

CURRITUCK COUNTY
NORTH CAROLINA
NOVEMBER 6, 2006

The Board met at 6:00 p.m. for a work session to discuss Countywide Land Parcel Prioritization Strategy for Water Quality Enhancements.

The Board of Commissioners met on Monday, November 6, 2006, at 7:00 p.m. for its regularly scheduled meeting at the Historic Courthouse in the Commissioners Meeting Room with the following members present: Chairman O'Neal, Vice-Chair Martin, Commissioners Miller and Etheridge. Commissioner Bowden was absent.

Call to Order
Invocation and Pledge of Allegiance

The Reverend Glenn McCranie, was present for the invocation and Pledge of Allegiance.

Approval of Agenda

Commissioner Martin moved to add presentation on The Moving Wall and Resolution of Appreciation and Discussion on advertising rules. Commissioner Etheridge seconded the motion. Motion carried

Public Comment

Please limit comments to items not appearing on the regular agenda, please limit comments to 3 minutes.

- Item 3 Recognition of Edna Baden
- Item 4 **Public Hearing and Action PB 06-33 TOM BRADY (BRADY AIRPARK)** Rezone approximately 20.32 acres from Agricultural (A) to Residential Airpark Development (RAD). The property is located adjacent to the Currituck County Airport and Brady Landing Phase I, with an access to Maple Road., Tax Map 52, Parcel 3B, Crawford Township.
- Item 5 Update on Historic Jarvisburg Colored School Restoration
- Item 6 Consideration of Currituck Outer Banks Wild Horse Management Plan
- Item 7 Appointment to Board of Adjustment
- Item 8 **Consent Agenda:**
 - A. Budget Amendments
 - B. Carova Beach request to purchase Brush Truck
 - C. Approval of October 16 Minutes
 - D. Lease Agreement for Cingular Tower
- Item 9 Commissioner's Report
- Item 10 County Manager's Report

Public Comment

Please limit comments to items not appearing on the regular agenda, please limit comments to 3 minutes.

Chairman O'Neal opened the public comment period.

Chris Mank, Owens Beach Estates, questioned how Owens Beach Estates was approved without notification of adjacent property owners.

Wilson Staples, expressed his concerns with the approval of Owens Beach Estates.

John Snowden, questioned why county residents had to pay to climb the Currituck Lighthouse. He also expressed concerns with open government.

Edna Baden, presented the Board an update on the activities at the Whalehead Club.

Karen McCalpin, commended Edna Baden on her work with the Wild Horse Fund.

Commissioner Martin stated how Board Agenda's were made public.

Commissioner Etheridge questioned the status of CAMA storm water pumping rules.

Recognition of Edna Baden

Chairman O'Neal recognized Edna Baden for her work on the Wild Horse Advisory Board and the Wild Horse Fund.

Presentation on Moving Wall and approval of resolution.

Bob Kohler, made a presentation on The Moving Wall and commended the staff that worked with him on this project.

Chairman O'Neal presented the following resolution.

RESOLUTION OF APPRECIATION

WHEREAS, several months ago, Currituck County veterans, with support from local government, agencies, businesses, and residents, were desirous of hosting the traveling half-size replica of the Vietnam Veterans Memorial, known as The Moving Wall; and

WHEREAS, from the planning stages for the visitation of The Moving Wall to the Veterans' Memorial Park in Coinjock, North Carolina, Naval Support Activity, Northwest, in Chesapeake, Virginia, wholeheartedly participated in event meetings, preparations, and distribution of announcements; and

WHEREAS, LCDR Andrew J. McMenamin, Officer in Charge, Naval Support Activity, Northwest, generously provided his time and personnel in support of the event, particularly as the Guest Speaker for the opening ceremony on October 25, 2006; and

WHEREAS, Master Chief Petty Officer Melvin L. Dees, Command Master Chief, Naval Support Activity, Northwest, coordinated with the Coast Guard, Marines and Navy for volunteers to build the platform for The Moving Wall and provide sentries throughout the event October 25-29, 2006; and

WHEREAS, LT Jeffrey B. Parks, CHC, U.S. Navy, also from Naval Support Activity, Northwest, gave the Invocation and Benediction at the opening ceremony; and

WHEREAS, the attendance at the five-day event was an outstanding success, with approximately 10,000 visitors coming to the Park to view The Moving Wall;

NOW, THEREFORE, BE IT RESOLVED that the Currituck County Board of Commissioners wishes to extend its deepest appreciation, and congratulations on a job well done, to all the volunteers from Naval Support Activity, Northwest.

Public Hearing and Action PB 06-33 TOM BRADY (BRADY AIRPARK) Rezone approximately 20.32 acres from Agricultural (A) to Residential Airpark Development (RAD). The property is located adjacent to the Currituck County Airport and Brady Landing Phase I, with an access to Maple Road., Tax Map 52, Parcel 3B, Crawford Township.

Sarah Keifer, Planning Director, reviewed the request.

CASE ANALYSIS FOR THE BOARD OF COMMISSIONERS
DATE: November 6, 2006
Zoning Map Amendment: PB 06-33
Tom Brady

TYPE OF REQUEST: Rezone approximately 20.32 acres from Agricultural (A) to Residential Airpark Overlay (RAD).

LOCATION: The properties are located adjacent to the Currituck County Airport and Brady Landing Phase I, with an access to Maple Road.

TAX ID: Tax Map 52, Parcels 3E,
Tax Map 52C, Parcels 1 and 2

OWNER: Tom Brady
251 Maple Road
Maple, NC 27956

ZONING:	<u>Current Zoning</u> Agricultural (A)	<u>Proposed Zoning</u> Residential Airpark Development
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ZONING HISTORY: Since 1975 this area has been zoned as Agricultural, either as A-20, A-30, A-40 or A. The adjacent property was rezoned to Residential Airpark Development (RAD) overlay in 1999.

SURROUNDING PROPERTY:

	Land Use	Zoning
NORTH:	Residential	A
SOUTH	Currituck County Airport,	HM
EAST:	Residential (Brady Landing Airpark)	RAD
WEST:	Residential and NCDOT maintenance yard	A

EXISTING LAND USE: Vacant

PROPOSED LAND USE: Residential Airpark- Brady Landing Phase II

**LAND USE PLAN
CLASSIFICATION:**

The 1990 Land Use Plan classifies this property as **Rural with Services**. The Rural with Services Class indicates low density residential uses that are served by county water are appropriate. This class supports densities that are 1 unit per acre as proposed.

The uses allowed within a Residential Airpark Development district are consistent with the 1990 Rural with Services class.

Additionally, this property is in the **Full Service Area** and Barco/Coinjock/Airport sub-area of the **proposed 2006 Land Use Plan**. The policy emphasis of this plan is for the Barco/Coinjock/Airport area to emerge as the principal community center serving the central area of the mainland and is therefore included as a Full Service Area. With respect to residential development, base development density is contemplated to be 2 units per acre but could be increased to 3-4 units per acre through overlay zoning depending upon services available and the potential impact on the surrounding area.

The uses allowed within a Residential Airpark Development district are consistent with the 2006 Land Use Plan Full Service designation and the Barco/Coinjock/Airport sub-area.

**PUBLIC SERVICES
AND UTILITIES:**

Crawford Volunteer Fire Department provides fire protection for this area. Public utilities, including, electric, telephone, county water and cable, are currently available.

TRANSPORTATION:

The property is accessed by Maple Road and Brady Landing Phase I.

FLOOD ZONE:

The property is located in Flood Zone X, outside of the 100 year flood plain

SOILS:

The Currituck County Soil Suitability map indicates the property contains soils that are Suitable and Marginal for on-site septic.

**STAFF
RECOMMENDATION:**

Section 2406 of the Unified Development Ordinance provides the standards by which the Board shall evaluate proposed amendments to the Official Zoning Atlas. Specifically, the Ordinance provides that the "central issue before the board is whether the proposed amendment advances the public health, safety or welfare" of the county

and further directs that “the Board shall not regard as controlling any advantages or disadvantages to the individual requesting the change, but shall consider the impact of the proposed change on the public at large.”

Staff recommends **approval** of the request for the following reasons:

- 1) This property would contain the second phase of the Brady Landing Airpark.
- 2) This property meets the requirement that it is adjacent to the Currituck County Airport.
- 3) The rezoning would be an extension of an existing Residential Airpark Development zoning district.
- 4) The request **complies** with the 1990 land use plan designation of Rural with Services.
- 5) Additionally, the request **complies** with the proposed 2006 Land Use Plan designation of Full Service.

This staff recommendation was made without the benefit of public testimony and is based on the information presented when the application was received by the Department of Planning and Inspections. The Board of Commissioners shall give considerable weight to public testimony received during public hearing in considering its decision in this matter.

PLANNING BOARD DISCUSSION

Eddie Hyman, Hyman & Robey, appeared before the board.

Ms. Keifer presented the case analysis to the board.

Mr. Kovacs asked if there would be a road between the two properties.

Mr. Hyman said that there will be a road on the west side of the existing lots to access the runway.

Mr. West asked if this was additional property.

Mr. Hyman said yes, it was an additional purchase.

Mr. John Snowden, resident of Maple Rd, stated that his family has lived in Maple for three generations. He believes that Mr. Brady has a monopoly of sorts on this type of development, and has been allowed to continue in the name of ‘economic development’. He stated that he believes Mr. Brady has installed a road in need of a culvert and that there is a hangar constructed on a property without a home. He asked that the Planning Department investigate the situation.

Mr. Hyman stated that this is a unique project and the owner is trying to enlarge the development.

PLANNING BOARD ACTION

Mr. Kovacs motioned to approve the request as presented. Mr. Etheridge seconded the motion. Motion passed unanimously

Chairman O'Neal opened the public hearing.

John Snowden, Maple, questioned the drainage issues and no drive way permits from DOT.

Eddie Hyman, Engineer, stated that he had received the driveway permits.

Staff stated that drainage issues would be addressed at sketch plan approval.

There being no further comments, the public hearing was closed.

Commissioner Martin moved to approve and that request is consistent with Land Use Plan. Commissioner Etheridge seconded the motion. Motion carried.

Update on Historic Jarvisburg Colored School Restoration

Joe Freeman, Architect, reviewed the next phase of the restoration of the Jarvisburg School.

Funding for this project will come from the Occupancy Tax.

Commissioner Miller moved to go forward with Phase II of the restoration. Commissioner Etheridge seconded the motion. Motion carried.

Consideration of Currituck Outer Banks Wild Horse Management Plan

Dan Scanlon, County Manager, reviewed the Wild Horse Management Plan.

Commissioner Martin moved to approve the Plan. Commissioner Etheridge seconded the motion. Motion carried.

Appointment to Board of Adjustment

Commissioner Miller moved to table. Commissioner Martin seconded the motion.

Chairman O'Neal moved to appoint Commissioner Etheridge to the Whalehead Board of Trustees. Commissioner Miller seconded the motion. Motion carried.

Consent Agenda:

A. Budget Amendments

B. Carova Beach request to purchase Brush Truck

C. Approval of October 16 Minutes

D. Lease Agreement for Cingular Tower

Commissioner Miller moved to approve with deleting the water tank budget amendment. Commissioner Martin seconded the motion. Motion carried.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10440-545000	Contract Services Fund Balance	\$ 2,446	
10390-499900	Appropriated	\$ 7,336	
10320-411000	Article 39 Sales Tax		\$ 9,782
		\$ 9,782	\$ 9,782

Explanation: Finance (440) - To increase budgeted line items for contract with Tax Reduction Specialists, to increase Article 29 Sales Tax Revenue and to decrease fund balance appropriated for additional sales tax found for the years ended June 30, 2004 and June 30, 2005. This additional sales tax will be reflected in the County distribution of sales tax for October 2006.

Net Budget Effect: Operating Fund (10) - Reduced by \$7,336.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10750-519005	IV-E Waiver Foster Care	\$ 5,000	
10750-519500	TANF Emergency Asst.	\$ 4,588	
10752-519600	Daycare	\$ 46,150	
10752-519700	HCCBG	\$ 2,600	
10330-431000	DSS Administration - Rev.		\$ 3,343
10330-431800	Foster Care		\$ 5,000
10330-432200	HCCBG - Rev.		\$ 2,746
10330-432800	Daycare		\$ 46,150
10390-499900	Fund Appropriated Balance		\$ 223
10750-557700	Crisis Intervention		\$ 876
		\$ 58,338	\$ 58,338

Explanation: Social Services Administration (750) and Public Assistance (752) - To adjust budgeted line items to State Funding Authorizations.

Net Budget Effect: Operating Fund (10) - Increased by \$57,462.

<u>Account Number</u>	<u>Account Description</u>	Debit		Credit	
			Decrease Revenue or Increase Expense		Increase Revenue or Decrease Expense
10960-540000	Worker's Compensation	\$	83,540		
10960-554000	Insurance & Bonds	\$	5,090		
10381-481000	Investment Earnings			\$	88,630
			<u>\$</u>	<u>88,630</u>	<u>\$</u>
					<u>88,630</u>

Explanation: Central Services (10960) - To increase worker's comp for additional costs found during the annual worker's compensation audit. The projected costs were based of FY 2005 salaries. Also, to increase the liability insurance budget to add the horse farm and the Southern Park.

Net Budget Effect: Operating Fund (10) - Increased by \$88,630.

<u>Account Number</u>	<u>Account Description</u>	Debit		Credit	
			Decrease Revenue or Increase Expense		Increase Revenue or Decrease Expense
10480-590000	Capital outlay	\$	6,000		
10380-481000	Investment earnings			\$	6,000
			<u>\$</u>	<u>6,000</u>	<u>\$</u>
					<u>6,000</u>

Explanation: Register of Deeds (480) - Increase budgeted line items to purchase 4 additional smaller desks for the Register of Deeds office so that all employees will be located in the main office to serve the public.

Net Budget Effect: Operating Fund (10) - Increased by \$6,000.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
15780-545002	Historic Preservation	\$ 325,057	
15320-415000	Occupancy Tax		\$ 325,057
		<u>\$ 325,057</u>	<u>\$ 325,057</u>

Explanation: Occupancy Tax - Tourism Related (15780) - To increase budgeted line items for the Historic Jarvisburg Colored School Restoration - Phase II. Restoration of the interior of the school - \$165,939; Design Fees - \$15,418; Civil Design Fees - \$11,700; Visitor's Center Construction - \$72,000; and Sitework Construction - \$60,000.

Net Budget Effect: Occupancy Tax Fund (15) - Increased by \$325,057.

Commissioner's Report

Chairman O'Neal stated that he had received some complaints regarding organized sports at the Southern Park.

Commissioner Martin encouraged everyone to vote.

County Manager's Report

No comments

Adjourn

There being no further business, the meeting adjourned.