



**MINUTES OF THE SPECIAL MEETING OF THE LAKE LURE TOWN COUNCIL  
HELD WEDNESDAY, JULY 27, 2022, 8:00 A.M. AT THE LAKE LURE TOWN HALL**

**PRESENT:** Mayor Carol C. Pritchett  
Mayor Pro Tem David DiOrio  
Commissioner Patrick Bryant  
Commissioner Scott Doster

William Morgan, Jr., Town Attorney  
William H. Perkins, Jr., Town Manager

**ABSENT:** Commissioner Jim Proctor

**I. CALL TO ORDER**

Mayor Carol C. Pritchett called the meeting to order at 8:30 a.m. Commissioner Patrick Bryant made a motion to accept the agenda, Commissioner Scott Doster seconded and the motion carried 3-0.

**II. PUBLIC HEARING FOR ORDINANCE NO. 22-07-27 AMENDING SECTIONS  
36-5 AND 36-296 OF THE ZONING REGULATIONS OF THE TOWN OF LAKE LURE**

Commissioner Doster made a motion to open the public hearing for Ordinance No. 22-07-27 Amending Sections 36-5 and 36-296 of the Zoning Regulations of the Town of Lake Lure. Commissioner DiOrio seconded and the motion carried 3-0.

Liz Geary, 112 Mountains Blvd, explained that she is representing Rumbling Bald and that the only the concern is whether or not a dock can be built on an unimproved lot. Ms. Geary expressed that there are no issues regarding the setback stipulations noted in the proposed ordinance.

Community Development Director Michael Williams noted that addressing the construction of docks on unimproved lots was discussed but was not a part of the recommendation of the Zoning and Planning Board, but there was no opposition from Zoning and Planning Board members in that regard. Director Williams recommended incorporating language into the proposed ordinance to address construction on unimproved lots. Director Williams recommended that one addition should be verifying the requirement that the extension of lake structures other than those on Lake Lure be no more than 30 ft. or one-third distance from the opposite shore, whichever is less, and noted that the one-third regulation is required by Army Corps of Engineers. Director Williams suggested to allow the construction of docks on bodies of water in Town limits other than Lake Lure, without the requirement of having a primary structure on the property. Director Williams also suggested that

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boathouse structures require proof of ownership of a residence or residence under construction on the property, for bodies of water in Town limits other than Lake Lure. Town Manager Hank Perkins asked Director Williams where he suggests that language to reflect these recommendations be incorporated into the ordinance and Director Williams answered that these regulations be addressed in section two of the ordinance as (2) and (3) and move the original (2) to (4).

There were no additional comments from the public.

Commissioner Bryant made a motion to close the public hearing. Commissioner Doster seconded and all voted in favor.

### **III. PUBLIC HEARING FOR ORDINANCE NO. 22-07-27 AMENDING SECTIONS 36-5 AND 36-296 OF THE ZONING REGULATIONS OF THE TOWN OF LAKE LURE**

Director Williams explained that ultimately there is a need for the Town of Lake Lure Code of Ordinances Zoning Regulations to address regulating lakes or navigable bodies of water within Town of Lake Lure limits other than the Lake Lure. Director Williams noted that this is crucial in order for his department to be able to handle applications because staff is currently being held back on issuing permits for structures on other lakes within town limits. Director Williams expressed that he proposes the adoption of Ordinance 22-07-27 in order to resolve existing uncertainty, with the additions discussed previously in the meeting. Director Williams explained that docks will be exempt for setbacks no more than 30 ft. or 1/3 distance from shoreline. For boathouse, proof of residence or residence under construction is in order to build boathouse. Director Williams noted that the owner of the body water must approve of the structures as well and explained that the likely owner of the two lakes in Town limits that are not Lake Lure is Fairfield Mountain.

Director Williams recommended the approval of ordinance No. 22-07-27 Amending Sections 36-5 and 36-296 of the Zoning Regulations of the Town of Lake Lure, with the incorporated recommended changes discussed. Director Williams reiterated that the main purpose of the ordinance is to address structures on bodies of water in town limits, other than Lake Lure, and to provide guidance for how to handle permitting such structures.

Commissioner DiOrio asked Director Williams to clarify what regulations the Town will have authority to exercise through this ordinance. Director Williams said that these additions to the Zoning Regulations will allow the Town to permit structures on other bodies of water as an accessory structure, but owner of body of water has to approve of the construction of the structure. Commissioner DiOrio asked if the recommended 30ft extension limit is beneficial and Director Williams answered that this limit allows for a cleaner and more measurable way to determine the compliance of the structures.

Commissioner Doster made a motion to adopted Ordinance No. 22-07-27 Amending Sections 36-5 and 36-296 of the Zoning Regulations of the Town of Lake Lure, with the additions discussed today under Section 2 (2) and Section 2 (3). Commissioner DiOrio seconded and the motion carried 3-0.

### **ORDINANCE NUMBER 22-07-27**

**AN ORDINANCE AMENDING SECTIONS 36-5 AND 36-296 OF THE ZONING  
REGULATIONS OF THE TOWN OF LAKE LURE**

**WHEREAS**, The Town of Lake Lure requires enhanced clarity regarding lake structures on waters within the Town of Lake Lure other than the lake known as Lake Lure;

**WHEREAS**, The Town of Lake Lure Town Council has determined that Section 36-5 of the Zoning Regulations should be amended to further clarify the definition of Lake Structure; and

**WHEREAS**, The Town of Lake Lure Town Council has determined that Section 36-296 should be added to the Zoning Regulations to address regulating lakes or navigable bodies of water within Town of Lake Lure limits other than the lake known as Lake Lure; and

**WHEREAS**, The Town's Zoning and Planning Board has reviewed and made a recommendation to Town Council to accept these text amendments to Sections 36-5 and 36-296 to address lake structures not on Lake Lure; now

**THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LAKE LURE, NORTH CAROLINA, MEETING IN SPECIAL SESSION AND WITH A MAJORITY OF TOWN COUNCIL VOTING IN THE AFFIRMATIVE.**

**SECTION ONE.** Section 36-5 of the Zoning Regulations of the Town of Lake Lure, entitled "Definitions", is hereby amended by adding the following new definition:

[ADDITIONS TO TEXT ARE UNDERLINED; DELETIONS ARE ~~STRUCK THROUGH~~]

Lake structure means anything constructed or erected within the lake boundary including any pier, dock, boathouse, slip, ramp, swimming float, sea wall, or similar facility whether fixed or floating or a combination thereof, used primarily as a stationary facility for the mooring or housing of watercraft and associated items; and, used for lake access and related recreational activities. Lake structures shall not be used as living quarters. Lake Structures built within the boundary of the waters of Lake Lure at full pond will be regulated by the Town's Lake Structure Regulations. Lake Structures built within the boundary of other lakes or navigable waters will be regulated by the Town's Zoning Regulations.

**SECTION TWO.** Sections 36-296 – 36-323, "Reserved", is hereby amended as follows:

[ADDITIONS TO TEXT ARE UNDERLINED; DELETIONS ARE ~~STRUCK THROUGH~~]

~~Sees. 36-296 – 36-323. Reserved.~~

**Sec. 36-296.**

Lake structures within the full pond boundary of the waters of Lake Lure are regulated by the Lake Structure Regulations, rather than this Zoning Regulations chapter. Lake Structures within the boundary of any other lake or navigable body of water will be regulated under this chapter as accessory structures with the following provisions:

- (1) Lake structures not within the full pond boundary of the waters known as Lake Lure will be exempt from setback requirements at the point where the lake structure connects with the lakeshore property line.
- (2) No portion of a lake structure shall extend more than 30 feet or one third the distance to the opposite shore, whichever is less, as measured to and from the shoreline. Measurement shall be calculated using the same methodology as described for lake structures within the Town's Lake Structure Regulations.
- (3) In the case of a boathouse, proof of ownership of a residence or residence under construction on the upland lot or an adjoining lot. (This is not required for any other lake structures.
- (4) The owner of the lake or other navigable body of water must provide authorization for the structure to be built on that property, including but not limited to the owner's signature on the zoning permit application.

**Secs. 36-297 – 35-323. Reserved.**

**SECTION THREE.** The Town of Lake Lure Town Council deems Ordinance No. 22-07-27 to be consistent with the Lake Lure comprehensive plan because it follows the recommendations of Section 6A: Lake Management of the 2007-2027 Comprehensive Plan to clarify the application to the lakes other than Lake Lure.

**SECTION FOUR.** The Town of Lake Lure Town Council deems Ordinance No. 22-07-27 to be reasonable and in the public interest because it provides clarification in regard to regulating lake structures on waters within the Town of Lake Lure other than Lake Lure.

**SECTION FIVE.** This Ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect immediately from after the date of its final passage and adoption.

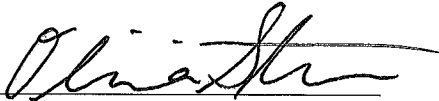
**READ, APPROVED, AND ADOPTED** this 27<sup>th</sup> day of July, 2022.

<b>IV. ADJOURNMENT</b>
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Commissioner DiOrio motioned to adjourn the meeting. Commissioner Doster seconded and all voted in favor. The meeting was adjourned at 8:16 a.m.

ATTEST:

  
Olivia Stewman, Town Clerk

  
Mayor Carol C Pritchett