

- 6 Busbar
- Passivated Emitter Rear Contact
- Ideal for all applications



Extreme Weather Resilience

- Up to 5,600 Pa front load & 5,631 Pa back load
- Tested load to UL 61730
- 40 mm frame



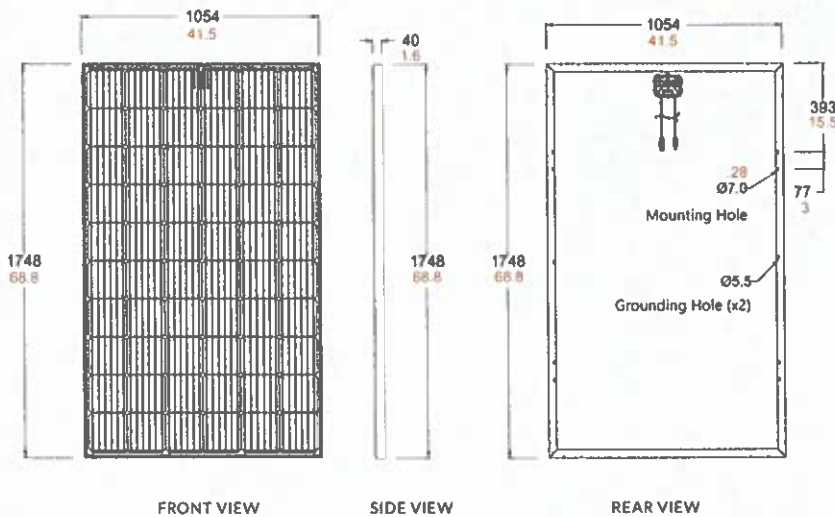
BAA Compliant for Government Projects

- Buy American Act
- American Recovery & Reinvestment Act



BASIC DIMENSIONS

[UNITS: MM/IN]



ELECTRICAL SPECIFICATION

PRODUCT TYPE	MSE	XXX	SX5T (XXX = P _{max})		
Power Output	P _{max}	W _p	340	345	350
Module Efficiency	%		18.5	18.7	19.0
Tolerance	%		0/+3	0/+3	0/+3
Short Circuit Current	I _{sc}	V	10.86	10.92	10.97
Open Circuit Voltage	V _{oc}	A	40.82	41.00	41.18
Rated Current	I _{mp}	V	10.24	10.34	10.44
Rated Voltage	V _{mp}	V	33.20	33.37	33.52
Fuse Rating	A		20	20	20
System Voltage	V		1,000	1,000	1,000

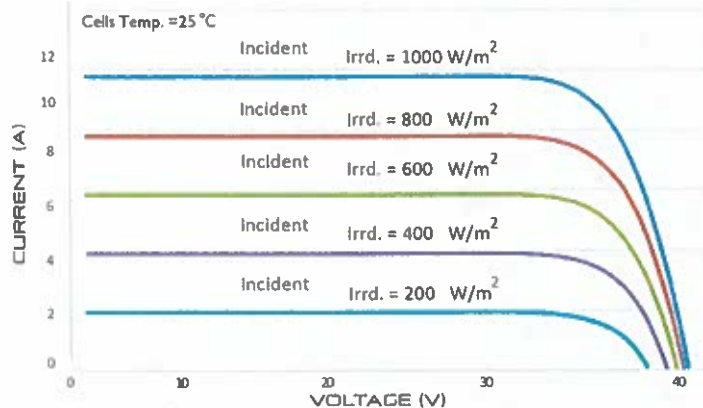
TEMPERATURE COEFFICIENTS

Normal Operating Cell Temperature (NOCT)	44.43°C (±3.7%)
Temperature Coefficient of P _{max}	-0.361%/°C
Temperature Coefficient of V _{oc}	-0.262%/°C
Temperature Coefficient of I _{sc}	0.039%/°C

CURRENT-VOLTAGE CURVE

MSE345SX5T: 345WP, 60 CELL SOLAR MODULE

Current-voltage characteristics with dependence on irradiance and module temperature



OPERATING CONDITIONS

Maximum System Voltage	1,000Vdc
Operating Temperature Range	-40°C (-40°F) to +85°C (185°F)
Maximum Series Fuse Rating	20A
Fire Safety Classification	Type 1
Front & Back Load (UL Standard)	Up to 5,600 Pa front and 5,631 Pa back load, Tested to UL 61730
Hail Safety Impact Velocity	25mm at 23 m/s

MECHANICAL DATA

Solar Cells	P-type mono-crystalline silicon
Cell Orientation	60 cells (6x10)
Module Dimension	1,748mm x 1,054mm x 40mm
Weight	20.3 kg (44.8 lbs.)
Front Glass	3.2mm, tempered, low-iron, anti-reflective
Frame	Anodized
Encapsulant	Ethylene vinyl acetate (EVA)
Junction Box	Protection class IP67 with 3 bypass-diodes
Cable	1.0m, Wire 4mm ² (12AWG)
Connector	Staubli PV-KBT4/6II-UR and PV-KST4/6II-UR, MC4, Renhe 05-8

CERTIFICATIONS AND TESTS

IEC	61215, 61730, 61701
UL	61730



CEC



Mission Solar Energy

8303 S. New Braunfels Ave., San Antonio, Texas 78235

www.missionsolar.com | info@missionsolar.com

SHIPPING INFORMATION

Container Feet	Ship To	Pallet	Panels	345 W Bin
53'	Most States	34	884	304.98 kW
Double Stack	CA	28	728	251.16 kW

PALLET [26 PANELS]

Weight	Height	Width	Length
1,263 lbs. (573 kg)	47.5 in (120.65 cm)	46 in (116.84 cm)	70.25 in (178.43 cm)

Single Phase Inverter with HD-Wave Technology

for North America

SE3000H-US / SE3800H-US / SE5000H-US / SE6000H-US /
SE7600H-US / SE10000H-US / SE11400H-US



Optimized installation with HD-Wave technology

- / Specifically designed to work with power optimizers
- / Record-breaking efficiency
- / Fixed voltage inverter for longer strings
- / Integrated arc fault protection and rapid shutdown for NEC 2014 and 2017, per article 690.11 and 690.12
- / UL1741 SA certified, for CPUC Rule 21 grid compliance
- / Extremely small
- / Built-in module-level monitoring
- / Outdoor and indoor installation
- / Optional: Revenue grade data, ANSI C12.20 Class 0.5 (0.5% accuracy)

/ Single Phase Inverter

with HD-Wave Technology for North America

SE3000H-US / SE3800H-US / SE5000H-US / SE6000H-US/
SE7600H-US / SE10000H-US / SE11400H-US

	SE3000H-US	SE3800H-US	SE5000H-US	SE6000H-US	SE7600H-US	SE10000H-US	SE11400H-US	
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OUTPUT

Rated AC Power Output	3000	3800 @ 240V 3300 @ 208V	5000	6000 @ 240V 5000 @ 208V	7600	10000	11400 @ 240V 10000 @ 208V	VA
Maximum AC Power Output	3000	3800 @ 240V 3300 @ 208V	5000	6000 @ 240V 5000 @ 208V	7600	10000	11400 @ 240V 10000 @ 208V	VA
AC Output Voltage Min.-Nom.-Max. (211 - 240 - 264)	✓	✓	✓	✓	✓	✓	✓	Vac
AC Output Voltage Min.-Nom.-Max. (183 - 208 - 229)	-	✓	-	✓	-	-	✓	Vac
AC Frequency (Nominal)	59.3 - 60 - 60.5 ⁽¹⁾							Hz
Maximum Continuous Output Current @240V	12.5	16	21	25	32	42	47.5	A
Maximum Continuous Output Current @208V	-	16	-	24	-	-	48.5	A
GFDI Threshold	1							A
Utility Monitoring, Islanding Protection, Country Configurable Thresholds	Yes							

INPUT

Maximum DC Power @240V	4650	5900	7750	9300	11800	15500	17650	W
Maximum DC Power @208V	-	5100	-	7750	-	-	15500	W
Transformer-less, Ungrounded	Yes							
Maximum Input Voltage	480							Vdc
Nominal DC Input Voltage	380				400			Vdc
Maximum Input Current @240V ⁽²⁾	8.5	10.5	13.5	16.5	20	27	30.5	Adc
Maximum Input Current @208V ⁽²⁾	-	9	-	13.5	-	-	27	Adc
Max. Input Short Circuit Current	45							Adc
Reverse-Polarity Protection	Yes							
Ground-Fault Isolation Detection	600k Ω Sensitivity							
Maximum Inverter Efficiency	99	99.2						%
CEC Weighted Efficiency	99						99 @ 240V 98.5 @ 208V	%
Nighttime Power Consumption	< 2.5							W

ADDITIONAL FEATURES

Supported Communication Interfaces	RS485, Ethernet, ZigBee (optional), Cellular (optional)	
Revenue Grade Data, ANSI C12.20	Optional ⁽³⁾	
Rapid Shutdown - NEC 2014 and 2017 690.12	Automatic Rapid Shutdown upon AC Grid Disconnect	

STANDARD COMPLIANCE

Safety	UL1741, UL1741 SA, UL1699B, CSA C22.2, Canadian AFCI according to T.I.L. M-07	
Grid Connection Standards	IEEE1547, Rule 21, Rule 14 (HI)	
Emissions	FCC Part 15 Class B	

INSTALLATION SPECIFICATIONS

AC Output Conduit Size / AWG Range	1" Maximum / 14-6 AWG			1" Maximum / 14-4 AWG		
DC Input Conduit Size / # of Strings / AWG Range	1" Maximum / 1-2 strings / 14-6 AWG			1" Maximum / 1-3 strings / 14-6 AWG		
Dimensions with Safety Switch (HxWxD)	17.7 x 14.6 x 6.8 / 450 x 370 x 174			21.3 x 14.6 x 7.3 / 540 x 370 x 185		in / mm
Weight with Safety Switch	22 / 10	25.1 / 11.4	26.2 / 11.9	38.8 / 17.6		lb / kg
Noise	< 25			< 50		dBA
Cooling	Natural Convection					
Operating Temperature Range	-13 to +140 / -25 to +60 ⁽⁴⁾ (-40°F / -40°C option) ⁽⁵⁾					°F / °C
Protection Rating	NEMA 4X (Inverter with Safety Switch)					

⁽¹⁾ For other regional settings please contact SolarEdge support

⁽²⁾ A higher current source may be used, the inverter will limit its input current to the values stated

⁽³⁾ Revenue grade inverter P/N: SExxxxH-US000NINC2

⁽⁴⁾ For power de-rating information refer to: <https://www.solaredge.com/sites/default/files/se-temperature-derating-note-na.pdf>

⁽⁵⁾ -40 version P/N: SExxxxH-US000NNI4

Hillary Gropp

From: Eddie Barnes
Sent: Friday, June 17, 2022 9:09 AM
To: Kent Hively
Cc: Debbie Powers; Hillary Gropp
Subject: RE: Solar Project Rocky Top Ct. Seven Devils
Attachments: AltEnergyOrd_3_11_14.pdf

Kent, the homeowner will need to apply for a special use permit from the Town's Board of Adjustment, the next meeting will be in July. Please review the attached Alternate Energy Ordinance for requirements to comply with the special use permit. The application will need to be submitted by the end of June for the hearing to be set on the last Tuesday of July. Thanks, Eddie

From: Kent Hively <hcenergysolutions@gmail.com>
Sent: Wednesday, June 15, 2022 9:11 PM
To: Eddie Barnes <zoning@sevendevils.net>
Subject: Re: Solar Project Rocky Top Ct. Seven Devils

Hi,

Attached is the information for the 268 Rocky Top Solar. The panels will be flush mounted. The only permit application I could find was for zoning, Is this the one we use? Let me know if you need any additional information.

Thanks,



On Tue, May 17, 2022 at 2:50 PM Eddie Barnes <zoning@sevendeils.net> wrote:

Good afternoon Kent, roof top solar projects are permitted as an accessory use in Seven Devils, a special use permit is required along with a site plan. The application is reviewed by the Board of Adjustment. The BOA meets on the 4th Tuesday of the month and plans will need to be submitted at least 3 weeks prior to the board meeting. The requirements for solar projects can be found on the Town's website www.sevendeils.net under government icon then ordinances and zoning map. The Alternative Energy Ordinance is the one that regulates solar projects. Please let me know if I can be of further assistance. Eddie

Eddie Barnes, Zoning Administrator

Town of Seven Devils

157 Seven Devils Road

Seven Devils, NC 28604

828-963-5343 ext. 104

--

Kent Hively

H.C.E.S.

828-773-9762

hcenergysolutions@gmail.com

Parcel

ParID	1878492606000
Tax Year	2022
SITUS Address	268 E ROCKY TOP TRL
City, State, Zip	SEVEN DEVILS , NC , 28604
Unit #	
Unit Description	
NBHD	15E3 - RIDGE AT HAWKS PEAK
Spot	
Class	R1 - RESIDENTIAL 1
Land Use Code	R01 - RESIDENTIAL 1 FAMILY
Living Units	0
CAMA Acres	.89
Location	6
Fronting	9
Parking Proximity	
Parking Quantity	
Parking Type	1-OFF STREET
Zoning	-
Map #	1878-49-2606-000
Route Number	
PIN Number	
Total Cards	1
Storm Name	
Field Review	
Field Review Date	
Review Notes	-
Note Code 2	-
Note 4	
Note 4	
Note 4	
Note 4	
Storm Date	
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	2022
Sequence Number	0
Owner Number	1810735
Owner	WILLIAMS, MARK ALAN WILLIAMS, TIFFANY MERLE TEATE
Mailing Address	268 EAST ROCKY TOP TRL
City, State, Zip	SEVEN DEVILS NC 28604

Owner Details

Owner 1	Owner 2	Owner Code (Customer #)	% Ownership	Nature of Ownership
WILLIAMS, MARK ALAN	WILLIAMS, TIFFANY MERLE TEATE	1810735		-

Owner Mailing

Tax Year	2022
Sequence Number	0
Owner Number	1810735

Section 4. Notice of Decision and Issuance of Special Use Permit

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 an application for a Special Use Permit is denied, then the applicant cannot reapply for a Special Use Permit unless it is substantially different from the application for which the permit was denied.

Section 5. Appeal of Decision

An aggrieved party may appeal a decision made by the Board of Adjustment concerning an application for a Special Use Permit to the Watauga or Avery County Superior Court after receiving such notice as required in Section 4.

Every quasi-judicial decision shall be subject to review by the superior court by proceedings in the nature of certiorari pursuant to G.S. 160D-1-2. A petition for review shall be filed with the clerk of superior court no later than 30 days after the decision is effective or after written copy thereof is given in accordance with Article 2, Section 3(g). When first-class mail is used to deliver notice, three days shall be added to the time to file the petition.

Section 6. Issuance of Permits for Development

For developments requiring a Special Use Permit, an approved Special Use Permit must be obtained prior to the issuance of any other applicable permits.

Section 7. Amendments and Expiration

1. If a Special Use is abandoned or discontinued for one (1) year, Special Use Permit becomes void without further action by the Town and the Use may not be re-established without approval of a new Permit.
2. The granting of a Special Use Permit does not exempt the applicant from compliance with other relevant provisions of related ordinances. Failure to observe those provisions, or approval conditions of the Special Use Permit, are a violation of this ordinance and subject to the enforcement stipulated in Article 18.
3. Amendments to Special Use Permits are processed in the same way that applications for the initial Special Use Permit are processed.
4. Uses that were permitted outright before adoption of this ordinance but require a Special Use Permit under this ordinance may not be modified without approval of a Special Use Permit.

Figure 14.2—Requirements for Public Hearing—Special Use Permit

Requirements for Public Hearing and Property Owner Notification in Relation to Application for a Special Use Permit

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 Special Use Permit request).
- Contact Information for the Town of Seven Devils:

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

Notices must be sent in accordance with Article 2, Section 3(k) at least ten (10) calendar days but not more than twenty-five (25) calendar days before the scheduled public meeting.

Sample Notice:

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 XYZ to rezone a twenty (20) -acre tract on Windy Meadows from Low-Density Residential (LDR) to Medium-Density Residential (MDR). For more information, please contact The Town of Seven Devils at 157 Seven Devils Road, Seven Devils, NC 28604. Phone: (828) 963-5343.

Article 14. SPECIAL USE PERMITS

Section 1. Intent

It is the intent of this Article to permit certain uses and developments that require special review, and to provide the standards by which the applications for permits for such uses and developments shall be evaluated.

Section 2. Requirement of Special Use Permit

Those uses listed in Table 5.1 as permitted special uses in a zoning district may be established in that zoning district only after approval of a Special Use Permit.

Section 3. Procedure for Approval of Special Use Permits

(a) *Application Submittal Requirements*

Applications for a Special Use Permit shall be filed with the Zoning Administrator. See Figure 14.1 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 the preliminary conference.

This Unified Development Ordinance shall prescribe the form 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.

After submission of an application for a special use permit, the Zoning Administrator shall arrange a meeting with the applicant. The Zoning Administrator shall also send the Board of Adjustment an agenda for the meeting. At the meeting, the applicant shall submit a sketch development plan and a brief description of the proposed development strategy. The applicant shall also submit proposed design specifications for proposed buildings. The meeting is designed to inform the Town of the applicant's intentions, to inform the applicant of the Town's regulations and policies concerning development alternatives, to request additional information, and to provide the applicant with informal, non-binding feedback on the acceptability of the plan. The greater the level of common understanding between the applicant and the Town that can be achieved at the meeting stage, the smoother the remaining steps of the review and approval process will be. At the meeting, a date for a public hearing shall be determined.

Administrator's findings concerning the application's compliance with requirements of this Ordinance.

(f) *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. The findings by the Board of Adjustment shall be based on reliable evidence presented at the public hearing. Action taken on the application shall be one of the following:

1. Approval
2. Approval with conditions
3. Denial

The Board of Adjustment shall issue the Special Use Permit unless it concludes, based upon information submitted at the public hearing, that one (1) or more of the following is true:

1. The application is incomplete.
2. The proposed use will be located, designed, and/or operated in a way that will endanger the public health, safety, or general welfare.
3. The proposed use will seriously interfere with existing uses on adjacent properties, with the character of the area, or with the purpose of the zone in which it is proposed.
4. The proposed use will impose an undue burden on any public improvements, facilities, utilities, or services available to the area.
5. The proposed use will substantially injure the value of adjoining or abutting property.
6. The proposed use will not be in general conformity with the Vision Statement, Comprehensive Land Use Plan or other plan officially adopted by the Town Council.

A minimum of four (4) voting members shall be required to take any action. The concurring vote of four-fifths (4/5) of the membership of the Board of Adjustment shall be necessary to grant a variance. A majority of the members shall be required to decide any other quasi-judicial matter or to determine an appeal made in the nature of certiorari. All regular rules and regulations for voting apply to members of the Board of Adjustment in enforcement of this Ordinance. See Article 2, Section 3(g), Voting.

TOWN MANAGER
Debbie Powers, MSBA, CZO

TOWN FINANCE OFFICER
Helga Sappington

TOWN CLERK
Hillary Gropp, CMC, NCCMC



TOWN OF SEVEN DEVILS

TOWN COUNCIL

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

July 12, 2022

Mr. & Mrs. Williams

268 E. Rocky Top Trl.

Seven Devils, NC 28604

Re: Notice of Public Hearing – Special Use Permit for Roof Top Solar Installation

Dear Mr. & Mrs. Williams,

The Town of Seven Devils will conduct a quasi-judicial hearing on Tuesday, July 26, 2022, 5:30 pm to hear evidence for a Special Use Permit in accordance with the towns Unified Development Ordinance, Article 14 and the towns Alternative Energy Ordinance. The applicant Mr. Mark Williams and wife Tiffany Williams have filed an application for a special use permit to install a roof top solar system to their residence located at 268 E. Rocky Top Trail with the towns zoning administrator on June 27, 2022, said application meeting the requirements to hold a public hearing. The hearing is open to the public however, only those residents with standing which have been notified by mail will be allowed to participate in the hearing. If you want to receive written notice of the decision of the hearing, you will need to contact the zoning administrator prior to the hearing. The location of the hearing is Seven Devils Town Hall, 157 Seven Devils Road, Seven Devils, NC 28604. For more information you may contact Eddie Barnes, Zoning Administrator at 828-963-5343 ext. 104.

Sincerely,

Edward G Barnes

Edward G Barnes, Zoning Administrator

TOWN MANAGER
Debbie Powers, MSBA, CZO

TOWN FINANCE OFFICER
Helga Sappington

TOWN CLERK
Hillary Gropp, CMC, NCCMC



TOWN COUNCIL

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

TOWN OF SEVEN DEVILS

July 12, 2022

Mr. Edward Williams, Trustee

304 E. Rocky Top Trl.

Seven Devils, NC 28604

Re: Notice of Public Hearing – Special Use Permit for Roof Top Solar Installation

Dear Mr. Williams,

The Town of Seven Devils will conduct a quasi-judicial hearing on Tuesday, July 26, 2022, 5:30 pm to hear evidence for a Special Use Permit in accordance with the towns Unified Development Ordinance, Article 14 and the towns Alternative Energy Ordinance. The applicant Mr. Mark Williams and wife Tiffany Williams have filed an application for a special use permit to install a roof top solar system to their residence located at 268 E. Rocky Top Trail with the towns zoning administrator on June 27, 2022, said application meeting the requirements to hold a public hearing. The hearing is open to the public however, only those residents with standing which have been notified by mail will be allowed to participate in the hearing. If you want to receive written notice of the decision of the hearing, you will need to contact the zoning administrator prior to the hearing. The location of the hearing is Seven Devils Town Hall, 157 Seven Devils Road, Seven Devils, NC 28604. For more information you may contact Eddie Barnes, Zoning Administrator at 828-963-5343 ext. 104.

Sincerely,

Edward G Barnes

Edward G Barnes, Zoning Administrator

TOWN MANAGER
Debbie Powers, MSBA, CZO

TOWN FINANCE OFFICER
Helga Sappington

TOWN CLERK
Hillary Gropp, CMC, NCCMC



TOWN OF SEVEN DEVILS

TOWN COUNCIL

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

July 12, 2022

Mr. & Mrs. Christopher Knox

215 E. Rocky Top Trl.

Seven Devils, NC 28604

Re: Notice of Public Hearing – Special Use Permit for Roof Top Solar Installation

Dear Mr. & Mrs. Knox,

The Town of Seven Devils will conduct a quasi-judicial hearing on Tuesday, July 26, 2022, 5:30 pm to hear evidence for a Special Use Permit in accordance with the towns Unified Development Ordinance, Article 14 and the towns Alternative Energy Ordinance. The applicant Mr. Mark Williams and wife Tiffany Williams have filed an application for a special use permit to install a roof top solar system to their residence located at 268 E. Rocky Top Trail with the towns zoning administrator on June 27, 2022, said application meeting the requirements to hold a public hearing. The hearing is open to the public however, only those residents with standing which have been notified by mail will be allowed to participate in the hearing. If you want to receive written notice of the decision of the hearing, you will need to contact the zoning administrator prior to the hearing. The location of the hearing is Seven Devils Town Hall, 157 Seven Devils Road, Seven Devils, NC 28604. For more information you may contact Eddie Barnes, Zoning Administrator at 828-963-5343 ext. 104.

Sincerely,

Edward G Barnes

Edward G Barnes, Zoning Administrator