TOWN OF OCEAN ISLE BEACH
PLANNING BOARD MEETING
APRIL 21, 2015
MINUTES

MEMBERS PRESENT

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

MEMBERS ABSENT

Robbie Smith

STAFF PRESENT

Mayor Pro-Tem Dean Walters
Justin Whiteside, Planning Director
Keith Dycus, GIS and Codes Planner
Kitty Coley, Secretary

MEETING CALLED TO ORDER

Chairperson Mrs. Carol Grantham called the meeting to order.

OATH OF OFFICE

The Oath of Office was administered by Ms. Kitty Coley, Secretary, to Mr. Don Kauffman. Mr. Kauffman was sworn in and will serve a three year term.

ADOPTION OF AGENDA

A motion was made by Mrs. Becky Noble with a second by Mr. Kauffman to adopt the agenda. The vote was unanimous.

APPROVAL OF MINUTES

The minutes of the February 17, 2015 meeting were unanimously approved with corrections upon a motion by Mr. Kauffman with a second by Mr. Ernie Crews.

SUMMARY OF BOARD OF COMMISSIONERS' ACTIONS

The Planning Board was presented with the following summary regarding Board of Commissioners' actions during their March meeting:

1. Held a Public Hearing and approved an initial zoning request for 6700 Appletree Street SW to C-3.
2. Referred a Text amendment regarding Chapter 66, Article XI to the Planning Board for review.

NEW BUSINESS
DISCUSSION REGARDING CHAPTER 66, ARTICLE XI

Chairperson Grantham stated the item of New Business was discussion regarding appeals to the Board of Adjustment. Mr. Whiteside stated that staff had proposed amendments to Sections 66-406 – Application of interpretation power, Section 66-407 – Appeal stays further proceedings and Section 66-408 – Exceptions to stay of action. Mr. Whiteside explained these amendments it would make the current ordinance more consistent with the General Statute as noted on the Planning Board Plan Consistency Statement.

After a brief discussion, a motion was made by Mrs. Noble with a second by Mr. Frank Williamson to recommend approval to the Board of Commissioners the amendments to Section 66-406, Section 66-407 and Section 66-408 as shown.

NOTE: Additions are double underlined with the deletions indicated by ~~strike through~~.

Sec. 66-406. - Application of interpretation power.

(a) An appeal from an order, requirement, decision or determination of the ~~zoning administrator~~ administrative official charged with enforcement of the ordinance shall be decided by the board of adjustment based upon its findings of fact and to achieve the intent of this chapter. In exercising this power, the board shall act in a prudent manner so that the purposes of this chapter shall be served. The effect of the decision shall not be to vary the terms of this chapter nor add to the list of permitted uses in the districts.

(b) An appeal for an interpretation of a decision, file determination or directive of the ~~building inspector~~ administrative official charged with enforcement of the ordinance must be within 30 days after the decision, determination or directive was made by the ~~building inspector~~ official and record of that action filed in the town offices. ~~office of the building inspector~~.

Sec. 66-407. - Appeal stays further proceedings.

An appeal to the board of adjustment from a decision or determination of the ~~building inspector~~ administrative official charged with enforcement of the ordinance stays all proceedings in furtherance of the decision or determination appealed from, except as provided in section 66-408.

Sec. 66-408. - Exceptions to stay of action.

An appeal to the board of adjustment of a determination or decision of the ~~building inspector~~ administrative official charged with enforcement of the ordinance shall not stay further proceedings in furtherance of the decision or determination appealed from if the ~~zoning administrator~~ official certifies either:

(1) That in the opinion of the ~~zoning administrator~~ official, a stay would cause imminent peril to life and/or property; or

(2) That the situation appealed from is transitory in nature, and therefore an appeal would seriously interfere with enforcement of this chapter.

In each instance, the ~~zoning administrator~~ administrative official charged with enforcement of the ordinance shall place in the certificate facts to support the conclusion.

ADJOURN

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

6/16/15
Date

Carol Grantham
Carol Grantham, Chairperson

(SEAL) TOWN OF OCEAN ISLE BEACH SEAL NORTH CAROLINA

Kitty Coley
Kitty Coley, Secretary