

Minutes of the May 18, 2021, meeting of the Kill Devil Hills Planning Board held at 5:30 p.m. in the Meeting Room of the Administration Building, 102 Town Hall Drive, off Colington Road.

Members Present: Chair Howard Buchanan, T. Dillon Heikens, Mike Lowack, Ron Seidman, II, and Mary Simpson.

Members Absent: James Almoney and Mark Evans

Others Present: Cameron Ray, Assistant Planning Director; and Jennifer Stecher, Clerk to the Planning Board; John Windley, Commissioner

Call to Order

At 5:30 p.m., Chair Howard Buchanan called the May 18, 2021, meeting of the Kill Devil Hills Planning Board to order and welcomed everyone present.

Agenda Approval

Dillon Heikens moved to approve the agenda for this meeting, as presented, Ron Seidman seconded that motion, and the motion carried by a unanimous, 5-0, vote.

Approval of the Minutes of the April 20, 2021 meeting

Mike Lowack moved to approve the minutes of the April 20, 2021, meeting, as presented. Mary Simpson seconded that motion, and the motion carried by 5-0 vote.

Public Comment

Michael J. Smith, applicant for a tattoo studio, would like to work with Kill Devil Hills with the way it is set up now and not looking to change anything. Mr. Smith's wife would be sole proprietor of their proposed business.

Response to Public Comment

Old Business

New Business

1. Zoning Amendment Request — Michael Smith — Amend §153.176 Commercial Zone Permitted Uses to Add “Tattoo Studio”

The applicant, Michael Smith of 19557 Carleno Drive in East Lake, NC, has submitted a request to allow a “Tattoo Studio” to be a permitted use within the Commercial Zoning District.

Currently, this use is not permitted within any of the Town zoning districts. Assistant Planning Director Cameron Ray gave a brief history of a similar request in 1998. The applicant handed out to each member additional material to include the requested tattoo studio, Banshee Tattoos, comprehensive business plan, and it is included in the meeting packet.

Staff recommended Tattoo Studio(s) be a special use in the Commercial Zone. Recommended conditions include separation requirements of 200 feet from schools, churches, libraries or public parks, and 400 feet from other tattoo businesses. Health Department and any other applicable agency approval is required, hours of operations shall be limited 8:00 a.m. to 10:00 p.m. Mr. Ray noted the conditions that each application for this Special Use will be seen by the Planning Board. The Planning Board may recommend to the Board of Commissioners, and the Board of Commissioners may impose, any additional conditions it determines are appropriate, based on surroundings and is consistent with the objectives and policies contained in the adopted Land Use Plan.

After discussion, a consensus was reached by the Planning Board. Mr. Lowack moved to approve this Special Use and forward to the Board of Commissioners for its final determination with the consistency statement to Amend §153.176 Commercial Zone Permitted Uses to add "Tattoo Studio." Ron Seidman seconded the motion, which passed with a unanimous, 5-0, vote.

Public Comment

Response to Public Comment

Board Member Comment

Adjournment

There being no further business before the Planning Board at this time, Mr. Seidman moved to adjourn the meeting. Ms. Simpson seconded the motion, which passed with a unanimous, 5-0, vote. It was 5:43 p.m.

Submitted by:

Jennifer Stecher
Planning Board Clerk