

MINUTES OF THE DARE COUNTY PLANNING BOARD MEETING

The Dare County Planning Board held their regularly scheduled meeting on Monday, March 8, 2004. This meeting was held in the meeting room of the Dare County Administrative Annex building, 204 Ananias Dare Street, Manteo, NC.

CALL TO ORDER 7:00 pm

MEMBERS PRESENT Elmer R. Midgett, Jr. – Chairman
Marcia Parrott
John Myers
Ricky Scarborough, Jr.
Jim Kinghorn

MEMBERS ABSENT John Finelli
Joe Thompson

APPROVAL OF MINUTES

There being no deletions or additions to the minutes of the February 9, 2004 and the February 23, 2004 meetings a motion to dispense with reading them and to approve them as submitted was made by John Myers, seconded by Marcia Parrott.

Vote: Ayes – Unanimous

OLD BUSINESS

Colington Point, LLC – Colington – Rezoning Request

John Myers was excused from reviewing this item.

This request was tabled at the January 12, 2004 meeting to allow staff time to consult with the County Attorney regarding about its appropriateness with some language in the Limited Transition narrative section of the Land Use Plan and some of the language about multi-family densities. The County Attorney has indicated in general terms that this request would not conflict with the language included in the Land Use Plan, and the rezoning request. She also indicated that there was not anything at all in the limited transition narrative that would preclude multi-family development.

Chairman Midgett stated that only problem he has with allowing R-3 zoning is that it is going to open things up to many uses and a lot of traffic.

After discussion, a motion to recommend approval of the rezoning request as submitted was made by Jim Kinghorn, seconded by Marcia Parrott.

Vote: Ayes – 3 (Kinghorn, Parrott, & Scarborough)

Noes – 1 (Midgett)
Abstained – John Myers

Motion to bring John Myers on board was made by Marcia Parrott, seconded by Ricky Scarborough.

Vote: Ayes – Unanimous

OTHER BUSINESS

Sedimentation/Erosion Control Ordinance – Review/discussion

Donna stated the County does not have a sedimentation/erosion control plan and currently relies on the State. She told the Board that the State has a threshold that disturbance of more than an acre requires a permit.

Mrs. Creef stated that the State encourages counties to adopt their own plans. County Engineer Steve Shriver has been working on getting a grant for the County to do a sedimentation and control plan.

A motion to approve the Sedimentation/Erosion Control Ordinance as submitted was made by Marcia Parrott, seconded John Myers.

Vote: Ayes – Unanimous

Subdivision Ordinance Amendments – Stormwater/Fill Activities

Mrs. Creef stated that last week staff (Ray Sturza, Steve Shriver, Talmadge Jones and herself) met to discuss the issue of fill and decided that the previous language needed revision.

Mrs. Creef provided Draft Alternatives for Fill Activities for the Board's review and consideration.

1. You cannot use fill beyond what the septic permit requires or if you have an existing drainage problem.
2. If you decide to go beyond the scope of the health department requirements or to address an existing drainage problem that you bring us a drainage plan.

John Myers expressed concern about the cost and burden that would be placed on the property owner if a drainage plan developed by a NC licensed surveyor or engineer was required.

Minutes of the Dare County
Planning Board Meeting
March 8, 2004
Page 3 of 3

Kevin Schwartz of the Outer Banks Home Builders Association stated that the regulated industries support the effort and feel that there should be some control on fill, and supported the two previous versions submitted by staff.

After discussion, the Planning Board took no action on this item, and concurred to include this item on the agenda for April 12, 2004 for a brief discussion.

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

Vote: Ayes – Unanimous

Respectfully submitted,



Jacqueline J. Tillett
Senior Administrative Support Specialist

Approved: April 12, 2004



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