



Nice Matters!

**Emerald Isle
Planning and Inspections**

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Planning Director

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Town of Emerald Isle
Planning Board Meeting
Monday, July 25, 2022 – 6:00 PM
Town Board Meeting Room

1. Call to Order
2. Roll Call
3. Approval of Minutes from March 29, April 25, and May 23, 2022 meetings
4. Election of Officers
5. Planning Director Items
 - a. June 2022 Department Report
 - b. Increased use of permitting & code enforcement software
 - c. Community Rating System Recertification (annual)
 - d. UDO Rewrite Schedule
7. Board Comments
Kenny Sullivan (Chairman)
Athan Parker
Malcolm Boatfield
Chad MacAvery
Susan Monette
Paul Schwartz
Ty Cannon
8. Adjourn

**MINUTES OF THE REGULARLY SCHEDULED EMERALD ISLE PLANNING
BOARD/BOARD OF ADJUSTMENT
6 P.M.
MARCH 29, 2022
7500 EMERALD DRIVE**

Present: Planning Director Josh Edmondson, Athan Parker, Chad MacAvery, Ken Sullivan, Susan Monnette, Paul Schwartz and Ty Cannon.

Board Member Malcolm Boartfield was absent.

1. Chairman Ken Sullivan called the meeting to order at 6 p.m.
2. Motion by Ty Cannon to excuse Chad MacAvery from last month's meeting. Seconded by Athan Parker, motion passed unanimously.
3. Motion by Paul Schwartz to approve the minutes of the February 28, 2022 minutes. Seconded by Athan Parker, motion passed unanimously.
4. Proposed Amendment to Off Street Parking and Loading Requirements:
Planning Director Josh Edmondson said when the ordinance was previously changed, it required a certain type of parking materials. Planning Board Member Ken Sullivan said the Board at that time wanted it for all parking lots, but specified which parking spaces it would be needed.

Edmondson said the No. 1 priority to discuss is if temporary areas for parking should be paved, and if they wanted to continue to add impervious surface or use pervious material. He clarified a maintenance plan would be required of all lots in question as part of the site review process.

There was one unidentified individual in the audience who asked where the parking will be, and if boats will be parked there. Once she was told it would be just trucks and cars she was satisfied.

Motion to approve the ordinance with changes in wording on a maintenance plan required with the site plan was made by Ty Cannon. Athan Parker second, motion passed unanimously.

5. Report from monthly report:

Edmondson said his report shows the second month of the county taking over the permitting process, which has helped him a lot. He noted permitting and all related items are still holding steady. He noted new houses being built are ten above this timeframe last year, and last year's total was 72 new houses.

Edmondson said the UDO work is still on schedule and he anticipates having a completed draft for everyone to look at it in a few months. He added there will be a lot of changes, but everything should be 100 percent clear and transparent in it.

6. Upcoming events:

Edmondson said the next Board of Commissioners meeting is April 12 and the next Planning Board meeting is April 25.

7. Board Comments:

There were no comments from the board.

The meeting adjourned at 6:38 p.m.

Chairman Sullivan opened the case at 6:17 p.m. Planning Director Edmondson, Alan Hales (homeowner), and George Morris (contractor) were sworn in by the Secretary Diehl. Planning Director Edmondson explained the case and said that he had met with the builder and grader to see what could be done with the lot. He gave the background on the case: The trailer is about 50 years ago, and they have been working on improvements, but the homeowners were at the point where the repairs weren't worth the cost and they were also reaching the 50% threshold.

The Variance Request is to the 34% natural area, not the vegetative requirement. When placed in 1972, the trailer was placed in non-compliance. Planning Director Edmondson advised to request variance to natural area and explained the permitted uses and zoning. The trailer is currently non-conforming and encroaches into the setback. He reviewed the proposed site plan with the board and said that the tax value is low, so the value is limited. Staff has posted signs, run the ads in the paper, and followed protocol for the proceedings. The owner has agreed to vegetate back to the requirements. There was discussion about the site plan. Staffs position is that allowing the variance request will help the owner make reasonable use of the property and meets the goals and towns vision.

There were questions from the board about the removal of vegetation and requesting placement of trees.

Mr. Hales spoke. He thanked the board for hearing his case and explained that he had grown up visiting Emerald Isle. His parents had bought the trailer and leased the land on Bayberry. He and his wife now own the lot and trailer. He explained that the repairs have become commonplace, and he and his wife would like to have less repairs. He told the board he understood the importance of setbacks, standards and the environment and he pledged that if the variance was approved that they would work with staff to meet reasonable requirements.

Member Parker asked if there was a septic permit on file for the existing home and Mr. Hales said it had been repaired but that he had not seen the permit. Member Monette asked if parking would stay grassy and Mr. Hales said that it would. Member Cannon asked if he intended to save any trees, Hales said he did intend to keep the trees that he could. Member Parker did not think according to site plan that some of the slopes would work without a retaining wall.

Planning Director Edmondson said that he did not feel that there was a way to keep the trees between the home and retaining walls. Member Parker did not see a place for replanting trees because of the size of the lot. There was discussion about the replanting of trees and vegetation. Member Monette wanted to ensure that trees would be protected, if planted and Planning Director Edmondson explained that the new plantings would go with the variance and be filed with the property.

Mr. Morris said that had been working with homes in Emerald Isle since the 70's and that this was the first lot that he could not get to comply. He said that the setback on the east area will not be disturbed other than the bulkhead. Member MacAvery asked if the home would have gutters, Mr. Morris answered yes, that it would and that a stormwater plan would be submitted to Planning Director Edmondson.

Member MacAvery asked if the home would be on a permanent foundation. Mr. Hales answered yes. Planning Director Edmondson said that if there were any more questions- or if the Board wanted to discuss, the project—they could do that now and address any stipulations that they would want added. The Planning Board said that they would want retaining walls as needed to meet ordinance requirements and replanting of trees. Planning Director Edmondson explained staff would work with the homeowners to place trees in appropriate places.

Sullivan reviewed 3 findings of fact:

- 1- Motion passed unanimously by Member Sullivan with a second by Member Monette.
- 2- Motion by Member Parker that variance is in harmony with a second by Member Cannon that passed unanimously.
- 3- Motion by Member Parker that retaining wall is placed for the public safety and welfare with a second by Member MacAvery that passed unanimously.

Final Vote: Motion by Member Cannon to grant the variant listed on findings of fact listed in this case as long as the conditions are followed. Member Parker made the second and the motion passed unanimously.

The closed at 6:58 PM.

7. Report from the Town Planner

Planning Director Edmondson review the building inspections report for March 2022 and announced the upcoming meetings of note:

- Board of Commissioners, May10, 2022
- Planning Board, May 23, 2022

Planning Director Edmondson introduced newly hired Assistant Town Planner Jeff Hall to the Board and announced that he would be resigning with the town and taking an opportunity in the private sector.

8. Board Comments

Member Parker congratulated Planning Director Edmondson and said he hated to see him go

Member Boartfield said Planning Director Edmondson would be tough to replace.

Member Monette said she hated to see Planning Director Edmondson go.

Member Cannon congratulated Planning Director Edmondson and said he would enjoy the private sector.

Chairman Sullivan gave Planning Director Edmondson his best wishes and said he'd enjoyed working with him.

1

2 **9. Adjourn**

MINUTES OF THE REGULAR MEETING
OF THE EMERALD ISLE PLANNING BOARD/BOA
APRIL 25, 2022
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- 1 ***Motion was made by Member Schwartz to adjourn the meeting with a second by Member Cannon.***
- 2 ***The Board voted unanimously in favor. Motion carried.***
- 3 ***The meeting was adjourned at 7:13 p.m.***
- 4 Respectfully submitted:
- 5
- 6 Sarah Diehl
- 7 Secretary to the Planning Board

Planning Board Minutes-
Monday May 23, 2022

Call to Order- Ken Sullivan

Roll Call-

PRESENT

Athan Parker
Kenny Sullivan
Susan Monette

ABSENT

Malcolm Boartfield
Chad MacAvery
Paul Schwartz
Ty Cannon

Not enough for Quorum.

Kenny Sullivan motion to adjourn- second by Athan Parker
Meeting Adjourns- 6:15PM



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MONTHLY DEPARTMENT REPORT – Narrative

Planning and Inspections Department

July 2022

Statistical Highlights during the Past Month:

- Zoning Permits Issued: 32
- CAMA Permits/Exemptions: 4
- Tree Permits: 18
- Site Visits Planning Staff: 27
- Special Use Permit: Sweet Willy's Beach Blitz (July 12th hearing)

Significant Accomplishments during the Past Month:

- Staff continued to provide site visits and in-person consultations
- Staff continues to work on various potential stormwater projects
- Planning Board didn't meet.
- Staff continues reviewing new UDO Articles
- Staff continues implementation of the Call Before You Cut Program
- Staff continues nuisance abatement on properties
- Staff continues to answer and help property owners and insurance agents with questions concerning flood data
- Staff fielded various phone calls inquiring about sand fence installation
- Staff continues working on new mapping projects
- Staff continues to research regulations for the UDO update
- Staff continues nuisance abatement on properties
- Staff continues to answer and help property owners and insurance agents with questions concerning flood data

Significant Planned Tasks / Objectives for Next Month:

- Onboarding of new Planning Director, Michelle Eitner
- Staff and Consultant to work on UDO update
- Staff to coordinate
- Staff will continue nuisance abatement on properties
- Staff will continue to answer and help property owners and insurance agents with questions concerning flood data

Special Items of Interest to Note:

Upcoming Planning Board Meeting, July 25, 2022 at 6PM

Submitted by: Michelle Eitner, Planning Director

From: [Michelle Eitner](#)
To: [Richard Flowe](#); [Chad MacAvery](#); [John Freshwater](#); [Jason Holland](#); [Floyd Messer](#); [Steve Finch](#); [Matt Zapp](#); [Michelle Eitner](#)
Cc: [Jeff Hall](#); [Sarah Diehl](#); eric.keravuori@summitde.net
Subject: UDO Committee Schedule
Date: Monday, July 11, 2022 11:09:07 AM

Good Morning All,

I want to introduce myself a bit and provide a run-down for the descent towards UDO adoption.

I come to Emerald Isle from Atlantic Beach. During my six years at AB, we rewrote the UDO and LUP, so I'm familiar with the process I've jumped into but am new to the current EI UDO and proposed changes. We'll have this opportunity to learn together.

We're putting our nose to the grindstone to finish the UDO by the end of the year. We've been on this journey long enough – it's time to bring it home. The remaining UDO sections are broken into three modules for review. There is no meeting in July – take some time to look at the previously reviewed articles from last year.

The following schedule is anticipated:

- August 11, 2pm: UDO Steering Committee – Module 1 (Articles 2, 15, 11, 12, 17, 18, & 20)
- August 22, 6pm: Planning Board – preliminary review of Module 1
- September 8, 2pm: UDO Steering Committee – Module 2 (Articles 13, 16, 21, 9, 7, & 19)
- September 26, 6pm: Planning Board – preliminary review of Module 2
- October 20, 2pm: UDO Steering Committee – Module 3 (Articles 10, 8, zoning map, statements of consistency/reasonableness, and technical standards & specifications manual)
- October 24, 6pm: Planning Board – preliminary review of Module 3
- November 10, 2pm: UDO Steering Committee – Adoption Draft (all prior reviewed components)
- November 28, 6pm: Planning Board – Adoption Draft review and approval
- December 13, 6pm: Board of Commissioners – Adoption Draft review, public hearing, and approval

Please let me know if there are any questions. I look forward to working with all of you.

Best,

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