

MINUTES OF THE DARE COUNTY PLANNING BOARD MEETING

The Dare County Planning Board held their regularly scheduled meeting on Monday, September 13, 2010 in the Dare County Board of Commissioners meeting room located at 954 Marshall Collins Drive, Manteo, NC.

I. CALL TO ORDER 7 pm

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

MEMBERS ABSENT David Overton
Dan Oden

III. APPROVAL OF MINUTES

There being no additions or deletions to be made to the minutes of the August 10, 2010 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 Beth Midgett.

Vote: Ayes – Unanimous

IV. OLD BUSINESS

Joseph K. Kiely/Kellie P. Kiely – Waves – Final Plat Review

Senior Planner Donna Creef presented staff comments. She told the Board that the final plat for this division was tabled last month due to a conflict with the right-of-way. She stated that NCDOT has confirmed that the right-of-way is 100' in width and not 60' as previously depicted. She stated that the lot sizes have been adjusted to reflect this right-of-way width. Mrs. Creef told the Board that no road improvements are proposed due to the lots having frontage on NC 12, and recommended preliminary plat approval.

A motion to grant final plat approval to the Joseph K. Kiely/Kellie P. Kiely Subdivision subject to a dumpster being depicted on the plat for recordation was made by Ricky Scarborough, Jr., seconded by Henry Haywood.

Vote: Ayes – Unanimous

V. NEW BUSINESS

Malcolm and Susan Fearing Subdivision – Roanoke Island

LAND OF BEGINNINGS

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Present for the review of this subdivision was Mr. Malcolm Fearing.

Senior Planner Donna Creef presented staff comments. She told the Board that proposed division is located on Roanoke Island and consists of 11.0 acres. She stated that Mr. Fearing proposes to subdivide the site into Parcel A and Parcel B as depicted on the plat included in the Board's packet. She noted that the proposed division exceeds the acreage for exempt subdivisions and therefore has been submitted for review by the Planning Board and approval by the Dare County Board of Commissioners.

Mrs. Creef pointed out that access to the site is via an existing 45' private right-of-way that has 20' of paved road improvements (Fannin Mill Road). She told the Board that Fannin Mill Road was installed as part of a group development in the early 1990's by the property owners. She stated that this road has been and will continue to be maintained by the property owners (Fearing).

Mrs. Creef told the Board that the overlay of the right-of-way will not create any encroachment issues with Parcel B. She also noted that the plat will need to include a dumpster site.

A motion to recommend preliminary plat approval subject to a dumpster site being depicted on the plat and the addition of language addressing the road maintenance by the property owners was made by Ricky Scarborough, Jr. seconded by Henry Haywood.

Vote: Ayes – Unanimous

Bill's Marine Repair – Colington – Conditional Use Permit

Mr. Bill Meyer and John Myers were present for the review of this Conditional Use Permit.

Senior Planner, Donna Creef provided the Board with a new draft Conditional Use Permit with revisions to one of the conditions pertaining to the construction of a new building on the site. She stated that she included language that will require Mr. Meyer to come back to the Planning Board for review as a group development if there is more than one building on the site. Mrs. Creef told the Board that the Board of Commissioners recently approved a text amendment to the VC-2 district to add boat repair/boat motor repairs/boat storage to the list of conditional uses in that district.

Mrs. Creef stated that Mr. Meyer has submitted a site specific site plan requesting authorization to operate a boat repair facility on a site located at 1636 Colington Road.

Mrs. Creef told the Board that Mr. Meyer proposes to use the existing structure on the site for his office and restroom facilities. She stated that the existing structure is a pre-firm building which presents some challenges in remodeling. She stated that the pre-firm structure can only be remodeled up to 50% of the value without having to be elevated to meet the base flood requirements. She stated that Mr. Meyer is currently in the process of obtaining an appraisal of the existing building so that he will know what to base the 50% on. She stated that if it is determined that the existing structure cannot be used and a new building is proposed for construction, language is included in the draft conditional use permit that will permit administrative approval of the building if the footprint does not exceed the size of the existing building.

Mrs. Creef further noted that Mr. Meyer wishes to construct a canopy to allow for shelter while boat repairs are performed. She stated that Mr. Meyer has been advised that the proposed canopy must be detached from the existing structure so that it doesn't impact on the 50% value.

Mrs. Creef stated that a new septic system will be installed as part of the site work as depicted on the site plan. She also noted that Mr. Meyer will have to add some handicap parking to the parking depicted on the site plan along with handicap restroom facilities.

John Finelli made a motion to recommend approval to draft Conditional Use Permit as prepared by staff with the addition of the hours of operation being 8 a.m. – 7 p.m. Monday – Saturday, a new condition to address the start of construction at the site no longer than 12 months and that boat storage may begin during the remodeling and prior to the installation of the parking improvements, another new condition to address the review of lighting and security improvements with the planning staff. This motion was seconded by Henry Haywood.

Vote: Ayes – Unanimous

OTHER BUSINESS

Wind Turbine Ordinance – Additional Discussion

Senior Planner Donna Creef presented staff comments. She told the board that last month when we talked about it the Wind Turbine Ordinance. She stated that the draft ordinance is

written in two parts, the utility scale facilities and the supplementary or accessory wind energy devices.

The Board discussed the draft ordinance briefly and concurred to discuss it further at the October 11, 2010 meeting prior to scheduling a public hearing.

2009 Draft Land Use Plan Update

Mrs. Creef provided the Board with a copy of the Final Draft of the Dare County Land Use Plan. She told the board that the final draft includes the four policies and recommended changes that were discussed at the meeting last month on ORV access, shoreline management, wastewater and stormwater. She stated that the Board of Commissioners accepted them as recommended and gave instructions to proceed with finalization. Mrs. Creef stated she would like for the Planning Board to conduct a public hearing at the October 11, 2010 meeting.

A motion was made by Beth Midgett, seconded by Ricky Scarborough, Jr. to conduct a public hearing on the final draft of the 2009 Dare County Land Use Plan.

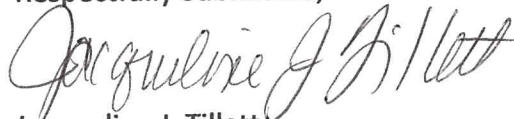
Vote: Ayes – Unanimous

ADJOURN

There being no other business before the Dare County Planning Board, a motion to adjourn was made by Beth Midgett, seconded by Ricky Scarborough, Jr.

Vote: Ayes – Unanimous

Respectfully Submitted,



Jacqueline J. Tillett

Senior Administrative Support Specialist

APPROVED: *October 11, 2010*



Elmer R. Midgett, Jr.

Chairman, Dare County Planning Board