



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

**Tuesday, January 23, 2018
1:00 p.m.**

Ms. Jolley called the meeting to order at 1:01 p.m.

ROLL CALL

Present: Bill Bay
Wyn Hardy
Mark Hoek
Al Joyner
David Lusk
Melvin Owensby
Lyn Weaver
Stephen Webber, Council Liaison

Absent: Neil Gurney, Alternate

Also Present: Brad Burton, Code Enforcement Coordinator
Michelle Jolley, Recording Secretary

APPROVAL OF THE AGENDA

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

APPROVAL OF THE MINUTES

Ms. Weaver made a motion to approve the minutes of the November 21, 2017 recessed meeting, the reconvened minutes from December 19, 2017, and the December 19, 2017 regular meeting as presented. Mr. Bay seconded. All voted in favor.

ELECTION OF OFFICERS

Mr. Bay nominated Mr. Hoek to serve as Chairman and Mr. Lusk nominated Mr. Owensby to serve as Chairman. The Board held a vote. Mr. Hoek received five votes and Mr. Owensby received two votes.

Mr. Bay nominated Mr. Owensby to serve as Vice-Chairman. The Board held a vote and Mr. Owensby was voted in by all members.

Mr. Hoek was nominated as Chairman and Mr. Owensby was nominated as Vice-Chairman.

NEW BUSINESS

a) Discussion Item

i) Vacation Rental Operating Permit Applications; an effective use of the Board's time and resources

Mr. Burton provided the Board with a handout and explained the Vacation Rental Operating Permit (VROP) process and costs. He pointed out that the Town is losing \$240 per VROP application as it stands. He noted that the Board has attached conditions with permits before, which usually has to deal with parking or the number of bedrooms shown on the property card versus the number of bedrooms listed on the application. The conditions applied are then the responsibility of the Zoning Administrator for assurance of compliance. He mentioned that he spoke with the previous Zoning Administrator, the Community Development Director, and the Council Liaison and the best recollections were there have never been a permit denied never been a VROP denied. The Town Attorney was queried about the new General Statutes passed by the General Assembly regarding vacation rentals. Town Attorney William Morgan relayed to Mr. Burton that we would be more in line with the General Statutes by moving to administrative review. Mr. Burton asked that the Board, if they desire, make a recommendation and send to the Zoning & Planning Board. Once the Planning Board reviews, they would make a recommendation to Town Council. He asked to change the parking requirement to require one parking space per two bedrooms. He also asked to require a property record card. He asked that the time and date format be standard. He mentioned the Town Attorney recommended a section in the definitions be added to distinctly state multi-family dwellings are not subject to the VROP requirements. If a decision was denied, the town attorney's position was there is an appeal process in place to the BOA. Part of the decision to move to an administrative process was keeping in mind that there would be an uptick in vacation rental requests for the upcoming 2018 Equestrian Games. The potential is to streamline the process. Mr. Burton suggested to allow two weeks to turn over an application. He noted the most time-consuming part of the process is driving to the site and looking at the site in respects to parking requirements, etc. Discussion ensued.

Chairman Hoek asked if any members had issue with changing to an administrative process and none did. Mr. Burton relayed that the Board could discuss this further at the next meeting to allow additional time to review. Community Development Director Shannon Baldwin suggested a support from the Findings of Fact included in the motion.

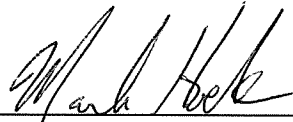
Mr. Owensby made a motion to change the VROP process to an administrative review. Ms. Weaver seconded.

Mr. Owensby moved to amend his original motion to recommend the VROP process to an administrative review. Mr. Bay seconded the amended motion. All voted in favor.

ADJOURNMENT

Mr. Owensby made a motion seconded by Mr. Lusk to adjourn the meeting. All voted in favor. The meeting was adjourned at 1:53 p.m. The next regular meeting is scheduled for Tuesday, February 27, 2018 at 1:00 p.m.

ATTEST:



Mark Hoek, Chairman



Michelle Jolley, Recording Secretary