



Minutes of the Regular Meeting of the
Zoning and Planning Board

Tuesday, January 19, 2016

Lake Lure Municipal Center

ROLL CALL

Present: Thomas M McKay, Chair
Bruce Barrett
Charlie Ellis
Jonathan Hinkle
Norman McGlohon
Stephen Webber, Town Council Liaison

Absent: Shannon Baldwin, Community Development Director

Also Present: Michelle Jolley, Recording Secretary
John Moore, Town Council Liaison
Sheila Spicer, Zoning Administrator

The meeting started at 9:30 a.m. Mr. Barrett gave the invocation.

APPROVAL OF THE AGENDA

Mr. Barrett made a motion to approve the agenda as presented. Mr. McGlohon seconded the motion. All voted in favor.

APPROVAL OF THE MINUTES

Ms. Spicer requested taking out the word "not" in the second sentence on page 6 out of the November, 2015 minutes.

Mr. Barrett made a motion to approve the minutes of the November 17, 2015 regular meeting as amended and the December 1, 2015 recessed meeting as presented. Mr. Ellis seconded the motion. All voted in favor.

NEW BUSINESS

A. Election of Officers

Mr. Barrett nominated Chairman McKay to continue serving as Chairman. There were no other nominations. The Board unanimously voted for Chairman McKay to continue serving as Chairman.

Mr. Barrett nominated Charlie Ellis to serve as Vice-chair. The Board unanimously voted for Mr. Ellis to continue serving as Vice-chair.

OLD BUSINESS

A. Discussion on Non-Conforming Lots of Record Amendment

Ms. Spicer provided the Board with an overview on the proposed amendment. She noted that the requested amendment only concerns Section 92.101B. She mentioned there recently was a change to the minimum lot width of a building site; it no longer applies to existing lots of records. She stated that if a property is more than 20% below, can meet all other dimensional and setback requirements, and there is an attorney's Certificate of Title, the current regulations still require the property owner of a non-conforming lot of record to appear before the Board of Adjustment for a variance. She stated these variance requests really should not be turned down. Chairman McKay asked about an attorney's Certificate of Title. Ms. Spicer explained an attorney's Certificate of Title and non-conforming lots of record. Commissioner Webber further explained that if the property owner can meet the setback requirements, this amendment would simplify the process to get the permit and would not require the property owner that can meet setback requirements to appear before the Board of Adjustment with a variance request, because a variance would not be required. Ms. Spicer conveyed that the Community Development Attorney, Mike Egan, has reviewed the proposed amendment and felt it would be a good change to the regulations. Commissioner Webber noted the proposed language of the amendment is spelled out in the October 7th memo included in the packet. The Board held discussion on the topic.

Mr. McGlohon made a recommendation that Town Council approve the non-conforming lots of record amendment with the changes to Section 92.101 B in its entirety, as shown in the October 7th memo.

Ms. Spicer pointed out that there needs to be a plan consistency statement in the motion, which is a requirement of the Zoning Regulations.

Mr. Ellis moved to amend the original motion to include that it is neither consistent nor inconsistent with the 2007-2027 Comprehensive Plan. Mr. Hinkle seconded the amended motion. All members voted in favor of the amendment to the original motion.

All Board members voted in favor of the original motion with the amendment.

PLANNING PROJECTS UPDATE

The Board reviewed and discussed the Planning Projects Update. Ms. Spicer stated she would ask Mr. Baldwin to send an email to all Board members providing a current update on the Comprehensive Plan. Commissioner Webber noted that the new Utility Board will hold its first meeting on February 2nd.

Upon a motion by Mr. Barrett and seconded by Mr. Ellis, the meeting was adjourned at 10:27 a.m. The next regular meeting is scheduled for Tuesday, February 16, 2016 at 9:30 a.m. at the Lake Lure Municipal Center.

ATTEST



Thomas M McKay, Chair



Michelle Jolley, Recording Secretary