



## CITY OF HENDERSONVILLE BOARD OF ADJUSTMENT

Operations Center - Assembly Room | 305 Williams St. | Hendersonville NC 28792  
Tuesday, August 08, 2023 – 1:30 PM

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### AGENDA

1. **CALL TO ORDER**
2. **APPROVAL OF AMENDED MEETING SCHEDULE**
  - A. Approval of Amended Meeting Schedule
3. **APPROVAL OF AGENDA**
4. **NEW BUSINESS**
  - A. 869 Thornton Pl. – Variance (B23-064-VAR) – *Alexandra Hunt / Planner I*
5. **ADJOURNMENT**

*The City of Hendersonville is committed to providing accessible facilities, programs and services for all people in compliance with the Americans with Disabilities Act (ADA). Should you need assistance or an accommodation for this meeting please contact the City Clerk no later than 24 hours prior to the meeting at 697-3005.*

# NOTICE

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City of Hendersonville Board of Adjustment

| 160 Sixth Avenue East, Hendersonville, NC 28792

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## **BOARD OF ADJUSTMENT** **AMENDED ANNUAL SCHEDULE OF REGULAR MEETINGS**

**The remaining Regular Meetings** of the City of Hendersonville Board of Adjustment are held **on the Second Tuesday** beginning at **1:30 p.m.** in the **2<sup>nd</sup> Floor Meeting Room inside City Hall located at 160 Sixth Avenue East, Hendersonville NC** unless otherwise noticed\*.

The following remaining regular meetings are in **red**:

~~January 10, 2023~~

**July 11, 2023**

~~February 14, 2023~~

**August 8, 2023**

~~March 14, 2023~~

**September 12, 2023**

~~April 11, 2023~~

**October 10, 2023**

~~May 9, 2023~~

**November 14, 2023**

~~June 13, 2023~~

**December 12, 2023**

**s/Jill Murray, City Clerk**

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*Posted 06/27/2023*

<https://www.hendersonvillenc.gov>





## CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY PLANNING DIVISION

**SUBMITTER:** Alexandra Hunt, Planner I      **MEETING DATE:** August 8, 2023

**AGENDA SECTION:** New Business      **DEPARTMENT:** Community Development

**TITLE OF ITEM:** 869 Thornton Pl. – Variance (B23-064-VAR) – *Alexandra Hunt / Planner I*

### **SUGGESTED MOTION(S):**

#### **1. For Recommending Approval:**

With regard to the request by Elizabeth Collina for a variance from Section 5-3-3 Dimensional Requirements in accordance with Section 12-2-2: Definition of Terms – “Rear Yard” to:

1. *Reduce the rear setback requirement from 12’ to 7’ for the addition of an 8’ x 20’ rear deck.*

I move the Board to find that:

- 1) An unnecessary hardship **would** result from the strict application of the ordinance.
- 2) The hardship **results** from the conditions that are peculiar to the property, such as location, size, or topography.
- 3) The hardship **did not** result from actions taken by the applicant or the property owner.
- 4) The requested variance **is consistent** with the spirit, purpose, and intent of the regulation, such that public safety **is secured** and substantial justice **is achieved**.

For the following reasons: *[list factual basis for Approval here.]*

[DISCUSS & VOTE]

#### **1. For Recommending Denial:**

With regard to the request by Elizabeth Collina for a variance from Section 5-3-3 Dimensional Requirements in accordance with Section 12-2-2: Definition of Terms – “Rear Yard” to:

1. *Reduce the rear setback requirement from 12’ to 7’ for the addition of an 8’ x 20’ rear deck.*

I move the Board to find that:

- 1) An unnecessary hardship **would not** result from the strict application of the ordinance.
- 2) The hardship **does not** result from the conditions that are peculiar to the property, such as location, size, or topography.
- 3) The hardship **did** result from actions taken by the applicant or the property owner.
- 4) The requested variance **is not** consistent with the spirit, purpose, and intent of the regulation, such that public safety **is not** secured and substantial justice **is not** achieved

For the following reasons: *[list factual basis for Denial below.]*

[DISCUSS & VOTE]

**SUMMARY:**

The Community Development Department has received an application from Elizabeth Collina for a variance from Section 5-3-3 Dimensional Requirements in accordance with the definition of “Yard, Rear” in Section 12-2-2 Definition of Terms to reduce the required 15’ rear setback requirements to 7’. The subject property is currently zoned R-15, Medium-Density Residential. The specific variance requested is for the following:

**VARIANCE REQUEST:** The Applicant is requesting a variance from the requirement that rear setback defined in Section 5-3-3 of the Zoning Ordinance in order to construct an 8’ x 20’ elevated, uncovered deck on the rear of the existing single family home. (Exhibit A).

On February 14, 2017, the Board voted to grant the Applicant a variance to reduce the rear setback from the required 15’ to 12’ to construct a single family home.

The Applicant is now requesting an additional variance from the rear setback to construct a deck that would encroach a total of 5’ into the current 12’ rear setback applying the rear yard definition in Section 12-2-2 which excludes the outermost 3’ of any uncovered porches, steps, eaves, gutters and similar fixtures.

<b>PROJECT/PETITIONER NUMBER:</b>	B23-064-VAR
<b>PETITIONER NAME:</b>	Elizabeth Collina (Owner/Applicant)
<b>EXHIBITS:</b>	<ul style="list-style-type: none"> <li>A. Staff Report</li> <li>B. Variance Application</li> <li>C. Warranty Deed</li> <li>D. Site Photos</li> </ul>

## AMENDED MEMORANDUM

**TO:** Board of Adjustment Members

**FROM:** Community Development Department

**DATE:** August 8, 2023

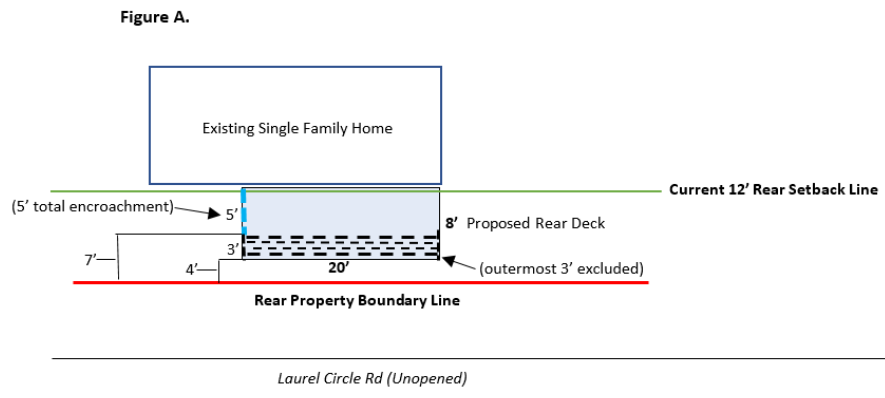
**RE:** Variance Application – 869 Thornton Pl.

**SUMMARY:** The Community Development Department has received an application from Elizabeth Collina for a variance from Section 5-3-3 Dimensional Requirements in accordance with the definition of “Yard, Rear” in Section 12-2-2 Definition of Terms to reduce the required 15’ rear setback requirements to 7’. The subject property is currently zoned R-15, Medium-Density Residential. The specific variance requested is for the following:

**VARIANCE REQUEST:** The Applicant is requesting a variance from the requirement that rear setback defined in Section 5-3-3 of the Zoning Ordinance in order to construct an 8’ x 20’ elevated, uncovered deck on the rear of the existing single family home. (*Exhibit A*).

On February 14, 2017, the Board voted to grant the Applicant a variance to reduce the rear setback from the required 15’ to 12’ to construct a single family home.

The Applicant is now requesting a variance from the rear setback to construct an 8’ x 20’ deck that would project a total of 8’ into the current 12’ rear setback. Applying the rear yard definition in Section 12-2-2: Definition of Terms for “Rear Yards,” which excludes the outermost 3’ of any uncovered porches, steps, eaves, gutters and similar fixtures, the proposed deck would encroach a total of 5’ into the current 12’ rear setback, reducing the rear setback to 7’.



## PROPOSED FINDINGS OF FACT:

- Based on Henderson County records the subject property possesses a PIN of 9569-51-0060 and is zoned as R-15 Medium Density Residential.
- Based on Henderson County records, the lot size is approximately 0.46 acres or 20,037.6 square feet.
- Based on Henderson County records, the subject property contains a single family dwelling.
- Based on Henderson County records a North Carolina General Warranty Deed between Courtney S. Tiger (Grantor) and John S. Collina and Elizabeth Collina (Grantees) was recorded on October 4, 2013 (*Exhibit B*).
- Section 5-3-3 requires the Principal Structure setbacks for R-15 are:
  - Front: 30'
  - Side: 10'
  - Rear: 15'
- Section 12-2-2 defines rear yard as an open, unoccupied space on the same lot with the principal building (excluding the outermost three feet of any uncovered porches, steps, eaves, gutters and similar fixtures), extending the full width of the lot and situated between the rear line of the lot and the rear line of the building to the side lines of the lot.
- Based on the Variance Application (*Exhibit A*), the Applicant is proposing to construct a 8' x 20' uncovered, elevated rear deck.
- Based on the Variance Application and photographs submitted by the Applicant, the topography of the subject property is steep.
- On August 9, 2016, the Board of Adjustment voted to grant the Applicant a variance to reduce the required 30' front setback to 20' due to the topography of the lot.
- On February 14, 2017, the Board of Adjustment voted to grant the Applicant a variance to reduce the rear setback from the required 15' to 12' to construct a single family home.

## CODE REFERENCES.

### 5-3-3 Dimensional Requirements:

Minimum Lot Area in Square Feet:	15,000
Lot Area per Dwelling Unit in Square Feet:	15,000 for the first; 7,500 square feet for one additional dwelling unit in one building.
Minimum Lot Width at Building Line in Feet:	85
Minimum Yard Requirements in Feet:	
Front:	30
Side:	10

Rear: 15

Accessory Structures:

Front: 30

Side: 5

Rear: 5

Maximum Height in Feet: 35

### **Section 12-2-2 Definition of Terms**

**Yard, Rear:** An open, unoccupied space on the same lot with the principal building (excluding the outermost three feet of any uncovered porches, steps, eaves, gutters and similar fixtures), extending the full width of the lot and situated between the rear line of the lot and the rear line of the building to the side lines of the lot.

### **Section 10-9 Variance.**

A Variance is a means whereby the City may grant relief from the effect of the Zoning Ordinance in cases of hardship. A Variance constitutes permission to depart from the literal requirements of the ordinance. When unnecessary hardships would result from carrying out the strict letter of a zoning ordinance, the Board of Adjustment shall vary any of the provisions of the ordinance upon a showing of the following:

- 1) Unnecessary hardship would result from the strict application of the ordinance. It is not necessary to demonstrate that, in the absence of the Variance, no reasonable use can be made of the property.
- 2) The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a Variance. A Variance may be granted when necessary and appropriate to make a reasonable accommodation under the Federal Fair Housing Act for a person with a disability.
- 3) The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a Variance is not a self-created hardship.
- 4) The requested Variance is consistent with the spirit, purpose, and intent of the regulation, such that public safety is secured and substantial justice is achieved.

The Board of Adjustment shall not have authority to grant a Variance when to do so would:

- 1) result in the extension of a nonconformity regulated pursuant to Section 6-2, above, or
- 2) permit a use of land, building or structure which is not permitted within the applicable zoning district classification. Per NCGS 160D-705 (d), appropriate conditions may be imposed on any Variance, provided that the conditions are reasonably related to the Variance.

## **EXHIBITS**

**Exhibit A – Variance Application**

**Exhibit B – Warranty Deed**

**Exhibit D – Site Photos Submitted by Applicant**

# Variance Application

Thank you for filling out the form. Your application has been submitted.

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## Items to Accompany Application:

Completed application form

Site plan of property showing existing structures, natural features (i.e. streams, ponds, etc.) proposed building or addition and indicating distance from such to the centerline of street and to the side and rear lot lines, as applicable. Show placement of septic systems and drain field if applicable and distances from structures.

Copy of septic permit, if applicable

Other documents supporting application, if applicable.

Photographs (optional)

Application fee of \$75.00

Shortly after application for a variance is accepted, staff will take photographs of the site. Please have the corners of the proposed structure and septic system staked so that they may be seen in such photos.

For more information call (828) 697-3010

**Date:**

7/14/2023

**Applicant Name:**

Elizabeth Collina

**Address**

869 Thornton Pl, Hendersonville, North Carolina 28791

**Phone**

(828) 273-1811

**Email**

brokerwnc@gmail.com

**Property Owner's Name (if different from above)**

**Property Owner's Address (if different from above)**

**Parcel ID #**

9569510060

**Zoning District:**











R-15

**Directions to property from Hendersonville:**

9th Ave to Right on Tebeau to Left on Thornton Pl  
to quick Right on Thornton Pl to house on Right

\*see revised corrected survey attached

**Attach site plan and any supporting documents/pictures**

	<del>XXXXXXXXXXXX</del> variance Survey Sketch.pdf	0.6 MB	↓
	variance deck sketch drawin...	0.9 MB	↓
	variance GIS neighbors hou...	2.6 MB	↓
	variance GIS neighbors hou...	2.6 MB	↓
	Example Cantilevered-Deck...	55.7 KB	↓
	IMG_1586.jpg	0.1 MB	↓
	IMG_1583.jpg	0.2 MB	↓
	IMG_1590.jpg	0.2 MB	↓
	IMG_1591.jpg	0.1 MB	↓
	IMG_1593.jpg	92.4 KB	↓

**To the Board of Adjustment:****Name**

Elizabeth and John S. Collina

(owner/agent), hereby petition the Zoning Board of Adjustment for a VARIANCE from the literal provisions of the Zoning Ordinance of the City of Hendersonville because I am prohibited from using the parcel of land described in the form "Zoning Permit Application" in a manner shown by the site plan.

**I request a varaince from the following provisions of the ordinance (cite section numbers):**

Section 5-3 R-15 Medium-Density Residential - I would like the rear setback to be reduced to accomodate a ~~6' deep cantilevered deck~~ an 8' deep deck which may or may not be cantilevered, depending on the engineer

## Factors Relevant to the Issuance of a Variance

The Zoning Board of Adjustment does not have unlimited discretion in deciding whether to grant a variance. Under the state enabling act the Board is required to reach four conclusions as a prerequisite to the issuance of a variance: (a) unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property, (b) the variance is in harmony with the general purpose and intent of the ordinance, preserves its spirit, public safety is secured, and substantial justice is achieved, (c) the hardship results from conditions that are peculiar to the property, such as location, size or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or general public, may not be the basis for granting a variance, (d) the hardship did not result from actions taken by the applicant or owner of the property. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship. In the spaces provided, indicate the facts that you intend to show and the arguments that you intend to make to convince the Board that it can properly reach these four required conclusions:

**Unnecessary Hardship would result from the strict application of the ordinance: State facts and arguments to show that, unnecessary hardship would result from the strict application of the ordinance. (it shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property)**

Unnecessary Hardship would result from the strict application of the ordinance. With the current setbacks we cannot build a 8' deep by 20' wide deck off the rear of our house behind our garage/mudroom. If we want an open deck, we are forced to build the deck to the east, which would have no privacy from the road, be very high off the ground, and therefore extremely costly and undesirable, and stick out from the house in an odd way. Allowing the setback variance would allow an easier less costly build, more privacy for us as homeowners, and it would add to the aesthetic of the back of our house. There is ample room between the rear of the subject property and the property behind us due to the unopened road in between. The neighbor has a 75' double shed which would sit approximately 84' from the deck, and the neighbors house, extra shed and elevated deck would sit approximately 91' from the proposed deck. The deck ~~will be cantilevered as well and will not touch the ground at any point~~ may or may not be cantilevered, depending on the engineer.

**The variance is in harmony with the general purpose and intent of the ordinance. preserves its spirit, public safety is secured and substantial justice is achieved. (State facts and arguments to show that, on balance, if the variance is denied, the benefit to the public will be substantially outweighed by the harm suffered by the applicant).**

The variance is in harmony with the general purpose of the ordinance and preserves its spirit. The new deck will fit well in the neighborhood and not stick out or look like it's encroaching. There is an unopened right of way at the rear of the property which separates the deck from the double wide metal buildings on the adjacent lot. No harm will come to the public yet we will be harmed because we will have to place the deck at the steeper grade, it will be much higher off the ground, more costly, not private at all, and it would stick out from the house in an odd way. By allowing the rear set back variance we can build a deck at a much lower cost than if we built it on the steeper slope and higher ground to the east. The deck ~~will be cantilevered as well and will not touch the ground at any point~~ may or may not be cantilevered, depending on the engineer.

**The hardship results from conditions that are peculiar to the property, such as location, size or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance. (State facts and arguments to show that the variance requested represents the least possible deviation from the letter of the ordinance that will allow a reasonable use of the land and that the use of the property, if the variance is granted, will not substantially detract from the character of the neighborhood).**

The topography of the lot is very steep, and the proposed deck location is the closest to grade and the least intrusive/costly place to build the deck. It also allows for the most privacy on our corner lot. If we put it at the east, the posts would be 12' minimum, we would have to dig deep to install very large footers, and the deck would be even higher than our current upper porch from grade, which is not as desirable and much more costly. It would also stick out from the end of our house in an odd way. The deck ~~will be cantilevered as well and will not touch the ground at any point.~~ ~~XXXXXX~~ may or may not be cantilevered, depending on the engineer.

**The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship. (State any facts pertaining to the hardship that is not the result of the applicant's own actions).**

The property owner has taken no action to cause this hardship. The shape and topography of this lot were determined at the time of platting the property and cutting in the roads. The house was built on the most desirable and cost effective piece of the property, therefore we are very pinched by the setbacks, even with two previous variances. The deck ~~will be cantilevered as well and will not touch the ground at any point.~~ ~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~ may or may not be cantilevered, depending on the engineer.

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

**Signature of Applicant:**

**Date:**

7/14/2023

LAC

**Signature of Property Owner:**

**Date:**

7/14/2023

JSC

In the event that any discrepancies exist between the criteria outlined on this form and the Zoning Ordinance of the City of Hendersonville, the ordinance shall prevail.

**Received By:**

**Date:**

**Fee Paid:**

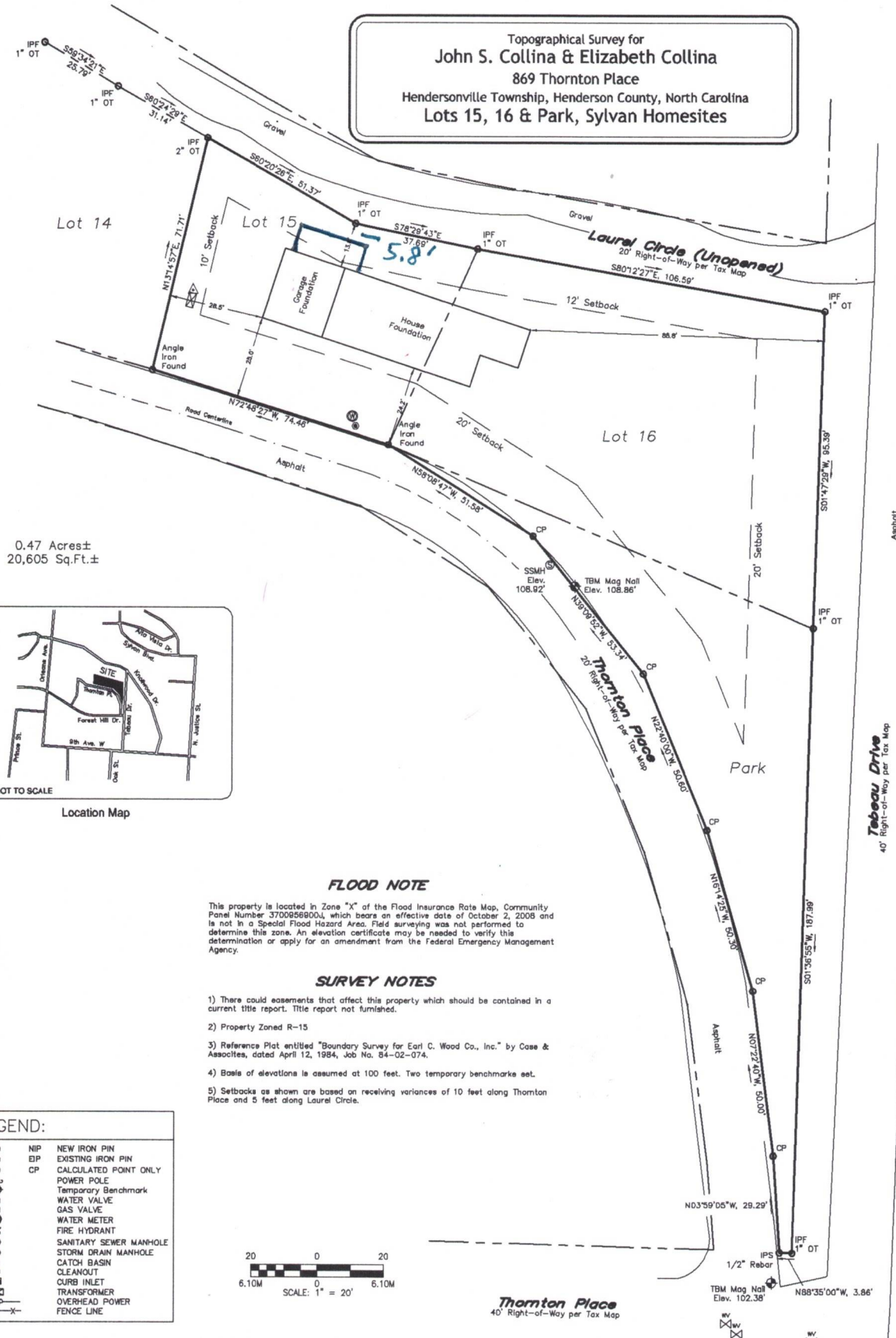
**Date Received:**

**A VOTE OF SEVEN MEMBERS OF THE BOARD IS REQUIRED TO APPROVE A VARIANCE.**

**\*REVISED 8' DEEP X 20' WIDE**

Item A.

Topographical Survey for  
John S. Collina & Elizabeth Collina  
869 Thornton Place  
Hendersonville Township, Henderson County, North Carolina  
Lots 15, 16 & Park, Sylvan Homesites



**FREELAND - CLINKSCALES & ASSOCIATES, INC. of NC**  
Engineers & Land Surveyors  
201 2nd AVE. EAST  
HENDERSONVILLE, N.C. 28792  
(828) 697-6539  
(828) 697-4195 (fax)  
freeland@clinksc.com Firm No. C-1562

REF. PLAT BOOK	B/312
REF. DEED. BOOK	1550/67
TAX MAP	9569-51-0080
PARTY CHIEF	FVC
DRAWN	TEC
DATE	July 20, 2017
DWG. NO.	H37179

**Not For Recordation**

The original drawing and/or all copies of it are not transferable to any future owner(s) of the platted property and shall not be used or relied upon by future owner(s) and/or their representatives for any reason without written release by the professional surveyor.

This is to certify that the property shown on this plat was surveyed under my direct supervision. Property lines and improvements are located correctly and that no viable encroachments exist unless otherwise shown.







This document presented and filed:  
10/04/2013 03:44:06 PM

*AJ*

NEDRA W. MOLES, Henderson COUNTY, NC  
Transfer Tax: \$26.00

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: \$26.00 PIN: \_\_\_\_\_

Mail To: Randolph C. Romeo  
*↑*

This instrument was prepared by: Randolph C. Romeo [Document preparation only for the Grantors]

Brief description for the Index: Lots 15-16 Sylvan Home Sites

THIS DEED made this 4 day of October 2013, by and between

GRANTOR	GRANTEE
Courtney S. Tiger, a legally separated woman <i>623 Higate Road Hendersonville, NC 28791</i>	John S. Collina and wife, Elizabeth Collina <i>P.O. Box 1933 Hendersonville, NC 28793</i>

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the City of Hendersonville, Hendersonville Township, Henderson County, North Carolina and more particularly described as follows:

See Attached Exhibit A for a complete description of the property being conveyed herein, and which is incorporated herein by reference.

\_\_\_\_\_ If initialed, the premises include the primary residence of at least one of the Grantors (N.C.G.S. 104-317.2)

The property hereinabove described was acquired by Grantor by instrument recorded in Deed Book 1541, Page 35

A Map showing the above described property is recorded in Plat Book \_\_\_\_\_ Page \_\_\_\_\_

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions:

Subject to easements and restrictions of record.

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written

Courtney S. Tiger (SEAL)  
Courtney S. Tiger

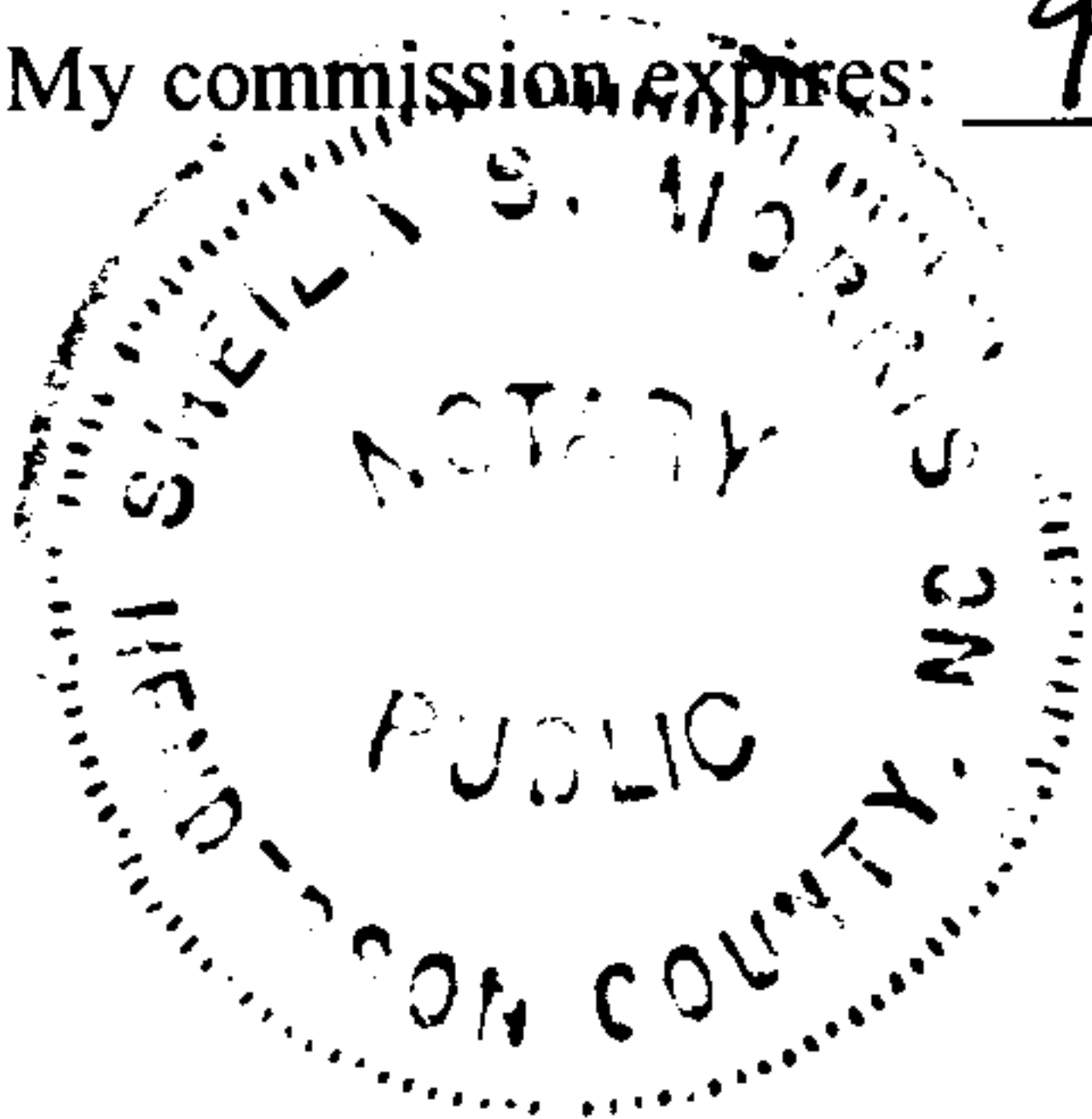
\_\_\_\_ (SEAL)

State of North Carolina  
Henderson County

I, Shela S Morris a Notary Public of the County and State aforesaid, certify that Courtney S. Tiger, Grantor, personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this the 4 day of October, 2013.

Shela S Morris  
Notary Public

My commission expires: 9-16-17



## EXHIBIT A

COLLINA-DESCR

BEGINNING at the Northeast corner of that tract of land conveyed to Homer Hobbs and wife in Deed Book 623, at page 717, Henderson County Registry, said point of beginning being located in the Southwest margin of an undeveloped portion of Thornton Circle; and running thence South 59 deg. 39 min. 21 sec. East 31.68 feet; thence South 60 deg. 39 min. 21 sec. East 51.00 feet; thence South 78 deg. 24 min. 21 sec. East 38.00 feet; thence South 80 deg. 30 min. 36 sec. East 106.23 feet to a new iron pin in the Western margin of Tebeau Drive; thence with the Western margin of said Tebeau Drive, South 01 deg. 31 min. 40 sec. West 283.29 feet to a new iron pin; thence North 88 deg. 35 min. 00 sec. West 3.86 feet to a new iron pin in the Eastern margin of Thornton Circle; thence with the Eastern, Northeastern and Northern margin of said Thornton Circle, the following eight (8) courses and distances: North 04 deg. 45 min. 59 sec. West 28.95 feet, North 07 deg. 22 min. 40 sec. West 50.00 feet, North 16 deg. 14 min. 25 sec. West 50.30 feet, North 22 deg. 40 min. 00 sec. West 50.60 feet, North 39 deg. 09 min. 52 sec. West 53.34 feet, North 58 deg. 18 min. 10 sec. West 51.00 feet, North 72 deg. 35 min. 57 sec. West 74.97 feet, and North 73 deg. 57 min. 30 sec. West 30.28 feet to a bolt located at the Southeast corner of the tract described in Deed Book 623, at page 717, Henderson County Registry; thence leaving the Northern margin of said Thornton Circle, North 12 deg. 59 min. 39 sec. East 78.89 feet to the point and place of BEGINNING, containing .52 acre, more or less.

The above-described two tracts of land being a consolidated description of the lands described in the following Deeds of record in the Henderson County Registry: Deed Book 439, at page 383; Deed Book 442, at page 129; Deed Book 446, at page 599; Deed Book 453, at page 15; Deed Book 466, at page 465; and Deed Book 528, at page 421.

The intent of this instrument is to convey all the lands as described in the above-referenced Deeds.

The property herein conveyed is shown on a survey prepared by Case & Associates, Surveyors, P.A., dated March 19, 1984, and designated Job No. 84-02-068, and entitled, "Boundary survey for John W. Bachrach and wife, Edna W. Bachrach – Earl C. Wood Co., Inc.," reference to said survey being hereby made and incorporated herein.

SUBJECT TO restrictive covenants of record and the right-of-way of Thornton Circle to its full legal width.

BEING the identical property described in the Deed from Louie B. Prince, widow, to Earl C. Wood Co., Inc. dated June 5, 1984, as recorded in Deed Book 642, at page 821, Henderson County Registry.

EXCEPTED from Lot 14 described above is all that portion of Lot 14 heretofore conveyed to L.B. Prince as recorded in Deed Book 466, at page 465, Henderson County Registry.



View of the West rear, side of subject property



View of the West rear, side of subject property



Example of a cantilevered deck



View of the East side of subject property



View of the rear of the subject property from Knollwood Rd.



View of the rear of the subject property from Knollwood Rd.



View of subject property and unopened road located behind subject property from Tebeau Rd.