

MINUTES OF THE DARE COUNTY PLANNING BOARD MEETING

The Dare County Planning Board conducted their regularly scheduled meeting on Tuesday, September 3, 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
Beth Midgett Buddy Shelton
David Hines Terry Gore II
Eddie Twyne

MEMBERS ABSENT David Overton

APPROVAL OF MINUTES

There being no corrections or additions to the minutes of the September 3, 2024 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

At 6:01p.m. Chairman DeBoy outlined the procedure for making Public Comments. There were no public comments made at this meeting.

Public Comment Closed at 6:01p.m.

OLD BUSINESS -None

NEW BUSINESS

- **Preliminary Plat Review** - Lot 5r, Tyne's Manor S/D, Two lot division; Parcel #025030009, Manteo Out - Submitted by Faye Morgan

Eddie Twyne, Planning Board member, recused himself from this matter.

Mr. Gillam, Planning Director, began by stating the total site area of this parcel is just over 106,000 sq. ft. and informed the Board that the owners are proposing to cut one additional lot out of the parent acreage, with the smallest lot being 35,020 sq. ft. He further detailed that the property is zoned R-1 and exceeds the minimum lot size requirement for lots serviced by a private well. Mr. Gillam relayed that this proposal has been reviewed by the Dare County Fire Marshal, who placed a condition that upon any further divisions, the property will need to be brought up to compliance of the code, which would likely mean the extension of the water main. Additionally, Mr. Gillam stated the lots will be accessed off Rogers Road, whereby the accesses are configured in a flag shape and noted the flag access areas will need to be improved with gravel, stone or other surface materials that would accommodate emergency service vehicles. Mr. Gillam acknowledged the 30' CAMA buffer, 75' AEC and all minimum building setback lines are all shown on the plat.

Terry Gore made a motion that the preliminary plat for the Faye Morgan Lot 5R, Tyne's Manor Subdivision be granted approval. Seconded by Buddy Shelton.

Vote: 6 Ayes – 1 Abstention

- **Special Use Permit 04-2024**, 18 Unit Cluster Home Development, Parcels 031018918 & 031018917, 0 & 41194 Keel Court, Avon Submitted by Kinnakeet Villas LLC

Mr. Gillam, Planning Director, informed the Board that a Special Use Permit application and a site plan for an eighteen-(18) home, cluster home group development has been submitted by Ted Lloyd. He noted the parcels for the development proposal are located on Big Kinnakeet Dr. in Avon and are identified as parcels 031018917 and 031018918. Mr. Gillam detailed that the property is zoned C-2 Commercial and cluster homes are permitted, subject to a special use permit review. He further detailed that residential uses in the C-2 are subject to the dimensional standards of the R-3 zoning district and that a recombination plat combining the two parcels will need to be recorded in the Dare County Register of Deeds prior to ground disturbing activities and site development. Mr. Gillam outlined that a cluster home development is defined in Section 22-2 of the Dare County Zoning Ordinance, as a residential group development project consisting of more than one residential dwelling on one parcel of land whereby the dwellings are occupied on a long term basis and that such developments are subject to review and approval according to the provisions of Section 22-31.1 of the Dare County Zoning Ordinance. Additionally, he noted that long-term occupancy is defined in the County Zoning ordinance as a residential dwelling that is occupied and used for residency and housekeeping purposes for a period of 31 days or more. Mr. Gillam detailed the proposed parcel area for the cluster home group development will be 1.81 acres (79,258 SQ.FT.) after the recombination of the two parcels. He further stated the R-3 zoning district allows for 10 dwelling units per acre and advised that the applicant is proposing to construct 18 - two bedroom dwellings on the parcel, which meets the dwelling density requirements of the R-3 ordinance. He added that all dwelling structures in a cluster home development are limited to 1,200 SQ.FT. of heated/conditioned space and noted that the site plan depicts each of the 18 dwellings at 800 SQ.FT with a minimum separation of 15 feet meeting the requirements of the ordinance. Additionally, Mr. Gillam advised that Section 22-31.1 requires a cluster home development that cannot be properly serviced by emergency or service vehicles from an existing abutting road, shall be made accessible to such vehicles from a 30 foot right-of-way with 20 foot of paved improvements. He detailed that the site plan depicts 11 of the 18 dwellings being accessed from the existing 30-foot right-of-way that is Big Kinnakeet Dr., adding that the applicant is proposing to install a new 20 foot wide paved road with a 30 foot right-of-way accessed off of Big Kinnakeet Dr. to access the remaining 7 dwellings and the new road shall be paved to have an all-weather surface capable of carrying the imposed weight of fire apparatus of at least 75,000 pounds and maintained with a clear height of 13-feet 6-inches, meeting the requirements. Mr. Gillam also addressed many other relevant matters, such as parking and wastewater for the proposed development, the required permits for sewer extensions, extensions of existing water lines to provide potable water and accommodate the installation of a new fire hydrant, as well as erosion and sediment control permits. He noted these conditions meet the standards and have all been added to the draft Special Use Permit. Mr. Gillam further advised the Board, the applicant plans to manage

stormwater runoff internal to the property through a series of basins and swales as depicted on the site plans grading and drainage plan and advised the State permits will be applied for once the applicant receives local approval and copies of approvals shall be provided to the planning department before ground disturbing activities can occur. Mr. Gillam also acknowledged the Dare County Fire Marshal has approved the site plan and provided comments and conditions that have also been included in the draft SUP, together with the applicant's proposal to install and maintain a vegetative buffer along the southern property boundary where the property directly abuts neighboring residential lots. Mr. Gillam completed his presentation by stating that a copy of the as-built site plan will need to be recorded in the Register of Deeds once the infrastructure improvements have been completed and detailed that if it is the intention of the developer to sell the individual footprints of the structures, then homeowner's documents will be needed. He stated that only the footprint of the structure can be conveyed to the individual owners with the remainder of the site designated as common area and the homeowner's documents shall include language that defines the occupancy of the structures as long-term as defined in the Dare County Zoning Ordinance (longer than 31 days) and noted this information shall be noted on the final recorded as-built as well. Lastly, he noted the suggestion of board member David Overton suggesting the addition of a centralized dumpster.

David Hines made a motion to advance this to the Board of Commissioners finding the site plan and conditions of the draft SUP, including the addition of the centralized dumpster, reasonable and appropriate for the intended use. Terry Gore seconded the motion.

Vote: Ayes – Unanimous

OTHER BUSINESS - None

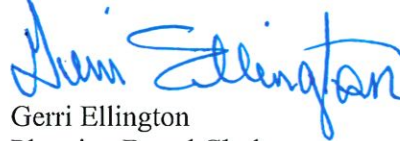
ADJOURNMENT

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

Vote: Ayes – Unanimous

The meeting adjourned at 6:00 p.m.

Respectfully Submitted,



Gerri Ellington
Planning Board Clerk

APPROVED: October 1, 2024



John DeBoy
Chairman, Dare County Planning Board