

MINUTES OF THE DARE COUNTY PLANNING BOARD MEETING

The Dare County Planning Board held their regularly scheduled meeting on Tuesday, July 2, 2024. 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 6:00 pm

MEMBERS PRESENT John DeBoy, Chairman Terry Gore II
David Hines Eddie Twyne

MEMBERS ABSENT Beth Midgett
Buddy Shelton
David Overton

APPROVAL OF MINUTES

There being no corrections, deletions or additions to the minutes of the June 4, 2024 meeting of the Dare County Planning Board, David Hines made a motion to approve the minutes as submitted. Terry Gore seconded this motion.

Vote: Ayes – Unanimous

PUBLIC COMMENT

At 6:02 p.m. Chairman DeBoy outlined the procedure for making Public comments. Lorraine Tillet approached the podium to express her support of the zoning text amendment shown on the agenda.

Public Comment Closed at 6:03.

OLD BUSINESS

-None-

NEW BUSINESS

- **Preliminary Plat Review for Minor Subdivision** - 53206 Lands End Way, Frisco, Lot IA
- Submitted by Paul J. & Barbara A. Warnell

Mr. Gillam began by stating that attorney David Dixon of Dixon & Dixon is present as a representative of Paul & Barbara Warnell in this minor subdivision review. He also noted the size of the parcel exceeds the threshold for administrative approval, which is why this is under review. Mr. Gilliam detailed that the total site is 2.7 acres and is situated in the S-1 zoning district in Frisco and will be accessed off an existing easement that connects to Lands End Way. Mr. Gillam provided the preliminary plat, which shows the parcel is to be divided into 2 lots and outlines the 30' CAMA buffer, 75' AEC, together with all the minimum building setback lines. Additionally, he acknowledged the two structures on the property, stating that after the division, the single family dwellings will be located on separate lots.

Attorney David Dixon communicated the property would be sold, which is the purpose behind the division of the property, therefore separating the two structures. He added that the right of way is a paved road.

Terry Gore made a motion to grant approval of the preliminary plat for the Warnell Subdivision. Seconded by David Hines.

Vote: Ayes – Unanimous

- **~~Amendment to Special Use Permit #5-2012 City Beverage/Ace Mini storage group development, 1099 Driftwood Drive, Manteo Submitted By JT Dixon~~**
RESCHEDULED TO A LATER DATE
- **Text Amendment to Section 22-27.14 MC-2 Zoning District** to allow for an increase in building height for boat building facilities. Submitted by Ricky Scarborough Jr.

Mr. Gillam began by stating that Rick Scarborough Jr., the applicant, has submitted an application to request an amendment to the MC-2 zoning district. The applicant is seeking that the language be amended to allow for an increase in the building height limits for boat building facilities. He noted that boat building facilities are a special use in the MC-2 and are currently subject to a height limit of 40 feet measured from 8 feet NAVD 1988. The applicant is requesting that the height limit for boat building facilities be amended to allow for a height of 52 feet measured from 8 feet NAVD 1988.

Mr. Gillam specified the MC-2 district was adopted on March 24, 2006 and is only located in Wanchese and encompasses all the parcels located on Harbor Road leading up to the entrance of the Wanchese Industrial Park. Mr. Gillam detailed that Mr. Scarborough owns parcel 013331001 located at 370 Harbor Rd, Wanchese and currently operates a part of his business, Scarborough Boatworks on the parcel. Mr. Gillam further explained that since the adoption of the MC-2 zoning district, our local boat builders have experienced an increase in the length and size of their boats to meet the customer request and to stay current with the trends of the sport fishing industry. He detailed the current height limit for boat building facilities in the MC-2 does not allow the boat builders enough height to bring the larger boats inside once the superstructure is installed on the boat. An increase in the height limit would afford boat builders in the MC-2 the ability to finish and make repairs to boats inside protected from the elements. Mr. Gillam noted that currently in Dare County only one building located in the industrial park, which is exempt from County zoning regulations can accommodate the larger boats. Presently, in the MC-2 zoning district the permitted use of boat dry dock storage facilities are afforded an increase in the height limitation. Boat dry dock storage facilities are allowed to have a height of 50 feet measured from the finished elevation. Once a boat is placed on the dry dock storage structure the overall height of that facility could exceed 60 feet depending on the size of the boat and its associated features being stored on the dry rack. It is staff's opinion that affording boat building facilities an increase in their height limits would not disrupt the flow and appearance of the zoning district and surrounding neighborhood.

Mr. Gilliam advised that with the review of any proposed zoning text amendment, a finding of consistency with the Dare County Land Use Plan must be included with any recommendation made by the Planning Board. He stated the 2022 Dare County Land Use Plan recognizes throughout the document the importance of the historical marine-related industries and maintaining the traditional livelihoods of our citizens. Boat building facilities fall into both of those categories. There are two policies in the Land Use Compatibility section that apply to the proposed amendment. The first policy is LUC #1 under the Coastal Heritage and Overall Development Practices heading which states that Dare County recognizes the importance of our coastal village heritage and will continue to foster this heritage through the use of appropriate land use policies, regulatory guidelines, and other County ordinances. The second policy is LUC #13 under the Industrial Development heading that states, the siting of industrial development should be evaluated relative to its impacts on environmentally sensitive natural

areas and compatibility with existing patterns of development. Boat building, commercial fishing and construction are recognized as traditional industries and employment sectors in Dare County that are consistent with our coastal heritage. Mr. Gillam reviewed other properties, specifically the larger parcels in the in the MC-2 district and has drafted the following limitations within the language of the special use:

(1) Boat building facilities, if constructed after *March 24, 2006*. *Boat Building facilities shall have a maximum building height limit of 52 feet measured from 8 feet NAVO 1988 provided the following conditions are met:*

- A. *Shall be located on a parcel of land containing not less than 1 acre*
- B. *Shall be separated by a minimum distance of 100 feet from a residential structure measured from exterior wall to exterior wall*
- C. *No more than one structure on the parcel shall be allowed with a building height exceeding the building height limit of Section 22-27.14 (d)(7)*
- D. *Structures exceeding the building height limit of Section 22-27.14 (d)(7) shall be separated by a distance of 300 feet measured from exterior wall to exterior wall.*

Terry Gore made a motion that the zoning consistency determination was considered and found to be reasonable and consistent with the Dare County Land Use Plan and therefore the proposed text amendment be adopted. Seconded by David Hines.

Vote: Ayes – Unanimous

OTHER BUSINESS - None

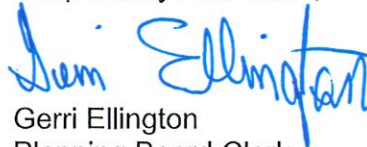
ADJOURNMENT

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

Vote: Ayes – Unanimous

The meeting adjourned at 6:16 p.m.

Respectfully Submitted,



Gerri Ellington
Planning Board Clerk

APPROVED: August 6, 2024



John DeBoy
Chairman, Dare County Planning Board