Tryon Board of Planning and Adjustment
Minutes
May 9th, 2024
3:00 P.M.

Daniel Gerst called the meeting to order at 3:00 pm at the Tryon Town Hall with three other members present.

MEMBERS PRESENT: Daniel Gerst, Luis Ebratt, Allan Casavant, and Patrick Sprouls

STAFF PRESENT: Tim Daniels and Jordan McKeown

Minutes

Luis Ebratt motioned to approve the minutes from the April 2024 meeting. Allan Casavant second the motion. All in favor.

22 Academy St Variance- Garage Rebuild

Tim Daniels reports that owner, Jim Sayers, has applied to rebuild the garage at the front of the property. The current ordinance does not allow for the applicant to rebuild. The applicant states that due to the topography of the lot moving the garage to a different location would not be possible. Jim Sayers informed the board that he purchased this hillside property, it is very steep. He plans to build a 1930's craftsman bungalow and the matching garage in the same footprints, because there is no other place on the lot to build without destroying decades old trees/ landscaping. The vision is that the property will end up looking like it has been there a long time. In 1930 academy street was a sidewalk and the property line still included academy street. The garage sits above academy street and East Howard St and does not face either road. Sayers informed the board that the house has all the permits needed, and renovations have already begun. It is only the garage that was an issue. There was an encroachment for the garage that has been resolved. Casavant motioned to approve the variance. Ebratt seconded the motion. All in favor.

Text Amendment Discussion

Daniels reminded the board that at the last meeting they had discussed tables and chairs, sidewalks, umbrellas, heights, those kinds of things. There weren't any decisions made, but everyone agreed that a color pallet needs to be determined. Daniels presented options for tables and chairs, and informed the board that he is still waiting on a quote but as an example, the tables and chairs already existing at the plaza, the tables

cost $529 each and the chairs cost $369. The town is considering splitting the cost with TDDA to provide the tables and chairs. Casavant asked if the town would only be paying for tables and chairs on the town right of way. Daniels confirmed yes. Daniel Gerst opened the floor to public discussion. Della Pullara asked if there would be different size table options. Daniels shows the board the new branding color pallet to discuss options for umbrella colors. Harriet Hudson, 165 Mountain Shadow Ln, commented that she thinks the color pallet should be black tables with red umbrellas, because it would tie in with the Morris the horse theme. Casavant would like to see black tables with black umbrellas. Gerst and Ebratt both agree that they like the idea of red umbrellas. Christine Cowles, 90 Trade St, asked if this discussion was only for trade street or would it be for all town owned right of ways and plazas. Casavant said it should be for all three business districts. Cowles then asked if it will be for all three districts, will only these specific tables and chairs be allowed. Daniels responded, yes, if they are in the public right of way. Cowles then asked if a business owner could pay for tables and chairs if they wanted to. Daniles stated there will need to be further conversation before he can answer that question. Casavant stated businesses should be able to pay for tables and chairs, if they want to. Cowles pointed out that the tables in the plaza need maintenance and repairs. Daniels informed her that he has talked to the streets department and asked them to make repairs. Daniels asked to board to take a look at the custom table options to discuss if that is something that they want to include. Denny Crowe thinks that having branded table and chairs is a special touch and is a great idea, it could also encourage people to not steal them. Board agrees that they would like to see branded tables and chairs. **Ian** Griggs, 35 Wilcox, asked if the seating could not be limited to restaurants but for all businesses. He also mentioned that there needs to be an expansion of seating, using the bottle as an example, he asked if parking spots could be used and suggested leasing spots for a fee. Bill Crowell, 73 Ola May Way, suggested including in the ordinance proper umbrella stands/ connection. Daniels stated that is the packet with the tables in chairs options, the same company offers umbrella bases. Daniels also mentioned that the board may want to include regulating the height of the umbrellas and suggested 7ft. Casavant suggested that the business should be responsible for maintaining umbrellas, putting them up and down each day. Crowell suggested that umbrellas be the property of the business owner, the town should only regulate the specs. Crowe agrees that business owners should be responsible for the umbrellas but should be offered through the town using a specific vendor, to help with

consistency. Cowles asked the board to consider shops and galleries as well not just restaurants and bars. Casavant responded that he doesn't see the need for other stores to have tables and chairs, if every single shop had tables and chairs it would look like the town is vacant. Daniels will check with the town attorney. Daniles also mentions that the board needs to discuss the ADA requirements, stating that there needs to be a clearance of 3-4 feet. Casavant pointed out that based on discussion at the last meeting and what works best for existing businesses, a floating 4 ft was discussed. Daniels suggested wording it for the ordinance 4 feet between the curb and the store front. Casavant suggested adding that for each business that it needs to be straight line 4ft clearance, it shouldn't weave. Daniels reviewed what has been decided, black tables and chairs with branding on the table, red or black umbrellas with no branding must be at least 7 feet tall, umbrella stands will be regulated. All 3 business districts with public right of way will be included. Casavant asked to include if business owners would like branding on the chairs to offer them the option but have them pay the difference. Crowe pointed out that if you have to choose branding between the tables and the chairs the chairs would be more visible. Crowe asked that if there needs to be options for all businesses maybe another option could be a bench. Chris Spillers, 1201 New Market, stated that if we put a bunch of tables and chairs out it will be no different than an empty parking lot, he also stated that there won't be enough room during big events. Cowles pointed out that the option for the table that was shared along with the ADA compliance, there will not be enough room. Daniles explained that there is a whole catalog of options and the town can work with the business to figure out what table and chairs will work best with the ADA 4 ft compliance. Kathy Bretman, Meadowlark Dr, stated that they make umbrella stands in a large range of weights, sandbags aren't needed and are not aesthetically pleasing. Ebratt motioned to request Tim Daniels to work on text amendment based on discussion today. Casavant second the motion. All in Favor.

Meeting Adjourned

Meeting was adjourned at 3:50 PM.

Prepared by:

Jordan McKeown
Billing Clerk

Approved by:

Daniel Gerst
Chairman