

**TOWN OF EMERALD ISLE
PLANNING BOARD MEETING
MONDAY, FEBRUARY 25, 2013**

Vice Chairman Eddie Barber called the meeting to order at 6:00 pm. Members present were: Eddie Barber, Bill Keadey, Ken Sullivan, Tom Kelly, Pete Wachter and Jim Normile. Also present was Kevin Reed, Planning and Inspections Director.

A motion was made by Pete Wachter to excuse Jim Craig. The motion was seconded by Tom Kelly and passed unanimously (6 to 0).

A motion was made by Ken Sullivan to approve the minutes of the Planning Board meeting held on January 28, 2013. The motion was seconded by Pete Wachter and passed unanimously (6 to 0).

Mr. Reed advised that for the month of January 2013, the Planning and Inspections Department total estimated value for all permits was approximately of \$1,145,490. This brings the fiscal year total to over \$6.8 million in construction value and the Department has collected approximately \$72,707, in permit fees.

Consider a request from the Emerald Isle Board of Commissioners for the rezoning of certain properties in the Village-East Focus Area from the Business (B), Camp (C) and Mobile Home (MH) Zoning Districts to the Village East (VE) Zoning District.

Mr. Reed informed the Planning Board that this request had been made by the Emerald Isle Board of Commissioners. The Planning Board was asked to study the potential of rezoning the properties in the Village East Focus Area from the Business (B), Camp (C) and Mobile Home (MH) Zoning Districts to the Village East (VE) Zoning District. This request was made by the Commissioners at its December 11, 2012 meeting when it considered the rezoning of 134 Fairview Drive from Business (B) to Village East (VE). Following approval of the rezoning by the Board of Commissioners, they requested that the Planning Board investigate the possibility of this rezoning. Since all of the properties to be rezoned are located in the Village East Focus Area, the rezoning would be consistent with the Town's LUP.

Mr. Reed informed the Board that letters had been mailed by Town staff to all affected property owners in the Village East Area which informed them of this potential rezoning action and inviting them to attend this meeting of the Planning Board. It should be noted that motels and hotels are not listed as permitted uses in the Village East Zoning District and if all of the properties in the Village East area are rezoned; then the Oceanview Inn and Rusty Pelican would become existing non-conforming uses. Mr. Reed advised that the non-conforming status would prohibit the expansion of an existing non-conforming use and could affect the ability to re-establish such a use if damaged or destroyed by more than 50%. The Bogue Inlet Motel is currently zoned Village East and is non-conforming based on the Table of Permitted and Special Uses found in the UDO. Motels and hotels were not listed as a permitted or special use when the Village East district was originally created in October of 2006. The Planning Board could keep

this prohibition in place or recommend as part of this rezoning action that the Table of Permitted and Special Uses be amended to allow motels and hotels in the Village-East Zoning District.

Mr. Reed informed the Planning Board that Town staff was not aware of any other existing uses that would become non-conforming as a result of the rezoning action. It should be noted that campgrounds are a permitted use in the Camp District, but would become a special use under the zoning designation of Village East. The existing Ocean Forest Campground would be subject to this rezoning and, if rezoned to Village East would require a special use permit for any expansion of the use in the future. To date Town staff has not received any inquires from property owners who were notified that this issue would be discussed at the February meeting of the Planning Board.

Tom Kelly stated he felt that it would be unfair rezone the two hotels to Village East and make them non-conforming. Mr. Kelly felt that hotels and motels should be listed as permitted uses in the Village East District. Following further discussion of this request, Pete Wachter made a motion to recommend approval of the rezoning to the Board of Commissioners. The motion also included amending the Table of Permitted and Special Uses to list hotels and motels as a permitted use in the Village East Zoning District. Tom Kelly seconded the motion and it passed (5 to 1).

There being no further business to come before the Board, a motion was made by Tom Kelly to adjourn. The motion was seconded by Bill Keadey and passed unanimously (6 to 0). The meeting was adjourned at 6:25 PM.

Respectfully submitted by:

Peggy Grammer, Secretary
Town of Emerald Isle Planning Board