



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

**Tuesday, October 27, 2015  
1:30 p.m.**

Chairman Webber called the meeting to order at 2:28 p.m.

**ROLL CALL**

**Present:** Stephen Webber, Chair  
David Butts  
Ronald Erickson, Alternate  
John Kilby  
Mark Hoek, Alternate  
Patricia Maringer  
Melvin Owensby  
Bob Cameron, Council Liaison

**Also Present:** Clint Calhoun, Environmental Management Officer  
Michelle Jolley, Recording Secretary

**Absent:** David Lusk, Alternate

**APPROVAL OF THE AGENDA**

**Ms. Maringer made a motion to approve the agenda as presented. Mr. Owensby seconded the motion. All voted in favor.**

**APPROVAL OF THE MINUTES**

Chairman Webber proposed the following changes:

- Page 2 - under 'Hearings', third paragraph next to the last line, change "quick claim" to "quit claim". Also on page 2, in the last paragraph next to the last line, add a sentence at the beginning stating that special consideration was given to any impact on the neighbor, Webb and the variance would not impact the Webb's ability to use the lake.
- Page 3 - the third line on the third paragraph, change to state "the same access to

the lake that everyone else enjoys.”

**Ms. Maringer made a motion to approve the minutes of the July 28, 2015 as amended. Mr. Butts seconded the motion. All voted in favor.**

### **NEW BUSINESS**

Chairman Webber conveyed that Mr. Calhoun and he would be having a teleconference meeting with Gary Johnson, Lake Advisory Board, on Thursday at 9:00 a.m. He stated they would be talking specifically about non-conforming lake structures and possible changes to the regulations and mentioned it is an open meeting if anyone would like to attend.

### **HEARINGS**

Chairman Webber stated he would like to combine the two cases since Mr. Warner would be presenting both. The Board agreed with his request.

- (A) LSP-2015019, a request by Kim Warner on behalf of Kenneth and Kathy Tanner for approval of a decktop accessory structure. The property (Tax PIN 1633717) is located at 267 Hawthorne Drive, Lake Lure, North Carolina**
  
- (B) LSP-2015020, a request by Mark Hench for approval of a decktop accessory structure. The property (Tax PIN 1642711) is located at 230 Snug Harbor Circle, Lake Lure, North Carolina**

Mr. Calhoun and Mr. Warner, agent for both cases, were sworn in. There were no ex parte communications or conflicts of interest to report. Mr. Warner did not wish to challenge the Board for cause.

Mr. Calhoun presented both cases to the Board. He stated the Tanners are requesting a decktop accessory structure on top of a boathouse that is currently under construction. Plans for this structure were included in the packet and based on staff review, it appears that the proposed structure meets all the requirements of the Lake Structure Regulations and the application appears to be complete. He mentioned that all adjoining property owners were notified by letter and there were no comments received. He explained there are no walls shown on the plans and the decktop accessory structure is shown abutting the end of the rooftop deck and does not extend beyond the midpoint of the deck. There are no sanitary facilities or containers shown on the plans.

Mr. Calhoun stated the Hench's are requesting a decktop accessory structure on top of an existing boathouse. Plans for this structure were included in the packet and based on staff review, it appears that the proposed structure meets all the requirements of the Lake Structure Regulations and the application appears to be complete. He mentioned that all adjoining property owners were notified by letter and there were no comments received.

He explained there are no walls shown on the plans and the decktop accessory structure is shown abutting the end of the rooftop deck and does not extend beyond the midpoint of the deck. There are no sanitary facilities or containers shown on the plans.

Mr. Kilby made the following motion regarding the Tanner application:

**With regard to application number LSP-2015019 for a decktop accessory structure, Mr. Kilby moved the Board to find that the proposed structure (1) meets the standards for a decktop accessory structure contained in §94.05(F)(2) of the Lake Structures Regulations, and (2) will not materially obstruct the view of the lake from any adjacent or nearby properties, Accordingly, he further moved the Board to approve the application in accordance with an only to the extent represented therein. Ms. Maringer seconded the motion. Mr. Butts, Mr. Jolly, Mr. Kilby, Ms. Maringer, and Chairman Webber voted in favor.**

**Mr. Butts seconded the motion. Mr. Butts, Mr. Kilby, Ms. Maringer, Mr. Owensby, and Chairman Webber voted in favor.**

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

Mr. Owensby made the following motion regarding the Hench application:

**With regard to application number LSP-2015020 for a decktop accessory structure, Mr. Owensby moved the Board to find that the proposed structure (1) meets the standards for a decktop accessory structure contained in §94.05(F)(2) of the Lake Structures Regulations, and (2) will not materially obstruct the view of the lake from any adjacent or nearby properties, Accordingly, he further moved the Board to approve the application in accordance with an only to the extent represented therein.**

**Ms. Maringer seconded the motion. Mr. Butts, Mr. Kilby, Ms. Maringer, Mr. Owensby, and Chairman Webber voted in favor.**

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

### **OLD BUSINESS**

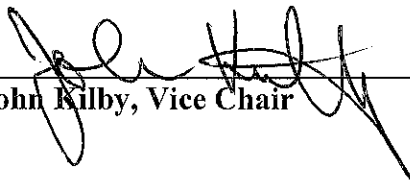
Mr. Kilby mentioned the process for approving minutes and suggested that the draft minutes be forwarded prior to the meeting and corrections could be made before the minutes are included in the packet. Chairman Webber and Ms. Jolley agreed this could be done.

### **ADJOURNMENT**

**Mr. Owensby made a motion seconded by Mr. Kilby to adjourn the meeting. All voted in favor.**

The meeting was adjourned at 2:44 p.m. The next regular meeting is scheduled for November 17, 2015 at 1:30 p.m.

**ATTEST:**

  
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John Kilby, Vice Chair

  
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Michelle Jolley, Recording Secretary