



Dare County Planning Board Virtual Meeting
Meeting will be streamed live on YouTube
Dare County Board of Commissioners Meeting Room
954 Marshall C. Collins Drive
Manteo, NC 27954

November 9, 2020

Agenda

- I. Call to order **6:00 PM**
- II. Approval of minutes for the October 12, 2020 meeting
- III. Public Comment

Public comment may be presented to the Board in advance of the meeting by sending an email to: dcplanningbd@darenc.com. Emailed public comments will be received by the Board until 4:00 PM on the day of the meeting.
- IV. Old Business
 - a. None
- V. New Business
 - a. Sketch Plan to Add Additional Travel Trailer Sites, Avon by the Sea RV Park, Avon, NC
 - b. Preliminary Plat Review, Old Wharf Estates, LLC, Phase 2, Wanchese, NC
 - c. Conditional Use Permit Application for Cluster Home Development, HWY 12 Retreat, LLC, Waves, NC
 - d. Request to Amend Conditional Use Permit, Rodanthe Sunset Resort, Phase 2, Rodanthe, NC
- VI. Other Business
 - a. Discussion of Camping Cabin Regulations Referred by Board of Commissioners
 - b. Approval of the 2021 Planning Board Meeting Dates and Submission Dates Calendar
- VII. Adjournment

MINUTES OF THE DARE COUNTY PLANNING BOARD MEETING

The Dare County Planning Board held their regularly scheduled meeting on Monday, October 12, 2020. 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.

The meeting was streamed live at: www.youtube.com/darecounty

CALL TO ORDER 6:00 pm

MEMBERS PRESENT John Finelli, Chairman
Michael Barr Beth Midgett (remotely)
Terry Gore II Buddy Shelton
David Hines

MEMBERS ABSENT David Overton

APPROVAL OF MINUTES

There was a correction to the minutes of the September 14, 2020 meeting of the Dare County Planning Board. The correction was made to the first sentence of the first paragraph on page four. The word "not" was removed, such that it reads: Mr. Finelli added that Ms. Creef has stated that Travel Trailer Parks in existence before the ordinance will be grandfathered and may not be subject to this. Terry Gore made a motion to approve the minutes as corrected. Buddy Shelton seconded this motion.

Vote: Ayes – Unanimous

PUBLIC COMMENT

John K. Fort, of 27668 Highway 12, Salvo, provided email comments to the Board in opposition to amending Black Dog Harbor Conditional Use Permit No. 8-2004.

Brian C. Smith, Member of the Black Dog HOA, provided email comments to the Board in support for amending Black Dog Harbor Conditional Use Permit No. 8-2004.

Shannon Sady, Member of the Black Dog HOA, provided email comments to the Board in support for amending Black Dog Harbor Conditional Use Permit No. 8-2004.

Ben Sady, Member of the Black Dog HOA, provided email comments to the Board in support for amending Black Dog Harbor Conditional Use Permit No. 8-2004.

DRAFT

LAND OF BEGINNINGS

PRINTED ON RECYCLED PAPER

Cody Bailey, Member of the Black Dog HOA, provided email comments to the Board in support for amending Black Dog Harbor Conditional Use Permit No. 8-2004.

Rusty Waldrop, of 27194 Black Dog Lane, Salvo, provided email comments to the Board in support for amending Black Dog Harbor Conditional Use Permit No. 8-2004.

Susan and Butch Barber, of Chocolate Lab Charters, Hatteras, provided email comments to the Board in support for amending Black Dog Harbor Conditional Use Permit No. 8-2004.

Aaron & Suzy Wendt, of 27190 Black Dog Lane, Salvo, provided email comments to the Board in support for amending Black Dog Harbor Conditional Use Permit No. 8-2004.

Stephen A. Welch, of 27552 NC Hwy 12, Salvo, provided email comments to the Board in support for amending Black Dog Harbor Conditional Use Permit No. 8-2004.

A copy of emailed public comments is available upon request.

OLD BUSINESS

Request for Extension of Preliminary Plat Approval for Chris and Cammie Daniels Subdivision, Wanchese

Donna Creef addressed the Board. Ms. Creef said this being a simple and straight forward request Staff excused the surveyor from attending the meeting in light of social distancing guidelines due to Covid-19 restrictions.

Ms. Creef said Seaboard Surveying on behalf of Chris and Cammie Daniels has submitted a letter requesting a twelve month extension of the preliminary plat approval granted to their division in November 2019. The Subdivision Ordinance allows for an extension if requested before expiration of the preliminary approval and if work has begun on the improvements. The letter from Ray Meekins indicates engineering work on the water line improvements is underway.

Staff recommends an extension be granted.

Terry Gore made a motion to approve the 12-month extension for preliminary plat approval for the Chris and Cammie Daniels subdivision requested by Seaboard Surveying & Planning, Inc. Michael Barr seconded the motion.

Vote: Ayes – Unanimous

NEW BUSINESS

Proposed Amendment to Conditional Use Permit No. 8-2004, Black Dog Harbor, Salvo

Mike Flipczak, President, Black Dog Harbor Owners Association, was present at the meeting.

Donna Creef read her staff comments. She said Black Dog Harbor is a group development in Salvo that was originally approved in 2004. Mike Flipczak, the current owner of the development, purchased the property in 2014.

Ms. Creef noted when this comes before the Board of Commissioners it will be held as a Quasi-Judicial Matter because it is a Conditional Use Permit (CUP).

Ms. Creef said Staff received email comments from the adjoining property owner to the south of the site, Mr. John Fort; his comments were opposed to the amended CUP. Ms. Creef noted eight additional comments were received in support of the amended CUP.

Mr. Flipczak is requesting Condition Use Permit No. 8-2004 be amended as follows:

Revised Condition #6 – Commercial activities shall be limited to two charter boats used for fishing or cruising whose customers and crew shall park in the designated overflow parking spaces in Black Dog Harbor. These charter trips shall be limited to the hours of 6:00 AM to 10:00 PM and shall require annual approval by the Black Dog Harbor Owners Association.

Revised Condition #7 – The boat basin, boat ramp and boat slips shall be for the exclusive use of the property owner, residents of the development and their guests.

Ms. Creef noted the property is zoned S-1 and all uses are permitted in this district. She added if the property was vacant and a request to use the small harbor as a commercial marina was submitted, the County would authorize the request because of the S-1 zoning.

The request from Mr. Flipczak is for the commercial use of two of the boat slips to be used for fishing and touring charters with specific hours of operation. Existing overflow parking spaces will be used by the charter boat crew and clients.

Mr. Flipczak addressed the Board. He said the HOA is concerned with Condition #7 of the CUP. The HOA wants to make sure rental guests would be able to use the harbor, walkways and gazebo.

The Board discussed the language in Condition #7 of the CUP. It was decided Staff will change the language to: The boat basin, boat ramp, and boat slips shall be for the exclusive use of the property owners, lessees, residents of the development and their guests.

The Board also discussed buffer requirements, parking, commercial fuel storage at the site and hours of operation for charter boats.

Terry Gore made a motion to recommend approval of the conditional use permit with language added to Condition #7 to allow tenants, guests and lessees of the boat slips and to prohibit commercial fuel storage at the site. David Hines seconded the motion.

Vote: Ayes – Unanimous

This will move forward to the Board of Commissioners for their consideration.

Sketch Plan Review, Jason & Tanya Hill, 4-Lot Subdivision, Colington

Jason Hill, Applicant and Property Owner, was present at the meeting.

Buddy Shelton made a motion to recuse Michael Barr from this portion of the meeting because Mr. Barr is employed by Bissell Professional Group and they represent the applicant. David Hines seconded the motion.

Vote: Ayes – Unanimous

Donna Creef presented her staff comments. Ms. Creef explained the property includes a large area of wetlands that will not be developed. As noted on the plat, only 1.85 acres will be developed into four lots with the smallest lot area being 15,007 square feet. There is an existing private road along the west side of the parcel that accesses several other properties. The Hills have not been able to come to terms with the other property owners to use the road as part of the division. The Subdivision Ordinance provides for exceptions to minor subdivision road requirements for properties that “involve” three acres or less. Since the majority of the property is wetlands, Staff recommends review of the subdivision as an exception with gravel improvements and a turnaround provided as depicted on the sketch plan. Ms. Creef added the construction

of a 30-foot wide road with 20 feet of paved improvements seems excessive for the associated level of development.

In exchange for the application of the minor subdivision exception language, staff recommends a restriction on a maximum number of four bedrooms as set forth in the Subdivision Ordinance and the wetland areas of the tract be dedicated as a conservation easement by the Hills.

Chairman Finelli asked what the intent for lot four is and how does that fit in to a conservation easement. Donna Creef said the conservation easement will apply solely to the coastal wetlands.

The Board indicated agreement to apply the exception language presented by Staff.

Buddy Shelton made a motion to have Michael Barr rejoin the meeting. Terry Gore seconded the motion.

Vote: Ayes – Unanimous

No official action was taken by the Planning Board because this was a sketch plan review.

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 Buddy Shelton.

Vote: Ayes – Unanimous

The meeting adjourned at 6:48 p.m.

Respectfully Submitted,

Andrea DiLenge
Planning Board Clerk

DRAFT

APPROVED: November 9, 2020

John Finelli
Chairman, Dare County Planning Board





County of Dare

P.O. Box 1000 | Manteo, North Carolina 27954 | 252.475.5000

October 22, 2020

MEMORANDUM

TO: DARE COUNTY PLANNING BOARD

FROM: Noah Gillam *NG*

RE: Joe Thompson (Avon Pier LLC) Travel Trailer Sites on Existing Commercial Property CUP Application (Avon by the Sea RV Park)

Joe Thompson on behalf of Avon Pier LLC has submitted a conditional use permit application to allow for travel trailer sites on his existing commercial property in Avon. The property is identified as parcel 014800000 on the Dare County tax maps. The parcel is zoned C-3 commercial, and travel trailer sites on commercial property are permitted as a conditional use. The travel trailer sites will also be subject to the guidelines and requirements of the Dare County Travel Trailer Park Ordinance.

The property is 4.85 acres and already operates as a commercial site. Chapter 160.32 of the Dare County Travel Trailer Park Ordinance allows for travel trailer sites in conjunction with other commercial uses. The applicant is proposing 26 sites on a two acre area dedicated solely to the use of the travel trailer sites. A site plan is attached to this memo showing the existing and proposed improvements on the property. The site plan shows the proposed travel trailer sites in a freeform configuration keeping the required 15 foot separation between sites as required by ordinance. A proposed bathhouse dedicated to the travel trailer sites is also depicted on the site plan.

The applicant plans to use the existing onsite storm water infrastructure and wastewater treatment and disposal system for the travel trailer sites. The existing infrastructure was originally designed to support a much more intensive use. The travel trailer sites will be able to utilize the existing infrastructure without exceeding the capacity of both systems. Development of travel trailer sites will reduce a portion of the existing lot coverage. The land disturbance associated with the installation of the travel trailer sites, and improvements is less than 1 acre so a permit from North Carolina Division of Environmental Quality will not be required.

The site plan shows a proposed vegetative buffer along the northern property line, however a vegetative buffer will need to be installed along the perimeter of all the travel trailer spaces, except those adjacent to the dunes where the dune will act as the barrier.

A typical cross section of the road improvements will need to be submitted as part of the permitting process.

As required by the CUP process adjoining property owners have been notified that a CUP for a travel trailer park has been applied for.

The Planning Board should be advised that even though this is being handled as a conditional use permit, the proposed project still has to follow the regulations set forth in the Dare County Travel Trailer Park Ordinance. So upon approval of the CUP, the applicant can apply for a building permit to start development. Then the applicant has 12 months to complete installation of improvements, and submit a final plat for the Planning Boards review.

A draft CUP is attached to this memo for boards review.

ANLAUF ENGINEERING, PLLC

Joseph J. Anlauf, P.E.

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October 12, 2020

Mrs. Donna Creef
Planning Director, Dare County Planning Department
954 Marshall C. Collins Drive
Manteo, NC 27954

Re: RV Park Sketch Plan
Avon by the Sea RV Park – Avon Pier, LLC
Avon, Dare County, North Carolina 27915

Dear Donna,

On behalf of Joe Thompson and the Avon Pier, LLC please find attached a preliminary plan for Avon by the Sea, an RV Travel Trailer Park, proposed to be developed at the Avon Pier site in Avon, Dare County, North Carolina.

As you may know the Avon Pier site functioned as a campground back in the late 1970's and early 1980's. This proposed plan proposes the restoration of a portion of the site to this historic use.

The preliminary plan submitted to the Dare County Planning Department is based on the September draft ordinance language (Chapter 160 Travel Trailer Parks and Campgrounds) which was recently recommended by the Dare County Planning Board for Dare County Board of Commissioner approval.

As you know the existing Avon Pier site is developed with the pier, pier house, a restaurant and all the supporting parking, stormwater, potable water supply and wastewater treatment and disposal infrastructure. For this reason the Avon by the Sea RV Park will be a shared use development. The following sections of this cover letter will describe the existing conditions on the site and how the proposed RV Park improvements will interface with these existing site elements.

Existing Site

The site has been improved for many decades with stormwater, potable water supply, fire suppression and wastewater treatment and disposal infrastructure, parking, curb and gutter and outdoor lighting for a proposed hotel. The bulk of these improvements were installed before 1996 when I was first employed as an engineer on the Outer Banks. For the most part this existing infrastructure has sat dormant since that time with only a portion of the utilities and improvements being used to serve the restaurant, pier and pierhouse and at one time a miniature golf course.

During this same time period the Avon Pier site has had several owners each with different plans to develop the site. Tim Thornton and the Avon Thornton Limited Development worked to

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secure a conditional use permit for a 100 room hotel. Ed Nunnally and the EWN Development Company some of the permits necessary to reconfigure the site with additional restaurants, retail shops, oceanfront homes and apartments. In each case the existing infrastructure was in place to support these types of developments. This is was due to the fact that the proposed development projects were similar or equal in size to the originally proposed development and supporting infrastructure.

The proposed RV Park will utilize the existing infrastructure without exceeding the capacity of the infrastructure and in some cases the RV Park development will reduce the impacts on the existing site elements.

Wastewater Treatment and Disposal

The existing wastewater system is comprised of the following elements:

- Built-in-place septic tank for the pier and pierhouse;
- 4000 gallon precast concrete grease trap for the restaurant;
- 6000 gallon precast concrete septic tank for the restaurant ;
- Three (3) gravity sewer manholes connected by approximately 300 l.ft. of 8"SS;
- A drainfield dosing pump station
- Two (2) active LPP fields (11 lines 228 l.ft. in length, 5' o.c.) & two (2) 100% repair areas;
- Miscellaneous lengths and diameters of sewer collection lines and forcemains;

The total capacity of the existing wastewater system is 12,540 gpd.

The wastewater system design flow for the existing uses is as follows:

- 150 seat restaurant = 6,000 gpd
- Pier = 530 gpd
- Pierhouse = 270 gpd
- Total Design Flow = 6,800 gpd

The surplus capacity of the wastewater system is 5,740 gpd (12,540 gpd – 6,800 gpd)

The proposed wastewater design flow for the Avon by the Sea RV Park is 3,120 gpd. This is based on 26 sites x 120 gpd site for a traditional RV travel trailer park with a bathhouse.

The surplus wastewater system capacity with the RV Park design flow included is 2,620 gpd (5,740 gpd – 3,120 gpd).

The existing gravity sewer collection system comprised of three (3) manholes and approximately 300 linear feet of 8" gravity sanitary sewer pipe was installed for the hotel and currently remains unused. It is tied into the existing drainfield dosing pump station but no flow is introduced into this portion of the upstream collection system because there are no uses on this existing alignment. This existing gravity sewer infrastructure alignment will be used to collect wastewater from the proposed RV Park. Some new septic tanks will be added for solids collection and treatment and individual sewer hook-ups will be provided for each RV site and the proposed bathhouse.

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This site is a shared use site with an existing wastewater collection, treatment and disposal system. The proposed park will have a properly sized bathhouse with 2 toilets, 2 showers and 2 lavatories per gender as well as sewer utility connections at each RV site. For these reasons no dump station is proposed for this site.

Water

The site is currently served by a 6" water main that provides both potable water supply and fire suppression capabilities. The water main extension contains a water meter at the NC 12 right-of-way and all of the water supply to the site is metered. This 6" main and related appurtenances, including 2 fire hydrants and several water services, was installed to serve the originally proposed hotel. The 6" water main has significant water carrying capacity and will easily serve the proposed RV sites. The water system will be modified slightly to provide individual water utility service to each RV site. Because all of the water system infrastructure is post a master meter no individual meters will be needed at each site.

Lot Coverage

As discussed previously in this cover letter the site contains a lot of existing improvements that were originally installed for a large hotel. The current lot coverage on the site is 50.21%. The maximum allowed coverage percent is 60%.

The proposed improvements associated with the RV Park actually represent a reduction in coverage. The improvements to the property for the RV Park will result in the removal of approximately 14,579 sq.ft. of impervious coverage and the addition of approximately 7,585 sq.ft. of impervious coverage. This is a net reduction of lot coverage of approximately 6,993 sq.ft. The construction of the new RV Park improvements will reuse and repurpose as much of the existing improvements as possible to make the most low impact project possible.

Stormwater

The existing stormwater infrastructure, located at the western extent of the development, was originally permitted for a large hotel. The stormwater collection, treatment and disposal system is permitted under permit number SW7920405. The stormwater infrastructure was designed for a greater volume of runoff than what is generated by the site improvements that are currently on site. The stormwater infrastructure, both conveyances and storage elements adequately serve the existing impervious surfaces. With the reduction of impervious surface these facilities will continue to provide this level of stormwater runoff management.

Land Disturbance

The construction techniques used for the RV Park improvements will work to reuse and repurpose the existing surfaces and materials on site. The land disturbance associated with this project will be limited to the demolition of portions of the existing surfaces and the installation of new surfaces. The plans call for the removal of approximately 14,579 sq.ft. of impervious cover and the installation of approximately 7,585 sq.ft. of new surface. Together these areas add up to approximately 22,164 sq.ft. The total proposed land disturbance will less than 1 acre in area so that these activities will not require a permit from the NCDEQ, Division of Energy, Minerals and Land Management (DEMLR).

Parking

The existing site has an abundance of parking spaces again these were installed for the hotel that was never built. There are a total of 219 spaces, 107 in asphalt and 112 in gravel surfaces.

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The submission is comprised of two (2) 24"x36" plan sheets. Sheet C1 describes the existing conditions on the shared use site and Plan Sheet C2 includes the illustration of the proposed RV Park.

Ten (10) paper copies and one (1) electronic copy are attached. The attached documents are being submitted for inclusion on the Planning Board agenda for the November 9, 2020 meeting. Please review the attached plans and please call with any questions at (252)489-7143.

Sincerely,

Anlauf Engineering, PLLC

 P.E. 10/12/20

Joseph J. Anlauf, PE

cc: Joe Thompson, Avon Pier, LLC

SUBDIVISION FACTSHEET
November 9, 2020 Planning Board Meeting

NAME: Old Wharf Estates Phase 2

LOCATION: Wanchese, NC

SITE SPECIFICS: Total site area: 9.1 acres

Number of proposed lots: 19

Smallest lot area: 15,000 square feet

Site Zoning: VR Village Residential

STREETS:

A new road will be constructed to access the division. The road will consist of a 45' wide right-of-way with 20 feet of paved improvements.

UTILITIES:

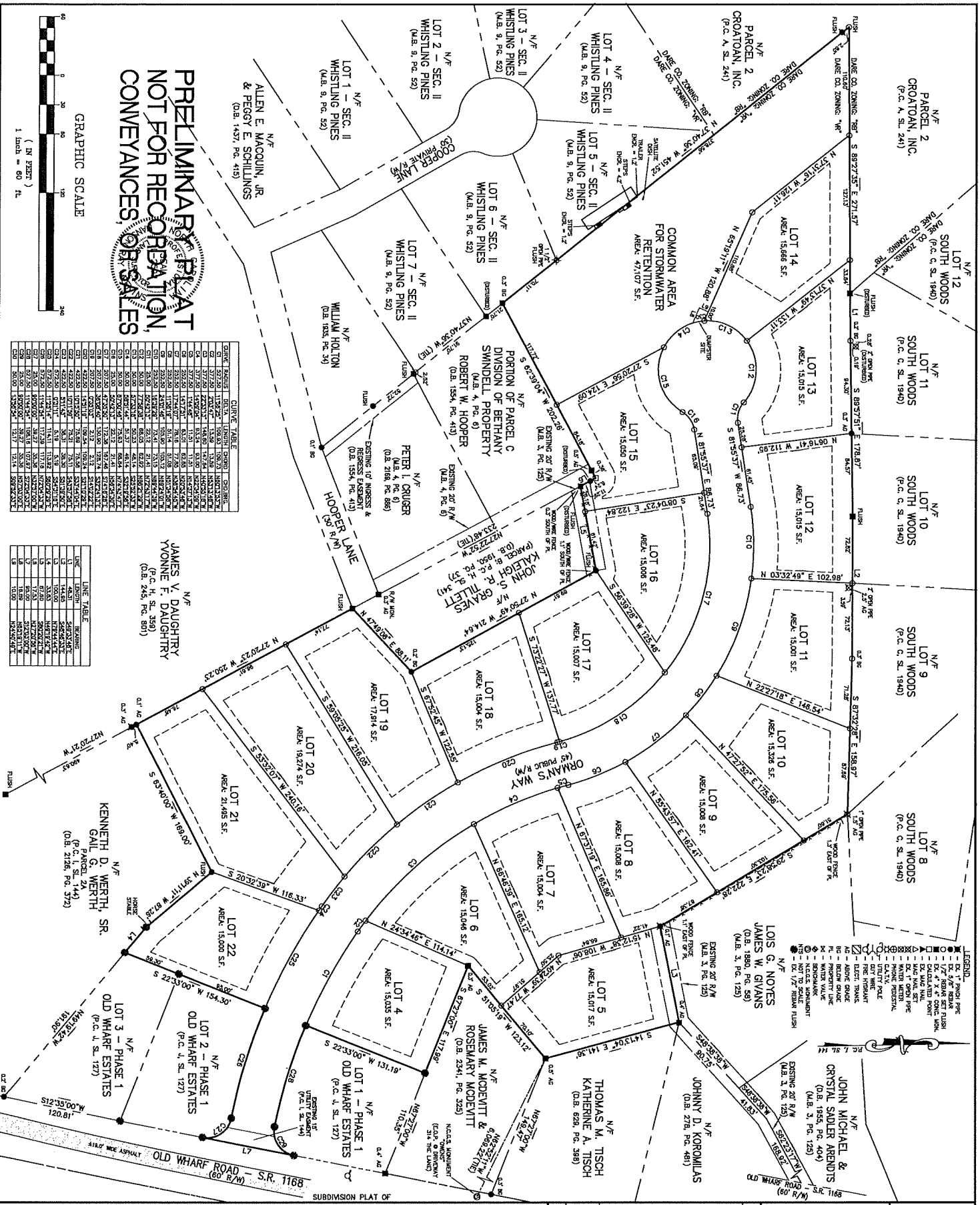
1. Water: Dare County central water system
2. Sewer: Individual on-site septic tank/drainfield systems.
3. Stormwater: A state stormwater management plan will be needed for the property. According to the terms of the Subdivision Ordinance, the state stormwater plan serves as the the stormwater plan for Dare County.

STAFF COMMENTS

All of the proposed lots contain the requisite minimum area of 15,000 square feet. The lots, except for lot 5, will be accessed from a new road proposed for the division. Lot 5 will be accessed from an existing 20' easement from Old Wharf Road. This easement currently serves as access to the entire parcel. Portions of the easement that extend beyond lot 5 will be abandoned since the new road will serve as access to the other lots. A large retention basin/common area is proposed at the end of the road. The maintenance of this area will be the developer's responsibility until such time that a homeowners association is established for its maintenance. Restrictive covenants to address this maintenance responsibility are needed before final plat recordation. I also recommend fencing be installed around the basin as part of the preliminary plat improvements. A state stormwater management permit is needed. According to the terms of the Subdivision Ordinance, the state permit serves as the county stormwater plan. The Subdivision Ordinance is specific that the state permit must be approved before County preliminary approval can be granted. The developer wanted feedback from the Board before submission of the stormwater plan to the State. The plat could be tabled and re-scheduled for action once the State permit is issued or the Board could grant preliminary approval subject to the State stormwater permit with the twelve-month preliminary plat approval period not established until the stormwater permit is approved.

Donna Creef / AD
Donna Creef

10/30/2020
Date



**PRELIMINARY PLAT
NOT FOR RECORDATION,
CONVEYANCES OR SALES**

GRAPHIC SCALE
(IN FEET)
1 Inch = 80 FT.



CURVE TABLE

CHORD BEARS	DETA	TANGENT	CURVE	CHORD	CHORD BEARS
100	100.0000	0.0000	100.0000	100.0000	100.0000
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110	110.0000	0.0000	110.0000	110.0000	110.0000
115	115.0000	0.0000	115.0000	115.0000	115.0000
120	120.0000	0.0000	120.0000	120.0000	120.0000
125	125.0000	0.0000	125.0000	125.0000	125.0000
130	130.0000	0.0000	130.0000	130.0000	130.0000
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LINE TABLE

LINE	BEARING	LENGTH
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6	N 90° 00' 00" E	100.00
7	N 0° 00' 00" E	100.00
8	N 90° 00' 00" E	100.00
9	N 0° 00' 00" E	100.00
10	N 90° 00' 00" E	100.00
11	N 0° 00' 00" E	100.00
12	N 90° 00' 00" E	100.00
13	N 0° 00' 00" E	100.00
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LEGEND

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- 144" PUNCH PIPE
- 168" PUNCH PIPE
- 192" PUNCH PIPE
- 216" PUNCH PIPE
- 240" PUNCH PIPE
- 270" PUNCH PIPE
- 300" PUNCH PIPE
- 324" PUNCH PIPE
- 360" PUNCH PIPE
- 432" PUNCH PIPE
- 504" PUNCH PIPE
- 576" PUNCH PIPE
- 648" PUNCH PIPE
- 720" PUNCH PIPE
- 792" PUNCH PIPE
- 864" PUNCH PIPE
- 936" PUNCH PIPE
- 1008" PUNCH PIPE
- 1080" PUNCH PIPE
- 1152" PUNCH PIPE
- 1224" PUNCH PIPE
- 1296" PUNCH PIPE
- 1368" PUNCH PIPE
- 1440" PUNCH PIPE
- 1512" PUNCH PIPE
- 1584" PUNCH PIPE
- 1656" PUNCH PIPE
- 1728" PUNCH PIPE
- 1800" PUNCH PIPE
- 1872" PUNCH PIPE
- 1944" PUNCH PIPE
- 2016" PUNCH PIPE
- 2088" PUNCH PIPE
- 2160" PUNCH PIPE
- 2232" PUNCH PIPE
- 2304" PUNCH PIPE
- 2376" PUNCH PIPE
- 2448" PUNCH PIPE
- 2520" PUNCH PIPE
- 2592" PUNCH PIPE
- 2664" PUNCH PIPE
- 2736" PUNCH PIPE
- 2808" PUNCH PIPE
- 2880" PUNCH PIPE
- 2952" PUNCH PIPE
- 3024" PUNCH PIPE
- 3096" PUNCH PIPE
- 3168" PUNCH PIPE
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County of Dare

P.O. Box 1000 | Manteo, North Carolina 27954 | 252.475.5000

October 30, 2020

MEMORANDUM

TO: Dare County Planning Board

FROM: Donna Creef 

RE: Waves Retreat Cluster Home Development

A conditional use permit application and site plan for a proposed cluster home development has been submitted for review at the November 9, 2020 Planning Board meeting. The property is zoned S-1 and currently consists of two parcels that will be combined for the cluster home development.

There is an existing house on the site. Section 22-31.1 establishes a maximum size limitation of 1200 square feet for any structure constructed in a cluster home development. This existing house is listed as 1,330 square feet of area on the tax records. It is an older structure and it seems wasteful to remove the demolition of the structure for compliance with the 1,200 square feet structure size of the cluster home development regulations. I have included conditions in the draft CUP that preclude additions to the structure and compliance with the size limitation should the structure be demolished.

All structures in a cluster home development must be separated by 15 feet. Although the structures appear to meet this separation on the site plan, a revised site plan indicating this measurement for all of the structures should be submitted.

There is an existing driveway that accesses the site which is proposed to be widened to 20 feet and improved with gravel. Section 22.31.1 states that cluster developments that cannot be properly served by emergency or service vehicles from an existing abutting road or street shall be made accessible to such vehicles from a 30' right-of-way with 20 feet of paved improvements. Comments from the Fire Marshal indicate the proposed gravel drive should be able to support 75,000 pounds. The road cross-section indicates gravel to a depth of 5 inches is proposed. This road will be the maintenance responsibility of the owner and/or homeowners association if the homesites are sold. This information shall be noted on the site plan. The project

engineer will need to certify that the road improvements have been constructed as proposed and approved.

The wetlands on the site have been flagged and verification from the Corps of Engineers is pending.

We have received an email from the adjoining property owner to the south. Mr. Munson is requesting a buffer of some type. The Planning Board should discuss this request. The S-1 district requires a visual buffer between residential and commercial but I think the planting of vegetation that will reach a substantial height in a couple of years is appropriate.

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. If it is the intention to sell the individual footprints of the structures, then homeowners documents will be needed. Only the footprint of the structure can be conveyed to individual owners with the remainder of the site designated as common area. I have included a condition that provides twenty-four months for building permits for the structures to be secured by the developer. The Planning Board should confirm this timeframe with the developer. It can be extended if needed based on input from the developer.

Section 22-31.1 states that any structure in a cluster home development shall be occupied on a long-term basis as defined in the Zoning Ordinance. Long-term is defined as a period longer than 31 days. This information should be noted on the site plan and in any homeowners documents created for the property.

The site plan indicates the unusually- shaped parcel to the north as part of the NC 12 Retreat LLC ownership however, the tax records list the property as "unknown owner, conflict" The site plan should be corrected to note the ownership as listed on the tax records. Any measurements for lot coverage should not indicate the area of this conflicted parcel.

Page 3, note 15 should be clarified – it states that the stormwater improvements cannot be relocated or removed without prior approval but does not indicate the approval agency. I think the note should be revised to indicate approval from the State of North Carolina and Dare County.

Note 6 on page 2 should indicate that all new structures shall conform to the Dare County Flood Damage Prevention Ordinance including a local elevation standard of eight feet.

Cc: Michael Strader

Conditional Use Permit Narrative

Waves Retreat Cluster Home Development, Dare County, NC
October 19, 2020



Overview

The Waves Retreat Cluster Home Development project is located at 25478 and 25486 NC Hwy 12 in Waves. The three separate parcels combined are 4.48 acres with an existing dwelling and associated concrete drive, parking and onsite wastewater system. The parcels are located in the S-1 (Special District) zone and the current use throughout the property is residential.

The proposed project includes the recombination of the three parcels into a single parcel to accommodate eleven (11) new single-family dwellings, in addition to the existing dwelling, the reconfiguration of a 20' width gravel access drive, with residential parking for each dwelling unit. The project proposes a new fire hydrant along NC Hwy 12, and individual water and septic improvements to serve the cluster home development.

This project is proposing a lower lot coverage amount than the 30% maximum allowed. Separation of the dwellings is also greater than the 15' minimum allowed. Finally, the approximate 1,200 sf of conditioned habitable space is within the maximum allowable size of cluster home dwellings and shall not be utilized on a transient, short-term basis as defined in Section 22-2 of the Zoning Ordinance.

Access and Parking

Each proposed 3-bedroom dwelling is accessed by the reconfigured gravel drive with concrete apron from NC Hwy 12. The new gravel drive is 20' width and designed to support and allow for turnaround of emergency and service vehicles and utilizes the existing entrance. Each dwelling has three parking spaces.

Stormwater Management

Proposed grading and stormwater management complies with NC DEQ DEMLR stormwater Regulations. Stormwater runoff from the 1 year 24-hour storm event (3.66 inches) is proposed to be stored/managed via vegetated infiltration swales and interconnected infiltration basins due to proximity of the project area to SA water classification. A high density stormwater permit shall be obtained prior to construction.

Utilities

Water: An existing water service line is available at the site. A new water line will be provided along with individual water meters to provide service to each dwelling unit. A new fire hydrant is also proposed within the northwestern quadrant of the NC Hwy12 intersection and reconfigured drive.

Wastewater: An existing on-site septic system serves the existing dwelling (copy of existing Improvement Permit #23239 on file). Eleven new on-site septic systems are proposed to serve each of the new dwelling units. A site evaluation was conducted by Jack Flythe, EAA Environmental Services, LLC and subsequent soil report provided on November 13, 2019. Applications (new systems conforming to current Regulations) will be submitted to Dare County Health Department for on-site wastewater improvement permits.

Power: The power for the proposed building shall be provided by Dominion Power. Existing

Conditional Use Permit Narrative
Waves Retreat Cluster Home Development, Dare County, NC
October 19, 2020

services are already available onsite.

Wetlands

The 404 wetland line was delineated by Quible and was field confirmed by USACE on 7/28/2020. A written Jurisdictional Determination is anticipated from USACE. Also, a Nationwide 18 Wetland Fill Permit approval will be necessary prior to proposed wetland impacts and filling.




County of Dare

P.O. Box 1000 | Manteo, North Carolina 27954 | 252.475.5000

October 30 2020

MEMORANDUM

TO: Dare County Planning Board

FROM: Donna Creef, Planning Director 

RE: Rodanthe Sunset Group Development

The owners/developers of Rodanthe Sunset Resort have submitted a revised site plan and conditional use permit amendment for the site which is located at 24280 NC 12 in Rodanthe. A CUP for this site was originally approved in 2008. This CUP has expired. The request submitted by the owners seeks to eliminate two commercial structures and construct all residential structures. Many of the conditions in the original CUP focused on the commercial development. I have processed the request as a new conditional use permit versus an amendment due to the expiration and switch to entirely residential structures.

The project summary from Mike Robinson, project engineer, describes the existing improvements and permits that have been secured for the site and outlines the proposed changes. With the elimination of the commercial structures, the allowable lot coverage reverts to 30% for residential developments. The overall number of units in the second multifamily structure remains at eight units. Two single-family residential structures with ten bedrooms each are proposed. The overall number of structures proposed does not vary from the total approved in 2008, just the nature of occupancy. There are also some adjustments in the spatial layout of the improvements as noted in Robinson's cover letter.

A division of the site into three lots was approved in 2016. The site plan appears to keep the wastewater improvements as a separate lot. I recommend all of the parcels be combined into one large tract.

Setbacks on site plan are for commercial structures. With the elimination of the commercial structures, the setbacks revert to the residential setbacks. The group housing setbacks supersede the S-1 residential setbacks, but I prefer the site plan to have correct information on it.

The Planning Board will want to discuss the timeframe for construction of the structures for inclusion in the CUP. I suggest a timetable of three years to secure the permits for all three structures unless the developer requests a longer time frame. I recommend no longer than five years. If the structures will be built separately, then individual preliminary site plans and individual as-built surveys will be needed as each structure is processed. If they are permitted at the same time, then one survey and one as-built will suffice. A condition to address the timing of construction is in the draft CUP I prepared.

Cc: Mike Robinson

Michael W. Robinson, P.E., P.L.S.

Rodanthe Sunset Resort – Conditional Use Permit Amendment

24280 NC Highway 12, Rodanthe, NC 27968

Existing and Proposed Development Summary

Prepared October 20, 2020 by Michael W. Robinson P.E., P.L.S.

Refer to preliminary plan plans prepared by Michael W. Robinson, P.E., P.L.S. titled "Rodanthe Sunset Resort – Phase 2", 2 sheet set dated 10-20-2020 as submitted to Dare County Planning on 10-20-2020.

Subject Property:

3.56 ac. located on the Pamlico Soundfront at 24280 NC Highway 12 in the Village of Rodanthe as described at Deed Book 1994 Page 0550, Plat Cabinet I, Slide 268 and Unit Ownership file F, Slide 268, Dare County, NC.

Existing Development:

Currently the site improvements include a 6 unit condominium building, each unit with 3 bedrooms for a total bedroom count of 18.

Additional site improvements include:

1. Wastewater collection and disposal system currently approved with lpp disposal for 8,088 gpd (with TS II additions).
2. Asphalt drives and parking
3. Existing swimming pool with concrete decking
4. Existing water line improvements with a 10" fire protection line, RPZ and individual meters/services for the existing condominium building.

Refer to plans prepared by Quible and Associates, P.C. titled "Sunset Resort – Phase II" dated 02-23-2007.

Current Approval:

Along with the existing 6 unit condominium, the current approved Conditional Use plan noted as Sunset Resort phase II includes the addition of:

1. Building 3 -An eight unit condominium building with 24 bedrooms.
2. Total Residential unit count as currently approved is 14 units with 42 total bedrooms.
3. Building 2 -A 5,400 sq. ft. commercial building
4. Building 4 – A 5,400 sq. ft. commercial building
5. Addition of additional drives and parking including a second driveway connection to NC Highway 12.
6. Impervious lot coverage = 64,528 sq. ft. (43.86%)

Refer to plans prepared by Quible and Associates, P.C. titled "Sunset Resort – Phase II" dated 02-23-2007.

Proposed CUP amendments:

The Developer proposes to amend the Conditional Use Permit to include the following:

1. Elimination of both commercial structures
2. Maintain currently approved Building 3 (shown as Building 2 on the current site plan) as an eight bedroom condominium building with 24 bedrooms. The building location has shifted slightly and the building has been revised dimensionally.
3. Add two single family residential dwellings, three story frame on piling foundation. Each dwelling with 10 bedrooms.
4. Total Residential unit count as proposed is 16 units with 54 total bedrooms.
5. Proposed lot coverage as proposed = 44,767 sq.ft. (28.9%)
6. Additional concrete or asphalt parking and drives including the previously approved second driveway connection to NC Highway 12.
7. Water system improvements to serve the single family dwelling and provide sprinkler connection to Proposed Building 2.
8. Addition of a TS-II wastewater treatment system to the existing wastewater system for a design flow of 6,720 gpd. A short gravity sewer extension will be required along with an additional manhole to provide sewer service to the single family residential units.

Refer to preliminary plan plans prepared by Michael W. Robinson, P.E., P.L.S. titled "Rodanthe Sunset Resort – Phase 2", 2 sheet set dated 10-20-2020 as submitted to Dare County Planning on 10-20-2020.

Permits and Permit Modifications Required:

Along with the Conditional Use Approval the following permits are expected to be required prior to beginning construction:

1. An updated stormwater management plan and sedimentation erosion control plan. This plan includes a reduction in lot coverage so only a minor modification may be required.
2. CAMA Development permit. The CAMA permit will likely be initially obtained for the two single family units which will be constructed first and a new CAMA permit obtained for the condominium building which be constructed at a later date.
3. Modified wastewater system approval with the Dare County Health Department for the gravity sewer modifications and the addition of the treatment system. The loading rate for the drainfield for the original flow of 8,088 gpd was previously approved.

Information noted above has been compiled from existing records provided by the developer and other reliable sources. All data is accurate to the best of my knowledge at this time.



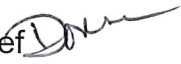
County of Dare

P.O. Box 1000 | Manteo, North Carolina 27954 | 252.475.5000

November 2, 2020

MEMORANDUM

TO: Dare County Planning Board

FROM: Donna Creef 

RE: Camping Cabin Regulations

Last month, the Dare County Board of Commissioners adopted revisions to the Dare County Travel Trailer Park and Campground Ordinance. These revisions were adopted as recommended by the Planning Board, which included a 50 RV/50 cabin development standard for any park that includes camping cabins. The motion to adopt the revisions also included instructions to bring additional regulations to the Board for camping cabins at different ratios and a review of our ordinances to ensure consistency with among the TTPCO and other regulations especially the group development regulations. At the Commissioners public hearing, the idea of a 30/70 split (30% RVs/ 70% cabins) was offered by a speaker at the hearing. The option of having no limit on camping cabins was also discussed by the Board.

During the Commissioner's review, there was discussion on how 100% camping cabin development compares to a residential group housing development. There were similar discussions at the Planning Board level. It was noted several times during the Planning Board discussions, that a development featuring only cabins is not a campground but a residential group housing development. A comparison matrix I prepared for the Commissioners is attached that lists the different components of a group housing development compared to the new TTPCO regulations. My comments below are intended to address the various components and how they may be applied to stand-alone cabin development and consistency among our regulations.

District Uses -- Not all of our zoning districts allow travel trailer parks and campgrounds. Some of the districts that allow group housing developments do not permit travel trailer parks and campgrounds so that will serve as one level of protection. Keeping the cabin development standards as part of the TTPCO will ensure that cabin developments based on the TTPCO regulations would only occur in those districts that allow travel trailer parks and campgrounds.

Lot Coverage: The revisions to the TTPCO included a 60% lot coverage for new parks that excludes wetland areas. The group housing standards apply a 30% lot coverage

based on the total area of the parcel including wetland areas. Although it would appear that the exclusion of wetland areas for the commercial lot coverage is inequitable, I think it is important to note that gravel roads and gravel parking are allowed in campgrounds. So impervious areas in campgrounds could be minimal. The allowance for gravel roads balances the lot coverage exclusion of wetland areas compared to a 30% lot coverage for residential housing development based on the entire parcel.

Density and Site Size: Even with the size limits of 600 square feet of enclosed space, the cabins can include cooking, sleeping, and restroom facilities. Regardless of occupancy by a different group of people constantly changing or whether it is the same group of people year-round, the impacts of a cabin development on our infrastructure will be the same. So what is the appropriate density we should apply to a camping cabin development consisting entirely of small structures? I looked through the density standards we have in place for other regulations. The highest density standards for multifamily structures is ten units per acre. The S-1 district also applies a density of ten units per acre for hotels, motels, and other similar structures. So I have used ten units per acre for the draft cabin standards attached to this memorandum. The TTPCO uses a density of twenty-eight units per acre for parks although this is for a mix of RVs and cabins. I think if the mix limitation is removed entirely or increased to allow a higher percentage of cabins, then the density for cabin developments should be decreased for consistency with our other regulations.

SUMMARY: In response to the directive from the Board of Commissioners I think the Planning Board should discuss increasing the RV/cabin mix to 30/70 or deleting it altogether. The Planning recommendation in September was on a 50/50. If the Planning Board reverses their previous recommendation to increase or delete the RV/cabin mix, then I think a set of regulations for camping cabins are in order. The draft regulations for camping cabins are written to be applied as stand-alone cabin developments. However, the draft regulations could be revised to apply to a 30/70 split. I look forward to our discussion and want to encourage the Planning Board to thoroughly evaluate these options before making a recommendation.

160.24 Camping Cabins Developments

A. Camping cabins as defined in Section 160.03 of this ordinance may be permitted on a site without other travel trailers, alternative camping units or camping tents. A camping cabin development is a Park that consist of entirely camping cabins or a Park with ???% of camping cabins spaces in the entire Park. Any camping cabin development authorized as a stand-alone PARK shall contain a minimum of two acres of contiguous area. This two acre minimum shall not include any coastal or freshwater wetland areas.

B. Camping cabin developments may be permitted as conditional uses in the following zoning districts where campgrounds and travel trailer parks are allowable uses: CPR, R-2A, R-2B, R2-AH, ELR, ELVC, ELCS, RB, Hwy 345, C-3, I-1 and S-1.

C. Camping cabins shall be constructed according to the North Carolina State residential code, the Dare County Flood Damage Prevention Ordinance and all other applicable federal, state and local regulations.

D. Camping cabins shall be located on the site according to the setbacks for commercial uses in the applicable zoning district for the site.

E. Camping cabin developments shall be considered commercial land uses and the maximum overall lot coverage of impervious surfaces shall be 60% of the total parcel acreage excluding freshwater and coastal wetland areas unless a different lot coverage limitation for travel trailer parks/campgrounds is established by the applicable zoning district regulations for the site.

F. Configuration of Camping Cabin Spaces

Camping cabin spaces may be constructed with a fixed site layout with individual camping spaces configured in a linear layout based on a minimum camping space area or camping spaces may be constructed with a freeform layout with camping spaces configured in a non-linear layout whereby camping spaces are separated by a minimum distance. A combination of the two formats may be used with the development boundaries.

1. Fixed configuration

Each camping cabin space shall consist of a minimum area of fifteen hundred (1500) square feet with a minimum width of 30 feet with side space lines at right angles or radial to street lines. Each camping cabin space shall be designated on the ground by markers or monuments and identified on the preliminary and final site plans.

2. Freeform configuration

Camping cabin spaces may be configured to allow flexibility in siting. In lieu of the minimum camping space area, a maximum density of ten (10) camping cabin spaces shall be applied to the

overall parcel. If wetland areas are proposed to be filled as part of the development, then the density calculations shall be based on the acreage amounts after any wetland filling occurs.

H. Camping cabin units shall be separated from other camping units or other structures within the development by a minimum of 15 feet. This separation shall be measured from the footprint of a camping cabin to the footprint of any adjoining camping cabin or other structure in the development or PARK. A camping cabin building envelope depicting the area of separation between each camping cabin shall be designated on the preliminary and final site plans.

I. Camping cabins shall not exceed 600 square feet of enclosed area. The square footage of decks and unenclosed areas shall not exceed 50% of the square footage of a camping cabin but in no instance shall the square footage of decks and unenclosed areas exceed a maximum of 300 square feet. Steps, stairs, and stairways shall not be included in the square footage of the unenclosed areas.

J Camping cabins may contain sleeping, restroom and kitchen facilities.

K. A maximum of two camping cabins may be connected by unenclosed areas according to the square footage limitations of subsection I of this section and the combined units shall be separated by a minimum of fifteen (15) feet from other cabins or structures.

L. A minimum of one 10' x 20' parking space for a motor vehicle shall be located in the camping cabin space and identified on the preliminary and final site plans. In freeform layouts parking spaces shall be located within the camping cabin building envelope. Parking spaces may be of pervious or impervious surfaces. Asphalt millings or recycled asphalt shall be counted as an impervious surface in lot coverage calculations.

M. The provisions of Section 160.26 Water and Wastewater of this ordinance shall not apply if the development features 100% camping cabins which include restroom facilities in each camping cabin. Section 160.26 shall apply to camping cabins developments with travel trailer sites, alternative camping unit spaces or tent camping spaces.

N. The development shall have a buffer strip extending along the entire perimeter of the development. The planting strip shall not be a portion of any lot, road, or private drive. The buffer strip shall consist of a planted strip of land at least five (5) feet in width composed of indigenous deciduous and/or evergreen trees, spaced not more than ten (10) feet apart, and not less than one (1) row of indigenous dense shrubs, spaced not more than five (5) feet apart and five (5) feet or more in height after one growing season, which shall be planted and maintained in a healthy, growing condition by the property owner. The buffer shall be perpetually maintained by the development owner.

O. Roads and Access

1. Internal access roads shall be used to provide access to all camping cabin sites.
2. Internal access roads shall be a minimum width of twenty (20) feet for two-way traffic. The design of any cul-de-sac or turnaround area shall be consistent with North Carolina Department of Transportation standards.
3. Internal access roads shall be improved with eight (8) inches of ABC or STBC type 3 base course materials. Recycled asphalt or asphalt millings may be used but if used then such material shall be counted as an impervious surface in lot coverage calculations.
4. Road improvements shall be maintained by the development owners.

P. Recreational Amenities

Recreational amenities may be provided in the development and shall be identified as common areas on the preliminary and final site plans. Such amenities shall be constructed according to all applicable federal, state, and county ordinances. Ownership of the recreational amenities shall be retained by the development owners. The construction of swimming pools at any individual camping cabin space shall be prohibited.

Q. There shall be no door-to-door-trash pick-up provided by Dare County in the camping cabin development.

R. The length of occupancy of any travel trailer, camper cabin, alternative camping unit and/or camping tent shall be less than 90 consecutive days.

S. Ownership of camping cabin spaces shall be retained by the development owners. Camping cabins shall not be individually conveyed or sold in fee simple title, as condominiums, fractional ownership or interval ownership. Camping cabins shall be used as temporary quarters or shelter during periods of recreation, vacation, leisure time or travel and shall not be used for permanent living quarters.

T. Subsections 160.22 General Standards, 160.25 Suitability of Land, 160.27 Storm Water Drainage System, 160.31 Recreational Amenities and 160.60 Enforcement and Administration shall apply to any camping cabin development.



2021 Planning Board Meeting Dates & Submission Dates

Below are the 2021 meeting and corresponding submission dates for the Dare County Planning Board. All items should be submitted by the appropriate submission date. Items submitted after the deadline will be considered an early submission for the next month.

All meetings are scheduled for the second Monday of each month and start at 6:00 p.m. unless otherwise notified.

2021 MEETING DATES	2021 SUBMISSION DATES
January 11, 2021	December 16, 2020
February 8, 2021	January 18, 2021
March 8, 2021	February 16, 2021
April 12, 2021	March 22, 2021
May 10, 2021	April 19, 2021
June 14, 2021	May 17, 2021
July 12, 2021	June 21, 2021
August 9, 2021	July 19, 2021
September 13, 2021	August 23, 2021
October 11, 2021	September 20, 2021
November 8, 2021	October 18, 2021
December 13, 2021	November 22, 2021

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