

MINUTES OF THE DARE COUNTY PLANNING BOARD MEETING

The Dare County Planning Board held their regularly scheduled meeting on Monday, July 13, 2009. The meeting was held in the meeting room of the Dare County Board of Commissioners meeting room located at 954 Marshall Collins Drive, Manteo, NC.

CALL TO ORDER 7:00 PM

MEMBERS PRESENT Elmer R. Midgett, Jr. – Chairman Ricky Scarborough, Jr.
Beth Midgett John Finelli
Henry Haywood
Dan Oden

MEMBERS ABSENT David Overton

APPROVAL OF MINUTES

There being no additions or deletions to be made to the minutes of the June 8, 2009 meeting of the Dare County Planning Board, a motion to dispense with reading them and to approve them as submitted was made by Henry Haywood, seconded by Dan Oden.

Vote: Ayes – Unanimous

OLD BUSINESS

None

NEW BUSINESS

Sea Tree Subdivision – Roanoke Island –Request for an extension of preliminary plat approval

Ms. Claudia Jones, on behalf of Sea Tree LLC was present to represent this request. Also present was Mr. Eddie Valdivieso of Quible and Associates, representing the Sea Tree LLC Subdivision.

Senior Planner Donna Creef told the Board that preliminary plat approval for this division was granted by the Dare County Board of Commissioners on July 21, 2008. She stated that the preliminary plat approval is valid for 12 months and all improvements are to be installed within the approval period with a final plat to be submitted upon completion of the improvements. She noted that Section 153.17(3) of the Dare County Subdivision Ordinance states that the Planning Board may grant an additional 12 month period for the installation of improvements and submission of the final plat if the developer requests such extension in writing prior to the

expiration of the original approval and has commenced installation of the required improvements.

Mrs. Creef noted that Ms. Jones submitted a letter requesting an extension prior to the expiration of the original approval. She noted that the letter from Ms. Jones details the completion of all engineering drawings and bids for the installation of the road improvements, as well as her inability to secure financing to complete the road improvements. Photos of the site taken on a site visit made on June 23, 2009 were included in the Board's packet for review.

Mrs. Creef told the Board that as of today, July 13, 2009, there has been no land disturbance activity since the photos were taken on June 23, 2009. She stated that if the Board does not grant the requested extension, the preliminary plat approval for this proposed division will expire on July 21, 2008. After this expiration, any further subdivision of the property will require a new submission of a preliminary plat.

Board member discussed the requested extension and concurred that the subdivision regulations state that substantial installation of improvements must have commenced and that there is no evidence of this division moving forward toward the installation of the required improvements.

Chairman Midgett commented that they have not granted extension in the past because of financial hardships, and he is of the opinion that the installation of the improvements cannot be done prior to the expiration of the preliminary plat approval on July 21, 2009.

A motion to deny the request for a 12 month extension of the preliminary plat approval for the Sea Tree Subdivision was made by John Finelli, seconded by Ricky Scarborough, Jr.

Vote: Ayes – Unanimous

Chairman Midgett told the applicant and Mr. Valdivieso that due to the economic status, the NC Senate is currently working on a bill to grandfather all development plans until December 31, 2010. He stated that any approvals will be made retroactive from 2007.

OTHER BUSINESS

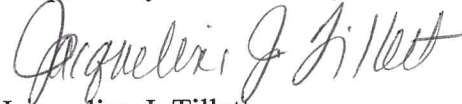
Chairman Midgett asked Senior Planner Donna Creef about the status of the Land Use Plan Update.

Mrs. Creef told the board that the Land Use is in the process of being reviewed by the State agencies, and she has not heard from anyone.

There being no further business before the Dare County Planning Board, a motion to adjourn was made by Ricky Scarborough, Jr., seconded by Dan Oden.

Vote: Ayes – Unanimous

Respectfully Submitted By



Jacqueline J. Tillett

Senior Administrative Support Specialist

APPROVED: August 10, 2009



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