

MINUTES

The Town of Manteo Planning and Zoning Board met in Regular Session on Tuesday, January 14, 2003 at 6:30 p.m. at the Manteo Town Hall, 407 Budleigh Street

The following members were present:

- Chairman Bill Parker
- Member Jamie Daniels (Vice Chair)
- Member Bebe Woody
- Member Phil Scarborough
- Member Christine Walker

The following members were absent:

Also present at the meeting:

- Fred Featherstone, Planner
- Becky Breiholz, Town Clerk

Before the meeting Town Clerk Becky Breiholz swore in Members Bebe Woody and Christine Walker who were re-appointed to the Planning Board by the Board of Commissioners at their December meeting.

Chairman Parker called the meeting to order at 6:34

SUBJECT: Adoption of Agenda-Member Daniels would like a report about the Board of Adjustment two meetings that were held be added under old business .

MOTION: Member Daniels seconded by Member Walker to approve the amended agenda was approved by the following vote: Ayes: Members Parker, Woody, Walker, Scarborough and Daniels. Noes: None. Absent: None.

SUBJECT: Approval of Minutes Regular Meeting December 10, 2002

MOTION: Member Woody seconded by Member Scarborough to approve the minutes of December 10, 2002 was approved by the following vote: Ayes: Members Parker, Woody, Walker, Scarborough and Daniels. Noes: None. Absent: None.

PUBLIC COMMENTS

Jay Mankedick-Kill Devil Hills, and business owner. Mr. Mankedick came to the Board of Commissioners in November regarding his antique boat the Island Queen and using the Town's sewer pier for picking up and dropping off people. The boat will be based at Shallowbag Bay and is certified for 49 people and, he has plans to bring people to Ice Plant Island and utilize the parking facility at the Festival Park and also working with the Roanoke Island Business Association. Mr. Mankedick is still developing the plan and he has not yet formulated a schedule. Mr. Mankedick will be petitioning the Board of Commissioners to utilize the sewer docks at their January mid month meeting. If it is

approved by the BOC he will need some type of signage at the sewer pier with his schedule and he spoke with Mr. Featherstone regarding this. Mr. Featherstone commented that the only issue would be the signage since it is public property and maybe the Town attorney could help address the signage issue. Chairman Parker commented that the School of Design will be looking into making some type of signage map directing visitors to various parts of Manteo.

OLD BUSINESS

SUBJECT: Discussion and consideration of site plan review for Jack Burrus change of use. This item was removed from the November agenda for further research on the easement discrepancies between Mr. Burrus' property and Shallow Bag Bay Club. Mr. Ray Meekins, the surveyor and Mr. Burrus were present to answer any questions. Staff recommended approval provided certain conditions be met: Note 21 needs to be changed to 35 feet to the ceiling joist of the highest habitable floor; a sealed letter for the sewer calculation in note 17; CAMA permit prior to issuance of building permit and review by the Town Attorney in reference to the issues with the adjacent property Shallow Bag Bay Club easements and buffers. The parking in the easements has been taken care of. It was discussed that an opaque buffer has to go the entire length. Buffers were discussed and the Town ordinance requires that when one piece of property which is commercial abuts a residential zone which is Shallowbag Bay there needs to be a buffer. Chairman Parker spoke with Town Attorney Daniel Houry, about the buffer who says that this buffer issue needs to be addressed since one is required. Chairman Parker commented that he thinks that there is a possibility of working out an agreement about locating a buffer on the Shallowbag Bay property and in lieu of that the buffer has to be located on the property it is serving. Member Daniels spoke with Jim Rose who said Mr. Burrus could keep the fence there and Chairman Parker commented that it needs to be a part of the legal agreement; Mr. Burrus commented that he has written permission. Chairman Parker commented that this needs to be addressed in a legal manner and until it gets worked out we can't approve it. Chairman Parker commented that Mr. Burrus' does not have a buffer which meets the ordinances and one is not drawn on the plans. Member Daniels commented that he talked with Mr. Rose and he said the attorneys should have an agreement within a week. Member Woody asked why we can't approve it if Mr. Burrus produces the document that says he has permission about the fence provided the Town Attorney agrees. The P&Z discussed the fence and the trees being interspersed. Site plan will need to be done to reflect what the Town Attorney says is acceptable. Other conditions the P&Z Board is requesting that the drive aisle dimension be shown, and if fence runs all the way to back let that be reflected on the plans and address the buffer behind McDonald's just where it comes in contact with residential property. Chairman Parker reminded the applicant that the Town Attorney says the buffer has to be on the applicant's property and Chairman Parker is saying that possibly it can be an agreement reached with Shallowbag Bay Club, but need to rely on attorney's opinion. It was suggested requesting that the Town Attorney be at the meeting. Discussion took place on if Mr. Burrus' moves his buffer onto his property can he have approval tonight. It was discussed if Mr. Burrus' submits a site plan that shows buffer on his property line and drive aisles work it can be approved tonight. Definition of what an opaque buffer is and

Mr. Featherstone read the definition and will give Mr. Ray Meekins a copy of what is required.

MOTION: Member Daniel seconded by Member Woody to table the site plan review until Tuesday, January 21 at 6:30 p.m. was approved by the following vote: Ayes: Members Parker, Woody, Walker, Scarborough and Daniels. Noes: None. Absent: None

SUBJECT: Discussion and consideration of proposed text amendment to Section 6.01B.7 Off Street Parking, internal circulation. This had been sent to the BOC for their consideration and the BOC returned to the P&Z for more clarification. The amendment will read to add to Section 6.01B.7 internal circulation as the second sentence: One way drive aisle with no parking either side shall be a minimum of 12 feet. Two way drive aisle with no parking on either side shall be a minimum of 22 feet. A drive aisle with parking on one or both sides shall be a minimum of 22 feet.

MOTION: Member Daniels seconded by Member Walker to approve the text amendment as amended was approved by the following vote: Ayes: Members Parker, Woody, Walker, Scarborough and Daniels. Noes: None. Absent: None

SUBJECT: Discussion and consideration of change of use application for the Town of Manteo. This is a way to keep track of businesses that request change of use before a privilege license is issued. The Town will have applicant fill this out before a privilege license is issued. A policy statement will be prepared for the P&Z approval and also adding a sentence to the end of the application telling the applicant that they can seek assistance in filling out the application by contact Mr. Featherstone.

MOTION: Member Daniels seconded by Member Woody to table this until next month to work on a policy statement was approved by the following vote: Ayes: Members Parker, Woody, Walker, Scarborough and Daniels. Noes: None. Absent: None

SUBJECT: Reports on Board of Adjustment meetings held. R. D. Sawyer, Ford Motor Co., Inc request for a variance to place a sign that exceeded the 36 feet ordinance was denied by the Board of Adjustment. Member Woody suggested a letter be written to Ford Motor Company letting them know what our ordinances are. Mr. Featherstone also commented that we need a better definition for a free standing sign. The other Board of Adjustment meeting was a request from Marvin and Martha Worrell for a variance to the side-yard setback and lot coverage and the variance was granted.

BOARD CONCERNS

Chairman Parker reminded the Board that the NC School of Design meeting is on Thursday night. Chairman Parker asked the Board if they thought the site plan review was too lengthy and Member Walker thought it could have been explained a little clearer to Mr. Burrus. Member Daniels thought the P&Z Board was being thorough. Chairman Parker gave the members an update of the last BOC meeting.

Review of To Do List: Weeping Radish-give to the Town Attorney.

Member Woody- asked what a directional signage is especially the blue Old Towne signs. Mr. Featherstone explained that those signs were done by the BOC to identify the original town limits. It was commented that a directional sign is non commercial. Member Woody asked who do you contact for signage and it was remarked NCDOT

Jamie Daniels-asked about the sidewalks downtown at the Centennial Square and Mr. Featherstone stated this had been given to the attorney for research. Member Woody commented that a draft easement was done and given to the Town.

MOTION: Member Daniels seconded by Member Woody to recess at 9:20 p.m. until January 21st at 6:30 was approved by the following vote: Ayes: Members Parker, Woody, Walker, Scarborough and Daniels. Noes: None. Absent: None

This the 14th day of January 2003.

Bill Parker, Chairman

ATTEST:

Becky Breiholz, Town Clerk