



**Meeting of the  
Lake Structure Appeals Board**

**Tuesday, July 27, 2021**

**1:30 p.m.**

**This meeting was held in Council Chambers**

The Chairman called the meeting to order at 2:07pm

**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**  
**David DiOiro was in attendance**

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

### **APPROVAL OF THE AGENDA**

**The Chairman asked for a motion to approve the agenda. Mr. Hardy made a motion to approve the agenda and Mr. Gurney made the second. All voted in favor.**

### **APPROVAL OF THE MINUTES**

**The Chairman asked for a motion to accept the minutes as amended. Mr. Gardner made the motion to approve and Mr. Joyner made the second. All voted in favor.**

### **NEW BUSINESS**

- (a) LSP\_2021015, a request from Terry Duffy (builder) for approval of a decktop accessory structure for Lewis and Debbie Rubin. The property (#1636258) is located at 0 Lost Cove Drive, adjacent to their 339 Charlotte Road, Lake Lure residence.

The Chairman read aloud the case:

The applicant was not present. Staff was sworn in.

The Vice Chairman asked if anyone has any ex-parte communications with the applicant? No board member had any previous discussions concerning this case which would present a conflict.

Staff began presentations.

Mr. Terry Duffy, builder for property owners Lewis and Debbie Rubin is requesting approval to build a decktop accessory structure (DAS) as required by section 94.05(E)(3) of the Lake Structure Regulations:

- (3) Decktop accessory structures shall be approved by the Lake Structures Appeals Board upon a finding that the structures meet the standards in this subsection and that they do not materially obstruct the view of the lake from any adjacent or nearby properties.

The property (parcel #1636258) is located on Lost Cove Road, adjacent to the Rubin's residential property located at 339 Charlotte Drive. The property has a measurable shoreline length of approximately 71.5' (applicant indicates 82.1'+/-).

Based on review of the submitted plans, the proposed DAS does not exceed the required height of 10' above the surface of the rooftop deck, or 25 feet in height above the shoreline elevation of 990 feet MSL;

The DAS does not exceed the lessor of 50% of the area of the rooftop deck or 150' square feet;

The DAS is completely open on all sides with the decktop railing height no greater than 42", and the structure is located on the shoreward end of the rooftop deck, not to extend beyond the midpoint of the deck;

The DAS does not include more than one container not more than 42 inches in height that may be used to store deck furnishings.

The proposed DAS will be constructed within the usable shoreline, over a pre-existing boathouse containing two slips.

Staff noted that there were no complaints from any neighbors.

Mr. Joyner asked why does this require a variance?

Mr. Williams stated it was due to the ordinance. This provides that there is notification to all of the neighbors.

Staff closed his presentations.

The board closed the presentations and deliberated.

**The Chairman asked for a motion to approve these the decktop accessory. Mr. Joyner gave the motion and Mr. Gardner gave the second to grant the request.**

**OLD BUSINESS**

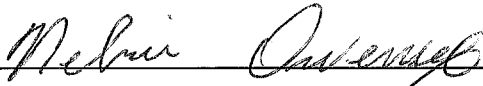
None

**ADJOURNMENT**

Chairman Owensby requested a motion to adjourn. Mr. Gurney made the motion to adjourn. Mr. Hardy made second the motion. All voted in favor.

The meeting was adjourned at 2:15 pm.

ATTEST:

  
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Melvin Owensby, Chairman

  
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Sha'Linda Pruitt, Recording Secretary