

MINUTES OF THE HENDERSONVILLE BOARD OF ADJUSTMENT

Tuesday, October 14, 2025
1:30 p.m. in the Council Chambers

The Hendersonville Board of Adjustment held their regular meeting on October 14, 2025, at 1:30 p.m. in the Council Chambers in City Hall, 160 6th Avenue East, Hendersonville, North Carolina. Those present were: Charles Webb, Reid Barwick, Chair, Libby Collina, Laura Flores, Kyle Gilgis, Brett Werner, Sam Hayes, Planner II, Daniel Heyman, Assistant City Attorney.

Absent: Rhona Reagen Steve Collins

Chair called the meeting to order at 1:30 p.m. Chair stated a quorum has been established.

Approval of the Agenda: A motion was made by Ms. Collina to approve the agenda. The motion was seconded by Ms. Flores and passed unanimously.

Approval of the Minutes of the September 9, 2025 meeting. A motion was made by Ms. Flores to approve the minutes as written. The motion was seconded by Mr. Werner and passed unanimously.

Special Use Permit – 322 Killarney Street – (25-73-SUP). Chair stated today we have one public hearing to consider. A special use permit from Catherine Nason for the property located at 322 Killarney Street. Any persons desiring to testify in these hearings must first be sworn in. Since this is a quasi-judicial hearing, it is very important that we have an accurate record of what goes on here. Therefore, we must ask that you refrain from speaking until recognized by the Chair and, when recognized, that you come forward to the podium and begin by stating your name and address. Anyone present who has knowledge of anything of value that has been given or promised in exchange for a position to be taken on these applications should disclose it now.

Chair swore in all persons to give testimony. Mindy Weiner, Mark Bastin, Chirs Koepf, Ken Fitch, Wayne House, Albert Walker, Cole Ordiway and Sam Hayes were sworn in.

Chair opened the public hearing.

Sam Hayes, Planner II stated his name and title for the record. He formally entered the staff report and presentation into the record. He stated this is a special use permit for the property located at 322 Killarney Street, PIN 9569-71-1600.

Mr. Hayes gave the project background:

The applicant for this property is Catherine (Cathy) Nason who is part of Berkeley's Edge Properties, LLC and they are the property owners as well. The property is zoned R-6, High Density Residential and this is a special use permit request to operate a bed and breakfast

The subject property is located at 322 Killarney Street. Based on the Henderson County records the subject parcel lot size is approximately 1.13 acres. The current use of the property is a single family home.

Site photos were shown and are included in the staff report and presentation.

A site plan was shown and the owner provided this to show the parking that could be provided for this property. The site plan is included in the staff report and the presentation.

Mr. Hayes discussed Section 5-2-2 of the zoning ordinance. He discussed Section 16-4-5, the supplementary standards for bed and breakfasts. This is included in the staff report and presentation.

Mr. Hayes stated staff has provided a condition to the motion that would basically require the applicant provide a landscaping plan to staff for approval prior to obtaining the zoning compliance permit.

Mr. Hayes stated he will answer any questions the Board may have.

Chair asked staff to tell him about it being historic. Mr. Hayes stated that doesn't have any bearing on this hearing. It falls within one of our local historic districts so if they wanted to do any changes, alterations to the site, then they would need to get a Certificate of Appropriateness from our Historic Preservation Commission. That is a separate process. Chair asked when the building was built. Mr. Hayes stated in the 1800's, he believes 1850's but he could be wrong. Chair stated so it does have a certain historic value. Mr. Hayes stated yes, it's in one of the historic buildings.

Chair stated he is getting down to the building to sell. Architecturally is the city familiar with the building? Mr. Hayes stated yes, the city has surveyed this district. This is one of the listed properties within that district. Chair stated in the context of preserving it, but designated it as a historic building in the city's history, would that have some value. Mr. Hayes stated yes, what he will mention about the historic district is that they are overlay districts and so they don't regulate the use, the underlying use of the property.

More discussion was made on the property being historic.

Ms. Collina asked about the sign being twelve square feet. Mr. Hayes stated that may have been a typo in the application. The sign is four square feet.

Discussion was made on parking and parking on the street.

Mr. Werner asked about the separate parcel. Mr. Hayes stated that parcel is also owned by the applicant but it is a separate parcel. Mr. Werner asked for the Fire Code would sprinklers be required for the conversion. Mr. Hayes stated he could not speak to that but they would have to meet all fire regulations and could not get their approval if they did not. They would have to get approval from the Fire Marshal. Mr. Werner stated if the Fire Marshal says yes then they would also have to go before the historic board because they would have to modify the exterior. Mr. Hayes stated possibly. Mr. Werner asked if they plan to install a commercial kitchen. Mr. Hayes stated that is a question for the applicant.

There were no further questions for staff.

Chair asked the applicant to address the Board.

Mindy Weiner stated she was here on behalf of Catherine Nason and they are trying to get someone to confirm that this is the oldest house in Hendersonville. They know it is one of two for sure. Ms. Nason plans to take this home back to its historical heritage and in 1859 when it was built and so it has had several years of being a bed and breakfast, and what they call a boarding house. Over the years it has gone through being a private residence and Ms. Nason's hope is to share it with the community, to open it to historic tours and just to really honor the property.

Ms. Weiner stated no a commercial kitchen is not being added. She wants to keep the original character as much as she can. Also, Mr. Hayes touched on the additional property. The owners of the property who sold us the Killarney House, they are actually the people living at 1210 Oakland and so they are there for three years. It was part of the purchase agreement and they are very involved in the day-to-day and are very much in support, Suzanne and Hunter Hale, of this transferring over into a bed and breakfast. They were supposed to be here but could not speak on behalf of Cathy so they did not come. She asked if anyone had any questions.

Mr. Werner asked who was going to live there as part of the requirements. Ms. Weiner stated on the third floor there is a caretaker apartment and that does have a kitchenette in it. It is completely sealed off. They will be meeting with the Fire Marshal to make sure that by adding the sixth bedroom on the third level, that it does meet the fire code for egress. That is an apartment that does have a kitchenette but is completely separate and his name is Spencer. He was the Hale's houseboy and he helps on a day-to-day basis and he's agreed to stay and take care of it.

Chair asked about the owner having a lineage from the point the house was built. Ms. Weiner stated they do and it is in this book. This is the Bible of the home that she has been entrusted with.

Chair asked if there was anyone that would like to speak in favor of the application. Chair asked if anyone wanted to speak against the application.

Mark Bastin stated he lives in Asheville and he is the Chief Marketing Officer for Yonder Luxury Vacation Rentals and they are helping to market and get some folks in who want to stay there. He wanted to give some key elements that they will incorporate into their marketing. Chair stated they are only here for the zoning. How they market it is up to them. Mr. Bastin stated to preserve the sanctity of the home and encourage meaningful engagement, a minimum of five night stay. Premium average daily rate to reflect the value of the setting and the exclusively manual guest bedding. So folks can't just book online so to speak. We will be talking to everyone who wants to stay there. They will have a greeter for every arrival so that they can develop human connection with those folks, those guests as well as talk about the history of the house and show them around. They believe it has a tremendous historic value.

Chair asked if there was anyone that would like to speak against the application.

Ken Fitch, 1046 Patton Street stated his family has lived on Patton Street for over 30 years and he lives catty-cornered to the entrance on Killarney Street on a diagonal. He is not opposed to a bed and breakfast use. For a short time it was a bed and breakfast. He is here today because the site plan that has been submitted and the application statements raise serious questions and issues of concern, and traffic and parking seem to be major issues. As Mr. Hayes noted this property is in the Hyman Heights Historic District. It's both national and local and it's an overlay district and it's subject to standards and restrictions.

Mr. Fitch asked about the motion for denial and there being a reference to a restaurant. He asked if that was an error. He discussed the street and there being two other homes on the street. He also had concerns about the sign and they would want to know where the sign will be located and what will it say. He discussed the eight parking spaces and he asked what the need was for overflow. He stated Killarney is a narrow one-way street and it has the character of an alley but it's also a distinctive feature of the historic district and parking on that street would impede access and egress to the two homes there. That raised the issue in Article 16 regarding health and safety of persons residing in the neighborhood because there would be health issues for people not being able to access their property. He discussed parking on the street and there are issues with that. Delivery trucks would also have an issue accessing the property. Historic trees could be impacted by damage roots and the embankment.

He was concerned about pedestrians walking and people walking their dogs. He was also concerned about having emergency access for emergency vehicles.

Chris Koepf stated he lives on Killarney Street and he stated the carport as she mentioned is their main access for their elderly mother. The front actually has three sides of it, it's a very old building, historic building as well and she cannot go up those stairs. Chair asked Mr. Koepf to point this out on the map. Mr. Koepf stated there's some steep steps here, two sets and this is pretty much inaccessible. Even for emergency people, fire trucks and this is the main access. Mr. Koepf pointed all of this out on the map. He stated his main concern is the parking on Killarney Street and the overflow parking and how often that would be used. He doesn't think this is a good idea. He is not opposed to the bed and breakfast but everyone walks down that street. He was just concerned about the safety of his mom getting in and it's hard to negotiate out if there's going to be a car cross.

Cole Ordiway stated he was the listing agent who recently sold the property. (Chair sworn Mr. Ordiway in to speak). Mr. Ordiway stated he wanted to mention that he has sold the house and represented the sellers and not the buyers and not Ms. Nason. He thought for fifteen months about the highest and best use for this property and he also thought about the highest and best use in terms of preservation. Mr. and Mrs. Hale as the homeowners and residents of the property, built in the 1850's they spent, as they moved there in 2010, they spent about four or five years and about half a million dollars in renovations to get it back up because it was previously mentioned it was a B&B and then it was converted into single-family living and then it was converted back into a B&B and then it was back to single-family. He believes this use is the highest and best use for the home and the preservation.

Discussion was made on the history of the home and the architect for the home.

Ms. Weiner stated they are concerned about the safety of children and are very much concerned with the safety of the neighborhood. As far as the trees, they have a landscape company and they have someone who is taking care of all the trees. This is very much a partnership between the old owners and the new owners. She discussed the overflow spaces and they have spoken to the Baptist church. They are not taking out any trees, they are adding trees. There is absolutely no restaurant that is going in. There will not be a commercial kitchen. She did not feel they would even need the ten spaces in the confines. Ms. Collina stated the overflow parking is not even required. Ms. Weiner stated they were just trying think things through and probably raised concerns when they shouldn't have.

Albert Walker was sworn in to speak.

Albert Walker, 1124 Oakland Street stated one term he heard that gets him, bed and breakfast. This is a beautiful home and a beautiful area. They are fairly new to this area and it is amazing with the children, the older people walking there and it's an astounding place to live and he comes from big cities. The term she mentioned was bed and breakfast and six rooms and he doesn't have a problem with that but touring and bringing people in for events, special events and things like that no. The parking, the curves of the street, it's a closed community because traffic used to be so bad through there. It is wonderful now and it is quiet. He has a problem with events and if they are having special events there will be multiple cars on Killarney and that is a one-way street. He discussed a bed and breakfast on Highland Avenue and they have plenty of acreage and they do special events without any problems but there isn't room here for that. He was concerned about events and traffic and the safety of the neighborhood.

Wayne House was sworn in to speak.

Wayne House, 1133 Oakland Street stated he is not against the concept of a bed and breakfast here. He stated Killarney has a significant hill and that was his concern. They would have more people entering here and he was concerned about traffic and speeding in this area and the visibility at this point.

Conditions were discussed that could be added to the motion.

Ms. Weiner talked about the events and stated there have been small weddings here in the past. There have been pop-up dinners on the porch. There have been cookie bakes and holiday tours as part of the historic preservation. She stated they very much want to be part of the community and she believes any issues can be overcome.

Ms. Collina asked per the Fire Marshal and the Fire Code how many people are allowed on the property at one time. Ms. Weiner stated she does not have a number for that. She stated the next step after approval would be to get the Fire Marshal out there. It was stated the Fire Marshal will definitely have an occupancy limit but that is up to them.

Chair closed the public hearing for Board discussion.

The Board discussed their thoughts on the special use permit and the conditions.

Mr. Webb made the following motion: **With regard to the special use permit request by Catherine Nason 1. The special use permit is requested for a bed and breakfast under Section 5.5-2 of the zoning ordinance. I move that the Board find that 1. The proposed use complies with the standards for such contained in Article 16 of the zoning ordinance. 2. The proposed use will not adversely affect the health or safety of persons residing or working in the neighborhood of such proposed use. 3. The proposed use will not be detrimental or injurious to the property or public improvements in the neighborhood of such proposed use.** For the following reasons: the applicant has provided sufficient evidence that the landscaping buffer will adhere to the landscaping requirements and the zoning ordinance, the applicant's proposal stated that a resident manager shall live on premises, the site provides for sufficient parking for the number of residents staying in the bed and breakfast. ***With the added conditions that a complete landscaping plan will be submitted to staff and reviewed to ensure their compliance with Section 15-6 Buffer Yards, of the zoning ordinance, and that there's no parking on Killarney and the intersection of Oakland and Killarney needs to be better maintained with vegetation for visibility for making the turns.*** Ms. Flores seconded the motion.

Chair called for the vote. The following vote was taken by a show of hands.

Ms. Flores	Yes
Mr. Webb	Yes
Mr. Barwick	Yes
Ms. Werner	Yes
Ms. Collina	Yes

The motion passed unanimously.

Approval of the Annual Meeting Dates for 2026. – Ms. Flores moved the Board to approve the meeting dates for 2026. Ms. Collina seconded the motion which passed unanimously.

Approval of Decision – 1926 Haywood Road (25-66-VAR) – Mr. Webb made a motion to approve the Decision for 25-66-VAR. Ms. Flores seconded the motion which passed unanimously.

Meeting adjourned at 2:43 p.m.

Reid Barwick, Chair

Terri Swann, Secretary

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