

MINUTES OF THE DARE COUNTY PLANNING BOARD MEETING

The Dare County Planning Board held their regularly scheduled meeting on Monday, March 13, 2017. 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 Finelli, Chairman
Michael Barr David Overton
Terry Gore II Charles Read, Jr.
Jeff Landreth Beth Midgett

MEMBERS ABSENT

APPROVAL OF MINUTES

There being no corrections or additions to the minutes of the February 13, 2017 meeting of the Dare County Planning Board, Terry Gore made a motion to approve the minutes as submitted. Jeff Landreth seconded this motion.

Vote: Ayes – Unanimous

PUBLIC COMMENT

-None-

PUBLIC HEARING

Request to Amend Commercial Services Zoning District to include Residential Use, Rhonda Midgett

Rhonda Midgett, applicant, was present.

Noah Gillam said Ms. Midgett is asking to add residential uses in conjunction with a commercial use in the Commercial Services Zoning District. The property has been posted and adjoining property owners have been notified of the public hearing. No comments have been received at this time. After last month's discussion, staff changed the proposed buffering language in the amendment. A finding of consistency or inconsistency with the 2009 Dare County Land Use Plan is required with the Planning Board recommendation.

Chairman Finelli asked if anyone wished to speak at the public hearing.

Joe Morabito, a resident of Kitty Hawk, said he has known Rhonda Midgett for 10 years. He said Ms. Midgett would be an asset to any community and would work extremely hard to make sure her property met or exceeded any required ordinances.

Derek Stallings of Coastline Realty and Construction said Rhonda Midgett does what she says she is going to do, does this in a professional manner, has been a small business owner for about 30 years in Dare County, and is a local resident. It would be nice to see Ms. Midgett have her own building where she could operate her business. It would be good to help out a small business owner in Dare County.

Jason Hill said he owns the property adjacent to where Ms. Midgett plans to locate her business. He said there are overlapping boundary issues and the Midgett survey overlaps Mr. Hill's existing survey of the property from the 1990's. Mr. Hill would like this settled before any official action. He does not wish to impede progress but would prefer to get his survey before this moves forward. There is a 7' discrepancy equaling a quarter-acre of land area. The disputed portion of land has already been cleared. Mr. Hill is waiting for his survey. He would like to see both surveys in agreement before moving forward.

Charles Read asked if Mr. Hill has any objections other than the property line dispute. Mr. Hill said not at all, he wishes the Midgetts luck, and he doesn't have any issue beyond the survey.

Chairman Finelli asked if the Planning Board members had any questions for the applicant or the staff about the requested text amendment.

Charles Read asked if there is a legitimate issue with the property line dispute. Donna Creef said she will review the deed documents and contact the county attorney. The county attorney will advise the planning staff on how to proceed. Ms. Creef said the applicant plans to improve the property in the near future and will be submitting a site plan so the property dispute will need to be addressed. Ms. Creef said a text amendment is under consideration tonight. It is not a site plan and is not site specific so a recommendation can be made at this meeting.

Chairman Finelli said new language has been drafted for the buffering requirement which would be included as part of the text amendment.

Charles Read made a motion to recommend approval of the text amendment to the commercial services zoning district to allow a residential use in conjunction with a commercial use, such amendment to also include buffering requirements as drafted by

staff and a finding of consistency with the 2009 Dare County Land Use Plan policies 4, 5, 6 and 7.

Michael Barr seconded the motion.

Vote: Ayes – Unanimous

OLD BUSINESS

-None-

NEW BUSINESS

-None-

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.

Vote: Ayes – Unanimous

The meeting adjourned at 6:15 p.m.

Respectfully Submitted,



Sharon L. Flatt
Planning Board Clerk

APPROVED: April 10, 2017



John Finelli
Chairman, Dare County Planning Board