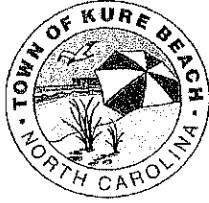


MINUTES



KURE BEACH PLANNING & ZONING COMMISSION

117 Settlers Lane ■ Kure Beach, NC 28449

Jim Schutta, Chair
Craig Galbraith, Member
Alan Votta, Member
Tim Bullard, Member
Tim Fuller, Member
Aimee Zimmerman, Clerk to the Board

REGULAR MEETING
AUGUST 4, 2009 7:00 P.M.

MEMBERS PRESENT:

Jim Schutta
Craig Galbraith
Alan Votta
Tim Bullard
Tim Fuller

MEMBERS ABSENT:

None

STAFF PRESENT:

Building Inspector John Batson
Town Clerk Kaysie Pralle

CALL TO ORDER

Chairman Jim Schutta called the meeting to order at 7:00 pm.

APPROVAL OF MINUTES

July 7, 2009 - Regular Meeting

ACTION - Member Galbraith MADE THE MOTION to approve the minutes from the April 7, 2009 regular meeting. Member Votta seconded the motion. THE VOTE OF APPROVAL WAS UNANIMOUS.

OLD BUSINESS

1. Amendment to Sign Ordinance

Chapter 19 ZONING, ARTICLE VI. SIGNS

Member Galbraith recommended tabling this item until the September meeting and have Building Inspector Batson return with the necessary measurements.

Member Fuller recommended the Commission focus on the most pressing issues of this ordinance.

Member Galbraith stated that the major issues of this section were amortization and size.

ACTION - Member Galbraith MADE THE MOTION to table this item until the September meeting and have Building Inspector Batson return to discuss sizing. Member Bullard seconded the motion. THE VOTE OF APPROVAL WAS UNANIMOUS.

2. Discussion on grants available to Town for purposes of burying power lines

Member Galbraith stated there is no information to share at this time. Administrator James will return to the Commission at the September meeting with more information.

3. Temporary structures (Ocean Front Tents)

Chapter 12 PARKS AND RECREATION, ARTICLE II. RECREATION, DIVISION 2. BEACH, Sec. 12-45. Temporary Structures.

This Section was approved by the Town Council at the July 21, 2009 regular Council meeting with the following amendments:

- ~ After the second paragraph the following wording was added: Tent companies must procure a privilege license and provide proof of liability insurance.
- ~ The following wording was added to the first sentence in the third paragraph: If tent is erected upon oceanfront dune, restoration of dune vegetation and sand must be performed to the state it was prior to the tent erection.

4. Zoning Overlay Districts

Member Galbraith stated there is much more flexibility with an overlay district. Member Fuller presented an ordinance from NHC that addresses overlay districts. He explained that Kure Beach would also have to write an ordinance to allow this. Member Fuller recommended having SLAP and Beautification Committees involved in the process.

ACTION - Member Galbraith MADE THE MOTION to recommend Council appoint a committee to examine the possibility of formulating a zoning district to encourage development of the B1 district and other districts the committee would deem appropriate for an overlay. Member Fuller seconded the motion. THE VOTE OF APPROVAL WAS UNANIMOUS.

Member Galbraith stated that overlay districts is just a small piece of the economic development of the Town.

CONSENSUS - Town Clerk to draft letter to Council requesting the formation of a subcommittee.

NEW BUSINESS

None

MEMBER ITEMS

Member Votta stated that there are only four ocean front lots left in the Seawatch community. The lots were deeded in 2005. The sellers of these lots are telling the realtors that potential buyers can choose whether they want to be included as part of the Seawatch HOA or not. Attorney Canoutas stated that if the property was deeded as a subdivision it will stay that way unless it comes before the Commission and the change has been approved by Council.

Member Votta stated that if the buyers would like to change the deed they would have to start the entire process over from the beginning.

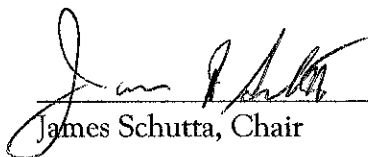
Building Inspector Batson has drafted an email with Attorney Canoutas' direction that the realtor will forward to the owner.

Member Fuller questioned if the Town alone can release them from the subdivision. The Seawatch HOA would also have to give permission. New Hanover County would also have to be involved.

CONSENSUS - Building Inspector Batson to draft a letter to the property owners indicating these lots were recorded as part of the Seawatch subdivision. They are encumbered by all the rules and regulations thereof. To be separated from the subdivision would require a full review from the Commission and Council. Building Inspector Batson is to courtesy copy the Seawatch HOA on this letter.

ADJOURNMENT

ACTION - Member Fuller MADE THE MOTION to adjourn the meeting at 7:29 pm. Member Bullard seconded the motion. THE VOTE OF APPROVAL WAS UNANIMOUS.


James Schutta, Chair


Kaysie Pralle, Town Clerk

NOTE: These are action minutes reflecting items considered and actions taken by the Planning & Zoning Board. These minutes are not a transcript of the meeting. Persons wishing to hear the recording of this meeting may request to do so by contacting the Town Clerk.