

MINUTES OF THE DARE COUNTY PLANNING BOARD MEETING

The Dare County Planning Board held their regularly scheduled meeting on Monday, February 14, 2022. This meeting was held in the Dare County Board of Commissioners meeting room located at the Dare County Administrative Building, 954 Marshall C. Collins Drive, Manteo, NC.

CALL TO ORDER 6:05 pm

ADMINISTERED OATH OF OFFICE

The Oath of Office was administered to Planning Board members, Terry Gore and Buddy Shelton as they were reappointed by the Board of Commissioners for a three year term.

MEMBERS PRESENT	John Finelli, Chairman	
	Beth Midgett	Buddy Shelton
	David Overton	David Hines
	Terry Gore II	John DeBoy (Remotely)

MEMBERS ABSENT

APPROVAL OF MINUTES

There being no corrections or additions to the minutes of the January 10, 2022 meeting of the Dare County Planning Board, Terry Gore made a motion to approve the minutes as submitted. Buddy Shelton seconded this motion.

Vote: Ayes – Unanimous

PUBLIC COMMENT

Comments from Megan Elder pertaining to Housing were emailed to the Planning Board and the Board of Commissioners. A copy is on file with the Planning Board Clerk.

OLD BUSINESS

-None-

NEW BUSINESS

-None-

OTHER BUSINESS

Zoning Amendments for Accessory Dwelling Units – Referral from Board of Commissioners.

Noah Gillam, Planning Director, read his staff comments. He said the Dare County Board of Commissioners directed the Planning Board and Staff to revisit the Accessory Dwelling Unit (ADU) ordinance and to draft new language that extends the ADU regulations to districts zoned single family residential in an attempt to build housing stock.

Mr. Gillam explained that Planning Staff reviewed the single family zoning districts to narrow down the districts where the addition of an ADU would potentially be in conflict with existing homeowners' restrictive covenants or would encounter environmental constraints. Mr. Gillam noted that out of the 11 districts reviewed the R-1 Residential and the East Lake Natural Historic District represent the best potential for construction of ADUs.

The Board was provided a copy of Section 22-58.6 Accessory Dwelling Units (adopted October 15, 2018), an Analysis of Zoning Districts and Potential Draft Conditions for their review.

Potential Draft Conditions for the R-1 Districts recommended by Planning Staff as follows:

1. Any ADU in the R-1 District shall be accessed from State maintained road/publicly dedicated road and/or 20' easement.
2. Establish a minimum lot size for R-1 District on which an ADU can be located.
3. Any ADU in the R-1 District shall adhere to the maximum allowable lot coverage for the R-1 Zoning District (30%).
4. Any ADU in the R-1 District that is located in a subdivision shall provide documentation from an attorney outlining title research and stating a conclusion of whether or not a covenant applies to the property.

Staff additionally recommended the ADU language for the East Lake Natural Historic District (ELNH) be consistent with the other East Lake Districts that have established language regulating ADUs.

The Planning Board discussed draft conditions as proposed.

Chairman Finelli recommended adding the words private road to draft condition 1 to read as: Any ADU in the R-1 District shall be accessed from State maintained road, publicly dedicated road, private road and/or 20' easement. The Board indicated consensus to the Chairman's recommended language change.

The Board discussed draft conditions 2 and decided not to include a minimum lot size on which an ADU can be located for the R-1 District.

Terry Gore recommended keeping the language consistent with existing ADU language of 38%. 38% lot coverage would only apply if the ADU was a separate structure. John DeBoy agreed with Terry Gore. The Board indicated consensus with Mr. Gore's recommended language change to draft conditions 3.

The Board discussed draft condition 4 and whether the proposed language was enforceable as written. David Hines additionally stated concern about differing attorney opinions becoming a potential conflict. It was decided the Board would seek clarification regarding the language of draft condition 4 from County Manager, Bobby Outten.

The Board indicated consistency for the East Lake Natural Historic District as requested by staff.

Discussion Regarding House Collapse – Rodanthe

The Board discussed the house collapse on Ocean Drive and the related debris field. No decisions were made as this was an update for Board informational purposes only.

ADJOURNMENT

There being no further business before the Dare County Planning Board, a motion to adjourn was made by Buddy Shelton and seconded by David Overton.

Vote: Ayes – Unanimous

The meeting adjourned at 7:24 p.m.

Respectfully Submitted,



Andrea DiLenge
Planning Board Clerk

APPROVED: March 14, 2022



John Finelli
Chairman, Dare County Planning Board