

## MINUTES OF THE DARE COUNTY PLANNING BOARD MEETING

The Dare County Planning Board held its regularly scheduled meeting on Monday, August 14, 2000. This meeting was held in the Dare County Administrative Annex located at 204 Ananias Dare Street in Manteo, NC.

**CALL TO ORDER**                      7:00 PM

**MEMBERS PRESENT**            Elmer R. Midgett, Jr. – Chairman  
Jonathan Britt  
John Myers  
Mary Aldridge  
Marcia Parrott  
Joe Kierzkowski  
Joe Thompson

### **APPROVAL OF MINUTES**

There being no additions or deletions to be made to the minutes of the July 10, 2000 Planning Board meeting, a motion to dispense with reading and to approve them as submitted was made by John Myers, seconded by Joe Kierzkowski.

Vote: Ayes – Unanimous

### **OLD BUSINESS**

#### ***Four Seasons Subdivision, Phase 2 – Duck – Revised Preliminary***

Owner/developer Furman Clark was present for the review of this plat. Also present was Mr. Mike Robinson of Bissell and Associates.

Phase 1 of this division was recorded in late 1999; phase 2 received preliminary plat approval in August of 1999 and has not yet been approved by the Dare County Board of Commissioners.

Donna Creef presented staff comments. She told the Board that at the time the preliminary plat for phase 2 was approved it featured an access for the soundside lots in that phase. The developers now wish to delete this access and propose a series of shared driveways in an effort to avoid the removal of vegetation necessary for the installation of the access road.

Mrs. Creef suggested that a typical cross section of the shared driveways be included on the revised preliminary plat for phase two and language be included in the covenants requiring their installation if the Board is in support of the shared driveway concept. She also noted that if the Board is supportive of the shared driveway concept, consideration needs to be given to how to enforce prohibition of the removal of vegetation.

After discussing the shared driveway concept for the soundside lots in phase 2, a motion to recommend approval of the revised preliminary plat for Four Seasons, Phase Two was made by Marcia Parrott, seconded by John Myers subject to the following conditions:

1. Language be included in the covenants concerning the protection of the vegetated buffer along NC 12. The language is to be submitted to the Planning staff for review.
2. The revised plat shall depict a typical cross section of the shared driveways.

Vote: Ayes - Unanimous

This item will be forward to the Dare County Board of Commissioners for review once the covenant language has been reviewed and approved by the Planning staff.

### **NEW BUSINESS**

#### ***Albemarle Engineering – Sprint Telephone – Roanoke Island – Conditional Use Permit***

John Delucia of Albemarle Engineering was present to represent this application.

Zoning Administrator Lorraine Tillett presented staff comments. She told the Board that Sprint is requesting authorization to construct a 10' x 16' subscriber carrier station on Airport Road. The site identified as Lot 1 of the Isabelle Warren property and is zoned R-1. The facility will relieve the telephone system in that area and allow Sprint to serve more customers with underground cable on Roanoke Island.

Ms. Tillett stated that the building will be remotely controlled and unmanned with periodic monitoring. Two parking spaces are provided for service vehicles.

The property was posted and notification was sent to adjoining property owners. She stated that comments were received from two adjacent property owners expressing concern regarding storm-water runoff, the location of the structure on the lot, landscaping, and security fencing.

Ms. Tillett presented a draft conditional use permit outlining conditions for the Board's review and consideration.

A motion was made by John Myers, seconded by Mary Aldridge to recommend approval of this request to the Dare County Board of Commissioners with the following conditions:

1. The structure shall be centrally located on the lot; moving it approximately 15' to the west to lessen any impact the property owners in the Daphne Park Subdivision.
2. Security for the site shall include a security chain placed across the driveway; no fencing will be required due to the heavily wooded lot are and natural wood buffers.
3. Landscaping for the site shall include Wax Myrtle plantings.

Vote: Ayes – Unanimous

***Pipkin Salvo Subdivision – Salvo – Preliminary Plat Review***

Eddie Valdivieso of Quible and Associates, representing the developer, was present.

Donna Creef presented staff comments. She told the Board that this is proposed division is located in Salvo. She stated that the health department comments have resulted in a decrease of the number of lots from 129 to 95.

Mrs. Creef stated that the plat included in the Board's packet shows 95 lots on the soundside in three phases. Phase one includes 34 lots; phase two includes 35 lots, and phase three includes 26 lots.

Mrs. Creef stated that although the division is designated in three different phases, the developer plans to construct them all at one time and is requesting that instead of the Board granting the usual one-year time frame to complete the improvements that he be granted 3 years. She suggested, before proceeding with the review of this division, the board discuss the wisdom of this request.

Mrs. Creef stated that extended approval periods were granted to the Kinnakeet Shores development under the terms of a master phasing agreement. The master phasing agreement had to be amended a couple of times to allow for the water moratorium, the bridge being knocked out and the down turn in the Real Estate Market. She stated that staff is reluctant for the County to approve another extended subdivision and recommends proceeding with the one phase at one time construction schedule unless the developer can present strong assurances that he is committed to the completion of the project in a timely fashion.

All of the lots will be connected to the County water system and will have individual on-site septic systems. They all contain a minimum of 15,000 square feet of area not classified as wetlands or marsh. Verification of the wetland areas on file.

Mrs. Creef noted that the lots with frontage on NC 12 will be accessed from the internal subdivision roads. A note to this effect is included on the plat and similar language shall be included in the covenants. The roads are proposed as public roads; however, the maintenance of the roads will be the responsibility of the property owners until such time that the State takes them over. A statement regarding this should be included on the plat and in the covenants.

The plat does not depict any dumpsite sites.

Eddie Valdivieso from Quible and Associates was present representing the developer.

Mr. Valdivieso told the Board that 6 bedroom homes are proposed for this division. He stated that the developer's request is for approval of all three phases at this time, but would agree to approval of one phase at a time if it were the pleasure of the Board.

Chairman Midgett suggested that the developer seek approval for one phase at the time.

The Planning Board concurred that the developer should seek approval for one phase at a time.

A motion to recommend approval of the preliminary plat for phase one of the Pipkin-Salvo Subdivision was made by Marcia Parrott, seconded by John Myers subject to the following conditions:

1. Revised plat depicting the location of a dumpster site.
2. Language being added to a revised plat and included in the covenants restricting access to all lots from the internal subdivision roads and not from NC 12.
3. Revised plat include a statement that the roads are dedicated to public use but shall be the maintenance responsibility of the property owners until accepted into the NCDOT secondary road maintenance program.

Vote: Ayes – Unanimous

***SummerPlace II – Hatteras – Preliminary***

Surveyor Ray Meekins was present to represent the developer of this division. Also present was the developer, Skip Dixon.

Donna Creef told the Board that the proposed Summer Place II Subdivision is located in Hatteras Village adjacent to the previously recorded SummerPlace Subdivision. The site is zoned C-2, but is being proposed for residential use which is permitted under the C-2 zoning.

Mrs. Creef stated that the property has frontage on NC 12 but is accessed by a 60' easement. SummerPlace Drive is located in a portion of the easement and additional road improvements for SummerPlace II will be installed off SummerPlace Drive. A 30' right-of-way is proposed for the internal roads with 20 feet of paving, and common drives will be used for lots 1 & 2 and 10 & 11. The Subdivision Ordinance grants the Board the discretion to modify the width requirements of the right-of-way if doing so will not endanger or diminish public health, safety and welfare. The proposed configuration does not feature any immediate access from NC 12. The adjoining SummerPlace Subdivision was designed with a series of common drives, which are very similar to what is proposed for this division. Language should be included in the covenants that clearly state that the maintenance of the road improvements and the common drives will be the responsibility of the property owners. Staff's only concerns were that on the common drives, in particularly on the ones that go down lots 9 & 10 that the side yard setback be calculated from the lot line. A note to this affect should be included on the plat if the Board agrees that that is a valid concern.

All of the lots will be served by central water from the Dare County Regional water system.

Staff recommended a favorable report pending the Board's approval on the 30' right-of-way.

A motion was made by Marcia Parrott, seconded by John Myers to recommend approval of the preliminary plat for the SummerPlace II subdivision to the Dare County Board of Commissioners subject the following conditions:

1. Permits to fill the wetland area on lot 12 shall be obtained and all fill activities completed prior to the submission of the final plat.
2. The preliminary plat shall be revised to depict driveway improvements from SummerPlace Drive to lots 1 and 2.
3. A dumpster site shall be depicted on a revised plat.

Vote: Ayes – Unanimous

***George Mendelson – Colington – Group Development***

Ben Cahoon, Architect present to represent the applicant. Also present was Mr. Mendelson.

Planning Director Ray Sturza told the Board that Mr. Mendelson's property is on the Albemarle Sound in Colington. The site is zoned R-2B and is accessed from an existing 20' easement located at the end of Sunrise Lane. He wishes to construct a single-family structure with a smaller guesthouse located on the same property. The construction of two principal use structures on one site is considered a group development and requires review as a conditional use permit. The site is 61,794 square feet in area; almost 3 times the minimum that is required for this kind of a project.

Mr. Sturza noted that the buildings are proposed to be connected by a 42' wooden walkway. The survey does not include the lot coverage calculations and should be revised to do so. He stated that the proposed buildings as depicted conform to the R-2B setbacks and the group development setbacks, and the Health Department comments indicate no objection to the issuance of a Conditional Use Permit for Mr. Mendelson's project subject to him obtaining the necessary permits.

Mr. Sturza submitted a draft Conditional Use Permit with various conditions for the Board's review and consideration, and recommended approval of the CUP.

A motion was made by John Myers, seconded by Marcia Parrott to recommend approval of this conditional use permit with conditions as outlined in the draft Conditional Use Permit submitted by Mr. Sturza.

Vote: Ayes – Unanimous

**OTHER BUSINESS**

***Draft Public Participation Plan - Land Use Plan update 2000/2001***

Donna Creef presented a draft Public Participation Plan for the 2000/2001 Land Use Plan update. She explained that the plan outlines the activities and events that will be conducted during the update process to encourage public input.

Mrs. Creef stated that the first activities planned are a series of workshops to be held during the first week in October labeled as "The Future of Dare Week". This series of workshops will include workshops being conducted in various locations within the County (Hatteras, Manteo, North Beaches). She stated that Mr. Glen Harbeck would be conducting these workshops.

Mrs. Creef informed the Board that a questionnaire will be sent to of town people, an inset will be included in the Coastland Times to solicit comments from Dare County residents, the Dare County Website and other media will be utilized to make the public aware of this Land Use Plan update.

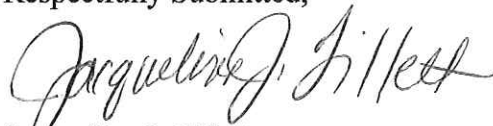
A motion was made by Marcia Parrott, seconded by Mary Aldridge that the Planning Board stands behind the staff and approves the strategies for the 2000/2001 Land Use Plan Update Public Participation Plan.

Vote: Ayes – Unanimous

There being no further business before the Planning Board, a motion to adjourn was made by Marcia Parrott, seconded by Mary Aldridge.


Vote: Ayes - Unanimous

Respectfully Submitted,



Jaqueline J. Tillett  
Senior Support Administrative Assistant

APPROVED: September 11, 2000



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Elmer R. Midgett, Jr. – Chairman  
Dare County Planning Board