

**MINUTES OF THE DARE COUNTY PLANNING BOARD MEETING**

The Dare County Planning Board held their regularly scheduled meeting on Monday, July 11, 2005. This meeting was held in the meeting room of the Dare County Administrative Annex, 204 Ananias Dare Street, Manteo, North Carolina.

**CALL TO ORDER** 7:00 pm

<b>MEMBERS PRESENT</b>	Elmer R. Midgett, Jr., Chairman	John Myers
	John Finelli	Richard Scarborough
	Robert Lewis	

**MEMBERS ABSENT** Joe Thompson

**APPROVAL OF MINUTES**

There being no additions or corrections to be made to the minutes of the June 13, 2005 Planning Board meeting, John Myers made motion to dispense with reading them and to approve them as submitted; seconded by Robert Lewis.

Vote: Ayes – Unanimous

**OLD BUSINESS**

**The Hattie Creef Landing Subdivision – Salvo – Final Plat**

Eddie Valdivieso of Quible and Associates was present to represent this final plat. Also present was Mr. Mike Pugh.

Senior Planner, Donna Creef, presented staff comments. Mrs. Creef told the Board that this is the final plat for the Hattie Creef Landing Subdivision in Salvo. She stated that the Dare County Board of Commissioners granted preliminary plat approval on April 4, 2005.

Mrs. Creef told the Board that she visited the site today and found the road improvements complete, the street sign was in place, but the STOP sign was not. She stated that the waterline improvements were complete and has been released by the Dare County Water Department. Mrs. Creef suggested that the swales be re-hydro seeded.

Mrs. Creef noted that Note 16 referencing the setbacks of 3 of the oceanfront lots should be revised to read as follows: “building setback lines for lot 7, 9, and 11 shall be as depicted on the final plat recorded and shall not be changed without approval from the Dare County Planning Department”. She recommended that this language also be included in the restrictive covenants.

Mrs. Creef recommended final plat approval subject to the submission of satisfactory test results on the road improvements, the installation of the STOP sign, and Note 16 on the plat being revised and the same language being included in the covenants.

John Finelli; seconded by John Myers, made a motion to grant final plat to the Hattie Creef Landing Subdivision subject to the following being verified by staff prior to recordation of the final plat:

1. The submission of satisfactory test results on the road improvements.
2. Revisions being made to Note 16 on the final plat and in the covenants to read as follows: “building setback lines for lot 7, 9, and 11 shall be as depicted on the final plat recorded and shall not be changed without approval from the Dare County Planning Department”.

Vote: Ayes – Unanimous

## **NEW BUSINESS**

### ***Robert J. and Mae B. Lunden – Colington - Text Amendment VC-2 district***

Mr. and Mrs. Lunden were present for the review of this application.

Senior Planner Donna Creef presented staff comments. She told the Board that Mr. and Mrs. Lunden have submitted a request for a text amendment to the VC-2 district in Colington.

Mrs. Creef told the Board that the Lunden’s contacted her regarding their desire to build a bed and breakfast home on their property in Colington. She stated that the Lunden’s have submitted a site plan to the Planning Department and have obtained a building permit.

Mrs. Creef pointed out that the intent statement of the VC -2 reads: “The VC-2 district is established to provide limited commercial areas to serve existing or developing residential neighborhoods in the county. The intent of this district is to provide goods and service for permanent residents and seasonal visitors.” The VC-2 district permits professional offices, retail and food stores, service establishments such as beauty shops and child care centers, single family homes, seafood markets, and restaurants. Bed and breakfast homes offer fewer services than a full service hotel and the addition of bed and breakfast homes to the VC-2 district does not conflict with the intent of the district to provide services to seasonal visitors on a limited scale.

Mrs. Creef told the Board that the Dare County Zoning Ordinance was amended in late 1990 to include a definition of bed and breakfast. This amendment was in conjunction with a text amendment to the RS-1 residential zoning district. She explained at that since the amendment was associated with a residential district, the definition was limited to the rental of 3 guest rooms.

Mrs. Creef stated if the Board is supportive of the request for the text amendment, some discussion on whether to include the use as a “permitted” use or a “conditional use” is needed. She also recommended the Board discuss a higher limit on the number of bedrooms since the area is a commercial zoning district and not residential.

Mrs. Creef stated the Lunden’s did not indicate on their application whether they were submitting the text amendment as a permitted or a conditional use. Based on the range of services in the VC-2, Mrs. Creef stated that it seems appropriate to have it as a permitted use, but stated she would defer to the Board on that. She reminded the Board of their option to conduct a public hearing.

The Planning Board briefly discussed this application and concurred that the use should be a permitted use and not a conditional use. The Board also concurred that a Public Hearing conducted by the Planning Board is not necessary since the Board of Commissioners are required to conduct a public hearing. The Planning Board also instructed staff to draft language defining a bed and breakfast to include a time limit on the length of stay.

A motion to table to allow staff time to draft language defining a bed and breakfast to include a time limit on the length of stay was made by John Finelli, seconded by Robert Lewis.

Vote: Ayes – Unanimous

## **OTHER BUSINESS**

### ***Wanchese Zoning – Advisory Committee Report***

Lorraine Tillett presented the proposed Wanchese zoning Plan to the Planning Board. She told the Board that in February 2004 the Board of Commissioners asked if she would serve as the resource person to assist the Wanchese community in developing a draft zoning plan. She told the Board that she met weekly with representatives and/or residents from each of the 50 roads in Wanchese.

Mrs. Tillett stated the information in the draft zoning plan is a consensus of the Wanchese property owners collected from conversations with individual property owners and representatives from each of the roads. She stated that meetings held on May 16<sup>th</sup> and 17<sup>th</sup> provided an opportunity for the review and comment on the final draft of the proposed zoning proposal. Ms. Tillett stated that the general public was provided with a quick reference guide for all of the proposed zoning districts. She also stated that the entire zoning plan was made available and over 100 copies were distributed.

Ms. Tillett told the Board that there was some opposition to the density, the square foot limit for gross commercial business size and the requirement of Planning Board review for intense land use development expressed from three individuals who own property in the Highway 345 business district.

Ms. Tillett stated that in the beginning, most were not in favor of zoning, but became more receptive when they saw that various zoning districts could be created that would allow the continuation in the coastal village lifestyle. She stated that the community endorses the proposed zoning plan and has accepted the fact that the area is changing and land use regulations are needed if the community is going to be protected from high-density development and remain a coastal fishing village.

Chairman Midgett stated the Board will be meeting with Ms. Tillett and the advisory committee over the next several months. He stated that the Board will take this document under advisement and will begin work with the committee. He thanked Ms. Tillett for her work and stated that this item will be placed on the August 8, 2005 agenda of the Dare County Planning Board.

### **ADJOURNMENT**

There being no further business before the Dare County Planning Board, John Myers made a motion to adjourn. John Finelli seconded this motion.

Vote: Ayes – Unanimous

Respectfully Submitted,

Jacqueline J. Tillett  
Senior Administrative Support Specialist

APPROVED: August 8, 2005

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