

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

**Tuesday, October 23, 2018
1:00 p.m.**

Chairman Hoek called the meeting to order at 1:00 p.m.

ROLL CALL

Present: Mark Hoek, Chairman
Melvin Owensby
Bill Bay
Neil Gurney, Seated Alternate
David Lusk, Seated Alternate
Stephen Webber, Council Liaison
Wyn Hardy- Alternate

Absent: Lyn Weaver, Al Joyner- Alternate,

Also Present: Brad Burton, Code Enforcement Coordinator, Garrett Murphy
Sha'Linda Pruitt, Recording Secretary

APPROVAL OF THE AGENDA

Mr. Bay made a motion seconded by **Mr. Owensby** to approve the Agenda as presented. All voted in favor.

APPROVAL OF THE MINUTES

Mr. Bay made a motion seconded by **Mr. Gurney** to approve the minutes of the July 24, 2018 regular meeting as presented. All voted in favor.

HEARINGS

- (A) CUP-2018001, a request by John and Pamela Moore to establish a garage apartment. The property is located at 115 Lost Cove Drive, Lake Lure 28746

Mr. Burton stated that the Moore's requested a conditional use permit to establish a garage apartment at 115 Lost Cove Rd Lake Lure NC. Property is located in the R1 residential district which zoning does permit for the usage of a garage unit. Mr. Burton provides the definition of a garage apartment per the zoning ordinance and dwelling unit. Mr. Burton presents plans to the board of said unit as part of Mr. Moore's site specific plan submittal. The Board of Adjustments shall issue a permit if the application is complete, all applicable zoning standards are adhered too, including any special requirements. The Board is required to make certain findings a fact. For the record the application as received was complete, filled out and signed. All of the information was made available to staff when the packet was submitted. We have been out to the site and it is currently being used as a garage. That is all we have as staff to present.

Mr. Owensby asked whether this has been ran through Zoning

Mr. Burton- In context this is Mr. Moore's first step in going through zoning. To use the structure as a garage zoning was needed because it is deemed an accessory. To make this into a garage apartment Mr. Moore will need the approval of the Board.

Mr. Gurney inquired if Mr. Burton has had a chance to look into whether there sufficient parking

Mr. Burton – Yes for residential use only one parking space is required per our ordinance. Mr. Moore is good with parking.

Mr. Hoek stated it was now time for the applicant presentations and asked if Mr. Moore would like to add anything.

Mr. Moore responded that there is parking for at least 5 cars. The only for seeable objection that could possibly be made would be by the neighbors if he were to raise the roof which he is not.

Mr. Webber points out that the Board needs to take a polling and present the Findings of facts: We have one issue today and that is of a conditional use permit by John and Pamela Moore to establish a garage apartment. Property is located at 115 Lost Cove Rd.

The record shall reflect that Mr. Burton, Mr. Murphy and Mr. Moore were sworn in at 1:06pm.

For ethical considerations does any member of this board have any conflicts of interest or ex parte communications that would be otherwise able to make an impartial decision in this case?

Mr. Owensby let it be known that he spoke to Mr. Moore about a matter that was outside of this case. He wanted such to be known and out in the open. Mr. Bay stated that he too had spoken to Mr. Moore out in the parking lot but not about this case.

Mr. Moore was instructed that he may challenge the board with cause if he so chooses and Mr. Moore declined.

All members agree that the application was complete and meets all the standards and facts and was not granted any special treatment for the Findings of Facts.

Mr. Owensby passes a motion to grant the conditional use permit seconded by Mr. Bay

This case is closed.

NEW BUSINESS

None

OLD BUSINESS

None

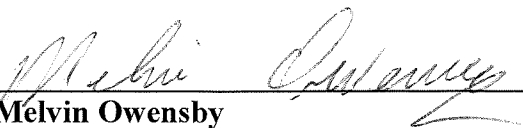
Council Liaison Report:

None but speaks to the effect of David leaving and points out there will be room for an alternative to take his place

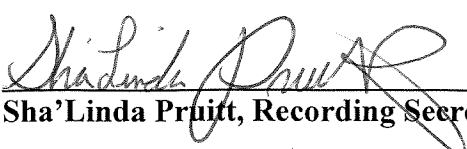
ADJOURNMENT

Mr. Lusk made a motion seconded by Mr. Gurney to adjourn the meeting. All voted in favor. The meeting was adjourned at 1:20 p.m. The next regular meeting is scheduled for Tuesday, November 20, 2018 at 1:00 p.m.

ATTEST:



Melvin Owensby



Sha'Linda Pruitt, Recording Secretary