

**Minutes of the Regular Meeting of the  
BOARD OF ADJUSTMENTS  
Tuesday, October 15, 2002  
4:30 p.m.  
Lake Lure Municipal Center**

PRESENT:           Beth Rose, Chairman  
                  Mary Ann Dotson  
                  Werner Maringer  
                  Stephen Webber

Also present were:   Terri Potts, Zoning Administrator  
                          Monica Stofer, Recording Secretary  
                          Blaine Cox, Liaison

Chairman Rose called the meeting to order at 4:43 p.m.

Mr. Maringer and Mr. Webber, alternates, were sitting in for Mike Williams and Robert Beach, they were not present at this meeting. Mr. Fred Noble was absent.

Mr. Maringer moved for approval of the agenda. The motion was seconded by Ms. Dotson and then unanimously approved.

The minutes from the September 17, 2002 were considered upon a motion from Mr. Maringer with a few changes. The changes were in the request from Emily McIntosh, the second line down add "this" after Mr. Potts stated that and on the third line down, change "owns the business" to "runs the business from the internet". The motion with the changes was seconded by Ms. Dotson and unanimously approved.

**1.     ZV-02-06, a request from Jerry and Mary Capps for a variance from section 94.040, setbacks.**

Mr. Jerry Capps was sworn in. Mr. Capps stated that they only have 20 feet of property and without the variance they can't do anything. He stated that they have had this property for about nine years. They were not aware of restrictions. They can tap into the sewer and they do have water now with the town. He stated that they are about 35 feet from the centerline of the road to the fence. They will need 16' variance with the porch and without the porch about 10'.

**Mr. Maringer moved to table this to the next meeting on November 19, 2002 so that more information could be gathered, to have more accurate measurements, and to be able to view the property. The motion was seconded by Mr. Webber and then unanimously approved.**

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- 2. ZV-02-07, a request from Emilio Robau for a variance from section 94.040, setbacks.**

Mr. Robau was sworn in. He stated that he is requesting a 15' variance from the centerline of the road to put the house 25' back. He stated the part of the town road is on his property. This is reason he is asking for a variance.

**Mr. Maringer moved to grant ZV-02-07 based on the finding of facts for 15' on the setback and 10' on the lot size. The motion was seconded by Mr. Webber and then unanimously approved.**

Since there was no further business the meeting was adjourned at 5:40 p.m.