

Town of Weaverville
Planning and Zoning Board
Minutes – Tuesday, August 7, 2018

The Planning and Zoning Board of the Town of Weaverville met for a regularly scheduled monthly meeting at 6:00pm on Tuesday, August 7, 2018 within Council Chambers at Town Hall.

Present: Chairman Doug Theroux, Vice-Chairman Gary Burge, Board Members Catherine Cordell and Peter Stanz, Alternate Board Members John Chase and Steve Warren, Town Attorney Jennifer Jackson and Planning Director James Eller. Absent: Board Member Leslie Osborne.

1. Call to Order.

Chairman Doug Theroux called the meeting to order at 6:00 pm.

Chairman Theroux noted that Alternate Member Chase would serve as an acting member in the absence of Board Member Osborne.

Mr. Eller noted a revision of the agenda which would accurately describe items 3 & 4 as a resubdivision rather than major subdivision as previously written.

2. Approval of the Minutes from the July 3, 2018 Meeting of the Board.

Mr. Stanz motioned to approve the minutes as presented. Mr. Burge seconded and all voted unanimously.

3. Discussion Related to a Proposed Resubdivision Preliminary and Final Plat for Lot 55 within Reems Creek Village.

Mr. Eller described that the plat before the Board has been reviewed by staff and found to be in compliance with the dimensional standards established by the R-2 zoning district in which the property is located. Mr. Eller also described that staff is proposing the plat before the Board be treated as both preliminary and final due to the infrastructure having been previously constructed which would serve the two proposed lots.

4. Consideration of a Motion Establishing a Recommendation to Town Council on the Aforementioned Resubdivision Plat.

Mr. Burge motioned to send a favorable recommendation to Town Council related to the resubdivision plat within Reems Creek Village finding the plat to be in compliance with the zoning ordinance of the Town and not in conflict with the Town's adopted Comprehensive Land Use Plan. Mr. Stanz seconded and all voted unanimously.

5. Discussion Related to a Proposed Zoning Ordinance Text Amendment Related to Nonconformities.

Resetting the conversation from the last meeting of the Board, Ms. Jackson noted that nonconformities are those lots, structures or uses which were legal at the time of establishment but became nonconforming at the adoption of the zoning ordinance or an applicable amendment thereto.

Consensus was gained to add language related to the settlement of estates where the discontinuance of a nonconforming use is addressed under nonconforming uses.

Mr. Eller shared with the Board a diagram crafted to illustrate the possible expansions of a nonconforming structure. Consensus was gained that:

- (1) Increases in nonconformities related to building height are not allowed;
- (2) Increases in the square footage of a nonconforming structure within the setbacks of the zoning district in which the structure is located are not allowed. In considering whether an increase in square footage has been made or is proposed the zoning administrator is to take into consideration both horizontal expansion (i.e. increasing the building footprint within the setback) and vertical expansion (i.e. adding a second story to the portion of a structure within the setback).

Many and several clerical changes were recommended by the Board which instructed staff to make the necessary revisions for their review at the next regularly scheduled meeting.

6. Consideration of a Motion Establishing a Recommendation to Town Council on the Aforementioned Proposed Text Amendment.

No such motion was made as the conversation related to nonconformities is to continue at the next regularly scheduled meeting of the Board.

7. Any Other Business to Come Before the Board.

Chairman Theroux noted that this meeting would be the last for Board Member Osborne due to the expiration of her term and a pending move to outside the jurisdiction.

Mr. Burge motioned to propose a joint meeting with Town Council for a date to be determined in October or November. Mr. Chase seconded and all voted unanimously.

Mr. Eller briefed the Board on matters related to the R-12 zoning district and annexations coupled with same, the requisite that private roads constructed within municipal borders be built to the Town's standards, and a couple projects which may require review by the Planning and Zoning Board.

8. Adjournment.

Chairman Theroux motioned to adjourn. Mr. Chase seconded and all voted unanimously.

Doug Theroux

Doug Theroux, Chairman
Planning and Zoning Board

ATTEST:

James Eller

James W. Eller
Planning Director / Deputy Town Clerk