

CAROLINA BEACH

Planning and Zoning Minutes
Thursday, July 12, 2018 @ 6:30 PM
Council Chambers
1121 N. Lake Park Boulevard
Carolina Beach, NC 28428

ASSEMBLY

The Town of Carolina Beach Planning and Zoning was held on Thursday, July 12, 2018 at 6:30 PM at Council Chambers.

PRESENT: Keith Bloemendaal, Deb LeCompte, Mike Hoffer, Wayne Rouse, and Melanie Boswell

ABSENT: Commissioner Nan Toppin

ALSO PRESENT: Director of Planning & Development Jeremy Hardison and Interim Town Manager Ed Parvin

. CALL TO ORDER

. APPROVAL OF MINUTES

Planning and Zoning - May 10, 2018 Meeting Minutes

- a. Commissioner Rouse made a motion to approve the minutes as written.
Commissioner Hoffer seconded, all in favor (6-0).

. STAFF REPORT ON RECENT COUNCIL MEETINGS

Mr. Parvin reported on the most recent Town Council Meeting - July 10, 2018

Updated on previous Council Meeting regarding the Latella Gelato CUP which P&Z recommended and was approved by Council.

On recent Council Meeting they heard the Flood Ordinance, there was a slight change from P&Z's recommendation which was to change to 3 Elevation Certificates and they kept it to 1 at the end. No preliminary and no foundation certificate just 1 at the end just like we have it now.

Chairman Bloemendaal felt not having a preliminary doesn't make much sense.

Commissioner Kennedy stated that not having anyone present to explain what P&Z had wanted to change. Said that one of the Council members kept asking why there were 3 needed and there were financial cost regarding this.

Chairman Bloemendaal mentioned that he had spoke with the Mayor and Councilman Shuttleworth regarding why. But it wasn't relayed at the meeting.

Commissioner Kennedy felt strongly about why they wanted to make the change but was apparent to the people at the meeting it would be an added cost.

Chairman Bloemendaal asked Mr. Parvin in the future when there is a permit submitted for building that's in the flood zone how will you know they're going to build it above flood elevation if they don't have a preliminary elevation certificate, how will you approve the permit without knowing the height.

Mr. Parvin replied there will be a reference level reflecting that but there won't be an actual elevation certificate.

The members discussed that there was only one certificate needed but other communities have 3. Members of the Council asked if adding the additional certificates would this raise our CR's and it does not. With the increased cost and no effect on our rating they weren't in favor of changing this. They asked Mr. Parvin what if a building isn't built at the correct height, which will be discussed later.

Mr. Parvin reported Council voted to continue with the lake dredging hopefully in the fall. Stated that most people were for the continuation and want to see the project completed. The Land Use Update is not on the agenda but wanted to inform them that it will be coming. It could take at least a year and has taken 5 years in the past but we are hoping under 2 years.

STAFF REPORT ON RECENT DEVELOPMENTS

Mr. Hardison reported on the recent activities in the Planning and Development Department regarding permits and violations as well as new businesses. Also mentioned about the FEMA Elevation Grants, which could be 100% FEMA funded or a 90/10 split with the homeowner. He reported on a house that was gutted and vacant for 18yrs and this week the building was demoed. Mr. Parvin added kudos to our Building Inspector and our Code Enforcement Officer for following through with this to make it happen. He also reported on a few private paved parking lots in the CBD that were permitted. He also reported on the Town Projects; Island Greenway, Cape Fear Blvd, Pedestrian Plan, and Ryder Lewis Park. And also reported on Special Events. We are currently working on; Tree Preservation Ordinance, Reorganizing Taxi Ordinance/Vehicles for hire, Wireless Telecommunications Towers, Bulkhead Ordinance, Minimal Commercial Code.

A few commissioners commented on our Code Enforcement Officer Chris Lewis and how professional he was when speaking with them.

Chairman Bloemendaal asked how long will the update take regarding the Town Marina before the public slips are available. Mr. Parvin stated that we are waiting on the CAMA permit for the dredging, staff is building the floating docks, should be a few more months well into the fall, several of the Boat Captains are wanting to tweak the plan a little but will be having a meeting on July 25th to discuss these items.

Commissioner Kennedy asked regarding the FEMA Elevation Grants do the homeowners apply, yes and we keep that list, do they lose their grandfather status and would everything be brought up to current standards, yes and they will be a much better rate. They can elevate within the same footprint but there could be some challenging aspects but the goal is to meet the setbacks. Asked if the Bulkhead Ordinance would be coming to P&Z because it can be a big financial issues and she feels it's more than just a water mitigation.

DISCUSSION ITEMS

- a. Discussion:
 - 1) What Requires a Permit - Building Inspector
 - 2) Site Plan, CAMA and Flood Requirements - Planner

1) Darrel Johnson Building Inspector –What Requires a Permit

(See below for Power Point attachment)

QUESTIONS FROM THE BOARD:

Commissioner Rouse asked is there a certain percentage of a home when renovating that would need to be up to code or does the whole building need to be.

Mr. Johnson replied anything new that is done to the building has to meet the current code. If there is a load-bearing wall that is involved that would need to have an engineer to design a beam.

Commissioner Kennedy asked if there would be an expansion of a wall that is not a load-bearing wall would that require a permit. Would a building that is over 50% of the renovation value have to come up to standards. You are getting an estimated dollar value on your building permit, correct.

Mr. Johnson replied yes that would require a demolition permit. A building that is being renovated over 49% and is located in a flood zone that would require to be up to the standard code. We start with the tax assessment amount, they have the option to have an appraisal and we try to guide them in the best way they can. We look out for the best interest of the town but in the same token they need to be honest with us upfront and then we can guide them properly.

Commissioner Rouse asked can you add a bathroom to a home.

Mr. Johnson replied yes you can do additions regarding plumbing. We don't do the trades but what we try to do is to let them know if something will end up costing the homeowner more money and guide them through the process.

Chairman Bloemendaal mentioned that best practice, the homeowner should consult with a licensed general contractor instead of a handyman and then they wouldn't run into the issues that they're having. Also if asked as committee members of the town we need to direct them to the Planning and Zoning Department.

Commissioner Kennedy asked can a homeowner be involved in the permitting process so that they are aware of exactly what the process is.

Mr. Johnson responded yes we make it a point to talk with the owner especially if they find a discrepancy. We don't get involved with the contractor/homeowners contract but my job is to ensure the building code is met.

Chairman Bloemendaal asked if someone is covering existing siding would that require a permit.

Mr. Johnson responded yes it would because it needs to be installed correctly as well as the material needs to be approved.

Commissioner LeCompte asked if replacing a stove would that require a permit.

Mr. Johnson replied yes if it's a gas stove it would need a permit but through New Hanover trades.

Chairman Bloemendaal asked if just replacing a plug-and-place style electric.

Mr. Johnson replied no that wouldn't require a permit. He had mentioned any land disturbance would require a permit because of the stormwater runoff which has become a very large problem through the state.

Commissioner Rouse asked can you explain what the lien agent does.

Mr. Johnson replied their responsibility is to ensure that the house doesn't have any liens placed against it, it is an insurance policy if there is a lien claimed and the homeowner is charged \$35.00 through the marketing place for such a lien.

Chairman Bloemendaal asked regarding Permit Requirements (e) - I can't get a CO's for the house if someone hasn't looked at a driveway, does that not go against what this says.

Mr. Johnson replied it says - otherwise authorized by law, local, state or federal law. Add as a board going with the tree ordinance that would have to be required and that it's there in place and needs to be abide by that.

Commissioner Kennedy stated that as a local ordinance we can adjust down the road versus state and there are local ordinances that would make life a little easier on the inspector and/or the homeowner.

The Board shared their appreciation for Mr. Johnson's presentation and he in turn shared his appreciation for them by helping him enforce his job.

Chairman Bloemendaal wanted to reiterate as a board if we are asked these questions out in the public and you're not 100% sure of the answer you need to tell them to call the Town's Planning Department.

Commissioner Kennedy wanted to add something regarding social media - we don't make recommendations or opinions but what you want to be able to do is know who you are and know a little bit about what the process is physically what the process is and how to do it and any outcomes or regulations need to be left to the professionals.

2) Miles Murphy Planner - Site Plan, CAMA and Flood Requirements

(See below for Power Point attachment)

ACTION: No action is required

Vote: UNANIMOUS

NON-AGENDA ITEMS

Voting -

Commissioner Kennedy made a motion to keep the current Chairman - Keith Bloemendaal all in favor (6-0).

Voting on Chairman -

Bloemendaal all in favor (6-0).

Voting on Vice Chairman -

LeCompt - 4

Toppin - 2

Commissioner Deb LeCompte is the new Vice Chair

Chairman Bloemendaal asked about the preservation of our vegetation
Mr. Parvin stated we will give you more information regarding that later.

Video Timed Out.

ADJOURNMENT

Commissioner Rouse made a motion to adjourn.

Commissioner Kennedy seconded, all in favor (6-0).