



# Agenda Item Summary Sheet

Item No. 5

Meeting Date: 1/17/06

Item Title: Teach's Lair Group Development -- CUP Amendment

### Item Summary:

In January 2002, a conditional use permit for a group development at the Teach's Lair marina site was authorized by the Board of Commissioners. This CUP featured the renovation of two existing buildings and the construction of three new buildings. The proposed use was a mix of retail and residential units. Work on the site has progressed since that time. In 2004, the CUP was amended to reflect a change in use of two of the proposed buildings to all residential units. A similar change in use for building 200 has

(Use additional Paper if necessary)

Number of Attachments: \_\_\_\_\_

Will your presentation require audiovisual equipment? Yes  No

Note: All audiovisual materials must be submitted in digital format to the Clerk of the Dare County Board of Commissioners with this sheet. Acceptable formats include: VHS, DVD, audio CD, Word document, Adobe Acrobat PDF files, PowerPoint files and jpeg files.

### Specific Action Requested:

Submitted By: Donna Creef, Senior Planner *Donna Creef* Date: 1-3-06

Dept. Head *It is not unusual to adjust the marketing of long-term projects - in this case - residential is proving to be the best use versus the plan for commercial*

Signature *Ray Stange* Date: 1/5/06

### Finance

Comments:

Signature *Donna Creef* Date: 1/5/06

### County Attorney

Comments:

Signature \_\_\_\_\_ Date: \_\_\_\_\_

### County Manager

Approval:

Signature *[Signature]* Date: 1/5/06

### Commission Action:

been submitted for consideration. Building 200 will be constructed by different owners than the other structures and this change has been reflected on the draft CUP amendment attached to this agenda summary. The square footage of building 200 will not change, only the proposed use of the structure from retail space to residential apartments.

Condition #3 provides a two-year period for obtaining the building permits for the remaining three building to be constructed. This is the same language that was included in a 2004 amendment to the original CUP. Legal documents between the new owners and the original owners will be drafted to address the shared use of the parking, wastewater improvements and other site amenities.

The Planning Board is scheduled to review this item at the January 9, 2006 meeting and a report of their recommendation will be made during the staff presentation on January 17<sup>th</sup>.

Cc: Joe Anlauf

NORTH CAROLINA  
COUNTY OF DARE

IN RE: Conditional Use Permit  
Amendment for Teach's  
Lair Marina, a group  
Development in Hatteras, NC

Amendment to Conditional  
Use Permit # 8-2001  
DCC Sections 22-26; 22-31; and 22-68

**DRAFT**

On \_\_\_\_\_, 2006 the Dare County Board of Commissioners considered an amendment to a conditional use permit issued to Teach's Lair Marina, a group development in Hatteras, NC.

The following revision shall be attached and made a part of the original conditional use permit authorized on January 22, 2002:

On \_\_\_\_\_, 2006 the Dare County Planning Board recommended a favorable report on the request to amend the original CUP approved for Teach's Lair Partnership to include the following information:

1. The improvements depicted on the site plan labeled Appendix B and attached to this amendment shall be authorized.
2. Two existing buildings and marina facilities are located on the site. The specifics of the existing and proposed buildings are as listed below:  
**Building 100** – existing 5,352 square feet of retail space  
**Building 200** – proposed 4,360 square feet footprint of residential use  
**Building 300** – proposed 2,370 square feet footprint of residential use  
**Building 400** – proposed 2,370 square feet footprint of residential use  
**Building 500** – existing 72-seat restaurant and second floor residential  
Parking for the entire complex shall be provided as depicted on the site plan.
3. Dare County building permits for the three new structures shall be obtained within two years (?????? 2006) of the date of Board of Commission approval of this amendment.
4. Any change, revision, or modification to the site plan shall require additional review and approval by the Dare County Board of Commissioners.

This \_\_\_\_\_ day of \_\_\_\_\_, 2006

SEAL:

COUNTY OF DARE

BY:

Stan White, Chairman  
Dare County Bd. of Commissioners

ATTEST:

BY:

Francis Harris, Clerk to the Board

APPROVED AS TO LEGAL FORM

BY:

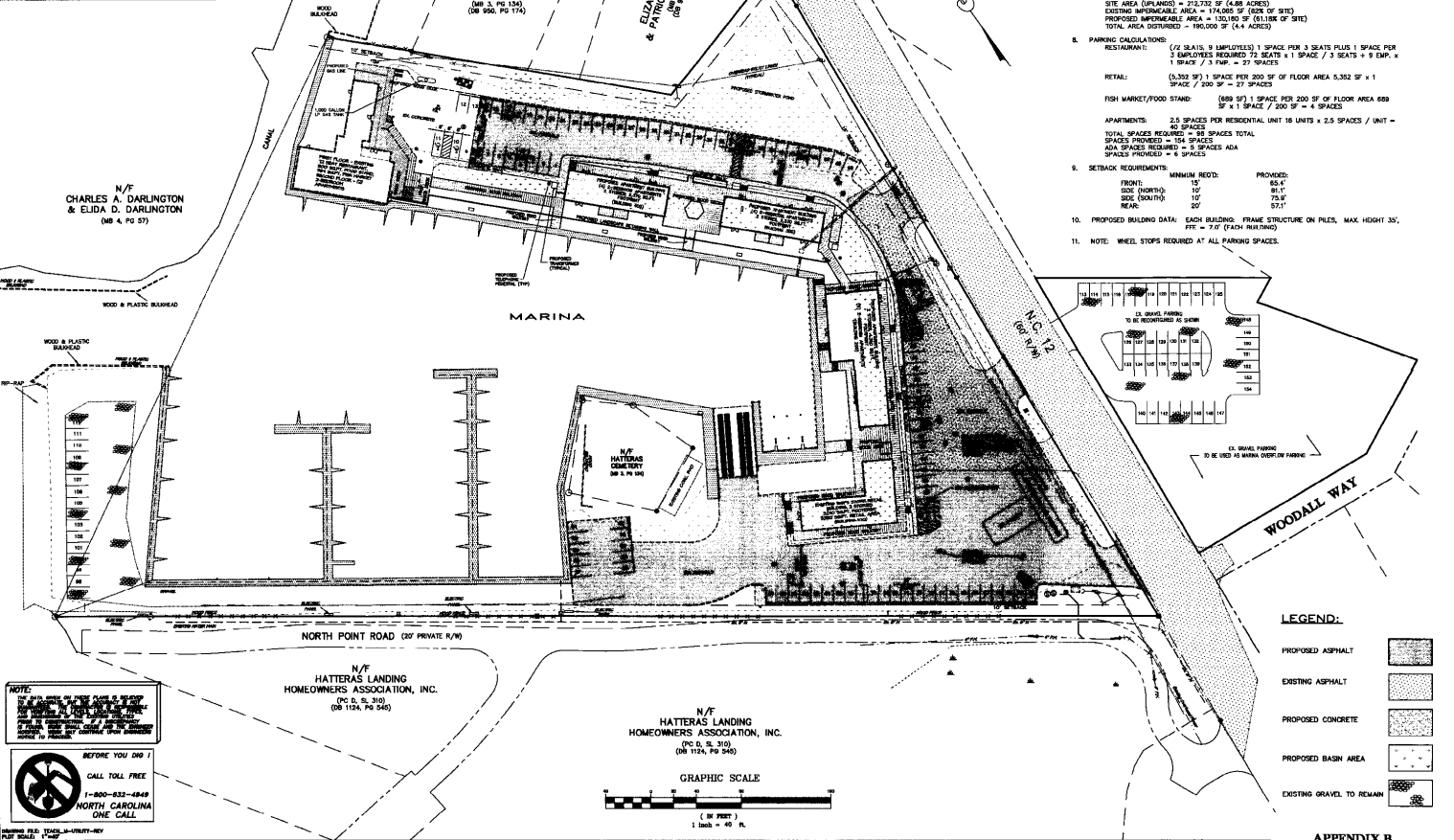
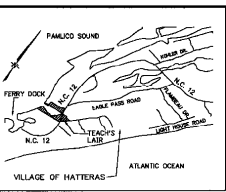
Robert L. Outten, County Attorney

**THIS PERMIT AND THE CONDITIONS HERE ARE ACCEPTED**

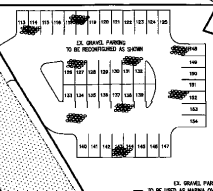
**DRAFT**

BY:

John Dixon

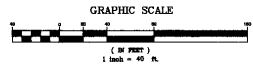


- NOTES:**
- OWNER: TEACH'S LAIR PARTNERSHIP  
P.O. BOX 292  
HATTERAS, N.C. 27943
  - SITE DATA: NEP ZONE, AE (S)  
SITE ZONING: C-3
  - BOUNDARY INFORMATION TAKEN FROM PLAT PREPARED BY BISSILL ASSOCIATES CIVIL  
"AS-BUILT SURVEY" FOR TEACH'S LAIR MARINA DATED 10/20/99
  - TOPOGRAPHICAL INFORMATION TAKEN FROM SURVEY BY BARNETTE INTEGRATED LAND  
DEVELOPMENT, DATED 2/23/01.
  - SCOPE: THIS PROJECT PROPOSES THE RENOVATION OF UPLAND IMPROVEMENTS AT THE  
EXISTING TEACH'S LAIR MARINA TO INSTALL 5,352 SF OF RETAIL SPACE, A 72 SEAT  
RESTAURANT, A 300 SF FISH MARKET, A 300 SEAT FOOD STAND, AND 18 - 2 BR.  
APARTMENTS WITH ASSOCIATED PARKING AND UTILITY IMPROVEMENTS.
  - STORMWATER MANAGEMENT: TOTAL STORAGE REQUIRED = 26,819 CF (EQUAL RETENTION OF 4.5  
INCH RAINFALL EVENT) TOTAL STORAGE PROVIDED = 43,217 CF STORAGE IS PROVIDED THROUGH  
INTERCONNECTED BASINS LOCATED THROUGHOUT THE PERIMETER OF THE DEVELOPED AREA.
  - LOT COVERAGE:  
SITE AREA (UPLANDS) = 212,732 SF (4.88 ACRES)  
EXISTING IMPERMEABLE AREA = 176,085 SF (3.88 ACRES OF SITE)  
PROPOSED IMPERMEABLE AREA = 130,180 SF (2.88 ACRES OF SITE)  
TOTAL AREA DISTURBED = 166,000 SF (3.6 ACRES)
  - PARKING CALCULATIONS:  
RESTAURANT: (72 SEATS, 8 EMPLOYEES) 1 SPACE PER 3 SEATS PLUS 1 SPACE PER  
3 EMPLOYEES REQUIRED 72 SEATS + 1 SPACE / 3 SEATS + 8 EMP. =  
1 SPACE / 3 EMP. = 27 SPACES  
RETAIL:  
(5,352 SF) 1 SPACE PER 200 SF OF FLOOR AREA 5,352 SF ÷ 200 SF = 27 SPACES  
FISH MARKET/FOOD STAND: (300 SF) 1 SPACE PER 200 SF OF FLOOR AREA 600  
SF ÷ 200 SF = 3 SPACES  
APARTMENTS: 2.5 SPACES PER RESIDENTIAL UNIT 18 UNITS x 2.5 SPACES / UNIT =  
45 SPACES  
TOTAL SPACES PROVIDED = 74 SPACES  
ADA SPACES REQUIRED = 5 SPACES ADA  
SPACES PROVIDED = 6 SPACES
  - SETBACK REQUIREMENTS: MINIMUM REQ'D: PROVIDED:  
FRONT: 10' 65.4'  
SIDE (NORTH): 10' 65.4'  
SIDE (SOUTH): 10' 65.4'  
REAR: 20' 57.1'
  - PROPOSED BUILDING DATA: EACH BUILDING: FRAME STRUCTURE ON PILES, MAX. HEIGHT 35',  
FIT = 3/4" (EACH FLOORING)
  - NOTE: WHEEL STOPS REQUIRED AT ALL PARKING SPACES.



**LEGEND:**

PROPOSED ASPHALT	[Pattern]
EXISTING ASPHALT	[Pattern]
PROPOSED CONCRETE	[Pattern]
PROPOSED BASIN AREA	[Pattern]
EXISTING GRAVEL TO REMAIN	[Pattern]



**Quible Associates PC**  
ARCHITECTS & ENGINEERS  
PLANNING  
ENVIRONMENTAL SCIENCE & MARKETING

**CONDITIONAL USE PERMIT PLAT**  
**TEACH'S LAIR MARINA**  
**PARCEL IN HATTERAS**

UNIVERSITY TOWNSHIP  
DARE COUNTY  
NORTH CAROLINA

PROJECT NO. P30093  
DESIGNED BY DAD, JJA  
CHECKED BY DAD, JJA  
DATE MADE 09-01-03

SHEET NO. **1**  
OF 1 SHEETS