

## MINUTES

The Town of Manteo Planning and Zoning Board met in Regular Session on Wednesday, November 12, 2008 6:00 p.m. at the Manteo Town Hall, 407 Budleigh Street. (Due to Veterans Day holiday Tuesday, November 11<sup>th</sup>, the Planning Board rescheduled until Wednesday)

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: Becky Breiholz, Town Clerk  
Erin Trebisacci, Planner

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

**SUBJECT:** Adoption of Agenda as presented

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

**SUBJECT:** Approval of Minutes Regular Meeting October 14, 2008

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

PUBLIC COMMENTS- none

### NEW BUSINESS

**SUBJECT:** Review accessory dwelling unit 408 Devon Street The proposed accessory dwelling unit at 409 Devon Street will be 596 gross square feet. The Dwelling will contain one bedroom and bathroom along with customary living space. The applicant anticipates being able to rent the unit, or make it available to family and friends. Staff recommends approval of this permitted use in accordance with Sec. 6-4 of the Zoning Ordinance and with the definition of Accessory Dwelling Units per Sec. 2-1 as it pertains to the construction of an accessory dwelling unit in the R-5 district. The PARC committee made some recommendations and the applicant is willing to work with those but the applicant would like to keep the roof pitch at 16-12 as it is proposed instead of the 12-12 recommended by PARC.

**MOTION:** Member Woody seconded by Member Storie to approve the accessory dwelling unit as presented was approved by the following vote: Ayes: Members Parker, Storie, Woody, Fearing and Scarborough. Noes: None. Absent: None

**SUBJECT:** The applicant is requesting to increase the width of the wave attenuator from six to eight feet. The proposed wave attenuator is part a floating dock system. This is a change from the last proposal which had all the docks as fixed. The floating docks are being proposed in several locations to utilize the new type of wave attenuator. The proposed increase will fall mostly within the original foot print of the marina. There are two locations that the wave attenuator falls outside the foot print. The first location is on the north end of the existing pier by approximately 90 square feet and the second location would be on the south end of the existing pier and would be approximately 190 feet. Staff recommends approval in accordance with §3-21(b), of the Zoning Ordinance as it pertains to Minor Design Modifications to a Conditional Use Permit. Staff also recommends that approval be conditional upon the vegetation on the north side of the site, in the area of the proposed hotel and buildings 2 and 4, is re-established and enhanced in accordance with Sec. 15-4. 2. c. Natural Opaque Screen and as referenced in Mr. Doug Anderson's letter of May 21, 2008. The Board had questions about the benefits of a floating docks and Warren Eadus with the project commented about the safety of the floating docks and the pilings are installed the same way you would for a fixed pier and the floating docks are attached to the fixed pilings and have cut outs that ride up and down with the waves; structurally they are as strong as a fixed pier; benefit of having floating dock is that it is actually at the water level so when you pull the boat in you are not climbing up to or down to a fixed pier.

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

#### OLD BUSINESS

Review to do list-Chairman Parker commented he thought the amendments would be discussed at the BOC workshop session. The County plans for the old courthouse were discussed and nothing specifically has been done other than they are working with the Arts Council and finding funds to do the renovations is an obstacle. Planner Trebisacci commented that the Town is a "Preserve America Town" and they might be able to pursue that as a funding source for structural changes. Chairman Parker gave an update of the BOC October meeting; they tabled the review of the site plan review for the Indian Village at Festival Park; they approved a voluntary residential recycling franchise.

Commissioner Scarborough commented that there are things in the zoning ordinance that are never going to be enforced; and according to Section 15-4 they would have had to come inside five feet of the property line and landscape the other side of the fence

which increases the neighbors yard by 5 feet and is bringing it up because it will never be enforced. Chairman Parker commented that where a fence is required between a residence and a business the burden falls on the business. Planner Trebisacci commented that there are two other options in the ordinance that don't involve building a fence. Member Scarborough does not like the idea of having to give up 5 feet of your property to the neighbor plus having to maintain that 5 feet is something that will not be done. Chairman Parker also commented that the Commissioner's re-established the 50 foot setback in the B3 area. Member Scarborough would like to see any development in B2 to have a planted 15 foot no parking up to 5 feet. Chairman Parker also commented that technically the Commissioners never heard the Planning Board's recommendation they made about the setbacks in B2 and would like the Mayor to know that.

Member Storie asked if this board ever held workshops; she would like workshops to be held to help the members be informed of the changes that take place plus background information about previous issues; Chairman Parker commented that it has been his intention to take some time each month to go through the different zoning classifications, so a workshop would be helpful. Member Storie asked about the repair of the sidewalk by the high school and Mrs. Trebisacci commented sidewalk repairs have been put out to bid; she would also like the Manteo goals back on the wall and Mrs. Trebisacci commented she is working on that.

Member Fearing commented she walks along the boardwalk and at the end by Marshes Light she wanted to know who is responsible to maintain the trash bags/cans for that area and they are not doing a very good job of it. Planner Trebisacci commented that it is Marshes Light responsibility and she will talk to them about putting more cans out and maintaining them. Planner Trebisacci commented that she will not be here for the December meeting and that Mr. Boniface will be sitting in for her. Chairman Parker commented they would work on scheduling a workshop and Member Storie would like to have one during the daytime.

**MOTION:** Member Woody seconded by Member Fearing to adjourn at 6:45 pm was approved by the following vote: Ayes: Members Parker, Storie, Woody, Fearing and Scarborough. Noes: None. Absent: None

This 12<sup>th</sup> day of November 2008

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Bill Parker, Chairman

ATTEST:

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Becky Breiholz, Town Clerk