

MINUTES OF THE DARE COUNTY PLANNING BOARD MEETING

The Dare County Planning Board held their regularly scheduled meeting on Monday, May 14, 2007. This meeting was held in the meeting room of the Dare County Administrative Annex building, 204 Ananias Dare Street, Manteo, North Carolina.

CALL TO ORDER 7:00 pm

MEMBERS PRESENT

Elmer R. Midgett, Jr., Chairman
John Finelli
Cathy Morris
Joe Thompson

John Myers
Ricky Scarborough, Jr.
Beth Midgett

APPROVAL OF THE MINUTES

There being no additions or deletions to be made to the minutes of the April 9, 2007 Planning Board meeting, a motion to dispense with reading them and to approve them as submitted was made by John Myers; seconded by Cathy Morris.

Vote: Ayes – Unanimous

OLD BUSINESS

The Refuge on Roanoke Island – Travel Trailer Park – Roanoke Island - Final

Planner Ryan Simons presented staff comments and told the Board that the final plat has not deviated substantially from the approved preliminary plat. He stated that vegetative buffer has been installed along with additional landscaping, and the utility plan for the park is on file. Mr. Simons told the Board that the last thing to be done is the installation of the water main.

Mr. Simons told the Board that the developer is currently in the process of installing a swimming pool for use by the tenants. He told the Board that the staff is satisfied with the final plat and recommends approval.

Mr. Malcolm Fearing, owner/developer was present, and invited the Board to visit the site.

The Board discussed the need for adequate dumpsters for the site, the location of the planted buffer outside of the confines of the development and concurred that the buffer needs to be within the confines of the park.

A motion to grant final plat approval was made by John Myers, seconded by Ricky Scarborough, Jr., subject to the following:

1. Water lines being installed per Health Department approval and receipt of that approval by staff.

2. The vegetative buffer line be relocated outside of the easement.
3. The south line of 22 be moved in to adjust for that.

Vote: Ayes – Unanimous

Otter Point Resort – Conditional Use Permit/Group Development – Amended Preliminary Plat

Eddie Goodrich representing Otter Point Joint Venture was present. Also present was David Ryan of Bissell Professional Group.

Senior Planner Donna Creef presented staff comments, and provided the Board with a copy of a letter submitted by Mr. David Ryan of Bissell Professional Group addressing her written staff comments.

She told the Board that this is a revised site plan for Otter Point group development which was approved years ago. She stated that the developer ran into some difficulties with the wastewater treatment plat at Kinnakeet Shores Subdivision and some other weather delays. She stated that the proposed project is associated with the Kinnakeet Shores development.

Mrs. Creef stated that the site plan depicts 19 units. She pointed out that the roadway has been shortened due to some wetland issues, and the previously proposed sound-front clubhouse has been eliminated from the design. She also pointed out that the plat indicates that the remainder of the tract is proposed for subdivision into three 10+ acre tracts at a future date. She stated that these tracts will have access from the road improvements installed for the Otter Point group housing development are not intended to be handled as a subdivision for approval at this time.

Mrs. Creef noted that a 20-foot separation must be maintained between the home sites as noted in Note 13 on the revised plat. She also noted that the front and rear setbacks referenced in this note are from the overall property line. She stated that a clarification of this note may be helpful since property owners and homeowners associations are often confused by the overlay of setbacks on group housing projects.

In reference to the road, Mrs. Creef told the Board that the road is proposed to be private, as are all the roads in the Kinnakeet Shores subdivision. She noted that the cul-de-sac terminates near unit 17 with a common drive connecting with parking pads for units 15 and 16.

Mrs. Creef noted that the Board will need to discuss a timeframe for the construction of the infrastructure to be included in the Conditional Use Permit.

Mrs. Creef pointed out that the property is located in a VE-9 flood zone which will have some bearings on the construction methods. She stated that the homes will be connected to the wastewater treatment facility that serves the Kinnakeet Shores development. She also noted that the Army Corps of Engineers wetland verification plat has expired and the Corps of Engineers is still not issuing wetlands verification plats.

Mrs. Creef provided a draft CUP for the Board's review and consideration.

Motion was made by John Myers, seconded by John Finelli to recommend approval of the project subject to the following:

1. An attachment describing the metes and bounds area of each home site to be attached to and made part of the approved Conditional Use Permit.
2. All infrastructure improvements shall be completed within 5 years from the date of Board of Commissioners approval.
3. An up-to-date wetland verification plat signed by the Army Corps of Engineers shall be submitted prior to the initiation of construction of the infrastructure improvements. Any substantial changes as a result of the wetland verification plat shall be subject to review by the Dare County Board of Commissioners.
4. A dumpster site shall be depicted on a revised site plan.
5. Any proposed development of the remained 30-acre tract shall be according to the R-2 zoning regulations and subject to the applicable review and approval procedures of Dare County.
6. The common driveway to home sites 15 and 16 shall be of an impervious surface and installed as part of the construction on home sites 15 and 16.

Vote: Ayes – (E.R. Midgett, Scarborough, Finelli, Myers, Morris,
Thompson)
Noes – (B. Midgett)

Guttman Subdivision – Rodanthe – Preliminary Plat

Mearl Meekins was present. Mr. Meekins provided a revised plat addressing comments rendered in staff comments rendered by Mrs. Creef.

Senior Planner Donna Creef told the Board that the property has a swath of wetlands that runs through the oceanfront which creates issues of itself. She stated that when you subdivide the property it loses its grandfather status under CAMA and the building setback line for CAMA and the erosion rate is pushed to the west of the wetland line.

The Planning Board discussed the CAMA setback line for the proposed division, proposed access via a common driveway to lots 2 and 3, the 400 foot flag lot configuration, and trash pick up for the proposed division.

The Board concurred to table the item to allow consultation with the Fire Marshal regarding the common driveway proposed for parcel 2 and 3.

A motion to table the item was made by John Myers, seconded by John Finelli.

Vote: Ayes – Unanimous

OTHER BUSINESS

Buxton Zoning Map Amendment

Mrs. Creef told the Board that the Board of Commissioners has requested that the Planning Board consider an amendment to the Buxton zoning map for the property that currently serves as the Coast Guard base housing in Buxton. She explained that none of the federal property was zoned in conjunction with the adoption of the Buxton zoning map in 1990.

Mrs. Creef told the Board that the County has been negotiating with the US Government to take ownership of the property and as a result of those negotiations it became apparent that the property was not zoned. In anticipation that these negotiations fail and the property is required to return to its natural state, an appropriate zoning classification is needed for the housing parcel. Mrs. Creef stated that the Board of Commissioners has indicated that a "conservation-oriented" district is desired for the tract. She stated that a review of the Zoning Ordinance indicates that the Natural Historic (NH-1) district is consistent with the Board's desire.

Mrs. Creef noted that a recommendation the planning board is required before any zoning map can be amended. She stated that it is not necessary for the Planning Board to conduct a Public Hearing on the text amendment because the Board of Commissioners will conduct a mandatory Public hearing on it before any change can be made to the map.

A motion to waive conducting a public hearing by the Planning Board and to recommend the NH-1 zoning district for the USCG housing property was made by Beth Midgett, seconded by Joe Thompson. The Board also concurred that this zoning amendment is consistent with the Dare County Land Use Plan.

Vote: Ayes – Unanimous

ADJOURNMENT

A motion to adjourn was made by Cathy Morris, seconded by Ricky Scarborough, Jr. This meeting adjourned at approximately 8:23 pm.

Respectfully Submitted,

Jacqueline J. Tillet
Senior Administrative Support Specialist

APPROVED: June 11, 2007

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