



**KURE BEACH PLANNING & ZONING COMMISSION
REGULAR MEETING**

A regular meeting of the Kure Beach Planning & Zoning (P&Z) Commission was held on Wednesday, January 6, 2016. A quorum of the Commission was present.

P&Z MEMBERS IN ATTENDANCE

Chairman Craig Galbraith
Member John Ellen
Member Bill Moore
Member Kenneth Richardson
Member Alan Votta

ABSENT

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Councilman Joseph Whitley, Liaison  
P&Z Attorney James E. Eldridge

**STAFF PRESENT**

John Batson, Building Inspector  
Josie Fitzgerald, Secretary

**I. CALL TO ORDER**

Chairman Galbraith called the meeting to order at 7:00 p.m.

**II. APPROVAL OF THE AGENDA**

**MOTION:** Member Richardson moved to approve the Agenda

**SECOND:** Member Ellen

**VOTE:** Unanimous

**III. APPROVAL OF THE MINUTES**

**MOTION:** Member Ellen moved to approve the minutes of the December 2, 2015 P&Z meeting with revision on page 2 summary of attorney Eldridge opinion as follows: Replace "Manufactured homes have restrictions but not prohibited, and limited by zoning" with, "General Statutes prohibit from banning manufactured homes, but they can be limited to certain zoning districts."

**SECOND:** Member Votta

**VOTE:** 4 approved, Member Moore abstained

**IV. PUBLIC COMMENTS**

None

## V. OLD BUSINESS

### A. Manufactured/Shipping Container Homes

- After last meeting, Chairman Galbraith went to the Council meeting to get guidance and prepared a three-page discussion points presentation which discusses characteristics of container houses
- Wilmington has a container house, subject of recent WECT report
- Picture of container house on South Carolina Avenue in Carolina Beach
- Seven issues for Kure Beach as discussed at the December meeting summarized in the attachment
- Because of their full Agenda, Council requested this issue be tabled for their January meeting on the 19<sup>th</sup>.
- Nothing to report back until the Council meeting to get their feedback regarding guidance
- Councilman Heglar posed a query for Attorney Eldridge regarding Building Inspector's authority in the interim or short term action to be taken while Council considers this issue.
- Attorney Eldridge responded to Councilman's query as attached
- Carolina Beach trailer district goes up to Alabama and at that point is where the Kure Beach trailer district starts
- Member Ellen provided a sketch indicating location of homes, trailers and empty lots (see attached)
- Many trailers are permanently affixed to the ground
- Difference in opinions with definitions that would allow containers.
- Inspector Batson believes that containers do not fit "permissible use" and do not meet criteria in Sec. 19-79 of our Code. "A use not specifically addressed...shall be expressly prohibited..." He further contends that containers are not constructed for or designated for residential use.
- The Building inspector has the authority to interpret the ordinance. An appeal of his decision can be taken to the Board of Adjustment. The current ordinance does not apply to this and the ordinance can be changed or remain as is.

Chairman Galbraith stated P&Z needs to get feedback from Council before spending time on this issue and encouraged anyone interested to attend the January Council meeting, and specifically asked attorney Eldridge to be available to answer any legal questions which may arise.

### B. Vacation rental nuisance violation data collection

Chief Cooper has not provided P&Z with violation data to date in order to get an idea of what violations have been noted by the police.

### C. Chapter 19-373(7) political signs – Ordinance Amendment

There was no discussion at December Council meeting and P&Z was asked to postpone this issue until their January meeting.

## VI. NEW BUSINESS

**None**

**VII. MEMBER ITEMS**

None

**VIII. ADJOURNMENT**

**MOTION:** Member Votta moved to adjourn the meeting.

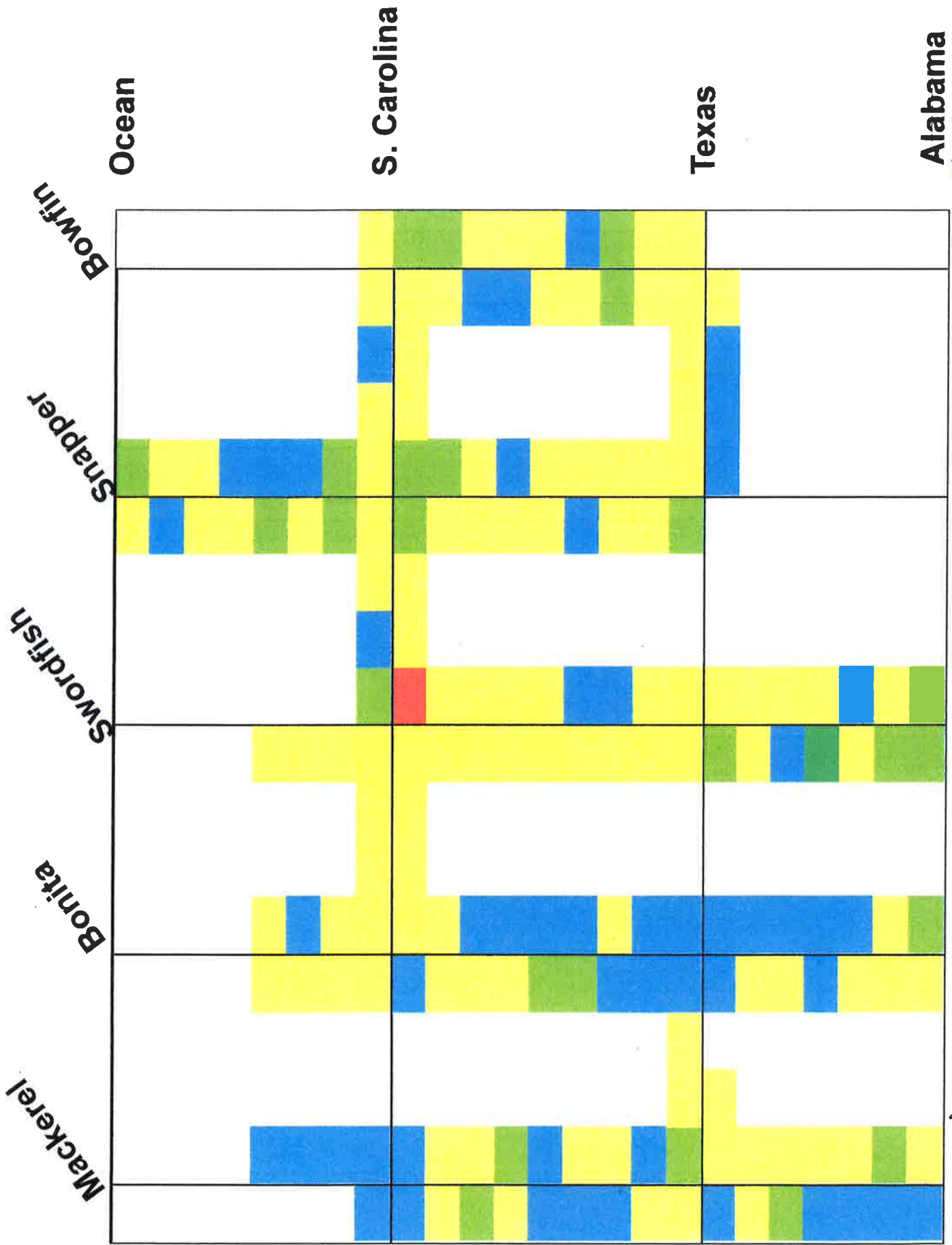
**SECOND:** Member Richardson

**VOTE:** Unanimous

**The P&Z meeting adjourned at 7:27 p.m.**

  
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Craig Galbraith, P&Z Chairman

  
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Josie Fitzgerald, Secretary



RED - CONTAINER  
 YELLOW - HOMES  
 BLUE - TRAILERS  
 GREEN - [unclear]

Pos Trailer  
 PSI:  
 A 2 T trailer only area in KB