



## **Town of Southern Shores**

5375 N. Virginia Dare Trail, Southern Shores, NC 27949

Phone 252-261-2394 / Fax 252-255-0876

[info@southernshores-nc.gov](mailto:info@southernshores-nc.gov)

[www.southernshores-nc.gov](http://www.southernshores-nc.gov)

**Planning Board Meeting**

**January 16, 2018**

**5:30 p.m., Pitts Center**

### **MEETING MINUTES**

**I. CALL TO ORDER:**

Chairperson Sam Williams called the meeting to order at 5:30 pm. Planning Board Members Joe McGraw, Elizabeth Morey, David Neal, Jay Russell, Sam Williams, alternate member Glenn Wyder, ETJ representative John Finelli, and Town Planner Wes Haskett were present.

**II. PLEDGE OF ALLEGIANCE:**

Chairperson Sam Williams led the Pledge of Allegiance.

**III. APPROVAL OF AGENDA:**

Joe McGraw motioned to approve the agenda. Jay Russell seconded the motion. The motion passed unanimously (6-0, alternate member Glenn Wyder not voting due to a quorum present).

**IV. PUBLIC COMMENT:**

None.

**V. OLD BUSINESS:**

None.

**VI. NEW BUSINESS:**

**A. 2018 Planning Board Meetings and Deadlines Schedule**

Chairperson Williams reviewed the proposed 2018 Meetings and Deadlines Schedule and noted that regular meetings will be held on the third Monday of each month except for holidays. The Board will also hold special meetings, as needed, on the first Monday of each month to discuss the Town Code Update project.

Elizabeth Morey motioned to approve the 2018 Meetings and Deadlines Schedule. Joe McGraw seconded the motion. The motion passed unanimously.

Chairperson Williams reported that at the last Town Council meeting he presented the Board's recommendation on the Zoning Text Amendment application (ZTA-17-06, Sec 36-171) regarding Lot Disturbance and Stormwater Management which the Town Council approved. He also presented the Board's recommendation of making no changes to the Town Code regarding tree removal on private property and the Town Council accepted the recommendation. However, Councilman Newberry was strongly supportive of revisiting the issue and changing the current Town Code for tree

preservation on private property. At the end of the Town Council meeting, Mayor Pro Tem Nason stated that he would like for the Town Council to revisit lot coverage.

Chairperson Williams also reviewed a table that reflects the approximate timeline between when a Planning Board recommendation is made and when it is considered by the Town Council. Because of meeting schedules, the final decision may take a month or more. Module One of the Town Code Update project contains footnotes that the Board needs to address. In addition, the Board may need to address some of the subjects of the survey questions. The Board also needs to continue individual reviews for minor changes to Module One and submit all comments to Wes Haskett. The Board agreed that its goal is to complete review of Module One by the end of June, 2018.

#### B. Side yard setback requirements for 50 ft. wide lots

Chairperson Williams stated that 50 ft. wide lots were platted before the Town was incorporated and up until the year 2000, side setback requirements were 10 ft. Currently, the side setback requirements are 15 ft., which would result in a 20 ft. wide house on a 50 ft. wide lot. Three variances have been granted to allow a 12 ft. side setback on 50 ft. wide lots and each time, the Board, acting as the Board of Adjustment, has had to follow the quasi-judicial Board of Adjustment procedure.

David Neal stated that the setback requirements addressed in the last two variance applications were unique and that the Board has now established a pattern of smaller houses on smaller lots which our Town probably does not want. He also stated that he prefers houses on larger lots.

The Board discussed the difference between a vacant 50 ft. wide lot with a house and two adjacent 50 ft. wide lots with a structure on both.

Emily Ausband stated she and her sister own a vacant 50 ft. wide lot on Trout Run and that applying for a variance is not hard to do. Allowing smaller houses gets away from larger houses. Larger lots have more value to the Town.

Wes Haskett stated that Policy 2 of the Town's currently adopted Land Use Plan states that the community values and the Town will continue to comply with the founder's original vision for Southern Shores: a low density residential community comprised of single family dwellings on large lots (20,000 square feet or larger).

Jay Russell motioned to recommend no changes to the Town Code regarding side setback requirements on 50 ft. wide lots. Elizabeth Morey seconded the motion. The motion passed 5-0 (ETJ member John Finelli did not vote since there are no 50 ft. wide lots in the ETJ area).

#### C. Parking requirements for residential rental properties

Wes Haskett explained that the Town's current parking requirements are based on the septic capacity established in the septic permit issued by Dare County. Prior to the current requirements, parking was based on the number of bedrooms which was subsequently amended in accordance with legislation that was adopted by the N.C. General Assembly.

The Board discussed the Town Code Update survey question regarding parking and agreed that distinguishing between rental homes and non-rental homes would be difficult. Elizabeth Morey motioned to recommend no changes to the Town Code

regarding parking for rental properties. Joe McGraw seconded the motion. The motion passed unanimously 5-0 (ETJ member John Finelli did not vote since there are no residential rental properties in the ETJ area).

**D. Commercial design standards**

Elizabeth Morey asked if commercial development projects required site plan approval. If so, design standards could be addressed at that point. Wes Haskett stated that it does, which requires a Planning Board recommendation and Town Council approval. The Town could not require any architectural elements since there are currently no adopted standards. However, the Town could suggest architectural features or improvements.

The Board discussed the commercial design standards proposed by CodeWright Planners and agreed that they were not specific to a coastal community and that there are only a few vacant commercial lots remaining. There are other local jurisdictions that have commercial design standards which could be considered as the Board decides whether or not to pursue recommending commercial design standards for the Town.

Jay Russell motioned to table the discussion of commercial design standards so that the Board can review the commercial design standards adopted by other local jurisdictions. David Neal seconded the motion. The motion passed unanimously.

**E. Relocating oceanfront homes**

Chairperson Williams stated that the next topic addressed in the Town Code Update survey was relocating oceanfront homes. The Board discussed the Town's current setback requirements and Wes Haskett explained the current CAMA setback requirements for oceanfront homes. Section 36-473 and Section 36-474 of the Town Code currently address ocean hazard areas which may or may not be needed in the Town Code Update if the requirements established in those sections are addressed by CAMA.

David Neil motioned to recommend no changes to the Town Code regarding relocating oceanfront homes. Jay Russell seconded the motion. The motion passed 5-0 (ETJ member John Finelli did not vote since there are no oceanfront properties in the ETJ area).

**VII. PUBLIC COMMENT:**

None.

**VIII. PLANNING BOARD MEMBER COMMENTS:**

Glenn Wyder thanked Chairperson Williams and Wes Haskett for meeting with him to update him on the Board's activities.

**IX. ANNOUNCEMENTS:**

Chairperson Williams stated that the next two meetings will be held on February 5, 2018 and February 20, 2018 to continue discussion of Module One of the Town Code Update project.

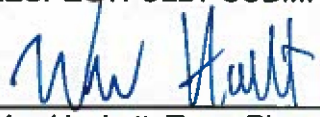
**X. ADJOURNMENT:**

Joe McGraw motioned to adjourn. Jay Russell seconded the motion. The motioned passed unanimously and the meeting adjourned at 7:25 p.m.

ATTEST:

  
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Sam Williams, Chairperson

RESPECTFULLY SUBMITTED:

  
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Wes Haskett, Town Planner