



**EDENTON-CHOWAN
PLANNING AND INSPECTIONS DEPARTMENT**
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Chowan County Planning Board Minutes

August 19, 2003

7:00 p.m.

County Commissioners' Room

Roll call was taken: Lia McDaniel, Roger Spivey, Fred Smith, & Jim Leggett

Staff Present: Gail Forehand, Land Records
Peter Rascoe, Special Projects Director
Elizabeth Bryant, Planning Director

Chairman Roger Spivey called the meeting to order.

The minutes from the July 15, 2003 meeting were approved as written.

Old Business

Chowan County Subdivision Regulations -- Family Exemption Policy

Attorney John Morehead, representing Arch Edwards, addressed the Board with his concerns regarding the current Family Exemption policy in the County's subdivision regulations. Mr. Morehead suggested the Board redefine the description of family exemption to not allow children to later sell the lot, those from ten (10) acre original tracts in particular. Mr. Morehead suggested that the exemption require the original land to be divided to be in excess of ten (10) acres, and that the resulting gift lots be either greater than two (2) acres or less than fifty-thousand (50,000) square feet. Mr. Morehead brought this same suggestion to the Board in May 2003.

Chairman Spivey asked Mr. Morehead to clarify why the lot size of the gift lots should be restricted, and Mr. Morehead responded that such restrictions would prevent those gift lots from being further subdivided.

Mr. Rascoe asked Mr. Morehead why the definition of a farm, in terms of acres, is necessary for inclusion in the revision, and Mr. Morehead stated that it was his understanding that the original intent of the ordinance was to allow farmers to gift lots to their children.

Mr. Leggett asked Mr. Morehead if the state exemptions were not an issue, and Mr. Morehead stated that the State makes no mention of family exemption, that it is a

Chowan County provision, and with the increasing value of waterfront tracts, there is increasing pressure to circumvent the subdivision regulations by using the family exemption.

Ms. Forehand asked the Board what would someone with less than 10 acres do if they wished to gift a lot to a child? Mr. Morehead repeated his question about the intent of the exemption for farms.

After further discussion, Chairman Spivey asked Mr. Rascoe, Ms. Forehand, and Ms. Bryant to work together to draft a revision for the Board to review and seek public comment on.

With no further business, the meeting was adjourned.