



Town of Sunset Beach
Planning Board Meeting

Meeting Minutes of June 15, 2017

Members Present: Chairperson Tom Vincenz, Len Steiner, Bob Tone

Members Absent: Greg Jensen, Noelle Kehrberg

Staff Present: Hiram J. Marziano II; Planner, Cindy Nelson; Planning Board Secretary

Others Present: N/A

Chairperson Tom Vincenz called the meeting to order at 9:00 a.m. and established that a quorum was present.

Amend or Approve Agenda: Agenda approved unanimously.

The Pledge of Allegiance was recited by all in attendance.

Postponement or Withdrawal Requests: None

Public Comments: None

Consideration of Approval of Minutes: Consideration of approval of minutes from the May 18, 2017 meeting. CHAIRPERSON VINCENZ ASKED FOR A MOTION TO APPROVE THE MINUTES AS WRITTEN. LEN STEINER MOVED THE MOTION WITH A SECOND MADE BY BOB TONE. MOTION WAS CARRIED UNANIMOUSLY.

Old Business

TA-17-04: Amend Section 6.06 (H) BB-1 Beach Business District to Increase Density Per Acre for Multi-Family Residential Uses. Action Item w/Attachment.

Chairperson Vincenz described how this citizen initiated Text Amendment has come about, as was described in previous meetings. After brief discussion, the Planning Board was not in favor of changing the density requirement to allow a four-unit condominium building on this lot. If the vote was to allow a change in density, then it would affect the entire BB-1 Zoning District. To allow a change for just this lot, it would be considered to be Spot Zoning which is not allowed in the State of North Carolina.

Bob Tone asked if the Board of Adjustment would be of aid to the developer in this situation. Hiram answered that the developer could apply to the Board of Adjustment, however, they would only be able to meet two of the four criteria required to meet a hardship. The case is not unique in that they could build another structure there that would meet current density requirements.

CHAIRPERSON VINCENZ ASKED FOR A MOTION TO RECOMMEND DENIAL OF THE REQUEST AS IT IS NOT CONSISTANT WITH THE 2010 LAND USE PLAN. MOTION MOVED BY LEN STEINER. SECOND MADE BY BOB TONE. MOTION WAS CARRIED UNANIMOUSLY.

TA-17-05: Amend Article 1, Article 2, and Article 7 to Include Information Related to Building Codes, Regulations, and Standards. Action Item w/Attachment.

Hiram explained to the Board that many items were omitted from the adopted UDO in 2012. Building Code information was an item that was not included. Some of items were believed to still have been in the UDO, so the Inspections Department has been enforcing these regulations all along without precedence. Hiram proceeded to read through the language as written in the attachments.

CHAIRPERSON VINCENZ ASKED FOR A MOTION TO RECOMMEND APPROVAL FOR THE AMENDMENTS AS PER THE 2010 LAND USE PLAN. MOTION MOVED BY LEN STEINER. SECOND MADE BY BOB TONE. MOTION CARRIED UNANIMOUSLY.

New Business

TA-17-06: Amend the UDO to Create Article 14: Minimum Housing /Unsafe Structures. Discussion Item w/Attachment.

Hiram explained to the Board the Amendment before them was to establish a minimum housing standard. He continued that the Building Inspector Carey White and himself took the language from the Town of Whiteville's standard. The standard has been created to address situations that are structural, concern life safety and public health, it does not address concerns of aesthetic nature.

Chairperson Vincenz noted that this seems to be a function of the Building Inspector. Hiram answered that it is a part of the inspector's job. Planning and Zoning officials are not trained in Building Code Enforcement.

Highlights of the discussion are as follows:

- Change “City Council” to “Town Council” throughout the text.
- Institute definitions. Hiram said that could be done, and he will, but he did say that the UDO allows for the use of dictionary definitions.
- Chairperson Vincenz asked if dead trees on a property could be included in this amendment. Hiram answered that something of that nature would be a civil matter as the Town does not have any jurisdiction to enter on private property, unless the tree was in a right of way and the concern was for life safety.
- Bob Tone questioned if this would apply to Section 14.06 (D)(2); like for the beach access walkways. Hiram answered that this standard is for residential only and that the Building Inspector is working on a standard for commercial property.
- Define noxious weeds.
- In Section 14.12; change “Public Authority” to “Building Inspector”.
- Define “deteriorate” and “dilapidated”.
- Page 11 (C) (2); question as to what is “In Rem Ready”? Hiram answered that was a Latin term used by attorneys.

CHAIRPERSON VINCENZ MADE A MOTION TO MOVE THIS AMENDMENT FOR ACTION AT THE JULY MEETING. (NOTED THE BUILDING INSPECTOR WOULD BE PRESENT AT THE JULY MEETING TO ANSWER QUESTIONS). MOTION MOVED BY LEN STEINER. SECOND MADE BY BOB TONE. MOTION CARRIED UNANIMOUSLY.

Items to Discuss

Len Steiner made a comment that the lot on 27th Street behind the Island Market was a mess. There are piles of debris, and the lot is being used for storage of boats and other vehicles. Chairperson Vincenz added to Len’s concerns by giving history of this property and how this has always been an issue there. He continued to say that it is an eyesore and the mess is creeping onto the adjacent lot. Hiram offered to look into the matter.

Administrative Items

- a. Director and Staff Comments-None
- b. Board Member Comments and Request for Future Agenda Items.

Review the Special Event Sign Ordinance. The purpose of the review is to look at signs and banners in the Park, the Gazebo parking area on the beach, and the Town entrance areas. Hiram suggested keeping this specific to one zoning area such as the park as that seems to be where the main concern is. The topic will be on the next agenda.

Gateway Corridor items that are in need of discussion.

Begin looking over the sign ordinance.

Public Comments- None

Adjournment: 10:05 AM. CHAIRPERSON VINCENZ ASKED FOR A MOTION TO ADJOURN. MOTION MOVED BY LEN STEINER. SECOND MADE BY BOB TONE. MOTION CARRIED UNANIMOUSLY.

Town of Sunset Beach
Planning Board

Tom Vincenz, Chairperson

Submitted by:

Cindy Nelson, Planning Board Secretary

***Minutes from the June 15, 2017 meeting were approved at the July 20, 2017 meeting.