

MINUTES OF THE DARE COUNTY PLANNING BOARD MEETING

The Dare County Planning Board held their regularly scheduled meeting on Monday, November 14, 2011. This meeting was held in the Dare County Board of Commissioners Meeting room located at 954 Marshall C. Collins Drive in Manteo, North Carolina. The meeting was called to order at 7:00 PM.

Members present were as follows:

Elmer R. Midgett, Jr., Chairman	John Finelli
David Overton	Henry Haywood
Beth Midgett	Dan Oden

Members absent were as follows:

David Overton

Approval of the minutes for the September 12, 2011 meeting

There being no corrections, additions or deletions to be made to the minutes of the September 12, 2011 meeting, a motion to dispense with reading those minutes and to approve them as submitted was made by Henry Haywood; seconded by David Overton.

Vote: Ayes – Unanimous

Public Comment

Mary Helen Goodloe-Murphy provided a status report on the bike path proposed for Hatteras Island. She told the Board that the Dare County Board of Commissioners has entered into an agreement with the NC Department of Transportation to build a bike path on Hatteras Island. She stated that the project will be split into two contracts. The first contract will be the planning and construction process and the second contract will be issued for construction management.

Mrs. Goodloe-Murphy informed the Board that the bike path project has funding to cover almost eight miles, and will include Rodanthe, Waves, Salvo and Avon. She further informed the Board that the Outer Banks National Scenic By-way has received authorization to file a grant application for five miles of pathway that will run from Cape Hatteras Secondary School to the Frisco Shopping Center opposite the entrance to the National Park Service Frisco Campground.

OLD BUSINESS

Storage Spot – Salvo – Travel Trailer/Campground site plan review

Ms. Mary Temple-Mullis was present for the review of this site plan. Also present was project engineer, Victor White from Landmark Engineering.

Planning Director, Donna Creef presented her written staff comments included in the Board's packet. She told the Board Ms. Mullis has submitted an engineered site plan for the addition of 16 travel trailer sites at the Storage Spot property in Salvo. She noted that the site is zoned S-1, and subject to review by only the Planning Board.

Mrs. Creef briefly discussed the following issues:

1. The demolition of the existing storage building on site to accommodate for the construction of the second row of travel trailer campsites (sites 10-16).
2. Possible phasing of the development.
3. Access to the campground and the level of improvements need on the gravel road.
4. Language to be included on the site plan and in the rental/lease agreement to address the following:
 - a. Units not to be used on a year-round basis as permanent dwellings.
 - b. Travel trailers remaining on the site on a year-round basis being maintained fully licensed and ready for highway use.
 - c. The level of upgrade the gravel road that serves the site.
 - d. Dare County will not be responsible for the clean-up and removal of any travel trailers that may be damaged by wind, flood or other acts of destruction.
 - e. The addition of decks, porches or other appurtenances other than a 100 square foot entrance landing being allowed for each travel trailer.
 - f. Buffer strip along the boundary of the travel trailer park as required by the Dare County Travel Trailer Park Ordinance.

After receiving comments by Mrs. Creef, the Board reviewed and discussed the proposed travel trailer campground site plan submitted by Ms. Mullis.

Project Engineer Victor White told the Board that he and Ms. Mullis are in agreement with comments rendered by the Planning Director, and informed the Board that the no phasing is plan for the proposed campground/travel trailer park. He stated that the project is proposed to be constructed in one phase.

A motion to grant preliminary site plan approval for the 16 travel trailer campsites to be located as depicted on the site plan was made by John Finelli, seconded by Henry Haywood, subject to the following conditions:

1. A vegetative buffer, as specified in the Dare County Travel Trailer Park Ordinance, shall be installed around the confines of the campground/travel trailer park. The Planning staff will verify the installation of the buffer at the final site plan review.
2. The third building on the site will be demolished to allow for the construction of campsites 10-16 as depicted on the site plan. A building permit for the demolition should be secured from the Frisco building inspection office and the debris from the demolition shall be properly disposed of at the Dare County landfill.
3. The Appendix B will be submitted by the project engineer to detail the conversion of a portion of building two for the bathhouse for the campsites. A building permit for this conversion will be obtained.
4. The roads servicing the campground shall be improved with 8" of gravel as depicted on the cross-section included on the site plan. These improvements shall be certified by the project engineer at the time of final site plan review.
5. The office for the travel trailer park shall be the same office located in building one which is currently used as the office for the Storage Spot mini-storage units.
6. The legend on the second page of the site plan shall be revised to reflect gravel road improvements; not paved improvements.
7. The travel trailers shall not be used as permanent dwellings. Any travel trailer that remains in the park on a year-round basis shall be fully licensed and maintained in a ready for highway use. Highway use is defined as remaining on its wheels or jacking system and is attached to the sit only by quick disconnect type utilities and has no permanently attached additions.
8. Dare County will not be responsible for the clean-up and removal of any travel trailers that may be damaged by high winds, floods or other acts of destruction. Language clearly explaining this should be included in any rental or agreements. A copy of the rental agreement shall be submitted at the time of final site plan review to ensure that the rental or lease agreements address this issue.
9. Each camper can be improved with a 100 square foot entrance landing and nothing else.
10. A copy of the rental agreement shall be submitted at the time of final site plan review to ensure that the rental agreement addresses the issued
11. The subdivision plat that was approved by the planning board as a preliminary plat shall be recorded prior to the operation of the campground.

12. There shall be a note included on the plat and in the rental/lease agreement that there is no direct ocean access from the property, and there shall be no trespassing over adjacent property.

Vote: Ayes - Unanimous

FINNI'S LANDING - RODANTHE – PRELIMINARY PLAT REVIEW

Mr. Sam Hagedon (Hatteras Island Homes, Inc.), property owner, was present.

Mrs. Creef told the board that the property is listed on the tax records under the name of Hatteras Island Homes, Inc. She stated that the property is proposed for subdivision into two lots with lot 2 being used to accommodate the relocation of an erosion threatened structure located at 223273 Midgett Mobile Court. A permit to relocate this structure cannot be issued until a CAMA Permit, wastewater permit and an individual lot survey of the location of the structure is obtained and the required parking improvements are approved by the Planning Department.

Mrs. Creef noted that access to the oceanfront portion of the site is from Midgett Mobile Court, an existing road that features a 175' long wooden bridge. She stated that she has requested that the property owner have a structural engineer inspect the bridge since there was extensive flooding in this area from Hurricane Irene. She also suggested that the board discussed the need for additional gravel to supplement the improvements to Midgett Mobile Court.

She noted the preliminary plat includes the minor subdivision certificate which should be removed because the minor subdivision certificate regulations provide for different road construction standards for newly constructed roads. She noted that Midgett Mobile Court is an existing paved road. She further noted that the minor subdivision certificate includes a limitation of 4 bedrooms for lots approved under the minor subdivision standards. She stated that the house proposed for relocation includes 7 bedrooms.

Dan Oden, seconded by Beth Midgett and David Overton, made a motion to recommend preliminary plat approval subject to the following conditions:

1. The minor subdivision certificate on the plat should be deleted.
2. Additional gravel should be added to the section of Midgett Mobile Court along proposed lot 1 to a level that meets the discretion of the Dare County Fire Marshal and Planning Director to

- ensure suitable emergency access consistent with the Dare County Zoning Ordinance. This shall be reviewed by the Fire Marshal and Planning Director prior to the recordation of the final plat.
3. A note should be added to the final plat stating that any future development for lot 1 and lot 2 (beyond the construction/relocation of one single-family home on each lot) will require additional upgrades to Midgett Mobile Court as established in the applicable Dare County Land Use Ordinances.
 4. The storm debris noted in the report from Hal Goodman should be removed from the site prior to the submission of the final plat.
 5. The relocation of any structure to proposed lot 2 shall be subject to additional review and approval for a CAMA permit, wastewater improvements, zoning compliance and a building permit.
 6. Any remnant sandbags left on the property after the relocation of the structure shall be removed at the expense of the property owner.
 7. Prior to the issuance of any building permit for the relocation of the structure the final plat must be recorded.

Vote: Ayes – Unanimous

Mary Ann H. Bohannon – Roanoke Island – Conditional Use Permit

Ms. Mary Anne Bohannon was present along with her daughter Mary V. Elliott.

Planning Director Donna Creef presented staff comments. Ms. Elliott resides with her mother at 904 Winginia Avenue on Roanoke Island and they are hoping to convert a room in their house to use as a small nail/hair salon under the terms of the home occupation standards. Mrs. Creef stated that the site is zoned R-1.

Mrs. Creef told the Board that a home occupation is defined as “a profession or occupation carried on by a member of a family or a member of a recognized profession residing on the premises; provided, that no merchandise or commodity other than that provided on the premises is sold on the premises; provided that not over twenty five percent of the total actual floor area of the structure will be used for the home occupation.” Mrs. Creef stated that she has discussed these standards with Ms. Elliott and Ms. Elliott does not plan to have any employees. She further noted that there is a large driveway on the property which should easily accommodate any vehicles beyond what they have now for the residential use and her clients.

Mrs. Creef suggested that the hours of operation be discussed, and noted that the adjoining property owners were notified and to date no comments have been received.

Mrs. Creef included a draft CUP for the Boards review and consideration.

Ms. Elliott indicated to the Board that the hours of operation would be from 9 am – 7 pm Monday through Friday; 9 a.m. – 3 p.m. on Saturday; closed on Sunday.

Ms. Bohannon stated that may possibly use her back porch rather than doing the den enclosure and asked if it mattered which area she used for the proposed salon.

Mrs. Creef stated that it doesn't make any difference to whether it is the den or back porch as long as the area for the salon did not exceed the 25%.

A motion to recommend approval of the Conditional Use Permit as submitted by staff with the hours of operation to be as indicated by the applicant was made by Henry Haywood, seconded by David Overton.

Vote: Ayes – Unanimous

OTHER BUSINESS

None

Adjournment

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

Vote: Ayes – Unanimous

Respectfully Submitted,


Jacqueline J. Tillett
Senior Administrative Support Specialist

Approved: February 13, 2012


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