

## MINUTES OF THE DARE COUNTY PLANNING BOARD MEETING

The Dare County Planning Board held its regularly scheduled meeting on Monday, December 11, 2000. This meeting was held in the Dare County Board of Commissioners meeting room located at 204 Ananias Dare Street in Manteo, North Carolina.

**CALL TO ORDER**                    7:00 PM

**MEMBERS PRESENT**            Elmer R. Midgett, Jr. – Chairman  
   Jon 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 November 13, 2000 Planning Board meeting, a motion to dispense with reading them and to approve them as submitted was made by Joe Kierzkowski, seconded by Joe Thompson.

Vote: Ayes – Unanimous

### OLD BUSINESS

#### *Collins Family – Roanoke Island - Rezoning Request*

On November 13, 2000 the Dare County Planning Board concurred to conduct a Public Hearing for the rezoning request submitted by the Collins Family. At that time the Board directed staff to work on a suitable date for this hearing.

Planning Director Ray Sturza informed the Board that the most suitable date for this Public Hearing would be January 8, 2001. He stated that this Public Hearing will be held in conjunction with the regularly scheduled meeting of the Planning Board and will begin at 7 PM in the meeting room of the Dare County Board of Commissioners, 204 Ananias Dare Street in Manteo, North Carolina.

#### *SummerPlace II – Hatteras – Final Plat*

Donna Creef presented staff comments. She informed the Board that the Dare County Board of Commissioners granted the preliminary plat approval for this division in September. She further stated that all of the road and water line improvements have been installed, and verification from the Dare County Water Department that the lines were installed to their satisfaction has been received as well as the test results on the road improvements.

Mrs. Creef stated that staff visited the site and found that all the improvements have been installed as proposed.

Staff recommended final plat approval.

A motion to grant final plat approval was made by Joe Thompson, seconded by Joe Kierzkowski.

Vote: Ayes – Unanimous

**Wind Over Waves, Phase I (formerly known as Pipkin-Salvo Subdivision) – Salvo- Final Plat**

Eddie Valdivieso from Quible and Associates was present to represent this final plat.

This is the final plat for the first phase of the Wind Over Waves Subdivision. Originally reviewed as Pipkin-Salvo Subdivision.

Donna Creef presented staff comments and told the Board that this proposed division contains 34-lots and will be served by the Dare County central water supply, which verification from the water department has been submitted.

Mrs. Creef stated that she and Ray Sturza visited the site and found that the roads are not yet paved, but the sub-base was being installed. She stated that Mr. Valdivieso has informed her that the weather has prevented them from installing the paving.

Chairman asked if the developer anticipated having the roads in before January.

Mr. Valdivieso stated that he does anticipate having the roads complete before January. He further stated that the stone in the rock is down and has been tested.

Mrs. Creef noted that the street name “Pamlico Way” should be changed to avoid conflicts with a similar street in Avon Village. She also noted that street signs need to be installed prior to final plat recordation.

Mrs. Creef pointed out two minor revisions needing to be made to the plat as follows:

1. A typical street cross- section should be added
2. A note stating that the uplands area of each lot is included in parenthesis

Mrs. Creef noted that the restricted covenants have been submitted and do include the necessary language concerning the road maintenance.

Staff recommended approval subject to staff verifying the installation of the asphalt and satisfactory test results prior to the plat being recorded.

Marcia Parrott, seconded by Jon Britt made a motion to grant final plat approval subject to the following:

1. The road improvements shall be completed and satisfactory test results shall be submitted prior to recordation of the final plat. The Planning staff should be notified once paving is complete.
2. The street name Pamlico Way shall be changed to avoid conflict with another street in Avon Village and the street signs installed prior to the plat being recorded in the Dare County Office of the Register of Deeds.

Vote: Ayes – Unanimous

### **Mill Creek Acres – Wanchese- Final Plat**

Present to represent this final plat was Mr. Mike Meekins, of W. M. Meekins, Jr. & Associates.

Donna Creef told the Board that this is the final plat for a 4-lot division in Wanchese off SR 1135/Tillett Road. She told the Board that the Dare County Board of Commissioners granted preliminary plat approval to this division on October 16, 2000 subject to the removal of the two structures located on lot 1 prior to the submission of a final plat. She stated that she visited the site on December 5, 2000 and found that the house that was straddling the property line has been removed but the barn remains. She told the Board that conversations with representatives of Meekins and Associates indicated that the developer desires that the barn be allowed to stay there.

Mike Meekins informed the Board that barn has been removed, and is no longer an issue.

Mrs. Creef stated that no improvements were proposed for the division and recommended final plat approval.

A motion to grant final plat approval to the Mill Creek Acres Subdivision was made by John Myers, seconded by Mary Aldridge.

Vote: Ayes – Unanimous

### **NEW BUSINESS**

#### ***Sunnyside Road Subdivision – Roanoke Island – Sketch Plan***

Mrs. Donna Creef presented staff comments. She told the Board Mr. Eddie Goodrich has submitted a sketch plan for a 9-lot subdivision to be located on Roanoke Island. The site is zoned R-1 and is located at the end of D. Victor Meekins Road in the area known as Sunnyside.

Mrs. Creef stated that she has informed Mr. Goodrich that the division will need to be renamed since there are several other subdivisions using Sunnyside or some variation previously recorded.

All the lots will be served by private wells and on-site septic systems.

The subdivision is proposed with a private 30' wide right-of-way. The Subdivision Ordinance grants the Board the discretion to approval narrower rights-of-way if public health and safety is not compromised. An existing pond is located on the site for which a Corps road-crossing permit is needed. She noted this as something the Board will need to discuss.

Staff is uncertain that the square footage for lot 2 includes the pond area. If so, lot 2 should be revised to include 20,000 square feet of land area not water area.

Mr. Goodrich told the Board that the subdivision is being revised to consist of 8 lots instead of 9 because the Corps of Engineers consider the pond as manmade and was a barrow pit a one time. He stated that the pond has become naturalized because of the wetlands area around the pond.

Mr. Goodrich further stated that the Corps will not allow him to fill the pond, but will allow the road crossing with the necessary applications.

Mrs. Creef stated that the site is located in an area of year-round homes that are accessed via a 30' easement located along the south and west sides of the tract. She pointed out that a portion of the easement is located within the boundaries of lot 1, and suggested an alternate design that doesn't include the easement as part of lot 1 to avoid the possibility of the owner of lot 1 deciding to block or limit access along the portion of the easement to the adjacent properties.

Mrs. Creef pointed out that a note should be included on the plat and in the covenants limiting access to lots 1- 4 from the private road. She stated that staff visited the site and found that there is vegetation located along the rear of these lots. Recognizing that the residents in this area have been used to this vacant property for years, she suggested that this vegetation along the easement remain in place as a buffer if at all possible.

Verification plat for the wetlands will be needed at the time of the preliminary plat. Any fill activity as proposed on lot 4 should be handled as part of the preliminary plat approval.

This item was a sketch plan; no action required.

***H.P. Beck – Captain Levene's Estate – Rodanthe – Preliminary Plat***

Mike Meekins of W. M. Meekins, Jr. & Associates was present to represent this preliminary plat.

Mrs. Donna Creef presented staff comments. She told the Board that when this site plan for Captain Levene's Estate was originally submitted, it was submitted as a Group Development and when you pull out the plat and look at it is a subdivision plat. It has all the certificates as a subdivision plat. There has been ongoing discussion over the past couple of weeks whether it was a group development or a subdivision. She stated that the last word she received was that it would be considered a subdivision.

Mrs. Creef stated that the property is located next to the Chicamacomico Lifesaving Station Historical site in Rodanthe and is zoned S-1. She noted that the Board should discuss the possibility of a buffer between the two properties or at least suggest that the developer consult with representatives of the Historical Association.

Joe Kierzkowski stated that he would discuss this issue the Association at their meeting on December 12, 2000, and report the outcome to the Planning staff.

Mrs. Creef noted that a 45' right-of-way with 20' of paved road improvements is proposed as access to the home-sites. She also noted that the sites will be served by the Dare County central water system and all of the lots consist of 15,000 square feet.

Mrs. Creef noted that an existing cemetery is located on the property and suggested that an access easement to the cemetery be depicted on a revised plat. She also noted that a dumpster should also be depicted on a revised plat. She further noted that the correct language designating the road as private needs to be included on a revised plat.

Comments from the Health Department express some concern about lots 5, 6, and the two immediate oceanfront lots. Corps permits have been obtained to do some wetlands filling out there and those permits indicate that the water table is greater than what The Health Department has indicated in their comments. Mrs. Creef suggested that this issue be left to the to the Health Department, the developer and his representatives to work out.

Mike Meekins informed the Board that the developer is proposing a 10-foot access to the cemetery that comes off of Laura Lane.

A motion was made by John Myers, seconded by Jon Britt to recommend preliminary plat approval of Captain Levene's Estate to the Dare County Board of Commissioners subject to the following:

1. Access to the existing cemetery on the property shall be provided and language is to be included on a revised site plan as well as in the restrictive covenants for the subdivision.
2. Access to lots 1 and 5 shall be restricted to Laura Lane. This restriction shall be noted on a revised plat and also in the covenants.
3. The submission of additional written comments from the Dare County Health Department concerning the suitability of lot 5 and 6. These comments need to be submitted prior to the item being forwarded to the Dare County Board of Commissioners for their review.

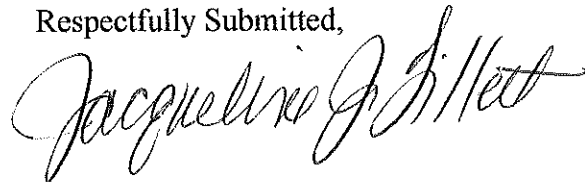
Vote: Ayes – Unanimous

**OTHER BUSINESS**

There being no further business before the Board a motion to adjourn was made by John Myers, seconded by Joe Kierzkowski.

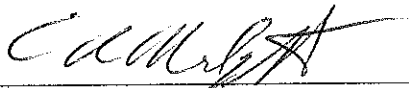
Vote: Ayes – Unanimous

Respectfully Submitted,



Jacqueline J. Tillett  
Senior Administrative Support Specialist

**APPROVED: 01-08-01**



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