



KURE BEACH PLANNING & ZONING COMMISSION
REGULAR MEETING ♦ OCTOBER 6, 2009

A regular meeting of the Kure Beach Planning and Zoning Commission was held on Tuesday, October 6, 2009 at 7:00 p.m. A quorum was present.

MEMBERS IN ATTENDANCE

Members – Jim Schutta, Alan Votta, Tim Bullard, Tim Fuller and Craig Galbraith

MEMBERS ABSENT

STAFF IN ATTENDANCE

Building Inspector John Batson
Secretary Aimee Zimmerman

CALL TO ORDER:

Chairman Schutta called the meeting to order at 7:02 p.m.

APPROVAL OF MINUTES

September 1, 2009 regular meeting.

ACTION: Member Galbraith made a motion to approve the minutes from the September 1, 2009 regular meeting. Member Votta seconded the motion. The motion carried unanimously.

OLD BUSINESS:

1) Amendment to sign ordinance

- Member Galbraith had to convert the measurements into square footage.
- Did comparison with what is presently in the ordinance.
- Most of the signs are within the current limits.
- Calculation for second and third signs need to be done to make sure it is under the percentage.
- Moran Motel sign has some historical value to it and might need to be addressed differently.
- Seven Seas has a second and third sign that was not included in the calculations.
- The square footage maximum was set for free standing signs. There is a provision to address other types of signs.

- Member Galbraith will take this information and compare with the proposed sign ordinance and present findings at next meeting.
- Chairman Schutta questioned whether political signs needed to be re-addressed. Town Attorney advised that council will be sending the matter back to P&Z with the recommendation that the maximum size for these signs be six square feet.
- Chairman Schutta also stated that some political signs are being placed in private yards without consent of the owner and can this be addressed by ordinance? Also should there be a limit of signs on private property.
- Member Fuller stated that there is recent legislation about regulation of political signs. It was recommended that Attorney Moore provide P&Z with an update.
- Member Votta recommended that if council wants the timeline removed, then perhaps P&Z should consider putting a limit on the amount of signs allowed.
- Chairman Schutta asked Secretary to request that Attorney Moore appear at next hearing and provide the Board with advice concern their ability to limit the amount of signs and time limits.
- Member Fuller also stated that it is unclear as to who governs areas such as the Extraterritorial Jurisdiction, Sunny Point and the DOT right-of-way. P&Z needs clarity on that aspect as well.

ACTION: Member Galbriath moved to table this issue to the November meeting and that Attorney Moore be present at the next hearing to speak on political signs and what P&Z is authorized to do. Member Votta seconded the motion. The motion passed unanimously.

2) Discussion on grant on grants available to Town for purposes of burying power lines (James)

- Town Administrator is not present.
- BI Batson stated that John Elliot, from Progress Energy, will attend the November meeting to address the board.
- As to FEMA mitigation grants, they cannot be used as it pertains to mitigating flood plains and the B-1 does not fall under that.
- Member Galbriath is aware of 2 other towns who buried their power lines. He will speak with these towns for advice.
- Member Fuller stated that in the past it was one million dollars per mile to do this and that the Town of Kure Beach simply does not have the ground space.

ACTION: Member Galbriath moved to table this matter to the next meeting. Member Fuller seconded the motion. The motion passed unanimously.

3) Zoning Overlay District

- Member Fuller moved that we table this until Member Galbraith is available for entire meeting. Currently only 2 people applied for this committee.

ACTION: Member Schutta made a motion to table this matter until the November meeting. Member Bullard seconded the motion. The motion passed unanimously. Secretary advised to send memo to council that people are misinformed about the committee in asking for a member from each committee. May need clarification to these committees as to what this committee is and what they will be charged to do.

NEW BUSINESS

November Meeting: The next meeting is scheduled for November 3rd which is the date for municipal elections. The meeting will therefore be moved to November 10th at 7:00 p.m.

Member Galbraith excused 7:18 p.m.

MEMBER ITEMS

Oceanfront Tent Ordinance

- Member Votta inquired of BI Batson as to the effect the new oceanfront tent ordinance was working. BI Batson stated that he was not made aware of 2 recent issues until after the fact. Since one of these tent erections was a spur of the moment decision and no permit was sought perhaps P&Z needs to address this especially in light of a potential violation of County ordinances as well. Member Fuller stated that should something unfortunate happen, would the Town have any liability. BI Batson stated that there is an expedited procedure for obtaining permits. Tents being erected that are in excess of 200 feet must be inspected by the NHC Fire Marshall. Member Fuller stated that BI Batson should inform the tent companies and funeral homes of the ordinance. Member Fuller stated that the ordinance perhaps should be amended to state that after notice of the ordinance that should a violation occur the offending party will be fined after the fact. Member Fuller asked that this be placed on the next agenda and that the attorney be consulted and prepare a draft amendment.

No Parking/Towing Enforced Signage

- Member Votta questioned the no parking/towing enforced signs that are around town. There are apparently a few signs in the town right-of-way. BI Batson stated that it is not legal for them to tow vehicles from town right of ways nor can it be regulated. Anyone can park in the town right of way provided there is 24' available to access a property. Member Fuller suggested that BI Batson look into the questionable signs and consult with the attorney.

ADJOURNMENT:

ACTION: Member Bullard made a motion to adjourn the meeting. Member Votta seconded the motion. The motion carried unanimously.

Meeting was adjourned at 7:44 p.m.



Jim Schutta, Chairman



Aimee Zimmerman, Secretary