



## **Minutes Town of Atlantic Beach Planning Board Meeting October 9, 2013**

The regularly scheduled meeting of the Atlantic Beach Planning Board was postponed by one day due to elections and commenced Wednesday, October 9<sup>th</sup> at 6:00 p.m. in the Town Hall Boardroom.

**Members Present:**

Llewellyn Ramsey  
John Hopkins  
Ray Langley, Chairman  
Norman Livengood  
Scott Rice

**Members Absent:**

Steve Joyner  
Larry Burke

**Staff Present:**

Jessica Fiester, Planner  
Kim Tynes, Secretary  
David Walker, Town Manager  
Katrina Tyer, Town Clerk

**Others Present:**

Trace Cooper, Mayor  
John Rivers, Council  
Harry Archer, Council  
Derek Taylor, Town Attorney  
Joe Goodson, Resident  
David Bradley, Resident

**CALL TO ORDER.**

The meeting was called to order at 6:00pm by Chairman Ray Langley. Planning Director Jessica Fiester requested to excuse Larry Burke from the meeting, as he is traveling.

**APPROVAL OF MINUTES**

Ray Langley called for a motion to approve the minutes from the April 2<sup>nd</sup>, 2013 Planning Board meeting. The motion was made by Llewellyn Ramsey and seconded by Norman Livengood. The vote was unanimous and motion carried.

**PUBLIC COMMENT**

The Planning Board did not take public comment at this meeting.

**OLD BUSINESS**

None

**NEW BUSINESS**

Jessica reviewed the current moratorium in place until December 2, 2013 on gazebos and beach walkway structures. The procedure to build on oceanfront property is as follows:

- CAMA Minor issued from TOAB
  - Require site plan, 2 letters to adjacent property owners, with Jessica as reference/contact plus \$100 fee.
- No permits issued until CAMA is processed
- Publish ad in local newspaper, cutoff date listed in ad
- All objections must be in writing, listing the issue for the objection.
  - Objection may hold small project up for 20 days.

- Chairman will review objection
- 21 days allowed to grant an appeal
  - Review to grant or deny objection
- Final option is to refer to court system.
- Next step is to meet TOAB requirements
  - Zoning
    - Must meet UDO requirements for set backs
    - Where to build
  - Building Inspector
    - Insure all codes are met with all trade contractors

Every three months CAMA follows up on all final projects.

Considerations taken when building on oceanfront property:

Property lines – where are they and what are the setbacks  
 Static lines – old sea wall location  
 First line of stable vegetation

Static line exemption

Quality renourishment  
 Maintain

The Static Line Exemption is a benefit to TOAB.

- If structure is destroyed by hurricane or fire, we can rebuild.
- Preserves linear line regarding homes
- Easier access to the beach
- Increases buildable area
- Improves real estate to provide shade/access

Llewellyn Ramsey stated had TOAB not adopted the Static Line and a home was destroyed it would require approval from Raleigh. Static Line exemption provides ease and convenience.

Elevated decks must be uncovered and elevated, better for the environment. Gazebo or any coverage must be no more than 200 sq. ft. That rule is consistent throughout the State of NC.

At this time TOAB has only 11 lots east and west of the circle that is privately owned and pose possible issue. Ocean Ridge and Club Colony are no problem.

Llewellyn feels walkways are important but not sure about covered gazebos. Covered areas are nice to have at condos where the lots are large. Mr. Bradley's gazebo on Glenn Street is an asset in her opinion.

John would like to know the height from the ground requirement. CAMA requires 5' of piling in the ground and the walkway needs to be high enough to allow sunlight on the vegetation.

Scott requested the minimal height allowed to protect vegetation should be provided.

Norman feels the gazebos are acceptable for large lots but not so much for the private, small lots.

Town Attorney, Derek Taylor stated all entities must be treated the same/equally. If zoning is different for single family dwellings vs. multifamily and commercial property, that will help.

There is concern that covered decks will block view. Clarity needed on height requirements, the lower the better.

The Planning Board recommendations to present to Council are as follows:

Commercial and resort areas can cover decks and have bathrooms or sheds. Derek suggested plans for TOAB Bathhouses "pre-existing" in the event they are destroyed by natural causes. Currently only one is covered.

No sheds or roof structures recommended in residential areas. Fabric shades will be permitted as they have minimal view obstruction.

Ray pointed out covered boat lifts are not allowed on sound side, same will apply to oceanfront.

Jessica is to gather information from Donna Turner, Building Inspector regarding height requirements for walkways on dunes.

<b>ADJOURNMENT</b>
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There being no further business, Chairman Langley called for a motion to adjourn the meeting at 7:00. The motion was made by Scott Rice and seconded by Norman Livengood,

Respectfully Submitted,

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Kim Tynes, Permit Technician

Approved by:

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Ray Langley, Chairman