

TOWN OF LAKE LURE • P. O. BOX 255 • LAKE LURE, N.C. 28746
704/625-9983 • 704/625-9396 • FAX 704/625-8371

**MINUTES OF THE RECESSED MEETING OF THE LAKE LURE TOWN
COUNCIL HELD TUESDAY, NOVEMBER 10, 1992 AT THE LAKE
LURE COMMUNITY CENTER AT 7:00 P.M.**

PRESENT: Mayor Priscilla Doyle
Commissioner Bill Bush
Commissioner Jack Donovan
Commissioner Alex Karr
Commissioner Max Lehner

Thomas M. Hord, Town Manager

ABSENT: N/A

Mayor Doyle called the meeting to order at approximately 7:00 p.m.

Council met with members of the Lake Advisory Committee to discuss the proposed policy/ordinance regulating the construction and use of structures on Lake Lure and listened to citizen comments concerning parts of the draft which were presented to Council by the Lake Advisory Committee.

Commissioner Lehner expressed that Council wants to put into effect a policy/ordinance that can be enforced.

The policy/ordinance states that "the lake boundary is that property between the shoreline and the point 995 feet above mean sea level. The shoreline is defined as that point 990 feet above mean sea level."

Before any construction can begin on the lake, a zoning permit must be obtained from the Lake Lure Zoning Administrator and a building permit must be obtained from the Rutherford County Building Inspector. These structures

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include stationary and floating structures, access ramps and fuel dispensing systems for boats.

Under the draft, if construction is started without a permit, legal action may be taken to stop construction, and the Town Council can force a return of the site to its original condition.

Council discussed the portion of the draft dealing with the prohibition of floats. It was the consensus of Council to eliminate from the draft the prohibition of floats, and instead require that all floats must meet certain criteria. Floats currently in place will remain, provided they are within compliance. Before a new float can be approved, a drawing of the float and its location will have to go before the Board of Adjustment for approval. The floats must be within compliance.

According to the draft, floats and all other structures cannot be located in water more than 30 feet, or one-third of the distance to the opposite shore, whichever is less.

Council discussed the height of structures on the lake. No lake structure can exceed 15 feet in height above the shoreline. This does not include the additional height of railings around a rooftop deck.

Council discussed the concern of persons taking up residence in boat-houses. Therefore it was the consensus of Council to approve the portion of the draft dealing with lake structures not serving as a temporary or permanent living quarters, including boat-houses. Existing structures would be grandfathered in, but no new construction would be allowed of a structure on the lake used as living quarters. Under the proposed policy/ordinance boat-houses can only have a roof, no walls, if there is no residence on the same or adjoining lot with the same owner.

All property owners are required to construct a sea wall on every lot with a lake structure unless they receive a written exemption from the zoning administrator that states the property is free of erosion potential.

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Some of the prohibited uses on the lake are dredging or filling which alters the "shoreline;" the cutting of standing trees at or below the "lake boundary;" any use of the lake bed requiring disposal of any trash, brush, leaves or scrap building materials into the lake; allowing any livestock or commercially raised animals to have access to the lake or its shoreline; use of the waters for commercial irrigation purposes; or mooring a boat or float alongside a lake structure in such a way that it may restrict the passage of boats.

Council discussed the portion of the draft dealing with "a deposit of compliance". A \$500 deposit must be made for any structure or alteration costing more than \$1,000 and less than \$5,000, or \$1,000 deposit for any structure or alteration costing more than \$5,000. Council agreed that as long as construction is under \$1,000, no deposit would be required. The purpose of the deposit of compliance is to help guarantee that construction will be in compliance, construction materials will be cleaned up, etc. Also, the deposit will be available for legal action if the regulations are not followed.

The next item of discussion pertained to Section 12 - Cluster Mooring Facilities. Cluster Mooring Facilities may be installed in lieu of private docks or boat houses adjacent to property that is zoned R-3 or C. The same requirements apply to cluster mooring facilities as do to all other lake structures except they must be open (no roofs), and have no more than three (3) individual boat slips per one hundred (100) front feet of lake front property that is owned by the applicant and that is free of any lake structures (other than "sea walls"). The Lake Structures Appeals Board will review each Lake Structure Permit Application for a Cluster Mooring Facility to approve its size and location with regard to navigation and boating safety.

It was the consensus of the Council to refer to the Board of Adjustment as the Board of Appeals when dealing with structures on the lake. Therefore, the Board of Appeals will be referred to throughout the policy/ordinance.

The property owner will be required to pay a one-time application fee, established by Council, which would take care of the costs of processing the application itself, the issuance of building permits and any necessary final

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inspections of the site. Once the structure is finally approved, it would be affixed with a "lake structure certificate". The certificate must be attached to the lake structure so it is visible from the water and be renewed every three years. Any structure not having a Lake Structure Certificate attached shall be considered in violation of the policy/ordinance.

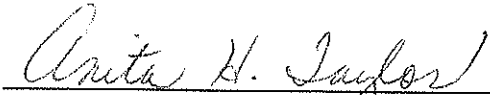
The Town would keep records of the numbers, which would tell officials what's been approved and what's supposed to be in place. Inspectors who make periodic trips around the lake would then need only glance at the registration number to ensure that structures were properly registered.

The Town of Lake Lure shall have authority to condemn any lake structure due to decay, disrepair or any hazardous condition. The property owner will be given a written notice and ninety (90) days to comply with the Town Council's determination. If the owner fails to appeal to come before the Town Council for a hearing or comply with their determination, Council may revoke their Lake Structure Certificate and remove the structure at the property owners expense.

Bob Washburn, Chairman of the Lake Advisory Committee, will revise the draft policy to reflect the changes requested by the Town Council for final approval.

With no further items of discussion, Commissioner Karr moved, seconded by Commissioner Bush, to recess to Tuesday, November 17, 1992 at the Lake Lure Community Center at 3:00 p.m. for the purpose of meeting with McGill and Associates to review a proposed rate study for water and sewer. The vote of approval was unanimous.

ATTEST:


Anita H. Taylor, Town Clerk


Mayor Priscilla Doyle

