



**Minutes of the Regular meeting of the
Lake Structure Appeals Board**

**Tuesday, September 24, 2013
2:40 p.m.**

Chairman Webber called the meeting to order at 2:40 p.m.

ROLL CALL

Present: Stephen Webber, Chairman
Michael Gray, Seated Alternate
Lance Johnson, Seated Alternate
John Kilby
Patricia Maringer
Melvin Owensby, Alternate
Bob Cameron, Council Liaison

Also Present: Michelle Jolley, Recording Secretary
Sheila Spicer, Zoning Administrator

Absent: N/A

APPROVAL OF THE AGENDA

Mr. Gray made a motion to approve the agenda. Ms. Maringer seconded the motion and all were in favor.

APPROVAL OF THE MINUTES

Mr. Johnson made a motion to approve the minutes of the August 27, 2013. Ms. Maringer seconded the motion and all were in favor.

NEW BUSINESS

None

HEARINGS

(A) LSP-2013007 continued, a request by Miles Champion, agent for Sylvia Pflum for approval of a deck top accessory structure. The property (Tax PIN 1627043) is located at 304 Seton Road, Lake Lure, North Carolina

Mr. Calhoun and Miles Champion were sworn in.

There were no ex parte communications or conflicts of interest reported. Mr. Champion did not wish to challenge the Board for cause.

Mr. Calhoun presented an overview of the case. He stated Mr. Champion, at the request of Sylvia Pflum, is proposing a deck top accessory structure as part of an application to construct a boathouse. He mentioned at the present time there is an existing uncovered dock and this is an atypical design for a decktop accessory structure with the covered area being split into two separate areas. He stated a decorative chimney with gas log inserts is also being proposed as part of this decktop accessory structure. Mr. Calhoun pointed out the packet includes an agent authorization letter, authorizing Miles Champion to act as Ms. Pflum's agent. Chairman Webber noted that the agent authorization letter is authorizing Mr. Champion to be her agent for a dock project and should request him as her agent for a decktop accessory structure. He stated he spoke with Mr. Egan regarding this prior to the BOA meeting and stated the Board should accept this letter and integrate Ms. Pflum's agent authorization letter for the BOA into the BOA minutes as well. Mr. Calhoun pointed out the 25 foot setback, shown on the survey included in the packet, is located in the wrong place and should be located on the property line on the right side of the survey. He stated letters were sent to the adjacent property owners and he did not receive any responses.

Ms. Maringer pointed out that an accessory structure is not to exceed a total of 25 feet in height and Chairman Webber and Mr. Calhoun confirmed that Mr. Champion's doesn't. Chairman Webber mentioned that, according to his calculations, Mr. Champion's decktop accessory structure exceeds the maximum area allowed in item (b) of the Decktop Accessory Structures Guidelines, which would require a variance. Chairman Webber pointed out that the chimney and fireplace are decktop accessory structures also and would require a variance because it exceeds 42 inches in height and is not completely open on all sides. Mr. Calhoun noted that he was aware of this and stated he explained to Mr. Champion that staff could not approve this; only the Board could approve it.

Chairman Webber explained to Mr. Champion that his interpretation of what he saw was that the decktop accessory structure is 10X26. Mr. Champion responded that he interpreted it as covered area and it is 150 square foot. He mentioned the owner wanted two covered roofs for the visual effect. Mr. Champion stated the owner is also requesting to have gas logs in the fireplace on the upper decktop accessory structure. Discussion held.

Mr. Champion asked Chairman Webber what his options are. Chairman Webber explained to Mr. Champion that, if he decides to proceed, he is going to vote no and

explained why. He asked Mr. Champion if he wished to amend his application. Mr. Champion responded that he would like to redesign the decktop accessory structure to comply with the regulations.

Mr. Champion asked to continue his case to the October meeting.

Mr. Gray made a motion to continue LSP-2013007 to the October 22, 2013 meeting. Mr. Johnson seconded and all were in favor.

OLD BUSINESS

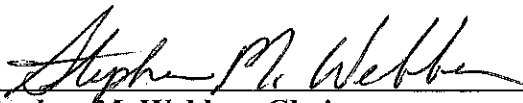
Chairman Webber mentioned that Town Council is going to appoint new Board members at the October meeting and asked if any of the alternate members did not wish to be considered for a regular position. All three alternates stated they would like to be considered.

ADJOURNMENT

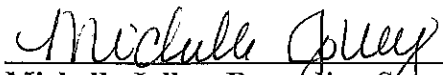
Mr. Kilby made a motion seconded by Mr. Gray to adjourn the meeting. The motion passed unanimously.

The meeting was adjourned at 3:05 p.m. The next regular meeting is scheduled for October 22, 2013 at 1:30 p.m.

ATTEST:



Stephen M. Webber, Chairman



Michelle Jolley, Recording Secretary