

State of North Carolina

Minutes

County of Madison

The Madison County Board of Adjustment met in regular session on Tuesday, September 25, 2023, at 6:30 p.m. at the Madison County Public Library Marshall Branch, 1335 N. Main Street, Marshall, North Carolina.

In attendance were Vice-Chair Richard Molland, member Robert Briggs, member Ernest Ramsey, County Planning and Zoning Attorney John Noor, Development Services Director Brad Guth, and Clerk Mandy Bradley. Members Darlyne Rhinehart, Hart Barnhill, and Karen Kiehna were not in attendance.

The meeting was called to order at 6:35 p.m. by Vice-Chair Molland.

### **Welcome**

Vice-Chair Molland welcomed those in attendance to the meeting.

### **Approval of the Minutes**

The August 28, 2023, regular meeting minutes were reviewed by the Board and Clerk Mandy Bradley requested consideration of approval pending the correction of a scrivener's error to correctly refer to the applicant as Mr. Davis instead of Mr. Mitchell included in the section for Special Use Permit Applications (Continuation of Quasi-Judicial Evidentiary Hearing) for Special Use Application from Mitchell Davis of Travelin Light, LLC.

Upon motion by member Briggs and second by member Ramsey, the Board voted unanimously to approve the minutes with the correction as noted.

### **Special Use Permit Applications (Quasi-Judicial Evidentiary Hearing)**

***Special Use Application from Colin Mayer, Operations Manager, Chakrasamvara Center (CSC), a Special Event Facility at 3303 Meadow Fork Road, Hot Springs, NC 28743***

Vice-Chair Molland opened the public hearing and called for the presentation of any witness with standing in attendance. Colin Mayer, applicant and Brad Guth, Development Services Director were administered the oath by Vice-Chair Molland with no other witness with standing presenting to the Board.

Mr. Guth presented the staff recommendation for the approval of the application with conditions to be set forth for compliance including parking requirements as appropriate, occupancy to be determined by Environmental Health and the County Building Inspector, and the applicant providing the local contact's contact information. Additionally, Mr. Guth discussed the application provided for the special event facility including the sketch plan, landscape buffers, parking, proposed occupancy, and local contact name.

Colin Mayer, General Manager and CSC Board member addressed the Board regarding the request for the issuance of a special use permit for the Chakrasamvara Center, a proposed special event facility to be located in Hot Springs as well as presented evidence including the proposed application noting that the organization is recognized as a religious institution by Internal Revenue issued tax status that provides non-sectarian services which are healing and recovery focused. Information provided by Mr. Mayer included the proposed purpose of the facility which would be used to host day retreat events centered toward wellness and health as well as host weddings. The application narrative, sketch plans, photographs, landscaping, use separation, noise mitigation, structural requirements, and proposed parking were also presented by Mr. Mayer. (Attachment 1.1)

Discussion was had by members of the Board and Mr. Mayer answered questions from board members.

Additional information provided by Mr. Mayer included current structures located on the property including the Yurt and the Long House designed by Mercer Design which is comprised of a dining space and restroom with three (3) facilities. Mr. Mayer noted that the special event facility would also provide for an outdoor yard space to be used for events and that portable restroom facilities would be provided as needed. Discussion was had regarding the distance of the proposed facility from Meadow Fork Road and neighboring properties.

Counsel was provided by Attorney John Noor regarding allowances and standards for the issuance of the permit. Discussion was had by the Board and Mr. Guth regarding standards required by Environmental Health and the County Building Inspector. Event security and the County's Noise Ordinance were discussed with Mr. Mayer by members of the Board with counsel being

provided by Attorney Noor regarding provisions for compliance with the County's Land Use and Noise Ordinances. Mr. Mayer noted that the facility would not allow alcohol at retreats held at the facility, but that it would be allowed at other events. Additional counsel was provided by Attorney Noor regarding conditions that could be imposed on the proposed project noting that conditions did not serve as a blanket for each special use permit request, but instead would apply to specific requests as appropriate if the Board so chose.

Member Ramsey placed a motion on the floor to approve upon Mr. Guth's recommendation and additional conditions.

Discussion was had by the Board regarding conditions to apply including the following:

- Meeting parking requirements
- Occupancy to be determined by Environmental Health and the County Building Inspector
- Information for local contact Rob Ryan being provided

Second to the motion was provided by member Briggs and the Board voted unanimously to approve.

#### **Other Announcements/Updates**

An update regarding the biomass listening session hosted by the Development Services Department was discussed by the Board by Mr. Guth and comment was provided by a member of the audience. Discussion was had by the Board and Mr. Guth.

Discussion was had by the Board, Mr. Guth and Attorney Noor regarding a request for board training at a future meeting of the Board.

#### **Adjournment**

Upon motion by member Ramsey and second by member Briggs, the Board voted unanimously to adjourn at 7:30 p.m.

This the 25th day of September 2023.

MADISON COUNTY

3303 Meadow Fork Road Special Use Application

September 2023



PREPARED FOR



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Once you're finished, walk through it one more time reading it against the actual ordinance side-by-side

## I. Introduction & Purpose

**Address:** 3303 Meadow Fork Road, Hot Springs, North Carolina 28743

**Description:** 63.59 acres of land with four buildings, including a main house (see Figure 1, A), cabin (see figure 1, B) a 33" diameter yurt with a 850 square foot interior ("The Yurt", Figure 2, A) that sits on a 1600 square foot deck, and its addition, a Scandinavian style longhouse ("The Long House", Figure 2, C) that is 1000 square feet that includes 3 bathrooms, 3 showers, a kitchen, and dining room. All buildings meet North Carolina Building Codes. This application is to apply for a Special Use Permit for The Yurt, Long House, and immediate surrounding areas (Figure 2).

**Purpose:** In alignment with Section 8.10 of the Madison County Ordinance, this application seeks a special use permit to host various functions such as educational and wellness day-events, banquets, weddings, festivals, celebrations, and other group events, with a focus on special events that promote wellness, psychological health, spiritual healing, and positive environmental impact and awareness. The purpose of the special use application complies with the local regulation to ensure that Special Event Facilities are compatible with surrounding residential uses and avoid deleterious effects on neighboring residents. Our team has worked hard to expand new construction between 2019-2022, and our ultimate aim is to create a new source of revenue that keeps existing operations sustainable while continuing to foster a positive impact on the local community.

**Overview of the Special Event Facility:** As designated in the Sketch Plans in Section II, The Special Event Facility comprises The Yurt, Long House, and surrounding area, which have been designated to accommodate various functions consistent with the definition of a Special Event Facility as per the Madison County Ordinance. These venues will be utilized for functions such as weddings, festivals, and concerts, excluding Church and Religious Institutions.

**Ordinance Reference:** This application is submitted in accordance with the new special use ordinance standards defined in Madison County's additions to Chapter 8 Special Requirements, specifically Section 8.10 regarding Special Event Facilities. The development, application, and operation of this Special Event Facility shall fully conform to the standards outlined in the ordinance, ensuring compatibility with surrounding residential uses and adherence to all applicable regulations.

## II. APPLICATION, NARRATIVE, & SKETCH PLANS

### a. Submission and Description (Sections 8.10.3.1)

**Submission Details:** Chakrasamvara Center (CSC, Inc), a nonprofit organization, has leased the property for the last 7 years to accomplish a mission of hosting retreats at the 3303 Property that promote wellness, psychological health, spiritual healing, and positive environmental impact and awareness. Over the past seven years, the organization has hosted numerous nonprofit organizations (notable examples detailed below), with a focus on supporting local development projects and on-going work.

The Special Event Facility, located in the scenic mountains of Madison County, is designed to integrate with the surrounding residential and natural environments, having special regulations to ensure compatibility and avoiding any harmful or altering effects on the neighboring areas.

### 8.10.2 Permit

Application has been submitted for the development and expansion of the Special Event Facility. A comprehensive sketch plan has been provided to the Madison County Zoning Office, with all required information and details to meet the ordinance requirements. The application is forwarded to the Madison County Board of Adjustment for a special use hearing.

### 8.10.3 Requirements for Applications/Sketch Plan – See Figures 1-4

#### 8.10.3.1 Narrative – The proposed Special Event Facility encompasses several key components:

**The Yurt:** A 33-foot diameter, 850 square feet, yurt constructed by Rainier yurts, known for their reliability and structural integrity. Featuring a dome at the top, allowing natural light and visibility of the stars and moon, it's an ideal venue for interior events, educational workshops, exercise wellness, and yoga. It has central AC, electricity, and water tap. The occupancy limit is up to 55 people, as per IBEC codes.

**The Longhouse:** An approximately 1000 square foot building with a 550 square foot dining hall, three shower stalls, and three bathroom stalls, central A/C and hot water, as well as a separate room with a kitchen. The front dining hall has sufficient seating capacity meet IBEC code standards for up to 33 people.

**Outdoor Spaces:** The land in front of the buildings is flat and ideal for temporary structures for outdoor events. The scenic view, lower altitude, and buffers of trees and shrubbery provide a perfect setting for events while also mitigating noise.

**Local Commitment:** We hire local for our new development projects and on-going work. First, we attempt to source contractors local to Spring Creek and then expand out to Madison County. We are pleased to report that the majority of our contractors for these projects were local to Madison County and Spring Creek, including:

- Rob Ryan - Facilities Manager and Foreman - Spring Creek, NC
- Leading Edge Builders - Long House Construction - Spring Creek, NC
- S&J Carpentry/Landscaping - Yurt + Deck Construction - Spring Creek, NC
- Finley Grading - Road Construction and Septic Tank - Harold Finely - Spring Creek, NC.
- Roy Hurley - Electrical Wiring and Cabinetry - Spring Creek, NC
- Billy Green Plumbing - Plumbing - Billy Green - Marshall, NC

**Environmental Considerations:** Our facilities are permitted and compliant with all Environmental Considerations per Madison County Ordinance.

**Hours of Operation:** 7 am to 11 pm.

**Acoustic Impact:** Estimated to be minimal, below the 40-decibel threshold at property lines, considering the natural buffers.

**Clientele:** Over the past 7 years, we have hosted a variety of groups with a focus on wellness, psychological health, spiritual well-being, and environmental impact. Some notable examples include:

- Yale Forestry School – Yale Forestry’s School mission is to advancing science and educating professionals to develop collaborative research, policy, and practice that address vital and compelling issues facing forests and people globally.
- Seek Healing – located in Asheville and Waynesville, Seek Healing employs a community-sourced treatment model to help participants heal from addiction, mental health challenges, and psychological trauma.
- Our Sacred Space Yoga – a yoga studio focused on promoting health, wellness, and psychological well-being in the Carolinas
- Bountiful Cities - an Asheville-based nonprofit organization dedicated to teaching sustainable agriculture skills

**Sketch Plan and Elevation Drawings:** Detailing the location, height, dimensions of all structures, property lines, parking, access roads, and location of any residence within 100 yards of the property line.

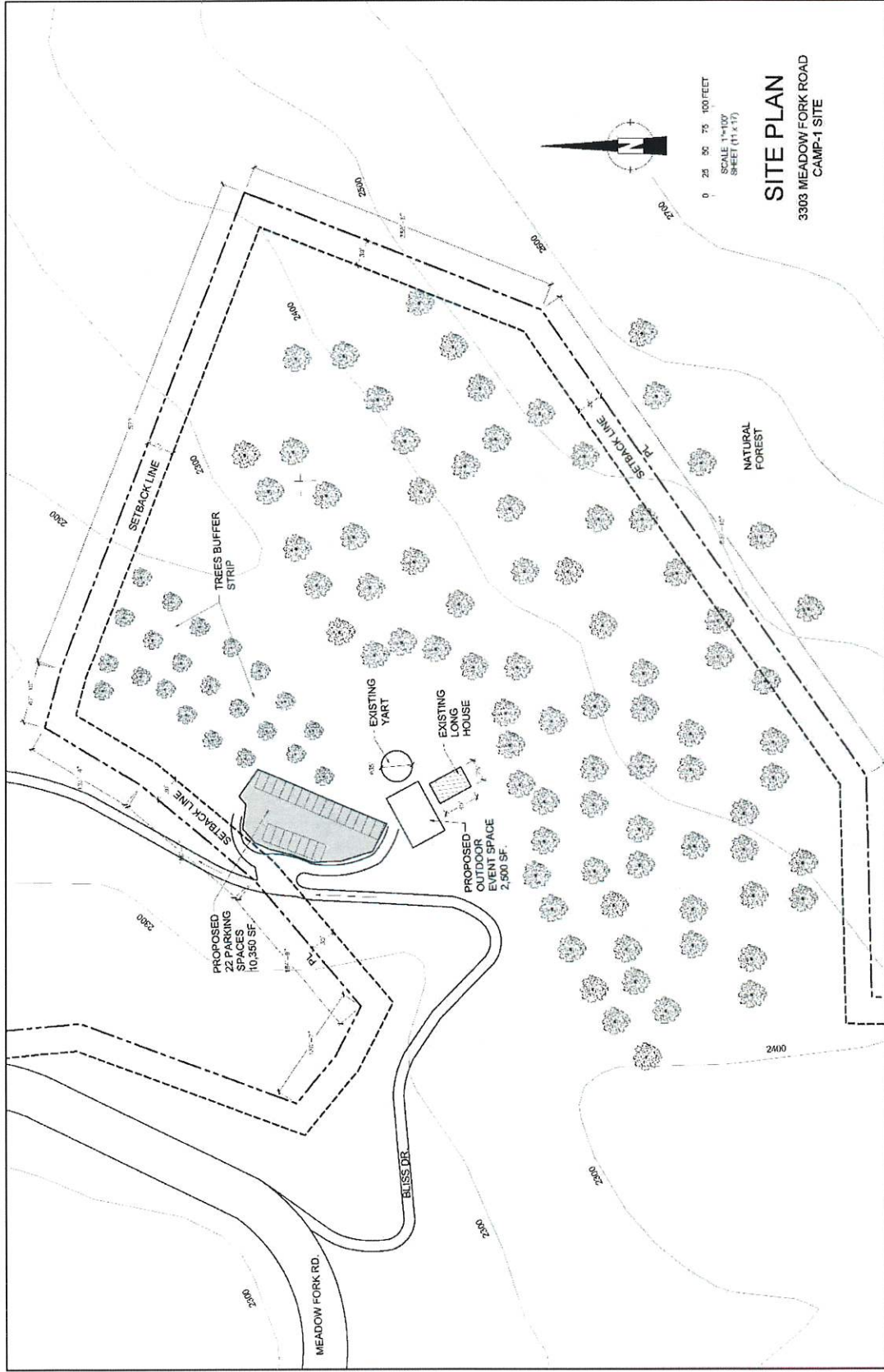
**Occupancy Permits and Septic Tank Consideration:** Based on discussions with Madison County’s Inspections Zoning office, the current limitation to the number of attendees based on Environmental Health Guidelines is 40 people. For events larger than 40 people, CSC, Inc. will require lessees to rent a sufficient number of porta-potties from certified vendors to meet environmental health and septic requirements.

**Future Expansion:** No plans for future expansion within the Special Use Area at this time.

The center's design, construction, and proposed operations are crafted to resonate with the purpose and essence of a Special Event Facility. With an overview of all facets, including buildings, purpose, and future plans, along with specific details like hours of operation and anticipated acoustic impact, this narrative represents a comprehensive approach to creating a facility that aligns with the Madison County's goals and regulations. The partnership with renowned builders and a focus on local contractors reinforces the center's commitment to community development. The scenic location and thoughtfully designed infrastructure make it an ideal space for diverse activities, reflecting the core mission of wellness, healing, and environmental consciousness.



**DRAFT SKETCH PLANS**

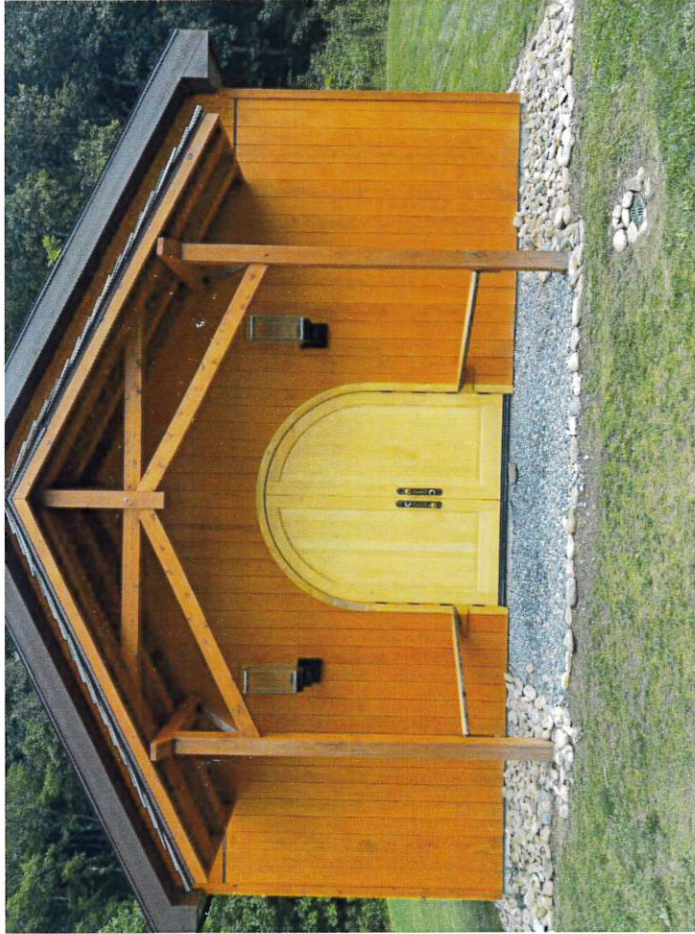


AERIAL MAP OF ENTIRE 3303 MEADOW FORK PROPERTY



Note: The ArcGIS Map Reflects the updated addresses for all 3303 Meadow Fork Road Facilities; the new addresses are designated under "Bliss Drive" – 9 Bliss Drive (cabin by the entrance), 144 Bliss Drive (The Yurt / Long House Location), and 108 Bliss Drive (the original 3303 Meadow Fork Structure).

**GROUND LEVEL PHOTOS**









**"The Yurt" - Certificate of Occupancy - \*See Appendix A for Full Size Permit**

Madison County Residential building Permit Inspection Card - BR-19-020

MADISON COUNTY RESIDENTIAL BUILDING PERMIT INSPECTION CARD		OWNER: Colin Mayer		CONTRACTOR: Ralph Gundrum		INSPECTOR NOTES	
PERMIT #	BR-20-171	DATE OF WORK	9/14/20	TYPE OF WORK	Addition	INSPECTOR	DATE
ADDRESS	3302 Meadowfork Road	INSPECTOR	DATE	INSPECTOR	DATE	INSPECTOR	DATE
APPROVAL	DATE	APPROVAL	DATE	APPROVAL	DATE	APPROVAL	DATE
Column Footing							
Slab							
Foundation Wall							
Waterproofing/Sill Plates							
Framing							
Fire Rated Assemblies							
Called 6/14/21							
Final (Ceiling Insulation)							
Final (COCC Per GS180A23)							
Called 2/15/22							
Slab							
Top Out - Rough In							
Water/Sewer Service							
Final (COCC Per GS180A23)							
Called 2/15/22							
Gas Pipe Test - Rough In							
Mechanical Rough In							
Called 6/14/21							
Prior Final							
Final (COCC Per GS180A23)							
Called 2/15/22							
Temporary Service							
Ground Work							
Rough In							
Called 6/14/21							
Final (COCC Per GS180A23)							
Called 2/15/22							
Final							
SETBACKS							
(F)	(LS)	(RS)	(S)				
ZONING							
Directions:							

Mayer, Colin BR-20-171





### **III. Landscaping, Use Separation, and Noise Mitigation**

#### ***a. Landscaping Buffers (Section 8.10.4)***

**Natural Buffers:** *The Special Event Facility is surrounded by natural buffers comprised of forest, hills, and mountains. These buffers meet the requirements as defined in the definition of a buffer strip and are designed to screen the facility and associated areas from adjoining properties.*

#### ***b. Use Separation (Section 8.10.5)***

**Compliance with Separation Requirements:** *All equipment, structures, and parking have been planned to be a minimum of thirty feet from all property lines, and one-hundred feet from any occupied residential structure on adjacent properties. This ensures full compliance with the ordinance's use separation requirements.*

#### ***c. Noise Level and Mitigation (Section 8.10.6)***

**Adherence to Madison County Noise Ordinance:** *The Special Event Facility will strictly adhere to the Madison County Noise Ordinance, and all necessary measures have been taken to ensure that any sound or noise originating from the facility will not exceed 45db as measured from any property line.*

**Noise Mitigation Plans:** *Specific plans have been developed to minimize noise impact, including the strategic positioning of speakers, sound barriers, and other noise-reducing techniques, to ensure compliance with the 45-decibel threshold.*

## IV. STRUCTURAL REQUIREMENTS & PARKING

### a. Building Code Requirements

**Compliance with State Building Code:** Both the yurt and the longhouse facilities are constructed to meet all North Carolina State Building Code requirements.

**Environmental Health Requirements:** The facilities also comply with Environmental Health requirements, particularly regarding sewage disposal and water supply, in accordance with the stipulations of the ordinance. There is an existing well that supplies water to the longhouse, and a septic tank permitted with Madison County that is connected to the longhouse bathrooms and drainage.

### b. Parking

**On-site Parking:** Sufficient grassland has been designated for parking to accommodate up to 100 people. The facilities' parking surfaces are in compliance with the Madison County Land Use Ordinance, and no paving is required.

**Off-site Parking (if applicable):** Any additional parking requirements can be met through a written agreement or lease for offsite parking, consistent with the ordinance's provisions.

**Occupancy Consideration:** The parking arrangements have been made considering the maximum occupancy according to the North Carolina State Building Code.

### c. Signage

**Compliance with County Ordinance:** The proposal includes provisions for one On-Premise sign, as allowed by the Madison County Land Use Ordinance.

### d. Local Contact Person

**Facilities Management:** Rob Ryan will act as the facilities manager and caretaker, providing oversight and maintenance for the special event facility.

## V. CONCLUSION

Prepared for Madison County NC (Zoning Board)

**Summary**

A proposal to convert the existing facility into a special event location, outlining details regarding the property, structures, intended use, noise mitigation, compliance with building codes and local ordinances, and local management.

**Alignment Statement**

The proposal aligns with the mission to serve as a space for healing and community and to diversify revenue streams, maintaining resilience against economic downturns.

**Request for Issuance**

On behalf of CSC, Inc., we make a formal request to approve the application for the special use permit, ensuring all standards as defined in sections 8.10.7, 8.10.8, and 8.10.9 are met or exceeded.

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*Property Manager of 3303 Meadow Fork Road*

*Officer, Board of Directors, CSC, Inc.*

Colin Mayer

10th of August, 2023

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*Property Owner of 3303 Meadow Fork Road*

*Officer, Board of Directors, CSC, Inc.*

Mai Pham

10th of August, 2023

**APPENDIX A. "The Yurt" - Madison County Residential building Permit Inspection Card - BR-19-020**

**APPENDIX B. “The Long House” Madison County Residential building Permit Inspection Card - BR-20-171**