

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

**Tuesday, May 27, 2014
1:00 p.m.**

Chairman Webber called the meeting to order at 1:05 p.m.

ROLL CALL

Present: **Stephen Webber, Chair**
 Michael Gray
 John Kilby
 Patricia Maringer
 Melvin Owensby
 David Butts, Alternate
 Mark Hoek, Alternate
 Roger Jolly, Alternate
 Bob Cameron, Council Liaison

Also Present: **Mike Egan, Community Development Attorney**
 Michelle Jolley, Recording Clerk
 Sheila Spicer, Zoning Administrator

Absent: **N/A**

APPROVAL OF THE AGENDA

Chairman Webber proposed adding the following changes:

- Item (C) should be corrected to ZA-2014001
- Item 6 (A) can be removed from the agenda. The parties involved have come to an agreement.

The agenda was unanimously approved as amended.

APPROVAL OF THE MINUTES

Ms. Maringer proposed changing the sentence on page 2, paragraph 4, to read, "Mr. Owensby and Chairman Webber reported they had visited the property together."

Ms. Maringer made a motion seconded by Mr. Gray to approve the minutes of the April 22, 2014 meeting as amended. All voted in favor.

HEARINGS

Chairman Webber advised all parties of the basic rules of the hearings.

- (A) VROP-2014008 continued, a vacation rental operating permit request from Exclusive Mountain Properties, agent for Barbara Pepin, to operate a residential vacation rental at 114 Scenic View Lane, Lake Lure, North Carolina (Tax PIN 229764)**

Ms. Spicer and Ms. Messer were previously sworn in at the April meeting. Ms. Messer stated there were no changes and the Board had no additional conflicts of interest. Chairman Webber pointed out the meeting was continued due to an ownership issue.

Ms. Messer stated three of the siblings on the deed have signed the agent authorization letter. However, she mentioned two of the siblings have since been divorced and their spouses at the time, who were listed on the deed as well, have not signed. Mr. Egan stated the signatures Ms. Messer provided would suffice.

Ms. Messer passed out copies of the signed agent authorization letters and Chairman Webber labeled the packet of letters as 'Applicant Exhibit 1.'

Chairman Webber pointed out that only three of the four siblings on the deed have signed. He stated the fourth owner of the property, Paul Pepin, would be required to sign the agent authorization letter, authorizing Barbara Pepin to act as agent. He then stated he would also need a current agent authorization letter from Barbara Pepin, authorizing Ms. Messer to act as her agent. He pointed out the hearing could be rescheduled as the last hearing and Ms. Messer could come back with the two documents requested. Ms. Messer requested to reschedule the hearing to obtain the agent authorization letters.

Chairman Webber rescheduled VROP-2014008 as item 4 (H) on the agenda.

- (B) VROP-2014009 continued, a vacation rental operating permit request from Spencer and Fran Fredell to operate a residential vacation rental at 117 Bald Mountain Lane, Lake Lure, North Carolina (Tax PIN 224453)**

Tracy McGlohon, with Buffalo Junction Properties and agent for the Fredell's, was sworn in. She stated the Fredell's were not present. The agent authorization letter was included in the packet. Chairman Webber pointed out the case was continued because of ownership issues. He stated they were told at the last meeting they would have to provide

a signed document from both property owners giving the Fredell's permission to rent the property. Ms. McGlohon presented a letter to Chairman Webber which was sent from an iPad. Chairman Webber explained the requirement was a signed letter and a letter sent from an iPad is not acceptable. Ms. McGlohon asked to reschedule the hearing to allow her time to get the signature needed.

Chairman Webber rescheduled VROP-2014009 as item 4 (I) on the agenda.

- (C) ZA-2014001, a petition for appeal of administrative determination from John & Betsy McKee regarding the Zoning Administrator's interpretation of Section 92.062 of the Town of Lake Lure Zoning Regulations for construction at 228 Picnic Point Road, Lake Lure, NC (Tax PIN 232100)**

David Lloyd, attorney for the McKee's, reported that, in light of information that has been provided by the Town, they would be withdrawing their request for an appeal and will instead apply for a variance at a later date.

Due to the fact that Ms. Messer had not yet returned to the meeting, Mr. Kilby suggested moving hearings 4 (D) VROP-2014010 and 4 (E) VROP-2014011 to the end of the agenda.

The Board unanimously approved to reschedule item 4 (D) VROP-2014010 and item 4 (E) VROP-2014011 to the end of the agenda, as item 4 (J) and 4 (K).

- (F) ZV-2014002, a request from Judith A. Taylor Revocable Living Trust for a variance from Section 92.040 of the Zoning Regulations for the minimum front (street) yard setback and the minimum front (lake) yard setback. The property (Tax PIN 221700) is located at 266 Picnic Point, Lake Lure, NC 28746**

Ms. Spicer, Dr. Robert Taylor, property owner, and Kim Warner, engineer for the project, were sworn in. Attorney Craig Justus was also present, representing Dr. Taylor.

Chairman Webber presented Mr. Justus with a copy of the record for ZV-2013002, which was a variance request from Dr. Taylor that was denied last year. Chairman Webber labeled this as 'Board Exhibit 1.' Two emails from 2013, which were circulated as a result of the denied variance case, were also presented to Mr. Justus, labeled as 'Board Exhibit 2.' Chairman Webber then presented Mr. Justus with a copy of an email he sent to Mr. Egan on May 27, 2014, which was labeled 'Board Exhibit 3.' Chairman Webber voiced concern as to whether the law of res judicata applied to this case. Mr. Justus reported he had previously called Mr. Egan asking if an application could be brought forth even though the case was denied in 2013, and Mr. Egan told him the case could be heard. Mr. Egan then confirmed to the Board the case could be heard. There were no conflicts of interest or ex parte communications reported. Dr. Taylor did not wish to challenge any Board members for cause.

Ms. Spicer presented the staff portion of the case. She stated that Dr. and Ms. Taylor are seeking permission to add an addition to their existing single-family dwelling. She stated the proposed construction encroaches into the front street yard and front lake yard setbacks; therefore, a variance is required before the certificate of zoning compliance is approved. She pointed out the packet includes an application and site plans prepared by Mr. Warner.

Mr. Justus presented the Board with a letter from Judith A. Taylor, trustee of the trust, authorizing Dr. Taylor to represent her in this case. This letter was labeled 'Taylor Exhibit 14' by Mr. Justus.

Dr. Taylor presented his case. He stated he is requesting a variance because his home is too small to accommodate his family while they are visiting. He mentioned he has revised his request, eliminating two bedrooms which were proposed in the request in 2013. He pointed out, without a variance, he cannot accommodate an addition. He then pointed out that he has acquired the adjoining property, but would not be able to build on this lot due to the topography being very long and steep. He stated the house on the property now would either need extensive renovation or would need to be demolished. He also mentioned the cost would be much higher to build on this property. Dr. Taylor's entire presentation was presented to the Board as 'Taylor Exhibit 15.' Also listed in his presentation are the revisions to the current request, in comparison to the request from 2013.

Mr. Justus presented a binder of information to the Board that he requested be added to the record. Discussion ensued regarding items that would and would not be accepted in the record. Chairman Webber eliminated all documents from the record that did not pertain to this case, keeping only the documents pertinent to the case.

Mr. Gray asked Mr. Warner if the ground or the foundation was stable enough to support a third floor. Mr. Warner stated the ground has not been evaluated but the foundation has shown to be unstable. Mr. Warner pointed out there would be a new foundation wall built to support a new building. Ms. Maringer asked if adding a new building would cause more pressure on the land and Mr. Warner stated a concrete foundation would be built designed to hold the structure in place and stated the structure would not move.

Mr. Justus noted the house was built in 1972, before the zoning standards were put in place. He mentioned Dr. Taylor is asking for an addition to accommodate only what he needs to support his family. He also stated his lot is the smallest lot in the neighborhood and the size and topography of the property is the reason for the variance request. Chairman Webber asked about building an addition on the larger lot that Dr. Taylor owns. Mr. Justus answered there is a dilapidated structure currently on that larger lot that would require substantial costs. He stated the reason Dr. Taylor bought that lot was to allow additional property to be added to eliminate the need for two variance requests. Chairman Webber pointed out regulations regarding adjoining contiguous lots. Ms. Spicer stated that Section 92.130 of the regulations states:

‘Only where the owner of a lot consisting of one or more lots of official record in any district at the time of the adoption of this chapter, or his successor in title thereto, does not own sufficient contiguous land to enable him to conform to the minimum lot size requirements of this chapter, may such lot be used as a building site subject to the provisions of § 92.101.’

Mr. Justus stated it would be an unnecessary hardship for Dr. Taylor to move his family to a structure on a different lot in a dilapidated condition. Chairman Webber pointed out that a side yard variance is not required based on the new plans. Dr. Taylor stated he is still planning to move the lot line and Chairman Webber mentioned this was not included in the packet. Mr. Justus stated Dr. Taylor plans to move the lot line to eliminate the minimum lot size request. He stated there would be no change to what was indicated in 2013. Ms. Spicer stated the property is already being used as a building site and, in her interpretation of the regulations, the lot line would not have to be moved and a minimum lot size variance would not be required. She pointed out she is looking at the scale shown on sheet 9. She also mentioned that the scale shown on the parking plan on sheet 8 does not appear to be correct. She stated she measured and sheet 9 appears to be correct. Mr. Justus pointed out sheet 8 shows where the line is being moved. Ms. Spicer noted the minutes from the April 23, 2013 hearing state that Suzy Smoyer, Planner & Subdivision Administrator, reviewed Dr. Taylor’s proposed lot change and could approve it as drawn. Discussion held.

Ms. Maringer pointed out she believes the hardship is a personal hardship and not a land hardship. Mr. Justus mentioned the lot is too narrow to add an addition to and again pointed out the property was bought before the regulations were in place. He stated Dr. Taylor changed his original request from 2300 square feet to 1500 square feet, which is what is needed to accommodate the family. Mr. Gray asked Dr. Taylor about parking and if fire trucks could get by with vehicles parked parallel to the street. Dr. Taylor stated they could get by with room to turn around and mentioned that additional parking has been added as well. Dr. Taylor stated they have never had any problems in the past with parking.

Discussion was held on the findings. Mr. Justus stated the hardship is the fact that Dr. Taylor cannot accommodate his family with the current structure. He stated all variance requests are for some type of personal reason and pointed out that Dr. Taylor’s lot is the narrowest and smallest lot in the neighborhood. If the variance is granted, Dr. Taylor mentioned he will not be asking for any more additions to his house. Mr. Justus stated this addition would only accommodate Dr. Taylor’s family.

There was no further discussion, so Chairman Webber closed the hearing.

During deliberations, Mr. Kilby stated he feels that Dr. Taylor needs this variance to accommodate his family and he is in favor of granting the variance. Ms. Maringer expressed concerns with the hardships being personal and the fact that it is a non-conforming structure. Mr. Egan clarified that the non-conforming structure issue is a non-issue in this variance and the hardship was not a self-created one in violation of the

regulations, since the structure was built before the regulations took effect. Chairman Webber expressed concerns with roof lines and blocking the view of the lake in the front of the house of the adjoining property owners. He then stated the zoning regulations allow a maximum of 35' from the average finished grade and this would not exceed that. After deliberations, Mr. Kilby made the following motion:

With regard to Case Number ZV-2014003, Mr. Kilby move the Board to find that the applicants have demonstrated that unnecessary hardship would result from carrying out the strict letter of §92.040 of the Zoning Regulations and, further, has demonstrated compliance with the standards for granting a variance contained in §92.088 of such Regulations. Accordingly, he moved the Board to grant the requested variance in accordance with and only to the extent represented by the application. Mr. Owensby seconded the motion. Mr. Gray, Mr. Kilby, Ms. Maringer, Mr. Owensby, and Chairman Webber voted in favor.

The Board stated they felt the requirements have been met. The variance was granted.

The meeting was recessed for five minutes. After the recess, Chairman Webber mentioned he received a note during the recess regarding agenda item (B) VROP-2014009 continued, which was rescheduled earlier in the meeting as agenda item (I), asking to reschedule until June. He stated this will now be on the June 24, 2014 agenda.

(G) VROP-2014012, a vacation rental operating permit request from Dutch Beukema, agent for Peggy Johnson, to operate a residential vacation rental at 161 Falcons Avenue, Lake Lure, North Carolina 28746 (Tax PIN 1612208)

Ms. Spicer and Mr. Beukema were sworn in.

There were no conflicts of interest reported. Mr. Beukema did not wish to challenge the Board for cause.

Ms. Spicer presented the staff presentation. She stated Mr. Beukema, agent for Peggy Johnson, is requesting a vacation rental operating permit to operate a 2-bedroom residential vacation rental. She pointed out the packet includes a completed application, an agent authorization letter from Ms. Johnson authorizing Mr. Beukema to act as her agent, a parking plan, a standard rental agreement, and verification from Jeanette Bosgra with Rutherford County Finance verifying that the property has been registered with the Tourism Development Authority.

Ms Spicer stated the Development Review Committee reviewed this application on May 15, 2014 and the minutes from that meeting are included in the packet. She noted there was a concern raised due to the fact there was no visible address posted at the property, and Mr. Beukema stated he would post one immediately.

Ms. Spicer pointed out the property is part of the Riverbend Subdivision, therefore requiring them to follow their covenants. She stated she contacted Riverbend to make

them aware of the application and mentioned she received a call today from Clyde Ingersoll, with the Riverbend Property Owners Association. She mentioned that Mr. Ingersoll relayed to her that property owners in Riverbend are allowed to have short-term rentals, but only if they are in good standing, but Ms. Johnson has outstanding dues. Ms. Spicer then stated she received an email from Mr. Ingersoll listing specific dollar amounts. She stated he then called and left her a voicemail requesting she not give out the dollar amounts that he had emailed her. Mr. Egan stated that Ms. Spicer should not share the information. Ms. Spicer mentioned Mr. Ingersoll requested the Board be notified that the property owner is not in good standing with their POA at this point. Mr. Egan stated that would be between the POA, the property owners and Mr. Beukema. Mr. Beukema responded that the property owners are current on the dues for this property, but they own the adjoining property also, which is not current on the dues.

Ms. Spicer noted the property name 'Lure Me' is already in use by another property, and the property owner would not be able to use that name.

There was no further discussion, so Chairman Webber closed the hearing.

With regard to application number VROP-2014012 for a vacation rental operating permit to operate a residential vacation rental in the R-1 zoning district Ms. Maringer moved the Board to find that the application is complete and that the proposed use, if operated according to the application and any conditions attached hereto, meets the following standards: (1) it will not materially endanger the public health or safety; (2) it will not substantially injure the value of adjoining or abutting property; (3) it will meet all standards and requirements specified in the regulations of the Town; (4) it will be in harmony with the neighborhood character and in general conformity with applicable elements of the Comprehensive Plan; and (5) satisfactory provision and arrangement has been made for those matters specified in §92.046(D) of the Zoning Regulations of the Town of Lake Lure.

Accordingly, she further moved the Board to grant the requested vacation rental operating permit in accordance with and only to the extent represented in the application and plans. Mr. Gray seconded. Mr. Gray, Mr. Kilby, Ms. Maringer, Mr. Owensby, and Chairman Webber voted in favor.

The Board felt that all standards have been met. The permit was granted with no conditions.

(J) VROP-2014010, a vacation rental operating permit request from Exclusive Mountain Properties, agent for Terrence & Jill Finnegan, to operate a residential vacation rental at 164 West Wilderness Road, Lake Lure, North Carolina (Tax PIN 228537)

Ms. Spicer, Melissa Messer, owner of Exclusive Mountain Properties, and Pat Sweeney, property manager with Lake Lure Village Resort and representing Bill and Joan West, an adjoining property owner, were sworn in.

Ms. Spicer noted that Mr. and Ms. West faxed in an agent authorization letter this morning, authorizing Mr. Sweeney to act as their agent. Mr. Sweeney reported that Mr. West is having heart surgery and asked him to attend on his behalf and ask the Board for a continuance, until he is able to attend the hearing and address the Board with concerns he may have. Mr. Spicer stated she spoke with Mr. West on May 22 by phone, who was concerned that the rental would devalue his property. Ms. Spicer stated Mr. West told her he had spoken with Joyce Bare, President of the POA, who was going to try and find someone to attend the hearing on behalf of Mr. West to request the hearing be postponed. Ms. Spicer stated she received an email from Ms. Bare, which she turned over to Chairman Webber. Chairman Webber mentioned that the email conveyed concerns the POA has with the rental devaluing property values and limiting the uses of the amenities by overcrowding. Ms. Spicer pointed out that Lake Lure Village Resort is an adjoining property owner. Mr. Egan noted an adjoining property owner does have standing and mentioned that the Board should hear from Ms. Messer.

Ms. Messer stated she would prefer to move forward with the hearing and not continue. Ms. Messer also pointed out that the POA also has standards that have to be met before someone is allowed to rent their property, even after the Town has granted a VROP. Ms. Spicer noted Ms. Bare mentioned to her in an email that they plan to attend the next annual meeting to address concerns they have.

Mr. Gray made a motion that VROP-2014010 not be continued to the July, 2014 meeting. Ms. Maringer seconded the motion. Mr. Gray, Mr. Kilby, Ms. Maringer, Mr. Owensby, and Chairman Webber voted in favor.

The continuance was denied.

Ms. Spicer presented the staff portion of the case. She stated that Ms. Messer is requesting a vacation rental operating permit to operate a 2-bedroom vacation rental. She pointed out the packet includes a completed application, an agent authorization letter authorizing Ms. Messer to act as agent for the Finnegan's, a parking plan, a standard rental agreement, verification from Rutherford County Finance stating this property has been added to Exclusive Mountain Properties' list of rentals with the Tourism Development Authority, and a copy of a septic improvement permit from Rutherford County Health Department.

Ms. Spicer stated the Development Review Committee reviewed the application on May 15, 2014 and the minutes from that meeting were included in the packet. She mentioned that a concern was raised during the meeting regarding trash containers and Ms. Messer responded guests are required to take trash to the community collection center that Lake Lure Village Resort provides. Ms Spicer noted she suggested moving the address to a more visible location and Ms. Messer stated she would mention it to the property owner. Ms Spicer mentioned the town regulations stipulate the address sign should be a contrasting color.

Chairman Webber asked Ms. Messer if there were already reservations for this week and Ms. Messer stated no. He pointed out there is a flood light located on the back corner of the house which was pointing towards the neighbor's house and recommended redirecting the light away from their house. He also recommended adding a padlock to the door located at the back of the house, instead of using a wire.

Mr. Egan noted the adjacent property could not appeal because they did not attend the meeting and receive party status. Mr. Egan stated the POA could address their concerns over rentals in general in their restrictive covenants.

There was no further discussion, so Chairman Webber closed the hearing.

With regard to application number VROP-2014010 for a vacation rental operating permit to operate a residential vacation rental in the R-3 zoning district Mr. Gray moved the Board to find that the application is complete and that the proposed use, if operated according to the application and any conditions attached hereto, meets the following standards: (1) it will not materially endanger the public health or safety; (2) it will not substantially injure the value of adjoining or abutting property; (3) it will meet all standards and requirements specified in the regulations of the Town; (4) it will be in harmony with the neighborhood character and in general conformity with applicable elements of the Comprehensive Plan; and (5) satisfactory provision and arrangement has been made for those matters specified in §92.046(D) of the Zoning Regulations of the Town of Lake Lure.

Accordingly, he further moved the Board to grant the requested vacation rental operating permit in accordance with and only to the extent represented in the application and plans. Ms. Maringer seconded. Mr. Gray, Mr. Kilby, Ms. Maringer, Mr. Owensby, and Chairman Webber voted in favor.

The Board felt that all standards have been met. Permit was granted with no conditions.

(K) VROP-2014011, a vacation rental operating permit request from Exclusive Mountain Properties, agent for Dr. John F. Dunbar, Jr., to operate a residential vacation rental at 187 Garner Drive, Lake Lure, North Carolina (Tax PIN 1609247)

Ms. Spicer, Melissa Messer, Mary Stroman, property owner at 197 Garner Drive, Drew Johnson and Edward Verville, property owners at 191 Garner Drive, and Gary Garner, property owner at 1204 Memorial Highway, were sworn in.

Mr. Gray reported he spoke with Peter Lane earlier today who had asked about the hearing. Mr. Gray reported he introduced himself and conveyed to Mr. Lane that he could not discuss the case with him. Chairman Webber stated he provided an email to Ms. Messer that he sent to Mr. Egan over the weekend regarding the Dunbar property. Mr. Kilby and Mr. Gray both reported that Ms. Messer is a client of theirs.

Chairman Webber pointed out this request is the same as VROP-2013005, submitted in 2013, which was granted with four conditions. He stated the applicant failed to comply with conditions resulting in a revocation hearing. He stated the applicant did not attend the revocation hearing which resulted in revocation of the permit. He mentioned the packet includes the two previous orders, which lists the four conditions. He noted the applicant was not in compliance with the fourth condition, regarding parking. Mr. Egan mentioned since this is a new application it should be a new hearing.

Chairman Webber mentioned he has a survey which he found online of the Verville and Johnson property which shows there is a 40 foot right-of-way (Garner Drive) which goes directly into their property. He mentioned that part of the Dunbar property runs across that, which was the reason a survey was requested. He mentioned there were lines painted on the road which are in the right-of-way. Chairman Webber stated the only condition outstanding was the survey and the parking area. Ms. Messer provided a survey to the Board. Chairman Webber accepted as Applicant Exhibit 1 and reported that the survey does not show the parking as being located completely on the Dunbar property and off of the travel way. He stated the previous condition imposed still stands.

Mr. Owensby stated he visited the property earlier today and parked in one of the marked parking areas and then marked on the highway with a piece of tape. He stated he then drove down the road alongside the tape and hit a row of bushes trying to get by. He then mentioned he left there and went to the Lake Lure Fire Department and got measurements on the fire vehicles. He stated the new fire truck would not be able to pass with vehicles parked in that painted area on the roadway.

Chairman Webber noted the parking diagram is fine but no one would be allowed to park in the right-of-way. Ms. Spicer conveyed that the parking spaces that were painted are located on the private portion of Garner Drive. Chairman Webber pointed out that the property would not be allowed to be used as a vacation rental since the permit was revoked in November, 2013 at the revocation hearing.

Ms. Messer stated she would like to withdraw her application. Mr. Gray pointed out that if the application is withdrawn, Dr. Dunbar would be required to pay all the fees again when applying for a vacation rental operating permit in the future. Mr. Egan stated the hearing could be continued and Dr. Dunbar would not bear the expenses again.

Ms. Stroman approached the Board stating she does not feel the case should be continued since the parking has not been resolved and Dr. Dunbar has not made an effort to attend the hearing. Chairman Webber conveyed that he feels it would be more respectful as Dr. Dunbar's agent for Ms. Messer to continue the case so he would not endure the fees again. He stated to Ms. Stroman that her comments would be considered.

Chairman Webber noted the agent for Dr. Dunbar has asked for a continuance and Ms. Messer stated she'd like to continue to the June 24 meeting.

Drew Johnson, adjoining property owner, approached the Board pointing out that the adjoining property owners have incurred significant expenses coming to the hearings and also have taken time out of their day to attend the hearings. He stated he feels the property owner has showed a lack of concern and requested the hearing not be continued.

Mr. Gray made a motion to continue VROP-2014011 to June 24, 2014. Ms. Maringer seconded. Mr. Gray, Mr. Kilby, and Ms. Maringer voted in favor. Mr. Owensby and Chairman Webber voted no.

Chairman Webber conveyed this is a simple majority requirement, requiring only three out of five to vote in favor to grant the continuance.

Motion passed and the hearing was continued to June 24, 2014.

(H) VROP-2014008 continued, a vacation rental operating permit request from Exclusive Mountain Properties, agent for Barbara Pepin, to operate a residential vacation rental at 114 Scenic View Lane, Lake Lure, North Carolina (Tax PIN 229764)

Chairman Webber stated the issues from earlier in the meeting have been resolved and the hearing could continue.

Ms. Spicer stated she received additional information. She mentioned she just received a completed application from Linda Ward, customer service supervisor, for connection to the Town sewer system. Ms. Spicer mentioned the total fees due, which include a double tap fee and two years back pay, are \$3,758.00. She pointed out the agent, Ms. Messer, is making the payments for those fees. She noted that one payment has already been received as of May 6, 2014 in the amount of \$1,000.00.

Ms. Maringer expressed concerns with the steps leading down to the water which have collapsed and have rusty nails sticking up and requested these be fixed. Ms. Messer stated this has not yet been fixed.

There was no further discussion, so Chairman Webber closed the hearing.

With regard to application number VROP-2014008 for a vacation rental operating permit to operate a residential vacation rental in the R-1 zoning district Mr. Kilby moved the Board to find that the application is complete and that the proposed use, if operated according to the application and any conditions attached hereto, meets the following standards: (1) it will not materially endanger the public health or safety; (2) it will not substantially injure the value of adjoining or abutting property; (3) it will meet all standards and requirements specified in the regulations of the Town; (4) it will be in harmony with the neighborhood character and in general conformity with applicable elements of the Comprehensive Plan; and (5) satisfactory provision and arrangement has been made for those matters specified in §92.046(D) of the Zoning Regulations of the Town of Lake Lure.

Accordingly, he further moved the Board to grant the requested vacation rental operating permit in accordance with and only to the extent represented in the application and plans. Mr. Owensby seconded. Mr. Gray, Mr. Kilby, Ms. Maringer, Mr. Owensby, and Chairman Webber voted in favor.

The Board felt that all standards have been met. Permit was granted with no conditions.

NEW BUSINESS

None

OLD BUSINESS

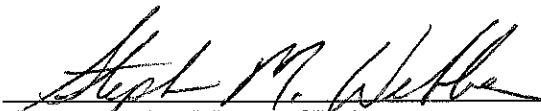
None

ADJOURNMENT

Mr. Kilby made a motion seconded by Mr. Owensby to adjourn the meeting. All voted in favor.

The meeting was adjourned at 4:56 p.m. The next regular meeting is scheduled for Tuesday, June 24, 2014 at 1:00 p.m.

ATTEST:



Stephen M. Webber, Chair



Michelle Jolley, Recording Clerk