



**Minutes of the Regular Meeting of the
Board of Adjustment**

**Tuesday, December 19, 2017
1:00 p.m.**

Acting Chairman Erickson called the meeting to order at 1:04 p.m.

ROLL CALL

Present: Ronald Erickson, Acting Chairman
Bill Bay
Neil Gurney, Alternate
Mark Hoek
David Lusk
Lyn Weaver
Stephen Webber, Council Liaison

Absent: Melvin Owensby

Also Present: Brad Burton, Code Enforcement Coordinator
Michelle Jolley, Recording Secretary
William Morgan Jr., Town Attorney

APPROVAL OF THE AGENDA

Ms. Weaver made a motion to approve the agenda as presented. Mr. Hoek seconded the motion. All voted in favor.

HEARINGS

(A) VROP-2017025, a vacation rental operating permit request from David and Tammy Whitehead, Tracy McGlohon agent; to operate a residential vacation rental at 146 Vance Place, Lake Lure, North Carolina (Tax PIN 1606701)

Mr. Burton and Ms. McGlohon were sworn in. There were no ex-parte communications or conflicts of interest to disclose. The Board felt they could reach a fair and unbiased decision. Ms. McGlohon did not wish to challenge the Board for cause.

Mr. Burton presented the case. He stated that David and Tammy Whitehead, property owners, through their agent Tracy McGlohon, are requesting a vacation rental operating permit (VROP) to operate a 2-bedroom residential vacation rental (RVR) at 146 Vance Place, Lake Lure, North Carolina. The property is located in the R-3 residential zoning district. This request was sent to the Development Review Committee for review on December 1, 2017 and no comments were received. He had an email exchange from a neighboring property owner asking about the dates for the meeting, which were posted incorrectly. Mr. Burton provided him with the nature of the hearing and properly updated the date on the sign. There have been no responses from anyone regarding this case.

Ms. McGlohon stated that a retaining wall was replaced; however it has not yet been tied back into the foundation correctly and a handrail is temporarily in place. This Friday the reconstruction of that wall will take place and a permanent handrail will be added.

Acting Chairman Erickson asked about the exposed junction box and asked that it be capped off. He also noted construction debris around that he suggested be cleaned up. Ms. McGlohon made note of these and stated she would address those items.

There was no further testimony, so Mr. Hoek made the following motion:

With regard to application number VROP-2017025 for a vacation rental operating permit to operate a residential vacation rental in the R-3 zoning district, Mr. Hoek moved the Board to find that the application is complete and that the proposed use, if operated according to the application and any conditions attached hereto, meets the following standards: (1) it will not materially endanger the public health or safety; (2) it will not substantially injure the value of adjoining or abutting property; (3) it will meet all standards and requirements specified in the regulations of the Town; (4) it will be in harmony with the neighborhood character and in general conformity with applicable elements of the Comprehensive Plan; and (5) satisfactory provision and arrangement has been made for those matters specified in §92.046(D) of the Zoning Regulations of the Town of Lake Lure.

Accordingly, he further moved the Board to grant the requested vacation rental operating permit in accordance with and only to the extent represented in the application and plans. Mr. Lusk seconded the motion. Mr. Bay, Mr. Hoek, Mr. Lusk, Ms. Weaver, and Acting Chairman Erickson voted in favor.

The Board felt that the application was complete and all requirements were met.

NEW BUSINESS

Acting Chairman Erickson explained that the election of officers would take place in January.

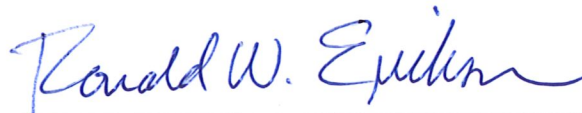
OLD BUSINESS

Commissioner Webber informed the Board that Rick Stockdale has officially resigned his position. Mr. Erickson also informed the Board that this would be his last meeting. Mr. Burton, on behalf of the Town and staff thanked Mr. Erickson for his years of service and explained that Ms. Jolley, as an Officer of the Board, would open the next regular meeting, request that the agenda be approved, the first item on that agenda being the election of officers. The newly elected Chairman would then take over and preside the remainder of that meeting.

ADJOURNMENT

Mr. Lusk made a motion seconded by Mr. Hoek to adjourn the meeting. All voted in favor. The meeting was adjourned at 1:16 p.m. The next regular meeting is scheduled for Tuesday, January 23, 2018 at 1:00 p.m.

ATTEST:



Ronald Erickson, Acting Chairman



Michelle Jolley, Recording Secretary

