

**Minutes of the Regular meeting of the  
Lake Structure Appeals Board**

**Tuesday, August 27, 2013  
4:40 p.m.**

Chairman Webber called the meeting to order at 4:40 p.m.

**ROLL CALL**

**Present:** Stephen Webber, Chairman  
Michael Gray, Seated Alternate  
John Kilby  
Patricia Maringer  
Melvin Owensby, Seated Alternate  
Bob Cameron, Council Liaison

**Also Present:** Michelle Jolley, Recording Secretary  
Sheila Spicer, Zoning Administrator

**Absent:** Lance Johnson, Alternate

**APPROVAL OF THE AGENDA**

**Mr. Gray made a motion to approve the agenda. Ms. Maringer seconded the motion and all were in favor.**

**APPROVAL OF THE MINUTES**

In the last paragraph under 'New Business,' Chairman Webber pointed out that Ms. McNary was not on the Board and should be changed to the correct Board member. Ms. Maringer stated Ms. McNary should be changed to her name. Chairman Webber also pointed out a correction should be made to show Mr. Kilby was voted to continue serving as vice chairman, instead of chairman as the minutes state.

**Mr. Kilby made a motion to approve the minutes of the January 22, 2013 meeting as amended. Ms. Maringer seconded the motion and all were in favor.**

## **NEW BUSINESS**

None

## **HEARINGS**

**(A) LSP-2013007, a request by Miles Champion, agent for Sylvia Pflum for approval of a deck top accessory structure. The property (Tax PIN 1627043) is located at 304 Seton Road, Lake Lure, North Carolina**

Mr. Calhoun and Miles Champion were sworn in.

Mr. Champion requested the Board grant him a continuance until the next meeting.

**Mr. Owensby made a motion to continue LSP-2013007 to the September 24, 2013 meeting. Mr. Gray seconded and all were in favor.**

**(B) LSAV-2013001, a request by Michael B. Harris for a variance from Section 94.05 of the Lake Structure Regulations. The property (Tax PIN 1633621) is located at 179 Dogwood Drive, Lake Lure, North Carolina**

Mr. Calhoun and Michael Harris were sworn in.

None of the Board members reported any conflicts of interest. Ms. Maringer noted she met with Mr. Harris on August 26, 2013 but the case was not discussed. Mr. Gray noted he spoke with Mr. Harris prior to the meeting but did not discuss the case. Mr. Harris did not wish to challenge any Board members.

Mr. Calhoun presented an overview of the case. He stated Mr. Harris is requesting a variance from Section 94.05 (C) of the Lake Structure Regulations. He stated Mr. Harris has constructed a roof over the area where he parks his boat. The structure was constructed without permits and Mr. Harris was served an initial Notice of Violation on April 10, 2012 making him aware that such a structure required a permit from the Town. He further stated as Mr. Harris began to submit the required documentation to receive a permit for the structure, it became clear that Mr. Harris would need a variance due to encroachment on the right-side setback (as viewed from land). The corner of the roof structure is 2.5 feet from the property line; therefore Mr. Harris is requesting a variance of 12.5 feet. A letter has been submitted by Kim Warner, a NC licensed engineer, that the structure has been built substantially to code with one concern that was detailed in the letter. Mr. Calhoun mentioned that Mr. Harris stated to him the concern would be addressed. No further work has been conducted on the structure.

Mr. Calhoun pointed out letters were issued to all adjoining property owners. He received calls from two adjoining property owners, Mr. Blair and Mr. Strelka. Mr. Blair requested

a copy of the plans, which Mr. Calhoun sent to him. He stated he has had no response back.

Chairman Webber noted he visited the site and there was not a posted sign from the Town up by the road. He stated he found the sign leaning up against the house underneath the upper deck. He took the sign and posted at the road.

Mr. Harris presented an overview of the case. He noted Kim Warner, his engineer, has recommended he make a few improvements to the roof over the boathouse that was constructed, to which he agreed to make. Chairman Webber asked Mr. Harris if he would have any opposition if the variance was granted subject to the condition that the structural improvements recommended by Mr. Warner be made. Mr. Harris stated he was not opposed.

The Board had no further questions so the hearing was closed.

**Mr. Owensby made a motion to approve the variance with the condition that Mr. Warner's recommendations for structural improvements be made. Mr. Gray seconded and all voted in favor.**

Chairman Webber made a note that he believes the hardship requirement has been met due to the topographical layout of the land.

#### **OLD BUSINESS**


None

#### **ADJOURNMENT**

**Mr. Owensby made a motion seconded by Mr. Gray to adjourn the meeting. The motion passed unanimously.**

The meeting was adjourned at 4:54 p.m. The next regular meeting is scheduled for September 24, 2013 at 1:30 p.m.

**ATTEST:**

  
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Stephen M. Webber, Chairman

  
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Michelle Jolley, Recording Secretary