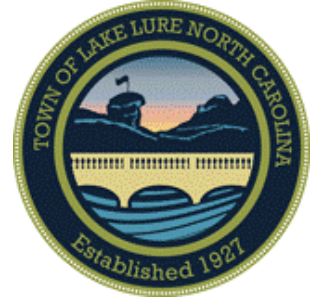


TOWN OF LAKE LURE

Lake Structure Appeals Board

Tuesday, June 23, 2026 at 1:30 PM

Community Development Dept, 920 Buffalo Creek Rd.



Agenda

I. Roll Call

II. Approval of Agenda

III. Approval of April 28 Meeting Minutes

V. Public comments (*if any*)

VI. Old Business (none scheduled)

VII. New Business

A. Variance request: ZV2026005 – Kirk Neuman is requesting a variance of the 15' side projection setback and maximum projection limit of 1/3 the distance to the opposite shoreline in order to rebuild his demolished boathouse. It would be in the same footprint as prior to Helene. Request would vary Section 6-51(3) of Lake Structures Ordinance for 141 Lakeview Drive (PIN #231567).

VIII. Adjournment



TOWN OF LAKE LURE
Community Development Department

MEMORANDUM

TO: Board of Adjustments
FROM: Rick Carpenter, Development & Environmental Review Specialist/Trails Planner
DATE: June 23, 2026
RE: LSAV-2026004

Master Docks Inc is applying for a variance on behalf of Kirk Neuman. The property is addressed as 141 Lakeview Dr., Lake Lure, NC (Parcel #231567) and is in the Residential 1 (R-1) Zoning District.

Additional Information for the Board:

1. Sec. 6-51. (1) Effective the date of this regulation, December 15, 1992, the minimum measurable shoreline length required to construct any lake structure shall be 100 feet. Nonconforming lots of record that existed prior to these regulations, with 35 to 100 feet of measurable shoreline length, may construct any authorized lake structure, provided minimum setbacks are met, and the owner of the subject lot does not own contiguous upland property to enable conformity to the minimum measurable shoreline length through recombination.
2. Sec. 6-51. (2) No structure shall be placed in the water more than 30 feet or one third the distance to the opposite shore, whichever is less, as measured to and from the shoreline. At least one third of the waterway shall be left unobstructed. No portion of any lake structure shall extend beyond this boundary. For the purpose of positioning lake structures along an irregular boundary, the shoreline shall be defined as the straight line between the two widest points on the shoreward side of the structure, where they meet the shoreline. The measurement to the opposite shore shall be made to the point on the opposite shore which results in the shortest distance from the proposed structure.
3. Sec. 6-51. (3) No portion of any structure shall be located closer than 15 feet to any side lot line, as projected into the lake. The projection of the lot line shall be a straight line on the same bearing as the lot line and shall extend no further than 30 feet or one third the distance to the opposite shore. This provision does not apply to sea walls.
4. The applicant is requesting encroachment beyond the 1/3 distance from shoreline-to-shoreline requirement. Staff did not observe a specific numerical request regarding encroachment.

Staff Analysis:

Staff reviewed the applicant's submittal packet and have formed the following determination. A variance must be based on hardship that is peculiar or unique to the property and not a preference for a more lenient standard. The petitioner for a variance must present substantial evidence regarding the impact of the ordinance on the owner's ability to make

reasonable use of the property. Staff do not recommend granting of this variance without a specific encroachment. Variance determinations should not be arbitrary.

Attachments

- 1) Application
- 2) Submitted Evidence

Staff Contact

Rick Carpenter, CZO
828-625-9983 ext. 107; rcarpenter@townoflakelure.com

TOWN OF LAKE LURE
LAKE STRUCTURES APPEALS BOARD
APPLICATION FOR VARIANCE

Application Fee: \$480.00

Case No. LSAV-2020004

Approved by Lake Structure Appeals Board: _____	
Rejected by Lake Structure Appeals Board: _____ (see attached Order)	Clerk: _____ Date: _____

Please complete all three pages of this form.

APPLICANT:

(Check one) Owner: _____ Agent: (If applicant is not the owner, attach authorization to act as agent)

Name: Master Docks Inc. Date of Application: 05/20/2026

Name of Owner (if not applicant): Kirk Neuman

PROPERTY:

Upland property located at: 141 Lakeview Dr. Lake Lure NC 28746

Map Page 5 Block 1 Lot 1 Current zoning 1 Tax PIN 231567

VARIANCE REQUESTED:

Section 6-51(3) of the lake structures regulations requires: _____
(3) No portion of any structure shall be located closer than 15 feet to any side lot line, as projected into the lake. The projection of the lot line shall be a straight line on the same bearing as the lot line and shall extend no further than 30 feet or one third the distance to the opposite shore. This provision does not apply to sea walls.

Variance requested: _____

Rebuild the boat house in the same footprint prior to hurricane Helene that extended into the 30 feet or one third the distance to the opposite shore

JUSTIFICATION FOR VARIANCE:

The existing boathouse was constructed prior to the current Lake Structures Ordinance and is considered a legally non-conforming structure due to its location within the current shoreline setback requirements. Following damage caused by Hurricane Helene, lake drawdown, and erosion issues beyond the owner's control, the structure was removed for public safety. The requested variance is to allow reconstruction of the boathouse in the same pre-existing location and footprint.

AS PART OF THIS APPLICATION, PLEASE COMPLETE THESE STATEMENTS.

According to § 6-62 of the Lake Structures Regulations, the Lake Structure Appeals Board may, upon application, authorize in specific cases such variance from the terms of the regulations as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of the regulations will, in an individual case, result in practical difficulty or unnecessary hardship. The variance may be permitted as long as the spirit of the regulations is observed, public safety and welfare secured, and substantial justice done. Such variance may be granted in such individual case of unnecessary hardship upon a finding by the Lake Structure Appeals Board that certain conditions exist. To assist the board in their deliberations, the applicant is required to submit the following statements of fact, to the best of the applicant's ability and knowledge.

There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography that are not applicable to other lands or structures in the same district. These conditions are:

The existing boathouse was constructed prior to the current lake structure regulations on a property impacted by the creation of the earthen dam and lake system. Unique shoreline conditions, including long-term settlement and erosion, have affected the property and contributed to the structural failure of the boathouse. These conditions are unique to this property and are not generally applicable to other properties within the district.

Granting the variance requested will not confer upon the applicant any special privileges that are denied to other residents of the district in which the property is located because:

Granting the requested variance will not confer any special privilege upon the applicant, as the request is based on unique property conditions not commonly found within the district. The property is located within a narrow cove with unusual shoreline setback limitations and is further impacted by the presence of the earthen dam and associated settlement and erosion conditions that do not affect most neighboring properties.

A literal interpretation of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other residents of the district in which the property is located because:

A literal interpretation of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other property owners within the district because the existing boathouse was constructed prior to the adoption of the current lake structure regulations and historically existed in its present location as a lawful non-conforming structure. Denial of the variance would prevent the applicant from rebuilding within the same footprint and restoring the historical use of the property, despite the structure being removed due to storm-related damage and safety concerns rather than voluntary expansion or relocation.

The requested variance will be in harmony with the purpose and intent of this chapter and will not be injurious to the neighborhood or to the general welfare because:

The requested variance will be in harmony with the purpose and intent of this chapter and will not be injurious to the neighborhood or general welfare because the proposed boathouse will be rebuilt within the same historical footprint and location that neighboring property owners have long been accustomed to navigating around and living beside prior to Hurricane Helene. The reconstruction does not expand the previous non-conformity, and surrounding property owners have expressed support for the project through written letters of support.

Application for Lake Structure Appeal Variance No. LSAV-_____

The special circumstances are not the result of the actions of the applicant. The special circumstances are due to:


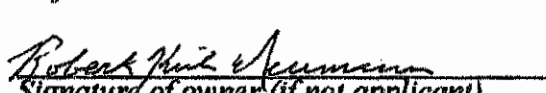
~~The special circumstances are not the result of actions by the applicant, but are due to the impacts of Hurricane Helene and the subsequent lake drawdown, shoreline instability, and erosion conditions that contributed to the damage and removal of the existing boathouse.~~

The variance requested is the minimum necessary for the proposed use of the land, building or structure. A lesser variance is not feasible because:

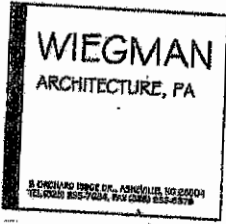
~~The variance requested is the minimum necessary to allow the continued reasonable use of the property and restoration of the pre-existing boathouse. A lesser variance is not feasible because it would prevent the homeowner from rebuilding a functional covered structure capable of protecting and storing the boat in the manner historically enjoyed prior to Hurricane Helene.~~

A nonconforming use of neighboring land, structures or buildings in the same district, and permitted uses of land, structures or buildings in other districts, is not grounds for the issuance of this variance.

I certify that all of the information represented by me in this application is accurate to the best of my knowledge, information and belief.

 Signature of applicant	 Signature of owner (if not applicant)
PO Box 33 Street or P.O.Box	160 Patton Mtn Rd Street or P.O.Box
NAHE LOUR NC 28746 City, State, Zip	Asheville, NC 28804 City, State, Zip
828-674-5070 Daytime telephone number	828-713-5472 Daytime telephone number

- Application is not complete until all of the following items have been submitted:
- Completed application
 - Application fee, including the amount required to send certified notice of public hearing to all adjacent property owners
 - Site plan, drawn to scale on either a survey or plat, clearly showing the following:
 - location of property lines
 - existing structures
 - proposed development
 - all setbacks in relation to property lines and development
 - area the variance will be affecting
 - any and all areas of environmental concern (wetlands, trout waters, etc.)
 - Building plans, certified by a licensed architect or engineer, drawn to scale, showing the existing and proposed development
 - Directions to property from Town Hall



WATERS OF LAKE LITTLE

EXISTING BOATHOUSE
NEW ROOF TO DECK
STAIR & BRIDGE TO GRADE

ADD STORAGE TO
STAIRCASE

DECK OPTION

VEHICLE STORAGE IN
FIELD

CONC. DRIVE

EXIST.
BOATHOUSE

DOCK
(EXIST)

EXISTING STAIR/HALL

NEW BRIDGE TO GRADE

NEW 4' PATH TO
NEW BRIDGE

EXISTING WOOD
DECK

ON GRADE PATH/
STAIRS

SEE FULL SURVEY
FOR ADDITIONAL
INFORMATION

TWO DECK

26' SET BACK

POOR

1 STORY HOUSE
W/ PARTIAL
BASEMENT

25' FROM EX. CL.

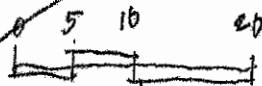
PARKING AREA
(GRAVEL)

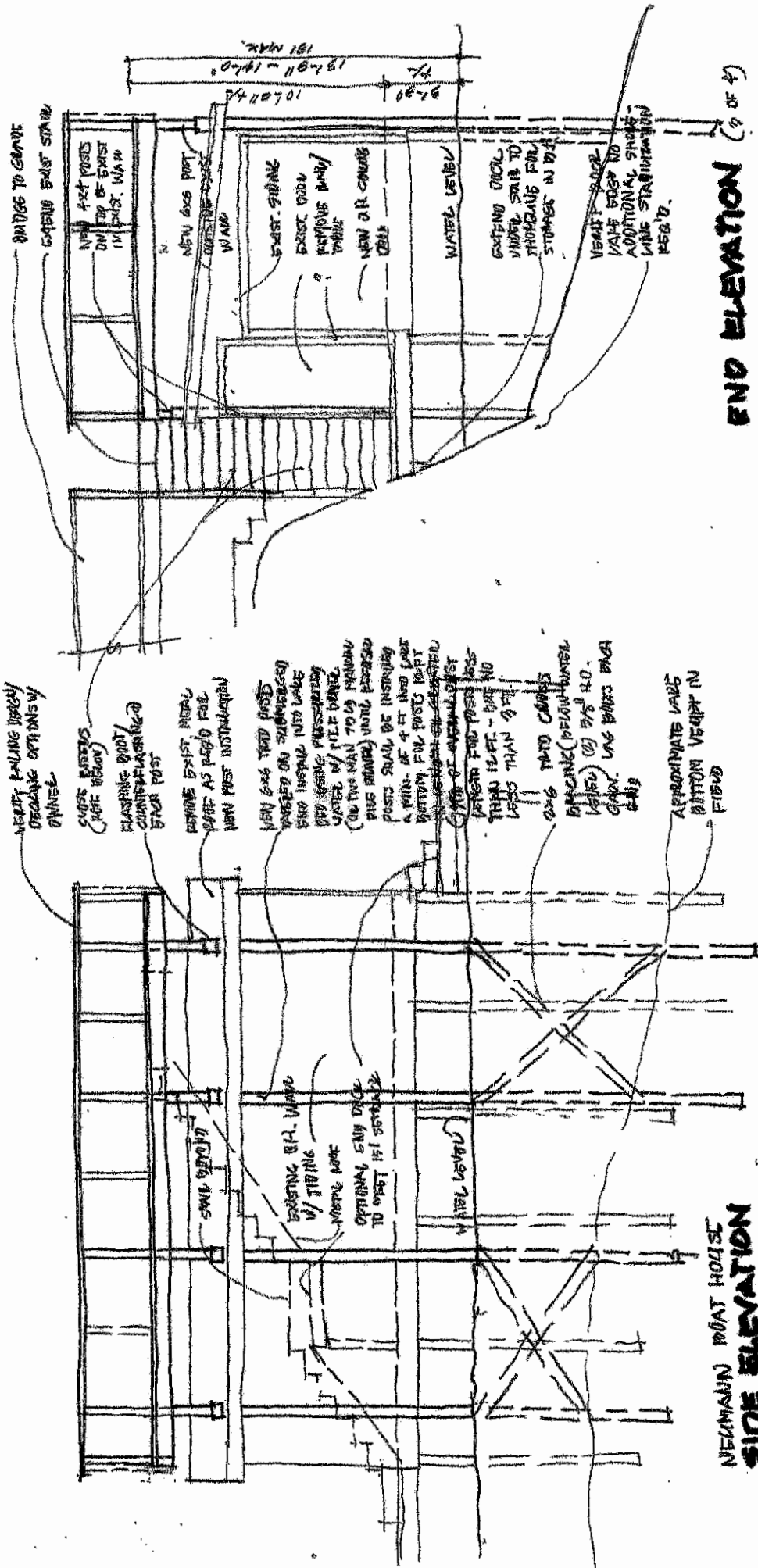
SITE PLAN
SCALE 1" = 10'-0"

NEUMANN BOATHOUSE

LAKE VIEW DR

(1.054)

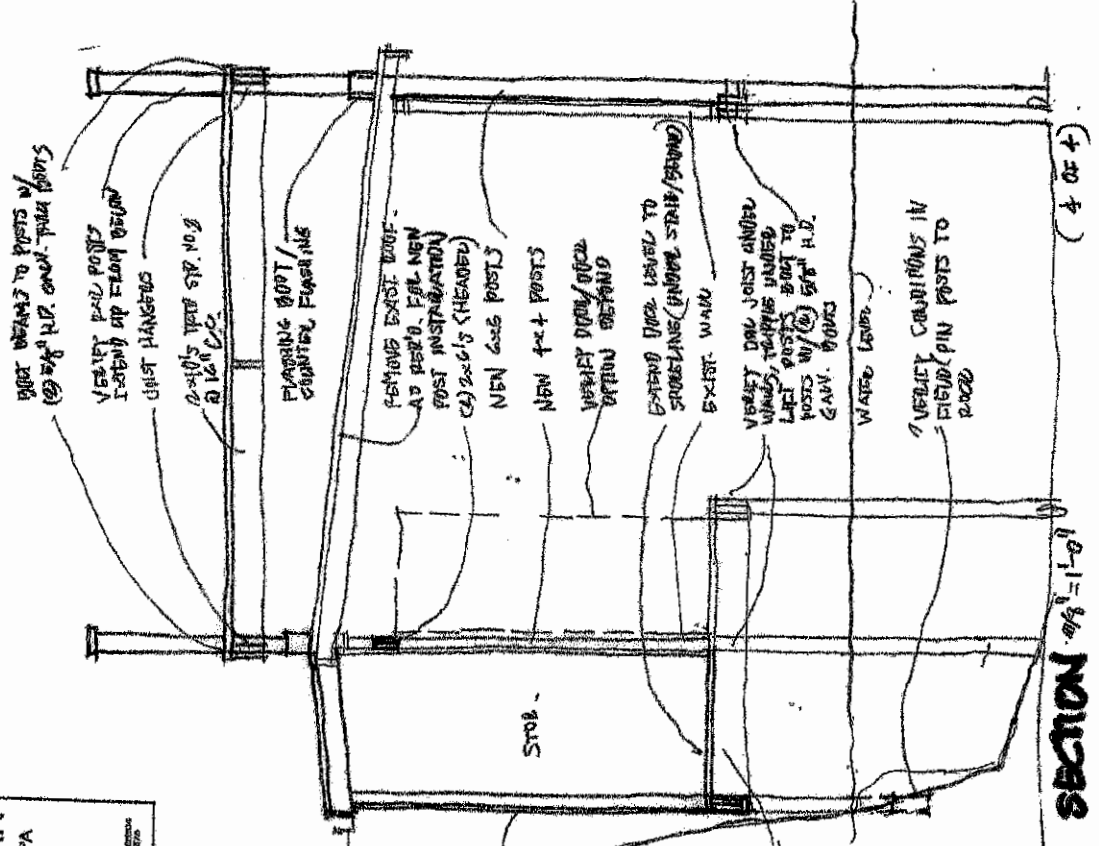
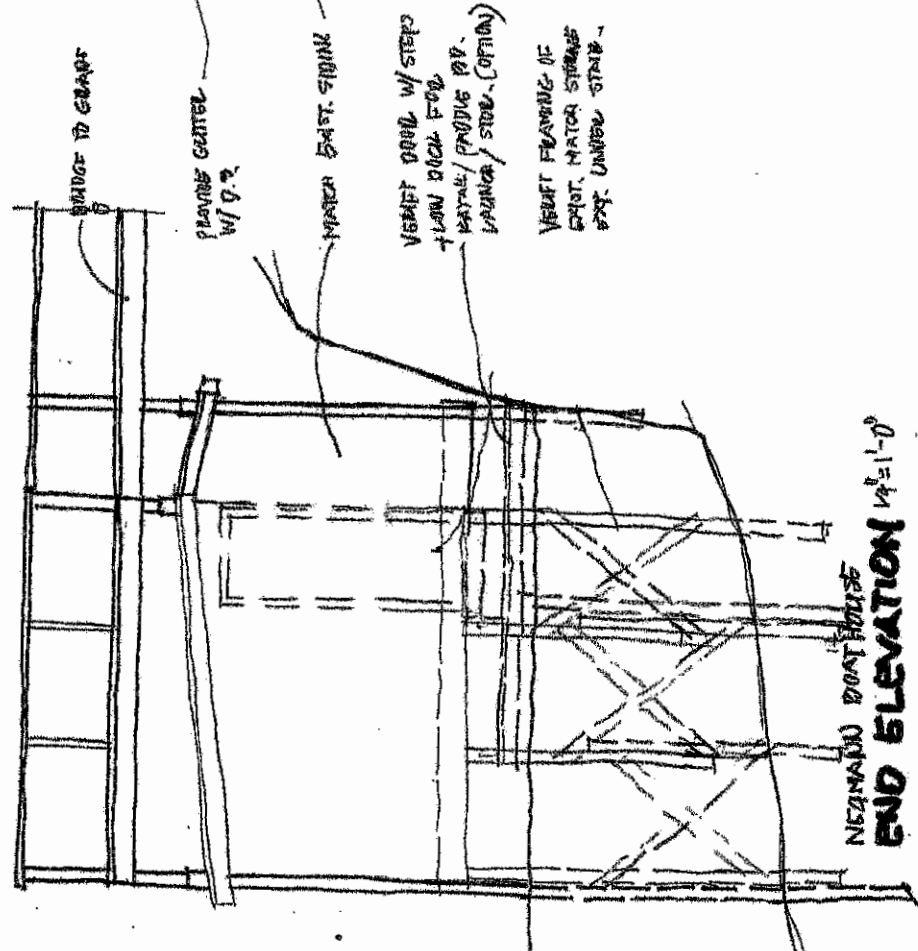




END ELEVATION (9 OF 4)

WIEGMAN BOAT HOUSE
SIDE ELEVATION
1/4" = 1'-0"

WIEGMAN
 ARCHITECTURE, PA
1000 MARKET ST., SUITE 200, PHILADELPHIA, PA 19107
 TEL: 215-562-1000 FAX: 215-562-1001



WEGMAN BOAT HOUSE
END ELEVATION 1/4" = 1'-0"

SECTION 1/4" = 1'-0"

(4 OF 4)



June 8, 2026

Dear Property Owner,

As a neighboring property owner to 141 Lakeview Drive, you are hereby notified that a Lake Structure Variance application has been filed to allow a boathouse that was destroyed by Helene to be rebuilt by varying the requirement that no structure be closer than 15' to any side lot line or extend beyond the 30' limit for projection into the lake. The variance process requires that the Lake Structure Appeals Board hold a quasi-judicial review of the request and make a decision as to whether there are sufficient grounds to grant the variance. Section 6-62(e)(2) of the Town's Lake Structures Ordinance allows a determination by the Board to vary the regulations when strict enforcement would result in unnecessary hardship to the property owner. The parcel is listed as Rutherford County parcel number 231567 and is owned by Robert Kirk and Nicki Neuman. The parcel is within the Residential 1 zoning district.

A hearing before the Lake Lure Board of Adjustment has been scheduled for this variance request on June 23, 2026 at 1:30pm. The hearing will be held at the temporary Town Hall office located at 920 Buffalo Creek Road, Lake Lure.

If you wish to provide any pertinent facts as testimony regarding this matter, please make plans to attend the meeting. The file for this special use request is available for review in our office, by appointment only, during normal Town business hours.

If you have any questions, please do not hesitate to contact me, especially by email.

Sincerely,

Mike Williams, CZO

Community Development Director

Town of Lake Lure

828-625-9983 Ext. 117

mwilliams@townoflakelure.com

920 Buffalo Creek Road, PO Box 255, Lake Lure, NC 28746

Files # LSV-2026004