

MINUTES OF THE DARE COUNTY PLANNING BOARD MEETING

The Dare County Planning Board held their regularly scheduled meeting on Monday, July 11, 2016. This meeting was held in the Dare County Board of Commissioners meeting room located at the Dare County Administrative Building, 954 Marshall C. Collins Drive, Manteo, NC.

CALL TO ORDER 6:00 pm

SWEARING IN OF JEFF LANDRETH, NEW PLANNING BOARD MEMBER

Sharon Flatt, Planning Board Clerk, administered the Oath of Office to Jeff Landreth. Mr. Landreth was appointed to the Planning Board by the Dare County Board of Commissioners at their meeting on June 6, 2016.

MEMBERS PRESENT	John Finelli, Chairman	
	Michael Barr	Beth Midgett
	Terry Gore II	David Overton
	Jeff Landreth	Charles Read, Jr.

MEMBERS ABSENT

APPROVAL OF MINUTES

There being no corrections or additions to the minutes of the June 13, 2016 meeting of the Dare County Planning Board, Michael Barr made a motion to approve the minutes as submitted. Terry Gore seconded this motion.

Vote: Ayes – Unanimous

PUBLIC COMMENT

-None-

OLD BUSINESS

-None-

NEW BUSINESS

Elke Schwartz, Conditional Use Permit Request for a Resident Business, 48475 NC 12 Highway, Buxton

Elke Schwartz was present at the meeting.

Noah Gillam said Ms. Schwartz applied for a conditional use permit to operate a residential business in an accessory building/mobile home at 48475 NC 12 Highway. R2-A zoning allows 40% of the square footage in the accessory building to be used for

the business. Ms. Schwartz' residence, a mobile home located at the back of the property, will not be used for the business. We are waiting to hear from the Department of Insurance to determine if the employee bathroom will need to be ADA (Americans with Disabilities Act) compliant.

Charles Read asked the applicant how she will separate the portion of the mobile home that will not be used for the business. Ms. Schwartz replied that she can close doors on the two back rooms that are located on opposite sides of the building. This will prohibit their use while allowing the center area to be used as retail space. Chairman Finelli asked if this separate space can be used for storage. Noah Gillam and Donna Creef said yes.

Michael Barr said calculations indicate 669 square feet can be used for the business with 203 square feet closed off. Donna Creef said 200 square feet will not be used for the business.

Charles Read asked if Ms. Schwartz understands that the Department of Insurance will dictate if the structure needs to be ADA compliant. Ms. Schwartz said she already had a contractor visit the site regarding this and is prepared to make necessary changes pending an answer from the Department of Insurance. Donna Creef said changing from a residential use to a commercial use creates a number of requirements including engineer certifications, submitting an Appendix B (building code compliance) and changing the handicap ramp currently at the building. The question of ADA compliance will be resolved before the application proceeds to the Board of Commissioners.

Terry Gore asked what hours the proposed business would operate. Ms. Schwartz said she would like the hours to be 10 a.m. until 5 p.m., Monday through Saturday, year round.

Terry Gore asked if the parking is adequate. Noah Gillam replied there are four parking spaces required and six are indicated on the site plan.

Charles Read made a motion to recommend approval of the conditional use permit request as drafted by staff to include the following:

- Condition 2 shall be changed to read "The resident business shall only use 40% of the total square footage of the accessory building."
- Condition 6, hours of operation, shall be Monday through Saturday, 10 a.m. until 5 p.m.

Terry Gore seconded the motion.

Vote: Ayes – Unanimous

This will proceed to the Board of Commissioners pending a response from the Department of Insurance regarding ADA compliance.

OTHER BUSINESS

None

ADJOURNMENT

There being no further business before the Dare County Planning Board, a motion to adjourn was made by Michael Barr and seconded by Terry Gore.

Vote: Ayes – Unanimous

The meeting adjourned at 6:15 p.m.

Respectfully Submitted,



Sharon L. Flatt
Planning Board Clerk

APPROVED: August 8, 2016



John Finelli
Chairman, Dare County Planning Board