

MINUTES

The Town of Manteo Planning and Zoning Board met in Regular Session on Tuesday, January 12, 2016 at 6:00 p.m. at the Meeting Room at the Manteo Town Hall 407 Budleigh Street, Manteo, NC

The following members were present:

- Chairman Bill Parker
- Member Phil Scarborough
- Member Hal Goodman
- Member Rodney Benson
- Member Bebe Woody

The following members were absent:

Also present at the meeting:

- Erin Burke, Planner
- Becky Breiholz, Town Clerk

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

OATH OF OFFICE-Town Clerk Becky Breiholz gave Chairman Bill Parker, Member Bebe Woody and Member Rodney Benson the oath of office. Chairman Parker congratulated the appointees and thanked Member Fearing for her service.

SUBJECT: Adoption of Agenda as amended or presented

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

SUBJECT: Approval of Minutes Regular Meeting December 8, 2015

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

PUBLIC COMMENTS-

None

NEW BUSINESS

SUBJECT: Discussion of zoning text amendment to allow for permanent short term rental signs. At December's meeting the board discussed the addition of short term rental sign regulations to the sign ordinance. Staff had completed some research on similar regulations in adjacent beach communities. Planner Erin Burke provided the Board with the regulations below:

Currituck County

The county allows one on premise "For Rent" sign per property not to exceed 2 square feet or be mounted higher than 20 feet.

Duck

One non-illuminated rental real estate sign per street frontage. Such sign(s) can be up to 6 square feet in size and must be affixed to the structure being offered for rent. There's no specific height limitation.

Southern Shores

c. Temporary real estate sign, provided such sign shall be located on the site it advertises, shall be neatly painted and maintained, shall be removed when the property has been sold, shall not be illuminated, and in accordance with the following standards:

1. "For Sale" sign: One "For Sale" sign not to exceed five square feet in area, including riders, shall be permitted to be placed on the site it advertises. The lower edge of "For Sale" sign shall be no more than three feet above ground level, and the upper edge no more than five feet above ground level.

2. "For Lease" or "For Rent" sign: One "For Lease" or "For Rent" sign not to exceed 3½ square feet in area shall be permitted to be placed on the principal building it advertises.

Kitty Hawk

One sign advertising the rental of a residential structure shall be allowed. Such sign shall be affixed to the front wall of the residence and shall not exceed six square feet in area.

Nags Head

One "REAL ESTATE DIRECTORY" sign advertising the sale, rent or lease of such units shall be permitted in the required front yard. The maximum size of the directory sign shall be equal to one square foot of sign area per unit, plus 25 percent for decorative embellishments which shall include the street address of the property it advertises. However, in no case shall a directory sign exceed 36 square feet; or

Dare County

(6) Real Estate signs (For Rent, daily or weekly) – One non-illuminated real estate sign per street frontage, not to exceed 6 square feet in sign area. Such signs shall be affixed to the structure offered for rent;

The board discussed and agreed that they signs should be mounted on the building and limited to no larger than 20"x16" (2.2222 square feet).

ACTION REQUESTED:

Staff recommends that the Planning Board recommend a Public Hearing to the Board of Commissioners to adopt the following language:

Sec. 18-7. - Signs permitted in R-2, R-2M and R-5 districts.

(h) One sign advertising the rental of a residential structure shall be allowed. Such sign shall be affixed to the front wall of the residence and shall not exceed two square feet in area.

Sec. 18-8. - Signs permitted in B-1 district.

a. (10) One sign advertising the rental of a residential structure shall be allowed. Such sign shall be affixed to the front wall of the residence and shall not exceed two square feet in area.

The Members discussed whether this was for weekly rentals and Planner Burke commented that it is for short term rentals. Members discussed regulating the content and Mrs. Burke commented that we cannot regulate the content. The Board discussed the signs that are already up and Mrs. Burke stated that in Section 18-7 (f) of our zoning ordinance we already regulate freestanding signs in residential areas. Those signs are allowed to have the name of the home or name of owner and a web address not to exceed 2 square feet; they are not allowed to say for rent on them. Size of the signs was discussed and consensus of the Members was for the size to be consistent with the ordinance already in place and for those to be 2 square feet also. The Board discussed the color and Mrs. Burke stated we already have an ordinance that regulates color Section 18.6 (m). After discussion the Members would like the text amendment to include in the language that signs can only be affixed to the building and not to porch railings or porch posts.

MOTION: Member Goodman seconded by Member Woody to recommend to the Board of Commissioners to hold a public hearing for the temporary sign ordinance as amended to state can be affixed only to the building and not porch

railings or porch posts was approved by the following vote: Ayes: Members Parker, Benson, Woody, Scarborough, Goodman Noes: None. Absent: None

Review to Do List:

Setbacks was discussed and at a previous meeting the Board had asked Mrs. Burke to get a list of all the parcels on Highway 64 and their sizes. The Board had previously discussed where they might want to consider a fifty foot setback; the ordinance now is for 15 feet and the Members realized how close the buildings are to the highway after the addition to the Manteo Elementary School. Mrs. Burke compiled a list of those properties and the sizes (the list will be made a part of the minutes); she also included those parcels that are on Highway 64 but are not in Town but might want to request annexation. The Members also discussed that they might need to consider the depth of the lot. Mrs. Burke commented that she could provide the Members with the dimensions of the parcels. Consensus was for Mrs. Burke to provide the dimensions of parcels that are 1 ½ acres or smaller. Mrs. Burke commented that she would provide them with a spreadsheet of dimensions.

As the Board was going to the next item on the list people came into the building at 6:45 pm and requested to speak to the Board.

Ken Herman with Pirates Cove Realty would like to put up short term rental signs on properties he owns but does not want to put them up without approval. A lengthy discussion took place with Mr. Herman about the information previously discussed and the existing freestanding sign ordinance was explained allowing for a name and web site only. Mr. Herman explained that the NC Real Estate Commission requires that for real estate companies they need to put their identifying information on signs. Chairman Parker explained that the proposed text amendment will allow for that information to be included on the sign, but it cannot be on a free standing sign, and the those signs can be placed on the building but not on porches or porch rails, with the size being 2 square feet.

The Board then continued their review of the “to do” list. Parking was discussed and it was the consensus that setbacks and parking go hand in hand. When the setback was changed from 50 feet to 15 feet it allowed for parking setback of 5 feet. It was discussed that there was a problem with being able to see around those parked cars. Chairman Parker commented that he and Mrs. Burke will work on that this month and will provide more information at a later date.

Review Violation Ordinance List

Mrs. Burke went over the violation list and stated that the flag sign at McDonald’s has been removed but two yard signs have appeared. There is also an issue at the Vape shop with its flashing sign. She has informed them and the light has been turned to steady and it depends on who opens up whether it is flashing or steady. On Pugh’s violation Mrs. Burke commented that she is looking for the plat. She also informed the Board that she and Mr. Skinner have a meeting on Thursday with the ABC Board about their buffer violation.

BOARD MEMBER CONCERNS

Mrs. Burke informed the Board that the Commissioners have concerns about the length of time it is taking for the Weeping Radish building to be demolished and might request that the Planning Board prepare a text amendment for them to review. Our current ordinance does not state a time limit to complete a demolition it only states they have six months after getting a permit to start demolition. Suggestion by the Members were a penalty clause; 60 days from start to finish. This will be added to the “to do list.”

MOTION: Member Goodman seconded by Member Woody to adjourn at 7:30 pm was approved by the following vote: Ayes: Members Parker, Woody, Scarborough, Benson and Goodman. Noes: None. Absent: None

This the 12th day of January 2016.

Bill Parker, Chairman

ATTEST:

Becky Breiholz, Town Clerk