



**CITY OF HENDERSONVILLE
COMMUNITY DEVELOPMENT DEPARTMENT**

160 6th Ave. E., Hendersonville, NC 28792
Phone (828) 697-3010|Fax (828) 698-6185
www.hendersonvillenc.gov

**Special Use Permit Application
Section 10-8 of the City Zoning Ordinance**

The following information is **required** to be submitted prior to review by the Administrative Officer for placement on the Board of Adjustment agenda. Staff will not review applications until each item has been submitted and determined complete. Once the Administrative Officer is in receipt of a complete application and seven copies of a complete site plan, the Administrative Officer will schedule the application for an Evidentiary Hearing before the Board of Adjustment (*Section 10-8-3*).

The Board of Adjustment meets the second Tuesday of each month at 1:30PM at the Operations Center located at 305 Williams Street. Completed applications must be submitted to the Administrative Officer no later than the second Friday of each month, to be included on the following month's agenda.

The Board of Adjustment shall conduct an Evidentiary Hearing (quasi-judicial hearing) on the application. Per NCGS 160D-406(d), the applicant, the local government, and any person who would have standing under NCGS 160D-1402(c), shall have the right to participate as a party at the Evidentiary Hearing. Other witnesses may present, competent, material, and substantial evidence that is not repetitive as allowed by the board (*Section 10-8-3*).

The City Zoning Ordinance can be found on the City of Hendersonville Community Development website: www.hendersonvillenc.gov/community-development

By placing a check mark by each of the following items, you are certifying that you have performed that task.

- ☒ 1. Completed Application Form
- ☒ 2. Completed Signature Page (completed Owner's Affidavit if different from applicant)
- ☒ 3. Completed Preliminary Site Plan as described in Section 10-8-2 of the City Zoning Ordinance
- ☒ 4. Application Fee

NOTE: Staff has the discretion to require additional items for preliminary site plans.

Office Use:

Date Received: 9/24/25

By: Cheri Swann Fee Received? Y/N

\$200.00
CK# 1027

A. Quasi-Judicial Decisions Process

The Board of Adjustment is given the authority under Section 10-3 of the Zoning Ordinance of the City of Hendersonville to hear and decide requests for Special Use Permits from the dimensional requirements of the Zoning Ordinance in accordance with Section 10-8. The Board conducts quasi-judicial hearings and may consider sworn testimony and evidence presented during the hearing. Applicants are advised to bring data or experts in the relevant field to provide fact-based evidence to support any information they want considered. The Board may not consider personal opinions, subjective observations, or personal preferences.

NOTE: The City Planning staff may not provide legal advice to applicants. Applicants are encouraged to consult the appropriate sections of the North Carolina General Statutes, City of Hendersonville Zoning Ordinance, and the Rules of Procedure for the Board of Adjustment, or to consult with an attorney, if more information is needed.

B. Property Information

Name of Project: Historic Killarney Inn

PIN(s): 9569-71-1600

Address(es) / Location of Property: 322 Killarney St
Hendersonville NC

Type of Development: ☒ Residential ☐ Commercial ☐ Other

Current Zoning: R-6 / HHH

Total Acreage: 1.13

List of Requested Special Uses:

Reverted back to Inn Status

[APPLICATION CONTINUED ON NEXT PAGE]

C. Special Use Findings of Fact

Section 10-8-4 states that after the Evidentiary Hearing, and on consideration of the record, the Board of Adjustment shall take action on the application, either (1) denying it, (2) approving it, or (3) approving it subject to one or more reasonable and appropriate conditions. The Board of Adjustment shall not approve an application for a Special Use Permit, with or without conditions, unless it makes each of the following findings of fact:

- a) The proposed use complies with the standards for such use contained in Article XVI
- b) The proposed use will not adversely affect the health or safety of persons residing or working in the neighborhood of such proposed use; and
- c) The proposed use will be detrimental or injurious to property or public improvements in the neighborhood of such proposed use.

Instructions: *In the spaces provided below, indicate the facts you intend to demonstrate and the arguments that you intend to make to demonstrate to the Board that it can properly grant the Special Use Permit as provided in Section 10-8-4 of the City of Hendersonville Zoning Ordinance. (If additional space is required, please provide the information on a separate sheet of paper).*

A. Indicate how proposed use complies with the standards for such use contained in Article XVI
(Please see Article XVI Supplementary Standards if applicable)

B. Indicate how the proposed use will not adversely affect the health or safety of persons residing or working in the neighborhood of such proposed use.

C. Indicate how the proposed use will be detrimental or injurious to property or public improvements in the neighborhood of such proposed use.

see attached

[APPLICATION CONTINUED ON NEXT PAGE]

D. Applicant Contact Information and Signature

Cathy Nason owner of
Printed Applicant Name

Berkeley's Edge LLC
Printed Company Name (if applicable)

☐ Corporation ☒ Limited Liability Company ☐ Trust ☐ Partnership

☐ Other: _____

☒ By signature below, I hereby acknowledge, as/on behalf of (circle one) the Applicant named above my understanding this application will be considered in a quasi-judicial proceeding and that neither I, nor anyone on my behalf, may contact the Board of Adjustment except through sworn testimony at the public hearing. (Applicable if box is checked.)

Cathy Nason
Applicant Signature

Historic Killarney Inn
Applicant Title (if applicable)

28450 County Road 313
Address of Applicant

Buena Vista CO 81211
City, State, and Zip Code

530 917 1584
Telephone

cathy.nason4@gmail.com
Email

[SIGNATURE CONTINUED ON NEXT PAGE]

E. Property Owner Contact Information and Signature (If different from Applicant)

Cathy Nason ^{owner} for Berkeley's Edge, LLC
*Printed Owner Name

Berkeley's Edge LLC
*Printed Company Name (if applicable)

☐ Corporation ☒ Limited Liability Company ☐ Trust ☐ Partnership

☐ Other: _____

☒ By signature below, I hereby acknowledge, as/on behalf of (circle one) the Applicant named above my understanding this application will be considered in a quasi-judicial proceeding and that neither I, nor anyone on my behalf, may contact the Board of Adjustment except through sworn testimony at the public hearing. (Applicable if box is checked.)

Cathy Nason
*Property Owner Signature

owner
Property Owner Title (if applicable)

28450 County Rd 313
City, State, and Zip Code

Buena Vista Co 81211
Telephone

530 913 1584
Email
Cathy.nason4@gmail.com

* Property owner hereby grants permission to the City of Hendersonville personnel to enter the subject property for any purpose required in processing this application.

* If signed by an agent on behalf of the Owner, this petition MUST be accompanied by a Limited Power of Attorney signed by the property owner (s) and notarized, specifically authorizing the agent to act on the owner (s) behalf in signing this application. Failure of each owner, or their duly authorized agent, to sign, or failure to include the authority of the agent signed by the property owner, will result in an INVALID APPLICATION.

