

MINUTES OF THE DARE COUNTY PLANNING BOARD MEETING

The Dare County Planning Board held their regularly scheduled meeting on Monday, September 12, 2016. 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 Beth Midgett
 Terry Gore II David Overton
 Jeff Landreth Charles Read, Jr.

MEMBERS ABSENT

APPROVAL OF MINUTES

There being no corrections or additions to the minutes of the August 8, 2016 meeting of the Dare County Planning Board, Terry Gore made a motion to approve the minutes as submitted. Michael Barr seconded this motion.

Vote: Ayes – Unanimous

PUBLIC COMMENT

-None-

OLD BUSINESS

-None-

NEW BUSINESS

Request to Change Zoning from R-1 to C-2 at Avon Motel, 40230 Younce Road, Avon, Earl Younce Jr.

Earl Younce Jr. was present at the meeting.

Donna Creef addressed the Planning Board. The property Mr. Younce has requested be changed to C-2 zoning was designated as R-1 zoning on October 5, 1992 when the zoning map was originally adopted. Last year there was a fire at the Avon Motel and we realized the building at 40230 Younce Road, which did not burn, is zoned R-1. R-1 Zoning does not allow hotels. Mr. Younce believes this was an error and has requested the zoning be changed to C-2.

Ms. Creef included a number of attachments with her information to the Planning Board:

- Draft Map from 1992 public hearing on zoning
- Draft Map from 1992 depicting Younce property
- Minutes from Board Hearing on Avon zoning map (Younce request is #40)
- Memo to Board of Commissioners in response to hearing requests
- Portion of 1995 mylar for Avon zoning map
- Map depicting extension of C-2 as requested in Younce application
- Map depicting extension of C-2 as recommended by Planning staff
- Land Use Plan policies

During the public hearing in June 1992, Mr. Younce requested commercial zoning for the Avon Hotel property. In a memo dated July 1992, Planning Board Chairman Elmer Midgett recommended lots 1, 2, 3, and 4 in the Earl Younce subdivision be changed from R-1 to C-2. When the zoning map was adopted, the second building of the hotel was not included in C-2 zoning. It was incorrectly identified on the map.

Mr. Younce also owns a number of properties on Sunfish Court which are adjacent to his Younce Road properties. The properties along Sunfish Court have covenants which prevent commercial zoning. A few lots on Sunfish Court are owned by other people but Mr. Younce believes they will be fine with commercial zoning on Younce Road.

The staff recommendation is that we extend the C-2 designation to include the property with the hotel building on it as well as those lots to the east. There is one lot on the oceanfront owned by Mr. Younce's brother.

Donna Creef advised the Planning Board that they may or may not choose to schedule a public hearing regarding this but the Board of Commissioners will be required to conduct a public hearing. The Planning Board will also need to determine a finding of consistency or inconsistency with the Land Use Plan if they choose to make a recommendation this evening.

Earl Younce, Jr. said Ms. Creef explained the situation well. Mr. Younce was very surprised to find that a portion of his hotel property is zoned residential. Mr. Younce provided a letter from his brother, Millard Sumner, asking that Mr. Sumner's oceanfront lot also be zoned commercial. Mr. Younce owns all properties adjacent to Mr. Sumner's property.

Terry Gore made a motion to recommend approval of the change to C-2 zoning for the parcels located on the south side of Younce Road, extending to the Atlantic Ocean. Mr. Gore further finds this is consistent with the Dare County Land Use Plan, Policy 5, which encourages the continued existence and development of locally-owned businesses in unincorporated Dare County.

Michael Barr seconded the motion.

Vote: Ayes – Unanimous

This will be considered at the Dare County Board of Commissioners meeting on September 26, 2016.

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 6:30 p.m.

Respectfully Submitted,



Sharon L. Flatt
Planning Board Clerk

APPROVED: October 18, 2016



John Finelli
Chairman, Dare County Planning Board