

**Town of Boone
Public Hearing
6:00 PM, Mar. 24, 2025
Town Council Chambers
1500 Blowing Rock Road**

Public Comment: To give public comment, you should appear in person at the physical location of this meeting. Persons who attend the meeting remotely via WebEx, a videoconferencing software, may be permitted to speak during public comment but are not assured of that opportunity.

WebEx Participation: To join online or by phone, email Planning and Inspections at planning@townofboone.net or call 828-268-6960, and you will be provided with an email invitation. Requests must be submitted no later than one hour before the meeting begins.

I. Call to Order of Town Council and Planning Commission

II. Moment of Silence

III. Approval of Meeting Minutes

Town Council Approval of February 24, 2025, Public Hearing Minutes

*Planning Commission Approval of February 24, 2025, Public Hearing and Planning
Commission Meeting Minutes*

February 27, 2025, Public Hearing/Planning Commission Meeting
Minutes

PUBLIC HEARING

- A. *Presentation of Case by Staff/Applicant***
- B. *Discussion/Questions by Town Council and Planning Commission***
- C. *Public Comment***
- D. *Discussion/Questions by Town Council and Planning Commission***

IV. Case A25-0105 The View Apartments - Conditional District Zoning Map Amendment

Case A25-0105 Exhibit 5: Staff Report

Case A25-0105 Exhibit 1: Revised Plans

Case A25-0105 Exhibit 2: Deed

Case A25-0105 Exhibit 3: Owner Authorization

Case A25-0105 Exhibit 4: Neighborhood Meeting Presentation

V. Case A25-0115 Jeremiah's Ice - Conditiona District Zoning Map Amendment - POSTPONED

VI. Case A25-0164 Estep and Rivers - General Use Zoning Map Amendment

Case A25-0164 Exhibit 1: Staff Report

VII. Adjournment of Town Council

PLANNING COMMISSION

VIII. Discussion of Case(s) Heard at the Public Hearing

IX. Other Matters

X. Adjournment

**TOWN COUNCIL AND PLANNING COMMISSION
SPECIAL PUBLIC HEARING MINUTES
MONDAY, FEBRUARY 24, 2025, 6:00 PM
1500 BLOWING ROCK ROAD AND VIA WEBEX SOFTWARE**

COUNCIL MEMBERS PRESENT: Mayor Tim Futrelle, Mayor Pro Tem Dalton George, Eric Plaag, and Edie Tugman

COUNCIL MEMBERS ABSENT: Todd Carter and Virginia Roseman

PLANNING COMMISSION MEMBERS PRESENT: Frank Veno-Vice-Chair, Chris Behrend (joined via WebEx at 6:11 p.m.), Garrett Kight, and Anne Pruitt (via WebEx)

PLANNING COMMISSION MEMBERS ABSENT: Adrian Tait

PLANNING STAFF PRESENT: Jane Shook-Director of Planning & Inspections, Brandon Wise-Deputy Director of Planning & Inspections, and Brenda Henson-Board Clerk

Call to Order

Mayor Futrelle called the Town Council to order at 6:05 p.m. Vice-Chair Veno called the Planning Commission to order at 6:06 p.m. The meeting was held in the Town Council Chambers at 1500 Blowing Rock Road and via WebEx.

Moment of Silence

A moment of silence was observed.

Approval of Meeting Minutes

Council Member Plaag moved to approve the January 27, 2025, Public Hearing minutes as written. Council Member Tugman seconded the motion.

Vote: Aye – 3
Nay – 0
Absent – 2 (Carter, Roseman)

The motion passed.

Commission Member Pruitt moved to approve the January 27, 2025, Public Hearing and Planning Commission meeting minutes as written. Commission Member Kight seconded the motion.

Vote: Aye – 3
Nay – 0
Absent – 2 (Behrend, Tait)

The motion passed.

PUBLIC HEARING

Case A25-0108 Emergency Disaster Relief Uses – Manufactured Home Parks – UDO Text Amendment

A text amendment to amend UDO Article 15 Limited Use requirements to allow emergency temporary housing units to be placed in existing manufactured home parks.

Jane Shook, Director of Planning & Inspections, presented the request as outlined in the meeting packet. She stated that this text amendment would allow manufactured homes in manufactured homes parks destroyed by disaster to be temporarily replaced with temporary housing units.

Council Member Plaag asked how many locations were zoned for manufactured housing. Ms. Shook replied that only one area was zoned for manufactured housing, and it was the Greenway Manufactured Home Park. She explained that the park was comprised of two lots. Current UDO regulations would allow one temporary housing unit per parcel, meaning the park could have only two temporary housing units for the entire park.

Commission Member Behrend joined the meeting at 6:11 p.m.

There was no public comment on this case.

Vice-Chair Veno asked if the homes in the park were individually owned. Ms. Shook stated that some were individually owned, and the property owner of the manufactured home park owned some.

Vice-Chair Veno noted that the lots in the park were small. Ms. Shook explained that the temporary housing units would be travel trailers and RVs, which were typically smaller than manufactured homes. She added that new manufactured homes were often larger than older homes, so the park layout would likely need to be restructured.

Commission Member Kight asked if GIS or County tax mapping showed how many lots were in the park. Ms. Shook replied that only two parcels of land were in the park. The individual home lots were configured by the property owner and approved based on UDO requirements by the Town. Council Member Plaag noted that there was no legal deed to each manufactured home slip or lot.

Council Member Tugman asked what would happen if new home placements did not meet setback requirements for the lot. Ms. Shook reiterated that the property owner would then present a new layout plan to the Town that met current UDO and life safety requirements. She added that manufactured home standards may need to be revisited.

Commission Member Pruitt asked if new home placements could be grandfathered under the current regulations. Ms. Shook replied that a new home would have to be placed in the same location as a previous home and not encroach into the setback, which could be challenging.

With nothing further, Mayor Futrelle closed the public hearing for this case at 6:20 p.m.

Adjournment of Town Council

Council Member Plaag moved to adjourn the Public Hearing at 6:20 p.m. Mayor Pro Tem George seconded the motion.

Vote: Aye – 3
Nay – 0
Absent – 2 (Carter, Roseman)

The motion passed.

Tim Futrelle, Mayor

Brenda Henson, Board Clerk

Frank Veno, Planning Commission Vice-Chair

PLANNING COMMISSION

Case A25-0108 Emergency Disaster Relief Uses – Manufactured Home Parks – UDO Text Amendment

A text amendment to amend UDO Article 15 Limited Use requirements to allow emergency temporary housing units to be placed in existing manufactured home parks.

Commission Members Pruitt, Kight, and Vice-Chair Veno felt the amendment was clear and straightforward.

First Motion and Vote: Commission Member Pruitt made a motion that the proposed amendment to the Town's zoning ordinance is consistent with the Town's comprehensive plan and any other adopted plans of the Town that are applicable because of:

Comprehensive Plan Policy 2.3.3 Housing and Neighborhoods

A. The protection and rehabilitation of viable neighborhoods shall be encouraged to ensure their continued existence as a major housing source and as a reflection of the area's image as an attractive, highly livable community.

F. The affordable housing needs of area residents, particularly elderly and low to moderate income residents, shall be recognized in Town policies and actions regarding residential development.

Commission Member Kight seconded the motion.

Vote: Aye – 4
Nay – 0
Absent – 1 (Tait)

The motion passed.

Second Motion and Vote: Commission Member Kight made a motion that the Planning Commission recommends approval of Ordinance A25-0108 within Exhibit A and believes approval is reasonable and in the public interest because it facilitates affordable housing in an emergency situation and gets the community back up and running to their prior state. Commission Member Behrend seconded the motion.

Vote: Aye – 4
Nay – 0
Absent – 1 (Tait)

The motion passed.

Other Matters

Ms. Shook informed the commission members that work was still ongoing on the Boone Next Plan. She stated there could likely more workshops before the final product moved to a public hearing process.

Ms. Shook noted that the Town Council adopted a public comment policy earlier this month that would affect the Planning Commission meetings. She provided the members who were present with a paper copy of the policy and stated she would email the remaining members a copy. The policy was also placed on the Town's website and the Planning Commission webpage. Ms. Shook noted that copies of this policy would be made available at every Planning Commission meeting.

Adjournment

Commission Member Kight motioned to adjourn the meeting at 6:33 p.m. Commission Member Behrend seconded the motion.

Vote: Aye – 4
Nay – 0
Absent – 1 (Tait)

The motion passed.

Frank Veno, Planning Commission Vice-Chair

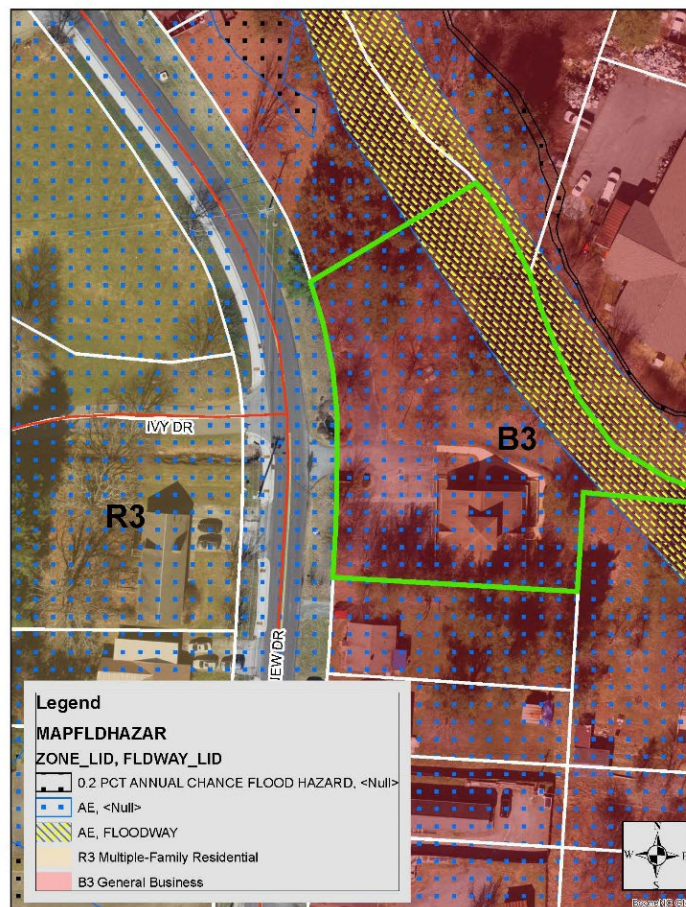
Brenda Henson, Board Clerk



Staff Report
March 24, 2025

Case A25-0105 – The View Apartments Conditional District Zoning Map Amendment

Request.....	2
Parcel and Project Information.....	2
Procedural Analysis:	3
Zoning Analysis	4
District Compliance:	4
Use Compliance:.....	5
Additional Ordinance Compliance:.....	7
CONFORMITY TO ADOPTED PLANS	9
COMPREHENSIVE PLAN UPDATE	9
Certificate of Mailing	13
Certification of Posting	13
Conclusion	13
Planning Commission Recommendations	14
TOWN COUNCIL ACTION - Adoption of Ordinance.....	15
Exhibit A – Ordinance A25-0105.....	16



Request

Charlotte Lindmanis has submitted a Conditional District Zoning Map application to rezone 381 Meadowview Drive from B3 General Business to Conditional District R3 Multi-Family Residential. with a site-specific plan for use 1.11 Multi-Family Dwelling (up to 30 bedrooms). As proposed, the structure would contain 5 dwelling units with no change to the current footprint of the structure. The subject property is outlined in green on the map above.

Parcel and Project Information

Address:	381 Meadowview Dr
Property Owner:	Margaret K Sparks Living Trust
Watauga County PIN:	2910-41-2870-000
Parcel Tax Value:	\$480,530
Lot size:	0.790 ac
Jurisdiction:	Town of Boone
Access:	Meadowview Drive (Town Maintained)
SFHA:	Yes
Watershed District:	No
Corridor District:	No
NCD:	No
Viewshed:	No
Steep Slope:	No
Current Zoning:	B3 General Business with Special Flood Hazard Area Overlay The B3 General Business District is primarily intended to accommodate a wide range of office, restaurant, retail, service, and multi-family residential uses in a mixed-use environment. The regulations for this district are intended to create a comfortable, healthy, safe, aesthetically pleasing, and pleasant environment for all appropriate uses. The Special Flood Hazard Area is an overlay district intended to regulate the Special Flood Hazard Area pursuant to Article 30 Flood Damage Prevention.
Proposed Zoning:	R3 Multiple-Family Residential District with Special Flood Hazard Area Overlay The R3 Multiple-Family Residential District is established to provide a high-density area consisting of three or more dwelling units per lot plus limited-service use. The regulations for this district are intended to secure for the persons who reside there a comfortable, healthy, safe, aesthetically pleasing and pleasant environment in which to live, sheltered from incompatible and disruptive activities that properly belong in nonresidential districts.

Current Use: 11.18 Medical Office, Category 4

Proposed Use: 1.11 Multi-Family Dwelling (up to 30 bedrooms)

A building or combination of buildings on a single lot which includes three or more dwelling units.

Proposed Project

Costs: \$115,000

Proposed Units: 5

Proposed Bedrooms: 10

Zoning & Use of Adjacent Properties		
	Adjacent Zoning	Adjacent Land Use
North	B3 General Business	Vacant
East	B3 General Business	Vacation Rental, Commercial
South	B3 General Business	Single-Family Dwelling
West	R3 Multiple-Family Residential	Single-Family Dwelling

Procedural Analysis:

Pursuant to UDO Subsection 14.01.02(C) a Conditional District (CD) is a zoning district in which the use and development of a property pursuant to a site-specific development plan is approved through the legislative process pursuant to Article 9 of this Ordinance. A CD utilizes a proposed general use zoning district, is limited to the authorized uses and development standards mandated within that district and may be subjected to conditions that make the development more desirable.

A site-specific vesting plan is defined in UDO Article 34 as “A plan submitted to a local government in which the applicant requests vesting in accordance with Section 4.13, describing with reasonable certainty on the plan the type and intensity of use for a specific parcel or parcels of property. The plan may be in the form of, but not be limited to, any of the following plans or approvals: a subdivision plat, a preliminary or general development plan, a special use permit, a conditional district zoning plan. The plan shall include the approximate boundaries of the site; significant topographical and other natural features affecting development of the site; the approximate location on the site of the proposed buildings, structures, and other improvements; the approximate dimensions, including height, of the proposed buildings and other structures; and the approximate location of all existing and proposed infrastructure on the site, including water, sewer, roads, and pedestrian walkways.”

See below for details on the applicant’s compliance with the Conditional District procedural requirement for a neighborhood meeting as set forth in UDO Subsection 9.09.02 and the development’s overall compliance with UDO standards specific to the development:

Compliance with UDO Subsection 9.09.02 Neighborhood Meeting:

- A. The applicant shall conduct a neighborhood meeting prior to the submission of the application for a Conditional District Zoning Map Amendment. This meeting will allow the applicant to explain the proposed development and to be informed of the concerns of the neighborhood and surrounding property owners.
- B. A meeting notice must be mailed to property owners within 300' of the development at least 25 days prior to the meeting in accordance with Subsection 1.13.02 herein. A copy of the notice shall also be provided to the Planning Department. The notice shall contain a summary of the proposed development, the applicants contact information, the date, time, and location of the meeting.
- C. The meeting must be held at an accessible and convenient location and time in light of available options. Upon coordination through the Planning Department, the meeting may be held at Town Council Chambers if that location is available.
- D. At the meeting, the petitioner, at a minimum, shall present all the following information:
 - 1. Contact information of the parties involved in the ownership, design, and development of the property;
 - 2. The location of the property and general information on the current conditions of the site;
 - 3. Proposed use(s) and site development;
 - 4. Any preliminary plans or renderings, if available; and
- E. The applicant shall provide the Administrator with a summary report of the meeting which includes a list of all attendees and details the meeting including all concerns expressed by attendees and commitments made by the petitioner. This report shall be included in the staff report.

Staff Note: The applicant held a neighborhood meeting on January 14, 2025. Exhibit 1, starting at page 10, has the summarized report information from that meeting, the presentation from the applicant to attendees is included as Exhibit 4.

Zoning Analysis

District Compliance:

As proposed, the site-specific plan is in compliance with the R3 Multiple-Family Zoning District standards as shown below, with an exception of an existing encroachment into an interior setback on the south side:

Standard	Proposed	Compliance
Minimum Gross Land Area: 20,000 sq ft	34,369 ft	Yes
Minimum Lot Width: 80 ft	Over 136 ft	Yes
Minimum Street Frontage: 64 ft	185 ft	Yes
Minimum Livability Space: .40	Over 50%	Yes
Interior Setback: 13 ft	6.5 ft south side, existing	No
Street Setback: 20 ft	Approx 70 ft	Yes
Maximum Building Height: 3 stories	2 stories	Yes

Use Compliance:

Multi-family dwelling units created by a change in use of a portion or all of an existing development to multi-family use are required to meet all the limited use requirements for Use 1.11 Multi-Family (up to 30 bedrooms) which can be found in UDO Section 15.03 and are detailed below:

- 15.03.03(A): A townhouse style design and a mixture of unit configuration and sizes per development shall be encouraged. No one type of dwelling units, as defined by the number of bedrooms, shall comprise more than 50% of the total units.

Staff Note: The applicant proposes to use the existing structure which would contain two studio units, one 2 bed unit, and two three bed units, see layout information on the site plan, Exhibit 1, pages 7-8.

- 15.03.03(B): Parking shall be limited to a maximum of two (2) spaces per unit and a clearly designated parking area for visitors. The square footage of the parking designated for visitors may not exceed ten percent (10%) of the total parking area. A minimum of twenty-five percent (25%) of units shall have a garage or carport. If freestanding, garages and carports shall be architecturally integrated with the development. To the greatest extent practicable, parking shall be located behind or underneath proposed building(s).

Staff Note: The applicant's site plan, Exhibit 1, is in compliance with the minimum parking standards for automobiles as detailed in UDO Table 24.01. No reference to visitation parking was included but based information provided there would be 10 spaces available for residents and 14 spaces available for visitors. The site plan indicates compliance with the garage, however full details would be required during zoning review. The maximum number of parking places has exceeded what is allowed; however, the parking is existing and there are no proposed changes to the layout beyond the addition of the garage.

- A livability space ratio of .50 must be met for the development. Fifty percent (50%) of the required livability space shall be designated to a defined area exclusively for the use of ground floor units. This space must consist of a common yard with accompanying private outdoor space for each ground level unit, or individual yards contiguous with the unit served. Either configuration must provide direct access from all ground floor units. The remaining livability space shall be designated for the use of the development as a whole as recreation space and shall be located so as to provide for direct auditory, visual, and physical access from the dwelling units served.

Staff Note: The development is in compliance with this requirement, see Exhibit 1, pages 4 and 15.

A. On-site property management or an owner's association shall be required.

Staff Note: This requirement is not addressed by the applicant's site plan.

B. Recreation space:

1. A minimum of 5% of the parcel shall be provided as recreation space for residents of the development.

2. In general, required recreation space shall have a least dimension of twenty-five feet (25), an average dimension of fifty feet (50'), and a minimum area of 2,500 square feet. Smaller dimensions are acceptable if:

- a. Less than 2500 square feet of recreation area is required, or
- b. The recreation area is a suitably improved roof area or enclosed floor area, or
- c. The anticipated needs of the residents require smaller facilities, such as tot lots or shuffle board courts, or

3. The dedication of a greenway easement may be used to satisfy the requirements for recreational space.

4. Outdoor recreation area for common use should be located twenty feet (20') or more from any residential windows at the same general level.

5. Recreation areas shall be maintained in a safe and sanitary manner.

Staff Note: The development is in compliance with this requirement, see Exhibit 1, pages 4 and 15, reflecting recreation space more than 5% of the parcel exceeding 2500 square feet, full details to be reviewed with a zoning application.

A. The maximum building height shall be three (3) stories of occupied space, and in no case shall the building exceed fifty feet (50') in total height including the roof or the maximum in the particular zoning district, whichever is less.

B. Roof Requirements:

1. If a pitched roof is proposed, the pitched roof area may be used as attic or storage space.
2. If a flat roof is proposed, fifty percent (50%) of the roof area must be used as livability space.

C. The front entrance of each unit on the first floor must be at ground level to the greatest extent practicable.

Staff Note: The existing structure's front entrance is off from an elevated porch that is accessed by a sloping sidewalk. The site plan, Exhibit 1, does not indicate any changes to that access.

Pursuant to UDO Section 15.03.05 each dwelling unit shall meet the following standards:

A. The bedroom to bathroom ratio of each unit within the development shall be limited as follows:

1. Efficiency unit and one (1) bedroom unit: one (1) bathroom.
2. Two (2) bedroom unit: one (1) or two (2) bathrooms, with no less than one bathroom with common access.
3. Three (3) bedroom unit: Two (2) bathrooms with no less than one (1) bathroom with common access.
4. Four (4) or more bedroom unit: Three (3) bathrooms with no less than two (2) bathrooms with common access from a hall.

B. In every unit with two (2) or more bedrooms, a designated master suite must be included and shall be at least twenty-five percent (25%) larger than every other bedroom and not less than 144 square feet excluding closet space.

C. Dedicated storage space of at least fifty square feet (50 ft²) per unit must be provided for units without garages. Any storage space which is not within or attached to the building containing the units served by the space must be architecturally integrated with the development.

Staff Note: The applicant's site plan, Exhibit 1 pages 7-8, is in compliance this requirement.

Additional Ordinance Compliance:

In addition, compliance of the existing development with the requirements of the Unified Development Ordinance triggers additional improvement based on the costs of the proposed change-of-use redevelopment. In this case, the applicant will need to bring the rest of the site into compliance with

1. Bicycle parking in accordance with Section 24.09.
2. Landscape improvements pursuant to Section 31.09 Screening Along Streets with a priority given to large deciduous trees.
3. Lighting improvements pursuant to UDO Subsections 27.02.02(D) and 27.03.04.

Parking:

Required	Proposed	Compliance
Automobile Space – 7 minimum	24	Yes
Bicycle, Short-Term – 1 minimum	2	Yes
Bicycle, Long-Term – 1 minimum	Unknown	No
Motorcycle – 1 for 40 vehicle spaces	0	Yes

Staff Note: The applicant's site plan, Exhibit 1, indicates placement of a bike rack. The applicant has demonstrated intent to meet the bicycle parking ordinance but more detail will be required at the time of the zoning permit.

Landscaping:

Initial review of the site indicated compliance with the street yard requirements and some improvements needed along the back of the property and with existing shrubs. A landscaping plan to show compliance with UDO Article 31 would be required during the zoning permit process.

Staff Note: The existing street yard is in compliance with the intent of the ordinance; however, the rear buffer will need to be brought into compliance by removing the dead plant material and replanting approved shrubbery.

Lighting:

The existing site does not have any unshielded or exposed tube lighting, the street light on site would need to be evaluated for color temperature.

Staff Note: Any light fixture exceeding a color temperature of 3,500 Kelvins would be required to be brought into compliance during the zoning permit process.

Special Flood Hazard Area Analysis:

A portion of the property is located within the Special Flood Hazard Area as noted above. Pursuant to UDO Article 30, the Special Flood Hazard Areas are those identified under the Cooperating Technical State (CTS) agreement between the State of North Carolina and FEMA in its Flood Insurance Study (FIS) and its accompanying Flood Insurance Rate Maps (FIRM), for Watauga County dated December 3, 2009 which are adopted by reference and declared to be a part of this Article.

The parcel is located within Zone AE (the “100-year flood area”) and a portion of the property is located in Zone AE-Floodway. Per Town of Boone UDO Subsection 30.03.02(F) should the existing structure be substantially improved at any point the entire structure will be required to come into compliance with the existing flood ordinance.

Staff Note: Based on the application and preliminary cost estimates the property would not be required to come into compliance with the current flood ordinance.

CONFORMITY TO ADOPTED PLANS

COMPREHENSIVE PLAN UPDATE

1.1 Overall Objectives for the Boone Comprehensive Plan (p. 15):

The following objectives, which have not been listed in any particular order of importance, are deliberately broad in scope and less specific than either a policy statement or an implementation action.

Economic Development: Acknowledge the area's natural beauty, university, and medical center presence as the Town's greatest assets for economic development and jobs creation. Treat them accordingly.

Community Appearance and Community Character: Blend the built environment with the natural, scenic, and historic character of a High-Country small town. Especially discourage commercial strip development, cluttered signage, and "cheap" apartment buildings.

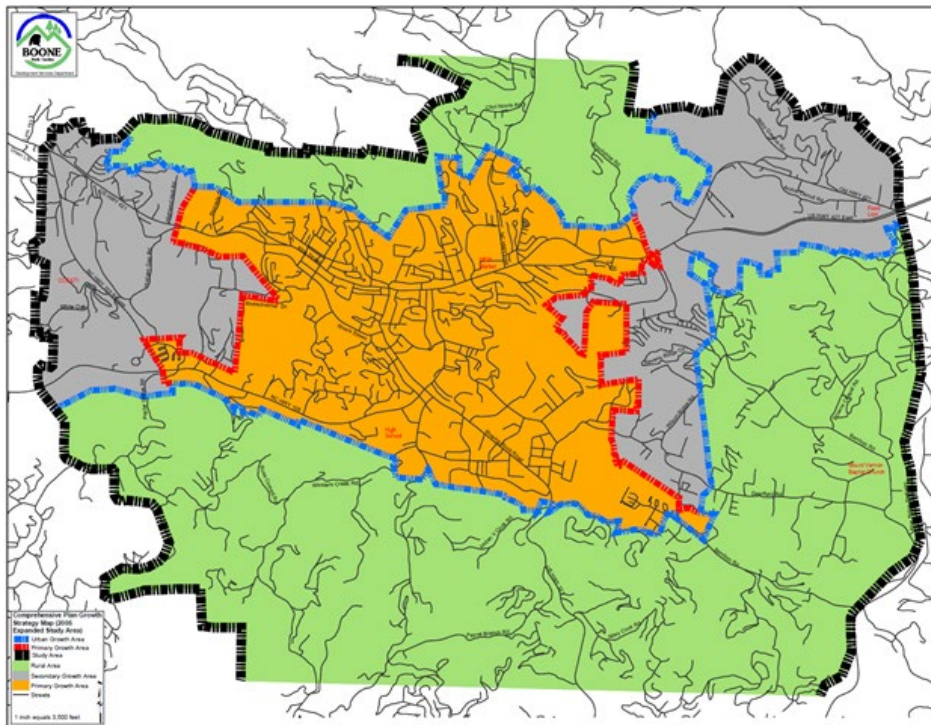
Open Space: Integrate open space and greenways into the urban fabric of the Town. Preserve the countryside by discouraging suburban sprawl. Avoid development in floodplains, on ridgetops, and on steep slopes.

Environmental Quality: Address and monitor growth factors and activities that contribute to water, air, light, and noise pollution.

Trees: Conserve existing trees and plant new trees, especially hardwoods.

Neighborhoods: Ensure the livability of neighborhoods, especially through land use and traffic planning.

1.2 Growth Strategy Map (p. 17): The property is located within Primary Growth Area.



The property is located within the Primary Growth area. The Primary Growth Area is that portion of the urban growth area where urban level or facilities are already in place or can be provided most cost effectively. This is the area where near term growth and development is to be especially encouraged.

The Secondary Growth Area is that portion of the urban growth area where urban level services can be provided, but on a lower priority basis than in the primary growth area.

Additionally, for comparison, the Rural Area is that portion of the planning study area that is influenced by urban area growth forces, but within which urban level development should be strongly discouraged. Urban level services and associated development densities should not be planned for this area, except in case by case evaluations of major economic development projects.

Staff has reviewed land use and comprehensive plan policies, and listed those policies which in staff's opinion have a bearing on the request. The Commission and Council should review these policies carefully. Each member may make his or her own interpretation as to the relevance of each and which carry the most weight thereby shaping their overall recommendation. See below:

...

2.1 THE ECONOMY

2.1.1 Economic Development

- A. The Town shall protect and enhance a high quality of life, image, cultural amenities, and natural beauty as the most effective, long term component of an economic development strategy.
- D. Economic development efforts shall encourage the revitalization and reuse of currently unused or underutilized structures, sites and infrastructure in appropriately located areas.

2.1.2 Commercial Development

- A. Uncontrolled strip development along the areas through streets shall be prohibited. The undesirable effects of existing strip development shall be reduced and/or reconfigured when redevelopment opportunities permit. New strip development on isolated single lots along through streets shall be discouraged.
- D. Automobile Orientated Neighborhood and Convenience Commercial Centers shall be encouraged to locate on a collector street or secondary street at its intersection with a major street.
- E. Residentially scaled and designed neighborhood businesses may be a planned element of newly developed or redeveloped neighborhoods. They should be near other compatible facilities such as elementary schools and neighborhood parks.
- I. Office and institutional development may be encouraged as a transitional land use between residential areas and higher intensity commercial activities.

2.2 INFRASTRUCTURE

2.2.1 Transportation

- B. Planned systems of pedestrian ways, bikeways, greenways, and similar facilities shall be encouraged as energy efficient and environmentally sound transportation alternatives. Site planning that incorporates secure bicycle storage at places of living, working or schooling, shopping, and gathering shall be required, where appropriate.
- F. A program of improvements and maintenance to maximize the use of existing streets shall be employed as a cost effective means of meeting area transportation needs, provided that such improvements shall not destroy the livability of a residential or commercial area for the sole purpose of moving greater traffic volumes.

- G. The operational success of the area's mass transit system shall be enhanced through the encouragement of compact, transit sensitive development patterns. Site planning that incorporates transit stops and convenience clusters shall be required, where appropriate.
- H. Policies that have the effect of reducing automobile dependency, use and congestion in the heart of the urban area shall be supported.

2.2.2 Utilities

- B. Water and sewer services shall be concentrated within the limits of a geographically defined Urban Growth Area. The Primary Growth Area shall receive first priority for the provision or enhancement of water and sewer services.
- C. The Town shall consider the highest level of participation in the cost of providing water and sewer services within the Primary Growth Area with the next highest level of participation considered for the Secondary Growth Area.
- E. The Town shall employ incentives to encourage a concentration of intense urban type development within the Urban Growth Area.

2.2.3 Parks, Recreation and Open Space

- E. Provision of open space and recreational facilities shall be encouraged in private developments and through intergovernmental and public/private partnerships.
- F. The identification and appropriate development of a system of open space greenways within the planning area shall be encouraged for both recreational and alternative transportation purposes. The use of natural corridors such as streams, floodplains, and secondarily, man-made corridors such as utility and transportation rights-of-way and easements shall be emphasized.

2.2.4 Public Safety

- D. The Town shall place renewed emphasis on enforcement of the state building code and flood prevention regulations to avert or minimize loss of life and property during natural disasters.

2.2.5 Environmental Health

- A. Development on ridgetops and excessive slopes shall be strongly discouraged. Where development is allowed, stringent performance standards shall be met.
- B. Continued improvements to the public sewage collection and treatment facilities shall be supported, with priority given to servicing existing or planned densely developed areas where environmental and economic benefits can be realized.
- C. Development activities in the 100 year floodplain or near lakes or streams shall be carefully controlled. If development must occur, low intensity uses such as open space, recreation and adequately buffered agricultural or forestry activities shall be preferred.
- D. Runoff and drainage from development activities shall be of a quality and quantity as near to natural conditions as possible, with special emphasis given to critical watershed areas.
- E. Development which preserves the natural features of the site, including existing topography, streams and significant trees and vegetation, shall be reflected in the Town's Development Standards.

- F. Recognizing the economic and environmental costs of commercial and residential stormwater runoff, innovative stormwater management techniques such as permeable sidewalks, driveways, and parking areas shall be encouraged.
- G. The development of a comprehensive drainage and flood plain management plan, including public and private actions in support of plan implementation, shall be supported.
- J. Research and development of reuse, recycling, and resource recovery programs, whether public or private, shall be encouraged and supported.
- K. The Town shall encourage and set an example which promotes water and energy conservation, and the reduction of waste generation at the source.
- O. Encourage use of low-impact habitat-friendly practices to achieve and maintain native species, including plants, wildlife and beneficial insects (such as pollinators) within private and public developments.

2.3 THE COMMUNITY

- A. Urban type development within the Urban Growth Area shall meet appropriate Town standards.
- B. Properly planned, mixed use developments that promote efficient provision of public services shall be encouraged within the Urban Growth Area.

2.3.1 Community Appearance

- A. Measures to improve the effectiveness of grading, landscaping and buffering standards for new and existing developments shall be encouraged.
- B. The significance of street trees in providing visual relief, summer cooling, improved air quality and livability shall be recognized through public policies and actions to encourage their planting and maintenance.

2.3.2 Community Character

- E. New development, redevelopment and rehabilitation of structures and sites shall occur in a manner which is consistent with the neighborhood and architectural context of the immediate area, and supportive, whenever possible, of Boone's original community character as a High Country small town.

2.3.3 Housing and Neighborhoods

- A. The protection and rehabilitation of viable neighborhoods shall be encouraged to insure their continued existence as a major housing source and as a reflection of the area's image as an attractive, highly livable community.
- C. Proposed residential development which would expose residents to harmful effects of incompatible development or to environmental hazards shall be prohibited.
- D. Innovative and flexible land planning and development practices shall be encouraged to create livable developments which better safeguard land, water, energy and historic resources.
- E. Factors in determining preferred locations for high density residential development shall include: close proximity to the university, employment or shopping centers; access to major thoroughfares and the transit system; the availability of public services and facilities; and compatibility with adjacent land uses.

- F. The affordable housing needs of area residents, particularly elderly and low to moderate income residents, shall be recognized in Town policies and actions regarding residential development.
- G. Compact, full service neighborhoods, offering opportunities for living, working, shopping, and gathering places, shall be encouraged in newly planned developments, as well as for redeveloping areas.
- H. The overall housing unit density for proposed infill residential development or redevelopment should be compatible with the average density of existing areas.

Certificate of Mailing

I, Brenda Henson, certify that individual notices meeting the requirements of Article 9 of the Town of Boone UDO were placed in the mail (first class) on 02/28/2025.

/s/ Brenda Henson

Brenda Henson, Administrative Support Specialist

Certification of Posting

I, Brandon Wise, certify that the subject property was posted as required in Article 9, Subsection 9.03.03(B)(2) of the Town of Boone UDO on 02/28/2025.

/s/ Brandon Wise

Brandon Wise, Deputy Planning Director

Conclusion

The following conditions are automatically included and a part of any approval.

1. Where there is a conflict between the application information and the plans (dated received on February 06, 2025), the plans shall control. Insignificant deviations may be permitted to comply with the requirements of the UDO.
2. Any commitments and representations concerning the proposed development made by the applicant or her representatives at the public hearing shall also become a condition of the permit, and a basis for a stop work order and/or permit revocation if violated.
3. The applicant shall submit the necessary applications, plans, details and specifications which meet the requirements of the Town Code, UDO, Building Code and any other applicable codes for review and approval necessary to issue Zoning and Building Permits.

Any other conditions agreed upon by the applicant and Town Council:

1. Any other conditions agreed upon ...

Planning Commission Recommendations

Per NCGS 160D-604(b), subsequent to initial adoption of a zoning regulation, all proposed amendments to the zoning regulation or zoning map shall be submitted to the Planning Commission for review and comment. If no written report is received from the Planning Commission within 30 days of referral of the amendment to that board, the Town Council may act on the amendment without the Planning Commission report. The Town Council is not bound by the recommendations, if any, of the Planning Commission. Per NCGS 160D-604(d), when conducting a review of proposed zoning text or map, the Planning Commission shall advise and comment on whether the proposed action is consistent with any comprehensive plan that has been adopted and any other officially adopted plan that is applicable. The Planning Commission shall provide a written recommendation to the governing board that addresses plan consistency and other matters as deemed appropriate by the Planning Commission, but a comment by the Planning Commission that a proposed amendment is inconsistent with the comprehensive plan shall not preclude consideration or approval of the proposed amendment by the governing board.

Vote 1: The proposed amendment to the Town's zoning map ☐is OR ☐is not consistent with the Town's comprehensive plan and any other adopted plan(s) of the Town that are applicable because:

Note 1

Vote 2: The Planning Commission recommends ☐approval OR ☐denial of Ordinance #A25-0105 within Exhibit A and believes ☐approval OR ☐denial is reasonable and in the public interest because:

Note 2

Note 1: describe elements of controlling land use plans and how the amendment is or is not consistent.

Note 2: briefly explain why, factors may include (i) the size, physical conditions, and other attributes of the area proposed to be rezoned, (ii) the benefits and detriments to the landowners, the neighbors, and the surrounding community, (iii) the relationship between the current actual and permissible development on the tract and adjoining areas and the development that would be permissible under the proposed amendment; (iv) why the action taken is in the public interest; and (v) any changed conditions warranting the amendment.

TOWN COUNCIL ACTION - Adoption of Ordinance

Per NCGS 160D-605, when adopting or rejecting any zoning text or map amendment, the Town Council shall approve a brief statement describing whether its action is consistent or inconsistent with an adopted comprehensive plan. The requirement for a plan consistency statement may also be met by a clear indication in the minutes of the governing board that at the time of action on the amendment the governing board was aware of and considered the planning board's recommendations and any relevant portions of an adopted comprehensive plan. If a zoning map amendment is adopted and the action was deemed inconsistent with the adopted plan, the zoning amendment shall have the effect of also amending any future land-use map in the approved plan, and no additional request or application for a plan amendment shall be required. A plan amendment and a zoning amendment may be considered concurrently.

Vote 1: The proposed amendment to the Town's zoning map ☐is OR ☐is not consistent with the Town's comprehensive plan and any other adopted plan(s) of the Town that are applicable because:

Note 1

Vote 2: The Town Council ☐approves OR ☐denies and believes ☐approval OR ☐denial of Ordinance #A25-0105 in Exhibit A is reasonable and in the public interest because:

Note 2

Note 1: describe elements of controlling land use plans and how the amendment is or is not consistent.

Note 2: briefly explain why, factors may include (i) the size, physical conditions, and other attributes of the area proposed to be rezoned, (ii) the benefits and detriments to the landowners, the neighbors, and the surrounding community, (iii) the relationship between the current actual and permissible development on the tract and adjoining areas and the development that would be permissible under the proposed amendment; (iv) why the action taken is in the public interest; and (v) any changed conditions warranting the amendment.

Exhibit A – Ordinance A25-0105

Ordinance A25-0105

WHEREAS, pursuant to N.C. Gen. Stat. §160D-601, the Town may amend its zoning map after giving proper public notice and holding a public hearing; and

WHEREAS, the Planning Commission and Town Council has received the request to amend the Official Zoning Map of the Town of Boone, North Carolina to rezone the property below from B3 General Business with Special Flood Hazard Area Overlay to R3 Multiple-Family Residential with Special Flood Hazard Area Overlay with a site-specific development plan for Use 1.11 (Multi-Family Dwelling (up to 30 bedrooms).

Addresses: 381 Meadowview Dr

Watauga County PIN: 2910-41-2870-000

Property Owner: Margaret K Sparks Living Trust

WHEREAS, the Boone Town Council held a duly-noticed public hearing 03/24/2025 with respect to this rezoning request; and

WHEREAS, the Boone Town Council has taken into full consideration any information offered at the public hearing; and

WHEREAS, this Town Council has reviewed the written recommendations of the Town of Boone Planning Commission; and

NOW, THEREFORE, BE IT RESOLVED as follows:

SECTION 1. The Boone Town Council hereby approves and adopts the modifications to the Town Zoning Map as set forth herein.

SECTION 2. All provisions of any Town ordinance in conflict with this ordinance are hereby repealed to the extent of such conflict.

SECTION 3. This Ordinance shall be effective immediately upon its adoption by Town Council.

Adopted this the 23rd day of April, 2025.

The Honorable Tim Futrelle, Mayor

Attest:

Nicole Harmon-Church, Town Clerk



381 Meadowview Drive

Conditional Rezoning Application – Supporting Materials

Contact: Charlotte Lindemanis
(c) 704-516-2159 charlottelindeman@gmail.com

Exhibit 1



Communication: Case A25-0105 Exhibit 1: Revised Plans (Case A25-0105 The View

381 Meadowview Dr.

Conditional Rezoning Application – Supporting Materials

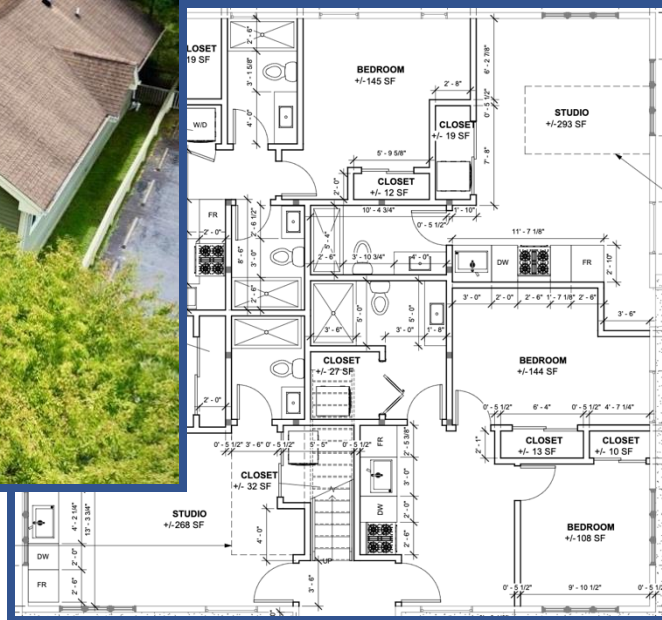


Table of Contents

Project Overview	3
Site Map	4
Current Owner Authorization	5
R3 Zoning Requirements Compliance	6 - 18
Progress & Milestones	6
Building Layout (Internal Floorplans)	7 - 8
Parking	9
Neighborhood Meeting & Support	10 - 12
Street Yard	13 - 14
Livability Space	15
No Flooding During Hurricane	16
Carport	17 - 18
Appendix – Sample Residential Before / After Rehab Projects	19 - 27

381 Meadowview Drive Project Overview

381 Meadowview Dr. is currently zoned B3 General Business. We are applying for conditional rezoning of the property to R3 Multifamily Residential to convert the interior of the building into 5 apartments. The exterior of the building will not be modified except as required to comply with R3 standards.



The View Apartments

Project Overview

- ❖ **5 apartments** (4 units on 1st floor, 1 unit on 2nd floor)
- ❖ **Total of 10 beds**
- ❖ **Apartments will have high-end finishes** including stainless steel appliances, modern kitchens and bathrooms and in-unit washer dryers
- ❖ **Current parking lot has 24 spaces for 10 tenants**, exceeding R3 requirements and more than adequate for future residents and visitors
- ❖ Construction should not disturb the neighborhood as most work will occur inside the building and be completed in 3-4 months
- ❖ A single covered car port will be constructed as required for R3 zoning

Existing Site / Landscaping & Proposed Building Layout Meet R3 Requirements

- ✓ Apartments including bedroom sizes, storage and mix of floorplans comply with all R3 ordinances (detailed in this document)
- ✓ Existing landscaping meets street yard requirements, and the site is more than 50% livability space including common yard, individual yards and sufficient recreation space

381 Meadowview Dr. Site Map

Street Yard:

- Current site meets the 10' width street yard and foliage ordinance requirements as confirmed by Deputy Director of Planning & Inspections, Brandon Wise, during a site visit (see slides 13 & 14); Any additional foliage needed to meet the intention of the ordinance will be planted in the Spring

Parking Lot:

- Current parking lot has 24 spaces for 10 bedrooms which exceeds the R3 Multi-Family requirement of 0.7 spaces per bedroom, i.e. 7 spaces for 10 bedrooms

Covered Car Port:

- To be integrated into existing building to meet R3 requirements

The site is more than 50% livability space including:

- **Common Yard**
- **Individual yards** contiguous with the unit served; Configuration of existing decks and paths provide direct access from all ground floor units
- **Recreation space** that is more than 5% of the parcel and exceeds 2500 sf
- Outdoor table seating & bike rack to be added for residents



Site Map Key

- Property Border
- Existing Parking Lot Borders
- Livability Space
- Street Yard

Current Property Owner Authorization

Authorization from current owner Margaret Sparks, on behalf of the Margaret K Sparks Living Trust, for Charlotte Lindemanis to apply for rezoning of 381 Meadowview Dr.

DigiSign Verified - b97d6803-e086-4ec7-9c2a-7ab5fe1f5e95

Date: December 9, 2024

Property Owner Authorization

Authorization of Charlotte Lindemanis to apply for a permit to rezone 318 Meadowview Dr., Boone NC 28607

I, Margaret Sparks, on behalf of Margaret K Sparks Living Trust, the current owner of 381 Meadowview Dr., Boone, NC 28607, authorize Charlotte Lindemanis and her associated LLCs to apply for a permit to conditionally rezone 381 Meadowview Drive. submit an application for rezoning this property. Charlotte Lindemanis & her associated LLCs are authorized to apply for this permit.

Print Name: Margaret Sparks

Signature: Margaret Sparks

Key Milestones & Progress

Overview of Progress To Date

- 12/6/2024: Met with Town of Boone Planning and Inspections (Brandon Wise and Amy Snider) to discuss conditional rezoning application for 381 Meadowview Drive
- Mailed neighborhood meeting notification letters to all property owners within 300' of property and received positive feedback including emails supporting the conversion of 381 Meadowview Dr. into residential apartments
- 1/3/2025: Met with Town of Boone Planning & Inspection Departments
 - Reviewed proposed building layout with Darrell Pulliam, who preliminary confirmed the proposed layout meets NC Building Code (to be fully reviewed upon submission for building permits)
 - Discussed rezoning application with Amy Snider
- 1/14/2025: Conducted neighborhood meeting at Town Council Chambers:
 - Attended by Mark & Maria Owens (417 Meadowview Dr.) and Stephen Phillips (264 Ivy Dr.)
 - All attendees voiced support of project
 - See slide 11 with meeting overview & sign-in sheet
- 3/12/2025: Discussion with Public Works (Andrea Church, Robbie Jones & Mike Trivette) to confirm water and sewage requirements and approach to convert property from general business to multi-family apartments; Apartments will be individually metered

Key Dates

- 12/6/2024 & 1/3/2025: Meetings with Town of Boone Planning and Inspections
- 1/14/2025: Successful Neighborhood Meeting
- 2/07/2025: Deadline for rezoning application
- 3/24/2025: Public Hearing and Planning Commission Meeting to review proposed project
- 4/9/2024: Town Council Meeting
- Construction to commence immediately after rezoning approval & receipt of building permits; Anticipate completion within 3-4 months

Building Layout & Each Apartment Meet R3 Requirements

The building will meet all Multi-Family standards:

- ✓ A mix of unit configurations and sizes
- ✓ No one type of dwelling unit, as defined by the number of bedrooms, comprises more than 50% of the total units
- ✓ All 5 apartments meet the bedroom bathroom ratio requirements

First floor:

- Two Studios
- One 2Bed1Bath
- One 3Bed2Bath

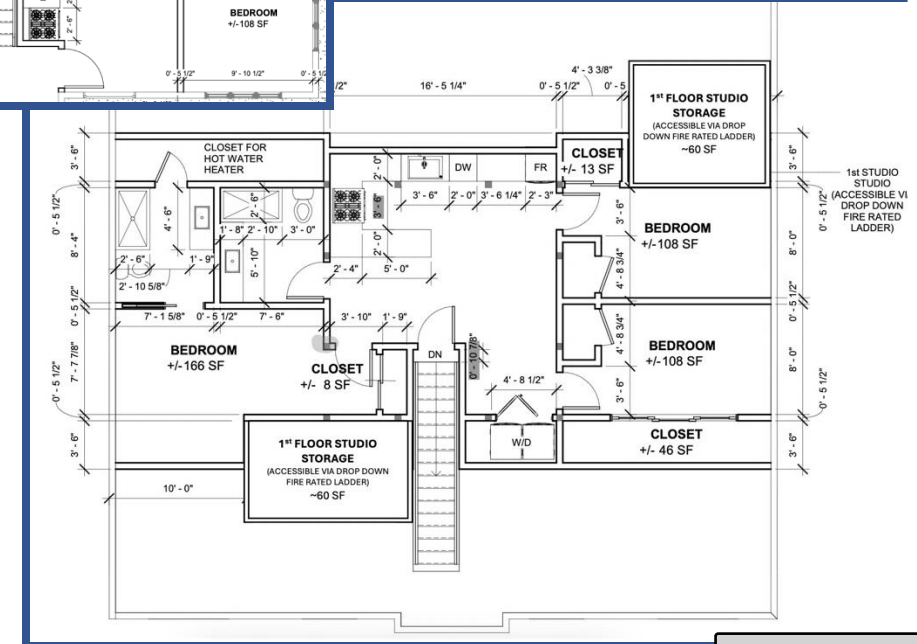
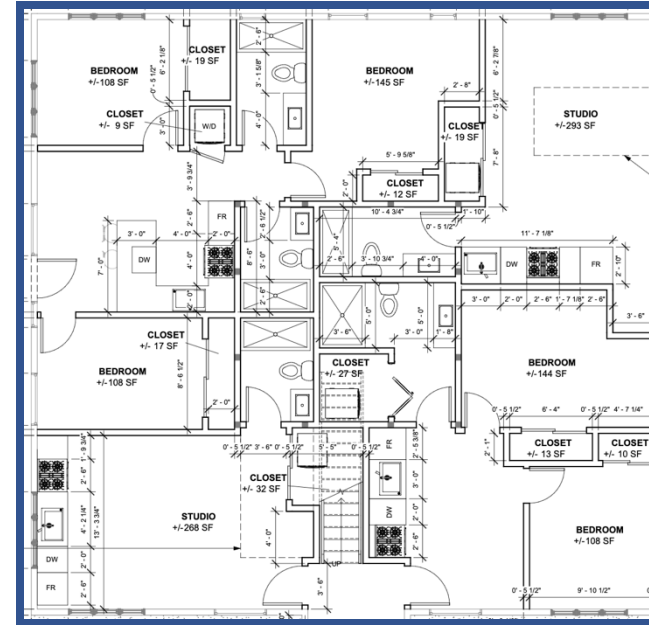
Second floor:

- One 3Bed2Bath

Each unit meets all R3 Multi-Family requirements:

- ✓ Every unit with two (2) or more bedrooms has a designated master suite that is at least 144 sf excluding closet space and at least 25% larger than every other bedroom
- ✓ Each unit has dedicated storage space of at least fifty square feet; Each studio apartment has access to additional storage on the second floor via a fire-rated drop-down ladder in the unit
- ✓ Occupancy of each unit shall be limited to (2) two unrelated persons

Apartments will have high-end finishes including stainless steel appliances, modern kitchens and bathrooms and in-unit washer dryers.



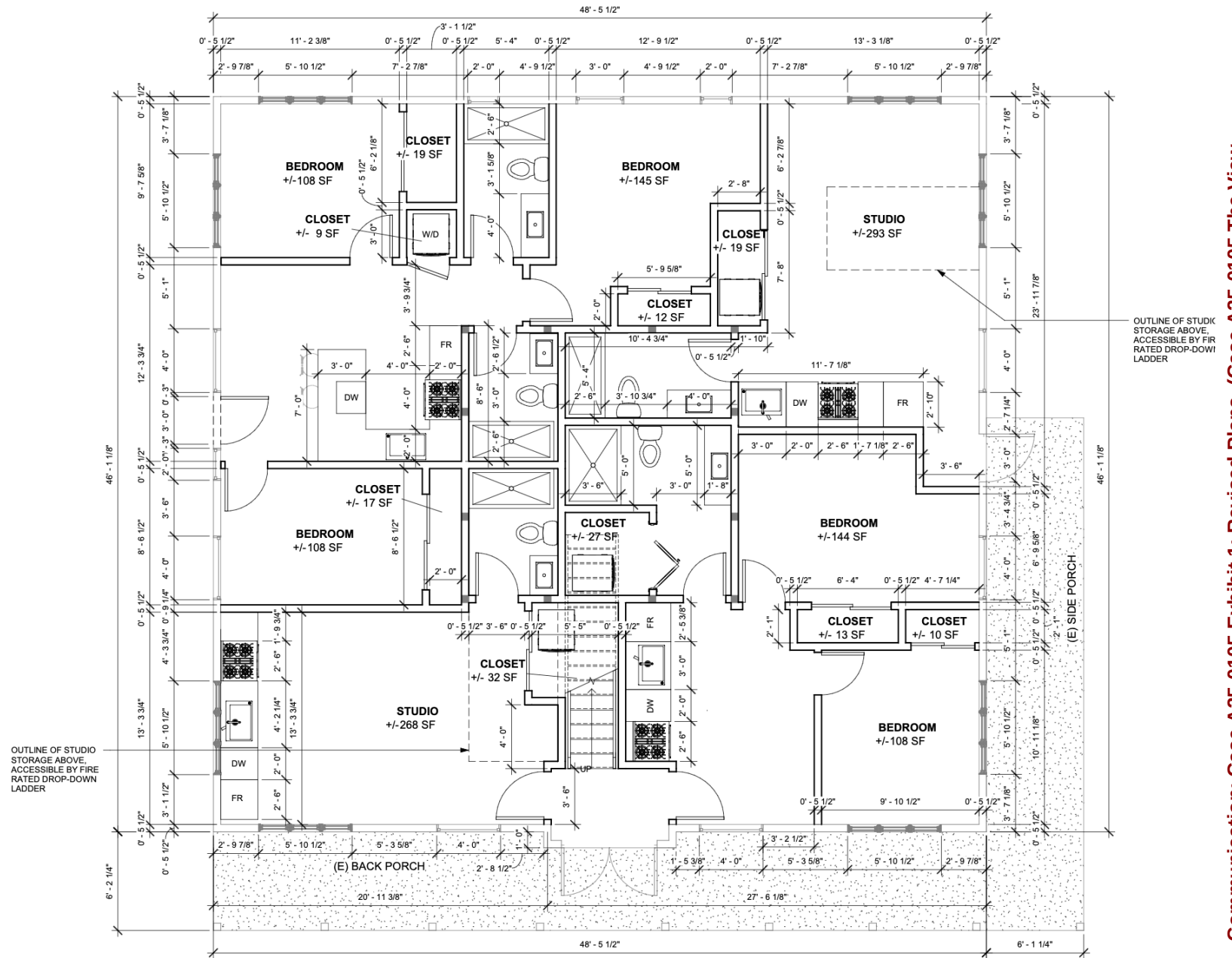
First Floor Layout

First Floor (all units meet R3 requirements as detailed on the previous slide):

- Two Studios
- One 2Bed1Bath
- One 3Bed2Bath

Apartments feature modern, upscale finishes:

- Gourmet kitchens with premium stainless-steel appliances, soft-close cabinetry and quartz and granite countertops
- Dishwashers
- Garbage disposals
- In-unit washer dryers
- Modern bathrooms with tiled showers and bathtubs
- Hard floors
- Ample closet / storage space



**Proposed layout will be updated as needed to remain compliant with all building codes and zoning ordinances; Exact layout and details like vanity size may be modified to optimize usability, design and tenant comfort*

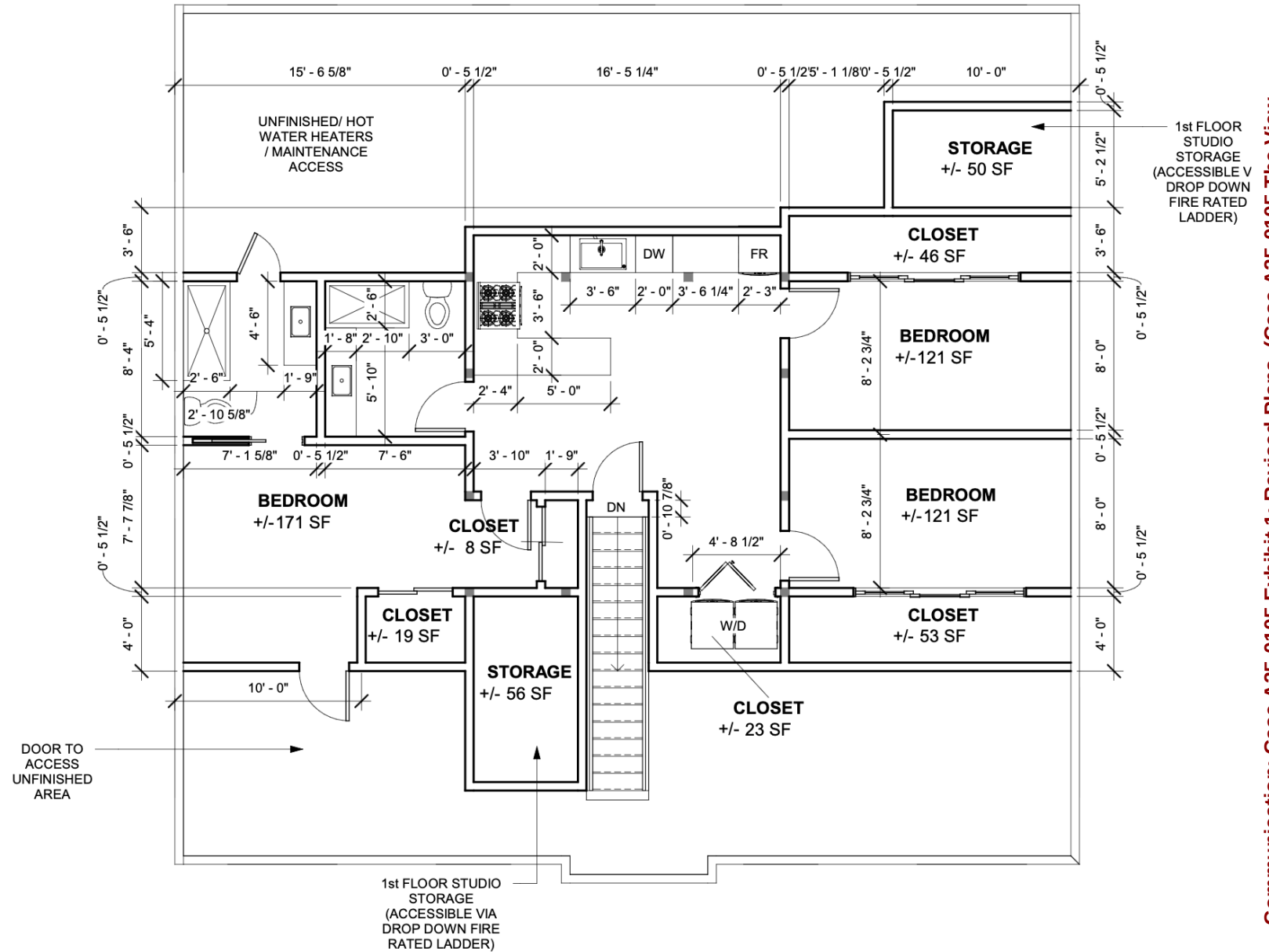
Second Floor Layout

Second Floor includes:

- One 3Bed2Bath apartment that meets all R3 Requirements as detailed on slide 8
- Two storage spaces dedicated to the first-floor studio apartments that are accessible via drop down fire-rated ladders to meet R3 storage requirements

Apartments feature modern, upscale finishes:

- Gourmet kitchens with premium stainless-steel appliances, soft-close cabinetry and quartz and granite countertops
- Dishwashers
- Garbage disposals
- In-unit washer dryers
- Modern bathrooms with tiled showers and bathtubs
- Hard floors
- Ample closet / storage space



*Proposed layout will be updated as needed to remain compliant with all building codes and zoning ordinances; Exact layout and details like vanity size may be modified to optimize usability, design and tenant comfort

Project Meets R3 Parking Requirements

Current parking lot has 24 spaces for 10 bedrooms which exceeds the R3 Multi-Family requirement of 0.7 spaces per bedroom, i.e. 7 spaces for 10 bedrooms

Table 24.01 Required Parking by Use:

Residential Land Uses	Minimum Parking Required
A-1 Secondary Suite A-3 Accessory Dwelling Unit T-1 Temporary Family health care structure T-2 Temporary Construction or Repair Dwelling T-3 Temporary Construction Trailer	1 space
1.01 Single-Family Dwelling 1.02 Manufactured Home "Class A" 1.03 Manufactured Home "Class B" 1.06 Duplex (each unit) 1.07 Duplex (each unit) 1.08-1.10 Townhouse (each unit) 2.01 Family Care Home A-21 Caretaker's Residence	2 spaces
1.05 Manufactured Home Park	2 spaces /Manufactured Home plus, 1 visitor parking space/10 Manufactured Homes, plus 2 spaces for Manufactured Home Park Employees
1.11-1.16 Multi-Family	0.7 space per bedroom
1.17 Adult Living Community	1 space/ unit plus .5 visitors parking space/dwelling unit
3.01 Home for Survivors of Domestic Violence	3 Spaces

Existing Parking Lot Exceeds R3 Parking Space Requirements

- ✓ **1.11-1.16 Multi-Family requires 0.7 space per bedroom.** 381 Meadowview Dr will have 10 bedrooms which equates to 7 spaces
- ✓ Current parking lot has 24 spaces for 10 bedrooms (13 more spaces than the required 7)



Neighborhood Meeting

Charlotte conducted a neighborhood meeting on January 14th that was attended by 3 neighbors, all of whom voiced support of the proposed project.

Conducted Neighborhood Meeting

- Mailed neighborhood meeting notification letters to all property owners within 300' of the property and received positive feedback including emails in support of converting 381 Meadowview Dr. into residential apartments
- Conducted neighborhood meeting on January 14, 2025 at Town Council Chambers
 - Attended by Mark & Maria Owens (417 Meadowview Dr.) and Stephen Phillips (264 Ivy Dr.)
 - All attendees voiced support of project; No requests or concerns voiced
 - Brandon Wise assisted with setup; Discussed takeaways and application with him upon meeting's conclusion
- As required, the Neighborhood Meeting presentation included:
 - ✓ Contact information of the parties involved in ownership, design and development of the project
 - ✓ Location of the property and general information on the current conditions of the site
 - ✓ Proposed use and site development
 - ✓ Preliminary plans
 - ✓ See attached document of neighborhood meeting presentation (supplemented with 1:1 conversations)

Neighborhood Meeting Sign-In

Mark + Maria Owens
417 Meadowview Dr
Boone NC 28607

Stephen Phillips
264 Ivy Dr
Boone, NC 28607
828-964-2512

Neighborhood Notification Letter

This letter was mailed to all property owners within 300 ft of 381 Meadowview Dr. and received an email of support from Maria Owens (documented on the next slide) as well as 3 attendees at the neighborhood meeting (see attendee sign-in sheet and list on previous slide).

In regards to:
381 Meadowview Dr.,
Boone, NC 28607

Notice of Neighborhood Meeting
Re: Conditional Rezoning Application for 381 Meadowview Dr.

Dear Neighbor & Property Owner,

You are invited to a "Neighborhood Meeting" as required by the Town of Boone in regards to the Conditional Rezoning Application for 381 Meadowview Dr., Boone, NC 282607.

The property at 381 Meadowview Dr. is currently zoned B3 General Business. We are applying for conditional rezoning of the property to R3 Multifamily Residential. We will not be modifying the exterior of the building except as required by UDO to comply with R3 requirements. Our project will focus on converting the interior of the building into apartments.

We do not anticipate that construction will disturb the surrounding area as most work will take place inside the building. The building's current parking lot has adequate parking for future tenants plus extra parking for visitors.

The Town of Boone Unified Development Ordinance requires that all property owners within 300' of the proposed development be invited to a neighborhood meeting, conducted by the applicant to explain the proposed development and address any questions or concerns.

You are invited to the Neighborhood Meeting on January 14, 2025 from 5:00 - 6:30 PM at Town Council Chambers located at 1500 Blowing Rock Road. We will be available to answer any questions related to the proposed project and conditional rezoning. We welcome your input and feedback.

Please feel free to contact me directly with any questions or concerns. I can be reached at 980-288-4040 or charlottelindeman@gmail.com. I look forward to meeting you on January 14th.

Thank you for your time.

Sincerely,

Charlotte Lindemanis
980-288-4040

Neighborhood Support Email

Email of support received from Maria Owens, 417 Meadowview Dr., in response to the proposed rezoning of 381 Meadowview Dr. detailed in the Neighborhood Notification Letter.



Charlotte Lindemanis <charlottelindeman@gmail.com>

318 Meadowview Dr

1 message

Maria Owens <mariaowensrealty@gmail.com>

Thu, Jan 2, 2025 at 5:57 PM

To: "charlottelindeman@gmail.com" <charlottelindeman@gmail.com>

Hi Charlotte,

Thanks so much for your time and explanation of your plans for 318 Meadowview Drive. We could not be more pleased with the possibility of the property being used as multi family Residential. I have talked to neighbors and everyone I talked to agrees that converting the property to residential will definitely enhance our neighborhood. We have had both business and residential, and the residential is more in keeping with the area.

When 381 Meadowview came on the market, we hoped that someone would turn the property into multi-family residential and preserve the green space which your proposal does. Behind 381, Mountaineer Sheet Metal has a huge pile of debris from their old HVAC systems that keeps getting bigger. We have been concerned that another business would come to 381 and create a huge trash pile. We are relieved that your proposal for the property will not do this. Our hope is that the town allowing you to use 381 for multi-family residential will protect the environment and neighborhood.

Another benefit of having the property residential is that there will be activity at night and lights on which is good. As a business, people are around during the day but the building is deserted at night. Having full time residents will help make the area safer.

The neighbors and I constantly have to clean up the 'waterfront' area used by those who do not wish to seek traditional housing or shelters. We hope that if the building is converted to residential, full-time tenants will help deter people from squatting on the creek bank.

As things settle here and people get their properties back in order, we plan to move forward with forming the neighborhood group. We consider renters part of our community and neighborhood. If you can get your project passed, we will welcome you and your renters.

Please keep me posted and let me know if I can help in any way. The neighbors and I fully support your intended use for 381 Meadowview Drive.

Maria
417 Meadowview Dr



Maria Owens

Realtor/Broker

mariaowensrealty@gmail.com

828-773-1625



Compliant Street Yard

Brandon Wise, Deputy Director of Planning & Inspections, conducted a site visit and confirmed the street yard complies with the zoning ordinance. Any unhealthy shrubs in the rear of the property will be replaced in the spring to meet the intent of the ordinance.

Re: EXTERNAL EMAIL - Fwd: R3 landscaping / street yard requirements

1 message

Brandon Wise <Brandon.Wise@townofboone.net>
To: Charlotte Lindemanis <charlottelindeman@gmail.com>

Mon, Jan 27, 2025 at 3:05 PM

Good Afternoon Charlotte,
Based on a site visit of 381 Meadowview I believe that the street yard is in compliance with the intent of the ordinance. It does appear that the landscaping on the rear of the property will need some attention during the final zoning permit. There appears to be some scrub brush that is not doing well and does not meet the intent of the ordinance. This can be easily remedied by planting of some new shrubs in the spring. The landscaping on the rear of the property will not prevent any of the rezoning and can be mentioned during the meeting that it will be brought up to udo compliance during the remodel process.
Please let me know if you have any questions.

Brandon L. Wise
CFM, CPMSM, CESSWI
ISA Certified Arborist® SO-10952A
Deputy Director of Planning & Inspections
Office: 828-268-6968

Town of Boone
Planning and Inspections
[680 West King St., Suite C](#)
[Boone, NC 28607](#)

Compliant Street Yard – Aerial View



Communication: Case A25-0105 Exhibit 1: Revised Plans (Case A25-0105 The View

Livability Space

As shown on the site map (slide 3), the property is more than 50% livability space including:

- ✓ **Common Yard**
- ✓ **Individual yards** contiguous with the unit served; Configuration of existing decks and paths provide direct access from all ground floor units
- ✓ **Recreation space** that is more than 5% of the parcel and exceeds 2500 sf
- ✓ New **outdoor table seating** and **bike rack** will be added for residents

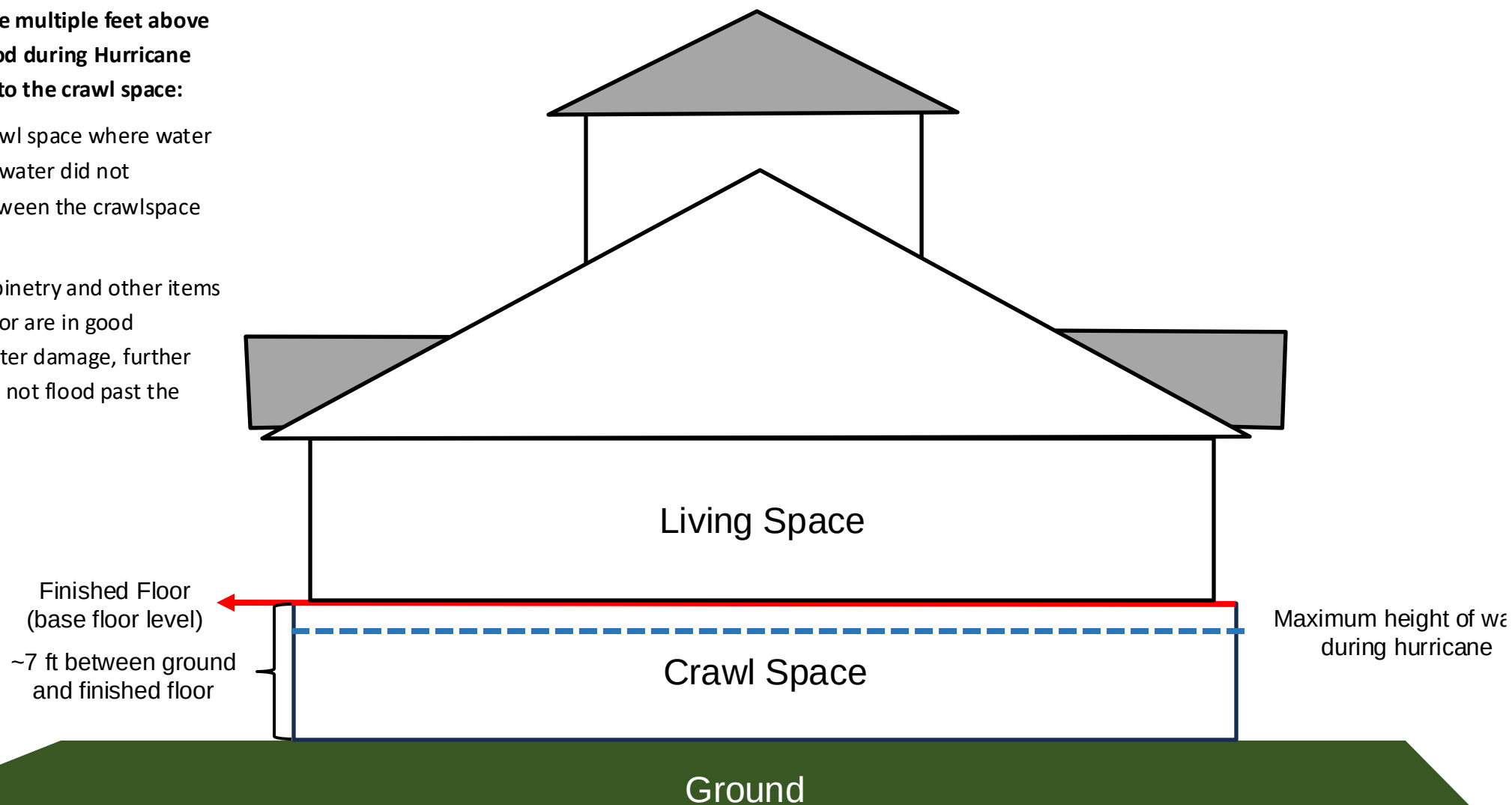


Building did not flood during Hurricane Helene

Despite being in a flood zone, the building was constructed on an elevated site multiple feet above the floodplain and did not flood during Hurricane Helene. Water was contained to the crawl space:

- ❖ The exact point in the crawl space where water stopped is unknown, but water did not penetrate the barrier between the crawlspace and living area floor.
- ❖ Interior doors, toilets, cabinetry and other items that are level with the floor are in good condition without any water damage, further evidencing that water did not flood past the crawl space.

381 Meadowview Drive During Hurricane Helene



During construction, the building was constructed on a hill of imported dirt to raise the structure multiple feet above the floodplain. For added protection, the structure was built on an approx. 7" crawl space.

Covered Carport Requirement (1/2)

Multi-family ordinance requires a minimum of 25% of units to have a carport or garage that is architecturally integrated if free standing. Below is a digital rendering of the approximate placement of the carport to be architecturally integrated into building to meet R3 requirements.



Sample Carport

(exact style and materials to be confirmed upon submission of multi-family rezoning building permit applications)



Communication: Case A25-0105 Exhibit 1: Revised Plans (Case A25-0105 The View

Covered Carport Requirement (2)

Below is a digital rendering of the approximate placement of the carport to be architecturally integrated into building to meet R3 requirements.



Appendix

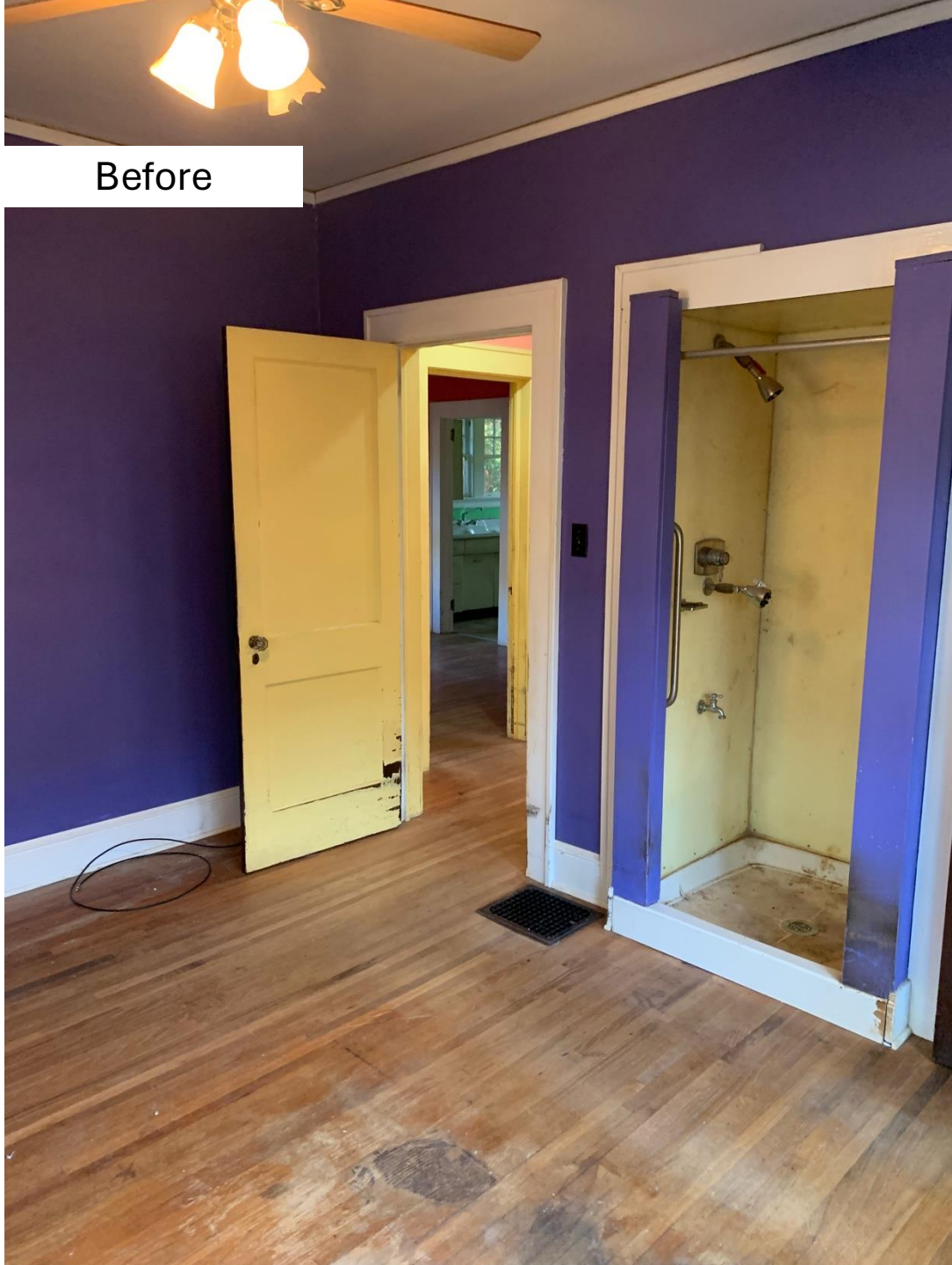
Sample Residential Projects Focused on Rehabbing and Upfitting
Existing Structures
Before & After Photos

Before

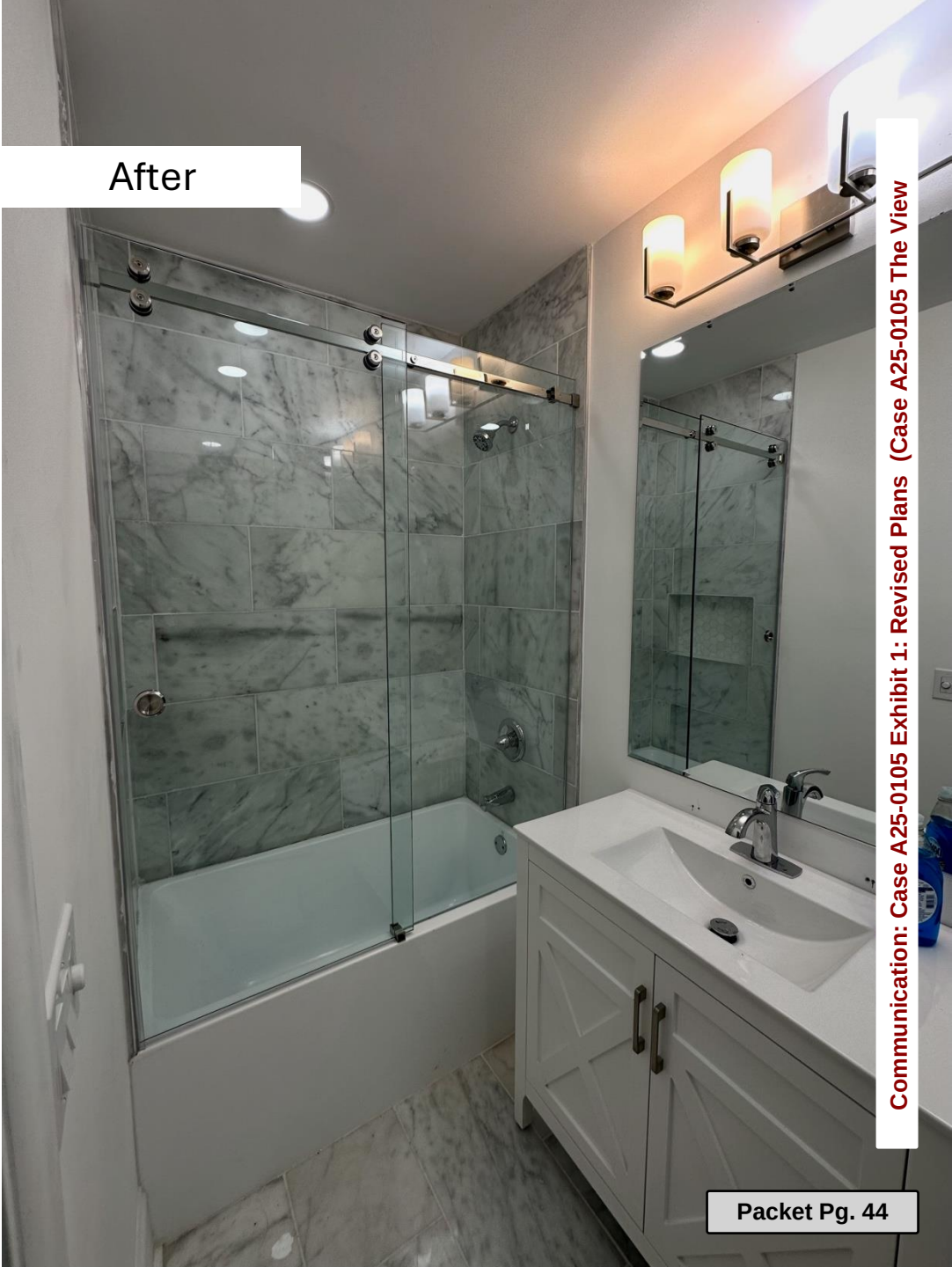


After





Before



After

Before



After



Before



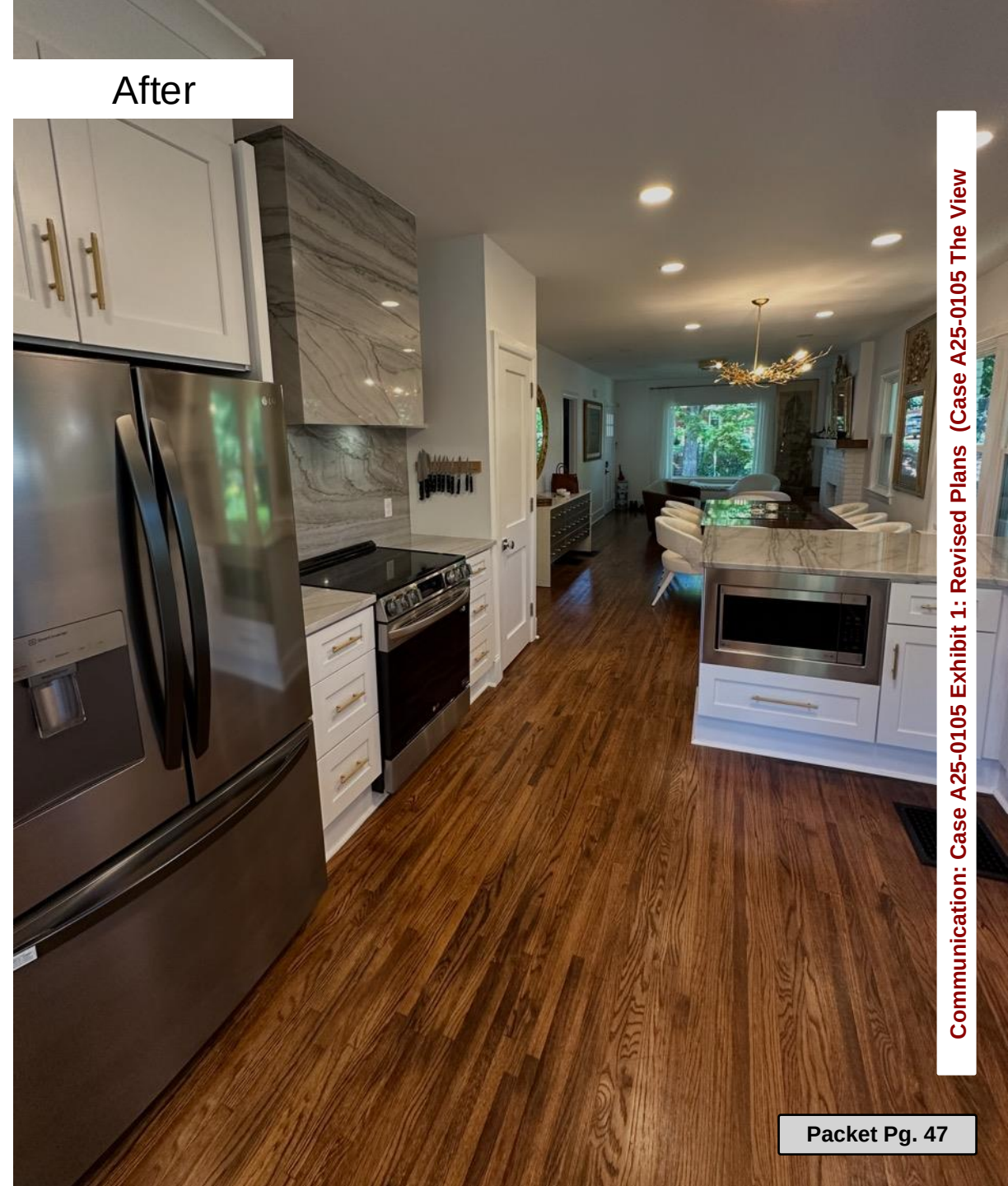
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Before



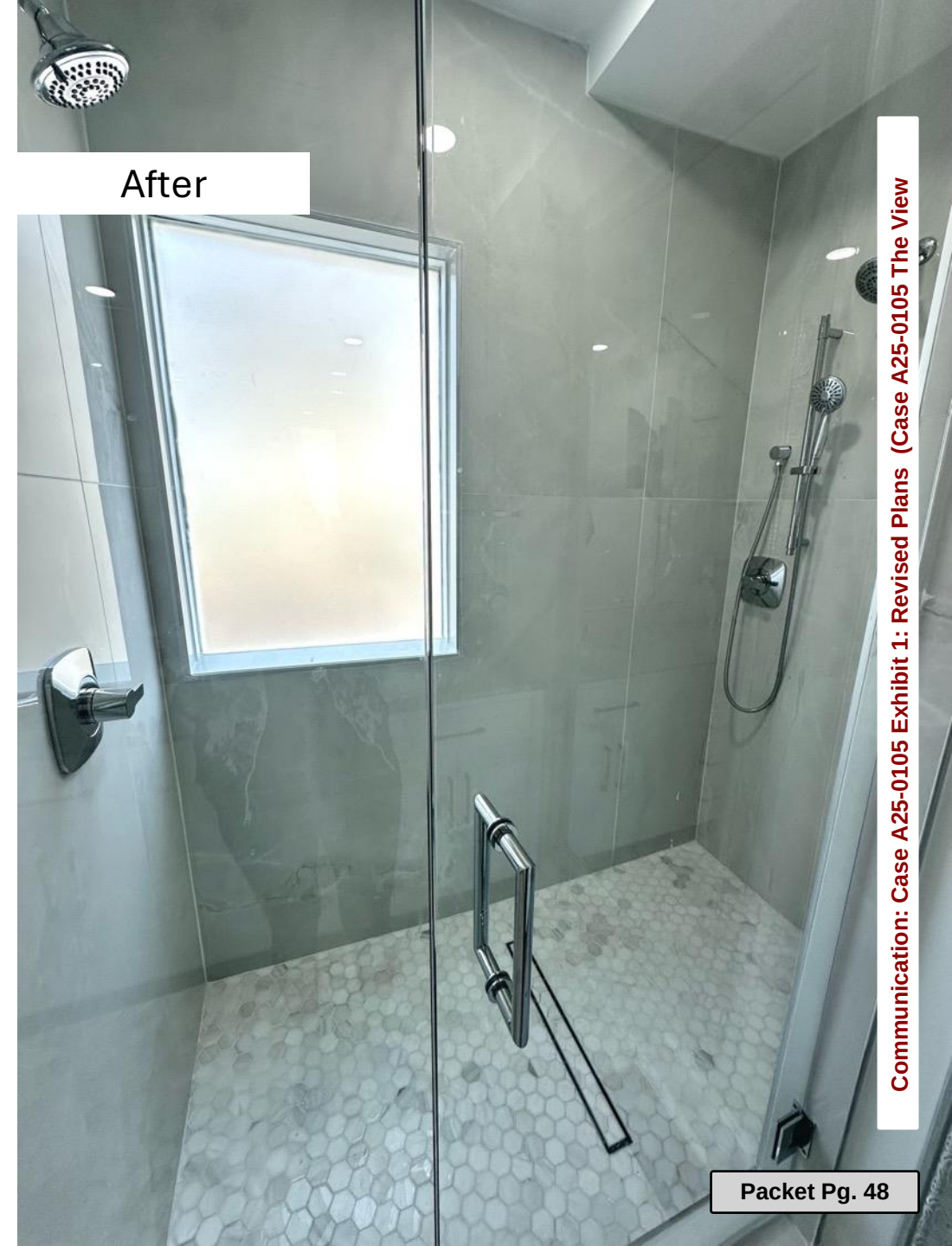
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Before



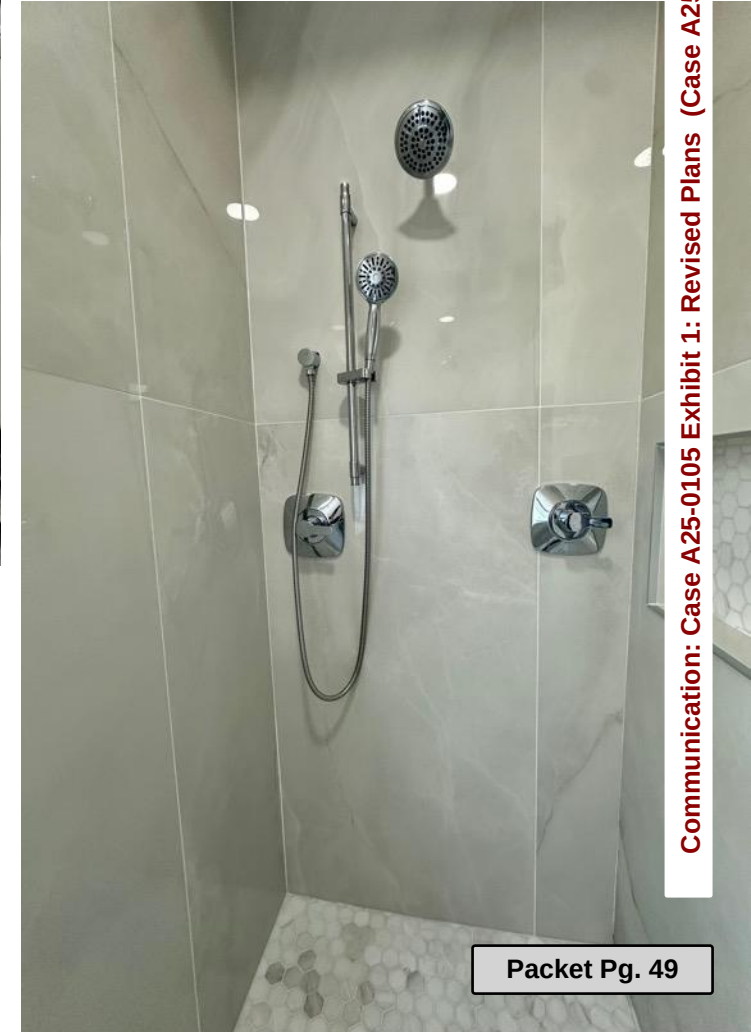
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Before



After



Before



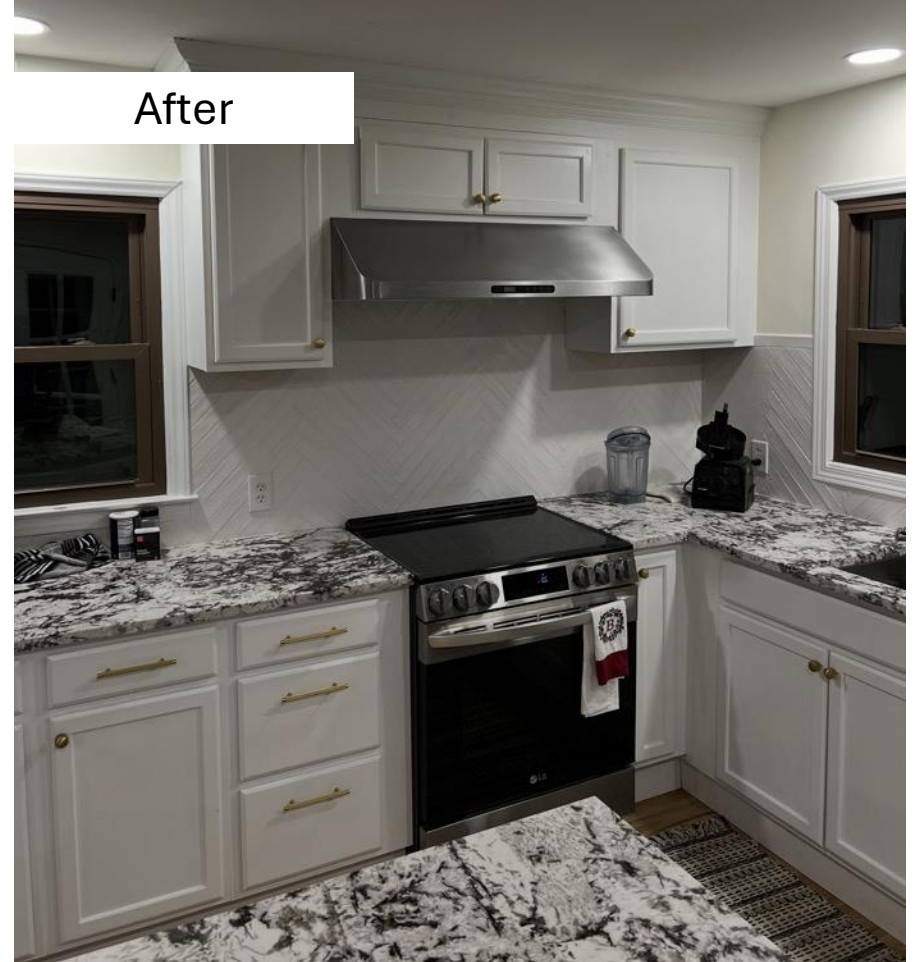
After



Before



After



BK 0646 PG 527

FILED
WANDA C. SCOTT
REGISTER OF DEEDS

207338

01 JUL 20 PM 4:45

BY: [Signature]
DEPUTY
WATAUGA COUNTY, NC

WATAUGA COUNTY NC 07/20/2001
23 \$249.00
STATE OF NORTH CAROLINA Real Estate Excise Tax

\$249.00

Recording: Time, Book and Page

This Instrument Prepared By: R. WORTH MANGUM, ATTORNEY AT LAW, BOONE, N.C. 28607

Mail To: Grantees

Return to: Deal & Mose **Warranty Deed**

NORTH CAROLINA)
WATAUGA COUNTY) Stamps \$

THIS DEED, made this the 13th day of July, 2001, by and between
Frank W. Petersilie, II (married) *

hereinafter called GRANTORS (whether one or more person, firm or corporation); and

Margaret K. Sparks, Trustee of the Margaret K. Sparks
Living Trust dated June 8, 2001

hereinafter called GRANTEES (whether one or more persons, firm or corporation);

WITNESSETH:

That the said Grantors for and in consideration of the sum of: TEN DOLLARS AND OTHER GOOD AND VALUABLE

CONSIDERATIONS:

to them paid by said Grantees, the receipt of all of which is hereby acknowledged, have, subject to any exceptions, conditions, provisions, restrictions or reservations herein contain, bargained and sold, and by these presents to grant, bargain, sell and convey unto the said Grantees, their heirs, successors and assigns, all that certain tract(s) or parcel(s) of land lying and being in New River Township, Watauga County, North Carolina, more particularly described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE

*See Memorandum of Antenuptial Agreement recorded in Book of Records 137, Page 566, Watauga County Public Registry.

TAX INFORMATION
RECORDED
July 20-01
Tax Supervisor

The title to the said lands is derived by the Grantors as follows: _____

Book _____ Page _____

TO HAVE AND TO HOLD the said premises above described, with every privilege and appurtenance thereunto belonging to the said Grantees, their heirs, successors and assigns, to their only use and behoof forever, subject always to any exceptions, conditions, provisions, restrictions or reservations herein contained.

The Grantors covenant with the Grantees, their heirs, successors and assigns: that they are the owners of and are seized of the premises in fee; that they have a good right to convey the same in fee simple; that title is marketable and free and clear of all liens and encumbrances, except as herein set forth; and, that they will forever warrant and defend the title thereto against the claims of all persons whomsoever.

IN TESTIMONY WHEREOF, the Grantors have hereunto set their hands and seals.

Frank W. Petersilie, II by and through
his attorney in fact, Renae J. Ward (SEAL)

Frank W. Petersilie, II by and through
his Attorney in Fact, Renae J. Ward (SEAL)

(SEAL)

(SEAL)

(SEAL)

(SEAL)

(SEAL)

North Carolina -- Watauga County

I, _____, a Notary Public, do hereby certify that _____

each this day personally appeared before me and acknowledged the due execution of the foregoing warranty deed for the purposes therein expressed.

Witness my hand and notarial seal this _____ day of _____, 19____.

My commission expires: _____

Notary Public (SEAL)

State of NORTH CAROLINA . WATAUGA County

I, Allen C. Moseley, a Notary Public do hereby certify that
Renae J. Ward Attorney-in-Fact for Frank W. Petersilie, II

personally appeared before me this day and being by me duly sworn, says that he executed the foregoing and annexed instrument for and in behalf of Frank W. Petersilie, II, and that his authority to execute and acknowledge said instrument is contained in an instrument duly executed, acknowledged and recorded in Book 499, Page 881, Watauga County Register of Deeds, and that this instrument was executed under and by virtue of the authority duly given by said instrument granting him power of attorney; that the said Renae J. Ward acknowledged the due execution of the foregoing and annexed instrument of the purposes therein expressed for and in behalf of the said Frank W. Petersilie, II

Witness my hand and notarial seal, this the 20 day of July, ~~XX~~ 2001.

ALLEN C. MOSELEY
My Commission Expires
Aug. 21, 2004
County of Watauga
My commission expires.

Allen C. Moseley
NOTARY PUBLIC

State of North Carolina Watauga County

The foregoing certificate(s) of Allen C. Moseley, Notary Public, Watauga County, NC,
is (are) certified to be correct. This instrument was presented for registration this 20th day of July,
~~XX~~ 2001, at 4:45 ~~XX~~ XX P. M., and duly recorded in the Office of the Register of Deeds for Watauga
County, North Carolina, in Book 646 at Page 527.

This the 20th day of July, ~~XX~~ 2001.

Wanda C. Scott

Register of Deeds

by:

Jan Townsend

Deputy

EXHIBIT A

A 0.789 acre tract of land located on the east side of Meadowview Drive (NCSR 1545) and being the property recorded in Book of Records 142, Page 363 and Book of Records 66, Page 69, Watauga County, North Carolina, Public Registry as conveyed to Frank W. Petersilie, II and being more particularly described as follows:

BEGINNING on an existing 3/4 inch pipe being the northeastern corner to Robert Dunnigan (recorded in Book of Records 295, Page 797, Watauga County, North Carolina, Public Registry) and in the western line of Lot 60 of the Zeb Farthing Subdivision (recorded in Plat Book 1, Page 61, Watauga County, North Carolina, Public Registry) and being located North 03 degrees 49 minutes 35 seconds East 62.56 feet from an existing 1 inch pipe being the southeastern corner of Dunnigan; thence from the beginning and with the Dunnigan line North 86 degrees 21 minutes 30 seconds West 150.03 feet to a 5/8 inch rebar set in margin of Meadowview Drive being the northwest corner to Dunnigan; thence with the margin of said road North 03 degrees 43 minutes 40 seconds East 104.99 feet to a 5/8 inch rebar set; thence a curve concave to the southwest having a radius of 280.00 feet and a length of 107.08 feet (chord bearing = North 13 degrees 00 minutes 10 seconds West, chord distance = 106.43 feet) to a 5/8 inch rebar set in the southeastern line of the Deck Hill Group property (recorded in Book of Records 315, Page 302, Watauga County, North Carolina, Public Registry); thence leaving said road and with the line of the Deck Hill Group North 53 degrees 56 minutes 50 seconds East 65.38 feet to an existing 3/4 inch conduit in the line of the Town of Boone property (recorded in Book of Records 64, Page 778, Watauga County, North Carolina, Public Registry); thence leaving the Deck Hill property and with the Town of Boone property South 56 degrees 50 minutes 10 second East 49.71 feet to a 5/8 inch rebar set; thence South 30 degrees 51 minutes 10 seconds East 74.17 feet to a 5/8 inch rebar set being the common corner to the Town of Boone and Mountaineer Rental Properties (recorded in Book of Records 295, Page 511, Watauga County, North Carolina, Public Registry); thence with Mountaineer Rental Properties South 36 degrees 25 minutes 15 seconds East 18.15 feet to a 5/8 inch rebar set; thence South 53 degrees 12 minutes 10 seconds East 159.07 feet to a point in the center of Winklers Creek being the northeast corner of Lot 62 of the Zeb Farthing Subdivision; thence with the northern line of Lot 62 North 86 degrees 17 minutes 15 seconds West passing through a 5/8 inch rebar set at 55.00 feet for a total distance of 100.00 feet to an existing 3/4 inch pipe being the northwestern corner of Lot 62; thence South 03 degrees 41 minutes 50 seconds West 62.33 feet to the BEGINNING using horizontal distances and bearings relative to the North Carolina Grid System and being surveyed by Frank L. Hayes, PLS L-1488 dated February 26, 2001 and being Job No. 01067.

Exhibit 3

Date: December 9, 2024

Property Owner Authorization

Authorization of Charlotte Lindemanis to apply for a permit to rezone 318 Meadowview Dr., Boone NC 28607

I, Margaret Sparks, on behalf of Margaret K Sparks Living Trust, the current owner of 381 Meadowview Dr., Boone, NC 28607, authorize Charlotte Lindemanis and her associated LLCs to apply for a permit to conditionally rezone 381 Meadowview Drive. submit an application for rezoning this property. Charlotte Lindemanis & her associated LLCs are authorized to apply for this permit.

Print Name: Margaret Sparks

Signature: Margaret Sparks



Charlotte Lindemanis <charlottelindeman@gmail.com>

Re: EXTERNAL EMAIL - Quick q on application2 messages

Brandon Wise <Brandon.Wise@townofboone.net>
To: Charlotte Lindemanis <charlottelindeman@gmail.com>

Wed, Feb 5, 2025 at 10:03 AM

Yes that will work!

Brandon L. Wise
CFM, CPMSM, CESSWI
ISA Certified Arborist® SO-10952A
Deputy Director of Planning & Inspections
Office: 828-268-6968

Town of Boone
Planning and Inspections
[680 West King St., Suite C](#)
[Boone, NC 28607](#)

Disclaimer: The information provided herein is only informal advice. This email is not a final decision, is not binding on the Town, and is not appealable. A binding decision or interpretation may only be provided upon proper written application. If you wish to obtain a final and binding decision or interpretation from the Town, you must specifically request such a decision or interpretation and submit the required written application and fee. Please contact the Planning Department for more information.

"The Town of Boone is an equal opportunity provider and employer."

Email correspondence to and from this address is subject to public records requests pursuant to the North Carolina Public Records Law, resulting in monitoring and potential disclosure of this message to third parties.

>>> Charlotte Lindemanis <charlottelindeman@gmail.com> 2/5/2025 9:56 AM >>>

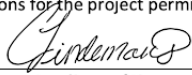
Hi Bradon,

I just want to confirm that the attached signed authorization letter from the current property owner (Margaret Sparks) is sufficient in lieu of her signature on the actual application (we discussed at the neighborhood meeting but just wanted to reconfirm before submitting):

Communication: Case A25-0105 Exhibit 3: Owner Authorization (Case A25-0105 The View Apartments - Conditional District Zoning Map)

N. Applicant Signature and Property Owner Authorization

I hereby certify that I am authorized to submit this application; that all information is correct and complete; and all work will comply with all applicable State and local laws, ordinances, and regulations. I will ensure that the Planning and Inspections Department is notified of any changes in the approved plans and specifications for the project permitted herein.

Charlotte Lindemanis		2/3/2024
Applicant (Print)	Applicant (Signature)	Date
MARGARET K SPARKS LIVING TRUST	See attached letter from property owner authorizing submission of application with property owner signature	
Property Owner (Print)	Property Owner (Signature)	Date

Thank you!

Charlotte Lindemanis
charlottelindeman@gmail.com | c 704-516-2159

Charlotte Lindemanis <charlottelindeman@gmail.com>
To: Brandon Wise <Brandon.Wise@townofboone.net>

Wed, Feb 5, 2025 at 10:25 A

Great, thank you for the super quick response! Do I need to include Maggie's phone number and email as she's not involved in the process?

Charlotte Lindemanis
charlottelindeman@gmail.com | c 704-516-2159

[Quoted text hidden]

Communication: Case A25-0105 Exhibit 3: Owner Authorization (Case A25-0105 The View Apartments - Conditional District Zoning Map



Neighborhood Meeting for 381 Meadowview Drive

January 14, 2025

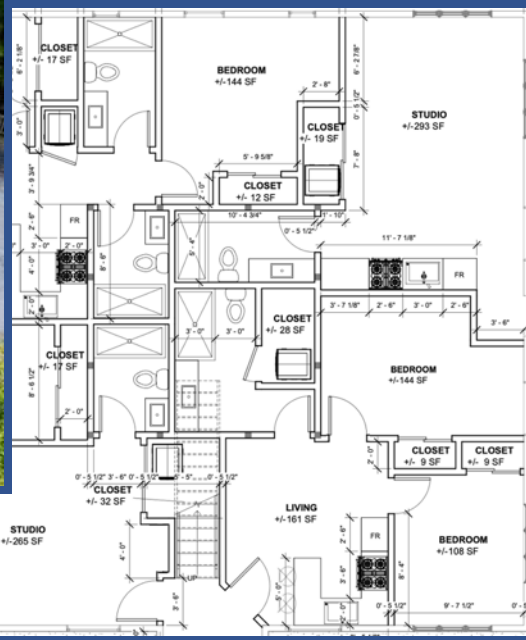
Contact: Charlotte Lindemanis, 704-516-2159, charlottelindeman@gmail.com

Exhibit 4



381 Meadowview Dr.

381 Meadowview Dr. is currently zoned B3 General Business. We are applying for conditional rezoning of the property to R3 Multifamily Residential. We will not be modifying the exterior of the building except as required by UDO to comply with R3 requirements. Our project will focus on converting the interior of the building into apartments.



The View Apartments

Project Overview

- ❖ **5 apartments** (4 units on 1st floor, 1 unit on 2nd floor)
- ❖ **Total of 10 beds**
- ❖ **Current parking lot has 24 spaces for 10 tenants**, more than adequate for future residents and visitors
- ❖ Construction should not disturb the neighborhood as most work will take place inside the building and be completed within 3- 4 months
- ❖ A single covered car port will be added as required by R3 Multifamily

Timeline

- ❖ **1/14/2025:** Neighborhood Meeting
- ❖ **2/07/2025:** Rezoning application due
- ❖ **3/24/2025:** Public Hearing and Planning Commission Meeting to review application
- ❖ **4/9/2024:** Town Council Meeting

First Floor Layout

The building will meet all multi-family standards:

- ✓ A mix of unit configurations and sizes
- ✓ No one type of dwelling unit, as defined by the number of bedrooms, comprises more than 50% of the total units
- ✓ All 5 apartments meet the bedroom bathroom ratio requirements

First floor:

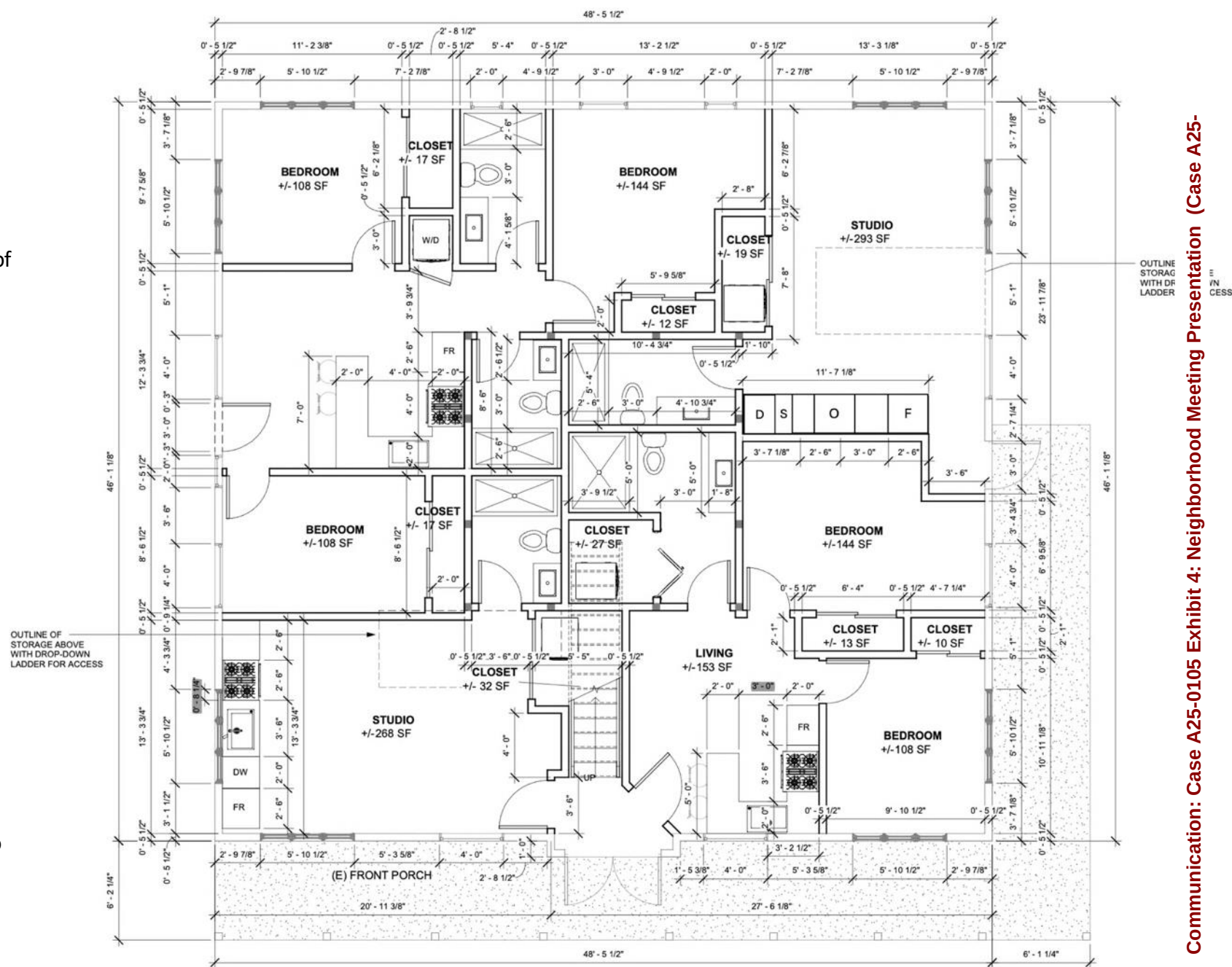
- Two studios (efficiency unit)
- One 2Bed1Bath
- One 3Bed2Bath

Second floor:

- One 3Bed2Bath

Each unit meets all R3 Multi-Family requirements:

- ✓ Every unit with two (2) or more bedrooms has a designated master suite that is at least 144 sf excluding closet space and at least 25% larger than every other bedroom
- ✓ Each unit has dedicated storage space of at least fifty square feet; Each efficiency unit apartment has access to additional storage on the second floor via a fire-rated drop-down ladder in the unit
- ✓ Occupancy of each unit shall be limited to (2) two unrelated persons



*Proposed layout will be updated as needed to remain compliant with all building codes and zoning ordinances; Exo and details like vanity size may be modified to optimize usability

381 Meadowview Dr. Site Map

Street Yard:

- Current site meets the 10’ width street yard and foliage ordinance requirements as confirmed by Deputy Director of Planning & Inspections, Brandon Wise, during a site visit; Any additional foliage needed to meet the intention of the ordinance will be planted in the Spring

Parking Lot:

- Current parking lot has 24 spaces for 10 bedrooms which exceeds the R3 Multi-Family requirement of 0.7 spaces per bedroom, i.e. 7 spaces for 10 bedrooms

Covered Car Port:

- To be integrated into existing building to meet R3 requirements

- The site is more than 50% livability space including:
- **Common Yard**
 - **Individual yards** contiguous each with the unit served; Configuration of existing decks and paths provide direct access from all ground floor units
 - **Recreation space** that is more than 5% of the parcel and exceeds 2500 sf
 - Outdoor table seating & bike rack to be added for residents



Site Map Key	
	Property Border
	Existing Parking Lot Borders
	Livability Space
	Street Yard

Parking Lot

Current parking lot has 24 spaces for 10 bedrooms which exceeds the R3 Multi-Family requirement of 0.7 spaces per bedroom, i.e. 7 spaces for 10 bedrooms

Table 24.01 Required Parking by Use:

Residential Land Uses	Minimum Parking Required
A-1 Secondary Suite A-3 Accessory Dwelling Unit T-1 Temporary Family health care structure T-2 Temporary Construction or Repair Dwelling T-3 Temporary Construction Trailer	1 space
1.01 Single-Family Dwelling 1.02 Manufactured Home "Class A" 1.03 Manufactured Home "Class B" 1.06 Duplex (each unit) 1.07 Duplex (each unit) 1.08-1.10 Townhouse (each unit) 2.01 Family Care Home A-21 Caretaker's Residence	2 spaces
1.05 Manufactured Home Park	2 spaces /Manufactured Home plus, 1 visitor parking space/10 Manufactured Homes, plus 2 spaces for Manufactured Home Park Employees
1.11-1.16 Multi-Family	0.7 space per bedroom
1.17 Adult Living Community	1 space/ unit plus .5 visitors parking space/dwelling unit
3.01 Home for Survivors of Domestic Violence	3 Spaces

Existing Parking Lot Exceeds R3 Parking Space Requirements

- ✓ 1.11-1.16 Multi-Family requires 0.7 space per bedroom. 381 Meadowview Dr will have 10 bedrooms which equates to 7 spaces
- ✓ Current parking lot has 24 spaces for 10 bedrooms(13 more spaces than the required 7)



Covered Carport Requirement (1/2)

Multi-family ordinance requires a minimum of 25% of units to have a carport or garage that is architecturally integrated if free standing. Below is a digital rendering of the approximate placement of the carport to be architecturally integrated into building to meet R3 requirements.



Sample Carport

(exact style and materials to be confirmed upon submission of multi-family rezoning building permit applications)



Covered Carport Requirement (2)

Below is a digital rendering of the approximate placement of the carport to be architecturally integrated into building to meet R3 requirements.



Green space will be preserved



Livability Space

As shown on the site map, the property is more than 50% livability space including:

- ✓ **Common Yard**
- ✓ **Individual yards** contiguous each with the unit served; Configuration of existing decks and paths provide direct access from all ground floor units
- ✓ **Recreation space** that is more than 5% of the parcel and exceeds 2500 sf
- ✓ New **outdoor table seating** and **bike rack** will be added for residents

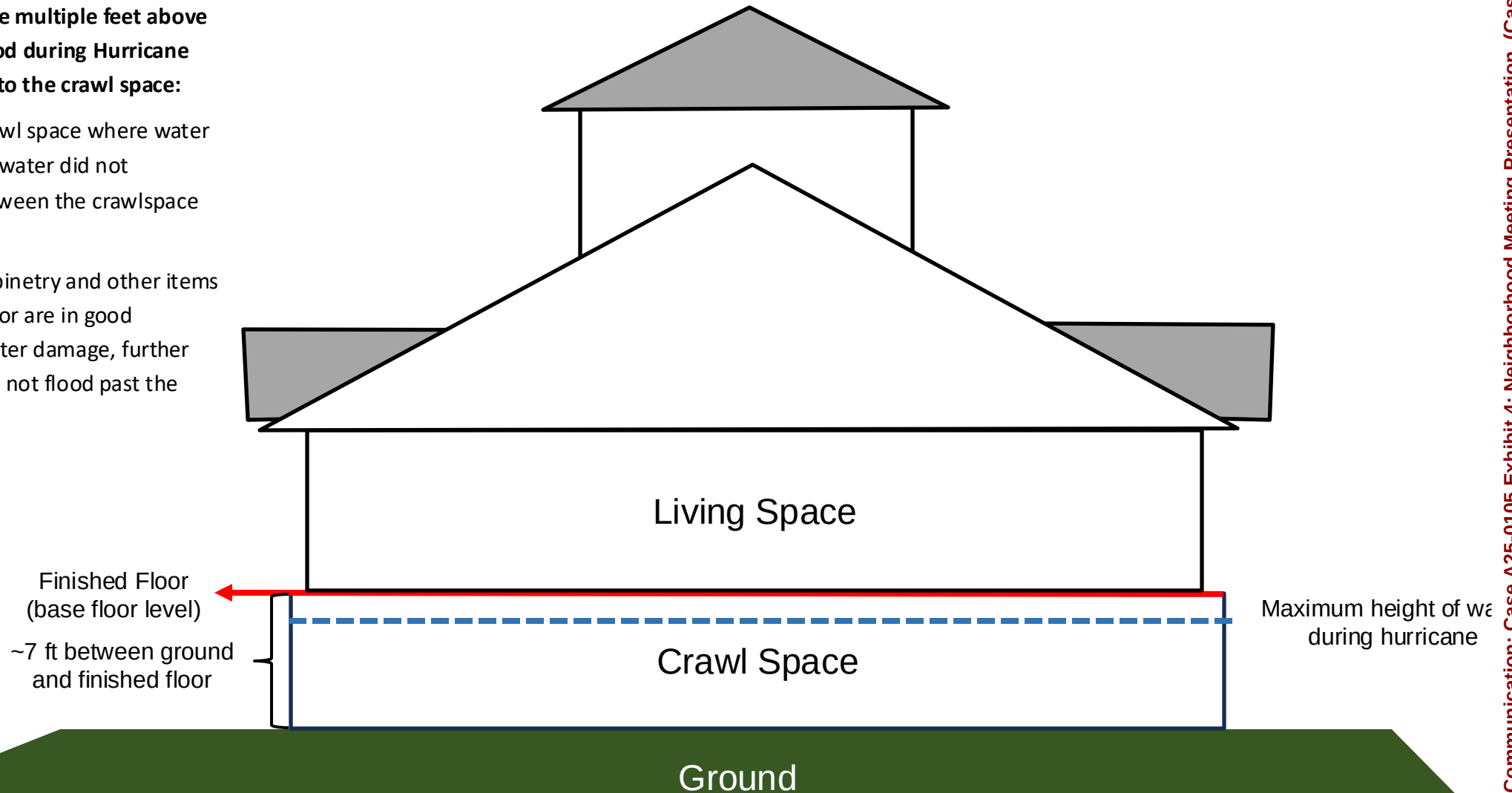


Building did not flood during Hurricane Helene

Despite being in a flood zone, the building was constructed on an elevated site multiple feet above the floodplain and did not flood during Hurricane Helene. Water was contained to the crawl space:

- ❖ The exact point in the crawl space where water stopped is unknown, but water did not penetrate the barrier between the crawlspace and living area floor.
- ❖ Interior doors, toilets, cabinetry and other items that are level with the floor are in good condition without any water damage, further evidencing that water did not flood past the crawl space.

381 Meadowview Drive During Hurricane Helene



During construction, the building was constructed on a hill of imported dirt to raise the structure multiple feet above the floodplain. For added protection, the structure was built on an approx. 7" crawl space.

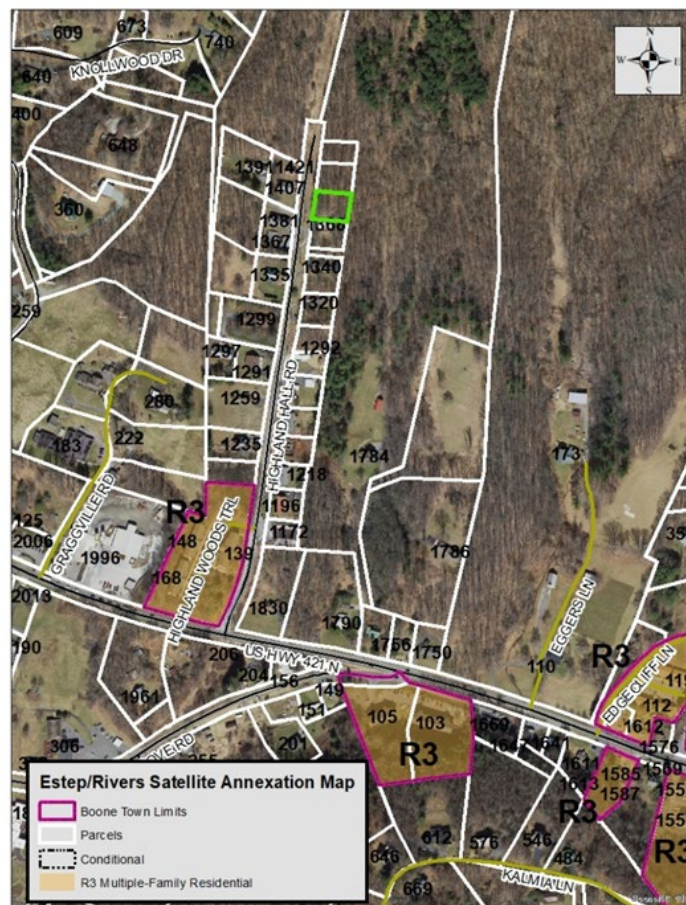


Staff Report

March 24, 2025

Case #A25-0164 Estep/Rivers – General Use Zoning Map Amendment

Request	1
Parcel information.....	2
History	3
Procedural Analysis	3
Zoning Analysis.....	4
Conformity to Adopted Plans: Potentially Relevant Comprehensive Plan Provisions.....	6
Annexation/Zoning Process.....	8
Planning Commission Recommendations	9
Town Council Action – Adoption of Ordinance	10
Exhibit A – Ordinance A25-0164.....	11



Request

In conjunction with a request for voluntary annexation, the Town of Boone has initiated the zoning of property at Highland Hall Road (Watauga County PINs: 2901-22-6259-000) owned by Sairung Estep and Matthew Rivers as R1 Single Family Residential with the Viewshed Protection District overlay. The subject property is outlined in green on the map above.

Parcel information

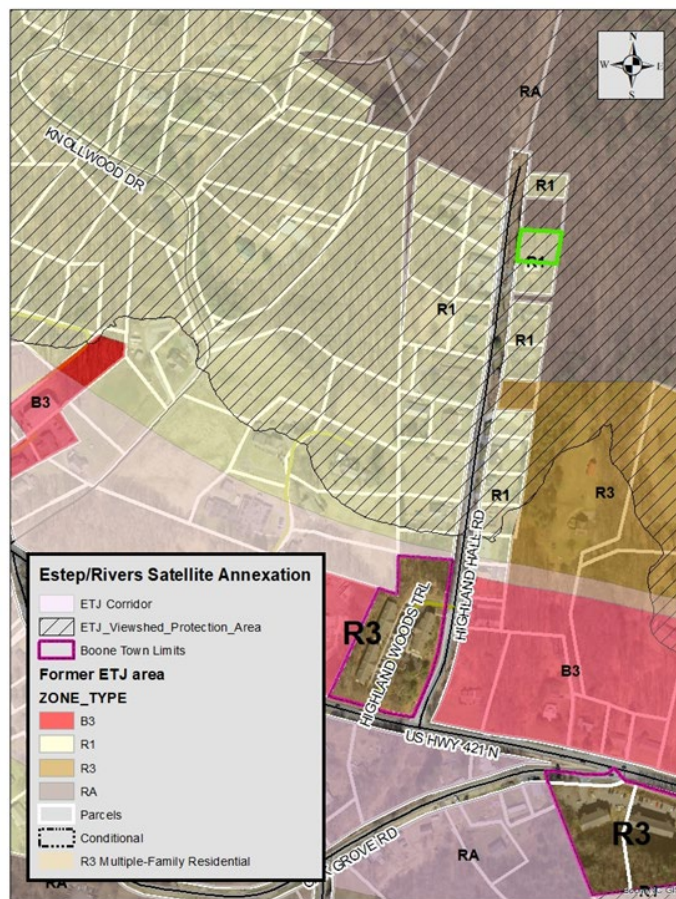
Property Owner:	Sairung Estep and Matthew Rivers
Address:	Highland Hall Road
Watauga County PINs:	2901-22-6259-000
Use:	Vacant
Size:	.347 acres
Jurisdiction:	Watauga County
Access:	Highland Hall Road (State Maintained)
Viewshed:	Yes
Watershed:	No
SFHA:	No
Steep Slope:	Yes
Very Steep Slope:	No
Existing Zoning:	None
Previous Zoning (ETJ):	R1 Single family Residential
Applicant Requested Zoning:	R1 Single family Residential
Zoning Districts to be Considered:	R1 Single family Residential The R1 Single-Family Residential District is established to provide a low-density living area consisting only of single-family dwelling units and other related uses necessary for a sound neighborhood. The regulations for this district are designed to stabilize and encourage a comfortable, healthy, safe, aesthetically pleasing, and pleasant living environment for family life that promotes peaceful quiet enjoyment sheltered from incompatible and disruptive activities that properly belong in nonresidential districts. Viewshed Protection Overlay The Viewshed Protection District is established as an overlay district intended to protect the scenic beauty and natural environment of Boone's hillside areas vital to preservation of a high quality of life and continued economic development by minimizing the visual impact of building construction and land disturbing activities.
Current Use:	Vacant

Zoning & Use of Adjacent Properties (area request to be rezoned)

	Adjacent Zoning	Adjacent Land Use (Watauga Co. Tax Data)
North	Not Zoned - Watauga County	Vacant
West	Not Zoned – Watauga County	Multi-Family
South	Not Zoned – Watauga County	Single-family Dwelling
East	Not Zoned – Watauga County	Vacant

History

1-10-2017 Prior to January 1, 2017, this parcel was located in the town's extraterritorial jurisdictions (ETJ) and was zoned R1 Single Family Residential with Viewshed Protection District. As of January 1, 2017, the Town of Boone lost the authority to exercise powers of the extraterritorial jurisdiction.

**Procedural Analysis**

Pursuant to UDO Subsection 9.07, in deciding whether to adopt a proposed amendment to this Ordinance, the central issue before the Council is whether the proposed amendment advances the public health, safety, or welfare. All other issues are irrelevant, and all information related to other issues at the public hearing may be declared irrelevant by the Mayor and be excluded. In particular, when considering proposed general use map amendments:

- A. The Council shall not consider any representations made by the petitioner that if the change is granted the rezoned property will be used for only one of the possible range of uses permitted in the requested classification. Rather, the Council shall consider whether the entire range of permitted uses in the requested classification is more appropriate than the range of uses in the existing classification.
- B. The Council shall only consider the impact of the proposed change on the public at large.

Zoning Analysis

Please see below for the intensity and use information from UDO Section 14.05 R1 Single-Family Residential District.

14.05.02 R1 Permissible Uses

Use #	Use	R1	Reference
1.0 Household Living			
1.01	Single-Family Dwelling	P	
2.0 Group Living			
2.01	Family Care Home	L	15.06
3.0 Transient Living			
3.01	Home for Survivors of Domestic Violence	L	15.11
3.04	Bed and Breakfast, Category 1	CD	15.13
3.07	Homestay Rental	L	15.05
4.0 Institutional			
4.05	Cemetery	P	
5.0 Government Uses			
5.02	Government Neighborhood Cultural Facility, Indoor Activity Only	CD	
5.05	Recreation Facility, Category 2	P	
5.06	Recreation Facility, Category 3	CD	
5.12	Police Substation	P	
5.13	Utility Facility, Town	L	15.16
5.14	Utility Facility, Government, Neighborhood	L	15.16
6.0 Non-Government Utility Facility			
6.01	Utility Facility, Neighborhood	L	15.16
7.0 Wireless Communication			
7.01	Small Wireless Collocation	L	15.18
7.02	Wireless Facility Collocation on Existing Wireless Support Structure or Utility Pole	L	15.17
7.03	Stealth Wireless Facility Attached to Existing Building or Structure	L	15.17
7.05	Non-stealth Wireless Facility Collocation on Electrical Transmission Towers	L	15.17
7.06	Stealth Wireless Support Structure	CD /L	15.17
7.08	Emergency Response Communication Antenna	P	
8.0 Assembly			
8.01	Religious Assembly, Category 1	P	
8.02	Religious Assembly, Category 2	CD	
10.0 Daycare			
10.01	Child Daycare, Large	CD	15.19
13.0 Agriculture			
13.02	Garden, Residential	L	15.30
13.03	Agricultural Operation Excluding Livestock	L	
13.09	Forestry	L	15.31
Allowable Accessory Uses			
A-1	Secondary suite	L	15.45
A-2	Home occupation	L	15.46
A-11	Poultry	L	15.54

Use #	Use	R1	Reference
A-12	Livestock, small	L	15.55
A-14	Bees	L	15.57
A-15	Garden, residential	L	15.58
A-16	Satellite receiving antennas less than 1 meter in diameter	P	
A-20	Swimming pools, spas, and hot tubs	L	15.59
A-22	Vehicular gate	L	15.61
A-25	Open air market, accessory	L	15.22
A-26	Daycare, small	P	
A-28	Solar Energy System	L	15.64
A-29	Electric-Vehicle Charging Station	L	15.65
Allowable Temporary Uses			
T-1	Temporary family care structure	L	15.62
T-2	Temporary construction or repair dwelling	L	15.62
T-3	Temporary construction trailer	L	15.62
T-6	Temporary portable storage containers	L	15.62
T-9	Carrier on wheels (cow)	L	15.62
T-10	Yard sales	L	15.62
T-11	Itinerant merchant/peddler	L	15.62
T-14	Temporary Disaster Relief	L	15.62

14.05.03 R1 Development Standards

- A. Minimum Gross Land Area: 8,000 square feet (see Subsection 14.03.02)
- B. Minimum Lot Width: 70 feet (see Subsection 14.03.03)
- C. Minimum Street Frontage: 56 feet (see Subsection 14.03.04)
- D. Minimum Livability Space Ratio: .53 (see Subsection 14.03.05)
- E. Minimum Setbacks (see Subsection 14.03.06)
 - 1. Street: 20 feet
 - 2. Interior: 14 feet
- F. Maximum Building Height: 3 stories (see Subsection 14.03.07)

14.05.04 Occupancy: One (1) family or up to two (2) unrelated persons (see Section 14.04) per dwelling unit. A dwelling occupied by a family (but not by unrelated persons) may also have one (1) roomer.

Conformity to Adopted Plans: Potentially Relevant Comprehensive Plan Provisions

1.1 OVERALL OBJECTIVES FOR THE BOONE COMPREHENSIVE PLAN (p. 15):

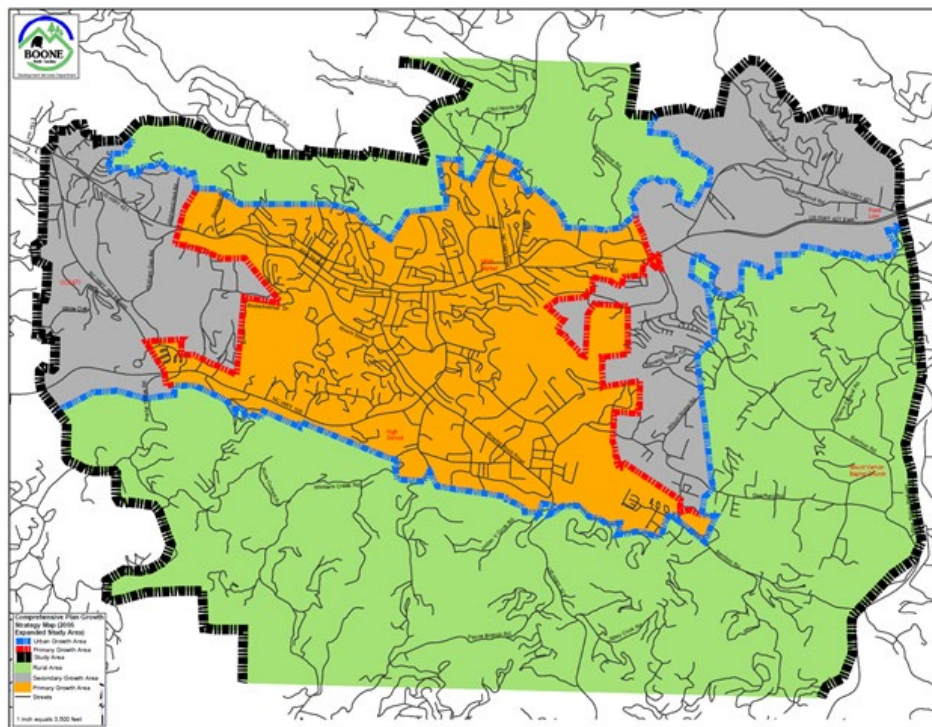
The following objectives, which have not been listed in any particular order of importance, are deliberately broad in scope and less specific than either a policy statement or an implementation action.

Community Appearance and Community Character: Blend the built environment with the natural, scenic, and historic character of a High Country small town. Especially discourage commercial strip development, cluttered signage, and “cheap” apartment buildings.

Neighborhoods: Ensure the livability of neighborhoods, especially through land use and traffic planning.

Public Involvement: Encourage active public involvement and volunteerism to expand the effectiveness of community planning and action.

1.2 GROWTH STRATEGY MAP (p. 17):



The property is located in the Secondary Growth Area.

The Secondary Growth Area is that portion of the urban growth area where urban level services can be provided, but on a lower priority basis than in the primary growth area.

Additionally, for comparison, the Primary Growth Area is that portion of the urban growth area where urban level or facilities are already in place or can be provided most cost effectively. This is the area where near term growth and development is to be especially encouraged.

The Rural Area is that portion of the planning study area that is influenced by urban area growth forces, but within which urban level development should be strongly discouraged. Urban level services and associated development densities should not be planned for this area, except in case by case evaluations of major economic development projects.

Staff has reviewed land use and comprehensive plan policies, and listed those policies and actions which in staff's opinion have a bearing on the request. Council and the Planning Commission should review these policies carefully. Each member may make his or her own interpretation as to the relevance of each and which carry the most weight.

...

2.1 THE ECONOMY

2.1.1 Economic Development

- A. The Town shall protect and enhance a high quality of life, image, cultural amenities, and natural beauty as the most effective, long-term component of an economic development strategy.
- D. Economic development efforts shall encourage the revitalization and reuse of currently unused or underutilized structures, sites and infrastructure in appropriately located areas.

2.2 INFRASTRUCTURE

2.2.2 Utilities

- A. Extensions of water and/or sewer services that could result in scattered, non-directed development and costly provision of other urban services shall be prohibited.
- B. Water and sewer services shall be concentrated within the limits of a geographically defined Urban Growth Area. The Primary Growth Area shall receive first priority for the provision or enhancement of water and sewer services.
- C. The Town shall consider the highest level of participation in the cost of providing water and sewer services within the Primary Growth Area with the next highest level of participation considered for the Secondary Growth Area.

2.3 THE COMMUNITY

2.3.3 Housing and Neighborhoods

- A. The protection and rehabilitation of viable neighborhoods shall be encouraged to insure their continued existence as a major housing source and as a reflection of the area's image as an attractive, highly livable community.
- F. The affordable housing needs of area residents, particularly elderly and low to moderate income residents, shall be recognized in Town policies and actions regarding residential development.
- G. Compact, full service neighborhoods, offering opportunities for living, working, shopping, and gathering places, shall be encouraged in newly planned developments, as well as for redeveloping areas.
- H. The overall housing unit density for proposed infill residential development or redevelopment should be compatible with the average density of existing areas.

Annexation/Zoning Process

Annexation is a three-step process. The zoning of the property being annexed into the Town corporate limits occurs in a separate but concurrent process. Both of the processes require separate public hearings. Staff has detailed the steps in which both of these processes would occur below.

Date	Annexation	Zoning
February 26, 2025	Step 1 Presentation of Petition	
March 24, 2025		Step 1 Public Hearing on Zoning Map Amendment Step 2 Planning Commission recommendation of Zoning Map Amendment
April 23, 2025	Step 3 Council Vote on Annexation Ordinance	Step 3 Council Vote on Zoning Map Amendment

Planning Commission Recommendations

Per NCGS 160D-604(b), subsequent to initial adoption of a zoning regulation, all proposed amendments to the zoning regulation or zoning map shall be submitted to the Planning Commission for review and comment. If no written report is received from the Planning Commission within 30 days of referral of the amendment to that board, the Town Council may act on the amendment without the Planning Commission report. The Town Council is not bound by the recommendations, if any, of the Planning Commission. Per NCGS 160D-604(d), when conducting a review of proposed zoning text or map, the Planning Commission shall advise and comment on whether the proposed action is consistent with any comprehensive plan that has been adopted and any other officially adopted plan that is applicable. The Planning Commission shall provide a written recommendation to the governing board that addresses plan consistency and other matters as deemed appropriate by the Planning Commission, but a comment by the Planning Commission that a proposed amendment is inconsistent with the comprehensive plan shall not preclude consideration or approval of the proposed amendment by the governing board.

Vote 1: The proposed amendment to the Town's zoning map ☐is OR ☐is not consistent with the Town's comprehensive plan and any other adopted plan(s) of the Town that are applicable because:

Note 1

Note 1: describe elements of controlling land use plans and how the amendment is or is not consistent.

Vote 2: The Planning Commission recommends ☐approval OR ☐denial of Ordinance # A25-0164 within Exhibit A and believes ☐approval OR ☐denial is reasonable and in the public interest because:

Note 2

Note 2: briefly explain why, factors may include (i) the size, physical conditions, and other attributes of the area proposed to be rezoned, (ii) the benefits and detriments to the landowners, the neighbors, and the surrounding community, (iii) the relationship between the current actual and permissible development on the tract and adjoining areas and the development that would be permissible under the proposed amendment; (iv) why the action taken is in the public interest; and (v)

Town Council Action – Adoption of Ordinance

Per NCGS 160D-605, when adopting or rejecting any zoning text or map amendment, the Town Council shall approve a brief statement describing whether its action is consistent or inconsistent with an adopted comprehensive plan. The requirement for a plan consistency statement may also be met by a clear indication in the minutes of the governing board that at the time of action on the amendment the governing board was aware of and considered the planning board's recommendations and any relevant portions of an adopted comprehensive plan. If a zoning map amendment is adopted and the action was deemed inconsistent with the adopted plan, the zoning amendment shall have the effect of also amending any future land-use map in the approved plan, and no additional request or application for a plan amendment shall be required. A plan amendment and a zoning amendment may be considered concurrently.

Vote 1: The proposed amendment to the Town's zoning map ☐is OR ☐is not consistent with the Town's comprehensive plan and any other adopted plan(s) of the Town that are applicable because:

Note 1

Note 1: describe elements of controlling land use plans and how the amendment is or is not consistent.

Vote 2: The Town Council ☐approves OR ☐denies Ordinance# A25-0164 within Exhibit A and believes ☐approval OR ☐denial is reasonable and in the public interest because:

Note 2

Note 2: briefly explain why, factors may include (i) the size, physical conditions, and other attributes of the area proposed to be rezoned, (ii) the benefits and detriments to the landowners, the neighbors, and the surrounding community, (iii) the relationship between the current actual and permissible development on the tract and adjoining areas and the development that would be permissible under the proposed amendment; (iv) why the action taken is in the public interest; and (v) any changed conditions warranting the amendment.

Exhibit A – Ordinance A25-0164**Ordinance A25-0164**

WHEREAS, pursuant to N.C. Gen. Stat. §160D-601, the Town may amend its zoning map after giving proper public notice and holding a public hearing; and

WHEREAS, the Planning Commission and Town Council has received the request to amend the Official Zoning Map of the Town of Boone, North Carolina to zone the property below:

Address: Highland Hall Road

Watauga County PINs: 2901-22-6259-000

Property Owner: Sairung Estep and Matthew Rivers

**Zoning: R1 Single Family Residential
Viewshed Protection Overlay**

WHEREAS, the Boone Town Council held a duly-noticed public hearing March 24, 2025 with respect to this rezoning request; and

WHEREAS, the Boone Town Council has taken into full consideration any information offered at the public hearing; and

WHEREAS, this Town Council has reviewed the written recommendations of the Town of Boone Planning Commission; and

NOW, THEREFORE, BE IT RESOLVED as follows:

- SECTION 1.** The Boone Town Council hereby approves and adopts the modifications to the Town Zoning Map as set forth herein.
- SECTION 2.** All provisions of any Town ordinance in conflict with this ordinance are hereby repealed to the extent of such conflict.
- SECTION 3.** This Ordinance shall be effective immediately upon its adoption by Town Council.

Adopted this Day, April 23, 2025.

The Honorable Tim Futrelle, Mayor

Attest:

Nicole Harmon-Church, Town Clerk