

KURE BEACH PLANNING & ZONING COMMISSION
REGULAR MEETING ♦ JULY 7, 2009

A regular meeting of the Kure Beach Planning and Zoning Commission was held on Tuesday, July 7, 2009 at 7:00 p.m. A quorum was present.

MEMBERS IN ATTENDANCE

Members – Alan Votta, Tim Fuller and Craig Galbraith

MEMBERS ABSENT

Chair – Jim Schutta
Member Tim Bullard

STAFF IN ATTENDANCE

Building Inspector John Batson
Secretary Aimee Zimmerman
Liaison Commissioner Barry Nelder

CALL TO ORDER:

Vice Chairman called the meeting to order at 7:31 p.m.

APPROVAL OF MINUTES

June 2, 2009 regular meeting.

ACTION: Member Votta made a motion to approve the minutes from the June 2, 2009 regular meeting. Member Fuller seconded the motion. The motion carried unanimously.

OLD BUSINESS:

1) Amendment to sign ordinance

Member Galbraith recommended that this item remain on the agenda as there are still items to discuss.

ACTION: Member Galbraith moved to table this issue until the August meeting. Member Fuller seconded the motion. The motion carried unanimously.

2) Height Limit Exception

Nothing further on this as it was just an update.

3) Discussion on grants available to Town for purposes of burying power lines (James)

Member Galbraith met with Town Administrator James. There were some grants available but those deadlines have passed. Regarding Progress Energy grants, Ms. James believed the Town would not qualify for these due to the affluency of the Town. Regardless, Ms. James felt it would be useful to meet with Progress Energy to discuss the possibility of grants. Member Fuller suggested FEMA Pre-Disaster Mitigation Grants administered through State FEMA office. Member Galbraith will pass this information on to Town Administrator James. The other issue with the lines being buried is the transformers so this is not only a financial issue but a technical issue as well.

4) Ocean Front Tents

A model Ordinance was supplied by Building Inspector Batson. Attorney Canoutas has reviewed this model ordinance for completeness. Mr. Batson has not yet reviewed this with Attorney Moore. A question arose regarding the square footage. Square footage was taken directly from the North Carolina Fire Code. Member Galbraith questioned the time limit however Mr. Batson stated that this has not been an issue as all tents are not out on the beach for more than 3 days. There is another ordinance in the Code that states that if work is started prior to a permit being issued, the offending party can be charged \$50 or twice the permit fee, whichever is larger. Question remains about the size. Member Votta believed size should be smaller or eliminated altogether. Member Votta feels this ordinance will prohibit weddings on the beach. Member Galbraith recommended removing "Canopies in excess of 400 square feet" from first sentence. Member Galbraith also recommends adding "If Application is submitted to the Building Inspector in less than 20 day, then the permit fee shall be \$500" to last paragraph. This can be looked upon as a safety issue. Member Galbraith amended his recommendation to state "If Application is submitted to the Building Inspector for review 7 days prior to the event, the permit fee shall be \$250.00. Any application submitted to the Building Inspector less than 7 days prior to the event then the permit fee shall be \$500.00". The Board agreed to this addition.

ACTION: Member Galbraith made a motion to change paragraph 7 to read "If Application is submitted to the Building Inspector for review 7 days prior to the event, the permit fee shall be \$250.00. Any application submitted to the Building Inspector less than 7 days prior to the event then the permit fee shall be \$500.00"

Member Fuller also made a motion to amend paragraph 3 to read as follows: "If the tent is erected upon oceanfront dune area, restoration of dune vegetation and sand must be performed. If Permittee fails to restore dune vegetation and sand to the satisfaction of the Building Inspector, the Town will perform restoration and bill Permittee the full cost thereof. Erection directly atop dunes is prohibited." Member Votta seconded the motion. Both motion carried unanimously.

Once changes are made, Mr. Batson has authority to present to Council.

In memo to council, indicate that this amendment is supported by the Land Use Plan.

NEW BUSINESS

1) Zoning Overlay Districts

Member Fuller supplied an ordinance from the New Hanover County Code. The purpose of an overlay allows for additional restrictions to be added without changing the underlying zoning. This can be a useful tool for zoning and the other town committees. Areas to consider would be Fort Fisher from Alabama to Fort Fisher and K Avenue from Dow Road to the Pier and to think about what to include in that overlay district. For instance, could require conforming sidewalks be added by the overlay to new construction. At some point both sides of K could have sidewalks. Economic Development Committee is also looking at Form Based Planning as well as Main Street USA. Need a consensus as to what to overlay. Member Fuller would like to fully discuss this once the full Board is present. Member Fuller also suggested that on Fort Fisher, new developments only have one driveway cut. This is how DOT regulates duplexes currently on Fort Fisher. Member Galbraith stated that there should be a certain style already thought of before adding restrictions in the overlay. Need to have a good general plan in place first.

Member Galbriath stated that Ms. James stated we should obtain samples of general plans from other communities for reference.

Based upon prior discussions, it appears that an overlay district is the best way to address issues.

Remaining discussion tabled until the August meeting.


MEMBER ITEMS

NONE

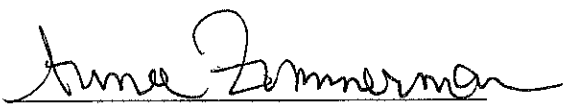
ADJOURNMENT:

ACTION: Member Fuller made a motion to adjourn the meeting. Member Votta seconded the motion. The motion carried unanimously.

Meeting was adjourned at 8:09 p.m.



Jim Schutta, Chairman



Aimee Zimmerman, Secretary