

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

The Dare County Planning Board held their regularly scheduled meeting on Monday, July 10, 2006. 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
	Cathy Morris	Joe Thompson

**MEMBERS ABSENT**                Beth Midgett

### **APPROVAL OF MINUTES**

A motion to dispense with reading the minutes of the June 12, 2006 and to approve them as submitted was made by Cathy Morris, seconded by Ricky Scarborough, Jr.

Vote: Ayes – Unanimous

### **OLD BUSINESS**

#### **Maritime Ridge – Frisco – Final Plat**

Eddie Valdivieso of Quible and Associates, representing this final plat was present.

Dare County Planner Ryan Simons told the Board the only outstanding issue on this subdivision is the submission of the restrictive covenants. He further stated that he visited the site last week and took a picture of the shared driveway are the sole improvements to be located on the property. He stated that from a staff perspective he just wants to be sure that this is the extent of the improvement or if this shared driveway is to be improved further.

Eddie Valdivieso told the Board that the shared driveway is proposed to be paved to NCDOT specification. He stated the developer is going to install a 2 inch coat of asphalt on top of this.

The Board concurred that they are comfortable with staff verifying the road improvements and the submission of the restrictive covenants.

Board member Joe Thompson questioned signs for the division and asked how they are going to deal with posting the street addresses for identification by EMS and other emergency vehicles. .

Eddie Valdivieso stated that all of the lots front on NC 12 and the house numbers can be incorporated in the subdivision sign. He stated that there is a common trash area as well.

Joe Thompson, seconded by John Myers made a motion to grant final plat approval subject to Quible and Associates verifying that the paving meets NCDOT standards; restrictive covenants being reviewed by staff and the subdivision sign include the house numbers indicated for each lot.

Vote: Ayes – Unanimous

***Sunrise Crossing (formerly Colington Cut Subdivision) – Colington - Final Plat***

Eddie Valdivieso of Quible and Associates, representing this final plat was present.

Senior Planner Donna Creef told the Board that this subdivision was previously reviewed by the Planning Board and Board of Commissioners under the name of Colington Cut Subdivision. She stated that all of the road improvements have been installed, as well as a left-hand turning lane from Colington Road. She stated that a bridge going into the subdivision was also installed and is built in compliance with NCDOT standards.

Mrs. Creef stated that a letter on the pavement for the roads has been submitted; and the letter on the installation of the bridge is in transit. She informed the Board that Ms. Byrum the District Engineer has to sign off on the plat and will not do so until she reviews that letter. Mrs. Creef noted that any approval of the final plat will need to be subject to the sign off from Ms. Byrum.

Mrs. Creef provided the Board members with a copy of language from the covenants addressing the installation of the docks, and noted that the language is satisfactory. She stated that it is particularly important that language addressing the no-wake zone is included.

Mrs. Creef reminded the Board that during the preliminary review of this division, a concern regarding the installation of piers and boat docks along this waterway was noted. In response to this concern, the developer indicated that the restrictive covenants would include language that would limit such improvements of a design that was parallel to the waterway and not perpendicular to the waterway. She suggested that the Planning Department follow-up with a letter to the Division of Coastal Management making them aware of the parallel installation of the docks and piers.

Chairman Midgett noted that a boat owner is responsible for his/her own wake.

A motion to grant final plat approval was made by John Myers, seconded by Joe Thompson subject to:

1. Submission of the test results on the bridge.
2. Language to be included in the covenants addressing the parallel installation of the boat docks and piers along Colington Cut.
3. Letter to Division of Coastal Management regarding the parallel installation of the boat docks and piers.

Vote: Ayes - Unanimous

## **NEW BUSINESS**

### ***Lightkeeper Estates – Rodanthe – Sketch Plan***

Eddie Valdivieso of Quible and Associates representing this sketch plan was present.

Senior Planner Donna Creef presented staff comments. She told the Board that a three lot division for this parcel was previously approved by the Dare County Board of Commissioners, but the property owners did not pursue the project and that approval expired. She stated that due to a large expanse of wetlands on the property, the property owners have continued to work with the Division of Coastal Management and the Corps to obtain permits necessary to access to the oceanfront portion of the site. They have made some progress with the Corps of Engineers and the division of Coastal Management to where they have agreed to a shared access driveway for lots the two lots on the front in an effort to minimize the impacts on the wetlands.

The Board discussed the width and use of the proposed common driveway, emergency vehicle access and turn around, the proposed access easement depicted along the common driveway, and potential conflicts with the overlay of the pedestrian ocean access easement along the common driveway. The Board suggested that the developer consult with the Dare County Fire Marshal on the design of the common driveway and that the gravel width be increased to 15'. They also suggested that a turnout for emergency vehicles be installed at the midpoint of the common driveway.

No action taken; item considered a sketch plan.

## **OTHER BUSINESS**

### ***Harbor Pointe – Manns Harbor – Group Housing Development***

Mr. Mike Baldwin of Baldwin & Associates, Engineering, Surveying and Planning of Greenville, NC made an informational presentation on the proposed redevelopment of the former Manns Harbor Marina site.

Planner Ryan Simons told the Board that the site is unzoned and the proposed improvements will not require site plan review and approval by either the Planning Board or Board of Commissioners. He stated that Mr. Baldwin has provided a sketch plan for informational purposes only.

Mr. Baldwin told the Board that he is part owner of the property, and there has been a lot of speculation about what is going on this property. He provided the Board with a conceptual site plan, and explained that they have been working with NCDOT on acquiring a right-way and have finally reached an agreement to re-align the highway to gain suitable space for septic tanks.

Mr. Baldwin presented the Board with a sample rendering prepared by Florez & Florez Designers, Inc. of what the proposed site will look like. He told the Board that as depicted on the sketch plan submitted, the proposed project consists of 26 single family homes. He stated the site consist of 14.6 acres and plans to include 52 boat ramps in the project so that a lot owner can have a big slip and small slip. He stated that there will be no outside sales of the slips.

Mr. Baldwin told the Board that a community well be installed and they will have to form a public utility. He stated that they are going to be doing an extensive amount of vinyl bulk-heading as depicted, and that a pier and gazebo is proposed for the site.

Mr. Baldwin stated they will be applying for dredge permits. He stated that there are three areas for fill that they plan to request in their permits.

The Planning Board suggested Mr. Baldwin contact the Dare County Fire Marshal, Public Works Director and stay abreast of the Manns Harbor Zoning Initiative in the development of this project.

#### ***Subdivision Ordinance Text Amendment – Nonconformities***

Senior Planner Donna Creef informed the Board that during the review of the Lange Subdivision at the last Board of Commissioners meeting several members expressed concern regarding the creation of non-conforming structures as a result of the division of property. As a result of that, the Board instructed staff to amend the Ordinance to include language to address this issue. For the Boards consideration Mrs. Creef offered the following language for amendment to the Subdivision Ordinance:

#### ***Chapter 153.41 – Compliance with other County Ordinances***

*No division of land shall be authorized for recordation if the resultant lots would create a non-conformity under the standards of the Dare County Zoning Ordinance or any other ordinance in effect for unincorporated Dare County.*

A motion to preclude a public hearing on the draft language as submitted by Mrs. Creef and recommend approval of the same was made by John Myers, seconded by Joe Thompson.

Vote: Ayes - Unanimous

**ADJOURNMENT**

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

Vote: Ayes – Unanimous

Respectfully Submitted,

Jacqueline J. Tillett  
Senior Administrative Support Specialist

APPROVED: August 14, 2006

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