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Town of Lake Lure

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Minutes of the Regular Meeting of the Zoning and Planning Board

Tuesday, May 15, 2012

Lake Lure Municipal Center

ROLL CALL

Present: Paula Jordan
Ric Thurlby
Bruce Barrett
John Wisniewski
Thomas McKay
John Moore, Town Council Liaison

Also Present: Suzy Smoyer, Planner/ Subdivision Administrator, Recording Secretary
Shannon Baldwin, Community Development Director
Sheila Spicer, Zoning Administrator
Clint Calhoun, Environmental Management Officer

APPROVAL OF THE AGENDA

Paula Jordan called the meeting to order at 9:34 a.m. Mr. Barrett made a motion to approve the agenda with the recommended changes. Mr. Wisniewski seconded the motion. All were in favor.

APPROVAL OF THE MINUTES

The minutes of the March 20, 2012 regular meeting were approved as written upon a motion made by Mr. Wisniewski and seconded by Mr. Barrett.

ELECTION OF NEW OFFICER

There was a brief discussion regarding election of a new Vice-Chair. After John Wisniewski was nominated, he informed the Board that he was unable to serve a Vice-Chair. Mr. Barrett nominated Ric Thurlby as Vice Chair. Mr. McKay seconded the motion and all were in favor.

NEW BUSINESS

(A) VROP-2012010, A Vacation Rental Operating Permit Request from Betty Strickland to Operate a Residential Vacation Rental at 189 Cameron Lane, Lake Lure North Carolina

Zoning Administrator Sheila Spicer gave an overview of the request by Dwight and Mary Strickland for a vacation rental operating permit (VROP) to operate a 3 bedroom residential vacation rental at 189 Cameron Lane. The property is located in Rumbling Bald Resort and is zoned R-3, Resort Residential. The Development Review Committee (DRC) minutes are included in the Zoning and Planning Board packet. Section 92.042 (C) (1) of the Zoning Regulations states that VROP applications are to be deemed in the nature of and processed as a conditional use permit. Ric Thurlby asked about the required parking spaces. Ms. Spicer noted that a residential vacation rental (RVR) requires one commercial space. After a brief discussion, **Tom McKay made a motion to recommend approval of the VROP. Ric Thurlby seconded the motion. All were in favor.**

Paula Jordan asked if the new process requires the Zoning and Planning Board (ZPB) review each VROP. Ms. Spicer noted that not all VROP are required to be reviewed by the ZPB, only VROPs that include changes to the structure. However, staff will run the first few applications by the ZPB on a trial basis.

(B) Discussion regarding an amendment to the Zoning Regulations to add duplexes as a permitted or conditional use in the R-2 General Residential Zoning District

Shannon Baldwin gave an overview of past amendments to the Zoning Regulations noting that there were overlapping definitions. When this issue was corrected, the term duplex was inadvertently left out of the R-2 Zoning District. The proposed amendment can either allow duplexes as a permitted use or as a conditional use. Ric Thurlby made a motion to recommend amending the Zoning Regulations to allow duplexes as a permitted use in the R-2 Zoning District, finding that the amendment is consistent with the Lake Lure Comprehensive Plan. Mr. Wisniewski seconded the motion and all were in favor.

(C) Discussion regarding an amendment to the Zoning Regulations to reduce or eliminate lake front setback requirements in the GU, Government Zoning District

Shannon Baldwin explained that there was a minimum lake front setback of thirty-five feet in all zoning districts, including the GU Government Use Zoning District. There have been a number of recent projects that brought to light some of the issues with constructing structures that meet this setback that also adequately serve the public need. The Town Council has asked the Zoning and Planning Board to study the issue and consider recommending an amendment that relaxes or removes the lake front setback requirement in the GU Zoning District. There is also a State mandated 25 feet setback

from Lake Lure because it is classified as trout waters. However, there is some flexibility with this requirement. There was a long discussion that followed, specifically concerning removing the trout water classification of the lake. It was determined that the LAB would be the most appropriate board to consider such a recommendation. In regards to the lake front setback in the Zoning Regulations, Mr. Baldwin noted that Town Council has to approve all development in the GU Zoning District. It was noted that projects should be looked at on a case by case basis. There was concern regarding treating government property different from private property. **Bruce Barrett made a motion to recommend that the regulations remain as currently written. Ric Thurlby seconded the motion and all were in favor.**

(D) CU-2012001, A Conditional Use Permit Request from Lake Lure Village Resort for a Common Amenity in the R-3 Resort Residential Zoning District

Sheila Spicer gave an overview of the proposal. Lake Lure Village Resort is requesting a conditional use permit to construct a gazebo on a lakefront parcel owned by the Property Owners Association. The gazebo will be used by property owners in the resort and their guests, and will not be for the use of the general public; this qualifies as a common amenity. The property is located in the R-3 Resort Residential zoning district, and common amenities are a conditional use in the R-3 district. The Development Review Committee reviewed this application on April 10, 2012. The minutes from that meeting are included in the packet. She explained that the applicants would also need approval of a variance for locating in the lake front setback. The CUP and the variance will go to the Board of Adjustment at the same meeting. **John Wisniewski made a motion to recommend approval of the request, and Tom McKay seconded the motion. All were in favor.**

OLD BUSINESS

(A) Report and Final Recommendation from Sign Subcommittee

Sheila Spicer gave an overview of the progress of the sign sub-committee. The Zoning and Planning Board appointed Paula Jordan and John Wisniewski to serve as the sign subcommittee on January 17, 2012. The subcommittee was asked to study two separate issues relating to signs in Town limits. They met on four separate occasions from January through March of this year.

One issue discussed by the subcommittee was off-premise advertising signs for civic organizations. This was first brought to the Zoning and Planning Board's attention in September, 2011 at the request of Town Council. The Board chose at that time to table the issue until after reviewing applicable sections of the 2007-2027 Town of Lake Lure Comprehensive Plan, specifically the sections pertaining to economic development, community appearance, and transportation. The subcommittee discussed this topic at three of its four meetings and decided on February 13, 2012 to recommend that any further discussions regarding off-premise advertising be deferred until after the Town further studies wayfinding signs during the Comprehensive Transportation Plan study.

The other issue discussed by the subcommittee involved abandoned signs as defined by the Zoning Regulations. The discussions concerned the potential aesthetic impacts to the Town as well as the economic impacts to property owners if the Town requires that these signs be removed. After conducting an inventory and discussing the aspects of each individual sign, the subcommittee decided at their March 19, 2012 meeting to recommend that no changes be made to the regulations concerning abandoned signs, since they felt all of the existing abandoned signs could be brought into compliance without significant costs to the property owner and undesirable impacts to the community.

Bruce Barrett made a motion to support the subcommittee's recommendation to not recommend any changes to the sign regulations. Mr. Wisniewski seconded the motion and all were in favor.

COMPREHENSIVE PLAN PRESENTATIONS

Paula Jordan suggested that Mr. Calhoun and Mr. Givens do a follow-up presentation to John Wisniewski's presentation on Lake and Boat Management.

After a brief discussion, it was decided that new Board Member, Mr. McKay, would make a presentation on Land Use and Growth Management.

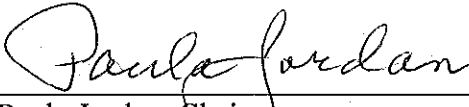
TOWN CENTER MASTER PLAN UPDATE

Shannon Baldwin gave an update on the Town Center Master Plan. Paula Jordan noted that the work day was an excellent arrangement and a lot was accomplished. The next steering committee meeting will be held on May 31, 2012.

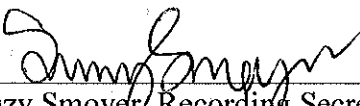
ADJOURNMENT

Upon a motion by Mr. Barrett and seconded by Mr. Thurlby, the meeting was adjourned at 10:36 a.m. The next regular meeting is scheduled for Tuesday, June 19, 2012 at 9:30 a.m. at the Lake Lure Municipal Center.

ATTEST



Paula Jordan, Chair



Suzy Smoyer, Recording Secretary