

KURE BEACH PLANNING & ZONING COMMISSION
REGULAR MEETING ♦ FEBRUARY 5, 2008

MEMBERS IN ATTENDANCE

Chair – James Schutta
Vice Chair – Janet Foster
Members – Alan Votta, Ken Buchert, Tim Bullard

STAFF IN ATTENDANCE

Town Administrator Michelle James
Building Inspector John Batson

Liaison Commissioner Barry Nelder and Attorney Holt Moore were in attendance. A quorum of the commission was present.

CALL TO ORDER:

Chair Schutta called the meeting to order at 7:30pm.

APPROVAL OF MINUTES

ACTION – Member Buchert MADE THE MOTION to approve the minutes from January 8th, 2008. Member Foster seconded the motion. THE VOTE OF APPROVAL WAS UNANIMOUS

ORGANIZATIONAL ITEMS

1. Recommendation to Council on applicant to fill upcoming vacancy left by resignation of Member Buchert effective end of February 2008.

ACTION – Member Bullard MADE THE MOTION to recommend to Council that Craig Galbraith be appointed as the new member. Member Foster seconded the motion. THE VOTE OF APPROVAL WAS UNANIMOUS

PERSONS TO ADDRESS THE BOARD

None

OLD BUSINESS

Hayes Planning – B1 study tasks – zoning amendments

1. Height – Mr. Hayes explained that he recommends amending subsection b of Chapter 19, section 333, which:

- replaces current language with new language that redefines exceptions
- restricts extension of parapet walls to four feet above height limit (current ordinance allows parapet walls with no restriction)
- restricts uncovered roof decks to no larger than 150 square feet in size (this was requested by P&Z at last month's meeting)

Discussion on parapet walls:

Commissioner Nelder stated he doesn't want parapet walls extended beyond 35 feet and thinks council members agree with him because it will block the view of water for other buildings.

Building Inspector Batson stated that sometimes the building code/fire code requires additional height, such as in a dual occupancy

Member Votta stated that a parapet wall is not a living space, it's not being walked on and if we won't allow parapet walls to extend past the height limit, then we shouldn't allow widow walks either. If the B1 district is redeveloped and built with flat roofs, there will need to be parapet walls to separate buildings, not just a fire wall.

Member Bullard stated that the business district is lower than the rest of town – this won't block the view.

2. Minimum use of lot & non-conforming situations

Mr. Hayes stated he proposes deleting sections 323.5 (minimum use of lot) and 323 (lot of record) in Chapter 19 on zoning because:

- they really only apply to the B1 district
- they are redundant with other parts of the ordinance
- deleting both sections will make it clear in the ordinance that a single family home in the B1 is not allowed

Mr. Hayes recommended rewriting subsections 1 and 4 of section 357 (continuation of non conforming situation) which would:

- state that any person with a single non conforming lot that doesn't comply with the dimensional requirements may build if the set back requirements for the district are met
- apply to any district, not just the B1
- state that in the B1 district, residential setback requirements would be the same as the RA-1A district
- legitimize residential structures as a non conforming use in the B1 district
- make the overall intent of the ordinance to make uses conform with the zoning

3. Sign regulations

Mr. Hayes recommended two changes:

- a) add following language "per year and should not cover more than 10% of the interior window area" to section 379 (temporary signs)
- b) revise table inset for sign regulations in the B1 district reducing size

ACTION - Consensus – change requirements for free standing signs from 35 square feet/ 10 foot height to 20 square feet, 12 foot height in all districts that allow signs, not just the B1.

4. Roof pitch

Mr. Hayes recommended a new provision in the supplemental regulations in the zoning ordinance that states roof pitch must be a minimum of 4/12 and explained that this essentially says no more flat roofs on residences in the B1 district.

ACTION – Member Votta MADE THE MOTION to recommend to Town Council adoption of the proposed amendments as proposed by Mr. Hayes as follows:

- height measurements 19-333b
- minimum use of lot – delete 19-323.5 and 19-323 lot of record
- continuance of non conforming situation – 19-357 subsections 1 and 4
- sign regulations – as proposed with one change to the chart that free standing signs as proposed will apply to all districts not just B1 (size changed to 20 ft and 12 ft height) and 19-379 as proposed
- roof pitch – 19-332 as proposed

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

Said proposed amendments are herein incorporated as part of the minutes.

8:45pm Chairman Schutta called for a 10 minute break.

8:55pm Chairman Schutta resumed the meeting.

NEW BUSINESS

Recommend to Council a liason for the oceanfront part committee

ACTION - Consensus - Member Votta will be the main liason for the oceanfront part committee with Chairman Schutta as back up.

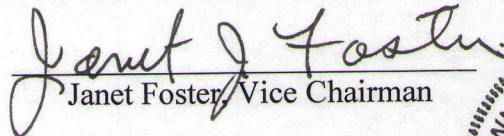
MEMBER ITEMS

Member Bullard thanked Member Buchert for his service.

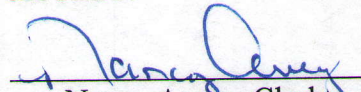
Member Buchert thanked everyone and said he enjoyed serving.

ADJOURNMENT

Member Bullard MADE THE MOTION to adjourn at 9:02pm. Member Buchert seconded the motion. THE VOTE OF APPROVAL WAS UNANIMOUS


Janet Foster, Vice Chairman

ATTEST:


Nancy Avery, Clerk

