

Town of Maggie Valley
Regularly Scheduled Planning Board Meeting
March 3, 2011
MINUTES

Members Present: Chairman Billy Brede, June Johnson, Doreen Pauley, Bob Knoedler, and Michael Mathews
Members Absent: Tom Benoit and John Schreiber
Staff Present: Manager Tim Barth, Planning Director Nathan Clark, and Town Clerk Vickie Best

Meeting Called to Order

Chairman Brede called the meeting to order at 5:33 p.m. in the Town Hall Boardroom.

Approval of Minutes: February 3, 2011

**MR. KNOEDLER MADE A MOTION TO APPROVE THE MINUTES OF
FEBRUARY 3, 2011 AS PRESENTED.
MS. PAULEY SECONDED THE MOTION.
MOTION CARRIED UNANIMOUSLY.**

Consideration of Rezoning Request: 7696-27-2289

At the February 2011 Planning Board meeting Mr. Don Brackett, owner of The Chalet, appeared before the Board making an informal request to rezone his home and lot (0.28 acres) from Commercial 1 to Residential 2. The Chalet is zoned Commercial 1 while the rear of the property borders a Residential 2 District.

Planning Director Clark recommended approval of the rezoning due to the location and the rear of the property bordering a well established Residential 2 District.

**CHAIRMAN BREDE MADE A MOTION THAT THE PLANNING BOARD
DISCUSSED THE REZONING REQUEST, AND RECOMMENDED THAT THE
REAR OF THE PROPERTY, BEING USED AS A HOME, BE REZONED TO
RESIDENTIAL 2 TO COINCIDE WITH THE PROPERTIES TO THE REAR OF
THE PROPERTY ZONED RESIDENTIAL 2.
MR. MATTHEWS SECONDED THE MOTION.
MOTION CARRIED UNANIMOUSLY.**

Text Amendment: Special Exception Permit Criteria

At the February 2011 Planning Board Meeting, members expressed their interest in seeing a text revision to the two questions the Planning Board is required to answer for the Zoning Board of Adjustments before a Special Exception Use Permit is considered. The Planning Board members felt the current questions were too vague and limited their ability to fully address their comments/concerns about the proposed Special Exception Use Permit.

Director Clark proposed the following text amendment:

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The Board of Adjustment shall request the Maggie Valley Planning Board to review and make recommendations concerning the Special Exceptions relative to the following considerations:

1. Relation of the Special Exception to the goals and objectives outlined by the Town's most recent Comprehensive Plan and Land Use Plan.
2. Has the applicant satisfied the requirements of the Town of Maggie Valley Appearance Standards and Design Review?
3. Is the proposed use in harmony with the surrounding land uses?

Chairman Brede asked that a question be added to ask how the proposed Special Exception affects the surrounding neighborhood. This would allow neighbors to speak on the subject to the Planning Board.

People came to the Zoning Board of Adjustment meeting when the vehicle repossession business was being discussed. People should be able to address the Planning Board with their concerns as well.

Ms. Johnson had concerns about using the word "harmony". People have different definitions for what is in "harmony" with the neighborhood.

The questions need to be subjective; Mr. Knoedler suggested using the word compatible.

MR. KNOEDLER MADE A MOTION TO ADD THE WORDING COMPATIBLE AND IN HARMONY TO QUESTION NUMBER 3 AND ADD A QUESTION NUMBER 4 READING WHAT POSSIBLE EXTERNALITIES WILL THE NEIGHBORHOOD INCUR AS A RESULT OF THE PROPOSED USE. MR. MATTHEWS SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.

Other Business

☞ Director Clark reported that he would be meeting with a person that is interested in opening a doggie daycare/spa at the Soco Zoo site. Last week Director Clark spoke with six different people wanting to open a business in Maggie Valley. The Wind Chime Store has opened. There is interest in opening the old Spring House Bar/Club and a scooter rental and sales is opening beside the BBQ Shack. All uses require board approved as a conditional use.

☞ Robert Leatherwood, the person wanting to open a bar/club at the old Spring House location, has asked Chairman Brede to find land for additional parking. Chairman Brede felt that Mr. Leatherwood had good intentions and would work with the town on the design standards. "An Appearance and Design Committee should be put together as soon as possible before the tourist season begins."

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As previously discussed, due to increasing gas prices people are taking shorter trips for vacation or taking “mini” trips.

☞ Mr. Matthews asked why outside seating is not allowed in Maggie Valley. Director Clark responded that Maggie Valley has no rules prohibiting outside seating. If there are any rules pertaining to outside seating it would be the Department of Alcohol Law Enforcement.

☞ When questioned about the status of Ghost Town, Director Clark responded that the landslide remediation is complete and the risk to adjoining properties has been removed.

☞ Ms. Johnson stated that it would behoove the board to have a means of informing the audience the definitions of common terms used by the Planning Board i.e. R1, Conditional Use, Special Exceptions, etc.

Director Clark will work on developing a way to inform the audience.

☞ Chairman Brede asked that a sign-up sheet be prepared for the Planning Board allowing three minutes for each speaker to address the Board.

Public Comment

None

Planning Director's Report

The Nursing Home facility is coming along well.

Adjournment

**ON MOTION OF MS. JOHNSON, SECONDED BY CHAIRMAN BREDE WITH
ALL IN FAVOR THE MEETING ADJOURNED AT 6:40 P.M.**

Chairman Billy Brede

Vickie Best, Town Clerk, CMC