



EDENTON-CHOWAN  
PLANNING AND INSPECTIONS DEPARTMENT

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**Chowan County Planning Board**

September 19, 2006

Chowan County Courthouse

Broad Street

7:00pm

MINUTES

Chairman Spivey called the meeting to order. He then asked for a moment of silence. Ms. Bryant then noted that Lia McDaniel, Jack Held, Roger Spivey, Craig Blanchard and Kathy Williams were present.

Chairman Spivey noted the item on the agenda, **Board to review and make recommendation on proposed Chowan County Zoning Ordinance and Subdivision Regulations.**

Ms. Bryant discussed the proposed zoning maps for the benefit of the citizens present. She said the County hired the Wooten Company from Raleigh NC to do a driving survey to determine the land uses on all the parcels in Chowan County. She said the green area is agricultural and the yellow is residential. She said the large yellow tracts were tagged as residential but are also farmland or woodland. She said the zoning map is based on what is existing. She said the majority of the County is the lighter green color and that is A-1 Agricultural. She said the Board, Staff and the Consultant felt that this zoning classification is typical for Chowan County and it allows for residential homes on larger lots. She said the proposal is for 40,000 square feet lots. She said agriculture and related business is allowed and small gas stations, beauty salons are allowed. She said it does restrict large subdivisions and high intense commercial and industrial uses. She said these restricted uses will have to get a rezoning. She then read from the "Summary of Proposed Zoning Districts from the Draft of the Chowan County Zoning Ordinance" (see case file Chowan County Planning Board Meeting file September 19, 2006 or Chowan County Zoning Study file). She said that Arrowhead Beach and Cape Colony needed to be zoned appropriately to the use of the category which is R-15. She said the Dye Plant is zoned Industrial and the areas out by the airport are also zoned industrial. She said there is a classification for Mobile Home Parks. She said NC law does not allow counties to restrict uses from all zoning categories such as Mobile Home Parks and Sexually Oriented Businesses. She said this ordinance does provide for those in a classification. She said single mobile homes on lots are allowed in the A-1 district. She said the Board felt that businesses such as sexually oriented businesses are more appropriate in the Industrial District.

Ms. Bryant said the proposed zoning ordinance does include a Highway Corridor Overlay District. She said the intent of that district is that businesses will have landscaping, signage and parking requirements that are slightly higher than what is required in other areas of the County.

Ms. Bryant said that there were some changes to the Subdivision Regulations. She said some of the changes are that currently you can develop 7 lots on non-major secondary roads without an internal street, Major Roads allow 5 lots. She said that staff proposes going to 5 lots county wide. She said after the 5<sup>th</sup> lots the developer would be required to install an interior road.

Larry McLaughlin asked about the five lot requirement for one tract.

Irvin White asked who made the decisions.

Ms. Bryant explained that several public meetings were held; she noted that he was at the meeting at the Northern Chowan Community Center; she said all the Board meetings are public and the Commissioner meetings are public. She said the Planning Board will make a recommendation on the proposed zoning ordinance and subdivision regulations tonight. She said the Planning Board makes a recommendation to the County Commissioners. She said the Commissioners (elected officials) then will vote on whether or not to adopt the documents, or make changes to them or not adopt them at all. She said the Commissioners will meet on October 2, 2006 at 6:00pm and they will hear the recommendation from the Planning Board and staff. She said they will have a public hearing that night to state their concerns or questions.

Irvin White said he was against giving power to the County to decide what he can put on his property.

Ms. Bryant explained that not every case requires permission. She said as she explained to him the other night, the uses that he is interested in, that would be allowed if he met certain standards. She said it (regulations) protects property owners that are not protected now.

Mr. Ben Wood asked if there are outlets on a tract that had been cut, will they be included in the 5 lot cuts.

Mr. Rascoe said upon the adoption of the subdivision ordinance, the counting of lots began. He said that adoption was about 24 months ago. He said anything larger than 10 acres is not a subdivision. He said if the lot was reviewed previously and approved, it is included in the five lot total.

Mr. Rascoe said the reason that the Chowan County Commissioners adopted the 7 and 5 lot requirement is because of safety and aesthetics. He said that there are places throughout the county that there are hundreds of driveways on these roads.

Mr. Rascoe said there are procedural matters that the Board will be interested in. He said staff recommends that the Planning Board now have approval authority as opposed to recommendation authority. He said a certain amount of lots could be approved and if the final plat is in compliance with the recommendations, the zoning administrator would approve the final plat for recording.

Chairman Spivey clarified that is for 20 lots. He said the Chowan County Commissioners told the Planning Board to start working on zoning and subdivision regulations. He said other surrounding counties are zoned and developers want to come to Chowan County and develop. He said they have studied all this information with the consultant. He said the Commissioners say the 25,000 square foot requirement was too small for the A-1 zoning classification. He reminded the public that the Commissioners are elected officials and asked the Planning Board to do this study.

Ms. Bryant reviewed the Use Table and said if anyone had any questions they were welcome to call her. She noted that the draft ordinances are available online for anyone who wished to review them.

Ms. Bryant discussed self storage classification and the use table with Larry McLaughlin. She said that zoning ordinance gives Commissioners the authority to determine where certain types of growth should occur.

Mr. Blanchard asked about clarification on the location of the Highway Corridor Overlay District.

Mr. Rascoe said that the policy on drainage is incorporated in the document. He said any developer that proposes a plat must come with the certification from Chowan County Soil and Water stating that the drainage has been addressed for the site. Not just including state permits but certifying that volume of water and flow from one lot will not impede on another lot. He said a use for commercial fox pens was created in the use table. He said there are 10 existing fox pens but 2 are seeking permits from Wildlife Resources. He

said these are huge amounts of acreage. He said a condition imposed on the operation of a fox pen is the coyote situation. He said an owner cannot possess, control or pass over a property and illegal coyote. Mr. Rascoe explained what a fox pen is to the audience.

Ms. White from the audience asked about ownership of wolves.

Mr. Rascoe said one wolf in the county is owned and grandfathered but the domestic ownership of a wolf and big cats are illegal in Chowan County.

Chairman Spivey asked for any further questions or comments from the Citizens.

An audience member asked who their local Commissioner is.

Mr. McLaughlin complimented staff for a call from the Planning Department reminding him of the meeting that night.

The compliment was echoed from the audience.

Ms. Bryant said this is why she asked public to sign their names and phone numbers at previous meetings.

Mr. Rascoe said that businesses have to have a spot; he said that Sexually Oriented Businesses are allowed by a Conditional Use Permit in B-1 zone, he said there will be development standards but the Supreme Court requires that all uses be allowed somewhere.

There were no further public questions or comments (there were none).

Chairman Spivey asked for any questions or comments from the Board (there were none).

Chairman Spivey said that the Planning Board does not want to take any freedom from Chowan County citizens but wants to develop the County in an orderly and safe manner. He said the Board is aware that a lot of development is going to come. He said there is no moratorium on development and Chowan County is pro development. He said the Board wants Chowan County to retain its rural atmosphere but the Board is aware that the County is going to change. He explained that the new policy on drainage will protect residents of developments.

Chairman Spivey asked if there was a recommendation on the proposed Zoning Ordinance and Subdivision Regulations.

Mr. Blanchard moved that the documents be recommended for approval to the Chowan County Commissioners.

Ms. McDaniel seconded the motion.

Chairman Spivey asked for any further discussion.

Mr. Blanchard thanked staff, the Board and the Wooten Company for their work on the project

There was no further discussion.

Chairman Spivey asked for all in favor (4-0). The motion carried unanimously.

Chairman Spivey reminded the public that the Commissioners will act on the recommendation October 2, 2006 at 6:00pm in the Old Chowan County Courthouse on King Street.

Ms. Bryant asked that all interested Board members and the public attend the meeting.

There being no further business, the meeting was adjourned.