

**CITY OF ELIZABETH CITY
PLANNING COMMISSION
REGULAR MEETING
TUESDAY, APRIL 2, 2019
4:00pm**

MEMBERS PRESENT

Ernest Sutton - Chairman
Johnson Biggs - Vice Chairman
Carlton O'Neal
Suzanne Stallings - Absent
Gary White

Also, present were Matthew Schelly, Community Development Director; Kellen Long, Planner I; and members of the audience.

Chairman Sutton called the meeting to order at approximately 4:02pm and stated a quorum.

Chairman Sutton called for a motion to approve the agenda as presented. Mr. White made a motion to **APPROVE** the agenda as presented. Mr. Biggs seconded the motion. **ALL IN FAVOR: BIGGS, O'NEAL, AND WHITE. NONE OPPOSED. MOTION CARRIED.**

Chairman Sutton called for a motion to approve the Tuesday, February 5, 2019 Planning Commission meeting minutes. Mr. Biggs made a motion to **APPROVE** the Tuesday, February 5, 2019 Planning Commission minutes. Mr. White seconded the motion. **ALL IN FAVOR: BIGGS, O'NEAL, AND WHITE. NONE OPPOSED. MOTION CARRIED.**

Ms. Chamblee, secretary to the Commission read the **STATEMENT OF DISCLOSURE** as follows:

Elizabeth City Code of Ethics provides that public officials and employees be independent, impartial, and responsible to the public; that government decisions and policy be made in proper channels of the governmental structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. In recognition of these goals and in keeping with the ethical standards of conduct for city public officials and its employees, disclosure of interest in legislative action must be stated for public record, as per City of Elizabeth City Code of Ordinances Section 32.04. Any official act or action before the Planning Commission shall be publicly disclose on the record of the Commission the nature and extent of such interest and the Commissioner shall withdraw from any consideration of the matter if excused by the Commission pursuant to G. S. 160A-75.

Chairman Sutton asked if any Commissioner had a disclosure of interest in case number SUP 01-19. No Commissioner had a disclosure of interest in the case of SUP 01-19.

CASE NO.: SUP 01-19 Special Use Permit filed by Gregory and Melanie Owens for property located at 613 Maple Street. The property is zoned R-6 residential. The applicants are requesting to operate a bed and breakfast at this location.

Mr. Schelly presented the following Staff report:

The only case before you this afternoon is SUP 01-19 filed by Gregory and Melanie Owens for their property located at 613 Maple Street. The applicant requests approval of a special use permit to operate a bed and breakfast at the subject location. As required by the UDO, the B&B will be owned and operated by the property owners with all meals served on-site being solely for guests. The subject property is comprised of three lots as seen highlighted in the illustration on page 2 of the staff analysis. The request was reviewed administratively by the Technical Review Committee, with all comments being summarized on page 6 of the staff analysis. The request, as presented, satisfies all UDO requirements relating to B&B's and is consistent with the joint City/County Land Use Plan. If the Planning Commission recommends approval of the request, Staff recommends the following conditions be adopted by the Board of Adjustments:

- The applicant will meet all TRC comments such as: smoke and carbon dioxide detectors and fire extinguishers provided and approved by the Fire Marshal; signage for the parking area provided; the screening plantings shall be subject to revision as determined by the Planning Division.
- The applicant will submit a sign permit to the Building Inspection Division.

This concluded Mr. Schelly's presentation.

Ms. Melanie Owens, the applicant, was present and addressed the Planning Commission.

Ms. Owens informed the Commission that she and her husband have lived in Elizabeth City for twenty-three years and have served the community in several different capacities. The bed and breakfast idea has been a dream of theirs for twenty-five years and she has had to wait until her children were grown in order to pursue her dream. Ms. Owens is currently finishing up her thirty-three years of teaching at a private school and this will be her last year with the school. Ms. Owens and her husband have fostered many children and have had a lot of families within their home. Ms. Owens and her husband would like to provide something that would benefit the community in a very special way. Ms. Owens commented in regards to the screening of plants, the pictures before you today are not updated because, her husband has planted 9 more trees and there's been

a lot more screening between the driveway and the next door neighbor's lot. Ms. Owens was willing to entertain any questions that the Planning Commission may have.

Mr. White commented how successful do you expect to be with the bed and breakfast. Ms. Owens commented we have a lot of people waiting for us to open and waiting to spread the word about the bed and breakfast. The bed and breakfast would not be our livelihood but it would be more about the ministry and the love we have for people. Mr. White commented is this your residence. Ms. Owens commented yes.

Mr. O'Neal commented would the tenants or guest be parking on the street or in the driveway. Ms. Owens commented their driveway is capable of parking seven vehicles with access for parking in the back alley and entrance to the front of their lot. There would be no parking on the street for the bed and breakfast.

Mr. White questioned the maximum occupancy of rooms. Ms. Owens commented the maximum would be three rooms with a maximum of six people. Mr. White questioned staff, if the Unified Development Ordinance stated a maximum occupancy for bed and breakfast facilities. Mr. Schelly commented no, the Unified Development Ordinance defines the occupancy for inns.

Mr. Biggs commented to staff about clarity on whether the applicant receives a sign permit, which coincides with the Special Use Permit or does the applicant have to apply separately for a sign permit application with Building Inspections Department.

Mr. Schelly commented for every sign there is two permits, which consist of one permit from the Planning Department and one from Building Inspections Department. Ms. Owens commented she was confused and does she need a Sign permit because, she was told she did not need a Sign permit. Mr. Schelly commented Ms. Owens does not have to obtain a Sign permit from the Planning Department but, you do have to obtain a separate Sign permit from the Building Inspections. Ms. Owens commented but that is not zoning. Mr. Schelly commented correct and it has nothing to do with this approval so, you would need a Sign permit from Building Inspections in order to build a sign.

Mr. Biggs advised staff to be more cautious of the terminology or instructions on the permit applications when explaining information to applicants. Mr. Schelly agreed.

Chairman Sutton commented Ms. Owens how did you and your husband come up with the name, "Philemon House," for your bed and breakfast. Ms. Owens commented the scripture, Philemon 1:7, says: For we have great joy and consolation in thy love, because the bowels of the saints are refreshed by thee, brother." Ms. Owens also commented when she and her husband were stationed in Guam, their pastor taught from the scripture of Philemon and the congregation always commented that people feel refresh with her and her husband and that is how the name "Philemon House" was birthed.

Chairman Sutton called for a motion on SUP 01-19. Mr. Biggs made a motion to **APPROVE** SUP 01-19 with the following recommendations:

- The applicant will meet all Technical Review Committee comments such as: smoke and carbon dioxide detectors and fire extinguishers provided and approved by the Fire Marshall; signage for the parking area provided; the screening plantings shall be subject to revision as determined by the Planning Division.
- The applicant will submit a sign permit to the Building Inspections Division.

ALL IN FAVOR: BIGGS, O'NEAL, AND WHITE. NONE OPPOSED. MOTION CARRIED.

STAFF REPORT

- Ms. Long gave a brief report from the Landscape Ordinance Committee, in which the Committee has been discussing the issue of commercial landscaping in regards to the City's Unified Development Ordinance.
- Mr. Schelly discussed the UNC School of Government is sponsoring a regional Quasi-Judicial training in Greenville, North Carolina on Wednesday, May 1, 2019. Chairman Sutton made a recommendation that correspondence about the training should be sent out via email so, Commissioners could verify with their calendars.

CHAIRPERSON REPORT

- Chairman Sutton commented he would like to coordinate with Mr. Schelly about a date for their first radio presentation with Dr. Hezekiah Brown.

No **MEMBERS CONCERNS** were given.

Chairman Sutton called for a motion to adjourn. Mr. White made a motion to **ADJOURN** the Tuesday, April 2, 2019 Planning Commission meeting. Mr. Biggs seconded the motion. **ALL IN FAVOR: BIGGS, O'NEAL, AND WHITE. NONE OPPOSED. MOTION CARRIED.**

The Planning Commission meeting adjourned at approximately 4:31pm.

Respectfully submitted,

Yvette M. Chamblee
Secretary to the Planning Commission