

**Town of Weaverville
Board of Adjustment
Regular Monthly Meeting
Monday, January 8, 2024, 6:00pm**

Minutes

The Board of Adjustment of the Town of Weaverville met for its regularly scheduled monthly meeting at 6:00 p.m. on Monday, January 8, 2024, in the Community Room and Council Chambers at Town Hall, 30 South Main Street, Weaverville.

Present: Chairman Tycer Lewis, Vice-Chair Cynthia Wright, Board Members Paul Clauhs, Roger Parkin, and Larry Murray, and Alternate Members Brent Koenig and Paul DeCrosta. Staff Present: Town Attorney Jennifer Jackson and Planning Director/Zoning Administrator James Eller, and Town Clerk Tamara Mercer

1. Call to Order

Chairman Lewis called the meeting to order at 6:00 pm. The staff introduced newly appointed Alternate Board Member Paul DeCrosta, who had previously taken his Oath of Office.

2. Annual Election of Officers

Chairman Lewis requested nominations for Chairman and Vice Chair.

Paul Clauhs moved to appoint Tycer Lewis as Chairman and Cynthia Wright as Vice Chair. Motions were seconded by Roger Parkin. Carried unanimously 5-0.

3. Adoption of Regular Meeting Schedule

Chairman Lewis requested a motion to approve the schedule. Paul Clauhs moved to adopt the 2024 calendar meeting schedule as presented and the motion was seconded by Cynthia Wright. Carried unanimously 5-0.

4. Approval of the Minutes – 3/13/2023 Regular Meeting

Chairman Lewis requested a motion and Roger Parkin moved to approve the March 13, 2023 meeting minutes as presented, seconded by Cynthia Wright. Carried unanimously 5-0.

5. Overview of Board of Adjustment Matters, Attorney Jackson

Attorney Jackson provided an overview of the quasi-judicial evidentiary hearing and decision process and procedures, variance requests, applications for special use permits, due process rights, and land development regulation standards. Focus on conflicts of interest, bias versus impartial decisions, witnesses and parties of standing, presentation of exhibits and evidence, criteria of testimony and North Carolina State Law were reviewed by Attorney Jackson. Majority votes and super majority vote decisions were clarified for the Board.

Planning Director Eller reviewed the upcoming cases expected to be coming before the Board of Adjustment. Mr. Eller elaborated on the Town's jurisdiction in variance requests, Special Use Permits (only a few in the Town), the fee in lieu system, Code of Ordinances, and recent text amendments, waivers, non-conforming uses, appeals, and animal control decisions.

There was a question-and-answer period regarding the status of various projects as discussed by Mr. Eller. By consensus the Board members agreed that a quarterly meeting even though no cases may come before the Board of Adjustment would be in order to review procedures and to receive training such as the School of Government quasi-judicial review for granting variances.

Mr. Eller noted that the Board of Adjustment should also appoint a secretary.

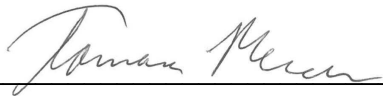
Chairman Lewis requested a motion and Larry Murray moved to appoint Town Clerk Tamara Mercer as secretary to the board, seconded by Paul Clauhs. Carried unanimously 5-0.

5. Adjournment

There being no further business, and without objection, Chairman Lewis requested adjournment.

Paul Clauhs moved to adjourn at 7:15 p.m. seconded by Cynthia Wright. Carried unanimously 5-0.

Attest:



Tamara Mercer, Town Clerk