

Buncombe County Board of Adjustment
Request to Participate in Hearing as a Party with Standing

I, the undersigned, would like to participate in Board of Adjustment Hearing No.:
ZPH2023-00014 (The One at Candler SUP)

(You may insert the name of the Parties and/or the Project if you do not know the case number).

My Full Name: Clifford Marcell Warren

My Address: 30 Pinnacle Valley Drive
Candler, NC 28715

My Telephone: 828-279-0160 *(optional)*

My Email: clip1087@charter.net *(optional)*

This form will be used by the Board of Adjustment ("Board") to assist it in evaluating whether you have standing. You must fill out this form completely and may attach additional pages if necessary. Only the Board may grant standing. Submitting this form does not mean that you have standing. The Board reserves the right to grant standing based on the contents of this form if a proper showing of standing is made, to deny standing if the contents of this form fail to show valid grounds for standing, and to make further inquiries regarding any standing issue at the hearing. Any party who is denied standing will be allowed to participate as a witness, however, any testimony given must be competent, relevant, and substantive to the issue before the Board.

I, the Undersigned, certify as follows (*check and fill out all that apply*):

- I have the following interest in the property that is the subject of this hearing:
 - An ownership interest in the property that is the subject of the hearing; or
 - A leasehold interest in the property that is the subject of the hearing; or
 - An interest in the property that is the subject of the hearing created by:
 - Easement; or
 - Restriction; or
 - Covenant
- I will suffer special damages as the result of the proposed action that is the subject of this hearing, specifically *(must be completed if box is checked attach additional pages if needed)*:
I am currently in disagreement with section 8 of the SUP submitted by Warren Suggs on behalf of Bob Barton
of One Real Real Estate Investment (see attached)
- The damages I will suffer are distinct from those damages to the public at large, specifically *(must be completed if box is checked attach additional pages if needed)*:

- ☒ The damages I will suffer are not distinct from those damages to the public at large or unique, they impact the entire community, specifically (*must be completed if box is checked attach additional pages if needed*):

I'm currently in disagreement with sections 2 & 4 of the SUP submitted by Warren Suggs on behalf of Bob Barton of One Real Estate Investment (See Attached).

- I will not suffer special damages, however, I would like an opportunity to be heard by the Board.

- I represent an incorporated or unincorporated association to which owners or lessees of property in a designated area belong by virtue of their owning or leasing property in that area, or an association otherwise organized to protect and foster the interest of the particular neighborhood or local area (i.e. a homeowners association), and

At least one (1) member of said association, _____ (*print name of member*), would have standing as an individual to challenge the decision being appealed, specifically:

- Said association was not created in response to the particular development or issue that is the subject of the appeal.

I consent to this hearing being held remotely pursuant to N.C. Gen. Stat § 166A-19.24, if applicable.

By signing Below, I the undersigned, certify that the information contained herein is true and correct to the best of my knowledge.

This the 12th day of September, 20 23.


(Signature) M. Dam

NOTE: This form must be return to the Buncombe County Planning Department at least 24 hours prior to the hearing referenced above. You may either email the form to: planninginfo@buncombecounty.org or mail the form to Attn: Buncombe County Planning – BOA Hearing Materials, 46 Valley St, Asheville, NC 28801, in such a manner that it is delivered at least 24 hours prior to the hearing referenced above.

I will suffer special damages as the result of the proposed action that is the subject of this hearing, specifically (*must be completed if box is checked attach additional pages if needed*):

Section 8 of the SUP request states that per the developer “the proposed multi-family buildings will be 3/4 split, and the maximum structure height will be approximately 47’ from the highest adjacent grade”. This type of structure is not compatible with the surrounding neighborhood as this area is currently all single-family dwellings with the closest apartment development being over 2 miles away located on Enka Lake Road. The location of the ingress/egress is 2/10th miles from the entrance of my neighborhood. This development will not fit in esthetically with this area, will create specific road safety issues with current ingress/egress location, and will lead to increased crime which in turn will decrease the value of my single-family home located in this area.

The damages I will suffer are not distinct from those damages to the public at large or unique, they impact the entire community, specifically (*must be completed if box is checked attach additional pages if needed*): Section 2 of the SUP request states that the development will meet or exceed all applicable environmental, safety, and other regulations. The addition of 450-600 vehicles from this location and the development of the additional 40 acres attached to this parcel directly across from the proposed 336-unit apartment community on Queen Road will cause additional unsafe road conditions. I personally was affected by this on August 8, 2023, when my wife moved slightly over in her travel lane to avoid a mirror strike and hit one of the roads defects leading to a head on collision. Once this accident occurred the state made over 100 side repairs to imperfections located on Queen Road and these continue to appear with current road traffic. The addition of oversized construction vehicles will increase the risk for all residents of Queen Road and the surrounding schools utilizing buses (currently five) as the width of this road & its current condition is a chief concern due the road safety issues. These oversized vehicles will cause extensive damage to an already unsafe road and the minimum changes proposed in the TIA are inadequate for Queen Road. Section 4 states “satisfactory ingress and egress to the property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow, and control have been provided”. The proposed ingress/egress is not safe or convenient with the current changes proposed in the TIA as it puts lives in danger including school children & the local community residents. These major road safety issues must be reviewed and addressed by the proper parties prior to this project moving forward.