

MINUTES OF THE DARE COUNTY PLANNING BOARD MEETING

The Dare County Planning Board held its regularly scheduled meeting on Monday, April 12, 2004. This meeting was held at 204 Ananias Dare Street, Manteo, NC.

CALL TO ORDER 7:00 P.M.

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

MEMBERS ABSENT Joe Thompson

APPROVAL OF MINUTES

There being no additions or deletions to be made to the minutes of the March 8, 2004 Planning Board meeting, 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

Croatan Woods Subdivision – Roanoke Island – Extension Request

Senior Planner Donna Creef told the Board that the Dare County Board of Commissioners granted preliminary plat approval to the Croatan Woods Subdivision last year. It was noted during the Board's discussion that negotiations regarding the possible acquisition by the National Park Service to be include in the Fort Raleigh complex were pending. Mrs. Creef stated that the Harvey family has been hesitant to proceed with the development of the subdivision improvements due to the ongoing negotiations, and are therefore requesting an extension to complete the necessary improvements and infrastructure for this development.

Mrs. Creef pointed out that the Dare County Subdivision Ordinance authorizes the Planning Board to grant a 12-month extension for subdivisions, and recommended approval of the requested extension.

A motion to grant the requested extension was made by John Myers, seconded by Marcia Parrott.

Vote: Ayes – Unanimous

Teach's Lair Marina – Hatteras Village – Conditional Use Permit Amendment

Senior Planner Donna Creef presented staff comments. She told the Board that a conditional use permit for a group development was approved for the Teach's Lair Partnership in January 2002. The Conditional Use Permit authorized the construction of three new buildings, in addition to the

existing marina facilities and ships store. The partnership also proposed to remodel the existing buildings on site. Mrs. Creef stated that the partnership now seeks to amend the Conditional Use Permit to change the use of the three new buildings from retail/restaurant use to retail/residential. She noted that the proposed location of the buildings has not changed from the original site plan approved in 2002. Building 1 is depicted on the plat as 3,010 square feet "footprint" with 5,352 square feet of "retail area". Building 2 is depicted on the plat as 4,368 square feet "footprint" with 7,677 square feet of "retail area". The parking calculations list 13,029 square feet of retail space, which corresponds to the "retail area" square footage amounts of buildings 1 and 2.

Mrs. Creef pointed out that buildings 3 and 4 were originally approved for retail use and are now proposed for residential use with four units per building. The remaining two apartments are located in one of the existing buildings proposed for remodeling. Mrs. Creef noted that the Conditional Use Permit approved in 2002 authorized the 72-seat restaurant. This amendment does not include a request for an increase in the number of seats. A 689 square foot fish market/food stand is also depicted on the site plan as part of this building with 2 residential apartment units.

The original approval included a 3-year approval period for construction of the proposed improvements. Staff suggested the approval period be extended as part of this amendment process in case there are additional delays in construction.

The Board briefly discussed wastewater treatment for this development, the cemetery, retention basins under the buildings.

Eddie Valdivieso told the Board that the wastewater will be handled by an engineered system in Hatteras Landing, and the cemetery is on separate property.

A motion to recommend approval of an amendment to the Teach's Lair Conditional Use Permit/Group development site plan was made by Marcia Parrott, seconded by John Myers.

Vote: Ayes – Unanimous

NEW BUSINESS

Colington Cut – Colington – Sketch Plan

Senior Planner Donna Creef presented staff comments for this sketch plan. Mrs. Creef told the Board that the road improvements for this proposed division would include the construction of two bridges built to NCDOT standards as part of Colington Cut Drive. The Dare County Water system and individual onsite septic tank will serve the site and drainfield systems will be used. Mrs. Creef noted that a State stormwater permit would need to be submitted with the preliminary plat for review.

Mrs. Creef identified the following issues for discussion by the Planning Board:

1. Additional improvements to SR 1217 (Colington Road), to include a left turn lane into the site. Written comments from NCDOT on the feasibility of left-turn lanes into the site will be necessary prior to the item being submitted to the Board of Commissioners.
2. Wetlands and lot configurations - The proposed lots will require alteration or filling of wetland areas for the development of roads and construction. The preliminary plat should include typical footprints of structures, parking improvements, and accessory uses.

The Board discussed the following issues:

1. Access to the County property.
2. "Wetland preserve"
3. Corps permit
4. Possibility of combining lot 25 & 26

This item was a sketch plan; no action taken by the Planning Board.

LightKeeper Estates – Rodanthe – Preliminary Plat

Senior Planner, Donna Creef presented staff comments. She told the Board the proposed 3-lot division is located in Rodanthe and is zoned S-1. No road improvements are proposed for this division as all the proposed lots will have access on NC 12, however, driveway permits from NCDOT will be needed.

Mrs. Creef stated that the lots would be served by individual private wells and onsite septic tank/drainfield systems. Note 13 and 14 indicated on the plat addresses the amount of lot coverage as required under the Subdivision Ordinance requirements for culverts. Additional stormwater information is not needed since there will be no road construction.

Mrs. Creef noted that the site is limited by the location of wetland area that runs through the center of the tract and development of the land east of the wetland area is extremely difficult if not impossible due to this wetland area and the CAMA structural setback regulations. She also pointed out that due to other difficulties associated with the property; staff is comfortable with the design of lot 2 although the elongated portion of the lot exceeds the 200-foot length requirement of the policy on flag lot design.

Mrs. Creef stated that access to the cemetery depicted on lot 3 should be discussed and conditions identified to ensure access. The location of improvements on lot 3 in relation to the cemetery should also be addressed.

Mrs. Creef identified the following revisions needed to the preliminary plat:

1. Note 14 – culvert standards are part of the Subdivision Ordinance, not the Zoning Ordinance.
2. Notation of approximate CAMA structural setback line.
3. Rear yard setback of the S-1 zoning district is 20'.

A motion to recommend preliminary approval of the proposed Lightkeepers Estate subject to the following conditions was made by Marcia Parrott, seconded by John Finelli:

1. The submission of a revised plat depicting an access easement to the cemetery and fencing around the cemetery.
2. The demolition of the existing structures on the site prior to the submission of the final plat.
3. The CAMA setback line depicted on a revised plat.
4. Revisions to Note 14 to reference the Dare County Subdivision Ordinance.

Vote: Ayes – Unanimous

OTHER BUSINESS

Subdivision Ordinance Amendments – Stormwater/Fill Activities

Following a general discussion of the three DRAFT alternatives for fill activities prepared by staff, Marcia Parrott made a motion to endorse alternative three. This motion was seconded by Jim Kinghorn.

Vote: Ayes – 5
Noes - 1

Adjournment

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

Respectfully Submitted,



Jacqueline J. Tillett
Senior Administrative Support Specialist

APPROVED: May 10, 2004



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