

AMENDED MINUTES OF THE DARE COUNTY PLANNING BOARD MEETING

The Dare County Planning Board held their regularly scheduled meeting on Tuesday, January 3, 2023. 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 5:59pm

MEMBERS PRESENT John Finelli, Chairman Beth Midgett
Buddy Shelton
David Hines
Terry Gore II John DeBoy

MEMBERS ABSENT David Overton

APPROVAL OF MINUTES

There being no corrections or additions to the minutes of the November 14, 2022 meeting of the Dare County Planning Board, Terry Gore made a motion to approve the minutes as submitted. Buddy Shelton seconded this motion.

Vote: Ayes – Unanimous

PUBLIC COMMENT

Marc Jorrens, a Colington resident, emailed the Planning Board comments regarding the wedding venue planned for 100 Raptor Point located at the end of Swan View Dr. A copy is on file with the Planning Board Clerk.

Public comment section closed at 6:01p.m.

OLD BUSINESS

-None-

NEW BUSINESS

Special Use Permit Application No. 1-2023 for a Storage Warehouse, High and Dry Storage at 0 NC 12 Hwy. (Parcel No. 031013001), Buxton, NC, Applicant John Canning

John Canning, Applicant, was present at the meeting.

Noah Gillam, Planning Director, addressed the Board. He announced that High and Dry, LLC submitted a Special Use Permit (SUP) application for a group development of storage warehouses located in Buxton, NC. The parcel is zoned C-3 Commercial, which allows for all uses permitted in the C-2 Commercial District, which includes storage warehouses subject to a Special Use Permit review. Mr. Gillam noted that the proposal will also be subject to the regulations of Section 22-31, Group Developments of the Dare County Zoning Ordinance. He noted that a 30 ft x 50 ft metal building is currently located on the property and Mr. Canning currently uses the remaining vacant area of the property as a commercial storage yard for boats, trailers, and recreational vehicles.

Mr. Gillam explained that the applicant is seeking to add a 4,263 square foot addition to the existing 1,500 square foot structure and construct a second 939 square foot structure. He stated that the structures will be divided into self-storage units which will range in size from 10' ft x 10' ft which will consist of non-climate controlled units, to 10' ft x 25' ft which will have climate and non-climate controlled units. Mr. Gillam then specified that the site is accessed off an existing 20' ft easement which will need to be improved to its entirety to a 20' ft easement with a dust free surface that is capable of carrying the weight of emergency vehicle apparatus.

Additionally, the site plan has been reviewed by the Fire Marshal and conditions have been added to the draft SUP to address his concerns.

Mr. Gillam expressed that it is staff's recommendation that before forwarding to the Board of Commissioners that the site plan be updated to show the location of the gated access to the property.

Lastly, Mr. Gillam stated that the following conditions have been added to the SUP:

1. The proposed self-storage units shall not be occupied for dwelling, office space, or otherwise occupied. Staff suggests the applicant provides a copy of a rental agreement that includes this prohibition.
2. Security fencing around the commercial storage area of the property shall remain in place.
3. Any lighting installed on the property shall be adjusted or shielded to prevent a glare on the adjacent right-of-ways and adjoining properties.

A copy of the site plan and draft SUP were provided to the Board for their review.

Chairman Finelli asked Mr. Canning to explain the traffic pattern. Mr. Canning responded by stating that there are the two trailer parks in front of the proposed site plan. There is a right-a-way in between them that starts with a concrete driveway for roughly 150' ft and then there are millings that go down the remainder of the hill. The road is mostly 20' ft wide, whereas some of it is not. The Fire Chief of Buxton has visited the site to provide guidance on widening of the areas that do not meet the requirements.

Chairman Finelli then asked where the access gate is going to be located, Mr. Canning answered by stating it will be located on the southeast side of the building.

The dumpster pad was then discussed by the Board and Mr. Canning. Mr. Gillam stated that the dumpster pad can be discussed at a staff level with the Public Works Department.

The Planning Board reviewed the draft SUP and deemed the conditions and site plan to be reasonable and appropriate subject to the following additional condition:

1. The site plan be updated to show the location of the gated access to the property.

This item will be forwarded to the Dare County Board of Commissioners for their consideration.

Special Use Permit Application No. 2-2023, for a Pet Crematory at 208 Williams Dr. (Parcel No. 018789000), Kill Devil Hills, Applicant Pam Anderson

Savannah Newbern, Planner, addressed the Board. She stated that Pamela Anderson submitted a Special Use Permit (SUP) application for a proposed pet crematory as an accessory use to the existing pet grooming and kennel facility, Ocean Sands K9 Resort. The parcel is zoned R-2b, which is an Alternative Medium Density Residential District. Mrs. Newbern expressed that a text amendment adopted by the Board of Commissioners on November 7, 2022, set conditions by which this use shall comply and the conditions have been incorporated in the draft Special Use Permit which include:

1. a 200-foot setback from residential dwellings.
2. the incinerator shall be contained inside a building,
3. a licensed/certified crematory operator shall be on staff,
4. cremation services shall be limited to domesticated animals, livestock shall not be permitted,

5. the use shall comply with all applicable Local, State, and Federal laws and rules and all applicable licenses and permits shall be obtained and a copy provided to the Planning Department

Additionally, the site plan has been reviewed and approved by the Fire Marshal and no additional comments were provided.

Ms. Newbern noted that the proposed plan complies with the applicable standards from the Dare County Code of Ordinances. She also expressed that per planning staff research, the State of North Carolina does not regulate pet crematoriums and the incinerator proposed does not require a permit from the North Carolina Department of Environmental Quality.

Ms. Newbern announced that the proposed hours of the operation are 8AM to 5PM and the pet crematory will be located inside a 10'ft by 10'ft metal structure. She explained that the structure as proposed complies with the 200' foot setback from neighboring dwellings, as well as the applicable dimensional standards for the zoning district R-2B.

Pamela Anderson, Applicant, noted that the incinerator needs a 10'ft x10'ft space but the actual enclosed structure is going to be larger. Mr. Gillam confirmed with Ms. Anderson that the building will not be larger than the proposed concrete pad.

A copy of the site plan and draft SUP were provided to the Board for their review.

Pamela Anderson, Applicant, agreed to the conditions as presented.

The Planning Board reviewed the draft SUP and deemed the conditions and site plan to be reasonable and appropriate.

This item will be forwarded to the Dare County Board of Commissioners for their consideration.

Preliminary Plat Review, 5 Lot Subdivision, Mark Reconnu, 109 Old NC 345 (Parcel No. 025009000), Manteo, NC

Pulled from Agenda.

OTHER BUSINESS

Buddy Shelton asked the Board if they need to come up with a standard language for sending Special Use Permits to the Board of Commissioners. Chairman Finelli expressed that Noah, Planning Director, had given them a draft motion previously and the key wording is Reasonable and Appropriate.

ADJOURNMENT

There being no further business before the Dare County Planning Board, a motion to adjourn was made by Buddy Shelton and seconded by Terry Gore.

Vote: Ayes – Unanimous

The meeting adjourned at 6:18 p.m.

Respectfully Submitted,



Skyler Foley

Planning Board Clerk

APPROVED: Feb. 7, 2023



John Finelli
Chairman, Dare County Planning Board