

MINUTES OF THE DARE COUNTY PLANNING BOARD MEETING

The Dare County Planning Board held their regularly scheduled meeting on Tuesday, October 3, 2023. 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 5:58pm

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

MEMBERS ABSENT Buddy Shelton

APPROVAL OF MINUTES

There being no corrections or additions to the minutes of the September 5, 2023 meeting of the Dare County Planning Board, Terry Gore made a motion to approve the minutes as submitted. David Overton seconded this motion.

Vote: Ayes – Unanimous

PUBLIC COMMENT

Chairman Finelli outlined the procedure for making Public Comments. There were no public comments made at this meeting.

Public Comment Closed at 6:00

OLD BUSINESS

-None-

NEW BUSINESS

- ***Special Use Permit Application - Group Development consists of storage warehouses, 40041 Brinkley Lane, Avon (Parcel 014720000) Applicant: Rick Albaugh***

Mr. Noah Gillam, Planning Board Director, began by stating that Rick Albaugh submitted an application for a Group Development for storage warehouses located on his property at 40041 Brinkley Lane in Avon. This parcel is zoned C-2 Commercial and storage warehouses are permitted as a special use. He outlined that the property currently has two storage warehouses on it that were constructed prior to zoning in Avon. The buildings were originally constructed in 1985 and Avon was zoned in 1992.

The applicant is seeking to add an additional principal use structure to the property. The proposed addition is a 60' x 20' building that will be divided into 6 units for self-storage. Mr. Gillam stated that the Fire Marshal was provided a copy of the site plan and upon his review has noted that a fire hydrant would need to be installed along Westerly Lane, as well as the potential need for some road improvements along the existing Brinkley Lane.

Mr. Albaugh, the applicant/property owner was present and provided feedback on the details of conditions of the SUP, including the Fire Marshals recommendations and the maintenance of the road. He provided a copy of his lease agreement that stated the terms and conditions of leasing his units, which he believes complies with the conditions of the SUP. He also mentioned that he is constructing six-(6) 10' x 20' units with firewalls between each unit, suggesting he is above what is required under the fire code. Mr. Gillam stated that he could not speak to the requirements of the Fire Marshal and advised that all structures and improvements shall be compliant with the requirements of the Dare County Fire Marshal and North Carolina Fire Code. Mr. Gillam also pointed out the Special Use Permit is not a personal right but is tied to the specific parcel of property for which it is issued. He further explained that if the property sells, the SUP then transfers with the sale of the property to the new owner.

Chairman Finelli acknowledged that Mr. Albaugh's chief concerns were pertaining to the Fire Marshal and offered him the option of putting this on hold until he was able to communicate with the Fire Marshal and address his concerns, however, Mr. Albaugh stated that he did not want to delay this process. He stated that he wanted to proceed in taking this to the Board of Commissioners and would attempt to connect with the Fire Marshal prior to the next Commissioners meeting to address his issues.

A motion was made by David Hines to forward this to the Board of Commissioners with a finding that the conditions of the draft SUP are reasonable and appropriate. Seconded by Terry Gore.

Vote: Ayes – Unanimous

- ***Preliminary Plat Revision - Lot 4, Murray Bay Subdivision, 52185 Mare Vista Dr., Frisco (Parcel #: 014896000)***

William Yetzer, with Sea Level Consulting, was in attendance representing the applicant.

Mr. Gillam began by informing the Board that this subdivision was previously approved in February and has since been reconfigured to address the Fire Marshal's comments and the access road location.

This is a greater than 2- acre parcel with a proposed 5 lots, which will be serviced with Dare County central water and individual on-site septic systems. These lots will be accessed from a proposed 20' wide gravel road. Mr. Gillam detailed information that should be noted on the plat. He listed the following: The existing easement will be improved per the requirement of the ordinance and capable of handling emergency and trash collection vehicles. The existing dilapidated building would need to be demolished before recording the final plat. The fire hydrant, together with the requested No Parking signage be installed at the request of the Fire Marshal, as well as any of the easement improvements are to be shown on the final plat prior to recording. Additionally, it was expressly stated by Mr. Gillam that it will be the applicant's responsibility for the maintenance of the easement. Chairman Finelli suggested adding covenants in place to ensure funds are available to keep this easement maintained.

Mr. Yetzer confirmed the wetland fill will be the responsibility of the individual lot owners.

Chairman John Finelli made a motion that we Grant approval, subject to the following:

1. A front yard minimum building line of 25 feet shall be shown on the southern property line of Lot 4E.
2. The 20 foot improved roadway easement shall be shown on the Plat.
3. A note shall be included on the Plat that the roadway easement shall be maintained by the property owners of Lots 4A, 4B, 4C, 4D and 4E. The easement shall be a minimum of 20 feet in width and maintained so that it is capable of supporting a 75,000 pound fire apparatus.
4. Prior to recording the Final Plat, the required fire hydrant shall be installed and the 20 foot roadway access easement agreement shall be recorded at the Dare County Registry.
5. All applicable State and Federal permits, including a Wetlands Fill Permit from the Army Corps of Engineers / and or Division of Coastal Management, shall be obtained and a copy provided to the Dare County Planning Department.
6. The subdivision shall meet the requirements of the Dare County Fire Marshal, including required signage, as outlined in his memo to the Dare County Planning Department on January 30, 2023.
7. The dilapidated building on Lots 4A and 4B shall be removed prior to recording the Final Plat.

This was seconded by Terry Gore.

Vote: Ayes – Unanimous

OTHER BUSINESS - None

ADJOURNMENT

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

Minutes of the Dare County Planning Board
October 3, 2023 meeting

Vote: Ayes – Unanimous

The meeting adjourned at 6:44 p.m.

Respectfully Submitted,



Jeni Ellington
Planning Board Clerk

APPROVED: November 7, 2023



John Finelli
Chairman, Dare County Planning Board