

## MINUTES OF THE DARE COUNTY PLANNING BOARD MEETING

The Dare County Planning Board held their regularly scheduled meeting on Monday, September 12, 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** 6:03 pm

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

### MEMBERS ABSENT

### APPROVAL OF MINUTES

There being no corrections or additions to the minutes of the July 11, 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

Geri Wenstrom, a Willett Tillett Rd. resident, expressed concern about the new dwelling placed at 1195 N Hwy 64/264, Manteo. Ms. Wenstrom is concerned the structure is a double-wide mobile home and wants to view the foundation plan. She asks the County to do more research as to what an on-frame modular is. She is also concerned there is no Port-A-John at the site as is required.

Public comment section closed at 6:10 pm.

### OLD BUSINESS

-None-

### NEW BUSINESS

#### ***Zoning Text Amendment to R-2B, Request to add Pet Crematorium as a Permitted Use, Pamela Anderson***

Pamela Anderson, Applicant, was present at the meeting.

Noah Gillam, Planning Director, addressed the Board. He said Ms. Anderson is seeking the addition of pet crematoriums to the list of uses offered in the R-2B zoning district.

Mr. Gillam noted that any text amendment to the R-2B district would apply to all lands zoned R-2B.

Mr. Gillam explained that the R-2B zoning district is primarily residential that offers some business and commercial uses including real estate offices, residential business, child care centers, and pet grooming and kennel facilities. The applicant currently operates a pet grooming and kennel facility located at 208 Williams Drive in Colington.

A copy of the R-2B regulations was provided to the Board for their review.

Staff recommended that pet crematoriums be added as an accessory use to pet grooming and kennel facilities or as a stand-alone use. The Board agreed that pet crematoriums should be added as an accessory use to pet grooming and kennel facilities. Mr. Gillam stated that the 2009 Dare County Land Use Plan includes two policies under Commercial Development that are pertinent to the proposed text amendment. LUC #5 encourages the continued existence of locally owned businesses in Dare County. LUC #6 addresses the scope of commercial development and the use of gross floor area limitations to manage the size of commercial development.

A copy of LUC #5 and LUC #6 was provided to the Board for their review.

Ms. Anderson, addressed the Board. She said an Air Quality permit is not required in North Carolina. She also elaborated on the need for pet cremation services in Dare County explaining that it would save residents from sending their pet to Elizabeth City and would be more cost efficient.

Terry Gore made a motion to recommend approval of the Proposed Text Amendment to allow Pet Crematoriums as a Special Use in the R-2B District as an Accessory Use to pet grooming and kennel facilities, subject to the following conditions:

- a. The crematorium is a minimum of 200 feet from a residential dwelling.
- b. The incinerator shall be contained inside a building.
- c. A licensed/certified crematory operator shall be on staff.
- d. Crematory services shall be limited to domesticated animals. Livestock shall not be permitted.
- e. All applicable Local, State and Federal laws and rules are in compliance and that all applicable licenses and permits are obtained and a copy is provided to the Planning Department.

The motion includes a Finding of Consistency with the 2009 Land Use Plan.

David Overton seconded the motion.

Vote: Ayes – Unanimous

This item will be forwarded to the Board of Commissioners to request a Public Meeting on this matter at the October 5, 2022 meeting. If approved, the Public Meeting will be held November 7, 2022 in the Dare County Board of Commissioners meeting room at 9:00 am.

***Special Use Permit Application No. 5-2022, Request to add a Child Care Facility at Manteo Faith Baptist Church, CIMAMI, LLC, Little School of Fish, 1037 Burnside Rd, Manteo, NC***

Elizabeth Shifflett, Applicant, was present on behalf of the property owner.

Noah Gillam, Planning Director, addressed the Board. He said a Special Use Permit (SUP) application has been submitted by Ms. Shifflett for a proposed child care facility at the Manteo Faith Baptist Church located at 1037 Burnside Rd., in Manteo. The property is zoned RS-8, and child care facilities as an accessory use of an existing church, school, or other public building are permitted subject to a special use review.

The applicant is proposing to operate four days per week, Monday through Thursday, for no more than four hours per day with two staff members and a maximum of 25 students. Mr. Gillam noted that operating on this schedule allows the applicant to provide child care services without licensing requirements from the State of North Carolina. Conditions have been added to the draft SUP to reflect these limits.

Mr. Gillam further explained that the applicant has met with the Dare County Fire Marshal and staff from the church to determine what areas of the church meet code requirements for a child care facility and have determined the fellowship hall meets all requirements of the Fire Code and NC Building Code. All child care activities shall be limited to the fellowship hall and the fenced outdoor area. Mr. Gillam stated existing parking for the church shall serve as the parking area and pickup/drop off for the child care facility.

A draft copy of the SUP was provided to the Board for their review.

The Planning Board reviewed the draft SUP and deemed the conditions and site plan to be reasonable and appropriate.

This item will be forwarded to the Dare County Board of Commissioners for their consideration and will be subject to quasi-judicial review at the Board of Commissioners level, which requires sworn testimony and other rules of procedure specific to quasi-judicial items.

**OTHER BUSINESS**

-None-

**ADJOURNMENT**

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

Vote: Ayes – Unanimous

The meeting adjourned at 6:41 p.m.

Respectfully Submitted,



Andrea DiLenge  
Planning Board Clerk

APPROVED: November 14, 2022



John Finelli  
Chairman, Dare County Planning Board