

**TOWN OF OCEAN ISLE BEACH
PLANNING BOARD MEETING
FEBRUARY 17, 2015
MINUTES**

MEMBERS PRESENT

Carol Grantham, Chairperson
Don Kauffman, Vice-Chairman
Larry Cheek
Ernie Crews
Becky Noble
Frank Williamson

MEMBERS ABSENT

George "Robbie" Smith

STAFF PRESENT

Justin Whiteside, Planning Director
Keith Dycus, GIS & Codes Planner
Kitty Coley, Secretary

MEETING CALLED TO ORDER

Chairperson Carol Grantham called the meeting to order.

ADOPTION OF AGENDA

A motion was made by Mr. Don Kauffman with a second by Mr. Frank Williamson to adopt the agenda. The vote was unanimous.

APPROVAL OF MINUTES

The minutes of the December 16, 2014 meeting were unanimously approved as corrected upon a motion by Mr. Ernie Crews with a second by Mr. Williamson.

SUMMARY OF BOARD OF COMMISSIONERS' ACTIONS

Mr. Whiteside noted the following actions from the February 10, 2015 Board of Commissioners' Meeting:

1. Held a Public Hearing and approved an amendment to Section 10-125 Fencing
2. Approved the release of an improvement guarantee for improvements that had been installed in Waterway Cove
3. Referred a zoning map amendment request to the Planning Board for review

NEW BUSINESS

DISCUSSION REGARDING REQUEST FOR INITIAL ZONING OF 6700 APPLETREE STREET SW BY DCS LTD

Chairperson Grantham stated the first item of New Business was discussion regarding a request for initial zoning of 6700 Appletree Street SW by DCS LTD. Mr. Whiteside stated that at the request of Town staff, the Board of Commissioners referred a discussion regarding initial

Planning Board Meeting (Cont.)

February 17, 2015

Page 2.

Zoning of 6700 Appletree Street SW within the Town's extra territorial jurisdiction. Mr. Whiteside stated the property was addressed as 6700 Appletree Street (Parcel 243OH001) and was owned by DCS Ltd. Mr. Whiteside explained the property was recently platted after originally being part of a private roadway and was not zoned. Mr. Whiteside also explained the 50' x 300' portion of the roadway was abandoned and platted as a single lot. Mr. Whiteside noted that adjacent properties to the north and east are zoned as C-3. Properties located directly to the south are part of a single-family neighborhood, Lake Tree Shores, which is zoned R-1M. Mr. Whiteside also noted the neighborhood was currently separated from this parcel by a solid wooden privacy fence as well as a buffer that runs along the perimeter of the neighborhood. Mr. Whiteside stated that DCS Ltd. was requesting the property be zoned to C-3. Mr. Whiteside explained the property was abutting Lake Tree Drive to the east but this was also a private right-of-way so the subject parcel would only be accessible by Appletree Street. Mr. Whiteside expressed that zoning of this property to C-3 would be consistent with the CAMA Future Land Use Map, however, this would not be a requirement in order to approve or deny the zoning.

Mr. Whiteside stated a Planning Board Zoning Consistency Statement was provided to be reviewed as each individual item and approved in its entirety along with the zoning. Mr. Whiteside noted the adjacent property owners along with Lake Tree Shores POA would be notified of the public hearing scheduled by the Board of Commissioners.

After a brief discussion, a motion was made by Mr. Williamson with a second by Mr. Crews to approve the Zoning Statement as well as recommend approval to the Board of Commissioners for the proposed zoning of C-3 for 6700 Appletree Street SW. The motion was unanimously approved.

ADJOURN

Being no additional business or comment was heard, the Planning Board meeting was unanimously adjourned upon a motion by Mr. Williamson with a second by Mr. Kauffman.

2/21/15

Carol Grantham

Carol Grantham, Chairperson



Kitty Coley
Kitty Coley, Secretary

Planning Board Plan Consistency Statement

The Planning Board has reviewed and recommended **approval** to the Town of Ocean Isle Beach Board of Commissioners the following text amendment to the Town of Ocean Isle Beach Zoning Ordinance.

AN ORDINANCE MODIFYING LANGUAGE REGARDING THE BOARD OF
ADJUSTMENT IN SECTIONS 66-406 THRU 66-408, OF THE TOWN OF OCEAN ISLE
BEACH ZONING ORDINANCE

After review of the ordinance, the Planning Board hereby finds and recommends to the Board of Commissioners that the above zoning amendment:

- is consistent with the Town of Ocean Isle Beach CAMA Land Use Plan and any other officially adopted plan that is applicable, AND is reasonable and in the public interest for the reason(s) stated below.

OR

- is NOT consistent with the Town of Ocean Isle Beach CAMA Land Use Plan and any other officially adopted plan that is applicable, AND YET is considered reasonable and in the public interest for the reason(s) set forth below.

OR

- is neither consistent nor inconsistent with the Town of Ocean Isle Beach CAMA Land Use Plan and any other officially adopted plan that is applicable, AND is considered reasonable and in the public interest for the reason(s) set below:

The proposed amendment will make the current ordinance more consistent with the General Statute regarding appeals to the Board of Adjustment.

- is NOT considered reasonable or in the public's interest at this this time.

4/21/15

Date
Carol Gaxton

Planning Board Chairperson
Town of Ocean Isle Beach

Planning Board Zoning Statement

The Planning Board has reviewed in full the petition Rezoning Case # 2015-1 to zone 15,000 square feet of real property (Parcel ID 243OH001) owned by DCS Ltd. to C-3. After a review of the petition, the Planning Board hereby recommends to the Board of Commissioners that the property be zoned to C-3. In making this recommendation, the Planning Board finds that [*check all that apply*]:

- The size of the area to be zoned, which is 15,000 square feet is compatible with the proposed zoning to C-3. *The C-3 zoning districts permits a density of eight and two-tenths (8.2) units per acre. Every 2,000 of commercial space shall be considered a unit. Minimum lot size for commercial purposes is 5,000 square feet.*
- App permitted uses in Section 66-53 of the Town of Ocean Isle Beach Zoning Ordinance have been considered in this decision [see attached].
- The proposed zoning to C-3 is compatible with the Town of Ocean Isle Beach Land Use Plan. *The Land Use Plan designates this area as a private right-of-way, however the area directly adjacent is shown as commercial.*
- The benefits of zoning the tract to C-3 outweigh any detriments. *The owner will be required to install boundary buffers that will assist in protecting neighboring residentially zoned properties which are zoned R-1M. The lots immediately to the north are currently being used for commercial purposes.*
- The relationship between the uses of the proposed zoning of C-3 and the surrounding area are either identical or compatible. *Adjacent properties to the north and east are zoned commercial. Property to the south is zoned residential, however a current buffer already exists along the boundary of the subdivision. A boundary buffer will be required along the area that borders the residential properties.*
- This new zoning promotes the public health, safety, and general welfare of the community. *This zoning is in harmony with most of the surrounding area. The zoning will not create a public safety hazard nor harm the welfare of the community.*
- Other comments:

2/17/15

Date

Carol Gresham

Planning Board Chairperson
Town of Ocean Isle Beach

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- Other comments:

2/17/15

Date

Carol Grayson

Planning Board Chairperson
Town of Ocean Isle Beach