

Draft

Planning and Zoning Board

Minutes

Thursday, March 19, 2015

5:30 p.m.

The Blowing Rock Planning and Zoning Board met on Thursday, February 19, 2015 for their regularly scheduled meeting. Chairman West called the meeting to order at 5:30 pm. Members present were David Laughter, Lisa Stripling, David Harwood, Wes Carter, Natalie Bovino and Genie Starnes. Staff members present were Planning Director Kevin Rothrock and Administrative Assistant Tammy Bentley.

Chairman West asked if there were any changes to the February 19, 2015 meeting minutes. There were none. *Mr. Laughter made a motion to approve the minutes, seconded by Ms. Bovino. All members were in favor of the motion.*

Installation of New Board Members

New members Kim Hartley, Joe Papa, and Jim Steele were sworn in. Chairman West welcomed them to the Board and stepped down.

Election of Officers

The Board and staff thanked Mr. West for his service and dedication to the Planning Board. Mr. Rothrock said the Board needed to elect officers.

Ms. Starnes nominated Mr. Harwood for Chair and Mr. Laughter for Vice-Chair. Messrs. Harwood and Laughter accepted the nominations. Ms. Stripling seconded the nomination. All members were in favor.

Chairman Harwood welcomed the new members and thanked them for their service.

Consideration of Exception to Non-conforming Uses

Mr. Rothrock gave the staff report. At the February meeting, the Planning Board recommended a draft ordinance that would allow accessory apartments in the R-15 and R-

MH zoning districts. At the March Council meeting, Town Council tabled that draft ordinance but asked that the Planning Board review and consider a draft ordinance that would provide an exception to the nonconforming section of the Land Use Code. The exception, if approved, would allow expansion of the principle residence (within the setbacks) on current nonconforming properties with accessory apartments, but would restrict expansion of the apartment. Mr. Rothrock added that allowing accessory apartments in R-15 is in the Comprehensive Plan to address other housing options.

Mr. Rothrock addressed Mr. Carter's concerns that he had emailed to the members. He said that failure to register an accessory apartment would not do away with the non-conformity. He said that someone who builds without a building permit is violating the law and that a building permit to add an accessory apartment in R-15 or R-MH would not be issued as accessory apartments are not allowed in those zoning districts. Mr. Carter asked if all existing accessory apartments had building permits. Mr. Rothrock answered yes, except for old structures. Mr. Steele that the work is complete on existing apartments, and that building new accessory apartments would not be allowed.

Mr. Carter asked when the restriction against accessory apartments was put in place. Mr. Rothrock said probably in 1984. Mr. West, now in the audience, said it had been in place for some time.

Mr. Carter asked if the Fire Department needs to know if two families are living in one house. Mr. Rothrock said there should be two addresses. Mr. Carter asked if the accessory apartment have separate utilities and phone. Mr. Rothrock said many accessory apartments have separate utilities but not all do.

Mr. Carter asked about limiting the number of people per square foot. Mr. Rothrock said we would need to amend the definition of family. Mr. Steele asked if there is a limit on non-related people. Mr. Rothrock said no.

Mr. Papa asked how many this spot zoning would affect. Mr. Rothrock said that this would apply to existing accessory apartments and added that this is not spot zoning. Mr. Papa asked for confirmation that someone could not make a garage into an accessory apartment. Mr. Carter said that these accessory apartments were grandfathered in prior to 1984. Mr. Papa asked where the line is between an accessory apartment and some guy wanting to change his den into an accessory apartment. Mr. Rothrock said there is no line; that if the apartment is not existing, then it cannot be added.

Mr. West commented that spot zoning is allowed in North Carolina under certain conditions. Mr. Rothrock said that we aren't doing any spot zoning in any way; that this amendment changes how the non-conforming section applies to accessory apartments. Chairman Harwood asked if it mattered if the accessory apartment was attached or

detached. Mr. Rothrock said no and that currently having an accessory apartment prohibits the owner from expanding the main residence. Mr. Steele if the intent is to allow expanding the main residence only. Mr. Rothrock confirmed.

Chairman Harwood asked if expanding the main residence would affect the size of the accessory apartment. Mr. Rothrock said that this amendment would not allow expanding the accessory apartment, but that if Town Council allows accessory apartments in R-15 that could affect the size of the accessory apartment. Chairman Harwood asked if Town Council allows accessory apartments in R-15 is this exception necessary. Mr. Rothrock said no if Town Council approves accessory apartments in R-15.

Mr. Rothrock noted that there were approximately 30 properties that would be affected by this. Mr. Carter asked if this allows changes to the main residence only. Mr. Rothrock said yes.

Mr. Carter made a motion to approve the amendment as written, seconded by Mr. Steele.
All members were in favor of the motion except for Mr. Papa.

Land Use Code Amendment – Review of Sign Ordinance along Highway 321 with Posted Speed Limit over 35mph.

Mr. Rothrock presented the staff report along with a Powerpoint presentation. At the February 10, 2015 public hearing, the Town Council approved the draft ordinance for Appalachian Ski Mountain's sign reducing the overall height to 16 feet. In addition, the Council asked the Planning Board to further study freestanding signage flexibility options in the area along Highway 321 with a posted speed limit over 35 mph in the corridor north of Town to the far limits of the ETJ.

Chairman Harwood asked if the new members needed background information on this. Mr. Papa asked if the signage would increase for multiple tenant occupancies. Mr. Rothrock said that App Ski Mountain has 65 square feet of signage. Mr. Papa asked if High Country Host will get additional square footage for their sign. Mr. Rothrock said no.

Chairman Harwood said that there were only about 10 properties that may be developed along the corridor. The Board discussed the heights of the existing signs in the corridor.

Mr. Carter suggested eliminating "ground" and "column" from the ordinance. Mr. Laughter asked why there is a difference between a ground and column sign. Mr. Rothrock responded that one is closer to the ground and more massive. Mr. Rothrock added that he thought eliminating ground and column was a good idea.

The Board discussed various size options for single tenant and multiple tenant occupancies. The Board also discussed the height of the sign within the sign structure.

Mr. Carter made a motion to amend the sign ordinance as follows:

Free-standing signs with single tenant occupancy shall not exceed 12' in height and 12' feet in length. The signage area shall not exceed 60 square feet with a sign height not to exceed 10'.

Free-standing signs with multiple tenant occupancy shall not exceed 14' in height and 12' in length. The signage area shall not exceed 65 square feet with a sign height not to exceed 13'.

*Mr. Laugher seconded the motion. **All members were in favor of the motion.***

Other Business

Chairman Harwood asked the members to decide which sub-committee they would like to be on. He added that one member would not be assigned to a sub-committee. Ms. Starnes said that she would be happy to decline being on a sub-committee, but that she could help out on either sub-committee if needed.

Chairman Harwood, Mr. Carter, Mr. Laughter and Mr. Papa volunteered for the Zoning sub-committee. Ms. Hartley, Ms. Stripling, Mr. Steele, and Ms. Bovino volunteered for the Planning sub-committee.

Mr. Rothrock told the Board that Mr. Carter is requesting a Conditional Rezoning at the April meeting and that a neighborhood meeting is scheduled for Thursday, March 26th in the Town Council chambers from 5 pm until 6 pm.

*Mr. Laughter made a motion to adjourn the meeting, seconded by Ms. Starnes. **All members were in favor of the motion.***

Chairman Harwood adjourned the meeting at 6:50 pm.

Chairman David Harwood

Tammy Bentley, Administrative Assistant