

BANNER ELK PLANNING BOARD AND  
LAND USE COMMITTEE  
MONDAY, 27 JUNE 2011  
MINUTES

Planning Board Members: Allen Bolick, John Lavelle, Joel Owen, Jillian Rosato, Dawn Sellars, Ann Swinkola, Penny VonCanon

Land Use Committee: John Davis, Joe H. Perry, Robert Tufts

Staff: Cheryl Buchanan, Rick Owen

Others: Trish Daniels, Ginny Faust, Charlie B. VonCanon

Chairman Joel Owen called the joint meeting to order at 6:37 pm.

Cheryl Buchanan began by introducing the two newest members of the Planning Board – John Lavelle and Jillian Rosato. Ms. Buchanan then reviewed the three plans for Chapter 10.0 Final Concept plans for the final section of the Land Use Plan. The meeting was then turned over to Ginny Faust, Division of Community Assistance. Mrs. Faust had set up the goals and actions steps on the wall and reviewed them with the Board to see if there were any items that were duplicated or that needed to be removed. This review took some time and a comprehensive list is attached to these minutes. (Please see attached summary list of goals and action steps)

Charlie B. VonCanon was recognized by the Chairman and stated that he felt that we are missing the opportunity to provide for the students at Lees McRae in ways such as an affordable fast food restaurant, affordable housing, and a small grocery store. There are 700+ students that reside in Banner Elk and are spending their money in other places. These amenities would need to be close enough for them to walk or ride bikes since many of them don't have automobiles. The question was asked – How do you control what type of business opens in Banner Elk? No answer was forthcoming and this session of the joint meeting came to a close with a brief recess.

Chairman Joel Owen called the regular Planning Board meeting to order at 8:08 pm and opened with the pledge of allegiance to the flag.

Consideration of the May 2011 Minutes

Penny VonCanon noted that although the minutes reflect the late arrival of Dawn Sellars, she was not listed in the members present. Penny VonCanon moved to approve the minutes as amended. Dawn Sellars seconded. The vote was unanimous and the motion carried.

Trish Daniels – Request to address the Board

Mrs. Daniels had requested to address the Board about signage. She passed out a letter and a picture of a sign that she would like for the Board to consider allowing her to put up. Cheryl Buchanan said that she had one comment and wanted to make it before Mrs. Daniels left the room. Ms. Buchanan's comment

was that if everyone were allowed one of these types of signs; which are prohibited by the ordinance, then the Town would be covered up with these types of signs, especially considering not everyone has a planter box and would probably put them by the roadside. Mrs. Daniels asked the Board to consider her request and left the meeting.

#### Consideration of Antler Realty Sign – Heritage Overlay District Requirement

Cheryl Buchanan said that she had met with Julia Heinlein of Antler Realty and had advised her that her sign would need to be repainted if she brought it back into the Town of Banner Elk. Ms. Heinlein called Mrs. Buchanan and assured her that she had the sign repainted to match the color chart. One Planning Board members said that they had held the color chart up to sign and it did not match and in light of the fact that the Board had required an adjoining property owner to meet the color chart, this could pose a problem. Ms. Buchanan said she would go to Antler Realty and make sure they understand that all the colors need to meet the color chart and if not, the signs will need to come down. Penny VonCanon moved to disapprove the sign approval based on non-conformance of coloring. Allen Bolick seconded. The vote was unanimous and the sign was denied.

#### Tree Ordinance

This topic was tabled until the next meeting.

#### Sign Ordinance – Revisions

There was some discussion about the size requirements in the commercial zoning district and the number of businesses in one building and what constitutes an establishment. This will take some research to look into this and get back to the Board about how best to regulate signs for this type of business.

With no further discussion, Ann Swinkola moved to approve as presented. Penny VonCanon seconded. The vote was unanimous and the motion carried.

#### Nuisance Ordinance – Grass Cutting

Town Manager Rick Owen asked the members for their comments on how Banner elk should regulate grass cutting of vacant lots, unoccupied residential lots and occupied residential lots. After much discussion the Board agreed that 7 days was plenty of time to give someone a notice of violation and expect to have the grass cut. Rick Owen said he thought he had the information he was looking for to be able to write an ordinance, that he had wanted the Planning Board to weigh in on the conversation.

With no further business, Ann Swinkola moved to adjourn. Dawn Sellars seconded. All were in agreement and the meeting came to a close at 9:31pm.

Respectfully submitted,  
Cheryl Buchanan, Planning Department