

**CURRITUCK COUNTY
BOARD OF ADJUSTMENT**

Historic Currituck County Courthouse Boardroom

July 12, 2012

7:30 p.m.

- 7:30 p.m. Call to Order
- Item 1 Roll Call
- Item 2 Approval of June 14, 2012 Minutes
- Item 3 BOA 12-11 MOORE, GEORGE: Conditional use permit to allow an Auction House at 6470 Caratoke Highway in Grandy, Tax Map 94, Lot 122A, Poplar Branch Township.
- Item 4 Old Business
- Item 5 Adjournment

BOARD OF ADJUSTMENT CASE ANALYSIS

Meeting Date: July 12, 2012
Case Number: BOA 12-11
Applicant/
Property Owner: George Moore
PIN: 0094-000-122A-0000
Address: 6470 Caratoke Highway
Zoning District: General Business (GB)
Township: Poplar Branch

Request

Conditional use permit to allow an auction house in a GB zoning district, pursuant to the Table of Permissible Uses of the Currituck County Unified Development Ordinance.

Narrative

1. The operation will hold auctions on two Saturdays each month, from 8am to 2pm. Patrons of the auction house may preview the items the day before the auction.
2. The operation will be in an existing building and no additional impervious surfaces are proposed. However, the existing vegetation in the vehicular use area will have to be removed and wheelstops added to delineate required parking.

Conditional Use Permit Criteria and Staff Findings

The Board must find that the applicant meets all criteria in order for a conditional use permit to be approved. Following is the staff suggested findings for each criterion (as is required by the UDO).

In granting a conditional use permit, the Board of Adjustment may attach to the permit such reasonable requirements in addition to those specified in this ordinance as this will ensure that the development in its proposed location meets the following:

- (a) **The application is complete.**
 1. The application is complete.
- (b) **The proposed use is among those listed in the Table of Permissible Uses as a conditional use indicated with a "C."**
 1. The proposed use is among those listed in the Table of Permissible Uses as a conditional use indicated with a "C."
- (c) **The conditions proposed meet or exceed the minimum requirements of this ordinance.**
 1. It appears the proposal would meet or exceed the minimum requirements of this ordinance.
- (d) **The conditional use will not endanger the public health or safety.**
 1. The proposed use should have no impact on public health or safety.

(e) **The conditional use will not injure the value of adjoining or abutting property and will be in harmony with the area in which it is located.**

1. The proposed location is zoned for commercial uses and is around commercially zoned property. The use will not injure the value of the adjoining property and will be in harmony with the area.
2. The surrounding land uses include:
 - a. North: Undeveloped/Restaurant Zoning District: GB
 - b. South: Religious Institution Zoning District: GB
 - c. East: Undeveloped Zoning District: GB
 - d. West: Undeveloped Zoning District: GB

(f) **The conditional use will be in conformity with the Land Use Plan and other officially adopted plans.**

1. The conditional use is in conformity with the Land Use Plan and other officially adopted plans.
2. The 2006 Land Use Plan classifies this property as Full Service within the Grandy subarea. Nonresidential uses within the Full Service Area should preserve the existing community character in scale, architectural style, materials, landscaping, and site design.
3. Land Use Plan policies relevant to this use:

POLICY TR6: HIGHWAY 158/168 shall receive special attention concerning the proper development of land and properties adjoining and/or accessing this critical area.

POLICY CD7: Attractive, environmentally beneficial LANDSCAPING shall be provided by new commercial or office developments, and in the rehabilitation and upgrading of existing developments. Appropriate BUFFERING or other effective DESIGN FEATURES may be employed to allow less intensive forms of commercial and office development to adjoin existing or planned residential uses.

POLICY CA1: The important economic, tourism, and community image benefits of attractive, functional MAJOR HIGHWAY CORRIDORS through Currituck County shall be recognized. Such highway corridors, beginning with US 158 and NC 168, shall receive priority attention for improved appearance and development standards, including driveway access, landscaping, buffering, signage, lighting and tree preservation.

POLICY ML4: Currituck County recognizes that the appearance and traffic moving function of the NC 168/ US 158 CORRIDOR is of exceptional importance to both the near term quality of life and long-term economic prospects for residents and property owners in the Mainland Area. The Transportation and Community Appearance policy sections of this plan shall be implemented to give priority to this issue.

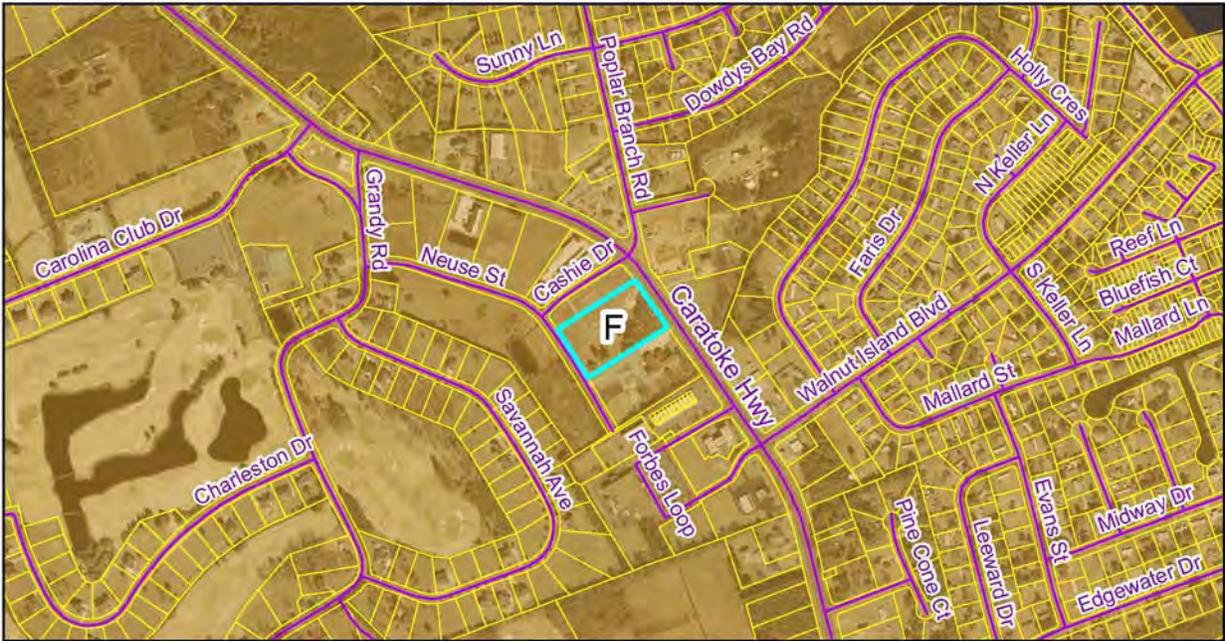
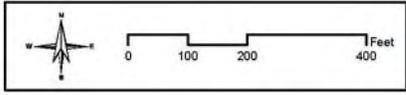
- (g) **The conditional use will not exceed the county's ability to provide adequate public facilities.**
1. The proposed use will not exceed the county's ability to provide adequate public facilities.

TRC/Staff Recommendation:

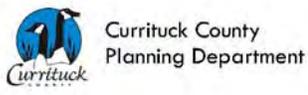
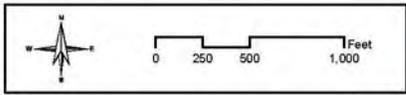
The Technical Review Committee and staff recommend **approval** of this request subject to the findings of fact as presented above.



BOA 12-11
George Moore
Zoning



BOA 12-11
George Moore
LUP





Conditional Use Permit Application

OFFICIAL USE ONLY:

Case Number: _____
 Date Filed: _____
 Gate Keeper: _____
 Amount Paid: _____

Contact Information**APPLICANT:**

Name: George Id. Moore
 Address: 119 Altama St.
1095 Laurel, N.C. 27959
 Telephone: 252-480-1480
 Fax Number: 252-480-1480
 E-Mail Address: denitoy@earthlink.net

PROPERTY OWNER:

Name: Ruddy David
 Address: DAVID, KAMP FERRIC
737 THIBAU / SHORE BLVD.
SUITE 105
 Telephone: NEWPORT NEWS, VA 23606
757-575-4800
 Fax Number: _____
 E-Mail Address: _____

LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: none**Property Information**

Physical Street Address: 155 NEUSE STREET
 Location: GRANDY
 Parcel Identification Number(s): 0094-000-122A-000 0
 Total Parcel(s) Acreage: 3.38 Acres (147,232 SF)
 Existing Land Use of Property: VACANT

Request

Proposed Use of the Property: Auctions House
 Total square footage of land disturbance activity: N/A
 Total lot coverage: Around 28000 SF Total vehicular area: Around 17,000
 Existing gross floor area: 2,813 Proposed gross floor area: 2813

Purpose of Conditional Use Permit and Project Narrative:

This will be used for auctions on one or two Saturdays each month. The hours of operation will be 8 AM - 2 PM on the auction day. No other operating hours are available. Occasionally we will be open on the Friday prior to the auction Saturday for preview of the items to be sold.

All trucks will be taken to the Currituck Co. Transfer Station.

The applicant shall provide a response to the each one of the following issues. The Board of Adjustment must provide specific findings of fact based on the evidence submitted. All findings shall be made in the affirmative for the Board of Adjustment to issue the conditional use permit.

- A. The use will not materially endanger the public health or safety.

Health Dept. Approval - No danger
to anyone.

- B. The use will not substantially injure the value of adjoining or abutting property.

Correct This will not hurt the
adjoining properties.

- C. The use will be in harmony with the particular neighborhood or area in which it is to be located (even though the proposed use and surrounding uses are generally permissible in the same district and therefore usually compatible).

Yes - This is a business area
and we will be conducting business
once or twice a month!

- D. The use will be in general conformity with the Land Use Plan or other plan officially adopted by the board.

Yes The use will meet the adopted
plan by the board

- E. The use will not exceed the county's ability to provide adequate public facilities, including, but not limited to, schools, fire and rescue, and law enforcement.

yes. This will not change from
the existing county commission
the provision of same.

I, the undersigned, do certify that all of the information presented in this application is accurate to the best of my knowledge, information, and belief.

Further, I hereby authorize county officials to enter my property for purposes of determining zoning compliance. All information submitted and required as part of this application process shall become public record.

MARY B. FORBES LAND CORPORATION

By: E. D. David, Pres
Owner E. D. David, President

[Signature]
Applicant

Brad Schuler

From: Brad Schuler
Sent: Monday, June 25, 2012 9:16 AM
To: 'heritageauction@earthlink.net'
Subject: Heritage Auctions CRT Comments

George, below are CRT comments for your proposed auction house at 155 Neuse Street in Grandy.

Planning

Approved with comments

1. Existing vegetation on gravel vehicular area must be removed.
2. At least nine parking spaces must be marked with wheelstops. Parking spaces are 10 x 20 feet in dimension.
3. Please provide property owner information listed on the application.

Inspections

Approved

Fire Marshall

Approved

Comments not received from:
Albemarle Regional Health Services

Please give me a call to discuss the comments.

Thanks,

Brad Schuler

Planner I
Currituck County Planning and Community Development
153 Courthouse Road, Suite 110
Currituck, North Carolina 27929
252-232-6033

