



# PLANNING & ZONING COMMISSION MINUTES

**REGULAR MEETING**

**Wednesday, February 2, 2022 @ 6:30 pm**

The Kure Beach Planning and Zoning Commission (PZC) held its regular meeting on Wednesday February 2, 2022. A quorum of members was present and Attorney Jim Eldridge attended.

## **P&Z MEMBERS PRESENT**

Chairman Craig Galbraith  
Vice-Chair Jim Dugan  
Member Kathleen Zielinski  
Member Tony Garibay (Via Conference Call)  
Member Joe Barlok  
Alternate Member Byron Ashbridge

## **P&Z MEMBERS ABSENT**

## **STAFF PRESENT**

Mandy Sanders, Town Clerk  
Beth Chase, Deputy Town Clerk  
John Batson, Building Inspector

## **COUNCIL LIAISON PRESENT**

Commissioner Ellen

## **CALL TO ORDER**

Chairman Galbraith called the meeting to order at 6:45 p.m.

## **ADOPTION OF AGENDA**

MOTION- Member Dugan made a motion to move the oath of office for Byron Ashbridge to the first item on the agenda and adopt the agenda as amended

SECOND- Member Zielinski

VOTE- Unanimous

Town Clerk Sanders administered the Oath of Office to member Byron Ashbridge.

## **APPROVAL OF MEETING MINUTES:**

- January 5, 2022 Regular Meeting

MOTION- Member Barlok made a motion to approve the minutes as presented

SECOND- Member Dugan

VOTE- Unanimous

## **PUBLIC COMMENTS**

None.



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## **OLD BUSINESS**

### 1. Land Use Plan Update

Chairman Galbraith commented the last Committee meeting was canceled so no update.

### 2. Electric Vehicle Chargers

Chairman Galbraith commented this has been a discussion for the past few months. He recommends this item be reviewed by the Parking Committee.

MOTION- Chairman Galbraith made a motion to remove this item from future PZC agendas

SECOND- Member Zielinski

VOTE- Unanimous

Commissioner Ellen commented he will bring forth this topic to the retreat meeting for Town Council to review.

## **NEW BUSINESS**

### 1. Proposed Text Amendment Application - 11.14.010 Restrictions (Exemptions)

Building Inspector Batson commented:

- The text amendment being brought forward tonight by applicant Vic Ward who is also the new Police Chief of Carolina Beach
- He is renovating a house at 514 I Avenue and wants to install a fence but could not do exactly what he desired so walked him through the process of text amendments
- He chose to apply for a text amendment and wrote the text amendment before the Commission
- The additions are highlighted, and he is available for questions if needed
- This is a weekly topic from multiple residents and has been brought forward before and this item keeps coming back

Member Barlok commented he knows the rear yard means basically the back of the building to the whole yard. So, what is 50% of yard?

Building Inspector Batson commented 50% of the side of the side yard. So, if it is a 100-foot lot then it would be 50 feet up of the side yard.

Member Zielinski read the definition of a yard, and the rear yard in the code of ordinances for the Town of Kure Beach.

Chairman Galbraith commented the rear starts from the back corner and the applicant is removing that completely but still uses rear 50% so he thinks it is not a good thing as there would be no



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definition. It sounds like the applicant wants to have the same definition as a rear yard but now allow a 6-foot fence for 50% of it.

Attorney Eldridge commented need to look at 11.14.010 section C and D to see if there is any impact. Is there a requirement the fence in the rear be on or near the rear property line? If there isn't does it mean you can put the fence anywhere in the rear yard.

Building Inspector Batson commented he has reviewed all this information.

Chairman Galbraith commented his opinion is the definition of a rear yard has been in place for a long time. He thinks it should stay the same as it looks cleaner throughout Town.

Building Inspector Batson stated this was changed in 2017.

Member Zielinski commented she walked around Town to see what it would look like and some homes are set back but some are very close to the front line. If there is a very long home that sits close to the property, the long house can put a 6 foot fence half way up the length of the lot. She is always very hesitant to approve text amendments because they effect every property in Town.

Member Dugan commented is there any properties in Town would there be any homes in Town that the whole house could be enclosed with a 6-foot fence?

Building Inspector Batson commented no and that is not the intent of the proposed text amendment. If the Commission does not like this text amendment there is a better way for it to be written as the house placement dictates how much fence a property owner can have.

Member Dugan stated but if the house is on the very back of the property line 50% of the total.

Member Garibay commented he agrees with Building Inspector Batson that 50% or 50 feet of designation of the side yard is the best way. The placement of the house can vary.

MOTION- Chairman Galbraith made a motion to not recommend this proposed text amendment

SECOND- Member Dugan

VOTE- For-Chairman Craig Galbraith, Vice-Chair Jim Dugan, Member Kathleen Zielinski, Member Joe Barlok, Against Member Tony Garibay

## MEMBER ITEMS

None.

## ADJOURNMENT

MOTION- Member Dugan made a motion to adjourn the meeting at 7:16 p.m.

SECOND- Chairman Galbraith

VOTE- Unanimous



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ATTEST:

  
Mandy Sanders, Town Clerk

  
Craig Galbraith, Chairman

NOTE: These are action minutes reflecting items considered and actions taken by Planning and Zoning Commission. These minutes are not a transcript of the meeting. A recording of the meeting is available on the town's website under government>planning and zoning.