

MINUTES OF THE DARE COUNTY PLANNING BOARD

The Dare County Planning Board held their regularly scheduled meeting on Monday, October 8, 2001. This meeting was held in the Dare County Administrative Annex located at 204 Ananias Dare Street, Manteo, NC.

CALL TO ORDER 7:00 PM

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

APPROVAL OF MINUTES

Joe Kierzkowski made a motion to dispense with reading of the minutes of the September 10, 2001 Planning Board meeting and to approve them with the correction being made, as requested by Mary Aldridge, to the Parking Standards discussion stating that the standards would apply to residences with four or more bedrooms. Mary Aldridge seconded this motion.

Vote: Ayes – Unanimous

OLD BUSINESS

Captain Levene's Estate – Rodanthe – Final Plat Review

Chief Planner Donna Creef presented staff comments. She told the Board that the proposed subdivision featured six lots originally, and has recently been reduced to five lots as a result of discussions with the Health Department as recommended by the Planning Board.

The Board of Commissioners granted preliminary plat approval for this division on March 19, 2001 subject to the following items:

1. The location of the septic improvements/LLP system lines for lots 4 and 5 being depicted on the final plat.
2. Language being included in the restrictive covenants that provides for maintenance (grass mowing) of the remote drainfield area for lots 4 and 5.

Mrs. Creef noted that the final plat submitted for review does not contain the information requested at the preliminary plat review and the covenants have not been submitted for review. Verification from the Health Department that all necessary paperwork for the LLP system also needs to be submitted prior to the recordation of the final plat.

Mrs. Creef presented photos of the site depicting the roadside swales. She stated that the road improvements are complete but the roadside swales need additional shaping and stabilization. A STOP sign and street name sign also needs to be installed.

After brief discussion, John Myers, seconded by Jon Britt made a motion to table the final plat pending the completion of the following items:

1. Shaping, grading and stabilization of the roadside swales.
2. A street name sign and STOP sign need to be installed at the site.
3. A copy of the restrictive covenants for the division needs to be submitted. The covenants shall include language to address the maintenance (grass mowing) of the remote drainfield site and the road maintenance.
4. The location of the septic improvements/LLP system for lots 4 and 5 shall be depicted on the final plat.
5. The proper certificate for the road indicating its status as a "private" road should be included on a revised plat.

Vote: Ayes – Unanimous

NEW BUSINESS

Joseph C. Britt – Duck – Zoning Amendment Petition

A motion to excuse Jon Britt from the discussion of this petition was made by John Myers, seconded by Joe Kierzkowski.

Vote: Ayes – Unanimous

Mr. & Mrs. Joseph C. Britt was present to represent this application.

Planning Director Ray Sturza presented staff comments. He told the Board that Mr. Joe Britt has submitted an application requesting the extension the VC zoning district boundary approximately 300 additional feet along NC 12.

Mr. Sturza told the Board that the Dare County Board of Commissioners recently adopted a set of amendments to the Duck zoning map that were initiated by the Planning Board Chairman. He explained that four of the amendments were non-conformities or inequities that existing in the Duck zoning map when it was adopted in 1982.

Mr. Sturza pointed out that the initiative by Chairman Midgett included the support of the Duck incorporation committee. He stated that staff anticipates that this current request will not be supported by that group.

Mr. Sturza identified three alternatives of action for the Board's consideration as follows:

1. Table the item pending the outcome of the Duck incorporation vote scheduled for November 6, 2001.
2. Schedule a Public Hearing on the matter for the November Planning Board meeting.
3. If Duck does incorporate, then they will handle the issue.

John Myers expressed the opinion that the Planning Board has to hold a Public Hearing anyway. He also stated that it is a legitimate request and he is not inclined to vote yes or no without a Public Hearing.

Chairman Midgett identified three alternatives of action for consideration by the Planning Board as follows:

1. Schedule a Public Hearing.
2. Wait for incorporation referendum.
3. Vote no with reason for the denial.

After considerable discussion a motion was made by Marcia Parrott, seconded by Mary Aldridge to table any action until the November 13, 2001 Planning Board meeting.

Vote: Ayes – Unanimous

A motion to bring Jon Britt back on the Board for the remainder of the meeting was made by John Myers, seconded by Joe Thompson.

Vote: Ayes – Unanimous

SURF AND TURF SUBDIVISION - WAVES – SKETCH PLAN

Zoning Administrator Lorraine Tillett presented staff comments. She told the Board that Mr. Jerry McManus proposes to subdivide the property located at 25180 & 25212 NC Hwy. 12 in Waves into two lots. Ms. Tillett stated that the division of the property would allow the current renters to own their business. The property is zoned S-1 and is formerly known as “Emily’s Restaurant”.

Ms. Tillett told the Board that a Conditional Use Permit was authorized in 1994 for a group development project consisting of a 1,200 ± square foot windsurfing shop with a two-bedroom apartment on the second floor and the 6,320 ± square foot restaurant. Each business has its own septic and drainfield, and water is provided by the Dare County central water system.

The proposed division would consist of two lots as follows:

1. Lot 1 as proposed would have about 300 feet of road frontage and about consists of 50,400 square feet and would contain the restaurant.
2. Lot 2 as proposed would have 75 feet of road frontage and consist of 32,375 square feet and contain the Surf Shop.

Ms. Tillett discussed parking for the division as follows:

1. Lot 1 – The restaurant has 94 customer seats, which requires 37 parking spaces total.
2. Lot 2 – The surf shop/apartment will require 9 parking spaces.

Ms. Tillett stated that CUP #94 could be cancelled as part of the preliminary plat approval.

After brief discussion the Board concurred the proposed division was feasible and that the applicant could proceed with the preparation and submission of a preliminary plat. No action was taken, as this was a sketch plan review.

OCEANIC VENTURES, INC. – RODANTHE – PRELIMINARY PLAT REVIEW

Chief Planner Donna Creef presented staff comments. She told the Board that a preliminary plat for a 6-lot subdivision in Rodanthe has been submitted for review. She stated that the site is internal to the existing Mirlo Beach Subdivision that was platted several years ago. Mrs. Creef suggested a more traditional subdivision name be used.

Mrs. Creef stated that all of the lots consist of at least 15,000 square feet of useable land. The plat indicates the upland area of each lot. A copy of the wetland verification needs to be submitted for review by the Planning Department.

Mrs. Creef stated that the existing phases of Mirlo Beach are connected to the Dare County central water system. She recommended that the lots in this division be connected to the County's water system as well. Individual on-site septic systems will be used on each lot. Health Department comments indicate there are some wetlands on the site and that each lot will need to be evaluated on their own merit to determine the size house and septic system that each lot can support.

No additional road improvements will be necessary since all the lots have frontage on existing Mirlo Beach roads.

Mrs. Creef told the Board that the plat does not depict a dumpster site for this division or the locations of the dumpster sites in the existing phases. Depending on the location of the existing dumpster sites, another one may not be needed. She suggested that the Board table this preliminary plat to allow the submission of satisfactory comments from the Health Department regarding the wetlands.

John Myers, seconded by Joe Thompson made a motion to table this preliminary plat until the November 13, 2001 planning Board meeting pending the submission of the following:

1. The submission of satisfactory comments from the Dare County Health Department. A copy of the signed wetland verification plat should be forwarded to Fred Parker of the Dare County Health Department for his review.

2. The plat should be revised to depict a dumpster site.

Vote: Ayes - Unanimous

OTHER BUSINESS

There being no other business before the Board, a motion to adjourn was made by Jon Britt, seconded by Joe Thompson.

Vote: Ayes – Unanimous

This meeting adjourn at 8:45 PM.

Respectfully Submitted,



Jacqueline J. Tillett
Senior Administrative Support Specialist

APPROVED: November 13, 2001



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