



**MINUTES OF THE RECONVENED MEETING OF THE LAKE LURE TOWN COUNCIL
HELD TUESDAY, MAY 11, 2021, 5:00 P.M. VIA ZOOM**

PRESENT Mayor Carol C. Pritchett

VIA ZOOM: Mayor Pro Tem John W. Moore
Commissioner Patrick Bryant
Commissioner David DiOrio
Commissioner John Kilby

William Morgan, Jr., Town Attorney
Shannon Baldwin, Town Manager

ABSENT: N/A

I. CALL TO ORDER

Mayor Carol C. Pritchett reconvened the recessed meeting from April 13, 2021 at 5:06 p.m.

V. PUBLIC HEARING

**A. REQUEST FROM DAVID AND MARCIA BAKER TO REZONE PROPERTY
LOCATED AT 0 MEMORIAL HWY., PARCEL NO. 219390, FROM CG
COMMERCIAL GENERAL TO R-1 RESIDENTIAL**

Mayor Pritchett invited the audience to provide additional comments and no one requested to speak at this time.

Mr. Baker voiced his concern with the section of his neighbor's property (Lail's property located at 506 Memorial Highway) that is zoned Commercial General and questioned if it could have been zoned in error. He relayed that both properties neighboring his are zoned Commercial General, but only a 41' section of the Lail's property and he questioned how this occurred. Mr. Baker stated that Mr. Anderson could not find why this parcel was zoned commercial. Mr. Anderson responded and provided clarity that it is possible to find the history of past zoning and how it occurred but he stated that the zoning map was adopted as such. The history may not be part of the decision.

Commissioner Kilby asked when the zoning map was adopted and Mr. Anderson stated that he would need to do some research as to when that particular property was zoned.

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Commissioner Kilby asked if the Baker's could come back and be considered again in the future if there was other information/evidence that is discovered. Mr. Anderson stated that they can reapply after 12 months from the decision. Commissioner Bryant noted that the zoning map does not line up directly with the parcel survey. Mr. Anderson explained that the parcel shapes are updated when the maps are updated but it's up to the map surveyor to download the most current parcel data from the County. When the parcels shift, the zoning maps are not updated. They are only updated when Council makes a map amendment; however, the parcels can shift lines independently of that map. Split zonings are common with large parcels. He noted that it's good practice to have those parcels updated with the most updated parcel data from the County.

Commissioner Moore asked Mr. Baker about imposing deed restrictions for a more restrictive zoning designation which would bind future property owners on what they could/couldn't do on the property. Mr. Baker mentioned that after the last meeting, he has transferred his lake front and cottage property into a trust with the County. From his property standpoint, they've done everything they can to preserve it. He stated that they are more concerned with the 41' commercial property next to theirs. They wanted their property to match with the Comprehensive Plan. He mentioned that he does understand the concerns of spot zoning. There was no further testimony and Commissioner Moore made the following motion:

Commissioner Moore made a motion to deny the rezoning request, RZ_2021001, from David and Marcia Baker and adopt the Zoning and Planning Board's Statement of Reasonableness as presented. Commissioner David DiOrio seconded and the motion carried 5-0. Therefore, the zoning request was denied.

XIII. ADJOURN THE MEETING

With no further business, Commissioner David DiOrio made a motion to adjourn the meeting at 5:20 p.m. Commissioner Patrick Bryant seconded and the motion carried 4-0.

ATTEST:

Michelle Jolley,
Town Clerk

Mayor Carol C. Pritchett