

MINUTES

The Town of Manteo Planning and Zoning Board met in Regular Session on Tuesday, August 11, 2009 6:00 pm. at the Manteo Town Hall, 407 Budleigh Street.

The following members were present: Chairman Bill Parker
 Member Phil Scarborough
 Member Beth Storie
 Member Bebe Woody
 Member Grizelle Fearing

The following members were absent:

Also present at the meeting: Erin Trebisacci, Planner

Chairman Parker called the meeting to order at 6:05pm

SUBJECT: Adoption of Agenda as presented or amended-amend the agenda to add item 5D to discuss Itinerant Merchants Ordinance a which was a request by the Board of Commissioners.

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

SUBJECT: Approval of Minutes Regular Meeting July 14, 2009-correct minutes to show Member Woody was absent; add to the discussion of the newspaper boxes at the downtown waterfront that registering and licensing the boxes would be too time consuming.

MOTION: Member Fearing seconded by Member Scarborough to approve the minutes as amended was approved by the following vote: Ayes: Members Parker, Storie, Woody, Fearing and Scarborough. Noes: None. Absent: None.

PUBLIC COMMENTS-

John Robbins would like to discuss item 5C-when that item comes up for discussion.

SUBJECT: Presentation Albemarle Ecological Field Site-Member Beth Storie introduced Robert Perry, Director of the Albemarle Ecological Field with the UNC-CH based program . Member Storie is the chairman of the group and they would like the Town to be a client for this coming Fall semester's program. The work the students do for Capstone (the major project they all work on for their time there) would be geared to be useful to the Town Board to get information out to the townspeople, on very specific ways that each of us can make simple changes to effect storm water runoff and water

conservation. Mr. Perry gave a presentation as to what the field site is doing and the specific capstone project for this year. This fall they have 12 students who will be studying here and their project this year will be to help local citizens retain water on a residential site. Mr. Perry gave the members a newsletter that they publish which had more information regarding the program. Chairman Parker commented that it is his understanding that there is no cost to Town and Member Storie comment "right."

MOTION: Member Storie seconded by Member Fearing that the Planning and Zoning Board be the clients for Albemarle Ecological Field Site was approved by the following vote: Ayes: Members Parker, Storie, Woody, Fearing and Scarborough. Noes: None. Absent: None.

SUBJECT: Site Plan Review Manteo Baptist Church- Manteo Baptist Church is proposing the addition of a Gym and Fellowship Hall on the west side of the existing church. The existing building would be connected to the 11,080 sq. ft. two story structure via an elevated walkway. The new building will contain a fellowship hall, gymnasium, kitchen, classrooms storage space and full men's and women's restrooms. Because of the location of the addition, the rear parking lot is also being reconfigured. The parking lot will go from having 60 spaces to 53, and the church plans to rely on parking at the adjacent Wachovia Bank and a piece of property owned by the church across Ananias Dare Street. The ingress and egress to the parking lot will also be altered. The church is closing one curb cut and moving another to allow for traffic to circulate through the parking lot with fewer conflicts. Staff recommends approval with conditions and after discussion the Planning Board recommends approval with the following conditions:

- 1) A copy of a parking agreement with Wachovia Bank that meet the ordinances shall be provided to the Town;
- 2) A certified storm water plan be provided to the town that meets town Zoning Ordinances
- 3) Any existing nonconforming lighting if altered or relocated must meet all the requirements of the Zoning Ordinance.
- 4) The applicant shall provide sealed sewer calculations, based on the use of the new structure, prior to review by the Board of Commissioners.
- 5) Open space around the building should be planted
- 6) Items to be presented to the Planner 1 week prior to the BOC meeting.

MOTION: Member Fearing seconded by Member Scarborough to recommend approval to the BOC with the above recommendations was approved by the following vote: Ayes: Members Parker, Storie, Woody, Fearing and Scarborough. Noes: None. Absent: None.

SUBJECT: Discussion Accessory dwellings and accessory structures- At their mid-month meeting in July the Board of Commissioners requested that this Board consider amending the Accessory Dwelling and Structures definitions to make them easier to enforce. Below are the definitions.

Accessory dwelling unit. A secondary dwelling unit inhabited by members of the household or rented like an apartment. To insure that an accessory dwelling unit is secondary to the primary residence and not a duplex, it is subject to the following restrictions:

1. Only one accessory dwelling unit may be permitted on a lot.
2. Accessory dwelling unit may be attached (located in the principal residence) or in a detached structure on the lot providing requirements for the lot coverage and setbacks for the district are met. To encourage the preservation of the town's historic outbuildings, an accessory building existing at the time of the adoption of this ordinance, may be converted into an accessory dwelling unit provided percentage of lot coverage does not exceed the maximum allowable.
3. Either the primary residence or the accessory dwelling unit shall be occupied by an owner of the property.
4. Accessory dwelling units shall not be larger than 50 percent of the living area of the primary residence or 600 square feet, whichever is smaller.
5. One additional off-street parking space shall be provided for the accessory dwelling unit.
6. Accessory dwelling units shall not be subdivided or otherwise segregated in ownership from the primary residence.
7. A detached accessory dwelling unit shall be either one- or one-and-one-half story.

Building, accessory. A subordinate building consisting of walls and a roof, the use of which is clearly incidental to that of a principal building on the same lot. Accessory buildings may be placed in any rear or side yard but may be no closer than five feet from any property line.

Staff has a few suggestions to cover these two topics. First there should be a maximum size of 600 sq for both. Secondly the habitable structures should both be fed on the same electrical and water meters. If the structure is intended to be occupied, the Town should have the ability to charge for an additional bedroom when calculating sewer fees. John Robbins discussed the issues that Cypress Cove is facing with accessory dwellings; a graduated scale to address the size of the buildings in relation to the size of the lots. There was a lengthy discussion on setbacks and lot coverage and the Board agreed to work on this at the following meeting.

SUBJECT: Itinerant Merchant Ordinance-The BOC asked that the Planning Board review the codified ordinance even though it is not something the Planning Board does; Chairman Parker read the itinerant merchant ordinance and gave the Board some background. An applicant came to the Town and got a privilege license to operate a hammock making business and used the address of an established business, then the business located itself and started to improve the adjacent lot to locate the hammock venue and there are problems the applicant didn't give the right address which has to be sorted out. There are concerns about the unfair advantage that this gives the itinerant

merchant versus the regular merchants operating stores who pay taxes and have a overhead. They would like the BOC to consider the business people existing in town before making changes.

OLD BUSINESS

Member Storie commented that the publishers who use the newspaper boxes downtown at the waterfront had a meeting and are very anxious to make it right and they plan to get boxes that look alike and restrict the number.

Member Fearing asked about mandatory recycling for major events such as the bill fish tournament at Pirates Cove saying there were tons of cans, bottles coming off the boats. Planner Trebisacci commented she will check into this not sure we can regulate this.

Review to do list-Chairman Parker went over the "to do list." No news on the old courthouse; resubmit and review the maintenance of fences as commercial fences; "This place matters" discussed and pictures need to be taken.

MOTION: Member Fearing seconded by Member Woody to adjourn at 8:00 pm was approved by the following vote: Ayes: Members Parker, Woody, Fearing, Storie and Scarborough. Noes: None. Absent:

This 11th day of August 2009

Bill Parker, Chairman

ATTEST:

Becky Breiholz, Town Clerk