

MINUTES OF THE DARE COUNTY PLANNING BOARD MEETING

The Dare County Planning Board held their regularly scheduled meeting on Monday, March 12, 2001. This meeting was held in the Dare County Administrative Annex Building, 204 Ananias Dare Street, Manteo, North Carolina.

CALL TO ORDER 6:45 PM

MEMBERS PRESENT Elmer R. Midgett, Jr. – Chairman
John Myers, III
Jonathan Britt
Marcia Parrott
Joe Thompson

MEMBERS ABSENT Mary Aldridge
Joe Kierzkowski

APPROVAL OF MINUTES

There being no additions or deletions to be made to the minutes of the February 12, 2001 Planning Board meeting, a motion to dispense with reading and to approve them as submitted was made by Jon Britt, seconded by John Myers.

Vote: Ayes – Unanimous

OLD BUSINESS

Giant Slice Pizza – Conditional Use Permit – Duck

Zoning Administrator Lorraine Tillett presented staff comments. She informed the Board that the applicant has not yet submitted information regarding the NC State Beverage/Alcohol License. She noted that the Health Department has approved the requested food prep area and the location of the mop sink.

Ms. Tillett submitted a draft Conditional Use Permit listing several conditions for the Board's review and consideration.

Marcia Parrott, seconded by Joe Thompson, made a motion to recommend approval to the Dare County Board of Commissioners subject to the applicant complying with the conditions identified in the Draft Conditional Use Permit submitted by Ms. Tillett and securing the appropriate ABC license.

Vote: Ayes – Unanimous

Hawaiian Island Ice Cream and Coffee – Duck – Conditional Use Permit

Zoning Administrator Lorraine Tillett told the Board that the applicant has complied with the Planning Board's previous request. She presented a Draft Conditional Use Permit outlining several conditions for the Board's consideration and recommended approval.

Jon Britt, seconded by Joe Thompson, made a motion to recommend approval to the Hawaiian Island Ice Cream and Coffee Shop subject to the conditions identified in the Draft Condition Use Permit submitted by Lorraine Tillett.

Vote: Ayes – Unanimous

Public Hearing - Proposed Draft Lighting Ordinance – Duck Business and Community Alliance

Planning Director Ray Sturza rendered comments. He told the Board that this hearing is to receive comments on the proposed lighting standards submitted by the Duck Business and Community Alliance. He stated that the proposed standards included in the Board's packet have been reformatted to follow the existing VC zoning regulations.

Mr. Sturza stated that after receiving public comments, the Board may chose to make a recommendation or delay action on the item based on comments received during the hearing.

Chairman Midgett opened the floor for public comment.

Public comments were received from the following:

1. Liliias Morrison stated that the intent of the proposed Ordinance is to specify in detail what happens in the Village of Duck after dark. She further stated the most significant characteristic of this amendment is to prohibit banded neon lighting on box buildings.

Ms. Morrison asked the Board to consider this proposed text amendment to the Village Commercial District positively and help the Duck Business and Community Alliance maintain the Village character of the Duck Business District.

2. Paul Keller, Chairman of the Duck Civic Association (DCA) commented that the DCA to has reviewed the proposed lighting standards and endorses them thoroughly. He stated that the proposed regulations will be an asset to the Village as well as to the entire community.
3. Neil Blinken, resident and businessman of Duck for over 20+ years, stated that he concurs with the feeling that everybody wants a low key signage, low glare, low light. He congratulated the Duck Business and Community Alliance and the Duck Civic Association for working together for the future of Duck.

4. George Keith, North Beach Outfitters, retailer in the Waterfront Shops in Duck stated that he supports the proposed ordinance.

Ms. Morrison presented a petition of members of the business community in Duck who could not attend this meeting and are in support of this proposal.

Chairman Midgett suggested that Ms. Morrison present the list supporters to the Dare County Board of Commissioners as well.

The public input portion of this meeting closed at approximately 7:18 PM.

Planning Board member Jon Britt commended the Duck Business and Community Alliance as well as the Duck Civic Association for a job well done. He stated that it is good to see something proactive coming down, and he is in favor of the proposed regulations.

Jon Britt, seconded by John Myers, made a motion to recommend approval of the Lighting Standards to the Dare County Board of Commissioners.

Vote: Ayes – Unanimous

Public Hearing - Draft Inland Dune Alteration and Sand Removal

Planning Director Ray Sturza stated that this hearing has been scheduled to receive comments regarding proposed regulations to address the dune alteration and removal of sand activities. He stated these proposed regulations come as a result of the Planning Staff being made aware of land disturbing activities in the high ridge portions of Colington Harbour.

Mr. Sturza stated that a draft ordinance was included in the Planning Board packet for consideration. This draft ordinance was advertised for Public Hearing in the Coastland Times.

Chairman Midgett opened the floor for public comment.

No public comments were rendered.

Donna Creef informed the Board that a letter from the Colington Harbour Association supporting this proposed ordinance is on file.

Marcia Parrott, seconded by John Myers, made a motion to recommend approval of the draft regulations for Inland Dune Alteration and Sand Removal Activities and to forward this item to the Dare County Board of Commissioners.

Vote: Ayes – Unanimous

Eve Trow, Colington Harbour Association commented that the Planning Staff has worked very hard and have taken a very serious view of the problems we have had in the Harbour which potentially could be problems in other areas.

OLD BUSINESS

Beach Lake Subdivision – Waves, NC – Final plat

Senior Planner Donna Creef told the Board that this is the final plat for the proposed 6-lot division located in Waves, NC. Staff visited the site on February 21, 2001 and found the road improvements installed as depicted on the final plat. Satisfactory test results on the road improvements are on file. Mrs. Creef noted that the road-side swales need to be shaped and stabilized prior to the recordation of the final plat.

Mrs. Creef noted that a condition of the preliminary plat approval was that a dry hydrant be installed on the site. Staff with the Dare County Water Department have indicated that the hydrant has not been installed as depicted on the plat and verified that the water improvements have been installed in compliance with State and County regulations.

Mrs. Creef pointed out that an underground oil tank is located near lot 6 and should be removed. She recommended approval subject to the following items being addressed and verified by staff:

1. Shaping and stabilization of the road-side swales.
2. Installation of the dry hydrant as depicted on the plat.
3. Removal of the underground tank.
4. Installation of the “Street” and “STOP” sign.

John Myers, seconded by Joe Thompson made a motion to grant final plat approval subject to the items identified by Mrs. Creef.

Vote: Ayes – Unanimous

NEW BUSINESS

Jim Braithwaite – Duck Waterfront Shoppe’s – Duck – Conditional Use Permit

Zoning Administrator Lorraine Tillett told the Board that Mr. Jim Braithwaite and Mr. John Power have submitted an application for a Conditional Use Permit to establish a coffee shop with 9 customer seats to be known as “Duck’s Cottage”. She stated the coffee shop as proposed will be located in an 947 square foot building identified as the “Powder Ridge Gun Club” which was located on the site and approved for retail use in September 1999.

Ms. Tillett stated that the original complex constructed in the 80’s consists of 6 buildings with approximately 10,000 square feet of retail space and the relocation of the gun club building.

Ms. Tillett noted that the previously approved site plan included a reconfiguration and paving of the parking improvements of the Duck Waterfront Shoppe's. The paving of the parking improvements allowed the area to be striped and depicted actual parking spaces. The improved parking lot will feature 132 parking spaces. The coffee shop requires 4 parking spaces; 3 for the customer seats and 1 for 3 employees.

Ms. Tillett stated the site was posted and notification of this application was sent to adjoining property owners. To date no negative comments have been received. She stated that once the petitioners have secured favorable state and local agency reports as referenced in the draft CUP included in the Board's packet, staff can recommend approval.

Ms. Tillett stated that comments from the Health Department indicate that the current system does not have the capacity to support an additional food service operation as proposed, and does not have a one-year history of water usage which is required for the local Health Department to permit additional flow to State approved systems. Written comments from the Health Department identified the following options for the applicants to consider:

1. Submit a Change of Use application to the North Carolina Department of Environmental and Natural Resources On-site Wastewater Division or,
2. Collect water use data from the new system for one year and submit a Change of Use Application to the Dare County Health Department for review.

Brant Wise with McKim & Creed representing the applicant was present. He told the Board that the engineer for the project is Mike Robinson with Bissell Associates. He further stated that they have applied to the State with the septic system because it exceeds 3000 gallon per day which the local Health Department cannot approve that type of system.

Mr. Wise informed the Board that only pre-packaged goods will be served, and the Department of Agriculture has been notified will be inspecting some time in the near future.

A motion was made by John Myers, seconded by Jon Britt and Joe Thompson to recommend approval to the Dare County Board of Commissioners subject to the conditions identified by Lorraine Tillett being taken care of prior to submission to the Dare County Board of Commissioners.

Vote: Ayes – Unanimous

OTHER BUSINESS

Draft Text Amendment for Large Commercial Structures

Planning Director Ray Sturza presented a set of draft regulations for large commercial structures. He told the Board that these regulations also include design standards.

Mr. Sturza stated that prior to going to the County Commissioners these proposed standards need an endorsement from the Dare County Planning Board.

Jon Britt commented that he would like to see the size reduced to 10,000 square feet. It looks good. The possibility exists in Duck where we have done the 10,000 building you could get 2 10,000 square foot buildings and I would like to see these standards be able to be applied.

A motion was made by Jon Britt, seconded by Marcia Parrott, to recommend approval of the draft standards as submitted to the Dare County Board of Commissioners.

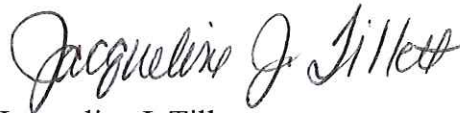
Vote: Ayes- Unanimous

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

Vote: Ayes – Unanimous

This meeting closed at approximately 8:10 PM.

Respectfully Submitted,



Jacqueline J. Tillett
Senior Support Administrative Specialist

Approved: April 9, 2001



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