

MINUTES

The Town of Manteo Planning and Zoning Board met in Regular Session on Tuesday, September 14, 6:00 pm. at the Manteo Town Hall, 407 Budleigh Street

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

The following members were absent:

Also present at the meeting: Erin Trebisacci, Planner
Becky Breiholz, Town Clerk

Chairman Parker called the meeting to order at 6:00 pm

SUBJECT: Adoption of Agenda as presented

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

SUBJECT: Approval of Minutes regular meeting July 13, 2010

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

PUBLIC COMMENTS-

Allen Hall-with Adrianna's Restaurant received violation letter from Town about his sandwich board outside and wants the Board to consider possibly allowing small boards downtown.

Marcella Ortega-sandwich signs are a means of communication for small businesses and would like to see some stipulation on allowing sandwich boards.

Snow Skakle- outdoor hammock business her sandwich board is constructed of high quality and can not place sign on the building used to obtain her privilege

license because of square footage. Would like to know other ways to display signs.

Member Fearing arrived at 6:20 pm

Chairman Parker commented that the Board does not normally address public comments. This has been an issue off and on for years and if they are placed on your property the Town accepts that; when it is placed off property it is seen as another sign and does not conform to the Town's sign ordinance. It would be difficult to give one zone a different sign regulation and there is no quick and easy fix. Mrs. Trebisacci will research sign ordinances from other areas and provide to the Board at the October meeting for discussion. She will also contact Town Attorney Daniel Khoury in regards to the violation letters that were sent to see if they can be used as warnings to the business owners and not access a fine.

SUBJECT: Review house plans for Marshes Light Development In accordance with the Conditional Use Permit issued for Marshes Light this set of house plans requires approval from the Planning and Zoning Board for compliance with the Manteo Way of Building. PARC originally reviewed the plans at their July meeting and received revised plans in August. Please note that the front door is not shown on the plans and will require approval once the buyer selects a door. The developers would like to develop a portfolio of house designs that have already been approved by PARC and the Planning Board that they can offer prospective buyers. Staff recommends approval.

MOTION: Member Woody seconded by Member Fearing for a one time approval of the house plans with the front door and windows being clarified was approved by the following vote: Ayes: Members Parker, Fearing, Woody, Storie and Scarborough. Noes: None. Absent:

SUBJECT: Announcement of affordable housing award-Mrs. Trebisacci commented that we issued the first building permit for an affordable housing at The Flats.

Nancy Harvey-has been working with the Town on Special Events and placing notices in the kiosks. She talked to the Planning Board about the newsletter and what they want to be placed in the newsletter; the format and other issues of preparing a newsletter; and she wants their input. Chairman Parker commented that they have wanted a newsletter but would have to talk to the Commissioners. Discussion of what the newsletter should be about and thought that they would

like to focus on Town things.

SUBJECT: Review of affordable housing ordinance- Following a public hearing on the previously reviewed Affordable Housing ordinance, the Board of Commissioners requested that staff schedule a meeting with the Mayor, Manager, Planner and Developers to review the draft ordinance and see if there were any changes that could be made to make the ordinance work better. Staff scheduled that meeting and as a result drafted the language included in this package. The changes include the income qualifications and the period of affordability and resale requirements. During that meeting it was also suggested that the applicants for a unit or lot be required to produce additional information in their application to help ensure that this would not be an investment property. That information would include: 1)Three years of tax returns; 2)Applicant shall not be an LLC, Inc., must be sold to an individual or individuals.; 3) Shall not own other property in Dare County; 4)First time home-buyer. The Board discussed the other suggestions and a first time home-buyer could be a problem with people who have gone through difficult times and lost their home, or others affected by divorce. Chairman Parker commented that this goes contrary to what the intent was which was to keep affordable housing forever; the town created the lot by the allowing the extra density but thinks it is contrary to what the ordinance was meant to do. Discussion took place on the ability to sale the house for a profit and this is not the intent of the ordinance; if that was the case they would run out of affordable housing. The Planning Board recommends to change the income requirements by basing the rate on 80% of the median income which is \$63,300 for Dare County to capture as many applicants as possible; and keep the requirement of 3 years tax return being provided; keep requirement #2 that applicant shall be an individual; remove first time home buyers requirement and change requirement #3 about property ownership to state they shall declare ownership of any other real property. They recommend keeping Section 11-12 and 11-13 since the intention of the ordinance was that these properties be sold many more times than just once at affordable rates.

MOTION: Member Storie seconded by Member Woody to recommend to the Board of Commissioners: use 80% of the median income to capture as many applicants as possible; keep recommendation #1-furnish 3 years tax return; keep requirement #2 must be an individual; change requirement #3 to state “they shall declare ownership of any other real property and remove requirement #4 first time home buyers. Also recommend to keep Section 11-12 and 11-13 since the intent of the ordinance was for the affordable rates to stay affordable forever

was approved by the following vote: Ayes: Members Parker, Fearing, Woody, Storie and Scarborough. Noes: None. Absent:

Member Fearing commented about the light still glaring from RBC Bank. The Board discussed the sandwich sign at length and how it needs to be consistent for all businesses downtown and businesses on the highway. Need to keep as much balance as possible. Discussion of exempting the restaurants in B1 was discussed and allowing sandwich or menu boards on their property. Mrs. Trebisacci commented that she would like the language in the ordinance to be specific and that she would research and put it under Old Business next month. Mrs. Trebisacci will contact the Town Attorney about the violation letters that were sent out to the business owners regarding the penalty.

MOTION: Member Woody seconded by Member Storie to adjourn 7:55 pm was approved by the following vote: Ayes: Members Parker, Fearing, Woody, Storie and Scarborough. Noes: None. Absent:

This 14th, day of September 2010

Bill Parker, Chairman

ATTEST:

Becky Breiholz, Town Clerk