



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

A regular meeting of the Kure Beach Planning & Zoning (P&Z) Commission was held on Wednesday, October 5, 2016. A quorum of the Commission was present.

### **P&Z MEMBERS IN ATTENDANCE**

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

Councilman Joseph Whitley, Liaison  
Attorney James E. Eldridge

### **STAFF PRESENT**

John Batson, Building Inspector  
Josie Fitzgerald, Secretary

### **I. CALL TO ORDER**

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

### **II. APPROVAL OF THE AGENDA**

**MOTION:** Member Moore moved to approve the Agenda with a request to add a discussion regarding parking under Member Items

**SECOND:** Member Galbraith

**VOTE:** Unanimous

### **III. APPROVAL OF THE MINUTES**

**MOTION:** Member Galbraith moved to approve the minutes of September 7, 2016

**SECOND:** Member Richardson

**VOTE:** Unanimous

### **IV. PUBLIC COMMENTS**

None

## V. OLD BUSINESS

### Beach Safety and Conservation Standards

Council adopted new Ordinances Sec. 12-47, 12-48 and 12-49 regarding Beach Safety and Conservation Standards as recommended by the Planning and Zoning Commission

## VI. NEW BUSINESS:

### A. Fences and Fence Heights

Inspector Batson stated that he has received questions from homeowners as to why we have a maximum fence height of four feet.

- Some problems noted are: a dog can scale a four (4) foot fence, there is no privacy in the back yard or at an outside shower
- The fence issue continues to come up
- There is a possibility to move to a maximum height of six (6) foot fence restricted to the back part of the property and deter a six foot fence around the entire property
- There could be safety issues as far as fire department, movement of air, etc.
- Control of easements need to be maintained
- Kure Beach has small lots and we want to maintain the sense of community
- A six foot fence is a reasonable request
- We need to maintain aesthetics and property values and not go any higher than six feet except maybe around an outdoor shower
- The fence should be restricted to come off the back corners of the existing structure
- Our current ordinance allows a five-foot chain-link fence
- There could be a requirement for a wood, board-on-board, shadow box, vinyl or similar type material
- HOA's may be more restrictive
- A four foot fence is the minimum for around a pool
- Suggest the chain link fence be eliminated
- Suggestion to have Counsel draft an ordinance including the main points of maximum six foot height, from the back corners of the house, constructed of wood or vinyl and eliminate chain link fences

Suggestion to conduct further research and place on Agenda next month for discussion

This issue is tabled and will appear on the November Agenda

### B. Carolina Beach Ordinance – specific regulation for chickens

A young lady appeared at the September Council meeting who had chickens because of a school or 4-H project and did not want to give the hens away, which prompted this discussion

- Inspector Batson briefly discussed the Carolina Beach ordinance (passed in June)
- Our current ordinance basically says you cannot have chickens walking down the street
- Council did not have a problem with keeping chickens in the Town resulting in the discussion of creating an ordinance (Chapter 4)
- Attorney Eldridge stated that Bellville has a very comprehensive ordinance that covers livestock which he could share with P&Z Commission for consideration

- Once the door is open for chickens, keeping other animals will most likely arise
- There are a few modifications to the Carolina Beach ordinance that could be made; i.e. reducing the area from 1500 square feet and the number of hens should not exceed 4
- Service animals need to be considered which is complicated
- Construction, location and size of the coop was discussed
- No roosters should be allowed
- The combined coop size and run can be limited to be smaller than 60 sq. ft. and limit height to three (3) feet
- Coop cannot be in the setbacks and should be aesthetically pleasing, in similar style as the principal house, hidden and not seen by neighbors
- Should the run be enclosed to deter owls and fox or should that be discretionary
- P&Z agrees to recommend allowing chickens, draft a text amendment, and present to Council

**MOTION:** Member Galbraith moved to approve similar language as Carolina Beach ordinance with the addition of requirements for the coop design, construction and location. (See attached modifications)

**SECOND:** Member Richardson

**VOTE:** Unanimous

### C. Town Development Line

Council has directed Inspector Batson to work with P&Z Commission to recommend where the Town Development Line should be located

- Inspector Batson would like time for further research and investigation and place this item on the Agenda for discussion next month
- Inspector Batson presented a power point presentation to Council and will present it to P&Z at the next meeting.
- CAMA has relaxed their guidelines for municipalities who have large scale beach re-nourishment projects which includes the Town of Kure Beach
- We are governed by what is called the “static line” and we measure where a house can be built on the oceanfront which is determined by CAMA and if hit by a catastrophic storm they would re-evaluate that line if needed
- The new rules in place are allowing municipalities having large scale beach re-nourishment to fudge that line and create their own line potentially allowing construction of the main house closer to the beach which will allow large structures; i.e. commercial structures and how far they would have to be from the beach
- Carolina Beach has already done this and Oak Island will do this in their quarterly meeting
- The way they developed and defined their line was to use their beach re-nourishment easement line along the entire coast, we have to have an easement on every piece of property along the beachfront
- Our lots will become more valuable, help Kure Beach and allow large structures on certain properties
- There are measurement standards that need to be made

- There is a process to follow and Council has allowed Inspector Batson to spend up to \$1,500 to contract a local surveyor to put all this on a map for review to see how it may enhance our property values and whether it is something we want to go forward with.
  - Properties built in the 70s and 80's if incurring damage of 50% or more would not be allowed to rebuild
  - This will positively affect Ocean Dunes with no negative effects
- This issue is tabled and will appear on the November Agenda

**VII. MEMBER ITEMS:**

A. Council renewed a five-year term for John Ellen on the P&Z Commission

B. Council clarified their intentions regarding the alternate member status to mean the alternate would only be sworn in and resume a position vacated by a current member. The purpose was to have an alternate ready to sit on the Commission and avoid losing time searching for a new member to fill a vacancy.

C. Member Richardson requested a discussion regarding parking

A brief discussion about the proposed expansion of Town Hall and the limitation of parking

- SLAP had worked on parking options in the past with no outcome
- Looking forward to 2018, would it be beneficial to come up with a plan to solve the parking problem
- Several recommendations have been presented to Council over time
- P&Z worked with SLAP and made various recommendations a year ago for parking
- Council is not ready to move forward with parking changes
- P&Z will certainly address the issue again if directed by Council

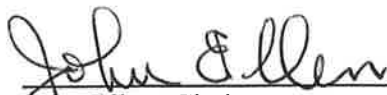
**VIII. ADJOURNMENT**

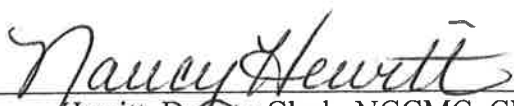
**MOTION: Member Galbraith moved to adjourn the meeting**

**SECOND: Member Moore**

**VOTE: Unanimous**

**The P&Z meeting adjourned at 8:10 p.m.**

  
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 John Ellen, Chairman  
 Planning and Zoning Commission

  
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 Nancy Hewitt, Deputy Clerk, NCCMC, CMC  
 (minutes written by Josie Fitzgerald, Secretary)