

REGULAR MEETING
TOWN OF WAYNESVILLE
BOARD OF ADJUSTMENT
DECEMBER 2, 2008
TUESDAY - 5:30 P. M.
STATION #2, 280 GEORGIA AVENUE

The Board of Adjustment held a regular meeting Tuesday, December 2, 2008. Members present were Gail Cross, Mack Noland, Mike Erwin, John Richardson and Neal Ensley. Also present at the meeting were Land Development Administrator Byron Hickox and Deputy Town Clerk Freida Rhinehart. Chairperson Mike Erwin called the meeting to order at 5:30 p.m.

Approval of Minutes of September 2, 2008

John Richardson moved, seconded by Neal Ensley to approve the minutes of September 2, 2008 as presented. The motion carried unanimously.

Torchlight Properties, LLC - Request for Zoning Vested Rights Approval - Gathering Rock Development - Phillips Road - Halltop Rural District (HT-RD)

Byron Hickox reminded Board of Adjustment members this is the second Vested Rights Approval that we have had in the past few months. Vested Rights Approval is an application which allows an already approved project to follow through with their development as approved only and allows them protection from any ordinance changes that might occur within a two-year period. The Conditional Use Permit for the development formerly known as Waynesville Overlook was approved in December, 2007. A valid building permit must be obtained within two years to avoid having to re-submit their development plan.

Ricky Beauchamp, the developer, then spoke on behalf of the project. Mr. Beauchamp stated this Vested Rights Approval is being sought to allow development of the property as stated—no more, no less. Due to economic conditions, his company has had difficulty seeking financing for the project. They have been informed that financing is now available but are requesting this approval to allow them time to complete financial transactions. This has been a very expensive process and the developers wish to avoid having to start over again. Hopefully, preliminary preparation of the property can begin withing 90-120 days.

Mack Noland moved, seconded by Gail Cross, to grant the requested Zoning Vested Rights Approval to Gathering Rock Development for a period of two years in compliance with Section 154.092 of the Land Development Standards of the Town of Waynesville. The motion carried unanimously.

Adjournment

With no further business, Mack Noland moved, seconded by Gail Cross to adjourn the meeting at 5:39 p.m.

Mike Erwin
Chairperson

Freida F. Rhinehart
Secretary

