

BANNER ELK PLANNING BOARD MEETING
MONDAY, 03 JUNE 2019
MINUTES

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

Staff Present: Zoning Administrator Cheryl Buchanan, Town Manager Rick Owen

Chairman Joel Owen called the meeting to order at 6:00 pm. Mr. Owen opened with the pledge of allegiance to the flag.

Consideration of the April 2019 Minutes

Penny VonCanon motioned to approve the minutes for the April 2019 meeting as submitted. Aaron Barlow seconded the motion. The vote was unanimous and the motion carried.

Old Business

None noted.

New Business

Subdivision of Property – David Burns

Zoning Administrator Cheryl Buchanan began this discussion with identifying the property and informed the Board that the property had just been annexed into Town at the last Town Council meeting. The owner, David Burns, is present and is seeking approval to subdivide the property into four (4) lots. Each lot exceeds the minimum lot requirements of the ordinance and will be serviced by town utilities. Three (3) of the lots will be accessed off of Highway 194 and one lot will be accessed by the private road that runs parallel with the property line on the east side. Mr. Burns told the Board that he has a recorded easement on that private road.

Martha Laura Miller moved to recommend approval to Town Council for the proposed four (4) lots. A second by Penny VonCanon and the vote was unanimous. The motion carried.

Amendment to an Existing CUP – High Country Square

Zoning Administrator Cheryl Buchanan brought an application to the Planning Board requesting the addition of six (6) apartments in a Planned Commercial Development (PCD). Ms. Buchanan told the Board that the current CUP was specifically for all commercial, however, the ordinance does allow for up to 40% of residential in a PCD. Ms. Buchanan spoke to the flood zones on the property and had previously asked the new owner to relocate the dumpster out of the floodway. There is also a wall that was erected in the floodway that could cause some potential damage given the right conditions, but the new owners have already decided to tear the old wall down and work with the State to restore some of the stream bank that has deteriorated along the Elk River.

Ms. Buchanan told the Board that the development does not meet the requirements for impervious surface, but that the new owners had made an effort to restore some additional greenspace to the project. Ms. Buchanan said that when the Town encounters an existing non-conforming use and nothing in the foot print changes, then the project can continue as it was before the changes in the ordinance were made.

Mr. Shaw Kuester was introduced to the Board and was present to answer any questions. Mr. Kuester was asked about sidewalks as he pointed out on the plans that he does intend to put in sidewalks at the front of the property along Highway 184. Mr. Kuester noted that the entrances to the apartments would be from the back of the building allowing for those residents to be able to look out at the Elk River while providing them with some privacy. Mr. Kuester told the Board that their company had several projects like this one and introduced his Boone office manager Dan Williams. Mr. Kuester was asked about sound and how that might affect the businesses below. Mr. Kuester said the complex was well built and that once they began remodeling, if needed they would add extra measure to soundproof the units. Penny VonCanon asked about the piping from the top of the Asian Restaurant that runs down the back of that unit. Mrs. Pat Miller, current owner, said that before that pipe was placed there, the vent leaked some grease and she believes the pipe was placed there to reroute the grease into a proper storage container. Mrs. Miller said the Avery County Health Department could probably speak to this.

Penny VonCanon moved to recommend approval for the High Country Square as a PCD to allow up to 40% residential use for the project. Aaron Barlow seconded. The vote was unanimous and the motion carried.

With no further business, Penny VonCanon moved to adjourn with a second by Meredith Olan. The vote was unanimous and the meeting came to an end at 6:39 pm.

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