

**MINUTES**  
**VILLAGE OF FLAT ROCK COUNCIL MEETING**  
**ASSEMBLY ROOM**  
**FEBRUARY 14, 2019**  
**9:30 A.M.**

Mayor Staton presided over the February 14, 2019, council meeting at 9:30 a.m. Those present in addition to Mayor Staton were Council Members Brown, Dockendorf, Gooch, Jamerson and Posey, Village Clerk Parker, and Village Administrator Christie. Vice Mayor Weedman was not present.

**MOMENT OF SILENT MEDITATION/PLEDGE OF ALLEGIANCE**

Mayor Staton led the group in a moment of silent meditation. He then led the group in the Pledge of Allegiance.

**AGENDA APPROVAL/CHANGES**

Under *New Business – Item #7 – Quilt Creek* was added to the agenda. Council Member Jamerson made a motion to approve the agenda as amended, seconded by Council Member Gooch. The vote was unanimous, motion carried.

**Public Hearing – Pinecrest Presbyterian Church Special Use Application**

Council Member Gooch made a motion to open the public hearing, seconded by Council Member Jamerson. The vote was unanimous, motion carried.

Mayor Staton gave a summary stating Pinecrest Associate Reformed Presbyterian Church, Inc., a.k.a Pinecrest Presbyterian Church, is the applicant for a special use permit for property located at 1790 Greenville Highway in Flat Rock. Case No. Z18-037. The use of the property for which a special use permit is sought is a church, which is a special use permitted in the R-20 zoning district in which the property is located.

The Applicant's real property, consisting of two parcels of land containing 4.50 acres (+/-) and 1.10 acres (+/-), respectively, was annexed by the village by Ordinance No. 44 adopted by the council on November 10, 2005, with the effective date of the annexation being January 1, 2006. At that time, the use of the property was for a church, and such use has continued to this day.

The Applicant seeks a special use permit solely to continue the church use of the property, and the council's granting of a special use permit for such continued operation will not change the use of the property.

This action should have been taken concurrently with the annexation of the property. It is taken at this time to bring the property and its current use into conformance with the Land Development Ordinance of the Village of Flat Rock.

Zoning Administrator Christie verified that the notice of public hearing was sent to adjacent property owners and was posted on the site.

None of the council members expressed any conflicts of interest with the special use application.

Mayor Staton asked anyone that wished to give testimony on the special use application to come forward and be sworn in. Zoning Administrator Christie was sworn in by Village Clerk Parker.

Zoning Administrator Christie presented the special use application Case No. Z18-037 and delivered to the Village Clerk the case file containing the following exhibits:

- 1A Special Use Permit Application
- 2A Site Plan
- 3A Photos of Property
- 3B Aerial of Property
- 4. Excerpts from the land Development Ordinance
  - A. Article VIII Zoning Use Districts, Section 802 and 803 R-40 and R-20 Low Density Residential Districts
  - B. Article XI Section 1104 Churches and Similar places of worship
- 5. A. Notice of Public Hearing
  - B. List of adjoining properties and addresses and GIS map

Zoning Administrator Christie reported the application was presented to the Planning Board at the January 8, 2019 meeting, and the Planning Board recommended approval of the special use permit.

Mayor Staton summarized the evidence by stating it is an existing property, the property has been used as a church for decades. The church is not seeking to change the use of the property but to continue the use of the property for church purposes.

With no further discussions, Council Member Jamerson made a motion to close the public hearing, seconded by Council Member Gooch. The vote was unanimous, motion carried.

### **Action – Pinecrest Presbyterian Church Special Use Application**

Mayor Staton stated that, pursuant to §1502 of the Land Development Ordinance, the following findings of fact are to be made in granting this special use permit:

- (a) *Public health and safety.* The use will not materially endanger the public health or safety and will not adversely affect the public interest.
- (b) *Compliance with regulations.* The use complies with all applicable regulations and standards of the ordinance.

- (c) *Adjoining property.* The use will not substantially injure the value of adjoining property.
- (d) *Harmony with area.* The location and character of the use is in harmony with the area in which it is located.
- (e) *Adequate utilities.* Public water service is available in adequate capacity. The property is served by a private septic system and, therefore, the availability of public sewer service is not required.
- (f) *Other provisions.* Satisfactory provisions and arrangements have been made with respect to (i) ingress and egress to property and building with particular reference to automobile and pedestrian safety, convenience, traffic flow and control, and access in case of an emergency; (ii) off-street parking; (iii) refuse and service areas; (iv) utilities; (v) screening, buffers and landscaping; (vi) signs and exterior lighting; and (vii) setback and open space.

Council Member Gooch made a motion that, having made the findings of fact required by §1502 of the Land Development Ordinance of the Village of Flat Rock, the council approve the special use contemplated by the application of Pinecrest Associate Reformed Presbyterian Church, Inc. for its property located at 1790 Greenville Highway, in Flat Rock, North Carolina, such use being for a church. The motion was seconded by Council Member Jamerson and carried on a unanimous vote.

**Public Comments – None**

### **Consent Agenda**

The Consent Agenda consisted of the following:

- December 31, 2018 – Agenda Workshop Minutes
- January 10, 2019 – Council Meeting Minutes

Council Member Jamerson made a motion to approve the Consent Agenda, seconded by Council Member Gooch. The vote was unanimous, motion carried.

### **Special Reports**

2. Administration – Village Administrator Christie

Administrator Christie reviewed the January 2019 zoning report dated February 7, 2019, and the Village Administrator report dated February 7, 2019 (see attached reports).

3. Tax Report – Vice Mayor Weedman

In Vice Mayor Weedman's absence, Mayor Staton reported that, as of February 14, 2019, the current fiscal year tax collections are at 98.89 percent with \$939,528.80 total collected (see attached report dated February 14, 2019).

Mayor Staton reported Council needs to direct the tax collector to advertise the delinquent tax accounts in accordance with NCGS §105-369, which requires that the Tax Collector advertise delinquent real property tax accounts between March 1 and June 30. As of January 31, 2019, we had 53 properties owned by 47 owners on which taxes were delinquent. Owners of three properties are making periodic partial payments, and those accounts are expected to be cleared shortly. As collection efforts continue, other accounts are expected to be paid before the end of the fiscal year.

In the meantime, as to all delinquencies then existing, the Tax Collector should be directed to advertise the delinquencies.

Council Member Brown made the motion that the council direct the Tax Collector to advertise delinquent real property accounts on a date of her choice between March 31 and June 30, 2019. The motion was seconded by Council Member Jamerson and carried on a unanimous vote.

4. Park Update – Council Member Brown

Council Member Brown mentioned that she, Council Member Jamerson, and John Wilkerson, will be meeting at the end of February with Judy Francis of the PARTF Foundation, and Jonathan Woodard with NCDOT about the conversion of some of the park property for a multiuse trail and a new entrance to the park.

John Wilkerson gave an update on the following:

**Ice Storm** – The January 13 ice storm damaged several trees and brought down many limbs. FitzSimons Property Services has removed about 80% of the debris and hopes to finish by next week. They have been delayed while they waited for a rental chipper to become available.

**Playground Shelter** – The playground shelter structure is complete and looks fantastic. Electrical, lighting, security cameras, and other finishing items remain to be completed over the next couple of weeks.

**Playground and Tot Lot** – A topography survey of the Bryan Playground and tot lot sites was completed on February 5. This was necessary so WGLA Engineering can prepare plans to improve drainage for the playground and prepare the tot lot site for installation of the play elements in the spring.

**Nature Center Bench** – Administrator Christie, John Wilkerson, Tracey Daniels, and Ginger Brown visited metalworker, Stephen Chilingirian, on February 6 to see the progress on the custom bench being built for the Nature Center. He hopes to be finished by the end of February. We are working with the Foundation on an unveiling ceremony in the spring.

5. Foundation Update – Council Member Gooch

Council Member Gooch turned the meeting over to Duncan Fraser. Mr. Fraser reported with the “Save the Bag” fundraiser with The Wrinkled Egg, any purchaser who did not take or purchase a Wrinkled Egg carry bag, \$.25 would be donated to the Foundation. The Foundation received \$750.00 from that source.

6. Transportation Update – Council Member Dockendorf

Council Member Dockendorf reported on the following:

The French Broad River MPO is reorganizing how they present information on road projects to become more user friendly by giving who put points on the projects, the purpose, and what the safety ramifications are.

Due to being overbudget, most smaller road projects have been delayed. The N. Highland Lake Road project is not being delayed, the Kanuga Road project is delayed two years. The three lanes for I-26 extended from Four Seasons Boulevard to the Greenville Highway connector, has been delayed indefinitely. The I-26 project towards Asheville is not being delayed.

The study committee for the feasibility study for a trail between Carl Sandburg Home or the Village Hall to the Park at Flat Rock met last Friday. The committee is changing the scope of the study to focus more on land owner outreach. The preferred route by consensus is a revitalization of the Old Jerusalem Trail to below Pinecrest Presbyterian Church, there are other alternate route options available.

NCDOT did a sign evaluation on Greenville Highway, removed eight signs, added new post office signs, and the pedestrian crossing at Mansouri Mansion was enhanced.

**Old Business** – None

**New Business**

7. Quilt Creek – Mayor Staton

Mayor Staton mentioned there is an unnamed, spring fed small stream that runs through Bonclarken and flows into Highland Lake around Georgia Bonesteel’s property on Lowndes Lane. Mrs. Bonesteel has asked for the stream to be named “Quilt Creek.” The naming process goes through the US Board on Geographic Names, who are prepared to name the creek with no objection from council. The board also plans to ask Bonclarken and Henderson County for their position in naming the creek. Administrator Christie spoke with Chip Sherer of Bonclarken, who expressed no objection.

By consensus Council agreed to the proposed naming of the stream, “Quilt Creek.”

**Other Business**

8. Mayor – Council Reports

Council Member Posey reported the Planning Board has tabled its consideration of short term rentals for the time being. The issue currently is not on the table for discussion or action by the county or any other municipality in the county.

Council Member Brown mentioned in an earlier discussion the sign located on Greenville Highway at the intersection of North Highland Lake Road that was damaged in the ice storm, about who owned the sign, and who would pay to have it replaced. She spoke with Virginia Spigener who stated the Flat Rock Merchants Association paid for the sign originally, but the Village of Flat Rock owned the sign and was responsible for maintenance of the sign. Council Member Brown will get an estimate of cost to replace the sign.

Council Member Gooch mentioned the need for better landscaping/plantings on the Village Hall grounds this time of the year. It was suggested that he look for a landscape planner to review the grounds.

Council Member Jamerson mentioned she is preparing a budget amendment, and she will email the amendment to council for review in time for action at the next agenda meeting.

Polly Angelakis, Superintendent of the Carl Sandburg Home National Historic Site, gave an update. The park service has started the process of installing security cameras in various areas of the park. The park is fully open, a public meeting will be held at a later date to inform the public of park updates. A poetry contest is open for students grades 3 – 12; deadline to apply is February 25, 2019.

**Public Comments** – Mr. Jim Hart objected to the Sign Enforcement Officer’s rejection of the illuminated sign application for Pinecrest Presbyterian Church.

Fire Chief Will Sheehan of Blue Ridge Fire & Rescue introduced the new Deputy Fire Chief, Jerry Hinson.

**Adjournment**

With no further discussions, the meeting was adjourned at 10:40 a.m.

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Michelle Parker, CMC  
Village Clerk

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Robert V. Staton  
Mayor