

# Currituck County Board of Commissioners Agenda

Historic Currituck County Courthouse

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**Date: Monday, April 21, 2008**

**Time: 7:00 PM**

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- 7:00 p.m. Invocation  
Pledge of Allegiance
- Item 1 Approval of Agenda
- Item 2 Public Comment  
***Please limit comments to items not appearing on the regular agenda, please limit comments to 3 minutes.***
- Item 3 **Proclamation for National Day of Prayer**
- Item 4 **Update from the Fire and EMS Advisory Board**
- Item 5 **Consideration of Interlocal Agreement to Oppose the Coastal Stormwater Rules**
- Item 6 **Consideration of Interlocal Agreement for OLF**
- Item 7 **Consent Agenda:**
1. Budget Amendments
  2. McKenzie Construction Corporation - Change order #9 North Elementary School
  3. Approval of March 3, 2008, minutes
  4. Approval of April 7, 2008, Minutes
- Item 8 Commissioner's Report
- Item 9 County Manager's Report
- Item 10 **Closed Session:**
1. According to GS 143-318.11(4) to discuss matters relating to the location or expansion of industries or other business

Adjourn

**Special Meeting**

## Moyock Commons Water and Sewer District Meeting

Call to order

Approval of Letter of Intent

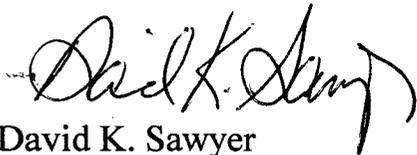
Adjourn

Dear Commissioners,

Please find attached a proposal for the Proclamation for the National Day of Prayer for Currituck County. The format and wording of this proclamation is the same as it has been in the past with the exceptions to dates and theme. As is stated in this document the act of prayer has been an important part of Currituck County's history and we, the Christian community which live in Currituck, hope and pray you will continue to support the National Day of Prayer. If you would please place this item on the upcoming agenda and if possible please contact me when this will be read.

Thank you for your service to our county and please know that there are people who pray for you on a regular basis. Also, know that we would love to have you join us at the Currituck County Courthouse at 12:00 noon on May 1<sup>st</sup> to join with the nation in prayer. If you would like more information of this event please contact me at 202-4661. May Almighty God grant you wisdom and health.

Because of Christ!



David K. Sawyer  
613 Shortcut Rd  
Barco, NC 27917

# NATIONAL DAY OF PRAYER

MAY 1, 2008

BY THE CURRITUCK COUNTY BOARD OF COMMISSIONERS OF THE  
STATE OF NORTH CAROLINA

## A PROCLAMATION

**WHEREAS**, National Days of Prayer have been part of our country's heritage since the first one was declared by the Continental Congress in 1775; and

**WHEREAS**, leaders of our Nation have relied upon the power of prayer throughout American history; and

**WHEREAS**, May 1, 2008, marks the 57<sup>th</sup> consecutive observance of the National Day of Prayer, as mandated by both Houses of Congress and by our President in Public Law 100-307; and

**WHEREAS**, it is good that we acknowledge that we are all God's handiwork and that it is appropriate to call upon Him in prayer; and

**WHEREAS**, "National Day of Prayer's theme is 'Prayer: America's Strength and Shield. The Lord is my strength and shield; my heart trust in Him, and I am helped.'

**WHEREAS**, while American troops fight for democracy and freedom around the globe and battle the war on terror, citizens of the United States will gather on May 1, 2008, to worship and pray for the American troops, our nation, churches, families, schools and governmental leaders, asking the Lord to grant them wisdom for the challenges they face on a daily basis;

**NOW, THEREFORE**, the Board of Commissioners of Currituck County, North Carolina, do hereby proclaim May 1, 2008, as "**NATIONAL DAY OF PRAYER**" in Currituck, North Carolina, and urge our citizens to join together in their homes, places of work, and places of worship, to pray for the unity of the hearts of all mankind and to continue in prayer for our State and our Nation.

ADOPTED this the 21<sup>st</sup> day of April, 2008.

ATTEST:

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Gwen H. Keene, CMC  
Clerk to the Board

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Barry C. Nelms  
Currituck County Board of Commissioners

## Comparison Chart for EMC Changes to Coastal Stormwater Rule

### Within ½ Mile of Shellfishing Waters

	<b>EMC Changes</b>	<b>Existing Requirement</b>
Threshold for Permit Coverage	Residential: 1 acre of disturbance Non-res.: 10,000 sq ft of disturbance	Residential: 1 acre of disturbance Non-res.: 1 acre of disturbance
Low Density Threshold	12%, or less, impervious surface coverage.*	25%, or less, impervious surface coverage
Vegetative Setback Reqmnt.	30 feet for redevelopment 50 feet for new development - applies to both high & low density	30 feet – applies only to low density projects
Stormwater Control Req. for High Density	Control and treat runoff from the pre and post development conditions for the <b>1-year, 24-hour storm.*</b>	Control and treat the runoff from the <b>first 1.5 inches of rainfall.</b>
Other Requirements	No discharge for <b>1-year, 24 hour storm.*</b>	No discharge for the <b>first 1.5 inches of rainfall.</b>

### Outside of ½ Mile of Shellfishing Waters

	<b>EMC Changes</b>	<b>Existing Requirement</b>
Threshold for Permit Coverage	Residential: 1 acre of disturbance Non-res.: 10,000 sq ft of disturbance	Residential: 1 acre of disturbance Non-res.: 1 acre of disturbance
Low Density Threshold	24%, or less, impervious surface coverage.*	30%, or less, impervious surface coverage
Vegetative Setback Reqmnt.	30 feet for redevelopment 50 feet for new development - applies to both high & low density	30 feet – applies only to low density projects
Control Req. for High Density	Control and treat the runoff from the <b>first 1.5 inches of rainfall.*</b>	Control and treat the runoff from the <b>first 1.0 inch of rainfall.</b>

**Note \*:** The new low density thresholds and control requirements for high density are the same as those that are now in place in Brunswick, New Hanover and Onslow Counties as a result of the Phase 2 Session Law.

#### Other EMC Changes:

- Residential development that disturbs more than 10,000 square feet, but less than 1 acre, is **not** required to get a permit, but must do **one** of the following to control stormwater:
  - Install cisterns to collect rooftop runoff and permeable pavement, or
  - Install a rain garden for rooftop runoff and permeable pavement, or
  - Do anything else (like infiltration in sandy soils) to control runoff
- No wetlands areas may be included in the calculations to determine the built upon area percentage. This is used to determine whether a project is low or high density.
- The EMC made a major change and under the new rule will allow all types of stormwater controls within ½ mile of shellfishing waters. Under the current rule, infiltration is the only control allowed within ½ mile of shellfishing waters.

**STATE OF NORTH CAROLINA**  
**COUNTY OF BEAUFORT and County of \_\_\_\_\_**

**INTERLOCAL AGREEMENT-Stormwater Lobbyist**

**THIS AGREEMENT**, made, entered into, and effective as of the \_\_\_ day of April, 2008, by and between the **County of \_\_\_\_\_**, hereinafter referred to as "\_\_\_\_\_ County," a local government unit and body politic, located in and created by the State of North Carolina, and **BEAUFORT COUNTY**, hereinafter referred to as "Beaufort County," a local government unit and body politic, located in and created by the State of North Carolina.

**RECITALS:**

THAT WHEREAS, Beaufort County executed on March 27, 2008 the attached contract with McCLEES CONSULTING, INC. for representation during the entirety of the upcoming short session of the North Carolina General Assembly and any subsequent months to equal to a length of service not to exceed six (6) months for a sum of \$60,000; and

WHEREAS, \_\_\_\_\_ County and Beaufort County agree that this representation is necessary given the risk to property rights and the development potential in both counties should the proposed amendments to 15A NCAC 02H .1005 STORMWATER REQUIREMENTS COASTAL COUNTIES become law; and

WHEREAS, Beaufort County is willing to assume responsibility for \$30,000 of the entire sum of \$60,000 regardless of the number of rural Northeastern Counties that have interest in such representation; and

WHEREAS, \_\_\_\_\_ County is willing to share the responsibility of the remaining \$30,000 proportionate to the population of said County provided at least three of the following five counties (*Bertie, Perquimans, Washington, Chowan, or Hertford*) other than Beaufort choose to participate resulting in a total participation of at least four (4) counties of the six named herein; and

WHEREAS, Beaufort County will invoice each participating county at the conclusion of the six months of representation provided by McCLEES CONSULTING, INC. only for actual expense defined by the participation of partner counties; and

WHEREAS, the Beaufort County Manager is obligated to facilitate a conference call update with the managers from participating counties and McCLEES CONSULTING, INC. at least one time each month during the six months of representation commencing on April 1, 2008; and

NOW, THEREFORE, in consideration of the conditions set out above \_\_\_\_\_ County and Beaufort County enter into

this agreement by majority vote of the elected body in each County.

THIS AGREEMENT is executed in duplicate originals, one to be retained by each party.

IN WITNESS WHEREOF, the County of \_\_\_\_\_ and the County of Beaufort have caused this Agreement to be executed as of the day and year first above written.

**COUNTY OF \_\_\_\_\_**

**By:** \_\_\_\_\_  
\_\_\_\_\_, **Chairman**

**COUNTY OF BEAUFORT**

**By:** \_\_\_\_\_  
\_\_\_\_\_, **Chairman**

**Estimate of Per Capita Expense for Stormwater Lobbyist Representation Assuming Participation of Certain Counties**

<b>Amount of total liability for all counites combined: \$30,000</b>						
<i>COUNTY</i>		<i>2007 Pop.</i>		<i>% shared</i>		<i>Liability</i>
Bertie		19,355		15.4%		\$4,633
Chowan		14,664		11.7%		\$3,510
Wash		13,360		10.7%		\$3,198
Perq		12,442		9.9%		\$2,978
Hyde		5,511		4.4%		\$1,319
Tyrrell		4,240		3.4%		\$1,015
Hertford		23,878		19.1%		\$5,716
Currituck		23,518		18.8%		\$5,630
Gates	*	4,179 *		3.3%		\$1,000
Camden	*	4,179 *		3.3%		\$1,000
<b>TOTAL</b>		<b>125,326</b>		<b>100.0%</b>		<b>\$30,000</b>

\*Note: The population for GATES and CAMDEN has been artifiically adjusted down in order to cap the liability of each County at \$1,000 in order to preserve their resources for OLF opposition.

The contribution of each County is certain with the exception that Hertford, Gates, and Currituck will take action on April 21st.



## COUNTY OF CURRITUCK

### **RESOLUTION OPPOSING PROPOSED AMENDMENTS TO COASTAL STORMWATER RULES – 15A NCAC 02H .1005**

**WHEREAS**, the Department of Environment and Natural Resources and the Division of Water Quality are proposing amendments to Coastal Stormwater Rules for 20 coastal counties that are similar and even more restrictive than the Federal Phase II rules; and

**WHEREAS**, the topography in the Federal Phase II Counties is very different from the land topography in Northeast North Carolina and a one size fits all approach to stormwater regulations is impractical; and

**WHEREAS**, the proposed rules increase vegetative buffers from 30 feet to 50 feet, which may prevent redevelopment opportunities in existing small lot subdivisions; and

**WHEREAS**, the proposed rules decrease the land disturbance threshold from 1 acre to 10,000 square feet placing an undue burden on many single family homes and other small projects which may now be required to obtain stormwater permitting; and

**WHEREAS**, A 24% impervious surface threshold will result in eliminating much of the affordable housing in coastal counties while increasing the cost of constructing public infrastructure, the cost of which is borne by the taxpayers; and

**WHEREAS**, the proposed rules increase the workload of the NC Department of Water Quality Stormwater Permit Office, which may increase the time required for permit approval; and

**WHEREAS**, the proposed rules do not address existing development, redevelopment and vested rights; and

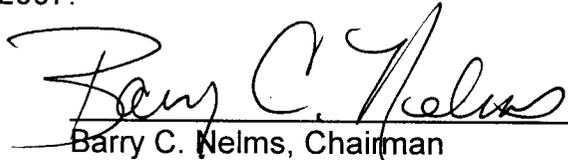
**WHEREAS**, the proposed rules do not address existing problems such as the lack of maintenance in swales and ditches; and

**WHEREAS**, the proposed rules do not address the potential economic impacts to local government, residents, businesses or industry, which may result in more expensive development costs; and

**WHEREAS**, there has been no cost benefit analysis performed, and there has been no environmental impact study done to estimate the actual benefit of these rules;

**NOW, THEREFORE, BE IT RESOLVED**, that the Currituck County Board of Commissioners strongly opposes the proposed changes to Coastal Stormwater Rules 15A NCAC 02H.1005 as they lack supporting scientific evidence as to their benefits, they are impractical and would have a severe detrimental economic impact on our area.

Adopted this the 1<sup>st</sup> day of October 2007.

  
\_\_\_\_\_  
Barry C. Nelms, Chairman  
Board of Commissioners

ATTEST:

  
\_\_\_\_\_  
Gwen H. Keene, CMC  
Clerk to the Board



## Memorandum

**To:** Zee Lamb, Bertie County Manager  
**CC:** Bertie County Commissioners

**From:** Paul Spruill, Beaufort County Manager

**Date:** March 8, 2008

**Re:** Summary of concerns for Coastal CAMA counties subject to proposed  
Environmental Management Commission Changes to Coastal Stormwater Rules

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### **Insufficient Justification for Proposed Changes**

The Environmental Management Commission has adopted the attached proposed amendments to 15A NCAC 02H .1005 "Stormwater Requirements: Coastal Counties". Unless members of the NC Legislature introduce bills to stop, suspend, or edit the rule, the proposed changes will take effect July 1, 2008.

The Department of Environment and Natural Resources (NC DENR) and the Environmental Management Commission (EMC) justify the proposed rule changes based on the acreage of shellfish waters lost to closure in the twenty years since stormwater requirements were established in the coastal counties.

I have also attached a table that summarizes the percent of shellfish water acreage closed in selected counties in 1988 as compared to 2006. The table indicates that while an increase in the closure of shellfish water acreage is somewhat pronounced in the more urban southeastern coastal counties, the increase in closures is practically nonexistent in the more rural northeastern coastal counties.

The County Commissioners in Beaufort and Washington Counties have resolved to seek assistance from our legislators for relief from the proposed rule changes due to (1) the lack of justification for our geographic area and (2) the tremendous impact on the ability of our counties to benefit from development should the proposed rule changes be implemented.

### **Impact on our Ability to benefit from future Development**

For our three counties (Bertie, Washington, and Beaufort), almost all of our lands likely to benefit from development are located beyond the crucial one half mile mark from SA waters as defined in the proposed rule. SA waters are defined by NC DENR as waters classified for shellfish harvesting. For those lands located within one half mile of SA waters the impervious surface threshold for triggering a high density stormwater permit drops from 25 percent to 12 percent.

For Bertie, Washington, and Beaufort counties we are more concerned with the regulations beyond the one half mile mark that apply to the entirety of all Coastal Counties. For us, the impervious surface threshold that triggers a high density stormwater permit drops from today's benchmark of 30 percent to the proposed benchmark of 24 percent. In today's rule a landowner is allowed to include any wetland acreage he owns before making the impervious surface calculation that triggers the need for the high density stormwater permit. In the proposed rule the landowner is required to exclude any wetland acreage he owns before making the impervious surface calculation that determines his need for the permit.

Should a landowner need a permit, he will seek the assistance of an engineer to design a stormwater management system on his property. Under today's rule the landowner's high density stormwater permit requires that he build an engineered system to manage the first inch of rain. Under the proposed rule the landowner would design a system to manage the water from the one year, 24-hour storm. In Beaufort County this standard is the equivalent of 3.5 inches of rain as opposed to today's requirement of the first inch of rain.

Finally, when the landowner and his engineer prepare to construct his stormwater management system he will be forced to construct all of his swales, retention ponds, and other devices at least 2 feet above the water table. The current rule allows most engineered stormwater infrastructure to be constructed 1 ft. above the water table. The only exception that suffers the 2 ft. requirement in today's rule is a specialized type of stormwater infrastructure called an absorption pond.

### **Impact on the ability of a landowner to build on an existing recorded lot or future recorded lots that avoid the high density designation**

The most surprising regulation in the new rule is the requirement of any residential building activity that disturbs more than 10,000 square feet, but builds upon more than 24 percent of the land that the structure occupies. An example would be a residential lot of 15,000 square feet in Washington, Windsor, or Aulander. Under the proposed rule the homebuilder would suffer the requirement of rain cisterns to collect all rooftop runoff from the first 1.5 inches of rain in order that the run-off be recycled as much as possible. Any water that is not recycled would be redirected to a vegetated rain garden for the disposal of the remaining water. Finally, any driveways or concrete pads constructed on the property would require the use of porous concrete or asphalt as a building material. These requirements would add an estimated \$10,000 to \$20,000 of increased cost to the construction of a home on a lot of 10,000 to 15,000 square feet where the impervious surfaces are more than 24 percent of the size of the lot.

	G	H	I	J	K	L	M	N	O
1	<b>Shellfish Closures in Selected Counties</b>								
2	YEAR	COUNTY	OPEN	CLOSED	TOTAL	% increase in Waters Closed	Inc. in % Closed Waters	Closed Acres Change	% of Waters Closed
3	1988	Brunswick	9894	12656	22550	9.58%	5.37%	1212	56.12%
4	2006	Brunswick	8682	13868	22550				61.50%
5									
6									
7	1988	New Hanover	5175	7775	12950	1.63%	0.98%	127	60.04%
8	2006	New Hanover	5048	7902	12950				61.02%
9									
10	1988	Pender	5482	518	6000	21.43%	1.85%	111	8.63%
11	2006	Pender	5371	629	6000				10.48%
12									
13	1988	Onslow	19779	10346	30125	8.16%	2.80%	844	34.34%
14	2006	Onslow	18935	11190	30125				37.15%
15									
16	1988	Carteret	297177	7873	305050	26.22%	0.68%	2064	2.59%
17	2006	Carteret	295113	9937	305050				3.26%
18									
19	1988	Perquimans	117974	4826	122800	24.00%	0.94%	1158	3.93%
20	2006	Perquimans	116816	5984	122800				4.87%
21									
22	1988	Craven	7600	1400	9000	0.00%	0.00%	0	15.56%
23	2006	Craven	7600	1400	9000				15.56%
24									
25	1988	Beaufort	20600	1200	21800	-40.92%	-2.25%	-491	5.50%
26	2006	Beaufort	21091	709	21800				3.25%
27									
28	1988	Hyde	423822	2178	426000	61.43%	0.31%	1338	0.51%
29	2006	Hyde	422484	3516	426000				0.83%
30									
31	1988	Dare	465803	3597	469400	9.23%	0.07%	332	0.77%
32	2006	Dare	465471	3929	469400				0.84%
33									
34	1988	Currituck	1368178	44641	1412772	14.71%	0.46%	6568	3.16%
35	2006	Currituck	1361610	51209	1412772				3.62%
36									

1 **15A NCAC 02H .1005 is proposed for amendment with changes as follows:**

2  
3 **15A NCAC 02H .1005 STORMWATER REQUIREMENTS: COASTAL COUNTIES**

4 (A) Notwithstanding, the provisions of 15A NCAC 2H .1003(b), all non-residential development activities within the  
5 coastal counties that disturb more than 10,000 square feet, including projects that disturb less than 10,000 square  
6 feet of land that are part of a larger common plan of development or sale that disturbs more than 10,000 square  
7 feet and all residential development activities within the coastal counties which require a stormwater management  
8 permit in accordance with Rule .1003 of this Section shall manage stormwater runoff as follows, with exception of  
9 NC Department of Transportation activities that shall be regulated in accordance with the provisions of that  
10 agency's existing NPDES Stormwater Permit:

11 (1) development activities within the coastal counties draining to Outstanding Resource Waters  
12 (ORW) shall meet requirements contained in Rule .1007 of this Section and the provisions of  
13 Subparagraph (2)(a)(i) below;

14 (2) development activities within one-half mile of and draining to SA waters or within one-half mile  
15 of SA waters and draining to unnamed freshwater tributaries to SA waters:

16 (a) Low Density Option: Development shall be permitted pursuant to Rule .1003(d)(1) of  
17 this Section if the development has:

18 (i) ~~Built-upon area of 25 12 percent or less; or proposes development of single~~  
19 ~~family residences on lots with one-third of an acre or greater with a built-upon~~  
20 ~~area of 25 12 percent or less. Development within 575 feet of the mean high~~  
21 ~~water line of areas designated by the Environmental Management Commission~~  
22 ~~as Outstanding Resource Waters (ORW) shall be limited to a built upon area of~~  
23 ~~25 percent or less, however, development with a built upon area of greater than~~  
24 ~~12 percent must comply with the requirements of Sub-Item (b) of this Item.~~

25 (ii) Stormwater runoff transported primarily by vegetated conveyances.  
26 (Conveyance system shall not include a discrete stormwater collection system as  
27 defined in Rule .1002 of this Section.); and

28 (iii) A 50 foot wide vegetative buffer for new development activities and a 30 foot  
29 wide vegetative buffer for redevelopment activities.

30 (b) High Density Option: Higher density developments shall be permitted pursuant to Rule  
31 .1003(d)(2) of this Section if stormwater control systems meet the following criteria:

32 (i) no direct outlet channels or pipes to SA waters unless permitted in accordance  
33 with 15A NCAC 2H .0126;

34 (ii) control systems must be infiltration systems, wet detention ponds, bioretention  
35 systems, constructed stormwater wetlands, sand filters, or alternative  
36 stormwater management systems designed in accordance with Rule .1008 of

1 this Section to control and treat the runoff from all surfaces generated by one  
2 and one-half inches of rainfall or the difference in the stormwater runoff from all  
3 surfaces from the predevelopment and post-development conditions for a one-  
4 year, 24-hour storm, whichever is greater. Alternatives as described in Rule  
5 .1008(h) of this Section may also be approved if they do not discharge to  
6 surface waters in response to the design storm;

- 7 (iii) runoff in excess of the design volume must flow overland through a vegetative  
8 filter designed in accordance with Rule .1008 of this Section with a minimum  
9 length of 50 feet measured from mean high water of SA waters; and  
10 (iv) a 50 foot wide vegetative buffer for new development activities and a 30 foot  
11 wide vegetative buffer for redevelopment activities.

12 (c) In addition to the other measures required in this Rule, all development activities,  
13 including both low and high density projects, shall prohibit new points of stormwater  
14 discharge to SA waters or expansion (increase in the volume of stormwater flow through  
15 conveyances or increase in capacity of conveyances) of existing stormwater conveyance  
16 systems that drain to SA waters. Any modification or redesign of a stormwater  
17 conveyance system within the contributing drainage basin must not increase the net  
18 amount or rate of stormwater discharge through existing outfalls to SA waters.  
19 Infiltration of stormwater runoff from the 1-year, 24-hour storm or diffuse flow of  
20 stormwater at a non-erosive velocity to a vegetated buffer, or other natural area, within  
21 the property boundary that is capable of providing effective infiltration of the runoff from  
22 the 1-year, 24-hour storm shall not be considered a direct point of stormwater  
23 discharge. Permit applicants shall take into consideration soil type, slope, vegetation,  
24 and existing hydrology when evaluating infiltration effectiveness.

25  
26 (3) development activities within the coastal counties except those areas defined in Items (1) and  
27 (2) of this Paragraph:

28 (a) Low Density Option: Development shall be permitted pursuant to Rule .1003(d)(1) of  
29 this Section if the development has:

- 30 (i) ~~built-upon area of 30 24 percent or less; or proposes development of single~~  
31 ~~family residences on lots with one-third one-half of an acre or greater with a~~  
32 ~~built-upon area of 30 24 percent or less;~~  
33 (ii) stormwater runoff transported primarily by vegetated conveyances;  
34 (Conveyance system shall not include a discrete stormwater collection system as  
35 defined in Rule .1002 of this Section.); and

- 1 (iii) a 50 foot wide vegetative buffer for new development activities and a 30 foot  
2 wide vegetative buffer for redevelopment activities.
- 3 (b) High Density Option: Higher density developments shall be permitted pursuant to Rule  
4 .1003(d)(2) of this Section if stormwater control systems meet the following criteria:
- 5 (i) control systems must be infiltration systems, wet detention ponds, bioretention  
6 systems, constructed stormwater wetlands, sand filters, or alternative  
7 stormwater management systems designed in accordance with Rule .1008 of  
8 this Section;
- 9 (ii) control systems must be designed to store, control and treat the stormwater  
10 runoff from all surfaces generated by one and one-half inch of rainfall; and  
11 (iii) a 50 foot wide vegetative buffer for new development activities and a 30 foot  
12 wide vegetative buffer for redevelopment activities.
- 13 (4) Structural stormwater controls required under this Rule shall meet the following criteria:
- 14 (a) Remove an 85 percent average annual amount of Total Suspended Solids.
- 15 (b) For detention ponds, draw down the treatment volume no faster than 48 hours, but no  
16 slower than 120 hours.
- 17 (c) Discharge the storage volume at a rate equal or less than the pre-development  
18 discharge rate for the 1-year, 24-hour storm. and
- 19 (d) Meet the General Engineering Design Criteria set forth in 15A NCAC 02H .1008(c).
- 20 (5) For the purposes of this Rule, all areas defined as 404 jurisdictional wetlands or non-404  
21 jurisdictional wetlands shall not be included in the overall project area to calculate impervious  
22 surface density. Stormwater runoff from built upon areas that is directed to flow through any  
23 wetlands must flow through these wetlands in a diffuse manner with the use of a level spreader.
- 24 (6) For structural stormwater controls that are required under this Rule and that require separation from  
25 the seasonal high-water table, a minimum separation of two feet is mandated. This separation shall  
26 be provided by at least 12 inches of naturally occurring soil above the seasonal high-water table with  
27 a minimum soil hydraulic conductivity of 0.52 inches per hour.
- 28 (B) Residential development activities within the 20 Coastal Counties that are within one-half mile and  
29 draining to SA waters [REDACTED] and that do not require a  
30 stormwater management permit in accordance with Rule .1003 of this Section but that disturb more than  
31 10,000 square feet of land shall manage stormwater runoff by implementing the following measures  
32 specified in Subparagraph (1), (2), or (3) below:
- 33 (1) Install rain cisterns or rain barrels designed to collect all rooftop runoff from the one-year,  
34 24-hour storm. Rain barrels and cisterns shall be installed in such a manner as to facilitate  
35 the reuse of the collected rain water on site and shall be installed in such a manner that any  
36 overflow from these devices is directed to a vegetated area in a diffuse flow. In addition all

1 uncovered driveways, uncovered parking areas, uncovered walkways and uncovered patios  
2 shall be constructed out of out of permeable pavement, or other pervious materials. For the  
3 purposes of this Rule, permeable pavement is defined as a paving material that allows for  
4 the infiltration of stormwater. Permeable pavement materials include, but are not limited to,  
5 porous concrete, permeable interlocking concrete pavers, concrete grid pavers, and porous  
6 asphalt. Compacted gravel will not be considered as permeable pavement. Other pervious  
7 material includes, but is not limited to, wooden slatted decks, or

8 (2) Direct rooftop runoff from the one-year, 24-hour storm to an appropriately sized and  
9 designed rain garden. In addition all uncovered driveways, uncovered parking areas,  
10 uncovered walkways and uncovered patios shall be constructed out of out of permeable  
11 pavement, or other pervious materials. For the purposes of this Rule, permeable pavement  
12 is defined as a paving material that allows for the infiltration of stormwater. Permeable  
13 pavement materials include, but are not limited to, porous concrete, permeable interlocking  
14 concrete pavers, concrete grid pavers, and porous asphalt. Compacted gravel will not be  
15 considered as permeable pavement. Other pervious material includes, but is not limited to,  
16 wooden slatted decks, or

17 (3) Install any other stormwater best management practice that meets the requirements of 15A  
18 NCAC 2H .1008 to control and treat the difference in the stormwater runoff from all built  
19 upon areas of the site from the predevelopment and post-development conditions for a one-  
20 year, 24-hour storm.

21 (C) Residential development activities within the 20 Coastal Counties that are not within one-half mile and  
22 draining to SA waters [REDACTED] and that do not require a  
23 stormwater management permit in accordance with Rule .1003 of this Section but that disturb more than  
24 10,000 square feet of land shall manage stormwater runoff by implementing the following measures  
25 specified in Subparagraph (1), (2), or (3) below:

26 (1) Install rain cisterns or rain barrels designed to collect all rooftop runoff from the first 1.5  
27 inches of rainfall. Rain barrels and cisterns shall be installed in such a manner as to facilitate  
28 the reuse of the collected rain water on site and shall be installed in such a manner that any  
29 overflow from these devices is directed to a vegetated area in a diffuse flow. In addition all  
30 uncovered driveways, uncovered parking areas, uncovered walkways and uncovered patios  
31 shall be constructed out of out of permeable pavement, or other pervious materials. For the  
32 purposes of this Rule, permeable pavement is defined as a paving material that allows for  
33 the infiltration of stormwater. Permeable pavement materials include, but are not limited to,  
34 porous concrete, permeable interlocking concrete pavers, concrete grid pavers, and porous  
35 asphalt. Compacted gravel will not be considered as permeable pavement. Other pervious  
36 material includes, but is not limited to, wooden slatted decks, or

- 1           (2) Direct rooftop runoff from the first 1.5 inches of rain to an appropriately sized and designed  
2           rain garden. In addition all uncovered driveways, uncovered parking areas, uncovered  
3           walkways and uncovered patios shall be constructed out of out of permeable pavement, or  
4           other pervious materials. For the purposes of this Rule, permeable pavement is defined as a  
5           paving material that allows for the infiltration of stormwater. Permeable pavement materials  
6           include, but are not limited to, porous concrete, permeable interlocking concrete pavers,  
7           concrete grid pavers, and porous asphalt. Compacted gravel will not be considered as  
8           permeable pavement. Other pervious material includes, but is not limited to, wooden slatted  
9           decks, or
- 10          (3) Install any other stormwater best management practice that meets the requirements of 15A  
11          NCAC 2H .1008 to control and treat the stormwater runoff from the first 1.5 inches of rainfall  
12          for all built upon areas of the site.

13  
14  
15    History Note:    Authority G.S. 143-214.1; 143-214.7; 143-215.1; 143-215.3(a);  
16                    Eff. September 1, 1995.

## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 21st day of April, 2008, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2008.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
61818-513000	Utilities	\$ 8,000	
61818-590000	Capital Outlay		\$ 8,000
		<u>\$ 8,000</u>	<u>\$ 8,000</u>

**Explanation:** *Mainland Water (61818)* - To transfer budgeted funds for temporary power to distribution building during construction.

**Net Budget Effect:** Mainland Water Fund (61) - No change.

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Clerk to the Board

## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 21st day of April, 2008, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2008.

<u>Account Number</u>	<u>Account Description</u>	<u>Debit</u>	<u>Credit</u>
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
15447-545000	Contract Services	\$ 13,500	
15447-561000	Professional Services		\$ 13,500
		<u>\$ 13,500</u>	<u>\$ 13,500</u>

**Explanation:** *Occupancy Tax - Tourism Related (15447)* - To transfer budgeted funds for contract for drainage for Persimmon Street ditch.

**Net Budget Effect:** Occupancy Tax (15) - No change.

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## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 21st day of April, 2008, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2008.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10960-511000	Postage	\$ 4,000	
10960-531000	Gas, Oil, Etc	\$ 40,000	
10960-539000	Unemployment Compensation		\$ 3,584
10310-400007	Ad Valorem Taxes - 2007 Levy		\$ 16,916
10380-488000	ABC Education Distributions		\$ 13,000
10380-488200	ABC Law Enforcement Distributions		\$ 10,500
		<u>\$ 44,000</u>	<u>\$ 44,000</u>

**Explanation:** *Central Services (10960)* - To increase appropriations for fuel and postage increases for the remainder of this fiscal year.

**Net Budget Effect:** Operating Fund (10) - Increased by \$40,416.

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## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 21st day of April, 2008, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2008.

<u>Account Number</u>	<u>Account Description</u>	<u>Debit</u>	<u>Credit</u>
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10490-532003	Supplies - Court Facilities	\$ 1,000	
10490-545003	Contract Services - Court Facilities	\$ 6,000	
10490-532000	Supplies - other		\$ 500
10340-450500	Administrative and Filing Fees		\$ 6,500
		<u>\$ 7,000</u>	<u>\$ 7,000</u>

**Explanation:** *Court Facility Fees (10490)* - To increase appropriations for contract increases over this fiscal year and for operating expenses for the remainder of the year.

**Net Budget Effect:** Operating Fund (10) - Increased by \$6,500.

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## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 21st day of April, 2008, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2008.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10510-514000	Travel	\$ 3,000	
10510-531000	Gas, Oil & Tires	\$ 31,000	
10510-514500	Training & Education		\$ 3,000
10511-545000	Contracted Services		\$ 31,000
		<u>\$ 34,000</u>	<u>\$ 34,000</u>

**Explanation:** *Sheriff (10510); Jail (10511)* - To transfer budget funds for travel and additional fuel cost for the Sheriff's Department for the remainder of this fiscal year.

**Net Budget Effect:** Operating Fund (10) - No change.

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Number

2008094

## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 21st day of April 2008, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2008.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10530-590000	Capital Outlay	\$ 1,324	
10530-544000	Volunteer Assistance		\$ 1,324
		<u>\$ 1,324</u>	<u>\$ 1,324</u>

**Explanation:** *Emergency Medical Services (10530)* - To purchase three (3) radios to be used by the Volunteers while they are responding to calls.

**Net Budget Effect:** Operating Fund (10) - No change.

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## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 21st day of April 2008, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2008.

		Debit	Credit
<u>Account Number</u>	<u>Account Description</u>	<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10750-519500	TANF EA/Domestic Violence Funds	\$ 6,000	
10750-531000	Gas, Oil, etc.	\$ 5,500	
10760-532900	Foster Care Supplement	\$ 18,000	
10750-514000	Travel		\$ 5,500
10330-430200	Adoption Assistance		\$ 18,000
10330-431000	DSS Administration		\$ 6,000
		\$ 29,500	\$ 29,500

**Explanation:** **Social Services Administration (750): TANF Emergency Assistance**-Adjust line item to reflect additional Domestic Violence funding allocation from the state. **Travel/Gas, Oil, Etc.** - Move funds due to increase cost of fuel. **County Assistance (760): Foster Care Supplement**-Adjust line item to reflect additional Special Child Adoption funds received from the state.

**Net Budget Effect:** Operating Fund (10) - Increased by \$24,000.

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## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 21st day of April 2008, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2008.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
12543-532103	Fire Supplies	\$ 20,000	
12543-511003	Telephone & Postage		\$ 400
12543-514503	Travel/Training/Educ		\$ 5,000
12543-544003	Volunteer Assistance		\$ 14,600
		<u>\$ 20,000</u>	<u>\$ 20,000</u>

**Explanation:** **Moyock Volunteer Fire Department (12543)** - To transfer funds for operations for the remainder of this fiscal year.

**Net Budget Effect:** Fire Services Fund (12) - No change.

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## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 21st day of April 2008, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2008.

<u>Account Number</u>	<u>Account Description</u>	<u>Debit</u>	<u>Credit</u>
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
12546-511006	Telephone & Postage	\$ 6,261	
12546-513006	Utilities	\$ 20,500	
12546-514506	Travel/Training/Education	\$ 1,250	
12546-516006	Repairs & Maintenance	\$ 25,835	
12546-516106	Building & Grounds	\$ 14,312	
12546-531006	Gas, Oil, Etc	\$ 10,000	
12546-532006	Office Supplies	\$ 19,125	
12546-532106	Fire Supplies	\$ 27,471	
12546-533906	Ambulance Supplies	\$ 115	
12546-536106	Personal Protective Equipment	\$ 4,800	
12546-553006	Dues & Subscriptions	\$ 6,770	
12546-554006	Insurance	\$ 53,299	
12546-561006	Professional Services	\$ 13,000	
12546-544006	Volunteer Assistance	\$ 77,959	
12546-545000	Contract Services		\$ 270,697
12546-590006	Capital Outlay		\$ 10,000
		<u>\$ 280,697</u>	<u>\$ 280,697</u>

**Explanation:** **Corolla Volunteer Fire Department (12546)** - To transfer funds to reflect budget for this fiscal year.

**Net Budget Effect:** Fire Services Fund (12) - No change.

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## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 21st day of April 2008, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2008.

<u>Account Number</u>	<u>Account Description</u>	<u>Debit</u>	<u>Credit</u>
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10530-502100	Salaries - OT	\$ 140,000	
10530-503500	Temporary Services	\$ 100,000	
10530-502000	Salaries - Regular		\$ 240,000
10530-511000	Telephone & Postage	\$ 3,000	
10530-513000	Gas, Oil, Etc	\$ 20,000	
10541-502000	Salaries - Regular (Fire)		\$ 23,000
10530-052100	Salaries - OT	\$ 20,000	
10530-503500	Temporary Services	\$ 132,214	
10530-505000	FICA	\$ 11,644	
10530-507000	Retirement	\$ 1,978	
10530-533900	Ambulance Supplies	\$ 3,000	
10530-531000	Gas, Oil, Etc	\$ 7,500	
10530-516000	Repairs & Maintenance	\$ 4,000	
10350-465300	EMS Reimbursement		\$ 55,375
10530-590000	Capital Outlay		\$ 75,683
10541-502000	Salaries - Regular		\$ 30,000
10541-505000	FICA		\$ 4,054
10541-506000	Insurance Expense		\$ 5,000
10541-507000	Retirement Expense		\$ 5,247
10541-511000	Telephone & Postage		\$ 1,400
10541-514500	Training & Education		\$ 3,500
10541-514600	Public Education		\$ 500
10541-526000	Advertising		\$ 1,000
10541-531000	Gas, Oil Etc		\$ 1,500
10541-532000	Supplies		\$ 1,750
10541-536000	Uniforms		\$ 500
10541-553000	Dues & Subscriptions		\$ 1,000
10541-590000	Capital Outlay		\$ 1,877
10541-511010	Data Transmission	\$ 1,300	
10541-513000	Utilities	\$ 5,700	
10541-514000	Travel	\$ 1,050	
		<u>\$ 451,386</u>	<u>\$ 451,386</u>

**Explanation:** **Emergency Medical Services (10530):** To transfer budgeted funds to Overtime and Temporary Services from Regular salaries to cover vacancies due to Worker's Comp and FMLA and for operations for the remainder of this fiscal year. Also, to increase appropriations to fund the third EMS crew at Corolla. This will be funded with \$55,375 remaining from the Corolla appropriation for this fiscal year and the remaining from funds remaining in capital outlay and the County Fire Services budget.

**Net Budget Effect:** Operating Fund (10) - Increased by \$55,375.

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## BUDGET AMENDMENT

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<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10540-532000	Supplies	\$ 1,059	
10540-514500	Training & Education		\$ 494
10540-590441	Technology >1,000		\$ 160
10540-553000	Dues & Subscriptions		\$ 405
		<u>\$ 1,059</u>	<u>\$ 1,059</u>

**Explanation:** *Inspections (10540)* - To transfer funds to purchase newly released code books for building inspectors.

**Net Budget Effect:** No change.

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CURRITUCK COUNTY  
NORTH CAROLINA  
MARCH 3, 2008

The Board of Commissioners met on March 3, 2008, 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 Nelms, Commissioners Bowden, Gregory, Taylor and Etheridge.

**Invocation**

**Pledge of Allegiance**

The Reverend Steve Castle was present to give the invocation.

**Approval of Agenda**

Chairman Nelms moved to amend the agenda by adding Resolution on Mid-Currituck Bridge, closed session and delete Items 3 and 4 change orders for Shawboro and Jarvisburg schools. Commissioner Gregory seconded the motion. Motion carried.

Invocation

Pledge of Allegiance

Item 1 Approval of Agenda

Item 2 Public Comment

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

Item 3 **Public Hearing and Action** PB 08-01 Jarvis Landing: Request to rezone approximately 15.4 acres from Residential (R) to Conditional District - General Business (CD-GB). Located at 7400 Caratoke Highway, approximately 750 feet North of Case Landing Rd, Tax Map 110, Parcel 74, Poplar Branch Township.

Item 4 **Public Hearing and Action** PB 08-09 Jarvis Landing Multi-Family: Special Use Permit for 39 Multi-Family Condominiums. Located at 7400 Caratoke Highway, approximately 750 feet North of Case Landing Rd, Tax Map 110, Parcel 74, Poplar Branch Township.

Item 5 **Public Hearing and Action** PB 08-04 William E. Wright Sr.: Request to rezone 45 acres from Agricultural (A) to Residential (R). Located on Grandy Road (SR1125) approximately 0.33 miles south of Hickory Hill Drive, Tax Map 95, Parcel 49, Poplar Branch Township.

Item 6 **Public Hearing and Action** PB 08-02 Grandy Farm: Request for Sketch Plan/Special Use Permit approval of a 14-lot major subdivision. The proposed 18.57 acre development is located along the western side Poplar Branch Road and approximately 220 feet north of Nicole Lane, Tax Map 94, Parcel 31, Poplar Branch Township.

- Item 7            **Public Hearing and Action**    PB 08-05 Joe Boehm: Request for Sketch Plan/Special Use Permit for one single family lot located in Shawboro at 184 Four Forks Road, Tax Map 43, Parcel 34E, Crawford Township.
- Item 8            **Discussion and Action on supporting Camden County Commissioners for funding against OLF**
- Item 9            **Approval of Rental Car Concessionaire Agreement**
- Item 10           **Appointment to Board of Adjustment**
- Item 11           **Appointment to Airport Advisory Board**
- Item 12           **Consent Agenda:**
1. Appoint Commissioner Bowden to the Carova Beach Task Force Committee
  2. Appointment of Gary McGee to replace Commissioner Bowden on the Coastal Resources Advisory Council (CRAC)
  3. Change Orders for Jarvisburg Elementary School
  4. Change Orders for Shawboro Elementary School
  5. Approval of Resolution Supporting the Hurricane Isabel Emergency Stream Cleanup Phase III in the Amount of \$24,000
  6. Change Order for Cooperative Extension Services Center for \$12,478.62
  7. Budget Amendments
  8. Planning & Inspections fee schedule change
  9. Approval of February 18, 2008, Minutes
- Item 13           Commissioner's Report
- Item 14           County Manager's Report

**Public Comment**

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

Chairman Nelms opened the public comment period.

Woody Dyer, Eagle Creek, opposes any permitting for the 4-wheel drive area in Carova.

Peter Bishop, Economic Development Director, presented following letter for record.

Chairman Nelms & Currituck County Commissioners:

It was my pleasure to represent Currituck County and the Currituck County Economic Development Department, along with representatives of the Currituck County Department of Travel and Tourism, at the 7<sup>th</sup> Annual Community and Business Expo hosted by the Currituck Chamber of Commerce on March 1, 2008, at Currituck County High School.

The event featured over 60 local businesses and organizations exhibiting products, services and other information for community consumption, as well as offering an excellent environment for marketing and developing business-to-business relationships.

The effort, organization and professionalism of the Currituck Chamber of Commerce, combined with enthusiastic exhibitors and attendees made for a memorable event. Overall, the event shone

as a sterling example of economic development on the community level, and I was very proud to be a part of it.

I ask you to accept this memorandum for the record and share in my praise for the Chamber, exhibitors, and the local community for their support of local businesses.

Charlie Poole, Carova Beach, thanked the Board for their support on the Community Task Force Committee to look at beach driving in the 4-wheel drive area.

John Barnes, Tulls Creek, supports Camden County's efforts to stop the proposed OLF site.

Commissioner Etheridge requested citizens to please not remove political signs.

There being no further comments, Chairman Nelms closed the public comment period.

**Public Hearing and Action PB 08-01 Jarvis Landing: Request to rezone approximately 15.4 acres from Residential (R) to Conditional District - General Business (CD-GB). Located at 7400 Caratoke Highway, approximately 750 feet North of Case Landing Rd, Tax Map 110, Parcel 74, Poplar Branch Township.**

Ben Woody, Planning Director, reviewed the request.

**CASE ANALYSIS FOR THE  
BOARD OF COMMISSIONERS  
MEETING DATE: March 3, 2008  
Conditional District Zoning Map Amendment:  
PB 08-01 Jarvis Landing**

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<b>TYPE OF REQUEST:</b>	Rezone approximately 15.4 acres from Residential to Conditional District - General Business
<b>LOCATION:</b>	Located at 7400 Caratoke Highway, approximately 750 feet North of Case Landing Rd.
<b>TAX ID:</b>	Tax Map 110, Parcel 74 0110-000-0074-0000
<b>OWNER:</b>	GOB, LLC PO Box 125 Point Harbor, NC 27964
<b>APPLICANT:</b>	Daniel Ken Griggs PO Box 125

Harbinger, NC 27964

**ENGINEER:** Bissell Professional Group  
Mark Bissell  
PO Box 1068  
Kitty Hawk, NC 27949

**CURRENT ZONING:** Residential (R)

**PROPOSED ZONING:** Conditional District - General Business (CD-GB)

**ZONING CONDITIONS:**

1. Uses: 39 townhome style dwellings, manager's office/community center, and related amenities.
2. Density will not exceed 2.574 dwelling units per acre.
3. 25 foot undisturbed natural vegetative buffer will remain along the northern and western property lines.
4. A walking path/sidewalk will be constructed for pedestrian connectivity to the existing GB zoning district to the east.
5. Existing woodlands will be preserved to the extent practicable.

**ZONING HISTORY:** The property was zoned Residential (R) on the 1989 zoning atlas.

A Sketch Plan/ Special Use Permit for a 14 lot residential subdivision was granted for this property on April 3, 2006. The subdivision was constructed and Final Plat approval was granted on May 8, 2007.

**SURROUNDING PROPERTY:**

	<b>Land Use</b>	<b>Zoning</b>
<b>NORTH:</b>	Residential and Sand Mine	R and GB
<b>SOUTH:</b>	Residential and Undeveloped	R
<b>EAST:</b>	Undeveloped	GB
<b>WEST:</b>	Undeveloped	R

**EXISTING LAND USE:** Vacant Residential Subdivision.

**PROPOSED LAND USE:** 39 townhome style dwellings, manager's office/community center, and related amenities.

**LAND USE PLAN CLASSIFICATION:**

The 2006 Land Use Plan classifies the site as **Limited Service Area** within the **Jarvisburg Sub-Area**.

The purpose of the Limited Services Area class is to provide for primarily residential development at low densities. Despite the overall low density of these areas, efforts should be made to encourage clusters of residential uses to preserve open space and to provide for a sense of a "community". Base development density should be 1

unit per acre but could be increased to 1.5 units per acre through overlay zoning depending upon whether service facilities are in place or planned and the potential impact on the surrounding community. In the same instances where slightly higher density is considered appropriate a moderate mix of housing types such as semi-detached would also be considered reasonable.

The policy emphasis of the 2006 plan is to allow the Jarvisburg area to accommodate quality residential development at low densities while preserving the rural landscape between such developments. Similar to the Grandy area, but at a lower overall density, new residential development should be encouraged to locate in compact, village like clusters, preferably near existing, non-agricultural activities and services. An example might be a new compact, walkable neighborhood of homes built near an existing or proposed church, school or compatibly designed general store.

The following Land Use Plan policies are also relevant to this request:

**POLICY AG6:** For areas experiencing intense development pressure, new residential development may be allowed to locate in COMPACT, VILLAGE-LIKE CLUSTERS, PREFERABLY NEAR EXISTING, NON-AGRICULTURAL ACTIVITIES AND SERVICES, or in other locations that will not interfere with resource production activities.

**POLICY HN1:** Currituck County shall encourage development to occur at densities appropriate for the location. LOCATION AND DENSITY FACTORS shall include whether the development is within an environmentally suitable area, the type and capacity of sewage treatment available to the site, the adequacy of transportation facilities providing access to the site, and the proximity of the site to existing and planned urban services.

**POLICY HN3:** Currituck County shall especially encourage two forms of residential development, each with the objective of avoiding traditional suburban sprawl:

1. OPEN SPACE DEVELOPMENTS that cluster homes on less land, preserving permanently dedicated open space and often employ on-site or community sewage treatment. These types of developments are likely to occur primarily in the Conservation, Rural, and to a certain extent the Limited Service areas identified on the Future Land Use Map.
2. COMPACT, MIXED USE DEVELOPMENTS or

DEVELOPMENTS NEAR A MIXTURE OF USES that promote a return to balanced, self-supporting community centers generally served by centralized water and sewer. The types of development are contemplated for the Full Service Areas identified on the Future Land Use Map.

**PUBLIC SERVICES AND UTILITIES:**

The Lower Currituck Volunteer Fire Department provides fire protection for this area. Electric service, telephone and public water are available. The allocation for school seats would go from 8 to 18 if a multi-family development is approved on the site.

**TRANSPORTATION:**

The site has approximately 24 linear feet of frontage on Caratoke Highway.

**FLOOD ZONE:**

This site has been designated an X Flood Zone by FEMA and is therefore out of the 100 year floodplain.

**SOILS:**

The Currituck County Soils map indicates the property contains suitable soils for on-site septic systems.

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**STAFF RECOMMENDATION:**

Staff recommends **approval** of the request to rezone 15.4 acres from Residential (R) to Conditional District - General Business (CD-GB) for the following reasons:

1. The proposed rezoning is in general compliance with the policy emphasis of the Jarvisburg Sub-Area and policies AG6, HN1, and HN3 of the 2006 Land Use Plan.
2. The proposed zoning conditions are consistent with the objectives of the Currituck County Unified Development Ordinance and 2006 Land Use Plan, and promote compatibility between the subject property and surrounding area.
3. The request establishes a pedestrian connection to the adjacent commercially zoned property. This presents an opportunity to create a walkable community while encouraging a self-supporting mixture of residential and commercial uses.
4. A 25 foot undisturbed natural vegetative buffer will remain along the northern and western property lines. This condition provides significant buffering and further promotes compatibility between the subject property and adjacent properties.

5. There are existing higher density residential uses in the immediate vicinity of the subject property (Colonial Beach Subdivision).
6. According to information provided by the applicant at the Planning Board meeting, additional zoning conditions regarding fencing and tree preservation areas will be offered at the Board of Commissioners meeting.

#### **PLANNING BOARD DISCUSSION**

Mark Bissell stated that they had a community meeting on January 28, 2008 which was advertised that provided a briefing on the project. Out of the community meeting it was requested for additional fencing for a buffer which the developer has agreed to. The sidewalks will weave around the trees to preserve them.

Mr. Kovacs asked what the price range will be.

Mr. Griggs stated around \$180,000 to \$200,000, but if things are added the cost will increase.

Ms. Turner asked if the sidewalks will be addressed in the homeowners association as to who will maintain them. She would also like to see the sidewalks as part of the conditional zoning request.

Mr. Woody stated that they will be covered under #4 of the zoning conditions, but more clarification can be provided before the Board of Commissioners meeting.

Mr. Griggs stated the park area will have swing sets, a picnic and grilling area.

Mr. Kovacs stated that this will be a Conditional District – General Business that there will be no commercial use of the property.

Mr. Praley stated that he attended the neighborhood meeting and as part of the zoning conditions additional fencing be provided which has already been addressed. He would like the board to take into consideration the reduction of density of this property. He would like the walking trails be mulch and not concrete.

#### **ACTION**

Mr. Etheridge motion to recommend approval with staff recommendations to rezone approximately 15.4 acres from Residential (R) to Conditional District – General Business (CD-GB) according to the 2006 Land Use Plan. The Planning Board recommends that the BOC add fencing and tree preservation conditions as part of the zoning request. Ms. Turner seconded the motion. Motion passed unanimously.

Chairman Nelms opened the public hearing.

David Ryan, Bissell & Assoc., stated that they are requesting an opaque fence and a tree preservation area.

Commissioner Etheridge asked if meeting with community prior to Planning Board was useful.

There being no further comments, Chairman Nelms closed the public hearing.

Chairman Nelms moved to approve with conditions offered by the applicant. Commissioner Bowden seconded the motion. Motion carried.

**Public Hearing and Action PB 08-09 Jarvis Landing Multi-Family: Special Use Permit for 39 Multi-Family Condominiums. Located at 7400 Caratoke Highway, approximately 750 feet North of Case Landing Rd, Tax Map 110, Parcel 74, Poplar Branch Township.**

Sworn testimony was given prior to making statements.

Ben Woody, Planning Director, reviewed the request.

**CASE ANALYSIS FOR THE  
BOARD OF COMMISSIONERS  
MEETING DATE: March 3, 2008  
Special Use Permit:  
PB 08-09 Jarvis Landing Multi-Family**

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<b>ITEM:</b>	PB 08-09 Jarvis Landing Multi-Family, Special Use Permit for 39 attached residential dwellings.
<b>LOCATION:</b>	Located at 7400 Caratoke Highway, approximately 750 feet North of Case Landing Rd.
<b>TAX ID:</b>	Tax Map 110, Parcel 74 0110-000-0074-0000
<b>OWNER:</b>	GOB, LLC PO Box 125 Point Harbor, NC 27964
<b>APPLICANT:</b>	Daniel Ken Griggs PO Box 125 Harbinger, NC 27964
<b>ENGINEER:</b>	Bissell Professional Group Mark Bissell PO Box 1068 Kitty Hawk, NC 27949
<b>CURRENT ZONING:</b>	Residential (R)
<b>PROPOSED ZONING:</b>	Conditional District - General Business (CD-GB)

**ZONING HISTORY:** The property was zoned Residential (R) on the 1989 zoning atlas.

A Sketch Plan/ Special Use Permit for a 14 lot residential subdivision was granted for this property on April 3, 2006. The subdivision was constructed and Final Plat approval was granted on May 8, 2007. The Final Plat was not recorded within 90 days of the approval and has now expired.

**LAND AREA:** 15.40 acres

**NUMBER OF UNITS:** 39

**DENSITY:** 2.53 units/ acre (allowed with General Business zoning)

**SURROUNDING PROPERTY:**

	<b>Land Use</b>	<b>Zoning</b>
<b>NORTH:</b>	Residential and Sand Mine	R and GB
<b>SOUTH:</b>	Residential and Undeveloped	R
<b>EAST:</b>	Undeveloped	GB
<b>WEST:</b>	Undeveloped	R

**EXISTING LAND USE:** Vacant Residential Subdivision.

**PROPOSED LAND USE:** 39 townhome style dwellings, and related amenities.

**PUBLIC SERVICES AND UTILITIES:**

The Lower Currituck Volunteer Fire Department provides fire protection for this area. Electric service, telephone and public water are available. The allocation for school seats would go from 8 to 18 if a multi-family development is approved on the site.

**TRANSPORTATION:** The site has approximately 24 linear feet of frontage on Caratoke Highway.

**FLOOD ZONE:** This site has been designated an X Flood Zone by FEMA and is therefore out of the 100 year floodplain.

**SOILS:** The Currituck County Soils map indicates the property contains suitable soils for on-site septic systems.

**OPEN SPACE:** The development is required to have 30% open space (4.62 acres). The plan proposes 67% open space (10.33 acres).

**WATER:** The development will be served by county water.

**WASTEWATER:** Conventional bed systems are being proposed.

**DRAINAGE:** The drainage will be directed to roadside ditches that will lead to US 158.

**SPECIAL USE PERMIT CRITERIA:**

Special use permits are intended to allow the Board of Commissioners flexibility in the administration of the UDO. In order to approve a special use permit, certain criteria must be satisfied. The criteria are outlined as follows:

1. *Is the application complete?*
  - a. Based on staff review all required information has been submitted.
2. *Does the proposal comply with the provisions in the UDO for sketch plan approval?*
  - a. The proposed development complies with the provisions of the UDO for sketch plan approval.
3. *Does the proposal comply with the general standards for a special use permit/sketch plan?*

- a. *Will not endanger the public health or safety.*

Public health and safety issues including stormwater management, wastewater disposal and access for emergency services have been adequately addressed for this development.

- a. *Will not injure the value of adjoining or abutting property.*

The proposed 39 unit residential development should have no negative impact on adjoining property. The adjoining uses include residential and multi-family uses. The proposed development is consistent with the objectives of the Currituck County Unified Development Ordinance and promotes compatibility between the subject property and surrounding area.

- b. *Will be in harmony with the area in which it is located.*

The proposed 39 unit residential development should be similar and compatible with the neighborhood, and have no negative impact on the adjoining property.

- c. *Will be in conformity with the Land Use Plan, Thoroughfare Plan or other plans officially adopted by the Board.*

The 2006 Land Use Plan classifies the site as **Limited Service Area** within the **Jarvisburg Sub-Area**.

The purpose of the Limited Services Area class is to provide for primarily residential development at low densities. Despite the overall low density of these areas, efforts should be made to encourage clusters of residential uses to preserve open space and to provide for a sense of a

"community". Base development density should be 1 unit per acre but could be increased to 1.5 units per acre through overlay zoning depending upon whether service facilities are in place or planned and the potential impact on the surrounding community. In the same instances where slightly higher density is considered appropriate a moderate mix of housing types such as semi-detached would also be considered reasonable.

The policy emphasis of the 2006 plan is to allow the Jarvisburg area to accommodate quality residential development at low densities while preserving the rural landscape between such developments. Similar to the Grandy area, but at a lower overall density, new residential development should be encouraged to locate in compact, village like clusters, preferably near existing, non-agricultural activities and services. An example might be a new compact, walkable neighborhood of homes built near an existing or proposed church, school or compatibly designed general store.

The following Land Use Plan policies are also relevant to this request:

**POLICY AG6:** For areas experiencing intense development pressure, new residential development may be allowed to locate in COMPACT, VILLAGE-LIKE CLUSTERS, PREFERABLY NEAR EXISTING, NON-AGRICULTURAL ACTIVITIES AND SERVICES, or in other locations that will not interfere with resource production activities.

**POLICY HN1:** Currituck County shall encourage development to occur at densities appropriate for the location. LOCATION AND DENSITY FACTORS shall include whether the development is within an environmentally suitable area, the type and capacity of sewage treatment available to the site, the adequacy of transportation facilities providing access to the site, and the proximity of the site to existing and planned urban services.

**POLICY HN3:** Currituck County shall especially encourage two forms of residential development, each with the objective of avoiding traditional suburban sprawl:

1. OPEN SPACE DEVELOPMENTS that cluster homes on less land, preserving permanently dedicated open space and often employ on-site or community sewage treatment. These types of developments are likely to occur primarily in the Conservation, Rural, and to a certain extent the Limited Service areas identified on the Future Land Use Map.
2. COMPACT, MIXED USE DEVELOPMENTS or DEVELOPMENTS NEAR A MIXTURE OF USES that promote a return to balanced, self-supporting community centers generally served by centralized water and sewer. The types of development are contemplated for the Full Service Areas identified on the Future Land Use Map.

The proposed special use permit is in **general compliance** with the policy emphasis of the Jarvisburg Sub-Area and policies AG6, HN1, and HN3 of the 2006 Land Use Plan.

The proposed development is consistent with the objectives of the Currituck County Unified Development Ordinance and 2006 Land Use Plan, and promotes compatibility between the subject property and surrounding area.

- d. *Will not exceed the county's ability to provide adequate public facilities, including, but not limited to, schools, fire and rescue, law enforcement, and other county facilities. Applicable state standards and guidelines shall be followed for determining when public facilities are adequate. Such facilities must be in place or programmed to be in place within two years after the initial approval of the sketch plan. In the case of subdivision and multifamily development at the sketch plan/special use, preliminary plat or final plat stage, the Board of Commissioners may establish time limits on the number of lots/units available for development to assure adequate public facilities are available in accordance with the UDO.*

The revised capacity formula and generation rates taken from the Tischler & Associates, Inc. study (2004) were used to calculate the capacity under the existing ordinance. The proposed development will yield the following calculations:

<b>Jarvis Landing (39 Dwellings)</b>	Available Capacity	Demand	Remaining School Capacity if approved
Elementary School	290	10	280
Middle School	53	3	50
High School	64	5	59

- i. The county water department has adequate water to serve the proposed 39 dwelling residential development.
- ii. Staff has determined adequate public facilities exist to serve this subdivision.

**Technical Review Meeting** was held on January 16, 2008 and the reviewing agencies had the following comments:

1. **NCDOT:** Approved with following comments: label cover sheet with road names and numbers, future development may require improvements to US 158.
2. **CURRITUCK COUNTY SOIL AND WATER:** Approved with no comment.
3. **COUNTY ENGINEER:** Approved with no comments.
4. **CURRITUCK COUNTY WATER DEPARTMENT:** Approved with the following comments:
  - a. The waterlines are installed along the existing streets.
  - b. If additional lines or hydrants are needed, plans will need to be submitted for review.
5. **CURRITUCK COUNTY FIRE SERVICES:** Approved with the following

comments: Any islands located in the middle of cul de sacs should be designed without any large shrubs, trees, signs, gazebos, or utility equipment that would hamper ladder trucks from driving over them.

6. **N.C. DIVISION OF COASTAL MANAGEMENT:**  
The plan was reviewed with no comment.
7. **ALBEMARLE REGIONAL HEALTH SERVICES:** Approved with the following comments:
  - a. Must have a tri-party agreement signed and recorded for each unit in place (in case system were to fail) that states who's responsible.
  - b. Topography is not flat; therefore septic systems may take up larger area than normal- lines may have to run diagonal on lot in order to fit system in.
  - c. Need to show the initial and repair areas with each unit along with contours. The woodland areas appear to limit available space.
8. **CURRITUCK INSPECTIONS DIVISION:** Approved with the following comment: Where is the accessibility parking?
9. **CURRITUCK COUNTY RECREATION:** The plan was reviewed with no comment.
10. **CURRITUCK COUNTY GIS/ TAX MAPPING:** Approved with the following comment: Street names are OK, but GIS would like the cul-de-sacs to have separate names for 911 purposes. Please propose at least 2 names. Addresses will be assigned to buildings after GIS street names are finalized.
11. **NC Office of State Archeology:** Approved as is.

#### **STAFF RECOMMENDATION**

Because it appears the application has satisfied the criteria for granting a Special Use Permit approval as outlined above, staff recommends **conditional approval** of the application subject to satisfaction of the TRC comments, and subject to the following conditions:

#### CODE and SPECIAL USE PERMIT REQUIREMENTS:

1. This development shall be subject to final plan approval by the Technical Review Committee.
2. The applicant shall submit detailed drawings that comply with the standards for a commercial site plan for Technical Review Committee Review. (11.14.4)
3. A recorded deed of easements along with a map of the easements shall be recorded in the Currituck County Registry of Deeds for the following (Section 9.2.1 Utility Easements):
  - a. A utility easement shall be dedicated to the Currituck County Water Department for all areas that contain county water lines.
  - b. A utility easement area shall be established for all drainage infrastructures, power, telephone and cable lines.

- c. The width of the drainage and utility easement shall be 75 feet wide along the streets with a 63 foot radius at the cul-de-sacs. This will comply with the requirements for lots of 45 feet wide street right of way plus 15 feet along the frontage of lots. (Section 9.2.1 Utility Easements)
4. The final site plan shall indicate who will be responsible for the stormwater system maintenance.
5. The applicant shall indicate prior to Board of Commissioners approval where a power line, telephone easement will be placed and where the connections will occur off-site. If the utilities are connecting to the lines on US 158, additional easements from the Jarvis property may have to be acquired.
6. Before a final plan approval is issued, the applicant shall have the following permits approved: a NC Stormwater Management permit, a NC Sedimentation and Erosion Control permit, and an Environmental Health or Division of Water Quality wastewater permit.
7. The construction of streets, parking and infrastructure may begin after a final plan approval is issued by the Technical Review Committee. This approval may be issued in phases.
8. No part of the open space shall be encumbered by an active or repair septic area, roadways, drainage systems or utility lines. (Chapter 17, Definition of Open Space) The final plan submission shall deduct these areas from the open space calculation.
9. If a tree designated for preservation is removed or dies after a certificate of occupancy is issued, the permit recipient or successor shall be responsible for replacement. (Section 5.7 Bufferyard Maintenance)
10. Payment of water tap fees will be required prior to the building permits being issued for each unit.

STAFF RECOMMENDATIONS:

1. The loop walking trail shall be installed prior to the first building receiving a certificate of compliance.
2. Staff recommends the following be submitted with the landscaping plan:
  - A. Approximate location and description of the protective tree fencing, staking, or continuous ribbon to be installed which, at a minimum, follows the drip line of all trees to be retained along adjoining areas of clearing, grading, or other construction activity.
  - B. Location, spacing, and caliper dimension, and species of new trees to be provided.
  - C. A summary table of the number of new trees to be planted and existing trees to be retained along with calculations showing the buffer and shading requirements have been satisfied. Grouping of trees in tree preservation areas may be keyed to the summary table by area rather than having each individual tree labeled on the plan.
  - D. A note on the plan indicating that a one-year full-price replacement guarantee on all new trees planted is held by the applicant and an additional one-year

guarantee on replacement plant. The applicant is expected to maintain plantings, including watering all plants when natural rainfall is less than one inch per week.

- E. A note on the plan indicating that the applicant shall remove all stakes and guy wires from trees and site one year after planting.
3. Staff recommends the following architectural standards:
- A. Vertical and horizontal relief in buildings, including but not limited to façade articulation and other architectural elements that add visual interest;
  - B. Inclusion of front porches, projecting bays, vestibules;
  - C. Attached dwelling units containing more than (5) units in a row shall have facades, which alternate siding styles and patterns to provide visual distinction to each unit. Alternation between siding and brick is encouraged;
  - D. An architectural elevation for each unit shall be approved by the Planning Department prior to each building permit being issued.

Mr. Kasten, provided an overview of the project.

There being no further comments, Chairman Nelms closed the public hearing.

Commissioner Bowden moved to approve. Commissioner Gregory seconded the motion. Motion carried.

**Public Hearing and Action PB 08-04 William E. Wright Sr.:  
Request to rezone 45 acres from Agricultural (A) to  
Residential (R). Located on Grandy Road (SR1125)  
approximately 0.33 miles south of Hickory Hill Drive, Tax  
Map 95, Parcel 49, Poplar Branch Township.**

Ben Woody, Planning Director, reviewed the request.

**Case Analysis for the  
Board of Commissioners  
March 3, 2008  
Zoning Map Amendment:  
PB 08-04 William E. Wright Sr.**

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<b>TYPE OF REQUEST:</b>	Rezone approximately 45 acres from Agricultural (A) to Residential (R).
<b>LOCATION:</b>	Located on Grandy Road (SR1125) 0.33 miles south of the intersection of Hickory Hill Drive and Grandy Road.
<b>TAX ID:</b>	Map 95, Parcel 49
<b>OWNERS:</b>	William E. Wright Sr. PO Box 246 Jarvisburg, NC 27947

**APPLICANT:** William E. Sr. and Mary Wright  
PO Box 246  
Jarvisburg, NC 27947

**ENGINEER:** None

**ZONING:** **Current** **Proposed**  
Agricultural (A) Residential (R)

**ZONING HISTORY:** The property was zoned Agricultural (A) on the 1989 zoning atlas.

**SURROUNDING PROPERTY:**

	<u><b>Land Use</b></u>	<u><b>Zoning</b></u>
<b>NORTH:</b>	Undeveloped farmland	Agricultural (A)
<b>SOUTH</b>	Undeveloped farmland	Agricultural (A)
<b>EAST:</b>	Undeveloped lots	Agricultural (A) and one 0.99 acre parcel of Residential (R)
<b>WEST:</b>	Undeveloped wetlands	Agricultural (A)

**EXISTING LAND USE:** Undeveloped agricultural.

**PROPOSED LAND USE:** No specific plans were presented with the application. The application states the purpose of the request is estate planning.

**DENSITY:** **Allowed as Agricultural (A)** **Proposed as**  
**Residential (R)**  
The site may net 14 lots. The site may net 35 lots.

**LAND USE PLAN CLASSIFICATION:**

The 2006 Land Use Plan classifies the subject property as **Limited Service** and within the **Grandy Sub-Area**. The purpose of the Limited Service Area is to provide for primarily residential development at low densities. Base development density should be one (1) unit per acre but could be increased to 1.5 units per acre through overlay zoning depending upon whether service facilities are in place or planned and the potential impact on the surrounding community.

The **Grandy Sub-Area** is the second fastest growth area in Currituck County. Existing development density is approximately one to two units per acre with a fair amount of nonresidential development as well.

In areas where on-site wastewater is proposed and other County services are limited, development density should be limited to one to two units per acre. However in areas where central sewer is proposed or existing, additional services such as fire protection and emergency services are available and the character of the surrounding areas supports it, higher density ranging from three to four units per acre could be considered through the use of overlay zones.

It is not the County's intention to develop all of Grandy intensely but rather create specific service centers and to provide a buffer of Limited Service Areas at lower density development between Full Service Areas and those within the Conservation classification.

The following Land Use Plan policies are also relevant to this request:

**POLICY ES1:** New development shall be permitted to locate only in areas with SUITABLE SOIL and where ADEQUATE INFRASTRUCTURE is available.

**POLICY ES2:** NON-COASTAL WETLANDS, including FRESHWATER SWAMPS, shall be conserved for the important role they play in absorbing floodwaters, filtering pollutants from stormwater runoff, recharging the ground water table, and providing critical habitat for many plant and animal species.

**POLICY AG4:** County growth management tools, including particularly zoning, should provide PROTECTION TO AGRICULTURE and other RESOURCE BASED ACTIVITIES from incompatible land uses, such as a residential subdivision in the midst of generally uninterrupted farm land.

**POLICY AG6:** For areas experiencing intense development pressure, new residential development may be allowed to locate in COMPACT, VILLAGE-LIKE CLUSTERS, PREFERABLY NEAR EXISTING, NON-AGRICULTURAL ACTIVITIES AND SERVICES, or in other locations that will not interfere with resource production activities. Overall density shall remain very low, with permanent open space, dedicated during the development review process, surrounding such clusters of homes.

**POLICY HN1:** Currituck County shall encourage development to occur at densities appropriate for the location. LOCATION AND DENSITY FACTORS shall include whether the development is within an environmentally suitable area, the type and capacity of sewage treatment available to the site, the adequacy of

transportation facilities providing access to the site, and the proximity of the site to existing and planned urban services. Projects within areas designated as Limited Service would be permitted a density of one (1) to one and one half (1.5) units per acre depending upon the surrounding development pattern and availability of resources.

**POLICY HN3:** Currituck County shall especially encourage two forms of residential development, each with the objective of avoiding traditional suburban sprawl:

3. OPEN SPACE DEVELOPMENTS that cluster homes on less land, preserving permanently dedicated open space and often employ on-site or community sewage treatment. These types of developments are likely to occur primarily in the Conservation, Rural, and to a certain extent the Limited Service areas identified on the Future Land Use Map.

**PUBLIC SERVICES AND UTILITIES:**

The Lower Currituck Volunteer Fire Department provides fire protection for this area. The closest fire hydrant is about 2,671 linear feet (0.5 miles) to the north. Electric service, telephone, county water and cable are currently available for this site.

**TRANSPORTATION:**

The property has access to Grandy Road (paved). The parcel has approximately 743 linear feet of paved street frontage on Grandy Road.

**FLOOD ZONE:**

The western most area of the property (about 9 acres) is both: AE BFE 7.2 ft. and Shaded X; and the remaining 36 acres are outside of the 100 year floodplain. The FIRM Map panels are 3720-9900-00-K and 3720-9921-00-J dated December 16, 2005. FIRM Map Index dated September 20, 2006.

**SOILS:**

The Currituck County Soils map indicates the property contains the following:  
Approximately 10.5 acres have suitable soil types;  
Approximately 21.5 acres have marginal soil types; and  
Approximately 13 acres have unsuitable soils for on-site septic systems.

**WETLANDS:**

Approximately 9 acres of this property is wetlands comprised of the following: bottomland hardwood, cleared bottomland hardwood and swamp forest.

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**STAFF RECOMMENDATION:**

Staff recommends **approval** of the request to rezone 45 acres from Agricultural (A) to Residential (R) for the following reasons:

- 1) The request complies with the 2006 Land Use Plan classification of Limited Service and the Grandy sub-area recommendations for a density of one unit per acre.
- 2) The surrounding area, while zoned Agricultural, is emerging in a suburban low-density residential development pattern, particularly as evidenced by the Grandy Woods, Oakwood, Kelly's, Hickory Hill, Barco and Golf Ridge Estates Subdivisions. The permitted density in the Residential (R) zoning district of one unit per 40,000 sq. ft. is in keeping with the surrounding area and appears to **comply** with the policies of the Land Use Plan.
- 3) The subject property is adjacent to a full service area.
- 4) The permitted density is in keeping with the character of the surrounding area.

#### **PLANNING BOARD DISCUSSION**

Mary Wright appeared before the board.

Mr. Webb presented the case analysis to the board.

#### **DISCUSSION**

No discussion.

#### **ACTION**

Mr. West motion to recommend approval with staff recommendations to rezone approximately 45 acres from Agricultural (A) to Residential (R) according to the 2006 Land Use Plan. Mr. Bell seconded the motion. Motion passed unanimously.

Chairman Nelms opened the public hearing. There being no comments, he closed the public hearing.

Commissioner Bowden moved to approve. Commissioner Gregory seconded the motion. Motion carried with Commissioner Etheridge voting no.

**Public Hearing and Action PB 08-02 Grandy Farm: Request for Sketch Plan/Special Use Permit approval of a 14-lot major subdivision. The proposed 18.57 acre development is located along the western side Poplar Branch Road and approximately 220 feet north of Nicole Lane, Tax Map 94, Parcel 31, Poplar Branch Township.**

Sworn testimony was given prior to making statements.

Ben Woody, Planning Director, reviewed the request.

### **Case Analysis for the**

**Board of Commissioners  
Meeting Date: March 3, 2008  
PB 08-02 Grandy Farms, Sketch Plan**

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**ITEM:** PB 08-02 Grandy Farms: Sketch Plan/ Special Use Permit for a 14-lot residential subdivision.

**LOCATION:** The 18.57 acre property is located on the western side of Poplar Branch Road, 0.04 mile north of Nicole Lane, Poplar Branch Township.

**TAX ID:** Tax Map 94, Parcel 31

**ZONING DISTRICT:** Residential and Agricultural

**OWNER:** Arlene Grandy  
1008 Maple Street  
Elizabeth City, NC 27958

**ENGINEER:** Hyman & Robey  
150 US Hwy 158 E.  
PO Box 339  
Camden, NC 27921  
252-338-2913

**PRESENT USE:** Residential

**SURROUNDING PROPERTY:**

	Land Use	Zoning
<b>NORTH:</b>	Residential	R & A
<b>SOUTH:</b>	Multi-family	A
<b>EAST:</b>	Vacant	R
<b>WEST:</b>	Residential & Woodland	A

**SCHOOL DISTRICT:** Griggs Elementary

**SIZE OF SITE:** 18.57 Acres

**NUMBER OF LOTS:** 14

**DENSITY:** 0.75 of a unit per acre

**MINIMUM LOT SIZE:** 20,000 SF (allowable) and 30,000 (proposed). The difference between 40,000 sf and 30,000 sf must be placed into open space.

**STREETS:** The streets will be built to NCDOT Design and Construction standards and potentially dedicated to NCDOT. The proposed development will contain an improved street connection to the 12.95 acre parcel (n/f

Charles Grandy) located along the northern property line of Grandy Farms.

- WATER:** This development is proposing to connect to county water.
- FIRE:** This development is located within the jurisdiction of the Lower Currituck Volunteer Fire Department. This development proposes fire hydrants within 500 feet of each lot.
- WASTEWATER:** Individual, on-site septic systems are proposed.
- SOILS:** The Currituck County Soil Suitability map indicates a portion of the soils at the rear of the subdivision, predominately in open space, as well as a small area at the entrance of the subdivision are not suitable due to soil wetness conditions. The soils on the remainder of the property are suitable for conventional waste water disposal systems.
- OPEN SPACE:** Open space for a conventional subdivision is required when lot area is reduced from the required 40,000 sf. The open space for Grandy Farms required for lot size reduction is 2.98 acres. A detailed CAMA wetland survey/delineation has not been provided to determine existence of CAMA wetlands.
- DRAINAGE:** The applicant is proposing infiltration swales along lot lines and road rights-of-way.

**NARRATIVE OF REQUEST:**

- Ron Rose is seeking sketch plan approval of a 14-lot residential subdivision.
- According to the development impact statement, the developer's anticipated sale price of the lot and home combinations will range from \$339,000 to \$389,000. The proposed homes will average 1,800 sf with two baths and three to four bedrooms.

**TECHNICAL REVIEW STAFF COMMENTS (January 16, 2008):**

1. Soil and Water
  - a. Approved as is.
2. NC Department of Transportation
  - a. Approved with the following comment: future development may require improvements to SR 1131 (Poplar Branch Road).
3. Fire Marshal
  - a. No comment.
4. Water Department
  - a. The county water department will supply water to this subdivision of 14 lots provided an agreement between the water department and the

developer is reached on the types of materials and their installation. The installation must be in accordance with county and state approved plans.

5. County Engineer
  - a. Approved as is.
6. NC DENR, Division of Coastal Management
  - e. No comment received.
7. Albemarle Regional Health Services
  - a. Each lot must be evaluated prior to any approvals being granted.
8. Currituck County Planning and Inspections, Inspections Division
  - a. No comment.
9. Currituck County GIS
  - a. Approved street names.
10. Currituck County Parks & Recreation Department
  - a. Reviewed, no comment.
11. Currituck County Emergency Management
  - a. No comment received.
12. US Army Corps of Engineers
  - a. No comment received.
13. NC DENR, Division of Water Quality
  - a. No comment received.
14. NC DENR, Division of Land Quality
  - a. No comment received.
15. Currituck County Superintendent of Schools
  - a. Reviewed, no comment.
16. NC Dominion Power
  - a. No comment received.
17. Embarg
  - b. Reviewed, no comment.
18. Office of State Archaeology
  - a. Approved as is.

**SPECIAL USE PERMIT CRITERIA:**

Special use permits are intended to allow the Board of Commissioners flexibility in the administration of the UDO. It is recognized that some land uses have a particular impact on the surrounding land that cannot be determined and controlled by general zoning regulation. Through the special use permit procedure, property uses which would otherwise be considered undesirable in certain districts can be developed subject to conditions of approval to minimize any negative effects they might have on surrounding

properties. In order to approve a special use permit, certain criteria must be satisfied. The criteria are outlined as follows:

1. *Is the application complete?*
  - a. Based on staff review all required information has been submitted.
2. *Does the proposal comply with the provisions in the UDO for sketch plan approval?*
  - a. The proposed development complies with the provisions of the UDO for sketch plan approval.
3. *Does the proposal comply with the general standards for a special use permit/sketch plan?*
  - a. *Will not endanger the public health or safety.*
    - i. Public health and safety issues including stormwater management, wastewater disposal and access for emergency services have been adequately addressed for this development.
  - f. *Will not injure the value of adjoining or abutting property.*
    - i. The proposed 14-lot residential subdivision should have no negative impact on adjoining property. The adjoining uses include residential and multi-family uses.
  - g. *Will be in harmony with the area in which it is located.*
    - i. The proposed residential subdivision should be similar and compatible with the neighborhood, and have no negative impact on the adjoining property.
    - ii. The 404 wetlands, subject to US Army Corps jurisdiction, are being preserved within open space.
  - h. *Will be in conformity with the Land Use Plan, Thoroughfare Plan or other plans officially adopted by the Board.*
    - i. The 2006 Land Use Plan classifies this property within the two classification areas, **Limited Service and Conservation**, and within the Grandy sub-area.
      1. Limited Service areas are located in parts of the county that provide for residential development at low densities. The base development density should be one unit per acre but could be increased to one and one-half per acre through overlay zoning depending on service facilities.
      2. Conservation areas are located in parts of the county that are environmentally sensitive. In areas that are considered developable densities of one unit per three acres. The proposed subdivision is in keeping with the Land Use Plan designation.

- ii. The 2006 Land Use Plan policy statement ES2. encourages conservation of inland, non-tidal wetlands.
- i. *Will not exceed the county's ability to provide adequate public facilities, including, but not limited to, schools, fire and rescue, law enforcement, and other county facilities. Applicable state standards and guidelines shall be followed for determining when public facilities are adequate. Such facilities must be in place or programmed to be in place within two years after the initial approval of the sketch plan. In the case of subdivision and multifamily development at the sketch plan/special use, preliminary plat or final plat stage, the Board of Commissioners may establish time limits on the number of lots/units available for development to assure adequate public facilities are available in accordance with the UDO.*
- i. The revised capacity formula and generation rates taken from the Tischler & Associates, Inc. study were used to calculate the capacity under the existing ordinance. The proposed development will yield the following calculations:

<b>Grandy Farms (14 SFD lots)</b>	Available Capacity	Demand	Remaining Capacity if approved
Elementary School	294	4	290
Middle School	54	1	53
High School	66	2	64

- ii. The county water department has adequate water to serve the proposed 14-lot residential development.
- iii. Staff has determined adequate public facilities exist to serve this subdivision.

**STAFF RECOMMENDATION:**

The proposed development meets the requirements for sketch plan/special use permit approval and the planning staff recommends approval subject to the following:

**Code and Technical Review Committee Requirements:**

1. Section 10.4.1 of the UDO requires open space to be legally and practicably accessible to the residents of the development. The useable open space is divided by 404 wetlands and, does not allow the open space area that is suitable for development (uplands) completely accessible. *(Staff comment: Once the 404 wetlands have been delineated, an elevated boardwalk over the 404 wetlands will be proposed that will connect the upland open space.)*
2. Section 10.4.3 of the UDO requires a portion of the required open space to be improved for recreational use. The developer shall indicate the expected open space recreational improvements intended for the development. *(Staff comment: The developer will address the recreational needs of the development and propose an elevated boardwalk over 404 wetlands, play area for children and possible picnic pavilion).*
3. Section 10.3.3 of the UDO requires the applicant to submit written commitment from the county to provide water service to the development. *(Staff comment: The county water department will provide water service to the proposed 14-lot subdivision).*

4. Section 9.1.5 of the UDO restricts access to Poplar Branch Road. Lots 1 and 7 shall contain a five foot non-access buffer along Poplar Branch Road. *(Staff comment: Note 11 has been added the sketch plan prohibiting lots 1 and 7 from having direct access to Poplar Branch Road.)*

Chairman Nelms opened the public hearing.

Commissioner Bowden questioned the open space maintenance policy and that County staff should present one for approval.

Eddie Hyman, Engineer, reviewed the project.

Arlene Grandy, questioned the road and type of housing.

There being no further comments, Chairman Nelms closed the public hearing.

Commissioner Bowden moved to approve. Commissioner Gregory seconded the motion. Motion carried.

**Public Hearing and Action PB 08-05 Joe Boehm: Request for Sketch Plan/Special Use Permit for one single family lot located in Shawboro at 184 Four Forks Road, Tax Map 43, Parcel 34E, Crawford Township.**

Sworn testimony was given prior to making statements.

Ben Woody, Planning Director, reviewed the request.

**CASE ANALYSIS FOR THE  
BOARD of COMMISSIONERS  
MEETING DATE: March 3, 2008  
PB 08-05 Joe Boehm, Sketch Plan**

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<b>ITEM:</b>	PB 08-05 Joe Boehm: Sketch Plan/Special Use Permit for a one lot residential subdivision.
<b>LOCATION:</b>	The 2.26 acre property is located in Shawboro at 184 Four Forks Road, Crawford Township.
<b>TAX ID:</b>	Tax Map 43, Parcel 34E
<b>ZONING DISTRICT:</b>	Agricultural
<b>OWNER:</b>	Joseph M. and Judith A. Boehm 184 Four Forks Road Shawboro NC 27973

**ENGINEER:** Hyman & Robey  
150 US Hwy 158 E.  
PO Box 339  
Camden, NC 27921  
252-338-2913

**PRESENT USE:** Residential

**SURROUNDING PROPERTY:**

	Land Use	Zoning
<b>NORTH:</b>	Active Farmland	A
<b>SOUTH:</b>	Active Farmland	A
<b>EAST:</b>	Single Family Dwelling	A
<b>WEST:</b>	Single Family Dwelling	A

**SCHOOL DISTRICT:** Central Elementary

**SIZE OF SITE:** 2.26 Acres

**NUMBER OF LOTS:** 1 (total of 7)

**DENSITY:** 0.44 of a unit per acre

**MINIMUM LOT SIZE:** 40,000 SF (allowable) and 98,445 (proposed).

**STREETS:** The lot will be created on an existing state maintained road, Four Forks Road (SR 1148).

**WATER:** This development is required to connect to county water, if available at final plat, or bond for the future connection.

**FIRE:** This development is located within the jurisdiction of the Crawford Volunteer Fire Department. A fire hydrant is required within 500 feet of the lot if county water is available. If county water is not available at the time of final plat, the fire hydrant improvements must be bonded.

**WASTEWATER:** Individual, on-site septic system is existing.

**SOILS:** The Currituck County Soil Suitability map indicates the soils to be Tomotley fine sandy loam. This soil is poorly suited to most urban and recreation uses because of wetness. Extensive drainage and site modification are needed for dwellings that require septic tank absorption fields.

**OPEN SPACE:** Not required.

**DRAINAGE:** The applicant is proposing infiltration swales along lot lines and road rights-of-way.

**NARRATIVE OF REQUEST:**

- The parent parcel of this tract has been previously subdivided the maximum number of times under the minor subdivision regulations. This is the sixth split from the parent parcel, thus requiring major subdivision review.
- According to the Development Impact Statement, the owner intends upon subdividing a lot as a gift to his daughter.

**TECHNICAL REVIEW COMMITTEE COMMENTS** (January 16, 2008):

**Zoning**

1. A fire hydrant must be located a maximum of 500' from the lot if county water is available at the time of final plat. If county water is not available to the lot at the time of final plat, then the hydrant improvements must be bonded.
2. Corrected flood zone to 5.4'.
3. Call out the minimum lot size. Your minimum lot size is 2.26 acres.

**Building Inspection Comments**

1. Reviewed with no comment.

**NCDOT Comments**

1. Approved as is.

**Health Department**

No comment received.

**Water Department Comments**

1. Approved as is.

**Fire Marshal Comments**

1. Reviewed without comment.

**County Engineer**

1. Approved as is.

**Soil and Water Comments**

1. Approved as is.

**CAMA Comments**

1. Reviewed without comment.

**Office of State Archaeology**

1. Reviewed without comment.

**Currituck County Schools**

1. Reviewed with no comment.

**Currituck County Parks and Recreation**

1. Reviewed with no comment.

**Embarq**

1. Reviewed with no comment.

**SPECIAL USE PERMIT CRITERIA:**

Special use permits are intended to allow the Board of Commissioners flexibility in the administration of the UDO. It is recognized that some land uses have a particular impact on the surrounding land that cannot be determined and controlled by general zoning regulation. Through the special use permit procedure, property uses which would otherwise be considered undesirable in certain districts can be developed subject to conditions of approval to minimize any negative effects they might have on surrounding properties. In order to approve a special use permit, certain criteria must be satisfied. The criteria are outlined as follows:

1. *Is the application complete?*
  - a. Based on staff review all required information has been submitted.
2. *Does the proposal comply with the provisions in the UDO for sketch plan approval?*
  - a. The proposed development complies with the provisions of the UDO for sketch plan approval.
3. *Does the proposal comply with the general standards for a special use permit/sketch plan?*
  - (a) *Will not endanger the public health or safety.*
    - i. Public health and safety issues including stormwater management, wastewater disposal, and access for emergency services have been adequately addressed within this proposal.
  - (b) *Will not injure the value of adjoining or abutting property.*
    - i. The proposed one lot residential subdivision should have no negative impact on adjoining property. The adjoining uses include single family dwellings and active farm land.
  - (c) *Will be in harmony with the area in which it is located.*
    - i. The proposed residential subdivision should be similar and compatible with the neighborhood and have no negative impact on the adjoining property.
  - (d) *Will be in conformity with the Land Use Plan, Thoroughfare Plan, or other plans officially adopted by the Board.*
    - i. The 2006 Land Use Plan classifies this property as Rural in the Shawboro/Crawford Sub-Area. The policy emphasis of this plan is to encourage the preservation of agricultural and open space in the Shawboro/Crawford sub-area whenever possible. Residential development density equal to or less than one unit per three acres is to be encouraged.
  - (e) *Will not exceed the county's ability to provide adequate public facilities, including, but not limited to, schools, fire and rescue, law enforcement, and*

*other county facilities. Applicable state standards and guidelines shall be followed for determining when public facilities are adequate. Such facilities must be in place or programmed to be in place within two years after the initial approval of the sketch plan. In the case of subdivision and multifamily development at the sketch plan/special use, preliminary plat or final plat stage, the Board of Commissioners may establish time limits on the number of lots/units available for development to assure adequate public facilities are available in accordance with the UDO.*

- i. Being a one lot subdivision, the development should have little impact on public facilities; therefore, staff has determined adequate public facilities exist to serve this subdivision.

**STAFF RECOMMENDATION:**

The proposed development meets the requirements for sketch plan/special use permit approval and the planning staff recommends approval subject to the findings of fact and the following:

**Code and TRC Requirements**

1. A fire hydrant must be located a maximum of 500' from the lot if county water is available at the time of final plat. If county water is not available to the lot at the time of final plat, then the hydrant improvements must be bonded.
2. Corrected flood zone to 5.4'.
3. Call out the minimum lot size. Your minimum lot size is 2.26 acres.

Chairman Nelms opened the public hearing.

Eddie Hyman, Engineer, commented on major subdivision request for fees of \$14,000 for water, that is not yet available to applicant.

Chairman Nelms requested staff to review this UDO requirement that he feels is unfair.

There being no further comments, Chairman Nelms closed the public hearing.

Commissioner Gregory moved to approve. Commissioner Bowden seconded the motion. Motion carried.

**Discussion and Action on supporting Camden County Commissioners for funding against OLF**

Dan Scanlon, County Manager, reviewed letter from John Morrison, Camden County Attorney, concerning funding for legal action to fight the location of the proposed OLF site.

Chairman Nelms moved to have staff contact Camden to discuss the funding that will be needed to continue their legal action. Commissioner Gregory seconded the motion. Motion carried.

**Approval of Rental Car Concessionaire Agreement**

Dan Scanlon, County Manger, reviewed the agreement to place cars at the airport for rent and this is also available to county employees. The agreement is with Enterprise Leasing.

**Appointment to Board of Adjustment**

Commissioner Taylor moved to appoint Ralph Jones and Tom Roddy as alternate. Commissioner Gregory seconded the motion. Motion carried.

**Appointment to Airport Advisory Board**

Commissioner Etheridge moved to nominate Ed Ish. Commissioner Taylor moved to nominate Denise Hall. Commissioner Gregory moved to nominate David Messina.

Chairman Nelms requested Board to sign ballot and give to Clerk.

Chairman Nelms read ballot and David Messina and Denise Hall received majority of votes.

**Consent Agenda:**

1. Appoint Commissioner Bowden to the Carova Beach Task Force Committee
2. Appointment of Gary McGee to replace Commissioner Bowden on the Coastal Resources Advisory Council (CRAC)
3. Change Orders for Jarvisburg Elementary School
4. Change Orders for Shawboro Elementary School
5. Approval of Resolution Supporting the Hurricane Isabel Emergency Stream Cleanup Phase III in the Amount of \$24,000
6. Change Order for Cooperative Extension Services Center for \$12,478.62
7. Budget Amendments
8. Planning & Inspections fee schedule change
9. Approval of February 18, 2008, Minutes
10. Resolution on Mid-Currituck Bridge

Commissioner Gregory moved to approve. Commissioner Taylor seconded the motion. Motion carried.

<u>Account Number</u>	<u>Account Description</u>	<b>Debit</b>	<b>Credit</b>
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10446-532441	Technology < \$1,000	\$ 38,469	
10446-590441	Technology > \$1,000	\$ 10,540	
10330-449900	Miscellaneous Grants		\$ 24,084
10340-450500	Administration & Filing Fees Transfer from Occupancy		\$ 12,463
10390-495015	Tax		\$ 12,462
15320-415000	Occupancy Tax		\$ 12,462
15447-587010	Transfer to Operating Fund	\$ 12,462	
		<u>\$ 61,471.00</u>	<u>\$ 61,471</u>

**Explanation:** Public Information (10446) - To record PEG Grant awarded to the County by the NC Rural Center. Items to be purchased from grant funds are as follows:

Portable switcher	\$ 15,500
17" HD Monitor	\$ 2,600
32 GB P2 Card	\$ 1,500
Portable 3 Channel Mixer	\$ 1,295
Blu-Ray Burner	\$ 3,250
Computer	
Video Walkman	\$ 1,045
Camera Kit	\$ 8,650
Cargo Trailer	\$ 1,769
Teleprompter Package	\$ 1,660
3 20" LCD HCTV	\$ 1,200
	<u>\$ 38,469</u>

16 Channel Audio Mixer	\$ 750
Portable DVD Player	\$ 239
Mini DV Cassettes and Cleaner	\$ 112
Electrical cords and plugs	\$ 60
Portable DVD Recorder	\$ 179
Artel Boris FX9.0 Software	\$ 420
Artel Motion Graphics Pack	\$ 599
Arel Final Effects Complete	\$ 650
Carrying Case	\$ 180
16GB P2 Card	\$ 850
Coputer Converter	\$ 160
2 Keyboards	\$ 270
3 Microphones	\$ 537

3 - 3 piece speaker system	\$	354
Video Monopod	\$	170
Tripod system	\$	875
Shoulder camera support	\$	325
2 Bidirectional Media Convertor	\$	398
Mini DV Rack	\$	14
Portable Green Screen	\$	859
3 TV Wallmounts	\$	363
DVDxDV Encoder Software	\$	80
2 17" Docking Stations	\$	640
2 22" LCD Monitors	\$	538
4 CDs of various software	\$	669
Misc	\$	249
	\$	<u>10,540</u>
	\$	<u>49,009</u>

**Net Budget Effect:**

Operating Fund (10) - Increased by \$49,009.  
Occupancy Tax Fund (15) - Increased by \$12,462.

<u>Account Number</u>	<u>Account Description</u>	<b>Debit</b> Decrease Revenue or Increase Expense	<b>Credit</b> Increase Revenue or Decrease Expense
10540-545000	Contracted Services	\$ 425	
10540-514000	Travel	\$ 1,501	
10540-531000	Gas, Oil, Tires	\$ 3,500	
10540-590441	Technology > 1000	\$ 1,500	
10540-511000	Postage & Telephone		\$ 3,000
10540-514500	Training & Education		\$ 1,926
10540-516000	Repairs & Maintenance		\$ 2,000
		<u>\$ 6926</u>	<u>\$ 6926</u>

**Explanation:** Inspections (10540) - To purchase headsets for permit officers and operating transfers for the remainder of this fiscal year.

**Net Budget Effect:**

Operating Fund (10) - No change.

<u>Account</u>	<u>Account Description</u>	<b>Debit</b> Decrease Revenue or Increase Expense	<b>Credit</b> Increase Revenue or Decrease
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<u>Number</u>			<u>Expense</u>
10512-531000	Gas, Oil & Tires	\$	4,000
10512-526000	Advertising		\$ 500
10512-532000	Supplies		\$ 2,000
10512-536000	Uniforms		\$ 500
10512-561000	Professional Services		\$ 1,000
		\$	4,000
		\$	4,000

**Explanation:** Animal Control (10541) -Request to transfer money to cover cost of rising gas prices.

**Net Budget Effect:** Operating Fund (10) - No change.

<u>Account Number</u>	<u>Account Description</u>	<b>Debit</b> Decrease Revenue or Increase Expense	<b>Credit</b> Increase Revenue or Decrease Expense
10650-526200	Promotional Items	\$ 19,000	
10650-592000	Economic Development Projects		\$ 19,000
		\$ 19,000	\$ 19,000

**Explanation:** Economic Development (10650) - Transfer funds from Economic Development projects to promotional expenses for trade-show display expenses and promotional advertising (billboards, etc).

**Net Budget Effect:** Operating Fund (10) - No change.

<u>Account Number</u>	<u>Account Description</u>	<b>Debit</b> Decrease Revenue or Increase Expense	<b>Credit</b> Increase Revenue or Decrease Expense
10511-511000	Telephone & Postage	\$ 1,100	
10511-514000	Travel	\$ 3,600	
10511-516000	Repairs & Maintenance	\$ 8,100	

10511-531000	Gas,Oil, Etc.	\$	3,100	
10511-536000	Uniforms	\$	1,000	
10511-554000	Insurance & Bonds	\$	2	
10511-545000	Contracted Services			\$ 16,902
			<u>\$ 16,902</u>	<u>\$ 16,902</u>

**Explanation:** Jail (10511) - To transfer budgeted funds in order to pay for expected shortfall in these line items.

**Net Budget Effect:** Operating Fund (10) - No change.

<u>Account Number</u>	<u>Account Description</u>	<b>Debit</b>		<b>Credit</b>	
		Decrease Revenue or Increase Expense		Increase Revenue or Decrease Expense	
10410-526000	Advertising	\$	5,000		
10410-561000	Professional Services			\$	5,000
			<u>\$ 5,000</u>	<u>\$ 5,000</u>	

**Explanation:** Administration (10410) - To transfer funds for increased advertising for the remainder of this fiscal year.

**Net Budget Effect:** Operating Fund (10) - No change.

<u>Account Number</u>	<u>Account Description</u>	<b>Debit</b>		<b>Credit</b>	
		Decrease Revenue or Increase Expense		Increase Revenue or Decrease Expense	
21690-545001	Lower Currituck Fire Fund Balance	\$	89,900		
21390-499900	Appropriated			\$	89,900
			<u>\$ 89,900</u>	<u>\$ 89,900</u>	

**Explanation:** Poplar Branch Fire District - Lower Currituck (21690) - To appropriate funds to purchase a 1995 International Summit Walk-in rescue truck for a price of \$89,900.

**Net Budget Effect:** Poplar Branch Fire District Tax Fund (21) - Increased by \$89,900.

<b>Debit</b>	<b>Credit</b>
Decrease Revenue	Increase Revenue

<u>Account Number</u>	<u>Account Description</u>	or	
		Increase Expense	Decrease Expense
61818-516000	Repairs and Maintenance	\$ 30,000	
61818-590000	Capital Outlay		\$ 30,000
		<u>\$ 30,000</u>	<u>\$ 30,000</u>

**Explanation:** Mainland Water (61818) - Transfer funds from capital outlay to repairs and maintenance to redevelop shallow wells to improve flow and increase gallons per minute. The capital outlay was budgeted for greensand media replacement, which is not needed at this time.

**Net Budget Effect:** Mainland Water (61) - No change.

<u>Account Number</u>	<u>Account Description</u>	Debit		Credit	
		Decrease Revenue or Increase Expense		Increase Revenue or Decrease Expense	
15446-526200	Promotional efforts	\$ 2,500			
15350-465002	Co-op Advertising			\$ 2,500	
		<u>\$ 2,500</u>		<u>\$ 2,500</u>	

**Explanation:** Tourism (15446) - To increase appropriations to appropriate funds collected through Co-op advertising.

**Net Budget Effect:** Occupancy Tax (15) - Increased by \$2,500.

# Currituck County Master Fee Schedule

## RATE AND FEE SCHEDULE EFFECTIVE 1 JULY 2007

Dept.	Description	Cost	
MW	3" Riser	\$ 15.00	
MW	6" Riser	\$ 20.00	
P/I	Amendments to UDO (yearly)	\$ 15.00	
P/I	Appeal (Board of Adjustment)	\$ 150.00	
MW	Backhoe per hour	\$ 40.00	
SOBW	Backhoe per hour	VOH \$ 40.00	
SOBW	Backhoe per hour	OS ABC \$ 40.00	
SOBW	Backhoe per hour	OS D-Y \$ 40.00	
ROD	Birth or Death Admendments (preparation)	\$ 10.00	
ROD	Birth or Death Admendments, NC Vital Records	\$ 15.00	payable to N.C. Vital Records Section
ROD	Birth or Death Legitimations County	\$ 10.00	
ROD	Birth or Death Legitimations State (via check)	\$ 10.00	
ROD	Birth or Death Record, Certified Copy	\$ 10.00	
ROD	Birth, Delayed Birth Applications	\$ 20.00	
P/I	Board of Adjustment Agenda (yearly)	\$ 7.50	
P/I	Board of Adjustment Minutes (yearly)	\$ 25.00	
LIB	Books, Fines for Overdues	\$ 0.05	per day
ITS	CD1: GIS data CD	\$ 50.00	
ITS	CD2: 2003 Color Aerial Photography	\$ 100.00	
P/R	Community Leagues		
P/R	Adult Softball (men and women)	\$ 200.00	per team
P/R	Youth Soccer (Fall and Spring)	\$ 20.00	per child - Maximum of \$40.00 per family
P/R	Youth/Junior Basketball	\$ 20.00	per child - Maximum of \$40.00 per family
P/R	Youth Tackle Football	\$ 25.00	per child - No Maximum Fee
P/R	Youth Flag Football	\$ 20.00	per child - Maximum of \$40.00 per family
P/R	Youth Cheerleading	\$ 20.00	per child - Maximum of \$40.00 per family

P/R	Youth T-Ball/Baseball/Softball	\$	25.00	per child - \$35.00 (2 children) Maximum of \$50.00 for a family c more
ROD	Copies, Certified 1st page	\$	5.00	plus \$2.00 each additional page
ITS	Copies, GIS Data, Laser 11 x 17 black and white	\$	1.00	
ITS	Copies, GIS Data, Laser 11 x 17 color	\$	2.00	
ITS	Copies, GIS Data, Laser 8 1/2 x 11 black and white	\$	0.50	
ITS	Copies, GIS Data, Laser 8 1/2 x 11 color	\$	1.00	
ITS	Copies, GIS Data, Laser 8 1/2 x 14 black and white	\$	0.75	
ITS	Copies, GIS Data, Laser 8 1/2 x 14 color	\$	1.50	
ITS	Copies, GIS Data, Plotter 20 x 24 up to 28 x 36	\$	5.00	
ITS	Copies, GIS Data, Plotter Greater than 28 x 36 to 36 x 42	\$	8.00	
ITS	Copies, GIS Data, Plotter Greater than 36 x 42	\$	10.00	
ITS	Copies, GIS Data, Plotter less than 20 x 24	\$	3.00	
ELE	Copies, per copy	\$	0.10	
LIB	Copies, per copy	\$	0.10	
P/I	Copies, Personal	\$	0.10	1 sided
P/I	Copies, Personal	\$	0.15	2 sided
ROD	Copies, Uncertified	\$	0.25	
ROD	Copies, Uncertified Plats (11"x17")-per page VIA Mail	\$	2.00	
ROD	Copies, Uncertified Plats (18"x24")-per page	\$	2.00	
ROD	Copies, Uncertified Plats (18"x24")-per page VIA Mail	\$	3.00	
ROD	Copies, Uncertified VIA Mail	\$	1.00	
P/I	Copy of Official Zoning Map	\$	7.50	
NRW	Damaged parts (not normal wear and tear)		Cost	plus 20%
ROD	Deeds of Trust and Mortgages 1st page	\$	12.00	
ROD	Deeds of Trust and Mortgages 2nd page and all additional pages	\$	3.00	
ROD	Deeds of Trust and Mortgages Additional (multi-instrument)	\$	10.00	
ROD	Deeds of Trust and Mortgages Probate	\$	2.00	
ROD	Deeds of Trust and Mortgages Satisfaction/Cancellation		Free	
SR CTR	Deposit, Rental of Senior Center Space (Refundable)	\$	100.00	
ELE	Diskette	\$	10.00	
MW	Ditch Witch per hour	\$	25.00	
SOBW	Ditch Witch per hour	VOH	\$ 25.00	
SOBW	Ditch Witch per hour	OS ABC	\$ 25.00	

SOBW	Ditch Witch per hour	OS D-Y	\$ 25.00	
NRW	Equipment accessibility charge		\$ 15.00	
NRW	Equipment tampering fee		\$ 50.00	
LIB	Fax		\$ 2.50	plus \$1.00 each additional page
MW	Fire hydrant meter		\$ 500.00	
SOBW	Fire hydrant meter	VOH	\$ 500.00	
SOBW	Fire hydrant meter	OS ABC	\$ 500.00	
SOBW	Fire hydrant meter	OS D-Y	\$ 500.00	
MW	Fire hydrant meter setup fee		\$ 25.00	
SOBW	Fire hydrant meter setup fee	VOH	\$ 25.00	
SOBW	Fire hydrant meter setup fee	OS ABC	\$ 25.00	
SOBW	Fire hydrant meter setup fee	OS D-Y	\$ 25.00	
AIR	Hangar leases, non-commercial		\$2,100.00	annual, payable \$175 per month
AIR	Hangars, commercial B-1-C & B-2-C		\$3,900.00	annual, payable \$325 per month
AIR	Hangars, commercial A-1-T, A-6-T & office space 1 combined		\$4,020.00	annual, payable \$335 per month
AIR	Hangars, commercial 5, 11 & Office space 2 combined		\$4,236.00	annual, payable \$353 per month
SOBW	High risk deposit (owner or renter)	VOH	\$ 150.00	or three months' billing of previous usage, whichever is greater
SOBW	High risk deposit (owner or renter)	OS ABC	\$ 150.00	or three months' billing of previous usage, whichever is greater
SOBW	High risk deposit (owner or renter)	OS D-Y	\$ 150.00	or three months' billing of previous usage, whichever is greater
MW	High-risk deposit (owner or renter)		\$ 150.00	or three months' billing of previous usage, whichever is greater
NRW	High-risk deposit (owner or renter)		\$ 50.00	
ROD	Highway Maps 1st page		\$ 21.00	
ROD	Highway Maps Additional Page(s)		\$ 5.00	
ROD	Highway Maps Certified Copy (per 1st page)		\$ 5.00	
SOBW	Impact Fee 1" Meter	OS ABC	\$6,500.00	
SOBW	Impact Fee 3/4" Meter	OS ABC	\$6,000.00	
SOBW	Impact Fee standard 3/4" meter, commercial	VOH	\$1,000.00	
SOBW	Impact Fee standard 3/4" meter, hotels/motels per two rooms	VOH	\$1,000.00	
SOBW	Impact Fee standard 3/4" meter, laundry	VOH	\$1,000.00	per 3 machines
SOBW	Impact Fee standard 3/4" meter, multifamily	VOH	\$1,000.00	(condos, cottage courts, apartments) Each habitable unit
SOBW	Impact Fee standard 3/4" meter, restaurants	VOH	\$1,000.00	per 16 seats or fraction thereof
SOBW	Impact Fee standard 3/4" meter, sewer	VOH	\$ 700.00	
SOBW	Impact Fee standard 3/4" meter, single family residential	VOH	\$1,000.00	

MW	Impact Fees 1 inch		\$5,500.00	
MW	Impact Fees 2 inch		\$6,000.00	
MW	Impact Fees 3 inch		\$6,500.00	
MW	Impact Fees 3/4 inch		\$5,000.00	
MW	Impact Fees 4 inch		\$7,000.00	
MW	Impact Fees 6 inch		\$7,500.00	
MW	Impact Fees 6 inch Fire Service		\$6,000.00	
MW	Impact Fees - 1 inch for Centers of Worship		\$3,000.00	
ROD	Instrument, General 1st page		\$ 12.00	
ROD	Instrument, General 2nd page and all additional pages		\$ 3.00	
ROD	Instrument, General Additional ( multi-instrument)		\$ 10.00	
ROD	Instrument, General Probate		\$ 2.00	
SR CTR	Kitchen use		\$ 125.00	
SR CTR	Kitchen not used		\$ 100.00	
ELE	Labels, per label		\$ 0.01	Minimum \$.30
MW	Labor per man hour		\$ 25.00	
NRW	Labor per man hour		\$ 25.00	
SOBW	Labor per man hour	VOH	\$ 25.00	
SOBW	Labor per man hour	OS ABC	\$ 25.00	
SOBW	Labor per man hour	OS D-Y	\$ 25.00	
P/I	Land Use Plan		\$ 20.00	
MW	Lid only		\$ 10.74	
MW	Lock		\$ 5.00	
P/R	Maple Park refundable security deposit		\$ 25.00	
ROD	Marriage License		\$ 50.00	
ROD	Marriage License Certified Copy		\$ 10.00	
ROD	Marriage License Corrections		\$ 10.00	
MW	Meter		\$ 45.00	
MW	Meter accessibility charge		\$ 15.00	
SOBW	Meter accessibility charge	VOH	\$ 15.00	
SOBW	Meter accessibility charge	OS ABC	\$ 15.00	
SOBW	Meter accessibility charge	OS D-Y	\$ 15.00	
MW	Meter Box		\$ 25.00	

MW	Meter tampering fee		\$	50.00	
SOBW	Meter tampering fee	VOH	\$	50.00	
SOBW	Meter tampering fee	OS ABC	\$	50.00	
SOBW	Meter tampering fee	OS D-Y	\$	50.00	
MW	Meter testing fee		\$	25.00	If meter accurate
SOBW	Meter testing fee	VOH	\$	25.00	If meter accurate
SOBW	Meter testing fee	OS ABC	\$	25.00	If meter accurate
SOBW	Meter testing fee	OS D-Y	\$	25.00	If meter accurate
				No	
MW	Meter testing fee			Charge	If more than 2.5% inaccurate
				No	
SOBW	Meter testing fee	VOH		Charge	If more than 2.5% inaccurate
				No	
SOBW	Meter testing fee	OS ABC		Charge	If more than 2.5% inaccurate
				No	
SOBW	Meter testing fee	OS D-Y		Charge	If more than 2.5% inaccurate
ROD	Notary Oath		\$	10.00	
ROD	Notary Verification of Commission		\$	3.00	
MW	Open/reopen/transfer account		\$	15.00	
NRW	Open/reopen/transfer account		\$	15.00	
SOBW	Open/reopen/transfer account	VOH	\$	15.00	
SOBW	Open/reopen/transfer account	OS ABC	\$	15.00	
SOBW	Open/reopen/transfer account	OS D-Y	\$	15.00	
P/R	Parks				
P/R	Knotts Island		\$	200.00	per day
P/R	Maple Park		\$	300.00	per day
P/R	Maple Skate Park		\$	200.00	per day
P/R	Sound Park		\$	500.00	per day
P/R	Veteran's Memorial Park		\$	200.00	per day
P/R	Walnut Island Park		\$	200.00	per day
P/R	Park Picnic Shelter		\$	25.00	per 1/2 day/\$50 daily
P/I	Permit, Above Ground Swimming Pool, Hot Tub, nonresidential		\$	100.00	
P/I	Permit, Above Ground Swimming Pool, Hot Tub, residential		\$	25.00	
P/I	Permit, Alterations, nonresidential		\$	0.12	sf

P/I	Permit, Alterations, residential	\$ 0.10	sf
P/I	Permit, Chimney/Woodstove, residential	\$ 25.00	
P/I	Permit, County, State, Federal, Church	No Fee	
P/I	Permit, Demolition, nonresidential	\$ 75.00	
P/I	Permit, Demolition, residential	\$ 25.00	
P/I	Permit, detached storage, garages	\$ 0.15	sf
P/I	Permit, Electrical for Swimming Pool, nonresidential	\$ 50.00	
P/I	Permit, Electrical for Swimming Pool, residential	\$ 25.00	
P/I	Permit, Electrical, alterations, existing structures, nonresidential	\$ 50.00	*
P/I	Permit, Electrical, alterations, existing structures, residential	\$ 25.00	*
P/I	Permit, Electrical, new construction, nonresidential	\$ 100.00	
P/I	Permit, Electrical, new construction, residential	\$ 50.00	
P/I	Permit, Farm Building	No Permit	
P/I	Permit, Fire Hydrant Fund, nonresidential	\$ 400.00	
P/I	Permit, Gas, new construction, nonresidential	\$ 50.00	
P/I	Permit, Gas, new construction, residential	\$ 25.00	
P/I	Permit, Gas pumps & oil pumps, nonresidential	\$ 50.00	pump
P/I	Permit, In-ground Swimming Pool, nonresidential	\$ 100.00	
P/I	Permit, In-ground Swimming Pool, residential	\$ 50.00	
P/I	Permit, Insulation, alterations, existing structures, nonresidential	\$ 50.00	*
P/I	Permit, Insulation, alterations, existing structures, residential	\$ 25.00	*
P/I	Permit, Insulation, new construction, nonresidential	\$ 100.00	
P/I	Permit, Insulation, new construction, residential	\$ 50.00	
P/I	Permit, Mechanical, alterations, existing structures, nonresidential	\$ 50.00	*
P/I	Permit, Mechanical, alterations, existing structures, residential	\$ 25.00	*
P/I	Permit, Mechanical, new construction, nonresidential	\$ 100.00	
P/I	Permit, Mechanical, new construction, residential	\$ 50.00	
P/I	Permit, Minimum Fee	\$ 25.00	
P/I	Permit, Mobile homes/Modulars	\$ 0.10	sf
P/I	Permit, Moving, nonresidential	\$ 0.20	sf
P/I	Permit, Moving, residential	\$ 0.20	sf
P/I	Permit, Negligence, Penalty-bldg work w/o permit or occupy bldg w/o cert occy	\$ 25.00	minimum or 25% of permit cost, whichever is greater
P/I	Permit, New construction, additions, canopy, nonresidential	\$ 0.35	sf (excluding storage, garages, utility bldgs)

P/I	Permit, New construction, additions, canopy, residential		\$ 0.25	sf (excluding storage, garages, utility bldgs)
P/I	Permit, Pier, Bulkhead, Dock, Boatlift		\$ 50.00	
P/I	Permit, Plumbing, alterations, existing structures, nonresidential		\$ 50.00	*
P/I	Permit, Plumbing, alterations, existing structures, residential		\$ 25.00	*
P/I	Permit, Plumbing, new construction, nonresidential		\$ 100.00	
P/I	Permit, Plumbing, new construction, residential		\$ 50.00	
P/I	Permit, Pre-manufactured metal carport		No fee	
P/I	Permit, Private Schools & Day Care, nonresidential		\$ 0.07	sf
P/I	Permit, Re-inspections		\$ 50.00	
P/I	Permit, Replace windows/doors/siding >\$5000		\$ 25.00	
P/I	Permit, Review Fee		\$ 25.00	(to be paid at application, bal due when permit is issued)
P/I	Permit, Roofing (excluding shingle replacement)		\$ 25.00	
P/I	Permit, Roofing (shingle replacement)		No Permit	
P/I	Permit, Signs Off-premise, nonresidential		\$ 50.00	
P/I	Permit, Signs On-premise, nonresidential		\$ 25.00	
P/I	Permit, Temporary Office Building, nonresidential		\$ 60.00	
P/I	Permit, Tents (for public assembly/fire rating reg.), nonresidential		\$ 50.00	
P/I	Permit, Towers (height & width) nonresidential		\$ 0.12	sf
P/I	Permit, Wind Turbine, residential		\$ 200.00	
P/I	Permit, Wind Turbine, nonresidential		\$ 500.00	
MW	Pipe pressure/leakage retest		\$ 60.00	
SOBW	Pipe pressure/leakage retest	VOH	\$ 60.00	
SOBW	Pipe pressure/leakage retest	OS ABC	\$ 60.00	
SOBWS	Pipe pressure/leakage retest	OS D-Y	\$ 60.00	
MW	Pipe pressure/leakage test		\$ 30.00	
SOBW	Pipe pressure/leakage test	VOH	\$ 30.00	
SOBW	Pipe pressure/leakage test	OS ABC	\$ 30.00	
SOBW	Pipe pressure/leakage test	OS D-Y	\$ 30.00	
P/I	Planning Board Agenda (yearly)		\$ 7.50	
P/I	Planning Board Minutes (yearly)		\$ 35.00	
ROD	Plats 1st page (GS 161-10)		\$ 21.00	
ROD	Plats Additional Page(s)		\$ 21.00	
ROD	Plats Certified Copy (per 1st page)		\$ 5.00	

ELE	Print-out, per page		\$ 0.05	Minimum \$.25
MW	Reconnection fee (after cutoff for nonpayment)		\$ 25.00	8:00 am - 4:00 pm
MW	Reconnection fee (after cutoff for nonpayment)		\$ 50.00	4:00 pm - 8:00 am
SOBW	Reconnection fee (after cutoff for nonpayment)	VOH	\$ 25.00	8:00 am - 4:00 pm
SOBW	Reconnection fee (after cutoff for nonpayment)	OS ABC	\$ 25.00	8:00 am - 4:00 pm
SOBW	Reconnection fee (after cutoff for nonpayment)	OS D-Y	\$ 25.00	8:00 am - 4:00 pm
SOBW	Reconnection fee (after cutoff for nonpayment)	VOH	\$ 50.00	4:00 pm - 8:00 am
SOBW	Reconnection fee (after cutoff for nonpayment)	OS ABC	\$ 50.00	4:00 pm - 8:00 am
SOBW	Reconnection fee (after cutoff for nonpayment)	OS D-Y	\$ 50.00	4:00 pm - 8:00 am
NRW	Reconnection fee (after cutoff for non-payment)		\$ 25.00	8 a.m.-5 p.m.
NRW	Reconnection fee (after cutoff for non-payment)		N/A	5 p.m.-8 a.m.
MW	Renter deposit		\$ 100.00	
NRW	Renter deposit		\$ 50.00	
SOBW	Renter deposit	VOH	\$ 100.00	
SOBW	Renter deposit	OS ABC	\$ 100.00	
SOBW	Renter deposit	OS D-Y	\$ 100.00	
P/I	Request for Conditional Use Permit		\$ 150.00	
P/I	Request for CUP Renewal		\$ 25.00	
P/I	Request for Special Use Permit (or Amended SUP requiring public hearing)		\$ 150.00	
P/I	Request for Variance		\$ 150.00	
P/I	Request to Amend Ordinance or Amend Land Use Plan		\$ 150.00	
P/I	Request to re-hear case pulled by Applicant APONs & Legal adv already sent		\$ 75.00	
P/I	Request to Rezone		\$ 150.00	plus \$5.00 acre or part thereof
MW	Reread meter - our reading correct		\$ 15.00	
SOBW	Reread meter - our reading correct	VOH	\$ 15.00	
SOBW	Reread meter - our reading correct	OS ABC	\$ 15.00	
SOBW	Reread meter - our reading correct	OS D-Y	\$ 15.00	
MW	Reread meter - our reading incorrect		No Charge	
SOBW	Reread meter - our reading incorrect	VOH	No Charge	
SOBW	Reread meter - our reading incorrect	OS ABC	No Charge	

			No	
SOBW	Reread meter - our reading incorrect	OS D-Y	Charge	
MW	Retro		\$ 75.00	
MW	Returned check fee		\$ 25.00	
NRW	Returned check fee		\$ 25.00	
SOBW	Returned check fee	VOH	\$ 25.00	
SOBW	Returned check fee	OS ABC	\$ 25.00	
SOBW	Returned check fee	OS D-Y	\$ 25.00	
P/I	Review of Lot Recombination		\$ 25.00	
P/I	Review of Minor Subdivision		\$ 25.00	lot
P/I	Review of Private Access Subdivision		\$ 50.00	lot
P/I	Review Site Plan (Commercial)		\$ 0.02	sq. ft. of gross floor area; \$50 min.
P/I	Review to Sketch Plan, *Major Subdivision		\$ 100.00	lot
P/I	Review to Sketch Plan, *Planned Development		\$ 100.00	lot
P/I	Review to Sketch Plan, Amended Sketch Plan in Major Subdivision		No Fee	
P/I	Review to Sketch Plan, Amended Sketch Plan w/I PUD		\$ 250.00	
MCW	Sewer Charges (See notes)		\$ 100.00	minimum per month
NRW	Sewer Charges, per residential dwelling unit, per month		\$ 16.34	\$20 effective 9/1/2007
NRW	Sewer Charges, per commercial unit		\$ 40.00	minimum/200% of water
SC	Soil surveys/publications		Free	
MW	Special request meter reading		\$ 15.00	
SOBW	Special request meter reading	VOH	\$ 15.00	
SOBW	Special request meter reading	OS ABC	\$ 15.00	
SOBW	Special request meter reading	OS D-Y	\$ 15.00	
P/I	Street Naming/Name Changing (payable to U.S. Sign Co.)		\$ 40.00	plus variable (Exception: Subdivisions created prior to 4/2/89 & sign never inst:
NTW	Tap-on Fee		\$ 500.00	
MCW	Tap-on Fee		None	
SOBW	Tap-on Fee: \$450.00 plus Impact Fee: 2000.00	OS D-Y	\$2,450.00	
AIR	Tie-down leases		\$ 10.00	per month
PW	Tipping Fees per ton for all solid waste that originates outside the County		\$ 73.00	
PW	Tipping Fees per ton for mixed solid waste MSW		\$ 63.00	
MW	Turn on/off fee, per occurrence		\$ 15.00	Normal working hours
SOBW	Turn on/off fee, per occurrence	VOH	\$ 15.00	Normal working hours
SOBW	Turn on/off fee, per occurrence	OS ABC	\$ 15.00	Normal working hours

SOBW	Turn on/off fee, per occurrence	OS D-Y	\$ 15.00	Normal working hours
MW	Turn on/off fee, per occurrence		\$ 25.00	After normal working hours
SOBW	Turn on/off fee, per occurrence	VOH	\$ 25.00	After normal working hours
SOBW	Turn on/off fee, per occurrence	OS ABC	\$ 25.00	After normal working hours
SOBW	Turn on/off fee, per occurrence	OS D-Y	\$ 25.00	After normal working hours
NRW	Turn on/off fee, per occurrence		\$ 15.00	Normal working hours
NRW	Turn on/off fee, per occurrence		\$ 25.00	After normal working hours
P/I	Unified Development Ordinance		\$ 15.00	
ROD	Uniform Commercial Code Fixture Filing Only 1-2 pages		\$ 38.00	
ROD	Uniform Commercial Code Fixture Filing Only 3-10 pages		\$ 45.00	
ROD	Uniform Commercial Code Fixture Filing Only over 10 pages		\$ 45.00	plus \$2.00 each additional page over 10
MW	Union half with nut		\$ 15.00	
MW	Water Charge Additional usage 10001-15000 gallons		\$ 4.50	per 1000 gal.
MW	Water Charge Additional usage 15001-20000 gallons		\$ 5.00	per 1000 gal.
MW	Water Charge Additional usage 20001 and up		\$ 6.00	per 1000 gal.
MW	Water Charge Additional usage 2001-1000 gallons		\$ 3.50	per 1000 gal.
MW	Water Charge Additional usage 5001-10000 gallons		\$ 4.00	per 1000 gal.
MW	Water Charge up to 5000 gallons, residential		\$ 4.50	per 1000 gal./effective 9/1/2007
MW	Water Charge up to 10,000 gallons, residential		\$ 5.50	per 1000 gal./effective 9/1/2007
MW	Water Charge up to 15,000 gallons, residential		\$ 6.50	per 1000 gal./effective 9/1/2007
MW	Water Charge up to 20,000 gallons, residential		\$ 7.50	per 1000 gal./effective 9/1/2007
MW	Water Charge all over 20,000 gallons, residential		\$ 8.50	per 1000 gal./effective 9/1/2007
MW	Water Charge up to 5000 gallons, commercial		\$ 4.50	per 1000 gal./effective 9/1/2007
MW	Water Charge up to 10,000 gallons, commercial		\$ 5.50	per 1000 gal./effective 9/1/2007
MW	Water Charge up to 15,000 gallons, commercial		\$ 6.50	per 1000 gal./effective 9/1/2007
MW	Water Charge up to 20,000 gallons, commercial		\$ 6.50	per 1000 gal./effective 9/1/2007
MW	Water Charge all over 20,000 gallons, commercial		\$ 6.50	per 1000 gal./effective 9/1/2007
SOBW	Water Charge Base Rate	VOH	\$ 15.00	month
SOBW	Water Charge Base Rate	OS ABC	\$ 15.00	month
SOBW	Water Charge Base Rate	OS D-Y	\$ 15.00	month
MW	Water Charge Commercial base 0-2000 gallons		\$ 20.00	month
SOBW	Water Charge Consumption over 20,000 gallons	VOH	\$ 8.50	per 1000 gal.
SOBW	Water Charge Consumption over 20,000 gallons	OS ABC	\$ 8.50	per 1000 gal.

SOBW	Water Charge Consumption over 20,000 gallons	OS D-Y	\$ 8.50	per 1000 gal.
SOBW	Water Charge Consumption up to 10,000 gallons	VOH	\$ 5.50	per 1000 gal.
SOBW	Water Charge Consumption up to 10,000 gallons	OS ABC	\$ 5.50	per 1000 gal.
SOBW	Water Charge Consumption up to 10,000 gallons	OS D-Y	\$ 5.50	per 1000 gal.
SOBW	Water Charge Consumption up to 15,000 gallons	VOH	\$ 6.50	per 1000 gal.
SOBW	Water Charge Consumption up to 15,000 gallons	OS ABC	\$ 6.50	per 1000 gal.
SOBW	Water Charge Consumption up to 15,000 gallons	OS D-Y	\$ 6.50	per 1000 gal.
SOBW	Water Charge Consumption up to 2,500 gallons	VOH	\$ 3.50	per 1000 gal.
SOBW	Water Charge Consumption up to 2,500 gallons	OS ABC	\$ 3.50	per 1000 gal.
SOBW	Water Charge Consumption up to 2,500 gallons	OS D-Y	\$ 3.50	per 1000 gal.
SOBW	Water Charge Consumption up to 20,000 gallons	VOH	\$ 7.50	per 1000 gal.
SOBW	Water Charge Consumption up to 20,000 gallons	OS ABC	\$ 7.50	per 1000 gal.
SOBW	Water Charge Consumption up to 20,000 gallons	OS D-Y	\$ 7.50	per 1000 gal.
SOBW	Water Charge Consumption up to 5,000 gallons	VOH	\$ 4.50	per 1000 gal.
SOBW	Water Charge Consumption up to 5,000 gallons	OS ABC	\$ 4.50	per 1000 gal.
SOBW	Water Charge Consumption up to 5,000 gallons	OS D-Y	\$ 4.50	per 1000 gal.
MW	Water Charge Fire Service (sprinkler systems)		\$ 20.00	month
MW	Water Charge Local Government/Board of Education		\$ 3.50	per 1000 gal.
MW	Water Charge Residential base 0-2000 gallons		\$ 16.00	month
MW	Water Charge Residential & Commercial base 0-2000 gallons		\$ 20.00	month/effective 9/1/2007
MW	Yoke		\$ 115.42	
MW	Yoke valve with meter nut		\$ 33.00	

NOTES:

- MCW Sewer Charges are equal to four (4) times the water charge for the billing period. Minimum sewer charge is \$100.00 per month.
- MCW There are no additional fees associated with the Moyock Commons Sewer District; however, as all District customers are connected to the Currituck County Mainland Water System, all charges and fees for water service will apply
- MW Water Charge: Commercial master meter accts charged at above rates per unit served. Hotels and motels: Four rooms equal one commercial master meter billing unit.
- MW Impact Fees: All installation costs for labor, materials and equipment shall be paid by the owner/developer/purchaser.

- MW Subdivisions with active sketch plan approval prior to July 1, 2007 included on attached list will be assessed impact fees at the rate in effect on June 30, 2009. Beginning July 1, 2009 any subdivisions that have not paid the impact f
- NRW Commercial sewer: 200% of water charge, \$40.00 minimum.
- P&I Movable agricultural buildings occupied for farm purposes shall be exempt from fees prescribed above.
- P&I \*Alterations include work within existing structures and upgrading existing service do not include additions, new construction, providing power to structures not previously having power, or new service to existing buildings.
- P&I Preliminary, amended preliminary, final, and amended final plats will be assessed a \$33.00 per lot fee if the sketch plan was approved prior to March 3, 2003.
- SOBW VOH Total water charge based on rate block for total consumption. Ex: If 25,000 gallons used, cost is \$8.50/1000 for all gallons used.
- SOBW OS ABC Total water charge based on rate block for total consumption. Ex: If 25,000 gallons used, cost is \$8.50/1000 for all gallons used.
- SOBW OS D-Y Total water charge based on rate block for total consumption. Ex: If 25,000 gallons used, cost is \$8.50/1000 for all gallons used.
- SOBW VOH Commercial master meter accounts charged at the above rates per unit served. Hotels and motels: Four rooms equal one commercial master meter billing unit.
- SOBW OS ABC Commercial master meter accounts charged at the above rates per unit served. Hotels and motels: Four rooms equal one commercial master meter billing unit.
- SOBW OS D-Y Commercial master meter accounts charged at the above rates per unit served. Hotels and motels: Four rooms equal one commercial master meter billing unit.
- SOBW VOH Repairs requiring contracted labor charged at invoice plus 20%.
- SOBW OS ABC Repairs requiring contracted labor charged at invoice plus 20%.
- SOBW OS D-Y Repairs requiring contracted labor charged at invoice plus 20%.
- SOBW OS D-Y Sewer Charge: Equal to 53% of total water charge.
- SOBW VOH All replacement parts charged at cost plus 20%.
- SOBW OS ABC All replacement parts charged at cost plus 20%.
- SOBW OS D-Y All replacement parts charged at cost plus 20%.

Adopted June 18, 2007

Revised January 22, 2008

Revised March 3, 2008

FEE SCHEDULE  
 PLANNING AND INSPECTIONS  
 RATE AND FEE SCHEDULE EFFECTIVE 1 JULY 2007  
**Amended March 3, 2008**

PERMIT	RESIDENTIAL		NONRESIDENTIAL	
New construction, additions, canopy (excluding storage, garages, utility bldgs.)	\$ 0.25	sf	\$ 0.35	sf
Above Ground Swimming Pool, Hot Tub	\$ 25.00		\$ 100.00	
Alterations	\$ 0.10	sf	\$ 0.12	sf
Chimney/Woodstove	\$ 25.00			
County, State, Federal, Church	no fee		no fee	
Demolition	\$ 25.00		\$ 75.00	
Detached Storage, Garages	\$ 0.15	sf	\$ 0.15	sf
Electrical	\$ 50.00	\$25*	\$ 100.00	\$50*
Electrical for Swimming Pool	\$ 25.00		\$ 50.00	
Farm Building	no permit		no permit	
Gas	\$ 25.00		\$ 50.00	
Gas pumps & oil pumps			\$ 50.00	pump
In-ground Swimming Pool	\$ 50.00		\$ 100.00	
Insulation	\$ 50.00	\$25*	\$ 100.00	\$50*
Mechanical	\$ 50.00	\$25*	\$ 100.00	\$50*
Mobile homes/Modulars	\$ 0.10	sf		
Moving Permit	\$ 0.20	sf	\$ 0.20	sf
Pier, Bulkhead, Dock, Boatlift	\$ 50.00		\$ 50.00	
Plumbing	\$ 50.00	\$25*	\$ 100.00	\$50*
Pre-manufactured metal carport	no fee		no fee	
Private Schools & Day Care			\$ 0.07	sf
Replace Windows/Doors/Siding>\$5000	\$ 25.00	sf	\$ 25.00	sf
Roofing (excluding shingle replacement)	\$ 25.00		\$ 25.00	
Roofing (shingle replacement)	no permit		no permit	

Signs, Off-premise			\$	50.00	
Signs, On-premise			\$	25.00	
Temporary Office Building			\$	60.00	
Tents (for public assembly/fire rating reg.)			\$	50.00	
Towers (height x width)			\$	0.12	sf
Wind Turbine	\$	200.00	\$	500.00	
Fire Hydrant Fund			\$	400.00	
Re-inspections	\$	50.00	\$	50.00	
Negligence: Penalty-bldg/work w/o permit or occupying bldg					
w/o certif. or occy	\$	25.00			minimum or 25% of permit cost, whichever is greater
Minimum Permit Fee	\$	25.00			
Review Fee	\$	25.00			(to be paid at application, bal due when permit is issued)

Moveable agricultural buildings occupied for farm purposes shall be exempt from the fees prescribed above.

\*Alterations include work within existing structures and upgrading existing service and do not include additions, new construction, providing power to structures not previously having power, or new service to existing buildings.

#### Board of Adjustment

Request for Variance	\$	150.00
Request for Conditional Use Permit	\$	150.00
Request for CUP Renewal	\$	25.00
Appeal	\$	150.00

#### Literature and Materials

Unified Development Ordinance	\$	15.00
Amendments to UDO (yearly)	\$	15.00
Land Use Plan	\$	20.00
Copy of Official Zoning Map	\$	7.50

Planning Board Agenda (yearly)	\$	7.50	
Planning Board Minutes (yearly)	\$	35.00	
Board of Adjustment Agenda (yearly)	\$	7.50	
Board of Adjustment Minutes (yearly)	\$	25.00	

Street Request

Street Naming/Name Changing (Exception: Subdivisions created prior to 4/2/89 & sign never installed)	\$	40.00	plus variable
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Planning Board

Review of Minor Subdivision	\$	25.00	lot
Review of Private Access Subdivision	\$	50.00	lot
Review of Lot Recombination	\$	25.00	
Review of Sketch Plan:			
*Major Subdivision	\$	100.00	lot
*Planned Development	\$	100.00	lot
Amended Sketch Plan w/I PUD	\$	250.00	
No fee for Amended Sketch Plan in Major Subdivision			
Request to Rezone	\$	150.00	plus \$5/acre or part thereof
Request to Amend Ordinance or Amend Land Use Plan	\$	150.00	
Request for Special Use Permit (or Amended SUP requiring			
public hearing	\$	150.00	
Review Site Plan (Commercial)	\$	0.02	sq ft of gross floor area \$50.00 min
Request to re-hear case pulled by Applicant where APONs and			
Legal Advertisements already sent	\$	75.00	
Personal Copies	\$	0.10	(1 sided)
Personal Copies	\$	0.15	(2 sided)

\*PRELIMINARY, AMENDED PRELIMINARY, FINAL, AND AMENDED FINAL PLATS WILL BE ASSESSED A \$33.00 PER LOT FEE IF THE SKETCH PLAN WAS APPROVED PRIOR TO MARCH 3,

2003.

Amended: 7/3/89; 12/18/89; 6/3/91; 1/17/95; 2/20/95; 2/8/96; 12/2/96; 5/26/98; 7/1/98; 4/5/99; 9/7/99; 9/20/99; 12/5/00; 2/18/02; 7/22/02; 3/3/03

Adopted March 3, 2008.

RESOLUTION  
SUPPORTING THE MID-CURRITUCK BRIDGE  
AND  
NORTH CAROLINA TURNPIKE AUTHORITY

WHEREAS, the Currituck Outer Banks of North Carolina is growing rapidly, resulting in an ever increasing number of residents and visitors to the Currituck Outer Banks; and

WHEREAS, the only means of ingress and egress to the Currituck Outer Banks is along the two lane highway designated as Highway 12; and

WHEREAS, during the summer months, thousands of vehicles use Highway 12 along the northern Outer Banks, resulting in increased traffic congestion and significant traffic delays, especially on Saturdays and Sundays when visitors are coming to and leaving the northern Outer Banks; and

WHEREAS, these traffic congestion conditions along Highway 12 are greatly exacerbated during hurricane evacuations; and

WHEREAS, in order to insure the safety of visitors and residents of the northern Outer Banks, the Mid-Currituck bridge will be considered as a means of hurricane evacuation; and

WHEREAS, the construction of the Mid-Currituck bridge will encourage and induce increased commerce on the Currituck County Mainland; and

NOW, THEREFORE, BE IT RESOLVED that the Currituck County Board of Commissioners strongly support the construction of the Mid-County bridge and the presentation made by the North Carolina Turnpike Authority on February 26, 2008.

**Commissioner's Report**

Commissioner Taylor announced a Town Meeting at the Moyock Middle School for March 18, 7:00 p.m. to discuss OLF.

Commissioner Etheridge commented on the Business Expo held this past weekend. He also would like staff to consider a community meeting prior to the Planning Board meeting on CUP.

Commissioner Bowden stated that the Knotts Island bridge should be completed by May or June. The Carova Beach Park has obtained permits for building. He also commented on the Hunters Feast held this weekend on Knotts Island.

Commissioner Gregory stated that wells will need a permit as of July 1 and that the cost will be \$500.

## **County Manager's Report**

County Manager stated that the first meeting of the Fire and EMS Advisory Board will be on March 13. The agenda packet is now on the web for anyone to view.

### **Closed Session:**

1. Pursuant to G.S. 143-318.11(a)(3) to consult with an attorney retained by the board in order to preserve the attorney-client privilege and to consider and give instructions to the attorney concerning the handling of a judicial action entitled John H. Snowden, III d/b/a The Independent vs. Currituck County Board of Commissioners;
2. Pursuant to G.S. 143-318(a)(4) to discuss matters relating to the location or expansion of industries or other businesses in Currituck County; and
3. Pursuant to G.S. 143-318(a)(5) to instruct county staff or negotiating agents concerning the position to be taken by or on behalf of the county in negotiating the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, the property more specifically identified as the property of Brenda B. Lankford located on US Hwy. 158 adjacent to Currituck County Airport for airport or any other public purposes.

### **Adjourn**

After reconvening from closed session, no action was taken. There being no further business, the meeting adjourned.

CURRITUCK COUNTY  
NORTH CAROLINA  
APRIL 7, 2008

The Board of Commissioners met prior to the regular scheduled meeting to discuss Moyock Central Wastewater.

The Board of Commissioners met on April 7, 2008, 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 Nelms, Commissioners Bowden, Gregory, Taylor and Etheridge.

### **Invocation**

#### **Pledge of Allegiance**

The Reverend Renee Edwards was present to give the invocation.

### **Approval of Agenda**

Commissioner Gregory moved to approve the agenda.  
Commissioner Bowden seconded the motion. Motion carried.

- Item 2            **Public Comment**  
*Please limit comments to items not appearing on the regular agenda, please limit comments to 3 minutes.*
- Item 3            **Presentation by "Project Graduation"**
- Item 4            **Mr. Richard Horn, request funding for Food Pantry**
- Item 5            **Public Hearing and Action - Street Name Petition to Change from Overton Lane to Cooper Landing Drive**
- Item 6            **Public Hearing and Action** PB 08-13 Coinjock Meadows: Request to rezone 1.9 acres from General Business (GB) to Mixed Residential (RA) and 2.6 acres from Agricultural (A) to Mixed Residential (RA). The property is located along Worth Guard Road, approximately 4/10th of a mile from the north bank of the Coinjock Canal, Tax Map 70, Parcel 13 (pt.), Crawford Township.
- Item 7            **Public Hearing and Action** PB 08-07 Villas At The Pointe: Special Use Permit for a 90 unit Residential Multi-Family development. The property is located on Caratoke Hwy., 890 feet south of Pointe Golf Club Drive, Tax Map 124, Parcel 105B, Poplar Branch Township, Currituck Co.
- Item 8            **Public Hearing and Action** PB 08-06 Bobby Waddell: Request for Sketch Plan/Special Use Permit for two single family lots located in Moyock at 1952 Tulls Creek Road, Tax Map 40, Parcel 2C, Crawford Township.

Item 9           **Public Hearing and Action** PB 08-11 Joel Justice: Request to rezone 29 acres from Agricultural (A) to Residential (R). The property is located in Jarvisburg at Indian Kettle Road, Tax Map 109, Parcels 53F, 50A, and 53E, Poplar Branch Township.

Item 10          **Public Hearing and Action** PB 08-12 Currituck County Text Amendment: Request to amend Chapter 9: Infrastructure of the Currituck County Unified Development Ordinance to exempt family subdivisions from public water and fire protection requirements.

Item 11          **Consent Agenda:**  
1. Change Order for Jarvisburg Elementary School  
2. Change Order for Shawboro Elementary School  
3. Petition for Addition to State Maintained Road System-Brabble Street and Womack Drive  
4. Letter to De-obligate 2005 CDBG Scattered-Site Funding  
5. Approval of March 17, 2008, Minutes  
6. Budget Amendments  
7. Select Custom Apparatus, Inc contract to purchase 5 ambulances

Item 12          Commissioner's Report

Item 13          County Manager's Report

Adjourn

**Public Comment**

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

Chairman Nelms opened the public comment period.

Roy Etheridge, opposes OLF site in Currituck.

Earl and Edith Brickhouse, Senior Tar Heel Representatives, reviewed the legislation for NC General Assembly.

Commissioner Gregory, stated he and other representatives met in Washington, DC last week to discuss the proposed OLF site.

Chairman Nelms, reported on meeting with City of Chesapeake Council members.

There being no further comments, Chairman Nelms closed the public comment period.

**Presentation by "Project Graduation"**

Amanda Corbell, requested support for project graduation.

Chairman Nelms moved to appropriate \$5,000. Commissioner Gregory seconded the motion. Motion carried.

**Mr. Richard Horn, request funding for Food Pantry**

Mr. Horn, Emergency Food Center, reviewed program that supports county residents. He requested support from the Board.

Board will consider Mr. Horn's request for funding during the budget process.

**Public Hearing and Action - Street Name Petition to Change from Overton Lane to Cooper Landing Drive**

Harry Lee, GIS, reviewed the request to change the name of Overton Lane to Cooper Landing Drive.

Chairman Nelms opened the public hearing.

John Cooper, property owner, stated reasons for name change.

There being no further comments, Chairman Nelms closed the public hearing.

Commissioner Bowden moved to approve the road name change. Commissioner Gregory seconded the motion. Motion carried.

**Public Hearing and Action PB 08-13 Coinjock Meadows: Request to rezone 1.9 acres from General Business (GB) to Mixed Residential (RA) and 2.6 acres from Agricultural (A) to Mixed Residential (RA). The property is located along Worth Guard Road, approximately 4/10th of a mile from the north bank of the Coinjock Canal, Tax Map 70, Parcel 13 (pt.), Crawford Township.**

Ben Woody, Planning Director, reviewed the request.

<b>TYPE OF REQUEST:</b>	Request to rezone 1.9 acres from General Business (GB) to Mixed Residential (RA) and 2.6 acres from Agricultural (A) to Mixed Residential (RA).
<b>LOCATION:</b>	Located along Worth Guard Road, approximately 4/10 <sup>th</sup> of a mile from the north bank of the Coinjock Canal.
<b>TAX ID:</b>	Tax Map 70, Parcel 13 (pt.) (007000000130000)

**OWNERS:** Coinjock Meadows, LLC.  
PO Box 190  
Nags Head, NC 27959

**APPLICANT:** Currituck County Planning Department

**ENGINEER:** Quible and Associates  
Eduardo Valdivieso  
PO Drawer 970  
Kitty Hawk, NC 27949

**ZONING:** **Current Zoning** **Proposed Zoning**  
General Business (GB) 1.9 AC Mixed Residential (RA)  
Agricultural (A) 2.6 AC

**ZONING HISTORY:** The property was split zoned A and GB on the 1989 zoning atlas.

On June 4, 2007 approximately 33 acres of the tract was rezoned to Residential Mixed (RA).

**SURROUNDING PROPERTY:**

	<b>Land Use</b>	<b>Zoning</b>
<b>NORTH:</b>	Agricultural	A and GB
<b>SOUTH</b>	Residential	RA
<b>EAST:</b>	Residential, undeveloped, and wetlands	A and RA
<b>WEST:</b>	Residential and undeveloped	GB and RA

**EXISTING LAND USE:** Agricultural (undeveloped)

**PROPOSED LAND USE:** To permit the uses allowed in the RA zoning district.

**LAND USE PLAN CLASSIFICATION:**

The subject properties are designated **Full Service** (1.9 acres) and **Conservation Class** (2.6 acres) within the **Barco/Coinjock./Airport** sub-area by the 2006 Land Use Plan. With respect to residential development in Full Service Areas, 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. Areas in the Conservation class considered developable may accommodate extremely low density residential development not to exceed 1-3 units per acre.

**PUBLIC SERVICES AND UTILITIES:** The Crawford Volunteer Fire Department provides fire protection for this area. Electric, telephone, County water and cable are currently available.

**TRANSPORTATION:** The parent tract has 724 feet of frontage on Worth Guard Road.

**FLOOD ZONE:** The 2.6 acre portion of the request is located in Flood Zone AE (4). The 1.9 acre portion of the request is located outside of the 100 year flood plain.

**WETLANDS:** The 2.6 acre portion of the request is considered wetlands according to the North Carolina general wetland maps. A wetland delineation certified by the US Army Corps of Engineers would be needed to determine the exact wetlands limits.

**SOILS:** The Currituck County Soils map indicates the subject properties contain marginal soils for on-site septic systems.

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**STAFF**

**RECOMMENDATION:** On June 4, 2007 approximately 33 acres of the tract was rezoned RA. This approval excluded 1.9 acres of General Business (GB) zoning due to a mapping error, as well as 2.6 acres of Agricultural (A) zoning that is designated as Conservation class by the 2006 Land Use Plan. At that time, the Planning Department recommended the area designated as Conservation class not be included in the rezoning request.

The Board of Commissioners subsequently approved a Sketch Plan/Special Use Permit for a Planned Residential Development (PRD) on September 17, 2007. The approved PRD design concept for the site included the 1.9 acre area zoned General Business (GB) and the 2.6 acre area zoned Agricultural (A). Per the Unified Development Ordinance, a PRD is not permitted in the GB or A zoning districts.

Considering the intent of the Board of Commissioners was established with the approval of the Sketch Plan/Special Use Permit for the site, County staff has agreed to process a rezoning request to ensure consistency between the subject property's zoning designation and approved PRD design concept. As such, staff recommends approval of the request rezone 1.9 acres from General Business (GB) to Mixed Residential (RA) and 2.6 acres from Agricultural (A) to Mixed Residential (RA).

**PLANNING BOARD DISCUSSION**

Mr. Kovacs asked if there were any planned uses in the RA area.

Mr. Valdivieso stated this area is the designated wetlands.

Ms. Turner stated that it looks like three separate parcels.

Mr. Woody stated that it is one parcel, but with three separate zoning districts.

**ACTION**

Mr. Kovacs motion to recommend approval to rezone 1.9 acres from General Business (GB) to Mixed Residential (RA) and 2.6 acres from Agricultural (A) to Mixed Residential (RA) according to the 2006 Land Use Plan. Mr. Bell seconded the motion. Motion passed unanimously.

Chairman Nelms opened the public hearing.

Mr. Valdivieso, Engineer, was present to answer questions.

There being no comments, Chairman Nelms closed the public hearing.

Commissioner Bowden moved to approve request to rezone 1.9 acres and 2.6 acres. Commissioner Gregory seconded the motion. Motion carried.

**Public Hearing and Action PB 08-07 Villas At The Pointe: Special Use Permit for a 90 unit Residential Multi-Family development. The property is located on Caratoke Hwy., 890 feet south of Pointe Golf Club Drive, Tax Map 124, Parcel 105B, Poplar Branch Township, Currituck Co.**

Sworn testimony was given prior to making comments.

Ben Woody, Planning Director, reviewed the request.

**PB 08-07 Villas at the Pointe, Special Use Permit for a 90 unit Residential Multi-Family development**

**LOCATION:** The property is located on Caratoke Hwy., 890 feet south of Pointe Golf Club Drive, Tax Map 124, Parcel 105B, Poplar Branch Township, Currituck Co.

**TAX ID:** Tax Map 124, Parcel 105B  
(0124-000-105B-0000)

**OWNER:** Villas at the Pointe, LLC (BD&A)  
821 Ocean Trail, Suite 4  
Corolla, NC 27927

**APPLICANT/  
ENGINEER:** Landmark Engineering  
Victor White  
PO Box 1190  
Kitty Hawk, NC 27949

**CURRENT ZONING:** General Business (GB) with a Residential Multi-Family Overlay (RMF)

**ZONING HISTORY:** This property was split zoned until 2006 as Agricultural and General Business. On July 17, 2006, the Board of Commissioners rezoned the entire property to General Business (GB). At its December 4, 2006 meeting, the Board of Commissioners approved a request to create a 23 acre Multi-Family Overlay zone (RMF)

**LAND AREA:** 23 acres

**NUMBER OF UNITS:** 90 Townhomes

**DENSITY:** 3.9 units per acre

**OPEN SPACE:** The development is required to have 35% (8.05 acres) open space. The plan indicates 57.77% (13.27 acres) will be provided.

**SURROUNDING PROPERTY:**

	<b>Land Use</b>	<b>Zoning</b>
<b>NORTH:</b>	Golf Course and Residential	GB and A
<b>SOUTH:</b>	Mix of Residential and Commercial (Storage)	GB and A
<b>EAST:</b>	Vacant	A
<b>WEST:</b>	Across Caratoke Highway: Mix of Commercial and Residential Uses	GB, HM, LM

**EXISTING LAND USE:** Vacant

**PUBLIC SERVICES AND UTILITIES:**

The Lower Currituck Volunteer Fire Department provides fire protection for this area. Electric service, telephone and public water are available.

**TRANSPORTATION:**

The site has 200 linear feet of frontage on Caratoke Highway. The interior streets will asphalt, 20 feet wide with curbs and gutters. Each dwelling will have two parking spaces.

**LOT COVERAGE:**

The RMF overlay standards permit a lot coverage of 40%. The plan dated 2-25-08 indicates the lot coverage will be 32.4 %.

**FLOOD ZONE:**

This site has 5.36 acres in Flood Zone AE 6 with the remainder in Flood Zones X and Shaded X (out of the Special Flood Hazard Area).

**SOILS:**

The Currituck County Soils map indicates the property contains 1.02 acres of suitable soils, 1.5 acres of marginal soils and 20 acres of un-suitable soils for on-site septic systems.

**WASTEWATER:**

Wastewater will be routed from each unit to a central conventional disposal field. The applicant has indicated the treatment will be an engineered TS-2 system with a sub-surface disposal.

**DRAINAGE:**

An engineered drainage system will be installed that has curbs and gutters along the streets collecting the water and then sending the stormwater to ponds.

**NARRATIVE:**

- Villas at the Pointe, LLC (a division of BD&A) is seeking special use permit approval of a 90 unit attached condominium development. The exterior of all buildings will be held in common ownership by a condominium association.
- Each building is anticipated to have 6 units each with 2 parking spaces for the homes.
- The buildings are anticipated to be 2 stories with a town home design, with 9 units constructed to ADA accessibility standards.
- The amenities for the development will be a community clubhouse, swimming pool and two tennis courts.
- The development is adjacent to The Pointe golf course. There will be no connection to the course through this development.

- A parking lot for the mail boxes and a school bus stop shelter will be constructed adjacent to Caratoke Highway for all residents.
- Each residential unit will have a rolling solid waste disposal unit to be collected by a contracted waste hauler.

**SPECIAL USE PERMITS CRITERIA:**

Special use permits are intended to allow the Board of Commissioners flexibility in the administration of the UDO. In order to approve a special use permit, certain criteria must be satisfied. The criteria are outlined as follows:

1. *The application is complete.*

The application has met the submission requirements for a special use permit.

2. *The proposed use is among those listed in the Table of Permissible Uses as a special use indicated with an "S".*

A multi-family development is a permitted use in a RMF overlay and GB zoning district.

3. *The conditions proposed meet or exceed the minimum requirements of this ordinance and are agreed to by the applicant.*

If all of the conditions are adopted, the proposal will meet the requirements of the UDO.

4. *The special use will not endanger the public health or safety.*

Public health and safety issues including stormwater management, wastewater disposal and access for emergency services have been adequately addressed for this development.

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

The proposed 90 unit residential multi-family development should have no negative impact on adjoining property. The adjoining uses include residential and a golf course. The proposed development is consistent with the objectives of the Currituck County Unified Development Ordinance and promotes compatibility between the subject property and surrounding area.

6. *The special use will be in conformity with the Land Use Plan, Thoroughfare Plan, or other officially adopted plan.*

This property is classified **Full Service** within the **Point Harbor sub-area** in the 2006 Land Use Plan. With respect to residential development, base development density is contemplated to be 2 units per acre in Full Service areas 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. A greater diversity in housing types (i.e. semi-detached, attached, multi-family) would be considered appropriate in the Full Service areas.

The policy emphasis of the Point Harbor area is to allow portions to continue to evolve as a full service community, but with better attention to the planning needed to protect residential areas and the natural features that make the area so attractive.

The following Land Use Plan policies are also relevant to this request:

**POLICY AG6:** For areas experiencing intense development pressure, new residential development may be allowed to locate in COMPACT, VILLAGE-LIKE CLUSTERS, PREFERABLY NEAR EXISTING, NON-AGRICULTURAL ACTIVITIES AND SERVICES, or in other locations that will not interfere with resource production activities.

**POLICY HN1:** Currituck County shall encourage development to occur at densities appropriate for the location. LOCATION AND DENSITY FACTORS shall include whether the development is within an environmentally suitable area, the type and capacity of sewage treatment available to the site, the adequacy of transportation facilities providing access to the site, and the proximity of the site to existing and planned urban services.

**POLICY HN3:** Currituck County shall especially encourage two forms of residential development, each with the objective of avoiding traditional suburban sprawl:

1. OPEN SPACE DEVELOPMENTS that cluster homes on less land, preserving permanently dedicated open space and often employ on-site or community sewage treatment. These types of developments are likely to occur primarily in the Conservation, Rural, and to a certain extent the Limited Service areas identified on the Future Land Use Map.
2. COMPACT, MIXED USE DEVELOPMENTS or DEVELOPMENTS NEAR A MIXTURE OF USES that promote a return to balanced, self-supporting community centers generally served by centralized water and sewer. The types of development are contemplated for the Full Service Areas identified on the Future Land Use Map.

The proposed special use permit is in **compliance** with the policy emphasis of the **Full Service** classification, the **Point Harbor sub-area**; policies AG6, HN1, and HN3 of the 2006 Land Use Plan.

7. *The special use will not exceed the county's ability to provide adequate public facilities, including, but not limited to, schools, fire and rescue, law enforcement, and other county facilities. Applicable state standards and guidelines shall be followed for determining when public facilities are adequate. Such facilities must be in place or programmed to be in place within two years after the initial approval of the plan (sketch plan in the case of major subdivisions).*

The revised capacity formula and generation rates taken from the Tischler & Associates, Inc. study (2004) were used to calculate the capacity under the existing ordinance. The proposed development will yield the following calculations:

<b>Villas at the Pointe (90 Dwellings)</b>	<b>Available Capacity</b>	<b>Demand</b>	<b>Remaining School Capacity if approved</b>
Elementary School (Griggs-Jarvisburg)	280	23	257
Middle School	50	7	43
High School	59	13	46

- i. The Currituck Water Department has adequate water to serve the proposed 90 dwelling residential development.
- ii. Staff has determined adequate public facilities exist to serve this subdivision.

**STAFF RECOMMENDATION**

Because it appears the application has satisfied the criteria for granting a Special Use Permit approval as outlined above, staff recommends **conditional approval** of the application subject to satisfaction of the TRC comments, and subject to the following conditions:

CODE and SPECIAL USE PERMIT REQUIREMENTS:

1. This development shall be subject to final plan approval by the Technical Review Committee (TRC).
2. A revised site plan shall be submitted to the Technical Review Committee for a review of the infrastructure construction plans and a revised site plan. The revised site plan shall meet the requirements for a commercial site plan (UDO Section 11.13.4)
3. The final plan shall be approved by TRC conditional on the site plan matching the building plans submitted for each unit.
4. The applicant shall submit detailed drawings that comply with the standards for a commercial site plan for Technical Review Committee Review. (11.14.4)
5. A recorded deed of easements along with a map of the easements shall be recorded in the Currituck County Registry of Deeds for the following (Section 9.2.1 Utility Easements):
  - a) A utility easement shall be dedicated to the Currituck County Water Department for all areas that contain county water lines.
  - b) A utility easement area shall be established for all drainage infrastructures, power, telephone and cable lines.
  - c) The width of the drainage and utility easement shall be determined by each agency. (Section 9.2.1 Utility Easements)
6. The final site plan shall indicate who will be responsible for the stormwater system maintenance.
7. Correct the property lines to reflect the recombination plat filed at Plat Cabinet J, Slide 109 in the Currituck Register of Deeds office.
8. No clearing, grading, filling or other land disturbing activities shall take place prior to a final plan approval being issued. The applicant shall secure all required Federal State and local permits, including: a NC Stormwater Management permit, a NC Sedimentation and Erosion Control permit, and an Environmental Health or Division of Water Quality wastewater permit.
9. The construction of streets, parking and infrastructure may begin after a final plan approval is issued by the Technical Review Committee. This approval may be issued in phases.
10. No part of the open space shall be encumbered by an active or repair septic area, roadways, drainage systems or utility lines. (Chapter 17, Definition of Open Space) The final plan submission shall deduct these areas from the open space calculation.
11. If a tree designated for preservation is removed or dies after a certificate of occupancy is issued, the permit recipient or successor shall be responsible for replacement. (Section 5.7 Bufferyard Maintenance)
12. Payment of water tap fees will be required prior to the building permits being issued for each unit.
13. A 404 wetlands delineation and permit to cross the wetlands with a road shall be required prior to the approval of the final plan.
14. A shading calculation shall be required on the revised plan.

15. All drive aisles with 90 degree parking are required to have a 24 foot drive aisle. The aisle on the lot adjacent to the school bus stop shall be enlarged to 24 feet.
16. Prior to the first Certificate of Compliance/ Occupancy (C/O) being issued, the applicant shall supply the Planning Department with a copy of the executed contract for solid waste disposal for each unit. Each storage area for the rolling disposal units shall be fully screened with a solid fence tall enough to accommodate the trash containers. These disposal units are required in lieu of providing dumpsters for the residential units, as described in UDO section 4.6.4(F). Dumpsters shall be required for any commercial buildings.
17. The buildings shall be in a condominium form of ownership with no subdivision occurring.
18. The required bufferyard for exterior property lines in an RMF (section 4.6.3) is a Type A, not a Type B as shown. The planting heights and materials used can be modified administratively according to section 5.6, Flexibility in Administration.
19. Architectural elevations shall be submitted with each application for a building permit. These elevations have to be approved by Planning Department staff before each building permit is issued. (Section 4.6.4) The following standards of review will be used:
  - a) Variation in exterior architectural materials (siding, roofing);
  - b) Vertical and horizontal relief in buildings (roof lines, eaves, bump-outs);
  - c) Variation in house styles/types; and
  - d) Inclusion of front porches, projecting bays, vestibules.
  - e) Attached dwelling units containing more than (5) units in a row shall have facades, which alternate siding styles and patterns to provide visual distinction to each unit. Alternation between siding and brick is encouraged.
  - f) For the commercial structures, the following standards shall apply:
    - i) Facades of buildings shall incorporate, but not mimic, the sense of lightness or weight exhibited in the architecture of existing buildings on neighboring properties or the vernacular of the general area and shall incorporate similar proportions of solids (i.e. siding, blank walls, etc.) to voids (i.e. windows, door openings, etc.);
    - ii) Facades shall be designed to reduce the massive scale and the one dimensional appearance of large retail buildings and to provide visual interest.
    - iii) The street facing elevations shall incorporate functioning windows into the overall design concept. Functioning windows are defined as those windows which let light into the interior of the structure and are integrated and related to the interior layout of the space.
    - iv) Large expanses of blank walls shall be avoided. The public facade shall incorporate windows and primary doorway entrances along the street frontage as well as projecting elements such as eaves, cornices, canopies, projecting bays, shadow lines, and overhangs.
    - v) Building materials include brick, wood, fiber-cement siding, stone textured split face block, tinted and textured concrete masonry, or synthetic stucco. Metal building materials shall only be permitted on elevations not visible from the main entrance road or used as accent materials.

**The Following Technical Review Committee Comments shall be conditions of the permit.**

A meeting was held on February 20, 2008 and the reviewing agencies had the following comments and requirements:

1. **NCDOT:** Approved with the following conditions:
  - a) This site is located on US 158 which is a Strategic Highway Corridor envisioned to become a Boulevard. This limits the number of driveways to a maximum of 1 driveway per parcel. This site proposes only one access and therefore meets this requirement. In the future, the developer should understand that the proposed full movement driveway may become restricted to Right-in/Right-out once a median is ever constructed.
  - b) A typical 10 ft x 70 ft sight triangle should be provided along the right of way on each side of the proposed entrance.
  - c) I recommend that the site have a right turn lane with 50 feet of full storage. Based on the roadway characteristics and the driveway manual requirements, the deceleration length will be 250 ft with a taper of 200 ft. (i.e. 100 ft of full lane width and 200 ft taper).
  - d) The entrance should be constructed with 25 ft radii minimum. It is assumed that the driveway will have 1 lane entering the site and two lanes exiting the site (1 left, 1 right). The exit pavement width should be an 18 ft minimum and an entrance pavement width of 14 ft minimum.
  - e) The driveway median island should extend to within 6-12 ft from the edge of the through travel lane. (12 ft. preferred)
  - f) The school bus pavilion area should be designed to accommodate typical full size school buses entering and exiting the parking/ pick up area. A turning template should be shown illustrating that this movement can be performed safely.
  - g) The plat and plan sheets should show that all internal roads are private and are not part of the State Highway System.
  - h) All pavement markings for the driveway and improvements on US 158 shall be thermoplastic material. A pavement marking detail and turn lane construction detail shall also be provided and approved prior to construction.
  - i) A permanent access easement and connectivity should be provided and shown along the driveway for the adjacent lots located along US 158, south of the proposed driveway.
2. **CURRITUCK COUNTY SOIL AND WATER:** Approved as is. A stormwater plan will be required with the final site plan.
3. **CURRITUCK COUNTY ENGINEER/ PUBLIC WORKS:** The submittal appears to be at the Sketch Plan level.
  - a) I have many, many comments if this is a Preliminary Plat type submittal.
  - b) If this is a Sketch Plan, my general comments are to address all water and sewer issues, address all stormwater requirements, and look at the flows from Tig-ma-tar ditch.
4. **CURRITUCK COUNTY WATER DEPARTMENT:** Approved with the following conditions:
  - a) There is no water or wastewater connection within 150' club house. This needs to be shown
  - b) Submit waterline specifications to the water department and do a jack and bore on NC 158.
5. **CURRITUCK COUNTY FIRE SERVICES:** Approved with the following conditions:
  - a) Fire department connections for the automatic fire suppression systems must be located in such a manner that when fire apparatus connects to both the fire department connection and the fire hydrant both lanes of the road are not blocked.

- b) Fire apparatus must be able to come within 150' of all portions of the exterior of the structure. From this location the truck should not back greater than 150' without a turnaround.

6. **CURRITUCK INSPECTIONS DEPARTMENT:** No comments at this stage.
7. **N.C. DIVISION OF COASTAL MANAGEMENT:** The plan was reviewed with no comment.
8. **ALBEMARLE REGIONAL HEALTH SERVICES:** Approved with the following comments:
  - a) This should be a TS-2 system with sub-surface disposal.
  - b) Must have a tri-party agreement signed and recorded for each unit in place (in case system were to fail) that states who's responsible.
9. **CURRITUCK COUNTY RECREATION:** The plan was reviewed with no comment.
10. **CURRITUCK COUNTY EMERGENCY MANAGEMENT:** No comment.
11. **CURRITUCK COUNTY GIS/ TAX MAPPING:** Approved with no comment.
12. **NC OFFICE OF STATE ARCHEOLOGY:** Approved as is.

**STAFF RECOMMENDED CONDITIONS:**

1. The condominium documents for each unit shall be submitted for review and approval by the Planning Department prior to each unit receiving a building permit.
2. Staff recommends the following be submitted with the landscaping plan:
  - a) A landscape plan shall be submitted in conjunction with the final plan showing the location, spacing, caliper dimension, and species of proposed landscaping materials.
  - b) Approximate location and description of the protective tree fencing, staking, or continuous ribbon to be installed which, at a minimum, follows the drip line of all trees to be retained along adjoining areas of clearing, grading, or other construction activity.
  - c) Existing trees should be retained to the maximum extent possible.
  - d) Shrubs shall be at least ten (10) gallons in size, and trees must be at least two (2) inches in caliper at planting.
  - e) A summary table of the number of new trees to be planted and existing trees to be retained along with calculations showing the buffer and shading requirements have been satisfied. Grouping of trees in tree preservation areas may be keyed to the summary table by area rather than having each individual tree labeled on the plan;
  - f) Location, spacing, and caliper dimension, and species of new trees to be provided.
  - g) A note on the plan indicating that a one-year full-price replacement guarantee on all required new trees planted is held by the applicant and an additional one-year guarantee on replacement plant. The applicant is expected to maintain plantings, including watering all plants when natural rainfall is less than one inch per week.

**PLANNING BOARD DISCUSSION**

Victor White, Landmark Engineering appeared before the board.  
Mr. Webb presented the case analysis to the board.

Ms. Turner asked why the school bus could not come in to the front entrance of the subdivision and use the parking lot where the mail boxes will be to turn around.

Mr. Webb stated that normally school buses do not go down private drives. This would be a decision for school transportation department to make.

Mr. White stated that this is the reason that they put a school bus shelter in but they will check with the school transportation department to see if buses can come into the subdivision for pick up.

Mr. Kovacs stated that there are 2 parking spaces per unit.

Mr. White stated additional parking will be provided and units will have a 1 car garage.

Mr. Webb stated that the streets are 20 feet wide which will allow for parking.

Ms. Robbins asked if emergency vehicles would be able to pass on the streets if there were cars parked.

Mr. White stated yes.

Mr. Bell asked if there was a limitation on how many units that could be built per year.

Mr. Webb stated no.

Mr. White had a few comments on the conditions which will be worked out at the final TRC meeting but wanted them in the minutes.

1. A revised site plan will be submitted to the Technical Review Committee, with a multi-family overlay they are required to have a Type A buffer, they would like to have a Type B buffer.
2. Clearing, grading, and filling cannot be started until all permits have been secured. Mr. White stated they have a core permit to fill the wetlands for the crossing of the road to the entrance to the property.
3. Prior to the first building permit being issued, the applicant shall supply the Planning Department with a copy of the executed contract for solid waste disposal. Mr. White would like staff to consider this recommendation prior to occupancy.
4. A one year replacement guarantee on the landscaping. If a tree dies and is replaced at 11 months and then adding another one year replacement guarantee to that tree.

Mr. Kovacs asked if the units that have been designated as handicapped, does it include exterior and interior.

Mr. White stated they are ADA accessible exterior and interior.

Mr. West asked Mr. White when he expected the build out of this project.

Mr. White estimated years.

Mr. West asked if phasing would be considered by the developer because the county schools could be over loaded with 90 units being built.

Mr. White stated that some phasing will be done but feels these units will be purchased by mixed ages so this would not put a burden on the school system.

Mr. Kovacs asked if any thought had been given to disposing the waste water on the golf course.

Mr. White stated no but they look at doing a package treatment plant to treating it to reuse quality so it could be used to irrigate the site.

Mr. Kovacs stated that the disposal area should be clear cut and worked out before hand.

Mr. Webb stated that the UDO gives administration the flexibility with a written affidavit to change a Type A buffer to a Type B buffer. The one year guarantee on landscaping is a condition of the ordinance.

Ms. Turner would like to have the school buses and routes looked further into by the developer.

Mr. Kovacs asked the price range of these units.

Mr. White stated a 3 bedroom town home will range from \$249,000 which is the low end to \$349,000 which is the high end.

**ACTION**

Mr. Kovacs motion to recommend approval of the special use permit for a 90 unit residential multi-family development as presented. Ms. Robbins seconded the motion. Motion passed unanimously.

Chairman Nelms opened the public hearing.

Commissioner Bowden expressed concerns with open space and specific use of open space.

Victor White, Engineer, was present to answer questions.

There being no further comments, Chairman Nelms closed the public hearing.

Commissioner Bowden moved to approve with findings of fact. Commissioner Taylor seconded the motion. Motion carried.

**Public Hearing and Action PB 08-06 Bobby Waddell: Request for Sketch Plan/Special Use Permit for two single family lots located in Moyock at 1952 Tulls Creek Road, Tax Map 40, Parcel 2C, Crawford Township.**

Sworn testimony was given prior to making comments.

Ben Woody, Planning Director, reviewed the request.

**ITEM:** PB 08-06 Bobby Waddell: Sketch Plan/Special Use Permit for a two lot residential subdivision.

**LOCATION:** The 5.88 property is located in Moyock at 1952 Tulls Creek Road, Crawford Township.

**TAX ID:** Tax Map 40, Parcel 2C

**ZONING DISTRICT:** Agricultural/Residential

**OWNER:** Bobby Waddell

110 Widgeon Dr  
Currituck, NC 27929

**ENGINEER:** Hyman & Robey  
150 US Hwy 158 E.  
PO Box 339  
Camden, NC 27921  
252-338-2913

**PRESENT USE:** Vacant

**SURROUNDING PROPERTY:**

	Land Use	Zoning
<b>NORTH:</b>	Single Family Dwellings	R & A
<b>SOUTH:</b>	Vacant	R & A
<b>EAST:</b>	Vacant	R
<b>WEST:</b>	Vacant	A

**SCHOOL DISTRICT:** J.P. Knapp Elementary

**SIZE OF SITE:** 2.78 Acres to be subdivided (of a total of 5.88 acres)

**NUMBER OF LOTS:** 2 (Total of 7)

**DENSITY:** .71 of a unit per acre

**MINIMUM LOT SIZE:** 40,000 SF (allowable) and 58,370 (proposed).

**STREETS:** The lot will be created on an existing state maintained road, Tulls Creek Road (SR 1222).

**WATER:** This development is required to connect to county water.

**FIRE:** This development is located within the jurisdiction of the Crawford Volunteer Fire Department. A fire hydrant is located within 500' of each lot.

**WASTEWATER:** Individual, on-site septic systems will be provided.

**SOILS:** The Currituck County Soil Suitability map indicates the soils to be Roanoke fine sandy loam. This soil is poorly suited to most urban and recreation uses because of wetness, flooding, slow permeability, and low strength.

**OPEN SPACE:** Not required.

**DRAINAGE:** The applicant is proposing infiltration swales along lot lines and road rights-of-way.

**NARRATIVE OF REQUEST:**

- The parent parcel of this tract has been previously subdivided the maximum number of times under the minor subdivision regulations. This is the sixth and seventh split from the parent parcel, thus requiring major subdivision review.
- This is lot 3 of the Warddell Farm, Phase 2 minor subdivision recorded April 20, 1999 (PC G/ SL 1).

- According to the Development Impact Statement, the developer, Bryan Beshears, intends upon building custom homes on the resulting lots.
- The owner will recombine the rear lot labeled 3A with PIN 0040-000-002D-0000 that is not part of this subdivision approval. This is necessary so that the front lot labeled 3A and lot 3B do not exceed the maximum lot width to depth ratio of 1:4.

**TECHNICAL REVIEW COMMITTEE COMMENTS** (January 16, 2008):

**Planning:**

1. As originally presented, these lots exceeded to width to depth (1:4) ratio as specified in Section 2.6.3 Lot Requirements (G) of the UDO. The applicant is proposing a recombination of property to address this situation. The recombination plat must be recorded in the Currituck County Register of Deeds office.
2. Correct flood zone to 5.4'.

**Building Inspection Comments**

1. Reviewed with no comment.

**NCDOT Comments**

1. Approved as is.

**Health Department**

No comment received.

**Water Department Comments**

1. Owner to have water service installed by NC utility contractor.

**Fire Marshal Comments**

1. Reviewed without comment.

**County Engineer**

1. Approved as is.

**Soil and Water Comments**

1. Approved as is.

**Public Utility Director**

No comment received.

**CAMA Comments**

1. Reviewed without comment.

**Office of State Archaeology**

1. Reviewed without comment.

**Currituck County Schools**

1. Reviewed with no comment.

**Currituck County Parks and Recreation**

1. Reviewed with no comment.

**Embarq**

1. Reviewed with no comment.

**SPECIAL USE PERMIT CRITERIA:**

Special use permits are intended to allow the Board of Commissioners flexibility in the administration of the UDO. It is recognized that some land uses have a particular impact on the surrounding land that cannot be determined and controlled by general zoning regulation. Through the special use permit procedure, property uses which would otherwise be considered undesirable in certain districts can be developed subject to conditions of approval to minimize any negative effects they might have on surrounding properties. In order to approve a special use permit, certain criteria must be satisfied. The criteria are outlined as follows:

1. *Is the application complete?*
  - a. Based on staff review all required information has been submitted.
2. *Does the proposal comply with the provisions in the UDO for sketch plan approval?*
  - a. The proposed development complies with the provisions of the UDO for sketch plan approval.
3. *Does the proposal comply with the general standards for a special use permit/sketch plan?*
  - (a) *Will not endanger the public health or safety.*
    - i. Public health and safety issues including stormwater management, wastewater disposal, and access for emergency services have been adequately addressed within this proposal.
  - (b) *Will not injure the value of adjoining or abutting property.*
    - i. The proposed two lot residential subdivision should have no negative impact on adjoining property. The adjoining uses include single family dwellings and vacant lots.
  - (c) *Will be in harmony with the area in which it is located.*
    - i. The proposed residential subdivision should be similar and compatible with the neighborhood and have no negative impact on the adjoining property.
  - (d) *Will be in conformity with the Land Use Plan, Thoroughfare Plan, or other plans officially adopted by the Board.*
    - i. The 2006 Land Use Plan classifies this property as Limited Service in the Courthouse Sub-Area. In this sub-area, the policy emphasis of this plan is for the Courthouse sub-area to continue to grow as a small community center. Residential densities should be limited to one to two units per acre.
  - (e) *Will not exceed the county's ability to provide adequate public facilities, including, but not limited to, schools, fire and rescue, law enforcement, and other county facilities. Applicable state standards and guidelines shall be followed for determining when public facilities are adequate. Such facilities must be in place or programmed to be in place within two years after the initial approval of the sketch plan. In the case of subdivision and multifamily development at the sketch plan/special use, preliminary plat or final plat stage, the Board of Commissioners may establish time limits on the number of lots/units available for development to assure adequate public facilities are available in accordance with the UDO.*

- i. Being a two lot subdivision, the development should have little impact on public facilities; therefore, staff has determined adequate public facilities exist to serve this subdivision.

**STAFF RECOMMENDATION:**

The proposed development meets the requirements for sketch plan/special use permit approval and the planning staff recommends approval subject to the findings of fact and the following:

**Code and TRC Requirements**

1. As originally presented, these lots exceeded to width to depth (1:4) ratio as specified in Section 2.6.3 Lot Requirements (G) of the UDO. The applicant is proposing a recombination of property to address this situation. The recombination plat must be recorded in the Currituck County Register of Deeds office prior to Preliminary Plat approval.
2. Correct the base flood elevation of the flood zone to 5.4'.
3. The owner shall have water service installed by NC licensed utility contractor.

**PLANNING BOARD DISCUSSION 2-12-08**

Eddie Hyman, Hyman & Robey, PC, Robert Hocutt, and Robert Clements appeared before the board.

Mr. Webb presented the case analysis to the board.

The Planning Board discussed a tract of property that has been subdivided the maximum number of times under the minor subdivision regulations.

Mr. West stated that the intentions of the Planning Board was to give property owners the right to split their property under the minor subdivision regulations so they could give their children part of the property to build on.

Mr. Hocutt stated that 2 years ago he was turned down to divide his eight acres. He stated these lots could not be divided per the deed. Mr. Hocutt stated the Planning Board and the County turned him down to divide his property. Mr. Hocutt is against this request.

Bill Clements is an adjoining property owner who owns 6.83 acres which he brought seven years ago. He stated it is written in the covenant that these lots cannot be divided and if any one owner has an objection to it, this is enough to prevent it. He is against the request.

Mr. Hyman stated that he was not aware of the covenant and his states that all lots may be subdivided according to County ordinances.

**PLANNING BOARD ACTION 2-12-08**

Mr. West motion to table this request until the next Planning Board meeting on March 11, 2008 until clarification/research could be done on the request and deed restrictions. Ms. Turner seconded the motion. Motion passed unanimously.

**PLANNING BOARD DISCUSSION 3-11-08**

Eddie Hyman, Hyman and Robey appeared before the board.

Mr. Webb presented the following case analysis to the board.

March 3, 2008

To: Planning Board

From: David Webb, AICP  
Senior Planner

RE: PB 08-06 Bobby Waddell Sketch Plan  
Meeting Date 3-11-2008

The Planning Board tabled this item at its February 12, 2008 and requested staff to research any previous approvals on this tract and any restrictive covenants. This property (1952 Tulls Creek Road) was a part of the Warddell Farms minor subdivision in 1999. The restrictive covenants (Deed Book 461/ Page 303) indicate that any properties can be re-subdivided if it meets the county's ordinance.

Staff finds no reason why this proposal cannot be approved with the following conditions:

**STAFF RECOMMENDATION:**

The proposed development meets the requirements for sketch plan/special use permit approval and the planning staff recommends approval subject to the findings of fact and the following:

**Code and TRC Requirements**

4. As originally presented, these lots exceeded to width to depth (1:4) ratio as specified in Section 2.6.3 Lot Requirements (G) of the UDO. The applicant is proposing a recombination of property to address this situation. The recombination plat must be recorded in the Currituck County Register of Deeds office prior to Preliminary Plat approval.
5. Correct the base flood elevation of the flood zone to 5.4'.
6. The owner shall have water service installed by NC licensed utility contractor.

**DISCUSSION 3-11-08**

Mr. West asked why the lots are being recombined.

Mr. Webb explained that originally these lots exceeded the width to depth (1:4) ratio as specified in Section 2.6.3 Lot Requirements (G) of the Unified Development Ordinance (UDO). The applicant is proposing a recombination of the property to address this situation.

Mr. Hyman stated he would be available to answer any questions.

**PLANNING BOARD ACTION 3-11-08**

Mr. West motion to recommend **denial** of the request for a sketch plan/special use permit for two single family lots located in Moyock at 1952 Tulls Creek Road, Tax Map 40, Parcel 2C, Crawford Township. Mr. Kovacs seconded the motion. Motion passed unanimously.

Chairman Nelms opened the public hearing.

Eddie Hyman, Engineer, was present to answer questions.

There being no further comments, Chairman Nelms closed the public hearing.

Commissioner Gregory moved to approve. Commissioner Bowden seconded the motion. Motion carried.

**Public Hearing and Action PB 08-11 Joel Justice: Request to rezone 29 acres from Agricultural (A) to Residential (R). The property is located in Jarvisburg at Indian Kettle Road, Tax Map 109, Parcels 53F, 50A, and 53E, Poplar Branch Township.**

Ben Woody, Planning Director, reviewed the request.

**TYPE OF REQUEST:** Rezone approximately 29 acres from Agricultural (A) to Residential (R).

**LOCATION:** Located on Indian Kettle Road approximately 350 feet south of the intersection with Forbes Road in Jarvisburg.

**TAX ID:** Map 109, Parcels 53F, 50A, and 53E

**OWNERS:** Joel and Stacy Justice  
PO Box 69  
Jarvisburg, NC 27947

**APPLICANT:** Same

**ENGINEER:** Bissell Professional Group

**ZONING:** Current Agricultural (A) Proposed Residential (R)

**ZONING HISTORY:** The property was zoned Agricultural (A) on the 1989 zoning atlas.

**SURROUNDING PROPERTY:**

	<u>Land Use</u>	<u>Zoning</u>
<b>NORTH:</b>	Single Family Dwelling	Agricultural (A)
<b>SOUTH</b>	Single Family Dwelling	Agricultural (A)
<b>EAST:</b>	Jarvisburg School	Agricultural (A)
<b>WEST:</b>	Single Family Dwelling	Agricultural (A)

**EXISTING LAND USE:** Single family dwelling and vacant.

**PROPOSED LAND USE:** No specific plans were presented with the application. The application states the purpose of the request is to continue residential development on the tract.

**DENSITY:** Allowed as Agricultural (A) The site may net 12 lots. Proposed as Residential (R) The site may net 31 lots.

**LAND USE PLAN CLASSIFICATION:** The 2006 Land Use Plan classifies the subject property as **Limited Service** and within the **Jarvisburg Sub-Area**. The purpose of the Limited Service area is to provide for primarily residential development at low densities.

The **Jarvisburg Sub-Area** is coming under increasing pressure for development. An average density of one unit per acre is contemplated.

The policy emphasis of the Land Use Plan is to allow the Jarvisburg area to accommodate quality residential development at low densities while preserving the rural landscape between such developments. New residential development should be encouraged to locate in compact, walkable, neighborhoods built near an existing or proposed church, school, or compatibly designed general store.

The following Land Use Plan policies are also relevant to this request:

**POLICY ES1:** New development shall be permitted to locate only in areas with SUITABLE SOIL and where ADEQUATE INFRASTRUCTURE is available.

**POLICY ES2:** NON-COASTAL WETLANDS, including FRESHWATER SWAMPS, shall be conserved for the important role they play in absorbing floodwaters, filtering pollutants from stormwater runoff, recharging the ground water table, and providing critical habitat for many plant and animal species.

**POLICY AG3:** County ACTIONS CONCERNING INFRASTRUCTURE (e.g. schools, parks, and utilities) and regulations shall serve to direct new development first to targeted growth areas near existing settlements identified as Full Service areas on the Future Land Use Map, rather than "leapfrogging" to locations in the midst of farmland and greenspace identified as Rural and Conservation areas on the Future Land Use Map.

**POLICY AG4:** County growth management tools, including particularly zoning, should provide PROTECTION TO AGRICULTURE and other RESOURCE BASED ACTIVITIES from incompatible land uses, such as a residential subdivision in the midst of generally uninterrupted farm land.

**POLICY AG6:** For areas experiencing intense development pressure, new residential development may be allowed to locate in COMPACT, VILLAGE-LIKE CLUSTERS, PREFERABLY NEAR EXISTING, NON-AGRICULTURAL ACTIVITIES AND SERVICES, or in other locations that will not interfere with resource production activities. Overall density shall remain very low, with permanent open space, dedicated during the development review process, surrounding such clusters of homes.

**POLICY HN1:** Currituck County shall encourage development to occur at densities appropriate for the location. LOCATION AND DENSITY FACTORS shall include whether the development is within an environmentally suitable area, the type and capacity of

sewage treatment available to the site, the adequacy of transportation facilities providing access to the site, and the proximity of the site to existing and planned urban services. Projects within areas designated as Limited Service would be permitted a density of one to one and one half units per acre depending upon the surrounding development pattern and availability of resources.

**PUBLIC SERVICES AND UTILITIES:**

The Lower Currituck Volunteer Fire Department provides fire protection for this area. The closest fire hydrant is about 985 linear feet (0.18 miles) to the west. Electric service, telephone, county water, and cable are currently available for this site.

**TRANSPORTATION:**

The property has access to Indian Kettle Road (gravel). The parcel has approximately 45 linear feet of gravel street frontage on Indian Kettle Road.

**FLOOD ZONE:**

The property is outside of the 100 year floodplain. The FIRM Map panel is 3720992000J dated December 16, 2005. FIRM Map Index dated September 20, 2006.

**SOILS:**

The Currituck County Soils map indicates the property contains suitable, marginally suitable, and unsuitable soils for septic systems.

**WETLANDS:**

Approximately half of the property appears to be wetlands (Swamp Forest and Managed Pine Land).

**STAFF RECOMMENDATION:**

Staff recommends **approval** of the request to rezone 29 acres from Agricultural (A) to Residential (R) for the following reasons:

- 1) The request complies with the 2006 Land Use Plan classification of Limited Service and the Jarvisburg sub-area recommendations for a density of one unit per acre.
- 2) The surrounding area, while zoned Agricultural, is emerging in a suburban low-density residential development pattern. The permitted density in the Residential (R) zoning district of one unit per 40,000 sq. ft. is in keeping with the surrounding area and appears to **comply** with the policies of the Land Use Plan.
- 3) New residential development should be encouraged to locate near an existing or proposed church, school, or compatibly designed general store. The subject property is adjacent to a Jarvisburg School which is under construction.

Chairman Nelms opened the public hearing. There being no comments, he closed the public hearing.

Chairman Nelms moved to approve. Commissioner Bowden seconded the motion. Motion carried with Commissioner Etheridge voting no.

**Public Hearing and Action PB 08-12 Currituck County Text Amendment: Request to amend Chapter 9: Infrastructure of the Currituck County Unified Development Ordinance to exempt family subdivisions from public water and fire protection requirements.**

Ben Woody, Planning Director, reviewed the request.

The Board of Commissioners directed staff to prepare the attached amendment to the Unified Development Ordinance to exempt family subdivisions from public water and fire protection regulations. A family subdivision is a type of minor subdivision that allows for a parcel to be subdivided into a total of five lots, with no more than one lot created per year.

The Board of Commissioners approved an amendment on September 4, 2007 to require all minor subdivisions to adhere to public water and fire protection regulations as a measure to protect ISO (Insurance Services Organization) ratings. Under the proposed language, conventional minor, private access, and major subdivisions will still have to adhere to public water and fire protection regulations.

What follows are the minutes from the February 12 and March 11 Planning Board meetings and a draft of the text amendment. The Planning Board recommended denial of the amendment as presented due to a concern with possible long-term impacts on community ISO ratings.

**Planning Board Meeting – February 12, 2008**

**DISCUSSION**

Mr. West asked that the definition of a family be clarified.

Mr. Kovacs stated that the text amendment was done to comply with the ISO rating. He was concerned if the planning board approved this text amendment as presented, how it would affect the County's ISO rating.

Mr. Burgess stated he supports the amendment as presented.

**ACTION**

Mr. Keel motion to recommend tabling the proposed Currituck County text amendment to the UDO to exempt family subdivisions from public water and fire protection regulations until staff can see how or if the County's ISO rating will be affected. Mr. Etheridge seconded the motion. Motion passed unanimously.

**Planning Board Meeting – March 11, 2008**

**DISCUSSION**

Mr. Woody stated he spoke to Mr. Mims who is the County's Fire Marshal. The Fire Marshal recommended that all houses to be built should be within 500 feet of a fire hydrant. With regards to the ISO rating, the Fire Marshal stated that with short term it would not hurt the ISO rating, but in long term this could hurt the ISO rating.

Mr. Keel asked how many subdivisions in the county would be affected by the proposed text amendment.

Mr. Webb stated that it would effect past and future family subdivisions. A family subdivision means that one lot per year, with a cap of 5 lots, which can be created out of a larger parcel.

Mr. Burgess supports the amendment. Mr. Burgess states it would put a hardship on them to install the water line.

Ms. Burgess supports the amendment. Ms. Burgess said that when this ordinance came up she compared the process that they have been through like playing a board game.

Mr. Burgess suggested that the county exempt applicants who have already started this process and be able to continue and that future applicants who apply for a subdivision have the restrictions apply.

Mr. Kovacs asked about fire equipment not being able to get to a location.

The board discussed exemptions of applicants who have already started the process.

Ms. Turner stated that the new ISO ratings are very new and people have not seen this reflected in their homeowner's insurance bills, but with time it will be a positive reduction in their premium.

#### **ACTION**

Ms. Turner motion to recommend denial of the Currituck County text amendment to exempt family subdivisions as presented. Ms. Robbins seconded the motion. Ayes: Alvin Keel, Joe Kovacs, Bobby Bell, William Etheridge, Arthur Winter, Elizabeth Turner, Forrest Midgette, and Bren Robbins. Nays: Manly West.

Chairman Nelms opened the public hearing. There being no comments, he closed the public hearing.

Commissioner Etheridge moved to table for further study and review water policy. Commissioner Taylor seconded the motion. Motion failed with Chairman Nelms, Commissioners Gregory and Bowden voting no.

Commissioner Gregory moved to approve. Commissioner Bowden seconded the motion. Motion carried with Commissioners Etheridge and Taylor voting no.

#### **Consent Agenda:**

1. Change Order for Jarvisburg Elementary School
2. Change Order for Shawboro Elementary School
3. Petition for Addition to State Maintained Road System-Brabble Street and Womack Drive
4. Letter to De-obligate 2005 CDBG Scattered-Site Funding
5. Approval of March 17, 2008, Minutes
6. Budget Amendments
7. Select Custom Apparatus, Inc. contract to purchase 5 ambulances

Commissioner Gregory moved to approve. Commissioner Bowden seconded the motion. Motion carried.

<u>Account Number</u>	<u>Account Description</u>	<b>Debit</b>	<b>Credit</b>
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
50548-545000	Contract Services	\$ 388,592	
50548-588000	Contingency	\$ 50,000	
50548-590000	Furnishings & Equipment	\$ 20,000	
50548-561000	Professional Services	\$ 15,049	
50548-570000	Reimbursable Expenses		\$ 75,000
50380-481000	Investment Earnings		\$ 398,641
		\$ 473,641	\$ 473,641

**Explanation:** Knotts Island Volunteer Fire Department Construction (50848) - To increase appropriations for change orders per architect memorandum dated March 26, 2008.

**Net Budget Effect:** County Governmental Construction Fund (50) - Increased by \$398,641.

<u>Account Number</u>	<u>Account Description</u>	<b>Debit</b>	<b>Credit</b>
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10750-561000	Professional Services	\$ 82,000	
10750-519800	TANF Transportation TANF Service		\$ 9,000
10750-519801	Components		\$ 3,000
10750-590000	Capital Outlay		\$ 4,800
10750-590441	Technology over \$1,000		\$ 700
10390-499900	Fund Appropriated Balance		\$ 64,500
		\$ 82,000	\$ 82,000

**Explanation:** **Social Services Administration (750): Professional Services**-Increase line item to cover increased attorney charges due to the difficult foster care cases that require extensive legal services and additional expert witness fees required for these cases.

**Net Budget Effect:** Operating Fund (10) - Increased by \$64,500.

<b>Debit</b>	<b>Credit</b>
Decrease Revenue or	Increase Revenue or

<u>Account Number</u>	<u>Account Description</u>	<u>Increase Expense</u>	<u>Decrease Expense</u>
15446-502000	Salaries - Regular	\$ 6,698	
15446-503000	Salaries - Part time	\$ 9,548	
15446-505000	FICA	\$ 1,243	
15446-506000	Health Insurance	\$ 778	
15446-507000	Retirement	\$ 661	
15446-511000	Telephone & Postage	\$ 19,000	
15446-511010	Data Transmission	\$ 300	
15446-521100	Equipment Lease	\$ 500	
15446-513000	Utilities	\$ 8,000	
15446-526000	Advertising	\$ 1,000	
15446-526200	Promotional Efforts	\$ 8,000	
15446-532000	Supplies	\$ 4,500	
15446-545000	Contract Services	\$ 3,280	
15446-590441	Technology over \$1,000	\$ 1,600	
15380-481000	Investment Earnings		\$ 65,108
		<u>\$ 65,108</u>	<u>\$ 65,108</u>

**Explanation:** Occupancy Tax - Promotion (15446) - To appropriate funds for operating start-up costs for the Moyock visitors center. This includes a full-time Office Manager and part-time staff, overhead and purchase of a color printer.

**Net Budget Effect:** Occupancy Tax Fund (15) - Increased by \$64,508.

<u>Account Number</u>	<u>Account Description</u>	<u>Debit</u>	<u>Credit</u>
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
21690-545001	Lower Currituck Fire Dept	\$ 122,100	
21390-499900	Fund balance appropriated		\$ 122,100
		<u>\$ 122,100</u>	<u>\$ 122,100</u>

**Explanation:** *Poplar Branch Fire District - Lower Currituck VFD (21690)* - To increase appropriations to purchase a 2008 Dodge 5500 for \$81,625 and to purchase equipment for new vehicles. This will spend the balance of funds available from the fire district tax funds.

**Net Budget Effect:** Poplar Branch Fire District Fund (21) - Increased by \$122,100.

<u>Account Number</u>	<u>Account Description</u>	<b>Debit</b>	<b>Credit</b>
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10440-502000	Salaries - Regular	\$ 4,000	
10440-505000	FICA	\$ 306	
10440-507000	Retirement	\$ 394	
10440-590441	Technology over \$1,000	\$ 2,400	
10440-506000	Health Insurance		\$ 3,801
10445-502100	Salaries - Incentive		\$ 3,299
		<u>\$ 7,100</u>	<u>\$ 7,100</u>

**Explanation:** *Finance (10440)* - To transfer funds to hire an additional accounting clerk for the Finance Office and for a computer for this position.

**Net Budget Effect:** Operating Fund (10) - No change.

<u>Account Number</u>	<u>Account Description</u>	<b>Debit</b>	<b>Credit</b>
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
21690-545003	Corolla Volunteer Fire Dept	\$ 73,000	
21390-499900	Fund balance appropriated		\$ 73,000
		<u>\$ 73,000</u>	<u>\$ 73,000</u>

**Explanation:** *Poplar Branch Fire District - Corolla VFD (21690)* - To increase appropriations to make improvements to the Whalehead Station, to update communications, upgrade the mobile command trailer and for additional turnout gear.

**Net Budget Effect:** Poplar Branch Fire District Fund (21) - Increased by \$73,000.

<u>Account Number</u>	<u>Account Description</u>	<b>Debit</b>	<b>Credit</b>
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense

26535-587010	T T - Operating Fund	\$	318,028		
26390-499900	Fund Balance Appropriated			\$	318,028
10535-590000	Capital Outlay	\$	318,028		
10390-495026	T F - Emergency Telephone System			\$	318,028
			<u>\$</u>	<u>636,056</u>	<u>\$</u> <u>636,056</u>

**Explanation:** *Emergency Telephone System (26535); Communications (10535)* - To transfer residual wireline funds from the Emergency Telephone System Fund to the Operating Fund per HB1755, which became effective 1/1/2008. We will use \$250,000 of these funds to relocate/replace the antennas currently located on the old jail building, to build an aggregate building for the tower equipment and the remaining \$68,028 to move the ortho-photo portion of the GIS mapping project to the operating fund.

**Net Budget**

**Effect:** Operating Fund (10) - Increased by \$318,028.  
 Emergency Telephone System Fund (26) - Increased by \$318,028.

**Commissioner's Report**

Commissioner Taylor commented on the incorrect info that is being sent around about the fire departments. She also expressed her sympathy to Commissioner Etheridge on the death of his mother.

Commissioner Bowden questioned if county has acquired a boating access for the Gibbs Woods area, update on the Carova Beach site and stormwater drainage for the Whalehead Subdivision.

Chairman Nelms commented on meeting with Albemarle Commission, ED Board and the Travel and Tourism Board.

**County Manager's Report**

Mr. Scanlon commented on the grand opening of the new Cooperative Extension Center.

**Adjourn**

There being no further business, the meeting adjourned.