

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

**Tuesday, June 22, 2021
1:00 p.m.**

This meeting was held in Council Chambers

The Chairman opened the meeting at 1:05

ROLL CALL

**Present Melvin Owensby, Chairman
 Neil Gurney, Vice Chairman
 Greg Gardner, Board Member
 Wyn Hardy, Board Member
 Al Joyner, Board Member
 Kimberly Sayles, Alternate
 Scott Doster, Alternate**

**Absent: Betty Ross, Alternate
 Patrick Bryant, Council Liaison**

**Also Present: Mike Williams, Assistant Community Development Director
 Sha'Linda Pruitt, Recording Secretary**

APPROVAL OF THE AGENDA

Chairman Owensby asked for a motion to approve the agenda. Mr. Gardner gave the motion, Mr. Joyner gave the second. All voted in favor.

APPROVAL OF THE MINUTES

Chairman Owensby asked for a motion to approve the agenda. Mr. Gurney made a motion to approve the agenda and Mr. Joyner made the second. All voted in favor.

NEW BUSINESS

- A. SUP(CUP)2021002, a special use permit for a Home Occupation to operate an on-line, wholesale auto sales business within the R-3 Residential Zoning District to be operated by Bryan Easley at his 129 Sheepnose Drive, Lake Lure residence (Parcel #1608972)

All parties were sworn in who wished to testify. Mr. Williams was sworn in.

The Vice Chairman asked if anyone has any ex-parte communications with the applicants? No board member had any previous discussions concerning this case. No party was present to challenge.

Staff began presentations.

Bryan Easley is requesting a special use permit (formerly referred to as a conditional use permit prior to NC 160D) to operate a Home Occupation to wholesale vehicles online. The business will be located within Mr. Easley's existing single family home, at 129 Sheepnose Drive, Lake Lure, NC (Parcel #1608972). The property is within the Residential 3 Zoning District.

Additional Information for the Board:

- 1) The home occupation would be an accessory use to the single-family residential dwelling use.
- 2) Per §92.030C2, "Home occupations as defined in §92.026(C)(7)" require a special use permit subject to finding by the Board of Adjustment that all applicable provisions of §§92.045 through 92.059 have been met, and the home occupation is "subject to all condition stated therein.
- 3) Mr. Easley has provided a complete application for this use. There has been no other documentation requested or deemed necessary to process this application.
- 4) Mr. Easley's application states that the auto wholesale business will be conducted on the internet and no vehicles, inventory or customers will be on the premises.
- 5) The Development Review Committee has reviewed the SUP application and responded with no concerns or issues with the auto wholesale home occupation office.
- 6) The Zoning and Planning Board reviewed the application and heard from one "concerned neighbor" on June 15th. After discussion, they voted unanimously in support of the application.
- 7) Notice of the application have been published in the Daily Courier, sent to the adjacent property owners and posted on the property at 129 Sheepnose Drive.

The applicant was not present.

Mr. Gurney ask what was the complaint from the neighbor and was the issue resolved.

Mr. Williams stated the neighbor was concerned that there would be a full car lot placed within her residential setting that would disrupt the serenity of the community due to an increased amount of traffic. Her concerns have been resolved.

Mr. Gurney pointed out that the neighbor should be aware that this is a conditional use permit that can be revoked if the conditions are violated.

DECISION

- A. Accordingly, the Board of Adjustment hereby authorizes the issuance of the SUP(CUP)2021002, a special use permit for a Home Occupation to operate an on-line, wholesale auto sales business within the R-3 Residential Zoning District to be operated by Bryan Easley at his 129 Sheepnose Drive, Lake Lure residence (Parcel #1608972)

Subject to the following conditions:

CONDITIONS

This SUP(CUP)2021002 is granted with the conditions that there is no increase of ongoing traffic to the residence as a result of this home occupation business. Also that there is no increase to traffic as a result of this business.

The Chairman asked for a vote and motion. Mr. Gardner made the motion that the request be granted with the proposed conditions. Mr. Hardy gave the second. All voted in favor.

- B. Report on hiring process for Community Development Department

The department has hired someone. He starts July the 1st. He has experience and is coming in from the city of Spartanburg. He has strong GIS skills, he's been doing zoning and planning for Spartanburg. He will be in the role as development and environmental specialist.

- C. Open discussion of possible commercial projects: cell tower proposal, old school parcel on Memorial Highway, old Pinnacle Real Estate building at 2984 Memorial Highway

The initial project looked like a flag pole but you will not get as much power out of it. At&t backed off of this. The new location is in Chimney Rock. It will bring wifi and better cell phone

coverage. There is concern from neighbors but this is excited news for the town. They are willing to put a screen up around it. It's located on Boys Camp Rd. There will be a public hearing.

Mr. Hardy questioned the garage apartment on Yacht Island, did it require a permit? It looks to be three levels tall.

Mr. Gardner stated that he was also familiar with the property which is owned by Darren Blum and was told that the property was issued a previous building permit. It is highly visible from the lake.

Mr. Williams stated that he was unfamiliar with the property and if it was issued a permit it would have been issued before his employment with the town but that he would look into the matter.

OLD BUSINESS

None

The Chairman asked for a motion to adjourn. Mr. Joyner gave the motion and Mr. Gurney gave the second.

The meeting ended at 1:33pm

ATTEST:


Sha'Linda Pruitt Recording Secretary


Melvin Owensby, Chairman