



KURE BEACH PLANNING & ZONING COMMISSION REGULAR MEETING

The Kure Beach Planning and Zoning Commission held their regular meeting on **Wednesday, August 2, 2017**. A quorum of commission members was present.

P&Z MEMBERS PRESENT

Chairman John Ellen
Vice Chairman Alan Votta
Member Bill Moore
Member Kenneth Richardson
Alternate Member John Cawthorne

P&Z MEMBERS ABSENT

Member Craig Galbraith

STAFF PRESENT

John Batson – Building Inspections
Kathleen Zielinski – Secretary

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Councilman Joseph Whitley, Liaison  
Attorney James E. Eldridge

### **1. CALL TO ORDER**

Chairman Ellen called the meeting to order at 7:00 p.m.

### **2. APPROVAL OF AGENDA**

**MOTION** – Member Moore moved to approve the meeting Agenda

**SECOND** – Member Richardson

**VOTE** – Unanimous

### **3. APPROVAL OF MEETING MINUTES**

**MOTION** – Member Moore moved to approve the minutes of June 7, 2017

**SECOND** – Member Richardson

**VOTE** – Unanimous

### **4. PUBLIC COMMENTS**

None

## 5. OLD BUSINESS

### a. Setbacks and Structures

#### i. Feedback from Attorney Eldridge and Inspector Batson

Attorney Eldridge distributed a one-page memo along with attachments containing selections from the Code to review with the Committee.

Setbacks as defined in Chapter 19-1 are a good mission. He and Inspector Batson are in agreement that the concept is correct, but tweaking with amendments is needed to make the requirements more effective, to include the scope of prohibited items and to allow for reasonable exceptions. Furthermore, in examples of district dimensional requirements, residential districts refer to yards while the business districts use the word setback.

Problems in the current provisions can be corrected through text amendments. However, there is a choice between continuing the use of yard and setback and including setbacks in the residential districts. Attorney Eldridge's recommendation is that the committee authorize him and Inspector Batson to proceed with drafting appropriate text amendments, but they will need guidance in whether they do it in the yard setback concept or simply the setback concept.

Attorney Eldridge proceeding in going through each attachment to highlight to the committee select definitions, building permit provisions, control of setbacks and the location of accessory buildings on residential lots.

- What is considered a building?
- What would be considered "other construction"? For example, is a building permit required for gazebo and pergola?
- District RA-1A mentions no setbacks, all yard requirements. Every residential district is similar.
- Business district uses setbacks.
- What should be prohibited, whether in yard or setback dimensional area?
- No structure permitted in setback except for fence and beach walkovers. Broaden the scope of what is prohibited as well as permitted.
- Consider providing for off-street parking in front yard, and at the same time rule out off-street parking in side and rear.
- Accessory buildings in setback

Recommendation – continue the mission of defining setbacks to include permitted uses as well as reasonable exceptions.

**MOTION** - Member Moore moved to direct this committee to proceed forth in drafting appropriate text amendments to Chapter 19, Dimensional Requirements, and instruct the staff to use the word setback as appropriate in lieu of the word yard.

**SECOND** – Member Richardson

**VOTE** – Unanimous

Attorney Eldridge advised that, depending upon how comprehensive the changes become, the process may require a continuation beyond the next meeting. He also noted that Consistency Statements will be required for each change. Inspector Batson commented that he would like to hear the Planning Committee opinion on how "other construction" should read. Discussion continued about what items should and should not be included as acceptable and prohibited items in setbacks.

ii. Decks and pools

In the absence of Member Galbraith, the discussion of decks and pools was tabled to the next meeting.

**6. NEW BUSINESS**

a. Survey results

Chairman Ellen remarked on an email distributed to each committee member by Member Galbraith regarding the recent town survey. He shared a list of the primary concerns resulting from the survey with items highlighted that he feels could impact Planning & Zoning. He feels that after all the effort that went onto creating the survey, getting it out to the public, collecting the data, analyzing the results and putting them on the website some action should be attempted. Chairman Ellen suggested that each member take his list home to review with the intention of considering what the committee should discuss in the future.

**7. MEMBER ITEMS**

- a. Member Moore reported that Carolina Beach had told the SLA Committee Chair that in order to install multi-port signs on the beach, besides from CAMA approval, they would need approval from neighbors as well. Is that a rule that is specific to Carolina Beach or is it countywide or statewide? Inspector Batson informed the group that, as part of the CAMA permit process, adjoining neighbors must be informed of the intended use.
- b. Member Richardson brought up the issue of parking. He is aware that the Mayor plans to initiate an ad hoc parking committee, but should Planning & Zoning get more involved? There is a need to bring ordinances up to date, make them clear and enforce them. We are here to help. Is that something we should again mention to Council? Council Liaison, Joseph Whitley, said he will bring that up with council.

**8. ADJOURNMENT**

**MOTION** – Member Moore moved to adjourn the meeting.

**SECOND** – Member Votta

**VOTE** – Unanimous

The meeting adjourned at 7:49 p.m.

  
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John Ellen, Chairman  
Planning and Zoning Commission

  
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Kathleen Zielinski, Secretary

NOTE: These are minutes reflecting items considered and actions taken by the Planning & Zoning Committee. These minutes are not a transcript of the meeting.