

## MINUTES OF THE DARE COUNTY PLANNING BOARD MEETING

The Dare County Planning Board met on Monday, March 14, 2005. This meeting was held in the meeting 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 Myers
John Finelli	Ricky Scarborough, Jr.
Robert Lewis	Beth Midgett

### MEMBERS ABSENT

Joe Thompson

### APPROVAL OF MINUTES

A motion to dispense with reading the minutes of the February 14, 2005 Planning Board meeting and to approve them as submitted was made by Robert Lewis, seconded by John Myers.

Vote: Ayes – Unanimous

### OLD BUSINESS

#### *Live Oak Subdivision – Salvo – Final Plat*

Gary Price of Rankin Surveying was present representing the property owners.

Senior Planner Donna Creef told the Board that this is the final plat for a proposed 4-lot subdivision in Salvo, Live Oak Subdivision. The preliminary plat approval was granted by the Dare County Board of Commissioners in November 2003. She stated when the final plat was submitted and she began doing the staff work she realized that that 12 month preliminary plat approval had expired. She stated as she further reviewed the file she realized that the road improvements were installed and approved within that 12 month approval period as indicated in a letter from the letter from NCDOT dated October 26, 2004. Mrs. Creef stated that she consulted with the Planning Board Chairman he said that since it is within that 12 month period why don't we go ahead and proceed. Mrs. Creef stated she also spoke with Mr. Gary Price and asked him why there was that lapse. Mr. Price indicated that the property owner, Mr. Doug Hinson, had an illness in his family and had been distracted.

Mrs. Creef stated she is waiting for confirmation from the water department that the water lines improvements have been completed and tested. She told the Board that on March 7<sup>th</sup> she visited the site and found that the road improvements were in place. There was not a street name sign or a STOP sign; and these signs should be installed prior to recordation of the final plat.

Mrs. Creef recommended final plat approval subject to the completion of the water line improvements and the necessary testing to be verified by the Dare County Water Department and the installation of a street name sign and STOP sign.

A motion to grant final plat approval subject to the installation of the signage and verification on the installation of the water line improvements was made by Ricky Scarborough, Jr. seconded by John Myers.

Vote: Ayes – Unanimous

***Wooded Ridge – Buxton – Final***

Mr. Gary Price of Ranking Surveying representing this final plat was present.

Senior Planner Donna Creef presented staff comments. She told the Board this is a final plat for Wooded Ridge Subdivision which consist of 4 lots. Preliminary plat approval was granted by the Board of Commissioners on January 18, 2005. The property is located in Buxton in an area zoned SED-1. Access to all of the lots is from an existing street, Lost Tree Trail therefore no road improvements were necessary.

Mrs. Creef told the Board that the final plat will include the language requested by staff during the preliminary plat regarding lot clearing and the restrictions on the easements behind the lots that are also used for access. Mrs. Creef recommended final plat approval.

A motion to grant final plat approval was made by John Myers, seconded by Beth Midgett.

Vote: Ayes – Unanimous

***James F. Bagwell, Jr. – C.H. Fulcher Tract – Frisco – Conditional Use Permit***

Planner Ryan Simons presented staff comments. He told the Board that Mr. Bagwell has submitted a site plan and conditional use application to construct some improvements on his property in Frisco. He stated that the site plan also includes a proposal to use an existing “flying saucer” structure as a storage unit. Mr. Simons stated after discussion, staff recommended that this issue be resolved before any additional action or review take place on the site plan.

Mr. Simons told the Board that on previous occasions Mr. Bagwell has attempted to occupy this structure as one use or another. Currently the structure is used as a road side attraction, signage or a concession feature and this is the use that the staff recommends the structure be used for now.

Mr. Simons told the Board that if Mr. Bagwell wishes to continue to use the structure as a roadside attraction, or signage feature the following issues will need to be addressed:

1. An engineered foundation plan prepared by a NC licensed engineer for the structure should be submitted to ensure the structural stability of the feature. The structure should be secured in conformance with the NC State Building Codes and Flood plan regulations.
2. Access to the interior of the structure should be eliminated by permanently sealing or removing the entrance.
3. An off street parking plan should be prepared to eliminate any potential traffic hazards along highway 12. Delineation of parking in the gravel area should be depicted on a revised site plan.
4. Removal of all equipment that might facilitate use of the interior of the structure including any heating/air conditioning, plumbing, and electrical.

Mr. Simons suggested that the use of this unit should be resolved prior to any additional action or review by the Planning Board on the proposed Conditional Use Permit application.

This item was considered a sketch plan; no action taken.

## **NEW BUSINESS**

### ***Palmetto Point – Colington – Sketch Plan***

Senior Planner Donna Creef presented staff comments. She told the Board that access to the proposed division is from Beasley Lane, an existing unpaved 15' wide right-of-way. She told the Board that the right-of-way is similar to sections of Flowers Ridge Road.

Mrs. Creef stated that the Zoning Ordinance speaks to cart paths that exist in Dare County and she thinks the best way to describe Beasley Lane as a cart path.

Andy Deel, Engineer with Quible and Associates, Inc. and owner of the property in proposed for division was present. Mr. Deel told the Board that the property in question consists of three existing parcels consisting of a total of 37.85 acres. He stated that he purchased this property with the intent of constructing his primary residence. He is proposing a re-division of the southern two parcels in order to provide five lots for future sale.

Mr. Deel told the Board that the proposed division is modeled after the existing "Covered Bridge Road" development in Kitty Hawk. He told the Board that Covered Bridge is an existing private 12' wide asphalt road which goes through a portion of Kitty Hawk Woods and serves 13 large wooded lots. He stated that the proposed Palmetto Point division proposes a 12' wide asphalt road. He told the Board that the project will be low impact development where large lots and minimal roads result in small lot coverage and minimal impact on the land.

Mr. Deel stated that he has had conversations regarding access by emergency vehicles with the Doug Remaley, Dare County Fire Marshal and has forwarded plans for review. He stated that Mr. Remaley's primary concern regarding the access is that the roads and bridges be designed with adequate load carrying capacity and the road geometry is able to accommodate the types of emergency vehicles that may need to access the properties.

Mr. Deel stated that there are several properties whose primary access is through Beasley Lane as well as several other homes and a business that are along Beasley Lane close to Colington Road.

The Board discussed the proposed division and the adequacy of access to the proposed division (Beasley Lane). The Board concurred that additional width was needed along Beasley Lane to accommodate the division.

This review was considered a sketch plan; not action taken.

**OTHER BUSINESS** – None

#### **ADJOURNMENT**

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

Vote: Ayes – Unanimous

Respectfully Submitted,

Jacqueline J. Tillett  
Senior Administrative Support Specialist

APPROVED: April 11, 2005

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