

**Minutes of the Regular Meeting of the
Board of Adjustment**

**Tuesday, August 23, 2005
2:00 p.m.**

Lake Lure Municipal Center

Present: Beth Rose, Chairman
 Fred Noble
 Stephen Webber
 Nancy McNary
 Werner Maringer

Also present: Shannon Baldwin, Community Development Administrator
 Blaine Cox, Council Liaison

Absent: Mary Ann Dotson
 Harvey Jacques
 Susan Lynch, Code Enforcement Clerk, Recording Secretary

Chairman Rose called the meeting to order at 2:00 p.m.

Mr. Maringer moved to approve the agenda. The motion was seconded by Mr. Webber, and approved unanimously.

The minutes of the regular meeting from July 26, 2005 were accepted upon a motion by Mr. Webber. The motion was seconded by Mr. Noble and approved unanimously.

Appeal ZV-05-04, a request from Lyn Weaver, agent for Margaret Wellborn to reduce the minimum lot size from the required two acres for a lot zoned R1A to 1.25 acres. The applicant is requesting a reduction of .75 acres in lot size.

Lyn Weaver was sworn in. Mr. Webber made the motion this case be tabled; he felt Mrs. Wellborn's interest as the property owner is not adequately and legally represented. Mr. Webber also stated that there was inadequate documentation as to who the agent is. Mr. Maringer seconded the motion, and all were in favor.

Appeal ZV-05-05, a request by Stephen Smith of Aqua Blue Pools Inc., agent for Travis

Oates to relax the lake front setback from the required 35 feet to 5 feet 7/8 inches. The variance, if granted, will reduce the setback by 29 feet 11 1/8 inches.

Chairman Rose stated that the application was incomplete and made a recommendation for a survey of the full property, the house, and the pools relationship to the house and the lake. Mr. Maringer requested documentation on the height of the retaining walls. Ms. McNary questioned the location of the placement of large rocks/boulders on the property. Mr. Webber questioned the retaining wall at the parking turn about (which is in the setback); a retaining wall is allowed in a setback area when it is used to prevent erosion. The diagram also shows the corner of the two car garage in the setback. Mr. Webber agreed with the Chairman of the Board that a foundation survey is required and the board also needs all the specifications for the retaining walls; this information is necessary for the board to make an adequate determination. Chairman Rose asked Sid Harris, agent for Travis Oates to supply all the necessary documentation. Mr. Baldwin suggested the board specify exactly what the applicant needs to supply. Mr. Webber stated the board needs a foundation survey to show what has already been built, including the retaining wall in the setback area, the parking turn about, the house, and the proposed structure in relationship to the property. The entire Board of Adjustment was in agreement with Mr. Webber. Mr. Webber seconded the motion that this case be heard at a later time when the applicant has all the required information; all were in favor with this motion.

OLD BUSINESS

Ms. McNary questioned the status of the La Strada sign. Mr. Baldwin stated the sign issue has not been addressed.

NEW BUSINESS

Chairman Rose asked the board members to create a check list (for a flow chart) for the planned unit development process to assist Mr. Baldwin and the Zoning and Planning Board. Chairman Rose suggested the members of the board e-mail their suggestions to her so she can delete any duplications. Ms. McNary asked Mr. Baldwin if he could submit a draft of a flow chart so the board would have a guideline.

ADJOURNMENT

Mr. Webber moved to adjourn the meeting; Mr. Noble seconded; all were in favor.

Beth Rose, Chairman

Date

