



**BOARD OF COMMISSIONERS  
AGENDA**

**DECEMBER 5, 2011**

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# Currituck County Board of Commissioners Agenda

Historic Currituck County Courthouse

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**Date: Monday, December 05, 2011      Time: 7:00 PM**

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## **Work Sessions**

Dinner at 4:00 p.m.

5:00 p.m. Closed Session according to GS 143-318.11(3) to consult with attorney in order to preserve the attorney-client privilege

6:30 p.m. Discussion on Internet Cafe'

## **Regular Agenda**

7:00 p.m.      Invocation

                  Pledge of Allegiance

Item 1           **Election of Chairman**

Item 2           **Election of Vice Chairman**

Item 3           Approval of Agenda

Item 4           Public Comment

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

Item 5           **Recognition of Currituck County High School Football Team and the Currituck County High School Soccer Team**

Item 6           **Consideration and Action:** PB 00-15 Soundside Recycling: Renewal of a special use permit for a demolition landfill operation and a mulch sales stockpile area located at 7565 Caratoke Highway, Tax Map 110, Parcels 38 and 39, Poplar Branch Township.

Item 7           **Public Hearing and Action:** PB 95-36 Cypress Landing, Phase 4: Request for a preliminary plat/special use permit for a 12 lot conservation subdivision located in Moyock at the terminus of Northwest River Drive, Tax Map 14, Parcel 13F, Moyock Township.

- Item 8      **Public Hearing and Action:** PB 11-17 Daniel C. Cartwright:  
Request for a conditional zoning from A (Agricultural) to CD-HM  
(Conditional District - Heavy Manufacturing) for 1.10 acres located  
at 128 Station Lane, Shawboro, Tax Map 23, Parcel 50, Crawford  
Township.
- Item 9      **Public Hearing and Action:** PB 06-24 Laurel Woods Estates:  
Request for an amended preliminary plat/special use permit for a  
156-lot residential subdivision to modify the phasing plan and allow  
performance bonds for street trees and sidewalks, located on NC  
168 .5 mile north of the intersection of Bells Island Road, Tax Map  
50, Parcels 70A and 70B, Crawford Township.
- Item 10     **Discussion of Ocean Rescue Contract**
- Item 11     **Apply for permits to clean ditches to original dimensions in  
Carova and North Swan.**
- Item 12     **Appointment of a Commissioner to The Albemarle  
Commission**
- Item 13     **Appointments to Board of Adjustment**
- Item 14     **Appointments to Whalehead Stormwater Drainage Service  
District**
- Item 15     **Consent Agenda:**  
1. Request to declare two vehicles and one trailer as surplus  
2. Budget Amendments  
3. Approval of November 21, 2011, Minutes  
4. Approval of November 7, 2011, Minutes
- Item 16     Commissioner's Report
- Item 17     County Manager's Report
- Adjourn



## Currituck County

Post Office Box 70  
Currituck, North Carolina 27929  
252-232-3055  
FAX 252-232-3026  
[www.currituckgovernment.com](http://www.currituckgovernment.com)

### MEMORANDUM

**Date:** November 23, 2011  
**To:** Board of Commissioners  
**From:** Planning Staff  
**Re:** **PB 00-15 Soundside Recycling**

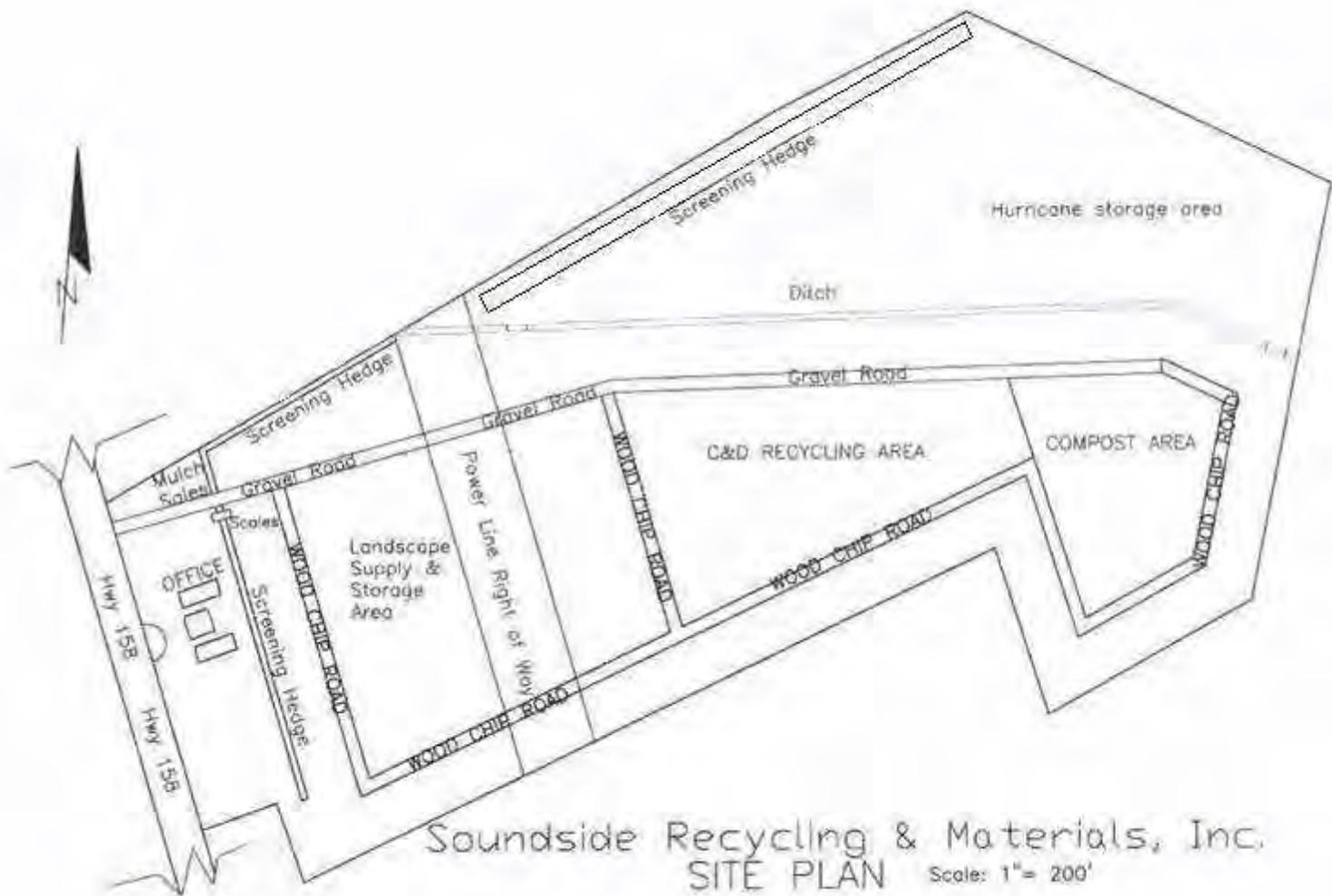
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On December 6, 2010, the Board of Commissioners granted Soundside Recycling a one-year extension of the special use permit for a demolition landfill (recycling center). This extension required that all state permits needed to relocate operations east of the power transmission lines be issued within one year and that the applicant comply with all county ordinances within 90 days of the extension.

According to quarterly updates and recent correspondence with Racy Newbern, the State permit for the relocation of materials and operations was issued in March 2011. A pre-operative condition of the State permit is to provide a surety guarantee prior to operation of the new facility. The surety guarantee was secured in November 2011. Mr. Newbern stated that improvements to the site are underway to achieve compliance with the relocation requirement of the special use permit.

Prior to the December 5, 2011 Board of Commissioners meeting, staff will inspect the property to ensure the applicant complies with all county ordinances. A summary will be provided at the public hearing.

This special use permit is set to expire on December 6, 2011 and the applicant is requesting a renewal. The current special use permit and site plan are enclosed. Should you have any questions, do not hesitate to contact Ben Woody at 232-3055.



Soundside Recycling & Materials, Inc.  
 SITE PLAN Scale: 1" = 200'

Department of Planning  
Post Office Box 70  
Currituck, North Carolina 27929-0070  
Telephone (252) 232-3055 / Fax (252) 232-3026

### **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:

Owner: HD/Marlene Newbern  
7519 Caratoke Hwy.  
Jarvisburg, NC 27947

Applicant: HD (Racy) Newbern IV  
7565 Caratoke Hwy.  
Jarvisburg, NC 27947

Property Location: East side of Caratoke Hwy. approximately 200' south of the intersection with SR 1156 (North Rover Road)

Project: PB 00-15 Soundside Recycling – Special Use Permit Renewal

Proposed Use: Demolition Landfill

Meeting Date: December 6, 2010 – Board of Commissioners' 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:

- (A) 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.
- (B) This special use permit was approved for a one-year extension, December 6, 2010 – December 6, 2011, as the conditions under which it was granted are met.
- (C) Other 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 Department.

Approximate Acreages:

Recycling Area	3.4 acres
Compost Area	2.0 acres
Hurricane Storage Area	8.5 acres

2. That the mulch sales storage area not exceed 6' in height, 100' in length and 60' in width.
3. That no demolition storage pile areas exceed 15' in height.
4. 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.
5. That the berm height shall be uniform, complete, and continuous.
6. That the applicant will be permitted one (1) permanent sign and one (1) temporary sign for the business.
7. 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.
8. That the following comments from the county's Fire Marshall be incorporated within this approval:
  - a. No Smoking except in designated areas is allowed. Signage should indicate appropriate areas.
  - b. Fire operations will require an all weather surface and 20' access width to all areas of the compound. Would recommend 2 ingress/egress points.
  - c. Each fuel-fired vehicle shall be equipped with a 2-A:20-B:C or higher fire extinguisher.
  - d. A fire hydrant shall be within 400' of all portions of any structure.
  - e. Plant growth shall be maintained in order to prevent wind blown debris escaping the site.
9. That the hours of operation be set at 7:30 a.m. to 5:00 p.m. weekdays and 7:30 a.m. to 12 noon on Saturdays with no operations allowed on Sundays.
10. 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.
11. Suggested Staff Findings of Fact:

a. **OWNER**  
HD(Racy)Newbern IV  
7565 Caratoke Hwy.  
Jarvisburg, NC 27947  
(252) 491-5744

**APPLICANT**  
HD/Marlene Newbern  
7519 Caratoke Hwy.  
Jarvisburg, NC 27947  
(252) 453-3032

- b. 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.
  - c. The property is being utilized as a recycling center.
  - d. 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.
  - e. 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.
  - f. According to county Zoning Maps, the nearest dwelling to the existing recycling area is approximately 300 feet west.
  - g. The mulch stockpile sales area will be located east of the power line right-of-way.
  - h. 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.
  - i. 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"
  - j. The 1990 Land Use Plan classifies this land as "Limited Transition".
  - k. The proposed site is located along a Minor Arterial in the County's Thoroughfare Plan.
  - l. According to the application, the storage area will not increase the county's ability to provide facilities in anyway.
12. All State permits needed to move the operation east of the power transmission lines shall be issued within one year.
13. Quarterly progress reports shall be filed with the Planning Department.
14. The applicant shall be in compliance with all county ordinances within 90 days.

IN WITNESS WHEREOF, the County has caused this permit to be issued in its name, and the property owners/applicants of the property above described, do hereby accept this Special Use Permit together with all its conditions, as binding on them and their successors in interest.

ATTEST:

\_\_\_\_\_(Seal)  
Clerk to the Board

\_\_\_\_\_  
Date

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

(NOT VALID UNTIL FULLY EXECUTED)

**CASE ANALYSIS FOR THE  
Board of Commissioners  
December 5, 2011  
PB 95-36 Cypress Landing, Phase 4**

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**ITEM:** PB 95-36 Cypress Landing, Phase 4, Preliminary Plat/Special Use Permit for a 12 lot conservation subdivision.

**LOCATION:** In Moyock at the terminus of Northwest River Driver, Moyock Township.

**TAX ID:** 0014-000-013F-0000

**ZONING DISTRICT:** Residential (R)

**PRESENT USE:** Undeveloped

**OWNER:** Jerry Old  
1669 Tulls Creek Road  
Moyock NC 27958

**APPLICANT:** Mel Hopkins  
204 Walden Dr  
Yorktown VA 23692

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

	<b>Land Use</b>	<b>Zoning</b>
<b>NORTH:</b>	Single Family Dwelling	R
<b>SOUTH:</b>	Open Space for Cypress Landing Subdivision	R
<b>EAST:</b>	County Operated Manned Convenience Center	R
<b>WEST:</b>	Cypress Landing, Phase 3	R

**LAND USE PLAN**

**CLASSIFICATION:** The 2006 Land Use Plan classifies the site as Rural within the Moyock subarea.

**SIZE OF SITE:** 22.171 Acres

**NUMBER OF UNITS:** 12 Lots

**PROJECT DENSITY:** .54 units/acre

**OPEN SPACE:** The applicant is required to provide 45% open space and is doing so by dedicating 9.99 acres to open space for this phase of the development.

**UTILITIES:** Public water will be provided by the Currituck County Water System and the lots will be served by individual on-site septic systems. Water demands will be approximately 4,320 gallons per day. The individual septic systems are being designed to support a four bedroom single family dwelling per lot.

**I. NARRATIVE OF REQUEST:**

- The applicant is proposing to construct a 12 lot residential subdivision.
- This is the fourth and final phase of Cypress Landing Subdivision.
- The sketch plan for this phase was approved on September 22, 2011.

**II. QUESTION(S) BEFORE THE BOARD:**

**Special Use Permit Criteria and Staff Findings:**

Special use permits (SUP) are intended to allow the Board of Commissioners flexibility in the administration of the UDO. Through the SUP procedure, property uses which would otherwise be considered undesirable in certain districts can be developed subject to conditions of approval to minimize any negative effects they might have on surrounding properties.

In order to approve a SUP, certain criteria must be satisfied. The criteria and suggested findings of fact are outlined as follows:

1. Completeness of application.

**Suggested Findings:**

- a. The application is complete.

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

**Suggested Findings:**

- a. Chapter 10 of the UDO allows a major subdivision as a permissible use with a special use permit.

3. The conditions proposed meet or exceed the minimum requirements of this ordinance.

**Suggested Findings:**

- a. As presented, the subdivision meets or exceeds the minimum requirements of the ordinance.

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

**Suggested Findings:**

- a. The subdivisions should have little to no impact on public health or safety.

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

**Suggested Findings:**

- a. The UDO indicates that a conservation subdivision is allowed in the R zoning district with a special use permit.
- b. The proposed residential lots are currently within a neighborhood with densities comparable to those proposed and should be in harmony with the neighborhood.

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

**Suggested Findings:**

The 2006 Land Use Plan classifies this site as Rural within the Moyock subarea. The Rural class is intended to provide for agriculture, forestry, and another allied uses traditionally associated with a rural area. The sub-area emphasis is to encourage clustered housing developments limited to a density of approximately one to two units per acre. The proposed use is in keeping with the policies of the plan, some of which are:

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

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.

POLICY ML1: Currituck County recognizes the particular interest of residents and property owners in the Mainland Area in PRESERVING FARMLAND AND OPEN SPACE. The county shall exercise diligence in applying policies, plans, and actions that will encourage compact growth and the preservation of farmland and open space in the mainland areas.

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

**Suggested Findings:**

- a. The 12 lot subdivision will not exceed the county's ability to provide adequate public facilities.

**III. TECHNICAL REVIEW COMMITTEE RECOMMENDATION:**

Pursuant to the Unified Development Ordinance, the Technical Review Committee recommends approval subject to the following plan corrections:

1. Please consult with Mr. Kevin Carver R.S. at 252-232-6603 in order to obtain required permits to construct a proposed dwelling and septic system on each lot of proposed subdivision. (ARHS Comment)
2. An erosion and sedimentation control plan must be submitted to the Land quality Section of DENR and approved prior to beginning the project. (NCDENR Land Quality Comment)

**IV. PLANNING STAFF RECOMMENDATION:**

Staff recommends approval of this request subject to all findings of fact listed above and all TRC comments being adequately addressed.

**V. PLANNING BOARD RECOMMENDATION:**

The Planning Board ***recommended approval*** of the preliminary plat/special use permit with the findings of fact and staff recommendations.

**PLANNING BOARD DISCUSSION (11/8/11)**

Mr. Clark asked for clarification on the septic system since Albemarle Regional Health Services has determined that each lot is unsuitable.

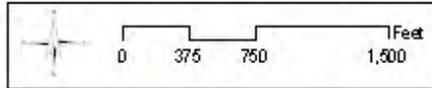
Ms. Glave stated staff has received a correction from the health department that the lots will be provisionally suitable if certain things are done to the lots. Mounds systems will be used for the septic.

**ACTION**

Mr. Kovacs moved to approve PB 95-36 with the findings of fact and staff recommendations included in the case analysis. Ms. Taylor seconded the motion. Motion carried unanimously.



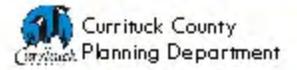
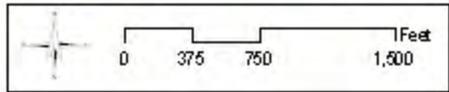
PB 95-36 Cypress Landing, Phase 4  
Preliminary Plat/SUP  
2008 Aerial Photography



 Currituck County  
Planning Department

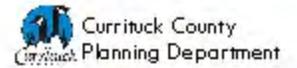
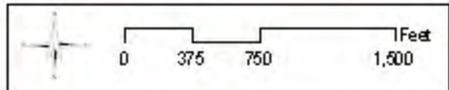


PB 95-36 Cypress Landing, Phase 4  
 Preliminary Plat/SUP  
 Zoning Map





PB 95-36 Cypress Landing, Phase 4  
 Preliminary Plat/SUP  
 Land Use Classification



## MEMORANDUM

**To:** Mel Hopkins  
Jerry Old

**From:** Planning Staff

**Date:** October 13, 2011

**Re:** Cypress Landing, Phase 4, Preliminary Plat/SUP

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The following comments have been received for the October 19, 2011 TRC meeting. In order to be scheduled for the November 8, 2011 Planning Board meeting, please address all comments and resubmit a corrected plan by 3:00 p.m. on October 24, 2011. TRC comments are valid for six months from the date of the TRC meeting.

**Currituck County Planning (Tammy Glave, 252-232-6025):**

Approved with corrections:

1. Correct Note 4 to reflect Shaded X flood zone instead of X. The AE 5.4 is correct. The corrections must be reflected on the map also. *(Corrected)*
2. Albemarle Regional Health Services has determined that each lot is UNSUITABLE for a septic system. The evaluations indicate that the lots MAY be suitable if certain improvements are made. The UDO requires that the lots classified as suitable or provisionally suitable for a septic system.

**Currituck County Code Enforcement/CAMA (Stacey Smith, 252-232-6027)**

Reviewed without comment.

**Currituck County Economic Development (Peter Bishop, 252-232-6015)**

Reviewed without comment.

**Currituck County Emergency Management (James Mims, 252-232-4024)**

Approved without comment.

**Currituck County Engineer (Michelle Perry, 252-232-6035)/ Currituck Soil and Water (Mike Doxey, 252-232-3360)** *(Comments will be addressed at pre-construction review)*

Approved with comments:

1. Please clarify the pond elevations for the normal water elevation, 10yr. storm, and 100yr. storm. The plan view, cross sectional detail and narrative are not consistent.
2. Show pond outlet detail. Specify rip rap outlet structure. Explain reasoning behind selection of the weir elevation.

3. Spreadsheet shows the post 10yr storm significantly exceeding the pre 10yr storm. The post shall not exceed the pre.
4. Let's discuss options for routing overflow from Phase 4 pond to existing pond.

**Currituck County GIS (Harry Lee, 252-232-2034)**

Reviewed with comment: *(To be noted on final plat.)*

1. Address Assignment:
  - Lot 84 = 125 Northwest River Dr
  - Lot 85 = 127 Northwest River Dr
  - Lot 86 = 129 Northwest River Dr
  - Lot 87 = 131 Northwest River Dr
  - Lot 88 = 133 Northwest River Dr
  - Lot 89 = 135 Northwest River Dr
  - Lot 90 = 137 Northwest River Dr
  - Lot 91 = 139 Northwest River Dr
  - Lot 92 = 138 Northwest River Dr
  - Lot 93 = 136 Northwest River Dr
  - Lot 94 = 134 Northwest River Dr
  - Lot 95 = 128 Northwest River Dr

**Currituck County Parks and Recreation (Jason Weeks, 252-232-3007)**

Reviewed without comment.

**Currituck County Utilities (Pat Irwin, 252-232-2769)**

Approved without comment.

**Albemarle Regional Health Services (Joe Hobbs, 252-232-6603)**

Reviewed with comment:

1. PLEASE CONSULT WITH MR. KEVIN CARVER R.S. AT (252)232-6603 IN ORDER TO OBTAIN REQUIRED PERMITS TO CONSTRUCT A PROPOSED DWELLING AND SEPTIC SYSTEM ON EACH LOT OF PROPOSED SUB-DIVISION.

**NC Division of Coastal Management (Charlan Owens, 252-264-3901)**

Reviewed without comment.

**NC DENR Land Quality (Pat McClain, 252-946-6481)**

Reviewed with comment:

1. An erosion and sedimentation control must be submitted to the Land Quality Section of DENR and approved prior to beginning this project.

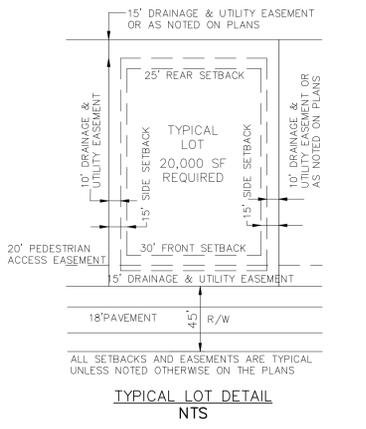
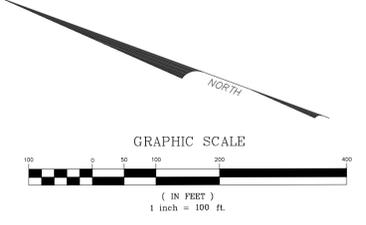
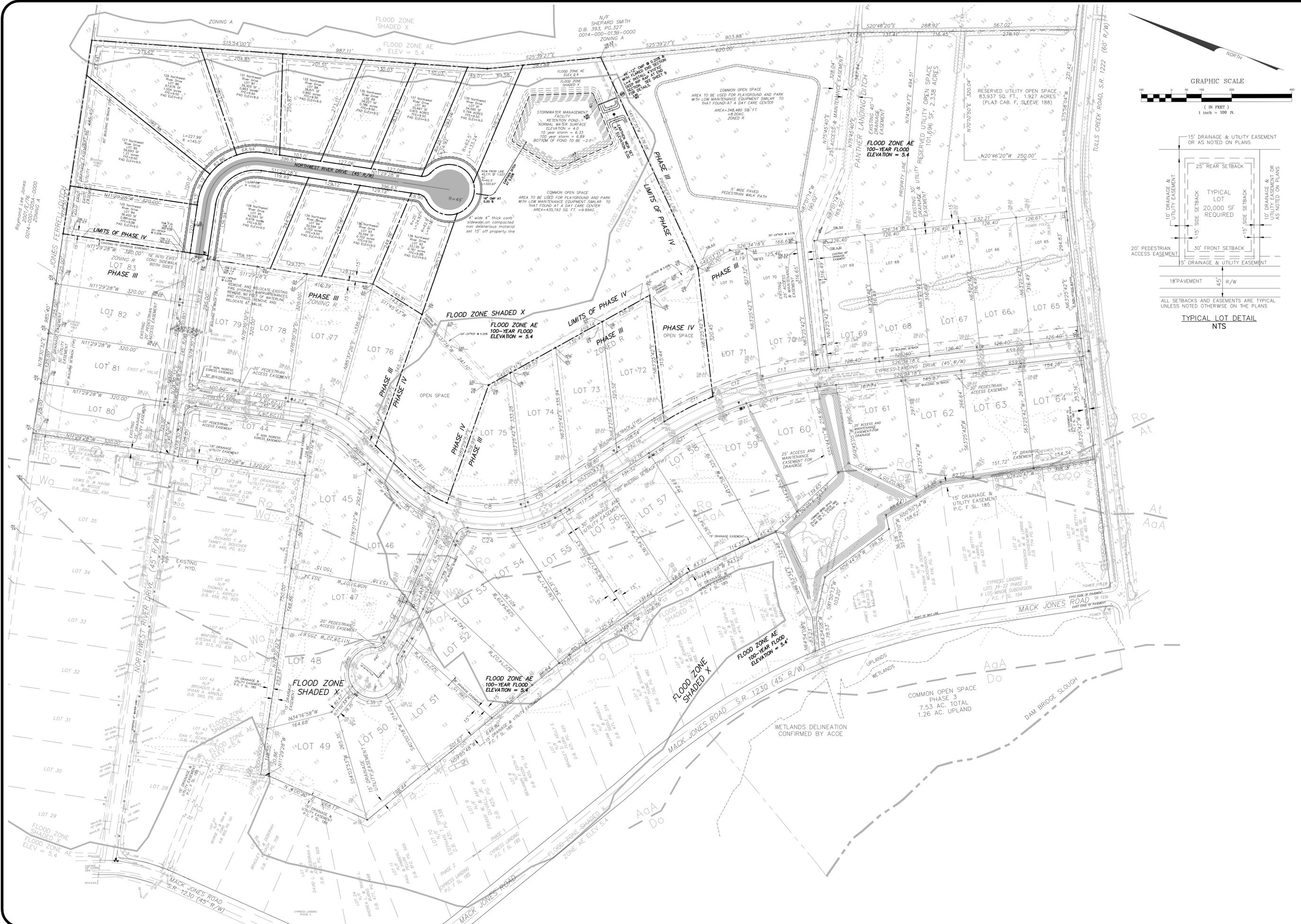
**Please note that comments were not received from the following:**

Currituck County Building Inspections (Spence Castello, 252-232-6020)  
Currituck County Local Volunteer Fire Department  
Currituck County Schools (Allison Sholar, 252-232-2223)  
Currituck County Sheriff (Susan Johnson, 252-453-8204)

NC Wildlife, Maria Dunn  
NCDOT, Jim Hoadley  
NCDENR Aquifer Protection, David May  
NCDENR Public Water (Siraj Chohan, 919-715-3235)  
NCDENR Water Quality, (Kim Colson, 919-733-5083, Ext. 540)  
NCDENR Environmental Management (Roger Thorpe, 252-948-3923)  
NCDENR Environmental Health/Onsite Wastewater, Bob Uebler  
NCDENR, Marine Fisheries, Kevin Hart  
NCDENR Water Quality/Surface Water Protection, Al Hodge  
US Army Corps of Engineers (Kyle Barnes, 910-251-4584)  
NC State Archeology (Lawrence Abbott, 919-807-6554)  
Centurylink, Kimberly Hoevenair  
Charter Communications, Sam Scilabba  
Dominion Power, Troy Lindsey  
Embarq, Hester Jones  
Navel Facilities Engineering Command, Community Plans Liaison Officer William  
DuFault

**The following items are necessary for resubmittal:**

- 3 - full size copies of revised plans.
- 14 – 11” x 17” copies of all revised plans.
- 1- 8.5”x11” copy of all revised plans.
- 1- PDF digital copy of all revised documents and plans.



REVISIONS:

DESIGNED: MEH

DRAWN: MEH

CHECKED: MEH

DATE: 10/19/11



**Mel Hopkins Engineering PLLC**  
 ENGINEERING & LAND PLANNING SERVICES  
 204 Walden Drive Yorktown Virginia 23692  
 (757) 812-9818 hopkins@cox.net

**CONSTRUCTION PLANS FOR  
 CYPRESS LANDING PHASE IV  
 MOYOCK TOWNSHIP  
 CURRITUCK COUNTY, NORTH CAROLINA**  
 MASTER SUBDIVISION LAYOUT

PROJECT NO. : 20071016  
 SHEET: 3 OF 9  
 SCALE: 1" = 100'

**CASE ANALYSIS FOR THE  
Board of Commissioners  
December 5, 2011  
PB 11-17 Daniel C. Cartwright  
Conditional Zoning Request**

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**ITEM:** PB 11-17 Daniel C. Cartwright requests to rezone 1.10 acres from Agricultural (A) to Conditional District – Heavy Manufacturing District (CD-HM).

**LOCATION:** 128 Station Lane, Shawboro: North side of Station Lane approximately 500 feet west of Shawboro Road (NC 34) intersection, Crawford Township.

**TAX ID:** 0033-000-0050-0000

**OWNER:** Currituck Grain Inc.  
PO Box 7100  
Virginia Beach, Va 23457

**APPLICANT:** Daniel Clay Cartwright  
382 N. Gregory Road  
Shawboro, NC 27973

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

	<b>Land Use</b>	<b>Zoning</b>
<b>NORTH:</b>	Agriculture	A
<b>SOUTH</b>	Agriculture	A
<b>EAST:</b>	Railroad Right-of-Way	GB
<b>WEST:</b>	Single Family Dwelling	A

**LAND USE PLAN**

**CLASSIFICATION:** The 2006 Land Use Plan classifies the site as Rural within the Shawboro-Crawford subarea.

**CURRENT ZONING:** Agricultural (A)

**PROPOSED ZONING:** Conditional District – Heavy Manufacturing (CD-HM)

**CURRENT USE:** Agriculture

**SIZE OF SITE:** 1.10 acres

**ZONING HISTORY:** 1973: AO-1 - Agriculture-Open Space District  
1975: A-40 - Agricultural District  
1989: A - Agricultural District

**UTILITIES:** Property is served by well water and has an approved septic permit. There is potential for connection to the county's water system.

The neighboring property to the east is also served by well water.

**TRANSPORTATION:** The property is accessed by Station Lane, an approximately 16 foot wide state maintained road.

**FLOOD ZONE:** The subject property is not located within the 100-year flood plain and is identified as Flood Zone X.

**WETLANDS:** There are no wetlands on the property.

**SOILS:** According to the Currituck County Soils Survey, the entire property has soils that are considered unsuitable.

**PROPOSED ZONING CONDITIONS:**

1. An 8 foot tall fence shall be installed and maintained around the perimeter of the property.

**COMMUNITY MEETING:**

A community meeting was held on October 13<sup>th</sup>, 2011. A report of the meeting is attached.

**TECHNICAL STAFF RECOMMENDATION:**

The TRC reviewed the conceptual plan on October 19, 2011. A formal site plan submittal must be reviewed by TRC prior to development.

**PLANNING STAFF RECOMMENDATION:**

The planning staff recommends denial of the proposed conditional zoning request based on the following:

- The proposed heavy manufacturing use can be considered inconsistent with the Rural land use classification. The Rural class is intended to provide for agriculture, forestry, and other allied uses traditionally associated with a rural area. Preferred uses include very low-density dispersed development associated directly with farm uses.
- Due to the adjacent single family residences, the proposed use appears to be inconsistent the following Land Use Plan policies:

POLICY CD5: Incompatible or poorly planned COMMERCIAL ENCROACHMENT within or immediately adjoining existing residential areas shall be prohibited. Such incompatible encroachments often include, but are not limited to, large-scale commercial uses or automobile-oriented commercial uses such as service stations, car lots, car washes, drive through restaurants, and the like.

POLICY ID1: To diversify the local economy and broaden the local tax base, the County shall encourage a public service and regulatory environment conducive to COMPATIBLE INDUSTRIAL DEVELOPMENT. "Compatible" shall be defined as, among other things, Industries that do not adversely impact the environmental quality of the area, or overburden the local infrastructure.

POLICY ID2: Industrial uses should not be located in areas that would diminish the desirability of existing and planned NON-INDUSTRIAL DEVELOPMENTS, nor shall incompatible non-industrial uses be allowed to encroach upon existing or planned industrial sites.

POLICY ID6: New industrial development shall be encouraged to locate in existing and/or planned INDUSTRIAL PARKS.

- NCDOT has stated that Station Lane, being only approximately 16' wide, can not support daily truck traffic.
- The increased vehicle traffic and noise of the operation may disturb the residences on Station Lane and nearby property.
- Sheriff Susan Johnson has concerns regarding the increased price of scrap metal and increased theft associated with it. In a letter attached, she explains that during these times, scrap metal operations need constant monitoring by law enforcement to ensure compliance with the N.C.G.S. She states that future request for these operations be scrutinized and evaluated on the location as it will effect both the community and law enforcement. She recommends that when new scrap metal operations are approved in the county, the Sherriff's Office would need another detective position to handle the demands presented by this type of business to meet the requirements of the statute. *Please see attached letter for full explanation.*
- The conceptual plan submitted does not illustrate required parking areas and bufferyards. Further compliance with the Unified Development Ordinance may reduce the overall outdoor storage area.
- Section 3.8.1 of the UDO states that no junkyard shall be within 1,000 feet of a major highway. The property is approximately 500 feet from NC 34. It is in staff's opinion that NC 34 is a major highway.

**PLANNING BOARD RECOMMENDATION:**

The Planning Board ***recommended denial*** of the conditional zoning request due to its inconsistency with the 2006 Land Use Plan and that the request is not reasonable and not in the public interest and does not promote orderly growth and development and staff recommendations. Ms. Taylor seconded the motion. Ayes: Jim Clark, Joe Kovacs, Susan Taylor and John Wright. Nays: Fannie Newbern and Forrest Midgette.

**PLANNING BOARD DISCUSSION (11/8/11)**

Mr. Cartwright stated that this property was used for a saw mill, and prior to that it was a cotton mill. Mr. Cartwright stated that the Department of Transportation (DOT) originally stated that Station Lane would not support daily truck traffic, but after he talked to them DOT has sent another comment stating Station Lane would support daily truck traffic. Mr. Cartwright talked about the height of the stock piles, the eight foot tall fence, and buffering. Mr. Cartwright stated this is an ideal spot for a scrap yard.

Mr. Clark asked what the hours of operation will be.

Mr. Cartwright stated daylight hours and five or six days per week.

Mr. Wright asked where the closest heavy manufacturing district is as it relates to this property.

Mr. Cartwright stated approximately 400 yards.

Mr. Midgette asked if the railroad tracks would be utilized.

Mr. Cartwright stated yes.

Mr. Midgette stated that the Unified Development Ordinance classifies a junk yard and scrap yard as the same. Mr. Midgette stated in his opinion they are not.

Mr. Litten stated he is concerned with noise, traffic, hours of operation, debris, dust, thief issues, and decreasing property values. Mr. Litten is asking the Planning Board to deny this request.

Mr. Midgette asked Mr. Litten if he attended the community meeting.

Mr. Litten stated no.

Ms. Miller stated she is concerned with traffic, hours of operation, and this request is not in line with the county's goals. Ms. Miller would like this property to remain in an agricultural district and it is of no benefit to the community. Ms. Miller is asking the Planning Board to deny this request.

Mr. Midgette asked Ms. Miller if she attended the community meeting.

Ms. Miller stated no, but she was not aware of the meeting.

Ms. Etheridge stated Mr. Cartwright lead people to believe that he wanted to store landscaping material on this site and some people are still under this impression. The county ordinance states heavy manufacturing districts seem to have the most significant impact on communities. Ms. Etheridge provided the uses of a heavy manufacturing district. Ms. Etheridge is concerned with traffic, debris, decreasing property values, and

how unsightly a scrap yard will look in a residential community. Ms. Etheridge stated Mr. Cartwright does not own the property. Ms. Etheridge is asking the Planning Board to deny this request.

Mr. Midgette asked Ms. Etheridge if she attended the community meeting.

Ms. Etheridge stated no.

Mr. Ray Etheridge is asking the Planning Board to deny this request.

Mr. Fred Etheridge stated he is asking the Planning Board to deny this request. Mr. Etheridge stated he does not want a junk yard in this community. He is also concerned with traffic, dust and noise.

Ms. Litten stated she is concerned with traffic, thief issues, and the negative side affects. Ms. Litten is asking the Planning Board to deny this request.

Mr. Cartwright addressed noise, traffic and crime issues. Mr. Cartwright stated since he is asking for a conditional zoning request his uses would be in the original application which are a scrap yard and landscaping materials. Mr. Cartwright asked planning staff to read the statement recently submitted by DOT.

Mr. Schuler read an email statement from DOT dated November 7, 2011.

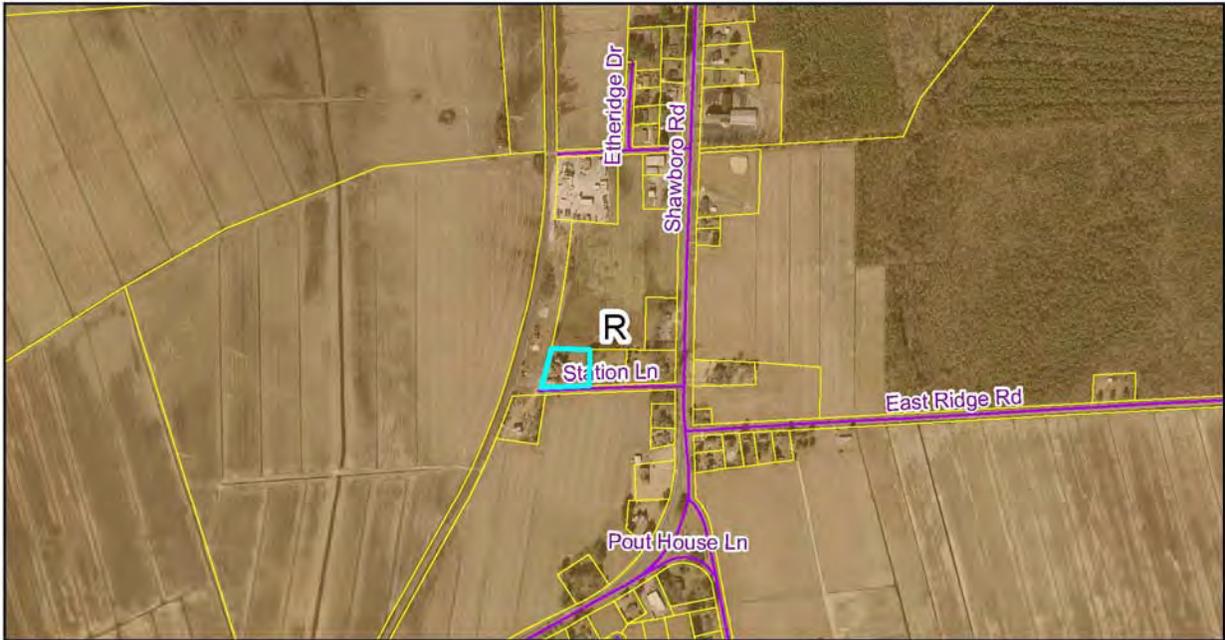
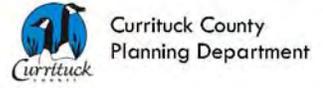
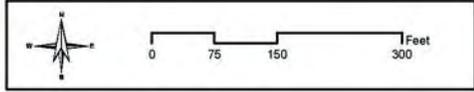
Mr. Cartwright stated he feels this request will be a positive influence on the community.

### **ACTION**

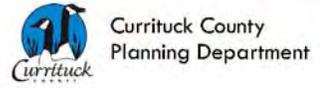
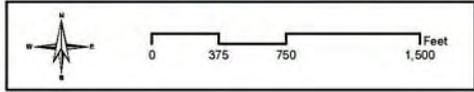
Mr. Kovacs moved to deny PB 11-17 due to its inconsistency with the 2006 Land Use Plan and that the request is not reasonable and not in the public interest and does not promote orderly growth and development and staff recommendations. Ms. Taylor seconded the motion. Ayes: Jim Clark, Joe Kovacs, Susan Taylor and John Wright. Nays: Fannie Newbern and Forrest Midgette.



PB 11-17  
Daniel C. Cartwright  
Zoning Map



PB 11-17  
Daniel C. Cartwright  
LUP Map



**CASE ANALYSIS FOR THE  
Board of Commissioners  
DATE: December 5, 2011  
PB 06-24 Laurel Woods Estates**

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**ITEM:** PB 06-24 Laurel Woods Estates Amended Preliminary Plat/Special Use Permit for a 156 lot phase in the conservation subdivision.

**LOCATION:** The property is located on the west side of NC 168, Caratoke Highway; ½ mile north of the intersection of Bells Island Road, Crawford Township.

**TAX ID:** 0050-000-070A-0000  
0050-000-070B-0000

**ZONING DISTRICT:** Mixed Residential (RA)

**PRESENT USE:** Agricultural

**OWNER:** D&B Properties, Inc.  
c/o Brian Sutryk  
820 Greenbrier Circle, Suite 31  
Chesapeake, VA 23320

**APPLICANT:** Sam Miller  
Laurel Woods Estates NC, LLC  
820 Greenbrier Circle, Suite 30  
Chesapeake, VA 23320

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

	<b>Land Use</b>	<b>Zoning</b>
<b>NORTH:</b>	Low density residential uses/farmland	RA
<b>SOUTH</b>	Low density residential uses/woodland/farmland	RA
<b>EAST:</b>	Low density residential	R
<b>WEST:</b>	Farmland	RA

**LAND USE PLAN CLASSIFICATION:**

The 2006 Land Use Plan classifies the site as Limited Services within the Courthouse subarea.

**SIZE OF SITE:** 156.67 acres

**NUMBER OF UNITS:** 160 total residential lots approved on the sketch plan  
156 total residential lots within this phase

**PROJECT DENSITY:** 1.02 units/acre

**UTILITIES:** The development will be served by county water. The proposed water usage is 76,800 gpd. The applicant is proposing on-site wastewater systems for each 20,000 sf residential lot.

## I. NARRATIVE OF REQUEST:

- The applicant is seeking amended preliminary plat/special use permit approval for 156 lots within a proposed 160 lot conservation subdivision.
- The applicant is proposing the following modifications to the plat and special use permit:
  - Phasing Plan
    - Up to 49 lots recorded for Phase 1, year 1
    - 36 lots recorded for Phase 2, year 2
    - 38 lots recorded in Phase 3, year 3
    - 33 recorded in Phase 4, year 4 (156 lots) with the potential to add the remaining 4 lots in year 4 (160 lots).
  - Performance bond for the planting of some of the street and site trees due to the time of planting. Street trees associated with the first phase will be installed Spring 2012.
  - Performance bond for the installation of the sidewalks planned along the streets. The sidewalks will be completed with the construction of the homes to avoid damage. The walking trails will be installed as planned.

## II. PLANNING STAFF RECOMMENDATION:

The preliminary plat must be corrected to illustrate lots 147, 148, 149, and 153 as future parcels. The four parcels did not receive a provisionally suitable recommendation from Albemarle Regional Health Department and did not receive preliminary plat approval.

The planning staff recommends approval of the request to amend the preliminary plat/special use permit condition L. issued by the Board of Commissioners November 5, 2007:

- L. The county will administer the formal phasing plan by allowing only the indicated number of lots to be built on (~~10 year one, and 30 in subsequent years~~) to receive final plat approval in that calendar year.
  - **Up to 49 lots recorded for Phase 1, year 1**
  - **36 lots recorded for Phase 2, year 2**
  - **38 lots recorded in Phase 3, year 3**
  - **33 recorded in Phase 4, year 4 (156 lots) with the potential to add the remaining 4 lots in year 4 (160 lots).**

The planning staff recommends approval of the request for performance bonds. Performance bonds must be submitted to the county prior to recording the final plat.

- Performance bond for the planting of some of the street and site trees due to the time of planting. Street trees associated with the first phase will be installed Spring 2012.
- Performance bond for the installation of the sidewalks planned along the streets. The sidewalks will be completed with the construction of the homes to avoid damage. The walking trails will be installed as planned.

## III. PLANNING BOARD RECOMMENDATION:

The Planning Board ***recommended approval*** of the amended preliminary plat/special use permit with the findings of fact and staff recommendations.

**PLANNING BOARD DISCUSSION (11/8/11)**

Mr. Kovacs asked clarification on the phasing.

Mr. Miller provided an overview of the phasing plan and the performance bond for the planting of some of the street and site trees due to the time of planting.

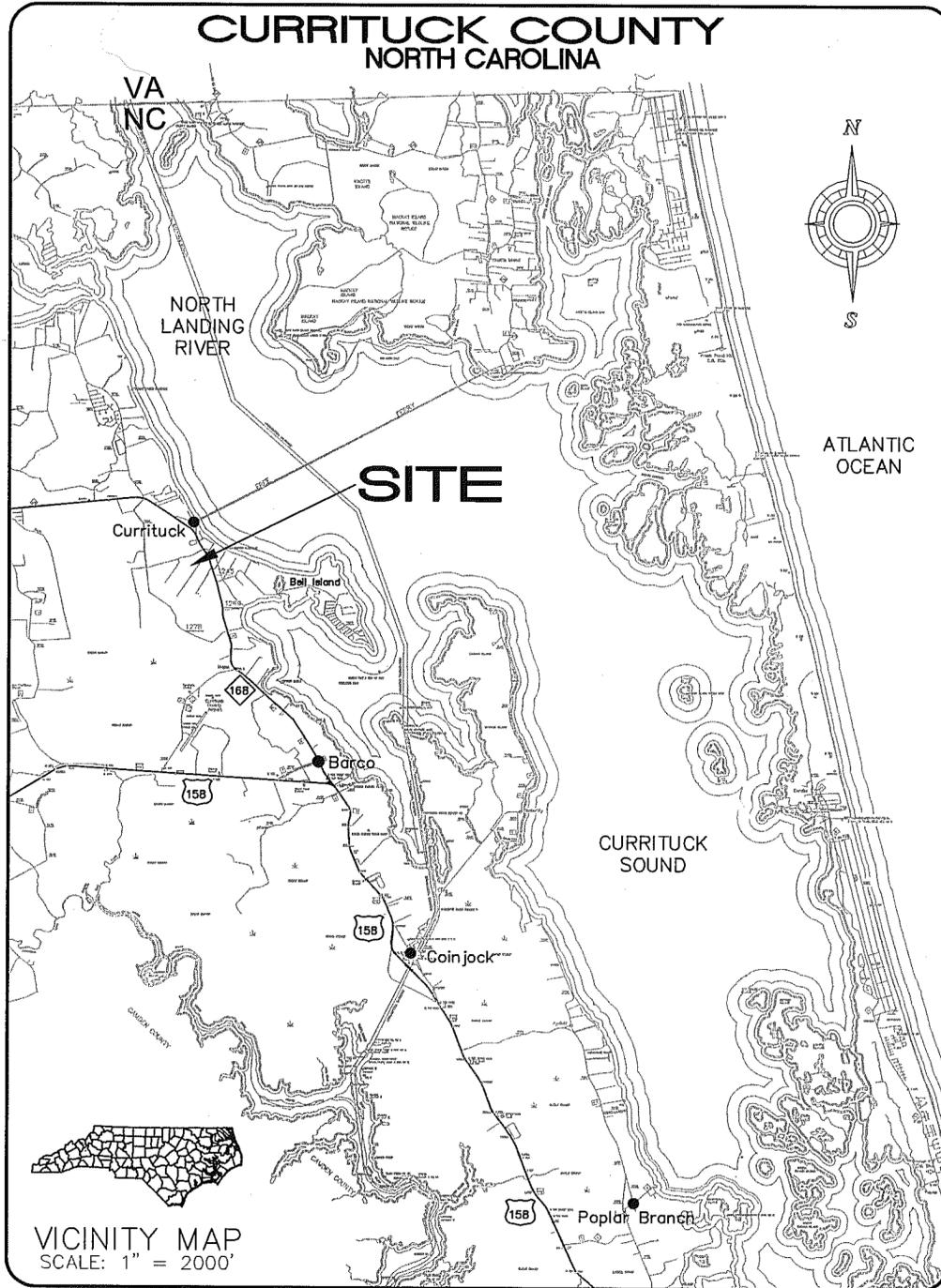
**ACTION**

Ms. Newbern moved to approve PB 06-24 with the findings of fact and staff recommendations included in the case analysis. Mr. Wright seconded the motion. Motion carried unanimously.

# LAUREL WOODS ESTATES

160 LOT CONSERVATION SUBDIVISION

CRAWFORD TOWNSHIP CURRITUCK COUNTY NORTH CAROLINA



**GENERAL NOTES:**

- PROJECT NAME: LAUREL WOODS ESTATES CONSERVATION SUBDIVISION CURRITUCK COUNTY, NORTH CAROLINA
- OWNER: **TRACT A** EDWARD A. BRUMSEY, JR. 3121 CARATOKE HWY. CURRITUCK, NC 27929  
**TRACT B** D&B PROPERTIES, INC 820 GREENBRIER CIRCLE, SUITE 30 CHESAPEAKE, VA 23320
- THIS PROPERTY IS IDENTIFIED ON THE CURRITUCK COUNTY TAX MAP #50. TRACT A PIN#: 0050-000-070A-0000, TRACT B PIN#: 0050-000-070B-0000.
- RECORDED REFERENCES: ESTATE BOOK 99, PG. 36, D.B. 1024, PG. 135; P.C. G, SL. 41
- TOTAL COMBINED TRACT AREA: 156.67 AC.
- F.I.R.M. ZONES: ZONE X, ZONE AE (4 FT) F.E.M.A. F.I.R.M. MAP: # 37208968 J, REVISED DECEMBER 16, 2005 ZONE AE (4) BASE ELEVATION = 4.2 FT MSL ACCORDING TO THE FLOOD INSURANCE STUDY FOR CURRITUCK COUNTY. SUBJECT TO CHANGE BY F.E.M.A. USE OF LAND WITHIN A FLOODWAY OR FLOOD PLAIN IS SUBSTANTIALLY RESTRICTED BY CHAPTER 6 OF THE CURRITUCK COUNTY UNIFIED DEVELOPMENT ORDINANCE.
- THIS PARCEL CONTAINS NO ACOE "404" JURISDICTIONAL WETLANDS.
- 10 FT DRAINAGE AND UTILITY EASEMENT RESERVED ALONG ALL SIDE PROPERTY LINES. 15 FT DRAINAGE AND UTILITY EASEMENT RESERVED ALONG ALL RIGHT OF WAY & REAR PROPERTY LINES. 25 FT DRAINAGE EASEMENTS RESERVED AROUND PERIMETER OF STORMWATER MANAGEMENT PONDS. VARIABLE WIDTH DRAINAGE EASEMENTS RESERVED ALONG ALL PRIMARY CONVEYANCE SWALES.
- 10 FT PEDESTRIAN TRAIL EASEMENT CENTERED ALONG LOT LINE BETWEEN LOTS 69 & 70 AND 114 & 115.
- DITCH MAINTENANCE ACCESS EASEMENTS ALONG ALL DITCHES TO INCLUDE THE WIDTH OF THE DITCH FROM TOP OF EMBANKMENT TO TOP OF EMBANKMENT AND AN ADDITIONAL 25 FT ON ONE SIDE (SEE PLAN).
- 20 FT BUILDING SETBACK ALONG RIGHT OF WAY. 15 FT BUILDING SETBACK ALONG SIDE PROPERTY LINES. 25 FT BUILDING SETBACK ALONG REAR PROPERTY LINES.
- THIS SUBDIVISION CONTAINS A RIGHT-OF-WAY THAT IS PLATTED WITH THE INTENT OF BEING EXTENDED AND CONTINUED TO AND FROM ADJOINING PROPERTIES. ACCESS WITHIN THE RIGHT OF WAY FOR STREETS AND UTILITIES SHALL NOT BE RESTRICTED.
- PROPERTY ZONING THIS PARCEL AND ALL ADJACENT PARCELS: 'RA' (MIXED RESIDENTIAL), EXCEPT THE OTHER SIDE OF N.C.168: 'R' (BASIC RESIDENTIAL).
- LOTS WILL BE SERVICED BY COUNTY WATER SUPPLY AND ON SITE SEPTIC SYSTEMS.
- THE DEVELOPER SHALL ACCEPT MAINTENANCE RESPONSIBILITY FOR THE ROADWAY IMPROVEMENTS IN CONJUNCTION WITH THE STORMWATER MANAGEMENT COLLECTION SYSTEM UNTIL AT WHICH TIME THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION ACCEPTS THE PUBLIC RIGHT OF WAY SECTION INTO THEIR SYSTEM. THE DEVELOPER WILL MAINTAIN RESPONSIBILITY FOR ALL ROADWAY & DRAINAGE IMPROVEMENTS OUTSIDE OF THE PUBLIC RIGHT OF WAY UNTIL A PROPERTY OWNER'S ASSOCIATION HAS BEEN ESTABLISHED AND ASSUMES RESPONSIBILITY OF THE ROADWAY & DRAINAGE SYSTEM. NCDOT SHALL NOT BE RESPONSIBLE FOR THE MAINTENANCE OF ANY SWALES LOCATED OUTSIDE OF THE DEDICATED RIGHT OF WAY.
- ALL SURVEY DATA IS REFERENCED TO NAVD 1988.
- AREA DETERMINED BY COORDINATE METHOD.
- IRON PINS AT ALL LOT CORNERS UNLESS OTHERWISE NOTED HEREON.
- UNDERGROUND UTILITIES, IF ANY, WERE NOT LOCATED BY THIS SURVEY. FURTHER EVALUATION MAY BE REQUIRED.
- NO RECOVERABLE NCGS MONUMENTS APPEAR TO BE WITHIN 2000 FT OF THE SUBJECT PROPERTY SHOWN HEREON.
- SUBJECT TO TITLE SEARCH AND TO ANY AND/OR ALL RIGHT OF WAYS, ENFORCEABLE RESTRICTIONS, AND/OR EASEMENTS OF RECORD WHETHER SHOWN HEREON OR NOT.
- LOTS WILL BE FOR RESIDENTIAL USE ONLY.

**DEVELOPMENT NOTES:**

- DEVELOPMENT SUMMARY:
 

TOTAL PARCEL AREA:	156.67 AC.
PROPOSED LOT AREA:	73.84 AC.
PROPOSED R/W AREA:	16.09 AC.
TRACT AREA NET OF R/W:	140.58 AC.
OPEN SPACE REQUIRED:	63.26 AC.
OPEN SPACE PROVIDED:	63.90 AC.
RESERVE UTILITY OPEN SPACE:	2.43 AC.
REFORESTATION AREA:	11.72 AC.
PROPOSED LOTS:	160 LOTS
MINIMUM LOT AREA:	20,000 SQ.FT.
- PROPOSED RIGHT-OF-WAY WIDTH: 50 FT.  
PROPOSED PAVED ROADWAY WIDTH: 20 FT. (TYPICAL)  
TOTAL LINEAR FEET OF ROADWAY: 13,114 L.F.
- DEVELOPMENT AND LOT COVERAGE DATA:
 

DEVELOPMENT AREA:	6,022,756 S.F.	138.26 AC.
ASPHALT ROADWAY AREA:	293,665 S.F.	6.74 AC.
OPEN SPACE IMPERVIOUS AREA:	148,150 S.F.	3.40 AC.
LOT IMPERVIOUS AREA*:	868,428 S.F.	19.94 AC.
DEVELOPMENT BUILT-UPON COVERAGE:	1,310,243 S.F.	30.08 AC or 21.8%

\*PURSUANT TO NORTH CAROLINA'S STORMWATER MANAGEMENT REGULATIONS, ADMINISTRATIVE CODE SECTION: 15A NCAC 2H .1000, FOR THIS DEVELOPMENT TO BE PERMITTED AS LOW DENSITY ITS TOTAL BUILT-UPON AREA MUST BE 30% OR LESS OF THE TOTAL DEVELOPMENT AREA. TO ENSURE COMPLIANCE WITH THIS REGULATION MAXIMUM ALLOWABLE INDIVIDUAL LOT COVERAGES SHALL BE LIMITED TO 27% OF TOTAL LOT AREA.

**CERTIFICATE OF APPROVAL**

I HEREBY CERTIFY THAT ALL STREETS SHOWN ON THIS PLAT ARE WITHIN CURRITUCK COUNTY, ALL STREETS AND OTHER IMPROVEMENTS SHOWN ON THIS PLAT HAVE BEEN INSTALLED OR COMPLETED AND THAT THE SUBDIVISION SHOWN ON THIS PLAT IS IN ALL RESPECTS IN COMPLIANCE WITH THE CURRITUCK COUNTY UNIFIED DEVELOPMENT ORDINANCE AND, THEREFORE, THIS PLAT HAS BEEN APPROVED BY THE CURRITUCK COUNTY TECHNICAL REVIEW COMMITTEE AND SIGNED BY THE ADMINISTRATOR, SUBJECT TO ITS BEING RECORDED IN THE CURRITUCK COUNTY REGISTRY WITHIN 90 DAYS OF THE DATE BELOW.

DATE \_\_\_\_\_ ADMINISTRATOR \_\_\_\_\_

**CERTIFICATE OF OWNERSHIP AND DEDICATION**

I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY DESCRIBED HEREON, WHICH PROPERTY IS LOCATED WITHIN THE SUBDIVISION JURISDICTION OF CURRITUCK COUNTY, THAT I HEREBY FREELY ADOPT THIS PLAT OF SUBDIVISION AND DEDICATE TO PUBLIC USE ALL AREA SHOWN ON THIS PLAT AS STREETS, ALLEYS, WALKS, PARKS, OPEN SPACE AND EASEMENTS, EXCEPT THOSE SPECIFICALLY INDICATED AS PRIVATE AND THAT I WILL MAINTAIN ALL SUCH AREAS UNTIL THE OFFER OF DEDICATION IS ACCEPTED BY THE APPROPRIATE PUBLIC AUTHORITY. ALL PROPERTY SHOWN ON THIS PLAT AS DEDICATED FOR A PUBLIC USE SHALL BE DEEMED TO BE DEDICATED FOR ANY OTHER PUBLIC USE AUTHORIZED BY LAW WHEN SUCH USE IS APPROVED BY THE APPROPRIATE PUBLIC AUTHORITY IN THE PUBLIC INTEREST.

DATE \_\_\_\_\_ OWNER \_\_\_\_\_

**NOTARY CERTIFICATE**

I, \_\_\_\_\_, A NOTARY PUBLIC OF \_\_\_\_\_ COUNTY,

NORTH CAROLINA, DO HEREBY CERTIFY THAT \_\_\_\_\_ PERSONALLY APPEARED BEFORE ME THIS DATE AND ACKNOWLEDGED THE DUE EXECUTION OF THE

FOREGOING CERTIFICATE. WITNESS MY HAND AND OFFICIAL SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

NOTARY PUBLIC \_\_\_\_\_ MY COMMISSION EXPIRES: \_\_\_\_\_

**PUBLIC DEDICATION OF OPEN SPACE, PONDS & DRAINAGE FACILITIES STATEMENT**

OPEN SPACE, PONDS, AND DRAINAGE FACILITIES REQUIRED TO BE PROVIDED BY THE DEVELOPER IN ACCORDANCE WITH THIS ORDINANCE SHALL NOT BE DEDICATED TO THE PUBLIC EXCEPT UPON WRITTEN ACCEPTANCE BY THE COUNTY, BUT SHALL REMAIN UNDER THE OWNERSHIP AND CONTROL OF THE DEVELOPER (OR HIS SUCCESSOR) OR A HOMEOWNERS ASSOCIATION OR SIMILAR ORGANIZATION THAT SATISFIES THE CRITERIA ESTABLISHED IN THE CURRITUCK COUNTY UNIFIED DEVELOPMENT ORDINANCE.

**SURVEYORS CERTIFICATE**

I, JAMES W. HUGGINS, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION FROM D.B. 1024, PG. 135 AND P.C. G, SL. 41; THAT THE RATIO OF PRECISION AS CALCULATED BY LATITUDES AND DEPARTURES IS 1:10,000 +, THAT THE BOUNDARIES NOT ACTUALLY SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION FOUND IN D.B. 1024, PG. 135 AND P.C. G, SL. 41, AND THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30, AS AMENDED. THIS SURVEY CREATE A SUBDIVISION OF LAND IN AN AREA COVERED BY A SUBDIVISION ORDINANCE.

WITNESS MY HAND AND SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

P.L.S. \_\_\_\_\_ L-4586

**ENGINEER CERTIFICATE OF STORMWATER IMPROVEMENTS**

IN THE SUBDIVISION ENTITLED LAUREL WOODS ESTATES, STORMWATER DRAINAGE IMPROVEMENTS HAVE BEEN INSTALLED ACCORDING TO PLANS AND SPECIFICATIONS PREPARED BY BISSELL PROFESSIONAL GROUP, AND APPROVED BY THE CURRITUCK COUNTY PLANNING BOARD. CURRITUCK COUNTY ASSUMES NO RESPONSIBILITY FOR THE DESIGN, MAINTENANCE OR THE GUARANTEED PERFORMANCE OF THE STORM WATER DRAINAGE IMPROVEMENTS AND THEIR EFFECTS.

REGISTERED CIVIL ENGINEER \_\_\_\_\_

REGISTRATION NUMBER \_\_\_\_\_ DATE \_\_\_\_\_

## SHEET INDEX

SHEET	DESCRIPTION
1	COVER SHEET AND SITE LOCATION
2	PARCEL OVERVIEW & SHEET INDEX
3-7	SUBDIVISION PLATS
8	LINE/CURVE & ELEVATION TABLES
9	TYPICAL DETAILS

**REVIEW OFFICER CERTIFICATION**  
STATE OF NORTH CAROLINA  
COUNTY OF CURRITUCK

I, \_\_\_\_\_, REVIEW OFFICER OF CURRITUCK COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

DATE \_\_\_\_\_ REVIEW OFFICER \_\_\_\_\_

**DIVISION OF HIGHWAY DISTRICT ENGINEER**  
CERTIFICATE FOR PUBLIC STREETS

I HEREBY CERTIFY THAT THE PUBLIC STREETS SHOWN ON THIS PLAT ARE INTENDED FOR DEDICATION AND HAVE BEEN COMPLETED IN ACCORDANCE WITH AT LEAST THE MINIMUM SPECIFICATIONS AND STANDARDS OF THE NC DEPARTMENT OF TRANSPORTATION FOR ACCEPTANCE OF SUBDIVISION STREETS ON THE NC HIGHWAY SYSTEM FOR MAINTENANCE.

DATE \_\_\_\_\_ DISTRICT ENGINEER \_\_\_\_\_

**Subject Property**

A 156.67 ACRE TRACT OF LAND, LOCATED IN CRAWFORD TOWNSHIP, CURRITUCK COUNTY, NORTH CAROLINA, AS DESCRIBED IN ESTATE BOOK 99, PG. 36, P.C. G, SL. 41 AND D.B. 1024, PG. 135 CURRITUCK COUNTY REGISTRY

PIN NUMBERS 0050-000-070A-0000 & 0050-000-070B-0000

NO MORE THAN 27% OF ANY LOT SHALL BE COVERED BY IMPERVIOUS STRUCTURES, INCLUDING ASPHALT, GRAVEL, CONCRETE, BRICK, STONE, SLATE OR SIMILAR MATERIAL, NOT INCLUDING WOOD DECKING OR THE WATER SURFACE OF SWIMMING POOLS. THIS COVENANT IS INTENDED TO ENSURE COMPLIANCE WITH NCDENR DIVISION OF WATER QUALITY STORMWATER PERMIT #SW7080931 ISSUED NOVEMBER 25, 2008. THE COVENANT MAY NOT BE CHANGED OR DELETED WITHOUT THE CONSENT OF THE STATE. FILLING IN OR PIPING OF ANY VEGETATIVE CONVEYANCES (DITCHES, SWALES, ETC.) ASSOCIATED WITH THIS DEVELOPMENT, EXCEPT FOR AVERAGE DRIVEWAY CROSSINGS, IS STRICTLY PROHIBITED BY ANY PERSON.

Bissell Professional Group  
3512 North Croatan Highway  
P.O. Box 1068  
Newark, North Carolina 27949  
(252) 756-2968  
FAX (252) 281-1760



Engineers, Planners, Surveyors  
and Environmental Specialists

PROJECT: LAUREL WOODS ESTATES

COVER SHEET

CRAWFORD TOWNSHIP CURRITUCK COUNTY NORTH CAROLINA

PRELIMINARY PLAT

NO.	DATE	DESCRIPTION	BY
1	12/20/08	REVISIONS PER TRC	WGK
2	2/20/09	ADDED EASEMENTS	WGK
3	1/23/11	REVISED PHASING	UMK
		LOTS 147,148,149,150	UMK

**PRELIMINARY PLAT**  
**NOT FOR RECORDATION,**  
**CONVEYANCES OR SALES**

DATE: 12-2-08 SCALE: AS NOTED

DESIGNED: WGK CHECKED: BPG

DRAWN: WGK APPROVED: JWH

SHEET: 1 of 9

CAD FILE: 406800PP1

PROJECT NO: 4068

CONSTRUCTION PHASING PLAN			
PHASE #	LOTS	YEAR	OF RECORDATION
1	49	2011	
2	36	2012	
3	38	2013	
4	37	2014	

BLDG. PERMIT PHASING PLAN			
PHASE #	BUILDING PERMITS	YEAR	
1	49	2011	
2	36	2012	
3	38	2013	
4	37	2014	

RECREATIONAL IMPROVEMENT SCHEDULE					
PHASE #	LOTS	AMENITY	SQ FT	TOTAL REQ'D.	TOTAL PROVIDED
1	49	SIDEWALK	25,824	80,000	163,452
		WALKING TRAIL	16,632		
		ENTRANCE PONDS	99,832		
2	36	BOAT & RV LOT	21,164	82,000	173,898
		SIDEWALK	24,976		
		WALKING TRAIL	29,826		
3	38	POND	119,096	76,000	252,640
		SIDEWALK	24,708		
		WALKING TRAIL	42,732		
		POND	182,724		
		GAZEBO & DOCK PAVILLION	723		
4	37	PLAYGROUND	200	74,000	40,810
		SIDEWALK	18,520		
		WALKING TRAIL	22,290		
TOTAL	160		630,800	312,000	630,800

Bissell Professional Group  
 5512 North Craggan Highway  
 Kitty Hawk, North Carolina 27949  
 (252) 261-3266  
 FAX (252) 261-1760



Engineers, Planners, Surveyors  
 and Environmental Specialists

**LAUREL WOODS ESTATES**  
**PARCEL OVERVIEW AND SHEET INDEX**

CRAWFORD TOWNSHIP CURRITUCK COUNTY NORTH CAROLINA  
**PRELIMINARY PLAT**

REVISIONS		NO.	DATE	DESCRIPTION	BY
		1	1/28/09	REVISIONS PER TRC WGR	WGR
		2	1/28/09	REVISED PHASING	WGR

**PRELIMINARY PLAT**  
**NOT FOR RECORDATION,**  
**CONVEYANCES OR SALES**

DATE: 12-2-08 SCALE: 1" = 300'  
 DESIGNED: WGR CHECKED: BPG  
 DRAWN: WGR APPROVED: JWH  
 SHEET: **2** OF **9**  
 CAD FILE: 406800PP1  
 PROJECT NO: **4068**

LINE TABLE		
LINE	LENGTH	BEARING
L1	192.10	S 34°45'08" E
L2	119.70	S 30°16'14" E
L3	221.57	S 30°24'14" E
L4 (TIE)	190.48	S 25°28'10" E
L5 (TIE)	139.59	S 21°48'54" E
L6	140.02	S 57°39'04" W
L7	55.10	S 57°39'04" W
L8	54.39	N 57°05'14" E
L9	97.72	S 36°12'28" E
L10	60.82	S 53°57'47" W
L11	100.88	N 32°30'23" W

**LEGEND**

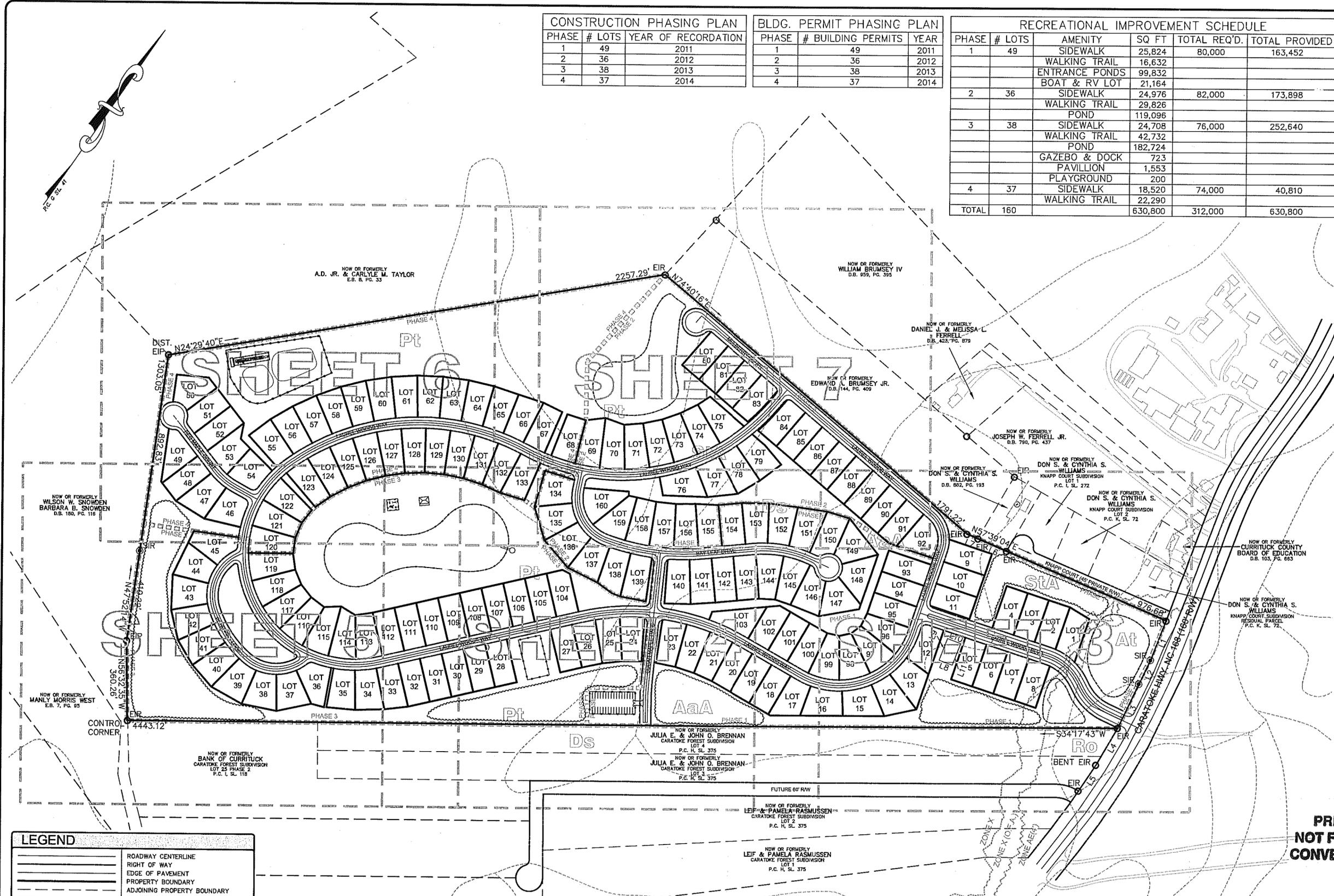
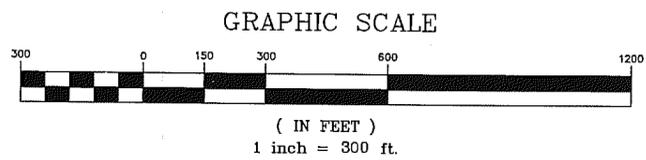
- ROADWAY CENTERLINE
- RIGHT OF WAY
- EDGE OF PAVEMENT
- PROPERTY BOUNDARY
- ADJOINING PROPERTY BOUNDARY
- SHORELINE
- FEMA F.I.R.M. BOUNDARY
- SOIL BOUNDARY
- CONSTRUCTION PHASE BOUNDARY
- REFORESTATION AREA

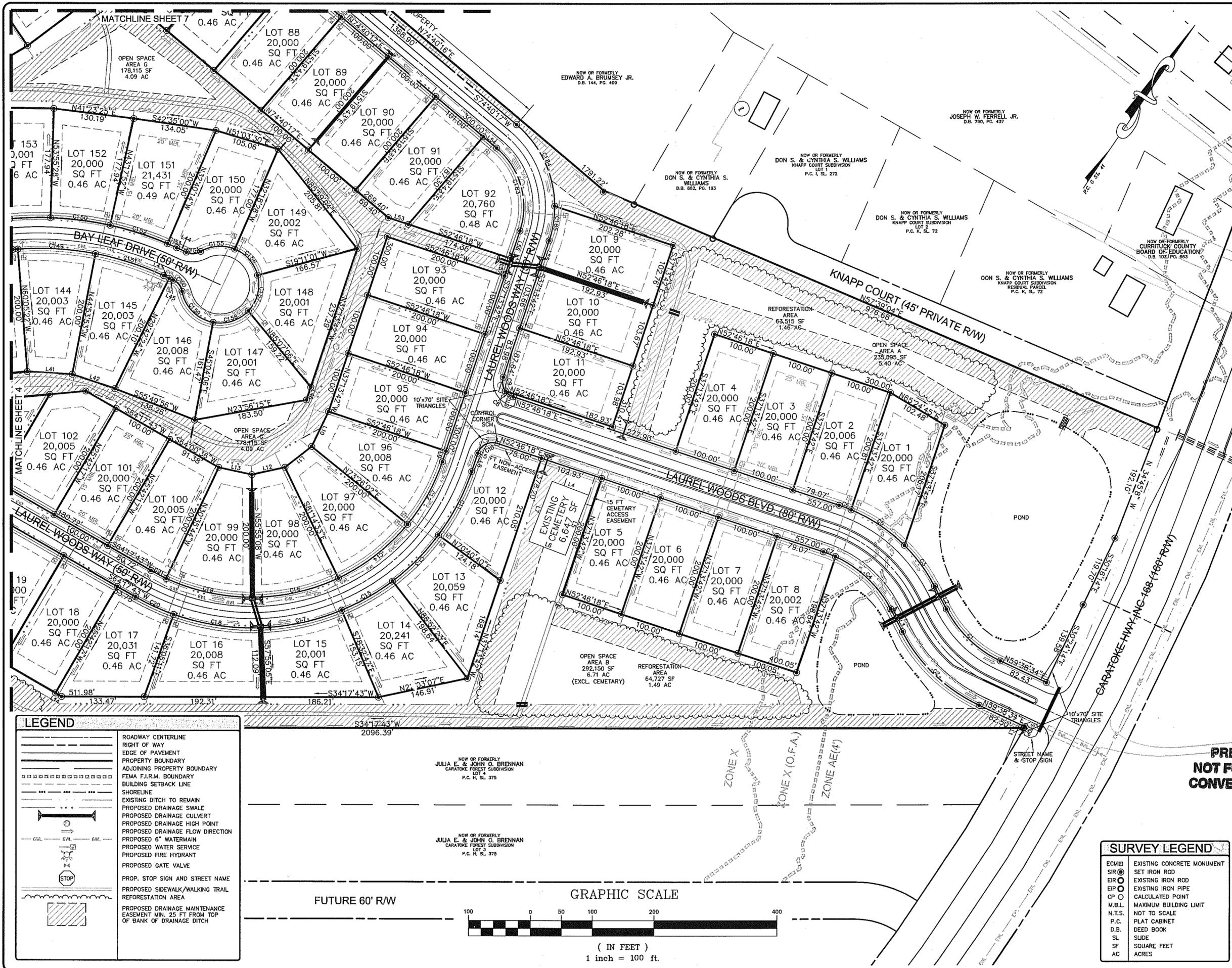
**SOIL TYPES**

- ALTAVSTA FINE SANDY LOAM
- AUGUSTA FINE SANDY LOAM
- DRAGSTON LOAMY FINE SAND
- PORTSMOUTH FINE SANDY LOAM
- ROANOKE FINE SANDY LOAM
- STATE FINE SANDY LOAM

**SURVEY LEGEND**

- ECMB EXISTING CONCRETE MONUMENT
- SIR SET IRON ROD
- EIR EXISTING IRON ROD
- EIP EXISTING IRON PIPE
- CP CALCULATED POINT
- M.B.L. MAXIMUM BUILDING LIMIT
- N.T.S. NOT TO SCALE
- P.C. PLAT CABINET
- D.B. DEED BOOK
- SL SLIDE
- SF SQUARE FEET
- AC ACRES





Bissell Professional Group  
 2172 North Clayton Highway  
 Kitty Hawk, North Carolina 27949  
 (252) 261-2266  
 FAX (252) 261-1760

**BISSELL**  
 PROFESSIONAL GROUP

Engineers, Planners, Surveyors  
 and Environmental Specialists

PROJECT:  
**LAUREL WOODS ESTATES**  
 SUBDIVISION PLAT  
 PRELIMINARY PLAT

CRAWFORD TOWNSHIP CURRITUCK COUNTY NORTH CAROLINA

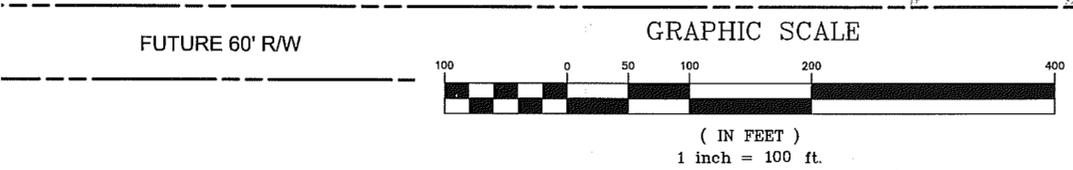
NO.	DATE	DESCRIPTION	BY
1	12/20/08	REVISED PER TRC	WJK
2	12/20/08	PROPOSED EASEMENTS	WJK
3	12/20/08	REVISED PER TRC	WJK

**PRELIMINARY PLAT**  
**NOT FOR RECORDATION,**  
**CONVEYANCES OR SALE**

DATE:	12-2-08	SCALE:	1" = 100'
DESIGNED:	WJK	CHECKED:	BPG
DRAWN:	WJK	APPROVED:	JWH
SHEET:	3 OF 9		
CAD FILE:	406800PP1		
PROJECT NO:	4068		

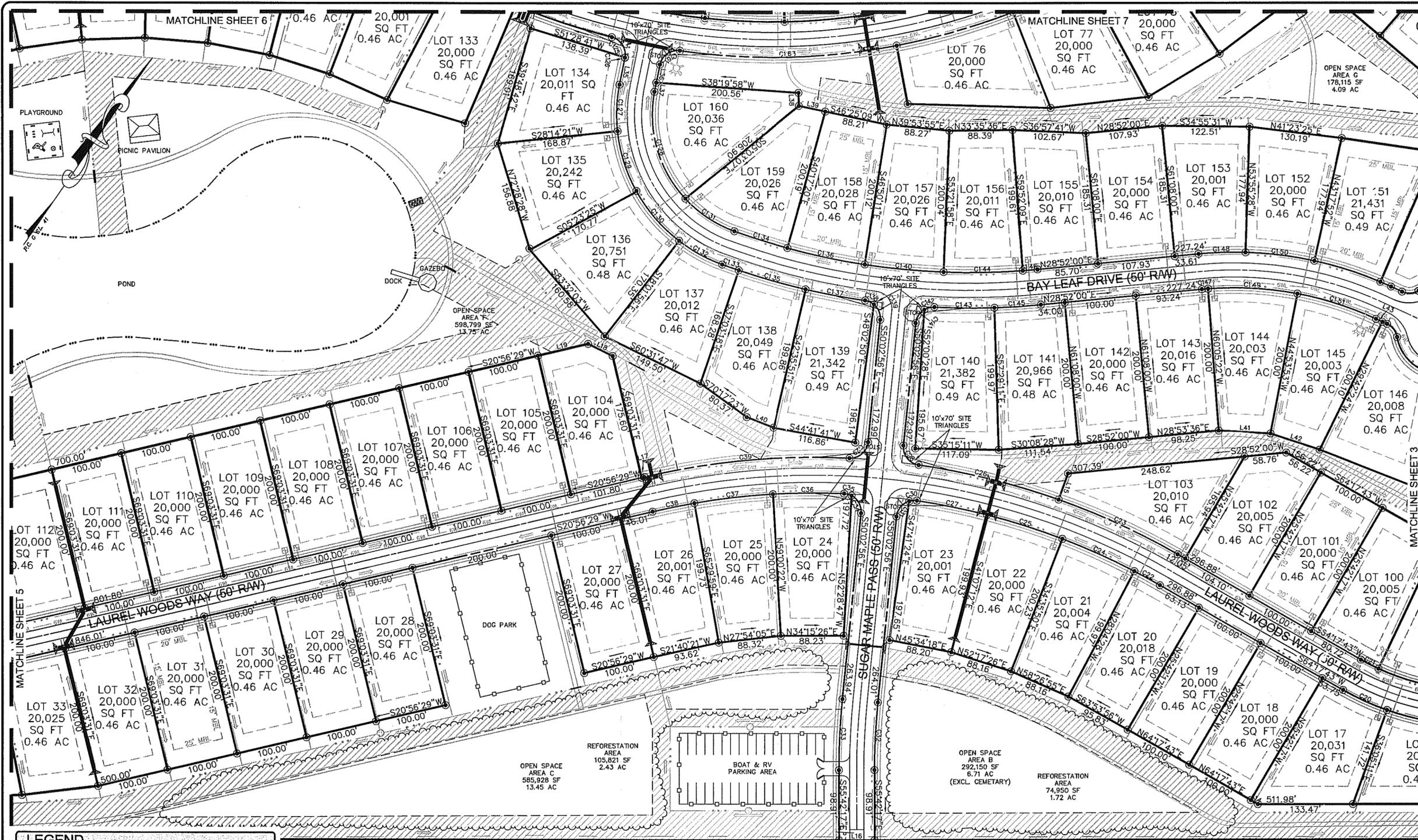
**LEGEND**

	ROADWAY CENTERLINE
	RIGHT OF WAY
	EDGE OF PAVEMENT
	PROPERTY BOUNDARY
	ADJOINING PROPERTY BOUNDARY
	FEMA F.I.R.M. BOUNDARY
	BUILDING SETBACK LINE
	SHORELINE
	EXISTING DITCH TO REMAIN
	PROPOSED DRAINAGE SWALE
	PROPOSED DRAINAGE CULVERT
	PROPOSED DRAINAGE HIGH POINT
	PROPOSED DRAINAGE FLOW DIRECTION
	PROPOSED 6" WATERMAIN
	PROPOSED WATER SERVICE
	PROPOSED FIRE HYDRANT
	PROPOSED GATE VALVE
	PROP. STOP SIGN AND STREET NAME
	PROPOSED SIDEWALK/WALKING TRAIL
	REFORESTATION AREA
	PROPOSED DRAINAGE MAINTENANCE EASEMENT MIN. 25 FT FROM TOP OF BANK OF DRAINAGE DITCH



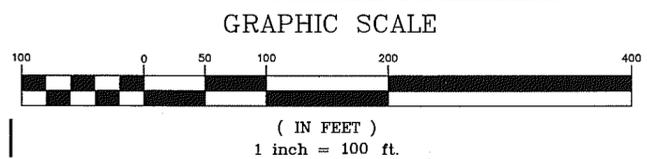
**SURVEY LEGEND**

ECM	EXISTING CONCRETE MONUMENT
SIR	SET IRON ROD
EIR	EXISTING IRON ROD
EIP	EXISTING IRON PIPE
CP	CALCULATED POINT
M.B.L.	MAXIMUM BUILDING LIMIT
N.T.S.	NOT TO SCALE
P.C.	PLAT CABINET
D.B.	DEED BOOK
SL	SLIDE
SF	SQUARE FEET
AC	ACRES



**LEGEND**

- ROADWAY CENTERLINE
- RIGHT OF WAY
- EDGE OF PAVEMENT
- PROPERTY BOUNDARY
- ADJOINING PROPERTY BOUNDARY
- BUILDING SETBACK LINE
- SHORELINE
- EXISTING DITCH TO REMAIN
- PROPOSED DRAINAGE SWALE
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- PROPOSED DRAINAGE FLOW DIRECTION
- PROPOSED 6" WATERMAIN
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- PROPOSED DRAINAGE MAINTENANCE EASEMENT MIN. 25 FT FROM TOP OF BANK OF DRAINAGE DITCH



**SURVEY LEGEND**

ECM	EXISTING CONCRETE MONUMENT
SIR	SET IRON ROD
EIR	EXISTING IRON ROD
EIP	EXISTING IRON PIPE
CP	CALCULATED POINT
M.B.L.	MAXIMUM BUILDING LIMIT
N.T.S.	NOT TO SCALE
P.C.	PLAT CABINET
D.B.	DEED BOOK
SL	SLIDE
SF	SQUARE FEET
AC	ACRES

Bissell Professional Group  
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Kings Mountain, North Carolina 27949  
(252) 261-2266  
(252) 261-1760  
FAX (252) 261-1760



Engineers, Planners, Surveyors  
and Environmental Specialists

**LAUREL WOODS ESTATES**  
SUBDIVISION PLAT  
PRELIMINARY PLAT

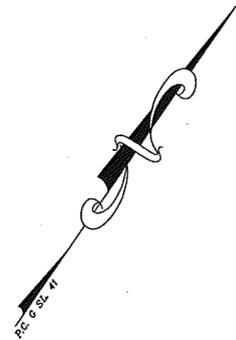
CRAWFORD TOWNSHIP CURRITUCK COUNTY NORTH CAROLINA

**REVISIONS**

NO.	DATE	DESCRIPTION	BY
1	12/28/08	REVISIONS PER TRC	WGK
2	2/26/09	ADDED EASEMENTS	WGK
3	10/28/11	REV LOT 151	DNK

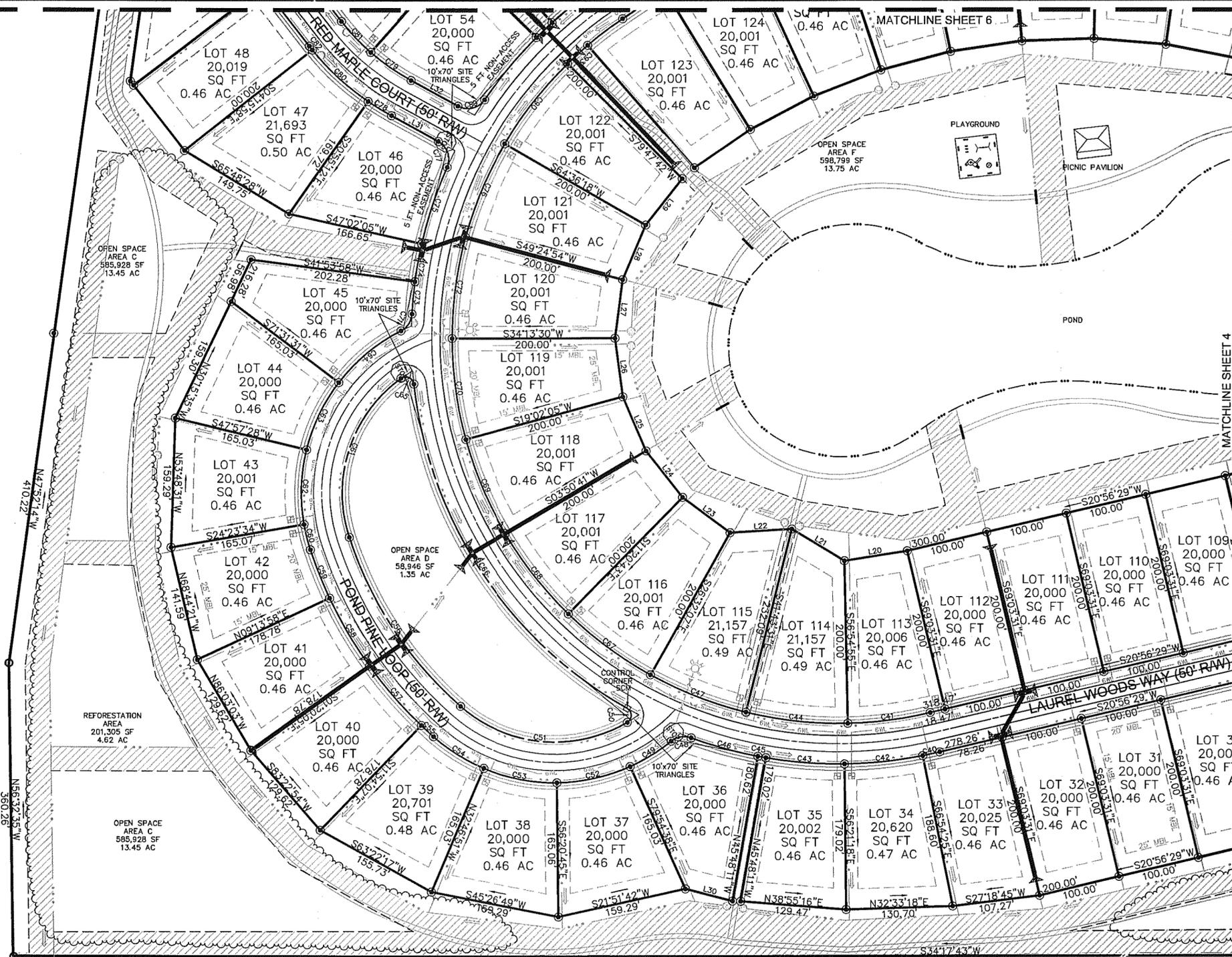
**PRELIMINARY PLAT**  
**NOT FOR RECORDATION,**  
**CONVEYANCES OR SALES**

DATE:	12-2-08	SCALE:	1" = 100'
DESIGNED:	WGK	CHECKED:	BPG
DRAWN:	WGK	APPROVED:	JWH
SHEET:	4	OF	9
CAD FILE:	406800PP1		
PROJECT NO:	4068		



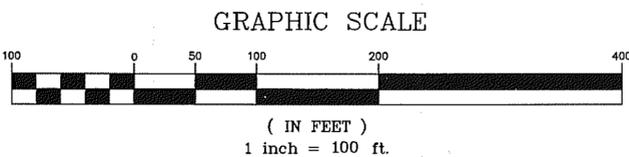
NOW OR FORMERLY  
WILSON W. SNOWDEN  
BARBARA B. SNOWDEN  
O.B. 160, PG. 116

NOW OR FORMERLY  
MANLY MORRIS WEST  
E.B. 7, PG. 93



**LEGEND**

- ROADWAY CENTERLINE
- RIGHT OF WAY
- EDGE OF PAVEMENT
- PROPERTY BOUNDARY
- ADJOINING PROPERTY BOUNDARY
- BUILDING SETBACK LINE
- SHORELINE
- EXISTING DITCH TO REMAIN
- PROPOSED DRAINAGE SWALE
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- PROPOSED DRAINAGE FLOW DIRECTION
- PROPOSED 6" WATERMAIN
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- PROPOSED FIRE HYDRANT
- PROPOSED GATE VALVE
- PROP. STOP SIGN AND STREET NAME
- PROPOSED SIDEWALK/WALKING TRAIL
- REFORESTATION AREA
- PROPOSED DRAINAGE MAINTENANCE EASEMENT MIN. 25 FT FROM TOP OF BANK OF DRAINAGE DITCH



NOW OR FORMERLY  
BANK OF CURRITUCK  
CARATOKE FOREST SUBDIVISION  
LOT 23 PHASE 2  
P.C. 1, S.L. 116

NOW OR FORMERLY  
JULIA E. & JOHN O. BRENNAN  
CARATOKE FOREST SUBDIVISION  
LOT 2  
P.C. N. S.L. 375

NOW OR FORMERLY  
JULIA E. & JOHN O. BRENNAN  
CARATOKE FOREST SUBDIVISION  
LOT 2  
P.C. N. S.L. 375

**SURVEY LEGEND**

ECM@	EXISTING CONCRETE MONUMENT
SIR@	SET IRON ROD
EIR@	EXISTING IRON ROD
EIP@	EXISTING IRON PIPE
CP@	CALCULATED POINT
M.B.L.	MAXIMUM BUILDING LIMIT
N.T.S.	NOT TO SCALE
P.C.	PLAT CABINET
D.B.	DEED BOOK
SL	SLIDE
SF	SQUARE FEET
AC	ACRES

Bissell Professional Group  
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Kitty Hawk, North Carolina 27949  
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FAX (252) 261-1760



Engineers, Planners, Surveyors  
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**LAUREL WOODS ESTATES**  
SUBDIVISION PLAT  
PRELIMINARY PLAT

CRAWFORD TOWNSHIP CURRITUCK COUNTY NORTH CAROLINA

**REVISIONS**

NO.	DATE	DESCRIPTION	BY
1	12/20/08	REVISIONS PER TRC	WJK
2	2/26/09	ADDED EASEMENTS	WJK

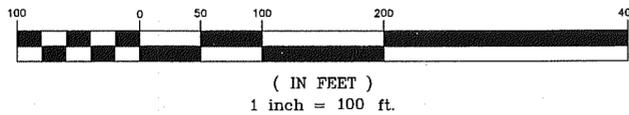
**PRELIMINARY PLAT**  
**NOT FOR RECORDATION,**  
**CONVEYANCES OR SALES**

DATE:	12-2-08	SCALE:	1" = 100'
DESIGNED:	WJK	CHECKED:	BPG
DRAWN:	WJK	APPROVED:	JWH
SHEET:	5 OF 9		
CAD FILE:	406800PP1		
PROJECT NO:	4068		

**LEGEND**

- ROADWAY CENTERLINE
- RIGHT OF WAY
- EDGE OF PAVEMENT
- PROPERTY BOUNDARY
- ADJOINING PROPERTY BOUNDARY
- BUILDING SETBACK LINE
- SHORELINE
- EXISTING DITCH TO REMAIN
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- PROPOSED DRAINAGE MAINTENANCE EASEMENT MIN. 25 FT FROM TOP OF BANK OF DRAINAGE DITCH

**GRAPHIC SCALE**



**SURVEY LEGEND**

- ECMG EXISTING CONCRETE MONUMENT
- SIR SET IRON ROD
- EIR EXISTING IRON ROD
- EIP EXISTING IRON PIPE
- CP CALCULATED POINT
- M.B.L. MAXIMUM BUILDING LIMIT
- N.T.S. NOT TO SCALE
- P.C. PLAT CABINET
- D.B. DEED BOOK
- SL SLIDE
- SF SQUARE FEET
- AC ACRES

**RUSSELL**  
**PROFESSIONAL GROUP**  
 Engineers, Planners, Surveyors  
 and Environmental Specialists

Bissell Professional Group  
 3512 North Crean Highway  
 Kitty Hawk, North Carolina 27949  
 (252) 261-3266  
 FAX (252) 261-1760

HOW OR FORMERLY  
 A.D. JR. & CARLYLE M. TAYLOR  
 E.B. 8, PG. 33

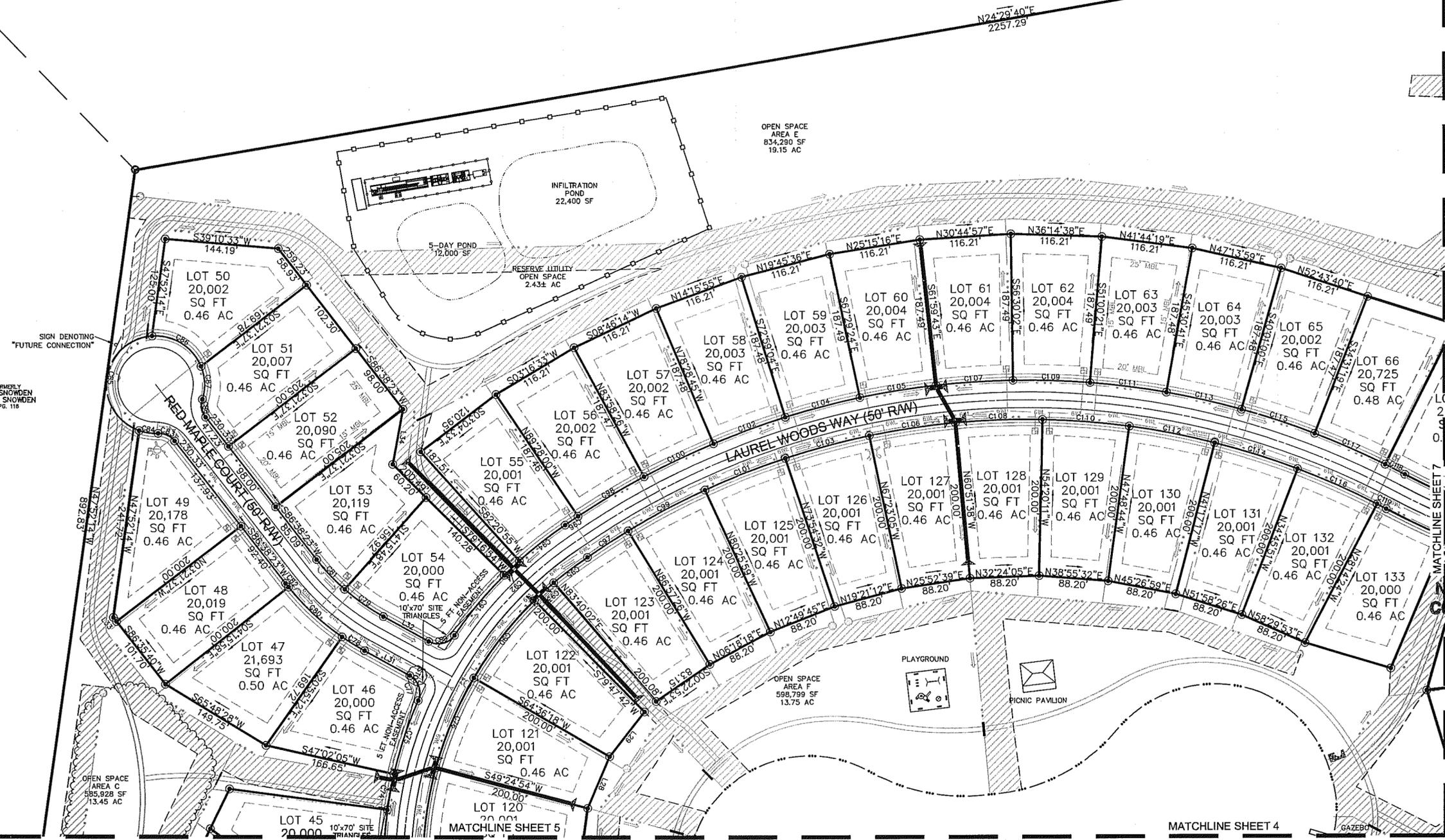
**LAUREL WOODS ESTATES**  
 SUBDIVISION PLAT  
 PRELIMINARY PLAT

REVISIONS

NO.	DATE	DESCRIPTION	BY
1	12/20/08	REVISED PER TRC WEEK	WGW
2	2/26/09	ADDED EASEMENTS	WGW

**PRELIMINARY PLAT**  
**NOT FOR RECORDATION**  
**CONVEYANCES OR SALES**

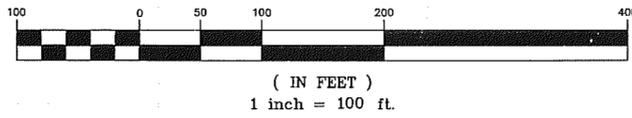
DATE:	12-2-08	SCALE:	1" = 100'
DESIGNED:	WGW	CHECKED:	BPG
DRAWN:	WGW	APPROVED:	JWH
SHEET:	6	OF	9
CAD FILE:	406800PP1		
PROJECT NO.:	4068		



HOW OR FORMERLY  
 WILSON W. SNOWDEN  
 BARBARA B. SNOWDEN  
 D.S. 100, PG. 116

SIGN DENOTING  
 "FUTURE CONNECTION"

GRAPHIC SCALE



**LEGEND**

- ROADWAY CENTERLINE
- RIGHT OF WAY
- EDGE OF PAVEMENT
- PROPERTY BOUNDARY
- ADJOINING PROPERTY BOUNDARY
- BUILDING SETBACK LINE
- SHORELINE
- EXISTING DITCH TO REMAIN
- PROPOSED DRAINAGE SWALE
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- PROPOSED DRAINAGE HIGH POINT
- PROPOSED DRAINAGE FLOW DIRECTION
- PROPOSED 6" WATERMAIN
- PROPOSED WATER SERVICE
- PROPOSED FIRE HYDRANT
- PROPOSED GATE VALVE
- PROP. STOP SIGN AND STREET NAME
- PROPOSED SIDEWALK/WALKING TRAIL
- REFORESTATION AREA
- PROPOSED DRAINAGE MAINTENANCE EASEMENT MIN. 25 FT FROM TOP OF BANK OF DRAINAGE DITCH

**SURVEY LEGEND**

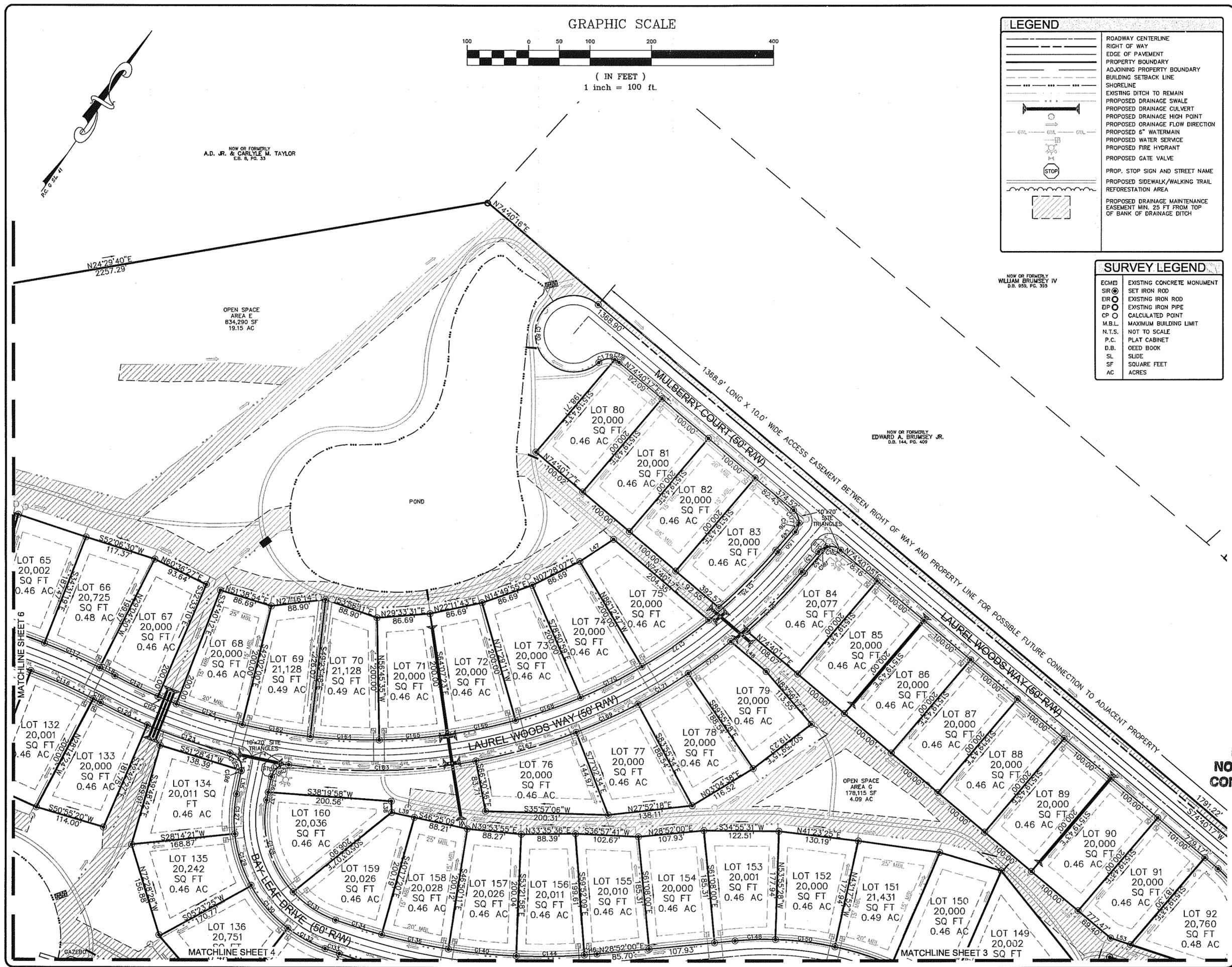
- ECM EXISTING CONCRETE MONUMENT
- SIR SET IRON ROD
- EIR EXISTING IRON ROD
- EIP EXISTING IRON PIPE
- CP CALCULATED POINT
- M.B.L. MAXIMUM BUILDING LIMIT
- N.T.S. NOT TO SCALE
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- D.B. DEED BOOK
- SL SLIDE
- SF SQUARE FEET
- AC ACRES

NOW OR FORMERLY  
WILLIAM BRUMSEY IV  
D.B. 959, PG. 395

NOW OR FORMERLY  
EDWARD A. BRUMSEY JR.  
D.B. 144, PG. 409

NOW OR FORMERLY  
A.D. JR. & CARLYLE M. TAYLOR  
E.B. 8, PG. 33

OPEN SPACE  
AREA F  
634,290 SF  
19.15 AC



Bissell Professional Group  
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Kitty Hawk, North Carolina 27949  
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**BISSELL**  
PROFESSIONAL GROUP

Engineers, Planners, Surveyors  
and Environmental Specialists

PROJECT:  
**LAUREL WOODS ESTATES**  
SUBDIVISION PLAT  
PRELIMINARY PLAT

CRAWFORD TOWNSHIP CURRITUCK COUNTY NORTH CAROLINA

**REVISIONS**

NO.	DATE	DESCRIPTION	BY
1	12/08	REVISIONS PER TRC	WJK
2	2/09	ADDED EASEMENTS	WJK
3	10/28/11	REV LOT 153	DNK

**PRELIMINARY PLAT  
NOT FOR RECORDATION,  
CONVEYANCES OR SALES**

DATE:	12-2-08	SCALE:	1" = 100'
DESIGNED:	WJK	CHECKED:	BPG
DRAWN:	WJK	APPROVED:	JWH
SHEET:	7 OF 9		
CAD FILE:	406800PP1		
PROJECT NO:	4068		

LOT BUILDING PAD AND MINIMUM FLOOR ELEVATION TABLE

LOT	BPE/FFE	LOT	BPE/FFE
1	10	81	11
2	10	82	11.5
3	10	83	11.5
4	10	84	11.5
5	10	85	11.5
6	10	86	11
7	10	87	11
8	10	88	11
9	11	89	11
10	11	90	11
11	11	91	11
12	11	92	11
13	11	93	11.5
14	11	94	11.5
15	11	95	11
16	11.5	96	11
17	12	97	11
18	12	98	11
19	12	99	11
20	12	100	11.5
21	12	101	11.5
22	12	102	11.5
23	12	103	12
24	12	104	12.5
25	12	105	12.5
26	12	106	12.5
27	12	107	12.5
28	12.5	108	12.5
29	12.5	109	12.5
30	12.5	110	12.5
31	13	111	12.5
32	13	112	12.5
33	13	113	12.5
34	13	114	12.5
35	13	115	12.5
36	13	116	12.5
37	13	117	12.5
38	13	118	12.5
39	13	119	12.5
40	13	120	12.5
41	13	121	12.5
42	13	122	12.5
43	13	123	12.5
44	13	124	12.5
45	13	125	12.5
46	13	126	12.5
47	13	127	12.5
48	13	128	12.5
49	12.5	129	12.5
50	12.5	130	12.5
51	13	131	12.5
52	13	132	12
53	13	133	12
54	13	134	12
55	13	135	12
56	13	136	12.5
57	13	137	12.5
58	13	138	12.5
59	12.5	139	12.5
60	12.5	140	11.5
61	12.5	141	11.5
62	12.5	142	11.5
63	12.5	143	11.5
64	12.5	144	11.5
65	12.5	145	11.5
66	12.5	146	11.5
67	12	147	11.5
68	12	148	11.5
69	11.5	149	11.5
70	11.5	150	11.5
71	11.5	151	11.5
72	11.5	152	11.5
73	11.5	153	11.5
74	11.5	154	11.5
75	11.5	155	11.5
76	11.5	156	11.5
77	11.5	157	11.5
78	11.5	158	11.5
79	11.5	159	11.5
80	11	160	11.5

LINE TABLE

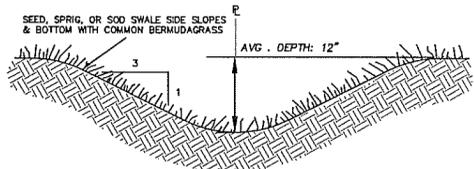
LINE	LENGTH	BEARING
L1	1.99	S30°24'14"E
L2	41.95	S83°04'29"E
L3	41.95	S83°04'29"E
L4	63.31	N55°19'42"E
L5	105.00	S34°40'17"E
L6	63.31	S55°19'44"W
L7	105.00	N34°40'16"W
L8	31.58	S37°13'42"E
L9	18.23	S37°13'42"E
L10	62.85	S29°52'44"E
L11	54.80	S03°54'15"E
L12	54.80	N21°25'09"E
L13	54.80	N46°44'34"E
L14	11.28	N64°17'43"E
L15	39.01	N36°01'13"W
L16	50.00	S34°17'43"W
L17	4.08	S20°56'29"W
L18	38.26	S60°34'09"W
L19	72.33	S20°56'30"W
L20	78.04	S25°27'44"W
L21	75.48	N65°35'59"E
L22	75.48	N30°56'59"E
L23	72.69	N71°03'35"E
L24	72.69	N86°14'59"E
L25	72.69	S78°33'37"E
L26	72.69	S63°22'13"E
L27	72.69	S48°10'48"E
L28	72.69	N32°59'24"W
L29	72.69	N17°48'00"W
L30	59.60	S48°57'02"W
L31	65.69	S63°09'29"W
L32	65.69	S63°09'29"W
L33	6.57	S86°36'26"W
L34	71.81	S45°01'01"E
L35	38.66	S44°14'31"E
L36	25.95	S44°14'31"E
L37	12.91	S44°14'31"E
L38	18.40	N57°33'06"W
L39	37.93	S46°27'01"W
L40	40.88	S55°35'42"W
L41	72.70	S37°30'22"W
L42	72.70	N52°41'52"E
L43	9.78	S59°06'49"W
L44	17.02	S59°06'49"W
L45	7.24	S59°06'49"W
L46	22.08	N37°13'42"W
L47	66.09	N00°58'51"E
L48	76.07	N74°40'16"E
L49	58.14	S15°23'05"E
L50	43.14	S15°23'05"E
L51	43.04	S15°23'05"E
L52	56.98	N15°23'05"W
L53	34.06	S52°46'18"W
L54	28.14	N74°40'17"E
L55	46.31	S37°13'42"E
L56	47.30	S37°13'42"E
L57	30.00	S37°13'42"E

CURVE TABLE

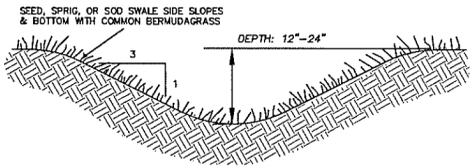
CURVE	LENGTH	RADIUS	CHORD	BEARING	DELTA
C1	123.63	190.00	121.46	N78°17'02"E	37°16'57"
C2	175.69	270.00	172.61	N78°17'02"E	37°16'57"
C3	82.68	270.00	82.36	S88°09'08"W	17°32'45"
C4	125.40	190.00	123.13	S78°01'04"W	37°48'53"
C5	104.44	270.00	103.79	S68°17'54"W	22°09'44"
C6	20.95	270.00	20.94	S54°59'40"W	4°26'44"
C7	21.02	190.00	21.01	S55°56'28"W	6°20'21"
C8	16.09	25.00	15.81	N71°12'23"E	36°52'12"
C9	23.18	25.00	22.36	S63°47'37"E	53°07'48"
C10	39.27	25.00	35.36	S07°46'18"W	90°00'00"
C11	117.20	375.00	116.72	N28°16'31"W	17°54'22"
C12	117.20	325.00	116.57	N26°53'50"W	20°39'45"
C13	106.00	375.00	105.65	N11°3'29"W	16°11'44"
C14	143.64	325.00	142.48	N03°54'15"W	25°19'25"
C15	95.43	375.00	95.17	N04°09'48"E	14°34'50"
C16	143.64	325.00	142.48	N21°25'09"E	25°19'25"
C17	135.01	375.00	134.28	N21°46'04"E	20°37'42"
C18	142.89	375.00	142.03	N42°59'52"E	21°49'55"
C19	143.64	325.00	142.48	N46°44'34"E	25°19'25"
C20	67.95	375.00	67.85	N59°06'16"E	10°22'54"
C21	27.74	325.00	27.73	N61°51'00"E	4°53'27"
C22	40.98	975.00	40.97	S63°05'29"W	2°24'29"
C23	184.54	1025.00	184.29	S59°08'15"W	10°18'56"
C24	110.99	975.00	110.93	S58°37'34"W	6°31'20"
C25	110.98	975.00	110.92	S52°06'15"W	6°31'18"
C26	202.72	1025.00	202.39	S48°18'50"W	11°19'53"
C27	100.59	975.00	100.54	S45°53'16"W	5°54'40"
C28	38.09	25.00	34.51	N86°17'59"E	87°18'11"
C29	38.06	25.00	34.49	N06°25'47"W	87°14'17"
C30	10.90	25.00	10.82	S30°26'17"W	24°59'19"
C31	29.67	25.00	27.96	S16°03'09"E	67°59'33"
C32	96.25	975.00	96.21	S52°52'36"E	5°39'21"
C33	101.18	1025.00	101.14	S52°52'36"E	5°39'21"
C34	29.70	25.00	27.98	N84°04'51"W	68°03'50"
C35	10.90	25.00	10.82	S49°23'34"W	24°59'21"
C36	100.48	975.00	100.43	S33°56'46"W	5°54'16"
C37	111.02	975.00	110.96	S27°43'54"W	6°31'27"
C38	60.04	975.00	60.03	S22°42'20"W	3°31'42"
C39	290.67	1025.00	289.70	S29°03'55"W	16°14'52"
C40	21.27	525.00	21.27	N21°55'57"E	2°19'16"
C41	102.15	475.00	101.95	N26°55'26"E	12°19'17"
C42	96.69	525.00	96.55	N28°22'09"E	10°33'07"
C43	96.69	525.00	96.55	N38°55'16"E	10°33'07"
C44	125.93	475.00	125.56	N40°40'47"E	15°11'24"
C45	10.00	525.00	10.00	N44°44'34"E	1°05'29"
C46	84.90	525.00	84.81	N49°55'17"E	9°15'58"
C47	125.93	475.00	125.56	N55°52'11"E	15°11'24"
C48	25.98	25.00	24.83	S24°46'50"W	59°32'52"
C49	59.23	225.00	59.06	N02°32'53"E	15°04'58"
C50	20.91	10.00	17.31	N56°05'09"W	119°49'53"
C51	220.07	175.00	205.85	N39°51'19"E	72°03'03"
C52	92.54	225.00	91.89	N21°52'18"E	23°33'54"
C53	92.54	225.00	91.89	N45°26'12"E	23°33'54"
C54	73.28	225.00	72.96	N66°33'00"E	18°39'41"
C55	20.32	525.00	20.32	N76°59'22"E	21°3'02"
C56	251.48	475.00	248.56	S88°57'07"E	30°20'05"
C57	96.83	525.00	96.69	S83°22'54"E	10°34'02"
C58	96.83	525.00	96.69	S86°03'03"E	10°34'02"
C59	63.98	525.00	63.94	S77°16'34"E	6°58'58"
C60	32.11	225.00	32.09	S69°41'45"E	8°10'39"
C61	220.07	175.00	205.85	S37°45'33"E	72°03'03"
C62	92.54	225.00	91.89	S33°49'29"E	23°33'54"
C63	92.55	225.00	91.90	S30°15'30"E	23°34'02"
C64	100.39	225.00	99.56	S05°41'33"E	25°33'51"
C65	20.91	10.00	17.31	S58°10'55"W	119°49'53"
C66	495.71	525.00	477.50	S88°57'07"E	54°05'57"
C67	125.93	475.00	125.56	N71°03'35"E	15°11'24"
C68	125.93	475.00	125.56	N86°14'59"E	15°11'24"
C69	125.93	475.00	125.56	S78°33'37"E	15°11'24"
C70	125.93	475.00	125.56	S63°22'13"E	15°11'24"
C71	25.98	25.00	24.83	N22°41'04"W	59°32'52"
C72	125.93	475.00	125.56	S48°10'48"E	15°11'24"
C73	39.92	525.00	39.92	S50°16'47"E	4°21'26"
C74	47.06	525.00	47.04	S45°31'59"E	5°08'09"
C75	99.95	525.00	99.79	S37°30'41"E	10°54'27"
C76	125.93	475.00	125.56	S32°59'24"E	15°11'24"
C77	36.99	25.00	33.71	N74°26'59"W	84°47'03"
C78	33.59	325.00	33.57	N66°07'08"E	5°55'17"
C79	60.36	275.00	60.24	N69°26'48"E	12°34'37"
C80	93.47	325.00	93.15	N77°19'07"E	16°28'41"
C81	52.34	275.00	52.26	N81°11'15"E	10°54'17"
C82	6.14	325.00	6.14	N86°05'56"E	1°04'56"
C83	24.06	25.00	23.15	S59°03'53"W	55°09'00"
C84	24.55	62.50	24.39	N42°44'31"E	22°30'16"
C85	170.46	62.50	122.33	S47°52'14"E	156°16'13"
C86	78.44	62.50	73.40	S66°13'14"W	71°54'43"
C87	43.21	62.50	42.36	N58°01'00"W	39°36'48"
C88	24.06	25.00	23.15	S65°47'06"E	55°09'00"
C89	36.99	25.00	33.71	N20°45'58"E	84°47'03"
C90	125.93	475.00	125.56	S17°48'00"E	15°11'24"
C91	99.95	525.00	99.79	S16°10'20"E	10°54'27"
C92	26.61	525.00	26.61	S09°15'59"E	2°54'15"
C93	33.57	475.00	33.56	S08°10'49"E	4°02'58"

CURVE TABLE

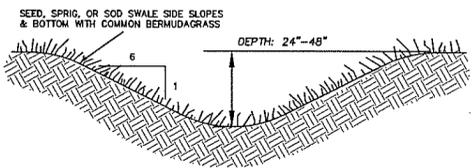
CURVE	LENGTH	RADIUS	CHORD	BEARING	DELTA
C94	74.36	525.00	74.30	S03°45'24"E	8°06'56"
C95	53.91	475.00	53.88	S02°54'15"E	6°30'09"
C96	19.92	1025.00	19.92	S00°01'24"E	1°06'49"
C97	62.05	975.00	62.03	S01°13'12"W	3°38'46"
C98	98.29	1025.00	98.25	S03°16'49"W	5°29'39"
C99	111.02	975.00	110.96	S06°	



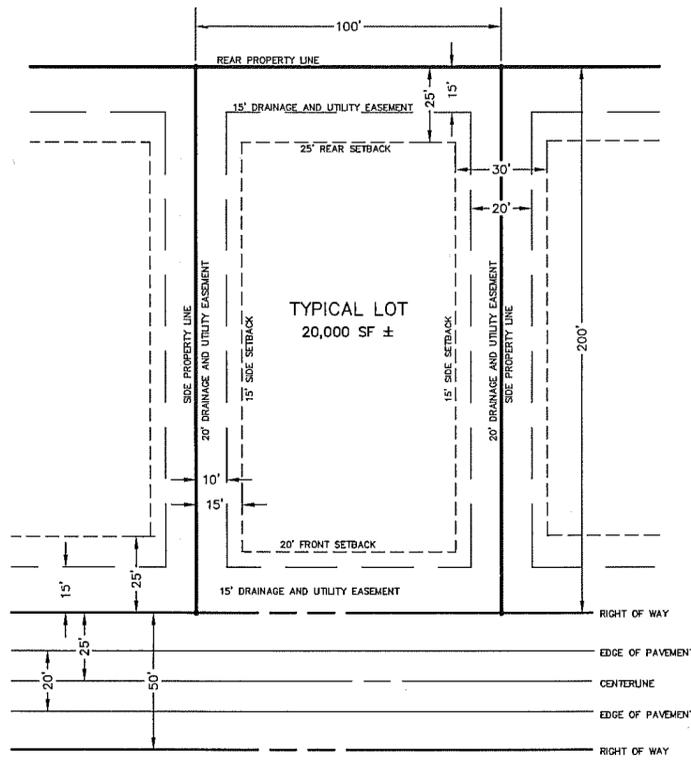
**TYPICAL PROPERTY LINE SWALE**  
NOT TO SCALE 3:1(H:V) SIDE SLOPES SECTION VIEW  
1/10% LONGITUDINAL SLOPE



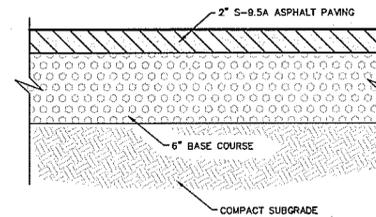
**TYPICAL R/W SWALE**  
NOT TO SCALE 3:1(H:V) SIDE SLOPES SECTION VIEW  
MIN. LONGITUDINAL SLOPE: 0.10%



**TYPICAL PRIMARY OUTLET SWALE**  
NOT TO SCALE 6:1(H:V) SIDE SLOPES SECTION VIEW  
MIN. LONGITUDINAL SLOPE: 0.10%

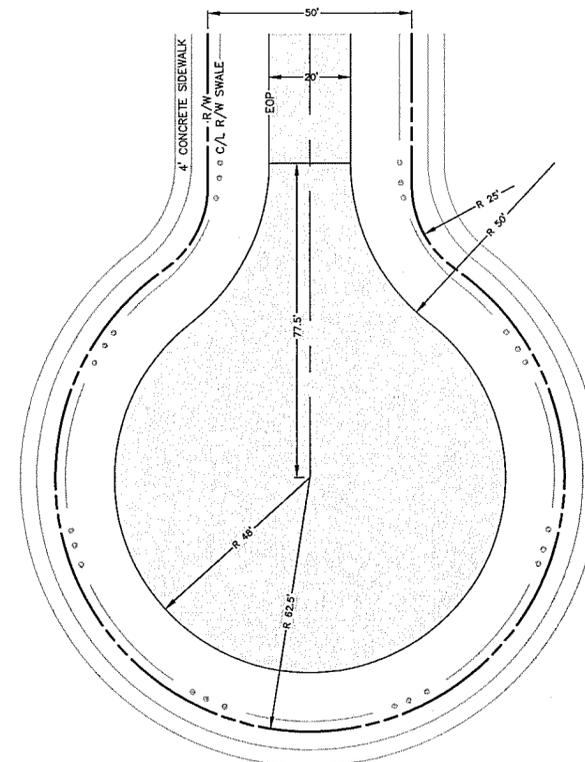


**TYPICAL LOT**  
NOT TO SCALE

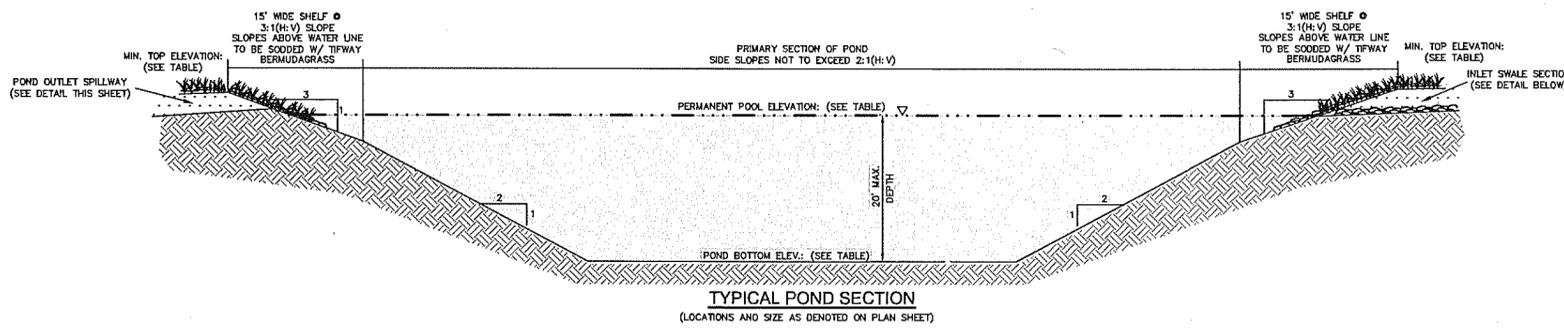


**TYPICAL RESIDENTIAL ROADWAY PAVEMENT SECTION**  
NOT TO SCALE

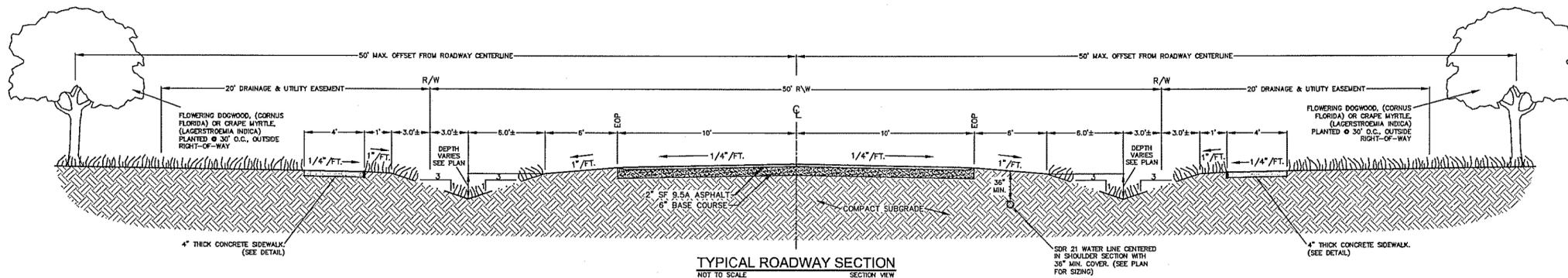
NOTE: PAVING SHALL CONSIST OF FINE GRADING THE SPECIFIED PARKING & DRIVE AREAS AND INSTALLING 2" S-9.5A ASPHALT CONCRETE SURFACE COURSE IN CONJUNCTION WITH A 6" AGGREGATE BASE COURSE (#7 STONE). THE SOIL SUBGRADE BENEATH PAVEMENTS SHALL BE COMPACTED TO AT LEAST 95% OF ASTM D 698 PRIOR TO ANY PLACEMENT OF SUBBASE FILL OR STONE BASE COURSE. ALL SITE PREPARATION AND THE DESIGN AND CONSTRUCTION OF ALL FOUNDATIONS, GROUND SLABS, AND PAVEMENTS SHALL BE IN ACCORDANCE WITH RECOMMENDATIONS PROVIDED BY A GEOTECHNICAL ENGINEER.



**PAVEMENT SECTION AREA**  
978.78 SQ.YD.± ASPHALTIC CONCRETE  
**STANDARD CUL-DE-SAC PLAN**  
NOT TO SCALE



**TYPICAL POND SECTION**  
(LOCATIONS AND SIZE AS DENOTED ON PLAN SHEET)



**TYPICAL ROADWAY SECTION**  
NOT TO SCALE SECTION VIEW

Bissell Professional Group  
3512 North Croatan Highway  
C. O. Box 1068  
Kittlingworth, Carolina 27949  
(252) 261-2266  
FAX (252) 261-1760



Engineers, Planners, Surveyors  
and Environmental Specialists

**LAUREL WOODS ESTATES**  
TYPICAL DETAILS

CRAWFORD TOWNSHIP CURRITUCK COUNTY NORTH CAROLINA  
PRELIMINARY PLAN

NO.	DATE	DESCRIPTION	BY

**PRELIMINARY PLAN**  
**NOT FOR RECORDATION**  
**CONVEYANCES OR SALE**

DATE:	SCALE:
12-2-08	N/A
DESIGNED:	CHECKED:
WGK	BPG
DRAWN:	APPROVED:
WGK	JWH
SHEET:	
9 OF 9	
CAD FILE:	
406800PP1	
PROJECT NO:	
4068	

CURRITUCK COUNTY, NORTH CAROLINA

2012 OCEAN RESCUE SERVICE CONTRACT

THIS AGREEMENT made and entered into this \_\_\_\_\_ day of November 2011 by and between the County of Currituck, a body corporate and politic existing under the laws of the State of North Carolina (the "COUNTY"), and Corolla Fire and Rescue, Inc., a non-profit corporation organized pursuant to Chapter 55A of the North Carolina General Statutes and existing under the laws of the State of North Carolina, hereinafter referred to as "CONTRACTOR":

WITNESSETH

WHEREAS, the COUNTY deems it in the public interest and as a provision for public safety and welfare to furnish the ocean lifeguard and water rescue services on the Currituck Outer Banks.

WHEREAS, the CONTRACTOR is in the business of providing ocean lifeguard services and furnishing beach rescue services and desires to contract with the COUNTY for such purposes;

NOW, THEREFORE, by and in consideration of the mutual covenants and conditions herein contained, the parties do covenant to and with each other as follows:

1. That beginning as of January 1, 2012, the CONTRACTOR shall provide and perform for the COUNTY the services described in the contract specifications for beach services attached hereto as Exhibit "A", and incorporated as part of this Agreement as if fully set forth verbatim herein.
2. That all personnel furnished by the CONTRACTOR shall be employees of the CONTRACTOR, and the CONTRACTOR shall pay all salaries and expenses of, and all federal social security taxes, federal and state unemployment taxes, and any similar payroll taxes relating to such employees, and will carry workmen's compensation insurance for such employees in the amounts set out herein. The CONTRACTOR shall be considered for all purposes hereunder as an independent CONTRACTOR, and shall not at any time directly or indirectly act as an agent, servant or employee of the COUNTY, or make any commitment or incur any liabilities on behalf of the COUNTY without its express written consent.
3. The CONTRACTOR shall provide the insurance coverage with limits not less than those set forth below and deliver to the COUNTY certificates of insurance upon request:

- a. Comprehensive Liability Bodily injury for which the CONTRACTOR is responsible of \$1,000,000.00 per occurrence. Property damage for which the CONTRACTOR is responsible of \$2,000,000.00.
  - b. Workmen's Compensation Coverage \$100,000.00 to cover claims of the CONTRACTOR'S employees.
4. The CONTRACTOR shall provide all proper safeguards and shall assume all risks incurred in performing its services hereunder.
5. A copy of the CONTRACTOR'S operational rules and regulations along with a statement of the CONTRACTOR'S current chain of command shall be filed with the County via Chief of Emergency Medical Services.
6. Without limiting the responsibility of the CONTRACTOR for the proper conduct of its personnel and the performance of the contract and service, the conduct of the personnel hereunder is to be guided by rules and regulations as agreed upon from time to time between the COUNTY and the CONTRACTOR and such additional special written instructions as may be issued by the COUNTY to the CONTRACTOR from time to time through its designated agent.
7. The CONTRACTOR is responsible for the direct supervision of its personnel through its designated representative and such representative will, in turn, be available at all reasonable times to report and confer with the designated agents of the COUNTY with respect to services rendered.
8. The CONTRACTOR covenants and agrees with COUNTY as follows:
  - a. That the services to be provided hereunder shall be performed by qualified, careful and efficient employees in strict conformity with the best practices and highest applicable standards, and that it will remove from service any of its employees who in the sole opinion of COUNTY and the CONTRACTOR are guilty of improper conduct or are not qualified to perform the work assigned to them.
  - b. That any and all supplies and materials necessary to perform the services provided herein shall be without cost to the COUNTY except as otherwise provided within this agreement.
  - c. That all EMS services provided by the CONTRACTOR shall be under the COUNTY EMS provider number.
  - d. That all EMS services provided by the CONTRACTOR will follow all COUNTY EMS protocol.
  - e. Any and all EMS patient care reports will be placed in the County electronic database system.

- f. Appropriate training and use of the Incident Command System, and accountability system compatible to the County Fire-EMS system will be used for safety and tracking of resources and personnel on all working incidents.
9. It is agreed by the parties hereto that all changes mutually agreed upon shall be in writing and signed by the parties of the Contract. Any agreements not signed as heretofore indicated shall be considered null and void.
10. This Agreement shall continue in effect until and including December 31, 2014 unless sooner terminated by either party upon giving thirty (30) days written notice by registered mail addressed to the other party. Nothing herein contained, however, shall be construed to prohibit or in any way limit the choice of the COUNTY to request new bid proposals for the services to be performed at the end of the term hereof.
11. This Agreement contains the entire Agreement and understanding between the COUNTY and the CONTRACTOR. There are no oral understandings, terms or conditions, and neither have relied upon any representation, express or implied, not contained in this Agreement.
  - a. In exchange for performance of services hereunder the COUNTY shall make payment to the CONTRACTOR for services rendered hereunder as follows for each year of this contract: \$620,780 (SIX HUNDRED TWENTY THOUSAND SEVEN HUNDRED EIGHTY AND 00/100 DOLLARS). Each billing will be submitted on or before the 4th day of the month. In no event shall advance payments be made for work to be performed. In the event the COUNTY should desire a change in the services performed or in the areas subject to this Agreement (see Addendum "A"), it shall notify the CONTRACTOR in writing. Any additional services or changes in areas to be services requested by COUNTY shall be subject to negotiation between the parties.
  - b. Nothing herein contained shall be construed to prohibit in any way limit the obligation of COUNTY to request new bid proposals for any requested changes in the services to be performed, the areas subject to this Agreement and the billing rate if required by law to do so.
13. During the months of May to October, a weekly meeting between authorized representatives of the CONTRACTOR and the COUNTY is required as a part of this Contract to review compliance with the terms herein.

IN WITNESS WHEREOF both parties have set their hands and seal and have caused this Agreement to be executed as of the first above written in duplicate originals, one of which is retained by each of the parties hereto.

CURRITUCK COUNTY

By: \_\_\_\_\_

ATTEST:

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

CONTRACTOR

By: \_\_\_\_\_  
President, Corolla Fire and Rescue, Inc.

ATTEST:

\_\_\_\_\_

(A-1)

Addendum A- General Requirements

1. Ocean lifeguard and beach rescue services shall include, but is not limited to, close observation of surf and swimmers with the primary intent to prevent accidents, injuries, or death; warnings of identified hazards or hazardous conditions; posting of red flags during periods of adverse surf conditions; providing public information and assistance to the public including lost persons.
2. The CONTRACTOR shall provide sixteen lifeguard stations for the 2012 season, at the locations specified below which are the stations designated by the COUNTY as its sole responsibility insofar as public beach access points are concerned and the most populated areas of the beach as designated by the CONTRACTOR at such locations where the highest beach populations are or most potentially problematic areas dictate. The CONTRACTOR'S principle obligation is to the specified locations, any response outside the specified locations is at the sole discretion of the CONTRACTOR. Each ocean lifeguard location provided for in this Agreement shall be staffed by an approved and certified ocean lifeguard, whose competencies and certifications are on file.

REGION A: Approximately a one hundred yard area encompassing the North Beach Access Ramp at Ocean Hill

REGION B: Approximately a one hundred yard area encompassing the Lighthouse Ramp

REGION C: Approximately a one hundred yard area encompassing Shad Street and the Corolla Light Pool Deck

REGION D: Approximately a one hundred yard area encompassing Sturgeon Street

REGION E: Approximately a one hundred yard area encompassing Herring Street

REGION F: Approximately a one hundred yard area encompassing Bonito Street

REGION G: Approximately a one hundred yard area encompassing Sailfish Street

REGION H: Approximately a one hundred yard area encompassing Buck Island Public Access

REGION I: Approximately a one hundred yard area encompassing Crown Point

REGION J: Approximately a one hundred yard area encompassing Section P of Ocean Sands

REGION K: Approximately a one hundred yard area encompassing Section O of Ocean Sands

REGION L: Approximately a one hundred yard area encompassing Section F of Ocean Sands

REGION M: Approximately a one hundred yard area encompassing Section D of Ocean Sands

REGION N: Approximately a one hundred yard area encompassing the Currituck Public Bathhouse access

REGION O: Approximately a one hundred yard area encompassing the Pine Island Hampton Inn Beach Access

REGION P: Approximately a one hundred yard area encompassing Section B of Ocean Sands.

3. The CONTRACTOR shall provide no less than seven roving patrols encompassing regions of the Currituck South Beach that the CONTRACTOR deems most strategically advantageous to ensuring the safest beach environment possible. The CONTRACTOR'S principle obligation is to the specified areas, any response outside the specified areas is at the sole discretion of the CONTRACTOR. Each ocean lifeguard provided for in this Agreement shall be an approved and agency-certified ocean lifeguard.
4. Ocean lifeguards shall meet or exceed the following qualifications:
  - a. be at least 18 years of age
  - b. shall have successfully completed ocean rescue and ocean lifeguard training programs conducted by CONTRACTOR and shall meet and maintain minimum physical qualifications for running, swimming and general fitness as determined by standard test.
  - c. have corrected vision of 20/20 and uncorrected vision of at least 20/80, and normal hearing
5. The ocean lifeguard station and ocean lifeguard shall be equipped with the following equipment:
  - a. fixed ocean lifeguard stands at each position at least ten feet in height whereby establishing the lifeguard in a sitting position twelve feet in height.
  - b. law enforcement grade whistle audible for at least 300 feet.
  - c. hand held communications equipment approved by Currituck County.

- d. surgical gloves.
  - e. information board attached to stand.
  - f. approved recognized, unique uniform with "Corolla Ocean Rescue" lettered on back.
  - g. binoculars.
  - h. rescue buoy or paddle board.
  - i. swim fins.
6. The CONTRACTOR agrees to perform all work outlined in this Agreement in such a manner as to meet all accepted standards for safe practices, and further agrees to accept the sole responsibility for complying with all federal, State, County, or other legal requirements including, but not limited to, full compliance of the terms of the applicable O.S.H.A. regulations so as to protect all persons, including CONTRACTOR'S employees, agents of the County, vendors, members of the public, or others from foreseeable injury, or damage to their property.
7. The CONTRACTOR shall provide sufficient personnel to perform all work in accordance with the specifications set forth herein.
8. The CONTRACTOR shall operate daily on one of three levels during the regular season: Alpha level, Bravo level, and Charlie level.
- Alpha level shall be the default level from the Saturday of Memorial Day weekend until the third Sunday in October, and will be defined as:
    - For the season of Memorial Day until August 15th, all contractually obligated positions filled; all stands manned and all necessary roving patrols active.
    - After August 15th, and before Labor Day weekend, Alpha level will indicate that beach is staffed to highest possible capacity as allowed by contract. The Division Chief will notify the Chief of EMS as to the daily staff numbers.
  - Bravo level will be defined as only roving patrol positions occupied; towers will be unmanned as a result of inclement weather.
  - Charlie level will be defined as Ocean Rescue available by page-out only due to extremely hazardous or inclement weather or beach conditions. Charlie level will be the default level of service after the third Sunday in October.

These levels as well as indications of Red Flags or any changes in status should be communicated verbally to Currituck County Communications. Furthermore, the CONTRACTOR shall make the COUNTY and all appropriate departments, including Currituck Dispatch, the Director of Emergency Management, the County PIO, the Tourism Board, and The Chief of EMS, aware of the posting of red flags.

(B-1)

ADDENDUM B: SPECIFIC REQUIREMENTS

1. The CONTRACTOR shall designate one person to supervise, direct, and uphold the expectations set forth in this agreement. That person shall have the title of Division Chief. The Division Chief (or qualified designee thereof) shall operate out of a Mobile Ocean Lifeguard Response Unit, which shall patrol the beach, support any rescue, search, or medical emergency and have first line supervision of services provided. The individual designated as the Division Chief shall meet the following qualifications:
  - a. Be at least 21 years of age
  - b. Have five years of experience as an ocean lifeguard, three of which should be with the CONTRACTOR
  - c. Should possess identified leadership experience.
  - d. Meet the requirements of lifeguards as set out in item one of the agreement.
  - e. Hold, or be in the process of obtaining, a current NC EMT-I or higher certification.
  - f. Preferably have obtained an Associate's or Bachelor's degree from an accredited institution.
  - g. Be a competent and licensed operator of vehicles
  - h. Be well-versed in ocean and sound rescue, beach conditions, coordination of activities, communication and public relations.
  - i. Be current in NIMS Incident Command certifications as required by Currituck County EMS
2. Each ocean lifeguard station shall be equipped and manned during the hours of 9:30 a.m. to 5:30 p.m. each day of the week from the Saturday prior to Memorial Day extending through and including Labor Day
3. Each roving patrol shall be equipped and operating during the hours of 9:30 a.m. to 5:30 p.m. weather permitting, each day of the week beginning the Saturday prior to Memorial Day extending through and including Labor Day, with no less than seven roving patrols to continue through the third weekend of October. After Labor Day weekend, operating hours will be 9:30 a.m. to 5:00 p.m.
4. After August 15th, manned hours may decrease by as much as one half until the Monday following Labor Day.

5. All vehicles on the beach shall have additional first aid supplies, communications, emergency lights and siren, binoculars, portable oxygen tank, backboard, and will be marked with "COROLLA OCEAN RESCUE."
6. All vehicles shall be equipped with paddleboards or other comparable water vessel capable of ocean or sound launching. Each supervisor shall be experienced in its launching and operations and be able to train any employee on the proper procedure of such.
7. The primary function of the CONTRACTOR under this Agreement is to provide ocean lifeguard, beach, and sound rescue services related to the beach and sound and members of the public utilizing all water accesses for swimming, sunning, walking, and other purposes. Any emergency activities of the sheriff, fire, EMS or emergency services other than beach rescue shall be performed in accordance with the rules and regulations in effect between the sheriff, fire and EMS departments of Currituck County and CONTRACTOR shall have no primary responsibility for such additional duties.
8. CONTRACTOR shall be responsible for providing, locating, and maintaining all required communications equipment. Communications equipment shall have the capability to monitor the Currituck County Fire and EMS frequency. Other communications shall be carried on CONTRACTOR'S frequency and on telephone lines or cell phones. The CONTRACTOR shall respond when dispatched by Currituck Central.
9. CURRITUCK COUNTY shall have the right to publicize and notify the general public of those areas which are subject matter of this Agreement and those areas where such service is provided for the benefit of the public.
10. All other costs relating to providing this service for the COUNTY shall be included in the total cost. All equipment shall be kept in good running order in order that the CONTRACTOR can fulfill the terms of this Agreement.
11. The CONTRACTOR shall keep the same flag and poster warning system, and shall continue to keep the beach access areas clean where stands are located in the morning and afternoon. Uniforms and stands shall be plainly visible and marked accordingly. Each guard shall be in clean uniforms and groomed accordingly.
12. CONTRACTOR covenants and agrees that it shall put into service the following equipment, which equipment shall be wholly owned by the CONTRACTOR:
  - Two reliable water craft capable of surf launching.
  - ATV 4-wheelers to accommodate this contract
  - Portable radios to accommodate this contract

- Two reliable 4-wheel drive trucks.
  - One reliable sound rescue boat.
  - One emergency transport utility vehicle to accommodate patient removal off the beach.
13. The CONTRACTOR agrees that should it default in the performance of this Agreement, and be advised by the county of the deficiency in service, (i.e. providing life guard service at the designated areas and times for a period of 48 continuous hours, except as prohibited from providing this service by weather conditions or other acts of God, or in providing the other non-seasonal services required by this Agreement), then and in that event the COUNTY may, in the event that the CONTRACTOR fails to remedy the specified inadequacy, terminate this agreement at the discretion of the Board of Commissioners.
  14. CONTRACTOR shall, upon request, submit to the COUNTY reports regarding beach population counts, activity summaries, operation reports and incident reports through the Currituck County Chief of EMS or his designee.
  15. The CONTRACTOR shall provide the COUNTY with a feasible and workable plan of communications, it being necessary that the COUNTY be able to contact the CONTRACTOR at all times.
  16. All complaints, submitted to the CONTRACTOR from the COUNTY, shall be remedied within a reasonable time span, to be dictated by the Chief of EMS.
  17. The CONTRACTOR shall provide a response to any beach emergency occurring during the off-hours.
  18. The CONTRACTOR shall provide inter-agency assistance when requested.
  19. The CONTRACTOR shall provide and install galvanized steel flag poles at approximately 1/3 mile intervals from the North Beach Ramp to the Virginia line from which red 'no swimming' flags will be flown and visible from all along the beach as dictated by beach conditions. An additional red flag would be flown from the Carova Beach Fire Station.
  20. The CONTRACTOR shall provide patrols on the North Beach with two roving lifeguards beginning the Saturday prior to Memorial Day weekend and extending through Labor Day weekend. One lifeguard will be at the NC EMT-Basic level in an EMT- Basic OEMS licensed emergency vehicle. This emergency vehicle would be outfitted with a light bar, siren, mobile radio, basic EMS supplies, backboard, defibrillator, oxygen, etc. This response vehicle, if available, could also first respond to all EMS calls on the North Beaches, if not already dedicated to an Ocean Rescue call.



# THE ALBEMARLE COMMISSION

LEAD REGIONAL ORGANIZATION FOR REGION R

Member  
Governments

Chairperson, Tracey Johnson  
Executive Director, Bert Banks

Camden  
Chowan  
Currituck  
Dare  
Gates  
Hyde  
Pasquotank  
Perquimans  
Tyrrell  
Washington

November 22, 2011

Dan Scanlon, Manager

Columbia  
Creswell  
Edenton  
Elizabeth City  
Gatesville  
Hertford  
Kill Devil Hills  
Kitty Hawk  
Manteo  
Nags Head  
Plymouth  
Roper  
Southern Shores  
Winfall

Currituck County  
153 Courthouse Road  
Suite 101  
Currituck, NC 27929

Dear Mr. Scanlon:

It is time to appoint a representative from Currituck County to serve on the Albemarle Commission Board from January 1, 2012 to January 1, 2013.

For next year your Board has the option to either reappoint John Rorer or appoint another county Board member.

Please notify us in writing of your Board's decision regarding this appointment. Currituck's participation is valued and we look forward to providing continued services to your county.

Sincerely,

Ruth Mengel  
Clerk to the Board

CC: Clerk to the Board

BOARD OF ADJUSTMENT

<b>Incumbent</b>	<b>Nominated by</b>	<b>New Appointee</b>	<b>Nominated by</b>	<b>Date of Appointment</b>	<b>End of Term</b>
Christian Conner	District 1		Vance Aydlett		12/1/2012
Bryan Bass	District 2		John Rorer		12/31/2012
Theresa Dozier	District 3		Butch Petrey	3/7/2011	<b>1st Term</b> 12/31/2013
David Palmer	District 4		Owen Etheridge	4/18/2011	<b>1st Term</b> 12/1/2013
Cameron Tabor	District 5		Marion Gilbert	2/21/2011	<b>1st Term</b> 12/31/2013
<b>Ralph Jones*</b>	<b>At Large</b>		<b>Paul Martin</b>		<b>12/31/2011</b>
<b>Donald Ferebee*</b>	<b>At-Large</b>		<b>Paul O'Neal</b>	<b>12/31/2009</b>	<b>12/31/2011</b>

**\*To Be Replaced**



# Currituck County

Department of Planning  
Post Office Box 70  
Currituck, North Carolina 27929  
252-232-3055/252-232-3378  
FAX 252-232-3026

## Memorandum

**TO:** Board of Commissioners  
Dan Scanlon, County Manager  
Gwen Keene, Clerk to the Board of Commissioners

**FROM:** Tiffany Sanders, Clerk to the Board of Adjustment

**DATE:** October 11, 2011

**SUBJECT:** Board of Adjustment Term Expirations

The following Board of Adjustment members' terms will expire December 31, 2011;

Donald Ferebee, Regular (**At-Large**) Member  
Ralph Jones, Regular (**At-Large**) Member

Mr. Ferebee has served two 3-year terms and is not eligible for re-appointment under the UDO.  
Mr. Jones has served two 3-year terms and is not eligible for re-appointment under the UDO.

The remaining members of the Board of Adjustment are:

### **DISTRICT 1**

Christian Conner- Regular Member                      Appointed 2010-2012

### **DISTRICT 2**

Bryan Bass- Regular Member                              Reappointed 2010-2012

### **DISTRICT 3**

Theresa Dozier- Alternate                                      Appointed 2011-2013

### **DISTRICT 4**

David Palmer- Regular Member                              Appointed 2011 – 2013

### **DISTRICT 5**

Cameron Tabor- Alternate                                      Appointed 2011-2013

cc: Ben Woody, Director, Planning Department



**APPLICATION FOR ADVISORY BOARDS & COMMITTEES**

Date: Nov 23, 2011

Name: CLAYWOOD WILSON JR

Address: 148 CLARK'S RD

MOYOCK, N.C. 27958

Phone: (252) 455-0103 OR 252 232-0252

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:

WORK FOR THE COUNTY UNDER COUNTY  
MANAGER. TO HELP PEOPLE UNDERSTAND WHAT  
GOES ON IN THE COUNTY AND SET THE WORD  
OUT. Claywood Wilson

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

October 7, 2011

The Honorable O. Vance Aydlett, Jr.  
Currituck County Board of Commissioners  
P.O. Box 39  
Currituck NC 27929

RE: WPOA Nominees to the  
County's Advisory Board for the  
Whalehead Stormwater Drainage Service District

Dear Chairman Aydlett:

In January 2012, the terms of two members of the Drainage Service District Advisory Board will expire, and each has agreed to serve a second term. County Engineer Eric Weatherly and the County Soil and Water Conservation staff have requested that WPOA submit the names of the members who have volunteered to renew their service on the Advisory Board.

Accordingly, I am pleased to nominate the following Whalehead property owners whose 3-year term will synchronize with other members' staggered terms allowing Advisory Board continuity:

- 3-year term, to expire January 2015  
Robert Collins (owner)  
1024 Lighthouse Drive  
Corolla, NC 27927  
252.453.4060  
robertpcollins@charter.net
- 3-year term, to expire January 2015  
Richard Donica (owner 1055 Whalehead Drive)  
2 Tea Olive Circle  
Pooler, GA 31322  
912.748.2662  
DacAce@aol.com

The above-named Advisory Board nominees stand ready to assist the County in policy and execution of work required for the Whalehead Stormwater Drainage Service District.

Sincerely,



Ron Harman  
President of WPOA  
10285 Berkeley Manor Dr.  
Mechanicsville, VA 23116

cc: Honorable H.M. "Butch" Petrey, County Commissioner Representative, Whalehead Drainage Board  
Mr. Dan Scanlon, County Manager  
Mr. Eric Weatherly, County Engineer  
Mr. Mike Doxey, District Technician, Soil & Water Conservation  
Robert Collins, Advisory Board Nominee  
Richard Donica, Advisory Board Nominee  
Daniel J Clements III, Advisory Board Chair

## **Whalehead Drainage Service District – Citizen Advisory Board (effective 1/1/12)**

3-year term, to expire **January 2013**

**Daniel J. Clements III**, Chair (*owner 1007 Corolla Drive*)

1249 Harrison Avenue

Columbus, OH 43201

614.299.7575

[D3Clements@aol.com](mailto:D3Clements@aol.com)

3-year term, to expire **January 2015** – prior 2-year term, expired January 2012

**Robert P. Collins**

1024 Lighthouse Drive

Corolla, NC 27927

252.453.4060

[RobertPCollins@charter.net](mailto:RobertPCollins@charter.net)

3-year term, to expire **January 2015** – prior 2-year term, expired January 2012

**Richard B. Donica** (*owner 1055 Whalehead Drive*)

2 Tea Olive Circle

Pooler, GA 31322

912.748.2662

[DacAce@aol.com](mailto:DacAce@aol.com)

3-year term, to expire **January 2013**

**George H. Mears** (*owner 1008 Corolla Drive*)

4304 Ainslie Ct. S.

Suffolk, VA 23434

757.255.2215

[George.H.Mears@usace.army.mil](mailto:George.H.Mears@usace.army.mil)

3-year term, to expire **January 2014**

**Jack Riggle** (*owner 839 Corolla Drive*)

P.O. Box 550

Corolla, NC 27927

252.453.8806

[jack@jackandcarolriggle.com](mailto:jack@jackandcarolriggle.com)

**R E S O L U T I O N**

**WHEREAS**, the Board of Commissioners of Currituck County, North Carolina during its regularly scheduled meeting held on December 5, 2011 authorized the following, pursuant to GS 160A and 270(b), that the property listed below, be traded in for a replacement, sold at auction or by advertised sale:

<u>Asset Tag</u>	<u>Description</u>	<u>Serial Number</u>
	2006 Ford Freestar (DSS)	2FMZA52226BA19653
	1985 Long Trailer (WISD)	130AU1212DC001578
	1987 GMC Truck (WISD)	1GTCS14E3H2529171

**ADOPTED**, this 5th day of December, 2011.

---

O. Vance Aydlett  
Currituck County Board of  
Commissioners

ATTEST:

---

Gwen H. Keene, CMC  
Clerk to the Board

## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 5th day of December , 2011, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2012.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10750-590000	Capital Outlay	\$ 26,000	
10380-488400	ABC Profits		\$ 26,000
		<u>\$ 26,000</u>	<u>\$ 26,000</u>

**Explanation:** *Social Services (10750)* - To increase appropriations for a replacement van for DSS. The 2006 Ford Freestar with 144,000 in inoperable and too costly to repair. This vehicle purchase will advance the vehicle requested for the FY 2013 budget year.

**Net Budget Effect:** Operating Fund (10) - Increased by \$26,000.

Minute Book # \_\_\_\_\_, Page # \_\_\_\_\_

Journal # \_\_\_\_\_

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

CURRITUCK COUNTY  
NORTH CAROLINA  
November 21, 2011

The Board met at 6:00 p.m. for a work session on the Economic Incentive plan and Stormwater in Carova.

The Board of Commissioners met 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 Aydlett, Commissioners Gilbert, O'Neal, Martin, Etheridge, Petrey, and Rorer.

### **Invocation**

#### **Pledge of Allegiance**

The Reverend Dennis Crehan, Jarvisburg Church of Christ was present for the invocation.

The Board expressed their sympathy to the family of Bobby Henley, who passed away earlier this week.

### **Approval of Agenda**

Commissioner Gilbert moved to amend the agenda by adding a closed session to discuss land acquisition. Commissioner Rorer seconded the motion. Motion carried.

7:00 p.m.	Invocation Pledge of Allegiance
Item 1	Approval of Agenda
Item 2	Public Comment <i>Please limit comments to items not appearing on the regular agenda, please limit comments to 3 minutes.</i>
Item 3	<b>Public Hearing and Action:</b> PB 11-07 Bissell Professional Group: Request to amend Chapter 4 of the Unified Development Ordinance to modify the age restriction language for the Planned Adult Retirement Overlay District (RET).
Item 4	<b>Maple-Barco Small Area Plan Update</b>
Item 5	<b>Buy Local Currituck Presentation</b>
Item 6	<b>Discussion on Outer Banks water rates</b>
Item 7	<b>Appointments to Tourism Advisory Board</b>
Item 8	<b>Consent Agenda:</b> 1. Budget Amendments 2. JCPC Funding Plan Revision

3. Authorize acquisition of in-holding parcel for Brice property at the Airport
4. Division of Mental Health, Developmental Disabilities & Substance Abuse Services Quarterly Fiscal Monitoring Report

Item 9 Commissioner's Report

Item 10 County Manager's Report

Adjourn

**Public Comment**

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

Chairman Aydlett opened the public comment period.

Doris Flora, Moyock, questioned concerns with internet cafés and how much funding the county receives from this activity.

County Manager Dan Scanlon, stated that the principal use of internet gambling is not allowed in the county. The Board requested a work session at the next meeting.

Marie Long, Ocean Pearl Drive, is opposed to the proposed Safe Zone area for the 4-wheel drive area in Carova. The county needs to enforce its current rules.

Commissioner O'Neal commented that the citizens do not like what the Board is proposing to help with the traffic and safety of the tourists.

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

**Public Hearing and Action: PB 11-07 Bissell Professional Group: Request to amend Chapter 4 of the Unified Development Ordinance to modify the age restriction language for the Planned Adult Retirement Overlay District (RET).**

Ben Woody, Planning Director, reviewed the results of the survey. There were 112 responses, 87 said yes, remove the restriction, and 5 said no.

The proposed text amendment submitted by Bissell Professional Group would remove the mandatory age restriction from the Planned Adult Retirement (RET) overlay. Currently, the Unified Development Ordinance requires the permanent resident of each unit within the RET overlay to be at least 55 years of age, excluding a spouse or immediate member of the family, live-in domestic, companion, or nurse. However, no person under the age of 18 may reside in any dwelling unit for more than 90 days.

The proposed amendment suggests RET overlay should be targeted toward retired adults. The decision for an age restricted community in the RET overlay would be at the discretion of the developer and the enforcement would be the responsibility of the homeowner's association.

While the proposed text amendment will affect all future RET Overlay district rezonings there are currently two RET Overlays in the county:

- Waterside Villages, Grandy (converted RV park located in a Full Service area)
- Mill Landing, South Spot Road (proposed)

The 2006 Land Use Plan, Policy HN6 supports diversity of housing for senior citizens that would include active adult retirement communities.

The proposed text amendment is consistent with the land use plan and planning staff recommends **approval** of the request.

The Planning Board recommended unanimous approval at their June 14, 2011 meeting.

#### **PLANNING BOARD DISCUSSION (6-14-11)**

Mr. Midgette asked if the residents who are residing in Waterside Villages have been made aware of this request.

Mr. Bissell stated there is a possible 250 units that could be available and approximately nine units are occupied and two of those may be in foreclosure. The development is now owned by Wells Fargo Bank. Mr. Bissell stated Wells Fargo had a community meeting a few months ago. What this request does is it gives the developer and homeowner's association an option to restrict or implement the mandatory age restriction.

Mr. Bell asked if any of the residents were in agreement.

Mr. Bissell stated the report he saw stated the majority of residents were okay with the request.

The Planning Board discussed at what point the developer turns over the development to the homeowner's association.

Mr. Woody stated the UDO requires a transfer when fifty percent of the lots are sold.

Mr. Bissell stated that the majority of lots are owned by the bank which gives them voting rights.

Mr. Woody stated that to have a Planned Adult Retirement Overlay District (RET) with a density bonus, the property would previously have had a campground on it. The proposed text amendment will affect all future RET Overlay district rezonings. There are currently two RET Overlays in the county, Waterside Villages and Mill Landing (proposed). Mr. Woody stated in the new UDO the county is proposing to remove the RET zoning designation.

## PLANNING BOARD ACTION

Mr. West moved to approve PB 11-07 due to its consistency with the 2006 Land Use Plan and that the request is reasonable and in the public interest and promotes orderly growth and development. Ms. Newbern seconded the motion. Motion carried unanimously.

### Bissell Professional Group PB 11-07 UDO AMENDMENT REQUEST

An amendment to Chapter 4 to modify the age restriction for Planned Adult Retirement Overlay 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 Section 4.5.1 is amended by adding the following underlined language and deleting the following strikethrough language:

#### 4.5.1 Intent

The Planned Adult Retirement Overlay District (RET) may be used only in conjunction with planned adult retirement and/or assisted living community development subject to the issuance of a special use permit. RET designation can be applied for within the following base zoning districts: A, RA, R, RO1, RR and GB. A planned adult retirement community is a tract of land consisting of 10 acres or more under common ownership, containing residential dwelling units (single family, two-family, apartments, condominiums, and similar multi-family dwellings), necessary accessory buildings, and required or permitted social, cultural, recreational, retail, medical, and other commercial type facilities intended for targeted toward retired adults. Properties located within the planned adult retirement overlay will be subject to the requirements of this section in addition to the requirements of the base zoning district.

**Item 2:** That Section 4.5.4.A. is amended by deleting the following strikethrough language and adding the following underlined language:

~~A. Permanent residents of such facilities must be at least 55 years of age, except that the spouse or an immediate member of the family, or a live-in domestic, companion, or nurse may be a permanent resident regardless of age except in the case of a child. No person under 18 years of age shall reside in any dwelling unit for a period of time exceeding 90 days. The homeowners' association documents and restrictive covenants shall state the age restrictions within the development in order that the association shall enforce those provisions. It is the responsibility of the residents/association to provide evidence that the age restrictions are being met.~~

- A. A planned adult retirement community may be age-restricted or age-targeted at the discretion of the developer. The homeowner's association documents and restrictive covenants shall establish the restrictions or targets within the development. It is the responsibility of the community association to manage and enforce the restrictions that are in effect for the community.

**Item 3:** 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 Aydlett opened the public hearing.

Mark Bissell, Engineer, was present to answer any questions.

Bill Honaker, Wells Fargo representative, stated that the bank had met with the residents.

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

Commissioner Petrey moved to approve. Commissioner Rorer seconded the motion. Motion carried with Commissioner Martin voting no.

#### **Maple-Barco Small Area Plan Update**

Holly White, Planner, reviewed the progress to date on the Maple-Barco Small Area Plan.

Commissioner O'Neal stated that it would be good if the Airport Board and Economic Development Board were combined and work together on this plan.

Commissioner Rorer stated that the Chairman of each Board should meet on a regular basis to review the plan.

Chairman Aydlett suggested a work session on this.

#### **Buy Local Currituck Presentation**

Josh Bass, Chamber of Commerce President, reviewed the things the Chamber is doing to promote the Buy Local Plan.

Diane Nordstrom, Travel & Tourism Director, reviewed the web site for Buy Local.

Peter Bishop, Economic Development Director, commented on the businesses that have signed up for discounts they will provide customers.

The Board commended the staff for their efforts on the Buy Local Plan.

**Discussion on Outer Banks water rates**

Dan Scanlon, County Manager, reviewed the wastewater bills that were from Carolina Water, not the County. The County opposes the increase by Carolina Water. He requested that the impact fee for water rates be lowered from \$4,500 to \$3,000.

Commissioner O'Neal moved to lower the impact fee for water from \$4,500 to \$3,000 as of January 2012. Commissioner Etheridge seconded the motion. Motion carried.

The Board commended the County Manager for his efforts to have the impact fee reduced.

**Appointments to Tourism Advisory Board**

Commissioner Petrey moved to appoint Ted A. Jagucki. Commissioner Etheridge re-appointed Paul Robinson and Commissioner O'Neal tabled his appointment. Commissioner Gilbert seconded the motion. Motion carried.

**Consent Agenda:**

1. Budget Amendments
2. JCPC Funding Plan Revision
3. Authorize acquisition of in-holding parcel for Brice property at the Airport
4. Division of Mental Health, Developmental Disabilities & Substance Abuse Services  
Quarterly Fiscal Monitoring Report

Commissioner Martin moved to approve. Commissioner Gilbert seconded the motion. Motion carried.

<u>Account Number</u>	<u>Account Description</u>	<b>Debit</b>	<b>Credit</b>
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
62828-533200	Lab Test	\$ 1,600	
62828-516000	Repairs and Maintenance		\$ 800
62828-545000	Contracted Services		\$ 800
		<u>\$ 1,600</u>	<u>\$ 1,600</u>

**Explanation:** *Newtown Road Sewer District (62828)* - Transfer funds for additional lab testing costs for the Newtown Road Sewer.

**Net Budget Effect:** Newtown Road Sewer District (62) - 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
10530-526000	Advertising		\$ 500
10530-514500	Training & Education		\$ 508
10530-514800	Fees Pd to Officials		\$ 900
10530-514000	Travel	\$ 1,908	
		<u>\$ 1,908</u>	<u>\$ 1,908</u>

**Explanation:** *Emergency Medical Services (10530)* - To transfer funds for EMS personnel to attend conference on new software for patient care reporting.

**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
10795-576010	Community League Cheerleading	\$ 560	
10350-469002	Cheerleading		\$ 560
		<u>\$ 560</u>	<u>\$ 560</u>

**Explanation:** *Parks & Recreation (10795)* - Increase budget for Cheerleading due to increased participation.

**Net Budget Effect:** Operating Fund (10) - Increased by \$560.

<u>Account Number</u>	<u>Account Description</u>	<b>Debit</b>		<b>Credit</b>	
		Decrease Revenue or Increase Expense		Increase Revenue or Decrease Expense	
10750-557700	Crisis Intervention	\$	55,151		
10760-585001	Donations-Currituck Kids	\$	1,100		
10330-431000	DSS Admin			\$	55,151
10380-487001	Donations-Currituck Kids			\$	1,100
		\$	56,251	\$	56,251

**Explanation:** *SOCIAL SERVICES ADMIN (750) - Adjust budget for Program Allocation received. COUNTY ASSISTANCE (760) - Adjust budget for donations received for Currituck Kids Funding.*

**Net Budget Effect:** Operating Fund (10) - Increased by \$56,251.

<u>Account Number</u>	<u>Account Description</u>	<b>Debit</b>		<b>Credit</b>	
		Decrease Revenue or Increase Expense		Increase Revenue or Decrease Expense	
10794-545001	Teen Court	\$	12		
10794-545004	Improving Outcomes for Our Youth	\$	2,000		
10794-545005	JCPC Council	\$	427		
10794-545000	PASS			\$	4,720
10545-545002	Restitution			\$	773
10330-449900	Miscellaneous Grants			\$	2,000
10390-499900	Appropriated Fund Balance	\$	5,054		
		\$	7,493	\$	7,493

**Explanation:** *Juvenile Crime Prevention Control (10794) - To reallocate funds to JCPC programs to match actual State grant appropriations and to add funding for Improving Outcomes for Youth, which will be a forum to introduce tools and strategies that will aid community partners in developing and utilizing alternative resources when considering detention for undisciplined and/or low risk offenders.*

**Net Budget Effect:** Operating Fund (10) - Decreased by \$3,054.

**Commissioner's Report**

The Board wished everyone a very happy and safe Thanksgiving.

Commissioner Martin commented on the Veterans Day ceremony on November 11.

**County Manager's Report**

County Manager Scanlon stated that staff would be meeting with the NC Public Utilities Commission next week.

**Closed Session according to GS 143-318.11 (5) to discuss acquisition of property located on 5514 Caratoke Road, owned by Thomas White to be used for any public purpose.**

Commissioner Gilbert moved to go into closed session as stated. Commissioner Martin seconded the motion. Motion carried.

**Adjourn**

After reconvening from closed session, no action was taken.

There being no further business, the meeting adjourned.

CURRITUCK COUNTY  
NORTH CAROLINA  
November 7, 2011

The Board met at 6:00 p.m. to review Beach Driving recommendations

The Board of Commissioners met 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 Aydlett, Commissioners Gilbert, O'Neal, Martin, Etheridge, Petrey, and Rorer.

### **Invocation and Pledge of Allegiance**

Reverend Vic Culberson, Moyock, presented the invocation.

### **Approval of Agenda**

Commissioner O'Neal moved to amend the agenda to add a closed session, Item 3A, Resolution to introduce a local bill, a budget amendment for ALAL for \$1600 and approval of Whalehead Board of Trustees to approve funds. Commissioner Gilbert seconded the motion. Motion carried.

- 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            **Resolution Commemorating Veterans Day**
  
- Item 3A          **Resolution to introduce a local bill requiring voter identification prior to voting in local elections**
  
- Item 4            **Public Hearing and Action:** PB 11-13 Bonnie K. Fulford-Nahas: Request to rezone 3.921 acres from Heavy Manufacturing to Agricultural. The property is located off Grandy Road approximately 150 north of the Nathan Drive cul de sac., Tax Map 108, Parcel 53C, Poplar Branch Township.
  
- Item 5            **Public Hearing and Action:** PB 11-14 Pine Island Reserve: Request for a preliminary plat/special use permit for nine lots located on the east side of Ocean Trail approximately 140 feet north of the intersection with Audubon Drive, Tax Map 128, Parcel 1F, Poplar Branch Township.
  
- Item 6            **Public Hearing and Action:** PB 11-15 Currituck County Community Center Campus: Request for a special use permit for an animal shelter, skate park, fire/rescue station, forestry building, and College of the Albemarle Regional Aviation and Technical Training Center. The property is located at 130 Community Way, Tax Map 52, Parcels 14A, 16, 17, 18, 19, 24 and Tax Map 60, Parcels 15 and 15A, Crawford Township.

- Item 7            **Presentation by North Carolina Power** on Transmission Line addition
- Item 8            **Resolution opposing Dominion Power rate increase**
- Item 9            **Approval of new Insurance Districts for Crawford, Moyock and Lower Currituck FD**
- Item 10          **Consent Agenda:**
1. Approval of easement with Dominion Power for service line to Knotts Island VF structure and approval of County Manager to execute easement.
  2. Resolution Surplus Property Chain Link Fence, Moyock Commons
  3. Budget Amendments
  4. Reappoint Tracy Sample as County Assessor for a Four-Year Term to Expire June 30, 2015
  5. Consideration of license agreement with American Society of Composers , Authors and Publishers for use of music on county premises and at county events and functions
  6. Approval of October 17, 2011, Minutes
  7. Resolution to dispose of surplus vehicles
  8. Budget Amendment for ALAL in the amount of \$1600
  9. Approval of Whalehead Board of Trustees to approve funds
- Item 11          Commissioner's Report
- Item 12          County Manager's Report

Adjourn

**Special Meeting**

Tourism Development Authority

TDA Budget Amendments

Adjourn

**Closed Session**

**Public Comment**

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

Chairman Aydlett opened the public comment period.

Josh Bass, Currituck Chamber of Commerce, invited citizens to the Poultry Pardon event in Corolla, November 13.

Meghan Agresto, Corolla Education Foundation, updated the Board on their efforts for a school in Corolla.

Vic Culberson, invited citizens to the county-wide Thanksgiving on Sunday, November 20<sup>th</sup> at 6:00 p.m. Moyock Middle School.

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

**Resolution Commemorating Veterans Day**

Bob Kohler was present to receive the resolution.

**RESOLUTION  
COMMEMORATING VETERANS DAY**

**WHEREAS**, Veterans Day, originally called Armistice Day, is a federal holiday observed on November 11 annually in the United States to honor all military personnel, living and dead, who served their country during times of peace and war, and commemorates the end of World War I; and

**WHEREAS**, Veterans Day was first observed on November 11, 1919, the anniversary of the end of the war in response to a proclamation issued by President Woodrow Wilson that expressed pride in the heroism of those 4,000,000 Americans who served, including 375,000 who died, during the war; and

**WHEREAS**, during the 1920s and 1930s, many states made Veterans Day a state holiday, and in 1938, Congress declared Armistice Day a federal holiday; and

**WHEREAS**, Armistice Day was renamed Veterans Day in 1954 to honor American veterans of World War II and the Korean War, and today veterans of all wars are honored on the holiday; and

**WHEREAS**, from the Revolutionary War to the present day, the contributions made to America by her citizen soldiers who stand in our place to defend the freedoms we enjoy cannot be calculated; and

**WHEREAS**, every man, woman, and child in this great Nation owes a debt of gratitude to those who served and are still serving their country so selflessly;

**NOW, THEREFORE, BE IT RESOLVED** that the Currituck County Board of Commissioners recognizes the past and present sacrifices of the men and women of the United States Armed Forces, who willingly stood, and currently stand, in harm's way to protect the freedoms enjoyed by all who live in the United States of America; and

**BE IT FURTHER RESOLVED** that the Board of Commissioners calls upon the citizens of Currituck County to observe November 11, 2011, as Veterans Day in respect for and to honor and remember the great sacrifices and contributions of these heroic men and women who valiantly served this nation and mankind during World War I and previous and subsequent wars.

**Resolution to introduce a local bill requiring voter identification prior to voting in local elections**

Commissioner Martin moved to adopt resolution.  
Commissioner Petrey seconded the motion. Motion carried.

**RESOLUTION TO INTRODUCE A LOCAL BILL REQUIRING VOTER IDENTIFICATION PRIOR TO VOTING IN LOCAL ELECTIONS**

WHEREAS, the Currituck County Board of Commissioners is aware of the Governor’s recent veto requiring voter identification to be presented when voting in local elections; this should be a basic requirement to ensure fair and legal elections for future generations; and

WHEREAS, given the current political climate throughout our nation, many of our communities are anxious to ensure that one of our most basic and fundamental rights will continue to be protected. That right is being further diminished through illegal registrations, votes by convicted felons who have lost their right to vote, multiple votes by the same individual, and illegal immigrants. Requiring identification by those who are charting our communities and nation’s future is not unreasonable, and giving notice now will provide many months to allow those individuals to secure the required identification; and

WHEREAS, some groups have advised this requirement would place an undue hardship on certain individuals in our communities. Currently, some individuals cannot open bank accounts, nor can they send or receive money transactions without proper identification. Many pay their monthly bills with money orders purchased through local retail shops. All of these require proper identification by the federal government to prevent illegal activity and retailers going through annual mandatory training to ensure compliance.

NOW, THEREFORE, BE IT RESOLVED, that in response to our citizens, the Currituck County Board of Commissioners respectively requests the Currituck County Legislative Delegation to the North Carolina General Assembly to introduce a local bill in the 2012 Short Session, with said bill being patterned after Senate Bill S595 which was adopted by both the Senate and House of Representatives and vetoed by the Governor. This bill would require voter identification in order to participate in future Currituck County elections and would eliminate any future blocks by any Governor of the State of North Carolina.

**Public Hearing and Action: PB 11-13 Bonnie K. Fulford-Nahas: Request to rezone 3.921 acres from Heavy Manufacturing to Agricultural. The property is located off Grandy Road approximately 150 north of the Nathan Drive cul de sac., Tax Map 108, Parcel 53C, Poplar Branch Township.**

Ben Woody, Planning Director, reviewed the request.

**CASE ANALYSIS FOR THE  
Board of Commissioners  
DATE: November 7, 2011  
PB 11-13 Bonnie K. Fulford-Nahas**

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**ITEM:** PB 11-13 Rezone 3.921 acres from Heavy Manufacturing (HM) to Agricultural (A)

**LOCATION:** Off of Grandy Road approximately 150 feet north of the Nathan Drive cul de sac in the Poplar Branch Township.

**TAX ID:** Tax Map 108, Parcel 53C (PIN 0108000053C0000)

**OWNER:** Bonnie K. Fulford-Nahas  
7388 Chardon Court  
Manassas, VA 20111

**APPLICANT:** Bonnie K. Fulford-Nahas  
7388 Chardon Court  
Manassas, VA 20111

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

	<b>Land Use</b>	<b>Zoning</b>
<b>NORTH:</b>	Single Family Residence	Agricultural
<b>SOUTH</b>	Residential Subdivision (Oakwood)	Residential
<b>EAST:</b>	Weeping Radish Brewery	Light Manufacturing
<b>WEST:</b>	Undeveloped/Sparse Residential	Agricultural

**LAND USE PLAN**

**CLASSIFICATION:** The 2006 Land Use Plan classifies the site as Limited Service within the Grandy subarea.

The purpose of the Limited Services Area class is to provide for primarily residential development at low densities. While low-density development may continue to locate in these areas, it is recognized that soil limitations, flood prone areas, and a lack of infrastructure and services may prevent these areas from ever reaching an urban level of development. Residences in these areas usually employ wells and private septic tanks. Because many of the areas identified for Limited Service also include prime farmland efforts should be made to ensure that thriving agricultural operations are protected from encroaching development through the use of buffering, landscaping, and conservation oriented design.

Despite the overall low density of these areas, efforts should be made to encourage clusters of residential uses to preserve open space and to provide for a sense of a "community". Base development density should be 1 unit per acre but could be increased to 1.5 units per acre through overlay zoning depending upon whether

service facilities are in place or planned and the potential impact on the surrounding community. In the same instances where slightly higher density is considered appropriate a moderate mix of housing types such as semi-detached would also be considered reasonable.

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. However, business designed to serve the tourist industry such as small gift shops or agri-tourism related uses should not be prohibited provided the character and intensity of the use is in keeping with the character of the surrounding area.

Very limited municipal-type services, such as fire protection, emergency services, and community water, may be available; centralized sewage collection and treatment systems whether public or community may be appropriate for these areas.

**POLICY AG2:** Farms and woodlands shall be recognized as an integral part of the county's OPEN SPACE SYSTEM. Efforts to keep these areas viable as part of the area's resource-based economic sector, shall be encouraged.

**POLICY ED1:** NEW AND EXPANDING INDUSTRIES AND BUSINESSES should be especially encouraged that: 1) diversify the local economy, 2) train and utilize a more highly skilled labor force, and (3) are compatible with the environmental quality and natural amenity-based economy of Currituck County.

**CURRENT ZONING:** Heavy Manufacturing

**PROPOSED ZONING:** Agricultural

**CURRENT USE:** Undeveloped/Wooded

**SIZE OF SITE:** 3.921 acres

**ZONING HISTORY:** The parcel was zoned Agricultural (A-40) in 1974. The parcel is shown as Manufacturing (M) on the 1985 zoning map. The current zoning map shows the parcel as Heavy Manufacturing (HM).

**UTILITIES:** Public water is available.

**TRANSPORTATION:** The site is accessible by vehicle on Grandy Road.

**FLOOD ZONE:** The entire site is located in Flood Zone X.

**WETLANDS:** The Currituck County GIS mapping system shows some areas of Cleared Hardwood Flats and Managed Pinelands on the parcel indicating wetlands may be present. These areas comprise approximately 20 percent of the land area.

**SOILS:** The Currituck County Soils Map indicates the property contains (Mu-Munden loamy sand) and (Pt-Portsmouth fine sandy loam) soils, both of which are well suited for pasture forages.

**PLANNING STAFF RECOMMENDATION:**

Staff recommends approval of the request to rezone 3.921 acres from Heavy Manufacturing (HM) to Agricultural (A) for the following reasons:

1. The applicant's request to "down zone" from (HM) to (A) effectively reduces the possible intensity of uses and density for the property making it more compatible with the surrounding Agricultural and Residential uses.
2. The parcel was previously zoned Agricultural and several of the surrounding properties have been rezoned from Heavy Manufacturing (HM) to less intense zoning districts such as Agricultural and Residential (Oakwood Subdivision).

**PLANNING BOARD RECOMMENDATION:**

The Planning Board **recommended approval** of PB 11-13 due to its consistency with the 2006 Land Use Plan and that the request is reasonable and in the public interest and promotes orderly growth and development.

**PLANNING BOARD DISCUSSION (10/11/11)**

Mr. Wright asked the applicant if there would be any possible reason that the property would go back to Heavy Manufacturing if the request is approved.

Ms. Fulford-Nahas stated no.

**PLANNING BOARD ACTION**

Mr. Kovacs moved to approve PB 11-13 due to its consistency with the 2006 Land Use Plan and that the request is reasonable and in the public interest and promotes orderly growth and development. Ms. Wilson seconded the motion. Motion carried unanimously.

Chairman Aydlett opened the public hearing.

There being no comments, he closed the public hearing.

Commissioner Etheridge moved to approve due to its consistency with the Land Use Plan and that the request is reasonable and in the public interest and promotes orderly growth and development. Commissioner Petrey seconded the motion. Motion carried.

**Public Hearing and Action: PB 11-14 Pine Island Reserve: Request for a preliminary plat/special use permit for nine lots located on the east side of Ocean Trail approximately 140 feet north of the intersection with Audubon Drive, Tax Map 128, Parcel 1F, Poplar Branch Township.**

Sworn testimony was given prior to making comments.

Ben Woody, Planning Director, reviewed the request.

**CASE ANALYSIS FOR THE  
Board of Commissioners  
DATE: November 7, 2011  
PB 11-14 Pine Island Reserve**

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**ITEM:** PB 11-14 Pine Island Reserve, Preliminary Plat/SUP.

**LOCATION:** East side of Ocean Trail approximately 140 feet north of the intersection with Audubon Drive, Poplar Branch Township.

**TAX ID:** 0128-000-001F-0000

**ZONING DISTRICT:** Limited Business Hotels Allowed (LBH)

**PRESENT USE:** Undeveloped.

**OWNER:** National Audubon Society  
225 Varick St Floor 7  
New York NY 10014-4396

**APPLICANT:** Pine Island Reserve, LLC  
1314 S Croatan Hwy Ste 301  
PO Box 90  
Kill Devil Hills NC 27948  
252-441-9003

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

	<b>Land Use</b>	<b>Zoning</b>
<b>NORTH:</b>	Pine Island Reserve, Phase 1	LBH
<b>SOUTH:</b>	Pine Island Beach Access, Bathhouse, Swimming Pool	LBH
<b>EAST:</b>	Atlantic Ocean	n/a
<b>WEST:</b>	Undeveloped - Audubon Conservation	RO1

**LAND USE PLAN**

**CLASSIFICATION:** The 2006 Land Use Plan classifies the site as Full Service within the Corolla subarea.

**SIZE OF SITE:** 8.49 acres

**NUMBER OF UNITS:** 9 lots

**PROJECT DENSITY:** 1.06 units/acre

**UTILITIES:** Public water will be provided by the Currituck County Southern Outer Banks system at a demand of 12,960 gallons per day. Public sewer will be provided by Pine Island Currituck, LLC. to serve a 12 bedroom house per lot.

**I. NARRATIVE OF REQUEST:**

Pine Island Reserve, LLC is proposing to construct a nine lot residential subdivision. The subject parcel is currently undeveloped and represents oceanfront in-fill

development of the area located between the Hampton Inn Oceanfront and the Pine Island subdivision.

**II. QUESTION(S) BEFORE THE BOARD:**

**Special Use Permit Criteria and Staff Findings:**

Special use permits (SUP) are intended to allow the Board of Commissioners flexibility in the administration of the UDO. Through the SUP procedure, property uses which would otherwise be considered undesirable in certain districts can be developed subject to conditions of approval to minimize any negative effects they might have on surrounding properties.

In order to approve a SUP, certain criteria must be satisfied. The criteria and suggested findings of fact are outlined as follows:

1. Completeness of application.

**Suggested Findings:**

- a. The application is complete.

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

**Suggested Findings:**

- a. Chapter 10 of the UDO allows a major subdivision as a permissible use with a special use permit.

3. The conditions proposed meet or exceed the minimum requirements of this ordinance.

**Suggested Findings:**

- a. As presented, the subdivision meets or exceeds the minimum requirements of the ordinance.

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

**Suggested Findings:**

- a. The subdivisions should have little to no impact on public health or safety.

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

**Suggested Findings:**

- a. The UDO indicates that an open space subdivision is allowed in the R01 zoning district with a special use permit.
- b. The proposed residential lots are currently within a neighborhood with densities comparable to those

proposed and should be in harmony with the neighborhood.

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

**Suggested Findings:**

The 2006 Land Use Plan classifies this site as Full Service within the Corolla subarea. The policy emphasis of the plan is to allow for predominately medium density residential development (2 to 3 units per acre) with minimal commercial development arranged in clusters. Development should be capable of being supported by the area's infrastructure and services. The proposed use is in keeping with the policies of the plan, some of which are:

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

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.

The following policy does address growth concerns for the development of the subject property:

Policy ES8: Areas of the county identified for significant future growth shall avoid NATURAL HERITAGE AREAS (e.g. Great Marsh on Knotts Island, Currituck Banks/Swan Island Natural Area, Currituck Banks Corolla Natural Area, Pine Island/Currituck Club Natural Area, Northwest River Marsh Game Land, and many other marsh areas on the mainland).

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

**Suggested Findings:**

- a. The nine lot subdivision will not exceed the county's ability to provide adequate public facilities.

**III. TECHNICAL REVIEW COMMITTEE RECOMMENDATION:**

Pursuant to the Unified Development Ordinance, the Technical Review Committee recommends approval subject to the following plan corrections:

1. The typical "Lot Plan - Lot 9" layout submitted is for stormwater calculations only. Zoning compliance is not granted with this layout as minimum standards such as drive aisle widths are not met.
2. Consult with NC Division of Water Quality (Washing Regional Office) at (252)946-6481 for wastewater approval. (Albemarle Regional Health Services TRC Comment)
3. Any ground disturbance within a CAMA Area of Environmental Concern (AEC) will require a CAMA permit. (NC Division of Coastal Management TRC Comment)
4. As this part of a larger development, an approved erosion and sedimentation control plan will be required, even if less than one acre is to be disturbed. (NCDENR Land Quality TRC Comment)
5. (10/3/11 Engineering TRC Comment based on revised plans.) It is understood that the total available storage is 55,735 cf. Needed storage for roads and open space is 9358 cf leaving 46,377 cf for lot development or 5164 cf available per lot. 5164 cf per lot equates to a 40% coverage. An example was presented for a lot with 44.5% coverage with 1218 cf additional storage required. The lot as laid out has 7351 cf available. I assume the point being there is plenty of storage that can be sited on each lot.
  - a. Under the calculation for Typical Lot: Stormwater Feasibility Design, why wasn't the Simple Method used versus the Rational Method? Under the Simple Method I calculate needed storage of 5708 cf at 44.5% coverage. Why was 44.5% chosen as the example instead of 65%?
  - b. Provide the exact language to be incorporated into the POA documents. Provide documentation of all assumptions including:
    - i. Is the intent to use 2.5' msl as the seasonal high water table for all lots
    - ii. Is the intent to use 30% voids for all lots

- iii. What is the required method to determine saturated hydraulic conductivity
  - iv. What is the required method to demonstrate draw-down in the lots basins
  - v. Provide example calculations using the Simple Method
  - vi. Provide narrative description on how to calculate storage volume provided
  - vii. Describe what is included in imperious coverage
- c. I would like for Quible to develop guidelines that requires an engineer to develop the stormwater needs for each lot but is able to be checked by planning staff as well as the county engineer.

**IV. PLANNING STAFF RECOMMENDATION:**

The planning staff recommends **conditional approval** of this request subject to all TRC comments being satisfactorily addressed, findings of fact, and the following:

1. This proposed phase of development is considered a Natural Heritage Area as identified in the Land Use Plan policy statement ES8 and significant growth shall avoid these areas.
2. Land Use Plan policy statement WQ5 encourages developments to preserve the natural features of the site including existing topography and significant existing vegetation.
3. Bulkheads or retaining walls shall not be allowed as a method to stabilize or contain fill, except bulkheads established for the purpose of shoreline protection or as otherwise permitted by the county engineer. This shall not include retaining walls used to stabilize or contain existing natural grade when a driveway or walkway is cut into a lot at an elevation lower than existing natural grade.

**V. PLANNING BOARD RECOMMENDATION:**

The Planning Board **recommended approval** of PB 11-14 with the findings of fact and staff recommendations included in the case analysis.

Chairman Aydlett opened the public hearing.

Derek Deil, Engineer with Quible, was present to answer questions.

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

Commissioner Etheridge moved to approve with findings of fact and staff recommendations included in the case analysis. Commissioner Gilbert seconded the motion. Motion carried.

**Public Hearing and Action: PB 11-15 Currituck County Community Center Campus: Request for a special use permit for an animal shelter, skate park, fire/rescue station, forestry building, and College of the Albemarle Regional Aviation and Technical Training Center. The property is located at 130 Community Way, Tax Map 52, Parcels 14A, 16, 17, 18, 19, 24 and Tax Map 60, Parcels 15 and 15A, Crawford Township.**

Sworn testimony was given prior to making comments.

Holly White, Planner, reviewed the request.

**CASE ANALYSIS FOR THE  
Board of Commissioners  
DATE: November 7, 2011**

**PB 11-15 Currituck County Community Center Campus**

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**ITEM:** PB 11-15 Currituck County Community Center Campus - Currituck County is seeking a special use permit for an animal shelter, skate park, fire/rescue station, forestry building, and College of the Albemarle Regional Aviation and Technical Training Center.

**LOCATION:** 130 Community Way Barco, Crawford Township.

**TAX ID:** 005200000160000, 005200000170000,  
005200000180000, 005200000190000,  
005200000240000, 00520000014A0000,  
006000000150000, 00600000015A0000

**ZONING DISTRICT:** Agricultural, (A), General Business (GB), Heavy Manufacturing (HM)

**PRESENT USE:** Woodland, Cultivated Farmland, County facilities

**OWNER:** Currituck County

**APPLICANT:** Currituck County

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

	<b>Land Use</b>	<b>Zoning</b>
<b>NORTH:</b>	Airport/Wooded Area	A
<b>SOUTH</b>	Cultivated Farmland	A
<b>EAST:</b>	Cultivated Farmland/Wooded Area	A
<b>WEST:</b>	Single Family Dwellings/Airport/Wooded Area	A

**LAND USE PLAN**

**CLASSIFICATION:** The Maple Barco Small Area Plan classifies the site as Employment.

**SIZE OF SITE:** 627.9 Acres

**NUMBER OF UNITS:** NA

**UTILITIES:** The County will provide connection to a sanitary sewer facility onsite.

**IV. NARRATIVE OF REQUEST:**

The applicant is requesting a special use permit for the following uses at the multi use, community center facility: College of the Albemarle Regional Aviation and Technical Training Center, Fire/Rescue/Forestry Building, Animal Shelter, and Skate Park. This community center will provide both recreation and educational opportunities. College of the Albemarle will construct a hands on aviation training center that utilizes aircraft to teach students. Construction of this multi use campus facility will mean relocating the current fire/rescue station. Other planned facilities include sports fields, picnic areas, and walking trails.

**V. QUESTION(S) BEFORE THE BOARD:**

**Special Use Permit Criteria and Staff Findings:**

Special use permits (SUP) are intended to allow the Board of Commissioners flexibility in the administration of the UDO. Through the SUP procedure, property uses which would otherwise be considered undesirable in certain districts can be developed subject to conditions of approval to minimize any negative effects they might have on surrounding properties.

In order to approve a SUP, certain criteria must be satisfied. The criteria and suggested findings of fact are outlined as follows:

1. Completeness of application.

**Suggested Findings:**

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

**Suggested Findings:**

- a. The proposed use is allowed in the A, GB, & HM zoning district with a special use permit.
- 3. The conditions proposed meet or exceed the minimum requirements of this ordinance.

**Suggested Findings:**

- a. The proposed use meets the minimum requirements of the ordinance.
- 4. The special use will not endanger the public health or safety:

**Suggested Findings:**

- a. The proposed uses will be designed to meet all State, Local, and FAA requirements. This includes meeting height restrictions.
- 5. The special use will not injure the value of adjoining or abutting property and will be in harmony with the area in which it is located

**Suggested Findings:**

- a. The proposed use should have no negative impact on the value of adjoining property.
- b. The proposed uses will be designed in conformance with the Maple Barco Small Area Plan and provide additional recreation and learning opportunities for nearby community.
- 6. The special use will be in conformity with the Land Use Plan or other officially adopted plan.

**Suggested Findings:**

- a. The Maple Barco Small Area Plan classifies the site as Employment. Areas designated as employment are anticipated for land uses that will generate economic activity or job growth. This includes uses such as offices, technology research and development, aviation related industries, and environmentally friendly manufacturing and industrial uses such as assembly, wholesaling, and distribution. Areas designated as employment should be encouraged to develop in a mixed use or campus like setting with generous, linked open space to maximize value, promote visual quality, and encourage pedestrian activity between employment

areas and areas of supporting uses such as retail, restaurants, and residential.

The proposed use is in keeping with the policies of the plan, some of which are:

Policy ED1: Actively promote and establish aviation related businesses in the Maple Commerce Park and Currituck Airport

Policy TR2: Promote interconnectivity among parcels to provide direct access to nearby roadways.

Policy LU1: Provide for a very low density development in close proximity to the airport and in designated approach zones. Additionally, promote an approximate mix of development types in the Maple/Barco area.

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

**Suggested Findings:**

a. The use should have no negative impact on public facilities.

**VI. TECHNICAL REVIEW COMMITTEE RECOMMENDATION:**

Pursuant to the Unified Development Ordinance, the Technical Review Committee recommends approval.

**VII. PLANNING STAFF RECOMMENDATION:**

Planning staff recommends approval of this request.

**V. PLANNING BOARD RECOMMENDATION:**

The Planning Board **recommended approval** of PB 11-15 as presented.

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

Commissioner O'Neal moved to approve with findings of fact and staff recommendations included in the case analysis.

**Presentation by North Carolina Power on Transmission Line addition**

Michael Thompson, introduced the Dominion staff.

Stephanie Harrington, Dominion Power, stated that there would be an open house for the citizens to come out and get information on the proposed project. This will be held on November 16<sup>th</sup> at the Extension building.

Jonathan Shultis, Dominion Power, reviewed the permitting process and construction should begin by 2013 and line should be in service by 2015. They will be using existing right of way.

**Resolution opposing Dominion Power rate increase**

Peter Bishop, Economic Development Director, reviewed the resolution that would be presented to the Utilities Commission on November 9, 2011.

Michael Thompson, Dominion Power, disputed some of the information presented.

Commissioner O'Neal moved to adopt resolution.  
Commissioner Petrey seconded the motion. Motion carried.

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF CURRITUCK COUNTY OPPOSING FUEL RATE INCREASE REQUESTED BY DOMINION NORTH CAROLINA POWER**

**WHEREAS**, Currituck County, and its neighbors throughout Northeast North Carolina within the Dominion service area, are experiencing protracted economic hardship and recession; and

**WHEREAS**, Currituck County residents and businesses continue to weather plummeting real estate values, decreased sales and revenues, record-breaking foreclosures, increased delinquencies in tax and utility payments and increases in unemployment insurance claims, food stamps and other public assistance; and,

**WHEREAS**, electricity service is one of the basic necessities required by all County residents regardless of economic condition to live a safe and healthy life; and,

**WHEREAS**, the proposed fuel rate increase of approximately 9.55% on the average residential customer proposed by Dominion North Carolina Power will exacerbate the economic hardship already felt by the residents and businesses of Currituck County and Northeast North Carolina and place an undue burden on them; and,

**WHEREAS**, the hardships imposed by any rate increase at this time is easily demonstrated and the resulting, severe negative impact upon Currituck County's businesses and residents can be clearly forecast, and Dominion Resources is already experiencing a 10.31% profit margin ranking it in the top two-thirds of utility companies as to earnings, with net income of \$392 Million, and a return on equity of 12.68%, all of which far exceed any reasonable profit to Dominion and its shareholders at a time when its North Carolina customer base can least afford it, Dominion's request for a fuel rate increase should be denied; and, **WHEREAS**, County Staff shall be instructed to present this resolution and additional public comment to the North Carolina Utilities Commission and the office of the Attorney General of North Carolina.

**NOW, THEREFORE BE IT RESOLVED THAT** the Currituck County Board of Commissioners strongly opposes the rate increase requested by Dominion North Carolina Power for its customers in Currituck County and throughout Northeast North Carolina and respectfully request that the North Carolina Utilities Commission deny Dominion's request.

**Approval of new Insurance Districts for Crawford, Moyock and Lower Currituck FD**

Chief Robert Glover, EMS Director, reviewed the new ISO rating which will be a saving in Fire Insurance costs for residents within the new districts.

The Board thanked the Fire Departments and volunteers for their efforts in getting these changes.

Commissioner O'Neal moved to approve the recommendations by staff. Commissioner Etheridge seconded the motion. Motion carried.

**Consent Agenda:**

1. Approval of easement with Dominion Power for service line to Knotts Island VF structure and approval of County Manager to execute easement.
2. Resolution Surplus Property Chain Link Fence, Moyock Commons
3. Budget Amendments
4. Reappoint Tracy Sample as County Assessor for a Four-Year Term to Expire June 30, 2015
5. Consideration of license agreement with American Society of Composers, Authors and Publishers for use of music on county premises and at county events and functions
6. Approval of October 17, 2011, Minutes

7. Resolution to dispose of surplus vehicles
8. ALAL budget amendment for \$1600
9. Approval of Whalehead funding

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

### RESOLUTION

**WHEREAS**, the Board of Commissioners of Currituck County, North Carolina during its regularly scheduled meeting held on November 7, 2011, authorized the following, pursuant to GS 160A and 270(b), that the property listed below, be disposed of:

Asset 6297 Chain link fence around Moyock Commons Sewer Plant beyond repair to be disposed of

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Commissioners of County of Currituck reserves the right to reject any and all bids.

<u>Account Number</u>	<u>Account Description</u>	<b>Debit</b>	<b>Credit</b>
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10410 507000	Retirement	\$ 30.00	
10415 507000	Retirement	\$ 22	
10430 507000	Retirement	\$ 8	
10440 507000	Retirement	\$ 22	
10441 507000	Retirement	\$ 24	
10445 507000	Retirement	\$ 10	
10446 507000	Retirement	\$ 4	
10450 507000	Retirement	\$ 30	
10460 507000	Retirement	\$ 44	
10461 507000	Retirement	\$ 11	
10480 507000	Retirement	\$ 22	
10510 507000	Retirement	\$ 299	
10510 508000	Retirement	\$ 9	
10511 507000	Retirement	\$ 107	
10512 507000	Retirement	\$ 13	
10530 507000	Retirement	\$ 363	
10531 507000	Retirement	\$ 7	
10535 507000	Retirement	\$ 51	
10540 507000	Retirement	\$ 35	
10541 507000	Retirement	\$ 5	
10550 507000	Retirement	\$ 6	
10606 507000	Retirement	\$ 9	
10640 507000	Retirement	\$ 9	



<u>Account Number</u>	<u>Account Description</u>	<b>Debit</b>	<b>Credit</b>
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10750-557701	LIEAP	\$ 18,957	
10750-561000	Professional Services	\$ 13,000	
10752-519600	Child Daycare	\$ 43,268	
10752-532003	Supplies-Special Adopt	\$ 45	
10752-545003	Contract Serv-Special Adopt Prof Services-Special		\$ 5,705
10752-561003	Adopt		\$ 1,134
10330-431000	DSS Admin	\$ 13,251	
10330-432800	Daycare Fund Appropriated		\$ 43,268
10390-499900	Balance		\$ 38,414
		<u>\$ 88,521</u>	<u>\$ 88,521</u>

**Explanation:** **SOCIAL SERVICES ADMIN (750)** - Adjust budget for New LIEAP Program Allocation and Child Support Service Fees. **PUBLIC ASSISTANCE (752)** - Adjust budget for Special Adoption Funding adjustments and the Daycare State Funding Authorization. **REVENUE (330)**-Adjust to the State Funding Authorizations for DSS Admin funds.

**Net Budget Effect:** Operating Fund (10) - Increased by \$68,431.

<u>Account Number</u>	<u>Account Description</u>	<b>Debit</b>	<b>Credit</b>
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10480-514000	Travel	\$ 500	
10480-516000	Maintenance & Repair		\$ 250
10480-540000	Worker's Compensation		\$ 49
10480-545700	Microfilm Processing		\$ 201
		<u>\$ 500</u>	<u>\$ 500</u>

**Explanation:** **Register of Deeds (10480)** - To transfer budgeted funds to attend annual Register of Deeds conference.

**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
10460-532160	PW - Maint Supplies	\$ 10,000	
10460-592000	PW - Courthouse Projects	\$ 29,000	
10460-516000	PW - Repairs & Maint		\$ 10,000
10380-484001	Insurance Proceeds		\$ 29,000
		<u>\$ 39,000</u>	<u>\$ 39,000</u>

**Explanation:** *Public Works (10460)* - To increase appropriations to upgrade the roof replacement of the Historic Courthouse damaged in Hurricane Irene.

**Net Budget Effect:** Operating Fund (10) -Increased by \$29,000.

<u>Account Number</u>	<u>Account Description</u>	<b>Debit</b>	<b>Credit</b>
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
66868-582000	Interest on Debt	\$ 74,872	
66868-582200	Loan Principal		\$ 550,000
66868-582400	Note Principal	\$ 425,000	
66868-554000	Insurance	\$ 8,506	
66390-499900	Appropriated Retained Earnings	\$ 1,523	
66390-495056	T F - SOBWS Construction		\$ 1,159,901
66390-490300	Contributed Capital	\$ 1,200,000	
		<u>\$ 1,709,901</u>	<u>\$ 1,709,901</u>

**Explanation:** *Southern Outer Banks Water (66868)* - To record actual loan balances after closing loan from BB & T.

**Net Budget Effect:** Southern Outer Banks Water Fund (66) -Decreased by \$41,622.

<u>Account Number</u>	<u>Account Description</u>	<b>Debit</b>	<b>Credit</b>
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10790-532001	Library Materials	\$ 1,347	
10790-545000	Contracted Services		\$ 1,347
		\$ 1,347	\$ 1,347

**Explanation:** *Library (10790)* - Transfer funds due to EARL paying circulation system licensing for FY 2012.

**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
68888-511000	Telephone & Postage	\$ 4,000	
68888-513000	Utilities	\$ 6,000	
68888-516000	Repairs & Maintenance	\$ 12,000	
68888-531000	Gas	\$ 1,200	
68888-532000	Supplies	\$ 5,000	
68888-533200	Lab Tests	\$ 1,200	
68888-533800	Chemicals	\$ 1,200	
68888-545000	Contract Services	\$ 35,400	
68888-545100	Credit Card Fees	\$ 200	
68888-553000	Dues & Subscriptions	\$ 1,200	
68888-557000	Refunds	\$ 300	
68888-554000	Insurance	\$ 5,400	
68888-561000	Professional Services	\$ 50,000	
68888-561900	Administration	\$ 5,000	
68888-590000	Capital Outlay	\$ 78,713	
68330-448800	Walnut Island Sanitary District Funds		\$ 100,000
68330-449900	Grant Funds		\$ 106,813
		\$ 206,813	\$ 206,813

**Explanation:** *Walnut Island Sewer District (68888)* - Initial County budget for the Walnut Island Sewer District. Capital Outlay is for final payments for sewer construction project.

**Net Budget Effect:** Walnut Island Sewer District (68) - Increased by \$206,813.

**Commissioner's Report**

Commissioner Martin stated that the county's website now has a page where all the veterans in the county may be identified.

Commissioner Etheridge commented on the need for food at our local food banks.

Commissioner O'Neal stated that the veterans park needs a permit from the corps and funding is in the budget.

Commissioner Petrey, stated that the YMCA is looking for at least 120 part time jobs to fill.

Commissioner Gilbert stated that the YMCA is taking charter memberships until Friday.

Chairman Aydlett stated that the Carova Park dredging is completed.

**County Manager's Report**

County Manager stated that the UDO rewrite meeting will be November 14<sup>th</sup> at the Towne Bank of Currituck in Grandy.

**Adjourn**

There being no further business, the meeting adjourned.

**Special Meeting**

Tourism Development Authority

**TDA Budget Amendments**

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

<u>Account Number</u>	<u>Account Description</u>	<b>Debit</b> Decrease Revenue or Increase Expense	<b>Credit</b> Increase Revenue or Decrease Expense
15442-507000	Retirement	\$ 29	
15320-415000	Occupancy Tax		\$ 29
		\$ 29	\$ 29

**Explanation:** Occupancy Tax - Promotion (15442) - To provide additional 0.01% retirement to match the mandated law enforcement increase that became effective 10/1/2011.

**Net Budget Effect:** Occupancy Tax Fund (15) - Increased by \$29.

<u>Account Number</u>	<u>Account Description</u>	<b>Debit</b>	<b>Credit</b>
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
15447-532160	Occ. Tax - Maint Supplies	\$ 9,000	
15447-516000	Occ. Tax - Repairs & Maint.		\$ 9,000
		<u>\$ 9,000</u>	<u>\$ 9,000</u>

**Explanation:** Occupancy Tax - Tourism Related (15447) -To transfer budgeted funds to maintenance supplies.

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

**Adjourn**

There being no further business, the meeting adjourned.