

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

Sunset Beach Planning Board-Town of Sunset Beach
Minutes From October 1, 2009

Members Present

Bob Perry-Vice Chairman
Eddie Walters
Leon August
Al Siebert
Gene Allen
Sybil Kesterson

Members Absent

Bill McDonald-Chairman

Staff

Jeff Curtis
Cindy Nelson

1. Call to Order-9:00 am
2. Roll Call-Quorum Present
3. Agenda Comments-None
4. Approval of Minutes-Approval of Minutes from the September 3, 2009 Session-**Motion made by Eddie to approve the minutes as submitted. Seconded by Gene. Motion carried unanimously.**
5. Building and Zoning Administrator Report-None
6. Public Hearing Topics
 - a. Amendments to Sections 151.117 (C) and 151.119 (11) (a). Delete Section 151.117 (E). Requirements for Placement of Political and Campaign Signs

The proposal was discussed during the last worksession. Jeff made changes as suggested. Those changes reflect bringing the requirements into one place in the ordinance and a time limit was added for the removal of campaign signs after the election.

The chairman opened the public hearing. No public comments being made, the public hearing was closed.

Discussion from the board:

Eddie confirmed this was a housekeeping issue.

Leon asked how a permit would work. Jeff said it is recommended to get one, but, not required. The permit would give guidelines to the applicant; he further stated there is no charge for this permit.

Eddie motioned to recommend this change to council for approval, based on our land use plan, this proposal would help enhance the appearance of the Town by the enforcement of stricter sign regulations, maintain the existing residential, retirement and small scale resort characteristics of the community. Motion seconded by Leon. Motion carried unanimously.

b. Docks, Piers, and Bulkheads

Jeff explained this proposal will create a new section for the maintenance of Docks, Piers, and Bulkheads. The section outlines situations where a homeowner would need to make repairs to or remove a structure, and the Town would have guidelines to enforce those repairs.

Jeff added changes for minimum standards for structural conditions; the standards are what the inspector would use to go by when determining the safety of a structure. He also added a 14-day timeframe for completion from the notification of repairs to be done; instead of the proposed 7-day.

The Board's discussion is as follows:

Al: How long are we giving them to get repairs done?

Jeff: 14-days from notification, if they need more time, the homeowner can contact the inspections department and request an extension.

Eddie: any considerations should be on a case by case basis depending on whether a permit is needed or not.

Sybil: 30 days would be a better option in case of an absentee homeowner, or, the homeowner cannot get someone to do the work.

Eddie: This just means that once a homeowner is notified of a problem, they have 14-days to either make repairs or present a plan to the inspections department, depending on the situation. To complete a repair might need a longer time frame depending on the permitting process.

Leon: I would like to see the 14-days remain as there could be an unsafe condition that may cause a public safety issue.

Eddie: Jeff, can this ordinance place liability on the town if a dock breaks loose and damages someone's property?

Jeff: I have been advised that the Town would hold no liability.

Bob: Jeff, normally bulkheads take a long time to deteriorate, so, if they are being checked, a severe problem could be addressed in plenty of time?

Jeff: Most times, yes, but, sometimes the tides might be abnormally high or other similar situations that would cause damage.

Leon motioned to adopt the proposal as amended with the 14-days, this proposal is consistent with our Land Use Plan in that Sunset Beach shall promote the conservation and quality of estuarine waters by allowing structures which prevent erosion, boat docks, and piers. Seconded by Gene. Motion carried unanimously.

Bob told the board that the next three agenda items are all the same issue, he instructed the board to approve all three items at the same time.

c. Rezoning of Sandpiper Bay Golf Course Areas From Mainland Residential 3 to the Open Space 1 District. Parcel #'s: 22700024, 2270002401, 2270002402, 2270002428, and 24200014.

d. Rezoning of Sea Trail Golf Course Areas From Mainland Residential 3 to the Open Space 1 District. Parcel #'s: 2420000964, 25600002, 2560000106, 2560000108, 2560000109, 2560000110, 2560000111, 2560000115, 2560000116, 2420000946, 2420000947, 2420000948, 2420000950, 2420000951, 2420000952, 2420000953, 2420000957, 2420000958, 2420000960, 2420000961, 2420000967, 2420000968, 2420000970, 2560000122, 2560000107, and 2560000101.

e. Rezoning of Oyster Bay Golf Course Areas From Mainland Residential 2 to the Open Space 1 District. Parcel #'s: 25500170, 2550017003, 2550017004, and 256HA02301.

Jeff informed the board of the proposal which is to rezone the three golf courses to the new Open Space 1 Zoning District in order to preserve the golf courses from high density development should any or all of the golf courses shut down. He further added this was a goal in the Land Use Plan.

The chairman opened the public hearing.

A brief comment made by visitor Karen Joseph was that she was very satisfied with this proposal. Eddie stated the board worked hard to achieve this goal while working on the Land Use Plan.

With no more comments being made, the public hearing was closed.

Discussion from the Board-being none,

All moved to recommend to council the adoption of paragraph d, the rezoning of Sea Trail, and item e, the rezoning of Oyster Bay and item c, the rezoning of Sandpiper Bay. This proposal being consistent with the goals of the Land Use Plan, will help preserve the current use of lands with the existing golf course facilities and discourage future residential infill development of those areas.

Motion seconded by Gene. Motion carried unanimously.

7. Old Business

The agenda did not specify any Old Business; however, a comment made by Eddie Walters prompted discussion by the board for the ongoing Through Lot issue.

Eddie asked Jeff if the Through Lot situation was “dead”. Jeff said most likely it is, at this time. Jeff’s thought was Town Council wanted to be able to extend the usable life of any nonconforming structures that are out there. Our nonconforming zoning ordinance could be changed, the problem is the Flood Plain Damage Prevention ordinance that will not allow an increase over 50% in substantial improvements. We can only decrease it to be in line with FEMA requirements.

8. New Business-None

9. Visitor Comments-None

10. Adjournment-meeting adjourned at 9:40 am. **Eddie motioned to adjourn. Seconded by Leon. Motion carried unanimously.**

Bob Perry-Vice Chairman

Cindy Nelson-Secretary