

TOWN MANAGER  
*Debbie Powers, MSBA, CZO*

TOWN FINANCE OFFICER  
*Helga Sappington*

TOWN CLERK  
*Hillary Gropp*



TOWN COUNCIL

MAYOR - *Larry Fontaine*  
MAYOR PRO-TEM - *Brad Lambert*  
*Tina Bailey*  
*Kay Ehlinger*  
*David Ehmig*

## TOWN OF SEVEN DEVILS

May 29, 2019

To: Don Iverson, Variance Applicant  
Board of Adjustment Members  
Town of Seven Devils Town Council  
Re: Variance Application for 4059 Hwy 105 South

At its meeting on May 28, 2019, after conducting a duly advertised evidentiary hearing and after considering the application materials, testimony, and evidence presented at the hearing or otherwise appearing in the record, and the criteria set forth in Article 11, Sign Regulations, Section 4, Prohibited Signs, (b) Illumination, and (c) Other Prohibited Signs, 5. Billboards – of the Town of Seven Devils Unified Development Ordinance (UDO), the Town of Seven Devils Board of Adjustment voted 4-1 to APPROVE Mr. Iverson's petition for variance at 4059 Hwy 105 South, based on the attached Findings of Fact and Conclusion and subject to the conditions set forth in the attached Variance Petition 2019-1.

I, Hillary Gropp, Clerk to the Town of Seven Devils Board of Adjustment, do hereby certify the attached to be a true copy of the Order approved at the meeting of the Board of Adjustment held on May 28, 2019.

Date Filed with the Clerk to the Board: 5/29/2019

Date Mailed to Parties: 5/30/2019

IN WITNESS WHEREOF, I have hereunto set my hand and have caused the seal of the Town of Seven Devils to be affixed this the 30<sup>th</sup> day of May 2019.

*Hillary Gropp*  
Hillary Gropp  
Clerk to the Board of Adjustment  
(SEAL)



# FINDINGS OF FACT, DECISION, AND ORDER

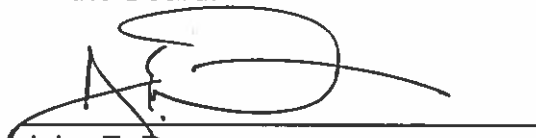
## Variance Petition No. 2019-1

### Findings of Fact

1. The Town of Seven Devils received an Application for Variance from Mr. Don Iverson, delivered to Town Hall on March 21, 2019. The application was complete and was accompanied by the \$100 fee and all required documentation.
2. Mr. Iverson has a lease agreement with RCS Properties, owner of the "Shoppes of Tynecastle" sign, located at 4059 Hwy 105 South, Seven Devils, NC 28604. Parcel ID# 1867-03-24-4454 and is 6.55 acres.
3. Property is in GB (General Business) on Official Zoning Map of the Town of Seven Devils.
4. Mr. Iverson is requesting a Variance from the UDO, Article 11, Sign Regulations, Section 4, Prohibited Signs, (b) Illumination, and (c) Other Prohibited Signs, 5. Billboards.
5. Notification of this meeting was posted in the Watauga Democrat on May 12, 2019, was posted on the Town website, signage was posted on the property in question, as well as at Town Hall and neighboring properties within 100' of the property in question were notified by US First Class mail.

### Conclusion and Decision

1. Based on the application, the evidence submitted, and the above findings of fact, the Board of Adjustment by a vote of 4-1 on May 28, 2019, concludes that Don Iverson meets each of the three standards set forth for a variance from UDO, Article 11.
2. Don Iverson is hereby granted a variance to refurbish and modify the current sign located at 4059 Hwy 105 South, Seven Devils, NC 28604.
3. This decision is effective upon distribution to the parties and filing with the clerk to the Board.

  
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John E. Duncan  
Board Chair

Date of signature by chair: 29 May 2019