

Minutes of the Regular Meeting of the
Zoning and Zoning and Planning Board

Tuesday, October 21, 2014

Lake Lure Municipal Center

ROLL CALL

Present: Thomas M McKay, Chair
Charlie Ellis
David Goins
Ric Thurlby
John Moore, Town Council Liaison

Absent: Bruce Barrett

Also Present: Shannon Baldwin, Community Development Director
Michelle Jolley, Recording Clerk
Sheila Spicer, Zoning Administrator

Chairman McKay called the meeting to order at 9:35 a.m. and Commissioner Moore gave the invocation. The Board members led the Pledge of Allegiance.

APPROVAL OF THE AGENDA

Mr. Ellis made a motion to approve the agenda as presented. Mr. Goins seconded the motion and all voted in favor.

APPROVAL OF THE MINUTES

Mr. Ellis made a motion to approve the minutes of the September 16, 2014 regular meeting as presented. Mr. Goins seconded the motion. All voted in favor.

NEW BUSINESS

A. CU-2014002, a conditional use permit request from David Butts with Camp Lurecrest to add a 40-bed cabin in an existing camp located in the S-3 Resort Residential zoning district

Ms. Spicer presented the request from Mr. Butts. She stated the Development Review Committee reviewed this on September 25 and the minutes to that meeting are included in the packet. She mentioned that Ron Morgan, Fire Chief, had some concerns during the meeting regarding emergency access and the plans included in the packet reflect a few changes as a result of those concerns. She stated the location of the building has moved slightly from what was originally submitted to allow for a wider access road, and the plans submitted reflect this change as well. She pointed out she received email confirmation from Donnie McCraw, Hydroelectric Plant & Wastewater Collection Supervisor, that the sewer connection submitted is acceptable. She mentioned there was a written comment from Chief Humphries at the DRC meeting requesting a stop sign at the end of Lurecrest Drive and Public Works later posted that sign. Ms. Spicer stated Mr. Butts sent her confirmation that Jeremy White, Camp Director, is a member of the American Camp Association, which is one of the requirements in the zoning regulations. She stated the recommendation the Board makes at this meeting will be sent to the Board of Adjustment next month. She mentioned the applicant is requesting a 40-bedroom cabin. She pointed out the upper level will be a double cabin with double restrooms and the lower level will be used as meeting space.

Mr. Ellis commented that the meeting area only has one restroom per gender and asked if this meets regulations. Ms. Spicer responded that the Town does not have restroom requirements; however, the Rutherford County Building Inspections Department does. Mr. Butts stated it does meet their requirements. Mr. Baldwin noted they would have to obtain a building permit from the County before starting construction. Mr. Ellis asked what the start date would be for construction of the cabin. Mr. Butts answered the Camp will hold fundraisers and will need to have at least 80% of the funds before construction can begin. Ms. Spicer noted that the construction schedule in the packet is very lenient, giving them plenty of time for completion. Mr. Baldwin expressed that he feels the aesthetics of the structure is important because it would set a standard for new cabins in the camp in the future. Mr. Baldwin and Commissioner Moore both pointed out the camp helped to set the aesthetic standards that are in the zoning regulations.

Chairman McKay questioned Mr. Butts on the application process and asked where he felt the process could use improvement. Mr. Butts felt the process and the time frame in acquiring permits was very lengthy. Ms. Spicer agreed stating the regulations do not differentiate between getting permits for a new structure versus a change to an existing dwelling. She explained there are currently no provisions in the regulations for changes to an existing conditional use. She made a suggestion that if the applicant could provide a Master Plan at the time of application, the Board of Adjustment could then outline what could be done in the future, according to that Master Plan, without having to go through the entire process again as long as everything substantially complies with the regulations.

She mentioned also adding language into the zoning regulations that explains what triggers the full conditional use permitting process for changes to an existing use. Chairman McKay stated he would like the Board to work on streamlining and repurposing the conditional use process to where it makes more sense and isn't a financial burden. Ms. Spicer also mentioned that time frame is a common complaint but explained it is completely out of the control of the Town because of the permitting process. She stated that an applicant cannot go before the Board and Adjustment and the Zoning and Planning Board meetings within the same month.

Mr. Goins asked what the total costs are that an applicant incurs. Mr. Butts answered if starting from scratch an applicant could potentially incur thousands of dollars in costs when considering costs of town fees, surveys, and architectural work. Ms. Spicer gave a breakdown of the costs the Town is responsible for and stated they are reviewed by Town Council every July. Brief discussion held on the permitting costs. Mr. Goins asked if there is a stage or platform in the plans for the meeting room and Mr. Butts stated there has been no plan for one. He then asked if the chairs in the meeting room are fixed chairs and Mr. Butts stated no.

Mr. Baldwin explained that if the Camp brought forth a Master Plan showing existing and proposed buildings, got approved as a Conditional Use Permit, and the Board of Adjustment would allow some flexibility in the language of the regulations to allow any plans that substantially comply with the Master Plan, to only be required to come before the Board one time. He stated for additional cabins that comply with the Master Plan the applicant would be required to obtain a Certificate of Zoning Compliance from Ms. Spicer instead of coming before the Board each time. Chairman McKay agreed this makes sense and the Board could revisit this again in the future.

Mr. Ellis made a motion that the Zoning & Zoning and Planning Board finds the application and plans for CU-2014002 are in compliance with the conditional use standards located in Section 92.050 of the Town of Lake Lure Zoning Regulations pertaining to camps. Mr. Goins seconded the motion and all voted in favor.

OLD BUSINESS

Chairman McKay asked for clarity on the deannexation request from Russ and Lynn Pitts in regards to the Resolution the Town Council made. Commissioner Moore gave an overview of the Town Council's decision and the Resolution that was made. He pointed out the final vote was in favor of the deannexation. The Board held an informal discussion on the deannexation request from Russ and Lynn Pitts.

PLANNING PROJECTS UPDATE

Mr. Baldwin conveyed that Town Council has commissioned the Zoning and Planning Board to look over a list of possible new projects included in the memo in the packet and gather thoughts on each project. He noted that an additional project was added to the list, as request by Commissioner Silvey. He mentioned she would like additional parameters

added to broaden the coverage for notices of public hearings by certified letters for the Board of Adjustment hearings.

Commissioner Moore requested that Zoning and Planning Board also prioritize the list of projects relative to what the Board would like to happen first. He stated he would like the Board to also discuss the Conditional Use permitting process. Mr. Ellis made the suggestion for staff to conduct a high level overview of the zoning regulations and zoning districts to familiarize the Board with the current regulations and districts. Extensive discussion ensued regarding zoning districts and assisted living facilities.

The Board added two additional projects to the list. Those projects are, (1) notice requirements for certified letters, and (2) Conditional Use permitting process. The Board prioritized the projects as follows:

- (1) Lot Width at Building Line (Is this really needed in Lake Lure?)
- (2) Other Projects: Notice Requirements for Certified Letters (Review Existing & Make Recommendation)
- (3) Commercial Signs
- (4) Tent Campgrounds in various Districts
- (5) Agricultural Uses in support of "Farm to Table" Concepts, etc.
- (6) Continuing Care Developments for Senior Citizens
- (7) Other Projects: Business Friendly - CUP Process (Evaluate & Perhaps Streamline)

The Planning Board also requested an overview of the zoning map so the members can become familiar with the nature of the current zoning districts.


Mr. Ellis moved the Board to adopt the priorities as set by this Board. Mr. Goins seconded the motion. All voted in favor.

Chairman McKay conveyed to the Board that Mr. Barrett has been absent from the past couple of meetings due to an illness. Mr. Ellis asked if there is a process for a Board member who is absent and not able to attend meetings. Mr. Baldwin stated he would send a copy of the bylaws out to all Board members.

Upon a motion by Mr. Goins and seconded by Mr. Ellis, the meeting was adjourned at 11:28 p.m. The next regular meeting is scheduled for Tuesday, November 18, 2014 at 9:30 a.m. at the Lake Lure Municipal Center.

ATTEST


Thomas M McKay, Chair


Michelle Jolley, Recording Clerk