

Ocracoke Planning Board Meeting  
April 12, 2012  
5:35 PM

Board members present: Bill Rich, Keith Parker-Lowe, Jennifer Esham, Tom Pahl, and BJ Oelschlegel

Board members absent: Amy Srail

Also present: Jamie Carter, Admin Asst, Jerry Hardison, Hyde County Inspector

Motion that minutes from the March 8 meeting approved with no adjustments. All in favor, motion passion.

### **Public Hearing Regarding Kiosks**

Since the last meeting, Bill Rich has been on radio, OcracokeCurrent.com to encourage public participation.

One member public asked for update on kiosk situation.

Chairman Bill Rich explained the board's view is one of public safety and development, parking and setbacks.

Corky Pentz was asking for definition of a structure from Hardison. Pentz asked about permit for structures and then a definition of structures since everything on property is a structure if it has a footprint. Pentz said he wouldn't have considered his mobile food cart a structure.

Hardison explained that \$500 minimum for construction for county permit.

Pahl read ODO definition, which is very broad.

Parker-Lowe is going to start working with the ODO to rewrite, looking at state and other counties.

Pentz offered that original ODO was reactionary, vs. proactive and written out of fear to stop the development that was beginning at that time.

Pahl reminded Hyde Building Code and ODO are two entirely different documents, happened to be enforced by the same person.

Parker-Lowe asked should portable vending machine and building that is built be treated differently?

Rich pointed out that it falls back to the definition of a structure.

Hardison said that you can have 400 sq feet of a house used for a business according to current ODO. It is supposed to be confined to that 400 sq feet. If you spill out into the yard, are you violating the ordinance? Since it is outside, it may be defeating the purpose that would normally require parking, etc.

If a residential house is eligible for commercial use, then it must accommodate commercial parking and other regulations for commercial use.

Jenny asked if there has been an instance where a rental cottage or a business was given a notice for not having any enough parking. Hardison said no. It has not been enforced.

Pahl said as we get more and more into the ODO, we find more and more problems.

Another hot issue that this board needs to address is parking.

Hardison calculates the # of people by the building code and the fire code. When Hugh Watson comes in, he calculates by waste capacity, which may limit even further. Pahl reminded the board that is a function of the building inspector, not the ODO EO.

Rich says ODO actually calls for building inspector and ODO EO to be two separate people.

Marty, public attendee, pointed out that other cities have pop ups with no requirement for parking and they just have to walk from public parking.

Pahl said we need to draw the line somewhere and what it includes and excludes. Generally, I support the entrepreneurial spirit of Ocracoke and don't want that squashed. I don't want to regulate little girls selling lemonade.

Pentz reminded if you are on harbor, you need CAMA permit and Div of Quality permits applicable which are in place already to protect harborside.

Jenny commented that she personally wouldn't mind a restaurant built next to her house, but she would mind a trailer/pop up. This is a preference of taste, not about whether people are coming inside or outside, but about looking at a trailer or neon lights, etc.

Bill motioned to close public hearing and wait to hear from the college students that are researching and then revisit this issue at the May meeting.

Pahl expressed his disappointment in public input/interest like when they started and maybe it's not as urgent and high demand as it originally was.

Marty questioned if selling clothes by the side of the road is really a safety issue, and the board said yes, if people are too close to the road, it is a safety issue as well as parking.

Parker-Lowe said you have to consider the area of island – congestion, traffic.

There is a section in the ODO on signs that needs to be reviewed. "All commercial signs require permits" is the first line of that section. Anything blocking traffic, etc, needs to be reviewed.

### **Draft of ODO Permit Application**

Pahl emailed out a draft of the permit application to make it easier on the applicant with a minor change about renewal vs. new sections. The point was to make it less irritating for everyone.

At last meeting, it was voted to accept this latest draft. This will then be sent to Hyde County to post on the website and to be used effective immediately. This is a work in progress and can be edited as needed based on feedback once in use.

Hardison has also distributed to some of the contractors on the island and encouraged them to come to share their comments.

### **7<sup>th</sup> member vacancy**

Suggestions have been sent to Darlene for her review.

### **Revision of Bylaws**

It has been reviewed and will be posted on website.

### **Letter from County Manager Mazie Smith**

Letter re: annual travel trailer inspection and permit fee of \$10. She asked for recommendation of a fee for a penalty for not getting permit or not passing inspection. Board members said that \$10 was reasonable for permit fee and if you don't pass, then you get eviction after a 30 day trial period for corrections.

Conversation about temporary power poles and their place.

Pahl's motion was that if applied for permit and not in compliance, they get time period (30 days) to correct those and if they don't, then they would get a cease and desist. All in favor. Motion passed.

Oelschlegel was asked by members of public if she was going to make it so that live chickens would not be allowed on Ocracoke. That is not an issue that this board covers.

### **Adjournment**

Next meeting is May 10, 2012 at 5:30 PM

Respectfully submitted,  
Jamie Carter