

BANNER ELK PLANNING BOARD MEETING  
MONDAY, 02 APRIL 2018  
MINUTES

Members Present: Aaron Barlow, Allen Bolick, Jacki Lecka, Joel Owen, Penny VonCanon

Staff Present: Zoning Administrator Cheryl Buchanan

Chairman Joel Owen called the meeting to order at 6:03 pm. Mr. Owen opened with the pledge of allegiance to the flag.

Consideration of the March 2018 Minutes

Penny VonCanon stated that she wanted to clarify a sign for Circle K's permit that was approved last month. The building attached sign was approved at 40sf and the ordinance states that in that zoning district the building sign can be no great than 35sf. Ms. Buchanan said she would contact them about this. With the noted difference in signage, Allen Bolick motioned to approve the minutes for the March 2018 meeting as submitted. Aaron Barlow seconded. The vote was unanimous and the motion carried.

New Business

Conditional Use Permit Request – EN Marketplace

EN Marketplace has applied for a Conditional Use Permit (CUP) for a parking lot as a principal use on a lot in the C-2 zoning district. Elliot Harwell was present to represent EN Marketplace along with Jason Gaston of Valor Engineering. Ms. Buchanan presented the application and said that all the requirements of the ordinance had been satisfied with the exception of NCDOT approval. The delay is due to a problem at NCDOT, not the applicant's application and they have received a verbal approval. They are just waiting for it in writing. Ms. Buchanan told the Board that this is something that she hears regularly from the public and has no reason to doubt it. Mr. Harwell said he's waiting on NCDOT to approve the ingress and egress as well as the cross walk.

Aaron Barlow motioned to recommend approval of the CUP to the Board of Adjustments (BOA) with the condition that they obtain NCDOT permits before they begin construction. Jacki Lecka seconded. The vote was unanimous and the motion carried.

New Commercial Construction – Jim Ward

Ms. Buchanan introduced Mike Smith of Mike Smith Builders as the representative for Jim Ward, who resides in Florida and could not attend the meeting. Ms. Buchanan told the Board that Article 500 states that any new commercial construction must be approved by the Planning Board. Ms. Buchanan reiterated that Ms. Ward had recently petitioned the Town Council for annexation and was approved as well as rezoning from R-1 to C-2 on PIN 1848-0079-5270 on Highway 194. Ms. Buchanan told the Board that she had suggested that a gravel parking lot would be adequate for stormwater control, but after speaking with a Board Member and Derek Goddard of Blue Ridge Environmental, she found this to not be true. Mr. Goddard suggested pavers or rain gardens. Mike Smith told her that he uses a permeable pavement in Boone that works well. Ms. Buchanan

reviewed the project telling the Board that the building would appear as a log cabin and that there is an elevation drawing in their packets. The property is located in a flood plain and Ralph Daughtery has provided an elevation certificate and staked the base flood elevation on the property. A materials board has been provided by the builder for the Board to review. Ms. Buchanan said the building will be a nice fit and that they have satisfied all the requirements of the Ordinance.

Aaron Barlow motioned to approve with an approval for the parking lot materials reviewed by Cheryl Buchanan to ensure they will provide adequate drainage. A second by Penny VonCanon. The vote was unanimous and the motion carried.

#### *CUP Extension – Elk Creek*

Ms. Buchanan informed the Board that Mr. Accetturo received CUP approval in May 2016. According to North Carolina General Statutes a site specific development plan approved by the Town is an automatic two-year vested right. The statute (160A-385.1) allows for a three (3) year extension if considerable investment has been made on infrastructure. Angelo Accetturo comes before the Board requesting a three (3) year extension on his CUP for a Planned Residential Development (PRD). Mr. Accetturo obtained a zoning permit last month to begin building in the multi-family section of Elk Creek.

With no further discussion, Aaron Barlow recommended approval of the extension to the BOA. Penny VonCanon seconded. The vote was unanimous and the motion carried.

#### *Old Business*

There was no old business for this meeting.

With no further business, Aaron Barlow moved to adjourn with a second by Penny VonCanon. The vote was unanimous and the meeting came to an end at 7:13 pm.

Respectfully submitted,  
Cheryl Buchanan, Zoning Administrator, Town of Banner Elk