

MINUTES OF THE DARE COUNTY PLANNING BOARD MEETING

The Dare County Planning Board held their regularly scheduled meeting on Monday, March 12, 2007. 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

Elmer R. Midgett, Jr., Chairman
John Myers
John Finelli
Ricky Scarborough, Jr.
Cathy Morris

MEMBERS ABSENT

Joe Thompson
Beth Midgett

APPROVAL OF MINUTES

There being no additions or deletions to be made to the minutes of the February 12, 2007 Planning Board meeting, a motion to dispense with reading them and to approve them as submitted was made by Cathy Morris, seconded by John Finelli

Vote: Ayes – Unanimous

OLD BUSINESS

Manns Harbor/Mashoes Zoning

Planner Ryan Simons told the Board in February members of the Planning Board, Planning Staff and Zoning and Preservation Committee for Manns Harbor and Mashoes held a workshop to discuss the draft zoning language and map for the villages of Manns Harbor and Mashoes. He provided in the Board's packet changes from that workshop as well as the most recent draft language for consideration and possible recommendation for approval to the Dare County Board of Commissioners. Mr. Simons told the Board that no suggestion was made to change the proposed map.

The Board discussed accessory dwelling units, lot coverage, and the storage of boat trailers.

A motion to recommend approval of the revised zoning language and associated map to the Dare County Board of Commissioners was made by Ricky Scarborough, Jr.,

seconded by Cathy Morris. The Board also made a finding that the zoning language and map is consistent with the Dare County Land Use plan.

Vote: Ayes – Unanimous

Cap'n B's Campground – Buxton – Preliminary Plat

Planner Ryan Simons told the Board that preliminary plat approval for this proposed 56-site travel trailer park was granted by the Planning Board in December 2006 with the condition that the developer resubmit to the Planning Board should any change in the initial design is made.

Mr. Simon told the Board because the property rests in two different zoning districts, staff felt it might be prudent to hand this as a conditional use. He noted that stormwater permits for the project are on file.

Mr. Simons stated that the site plan meets the intent of the Dare County Travel Trailer Park Ordinance and provided a draft Conditional Use Permit outlining conditions of approval for the Board's review and consideration.

Mr. Mike Harrell, representing the developer was present. Also present was Mr. Bernice Ballance.

A motion to recommend approval of the Conditional Use Permit prepared by Mr. Simons was made by John Myers, seconded by John Finelli.

Vote: Ayes – Unanimous

Midgett Travel Trailer Park/Campground – Rodanthe – Preliminary

Joe Analau of Quible & Associates, present to represent the developer.

Planner Ryan Simons presented staff comments. He told the Board that the Dare County Travel Trailer Park includes a detailed interpretation of what a vegetative buffer is.

Mr. Simons requested that any supplemental state/federal permits and approval by the health department be submitted. He also recommended that the developer prepare a lease addressing tenant compliance and the prohibition of year round habitation as stipulated in the travel trailer park ordinance to be submitted prior to final plat review.

Joe Analuaf told the Board that that if they need to disturb more than an acre they will have soil sedimentation and control plan to the Division of Land Quality Section which trigger a stormwater permit from the Division of Water Quality. He also stated that a fill permit will be required from the Army Corps of Engineers to fill a section of 404 Wetlands for the driveway access. Mr. Analuaf also stated that NCDOT will have to

review the driveway, and there will be a water main extension of some sort to serve potable water to each one of the camp sites.

The Board discussed the junked vehicles on site, vegetative buffer and fencing of the site, tie downs for travel trailers that will be stored on the site year round and access to the existing cemetery.

A motion was made by Cathy Morris, seconded by John Myers to recommend approval of the preliminary plat for Midgett Campground subject to language being included in the CUP addressing the following:

1. Tie downs for year round storage of travel trailers and prohibition of year round habitation.
2. Vegetative buffer and fencing
3. No automobiles or junked vehicles to be located within the confines of the campground.
4. Submission of supplementary permits.
5. Plat will be resubmitted to staff for review should there be any substantive changes made to the site plan.

Vote: Ayes – Unanimous

NEW BUSINESS

Flora Colony – Roanoke Island – Sketch Plan

Melissa McAllister, Surveyor/Project Engineer representing this sketch plan was present. Also present was Mr. Chuck Poe with the Outer Banks Community Development Corporation.

Senior Planner Donna Creef told the Board this parcel has been reviewed in several different scenarios. She stated that the proposed development will consist of single family homes, which is consistent with the surrounding areas. She noted that the developers are proposing a 45' right-of-way to be dedicated as a public street to be constructed off Burnside Road. She noted that there will no access permitted from Amelia Drive.

Mrs. Creef stated that a cover letter is on file from the project engineer that details the plans for stormwater management and the connection of the site to the County water system. She noted that there is an existing canal along the rear of lots 5-7 and a 40' access and drainage easement will be established along this canal.

Mrs. Creef noted that there is an existing pond on the site and is proposed to be filled as part of the infrastructure improvements and a report from GET Solutions addressing the filling of this pond has been included with the sketch plan.

Mrs. Creef noted that the sketch plan depicts a 10' wide buffer strip around the rear perimeter of the site. She explained that the developers propose this buffer as an aesthetic feature.

Mrs. Creef recommended the Board require the developer to provide individual site evaluations from the Dare County Environmental Health on the lots impacted by the borrow pit.

No action taken; item reviewed as sketch plan.

Seatree, LLC Subdivision – Roanoke Island – Sketch Plan

The Planning Board received public comments regarding this sketch plan.

Comments were rendered by the following Mrs. Joann Adams, Mr. Jeff Whitt and Mr. Tom Imeson. They each expressed concern regarding access for the proposed division through the existing Sunnyside Drive, and the fact that Sunnyside Drive is not an NCDOT state maintained road and cannot be improved to be accepted in the NCDOT state road maintenance system. Concern was also expressed regarding the safety of the S-turn that currently existing.

Mrs. Joann Adams informed the Board that the Sunnyside Homeowners have revised the covenants to state that Sunnyside Drive is not dedicated for public use, which means it is a private road. She stated that the revised covenants were recorded in the Dare County Register of Deeds Office. She also reminded the Board of the ordinance adopted by the Dare County Board of Commissioners that prohibits new subdivisions being approved if the primary means of ingress and egress to the subdivision connects to a road that is not eligible for, and cannot be upgraded to meet the standards for acceptance into NCDOT secondary road maintenance system.

Senior Planner Donna Creef presented staff comments and noted that access for the proposed division is going to be the number one point of contention in this subdivision. Mrs. Creef provided the Board with a copy of a memo from the County Attorney regarding the language in the Ordinance. She pointed out three choices of action by the applicant are identified by Mr. Outten as follows:

1. Do not subdivide the property.
2. Bring the inter-connecting road up to NCDOT standards.
3. Proceed under the Section 153.40(E) (2) were it talks about what happens when the road is ineligible. It talks about unacceptable risks and unacceptable safety issues.

Eddie Valdivieso from Quible & Associates was present to represent Seatree, LLC and Mrs. Jones. He told the Board that access is clearly a legal issue.

The Board took no action this sketch plan.

OTHER BUSINESS

None

ADJOURNMENT

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

Vote: Ayes – Unanimous

Respectfully Submitted,

Jacqueline J. Tillett
Senior Administrative Support Specialist

APPROVED: April 9, 2007

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