

MINUTES OF THE DARE COUNTY PLANNING BOARD MEETING

The Dare County Planning Board held their regularly scheduled meeting on Monday, June 14, 2004. This meeting was held in the meeting room of the Dare County Administrative Annex, 204 Ananias Dare Street, Manteo, NC

CALL TO ORDER 7:00 pm

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

APPROVAL OF MINUTES

John Myers noted typographical error on page 3 – (operational area instead of operational are). There being no further corrections, deletions or changes to be made to the minutes of the May 10, 2004 Planning Board meeting, a motion to dispense with reading them and approving them with the correction noted was made by John Myers, seconded by Joe Thompson.

Vote: Ayes – Unanimous

NEW BUSINESS

OLD BUSINESS

Manteo Faith Baptist Church – Roanoke Island – Conditional Use Permit

Chairman Midgett asked if there was anyone present wishing to speak in opposition of the requested Conditional Use Permit or has any concerns regarding conditions that may be place on the permit. There were no speakers.

Mr. Jack Cahoon, representative for Manteo Faith Baptist Church was present.

Senior Planner Donna Creef presented staff comments. She told the Board that this is a conditional use permit application for the proposed Manteo Faith Baptist Church to be located at the corner of Burnside and Payne Road on Roanoke Island.

The property is located in two zoning districts, R-2 and RS-8. Mrs. Creef stated that both districts permit churches as a conditional use. The property was posted and notice of the application for Conditional Use Permit was sent to the adjoining property owner(s) and the property owners across the street from the site.

Mrs. Creef stated that 200 sanctuary seats are proposed with parking being based on this maximum number of seats. Two driveways are proposed as depicted on the site plan. NCDOT driveway permits for these accesses have been obtained and are included in the Board's packet for review.

Mrs. Creef stated that a storm water management plan prepared by House Engineering, County Engineer Steve Shriver submitted comments stating that the storm water management plan exceeds the state requirements. He further stated that there are not any drainage improvements along Burnside Road and suggested that the church work with NCDOT to put some swales in along the road so there is not a ponding problem on Burnside Road.

Mrs. Creef identified a couple of items for clarification, as follows:

1. Lighting for the site - Type and locations need to be included on the site plan.
2. Additional information on these improvements should be provided.
3. A 5-foot wide vegetative buffer along the adjoining property lines is indicated. She stated that there are no buffering standards in the Ordinance, but suggested that it be indicated in the file whether there would be existing vegetation on the site or if landscaping will be installed.

Mrs. Creef provided a DRAFT CUP outlining conditions for the Board's review and consideration. She noted that comments from Dare County Fire Marshal Doug Remaley indicate the need for the location of a fire hydrant on a revised plat.

Mr. Cahoon told the Board that the lighting type and locations. He further stated that the proposed lighting will be low intensity. In reference to the buffer, Mr. Cahoon stated that they property has been cleared up to the line, so they will provide some landscaped buffer.

Board reviewed and discussed the draft conditional use permit prepared and submitted by Mrs. Creef.

Jim Kinghorn asked if there is any signage planned for this other than handicapped signs.

Mr. Cahoon stated that there is a sign proposed depicting name of the church.

Mrs. Creef suggested that the location of the sign also be depicted on a revised site plan.

Joe Thompson, seconded John Myers made a motion to recommend approval of the Conditional Use Permit subject to the submission of a revised site plan depicting the following:

1. The location of the freestanding sign.
2. The location of a fire hydrant.

3. Details on the proposed lighting improvements and their locations.

Vote: Ayes – Unanimous

This item will be forwarded to the Dare County Board of Commissioners for review at their July 19, 2004 meeting.

John Harris – Rodanthe – Conditional Use Permit

Eddie Valdivieso of Quible and Associates representing the applicant was present. Mr. John Harris, the applicant was also present.

Senior Planner Donna Creef presented staff comments. She told the Board that this site plan was reviewed as a sketch plan last month with staff being directed to confer with the Building Inspector on the provisions of restroom facilities and with the County Attorney on the interpretations of the S-1 gross floor area regulations. Mrs. Creef stated that the NC Building Code requires restroom facilities. She further stated that County Attorney Norma Mills indicates in her memo dated May 27, 2004 that staff properly interpreted the zoning ordinance and made a proper recommendation to the planning board. Based on this information, a sketch of the two retail buildings featuring an uncovered 8' wide walkway built at the same height of the proposed retail structures.

Mrs. Creef provided a revised draft CUP reflecting the discussion last month as follows:

1. Water sports Rentals – She stated that Mr. Harris has indicated that eight personal watercraft vehicles would be on site with a maximum of six watercraft operating at one time, one being used by staff and the other one for backup for mechanical breakdowns. He stated that he will utilize 6 kite boarding units, and 6 kayaks
2. Hours of operation will be 10:00 a.m. to 6:00 p.m. with the launching of personal privately owned watercraft being prohibited from the site.
3. Idle zone – To be consistent with the other operators in the area, Mrs. Creef suggested that an idle zone of 300 feet be established and marked by buoys.
4. She also suggested that the riparian boundaries of the property be designated in addition to the idle zone to use as a reference point for watercraft use.
5. Storage of equipment – An area for storage of equipment has been indicated on the revised site plan, a condition is included in the Conditional Use Permit as well.
6. Site Improvements – The gazebo will not be used for the ticket sales and a condition is included in the CUP.
7. Lighting improvements have been added to a revised site plan, and an additional dumpster has been added to the site near the restaurant.

Mrs. Creef suggested the Board discuss a monitoring condition to be included in the Conditional Use Permit and the feasibility of similar conditions for this project.

Chairman Midgett opened the floor for public comment on this application.

Catherine Jones, a resident of Waves, commented that she was asked by a few residents to speak for them. She told the Board that 138 signatures were obtained on a petition opposing this project. She stated that some visitors commented that there is already too much watercraft.

Board members discussed the suggested 300-foot idle zone suggested by staff and concurred that 300 feet is not enough.

John Myers expressed the opinion that there should be a countywide regulation on idle zone areas.

Joe Thompson commented that the properties on either side of this proposed development are commercial and stated that there is very little residential use around. He suggested an idle zone of 500 feet off shore.

Joe Thompson, seconded by Jim Kinghorn, made a motion to recommend approval of the site plan and draft Conditional Use Permit subject to the following:

1. The submission of a revised site plan depicting the location of the freestanding sign and lighting improvements.
2. The Conditional Use Permit will indicate the hours of operation as 9 a.m. to 7 p.m. for personal watercraft, the 500 foot operation area, a monitoring condition, and the provision of public restrooms according to the NC Building Code in the retail structure.

Vote: Ayes – Unanimous

This item will be forwarded to the Dare County Board of Commissioners for review at their July 19, 2004 meeting.

NEW BUSINESS

Hess Tract – Hatteras – Sketch Plan

Mr. Summit Magupta, Sales Assistant for Mr. Hess was present to represent this sketch plan.

Senior Planner Donna Creef presented staff comments. She told that Mr. Hess has submitted a sketch plan for a 3-lot division of property in an area zoned S-1 behind the Sun Realty office in Waves. She noted that the sketch plan depicts a 30' wide private drive. Water for the lots will be provided by the Dare County water system and the site will be served by individual on-site septic tank/drain field systems. The site plan will need to comply with storm water standards of the Dare County Subdivision Ordinance at the time the preliminary plat is submitted.

Mrs. Creef stated that the Board would need to discuss what level of road improvements would be necessary to accommodate the proposed three lots. She noted that the current configuration of the property includes 30 feet of frontage on NC 12.

The Board discussed the sketch plan for the proposed 3-lot division and offered the following comments:

1. If, and when a preliminary plat is submitted, an up-to-date wetland delineation survey will be necessary.
2. All of the proposed lots shall include the minimum required 75' of lot width at the building setback line. The lots should also include the minimum required square footage exclusive of any wetlands.
3. Acquisition of additional property or the relocation of the parking improvements at the Sun Realty office should be pursued.
4. All road improvements should be built to NCDOT standards with 45' wide right-of-way with 20' of paving. A cul-de-sac/turnaround to accommodate sanitation and emergency vehicles should also be provided. The existing pavement may need to be resurfaced or other improvements to comply with NCDOT road standards.
5. The road improvements should be owned in common ownership by the lot owners and not dedicated as an easement from the property owners of Sun Realty.

No official action taken on this item.


OTHER BUSINESS - None

ADJOURNMENT

There being no further business before the Dare County Planning Board, a motion to adjourn was made by Jim Kinghorn, seconded by Joe Thompson.

This meeting adjourned at approximately 8:45 PM.

Respectfully Submitted,



Jacqueline J. Tillett

Senior Administrative Support Specialist

APPROVED: July 12, 2004



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