



**Minutes
Town of Atlantic Beach
Planning Board Meeting
December 2, 2014**

Members Present:

Llewellyn Ramsey
Neil Chamblee
Ray Langley, Chairman
Larry Burke
Steve Joyner
Norman Livengood

Members Absent:

Scott Rice, Excused

Staff Present:

Jessica Fiester, Planning Director
Kim Tynes, Secretary

Others Present:

Debra Bauer, Resort Grill
Byron Knight, East Carolina Services
Susan & Matt Lamb, Chasin' Tales
Jan Miller, Miller Music

CALL TO ORDER.

The meeting was called to order by Chairman Ray Langley. Jessica called for a motion to excuse Scott Rice from the meeting. Motion carried by Llewellyn Ramsey and second by Neil Chamblee, unanimous vote.

Steve Joyner, Larry Burke and Norman Livengood were all asked if they plan to continue serving the Planning Board as their term is about to expire. All three plan to continue their service to the board.

APPROVAL OF MINUTES

Ray Langley called for a motion to approve the minutes from the October 7th meeting. Steve Joyner called for the motion and Llewellyn Ramsey and Neil Chamblee seconded it. The vote was unanimous.

NEW BUSINESS

Review of encroachment request for 317 West Boardwalk was postponed. They need to notify the neighbors and plan to be on the January 6th agenda. When rebuilding the beach access on Charlotte it was noted a portion of their underground septic system is in the Right of Way. TOAB will hold off on Certificate of Compliance until resolved. The septic system has been there for decades and the Planning Department feels we should grant the encroachment request. We need updated records and to get the mapping right. The homeowner is providing a survey for the drain fields and we will update our records and mapping with it.

Larry Burke asked about the year home was built, which was 1941 and he was concerned about the steep fee of \$500 for a problem they did not create. The Town determined Right of Way alleys in the 50's and 60's and were redone in the 70's.

The current owners inherited this problem through no fault of their own. He feels they should request Council to waive the fee. Jessica explained the Town paid for a survey and had to notify neighbors and run ads in local newspaper so the cost is an administration fee, not a penalty.

Beginning in January 2015, all meetings will resume original start time at 6:00pm.

Replacement pages for the Board's UDO handbooks were distributed. Ray Langley and Llewellyn Ramsey requested new UDO binders.

Temporary Signs and Feather Flags: Public comments were moved to the beginning of the meeting after Jessica gave the following recap. Letters were sent to 197 registered businesses in Atlantic Beach, inviting all for public opportunity to give opinions of temporary signs for businesses.

The following comments were via phone call or email:

- York Property called, they were okay with changes as long as they would not currently be in violation.
- Channel Marker wants to continue utilizing both sandwich boards and flags.
- Chasin' Tales stated they want to continue using sandwich boards and they believe the homemade signs are tacky.
- Curtis Pearson of Bert's Surf Shop dislikes temporary signage.

The following comments were made in person during public comment session:

Byron Knight, East Carolina Services of 218 West Fort Macon Road –

- Likes the tall, slender flags to let his customers know he's open.
- Being on the corner and having his front entrance on a side street makes the flags very useful for his business.
- He believes a few of the sandwich boards and flags create an eye sore.

Debra Bauer, Resort Grill of 1400 East Fort Macon Road –

- If Town takes her flag, she may as well close her doors.
- Lots of people miss her turn because she is so far back off the road. Customers miss it even with flag. Her flags are solid orange and out during business hours, 5:30am until 2pm.
- On Sands Villa Property 12-13' tall
- Approved by HOA and have no writing and cost \$300
- Printed material for Resort Grill directs you to look for the orange flag.
- Would really appreciate keeping the flag for her business.

Jan Miller, Miller Music of 717 Atlantic Beach Causeway –

- Completely agrees with the first two business owners
- Trees and shrubs getting bigger makes it difficult to see his business, he'd like them cutback
- Ordinances are too tough
- Shines lights on his sign

- Used to have a homemade sign, shaped like guitar, made from 2 sheets of plywood - 64" tall. Had no logo or writing but loved by all. Hurricane destroyed it and it can't be put back, now has 32" sign to meet ordinances.
- Changed a 4'x4' political sign into advertisement for Miller Music and immediately had new customers stating they didn't know he was there.
- "Business with no sign is a sign of no business"
- Ask DOT for leniency to move closer.
- Don't stop feather flags.
- He would like to put sign in ROW and move it in and out.
- Llewellyn intervened and does not want that to happen and risk upsetting the DOT.

Jessica Fiester made the following comments:

- Not suggesting eliminating anything.
- The flaws in the ordinances are being addressed.
- Plan to offer some relief since DOT will not allow use of ROW.
- 5' from business door will not help business
- 2 sq. ft. signs will not help either
- Planning Board is trying to help the businesses.
- Signs and flags are overwhelming on Causeway and East side of Ft. Macon.
- Currently no ordinance regarding Right of Way Flags
- Cabinet Lady encroaches constantly.
- Plan to clean up inconsistency.
- Definitely not taking away, want to solidify plans that are enforceable.
- Staff of only 3, plans must be enforceable to work.
- Political signs are unregulated and are at a State Level.

Jessica then asked if we should limit the number of signs/flags per business and should the flags be allowed to have writing on them? She stated some places do not allow them at all but some our Council like their beachy look. There are different ways to regulate the signs to clean up and remain fair and reasonable, as well as enforceable.

Public comment was concluded.

Jessica recommends we do not allow illumination of temporary signs.

~~Neil thinks sandwich boards should be limited by square footage, not by height. Height is his concern with interfering with driving safety. Also wants the signs to be convenient to carry.~~

Llewellyn is curious how many each business actually needs and states less verbiage is more effective.

Steve believes a standard size is needed for all.

Proposal:

- Omit required distance from entrance
- One per business vs. linear feet, not fair to shopping centers
- Should be enforceable:
 - Standard size
 - Upright only
 - Omit distance

- Regulate vertical size
- Number per business
- Professional signs vs. homemade signs
- Regulate quality
- Define professional

Larry is partial to chalkboard signs – personalize to meet needs and wants to define “no lights”.

Byron Knight addressed the board again to discuss needing two signs for his two entrances. Matt Lamb would like to have 2 signs as well, one would not be useful.

Jessica has no problem with 2 signs per business.

Larry is concerned with elevation problem. Example: From Moonlight, signs are an issue for small cars. How to address?

Standard size for sandwich boards is 36” x 24”.

Intent is to give relief to large right of way. Shopping centers have the biggest signs on the beach.

All agree to these suggestions:

- Allow 2 signs per business
- Give standard size
- Address businesses on corner lots
- No lights on temporary signs

“Feather flags” are not defined or addressed and need a policy.

- Favorable because they look beachy, 2 per business
- Writing or no writing?
- Same sight restrictions
- Flags can be left out to attract attention after business hours.

TOAB Public Works staff has to move sandwich boards signs to mow. No problem for them.

Reminder the Right of Way on the Causeway is 200’. Almost every parking space on the Causeway is in the R.O.W.

Chasin’ Tales staff wonders why sandwich boards have to be moved outside of business hours, they are heavy and full of sand to anchor. Steve Joyner stated they appear less permanent if taken in after hours.

Larry said why have rules if not going to enforced?

Llewellyn reminded all the State says no signs at all and we do not want to take advantage of them and lose all the freedom currently available to us.

Larry stated TOAB is attempting to be business friendly but keep less professional signs out. We are trying to regulate space we don’t own.

Neil has no problem with signs left out after hours to promote business for people coming onto island after hours.

Jessica will draft a policy in January to review and will edit to be in-line with state guidelines.

Banners for Grand Openings and Closings are still only allowed for 14 days. Add to Special Events section.

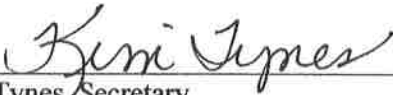
Banners require a permit but no fee.

Real Estate signs fall under their own set of rules.

ADJOURNMENT

Being no further business, Ray Langley called for a motion to adjourn the meeting. The motion was made by Llewellyn Ramsey and seconded by Steve Joyner. The vote was unanimous.

Respectfully Submitted,



Kim Tynes, Secretary

Approved by:



Ray Langley, Chairman