

MINUTES OF THE DARE COUNTY PLANNING BOARD MEETING

The Dare County Planning Board held their regularly scheduled meeting on Monday, June 13, 2005. This meeting was held in the meeting room of the Dare County Administrative Annex, 204 Ananias Dare Street, Manteo, NC 27954

CALL TO ORDER 7:00 pm

MEMBERS PRESENT

John Myers
John Finelli
Robert Lewis

Beth Midgett
Ricky Scarborough, Jr.
Joe Thompson

MEMBERS ABSENT

Elmer R. Midgett, Jr., Chairman

APPROVAL OF MINUTES

There being no additions or deletions to be made to the minutes of the May 9, 2005 Planning Board meeting, a motion to dispense with reading them and to approve them as submitted was made by Robert Lewis; seconded by Beth Midgett.

Vote: Ayes – Unanimous

OLD BUSINESS

Cape Point Estates (Cape Holdings, LLC) – Buxton – Final Plat

Ryan Simons presented staff comments. He told the Board that access to lot 5 is going to be restricted to Cape Court as indicated in general note # 12 on the plat. He noted that the developer has also included an additional 10' setback on lots 4 and 5 to accommodate the Tower Circle Road easement which provides access to lot 4.

Mr. Simons told the Board that he visited the site last week and found that the drainage swales had been dug, but recommended some reshaping and stabilization. He pointed out that all of the existing improvements have been removed with the exception of an existing sign located adjacent to lot 10. Mr. Simon told the Board that the developer has indicated that they will probably replace the sign with a new one.

Staff recommended approval.

A motion by Joe Thompson to approve the final plat for Cape Point Estates subject to the installation of street and directional signs, and the road side swales being reshaped and stabilized to staff's satisfaction, seconded by Robert Lewis.

Vote: Ayes – Unanimous

Alder Branch Estates – Roanoke Island – Final Plat

Ryan Simons presented staff comments. He stated that James Dough has submitted a 30 lot subdivision for final plat approval which is a reduction from the original 32 lot subdivision that was previously proposed. Mr. Simons provided the Board with a revised plat addressing some of staff's original comments. He pointed out that the installation of a drainage swale between lots 7 and 8 has been added along with note #13 in the general notes. Mr. Simon pointed out that a lot coverage table as recommended by staff has also been included on the revised plat. Mr. Simons recommended that language be included in the restrictive covenants that will preclude the installation of more than one driveway to lots 4, 13, 28, and 29.

Mr. Simon further recommended that the swales be seeded and stabilized.

Staff recommended approval of this final plat.

Jamie Reynolds with W. M. Meekins, Jr. and Associates, Inc. was present to represent this final plat. He told the Board that they have received a road test and he will be submitting them to Mr. Simons within the next couple of days.

Joe Thompson, seconded by Ricky Scarborough made a motion to grant final plat approval subject to the following:

1. Verification by staff that the swales have been stabilized and the road signs being installed.
2. Submission of restrictive covenants with language being added restricting access to one street on lots 4, 13, 28, 29. A note should also be included on the revised plat addressing this as well.
3. The installation and stabilization of swales between lots 7 & 8.

Vote: Ayes – Unanimous

NEW BUSINESS

Michael Anderson – Mashoes – Preliminary Plat

The potential purchaser of this property, Mr. Bradley was present.

Senior Planner, Donna Creef presented staff comments. She told the Board that this is a preliminary plat for a two lot subdivision in Mashoes which is unzoned. She stated that Mr. Bradley and his daughter originally submitted this proposed division as an exemption. Due to the fact that the total size of the tract exceeds the maximum two acre exemption requirement, staff could not approve the proposed division administratively.

Mrs. Creef stated the plat is unusual in its current configuration and the developer wishes to subdivide to create Parcel B. She noted that there is an existing mobile home on what would become Parcel A if the property is subdivided. She noted that both parcels have road frontage on Mashoes Road. Individual on-site septic tanks and private wells will be utilized; therefore the minimum lot size is 20,000 square feet.

Mrs. Creef told the Board that Mr. Bradley has volunteered to record a covenant for Parcel B that restricts further division of the parcel unless approved by Dare County due to the existing lake and surrounding marsh on the property.

A copy of comments from the Health Department was included in the Board's packet attached to staff comments from Mrs. Creef.

Mrs. Creef pointed out that an up-to-date wetland verification plat should be submitted.

Ray Meekins of Seaboard Surveying, representing the developer, was present. Mr. Meekins told the Board that this is probably the most low impact development he has seen and presented to the Planning Board.

Mr. Meekins told the Board that the existing configuration of Mr. Anderson's property is by deed and presented a tax map depicting the property. He stated the he is only proposing to add one line which that separates Parcel A and B. In reference to further division of Parcel B, Mr. Meekins told the Board that the Bradley's are the contract purchasers only of Parcel B, and Mr. Anderson will retain Parcel A. He stated that the subdivision would have to remain in the current owner's name.

In reference to the covenants discussed, Mr. Meekins stated the covenant would only apply to Parcel B.

John Finelli stated that personally he feels that the covenant that says parcel B cannot be further subdivided is not needed. He asked if staff has any reason why we should include that.

Mrs. Creef stated she would defer to the Board.

A motion to recommend preliminary plat approval subject to the following was made by Joe Thompson, seconded by Beth Midgett.

1. A covenant being recorded in conjunction with the final plat that restricts further division of Parcel B unless authorized by Dare County.
2. Parcel B depicting a typical building footprint and the minimum building lines as indicated in the Subdivision Ordinance for unzoned areas being depicted on the revised plat that will be submitted to the Board of Commissioners for review.

3. The submission of an up-to-date wetlands survey prior to review by the Dare County Board of Commissioners.
4. Additional note being added to the plat disclosing the location of the borrow pit and stating that an engineered foundation plan may be required by the Building Inspector for any proposed structures to be located on parcel B if the borrow pit located parcel B is filled.

Vote: Ayes – Unanimous

OTHER BUSINESS

None

ADJOURNMENT

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

Vote: Ayes – Unanimous

Respectfully Submitted,

Jacqueline J. Tillet
Senior Administrative Support Specialist

APPROVED: July 11, 2005

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