

KURE BEACH PLANNING & ZONING COMMISSION
REGULAR MEETING ♦ APRIL 3, 2007

A regular meeting of the Kure Beach Planning and Zoning Commission was held on Tuesday, April 3, 2007 at 7:30 p.m. A quorum was present.

MEMBERS IN ATTENDANCE

Chair – Alan Votta

Vice Chair – Ken Buchert

Members – James Schutta

MEMBERS ABSENT

Janet Foster

Tim Bullard

STAFF IN ATTENDANCE

Building Inspector John Batson

Secretary Aimee Zimmerman

Liaison Commissioner Dean Lambeth was in attendance.

CALL TO ORDER:

Chairman Votta called the meeting to order at 7:34 p.m.

APPROVAL OF MINUTES

March 6, 2007 regular meeting.

ACTION: Member Buchert made the motion to approve the minutes from the March 6, 2007 regular meeting. Member Schutta seconded the motion. The vote of approval was unanimous.

PERSONS ADDRESSING THE BOARD

- Brandon Toth, prospective investor from Raleigh, questions the Board regarding what he would be able to do with Tom Sweeney's property should he decide to buy it.
- Building Inspector Batson advised what types of structures are allowed in the district and what is allowed within the CAMA setbacks.

- Chairman Votta advised parking requirements in the B-1 district as it pertains to commercial structure and those under mixed use.
- Chairman Votta indicated that the residence portion can be connected with a breezeway.
- Mr. Toth expressed concern about the 35' height limit. His intention was to build commercial structure on the first floor with several levels of residences with "penthouse" type structures on the top floor.
- Mr. Toth questioned whether ADA was a concern to the Town. Commissioner Lambeth indicated the Town is very concerned with ADA and advised Mr. Toth of the current projects underway for ADA.
- Mr. Toth questioned what types of business the Town is looking to recruit. He mentioned luring in banks, Blockbuster type businesses, etc.
- Chairman Votta advised Mr. Toth of the current survey regarding the B-1 district and advised Mr. Toth to wait and see the results of the survey as that might give him a better idea of what the townspeople are looking for.

OLD BUSINESS:

Floor Area Ratio

- Commissioner Lambeth, after consulting with both Building Inspector Batson and the Town Council, asks the Board to consider doing away with overhangs and shrunk it back 18 inches, that would shrink up the percentage. The overhand would then become part of the setback.
- Commissioner Lambeth also asks the Board to consider that the second living space would be 80% of the first living space similar to that at Sea Watch. He indicated that council would be favorable to this.
- Member Buchert feels that we could free up more impervious surfaces by making small changes to everything.
- Member Schutta thinks that if we curtail the way a person is allowed to build, in an attempt to free up impervious surfaces, that infringes on a person's personal license. It is our intent to get the ratio down on the land covered.
- Chairman Votta does feel that any floor area ratio can be achieved for this town to limit the number of houses. Cannot reasonably combine lots to build a single house as Mr. Hansen suggested.
- Chairman Votta states that overhangs serve a purpose and that he feels it's reasonable to increase the setbacks (side) to 6½ feet and that not allowing them will only make people be more creative and he fears homes will start to look like trailers.
- Member Buchert is anxious to come up with an agreement in a recommendation to council. Commissioner Lambeth indicates that it will not be a problem if the commission cannot come up with a recommendation this evening.
- Chairman Votta states that if we increase the setbacks to 6½' and they keep the 65% rule and the Stormwater Committee comes up with a plan, they will be pretty well set. He believes the stormwater plan is going to be similar to the one Carolina Beach has. He questions how P&Z can enforce the second floor only being built to 80% of the first floor and wonders if P&Z is to become an architectural committee.
- Corner lots will be impositioned by the increase but those lots could be left with 5' setbacks. The Town Attorney could come up with an exception.

- Member Buchert wonders if we can restrict impervious surfaces. Chairman Votta advises that if we leave the percentage at 65 and have a stormwater plan then impervious surfaces would not need to be limited.

ACTION: As not all members of the commission are present and they haven't received anything from the Stormwater Committee, Chairman Votta suggests that, even though the members present would like to recommend to council that the setbacks be increased to 6½', this matter be tabled until the May meeting.

Town of Kure Beach lawsuits

- With regard to changes to the Land Use Plan in response to the Rolling Surf lawsuits, Commissioner Lambeth passed out and discussed the proposed amendments that were discussed with Mike Christenbury of DCM. He indicated that CAMA will not change the setbacks and that these amendments will be on the Council's agenda for April 17th. Council will be reviewing the amendments and will return them to P&Z for formal consideration and recommendation.
- With regard to the maps not having a continuous line demonstrating the setbacks, Commissioner Lambeth indicated that Mr. Christenbury could not explain this discrepancy.
- Chairman Votta expressed his concern that the entire oceanfront will become residential, including the B-1 district.
- Member Schutta questioned whether mixed use could handle the situation and Commissioner Lambeth confirmed that it would if it is applied for. Member Schutta stated that the intent of B-1 was to remain commercial.
- Chairman Votta questioned whether this could affect the master plan and Commissioner Lambeth indicated it would not affect the K Avenue overlay plans.

NEW BUSINESS

NONE

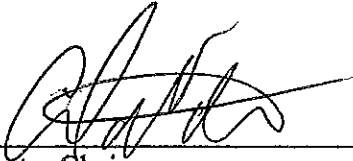
MEMBER ITEMS:

- Member Schutta indicates that he will be unable to attend the May 1st meeting and requests that any information received back from Sawyer and Associates regarding the B-1 district plan be forwarded to him so that any comments he has can be forwarded to Chairman Votta prior to May 1.
- Member Schutta requests that the Secretary find out how his absence will affect his vote at the next meeting.

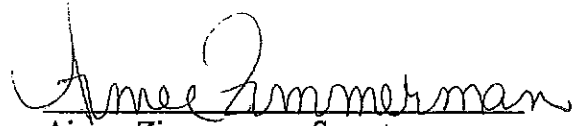
ADJOURNMENT:

Member Buchert moves to adjourn the meeting. Motion seconded by Member Schutta. The vote of approval is unanimous.

Meeting is adjourned at 8:55 p.m.



Allan Votta, Chairman



Aimee Zimmerman, Secretary