

Ocracoke Planning Board Meeting
May 10, 2012
5:35 PM

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

Board members absent: Jennifer Esham

Also present: Jamie Carter, Admin Asst, Jerry Hardison, Hyde County Inspector, Commissioner Styron, County Manager Mazie Smith, Commissioner Spencer

Public present: Corky Pentz, Sean Death, David Johnson, Marty

Minutes from April meeting reviewed. Motion to approve minutes by Pahl. Second by Srail. Motion passed.

Public Comments

Chairman suggested hold public comments until the end when subject comes up.

Review SUNY documents submitted by college group

Concern of county manager is the enforcement again. With budget hearings coming up, this is a major point. It may be time to have an inspector fulltime on Ocracoke with the increased demand.

Pahl agreed that there is no need for regulation without the enforcement. It would be irresponsible of the county commissioners to ignore this problem and let these problems go on and on.

Commissioner Spencer reiterated the budget cuts and that the revenue is just not there to support another employer.

Real estate signs should fall under this ODO – may need to look into that.

Pahl asked about selling things in yard vs. a kiosk set up in the yard.

Rich asked about a market space where all kiosks could be but question of parking (like Community Square).

Key West defined it by separating into mobile vendors and stationary kiosks.

What are we really trying to control? Safety, parking, vision to road.

Purpose of project was to see what other towns do relative to what we have defined in our ODO – definitions, rules, permitting, signs, density.

Some places charge a weekly fee for vendors to help offset costs and keep check on vendors that come in /off weekend of summer.

County does not have business license system in place which could help with tracking/ revenues. Some permanent businesses are paying all the fees in their inspections and permitting and popups and kiosks are not.

Pahl asked if bulk of original complaints had to do people that have been here a few years now or people that would show up on weekend? Styron answered a little of both.

Oelschlegel said that she just feels like everyone needs to have the same rules and regulation. No one is being alienated or picked on.

Parker-Lowe said it becomes a problem when it affects other property owners negatively by using their parking or bathrooms, etc. If it's fair, it will be fair for everyone.

Hardison said the Board reacted to his request for help with the language so that he could enforce what the board wants enforced. We have the opportunity to lay the groundwork because we are at beginning stages of popups, unlike waiting to late like the travel trailer situation.

Marty thinks that there is not going to a situation that gets out of control because of the limitations that already exist with space.

Pahl wants to make sure that people that do want to be here and set up right, that they have a safe and legit way to do that.

With proper setbacks, you must have a way to get to it – with a fire truck or ambulance.

Definition of structure is the difficult part of the permit process although ODO says you must have a permit to do anything to any land.

Hardison said the ODO officer should be here fulltime in order to be able to really enforce.

Need to go back to what we are really trying to accomplish and start from there – start with definitions of kiosks, structures, etc and build from there based on what we are trying to accomplish.

Rich said we need to be the least restrictive but still be safe.

Oelschlegel said the difference between selling something in the yard vs an ice cream stand is the point of sale – where you collect the money so maybe we don't have to define structure.

Would permanent kiosks be subject to needing parking?

#3 in ODO – up to 200 sq feet of floor area requires 2 parking spaces. Over 200 sq feet, add a space.

That is based on definition of commercial structure so that is what needs to be cleaned up.

The whole ordinance needs to be rewritten with definitions, etc. If it was based on safety, you wouldn't have to define the actual structures. It would be defined by the safety guidelines.

(Pahl left the meeting at this time.)

Parker-Lowe suggested coming back with list of concerns with kiosks now that we have this document. He will email out to board.

Safety is always the first issue that comes up so let's start there.

Motion to adjourn by Parker-Lowe. Second by Oelschlegel. Meeting adjourned at 7 PM.

Respectfully submitted,
Jamie Carter