

**Planning Board Minutes  
Regular Meeting  
Maggie Valley Town Hall Board Room  
Thursday March 12, 2020  
5:30pm**

**Planning Board Members Present:** David Williamson - Chairman, Jim Heffron, Kivanc Senocak and Jared Lee

**Members Absent:** Connie Dennis

**Staff Present:** Ron Hancock, Town Planner and Shelly Coker, Executive Assistant

**Others Present:** Eight others

**1. Call to Order**

The Meeting was called to order at 5:30pm. The Pledge of Allegiance was said by everyone. Chairman Williamson stated that a quorum was present.

**2. Approval of Minutes: February 27<sup>th</sup>, 2020 meeting**

Chairman Williamson asked members to review the minutes from the February 27<sup>th</sup>, 2020 meeting. He asked if there were any changes or corrections. There were none. Chairman Williamson asked for a motion to approve the minutes as presented. **Mr. Heffron made the motion to accept the minutes as presented. Mr. Lee seconded. The motion passed with all in favor.**

**3. Public Comment**

There was no Public Comment.

**4. Recommendation on Special Exception Application: Nicole Clark, 40 Deer Run Road**

Chairman Williamson asked Planner Hancock to give a summary of the request. Nicole Clark is requesting a Special Exception to place a double wide Manufactured Home on the property at 40 Deer Run Road. The property is currently zoned as C1. There has been a manufactured home on this property in the past. This is located behind Ryan's Automotive. Design standards must be met. Water and Sewer hookups are already on the lot. The Planning Board will make a recommendation to the Zoning Board of Adjustment.

Bart and Hazel Campbell, property owners are in favor of the application. Chairman Williamson asked if a potential tenant was allowed to make the application. Planner Hancock stated yes. Mr. Senocak stated that he believed a potential tenant should not be able to apply. Planner Hancock reminded the members of a previous application of a tenant applying for a business to be located across from Wheels Thru Time museum.

There was discussion of the requirements and setback. Mr. Senocak mentioned a similar application in 2016 for a Single Wide Mobile Home (SWMH) to be located in the center of Town. Planner Hancock stated that Double Wide Mobile Homes (DWMH) are allowed in the C1 District upon approval by the Zoning Board of Adjustment. There was discussion of the Future Land Use

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map. Nicole Clark spoke of her conversation with the owner of the property, who is in favor of the application. This property has been turned down for a SWMH in the past. She has not signed a lease yet because the Town has to give approval. Mr. Heffron asked about porches or decks on the DWMH. Nicole answered that yes, she would have decks. Clayton Homes will do the foundation, installation and decks. Chairman Williamson asked if Ms. Clark will enter into a lease. Ms. Clark stated yes. Chairman Williamson asked Planner Hancock to check on Applicant's Rights.

Mr. Senocak spoke of the decision to be made. **Chairman Williamson asked for a motion. Mr. Senocak made a motion to not approve this Special Exception Application for Nicole Clark at 40 Deer Run Road. Mr. Lee seconded. Chairman Williamson asked if there was any discussion. There was not. The motion passed with all in favor.**

**5. Review of Preliminary Plat: John Zambito, Fox Run Village**

Chairman Williamson asked Planner Hancock to give a summary. Planner Hancock distributed the Major Subdivision packet to each member. This will be a Planned Unit Development (PUD) featuring manufactured homes. Park Models will be set up according to Flood Damage Regulations. This was approved by the Zoning Board of Adjustment in July 2019. The Preliminary Plat shows that all of the requirements of the Town of Maggie Valley will be met. An Erosion Control Plan will be submitted to Haywood County.

Public Works Director Mike Mehaffey recommended that two of the manholes be removed from the plan. Road plans will also be overseen by the Public Works Director. The entire parcel is within the 100 year Flood Plain. Road construction will be designed with this in mind. Mr. Zambito spoke to the Planning Board members of a catch basin to help with drainage. Engineers will be designing these for Mr. Zambito. His roads will be 'dead-end' roads for the 35 lots. There was discussion of the plat and the area in general.

Chairman Williamson asked Planner Hancock about the process. Planner Hancock stated that the Preliminary Plat review is first. The owner will then begin preparing the property. All homes will be elevated at one foot above flood level. Flow of rain will go from lots to the road to drop inlets to the catch basin. All construction will be done and inspected by the Town, Haywood County, etc. before this comes back to the Planning Board as a Final Plat review.

Mr. Zambito spoke of the delivery of the units by a transporter and all installation will be completed by professionals. He will be selling a land/home package. The neighborhood will have the entrance off of Fox Run Road. There will be a 20' easement from the adjoining property that will be improved to facilitate turning. Mr. Senocak asked about the dumpster location. Mr. Zambito thinks it will be near the existing dumpster for the apartments next door. Chairman Williamson mentioned the trash and recycling service that the Town of Maggie Valley provides. Mr. Zambito would not want the garbage truck coming into the small neighborhood. There will be trees planted and possibly a fence between the apartments and the neighborhood. Mr. Senocak

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asked about the common areas. Planner Hancock stated that it was a unique situation because Mr. Zambito owns both sides of Jonathan Creek. He is planning for a few benches and possibly a fire ring – a social area near the creek. Chairman Williamson asked if the people from Misty Meadows were aware of this. Mr. Zambito stated that they thought the property belonged to them. He has no plans to change anything about that side of the creek.

There was discussion of the building of modular homes, park models or tiny manufactured homes. Chairman Williamson spoke of Mr. Zambito moving along with his PUD. He asked Planner Hancock if the checklist was complete. Planner Hancock stated that the density, set-backs and roads all look good. Mr. Zambito stated there will be a Home Owners Association (HOA) with restrictions. Appearance and set-up standards will be determined along with dues. When asked about his time-table, Mr. Zambito stated that he would like to begin as soon as permissible, possibly summer. They will have several available as soon as possible. Around 75% are anticipated to be sold to retirees.

**Chairman Williamson made the motion to accept the Preliminary Plat for Fox Run Village as presented in the packet, along with the additional Engineering requirements. The motion was seconded by Mr. Heffron. Chairman Williamson asked if there was any discussion. Mr. Senocak asked if the development would be built in phases. Mr. Zambito stated that they will do all of the construction at once, with two tiers of pricing – lots on the creek and lots off the creek. Planner Hancock pointed out that park models are considered two bedroom units. They will each pay \$1,620 sewer capital capacity fees. If there are any major changes with engineering, the plat will come back. Minor changes will be approved by staff. Chairman Williamson called for a vote and the motion passed with all in favor.**

**6. Open Discussion on UDO: Conditional Zoning, Land Use Table and Special Use Permits**

Planner Hancock stated that the Board would go through the Land Use Table, Conditional Zoning and Special Use Permits. The Board members watched the UNC School of Government video at the last meeting. Changes under Conditional Zoning include our attorney recommendation that the Town allow for some conditions less restrictive than the base requirement. Planner Hancock will reconfigure this. Dimensional Requirements have been standardized in Residential and Commercial. Maximum Dwelling Units per acre and Building Height were discussed. Planner Hancock spoke of the Descriptions with Zoning Districts noted. The Land Use Table shows all of the Uses. There was discussion concerning manufactured homes. Some adjustments were made to the Draft.

There was discussion of 'Long Term' or 'Extended Stay' Rentals under Lodging. Under Commercial, General Retail and Convenience Stores were discussed with some adjustments made. Planner Hancock pointed out that a person could always apply for Conditional Zoning to

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get the Use they want. There was discussion concerning Moody Farm Road. Suggestions and adjustments were made in most categories. All line items were reviewed. Manufacturing, Wholesale and Outdoor Storage Items were discussed and some were adjusted.

The Zoning Districts and Permitted Uses will be sent by Planner Hancock to all Planning Board members. The Zoning Map may change for Conditional Zoning, Annexations, Town Center or Manufactured Home Park Districts. Mr. Heffron suggested framing the Zoning Map for public view. The Planning Board members complimented Planner Hancock for all of his hard work.

**7. Other Business**

There was no other business.

**8. Adjourn**

Chairman Williamson asked for a motion to adjourn. **Mr. Lee made the motion to adjourn. Mr. Senocak seconded. All were in favor. The meeting was adjourned at 8:20pm.** The next Planning Board meeting is scheduled for Thursday, April 9<sup>th</sup>, 2020 at 5:30pm.

  
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David Williamson, Chairman

  
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Shelly Coker, Executive Assistant