



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 REGULAR MEETING OF THE LAKE LURE TOWN
COUNCIL HELD TUESDAY, JANUARY 26, 1993 AT 7:30 P.M. AT THE
COMMUNITY CENTER.**

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

J. Christopher Callahan, Attorney
Thomas M. Hord, Town Manager

ABSENT: N/A

CALL TO ORDER

Mayor Doyle called the meeting to order at approximately 7:30 p.m.

INVOCATION

Tom Hord, Town Manager, gave the invocation.

APPROVAL OF MINUTES

Commissioner Lehner moved, seconded by Commissioner Bush, to approve the minutes, as presented, of the Tuesday, December 15, 1992 Regular Council meeting and the minutes of the Tuesday, January 5, 1993 Recessed

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Council meeting. The vote of approval was unanimous.

AUDIENCE OF CITIZENS

John Kilby, resident of 13 Neighborly Drive, requested that the level of the lake be lowered to approximately 4 to 4-1/2 feet. Mr. Hord assured Mr. Kilby that the intentions are to lower the lake to the level requested. However, the weather has delayed the process.

Michael Banks, owner of Necro Designs Tattoo Parlor, discussed with Council his concern of the proposed commercial regulations which were to be formally presented to Council. Council informed Mr. Banks that if they adopted the proposed commercial regulations in its present format, as an existing use this business would be allowed to continue by grandfathering.

REQUEST FOR POSSIBLE CHANGES OR AMENDMENTS TO SIGN ORDINANCE CONCERNING OFF PREMISE ADVERTISING

Mr. Jack Stanier came before Council and requested that Section 1310 Signs Prohibited - (5) Off-Premise signs along public thoroughfares of the Sign Ordinance be amended by stating off-premise signs are allowed if in accordance and/or compliance with state and/or federal regulations.

Mr. Stanier stated that if his request is approved, the Lodge on Lake Lure would like to pursue leasing land from the Town on the Northwest corner of Highway 74 and Charlotte Drive to erect a sign.

Mr. Stanier emphasized that, if approved, they would work with the proper Town officials as far as size, appearance, construction, etc.

Council pointed out that Section 1403 of the Lake Lure Sign Ordinance reads that **before taking any action on a proposed amendment to the**

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ordinance, the Town Council shall consider the Zoning and Planning Board's recommendations on each proposed amendment. The Zoning and Planning Board shall have thirty-five (35) days after the first consideration of the application within which to submit its recommendations to the Town Council. Failure of the Zoning and Planning Board to submit recommendations within the thirty-five (35) day period shall constitute a favorable recommendation.

Therefore, it was the consensus of Council that Mr. Stanier should go before the Zoning and Planning Board with his request.

<p>REQUEST FOR BOATHOUSE VARIANCE</p>
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Mrs. Donna Sams came before Council requesting a variance to continue the construction of her boathouse.

Mrs. Sams was granted permission at the August 25, 1992 Regular Council Meeting to continue construction of her boathouse, according to the plans submitted, if in accordance with all the existing zoning provisions.

The construction of the boathouse, however, was stopped due to height restriction on October 2, 1992. During inspection, it was determined that Mrs. Sam's boathouse was not only out of compliance with height, but was also out of compliance with the sides.

Dr. Metcalf, neighbor of the Sams, spoke to Council regarding the boathouse as it is currently constructed. Dr. Metcalf stated that the boathouse has hidden his view of the lake.

Commissioner Karr moved, seconded by Commissioner Bush, to table this item until they could review the matter more thoroughly. The vote of approval was unanimous.

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RECOMMENDATION CONCERNING COMMERCIAL ZONES

Dick Washburn, Chairman of the Planning and Zoning Board, presented to Council a recommendation in regard to commercial zoning and recommended its adoption by the Town Council.

For the past several months the Planning and Zoning board has been studying the Town's commercial regulations and districts and how they may be improved. As a result, the Board proposes three steps which they feel will create a more efficient and satisfactory commercial zoning for the Town. These steps are: (1) to delete Section 801, Conditional Uses on U. S. Highway 64/74, Buffalo Creek Road, and Other Thoroughfares from the Zoning Ordinance, (2) to revise Section 606, C-1 General Commercial Districts, and (3) to amend the zoning map to include three additional commercial zones and extend one existing commercial zone to supplement the commercial area currently available.

The Board has prepared a revision of Section 606 which incorporates the following:

A more specific listing of uses permitted, including the following categories: Medical services, professional offices, public and cultural buildings, retail sales, consumer services, hospitality services, and residences.

Additional conditional uses for produce stands and outdoor recreational facilities.

Additional prohibited uses, including sale of obscene materials and tattoo parlors.

Stricter requirements for side and rear yards, buffers, and ingress/egress.

In conjunction with these proposed changes to the text of the Ordinance, the Board recommends that the existing commercial zones in Town be

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supplemented with three additional commercial areas and that one existing commercial zone be extended. Proposed changes to the map are as follows...

A new commercial zone including the properties between Harris Road and U.S. 64/74.

A new commercial zone including the property currently known as Timberbrook Campground.

A new commercial zone in the Snug Harbor area including several established commercial uses on both sides of U.S. 64/74.

Extension of the commercial zone along N. C. 9 south to the town limit line.

Commissioner Bush moved, seconded by Commissioner Karr, to accept the proposed zoning plan, as presented by the Planning and Zoning Board, and that copies will be made available at Town Hall for the public for the cost of copies (.25 per page). Also a public hearing will be held at the Tuesday, February 23, 1993 Regular Town Meeting at the Community Center at 7:30 p.m.

PRESENTATION OF WATER AND SEWER RATE STUDY

Council was presented with a water and sewer rate study which was prepared by McGill and Associates, Asheville, NC.

Mr. Hord announced that the rate study would be available for public review at the Town Hall.

Commissioner Lehner moved, seconded by Commissioner Karr, to accept the recommendation from McGill and Associates and to call for a public hearing on the water and sewer rate study scheduled to be held Tuesday, February 9, 1993 at 7:30 p.m. at the Community Center.

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ZEBRA MUSSEL COMMITTEE REQUESTS FOR ACTION

Commissioner Bush moved, seconded by Commissioner Donovan, to table the Zebra Mussel Committee requests until the Regular Council Meeting scheduled to be held Tuesday, February 23, 1993 at 7:30 p.m. at the Community Center. The vote of approval was unanimous.

REQUEST TO CONDUCT A FISHING TOURNAMENT

Alan Castorr, representing the fishing tournament, was not present. Therefore, this item was not considered.

**REQUEST TO LOWER LAKE AN ADDITIONAL
12 TO 18 INCHES**

Mr. Elton Todd, property owner whom had made the request for the lake to be lowered an additional 12 to 18 inches, requested that this item be removed from the agenda. Therefore, this item was not considered.

**REQUEST TO APPROVE STABLING OF HORSES
WITHIN TOWN LIMITS**

Mr. Matthew Gellert requested approval from the Town Council regarding the stabling of horses within the Town of Lake Lure City Limits.

The current Town Ordinance prohibits the keeping or maintaining of livestock which include any cow, horse, pony, mule, sheep, goat, hog, or other livestock or fowl. The livestock cannot be on any lot, or within any pen, stable, or other enclosure or building within the corporate limits.

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It was the consensus of Council to allow Commissioner Bush to prepare a draft revision to the ordinance pertaining to keeping or maintaining horses within the corporate limits, and present to Council for discussion within 30 days at the Tuesday, February 23, 1993 regular Council meeting.

PLANNING AND ZONING BOARD ANNUAL REPORT FOR 1992

The Lake Lure Zoning and Planning Board presented to Council their annual report for 1992 as requested by Council. (Copy attached).

BOARD OF ADJUSTMENT ANNUAL REPORT FOR 1992

The Lake Lure Board of Adjustment presented to Council their annual report for 1992 as requested by Council. (Copy attached).

OTHER NEW BUSINESS

There was no further new business for discussion.

STAFF REPORTS

Mr. Hord reported that the Town has taken possession of the dredge from H & H Pump and Dredge Company. The maintenance men are currently learning on the job.

Sam Karr, Finance Director, presented the monthly finance report to


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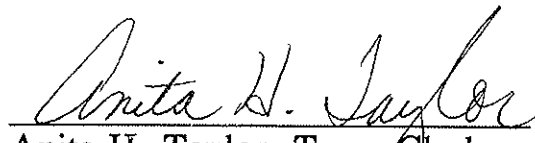
Council for their review.

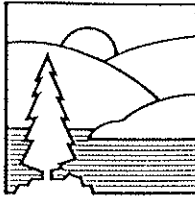
Commissioner Bush recommended that the lake should be drawn on down, by generator, to the 4-1/2 feet level if the weather has not permitted this process to be accomplished within the week. It was the consensus of Council that this procedure shall be done.

With no further items of discussion, Commissioner Bush moved, seconded by Commissioner Lehner, that we adjourn until the regular Council workshop which will be held at the Lake Lure Community Center on Tuesday, February 9, 1993 at 10:00 a.m. The vote of approval was unanimous.

ATTEST:


Mayor Priscilla Doyle


Anita H. Taylor, Town Clerk



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**TOWN OF LAKE LURE
BOARD OF ADJUSTMENT
ANNUAL REPORT FOR 1992**

This has been a busy year. During 1992, the Board of Adjustment heard a total of thirty-two cases. About 44% of the cases before the Board were variance requests, and 53% were requests for conditional use permits. The Board heard one Appeal of the Zoning Administrator's Decision. In addition, the Board ...

- . Revised its by-laws and adopted them at the April 14 meeting.
- . Set a deadline for applications to the Board of ten (10) working days prior to the Board's meeting date.
- . Met with the Lake Advisory Committee to provide input on the Committee's draft of the new Lake Structures Ordinance.
- . Was appointed to serve also as the Lake Structures Appeal Board to hear variance requests and appeals in regard to structures on the lake.

The Board heard fourteen (14) variance requests. Of these, ten (10) were approved. The variance cases heard were as follows:

Feb. 11	92/187	Jim Griffin	Approved
Feb. 11	92/188	Arcade Merchants	Approved
Mar. 10	92/191	Richard & Doris Lane	Approved
Apr. 14	92/190	Elsie & W.P. Willis	Denied
Apr. 14	92/192	Junie L. White	Approved
Apr. 14	92/194	Virgil Franks	Approved
Apr. 14	90/169	Geneva Motor Court	Approved
May 19	92/193	Francis & Audrey Ladr	Denied
Aug. 11	92/206	Frances S. Queen	Denied
Aug. 24	92/199	Henry & Peggy Gill	Approved
Aug. 24	92/201	Lorna Loveless	Denied
Sep. 8	92/209	Hans & Lucia Balmer	Approved
Sep. 8	92/210	Lorna Loveless	Approved
Dec. 8	92/215	Hugh Pittman	Approved

Board of Adjustment Annual Report
January 1993
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The Board heard seventeen (17) requests for conditional use permits. Of these, nine (9) were approved. The majority of these cases were requests for conditional uses under Section 801 of the Zoning Ordinance. The conditional use cases heard were as follows:

Jan. 14	92/184	Carolina Water Service	Approved
Jan. 14	92/186	James & Paula Barrett	Denied
May 12	92/195	Russ Webb	Withdrawn
May 19	92/196	Betty Zeiger	Approved
May 19	92/197	Casa Bacot	Approved
Aug. 11	92/207	Logan Realty Group	Denied
Aug. 24	92/198	Katherine Whaley	Denied
Aug. 24	92/200	Hickory Nut Gallery	Approved
Aug. 24	92/202	John Lawter	Approved
Aug. 24	92/203	James & Paula Barrett	Denied
Aug. 24	92/204	Ernest Hohimer	Withdrawn
Aug. 24	92/205	Frederic & Teresa Wilchester	Withdrawn
Aug. 24	92/207	Logan Realty Group	Approved
Oct. 13	92/211	Ernest Hohimer	Approved
Oct. 13	92/212	Katherine Whaley	Approved
Oct. 13	92/213	Lake Lure Cedar Homes, Inc.	Denied
Dec. 8	92/214	Lake Lure Cedar Homes, Inc.	Approved

James and Paula Barrett appealed the decision of the Zoning Administrator (Case #92/189) at the Board's February 17 meeting. The Board upheld the Administrator's decision.

The Board of Adjustment feels that much has been accomplished in 1992. Its members look forward to serving the community in 1993 and the years to come.