

KURE BEACH PLANNING & ZONING COMMISSION  
REGULAR MEETING ♦ OCTOBER 3, 2006

**MINUTES**

A regular meeting of the Kure Beach Planning and Zoning Commission was held on Tuesday, October 3, 2006 at 7:30 pm. A quorum was present.

MEMBERS IN ATTENDANCE:

Chair - Alan Votta

Vice Chair - Ken Buchert

Members: Tim Bullard, Janet Foster, James Schutta

MEMBERS ABSENT:

None

STAFF IN ATTENDANCE:

Town Clerk Nancy Avery

Building Inspector John Batson

Liason Commissioner Dean Lambeth was in attendance.

CALL TO ORDER:

Chairman Votta called the meeting to order at 7:30 PM.

APPROVAL OF MINUTES

September 5, 2006 regular meeting

September 12, 2006 special meeting

ACTION – Member Bullard MADE THE MOTION to approve the minutes from September 5th as is and the minutes from September 12th with one correction as follows:

Member Jim Schutta was not present.

Member Foster seconded the motion. THE VOTE OF APPROVAL WAS UNANIMOUS

Gilbert Alphin of the ADA committee addressed the commission stating that the last time he approached the commission, he stated there might be a need for changes to the zoning ordinance. Mr. Alphin clarified that there would not be a need at this time and that his committee (ADA) has compiled a reference book of laws relevant to the town that will be available in the conference room at Town Hall.

OLD BUSINESS

1. Swimming Pools in the RA3 and other districts (tabled from 9/5/06)

Draft ordinance – status. Commissioner Lambeth stated that the commission needs to draft an ordinance not the town's attorney. The ordinance should basically allow swimming pools where there is a 5,000 square foot lot and setbacks are met. It should also state that if a townhouse is involved, the Building Inspector will need to be provided a copy of the deed prior to approval.

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ACTION – Member Schutta volunteered to draft the ordinance for the next meeting.

2. Master Plan for Kure Beach B-1 Business District – status of interviews with Centrepont Architects and John Sawyer Architects

Each commission member gave their opinion on both Centrepont and John Sawyer Architectural firms. Overall consensus was that John Sawyer Architects would bring to the process more ordinance experience and more focus on gathering resident and business input into the plan.

ACTION – Member Schutta MADE THE MOTION to recommend to town council hiring of John Sawyer Architects to prepare a proposal for the B1 district at an estimated cost of \$45,000. Member Foster seconded the motion. THE VOTE OF APPROVAL WAS UNANIMOUS

NEW BUSINESS

1. Rezoning petition – Tucker’s Square

Petition received 8/21/06. Council referred to P&Z at 9/19/06 meeting for review and recommendation back to council.

Mr. Peter Boulter, a resident of Tucker’s Square, stated the purpose of the rezoning request was to provide consistency in the area and protect the property value. Mr. Boulter stated that the residents felt that duplexes encouraged transient or vacation rentals.

Discussion among commission members led to directing the clerk to contact the Cape Fear Council of Governments to determine if a percentage of area within the town’s limits must allow trailers/manufactured homes and to ask the town attorney’s opinion on whether splitting a lot when rezoning is allowable.

ACTION - Consensus of commission members – table until November meeting, have petitioners fill out form and revise request to be from Mackerel west to Spot.

2. Request from council for text amendment repealing 19 - 323.5 Minimum Use of Lot Referred to commission by Town Council vote at 9/19/06 meeting.

Commissioner Lambeth stated that the purpose of repealing this section is to clear up that single family homes are not permitted in the B1 district.

Discussion included CAMA setbacks, non-conformance, purpose of minimum use and right of property owner.

ACTION – Chair Votta MADE THE MOTION to amend section 19-323.5 to add the following verbiage: **“provided that the property has not been used as commercial use since 1990”, so that the section would read:**

“A single-family dwelling shall be permitted in all districts **provided that the property has not been used as commercial use since 1990**, and provided that it conforms to the RA-1A residential requirements”.

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Member Bullard seconded the motion. THE VOTE OF APPROVAL WAS UNANIMOUS.

Statement of recommendation to Town Council herein incorporated as part of these minutes as attachment A.

3. Reschedule Nov. 7<sup>th</sup> meeting – council room to be used as precinct for election  
Consensus of members was to schedule meeting for Wednesday, November 8<sup>th</sup> at 7:30pm.

ADJOURNMENT

ACTION – Member Schutta MADE THE MOTION to adjourn the meeting at 9:06 pm.  
Member Bullard seconded the motion. THE VOTE OF APPROVAL WAS UNANIMOUS.

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Allan Votta, Chairman

Attest: \_\_\_\_\_  
Nancy Avery, Clerk