

# Currituck County Board of Commissioners Agenda

Historic Currituck County Courthouse

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**Date: Monday, January 07, 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 **Recognition of The Currituck Club on Being Designated a Firewise Community**
- Item 4 **An Ordinance Amending Chapter 9 of the Code of Ordinances to Define and Prohibit the Use of All Terrain Vehicles in a Manner that Constitutes a Nuisance**
- Item 5 **Public Hearing and Action on PB 07-77 Roy Sawyer** Request to rezone 50.6 acres from Agricultural (A) to Residential (R). The property is located at 229 Foster Forbes Road, Tax Map 126, Parcel 68E, Poplar Branch Township.
- Item 6 **Public Hearing and Action on PB 07-78 John Harris, Jr.** Request to rezone 6.85 acres from Agricultural (A) to General Business (GB). The property is located at 339 Macedonia Church Road at the intersection with Caratoke Highway, Tax Map 93, Parcel 156E, Poplar Branch Township.
- Item 7 **Public Hearing and Action on PB 00-44 Clover Bend** Amended Sketch Plan for 33 Single Family Lots. Located on the northwest side of Guinea Road (SR 1214), approximately 200' north of the intersection with Guinea Mill Road (SR 1282), Moyock Township.
- Item 8 **Public Hearing and Action on PB 07-82 Currituck Reserve PUD Variance** Variance Request from sections 2.6 General Lot Provisions, 2.7 Dimensional Requirements, 9.1.8.1 Subdivision Streets, 2.8 Residential Accessory Structure Location and Setbacks

to allow the creation of a Traditional Neighborhood Design in a Planned Unit Development. The 17 properties are located between Caratoke Highway and Tulls Creek Road, north of Guinea Road, Tax Map 22F, Parcels 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16; Tax Map 14, Parcels 23 and 18C; Moyock Township.

- Item 9      **Public Hearing and Action on PB 07-09 Currituck Reserve PUD**  
Amended Sketch Plan/ Special Use Permit for 688 residential units and mixed use commercial on 488 acres. The 17 properties are located between Caratoke Highway and Tulls Creek Road, north of Guinea Road, Tax Map 22F, Parcels 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16; Tax Map 14, Parcels 23 and 18C; Moyock Township.
  
- Item 10     **Appointment to Board of Adjustment**
  
- Item 11     **Appointments to Economic Development Board**
  
- Item 12     **Consent Agenda:**
  - 1. Change Order No. 1 for Jarvisburg Elementary School
  - 2. Approval of December 17, 2007, Minutes
  
- Item 13     Commissioner's Report
  
- Item 14     County Manager's Report
  
- Adjourn



STATE OF NORTH CAROLINA  
OFFICE OF THE GOVERNOR  
20301 MAH SERVICE CENTER • RALEIGH, NC 27699-0301

MICHAEL F. EASLEY  
GOVERNOR

November 9, 2007

Dear Friends:

It is my privilege to send congratulations to The Currituck Club on being designated a Firewise Communities USA Community. I know this achievement comes after much dedication and hard work.

I commend the members of The Currituck Club for taking the initiative to make your Outer Banks community safe for all residents and visitors. With the establishment of The Currituck Club Firewise Task Force, you have been named the eighth Firewise community in North Carolina and the first on the Outer Banks, in Currituck County and Northeastern North Carolina. Additionally, The Currituck Club serves as a wonderful role model for other communities throughout North Carolina.

Mary joins me in commending The Currituck Club on its fine work. We send best wishes for continued success.

With kindest regards, I remain

Very truly yours,

A handwritten signature in black ink that reads "Michael F. Easley".

Michael F. Easley

MFE/kwm

**Gwen Keene**

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**From:** Diane Sawyer  
**Sent:** Thursday, December 27, 2007 2:50 PM  
**To:** Gwen Keene  
**Subject:** Firewise for January 7th BOC meeting  
**Attachments:** Firewise article.doc

In Recognition of  
**THE CURRITUCK CLUB**

On Being Designated a  
Firewise Communities USA Community

Residents of the Currituck Club Are  
To Be Commended for Establishing a  
Firewise Task Force and Taking Measures to Protect  
Their Neighborhood From Fire.  
They Are a Role Model For All Communities Throughout  
North Carolina.



Presented by the  
Currituck County Board of Commissioners  
January 7, 2008

**THE CURRITUCK CLUB DESIGNATED A FIREWISE COMMUNITY  
Neighborhood is One of Only Eight in NC to Achieve Firewise Communities USA  
Status**

Wildfires, such as the recent ones in California, have communities across the country thinking about how they can protect their properties from fire. One neighborhood in Currituck County is taking steps to do just that.

Residents of The Currituck Club in Corolla established a Firewise Task Force in February 2007. The task force, a project through the Firewise Communities USA program, conducted a community-wide assessment to determine what measures were needed in order to protect homes and other structures – including the community’s 18-hole golf course – from fire.

The Currituck Club is one of only eight communities in the state to attain Firewise Communities USA status. It is the only neighborhood in all of Northeast North Carolina to reach this achievement.

The National Firewise Communities program provides wildland/urban interface resources for firefighter safety, community planning, landscaping, construction and maintenance to help protect people, property and natural resources from wildfire.

The Firewise Task Force conducted a two-week cleanup campaign, helping residents identify and address the features of a Firewise Community. These included such measures as: making sure landscaping has “survivable” space around structures (pruning trees, removing flammable plants that contain resins, oils and waxes that burn easily); creating a Home Ignition Zone that reduces or eliminates fire hazards often created by vegetation (dead leaves, pine needles, etc.) and combustible construction such as wooden porches, storage sheds and fences; keeping roofs, gutters and eaves clear of leaves and other debris; creating and discussing a disaster plan with family members; and clearly marking structures with street names and numbers for easy location by emergency responders.

Doug Wendling, Chairman of The Currituck Club’s Firewise Task Force, said one goal of the group is to ensure that community architectural guidelines are kept in accordance with Firewise principles. He said the group also is working to improve emergency vehicle ingress and egress, as well as providing individual property owners with personal Firewise assessments on their property.

The NC Division of Fire Services, Currituck County Fire Marshal, and Corolla Volunteer Fire Department have provided tremendous support to The Currituck Club’s Firewise efforts, said Wendling.

“We’ve received a lot of cooperation from everyone here,” said Mike Ward, President of property owners’ association. “Everyone is completely supportive of this effort.”

**AN ORDINANCE AMENDING CHAPTER 9 OF THE CURRITUCK COUNTY  
CODE OF ORDINANCES TO DEFINE AND PROHIBIT THE USE OF ALL  
TERRAIN VEHICLES IN A MANNER THAT CONSTITUTES A NUISANCE**

**BE IT ORDAINED**, by the Board of Commissioners for the County of Currituck, North Carolina that the Code of Ordinances for Currituck County is amended as follows:

Section 1. Chapter 9 of the Code of Ordinance is amended by rewriting Section 9-71 to read as follows:

Sec. 9-71. Certain conditions declared nuisances.

The existence of any of the following conditions on any lot, whether improved or not, or other parcel of land within the county limits is hereby declared to be dangerous and prejudicial to the public health or safety and to constitute a public nuisance:

- (1) Growth of weeds and grass. The uncontrolled growth of noxious weeds or grass causing or threatening to cause a hazard detrimental to the public health or safety.
- (2) Accumulations of animal or vegetable matter. Any accumulation of animal or vegetable matter that is offensive by virtue of odors or vapors or by the inhabitation therein of rats, mice, snakes or vermin of any kind which is or may be dangerous or prejudicial to the public health.
- (3) Accumulations of rubbish. Any accumulation of rubbish, trash or junk causing or threatening to cause a fire hazard, causing or threatening to cause the accumulation of stagnant water or causing or threatening to cause the inhabitation therein of rats, mice, snakes or vermin of any kind which is or may be dangerous or prejudicial to the public health.
- (4) Obstruction of drainage ways. The placement of rubbish, trash, yard debris, grass clippings, leaves, limbs, branches, soil, or junk impeding the flow of water and/or causing or threatening to cause the obstruction of drainage ways.
- (5) Conditions violating health department rules. Any condition detrimental to the public health which violates the rules and regulations of the local health department.
- (6) Burned or partially burned buildings or structures . Any building or other structure which has been burned, partially burned or otherwise partially destroyed and which is unsightly or hazardous to the safety of any person, is a continuing

fire hazard or which is structurally unsound to the extent that the county building official can reasonably determine that there is a likelihood of personal or property injury to any person or property entering the premises.

(7) Storm or erosion damaged structures and resulting debris. The existence of any of the following conditions associated with storm-damaged or erosion-damaged structures or their resultant debris shall constitute a public nuisance:

- a. Damaged structure in danger of collapsing;
- b. Damaged structure or debris from damaged structures where it can reasonably be determined that there is a likelihood of personal or property injury;
- c. Any structure, regardless of condition, or any debris from damaged structure which is located in whole or in part in a public trust area or public land.

(8) Structurally deteriorated, or storm damaged automobile service station canopies. Any automobile service station canopy with loose, unanchored, or missing cladding, or fascia panels prone to progressive collapse, or structurally unsound members damaged by storms, vehicles, or deterioration.

(9) Vicious animals. The keeping of a vicious animal as defined in section 3-62.

(10) The operation of an all terrain vehicle past any point four or more times during a one hour period of time. For purposes of this section, "all terrain vehicle" shall mean a wheeled or tracked motorized vehicle designed and used primarily for off-road use with two, three, four or six low-pressure tires and including, but not limited to, dirt or trail bikes.

(11) ~~(10)~~ Miscellaneous. Any other condition that is specified as a nuisance in this Code.

#### Section 4. Separability.

The sections, paragraphs, sentences, clauses and phrases of this ordinance are severable and if any phrase, clause, sentence, paragraph of this ordinance shall be declared unconstitutional or invalid by the valid judgment or decree of a court of competent jurisdiction, such unconstitutional or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the remaining provisions would have been enacted by the board of commissioners without the incorporation into this ordinance of any such unconstitutional or invalid phrase, clause, sentence, paragraph or section.

#### Section 5.

All ordinances in conflict with this ordinance are hereby repealed.

Section 6.

This ordinance is effective upon its adoption.

ADOPTED the \_\_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_  
Chairman, Board of Commissioners

ATTEST:

\_\_\_\_\_  
Clerk to the Board

(COUNTY SEAL)

**CASE ANALYSIS FOR THE  
BOARD OF COMMISSIONERS  
MEETING DATE: January 7, 2008  
Zoning Map Amendment:  
PB 07-77 Roy Sawyer**

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**TYPE OF REQUEST:** Request to rezone 50.6 acres of an 89 acre property from Agricultural (A) to Residential (R)

**LOCATION:** The property is located at 229 Foster Forbes Road, Poplar Branch Township.

**TAX ID:** Tax Map 126, Parcel 68E  
(0126000068E0000)

**OWNER:** Roy Sawyer, Jr.  
229 Foster Forbes Road  
Powell's Point, NC 27966

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

**ZONING HISTORY:** The property was zoned A on the 1989 zoning atlas. This property is the residual parcel of the 4 lot Brinson's Creek Minor Subdivision recorded 12-27-2005.

**SURROUNDING PROPERTY:**

	<b>Land Use</b>	<b>Zoning</b>
<b>NORTH:</b>	Sand Mine	A
<b>SOUTH</b>	Residential and 1000' communication tower	A
<b>EAST:</b>	Currituck Sound	A
<b>WEST:</b>	Residential (Currituck Woods subdivision)	A

**EXISTING LAND USE:** Residential (Farm House)

**PROPOSED LAND USE:** Land is no longer rented for farming and owner seeks highest and best use.

**LAND USE PLAN  
CLASSIFICATION:**

The property contains approximately 50.6 acres of Limited Services classification and 38.4 acres of Conservation Classification. This property is in the Point Harbor sub-area.

The purpose of the Limited Services Area class is to provide for primarily residential development at low densities. 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.

The policy emphasis of the 2006 plan is to allow portions of the Point Harbor area 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. Housing in the Point Harbor area should continue to reflect a range of housing types and prices with emphasis on single-family site-built homes. The majority of the Point Harbor area is included in the Limited Service and Conservation classifications which support densities ranging from 1 unit per 3 acres to 1 unit per acre.

The following policies are also relevant to this request:

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 ES2: NON-COASTAL WETLANDS, including FRESHWATER SWAMPS, AND INLAND, NON-TIDAL WETLANDS, 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. Currituck County supports the efforts of the U.S. Army Corps of Engineers in protecting such wetlands through the Section 404 permit program of the Clean Water Act, as well as Section 401 water quality certifications by the State of North Carolina.

A Residential zone that does not anticipating the development of the wetlands on site would comply with the Limited Service classification, but not the Conservation classification.

**PUBLIC SERVICES  
AND UTILITIES:**

The Lower Currituck Fire Department provides fire protection for this area. Electric and telephone are currently available.

**TRANSPORTATION:**

The site has 930 feet of frontage on Foster Forbes Road.

**WETLANDS:**

The 89 acre site contains approximately 39 acres of wetlands. None of the wetlands are part of the rezoning request.

**SOILS:**

The Currituck County Soils map indicates the property contains approximately 35 acres of marginal and 54 acres of un-suitable soils for on-site septic systems.

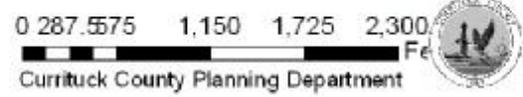
**STAFF  
RECOMMENDATION:**

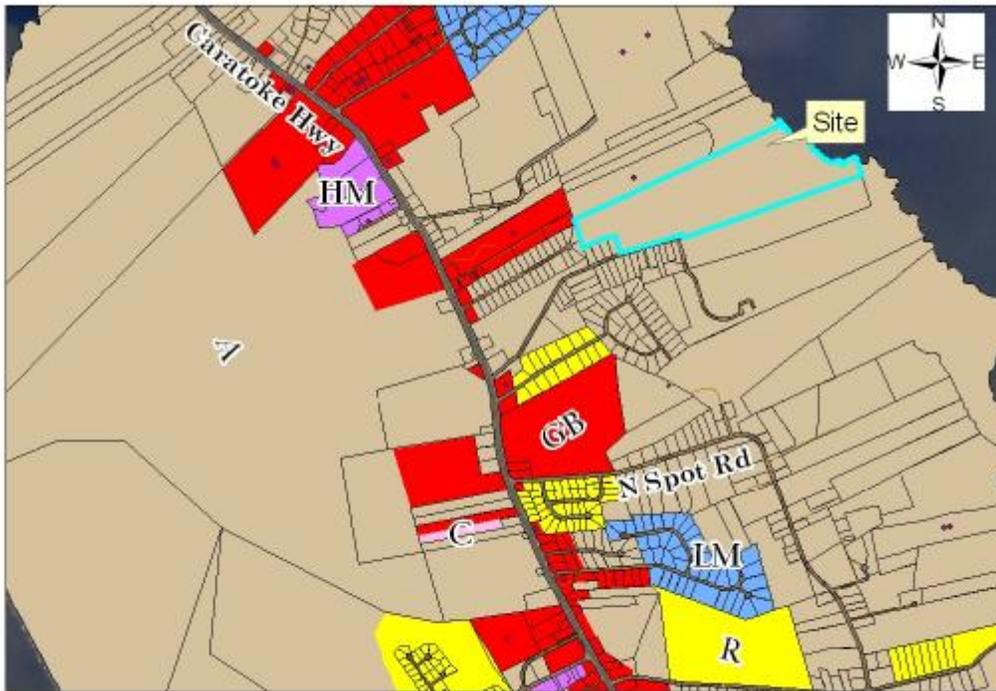
Section 2406 of the Unified Development Ordinance provides the standards by which the Board shall evaluate proposed amendments to the Official Zoning Atlas. Specifically, the Ordinance provides that the “central issue before the board is whether the proposed amendment advances the public health, safety or welfare” of the county and further directs that “the Board shall not regard as controlling any advantages or disadvantages to the individual requesting the change, but shall consider the impact of the proposed change on the public at large.”

Because the request is in general compliance with the 2006 Land Use Plan, staff recommends **approval** of the request to rezone 50.6 acres of an 89 acre property from Agricultural (A) to Residential (R).

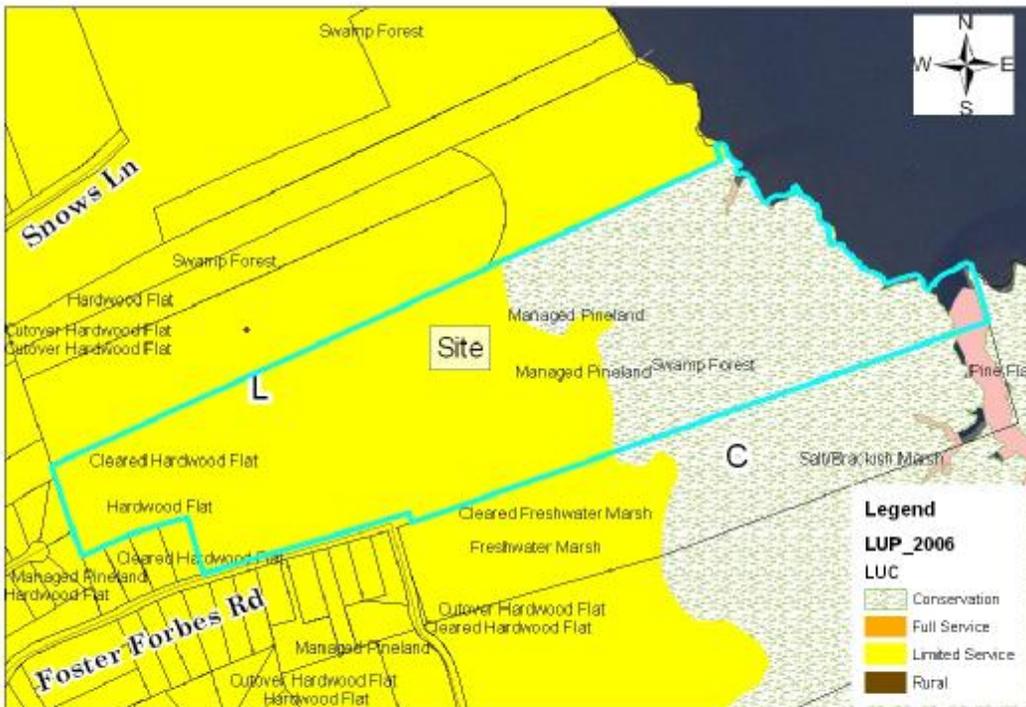
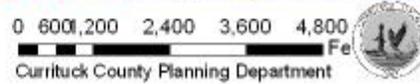


PB 07-77 Roy Sawyer  
Rezoning A to R





PB 07-77 Roy Sawyer  
Rezoning A to R



PB 07-77 Roy Sawyer  
Rezoning A to R



## **PLANNING BOARD DISCUSSION**

Roy Sawyer, Jr. and Anita Dave appeared before the board.  
Mr. Webb presented the case analysis to the board.

## **DISCUSSION**

Ms. Dave stated that she is concerned with the lot sizes and the impact the housing will have on the current water system.

Mr. Webb stated that the lots will be approximately 1 acre.

Ms. Dave asked if this will require a waste water plant.

Mr. Webb stated no.

## **ACTION**

Ms. Robbins motion to recommend approval with staff comments and recommendations the request to rezone 50.6 acres from Agricultural to Residential located at 229 Foster Forbes Road according to the 2006 Land Use Plan. Mr. Etheridge seconded the motion. Motion passed unanimously.

**CASE ANALYSIS FOR THE  
BOARD OF COMMISSIONERS  
MEETING DATE: January 7, 2008  
Zoning Map Amendment:  
PB 07-78 John Harris, Jr.**

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**TYPE OF REQUEST:** Request to rezone 6.85 acres from Agricultural (A) to General Business (GB).

**LOCATION:** The property is located at 339 Macedonia Church Road at the intersection with Caratoke Highway, Poplar Branch Township.

**TAX ID:** Tax Map 93, Parcel 156E  
0093-000-156E-0000

**OWNER:** John W. Harris, Jr.  
PO Box 14025  
Norfolk, VA 23518

**APPLICANT:** Mel Hopkins  
204 Walden Drive  
Yorktown, VA 23692

<b>ZONING:</b>	<b><u>Current Zoning</u></b>	<b><u>Proposed Zoning</u></b>
	Agricultural (A)	General Business (GB)

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

**SURROUNDING PROPERTY:**

<b>NORTH:</b>	Agricultural	A and GB
<b>SOUTH:</b>	Residential	A
<b>EAST:</b>	Residential and Agricultural	GB
<b>WEST:</b>	Residential	GB and A

**EXISTING LAND USE:** Vacant/ Agricultural

**PROPOSED LAND USE:** Applicant would like more flexibility to develop based on market.

**Uses Permitted by Right in a General Business District:**

Sales and rental of goods, merchandise and equipment  
Convenience Store  
Wholesale Sales  
Professional offices  
Physician or dentist office less than 10,000 sf  
Office/warehouse  
Movie theater  
Publicly owned outdoor recreational facility (athletic field, golf course, park, boat ramp)  
Restaurants  
Automobile service station  
Gas sales  
Automobile repair shop/body shop  
Car wash  
Motor vehicle and boat wholesale and service  
Automobile parking lots/garages  
Storage facilities, inside a fully enclosed building  
Veterinarian  
Pet grooming facility inside a fully enclosed structure  
Silvicultural operations  
Post office  
ABC store  
Dry cleaner  
Laundromat  
Utility facilities  
Farm and craft market  
Towers, less than 50 feet in height  
Cemetery, family and church  
Day Care  
Commercial Greenhouse/Nursery  
Agribusiness

**TRANSPORTATION:** The site has approximately 423 linear feet of frontage on Caratoke Highway and 585 feet of frontage on Macedonia Church Road.

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

**PUBLIC SERVICES AND UTILITIES:** The Lower Currituck Volunteer Fire Department provides fire protection for this area. Electric service, telephone and public water are available.

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

**LAND USE PLAN  
CLASSIFICATION:**

The 2006 Land Use Plan classifies the site as **Limited Service Area** within the **Aydlett, Waterlily and Churches Island** sub-area.

The purpose of the Limited Services Area class is to provide for primarily residential development at low densities. With respect to nonresidential uses, it is essential that the existing community character be preserved. Design criteria should be established to ensure that commercial development protects and preserves the existing community in scale, architectural style, materials, landscaping, and site design. In general, neighborhood commercial uses are more appropriate than large scale commercial complexes.

The policy emphasis of this plan is for developable areas of Aydlett, Waterlily and Churches Island to remain as low-density residential areas at 1 unit per acre. While services that satisfy direct public health, safety and general welfare needs, such as fire protection, law enforcement, and emergency medical services are to be welcomed, **no commercial development should be permitted in these areas.**

The following policies are also relevant to this request:

POLICY CD4: HIGHWAY ORIENTED COMMERCIAL USES should be clustered along segments of highways and contain land uses which are mutually compatible and reinforcing in use and design; they should be designed in such a way as to minimize signage, access points, and to prevent unsightly, dysfunctional STRIP DEVELOPMENT.

POLICY TR5: So as to preserve the traffic moving function of the County's primary roads, minimize traffic accidents and avoid land locking interior land parcels, Currituck County shall discourage RESIDENTIAL AND COMMERCIAL STRIP DEVELOPMENT along the county's primary roads. FLAG LOTS shall not be permitted along designated roads unless justified by unusual or unforeseeable parcel or topographic constraints.

POLICY CA1: The important economic, tourism, and community image benefits of attractive, functional MAJOR HIGHWAY CORRIDORS through Currituck County shall be recognized. Such highway corridors, beginning with US 158 and NC 168, shall receive priority attention for improved

appearance and development standards, including driveway access, landscaping, buffering, signage, lighting and tree preservation.

This request for a General Business zone does not comply with the 2006 Land Use Plan Limited Services classification; the Aydlett, Waterlily and Churches Island sub-area or the policies related to rezoning on the US 168/158 corridor.

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**STAFF  
RECOMMENDATION:**

Section 2406 of the Unified Development Ordinance provides the standards by which the Board shall evaluate proposed amendments to the Official Zoning Atlas. Specifically, the Ordinance provides that the “central issue before the board is whether the proposed amendment advances the public health, safety or welfare” of the county and further directs that “the Board shall not regard as controlling any advantages or disadvantages to the individual requesting the change, but shall consider the impact of the proposed change on the public at large.”

In addition, Section 2407 of the Ordinance states that “[a]reas zoned for non-residential purposes along the county’s major arterials have been carefully selected, taking into account existing needs and uses. Additional areas along these major arterials shall not be rezoned to non-residential districts except upon an extraordinary showing of public need or demand.

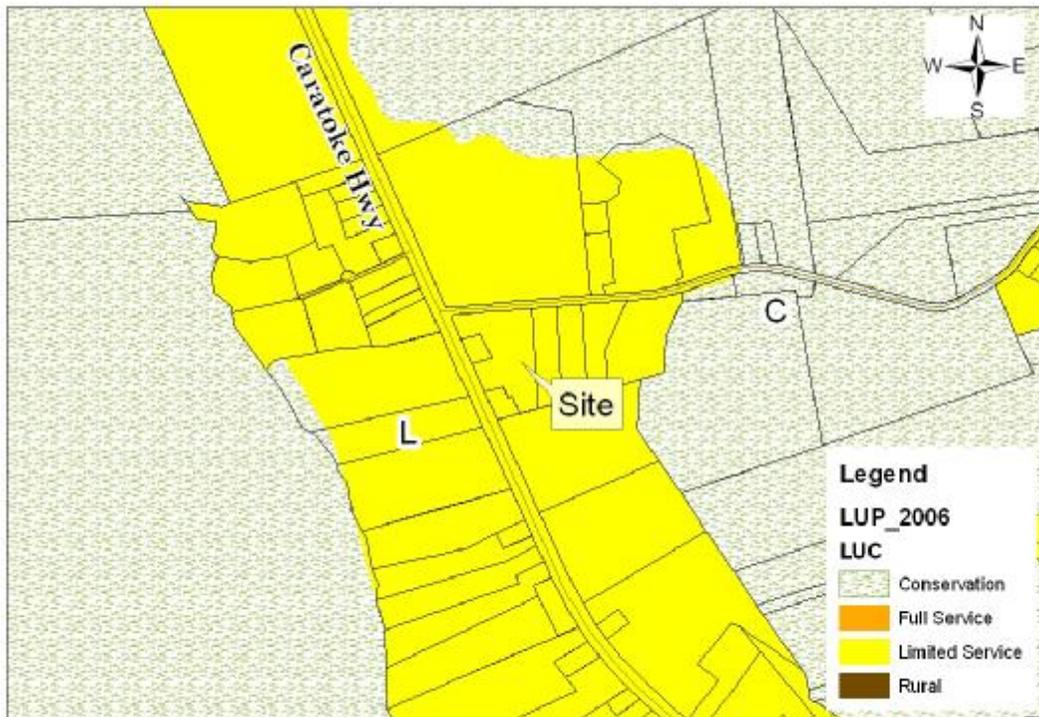
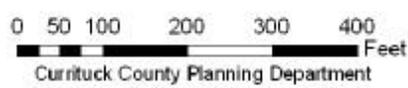
Upon evaluating the application, staff concludes that the proposed rezoning does not satisfy the above-referenced criteria and for the reasons listed below staff recommends **denial**.

- 1) There appears to be ample land zoned General Business in this area of the county to meet the needs. This request does not appear to meet the test indicated in UDO Section 2407 that there is an extraordinary showing of public need or demand.
- 2) The proposed rezoning **does not** comply with the 2006 Land Use Plan designation of Limited Service due to the range of uses permitted by right in a General Business zone that would not qualify as neighborhood commercial uses.

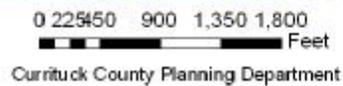
- 3) This request also does not comply with Land Use Plan policies CD4, TR5 and CA1.
- 4) As recommended by the Land Use Plan, design criteria **has not** been established to ensure that commercial development protects and preserves the existing community in scale, architectural style, materials, landscaping, and site design
- 5) While there are is an established General Business zoning pattern to the north, there are no higher intensity uses south of Macedonia Church Road in this area. In this regard, Macedonia Church Road is the logical division between nonresidential and residential zoning. Extending the nonresidential pattern southward would simply perpetuate the strip development of Caratoke Highway.
- 6) The 1994 US Highway 158 & N.C. Highway 168 Corridor Plan supports nodal development of business areas and there is such an area to the south along Caratoke Highway, however this location was not identified by the plan for commercial development.
- 7) The 1994 Corridor Plan recommends: Rezoning of additional property to commercial along US 158 and NC 168 should only be allowed in rare circumstances where unusual conditions warrant such rezoning. Rezoning requests should be carefully scrutinized for their benefit to the community.

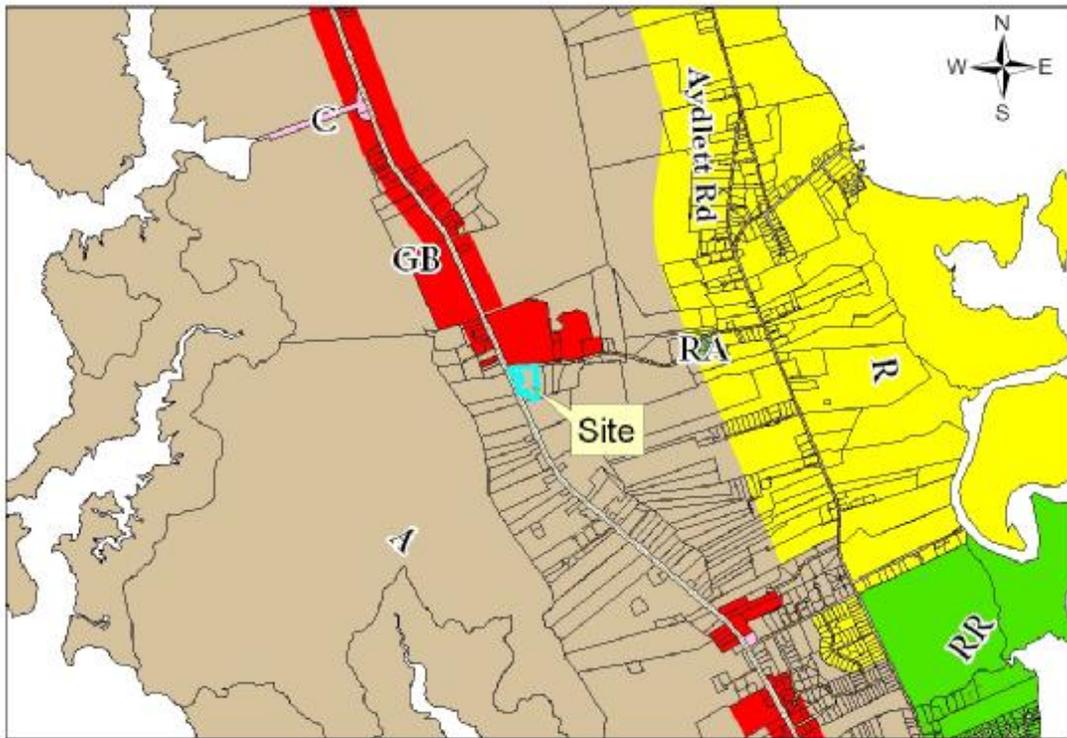


PB 07-78 John Harris, Jr.  
Rezoning A to GB



PB 07-78 John Harris, Jr.  
Rezoning A to GB





PB 07-78 John Harris, Jr.  
Rezoning A to GB

0 800 1,600 3,200 4,800 6,400 Feet  
Currituck County Planning Department



PB 07-78 John Harris, Jr.  
Rezoning A to GB

0 225 450 900 1,350 1,800 Feet  
Currituck County Planning Department



## **PLANNING BOARD DISCUSSION**

Mel Hopkins and Jefferson Saunders appeared before the board. Mr. Webb presented the following case analysis to the board.

Mel Hopkins stated that Mr. Harris doesn't have any specific plans for the property at this time. Mr. Hopkins stated that Mr. Harris has noticed a trend of property being rezoned and would like to have the property rezoned for the future.

Jefferson Saunders representing the adjacent Christian Advocate Baptist Church stated that Mr. Harris cannot give them an answer to what exactly what will go on the property. They would like to know before it is voted on. Mr. Saunders stated they are against the rezoning request.

## **ACTION**

Mr. Etheridge motion to recommend **denial** according to staff comments and recommendations to rezone 6.85 acres from Agricultural to General Business located at 339 Macedonia Church Road according to the 2006 Land Use Plan. Mr. West seconded the motion. Motion passed unanimously.

**CASE ANALYSIS FOR THE  
BOARD OF COMMISSIONERS  
MEETING DATE: January 7, 2008  
PB 00-44 CLOVER BEND**

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**ITEM:** PB 00-44 CLOVER BEND, AMENDED SKETCH PLAN FOR 33 SINGLE FAMILY LOTS

**LOCATION:** On the northwest side of Guinea Road (SR 1214), approximately 200' north of the intersection with Guinea Mill Road (SR 1282), Moyock Township.

**TAX ID:** Tax Map 22, Parcel 71X

**ZONING DISTRICT:** Residential

**OWNER:** Old Brothers, LLC.  
Attn: Kim Old  
101 Commerce Drive  
Moyock, NC 27958

**ENGINEER:** Mel Hopkins Engineering  
204 Walden Dr.  
Yorktown, VA 23692

**PRESENT USE:** Agricultural

**NARRATIVE OF REQUEST:**

- Old Brothers, LLC is requesting approval of a 33 lot amended sketch plan.
- A sketch plan for 16 residential lots (3 acre in size) was granted in December 2005.
- The property received a rezoning to Residential (R) on October 1, 2007, which allows the increase in density and smaller lots with a minimum size of 40,000 Square Feet.
- A soils report from Protocol Soil Services dated November 25, 2006 indicates that **engineered sand lined trench** septic systems will be required for this development.
- The amenities proposed are a soccer field in an open play area in the center of the development and a play ground on another smaller open space parcel.

**LAND USE/ZONING OF SURROUNDING PROPERTY:**

<b>NORTH:</b>	Agricultural and Residential	Zoned: A
<b>SOUTH:</b>	Agricultural and Residential	Zoned: A
<b>EAST:</b>	Agricultural and Residential	Zoned: A
<b>WEST:</b>	Agricultural and Residential	Zoned: A

**SCHOOL DISTRICT:** Moyock/ Shawboro

**SIZE OF SITE:** 53.33 acres

**NUMBER OF LOTS:** 33

**DENSITY:** 0.62 unit per acre

**MINIMUM LOT SIZE:** 40,000 SF

**STREETS:** The streets will be built to NCDOT Design and Construction standards. The developer expects the streets will be dedicated to NCDOT for maintenance.

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

**FIRE:** This development is located within the jurisdiction of the Moyock Volunteer Fire Department. The applicant is proposing to install fire hydrants.

**WASTEWATER:** Individual, on-site septic systems are proposed. A soils report indicates that **sand lined trenches** will be required.

**SOILS:** The Currituck County Soils Map indicates approximately 42.5 acres are unsuitable and 10.8 acres are marginal for conventional septic systems.

**OPEN SPACE:** The project is required to provide 30% (16 acres) Open Space. The plan indicates 16 acres of open space. Additionally, 1.87 acres of Reserve Utility Open Space are required.

**DRAINAGE:** The applicant is proposing roadside ditches and property line swales to drain into stormwater ponds on site.

**TECHNICAL REVIEW STAFF:**

On November 14, 2007, Technical Review staff reviewed this application with the following comments:

1. **Currituck County Public Works** – Approved with the following conditions: Follow Special nitrification drainage requirements per Protocol Sampling Services, Inc. A downstream drainage analysis will be required.
2. **Currituck Soil & Water Conservation** - Approved with the following conditions: Provide an adequate stormwater analysis of onsite and offsite (downstream) drainage during planning stages. Follow requirements of UDO Section 922.
3. **Currituck County Fire Services**–Approved with the following conditions: The Cul de sac must be 96' of pavement. Please provide as-built for same.
4. **Currituck County Water Department**- Approved with the following conditions and comments; Submit waterline plans and specifications for review. The developer will be responsible for all cost associated with the installation of the water system. No irrigation systems shall be connected to the County Water System.
5. **Currituck County Planning and Inspections, Inspections Division**-Approved as is.
6. **Albemarle Regional Health Services** – Site evaluations will be needed before Preliminary Plat.
7. **Currituck County GIS** - Approved as is. Submit a street name approval form.
8. **County Parks & Recreation Department** - No comments received.
9. **Currituck County Emergency Management** – No comments received.
10. **NC Department of Transportation**: Approved with the following conditions: Lots 1 and 18-no direct access onto Guinea Road, question the 45' ingress/egress easement along Guinea (2), show existing accesses across from site, reference to drainage channel-show cross line pipe along Guinea, need to see drainage plans. 3 foot pedestrian sidewalk (DOT minimum standard 5')
11. **N C Dominion Power** - No comments received.
12. **Sprint Telephone** – Approved 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. In order to approve a Special Use Permit, certain criteria must be satisfied. The criteria are outlined as follows:

1. *Is the application complete?*

Based on staff review all required information has been submitted for review.

2. *Does the proposal comply with the provisions in the UDO for Sketch Plan approval?*

The plan generally complies with the provisions of the UDO.

3. *Does the proposal comply with the general standards found in Section 1402(2) 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 within this proposal;

(b) *Will not injure the value of adjoining or abutting property.*

The proposed residential subdivision should have no negative impact on adjoining property. The adjoining uses are low density, residential and agricultural uses.

(c) *Will be in harmony with the area in which it is located.*

The proposed residential subdivision should have no negative impact on adjoining property. The adjoining uses are low density, agricultural uses.

(d) *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 subject property as **Full Service** and within the Moyock sub-area. In the Full Service Area, base residential development density is contemplated to be 1-2 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. A greater diversity in housing types (i.e. semi-detached, attached, multi-family) would be considered appropriate in the Full Service areas.

In the Moyock sub-area, heightened development interest has brought with it pressure for more subdivisions, as well as the retail services that follow such development. It also brings with it concerns about heavier traffic, loss of open space, increased stormwater runoff and drainage issues, overburdened schools, a need for enhanced police, fire and rescue services, and demand for centralized water and sewer services.

POLICY WS6 of the Land Use Plan states: Currituck County endorses the proper use and maintenance of APPROVED SEPTIC SYSTEMS in suitable soils as an environmentally acceptable means of treating and dispersing waste from low-density development.

The surrounding area, while zoned Agricultural, is emerging in a suburban low-density residential development pattern, particularly as evidenced by the Eagle Creek, Launch Landing and Creekside Estates Subdivisions. The permitted density in the Residential zoning district of 1 unit/ acre is in keeping with the surrounding area and appears to **generally comply** with the policies of the Land Use Plan.

- (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 2 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 Section 2015.*

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

<b>Clover Bend Amended- 33 SFD</b> (Capacity for 16 lots already Accounted)	Available Capacity	Demand (17 additional lots)	Capacity if Approved
Moyock/Central/Shawboro	68	4	64
Middle School	56	2	54
High School	68	2	66

**Staff has determined adequate public facilities exist for this subdivision.**

**STAFF RECOMMENDATION:**

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

**Code and Technical Review Committee Requirements:**

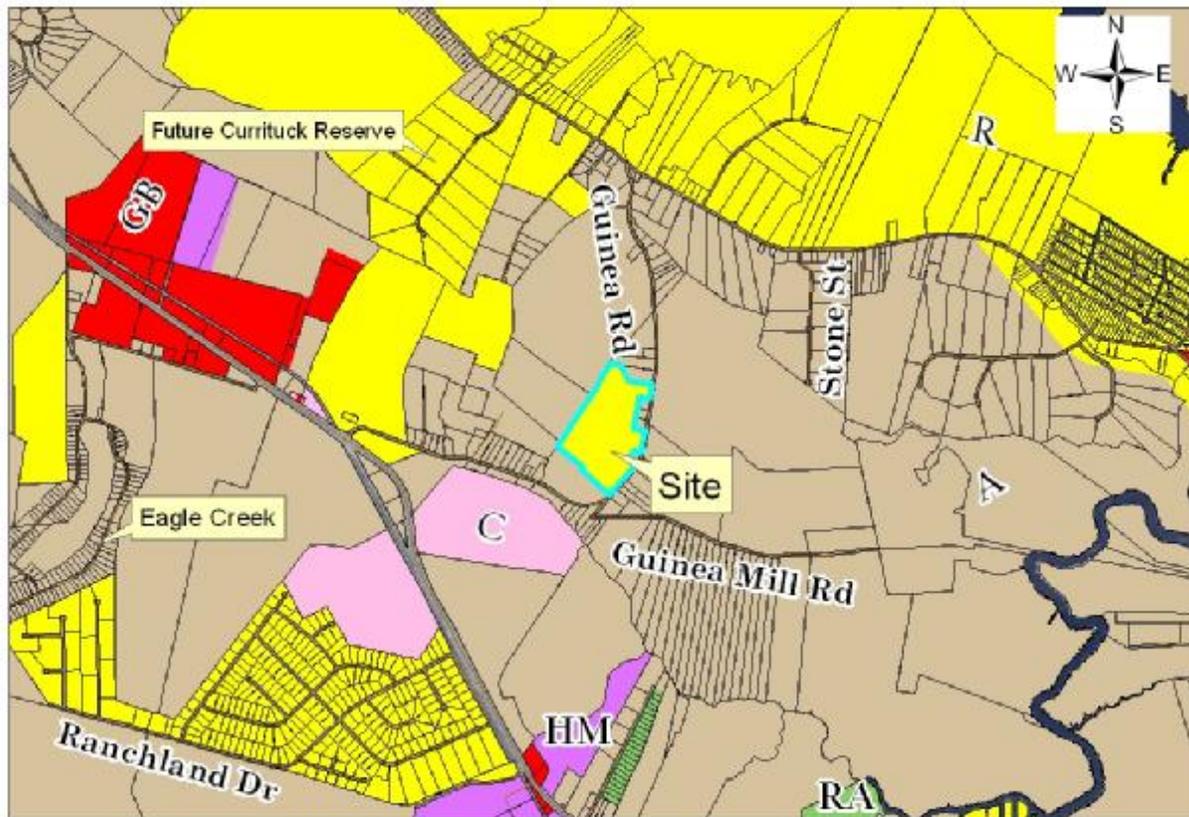
1. All applicable state and local permits to construct the infrastructure will be required at Preliminary Plat submission. (Section 922)
2. The applicant shall construct all required improvements including recreational area improvements, waterlines, fire hydrants, roads, drainage systems, and street trees; and have them inspected and certified prior to submission of the Final Plat.
3. No land disturbing activities shall be permitted on site prior to the issuance of the Preliminary Plat approval, including clearing vegetation, grading, filling the property or installing bulkheads. (Section 910)
4. As a continuing condition to this approval, the applicant will meet and continue to meet all requirements of the County's Unified Development Ordinance.
5. At the Preliminary Plat stage, the stormwater ponds need to be shown as being 10 feet for a property line. (Section 922(3)(k))
6. On the Preliminary Plat, show a calculation that the recreational open space meets or exceeds 50% of the requirements by deducting the stormwater ponds and any drainage features.
7. On the Preliminary Plat, show a vicinity map that is at a scale of 1"= 2000' or smaller.
8. On the Preliminary Plat, indicate the zoning of adjacent properties.
9. Indicate on the title block this site is in Moyock Township.



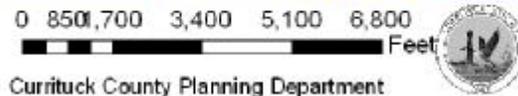
**PB 00-44 CLOVER BEND  
AMENDED SKETCH PLAN**

0 187.575 750 1,125 1,500  
Feet  
Currituck County Planning Department





**PB 00-44 CLOVER BEND  
AMENDED SKETCH PLAN**



**PLANNING BOARD DISCUSSION**

Mel Hopkins, Jerry Old, and Kim Old appeared before the board. Mr. Webb presented the case analysis to the board.

Mr. West asked what is involved in preparing the sand lined trenches.

Mr. Hopkins stated that a layer of soil will be removed and cedar board installed.

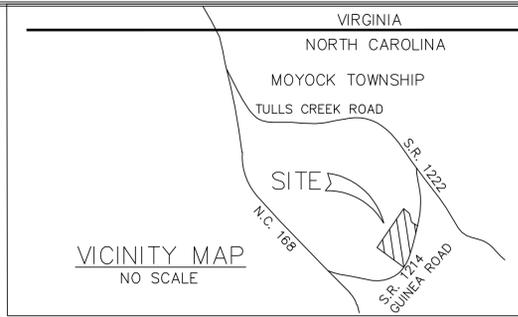
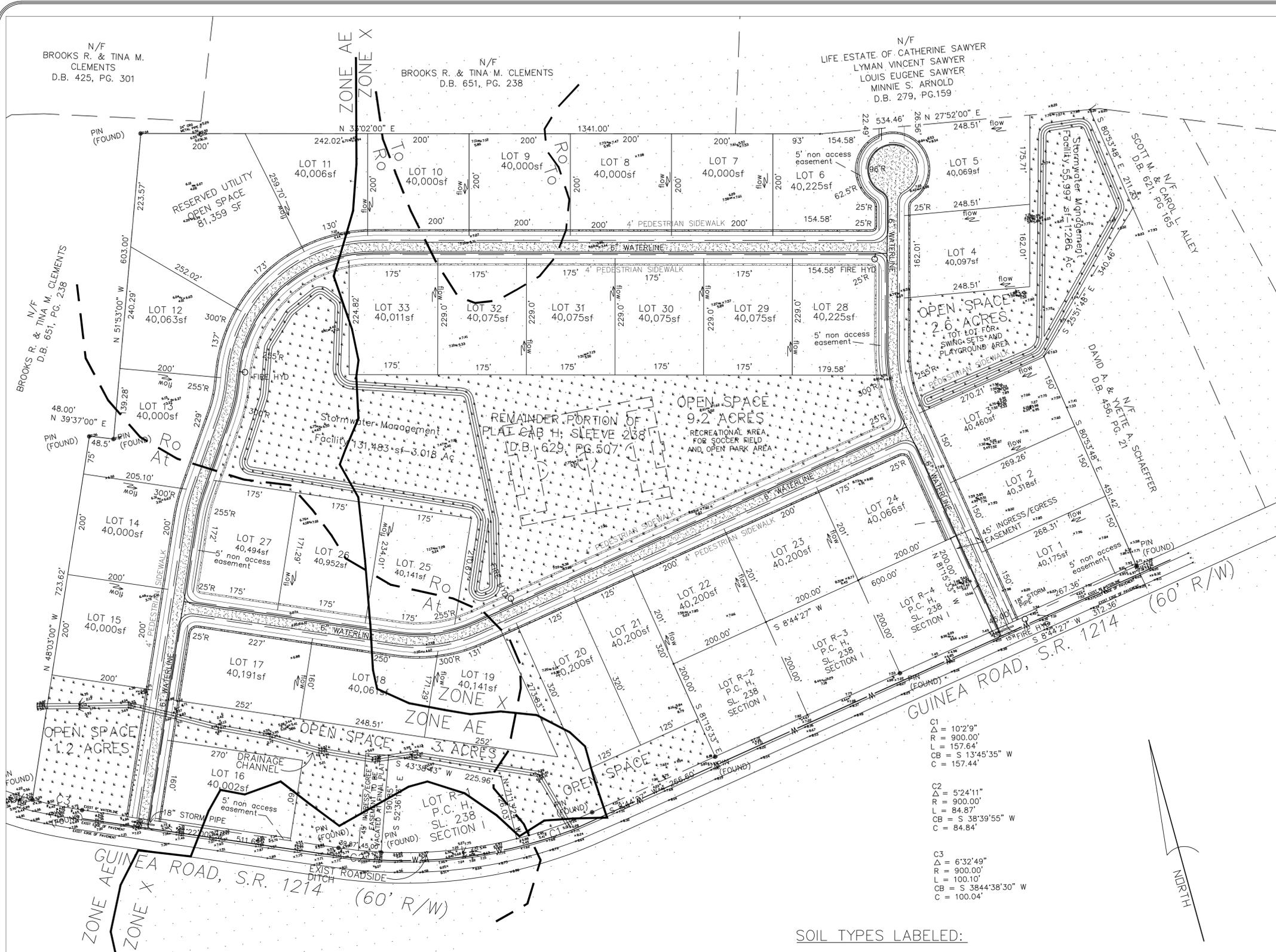
Mr. West stated the soils map indicates approximately 42.5 acres as unsuitable and 10.8 acres are marginal for conventional septic systems.

Mr. West stated that affordable housing is a topic that always comes up to the board.

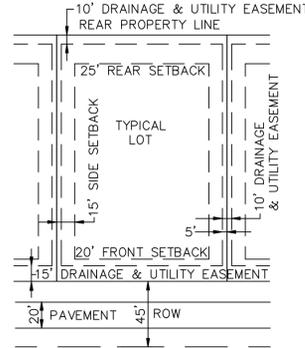
Mr. Old stated that they are trying to provide a top quality home at a reasonable price. The homes will be in the \$249,000 to \$300,000 range.

**ACTION**

Mr. Etheridge motion to recommend approval with staff comments and recommendations of the amended sketch plan for 33 single family lots according to the 2006 Land Use Plan. Mr. West seconded the motion. Ayes: Alvin Keel, Manly West, William Etheridge, Bren Robbins, and Forrest Midgette. Nays: Elizabeth Turner and Arthur Winter. Motion carried.



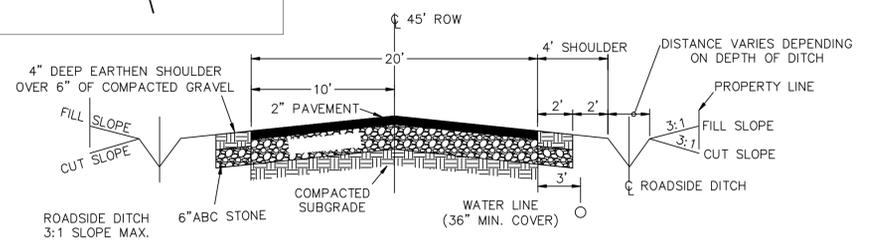
- NOTES:**
- PROJECT NAME: CLOVER BEND - MOYOCK, NORTH CAROLINA LOTS 1-33 SECTION II
  - DEVELOPER: OLD BROTHERS, LLC  
c/o JERRY OLD  
P.O. BOX 72  
MOYOCK, NC 27958
  - THIS PROPERTY IS IDENTIFIED ON THE CURRITUCK COUNTY TAX MAP AS PIN #0022-000-071X-0000.
  - THIS PROPERTY LIES IN FLOOD HAZARD ZONE X AND AE (B.F.E. 5') AS SHOWN ON F.I.R.M. COMMUNITY PANEL #370078 8040J WHICH WILL BE DATED 12-16-05. THESE MAPS ARE SUBJECT TO CHANGE BY FEMA.
  - PROPOSED RIGHT-OF-WAY WIDTH: 45 FEET  
PROPOSED PAVED ROADWAY WIDTH: 20 FEET  
PROPOSED LINEAR FEET OF ROADWAY: 4906 FEET
  - TOTAL AREA = 53.330 ACRES  
OPEN SPACE PROPOSED = 16 ACRES (30 PERCENT)  
STORMWATER MANAGEMENT AREA = 4.304 ACRES (27% OF OPEN SPACE)  
AREA IN LOTS = 30.463 ACRES  
RESERVED UTILITY OPEN SPACE = 1.867 ACRES  
AREA IN R/W = 5 ACRES  
TOTAL NUMBER OF PROPOSED LOTS = 33  
MINIMUM LOT AREA = 40,000sf
  - BOUNDARY TAKEN FROM DEEDS AND PLATS OF RECORD AS FOUND IN THE PLAT CABINET "H", SLEEVE 238 AND D.B. 629, PG. 507.
  - A 10' DRAINAGE AND UTILITY EASEMENT IS HEREBY RESERVED ALONG ALL SIDE AND REAR PROPERTY LINES. A 15' DRAINAGE AND UTILITY EASEMENT IS HEREBY RESERVED ALONG ALL FRONT PROPERTY LINES AND RIGHTS-OF-WAY.
  - THIS PROPERTY IS ZONED "R" RESIDENTIAL
  - WATER SUPPLY BY CURRITUCK WATER. EACH LOT WILL HAVE AN INDIVIDUAL TAP AND METER.
  - SANITARY SEWER TO BE INDIVIDUAL CONVENTIONAL SYSTEMS APPROVED BY THE HEALTH DEPARTMENT AND OR ENGINEERED SYSTEMS DESIGNED BY A LICENSED ENGINEER AND APPROVED BY THE HEALTH DEPARTMENT.



TYPICAL LOT SETBACK DETAIL

SOIL TYPES LABELED:

- To - TOMOTLEY
- Ro - ROANOKE
- At - AUGUSTA FINE SANDY LOAM



TYPICAL 45' ROW DETAIL

**DRAINAGE NARRATIVE**  
THE PROPOSED LOTS WILL TYPICALLY BE GRADED TO DRAIN FROM THE REAR OF EACH PROPERTY TO THE NEW ROADSIDE DITCHES. THE ROADSIDE DITCHES WILL DISCHARGE INTO AN EXISTING DRAINAGE CHANNEL ON THE WESTERN SIDE OF THE DEVELOPMENT. THE DRAINAGE CHANNEL RUNS FROM WEST TO EAST CONNECTING TO THE EXISTING ROADSIDE DITCH IN GUINEA ROAD.

THE DEVELOPMENT IS A LOW DENSITY DEVELOPMENT ESTIMATED TO HAVE APPROXIMATELY 10 PERCENT IMPERVIOUS AREA AT FULL BUILD OUT.

PRELIMINARY PAVEMENT DESIGN  
FINAL PAVEMENT DESIGN WILL BE BASED ON A GEOTECHNICAL REPORT AND NCDOT SPECIFICATIONS.

**REVISIONS:**

DESIGNED:	MEH
DRAWN:	MEH
CHECKED:	MEH
DATE:	11/27/07

**Mel Hopkins Engineering, LLC**  
ENGINEERING & LAND PLANNING SERVICES  
204 Walden Drive Yorktown Virginia 23692  
(757) 812-9818 FAX (757) 898-4063

**SKETCH PLAN FOR CLOVER BEND SECTION II**  
CURRITUCK COUNTY, NORTH CAROLINA  
MASTER LAYOUT PLAN

PROJECT NO. : 20070905  
SHEET: 1 OF 1  
SCALE: 1" = 100'

CASE ANALYSIS FOR THE BOARD OF COMMISSIONERS  
DATE: January 7, 2008  
PB 07-09 CURRITUCK RESERVE  
Variance Request in a PUD

---

**ITEM:** PB 07-09 Currituck Reserve: Variance Request

**LOCATION:** Located between Caratoke Highway and Tulls Creek Road, north of Guinea Road.

**TAX ID:** Map 22F, Parcels 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16  
Map 14, Parcels 23 and 18C

001400000230000	022F00000070000	022F00000140000
0014000018C0000	022F00000080000	022F00000150000
022F00000020000	022F00000090000	022F00000160000
022F00000030000	022F00000100000	
022F00000040000	022F00000110000	
022F00000050000	022F00000120000	
022F00000060000	022F00000130000	

**ZONING**

**DISTRICT:** Planned Unit Development Overlay (PUD) and base zoning of Residential (R)  
The PUD Overlay was created May 7, 2007

**PRESENT USE:** Agricultural and Low density residential (farm houses).

**OWNERS:**

Haywood and Cynthia Ward  
714 Tulls Creek Road  
Moyock, NC 27958  
I.N. Wilson Estate  
C/O I.N. Wilson  
1502 Marsh Street  
Norfolk, VA 23523

**ENGINEER/  
PLANNER:**

Land Planning Solutions  
5857 Harbour View Boulevard  
Suffolk, VA 23436

**ENGINEER:** MSA P.C.  
5033 Rouse Drive  
Virginia Beach, VA 23462

**VARIANCE REQUIREMENTS:**

Section 4.3.6 (PUD Variances) of the UDO indicates the Board of Commissioners has jurisdiction over PUD variances. A variance for a PUD may be granted by the Board of Commissioners if it finds the proposal:

- (a) will not endanger the public health or safety;
- (b) will not injure the value of adjoining or abutting property;
- (c) will be in harmony with the area in which it is located;
- (d) will be in conformity with the Land Use Plan, Thoroughfare Plan, or other plan officially adopted by the Board; and,
- (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 2 years after the initial approval of the sketch plan.

In granting variance the Board of Commissioners may attach additional conditions or requirements that will, in its judgment, secure the objective of the standards or requirements so varied or modified.

**PUD VARIANCES REQUIRED FOR A TRADITIONAL NEIGHBORHOOD DESIGN:**

The Currituck UDO does not have design standards to accommodate a design such as Currituck Reserve. To allow the development to proceed with the proposed designs for the Patio Home Lots, a separate action will be required for Variances.

Variances are needed to allow the creation of 20' wide alleys, create double frontage lots (with alleys), reduce setbacks for Patio Home Lots, "Village Lots" and "Estate Lots" and to allow an increase in allowable lot coverage for lots that are 7,500 to 9,999 SF.

The sections requested to be varied are:

- 2.6 General Lot Provisions
- 2.7 Dimensional Requirements
- 9.1.8.1 Subdivision Streets
- 2.8 Residential Accessory Structure Location and Setbacks

The following is a summary of the dimensional standards requested for the different lots:

Patio Homes

Minimum Size: 4,000 S.F.  
Min Lot Width: 45'  
Max Lot coverage: 60%

Patio Home Setbacks

Front: 22'  
Side: 5' (variance required)  
Rear: 20'  
Corner: 10' (variance required)

Village Homes

Minimum Size: 7,500 SF  
Min Lot Width: 70'  
Max Lot coverage: 55% (variance required)

Village Home Setbacks

Front: 10' (variance required)  
Side: 5' (variance required)  
Rear: 20' (variance required)  
Corner: 10' (variance required)

Estate Home

Minimum Size: 10,000 SF  
Min Lot Width: 80'  
Max Lot coverage: 45% (variance required)

Village Home Setbacks

Front: 30'  
Side: 10' (variance required)  
Rear: 20'  
Corner: 20'

**Suggested Findings to approve a Variance:**

1. *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 within this proposal.

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

The proposed mixed use subdivision should have no negative impact on adjoining property. The adjoining uses are low density single family dwellings and agricultural uses.

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

The density of the proposed subdivision is slightly higher than the adjacent residential developments. In general, however; the proposed project is in keeping with the suburbanizing character of the surrounding area.

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

#### 2006 Land Use Plan

The 2006 Land Use Plan classifies the subject property **Rural** and within the **Moyock** sub-area. In the Rural Classification, population densities are generally very low and development density is anticipated at no more than 1 unit per 3 acres. While the overall Rural Classification does not necessarily support an overlay for a Planned Unit Development, the Moyock sub area is described as the fastest growing part of the county, experiencing development pressure from the Tidewater area of Virginia.

For the Moyock area, residential development densities should be medium to high depending upon available services. In areas where central sewer is proposed or existing, additional services are available and the character of the surrounding areas supports it, higher density ranging from 3-4 units per acre could be considered through the use of overlay zones.

POLICY HN3 states: 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.

POLICY CD2 states: Commercial and office development of greater than a neighborhood scale shall be encouraged to cluster in COMMERCIAL OR MIXED-USE CENTERS to curtail the proliferation of strip development, and minimize traffic generation.

POLICY CD8: MIXED-USE DEVELOPMENTS, properly planned from the outset, which allow for a compatible mixture of residential and non-residential uses with a pedestrian scale and design, are encouraged. Similarly, businesses may be located adjoining (and therefore convenient to) an existing residential area, when such businesses can be shown to satisfy design considerations similar to a newly planned, pedestrian-scaled, mixed use development.

Because this is a mixed use development supported by policies HN3, CD2 and CD8 and the proposed density does appear to fit with the description of the Moyock sub-area, this project **complies** with the 2006 Land Use Plan.

- 5. *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 2 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 Section 2015.*

The school capacity for Currituck Reserve was approved in May 2007; however since all of the sites are now single family dwellings, the revised capacity calculations are shown below.

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>Currituck Reserve- 688 units</b>	Available Capacity	Subdivision Demand	Remaining Capacity
Moyock Elementary School	349	172	64
Middle School	157	55	54
High School	249	96	66

**Staff has determined adequate public facilities exist to serve this development.**



**SITE DATA:**  
**TOTAL SITE:** +/- 471 A.C.

**SUBDIVISION SITE:** +/- 415.7 A.C.  
**RESIDENTIAL AREA:** (+/- 209.08 A.C.)  
**COMMERCIAL AREA:** (+/- 19 A.C.)  
**OPEN SPACE:** (+/- 182.36 A.C.)  
**TREATMENT PLANT SITE:** (+/- 52.6 A.C.)  
**AREA DEDICATED TO COUNTY:** +/- 55.3 A.C.

**SUBDIVISION DATA:**  
**NUMBER OF UNITS:** 688 Total-  
 213 Estate Homes (10,000 - 20,000 SF lots)  
 230 Village Homes (9,999 - 7,500 SF lots)  
 245 Patio Homes (7,499 - 3,000 SF lots)

**DENSITY:** 1.46 units per acre (3 units per acre permitted)

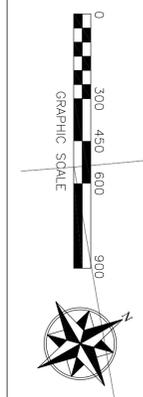
**MINIMUM LOT SIZE:** 3,000 SF  
**AVERAGE LOT SIZE:** 13,000 SF

**OPEN SPACE:**  
**REQUIRED:** 150 A.C. ((410.4 \* .35) + (230 \* 1.250))  
**PROVIDED:** 182.36 +/- acres or 44%  
 \*410.4 acres = 471 ac; less area dedicated to county,  
 less treatment plant site  
 \*230 units = # of units less than 10,000 s.f.  
**RECREATION/OPEN SPACE REQ. FOR PUD:**  
**REQUIRED/PROVIDED:** 75 A.C.

**PONDS:** +/- 37.9 A.C. Provided

**COMMERCIAL AREA ALLOWED:** +/- 19 A.C.  
**COMMERCIAL AREA PROVIDED:** +/- 19 A.C.

**UTILITIES NOTE:**  
 1. PUBLIC WATER TO BE PROVIDED WITH IN R.O.W.  
 2. SEWER TREATMENT TO BE PROVIDED  
 3. ALL OTHER UTILITIES TO BE PROVIDED WITH IN UNDERGROUND COMMON UTILITY EASEMENT.



<p>SHEET NO. <b>SP3</b></p>	<p><b>Currituck Reserve Sketch Plan</b> Currituck County Moyok Township, North Carolina</p> <p><b>Site Plan</b></p>	<p>PROJECT No: _____          DATE 11/30/07          DES. _____          DR. _____          CKD. _____</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 10%;">No.</th> <th style="width: 10%;">DATE</th> <th style="width: 80%;">REVISION</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table>	No.	DATE	REVISION													<p><b>LAND PLANNING SOLUTIONS</b>          5857 HARBOUR VIEW BLVD. STE. 202          SUFFOLK VA. 23435-2657          O 757.935.9014 F 757.935.9015</p>
No.	DATE	REVISION																	

**CASE ANALYSIS FOR THE BOARD OF COMMISSIONERS  
PB 07-09 CURRITUCK RESERVE  
MEETING DATE: January 7, 2008**

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**ITEM:** PB 07-09 Currituck Reserve: Amended Sketch Plan/ Special Use Permit for a Planned Unit Development with 688 residential units and mixed use commercial

**LOCATION:** Located between Caratoke Highway and Tulls Creek Road, north of Guinea Road.

**TAX ID:** Map 22F, Parcels 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16  
Map 14, Parcels 23 and 18C

001400000230000	022F00000070000	022F00000140000
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022F00000060000	022F00000130000	

**ZONING**

**DISTRICT:** Planned Unit Development Overlay (PUD) and base zoning of Residential (R)  
The PUD Overlay was created May 7, 2007

**PRESENT USE:** Agricultural and Low density residential (farm houses).

**OWNERS:**

Haywood and Cynthia Ward  
714 Tulls Creek Road  
Moyock, NC 27958  
I.N. Wilson Estate  
C/O I.N. Wilson  
1502 Marsh Street  
Norfolk, VA 23523

**ENGINEER/  
PLANNER:**

Land Planning Solutions  
5857 Harbour View Boulevard  
Suffolk, VA 23436

**ENGINEER:**

MSA P.C.  
5033 Rouse Drive  
Virginia Beach, VA 23462

**LAND USE/ZONING OF SURROUNDING PROPERTY:  
SURROUNDING PROPERTY:**

	<b>Land Use</b>	<b>Zoning</b>
<b>NORTH:</b>	Agricultural and Residential	A and R
<b>SOUTH</b>	Agricultural and Residential	A and R
<b>EAST:</b>	Agricultural and Residential	A
<b>WEST:</b>	Agricultural, Residential, Commercial	A, GB and C

**SCHOOL DISTRICT:** Moyock

**FIRE DISTRICT:** Moyock V.F.D.

**SIZE OF SITE:** 471 acres

**LAND FOR COUNTY  
DEDICATION:**

School Site:	49.3 AC
Site #2 (Library):	4 AC
Site #3 (at entrance):	2 AC

**NUMBER OF UNITS:** 688 Total Single Family Lots-  
213 Estate Homes (10,000 - 20,000 SF lots)  
230 Village Homes (9,999 - 7,500 SF lots)  
245 Patio Homes (7,499 – 4,000 SF lots) -4 Bedroom  
Maximum

**COMMERCIAL AREA:** 19 AC or 4.5% is proposed  
10% of the total lot area or 41.0 acres is allowed

**DENSITY:** 1.46 units per acre (3 units per acre permitted)

**MINIMUM LOT SIZE:** 7,500 SF or 3,000 SF for Patio Homes

**AVERAGE LOT SIZE:** 9,800 SF

**STREETS:** The streets will be built to NCDOT Design and Construction standards. The developer intends to offer the streets for public dedication. The site will be accessed by two connections with Tulls Creek Road. A parkway road will be the main road. The plan indicates two connections with parcels to the south of the development.

**WATER:** The development will be served by the Currituck County Water System. The development is expected to use 247,680 gallons per day.

**WASTEWATER:** Sewer will be collected, treated and disposed of by a central wastewater facility constructed for the development. The sewer system will also serve the school site.

**OPEN SPACE:** Planned unit developments are required to have 35% open space plus the difference in area for each lot that is less than 10,000 SF and not a Patio Home lot. The required open space for Currituck Reserve is 150 AC  $((410.4 \cdot .35) + (230 \cdot 1,250))$ . The submitted plan proposes 182.36 acres or 44% open space.  
 The 410 acres was calculated by deducting the county dedications and the treatment plant site.  
 There are 230 Village Home units that will average 8,750 SF.

**DRAINAGE:** The development will have a series of engineered drainage systems along the streets with stormwater ponds through out the development.

**FLOOD ZONES:** The 17 properties are in flood zones Shaded X and AE (5.4).

**NARRATIVE OF REQUEST:**

Currituck Reserve LLC is requesting amended sketch plan approval of a 688 unit planned unit development. This will be a mixed use development with a range of single family lot sizes and commercial uses. The project was originally approved on May 7, 2007 for a mix of housing types as follows:

- 168 Estate Homes (20,000 SF lots)
- 225 Single Family Detached (7,500 SF lots)
- 188 Single Family Attached Condominiums (Quadraplex)
- 48 Townhomes
- 59 Loft Condominiums above retail uses

The following are other major changes to the project from the plans approved in May:

Approved Land Area May 2007: 651.5 acres  
 Land Area December 2007: 471 acres

Approved Density May 2007: 1.06 units per acre  
 Density December 2007: 1.46 units per acre

**Land Dedicated to Currituck County-**

<p>May 2007- Total: <u>63.9 acres:</u>          1. School Site of 49.7 acres          2. Soccer Field Site of 10.1 acres          3. Library Site of 4.1 acres</p>	<p>Proposed December 2007-          Total: <u>55.3 acres:</u>          1. School Site of 49.3 acres          2. Library Site of 4 acres          3. County Services site of 2 acres</p>
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The Development Impact Statement submitted November 30, 2007 states:

The design is based on New Urbanism concepts that emphasize mixed use development with different incomes and lifestyles. To obtain this goal, Currituck Reserve uses compact communities with connecting blocks; a village center is located along the parkway connector and adjacent to the school and library site.

Pedestrian trails will connect all blocks, parks and open spaces. In some instances alleys will be located behind homes to access rear yard parking. This will be done in strategic locations where smaller lots and higher traffic volumes are present.

The Development Impact Statement proposes the follow improvements:

1. The master plan for Currituck Reserve is organized around a green infrastructure of parks and open spaces. Seven residential neighborhoods and a village center are surrounded by parks and lakes and connected to each other by pedestrian/ bike trails.
2. Prior to School Site Development, recreation fields shall be provided and coordinated with Currituck County Parks and Recreation
3. Each neighborhood is connected to each other by a system of biking, walking and jogging trails. The trails will be asphalt, typically 5-10 feet wide and maintained by the Homeowners Association.
4. There are fourteen neighborhood parks which will provide safe areas for small children to play near their homes.
5. Older children and adults will be able to jog and bike throughout the community, whether going to the Village Center, adjacent proposed high school or library site located within the community all will be easily accessible.
6. The development will be built in 3 phases over a six year period, beginning in 2008, with the first units available in 2009:
  - A. Phase A, 1-2 years from construction start - 1-257 home sites and renovation of existing historic home.
  - B. Phase B, 2-3 years from construction start - 58 (258-314) home sites.
  - C. Phase C, 4 years from construction start 95 (315-410) home sites. Anticipation of office/light retail to begin if market conditions allow (see Phase G).
  - D. Phase D, 5 years from construction start -88 (411-499) home sites.
  - E. Phase E, 6 years from construction start- 73 (500-573) home sites.
  - F. Phase F, 6-7 years from construction start -117 (574-688) home sites.

- G. Phase G, 2-7 years from construction start; office/light retail.
7. The average home prices are anticipated to be:
    - a. Patio Homes (4,000 - 7,499 SF lots)= \$212,000 - \$349,000
    - b. Village Home (7,500 - 9,999 SF lots) = \$335,000-\$405,000
    - c. Estate Homes (10,000 - 20,000 SF lots) = \$400,000 - \$500,000
  8. The total residential value is projected to be \$211.3 million
  9. The total commercial value is estimated at \$6.45 million
- 

**SPECIAL USE PERMIT CRITERIA:**

Special use permits are intended to allow the Board of Commissioners flexibility in the administration of the UDO. The purpose of a planned unit development is to allow mixed residential and commercial development as a unit and where a more efficient use of the land and additional on-site amenities can be delivered.

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

*B. Is the application complete?*

The application meets the submission requirements for sketch plan review.

*C. Does the proposal comply with the provisions in the UDO for sketch plan approval?*

The application complies with the requirements for sketch plan approval.

*D. Does the proposal comply with the general standards found in Section 1402(2) for a special use permit/sketch plan?*

*8. 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 within this proposal.

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

The proposed mixed use subdivision should have no negative impact on adjoining property. The adjoining uses are low density, dispersed, single family dwellings.

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

The proposed subdivision will be in harmony with the surrounding area.

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

#### 2006 Land Use Plan

The 2006 Land Use Plan classifies the subject property **Rural** and within the **Moyock** sub-area. In the Rural Classification, population densities are generally very low and development density is anticipated at no more than 1 unit per 3 acres. While the overall Rural Classification does not necessarily support an overlay for a Planned Unit Development, the Moyock sub area is described as the fastest growing part of the county, experiencing development pressure from the Tidewater area of Virginia.

For the Moyock area, residential development densities should be medium to high depending upon available services. In areas where central sewer is proposed or existing, additional services are available and the character of the surrounding areas supports it, higher density ranging from 3-4 units per acre could be considered through the use of overlay zones.

POLICY HN3 states: 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.

POLICY CD2 states: Commercial and office development of greater than a neighborhood scale shall be encouraged to cluster in COMMERCIAL OR MIXED-USE CENTERS to curtail the proliferation of strip development, and minimize traffic generation.

POLICY CD8: MIXED-USE DEVELOPMENTS, properly planned from the outset, which allow for a compatible mixture of residential and non-residential uses with a pedestrian scale and design, are encouraged. Similarly, businesses may be located adjoining (and therefore convenient to) an existing residential area, when such businesses can be shown to satisfy design considerations similar to a newly planned, pedestrian-scaled, mixed use development.

Because this is a mixed use development supported by policies HN3, CD2 and CD8 and the proposed density does appear to fit with the description of the Moyock sub-area, this project **complies** with the 2006 Land Use Plan.

12. *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 2 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 Section 2015.*

The school capacity for Currituck Reserve was approved in May 2007; however since all of the sites are now single family dwellings, the revised capacity calculations are shown below.

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>Currituck Reserve- 688 units</b>	Available Capacity	Subdivision Demand	Remaining Capacity
Moyock Elementary School	349	172	64
Middle School	157	55	54
High School	249	96	66

**Staff has determined adequate public facilities exist to serve this development.**

---

**Variances Required:**

The Currituck UDO does not have design standards to accommodate a design such as Currituck Reserve. To allow the development to proceed with the proposed designs for the Patio Home Lots, a separate action will be required for Variances. Section 4.3.6 (PUD Variances) of the UDO indicates the Board of Commissioners has jurisdiction over PUD variances.

Variances are needed to allow the creation of 20' wide alleys, create double frontage lots (with alleys), reduce setbacks for Patio Home Lots, "Village Lots" and "Estate Lots" and to allow an increase in allowable lot coverage for lots that are 7,500 to 9,999 SF.

The sections requested to be varied are:

- 2.6 General Lot Provisions
- 2.7 Dimensional Requirements
- 9.1.8.1 Subdivision Streets
- 2.8 Residential Accessory Structure Location and Setbacks

The following is a summary of the dimensional standards requested for the different lots:

Patio Homes

Minimum Size: 4,000 S.F.  
Min Lot Width: 45'  
Max Lot coverage: 60%

Patio Home Setbacks

Front: 22'  
Side: 5' (variance required)  
Rear: 20'  
Corner: 10' (variance required)

Village Homes

Minimum Size: 7,500 SF  
Min Lot Width: 70'  
Max Lot coverage: 55% (variance required)

Village Home Setbacks

Front: 10' (variance required)  
Side: 5' (variance required)  
Rear: 20' (variance required)  
Corner: 10' (variance required)

Estate Home

Minimum Size: 10,000 SF  
Min Lot Width: 80'  
Max Lot coverage: 45% (variance required)

Village Home Setbacks

Front: 30'  
Side: 10' (variance required)  
Rear: 20'  
Corner: 20'

**STAFF RECOMMENDATION:**

Because it appears the application has satisfied the criteria for granting an Amended Sketch Plan/ Special Use Permit within a PUD staff recommends **approval** of the application in accordance with the Technical Review Agencies' comments and subject to the following conditions:

## PLANNING DEPARTMENT

### Code and Technical Review Committee Requirements:

- a. A Traffic Impact and Traditional Neighborhood Development study with a traffic pattern for the school shall be approved by the Department of Transportation prior Preliminary Plat submission.
- b. The placement of utilities, lighting, signs, mailboxes, and/or trees shall not cause a hindrance to larger fire apparatus as the vehicle often extends over the curbing during turning.
- c. Provide an adequate stormwater analysis of onsite and offsite (downstream) drainage during planning stages. Follow requirements of UDO Section 9.6 (Drainage Plan Requirements) which indicates the post development stormwater run off shall not exceed the pre-development runoff. Stormwater devices and plans should be shown for the Private ROWs/ alleys at Preliminary Plan as well.
- d. Any development or filling of 404 wetlands will require a site specific plan approved by the US Army Corps of Engineers.
- e. The required improvements including streets, multi-modal paths, utilities, and recreational improvements shall be installed and accepted prior to submission for Final Plat approval for each phase.
- f. The applicant shall complete the development strictly in accordance with the plans submitted to, and approved by the Board of Commissioners.
- g. As a continuing condition to this approval, the applicant will meet and continue to meet all requirements of the County's Unified Development Ordinance.
- h. In keeping with Section 9.2.7 and 9.2.8 the applicant shall create a sewer district for the proposed development prior to final plat submission. In addition, the applicant shall provide the following information regarding the waste water treatment system at preliminary plan submission:
  - (1) A detailed explanation of who shall be responsible for the perpetual maintenance and upkeep of the facility;
  - (2) State approval of the proposed system; and,
  - (3) The expected life of the facility and the establishment of a reserve fund to support the continued maintenance, upkeep, and replacement of the facility.

- i. The details of the sidewalk locations and crosswalks should be shown at Preliminary Plat.
- j. The lot numbers should be consecutive through out the entire PUD, and not broken down for each section. This will be critical for the Tax Department to assign parcel ID numbers for recorded properties.
- k. If accepted by the Board of Commissioners, all of the areas intended for dedication to the County (i.e. school site, or library site) shall be identified on the Final Plat as “Areas Dedicated to Currituck County for Public Use” rather than as the specific uses currently contemplated.
- l. In the area table, correct the allowed commercial area (10% of total tract) to reflect it on the basis of the total lot area. (4.3.2(c))
- m. A legend is need for all lines and symbols used.
- n. Existing streets need to be labeled within 50’ of the site. None of the local streets off of Tulls Creek Road are labeled. (Appendix 9-A)
- o. On the Preliminary Plat, show the actual lot areas, ROWs and Open Space for each phase sheet and then summarize it on the Master Plan.
- p. The R/V and boat site should not be counted as open space.
- q. Indicate the linear feet of each road through out the PUD in a master table.

Phase Plan

- r. Please give a total for the residential units that will be developed or platted in each phase. (Section 10.6.6)

Utility Plans

- s. Any area that has a sewer line in it cannot be counted as open space. (Section 10.4.1)

**Staff Recommendations:**

- (1) Use a different line type to show where the asphalt trails will be on all sheets.
- (2) Use a different line symbol for the offsite property lines. The current line looks the same as the offsite ditch lines.
- (3) The developers shall transfer without restrictions the following property identified on the Sketch Plan to Currituck County to be used for any public purpose upon Final Plat approval of the Phases A:
  - 1. School Site: 49.3 AC
  - 2. Site #2 (Library): 4 AC
  - 3. Site #3 (at entrance): 2 AC

- (4) Upon a voluntary offer by the developer, a payment of \$3000.00 to be placed in a schools capital improvement fund for each residential dwelling unit shall be submitted to Currituck County prior to the issuance of building permit for the unit. This is a fee that was offered voluntarily by the developer and accepted by Currituck County.
- (5) The applicant shall submit a design palate for all structure types to be built. Compliance with the approved designs must be demonstrated at building permit application by submission of a certification that the Currituck Reserve Architectural Review Committee has approved the design.
- (a) The design palates shall be submitted for Planning staff review and approval prior to submission of Preliminary Plat. A member of the Planning Department or designee shall serve on the Architectural Review Committee.
- (b) With respect to the proposed single-family detached dwellings, staff suggests the following criteria:
- (i) Variation in exterior architectural materials (siding, roofing);
  - (ii) Vertical and horizontal relief in buildings (roof lines, eaves, bump outs);
  - (iii) Variation in house styles/types; and
  - (iv) Inclusion of front porches, projecting bays, vestibules.
- (c) Commercial Architecture  
With respect to the nonresidential structures, staff suggests the following elements be considered:
- (i) Facades of new 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) The principal building façade of proposed buildings shall be oriented toward the primary street frontage and in the same direction as the majority of existing buildings on the frontage street. Proposed buildings on corner or dual frontage properties shall reflect a public façade on both streets.
  - (iii) Facades shall be designed to reduce the massive scale and the one dimensional appearance of large retail buildings and to provide visual interest.
  - (iv) 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.

- (v) In addition to functioning windows, the corridor elevations shall contain at least two of the following elements:
  1. A primary entrance door or doors (except for loading doors).
  2. A primary entrance feature, such as a porch, portico, awning, entrance walk, or other similar feature.
  3. Landscaping integrated into the building design concept.
  4. Architectural or urban design elements, which link adjacent structures together, such as plazas, walkways, colonnades, or similar features.
  5. Architectural relief, such as vertical and horizontal off-sets in exterior wall elevations, band courses, lintels and sill courses, cornices and the like to create shadow lines.
- (vi) 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.
- (vii) The plan shall incorporate durable exterior surface materials complementary with the color, texture, size, and scale of exterior materials reflected on a historical Currituck County vernacular that shall be developed as part of a pattern book.
- (viii) The general roof shape, ridge and eave heights, and material characteristics proposed shall be visually compatible with these same attributes expressed in existing buildings in the immediate vicinity or in keeping with the historical vernacular of Currituck County.
- (ix) 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 public right-of-way or used as accent materials.
- (x) A landscape plan shall be submitted in conjunction with the preliminary plan showing the location, spacing, caliper dimension, and species of proposed landscaping materials.

(d) Commercial Parking.

- (i) No parking lot shall be designed to be within the front building setback and shall instead be located behind the front building line. This allows front parking, but increases the space from the street property line.
- (ii) Parking lots shall be arranged in such a manner so that not more than twenty (20) parking spaces in a row shall be permitted without a landscaped island. Parking lot landscape islands shall be a minimum of ten (10) feet wide.
- (iii) Five (5) percent of the interior area of a parking lot shall be reserved for landscape purposes. This provision shall include the landscaping of all required parking islands and medians. Shade trees shall be

incorporated within the landscaped islands whenever and wherever practicable.

(e) Commercial Area Landscaping

- (i) Staff recommends a landscape plan be submitted in conjunction with the preliminary plan showing the location, spacing, caliper dimension, and species of proposed landscaping materials.
- (ii) Shrubs shall be at least ten (10) gallons in size, and trees must be at least two (2) inches in caliper at planting.
- (iii) Parking lot screening is required adjacent to public rights-of-way - Low profile screening shall be installed when parking spaces would result in vehicles facing onto the roadway in addition to the requirements of Chapter 5 Bufferyard and Shading Requirements. Screening may consist of a low wall, evergreen hedge with minimum height of two (2) feet at time of planting planted three (3) feet apart on center and a maximum height of three (3) feet at maturity, or earth berm. Should a low wall be used, such wall shall be accompanied by evergreen shrub plantings on the roadway side of the wall and spaced ten (10) feet apart on center.

(f) Outdoor Display Areas.

- (i) All outdoor display areas, including garden centers and any seasonal sales, shall be enclosed on all sides with high-quality fencing such as fencing resembling wrought iron, (chain link fencing is prohibited).
- (ii) All outdoor display areas shall be designated on the site plan and must not extend into parking areas.
- (iii) Mechanical or HVAC equipment shall not be installed at ground level along any portion of a building facing a state maintained street or road or internal street or way unless such location is necessitated by the nature and design of the building it serves. Roof top installation may be allowed provided that such equipment is concealed behind a parapet wall.
- (iv) A solid fence or wall and native plants shall screen any ground level equipment. Block or brick enclosures, if used, may include decorative openings within the block or brick pattern.

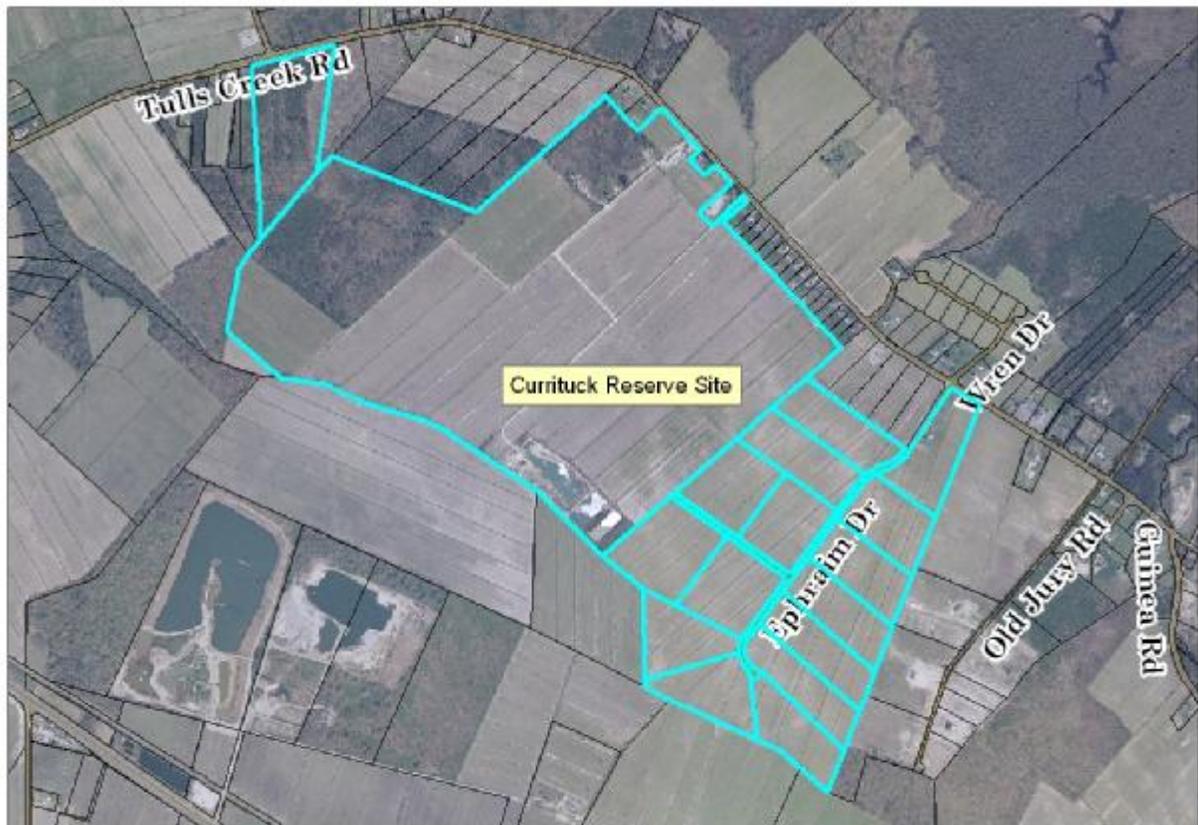
**TECHNICAL REVIEW STAFF:** On November 14, 2007, Technical Review staff reviewed this application with the following comments:

1. **Currituck County Public Works** – Approved with the following condition: Show design of utilities at Preliminary Plat.
2. **Soil & Water Conservation** - Approved with the following conditions: Provide an adequate stormwater analysis of onsite and offsite (downstream) drainage during planning stages. Follow requirements of UDO Section 9.6 (Drainage

Plan Requirements) which indicates the post development stormwater run off shall not exceed the pre-development runoff.

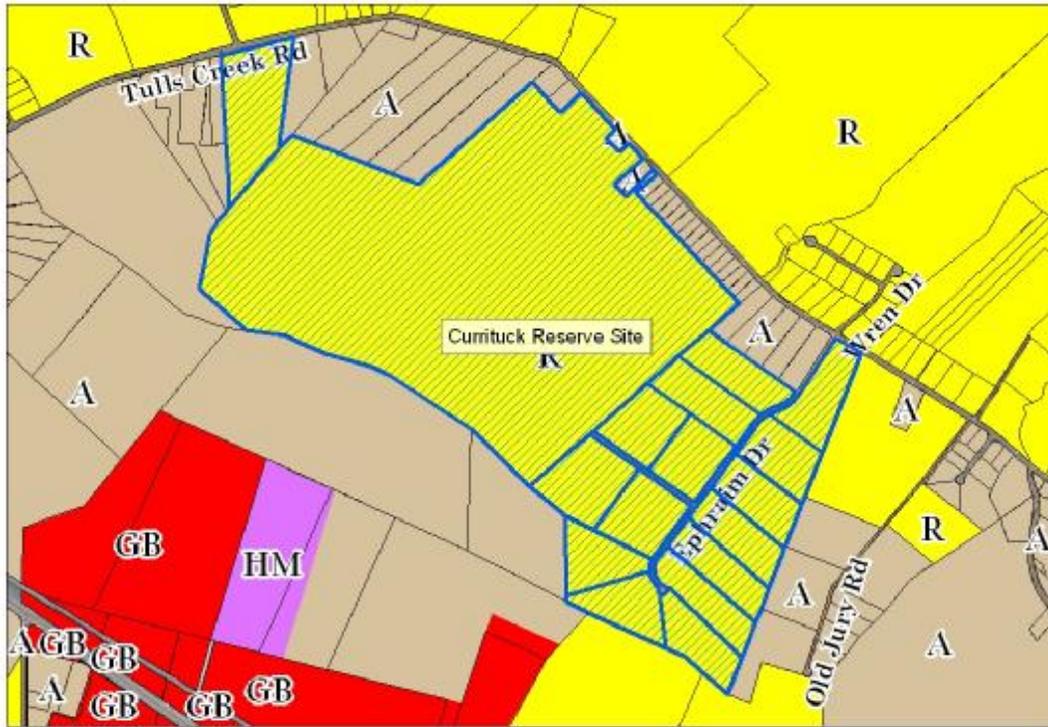
3. **Currituck County Fire Services**– Approved with the following comments:
  - a. Fire hydrants must be within 500’ of every portion of road frontage with no more that 1000’ between any two fire hydrants.
  - b. Any structure other than a one or two family dwelling requires a fire hydrant within 400’ of all portions of the exterior of the structure. This is measured as hose comes off the back of fire apparatus.
  - c. Any structure other than a one or two family dwelling requires access from fire apparatus within 150’ of all portions of the exterior of the structure. This is measured from access that is at least 20’ wide capable of withstanding 75,000lbs.
  - d. Cul-de-sacs must be 96’ of pavement capable of withstanding 75,000 lbs.
  - e. Any structures other than a one or two family dwelling greater than 30’ in height will require additional road width requirements for fire apparatus access by ladder trucks.
  - f. I caution the placement of utilities, lighting, signs, mailboxes, and/or trees in areas that may cause a hindrance to larger fire apparatus as I note a portion of the vehicle often extends over the curbing during turning.
4. **Albemarle Regional Health Services** – Approved with the following comments: A central wastewater system will be under the jurisdiction of the Division of Water Quality.
5. **Currituck County GIS** – Approved as is- street names are under review.
6. **County Parks & Recreation Department** – Approved with the following comments- continue to provide updates on park designs. A park matching program for recreational improvements is available.
7. **Emergency Management** – No comments received.
8. **Moyock VFD**– No comments received.
9. **NC Department of Transportation**: Approved with following conditions-require a Traffic Impact and Traditional Neighborhood Development study with a traffic pattern for the school prior to Preliminary Plat approval.
10. **US Army Corps of Engineers**: No comments received.

11. **NC Department of Natural Resources, Division of Water Quality**, – No comments received.
12. **NC Department of Natural Resources, Division of Land Resources** – No comments received.
13. **Currituck County Superintendent of Schools**- No comments received.
14. **N C Dominion Power** – No comments received.
15. **Sprint Telephone** – Approved with no comments.
16. **Mediacom Cable** - No comments received.

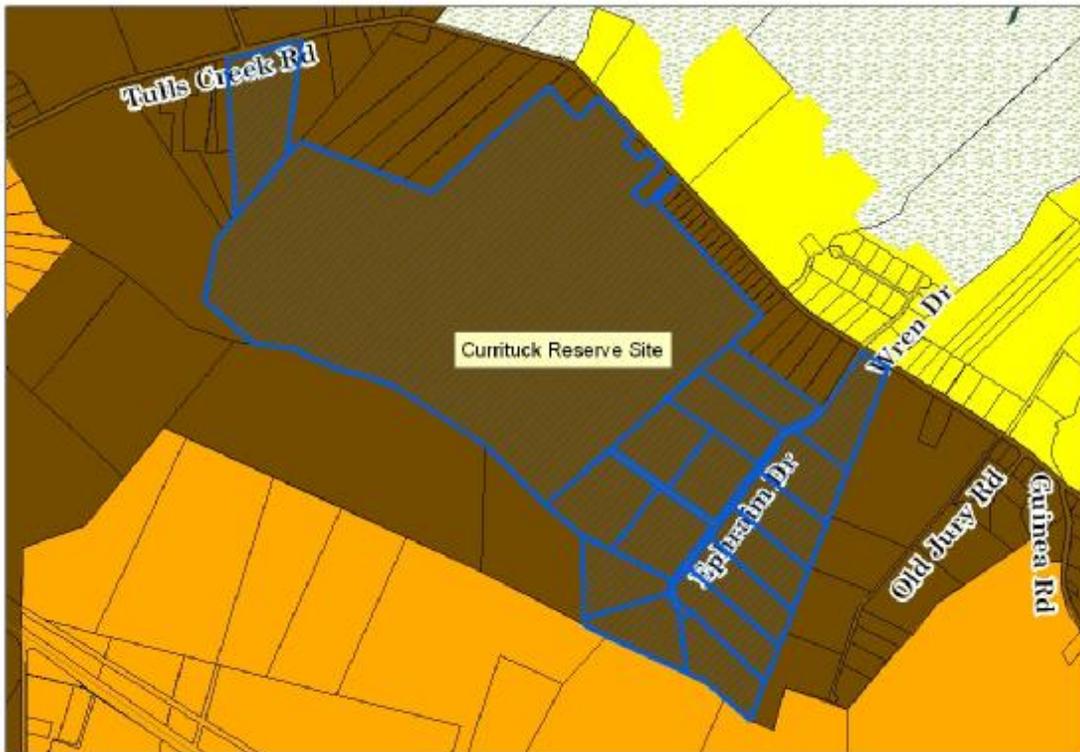


**PB 07-09 Currituck Reserve  
Amended Sketch Plan**





PB 07-09 Currituck Reserve  
Amended Sketch Plan



PB 07-09 Currituck Reserve  
Amended Sketch Plan



## **PLANNING BOARD DISCUSSION**

Melissa Venable, Land Planning Solutions, Walt Grooms, Joseph Hawkins, and Dave Holton appeared before the board.

Mr. Webb presented the case analysis to the board.

## **DISCUSSION**

Ms. Turner asked if the housing was going to be single family or multi-family housing.

Mr. Webb stated single family.

Mr. Etheridge asked Mr. Webb to explain the setbacks and variance request.

Mr. Webb stated that a separate variance hearing will take place before the plans are approved to allow the setbacks to happen.

Mr. West questioned the amount of acreage designated for RV parking will not be sufficient for the number of homes being built.

Ms. Venable stated that before the BOC's meeting on 1/7/08 they will be addressing the concern to provide more RV/Boat parking. Ms. Venable stated more acreage may become available once the wetlands and flood zone has been completed.

Ms. Venable provided maps that showed the 3 housing styles and the layout of site. Melissa explained the concept of a town center atmosphere. The historical home will be renovated during the first phase of the project. A central sewage plant will be provided and they will work with the county on the aspects of capacity.

Joseph Hawkins asked if the sewage treatment plant was going to be a pump station.

Mr. Webb stated it will be a combination of gravity and pump treat plant.

Walt Grooms stated he lives directly across from the historical home that will be renovated. He has concerns with number of homes being built on ½ acre lots and what it will look like with the number of cars parked in front of these homes. He also expressed a concerned regarding the main access on Tulls Creek Road. Currituck County used to be known as a sportsman's paradise.

Dave Holton stated that he did not come tonight on this particular issue, but wanted to comment on this case. He lived in Dallas, TX on a 4,000 sq. ft. lot in a planned subdivision. It worked very well because it was planned well as oppose to a multi-family set up which was very crowded. If properly planned, it works very well.

Mr. West asked Mr. Webb to elaborate on the Traffic Impact and Traditional Neighborhood Development study with a traffic pattern for the school shall be approved by the Department of Transportation prior to Preliminary Plat submission.

Mr. Webb stated that the Traffic Impact study would do a calculation of the projected traffic to the retail business portion and how that impacts the local schools.

**ACTION**

Mr. Keel motion to recommend approval with staff comments and recommendations and the Engineer/Planner continue to work with the Currituck Planning Department for more RV parking and other issues as presented for Currituck Reserve. Mr. Winter seconded the motion. Ayes: Alvin Keel, William Etheridge, Forrest Midget, Elizabeth Turner, Arthur Winter, and Bren Robbins. Nays: Manly West. Motion carried.



**SITE DATA:**  
**TOTAL SITE:** +/- 471 A.C.

**SUBDIVISION SITE:** +/- 415.7 A.C.  
**RESIDENTIAL AREA:** (+/- 209.08 A.C.)  
**COMMERCIAL AREA:** (+/- 19 A.C.)  
**OPEN SPACE:** (+/- 182.36 A.C.)  
**TREATMENT PLANT SITE:** (+/- 52.6 A.C.)  
**AREA DEDICATED TO COUNTY:** +/- 55.3 A.C.

**SUBDIVISION DATA:**  
**NUMBER OF UNITS:** 688 Total-  
 213 Estate Homes (10,000 - 20,000 SF lots)  
 230 Village Homes (9,999 - 7,500 SF lots)  
 245 Patio Homes (7,499 - 3,000 SF lots)

**DENSITY:** 1.46 units per acre (3 units per acre permitted)

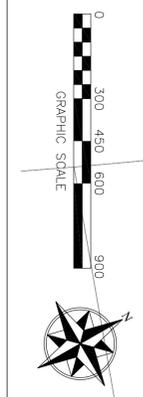
**MINIMUM LOT SIZE:** 3,000 SF  
**AVERAGE LOT SIZE:** 13,000 SF

**OPEN SPACE:** 150 A.C. ((410.4\*35) + (230\*1,250))  
**REQUIRED:** 182.36 +/- acres or 44%  
**PROVIDED:** 471 ac; less area dedicated to county,  
 less treatment plant site  
 \*230 units = # of units less than 10,000 s.f.  
**RECREATION/OPEN SPACE REQ. FOR PUD:**  
**REQUIRED/PROVIDED:** 75 A.C.

**PONDS:** +/- 37.9 A.C. Provided

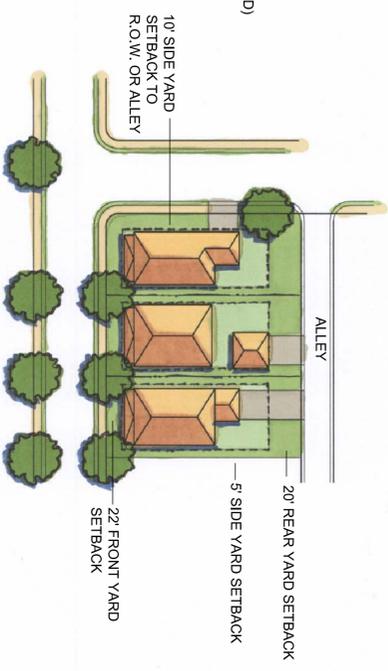
**COMMERCIAL AREA ALLOWED:** +/- 19 A.C.  
**COMMERCIAL AREA PROVIDED:** +/- 19 A.C.

**UTILITIES NOTE:**  
 1. PUBLIC WATER TO BE PROVIDED WITH IN R.O.W.  
 2. SEWER TREATMENT TO BE PROVIDED  
 3. ALL OTHER UTILITIES TO BE PROVIDED WITH IN UNDERGROUND COMMON UTILITY EASEMENT.

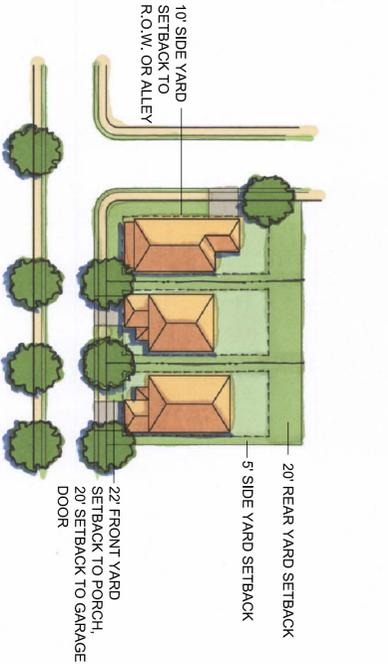


<p><b>Currituck Reserve</b>  <b>Sketch Plan</b>          Currituck County          Moyok Township, North Carolina</p> <p><b>Site Plan</b></p>	<p>PROJECT No: _____          DATE 11/30/07          DES. _____          DR. _____          CKD. _____</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 10%;">No.</th> <th style="width: 10%;">DATE</th> <th style="width: 80%;">REVISION</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table>	No.	DATE	REVISION													<p><b>LAND PLANNING SOLUTIONS</b>          5857 HARBOUR VIEW BLVD. STE. 202          SUFFOLK VA. 23435-2657          O 757.935.9014 F 757.935.9015</p>
No.	DATE	REVISION																
<p>SHEET NO.  <b>SP3</b></p>																		

PATIO HOMES:  
 MIN LOT SIZE: 4,000 S.F.  
 MIN LOT WIDTH: 45'  
 MAX LOT COVERAGE: 60%

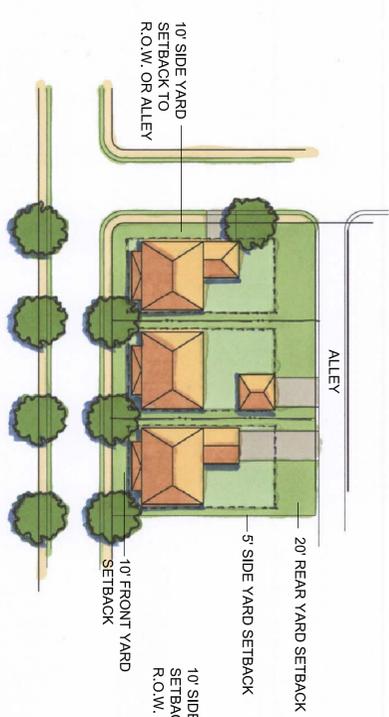


PATIO HOME - REAR LOAD

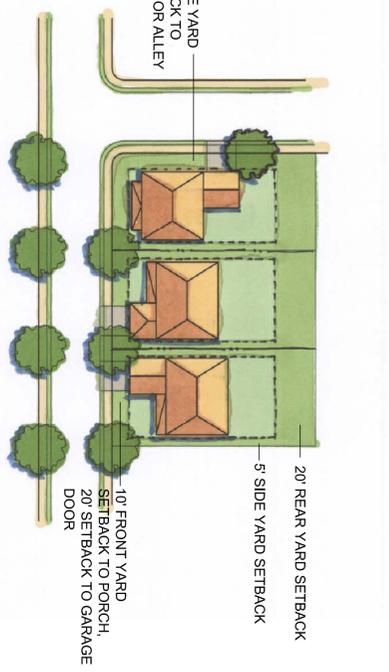


PATIO HOME - FRONT LOAD

VILLAGE HOMES:  
 MIN LOT SIZE: 7,500 S.F.  
 MIN LOT WIDTH: 70'  
 MAX LOT COVERAGE: 55%

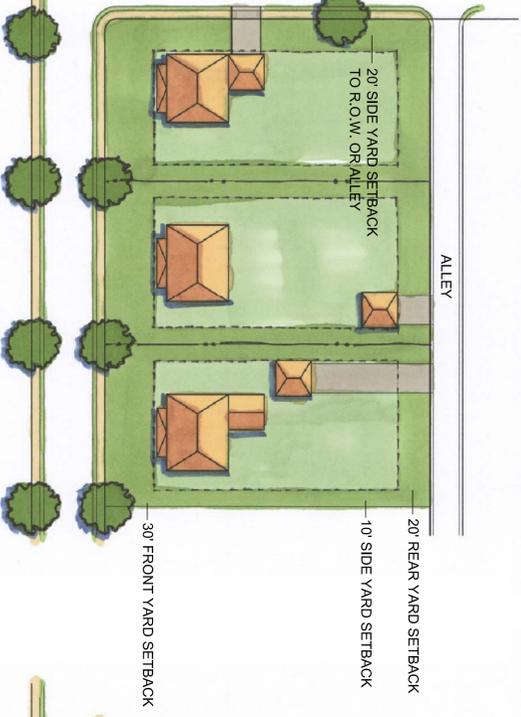


VILLAGE HOME - REAR LOAD

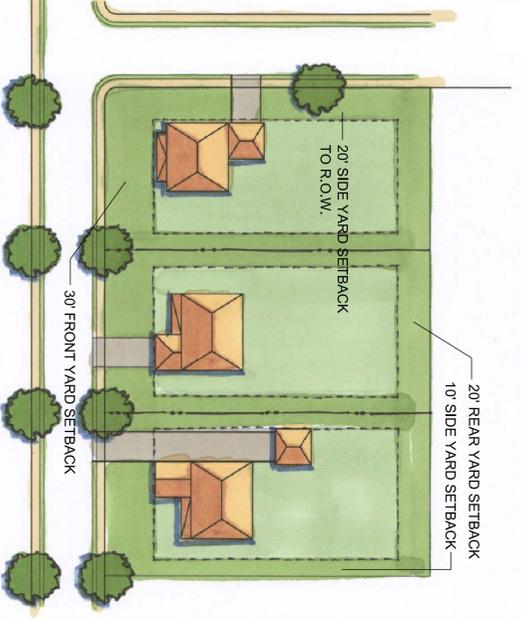


VILLAGE HOME - FRONT LOAD

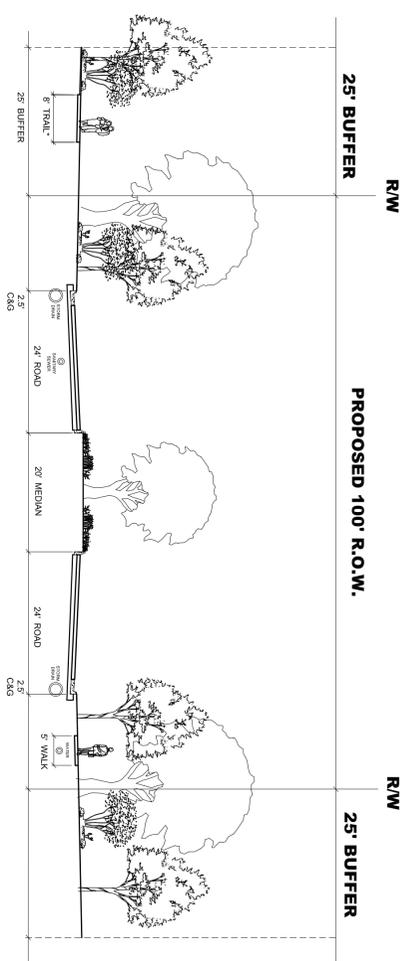
ESTATE HOMES:  
 MIN LOT SIZE: 10,000 S.F.  
 MIN LOT WIDTH: 80'  
 MAX LOT COVERAGE: 45%



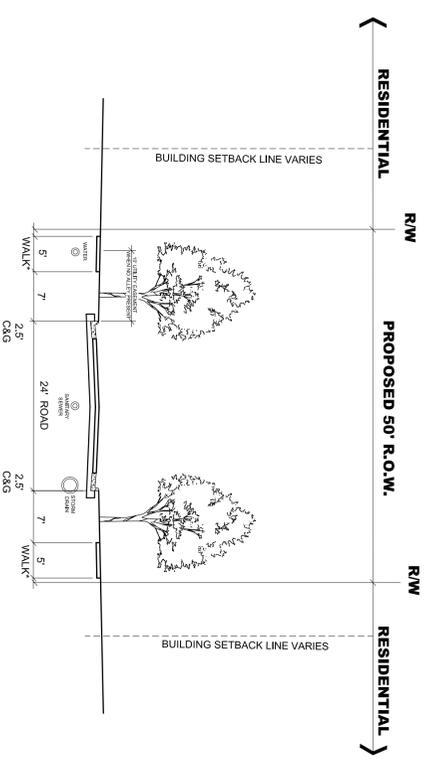
ESTATE HOMES - REAR LOAD



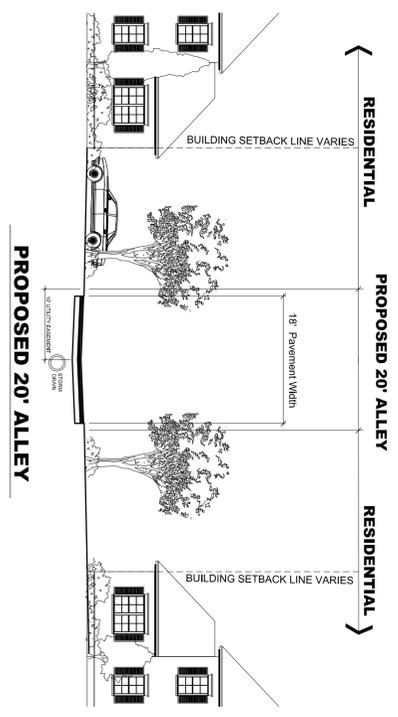
ESTATE HOMES - FRONT LOAD



PROPOSED 100' R.O.W.



PROPOSED 50' R.O.W.



PROPOSED 20' ALLEY

A1 Lot Diagrams

A2 Street Sections

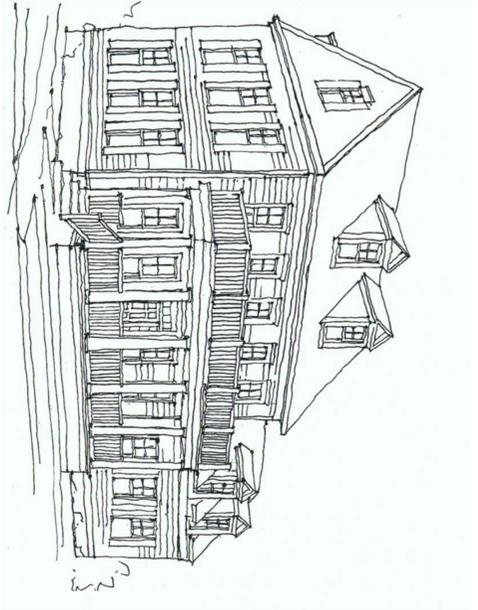
**LPS** LAND PLANNING SOLUTIONS  
 5857 HARBOUR VIEW BLVD. STE. 202  
 SUFFOLK VA. 23435-2657  
 O 757.935.9014 F 757.935.9015

No.	DATE	REVISION

PROJECT No:  
 DATE 11/30/07  
 DES.  
 DR.  
 CKD.

Currituck Reserve  
 Sketch Plan  
 Currituck County  
 Moyok Township, North Carolina  
 Site Design Guidelines

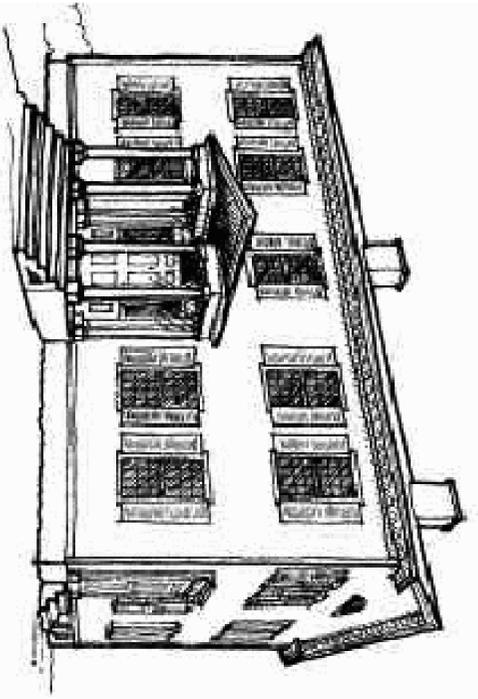
SHEET NO.  
 SP12



- Features:**
- Gable roofs with varying slopes (from 5/12 to 8/12 ) with dormers
  - Large front porches and porch columns, often on second floor as well.
  - Symmetrical front Facade
  - Higher floor-to ceiling heights
  - Windows with divided lights
  - Classical detailing: cornices, columns, column capitals, lintels
  - Horizontal siding or brick

A1 Colonial Revival

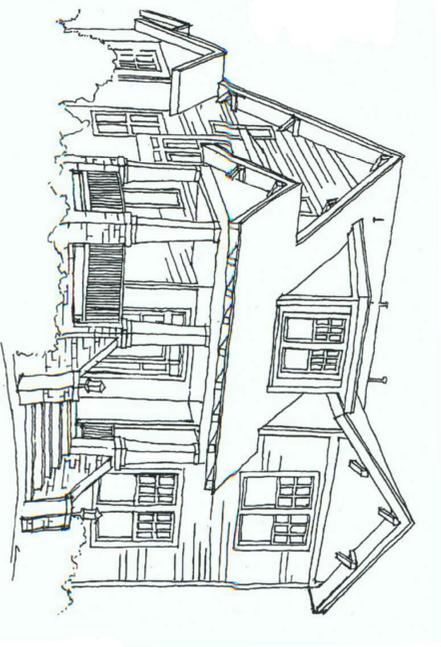
NTS



- Features:**
- Gable roofs with Low slopes ( from 4/12 to 8/12 )
  - Narrow cornices, delicate moldings, and fan-shaped gable windows
  - Symmetrical front facade proportional to main structures
  - Windows with divided lights
  - Horizontal siding or brick
  - Functional and simple floor plan

A2 Federal

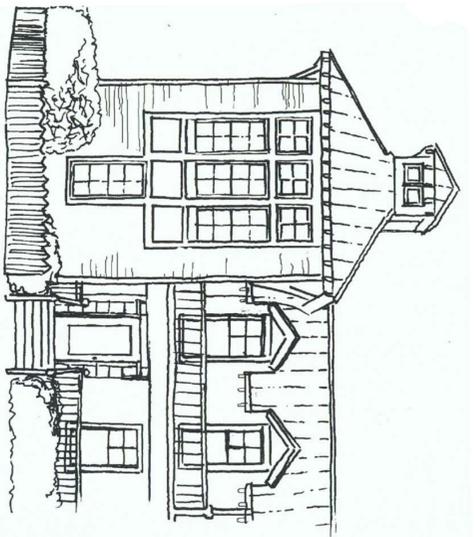
NTS



- Features:**
- Low slope roofs ( 4/12 - 8/12 )
  - Large predominant front porches
  - Porches are often built under the main roofs
  - Ample windows with vertical divided lights in the top panel
  - Tapered posts; round or square
  - Porch piers often brick
  - Exposed rafters ends at eaves
  - Exposed beam ends at gable eaves ( or decorative bracing )
  - Masonry base at the basement or foundation wall
  - Horizontal lap siding, brick or shingles
  - Simple trim; often oversized but with little other decorative features

A3 Craftsman

NTS



- Features:**
- Roof slopes vary
  - Exposed timbers and posts
  - Large areas of glass
  - Open air but roofed outdoor areas
  - Floor-to-ceiling heights vary widely
  - Ample openings to outdoors
  - Historic styles as points of departure
  - Reference to historic styles through shape and materials, not decoration

A4 Interpretive

NTS



**LAND PLANNING SOLUTIONS**  
 5857 HARBOUR VIEW BLVD. STE. 202  
 SUFFOLK VA. 23435-2657  
 O 757.935.9014 F 757.935.9015

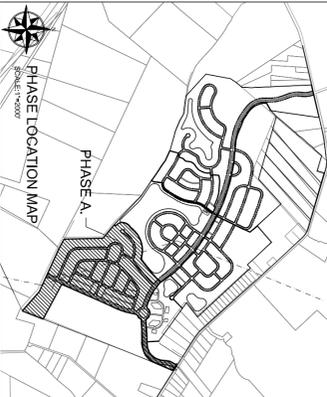
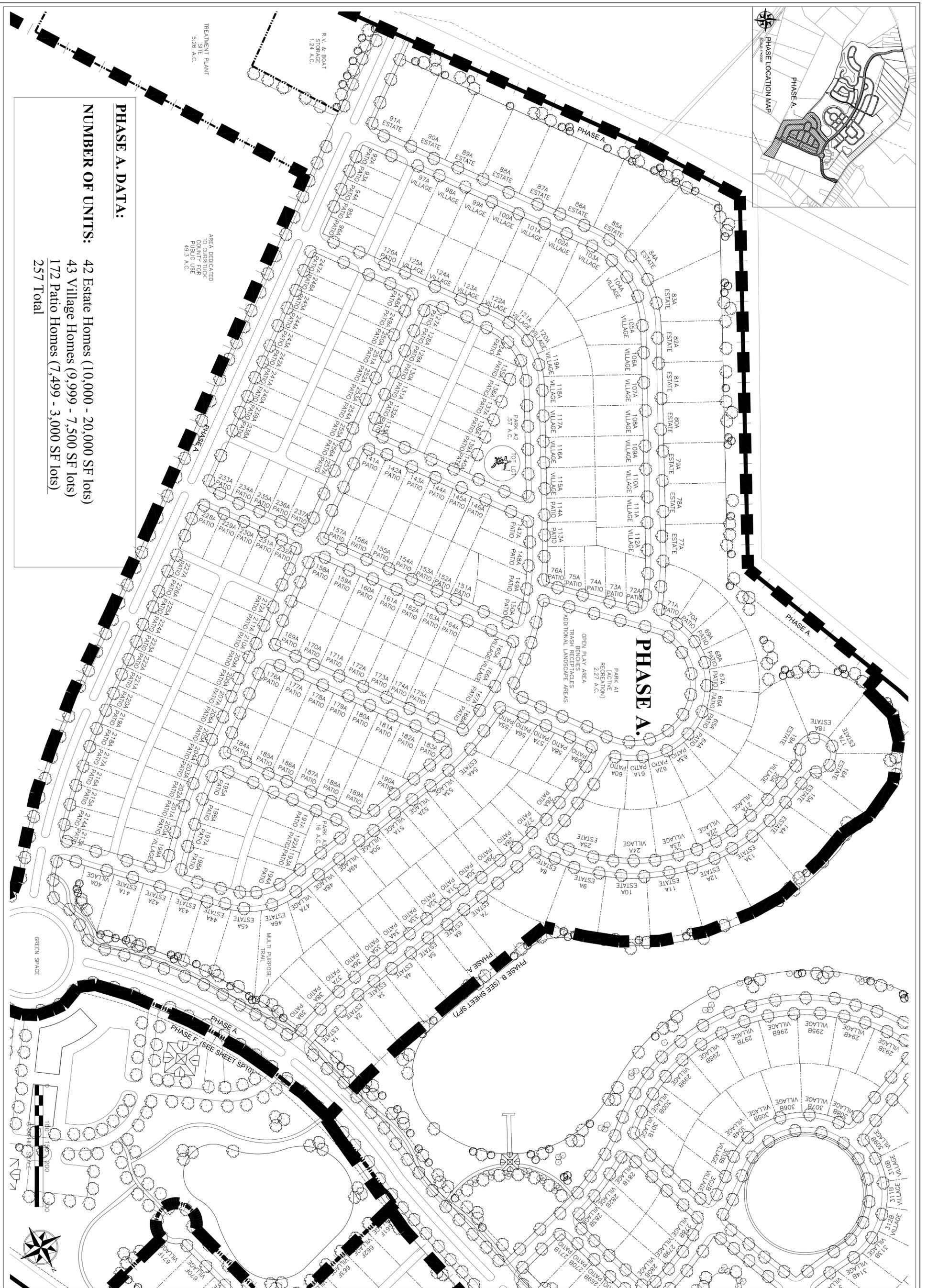
No.	DATE	REVISION

PROJECT No: \_\_\_\_\_  
 DATE 11/30/07  
 DES. \_\_\_\_\_  
 DR. \_\_\_\_\_  
 CKD. \_\_\_\_\_

**Currituck Reserve  
 Sketch Plan**  
 Currituck County  
 Moyok Township, North Carolina  
**Architectural Guidelines**

SHEET NO.

SP13



**PHASE A DATA:**

**NUMBER OF UNITS:**  
 42 Estate Homes (10,000 - 20,000 SF lots)  
 43 Village Homes (9,999 - 7,500 SF lots)  
 172 Patio Homes (7,499 - 3,000 SF lots)  
 257 Total

TREATMENT PLANT  
 5.28 A.C.

R.V. & BOAT  
 STORAGE  
 1.24 A.C.

AREA DEDICATED  
 TO CURRIETUCK  
 COUNTY FOR  
 49.3 A.C.

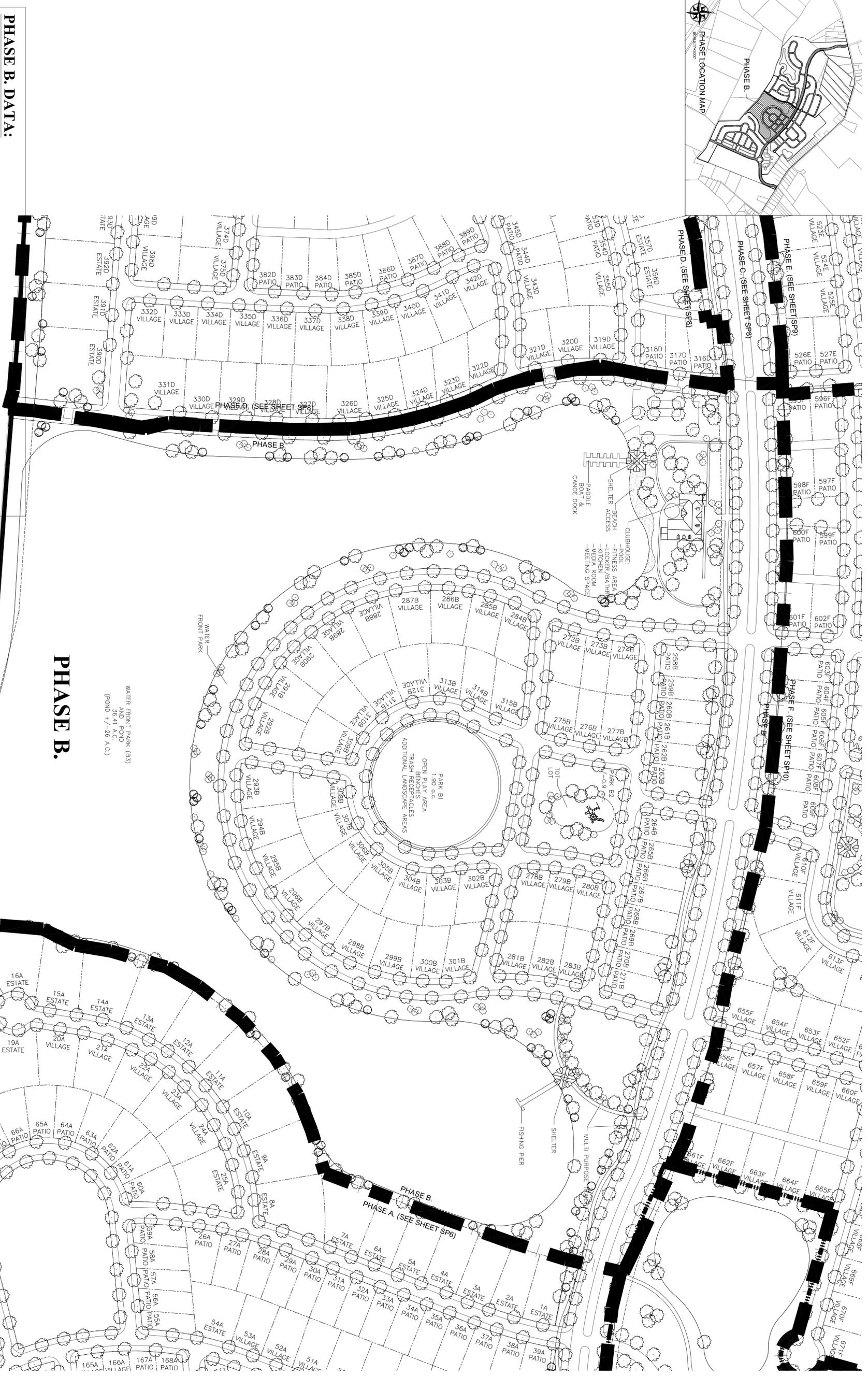
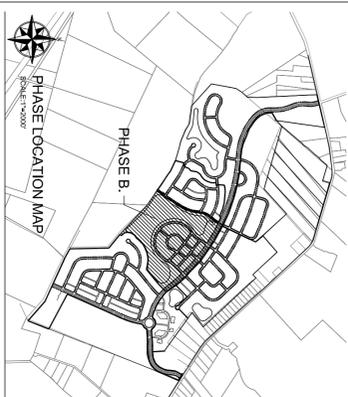
**PHASE A.**

GREEN SPACE

PHASE B (SEE SHEET SP7)  
 PHASE C (SEE SHEET SP8)  
 PHASE D (SEE SHEET SP9)  
 PHASE E (SEE SHEET SP10)  
 PHASE F (SEE SHEET SP11)



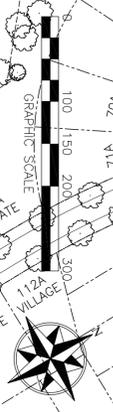
SHEET NO. <b>SP6</b>	11/30/07 <b>Sketch Plan</b> Currituck County Moyok Township, North Carolina <b>Phase A. Enlargement</b>	PROJECT No:	No.	DATE	REVISION
		DATE 11-1-07 DES. DR. CKD.			
		<p>LAND PLANNING SOLUTIONS        5857 HARBOUR VIEW BLVD. STE. 202        SUFFOLK VA. 23435-2657        O 757.935.9014 F 757.935.9015</p>			



**PHASE B. DATA:**

- NUMBER OF UNITS:**
- 0 Estate Homes (10,000 - 20,000 SF lots)
  - 44 Village Homes (9,999 - 7,500 SF lots)
  - 14 Patio Homes (7,499 - 3,000 SF lots)
  - 58 Total

**PHASE B.**



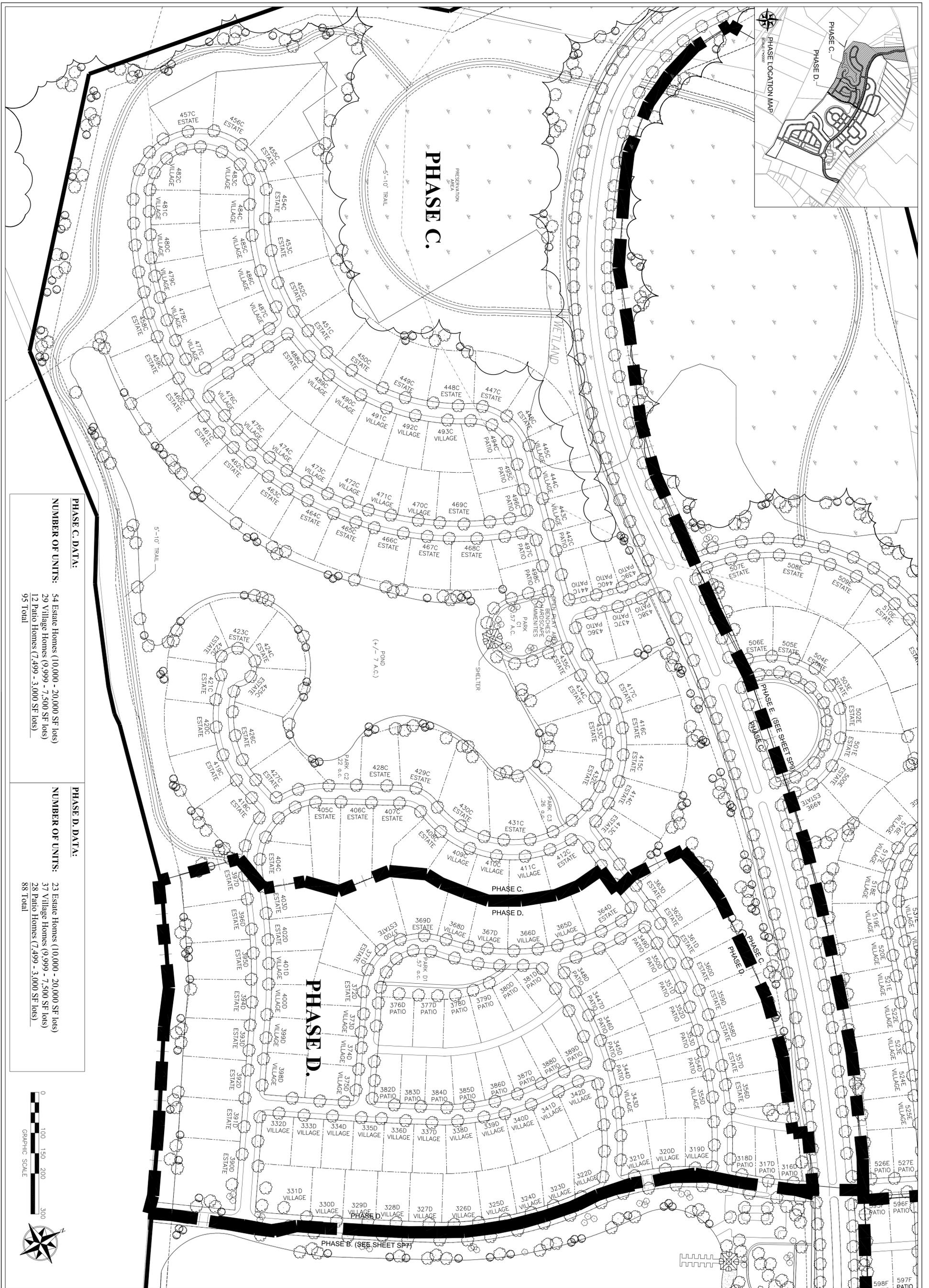
**Currituck Reserve  
Sketch Plan**  
Currituck County  
Moyok Township, North Carolina  
**Phase B. Enlargement**

PROJECT No:  
DATE 11/30/07  
DES.  
DR.  
CKD.

No.	DATE	REVISION

**LPS LAND PLANNING SOLUTIONS**  
5857 HARBOUR VIEW BLVD. STE. 202  
SUFFOLK VA. 23435-2657  
O 757.935.9014 F 757.935.9015

SHEET NO.  
**SP7**

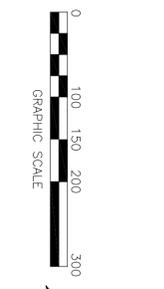


**PHASE C. DATA:**

**NUMBER OF UNITS:** 54 Estate Homes (10,000 - 20,000 SF lots)  
 29 Village Homes (9,999 - 7,500 SF lots)  
 12 Patio Homes (7,499 - 3,000 SF lots)  
 95 Total

**PHASE D. DATA:**

**NUMBER OF UNITS:** 23 Estate Homes (10,000 - 20,000 SF lots)  
 37 Village Homes (9,999 - 7,500 SF lots)  
 28 Patio Homes (7,499 - 3,000 SF lots)  
 88 Total



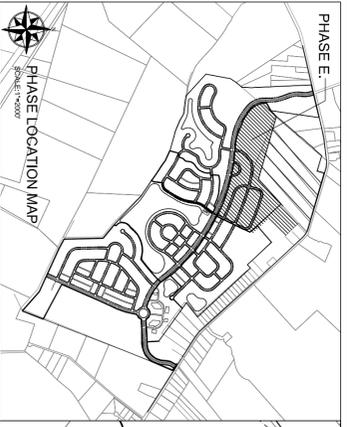
SHEET NO.  
**SP8**

**Currituck Reserve**  
**Sketch Plan**  
 Currituck County  
 Moyok Township, North Carolina  
**Phase C. & D. Enlargement**

PROJECT No:  
 DATE 11/30/07  
 DES.  
 DR.  
 CKD.

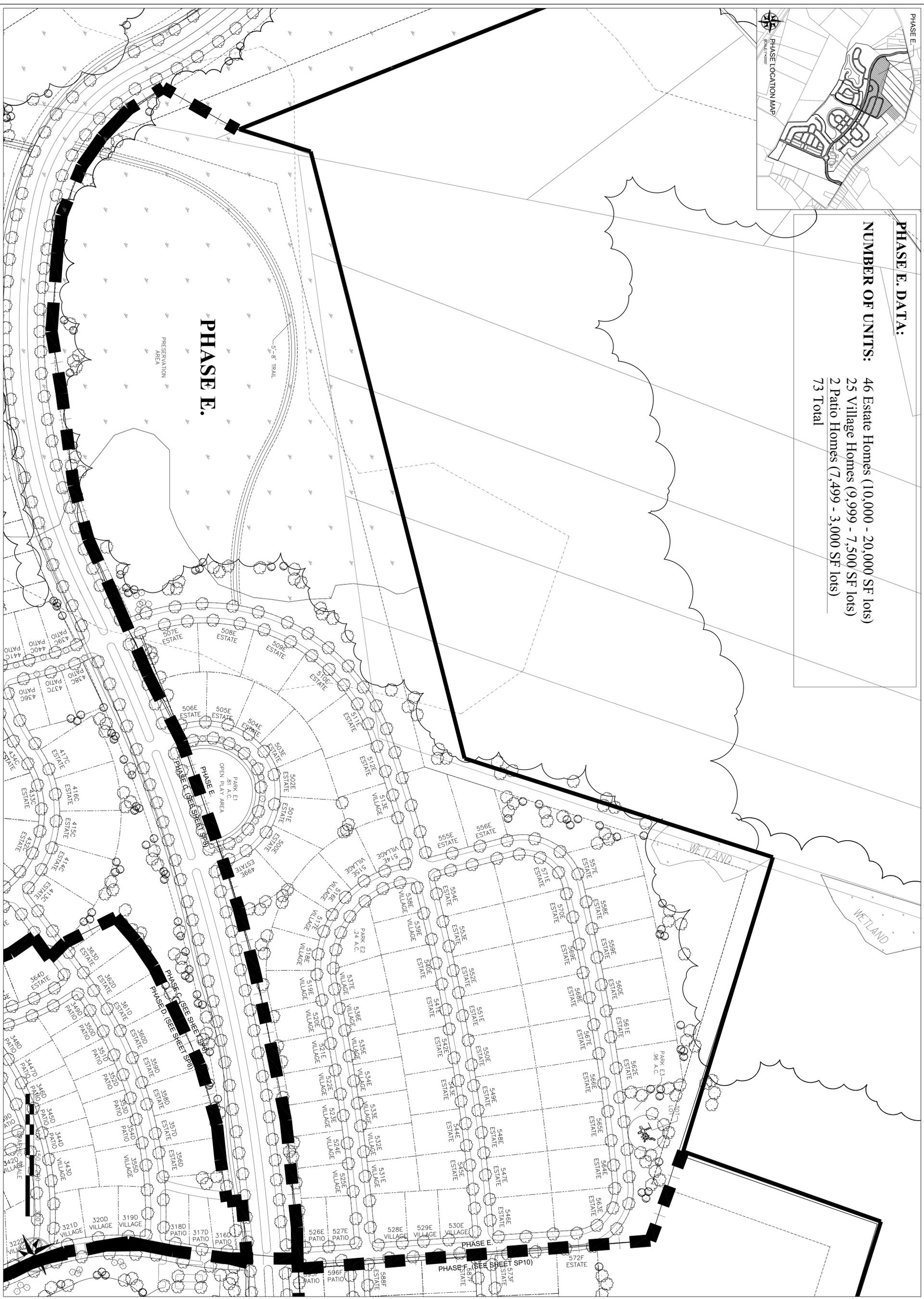
No.	DATE	REVISION

**LPS** LAND PLANNING SOLUTIONS  
 5857 HARBOUR VIEW BLVD. STE. 202  
 SUFFOLK VA. 23435-2657  
 O 757.935.9014 F 757.935.9015



**PHASE E. DATA:**

**NUMBER OF UNITS:** 46 Estate Homes (10,000 - 20,000 SF lots)  
 25 Village Homes (9,999 - 7,500 SF lots)  
 2 Patio Homes (7,499 - 3,000 SF lots)  
 73 Total



**PHASE E.**

PRESERVATION AREA

5-8' TRAIL

PARK E1  
81 A.C.  
OPEN PLAY AREA

PARK E2  
24 A.C.

PARK E3  
96 A.C.

WETLAND

WETLAND

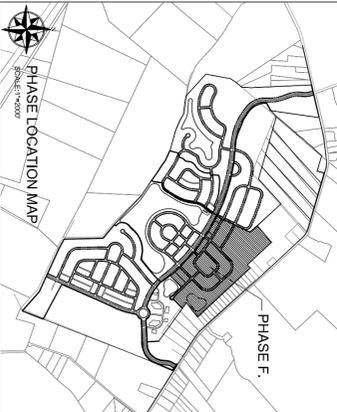
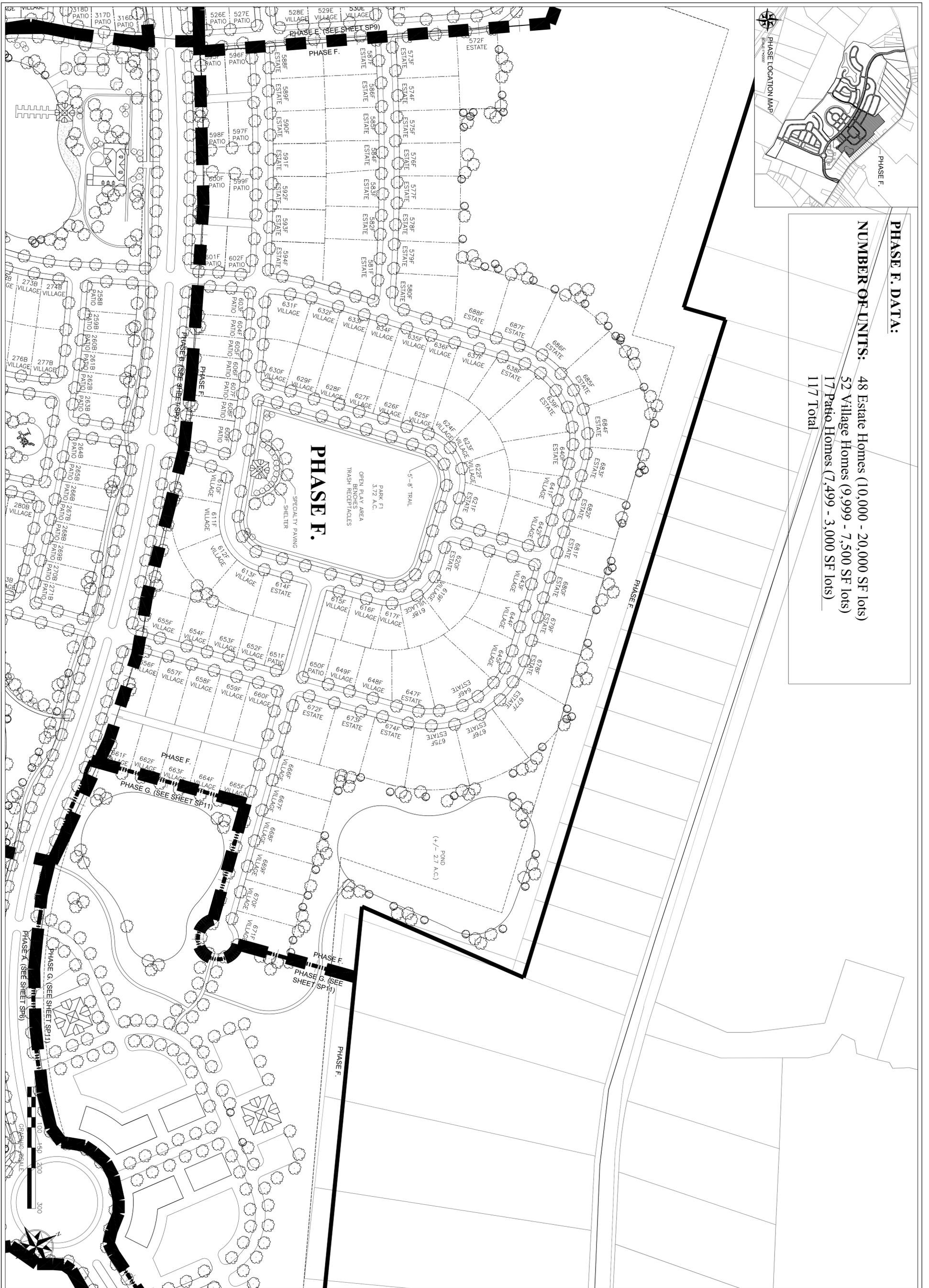
Currituck Reserve  
 Sketch Plan  
 Currituck County  
 Moyok Township, North Carolina  
 Phase E. Enlargment

PROJECT No:  
 DATE 11/30/07  
 DES.  
 DR.  
 CKD.

No.	DATE	REVISION

**LPS** LAND PLANNING SOLUTIONS  
 5857 HARBOUR VIEW BLVD. STE. 202  
 SUFFOLK VA. 23435-2657  
 O 757.935.9014 F 757.935.9015

SHEET NO.  
**SP9**



**PHASE F. DATA:**

**NUMBER OF UNITS:** 48 Estate Homes (10,000 - 20,000 SF lots)  
 52 Village Homes (9,999 - 7,500 SF lots)  
 17 Patio Homes (7,499 - 3,000 SF lots)  
 117 Total

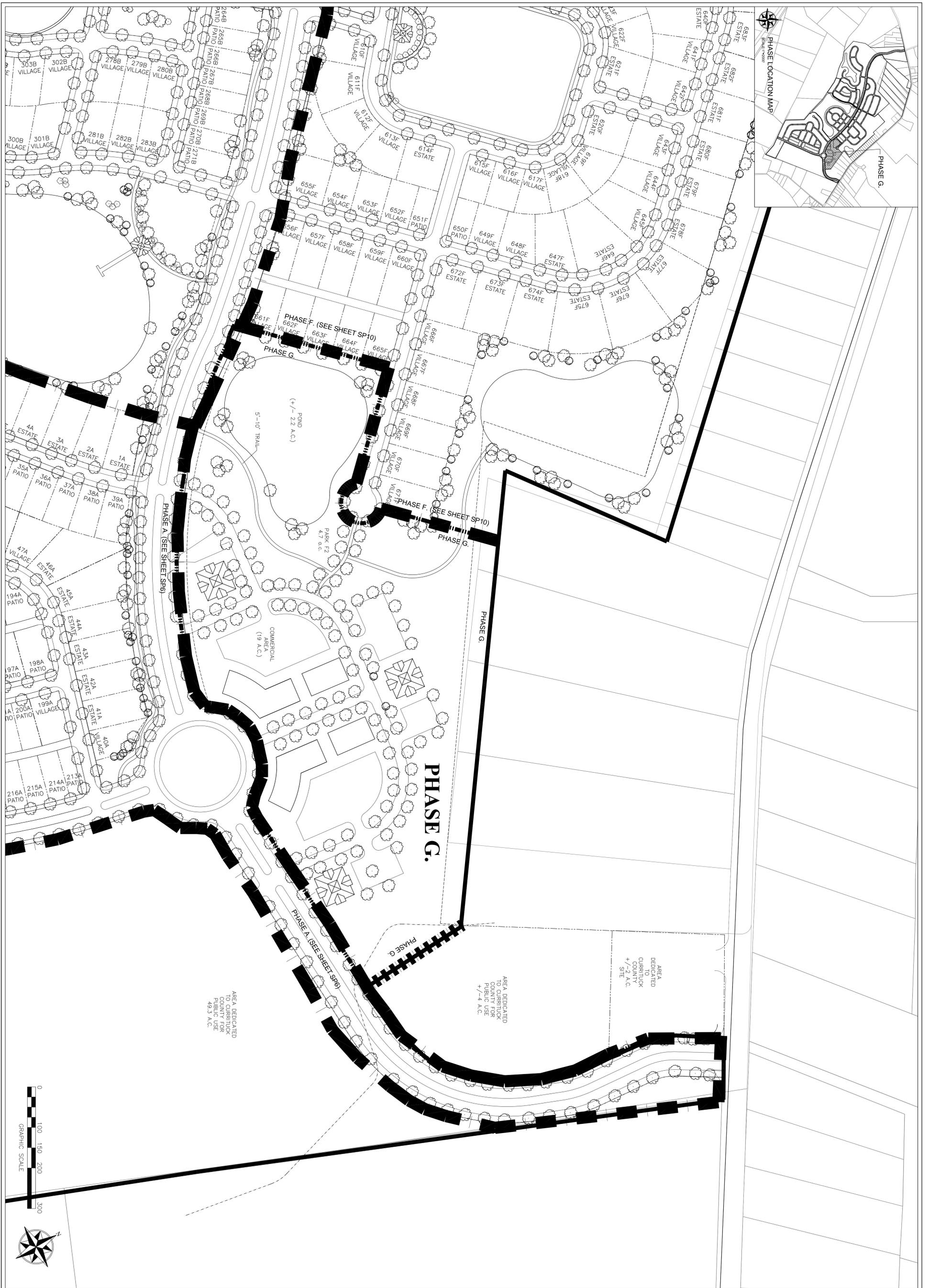
SHEET NO.  
**SP10**

**Currituck Reserve  
 Sketch Plan**  
 Currituck County  
 Moyock Township, North Carolina  
**Phase F. Enlargment**

PROJECT No:  
 DATE 11/30/07  
 DES.  
 DR.  
 CKD.

No.	DATE	REVISION

**LPS** LAND PLANNING SOLUTIONS  
 5857 HARBOUR VIEW BLVD. STE. 202  
 SUFFOLK VA. 23435-2657  
 O 757.935.9014 F 757.935.9015



SHEET NO.  
SP11

**Currituck Reserve  
Sketch Plan**  
Currituck County  
Moyok Township, North Carolina  
**Phase G. Enlargment**

PROJECT No:  
DATE 11/30/07  
DES.  
DR.  
CKD.

No.	DATE	REVISION

**LPS** LAND PLANNING SOLUTIONS  
5857 HARBOUR VIEW BLVD. STE. 202  
SUFFOLK VA. 23435-2657  
O 757.935.9014 F 757.935.9015



**MEMORANDUM**

TO: Board of Commissioners  
FROM: Tiffany C. Brothers  
Clerk to the Board  
DATE: December 4, 2007  
SUBJECT: Board of Adjustment Term Expirations

The following Board of Adjustment member's term will expire December 31, 2007 and you may wish to reappoint them.

**CRAWFORD** *reappointed*

Paul Beaumont  
162 Deerfield Trail  
PO Box 55  
Shawboro NC 27973  
(252) 232-3559

Appointed 2005-2007  
First Term Under UDO  
Years Served: 3  
2007 Attendance: 80%

**MOYOCK** *alternate*

~~Carol Bell  
330 Puddin Ridge Rd  
Moyock NC 27958  
(252) 435-2337~~

Appointed 2005-2007  
First Term Under UDO  
Years Served: 3  
2007 Attendance: 50%

**POPLAR BRANCH**

Earl Werner, Jr. ~~(Alternate)~~  
1125 Persimmon St  
Corolla NC 27927  
(252) 457-0808

Appointed 2005-2007  
First Term Under UDO  
Years Served: 3  
2007 Attendance: 80%

If you have any questions, please call me at 232-6026.

Cc: Board of Adjustment  
Attachment: Member Term List

**CURRITUCK COUNTY  
BOARD OF ADJUSTMENT MEMBER TERMS  
12/07**

**CRAWFORD**

*re appointed*  
Paul Beaumont  
162 Deerfield Trail  
PO Box 55  
Shawboro NC 27973  
(252) 232-3559  
W- 757-424-5783, ext. 230  
C-455-7740  
beaumontp@tecsysint.com

Appointed 2005-2007  
First Term Under UDO  
Years Served: 3

**MOYOCK**

Ralph Jones (Alternate)  
149 Richard Shaw Rd  
Moyock NC 27958  
(252) 435-6764

Appointed 2006-2008  
First Term Under UDO  
Years Served: 2

~~Garol Bell  
330 Puddin Ridge Rd  
Moyock NC 27958  
(252) 435-2337  
csbell@earthlink.net~~

Appointed 2005-2007  
First Term Under UDO  
Years Served: 3

**POPLAR BRANCH**

Donald Ferebee  
7422 Caratoke Hwy  
Jarvisburg NC 27947  
(252) 491-2677

Appointed 2006-2008  
First Term Under UDO  
Years Served: 2

*appointed*  
Earl Wemer, Jr. (Alternate)  
1125 Persimmon St  
Corolla NC 27927  
(252) 457-0808

Appointed 2005-2007  
First Term Under UDO  
Years Served: 3

**FRUITVILLE**

Larry Etheridge  
152 Brumley Road  
Knotts Island NC 27950  
(252) 429-3313  
pewemer@embarqmail.com

Appointed 2004 - 2006  
Reappointed 2007-2009  
Second Term Under UDO  
Years Served: 4

**AT LARGE**

Bryan Bass  
196 Mariners Way  
Moyock NC 27958  
(252) 435-6910  
bbass@drydenllc.com

Appointed 2007-2009  
First Term Under UDO  
Years Served: 1

**ECONOMIC DEVELOPMENT BOARD  
APPOINTED APRIL 1, 1991**

**After initial term expires, their successors shall be appointed for a 3 year term.**

BUSINESS

Ginger Morris **1999/3<sup>rd</sup> term**  
**(Chair 2005)**  
P. O. Box 359  
Barco, NC 27917  
252-453-2837 (w,h)  
252-453-2041 (fax)  
[morisfarms@lycos.com](mailto:morrisfarms@lycos.com)  
(3 yr. term 7/05-08)

Bob Henley **1991/5<sup>th</sup> term** ✓  
1135 Waterlily Rd.  
Coinjock, NC 27923  
252-453-2479  
(3 yr. term 1/03-06)

Paul Farr **2003/1<sup>st</sup> term** *resigned*  
102 Scoggin Ct.  
Coinjock, NC 27923  
252-453-9166 (h)  
252-491-9227 (w)  
[paul.farr@ncfbins.com](mailto:paul.farr@ncfbins.com)  
(term expires 4/03-06)

Gerry Forbes **2000/2<sup>nd</sup> term** ✓  
315 S. Indiantown Road  
Shawboro, NC 27973  
252-336-4347 (h) 336-2347 (fax)  
~~877-547-8500 (w) 757-228-5800 (fax)~~ cell  
[lof@inteliport.com](mailto:lof@inteliport.com) 252.581.0090  
[gforbes@resourcemtq.com](mailto:gforbes@resourcemtq.com)  
(3 yr. term (1/03-06)

Eldon L. Miller, III, **2000/3<sup>rd</sup> term** ✓  
P. O. Box 353  
Moyock, NC 27958  
252-435-6116 (w)  
252-435-1008 (fax)  
[airdoc78@hotmail.com](mailto:airdoc78@hotmail.com)  
(3 yr. term 1/03-06)

John Schrote **1995/4<sup>th</sup> term** ✓  
P. O. Box 609  
Corolla, NC 27927  
252-453-2015 (h & fax) Fax-call 1<sup>st</sup>  
[johneschrote@earthlink.net](mailto:johneschrote@earthlink.net)  
(3 yr. term 7/05-08)

TOURIST

H. D. Newbern **2000/2<sup>nd</sup> term** ✓  
P. O. Box 189  
Powells Point, NC 27966  
252-491-8424 (w)  
252-491-2514 (fax)  
(3 yr. term 1/03-06)

Dr. Richard Morris **2005/1<sup>st</sup> term**  
Moonrise Bay Vineyard  
134 Moonrise Bay Landing  
Knotts Island, NC 27950  
252-429-9463  
(3 yr. term 7/05-08)  
[Chambourain@msn.com](mailto:Chambourain@msn.com)  
AT-LARGE MEMBER

Ernie Bray **1998/3<sup>rd</sup> term**  
120 Sound Shore Dr.  
Currituck, NC 27929  
252-232-2469 (h)  
[web@bankofcurrituck.com](mailto:web@bankofcurrituck.com)  
(3 yr. term 7/05-08)

EX-OFFICIO MEMBERS

Commissioner ~~Eldon L. Miller, Jr.~~  
P. O. Box 127  
Moyock, NC 27958  
252-435-6530 (h)  
252-435-6116 (w)  
252-435-1008 (fax)  
[pop.26@hotmail.com](mailto:pop.26@hotmail.com)

~~Wayne Leary~~  
Economic Development Director  
P. O. Box 39  
Currituck, NC 27929  
252-232-2237  
252-232-3551 (fax)  
[wleary@co.currituck.nc.us](mailto:wleary@co.currituck.nc.us)

David Palmer  
Currituck Chamber of Commerce  
3861 Caratoke Highway  
Barco, NC 27917  
252-453-3896 (w)  
[palmerin@mindspring.com](mailto:palmerin@mindspring.com)

*Barry Nelson*

# APPLICATION FOR ADVISORY BOARDS & COMMITTEES

Name: BRIAN P. INNES Date: 3/7/07  
Address: P.O. Box 116 BARCO Phone: 207 5100  
NC 27917

Indicate the Board(s) or Committee(s) on which you would like to serve:

- |  |  |
|--|--|
| <input type="checkbox"/> ABC Board                             | <input type="checkbox"/> Agricultural Advisory Board     |
| <input type="checkbox"/> Airport Advisory Authority            | <input type="checkbox"/> Board of Adjustment             |
| <input checked="" type="checkbox"/> Economic Development Board | <input type="checkbox"/> Game Commission                 |
| <input type="checkbox"/> Jury Commission                       | <input type="checkbox"/> Land Transfer Tax Appeals Board |
| <input type="checkbox"/> Library Board                         | <input type="checkbox"/> Nursing Home Advisory Committee |
| <input checked="" type="checkbox"/> Planning Board             | <input type="checkbox"/> Senior Citizens Advisory Board  |
| <input type="checkbox"/> Social Services Board                 | <input type="checkbox"/> Tourism Advisory Board          |
| <input type="checkbox"/> Recreation Advisory Board             | <input type="checkbox"/> Whalehead Preservation Trust    |
| <input type="checkbox"/> Workforce Development Board           |  |

Qualifications and reasons you would like to serve:

IN BUSINESS LOCALLY, WITH A GENUINE INTEREST  
IN BEING INVOLVED WITH THE ECONOMIC DEVELOPMENT  
OF CURRITUCK, TO THE BENEFIT OF ALL ITS CITIZENS.

Return form to: County Manager's Office, P.O. Box 39, Currituck, NC 27929.  
Applications may also be obtained by visiting the County's website, [currituckgovernment.com](http://currituckgovernment.com).  
Call the County Manager's office with questions or comments at 232-2075, ext. 222.



**APPLICATION FOR ADVISORY BOARDS & COMMITTEES**

Date: 07-10-07

Name: Wanda BURNS

Address: 100 Swan Drive  
Currituck, NC 27929

Phone: 384-4701 (day) 599-7432 (cell)

Board(s) or Committee(s) on which you would like to serve:

✓ Please check

- ABC Board
- Agricultural Advisory Board
- Airport Advisory Authority
- Board of Adjustment
- Economic Development Board
- Game Commission
- Jury Commission
- Land Transfer Tax Appeals Board
- Library Board

- Nursing Home Advisory Committee
- Planning Board
- Recreation Advisory Board
- Senior Citizens Advisory Board
- Social Services Board
- Tourism Advisory Board
- Whalehead Preservation Trust
- Workforce Development Board

Qualifications and reasons you would like to serve:

one of above

MBA - 20+ years of management experience  
Would like to play active role in community  
development

Please return to: County Manager's Office  
P.O. Box 39  
Currituck, NC 27929



**APPLICATION FOR ADVISORY BOARDS & COMMITTEES**

Date: 11-14-2007  
Name: Kevin Burwell  
Address: 283 GREEN VIEW RD  
MOYOCK, NC 27958  
Phone: 252-966-4940

Board(s) or Committee(s) on which you would like to serve:

Please check

- |  |  |
|--|--|
| <input type="checkbox"/> ABC Board                             | <input type="checkbox"/> Nursing Home Advisory Committee |
| <input type="checkbox"/> Agricultural Advisory Board           | <input type="checkbox"/> Planning Board                  |
| <input type="checkbox"/> Airport Advisory Authority            | <input type="checkbox"/> Recreation Advisory Board       |
| <input type="checkbox"/> Board of Adjustment                   | <input type="checkbox"/> Senior Citizens Advisory Board  |
| <input checked="" type="checkbox"/> Economic Development Board | <input type="checkbox"/> Social Services Board           |
| <input type="checkbox"/> Game Commission                       | <input type="checkbox"/> Tourism Advisory Board          |
| <input type="checkbox"/> Jury Commission                       | <input type="checkbox"/> Whalehead Preservation Trust    |
| <input type="checkbox"/> Land Transfer Tax Appeals Board       | <input type="checkbox"/> Workforce Development Board     |
| <input type="checkbox"/> Library Board                         |  |

Qualifications and reasons you would like to serve:

RESUME ENCLOSED

Please return to: County Manager's Office  
P.O. Box 39  
Currituck, NC 27929



**APPLICATION FOR ADVISORY BOARDS & COMMITTEES**

Date: 12-19-06

Name: BARBARA COURTNEY

Address: 148 E. CANVASBACK DR. BELLS ISLAND  
CURRITUCK, NC 27929

Phone: 232-7712

Board(s) or Committee(s) on which you would like to serve:

✓ Please check

- ABC Board
- Agricultural Advisory Board
- Airport Advisory Authority
- Board of Adjustment
- Economic Development Board
- Game Commission
- Jury Commission
- Land Transfer Tax Appeals Board

- Library Board
- Nursing Home Advisory Committee
- Planning Board
- Senior Citizens Advisory Board
- Social Services Board
- Recreation Advisory Board
- Whalehead Preservation Trust
- Workforce Development Board

Qualifications and reasons you would like to serve:

Extensive management and leadership  
experience in healthcare and finance.  
Extensive decision making skills based on  
fact. It is my belief that the citizens should be  
involved in the support process of government.

Please return to: County Manager's Office  
P.O. Box 39  
Currituck, NC 27929



## APPLICATION FOR ADVISORY BOARDS & COMMITTEES

Date: 11/29/04

Name: Mike Painter

Address: 209 Eagle Creek Road

Moyock, NC 27958

Phone: 252 435 4871

Board(s) or Committee(s) on which you would like to serve:

✓ Please check

ABC Board

Agricultural Advisory Board

Airport Advisory Authority

Board of Adjustment

Economic Development Board

Game Commission

Jury Commission

Land Transfer Tax Appeals Board

Library Board

Nursing Home Advisory Committee

Planning Board

Senior Citizens Advisory Board

Social Services Board

Recreation Advisory Board

Whalehead Preservation Trust

Workforce Development Board

Qualifications and reasons you would like to serve:

As a somewhat new citizen (since 10/200) and my current employment with the Bank of Currituck, I am

interested in the future growth and development of Currituck County. I would be happy to serve the county

in any capacity to help preserve the qualities that make this county attractive and help promote the

future of our county.

Please return to: County Manager's Office  
P.O. Box 39  
Currituck, NC 27929



APPLICATION FOR ADVISORY BOARDS & COMMITTEES

Date: 10-23-06

Name: NORA G. MORRIS

Address: 120 Dolphin St. mailing Address  
Grandy NC 27939 PO Box 319  
Phone: 457-0060 Grandy

Board(s) or Committee(s) on which you would like to serve:

Please check

- ABC Board
- Agricultural Advisory Board
- Airport Advisory Authority
- Board of Adjustment
- Economic Development Board
- Game Commission
- Jury Commission
- Land Transfer Tax Appeals Board

- Library Board
- Nursing Home Advisory Committee
- Planning Board
- Senior Citizens Advisory Board
- Social Services Board
- Recreation Advisory Board
- Whalehead Preservation Trust
- Workforce Development Board

Qualifications and reasons you would like to serve:

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Please return to: County Manager's Office  
P.O. Box 39  
Currituck, NC 27929



**APPLICATION FOR ADVISORY BOARDS & COMMITTEES**

Date: 1-18-06  
Name: Mike Arborgast  
Address: 105 Eagleton Cir  
Maryok, NC  
Phone: 435-1056

Board(s) or Committee(s) on which you would like to serve:

Please check

- |  |  |
|--|--|
| <input type="checkbox"/> ABC Board                       | <input type="checkbox"/> Library Board                   |
| <input type="checkbox"/> Agricultural Advisory Board     | <input type="checkbox"/> Nursing Home Advisory Committee |
| <input type="checkbox"/> Airport Advisory Authority      | <input type="checkbox"/> Planning Board                  |
| <input type="checkbox"/> Board of Adjustment             | <input type="checkbox"/> Senior Citizens Advisory Board  |
| <input type="checkbox"/> Economic Development Board      | <input type="checkbox"/> Social Services Board           |
| <input type="checkbox"/> Game Commission                 | <input type="checkbox"/> Recreation Advisory Board       |
| <input type="checkbox"/> Jury Commission                 | <input type="checkbox"/> Whalehead Preservation Trust    |
| <input type="checkbox"/> Land Transfer Tax Appeals Board | <input type="checkbox"/> Workforce Development Board     |

Qualifications and reasons you would like to serve:

Amy Boerl

Please return to: County Manager's Office  
P.O. Box 39  
Currituck, NC 27929



**APPLICATION FOR ADVISORY BOARDS & COMMITTEES**

Date: 1/14/06

Name: MATTHEW A. R. CONVERSE

Address: 394 TULLS CREEK ROAD

MOYOCK, NC 27958

Phone: 252-435-6281 (h) 435-6331 (w) 267-3320 (c)

Board(s) or Committee(s) on which you would like to serve:

Please check

- |  |  |
|--|--|
| <input type="checkbox"/> ABC Board                             | <input type="checkbox"/> Library Board                   |
| <input type="checkbox"/> Agricultural Advisory Board           | <input type="checkbox"/> Nursing Home Advisory Committee |
| <input type="checkbox"/> Airport Advisory Authority            | <input type="checkbox"/> Planning Board                  |
| <input type="checkbox"/> Board of Adjustment                   | <input type="checkbox"/> Senior Citizens Advisory Board  |
| <input checked="" type="checkbox"/> Economic Development Board | <input type="checkbox"/> Social Services Board           |
| <input type="checkbox"/> Game Commission                       | <input type="checkbox"/> Recreation Advisory Board       |
| <input type="checkbox"/> Jury Commission                       | <input type="checkbox"/> Whalehead Preservation Trust    |
| <input type="checkbox"/> Land Transfer Tax Appeals Board       | <input type="checkbox"/> Workforce Development Board     |

Qualifications and reasons you would like to serve:

I have served in various capacities that contribute to the overall economic welfare and guidance of the businesses within Currituck County to include 5 years on the Currituck

Chamber of Commerce Board of Directors, currently serving my second term as Chairman of that Board of Directors. I have lived, and been involved in, rural, urban and

suburban communities that have experienced both economic boon and times of economic distress and may be able to provide insights on how they dealt with both extremes.

Those include '80-06: Northampton County, VA (Eastern Shore), '83-89: Charlotte, NC; '89-99: Martinsville, VA & '99-00: the Northern VA/metro DC market areas.

Please return to: **County Manager's Office**  
**P.O. Box 39**  
**Currituck, NC 27929**



**APPLICATION FOR ADVISORY BOARDS & COMMITTEES**

Date: Feb 15, 2007

Name: John H. Snowden III

Address: 180 Maple Rd PO Box 752  
Maple, NC 27956 Maple, NC 27956

Phone: (252) 232-0200 (o) (252) 611-2448 (c)

Board(s) or Committee(s) on which you would like to serve:

✓ Please check

- |  |   |
|--|---|
| <input type="checkbox"/> ABC Board                             | <input type="checkbox"/> Nursing Home Advisory Committee            |
| <input type="checkbox"/> Agricultural Advisory Board           | <input type="checkbox"/> Planning Board                             |
| <input checked="" type="checkbox"/> Airport Advisory Authority | <input type="checkbox"/> Recreation Advisory Board                  |
| <input type="checkbox"/> Board of Adjustment                   | <input type="checkbox"/> Senior Citizens Advisory Board             |
| <input checked="" type="checkbox"/> Economic Development Board | <input type="checkbox"/> Social Services Board                      |
| <input type="checkbox"/> Game Commission                       | <input checked="" type="checkbox"/> Tourism Advisory Board          |
| <input type="checkbox"/> Jury Commission                       | <input checked="" type="checkbox"/> Whalehead Preservation Trust    |
| <input type="checkbox"/> Land Transfer Tax Appeals Board       | <input checked="" type="checkbox"/> Workforce Development Board     |
| <input checked="" type="checkbox"/> Library Board              | <input checked="" type="checkbox"/> Albemarle Commission - At Large |

Qualifications and reasons you would like to serve:

I heard you have a shortage of qualified  
people - I'm willing to spend my time to  
make Currituck a better place -

Please return to: County Manager's Office  
P.O. Box 39  
Currituck, NC 27929



**APPLICATION FOR ADVISORY BOARDS & COMMITTEES**

Date: 7/9/07

Name: THOMAS VINICK

Address: 183 MARINERSWAY  
MOYOCK, NC 27958

Phone: 435 2185

Board(s) or Committee(s) on which you would like to serve:

Please check

- ABC Board
- Agricultural Advisory Board
- Airport Advisory Authority
- Board of Adjustment
- Economic Development Board
- Game Commission
- Jury Commission
- Land Transfer Tax Appeals Board
- Library Board

- Nursing Home Advisory Committee
- Planning Board
- Recreation Advisory Board
- Senior Citizens Advisory Board
- Social Services Board
- Tourism Advisory Board
- Whalehead Preservation Trust
- Workforce Development Board

Qualifications and reasons you would like to serve:

AS A BUSINESS AND PROPERTY OWNER IN CURRITUCK  
I HAVE AN INTEREST AND CONCERN REGARDING  
THE DIRECTION AND DEVELOPMENT OF CURRITUCK COUNTY.

Please return to: County Manager's Office  
P.O. Box 39  
Currituck, NC 27929



Since 1927

# M.B. Kahn Construction Co., Inc.

P.O. BOX 1179 / COLUMBIA, SC 29202 / (803) 736-2950 / FAX (803) 736-9501 / www.mbkahn.com

CONSTRUCTION  
MANAGEMENT  
DIVISION

December 5, 2007

Currituck Count Board of Education  
2958 Caratoke Highway  
Currituck, NC 27929

Attn: Mr. Bruce MacDonald  
Ref: Jarvisburg Elementary School  
Plumbing Contract  
Contract Change Order No. 1

Dear Bruce:

As a result of previously approved Change Orders on Jarvisburg Elementary School, attached herewith are 6 copies of Change Order No. 1 to ZBZ & Associates for providing floor drains and hose bibs to the mechanical mezzanine floors serving the three classroom wings.

The purpose of this change is to facilitate the areas with a means of draining water from maintenance cleaning and possible overflow of condensate lines from the mechanical units serving the classrooms in these areas.

In summary, both proposals have been reviewed and approved by the Engineer of Record to be incorporated into this contract. The net total of this change reflects a net add of \$8,870.44 to ZBZ & Associates Contract.

We therefore recommend that owner accept and execute this modification. Please return 3 fully executed copies for our file and distribution.

Please let me know if I can be of any further assistance.

Sincerely,

Buddy Sivils  
M.B. Kahn Construction Company, Inc.  
C.M. Division

# CHANGE ORDER

## CONSTRUCTION MANAGEMENT EDITION

**PRO:** New Jarvisburg Elementary School  
Jarvisburg, North Carolina

**CHANGE ORDER NUMBER:** 1

**INITIATION DATE:** 11/11/2007

**ARCHITECT'S PROJECT NO:** 06-611

**TO:** ZBZ & Associates, Inc.  
557 Central Drive, Suite 102  
Virginia Beach, VA 23454-4814

**CM'S PROJECT NO.** 6069

**CONTRACT FOR:** Plumbing Contract

**CONTRACT DATE:** January 17, 2007

You are directed to make the following changes in this Contract:

Add floor drains to mechanical mezzanines per bulletin drawings 1 thru 4 dated October 1, 2007

**ADD \$8,870.44**

**Total This Change ADD \$8,870.44**

Not valid until signed by the Owner, the Architect and the Construction Manager.

Signature of the Contractor indicates agreement herewith, including any adjustment in the Contract Sum or the Contract Time.

The original Contract Sum was .....	\$626,000.00
Net change by previously authorized Change Orders .....	\$0.00
The Contract Sum prior to this Change Order was .....	\$626,000.00
The Contract Sum will be increased by this Change Order .....	\$8,870.44
The new Contract Sum including this Change Order will be .....	\$634,870.44
The Contract Time will be unchanged by .....	0 Days.
The Date of Substantial Completion as of the date of this Change Order therefore is	

**Recommended:**

M. B. Kahn Construction Company, Inc.  
Construction Manager

PO Box 1179, Columbia, S. C. 29202

Address

By

Date

**Agreed To:**

ZBZ & Associates, Inc.

Contractor

557 Central Ave., Suite 102, Virginia Beach VA

Address

23454-4814

By

Date

**Approved:**

Walter, Robbs, Callahan & Pierce Architects PA

PO Box 202, Winston-Salem, N. C. 27120-0275

Address

By

Date

**Authorized:**

Currituck County Board of Education

Owner

2958 Caratoke Highway, N. C. 27929

Address

By

Date

*[Signature]* 12/5/2007

*[Signature]* 12-10-07

*[Signature]* Proj. mgr. 11-28-07

*[Signature]* 12-13-07

# **Z B Z & Associates, Inc.**

---

*Mechanical Contractors*

557 Central Drive, Suite 102 Virginia Beach, VA. 23454-5249  
(757) 463-5331 Fax: (757) 463-4814

October 30, 2007

M. B. Kahn Construction Co. Inc.  
P.O. Box 129  
Jarvisburg, N.C. 27947

Jarvisburg Elementary School  
Jarvisburg, N.C. 27947  
**Z B Z CO P - 05**

Attn: Russell Lacey

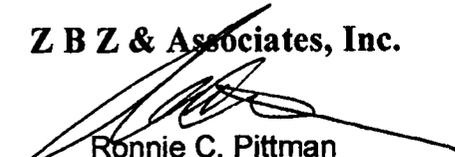
Gentlemen:

As per your request please find enclosed our additive change order number P – 05 for the additional floor drains in each of the three mezzanine mechanical rooms at the above reference project.

This request is based on Plumbing Bulletin Drawings 1 thru 4 dated 10 / 1 / 07 prepared by Consultant Engineering Service.

We trust the enclosed is satisfactory and we are proceeding on your verbal direction unless we are immediately notified differently.

**Z B Z & Associates, Inc.**



Ronnie C. Pittman  
Senior Estimator/ Project Manager

cc cz, ds, Buddy Sivils

# Z B Z & ASSOCIATES, INC.

CHANGE ORDER NO. P-05

PROJECT: Jarvisburg Elementary School

DESCRIPTION: Provide Floor Drains @ Mezz. Mechanical Rooms

Material and Rental Equipment	\$ 2,737.56
<u>6.75%</u> Sales Tax	\$ 184.79
<b>SUB TOTAL</b>	<b>\$ 2,922.35</b>
Labor	\$ 3,362.20
<u>38%</u> Tax and Insurance	\$ 1,277.64
<b>SUB TOTAL</b>	<b>\$ 4,639.84</b>
<b>Total Labor and Material</b>	<b>\$ 7,562.18</b>
<u>15%</u> Overhead and Profit on ZBZ only	\$ 1,134.33
<b>SUB TOTAL</b>	<b>\$ 8,696.51</b>
Sub-Contractors (See Attached)	
<u>7%</u> Overhead and Profit on sub only	\$ -
<b>SUB TOTAL</b>	<b>\$ -</b>
<b>Total Z B Z's and Sub-Contractor's</b>	<b>\$ 8,696.51</b>
<u>2%</u> Bond Premium	\$ 173.93
<b>TOTAL COST OF CHANGE ORDER</b>	<b>\$ 8,870.44</b>

We request a 7 day time extension, after approval, to perform the work associated with this changed condition. Price valid for 30 days.

**Exclusions: No cut, patch, paint, power wiring, sprinkler, concrete and ceiling removal or replacement.**

CONTRACT: Jarvisburgh Elementary School

ZBZ & ASSOCIATES, INC.

BREAKDOWN ESTIMATE OF DIRECT COSTS

ITEM NO.	ITEM OF WORK Add Floor Drains Mezz. Mechanical Rooms	NO. OF UNITS	MATERIAL		LABOR		EQUIPMENT		TOTAL COSTS
			UNIT COST	TOTAL COSTS	UNIT COST	TOTAL COST	EQU. DAYS	RATE	
1	FD - 5 Floor Drain w/ Trap Guard	6	102.75	\$ 616.50	75.00	\$ 450.00			\$ -
2	System			\$ -		\$ -			\$ -
3	3" sch. 40 PVC DWVPipe	220	2.45	\$ 539.00	4.50	\$ 990.00			\$ -
4	2" " " "	180	1.22	\$ 219.60	3.00	\$ 540.00			\$ -
5	3" " " P-trap	6	18.83	\$ 112.98	2.70	\$ 16.20			\$ -
6	3" " " test tee w/ plug	4	14.03	\$ 56.12	4.50	\$ 18.00			\$ -
7	2" " " coupling	6	0.74	\$ 4.44	1.20	\$ 7.20			\$ -
8	3" x 2" " reducing bushing	4	2.22	\$ 8.88	1.50	\$ 6.00			\$ -
9	2" " " 1/4 bend	24	1.82	\$ 43.68	1.20	\$ 28.80			\$ -
10	2" " " san. Tee	8	3.16	\$ 25.28	1.80	\$ 14.40			\$ -
11	3" " " 1/8 bend	8	4.81	\$ 38.48	1.80	\$ 14.40			\$ -
12	3" " " 1/4 bend	2	5.69	\$ 11.38	1.80	\$ 3.60			\$ -
13	3" " " combination	6	13.46	\$ 80.76	2.70	\$ 16.20			\$ -
14	3" x 2" combination	4	8.90	\$ 35.60	2.40	\$ 9.60			\$ -
15	3" " " san. tee	4	8.09	\$ 32.36	2.70	\$ 10.80			\$ -
16	2" " " 1/8 bend	4	1.76	\$ 7.04	1.20	\$ 4.80			\$ -
17	3" " " cleanout	3	5.27	\$ 15.81	3.60	\$ 10.80			\$ -
18	PVC glue qt.	2	8.67	\$ 17.34		\$ -			\$ -
19	PVC cleaner qt.	1	6.61	\$ 6.61		\$ -			\$ -
20	1/2" type L copper pipe	40	2.61	\$ 104.40	1.50	\$ 60.00			\$ -
21	1/2" Hose Bibbs	4	40.25	\$ 161.00	15.00	\$ 60.00			\$ -
22	1/2" c x c ball valve	4	9.07	\$ 36.28	7.50	\$ 30.00			\$ -
23	2" x 1/2" c x c tee	2	28.36	\$ 56.72	3.60	\$ 7.20			\$ -
24	1 1/2" x 1/2" c x c tee	2	17.92	\$ 35.84	2.80	\$ 5.60			\$ -
25				\$ -		\$ -			\$ -
<b>TOTAL THIS PAGE:</b>				<b>\$ 2,266.10</b>		<b>\$ 2,303.60</b>			<b>\$ -</b>

BREAKDOWN ESTIMATE OF DIRECT COSTS

ZBZ & ASSOCIATES, INC.

ITEM NO.	ITEM OF WORK	NO. OF UNITS	MATERIAL			LABOR		EQU. DAYS	EQUIPMENT	
			UNIT COST	TOTAL COSTS	UNIT COST	TOTAL COST	RATE		TOTAL COSTS	
1	1/2" c x c ells	24	0.86	\$ 20.64	0.80	\$ 19.20			\$ -	
2	1/2" c x female adpt.	4	2.84	\$ 11.36	0.85	\$ 3.40			\$ -	
3	1/2" stand off hanger w/ bracket	4	2.99	\$ 11.96	9.00	\$ 36.00			\$ -	
4	floor sleeves	4	5.50	\$ 22.00	25.00	\$ 100.00			\$ -	
5	3" plated clevis hangers	28	3.01	\$ 84.28	9.00	\$ 252.00			\$ -	
6	2" " " "	24	1.54	\$ 36.96	9.00	\$ 216.00			\$ -	
7	3/8" c-clamp	52	1.51	\$ 78.52	5.00	\$ 260.00			\$ -	
8	3/8" nut & washer	52	0.28	\$ 14.56		\$ -			\$ -	
9	3/8" all thread rod	200	0.49	\$ 98.00		\$ -			\$ -	
10	3" no-hub coupling	6	15.53	\$ 93.18	4.50	\$ 27.00			\$ -	
11	Pick up & Delivery of Materials	1		\$ -	145.00	\$ 145.00			\$ -	
12	3" PVC DWV coupling	5		\$ -		\$ -			\$ -	
13				\$ -		\$ -			\$ -	
14				\$ -		\$ -			\$ -	
15				\$ -		\$ -			\$ -	
16				\$ -		\$ -			\$ -	
17				\$ -		\$ -			\$ -	
18				\$ -		\$ -			\$ -	
19				\$ -		\$ -			\$ -	
20				\$ -		\$ -			\$ -	
21				\$ -		\$ -			\$ -	
22				\$ -		\$ -			\$ -	
23				\$ -		\$ -			\$ -	
24				\$ -		\$ -			\$ -	
25				\$ -		\$ -			\$ -	
<b>TOTAL THIS PAGE:</b>				\$ 471.46		\$ 1,058.60			\$ -	

**Buddy Sivils**

---

**From:** Russell Lacey [rlacey@mbkahn.com]  
**Sent:** Monday, October 01, 2007 8:43 AM  
**To:** Ronnie Pittman; Christopher McKinnon  
**Cc:** Buddy Sivils; Bruce MacDonald; Clark M. Pierce; dcarter@rasprecast.com; scott@ceseng.net  
**Subject:** Mezzanine Floor Drains

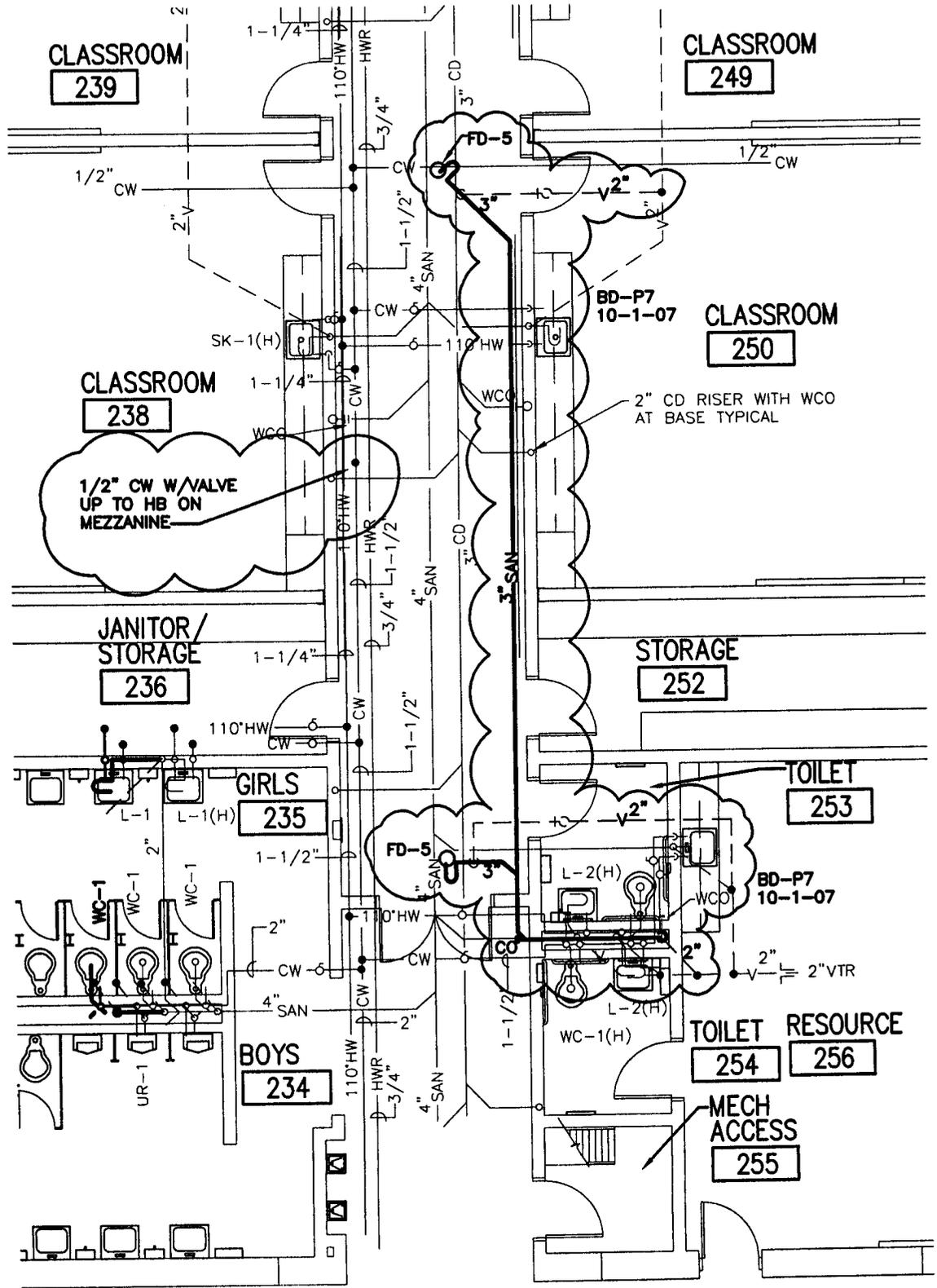
Gentlemen

Enclosed are four Bulletins from the Mechanical Engineer regarding the addition of floor drains to the Mezzanines at Segments 3 & 4. In addition to the floor drains there has also been hose bibbs added. Please review and submit all cost proposals to M.B. Kahn Construction Co. for approval as soon as possible.

The mezzanine at segment three (3) will require concrete to be removed and poured back for installation. The size of concrete to be removed was 4 ft. by 4 ft. at locations shown for the 2 floor drains as discussed in the weekly job site meeting. If you have any questions regarding this work or change please call.

**Russell Lacey**  
**Site Manager**  
**M.B. Kahn Construction, Inc.**  
**CM Carolinas Division**  
**Mobile No. 803-608-6640**

1  
 ADDED FLOOR DRAINS ON MEZZANINE  
 BD-P7A 1/8" = 1'-0"

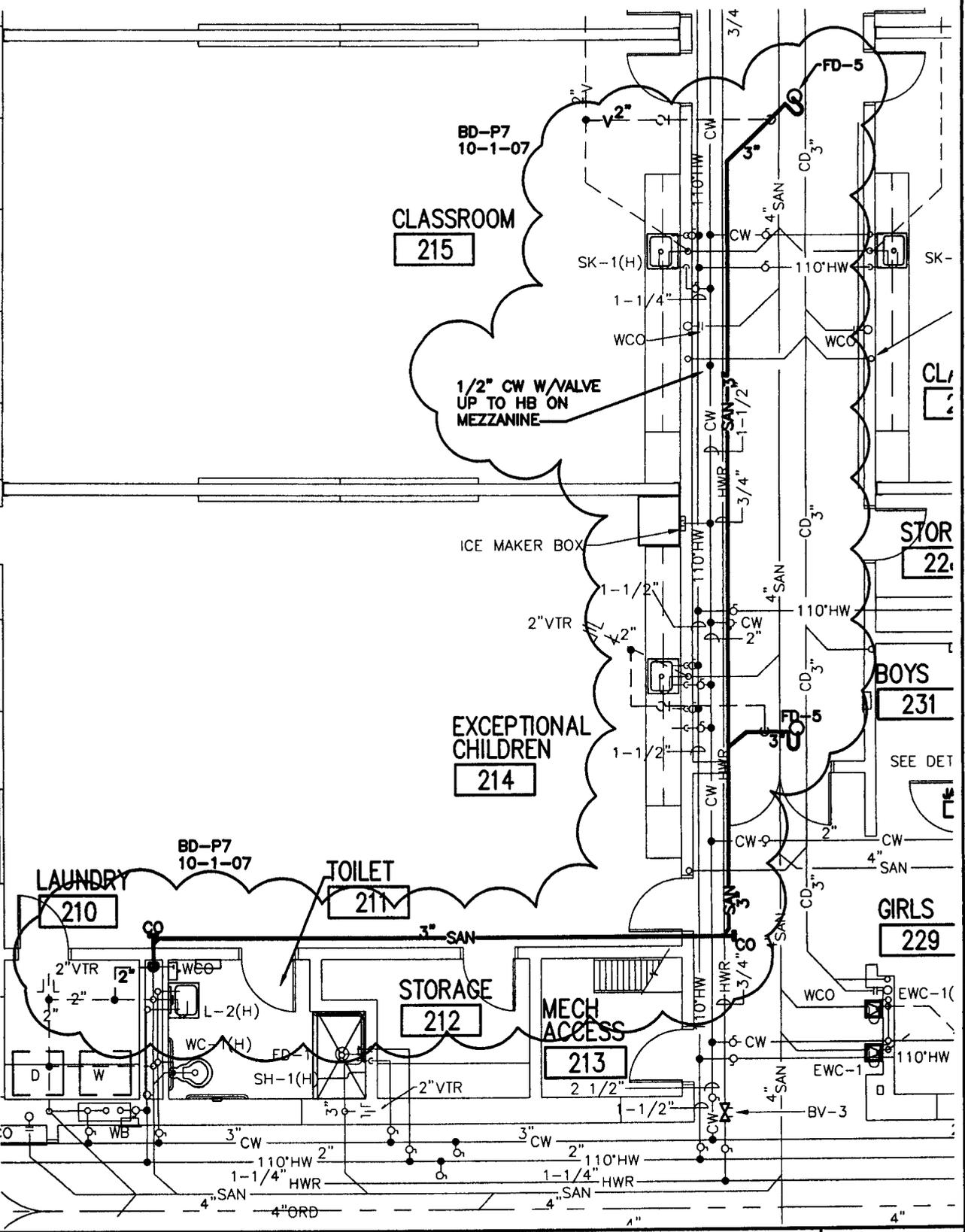


JARVISBURG ELEMENTARY SCHOOL  
 JARVISBURG, NORTH CAROLINA  
 CURRITUCK COUNTY SCHOOLS  
 PLUMBING BULLETIN DRAWING

CONSULTANT ENGINEERING SERVICE  
 811 WEST 5TH STREET SUITE 101  
 WINSTON-SALEM, N.C.  
 336-724-0139

DATE: 10-1-07  
 DRAWN S.W.E.  
 SCALE  
 1/8"-1'-0"  
 1 of 4

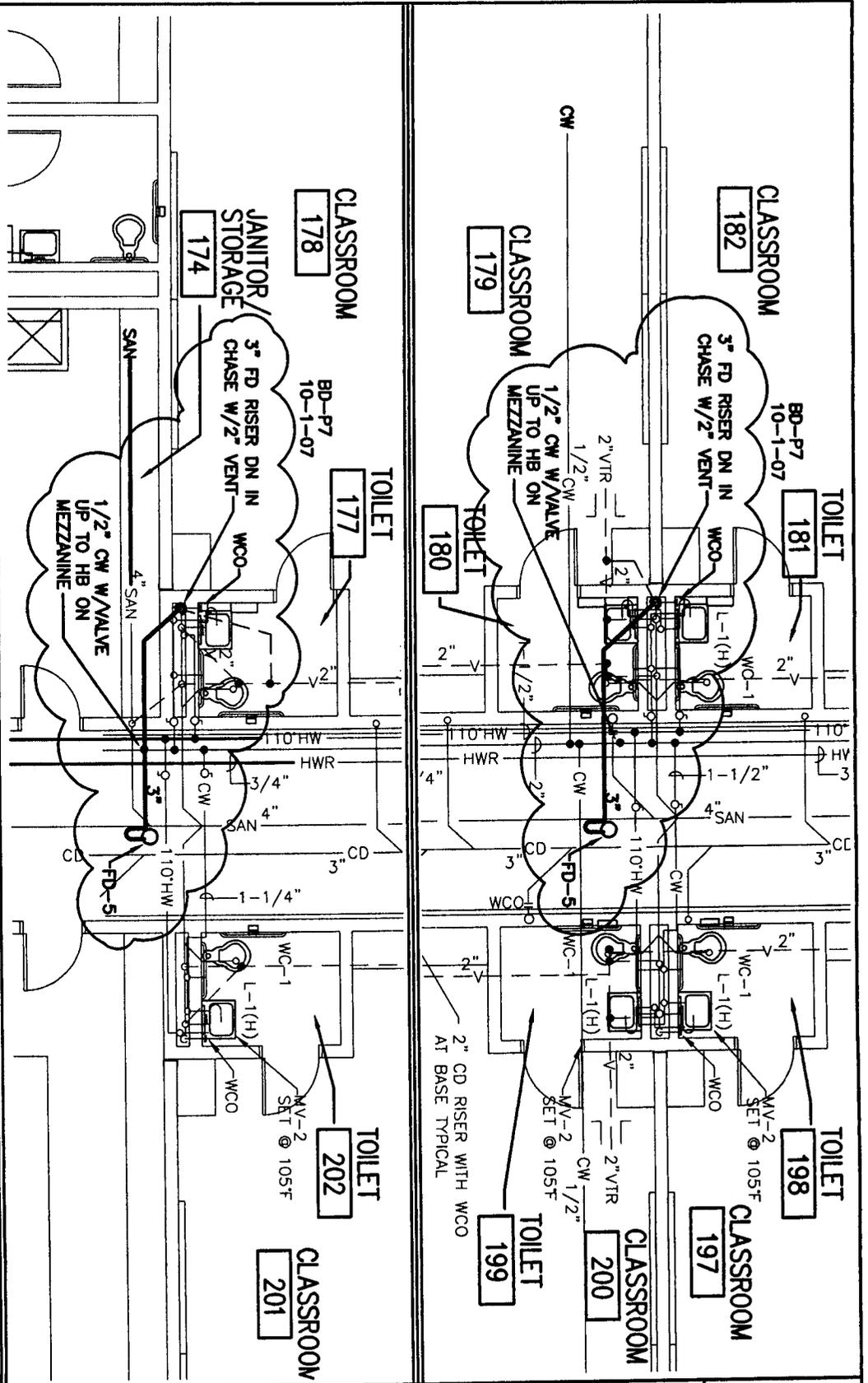
1  
 ADDED FLOOR DRAINS ON MEZZANINE  
 BD-P7B 1/8" = 1'-0"



JARVISBURG ELEMENTARY SCHOOL  
 JARVISBURG, NORTH CAROLINA  
 CURRITUCK COUNTY SCHOOLS  
 PLUMBING BULLETIN DRAWING

CONSULTANT ENGINEERING SERVICE  
 811 WEST 5TH STREET SUITE 101  
 WINSTON-SALEM, N.C.  
 336-724-0139

DATE: 10-1-07  
 DRAWN S.W.E.  
 SCALE  
 1/8" = 1'-0"  
 2 of 4



**PLUMBING DRAIN SCHEDULE**

PLAN TAG	MANUFACTURE	MODEL	TOP SIZE	CONNECTION SIZE	REMARKS
FD-5	PROSET	1-35630-F-P	5"	5"	PVC BODY, ADJUSTABLE DRAIN BODY, CLAMPING COLLAR, NICKEL BRONZE TOP, TRAP GUARD SYSTEM, (MEZZANINE FLOOR DRAIN)

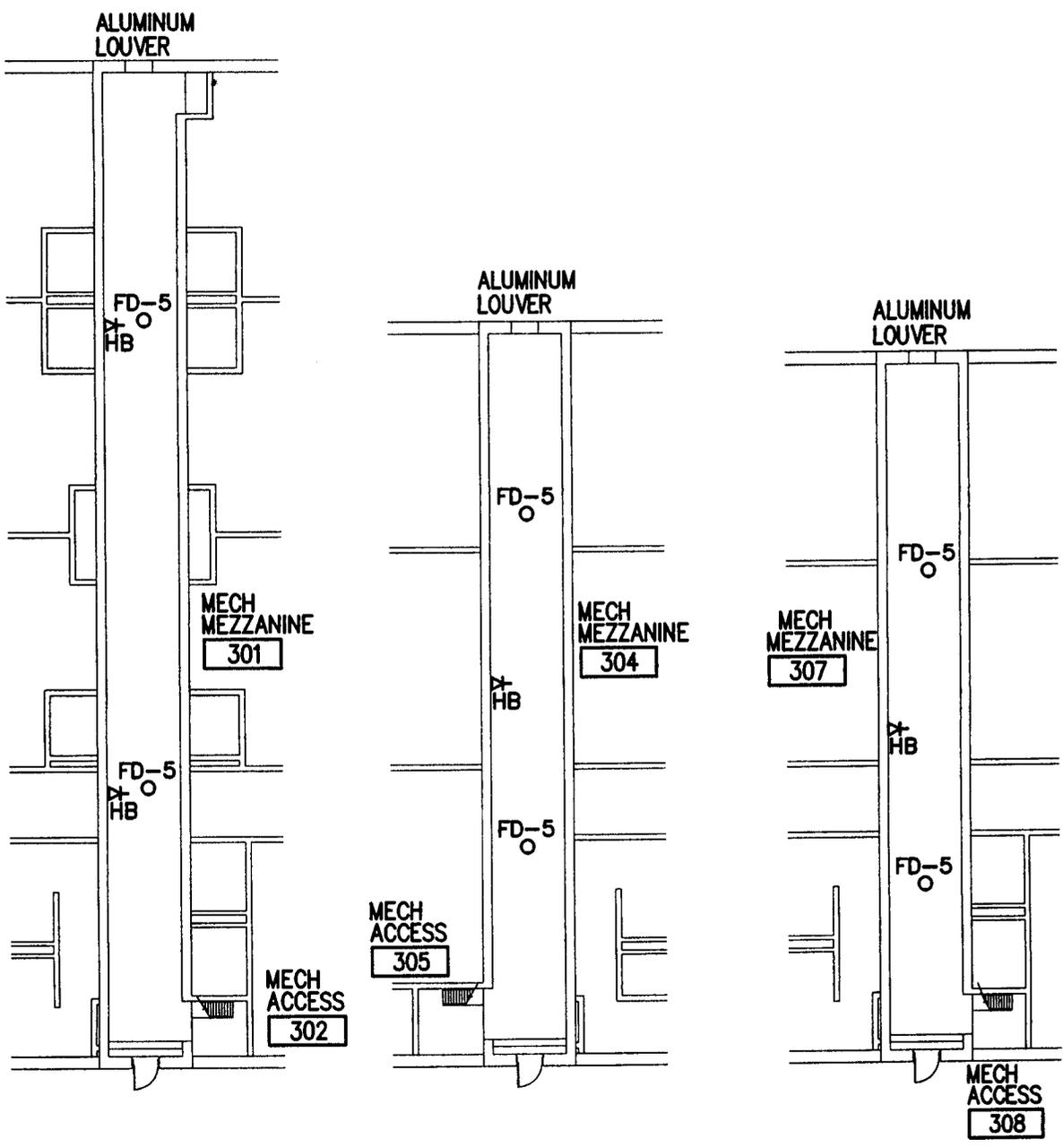
1 ADDED FLOOR DRAINS ON MEZZANINE  
 BD-P7C 1/8" = 1'-0"

JARVISBURG ELEMENTARY SCHOOL  
 JARVISBURG, NORTH CAROLINA  
 CURRITUCK COUNTY SCHOOLS  
 PLUMBING BULLETIN DRAWING

CONSULTANT ENGINEERING SERVICE  
 811 WEST 5TH STREET SUITE 101  
 WINSTON-SALEM, N.C.  
 336-724-0139

DATE: 10-1-07  
 DRAWN S.W.E.  
 SCALE  
 1/8" = 1'-0"  
 3 of 4

1 ADDED FLOOR DRAINS ON MEZZANINE  
 BD-P7D N.T.S.



JARVISBURG ELEMENTARY SCHOOL  
 JARVISBURG, NORTH CAROLINA  
 CURRITUCK COUNTY SCHOOLS  
 PLUMBING BULLETIN DRAWING

CONSULTANT ENGINEERING SERVICE  
 811 WEST 5TH STREET SUITE 101  
 WINSTON-SALEM, N.C.  
 336-724-0139

DATE: 10-1-07  
 DRAWN S.W.E.  
 SCALE  
 N.T.S.  
 4 of 4

**Buddy Sivils**

---

**From:** Scott Elliott [scott@ceseng.net]  
**Sent:** Wednesday, October 31, 2007 1:59 PM  
**To:** 'Russell Lacey'  
**Cc:** 'Clark M. Pierce'; 'Buddy Sivils'; 'Bruce MacDonald'  
**Subject:** RE: ZBZ COP-5 Floor Drains at Mezzanine

Russell,  
I have reviewed the COP-5 for the floor drains which included the breakdown of materials and labor. This also included adding hose bibs on the mezzanines. I approve of the amount submitted.

Thanks,

*Scott W. Elliott*  
Consultant Engineering Service, Inc.  
811 West 5th Street, Suite 101  
Winston Salem, NC 27101  
(336)-724-0139 x 102

---

**From:** Russell Lacey [mailto:rlacey@mbkahn.com]  
**Sent:** Wednesday, October 31, 2007 8:45 AM  
**To:** scott@ceseng.net  
**Cc:** Clark M. Pierce; Buddy Sivils; Bruce MacDonald  
**Subject:** ZBZ COP-5 Floor Drains at Mezzanine

Mr. Elliott

Enclosed is ZBA & Associates, Inc. Change Order Proposal for their portion of the cost to install the floor drains at the Mezzanines.

Please review for approval.

(They have also requested 7 days time extension to contract.)

**Russell Lacey**  
**Site Manager**  
**M.B. Kahn Construction, Inc.**  
**CM Carolinas Division**  
**Mobile No. 803-608-6640**

CURRITUCK COUNTY  
NORTH CAROLINA  
DECEMBER 17, 2007

The Board of Commissioners met prior to the regular Board meeting at 6:30 p.m. to discuss CRC Draft Rule Language for marsh alteration.

The Board of Commissioners met on December 17, 2007, 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 David Blackman was present to give the invocation.

### **Approval of Agenda**

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

- Item 1            **Public Comment**  
*Please limit comments to items not appearing on the regular agenda, please limit comments to 3 minutes.*
- Item 2            **Ed Lazaron, update on Moyock Library**
- Item 3            **Board of Commissioners' report to the People**
- Item 4            **Public Hearing and Action** PB 00-15 Soundside Recycling (HD Racy Newbern): Amendment of a Special Use Permit for Demolition Landfill Operation and Mulch Sales Stockpile Area located at 7565 Caratoke Highway, Tax Map 110, Parcels 38 and 39, Poplar Branch Township.
- Item 5            **Public Hearing and Action** PB 07-76 Conditional Zoning Text Amendment: Amendment to Chapter 2 and Chapter 12 of the UDO to establish conditional zoning districts.
- Item 6            **Public Hearing and Action** PB 95-36 Cypress Landing Phase 3 Request to extend the expiration for one year of the Amended Sketch Plan/ Special Use Permit for a 40 lot residential subdivision. The property is located on the north side of Tulls Creek Rd. approximately 500' east of Mack Jones Rd. Tax Map 14, Lots 13D, Moyock Township.
- Item 7            **Appointment to The Albemarle Commission**

- Item 8            **Appointments to Board of Adjustment**
- Item 9            **Appointment to Economic Improvement Council**
- Item 10          **Consent Agenda:**
  - 1. Petition for Addition to State Maintained Road System- RiversEdge Subdivision
  - 2. Approval of December 3, 2007, Minutes
  - 3. Corolla Fire Dept. approval of septic system for volunteers house
  - 4. Resolution Authorizing Upset Bid Process
  - 5. Budget Amendments
  - 6. Shawboro Elementary School - Change Order No. 4
- Item 11          Commissioner's Report
- Item 12          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. There being no comments, the public comment period was closed.

**Ed Lazaron, update on Moyock Library**

Ed Lazaron, Architect, reviewed the new Moyock Library. It will be on a 6 acre site with 2 acres for future development. The Kight house will be restored. Work should proceed within the next 60 days.

**Board of Commissioners' report to the People**

Chairman Nelms read the following statement:

**2007 STATE OF CURRITUCK COUNTY REPORT**

Vice-Chairman Gregory, Commissioners, County Staff, and my fellow Currituck County citizens, good evening. As Chairman of the Board of Commissioners, it is my sincere honor to deliver this report on the state of Currituck County.

There are many advantages to being a resident of Currituck.

Crime is down 7% this year, we live in safer communities. Our children attend excellent schools. Our taxes were not increased and remain exceptionally low. We are known for our heritage and our beautiful beaches.

Last year a New Majority of Board Members was elected and the voters spoke in unison about our political goals for the future.

OUR GOALS WERE SIMPLE:

Eliminate wasteful spending.  
Provide for future infrastructure needs.  
Instill an open-transparent government forum.  
Protect our rural heritage, be friendly, be progressive.

Wasteful Spending:

In 2007, we made County Government more efficient. This year, county government relied heavily on our in house resources, and we put faith in the abilities of our staff to help us eliminate the past trends of excessive spending. The residents of Currituck are served by public employees who are hard working, talented and dedicated. During the past year, we have strengthened this staff by hiring capable and qualified personnel. These new employees bring enthusiasm and fresh ideas, and they have a progressive vision that will help us reach our goals for the coming year.

Our \$46.5 million dollar budget is managed so that we TODAY enjoy the 6<sup>th</sup> lowest property tax rate of all 100 counties in North Carolina. This corresponds to the 3<sup>rd</sup> lowest "Effective Tax Rate" when you compare the level of assessed value to the actual market value.

Currituck NOW has the lowest unemployment rate in North Carolina at 2.6%....far below the 4.6% state average. This is due in large part because you, our residents, have good work ethics and because you contribute to our overall well being.

Currituck County is financially STRONG due in part to our Outer Banks tax base, the expertise and managerial know-how of our County Manager, Dan Scanlon, and the diligence of our Financial Director, Sandra Hill.

Our Tourism industry THRIVED with increasing sales figures this past year. We all benefit with low taxes and job security.

Last Month, we began pursuing another dynamic opportunity in Moyock. We plan to open a Welcome Visitor's Center at the North Carolina border line on US 168.

Funding will come from excess occupancy tax revenues. The Welcome Center can benefit every business in Currituck. By having such a visible location at the state border, we will be able to lead more visitors to businesses and attractions on the Mainland and Knotts Island before they reach their final beach destination.

This will bring more tourism dollars into Currituck and significantly increase our sales tax revenue---which will provide

us additional money to spend on future construction of schools and public buildings. Increased tourism results in a greater tax benefit for every Currituck household.

We are serious about re-investing our Tourism dollars back into the mainstream of Currituck. We have begun a concentrated effort to keep our dollars from leaving our domain. THIS IS OUR COMMON SENSE APPROACH TO INVESTING IN THE COUNTY'S FUTURE.

Our board made the decision last year to end the Church-Library Renovation Project--thereby saving hundreds of thousands of dollars on property the County did not own. We negotiated with the property owner and immediately started plans for a New Larger Facility on County Owned Land. The result will be The New 7,500 sq ft. Moyock Library and Cultural History Museum. Plans will be completed next month. Construction could begin in 60 days with a completion date set for next summer. The library will include ample parking, a children's story time area, and computer terminals for teens, an adequate adult section, and a meeting room for civic groups. We hired a Recognized Library Architectural Firm to draw the plans. We included expertise from our Local Library Staff and the Regional Library. The plans have been drawn and approved by our BOC. The facility is designed so that it can be used day and night by residents who work during the day. The outside of the facility will include a Discovery Garden, a Senior Citizens' Walking Path, and access to the Historic Kight Farm House on adjoining property. The County will eventually own the Kight House, which will be renovated at no expense to the county. The Kight House will symbolize Currituck's commitment to our rural heritage and character. This 6 acre project will was obtained at no cost to our taxpayers!

Our board acquired a 50 acre site for a future High School across the street from the New Library.

The plan of combining public facilities sites close to each other was purposeful. It reduces governmental expenditures, negates duplicate services, and it directs our people to facilities that encourage community pride. As these sites become a part of our daily lives, they instill a sense of partnership between the community and the government. We have taken action this year in an efficient manner to instill a sense of community in our decision making.

#### INFRASTRUCTURE NEEDS/NECESSITY

Our greatest Infrastructure need, of course, is SCHOOLS: We funded the construction of two new elementary schools this year at a total cost of \$38 million dollars. Construction on both schools is on schedule, and the Jarvisburg School will open in the fall of 2008.

We also funded the construction of a \$24 million dollar upgrading of our central water plant that will make us independent and not require us to rely on outsourcing our future water needs. This plant will produce an additional 1.5 million gallons per day, with room in the design for additional expansion. This expansion will carry Currituck into the next 25 years of water needs. Planning for our future is always on our agenda.

Our board funded the construction of two additional elevated water towers and 5 additional wells . We funded piping improvements to meet the needs of residents and businesses, and to reduce your annual homeowner's fire insurance rates...this benefits every homeowner in Currituck County!

#### INFRASTRUCTURE ON OUR OUTER BANKS

Corolla residents had a need for a public meeting room early this year. The renovation of the Corolla Library provided a meeting area for residents and visitors. A cost effective solution was reached between your Chairman, the Librarian, and the residents. A local contractor was hired, and the work was completed within a few months. This project used an existing resource to meet the growing needs of the resident population. A cost effective solution provided the infrastructure that meets the immediate needs of the residents.

Our board supported the Whalehead Storm Water Service District Advisory Board by endorsing an Action Plan that will be implemented in June of 2008. Commissioners Nelms and Bowden jointly negotiated with the developer to relinquish title to 6 roads in Whalehead Beach so that land would be available for catch basins necessary to alleviate the flooding of hundreds of homes. This was all accomplished without litigation and at NO COST to the taxpayer. Cooperation between Developer-Your Commissioners-Residents-State Government = Problem Solving.

Infrastructure needs of others were met by our Public Works and Water Department. We listened and responded this year to citizens' requests for improved water pressure in the Waterlily community. Public Works Employees investigated, researched and installed a new check valve in the community water line. Additional equipment to insure adequate water pressure is maintained was ordered.

Commissioner Ernie Bowden has been successful and supportive in seeing the fruition of the Construction Start Up this year of the New Knotts Island Fire Station after many years of frustration. This year Ernie saw the financing and construction start of a New Water Access Park at Carova Beach . Jason Weeks , our Parks/Recreation Director was instrumental in acquiring a state grant of \$250,000 to pay for the project. This is solid evidence

of the financial rewards taxpayers receive when they have a commissioner, staff members, and cooperation between our County and our state.

THANK YOU Commissioner Bowden and Thank You Jason Weeks and staff.

#### AIRPORT INFRASTRUCTURE

Commissioner Gene Gregory, our Vice-Chairman, has played a key role in helping Currituck develop our Corporate Airport facility. His leadership in the improvement of a NEW 1,500 foot runway extension to allow Corporate jet traffic, an additional parking area, the addition of a security fence, and the expansion of additional hangar space have added immensely to our efforts to bring additional businesses into Currituck and thereby diversify our economy. THIS YEAR THE CURRITUCK COUNTY AIRPORT BEGAN HANDLING CORPORATE AIRCRAFT TRAFFIC FOR THE FIRST TIME EVER. THANK YOU Commissioner Gregory.

Our board realizes that Currituck County cannot be totally dependent on the Tourism Economy and YOUR COMMISSIONERS have taken action to bring new mainland business to Currituck.

Commissioner Owen Etheridge has played a major role in helping Currituck gain the new Cooperative Extension building as he was on the 2006 board when the original plans and funding were done. Credit for the Extension building rightfully belongs to the previous BOC. Though some of these men are no longer in office, we appreciate their contributions.

The County Cooperative Extension administers many successful programs, such as the Master Gardeners and the 4-H Club. Construction progressed this year and the opening is scheduled in January 2008. THANK YOU Commissioner Etheridge.

#### OPEN GOVERNMENT

Commissioner Janet Taylor has been instrumental in increasing Public Awareness of our county government. Janet brings her years of expertise on the School Board to our meetings which has been invaluable. Her emphasis has been to continually receive public input on all issues. She has personally conducted MEETINGS in Moyock this past year.

Subjects included:

The New Moyock Library,  
Incorporation of Corolla,  
Redrawing of district Voting lines  
OLF Issue.

Janet remains committed to making sure the people are informed by our government.  
THANK YOU Commissioner Taylor.

FRIENDLY-COOPERATIVE-PROGRESSIVE

During 2007, our board has been strengthened by the hiring of capable and well qualified personnel. These new staff members bring enthusiasm and FRESH IDEAS to the table. They all have a PROGRESSIVE VISION FOR THE FUTURE that will help Currituck reach its goals of maintaining its rural character while addressing the developmental pressures that accompany growth.

Our board expects our employees to be resourceful, hard-working, talented, qualified, and dedicated to you, our citizens.

We want them to have a progressive vision that will continue to help us reach our goals. Examples of this spirit are found in:

MICHAEL CARTER:

Chief of Emergency Medical Services

Michael came to us this April and has been the GUIDING LIGHT in many improvements to our EMS program. These include: staffing a new station on our Outer Banks, developing a re-certification training program, and implementing new Mobile Communication Terminals in emergency vehicles.

PETER BISHOP:

Economic Development Director

Peter joined our staff this August. Currituck had suffered for more than 2 years without an Economic Development Director. He has great ideas to boost the commercial and industrial potential and help our small businesses grow. It is essential that we diversify our economy and Peter is the lead county employee whose job it is to GET 'ER DONE! Peter has know-how, intelligence, and will provide the leadership that we have been without for 2 years.

BEN WOODY

Planning Director

Ben just came to us this September from Greensboro, NC where he was highly respected and skilled in planning and community development. Ben is currently improving our customer service by revising the Unified Development Ordinance into a document that is easier to use and understand. He is charged with making the

UDO user friendly, a monumental task! The UDO has already been reformatted and the new version is now available for the public's use.

Ben is now working on a public-private wastewater system for the county. A private firm has indicated that they are willing to invest in Currituck if we establish a Central Wastewater District. Such a partnership will give Currituck County the critical component that is presently lacking to attract commercial and industrial business and enhance economic growth and diversity. It spurs economic development and addresses our ecological concerns.

Throughout the County, many departments enjoyed tremendous success on a daily basis by responding to residents' needs, improving customer service and increasing efficiency.

The tax department billed more than 52,000 tax bills. They achieved a 98% collection of taxes levied, which is the highest percentage collected in over 20 years. What an asset they are!

The tax department also improved customer service by placing tax information on our website and partnered with the GIS Dept. to link data into the online mapping feature. Our County website is today an excellent example of government working to make processes easier for residents.

Our Information Technology Department installed a new state-of-the-art phone system throughout County Offices. This will give staff the ability to link telephones, email, fax, and messaging into one easy-to-use-system.

Customer service will also be improved through the re-design of our government website. This award winning site will be more user-friendly and easier to navigate. It will be up and running in January.

#### Closing Remarks

We have been diligent in our resolve to get things done, save you money, operate an open, efficient government, and make Currituck a friendlier place to do business.

In light of our many successes, I offer my appreciation to everyone who has given their time to help make Currituck County a better place to live, work, and play. Thanks to all my fellow Commissioners.

As Chairman, I also extend a special thank you on behalf of this Board to County Manager Dan Scanlon. Dan puts in long hours and exhibits a dedication that we hope to see modeled by all County employees.

Our 2007 Goals were ACCOMPLISHED

Your BOC looks to 2008 as a YEAR with great opportunity.

"PLAN FOR THE FUTURE NOW! AND WASTE NOT"  
THIS WILL BE OUR MOTTO  
Infrastructure is the Key to our Economic Future.  
Open Government will be the Norm  
Common Sense-Cooperation-Fairness  
Will be our Guiding Lights

"We will always listen to your opinions, respect your concerns,  
be fair, and we will not waste your tax dollars."

**Public Hearing and Action PB 00-15 Soundside Recycling (HD Racy Newbern): Amendment of a Special Use Permit for Demolition Landfill Operation and Mulch Sales Stockpile Area located at 7565 Caratoke Highway, Tax Map 110, Parcels 38 and 39, Poplar Branch Township.**

Sworn testimony was given prior to making statements.

Ben Woody, Planning Director reviewed the amendment.

On May 7, 2007 the Board of Commissioners granted Soundside Recycling a six month extension of condition #2 of their Special Use Permit (SUP) for a Demolition Landfill. This condition requires the entire operation be moved east of the VEPCO main power transmission line easement, approximately 1,000' from Caratoke Highway.

At the December 3 Board of Commissioners work session, Staff was directed to meet with Mr. Racy Newbern to develop a reasonable schedule for compliance with condition #2 of the SUP. Additionally, the Board requested Staff work with Mr. Newbern to develop alternatives to any SUP conditions that may be affected by State permit requirements.

What follows is a copy of the Special Use Permit and site plan issued on December 4, 2006. Alternative SUP conditions developed in response to applicable State permit requirements and/or meeting with Mr. Newbern, will be provided at the December 17 Board of Commissioners meeting.

Should you have any questions, do not hesitate to contact me at 232-6029.

**COUNTY OF CURRITUCK  
SPECIAL USE PERMIT GRANTED**

On the date(s) listed below, the Board of Commissioners for the County of Currituck met and held a public hearing to consider the following application:

Applicant: H.D. (Racy) Newbern, IV  
Property Location: 7565 Caratoke Hwy.  
Jarvisburg, NC 27947  
Site : Soundside Recycling  
Tax Map: 110, parcels 38 and 39  
Proposed Use of the Property: Demolition landfill operation / mulch sales stockpile area  
Meeting Dates: 12/04/06 - Board of Commissioners' Public Hearing/Action

Having heard all the evidence and argument presented at the hearing, the Board finds that the application is complete, that the application complies with all of the applicable requirements of the Currituck County Unified Development Ordinance for the development proposed, and that therefore the application to make use of the above described property for the purpose indicated is hereby approved subject to all applicable provisions of the Unified Development Ordinance and the following conditions:

1. The applicant shall maintain the development strictly in accordance with the plan submitted to and approved by the Board of Commissioners, a copy of which is filed in the office of the Planning and Inspections Department.  
Approximate Acreages:  
Recycling Area 3.4 acres  
Compost Area 2.0 acres  
Hurricane Storage Area 8.5 acres
2. That the special use permit shall be valid until December 5, 2010 with the condition that operation be moved east of the power transmission lines as approved in the attached site plan by June 4, 2007;

3. If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this permit shall be void and of no effect.
4. That the mulch sales storage area not exceed 6' in height, 100' in length and 60' in width;
5. That no demolition storage pile areas exceed 15' in height;
6. That the applicant maintain substantially high berms to effectively conceal all debris piles from public view from Caratoke Highway (US 158). The height of these berms shall be a minimum of 12 feet but may be higher depending on the height of debris piles;
7. That the berm height be uniform, complete, and continuous
8. That the applicant will be permitted one (1) permanent sign and one (1) temporary sign for the business.
9. That no transportation equipment (tractors or trailers with or without debris) be parked or stored outside the designated area as shown on the attached site plan.
10. That the following comments from the county's Fire Marshall be incorporated within this approval:
  1. No Smoking except in designated areas are allowed. Signage should indicate appropriate areas.
  2. Fire operations will require an all weather surface and 20' access width to all areas of the compound. Would recommend 2 ingress/egress points.
  3. Each fuel-fired vehicle shall be equipped with a 2-A:20-B:C or higher fire extinguisher.
  4. A fire hydrant must be within 400' of all portions of any structure.
  5. Plant growth must be maintained in order to prevent wind blown debris escaping the site.
11. That the hours of operation be set at 7:30 a.m. to 5 p.m. weekdays and 7:30 a.m. to 12 noon on Saturdays with no operations allowed on Sundays;

12. That all material must be kept on site at all times and that necessary steps are taken to keep material from blowing off the property; and,
13. Suggested Staff Findings of Fact:
1. 

<i>OWNER</i>	<i>APPLICANT</i>
HD(Racy)Newbern IV	HD/Marlene Newbern
P. O. Box 277	PO Box 176
Powells Pt, NC 27966	Aydlett, NC 27916
(252) 491-5744	(252) 453-3032
  2. The tract is located on the east side of Caratoke Hwy. approximately 200' south of the intersection with SR 1156 (North River Rd.) in Powells Point, Tax Map 110, parcels 38 & 39, Poplar Branch (ML) Township.
  3. The property is being utilized as a recycling center.
  4. The applicant received the original special use permit on May 1, 2000 and a renewals on April 16, 2001, June 17, 2002, and June 6, 2005 to temporarily store untreated demolition waste (treated & untreated wood products, cardboard, plastic, vinyl, wallboard, metal and shingles) on two (2) acres of land in an "Agriculture" zoning district which is permitted in an A district with a SUP.
  5. The applicant currently recycles demolition waste using a tub grinder. Since the UDO does not specifically list this use in the Table of Permissible Uses, the staff determined this use had impacts similar to a demolition landfill which required a special use permit in an "A" zoning district.
  6. According to county Zoning Maps, the nearest dwelling to the existing recycling area is approximately 300 feet west.
  7. The mulch stockpile sales area will be located east of the power line right-of-way
  8. No burning of waste will be permitted on the site unless a special use permit is granted for an incinerator. Further, all necessary state permits must be obtained prior to burning waste.

9. The site is surrounded by the following land uses:
  - West (Front) Commercial (Antique Store)-zoned "GB"
  - East (Rear) Farmland - zoned "A"
  - North (Side) Farmland (agricultural operations) - zoned "A"
  - South (Side) Farmland - zoned "A"
10. The 1990 Land Use Plan classifies this land as "Limited Transition".
11. The proposed site is located along a Minor Arterial in the County's Thoroughfare Plan.
12. According to the application, the storage area will not increase the county's ability to provide facilities in anyway.

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

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

**Public Hearing and Action PB 07-76 Conditional Zoning Text Amendment: Amendment to Chapter 2 and Chapter 12 of the UDO to establish conditional zoning districts.**

Ben Woody, Planning Director, reviewed the request.

The Board of Commissioners asked staff to develop conditional zoning as an option for promoting orderly growth in Currituck County. Conditional zoning districts are zoning districts in which the development and use of the property is subject to standards, regulations, or other conditions imposed as part of the legislative decision creating the district and applying it to the particular property.

A conditional zoning district typically allows an applicant to propose use limitations or development conditions that ensure compatibility between the subject property and surrounding properties. In addition to limitations proposed by the applicant, conditional zoning districts include all requirements of the corresponding general zoning district. For example, if an applicant is approved

for Conditional District General Business (CD-GB), all the requirements of the GB zoning district would apply to the property, as well as any additional conditions or limitations proposed during the rezoning process.

Some examples of zoning conditions may include, but are not limited to the following:

1. Limited to residential uses
2. Maximum of 25 dwelling units
3. Maximum of 20,000 sq. ft. of gross floor area
4. A 50 foot undisturbed buffer shall be maintained along the eastern property line
5. Outdoor storage shall be prohibited
6. The exterior of all structures shall be constructed primarily of masonry building materials

It is also permissible to visually depict zoning conditions through the use of a site plan that is submitted as part of the application. Each request for a conditional zoning district should be considered independently of one another as each request is unique to the parcel being rezoned.

What follows is a draft of the text amendment, along with a copy of the Conditional Zoning Application. The Planning Board heard this request at their November 13 meeting, and due to this amendment being fast-tracked, the meeting minutes and recommendation will be provided at the December 17 Board of Commissioners meeting.

Should you have any questions, do not hesitate to contact Ben Woody at 232-6029.

**Conditional Zoning Districts**  
 PB 07-76  
 CURRITUCK COUNTY COMMISSIONERS  
 UDO AMENDMENT REQUEST

An amendment to Chapter 2 and Chapter 12 of the UDO to create conditional zoning districts.

BE IT ORDAINED by the Board of Commissioners of the County of Currituck, North Carolina that the Unified Development Ordinance of the County of Currituck be amended as follows:

**Item 1: That Chapter 2 be amended by adding the following language:**

## Section 2.3 Conditional Zoning

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### 2.3.1 Purpose

Conditional zoning districts are zoning districts in which the development and use of the property is subject to standards, regulations, or other conditions imposed as part of the legislative decision creating the district and applying it to the particular property. A conditional zoning district allows particular uses to be established in accordance with specific standards and conditions pertaining to each individual development project. Some land uses are of such a nature or scale that they have significant impacts on both the immediate surrounding area and on the entire community, which cannot be predetermined and controlled by general district standards. There are also circumstances in which a general district designation allowing such a use by right would not be appropriate for a particular property even though the use itself could, if properly planned, be appropriate for the property consistent with the objectives of these regulations, the Currituck County Land Use Plan, and other adopted plans.

### 2.3.2 Parallel Conditional Zoning Districts Established

A parallel conditional zoning district is a zoning district in which the potential permitted use or uses are, except as limited by the conditions imposed on the district, of the same character or type as the use(s) permitted in a general zoning district having a parallel designation or name. A conditional zoning district, bearing the designation "CD" is hereby established as a parallel district for every zoning district established in this ordinance. All regulations which apply to a general zoning district shall also apply to the parallel conditional zoning district.

### 2.3.3 Pre-application Meeting Required

It is required the applicant hold a pre-application meeting with the Administrator prior to submission of an application for a conditional zoning district. The Administrator can assist the applicant in determining preliminary assessments regarding the appropriateness of proposed conditions with respect to existing zoning and surrounding land use(s).

### 2.3.4 Community Meeting Recommended

Before a hearing is held on a application for a conditional zoning district, it is recommended that the applicant hold at least one community meeting. The applicant shall indicate on the application, or at the hearing, whether a community meeting was held and if so, file a report with the application. The report should include, among other things, the manner and date of contact, the date, time and location of the meeting, a roster of the persons in attendance at the meeting, a summary of issues discussed at the meeting, and a description of any changes to the rezoning application made by the applicant as a result of the meeting.

2.3.5 Conditions, Plans, and Other Information to Accompany Application

- A. Only the property owner(s) of all the property to be included in the district shall be eligible to apply for rezoning to a conditional zoning district.
- B. The owner shall submit an application that specifies the use(s) of the property and shall propose additional conditions to ensure compatibility between the development and the surrounding neighborhood. The information to accompany the application shall include (as applicable):
1. Verification of community meeting, if held.
  2. A boundary survey and vicinity map showing the property's total acreage, its zoning classification(s), and the general location in relation to streets, railroads, and waterways.
  3. All existing easements and rights-of-way.
  4. Areas in which structures will be located.
  5. Proposed use of all land and structures, including the number of residential units and the total square footage of any nonresidential development.
  6. All yards, buffers, screening, and landscaping required by these regulations or proposed by the applicant.
  7. All existing and proposed points of access to public streets.
  8. Delineation of areas within the regulatory floodplain as shown on the Official Flood Hazard Boundary Maps for Currituck County.
  9. Proposed phasing, if any.

10. The location of existing and proposed storm drainage patterns and facilities intended to serve the proposed development.

11. Generalized traffic, parking, and circulation plans.

C. The Administrator has the authority to waive any application requirement where the type of use or scale of proposal makes providing that information unnecessary or impractical.

D. A site plan or any supporting text shall constitute part of the application for all purposes under this Section.

#### 2.3.6 Application Approval

A. In approving an application for the reclassification of property to a conditional zoning district, the Planning Board may recommend, and the Board of Commissioners request, that reasonable and appropriate conditions be attached to approval of the application. Any such conditions should relate to the relationship of the proposed use(s) to surrounding property, proposed support facilities such as parking areas and driveways, pedestrian and vehicular circulation systems, screening and buffer areas, the timing of development, street and right-of-way improvements, water and sewer improvements, storm water drainage, the provision of open space, and other matters that the board may find appropriate or the applicant may propose. The applicant shall have a reasonable opportunity to consider and respond to any such conditions prior to final action by the Board of Commissioners.

B. Any conditions attached to the approval of the application may not be less restrictive than would otherwise be required by this Ordinance.

#### 2.3.7 Scope of Approval

A. Any conditions in association with a conditional zoning district and so authorized shall be perpetually binding upon the property included in such conditional zoning district unless subsequently changed or amended as provided for in this Ordinance.

B. No condition on a conditional zoning district application shall have the effect of removing or amending any requirement of this Ordinance.

C. If for any reason any condition imposed pursuant to these regulations is found to be illegal or invalid, or if the applicant should fail to accept or violate any of the conditions of approval, the conditional zoning district shall be deemed null and void and the Board of Commissioners shall initiate proceedings to rezone the property to its previous zoning classification.

2.3.8 Alterations to Approval

Except as provided below, changes to an approved application or to the conditions attached to the approved application shall be treated the same as amendments to these regulations or to the zoning map and shall be processed in accordance with the procedures in this Ordinance.

Item 2: That Section 12.5.1 be amended subject to the following:

Section 12.5 Map Amendment (Rezoning) Process

12.5.1 Review Process

The following process shall be followed for any ~~standard rezoning request that does not involve a site specific plan~~ general or conditional district rezoning request.

Item 3: That Section 12.5.3 be created subject to the following:

12.5.3 General Provisions for Conditional Zoning Districts

- A. Conditional zoning districts are zoning districts in which the development and use of the property is subject to standards, regulations, or other conditions imposed as part of the legislative decision creating the district and applying it to the particular property.
- B. A conditional zoning district allows particular uses to be established in accordance with specific standards and conditions pertaining to each individual process.
- C. See Chapter 2 for detailed provisions for conditional zoning districts.

**Item 4:** The provisions of this Ordinance are severable and if any of its provisions or any sentence, clause, or paragraph or the application thereof to any person or circumstance shall be held unconstitutional or violative of the Laws of the State of North Carolina by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions which can be given effect without the invalid provision or application.

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

Commissioner Etheridge moved to approve with the requirement of a community meeting 14 days prior to the Planning Board meeting. Commissioner Taylor seconded the motion. Motion failed with Chairman Nelms, Commissioners Gregory and Bowden voting no.

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

**Public Hearing and Action PB 95-36 Cypress Landing Phase 3 Request to extend the expiration for one year of the Amended Sketch Plan/ Special Use Permit for a 40 lot residential subdivision. The property is located on the north side of Tulls Creek Rd. approximately 500' east of Mack Jones Rd. Tax Map 14, Lots 13D, Moyock Township.**

Sworn testimony was given prior to making comments.

Ben Woody, Planning Director, reviewed the request.

Cypress Landing Associates (Kim and Jerry Old) has requested a 1 year extension of the Amended Sketch Plan approval received December 19, 2005. The Sketch Plan approval is due to expire on December 7, 2007. UDO Section 2018 allows for a time extension up to one year if the following conditions are met:

1. The Permit has not yet expired
2. The Permit recipient has proceeded with due diligence and in good faith
3. Conditions have not changed so substantially as to warrant a new application.

The Preliminary Plat for Cypress Landing was reviewed at the September 20, 2007 technical review committee. The project has not been heard by the Planning Board yet due to revisions needed in the stormwater management plans and a change in engineering firms. Planning staff and Eric Weatherly, County Engineer, met with Mel Hopkins Engineering on November 16, 2007 to review the Technical Review Committee comments from September.

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

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

#### **Appointment to The Albemarle Commission**

Commissioner Gregory moved to appoint Chairman Nelms and Diane Bray. Commissioner Bowden seconded the motion. Motion carried.

#### **Appointments to Board of Adjustment**

Chairman Nelms moved to appoint Earl Wemer and reappoint Paul Beaumont. Commissioner Etheridge seconded the motion. Motion carried

#### **Appointment to Economic Improvement Council**

Commissioner Bowden moved to appoint Commissioner Gregory. Chairman Nelms seconded the motion. Motion carried.

#### **Consent Agenda:**

1. Petition for Addition to State Maintained Road System-RiversEdge Subdivision
2. Approval of December 3, 2007, Minutes
3. Corolla Fire Dept. approval of septic system for volunteers house
4. Resolution Authorizing Upset Bid Process
5. Budget Amendments
6. Shawboro Elementary School - Change Order No. 4

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

### **RESOLUTION AUTHORIZING UPSET BID PROCESS**

WHEREAS, The County of Currituck owns certain property, PIN 110B-004-0012-0000, 141 Parker Street, Lot 12, Block 4, Albemarle Sound Beach Estates, Jarvisburg, NC, located within Poplar Branch Township; and

WHEREAS, North Carolina General Statute 160-269 permits the county to sell property by upset bid, after receipt of an offer for the property; and

WHEREAS, the County has received an offer to purchase the property described above, in the amount of \$7,500.00, submitted by Kenneth and Alisa Carpenter.

WHEREAS, Kenneth and Alisa Carpenter have paid the required five percent (5%) deposit on this offer;

THEREFORE, THE COUNTY COMMISSIONERS OF CURRITUCK COUNTY RESOLVE THAT:

1. The Board of Commissioners authorizes sale of the property described above through the upset bid procedure of North Carolina General Statute 160A-269.
2. The County Clerk shall cause a notice of the proposed sale to be published. The notice shall describe the property and the amount of the offer, and shall state the terms under which the offer may be upset.
3. Persons wishing to upset the offer that has been received shall submit a sealed bid with their offer to the office of the County Clerk within 10 days after the notice of sale is published. At the conclusion of the 10-day period the County Clerk shall open the bids, if any, and the highest such bid will become the new offer. If there is more than one bid in the highest amount, the first such bid received will become the new offer.
4. If a qualifying higher bid is received, the County Clerk shall cause a new notice of upset bid to be published, and shall continue to do so until a 10-day period has passed without any qualifying upset bid having been received. At that time, the amount of the final high bid shall be reported to the Board of Commissioners.
5. A qualifying higher bid is one that raises the existing offer by not less than ten percent (10%) of the first \$1,000.00 of that offer and five percent (5%) of the remainder of that offer.
6. A qualifying higher bid must also be accompanied by a deposit in the amount of five percent (5%) of the bid; the deposit may be made in cash, cashier's check, or certified check. The County will return the deposit on any bid not accepted, and will return the deposit on an offer subject to upset if a qualifying higher bid is received. The County will return the deposit of the final high bidder at closing.
7. The terms of the final sale are that
  - the County Commissioners must approve the final high offer before the sale is closed, which it will do within 30 days after the final upset bid period has passed, and
  - The buyer must pay with cash at the time of closing.
8. The County reserves the right to withdraw the property from sale at any time before the final high bid is accepted and the right to reject at any time all bids.
9. If no qualifying upset bid is received after the initial public notice, the offer set forth above is hereby accepted. The appropriate County officials are authorized to execute the instruments necessary to convey the property to Kenneth and Alisa Carpenter.

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

50380-481000	Investment Earnings	\$	999		
50550-592005	Hangar, Taxiway and Fencing			\$	999
				<u>\$</u>	<u>999</u>
				<u>\$</u>	<u>999</u>

**Explanation:** County Governmental Construction (50550) - To change scope of project from 10 Unit T-Hangars and Fencing to Hangar, Hangar Taxiway and Fencing and to adjust to Grant budget.

**Net Budget Effect:** County Governmental Construction Fund (50) - Decreased by \$999.

<u>Account Number</u>	<u>Account Description</u>	<b>Debit</b>		<b>Credit</b>	
		Decrease Revenue or Increase Expense		Increase Revenue or Decrease Expense	
10460-514000	Travel	\$	5,000		
10460-514500	Training	\$	1,500		
10460-561000	Professional Services			\$	6,500
		<u>\$</u>	<u>6,500.00</u>	<u>\$</u>	<u>6,500.00</u>

**Explanation:** Public Works (10460) - Transfer funds to cover the cost of the County Engineer and County Utilities Director for project administration, construction, and new treatment techniques training.

**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	
10750-590000	Capital Outlay	\$	20,000		
10390-499900	Fund Appropriated Balance			\$	20,000
		<u>\$</u>	<u>20,000</u>	<u>\$</u>	<u>20,000</u>

**Explanation:** Social Services Administration (750) - To purchase vehicle to replace 1999 Ford Taurus, VIN #1FAFP53U3XG301886 due to high cost repairs need to this vehicle. This vehicle was budgeted for FY 2008-09 and we request to advance this purchase to 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
10450-557000	Tax Refunds	\$ 2,200	
10310-401200	Penalties & Interest		\$ 2,200
		<u>\$ 2,200</u>	<u>\$ 2,200</u>

**Explanation:** Tax (10450) - To increased budgeted funds for Coastland Properties and Coastland Corporation tax over-payments in prior years.

**Net Budget Effect:** Operating Fund (10) - Increased by \$2,200.

<u>Account Number</u>	<u>Account Description</u>	<b>Debit</b>	<b>Credit</b>
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10530-503500	Temporary Services	\$ 75,000	
10530-502000	Salaries		\$ 25,000
10530-506000	Health Insurance		\$ 25,000
10530-507000	Retirement		\$ 25,000
		<u>\$ 75,000</u>	<u>\$ 75,000</u>

**Explanation:** Emergency Medical Services (10530) - To transfer budgeted funds from regular salaries to temporary services needed to cover vacancies due to FMLA, Worker's Comp and employee turnover.

**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

12543-553003	Dues & Subscriptions	\$	155	
12543-590003	Capital Outlay	\$	3,715	
12543-544003	Volunteer Assistance			\$ 3,870
			<u>\$ 3,870</u>	<u>\$ 3,870</u>

**Explanation:** Moyock Volunteer Fire Department (12543) - To transfer budgeted funds due to price increases this fiscal year.

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

<u>Account Number</u>	<u>Account Description</u>	<b>Debit</b>	<b>Credit</b>
		Decrease Revenue or <u>Increase Expense</u>	Increase Revenue or <u>Decrease Expense</u>
50548-561000	Professional Services	\$ 3,834	
50548-588000	Contingency		\$ 3,834
		<u>\$ 3,834</u>	<u>\$ 3,834</u>

**Explanation:** County Governmental Construction (50548) - To transfer funds for Hyman & Robey invoice for engineering on the Knotts Island Fire Department building.

**Net Budget Effect:** County Governmental Construction Fund (50) - No change.

<u>Account Number</u>	<u>Account Description</u>	<b>Debit</b>	<b>Credit</b>
		Decrease Revenue or <u>Increase Expense</u>	Increase Revenue or <u>Decrease Expense</u>
50640-570004	Reimbursable Expenses	\$ 75,000	
50640-588004	Contingency		\$ 75,000
		<u>\$ 75,000</u>	<u>\$ 75,000</u>

**Explanation:** County Governmental Construction (50640) - To transfer funds for additional furnishings for the Cooperative Extension building.

**Net Budget Effect:** County Governmental Construction Fund (50) - No change.

**Debit** **Credit**

<u>Account Number</u>	<u>Account Description</u>	<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
20609-545000	Contract Services	\$ 342,901	
20390-499900	Fund Balance Appropriated		\$ 342,901
		<u>\$ 342,901</u>	<u>\$ 342,901</u>

**Explanation:** Whalehead Watershed Service District (20609) - To appropriate fund balance for Stormwater Master Plan for the Whalehead Subdivision in the amount of \$260,630 and for Drainage Basin and Dune Discharge Interim Project for Whalehead Subdivision in the amount of \$173,635.

**Net Budget**

**Effect:** Whalehead Stormwater Service District (20) - Increased by \$342,901.

**Commissioner's Report**

The Board wished everyone a Merry Christmas and a Happy New Year.

**County Manager's Report**

**No comments**

**Adjourn**

There being no further business, the meeting adjourned.