



WRIGHTSVILLE BEACH PLANNING BOARD MINUTES

321 Causeway Drive, Wrightsville Beach, NC 28480

January 5, 2016

The Town of Wrightsville Beach Planning Board met at 6:00 p.m. in the Town Hall Council Chambers located at 321 Causeway Drive, Wrightsville Beach, NC 28480.

PRESENT: Chairman Ken Dull, Vice Chairman Thomas "Ace" Cofer, David Culp, Susan Snider, Janice Clark, Vivian "Zeke" Partin

ABSENT: Andrew Hall

Staff Members Present: Tony Wilson, Director of Planning & Parks
Zachary Steffey, Town Planner

CALL TO ORDER

Meeting called to order by Chairman Ken Dull at 6:01 p.m.

PLEDGE OF ALLEGIANCE

Chairman Ken Dull led the audience in the Pledge of Allegiance.

APPROVAL OF MINUTES

...Motion by Ms. Zeke Partin to approve the minutes from the December 8, 2015 meeting. Motion seconded by Ms. Janice Clark and carried unanimously by a vote of (6-0).

NEW BUSINESSAGENDA ITEM A:

CONSIDERATION OF A TEXT AMENDMENT TO SECTION 155.8.4 ELEVATION OF NONCONFORMING STRUCTURES IN ORDER TO COMPLY WITH FLOOD ORDINANCE, TO DELETE THE PORTION OF SECTION 155.8.4 THAT REQUIRES A PROPERTY OWNER ATTEMPTING TO ELEVATE THEIR EXISTING STRUCTURE TO COMPLY WITH THE SETBACK REQUIREMENTS OF THE LOT IF SUFFICIENT AREA TO DO SO EXISTS ON SAID LOT.

Mr. Wilson presented the proposed Text Amendment to Section 155.8.4 of the Town's Code of Ordinances. He said that the Department of Planning and Inspections received a Text Amendment Petition from Mary Gornto on December 21, 2015. He indicated that the petitioner requested an amendment to delete the portion of Section 155.8.4 that requires a property owner attempting to elevate their existing structure to comply with the setback requirements of the lot if sufficient area to do so exists on said lot. He provided the Planning Staff analysis of the Text Amendment and stated that the amendment would increase the number of structures that are able to be elevated throughout the Town. He said that the amendment would also help to minimize the extra costs that property owners incur as a requirement to relocate a house to conform to the Town's setback requirements if sufficient area to do so exists on the lot. He indicated that there are existing nonconforming ordinances in place to restrict any further additions to these structures. Mr. Wilson said that the Planning Department recommends that the Planning Board forward a favorable recommendation to the Board of Aldermen. He said that the public notice of the proposed Text Amendment was advertised in the Wilmington Star News on December 26, 2015.

PLANNING BOARD DISCUSSION:

Ms. Clark asked if there were any negatives to approving the proposed Text Amendment. Mr. Wilson said that this would only apply to certain properties and that typically this would apply to older homes.

Ms. Partin asked Mr. Wilson if the houses are currently non-conforming to flood requirements and required setbacks. Mr. Wilson said that many of the properties that would be impacted by this Text Amendment are non-conforming to flood requirements and setback requirements and that the proposed Text Amendment would allow some structures to be brought into conformance with the Flood Requirements. He also explained that other sections of the Code of Ordinances

would limit the extent to which these houses could be expanded once they have been elevated.

Mr. Cofer asked if Section 155.8.4 is a standalone ordinance from Section 155.8.9. He also asked if there is no room to move laterally in any direction, would you still be able to elevate the structure. Mr. Cofer explained that he did not feel that a homeowner should be burdened by having to move laterally if smaller structures don't have to conform to the setbacks. Ms. Partin said that these houses on smaller lots could never be conforming to the setbacks and that they would only be able to comply with the flood requirements.

Mr. Culp expressed concerns about the location of the HVAC stands. He said that the changes to the ordinance would put HVAC stands very close to the setbacks/adjacent properties. He asked if this should be addressed in the open space ordinances to prevent HVAC stands from encroaching into the portion of the lot closest to the adjacent property.

PRESENTATION FROM APPLICANT:

Ms. Mary Gornto, the petitioner, said that she felt that the matter had been sufficiently presented. She added that there is a small cottage that cannot be raised, if they had to move the house over then the cottage would be blocking to entrance to the main cottage. She said that the small cottage would be completely in front of the steps of the cottage if the house had to be moved. She explained that the only area of the house that encroaches into the setback is on the southeast corner of the porch.

QUESTIONS FROM THE PLANNING BOARD:

Mr. Cofer asked Mr. Taylor if he was comfortable with how the Text Amendment was written. Mr. Taylor stated that the Text Amendment does not affect the basic planning principle of the UDO in that it does not remove paid on-street parking spaces and it does not provide preferential treatment to any property in particular.

PUBLIC COMMENT PERIOD:

IN FAVOR

None

IN OPPOSITION

None

PLANNING BOARD DISCUSSION:

Mr. Dull asked if the height limitations would still apply. Mr. Wilson said that there are certain situations where the roof height would matter and the house would still have to comply with the height limitations.

MOTION:

... Ms. Clark made a motion to forward a favorable recommendation of the proposed Text Amendment to the Board of Aldermen. Ms. Partin seconded the motion and the Planning Board voted unanimously in favor of forwarding a favorable recommendation. Vote: (6-0)

OLD BUSINESS

None at this time.

OTHER BUSINESS FROM CHAIRPERSON OR BOARD MEMBERS

Ms. Partin requested that the March 1st Planning Board Meeting be moved to March 8th

OTHER BUSINESS FROM STAFF

It was announced that a new Chairperson and Vice Chairperson would be elected at the February Planning Board meeting in addition to the appointment and re-appointment of Planning Board members.

ADJOURNMENT

...There being no further business to come before the board, Ms. Vivian “Zeke” Partin made a motion to adjourn which was seconded by Ms. Susan Snider, the meeting was adjourned by unanimous vote at 6:22 p.m. Vote (6-0)

Respectfully Submitted,

Town Planner, Zachary Steffey