



KURE BEACH PLANNING & ZONING COMMISSION
REGULAR MEETING ♦ SEPT. 4, 2007

A regular meeting of the Kure Beach Planning and Zoning Commission was held on Tuesday, September 4, 2007 at 7:30 p.m. A quorum was present.

MEMBERS IN ATTENDANCE

Alan Votta (chair)
Ken Buchert (vice)
Janet Foster
James Schutta

MEMBERS ABSENT

Tim Bullard

STAFF IN ATTENDANCE

Building Inspector John Batson
Clerk Nancy Avery

ATTORNEY

Holt Moore

Liaison Commissioner Dean Lambeth was in attendance.

CALL TO ORDER:

Chairman Votta called the meeting to order at 7:35 p.m.

APPROVAL OF MINUTES

ACTION – Member Foster MADE THE MOTION to approve the minutes from the August 7th, 2007 meeting with no changes. Member Schutta seconded the motion. THE VOTE OF APPROVAL WAS UNANIMOUS

PERSONS ADDRESSING THE BOARD

None

Attorney Holt Moore introduced himself and gave a brief background on his experience.

OLD BUSINESS:

1) Recommendation to council to change ordinance parking regulations

Clerk Avery provided a draft amendment to the Code of Ordinances (as decided at the August 7th meeting) for approval before publication of notice of the public hearing on October 9th at 7pm.

ACTION - Member Schutta MADE THE MOTION to revise the original recommendation to council in August by changing from two to three bedrooms (change denoted below in bold with one asterisk). Member Foster seconded the motion. THE VOTE OF APPROVAL WAS UNANIMOUS

ACTION – Member Schutta MADE THE MOTION to revise the original recommendation to council in August by adding to the multi-family table item “each dwelling” at the end (denoted below in bold with two asterisks). Member Buchert seconded the motion.

THE VOTE OF APPROVAL WAS UNANIMOUS

ACTION – Member Schutta MADE THE MOTION to revise the original recommendation to council in August by adding to the residential table item “per each dwelling unit” (denoted below in bold with three asterisks). Member Buchert seconded the motion. THE VOTE OF APPROVAL WAS UNANIMOUS

Proposed amendments to the Code of Ordinances as recommended to council by Planning and Zoning Commission on 8/7/07:

Modify article IV supplemental district regulations as follows:

19-339 Minimum parking requirements

1) Table inset item 1 – Change from (single family)

“Two (2) parking spaces on the same lot for each dwelling unit”

Change to

“2 parking spaces for up to three bedrooms and 1 additional parking space for each bedroom thereafter **per each dwelling unit (***)**”

2) Table inset item 2 – change from (multi-family)

“Two (2) spaces per each type of multi-family units (e.g. apartments, town houses, condominium), dwelling unit of which one (1.0) space per each two cars per unit must be unobstructed. One (1) additional parking space for each bedroom over four (4) per dwelling unit”

Change to:

“Two (2) parking spaces for up to ~~two~~ **three (*)** bedrooms and 1 additional parking space for each bedroom thereafter per **each dwelling (**)** unit”

19-331 Density control requirements for residential units

Add the following paragraph

“A bedroom is defined as any room 10’x10’ or larger, having a closet, and at the discretion of the Building Inspector”

NEW BUSINESS

1) B1 master plan

ACTION – Member Schutta MADE THE MOTION to accept the B1 study and begin with changing K Avenue towards the pier to make it a one way street, widening sidewalks, lighting and trees. Member Buchert seconded the motion. THE VOTE OF APPROVAL WAS UNANIMOUS.

The B1 study is in compliance with the Land Use Plan in reference to Part II, Section III. “commercial district (four blocks bounded by Third Avenue to the west, L Avenue to the north, and J Avenue to the south. K Avenue and the Kure Beach Pier) will continue to be the center of all town resident and tourism associated business”.

Consensus was that P&Z will work on priorities when working with the consultant.

2) 19-323.5 Minimum Use of Lot

ACTION – Member Foster MADE THE MOTION to table discussion of 19-323.5 of the Code of Ordinances until the next meeting since the court ruling is not available. Member Schutta seconded the motion. THE VOTE OF APPROVAL WAS UNANIMOUS

General comments regarding 19-323.5:

Chair Votta – consider deleting 19-323.5 and making criteria that anything built or permitted in B1 has to have conditional use permit. Member Foster stated that our ordinance doesn't allow conditional use and that she is against conditional use.

Attorney Moore:

- not sure that just because it falls within B1 makes it enough of a criteria - not seen done before - not sure it couldn't be done
- could allow single family in B1 only with special use permit - can't be carte blanche, though – has to be specific
- could be written to grandfather in existing residence as special use if owner wanted to rebuild
- down side is that criteria has to be created, special use is something else to deal with and learn, and is quasi-judicial – appellant can appeal to court
- can't just make general statement in ordinance saying single family has to have P&Z and/or Council approval
- special use is good option if you want way to look at new development

MEMBER ITEMS

Member Buchert asked Inspector Batson if there is anything in the ordinances that controls the number of people that may occupy a house.

Inspector Batson replied that there isn't anything that he knows of.

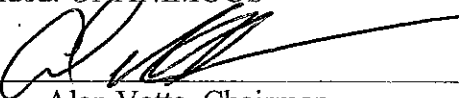
Member Buchert asked Inspector Batson if there is anything that can make a property owner keep trees/bushes from hindering a driver's line of vision.

Inspector Batson stated that there are things he can enforce.

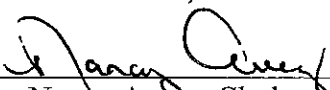
Member Buchert asked for the subject of beach clubs to be added to next month's agenda

ADJOURNMENT

ACTION - Member Schutta MADE THE MOTION to adjourn at 9:02pm. Ken seconded. UNANIMOUS



Alan Votta, Chairman



Nancy Avery, Clerk