

# Clark seeks citizen input on ridge law

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MORRIS/ANTON

Burke County Commissioner George Clark is holding out the possibility of revising the ridge law issue in Burke County.

On Tuesday, Clark said he might reconsider his opposition to a proposed local ridge ordinance that is stronger than the state's ridge law which prohibits tall buildings on mountaintops.

The commissioner called upon the public to express its feeling on the issue between now and next Tuesday.

If enough support for the stronger ridge ordinance is expressed, Clark said he will revive the issue at next Tuesday night's county commissioners meeting and vote for it.

"If the majority of people are for it, I'd be happy to bring it (ridge ordinance) back up," Clark said. "If the majority are against it, I guess we'd let it die."

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Some other peaks in the Blue Ridge Mountains in Burke County in the Pisgah National Forest would be covered as well in the proposed county ridge ordinance.

The state ridge law prohibits any new buildings higher than 40 feet on a protected mountain ridge. The prohibition would include all areas within 100 feet of a mountain's crest.

Any mountain 500 feet above the surrounding valley floor would be covered under the proposed county ridge ordinance.

The lone county commissioner to vote for the stronger county ridge ordinance last week was Jim Cates, the commission chairman, who later criticized his fellow commissioners for rejecting the tougher ridge regulation.

At a local gathering last Wednesday of the Sierra Club, which supports the tougher regulation, Cates promised to work to overturn the commissioners' opposition to the proposal. Clark, a political ally of Cates, said he consid-

**'If I made a mistake, I'd like people to tell me I made a mistake.'**

—Clark

Clark said Commissioner Bob Williamson, a frequent ally on the board, might also reconsider his opposition to the proposed county ridge ordinance. The two commissioners could provide the votes to pass the measure.

Williamson could not be reached for comment. Commissioners have the authority to draft a local ridge law ordinance and pre-empt the state ridge law that takes effect Jan. 1. A county ordinance may not be adopted after Jan. 1, however.

The commissioners' meeting on Tuesday is their

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ered having second thoughts on the matter after receiving several telephone calls from supporters of the proposed county ridge ordinance.

Since then, Clark said officials from the Oak Hill Water Corp. and the Oak Hill Fire Department supported the tougher ridge ordinance, as did a number of individuals he has spoken with privately.

The commissioner called upon Burke Countians to state a preference to him on the issue. He asked The News Herald to print a ridge law ballot for people to send to the county office in Morriston.

The ballot is included in today's paper. "If I made a mistake, I'd like people to tell me I made a mistake," Clark explained.

He quoted volunteer firemen as saying they could not fight a fire that might break out in a high-rise structure located on a mountain ridge. Also, he said water corporation officials expressed concern about the erosion that mountaintop building might cause.

Clark also said he has been told of possible health problems resulting from mountaintop

last session before the deadline.

On Dec. 6, commissioners rejected a recommendation to adopt a county ordinance that would place more mountain peaks under the coverage provided in the state law.

The state law gives authority to county commissioners to adopt such broader regulations.

The Burke County Planning Board made the recommendation that would drop a 3,000-foot elevation minimum that is listed in the state ridge law.

Such a change would bring the higher elevation of the South Mountains under the mountain ridge restrictions. No peak in the South Mountain reaches 3,000 feet above sea level and would not be included under the state ridge law's coverage.

The state ridge law would only cover the two ridges of the Linville Gorge — Jonas Ridge and Linville Mountain — plus some other peaks in the Jonas Ridge section of northern Burke County.

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building. He explained that the rocky soil mountaintop would cause sewage drainage problems.

The commissioner said he voted against tougher ridge restrictions last week because of concerns about property owner's rights pointed to the furor created in 1979 when a county subdivision ordinance was proposed.

That proposed set of regulations on the building of subdivisions was dropped after public protest. Clark added that he has been surprised construction officials who would be most affected by the proposed building restrictions have spoken on the ridge law matter.

State officials reported last week that 11 counties apparently will not adopt their own ordinances. Only Avery and Watauga counties have adopted their own ordinances that restrict mountaintop building.

The state law was passed in July following furor in Avery County about a 10-story condominium on Little Sugar Mountain.

Existing buildings will not be affected by new ridge law.