

**Town of Seven Devils
Planning Board Minutes
February 20, 2024**

The Seven Devils Planning Board met on Tuesday, February 20, 2024, at 5:30pm at Town Hall.

Planning Board members in attendance included: Richard Blonshine, Jim Jones, Cindy Miller, Stuart Ryan, and John Wells IV.

Members absent: Walt Hogan & Joan Streightiff

Staff attendance: Eddie Barnes, Zoning Administrator; the minutes were recorded by Hillary Gropp, Town Clerk.

Call to Order

Zoning Administrator Barnes called the meeting to order at 5:30pm.

Oath of Office

Town Clerk Gropp administered the oath to Planning Board members – Cindy Miller & John Wells IV.

Election of Chairperson

Zoning Administrator opened the floor for nominations of Chairperson.

Member Ryan nominated Member Wells for Chairperson.

Member Blonshine nominated Member Jones for Chairperson.

Member Miller made a motion to close the nominations; Member Wells seconded the motion.

Roll Call vote for Member Wells as Chairperson – 2 Yeas – 3 Nays

Cindy Miller – Nay

Stuart Ryan – Yea

Jim Jones – Nay

Richard Blonshine – Nay

John Wells IV – Yea

Roll Call vote for Member Jones as Chairperson – 3 Yeas – 2 Nays

Cindy Miller – Yea

Stuart Ryan – Nay

Jim Jones – Yea

Richard Blonshine – Yea

John Wells IV – Nay

Member Jones was elected as Planning Board Chairperson; the gavel was turned over to Chair Jones for the continuation of the meeting.

Election of Vice Chairperson

Chair Jones opened the floor for nominations of Vice Chairperson.

Member Ryan nominated Member Wells for Vice Chairperson.

Member Blonshine made a motion to close the floor for nominations; Member Wells seconded the motion.

Planning Board members voted unanimously 5 -0 for John Wells IV as Vice Chairperson.

Amend Agenda

Member Ryan requests the agenda be amended to add New Business Item) B. Short Term Rentals Chair Jones made a motion to amend the agenda; Member Wells seconded the motion.

Approval of Planning Board Minutes – November 21, 2023

Member Wells made a motion to approve the Planning Board Minutes of November 21, 2023; Member Blonshine seconded the motion. All members agreed.

New Business

A. Application of UDO Amendment – Zoning Text – Max Smith, Applicant

Zoning Administrator Barnes provided background information.

- On January 10, 2024, Max Smith submitted an application for request to add Zoning Text in Recreational Business (RB) to allow park model homes/RV/Tiny Home as permitted use.
- Currently, RVs are prohibited in the Town and no zoning district allows RV; General Business (GB) allows for manufactured homes.
- Applicant Smith owns approximately twenty six (26) acres commonly known as the Stables property. The Town's zoning map indicates the following designations on several parcels, including Recreational Business (RB), High Density Residential (HDR) and Low Density Residential (LDR).
- Tiny homes, if they are site built and modular homes are already permitted in the Town's residential districts. These proposed Tiny homes are on a chassis.
- The request is to add a new definition for Park Model Homes/Tiny Homes/RV.
- Add to the table of permitted uses in RB district with a required Special Use Permit (SUP).
- Or the Planning Board to consider a separate overlay district such as Recreation-Residential.
- The Planning Board will need to create standards and regulations in the RB district or overlay district for Recreation-Residential use including Lot size, Max number of units per acre, Utilities, Site Plan & Infrastructure.

Applicant Smith – provided background on his history, he is a resident at 350 Skyland Drive since 2019 and purchased this Stables Property with the goal of appropriately growing the Seven Devils community. Recently, there have been improvements to the barn, with 8 stables, new fencing, paddocks and boarding and future professional landscaping. This is an investment and intended to be profitable.

The presentation had examples of Tiny homes, less than 400 sq. ft., and even though categorized as RV, these would be permanent, not moved, with Short Term Rental (STR) potential for those who are horse enthusiasts, the community will be equine focused. The occupancy per Tiny home is 6 persons maximum.

Discussion & questions occurred with Planning Board members and Applicant Smith.

Topics included:

Type of foundation is cinder block & under pinned; Stables feature limited rent & ride; Horse trailers with power amp hookup accommodations; Low density = 1 per acre; Visibility not expected to be seen from Skyland Drive or Seven Devils Road, probable entrance at both; Located below Hawkspeak South Condo;

Option B for other plans if application request is not approved, N/A; Current NC GS 160D removes requirements of minimum square footage; Cost are less with Tiny home vs Site built; Town of Seven Devils zoning allows for SFR site built homes, not RV; No current plans to build on LDR & HDR zoning; Tiny Homes will be STR, if larger site built home is required, then will most likely be sold, not STR. Discussion occurred that if RV approval is allowed on RB zoning, this would be allowed on other RB zoning parcels in Town; Procedural steps involved to approve the Applicant's request include – Planning Board and Zoning text amendment, Public Hearing, Town Council action/approval, Board of Adjustment – Special Use Permit. Development of the adjoining parcel of LDR will require UDO Subdivision guidelines.

Chair Jones stated more information is needed; Applicant to follow up with Zoning Administrator Barnes. Applicant Smith concluded the presentation with the Planning Board.

No Action Taken ~OPEN~

B. Short Term Rentals – Stuart Ryan, Planning Board Member

Member Ryan added this agenda item to open discussion about Short Term Rentals.

- 1.) History – Town has increasing inventory of STR, instead of owner's vacation homes.
- 2.) Advantages of STR include – Revenue for Town – Occupancy Tax/TDA, Owner's generate income, Markets the Town of Seven Devils and tourism dollars are spent in the local economy.
- 3.) Disadvantages of STR include – Noise, trash, traffic, tourists/strangers, and parking issues.
- 4.) Solutions – HOA have stricter control over STR, require permits, limit days and limit cars at STR.

Member Ryan understands the Town's Nuisance Ordinance addresses some issues such as noise, trash and requires the action of the Town Council to adopt/update. Member Ryan suggested consideration for the noise ordinance to begin at 9:00pm, instead of 10:00pm and limit the number of cars parked at STR to 1 car per bedroom.

Zoning Administrator Barnes reports that other towns, including Boone and Blowing Rock have drafted ordinances for STR's and to allow the time to see what legal challenges might come from this action.

Other discussion among Planning Board members included: What is the identity of the Town – Resort Town or Residential; should parking at each STR be limited then where will the extra cars be allowed to park – Town owned property; Homeowner's Associations (HOA) have the ability to regulate STR's; what additional ways can the Town ordinances be communicated to tourists, including fines for violations.

Zoning Administrator Barnes to follow up on ordinance language of other towns.

No Action Taken ~OPEN~

Old Business

A. CLUP Review/Discussion

Chair Jones stated the Comprehensive Land Use Plan (CLUP) is required to be updated every five years. In reviewing the language of the CLUP, the updates will include the total number of homes and population statistics. Survey questions have not been drafted or sent to citizens. The CLUP is a guiding document for the Town, but not an enforceable document.

No Action Taken ~OPEN~

Citizen Comments

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Leigh Sasse – 245 Chestnut Ridge Trail- commented thoughtful consideration should be given to limiting the number of cars parked at STR residential location, as it could cause conflict with year round citizens whose household includes more drivers/cars than the number of bedrooms.

Tom Bookstaver – 231 Snowcloud Drive – reported after a recent mix up on a fire call, Bookstaver asked about changing the name of a road in Town, to avoid confusion with another similar named road.

Brian Davies – 299 Cliffside Lane- commented about the topic of STR and Owner occupied residents/citizens is the language in the Town's UDO. Davies also commented about Tiny Home and the Table of Permitted Use for RB allows for Lodge vs Tiny Home and suggested this is better for the Town.

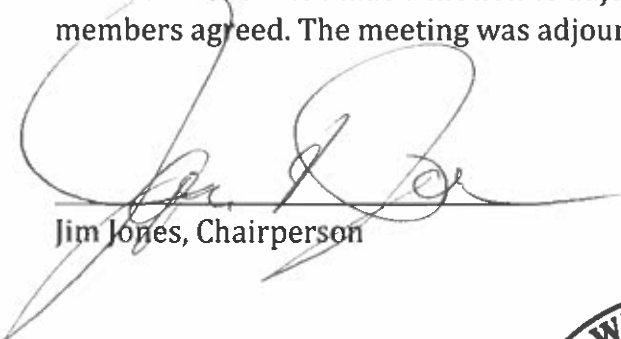
Planning Board Comments

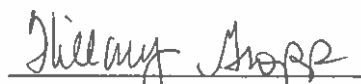
Member Wells inquired how the Town's website could better inform tourists and occupants of STR of the Towns' Nuisance Ordinances.

Member Ryan inquired about the recent Planning Board recommendation to extend the construction timeline and if this contributed to the cancellation of a Board of Adjustment meeting, as well as possible lost revenue due to fines not being imposed.

Adjourn

Member Blonshine made a motion to adjourn the meeting; Member Ryan seconded the motion. All members agreed. The meeting was adjourned at 7:15pm.


Jim Jones, Chairperson


Hillary Gropp, Town Clerk

