

MINUTES OF THE DARE COUNTY PLANNING BOARD MEETING

The Dare County Planning Board held their regularly scheduled meeting on Monday, January 14, 2013. This meeting was in the Dare County Board of Commissioners meeting room located at 954 Marshall C. Collins Drive, Manteo, NC.

CALL TO ORDER 7:00 PM

MEMBERS PRESENT	Elmer R. Midgett, Jr. – Chairman	John Finelli
	Michael Barr	Dan Oden
	Beth Midgett	David Overton

MEMBERS ABSENT Ricky Scarborough, Jr.

APPROVAL OF MINUTES

There being no additions or deletions to the minutes of the December 10, 2012 meeting of the Dare County Planning Board, Michael Barr made a motion to dispense with reading them and to approve them as submitted. Beth Midgett seconded this motion.

Vote: Ayes - Unanimous

PUBLIC COMMENT

Mary Helen Goodloe-Murphy informed the Board the construction bids for the pathway in Rodanthe, Waves, Salvo, and Avon will be opened on Thursday, January 17, 2013 at noon. She stated that if everything goes as planned the item will be included on the Board of Commissioners agenda for approval on Monday, January 21, 2013. She stated that the bid information indicates that the project would be available February 8, 2013 with a construction completion before Memorial Day.

Mrs. Murphy also informed the Board that the NC Department of Transportation has completed a feasibility study to install sidewalks in Buxton and Hatteras between the bridges and the next step is to have the study converted to a state transportation improvement plan project. Mrs. Murphy told the Board that they will be working through the Rural Planning Organization at the Albemarle Commission to make that happen.

OLD BUSINESS

East Lake Zoning – Map and Associated Text – Discussion

Planning Director Donna Creef told the Board that at the public hearing conducted on December 10, 2012 there were several speakers who requested adjustments to the proposed map and/or text amendments. She provided the Board with recommended changes in response to their requests. She briefly discussed the requested amendments as follows:

1. Clarence Skinner – Mr. Skinner requested a zoning change to the Commercial Services district to accommodate his plan to harvest trees on his property in 2020. Mrs. Creef recommended no to the map to accommodate Mr. Skinner's request because under NC law, bona fide farms are exempt from county zoning regulations subject to the submission of a forest management plan. Mrs. Creef stated that Mr. Skinner has provided a copy of a forest management plan for his property in East Lake.
2. Carolyn Beck (19210 Hwy. 64) - Mrs. Beck's property currently has a fishing and camping business located on it. Mrs. Creef stated that the property is included on the draft map in the EL residential district. Mrs. Beck indicated that she has a valid mining permit for the property and expressed a concern that the residential zoning would impact her use as a fishing camp. Mrs. Beck also indicated that she owns property on the other side of Highway 64 at 19621 Hwy 64 which is vacant and included in the EL residential district. Mrs. Beck requested the Commercial Services zoning for this property. Mrs. Creef told the Board that the NC Division of Land Resources stated that there are no valid mining permits for this site and recommended no changes for the Beck property located at 19210 Highway 64 for a borrow pit, but did recommend that the property at 19621 Highway 64 be changed to the EL Commercial Services as requested.
3. Courtney Gallop - Mrs. Creef told the Board that Ms. Gallop requested a change to the commercial zoning district so that the threshold for the installation of a buffer at existing businesses required for a 50% increase in footprint expansion not 25% footprint expansion as drafted. Mrs. Creef recommended no change to this requirement.
4. Tom Mackel (18870 Lake Neighborhood Road) – Mr. Mackel expressed a desire to use his property as a church camp/retreat site. Mrs. Creef recommended a new district, the East Lake Natural Historic. She stated that this district will be the same as the other Natural Historic districts with the addition of language that states that the use "church and associated church facilities including recreational structures and overnight lodging and cemeteries".
5. Franz Holscher, Attorney representing First South Bank, submitted a letter requesting that borrow pits be permitted in the East Lake zoning. Mrs. Creef did not recommend any changes to the proposed East Lake zoning to allow borrow pits.

John Finelli made a motion to recommend approval of the East Lake Zoning map and associated text as outlined in the staff memo dated January 7, 2013 memo along with the changes to the text of all of the draft districts relative to the setbacks of the non-conforming section and to delete paragraph two under the non-conforming sections in the village commercial and the commercial services. This motion also includes the adoption of a finding of consistency with the Dare County Land Use Plan. David Overton seconded this motion.

Vote: Ayes – Unanimous

NEW BUSINESS

Wind over Waves Phase III and Tarheel Shores - extension request

Planning Director Donna Creef told the Board that the of the Wind Over Waves Phase 3 development was granted preliminary plat approval in March 2012 and Tarheel Shores Subdivision was granted preliminary

approval Subdivision in January 2009. She stated that the NC Development Extension Act which extended the approval period until December 31, 2012 impacted the Tarheel Shores Subdivision. Mrs. Creef noted that the developers submitted the letter requesting an extension prior to December 31, 2012.

Mr. John Robbins III submitted a letter stating that the both developments lack the installation of cable, phone lines, lighting improvements, spot grading, and paving of the roadways.

Staff recommended that an extension be granted for Wind Over Waves, Phase 3, and the Tarheel Shores Subdivision.

A motion to grant an extension as requested to the Wind Over Waves, Phase III and Tarheel Shores developments was made by Michael Barr. This motion was seconded by Dan Oden

Vote: Unanimous

OTHER BUSINESS

None

ADJOURNMENT

There being no further business before the Dare County Planning Board, John Finelli made a motion to adjourn. Beth Midgett seconded this motion.

Respectfully Submitted,



Jacqueline J. Tillett

Senior Administrative Support Specialist

APPROVED: February 11, 2013



Elmer R. Midgett Jr.

Chairman, Dare County Planning Board