

MINUTES OF THE DARE COUNTY PLANNING BOARD MEETING

The Dare County Planning Board held their regularly scheduled meeting on Monday, September 11, 2006. This meeting was held in the Dare County Administrative Annex building, 204 Ananias Dare Street, Manteo, NC.

CALL TO ORDER 7 PM

<u>MEMBERS PRESENT</u>	Elmer R. Midgett, Jr. – Chairman	John Finelli
	John Myers	Cathy Morris
	Richard “Ricky” Scarborough, Jr.	Joe Thompson

<u>MEMBERS ABSENT</u>	Beth Midgett
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APPROVAL OF MINUTES

Board member Cathy Morris pointed out that the name “Colington Glen” needed correction. Cathy Morris made a motion to dispense with reading the Minutes of the August 14, 2006 meeting and to approve them with the correction noted. This motion was seconded by Ricky Scarborough, Jr.

Vote: Ayes - Unanimous

OLD BUSINESS

Cap’n “B’s” Campground/Travel Trailer Park – Buxton – Preliminary

Present to represent this site plan was Mr. Bernice Ballance and Mike Harrell.

Planner Ryan Simons told the Board that Mr. Ballance has submitted a site plan for a 60 site travel trailer park located in Buxton. He stated that the property is located in two zoning districts (R-2A and C-3) and since most the improvements proposed are to be installed in the R2-A district, staff suggested the owner apply for a Conditional Use Permit. Mr. Simons provided a draft Conditional Use Permit for the Board’s review and consideration.

Mr. Simons informed that the Board that the applicant has submitted a document indicating that a permit from the Army Corps of Engineers on the project would not be required and that he may is in the process of securing approval from other regulatory agencies. Verification on whether or not a stormwater permit will be required since there is some question about what constitutes land disturbance. Mr. Simons stated that this proposed travel trailer park is subject to Health Department review.

Mr. Ballance told the Board that the stormwater permit has been applied for and he expects an answer in the next couple of weeks.

Chairman Midgett told Mr. Ballance that he doesn't want the Board to move forward on this until the permits are secured.

Mr. Ballance stated that he was hoping to get a conditional approval, and as soon as he secures the permits he would have to wait six or eight weeks to get back on the agenda.

Chairman Midgett stated that the layout is subject to change based on the permits, and wants to see the permits before the Board gives any approval. He informed Mr. Ballance that the consensus of the Board doesn't have a problem with the general concept.

Chairman Midgett told Mr. Ballance that he will place this application on the Board's agenda for next month.

No action taken; sketch plan.

Lightkeeper Estates, Rodanthe – Preliminary Plat

Eddie Valdivieso of Quible and Associates, representing Tim and Trish Midgett and Rudolph and Bette Gray was present.

Senior Planner Donna Creef offered the following staff comments:

1. She stated the Board reviewed this as a sketch plan a couple of months ago, at which time most of the Board's comments focused on the common driveway proposed of which the Board was less than receptive to the 10 feet of driveway access due to the length. She noted that the property runs from NC 12 to the oceanfront and there is a wide swath of wetlands that runs through the property. She noted that the site plan has been revised to depict the common driveway of 30 feet with 18 feet of gravel improvements. A CAMA permit has been secured based on the 30 foot easement. She noted that there is a condition in the CAMA permit about the parking layouts for lots 1 and 2 being subject to approval by the County which will take place if and when a subdivision plat is recorded. She stated that the improvements on the plat are merely for illustrative purposes and the layout may change based on the location of the house and driveway for lots 1 and 2.
2. Mrs. Creef told the Board that the developers did meet with the Fire Marshal as instructed and have addressed the safety concerns regarding access by fire and emergency vehicles.
3. Mrs. Creef told the Board in effort to eliminate confusion for the people staying and living in the houses located on lots 1 and 2, she suggested that the developer install signage indicating that the common driveway is merely a pedestrian easement for ocean access, vehicle access is restricted to residents and guests of lots 1 and 2, and public parking is prohibited.
4. Regarding the common amenities (walkway & gazebos) depicted on lots 1 and 2, Mrs. Creef told the Board that they are permitted under the CAMA major permit but are not necessarily going to be installed as part of the preliminary plat improvements. She further stated that the final plat submitted for recordation will not depict those

improvements and only included on the preliminary because there were submitted as part of the CAMA permit application.

Chairman Midgett informed the Board of a concern raised by staff and Ken Flatt from the Water Department regarding the septic for one of the lots being a little bit too close. He stated that it looks like it is over 150 feet from the well. He stated that we had talked to the County Attorney about it and he said the best way for the County to protect the well would be through a Well Head Protection Ordinance. He explained to the developer that if the Well Head Protection Ordinance is implemented during the review process of this division, then that ordinance is going to take precedent over and Board recommendations.

Chairman Midgett also informed the developer that a 200 KW generator will be Adjacent to lot 4 on the property owned by the County along with a 6 foot bobbed wire fence as part of Homeland Security.

A motion to recommend preliminary plat approval to the Lightkeeper's Estates Subdivision was made by John Myers, seconded by Joe Thompson subject to the following:

1. Signage addressing the use of the pedestrian ocean access shall be installed at the terminus of the cul-de-sac. This signage should indicate that the ocean access is limited to pedestrian traffic and that vehicular access is restricted to residents and guests of lots 1 and 2.
2. The final plat and the homeowner's documents shall include language addressing the maintenance of the common driveway improvements for lots 1 and 2 is the responsibility of the property owners in the division.

Vote: Ayes – Unanimous

Dough's Landing – Roanoke Island – Preliminary Plat

Ray Meekins of Seaboard Surveying & Planning, Inc. was present to represent the owners who were also present.

Ryan Simons presented staff comments. He told the Board it is a nine lot division on the North End of Roanoke Island with all of the lots except lot 4 being accessed via an extension of Leland Lane. Lot 4 is proposed to be accessed from the existing Elizabeth Drive.

Mr. Simons noted that during the sketch plan review the primary concern was the extension of Leland Lane. As suggested at the sketch plan review, Leland Lane will be widened to 30' with a 20' road bed.

A motion to recommend preliminary plat approval was made by Joe Thompson, seconded by John Myers.

Vote: Ayes – Unanimous

NEW BUSINESS

The Saint Clair Basnight Estates – East Lake – Preliminary Plat

Jamie Reynolds with W. M. Meekins, Jr. & Associates, Inc. was present to represent this preliminary plat.

Senior Planner Donna Creef presented staff comments. She told the Board that this is the preliminary plat for a six lot subdivision in East Lake, NC. She stated the property is currently unzoned.

She noted that the site plan included in the Board's first packet depicted the lots without any sort of shared access or an access road. She noted that the Subdivision Ordinance states that once you have more than four lots that an access road or some other means of ingress and egress is required to cut down on the number of driveway cuts onto the State maintained right-of-way.

Mrs. Creef stated that after receiving her written staff comments, Mr. Meekins agreed that the shared access or an access road was an appropriate suggestion and went ahead and made the revisions to the plat showing a common access easement. She stated that these common access easements have been used on a number of other subdivisions on Hatteras Island, and staff is satisfied with the revision.

Mrs. Creef pointed out that the only other note she made was in reference to the setback requirements of the Dare County Subdivision Ordinance. She stated that although the property is located in an unzoned area, the Subdivision Ordinance applies setbacks for unzoned properties and the first plat indicated it as 25 ft and they have made the correction in the note section on the revised plat.

Chairman Midgett suggested that language be included in the covenants that the lot owners are restricted to using the access easement depicted on the plat only and not another access to Highway 64.

In an effort as to not create a safety hazard, Board member Cathy Morris suggested language being added to the plat and included in the restrictive covenants restricting backing out on to Hwy. 64 as well.

Cathy Morris, seconded by Joe Thompson made a motion to recommend preliminary plat approval subject to language being added restricting backing out on to highway 64.

Vote: Ayes – Unanimous

OLD BUSINESS

Update on Manns Harbor Zoning Initiative

Planner Ryan Simons informed the Board that there have been two community forums initiated by the citizens of Manns Harbor to discuss the zoning process.

Mr. Simons told the Board that at the end of the second meeting he solicited volunteers to help develop a map of existing uses in Manns Harbor and Mashoes to avoid leaving anybody out or writing in something incorrectly.

Mr. Simons told the Board that he met with the group of citizens that have formed an Ad Hoc Committee about two or three weeks ago as a smaller group. He stated the group has determined that we could probably get by in Manns Harbor with using one or two zoning districts, three at the most and be able to address all of the needs and concerns. Mr. Simon stated he provided them with the language for the R-2B district and the S-1 district which he thought would address all of the uses and all of the activities that currently go on in Manns Harbor.

Mr. Simons stated the zoning initiative is still in its infancy, and it is hard for him to put a timetable on it at this point, but maybe by the first of the year there will be something drafted that everyone is comfortable with that we can be presented to the Planning Board and the Board of Commissioners and hopefully have some action taken on it.

Staff report on Manteo Outside currently unzoned portions of Highway 345

Senior Planner Donna Creef told the Board that last month the Board was presented a letter for the Chairman's signature to be sent to owners of the properties remaining in the unzoned portions of on Roanoke Island commonly known as Skyco and indicated on the Dare County tax map as Manteo Outside. She stated there is a handful property on one side of the road still unzoned. She explained when the original Roanoke Island map was adopted, it didn't address that side of the road, and when the Wanchese tax district was zoned in March and June, it left these unzoned areas.

Mrs. Creef stated that letters were sent to approximately 15 property owners explaining the need to zone these parcels so that all of Roanoke Island is zoned. She noted that since the C-3 district is on the other side of the road, staff suggests that the same zoning district be applied to the main portions that front on NC 345. She stated that the property that doesn't have road frontage and is owned mainly by the State of North Carolina be zoned NH (Natural Historic).

Mrs. Creef told the Board that she was ready to move forward with scheduling a public hearing on this proposed zoning until prior to the start of the meeting when Ms. Joanne Baum-Clift presented her with some information on a draft zoning district for Highway 345 (Skyco Neighborhood Commercial District) along with some survey results that were compiled by a committee of Skyco residents. She stated she hasn't had an opportunity to review the material submitted by Ms. Baum-Clift, and suggested that this item be place on the October agenda to

allow her time to review the material to see how it balances with the proposed C-3 zoning district.

The Board concurred with Mrs. Creef and agreed to review the item again at the October 9, 2006 meeting.

ADJOURNMENT

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

Vote: Ayes – Unanimous

Respectfully Submitted,

Jacqueline J. Tillett
Senior Administrative Support Specialist

APPROVED: October 9, 2006

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