

Honorable Mayor Bartlett and Aldermen,

As an introduction, we are building a home in The Settings of Black Mountain. When my wife and I visited the construction site the week before Thanksgiving, we were encouraged to see that development in this community continues, despite the troubled economy and the woes of the Developer. We are confident our decisions to build and move to Black Mountain have been positive, though cautious. Existing residents are now a viable part of the Homeowners Association and a new property management company is actively looking after the business side of the development.

While reading the latest agenda of the Town Board of Aldermen's meeting, I noted the proposed public hearing to impose a temporary moratorium on building permits at The Settings. I went back and listened to the video of the November Board meeting, and heard the comments made. I have broached this subject with several residents of Black Mountain, especially those involved in the design and construction business. None have any idea of the reason behind the proposed ordinance. This strikes me as odd, but I am sure it was proposed by those who are more knowledgeable than me.

Noting this ignorance on my part, could you please advise me in advance of the public hearing, a clear statement of problems, approvals and proposed actions related to this ordinance. I refer to the statute that was noted (and corrected) in the Board agenda, NC General Statute 160A-381, which reads in part as follows:

Any ordinance establishing a development moratorium must expressly include at the time of adoption each of the following:

- (1) A clear statement of the problems or conditions necessitating the moratorium and what courses of action, alternative to a moratorium, were considered by the city and why those alternative courses of action were not deemed adequate.
- (2) A clear statement of the development approvals subject to the moratorium and how a moratorium on those approvals will address the problems or conditions leading to imposition of the moratorium.
- (3) An express date for termination of the moratorium and a statement setting forth why that duration is reasonably necessary to address the problems or conditions leading to imposition of the moratorium.
- (4) A clear statement of the actions, and the schedule for those actions, proposed to be taken by the city during the duration of the moratorium to address the problems or conditions leading to imposition of the moratorium.

Obviously, I am most interested to know of any problems, as my experience so far has been very positive in the planning and permitting of my home. The very general concern of health and safety were mentioned at the Board meeting, particularly with reference to Phase 3 where the infrastructure is not complete. I would offer that the requirements imposed on owners and builders in this development are the most stringent of any I have ever seen, and that this in itself make for a very well designed and safely built home. If anything, these requirements are very restrictive compared to any others in the Town of Black Mountain. I further believe that the continued viability of this development is in the best interests of the Town of Black Mountain, and hope you will concur.

If you have not already done so, I would encourage you to read the article in Southeast Discovery, found at the following link. This helped me with my decision to continue to build, with a substantial investment in the local Black Mountain economy.

<http://www.southeastdiscovery.com/tag/the-settings-development-company>

Thanks for your work to make Black Mountain the wonderful place we chose for our next home.

Sincerely,

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