

Investigate-Research-Develop-Recommend  
(North Carolina General Statute 160A-387)

Sunset Beach Planning Board-Town of Sunset Beach  
**Minutes From April 15, 2010**

---

**Members Present**

Gene Allen-Vice Chairman  
Al Seibert  
Leon August  
Sybil Kesterson  
Eddie Walters

**Members Absent**

Bill McDonald-Chairman

**Staff**

Jeff Curtis  
Cindy Nelson

**Others Present**

Council Woman:  
Carol Scott

1. **Call to Order**-9:05 am
2. **Roll Call**-Quorum Present
3. **Agenda Comments**- None
4. **Approval of Minutes**-None
5. **Building and Zoning Administrator Report**-None
6. **Public Hearing Topics**

- a. Amendment to 151.149 (A) (1) (b) Fences in a Side Yard Abutting a Street Right of Way

Public Hearing Open

The Vice Chairman read the proposal to the Board and the Visitors.  
Carol Santavicca of Forest Drive asked if this were for the island and the mainland.  
Jeff answered; "yes".

With no other comments being made, the Public Hearing was closed.

Board discussion as follows:

Jeff explained that when the fence ordinance was changed in 2009, the changes did not include allowing fences in a side yard abutting a street right of way. There have been several requests in regards to this issue. The thought with the current ordinance is that if 6 foot fences were allowed in a side yard abutting a street right way, it would create a corridor effect and also affect visibility. The proposed amendment would allow fences to be 4 feet in height and be required to be 35% open.

Some discussion ensued, and then the Vice Chairman asked if the Board was ready to vote.

**Al moved to recommend the proposed change as outlined; be sent to council.**

**Leon Seconded. Motion carried unanimously.**

7. **Old Business**-None

8. **New business**

- a. For Discussion Purposes Only-Proposed Rezoning of the AF-1 Zoning District to the MR-1 Zoning District.

Jeff clarified that it is not the MR-1 the discussion is for, but that the Council, after a Public Hearing, choose not use the MR-1 zoning due to citizens concerns that by changing the zoning to MR-1 there would be a decrease in the lot size from 1 acre lot(s) down to 15,000 square feet.

Jeff asked the Board for their thoughts on rezoning the AF-1 to CR-1 before he proceeded with changes. Jeff further explained that the lot sizes would remain the same if rezoned to CR-1.

Eddie confirmed that this was to eliminate the last area of the Town zoned AF-1. The AF-1 District no longer applies to the overall zoning and direction of the town; Agriculture and Forestry, which allows clear cutting.

There was some discussion about clear cutting being permitted in the AF-1 district.

Gene asked Carol Scott what the Council's concern was with clear cutting. Carol responded the major concern was that people would come and cut all the trees, the idea is to protect the size of the lots and prevent clear cutting.

Jeff interjected that the marsh area abutting the current AF-1 area is currently zoned CR-1.

Carol questioned the rational of using this zoning as opposed to the surrounding zoning.

Eddie responded by saying that the property along Schuyler Drive not fronting the waterway could be considered to be rezoned MR-1, which is consistent with that street fronting Ocean Harbour Drive and Schuyler Drive. Then, the ones on the waterway could be considered for the CR-1 District.

Jeff added that the owner of the property abutting Schuyler Drive and adjacent to Ocean Harbour Drive was opposed to the MR-1 zoning, so if the property was sold, the new owner could ask for a rezoning.

Eddie said to Jeff that there should not be a problem to rezone it all CR-1, but this addresses Carols question.

Al asked what's next. Jeff replied he will draw up a proposal and bring it to the next meeting.

Gene asked the Board what their feelings were.

The consensus was to move forward with language and rezoning the AF-1 to CR-1.

9. **Visitor Comments**-None

10. **Adjournment**-Al moved to close the meeting. Seconded by Eddie. Motion carried unanimously.

**Note:** The Legal Notice that ran in the Beacon for the Public Hearing was incorrect. The date for the hearing, as listed in the text of the ad, was for April 15, 2009. The correct date is April 15, 2010.

*Gene Allen-Vice Chairman*

*Cindy Nelson-Secretary*