

MINUTES OF SPECIAL CALL MEETING OF THE MAYOR AND TOWN COMMISSIONERS OF
BILTMORE FOREST HELD TUESDAY, FEBRUARY 2, 2016

Be it remembered by those that follow these proceedings that the governing Board of the Town of Biltmore Forest met and conducted the following business:

Roll call by the Clerk:

Mayor George F. Goosmann, III, present
Commissioner Fran G. Cogburn, present
Commissioner E. Glenn Kelly, present
Commissioner Doris P. Loomis, present

Mr. William Clarke, Town Attorney and Mr. Jonathan Kanipe, the Town Administrator were also in attendance.

Mayor Goosmann called the meeting to order at 3:00pm.

The purpose of the meeting was to discuss the recodification project and potential amendments to the Town Code and Zoning Ordinance.

Commissioner Loomis addressed fences in Biltmore Forest. Commissioner Loomis is concerned with the proliferation of fencing in the Town, particularly with the type of fencing being allowed. Mayor Goosmann suggested Mr. Kanipe get some examples together of fencing that is prohibited. Mr. Clarke and Mr. Kanipe will discuss with the Board of Adjustment and get material suggestions for fencing.

Commissioner Loomis also discussed the consideration of exposed rear or side lots where structures are placed within these exposed areas. Several examples were discussed of specific properties in Biltmore Forest. The Board agreed and this matter will be taken into consideration.

Mr. Clarke discussed section 153.004 of the recodification package. The Board agreed to strike the existing second line from accessory building definition as it relates to garage apartments for non-family members.

153.004 – The variance language changed to be consistent with the State Statute

153.029 – The third sentence is deleted, as it is now included in the definition of section 153.004.

153.007 – in the permitted use table; create new general provisions section instead of having footnotes.

There was discussion regarding the Animal Ordinance Amendments and peddling and solicitation Amendments. Mr. Clarke suggested not to change the solicitation statute, as the North Carolina Statute explicitly allows this Ordinance.

Mr. Clarke asked about the timing on these and Mr. Kanipe said the deadline is March 12th.

A member of member of the Board of Commissioners will attend the next Board of Adjustment meeting to discuss fencing issues at 2:30 pm on Monday, February 15th.

Mr. Clarke recommended the removal of all of Chapter 32 from the recodification as it governs personnel, which is addressed by the Town's personnel policy.

Mr. Clarke noted that the Town cannot relinquish authority to keep rights of way clear, but can alert those who have objects placed in the right of way and ask them to remove the items.

The Tree Ordinance was also discussed. There is a need to clear and remove fallen trees from lots. Commissioner Kelly suggested that one possible solution might be requiring tree clean up when there is a home on the lot.

Mayor Goosmann moved to adjourn the meeting at 4:10 p.m.

ATTEST:

Jonathan Kanipe, Town Administrator

George F. Goosmann, III, Mayor