



**BOARD OF COMMISSIONERS
AGENDA PACKET**

JULY 2, 2012

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Currituck County Board of Commissioners Agenda

Historic Currituck County Courthouse

Date: Monday, July 02, 2012

Time: 7:00 PM

Work Sessions

6:00 p.m. Discussion on Rules and Regulations for Advisory Boards

7:00 pm Call to Order

- A) Invocation
- B) Pledge of Allegiance
- C) **Senior Bell Choir to Perform Patriotic Music**
- D) Approval of Agenda
- E) Public Comment

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

Public Hearings

- A) **Public Hearing and Action:** PB 12-12 A1 Towing: Request for a special use permit to operate a towing impound lot and equipment and material storage areas. The property is located at 1221 Ponton Lane, Tax Map 14, Parcel 3S, Poplar Branch Township.
- B) **Public Hearing and Action:** PB 12-11 Ryan Anderson: Request for a special use permit for outdoor entertainment, special events, and light manufacturing. The property is located at 5650 and 5666 Caratoke Highway, Tax Map 84, Parcels 19A and 19B, Poplar Branch Township.

New Business

- A) **Board Appointments:**
 - 1. Appointments to ABC Board
 - 2. Appointment to Board of Adjustment
 - 3. Appointments to Public Library Board of Trustees

4. Appointment to East Albemarle Regional Library (EARL)
5. Appointment to Tourism Board
6. Designation of Voting Delegate to NCACC Annual Conference

B) Consent Agenda:

1. Approval of June 18, 2012 Minutes
2. Lottery Application to Replace Chiller at Central Elementary School for \$150,000; Replace 2 HVAC systems at CCMS and 1 at Griggs for \$146,000; Replace roofs at Knapp and Moyock Elementary for \$126,000

C) Commissioner's Report

D) County Manager's Report

Adjourn

**CASE ANALYSIS FOR THE
Board of Commissioners
DATE: July 2, 2012
PB 12-12 A1 Towing SUP**

ITEM: PB 12-12 A1 Towing, Special Use Permit Request

LOCATION: The property is located on Ponton Ln. adjacent to the Currituck County future well site in Villages at Ocean Hill.

TAX ID: Tax Map 14, Parcel 3S

ZONING DISTRICT: The site is currently located in General Business zoning and within the Villages at Ocean Hill PUD overlay district.

PRESENT USE: A1 Towing site (automobile services)

OWNER: Midlantic Builders, LLC
P.O. Box 2225
Kitty Hawk, NC 27949

APPLICANT: Michael Cherry

LAND USE/ZONING OF SURROUNDING PROPERTY:

	Land Use	Zoning
NORTH:	Undeveloped-Ocean Hill Commercial Tract 1	GB
SOUTH:	Persimmon Street Residential/Commercial	CD-GB/RO1
EAST:	Undeveloped-Ocean Hill Commercial Tract 1	GB
WEST:	Undeveloped	RO1

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

SIZE OF SITE: Parcel Area: 19.7 acres; SUP area: 1.13 acres

STREETS: Access to the site is from a newly constructed access road within an existing legal easement.

NUMBER OF UNITS: NA

PROJECT DENSITY: NA

UTILITIES: There will be no new utilities associated with the use.

OPEN SPACE: There will be no change in open space.

I. NARRATIVE OF REQUEST:

On September 7, 2010 the Board of Commissioners moved to extend the Special Use Permit to operate a towing company impound lot with the condition that an access road must be constructed within the existing legal easement by December 31, 2010 or the permit would be revoked.

The original SUP was revoked. Since that time, the access road was constructed and the applicant has submitted a new SUP application.

In addition to the towing and impound lot uses, the applicant is requesting approval of two equipment storage/stockpile areas.

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. The proposed uses are permissible with a Special Use Permit

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

Suggested Findings:

- a. The conditions proposed meet the minimum requirements of this ordinance

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

Suggested Findings:

- a. The proposed use should have little or 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 use is not visible from NC12 nor located within close proximity to residential dwellings and should be in harmony with the surrounding areas.

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. Insert LUP classification narrative. The proposed use is in keeping with the policies of the plan, some of which are:

- (a) Policy ID5: WAREHOUSING, STORAGE AND DISTRIBUTION facilities shall have access to thoroughfares of adequate traffic carrying capacity, and shall be appropriately designed and/or visually buffered according to the visibility of their location.

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 county should have adequate public facilities to service this subdivision.

III. TECHNICAL REVIEW COMMITTEE RECOMMENDATION:

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

1. Prior to placement of any new structures on the property, the applicant will coordinate with the fire marshal and the building inspections department.

IV. PLANNING STAFF RECOMMENDATION:

Planning staff recommends approval of the SUP with the following conditions:

1. The proposed uses shall not generate frequent use of the Ponton Lane access road by the general public.
2. The Ponton Lane access road shall be frequently maintained to prevent the formation of potholes and other potentially dangerous situations.
3. With regard to the towing operation, the access road shall only be used for transporting vehicles to and from the impound lot. The towing operation shall provide assistance with vehicle retrieval when necessary.
4. The impound lot shall not be used for storage of non-towing related vehicles, including but not limited to, storage of vehicles for off road area vacationers.
5. All proposed uses and associated areas of disturbance shall have no direct impact on the adjacent wetlands. This shall include, but not limited to, the use of vegetative buffers and the treatment of stormwater through vegetative perimeter swales as prescribed.
6. Drainage within the use areas shall also be provided and maintained so as not to create problems with standing water and should direct runoff to the vegetative buffers and perimeter swales noted above.
7. No hazardous waste material shall be stored on site.
8. The existing earthen surfaces to be used for access, loading, parking and circulation areas shall be adequately maintained by their respective operators. Specific use areas are not delineated to allow flexibility but shall be arranged to allow adequate access for fire and rescue purposes.
9. No fill, storage of equipment and materials, and accessory structures shall be located within 10 feet of the subject property boundary.
10. This plan proposes only minimal impervious improvements (3 storage sheds). However, if additional impervious coverages are proposed to exceed a total of 10,000 S.F., a NCDENR State Stormwater Permit and county approval will be required prior to their installation.
11. Land disturbances exceeding 1.0 acre will require an NCDENR State Sedimentation and Erosion Control Permit and county approval.
12. A minimum of 20' of separation must be provided between areas of open material storage and the edge of perimeter swales or means of sediment containment must be utilized where separation is less than 20' minimum.
13. A final site plan meeting all requirements of the UDO must be approved by the Technical Review Committee.

V. PLANNING BOARD RECOMMENDATION:

The Planning Board recommended *approval* of PB 12-12 with the findings of fact and staff recommendations.

PLANNING BOARD DISCUSSION (6/12/12)

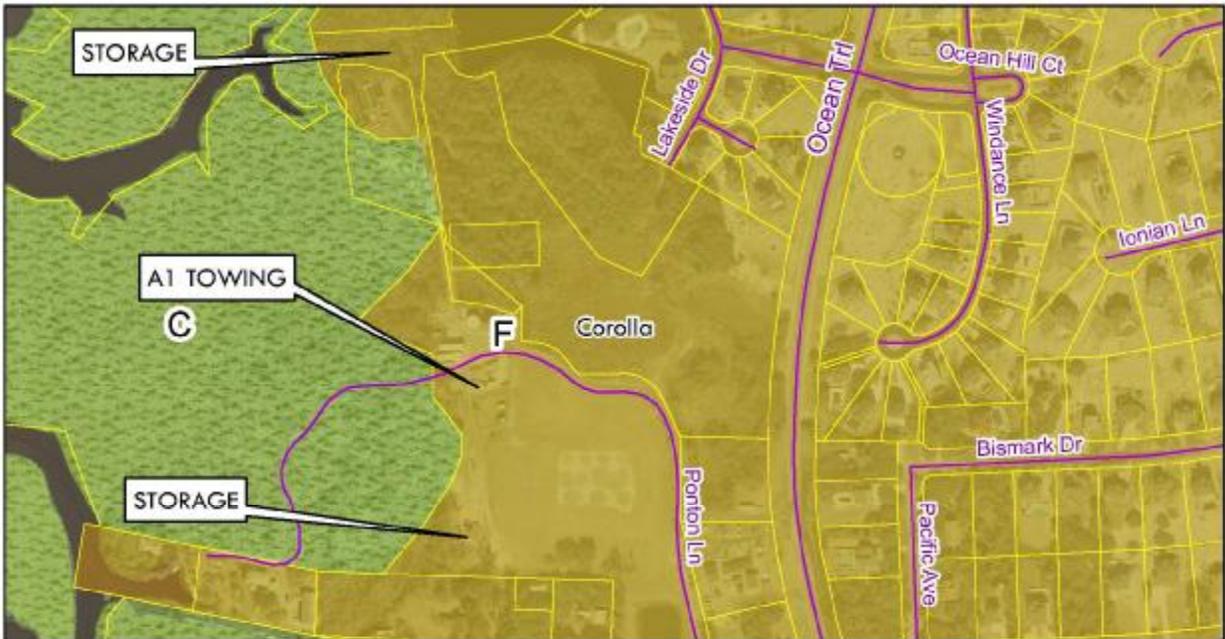
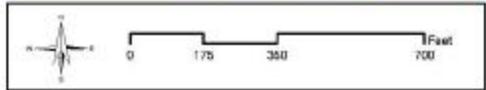
Mr. Cherry stated a new road has been built in the proper location and would be glad to answer any questions.

ACTION

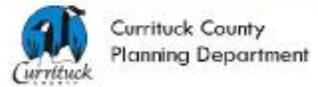
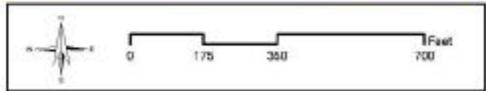
Mr. Bell moved to approve PB 12-12 with the findings of fact and staff recommendations included in the case analysis. Ms. Wilson seconded the motion. Motion carried unanimously.



PB 12-12
A1 Towing SUP
Zoning



PB 12-12
A1 Towing SUP
LUP Map



MEMORANDUM

To: Midlantic Builders, LLC
Michael Cherry
David Klebitz

From: Planning Staff, Jason Litteral

Date: May 10, 2012

Re: PB 12-12 (A1 Towing Special Use Permit)

The following comments have been received for the May 16, 2012 TRC meeting. In order to be scheduled for the June 12, 2012 Planning Board meeting, please address all comments and resubmit a corrected plan by 3:00 p.m. on May 21, 2012. TRC comments are valid for six months from the date of the TRC meeting.

Planning, Jason Litteral

Approved with comments:

1. While it is not necessary to delineate the exact location of material storage areas, it is important to protect the integrity of the swales that buffer the wetlands from direct runoff. Staff suggests that open material storage be setback a minimum of 20 feet from edge of swales or that some other means of containing sediment be utilized.
2. Are there any active wetland violations on this property, particularly near the northern equipment and material storage area?
3. I have not received any comments from James Mims as he is out of the office this week. He may have comments regarding the newly constructed access road.
4. The driveway/culvert installed for the access road may have altered the drainage pattern for the Corolla Greenway multi-use path. The installation of the road must be consistent with the county's approved permits for the multi-use path.

Currituck Soil and Water, Mike Doxey

No comment

Currituck County Engineer, Eric Weatherly

1. Please provide a short narrative detailing how the volume of the proposed swales will accommodate for any proposed impervious surfaces.

Albemarle Regional Health Services, Joe Hobbs

HEALTH DEPT. DOES NOT RECOMMEND PARKING OR DRIVING OVER EXISTING SANITARY SEWER FORCE MAIN PIPE AS SHOWN ON SITE PLAN. PLEASE CONSULT WITH NC DIVISION OF WATER QUALITY(WASHINGTON REGIONAL OFFICE) AT (252)946-6481 FOR APPROVAL

Currituck County Utilities, Pat Irwin

Approved, No Comment

Currituck County Emergency Management, James Mims

Not available for comment, may have comments regarding the newly constructed access road.

Currituck County Local Volunteer Fire Department

Approved, No Comment

Currituck County GIS, Harry Lee

Approved, No Comment

Currituck County Building Inspections, Spence Castello

Approved with Corrections, Need more information on buildings.

NC State Archaeology, Lawrence Abbot

An archaeological survey is not recommended. No Comment.

NC Division of Coastal Management, Charlan Owens

Approved, No Comment

Comments were not received from the following agencies:

Currituck County Parks and Recreation, Jason Weeks

Currituck County Economic Development, Peter Bishop

Currituck County Sheriff, Susan Johnson

Navel Facilities Engineering Command, Community Plans Liaison Officer William DuFault

NCDOT, Jim Hoadley

NCDENR Aquifer Protection, David May

NCDENR, Land Quality, Pat McClain

NCDENR Environmental Health/Onsite Wastewater, Bob Uebler

NCDENR, Environmental Management, Roger Thorpe

NCDENR, Marine Fisheries, Kevin Hart

NCDENR, Public Water, Siraj Chohan

NCDENR Water Quality, Kim Colson

NCDENR Water Quality/Surface Water Protection, Al Hodge

NC Wildlife, Maria Dunn

Currituck County Schools

Centurylink, Kimberly Hoevenair

Charter Communications, Sam Scilabba

Dominion Power, Troy Lindsey

Embarq, Hester Jones

US Army Corps of Engineers, Kyle Barnes

The following items are necessary for resubmittal:

- 3 - full size copies of revised plans.
- 10 - 11"x17" copies of revised plans.
- 1- 8.5"x11" copy of all revised plans.
- PDF digital copy of all revised documents and plans



Special Use Permit Application

OFFICIAL USE ONLY:

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

Contact Information

APPLICANT:

Name: Michael Cherry
Address: 520 Old Stoney Road
Unit J, Corolla, NC 27927
Telephone: (252) 453-4232
Fax Number: (252) 453-0291
E-Mail Address: mcherry@corollaconstruction.com

PROPERTY OWNER:

Name: Midlantic Builders, LLC
Address: James V. Bickford, Mgr.
PO Box 2225, Kitty Hawk, NC 27949
Telephone: (757) 395-0860
Fax Number: _____
E-Mail Address: jim@bickford.com

LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: Manager / Agent

Property Information

Physical Street Address: 1221 Ponton Lane, Corolla, NC 27927
Location: Off Coral Lane behind VOH drainfield area and north of the WWTP
Parcel Identification Number(s): 0114-000-003K-0000 & 0114-000-003S-0000
Total Parcel(s) Acreage: 0.18 Ac. (Northern GB Zoning) & 0.95 Ac. (Southern GB Zoning) = 1.13 Ac.
Existing Land Use of Property: Towing impound lot and miscellaneous material storage

Request

Proposed Use of the Property: A1 Towing, Material & Equipment Storage, Landscaping Operation
Total square footage of land disturbance activity: 43,560 sq.ft. max without NCDENR permit
Total structure coverage: 1,000 sq.ft. +/- Total vehicular area: 35,000 sq.ft +/-
Total square footage of all existing and proposed buildings: 1,000 sq.ft. +/-
Existing gross floor area: 0 Proposed gross floor area: 1,000 sq.ft. +/-

Purpose of Special Use Permit and Project Narrative: To bring the existing A1 Towing Impound Lot use into compliance with County requirements. In addition, a material and equipment storage use and a landscaping operation use are being proposed as follows. A material and equipment storage use is proposed within the 0.18 Ac. GB Zoning Area located North of the WWTP. A material and equipment storage and a landscaping operation are proposed within the remaining 0.95 Ac. GB Zoning Area surrounding the A1 Towing Impound Lot use. To meet conditions of the former S.U.P., an access road has been constructed within the existing 30' wide legal easement extending from N.C. 12 over to Ponton Lane and across the Ocean Hill commercial, LLC Tract 1.

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

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

The existing impound lot use is simply an earthen parking area with a surrounding fence. The proposed material and equipment storage and landscaping operation use are not open to the general public. No public safety concerns have been identified.

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

The existing impound lot use has been in operation on the site for over 10 years. Similar temporary material and equipment storage uses have also existed on the site for over 10 years. The surrounding parcels are primarily commercial and utility uses.

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

The surrounding properties are primarily commercial and utility uses. The site is located well off of N.C. 12 and away from residential dwellings.

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

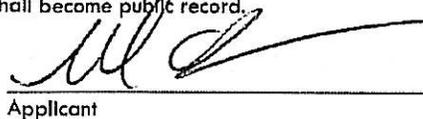
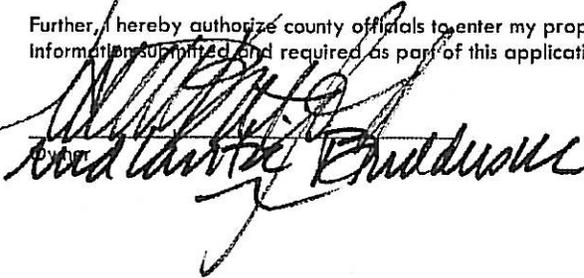
The land use plan classifies this site as "Full Service Area" within the Corolla sub-area. The proposed use is in keeping with L.U.P. Policy IDS: Warehousing, storage and distribution.

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

The impound use requires very minimal support from the County's public facilities, and in the past has proven beneficial to law enforcement by providing a convenient impoundment facility. The storage and landscaping uses may be beneficial to local contractors by providing a place for temporary storage of materials and equipment away from the general public.

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

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


Applicant

Special Use Permit

Hearing Dates and Procedure for Continued Requests

Request: _____

Application Submittal Date: 4/26/12

Technical Review Committee Meeting Date: 5/16/12

Planning Board Meeting Date: 6/12/12

Board of Commissioners' Meeting Date: 7/2/12

or 7/16/12

Procedure for Delayed Request

Please initial each statement.

 If you wish to continue your request to a later date, you must appear before the appropriate committee/board on the scheduled meeting date, state the reason for continuance, and the meeting date you wish the request to be heard.

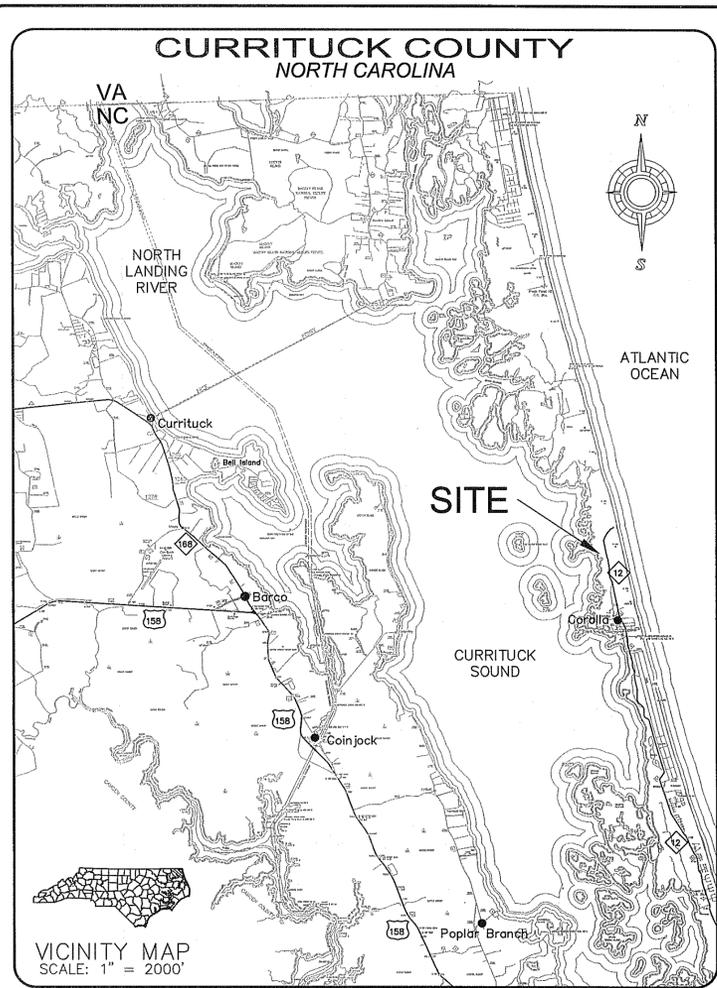
 There is a \$100 processing fee for each delayed request. This must be paid prior the delayed meeting date.

 If you wish to delay your request at a Board of Commissioners meeting, you are responsible for re-advertising your request in a newspaper of general circulation in Currituck County for the approved date. The notice shall include the date, time, place, and nature of the application and shall be advertised at least 10 days, but not more than 25 days, prior to the hearing. You must provide the Planning Department with a copy of the newspaper in which that advertisement occurred and an affidavit of publication provided by the newspaper listing the advertisement and advertisement date(s) prior to the Board of Commissioners meeting.

 A request may only be continued by an applicant a total of two times during the entire review process. If the request is not acted upon by the appropriate committee/board at the second delayed meeting date because of the applicant's request for continuance, the application will be voided and returned to the applicant. A new submittal, including submittal fees, will be required to place the item on an agenda. The request will process as a new submittal as if it has not been reviewed by any committees/boards. *Note: In the event of an emergency, the administrator may process the continuance without it being counted toward the maximum number of two continuances allowed.*

I, Jim Bickford, acknowledge the meeting dates listed above and that I or my authorized representative must be present at each meeting. If I wish to continue my request, I must follow the procedures listed above.

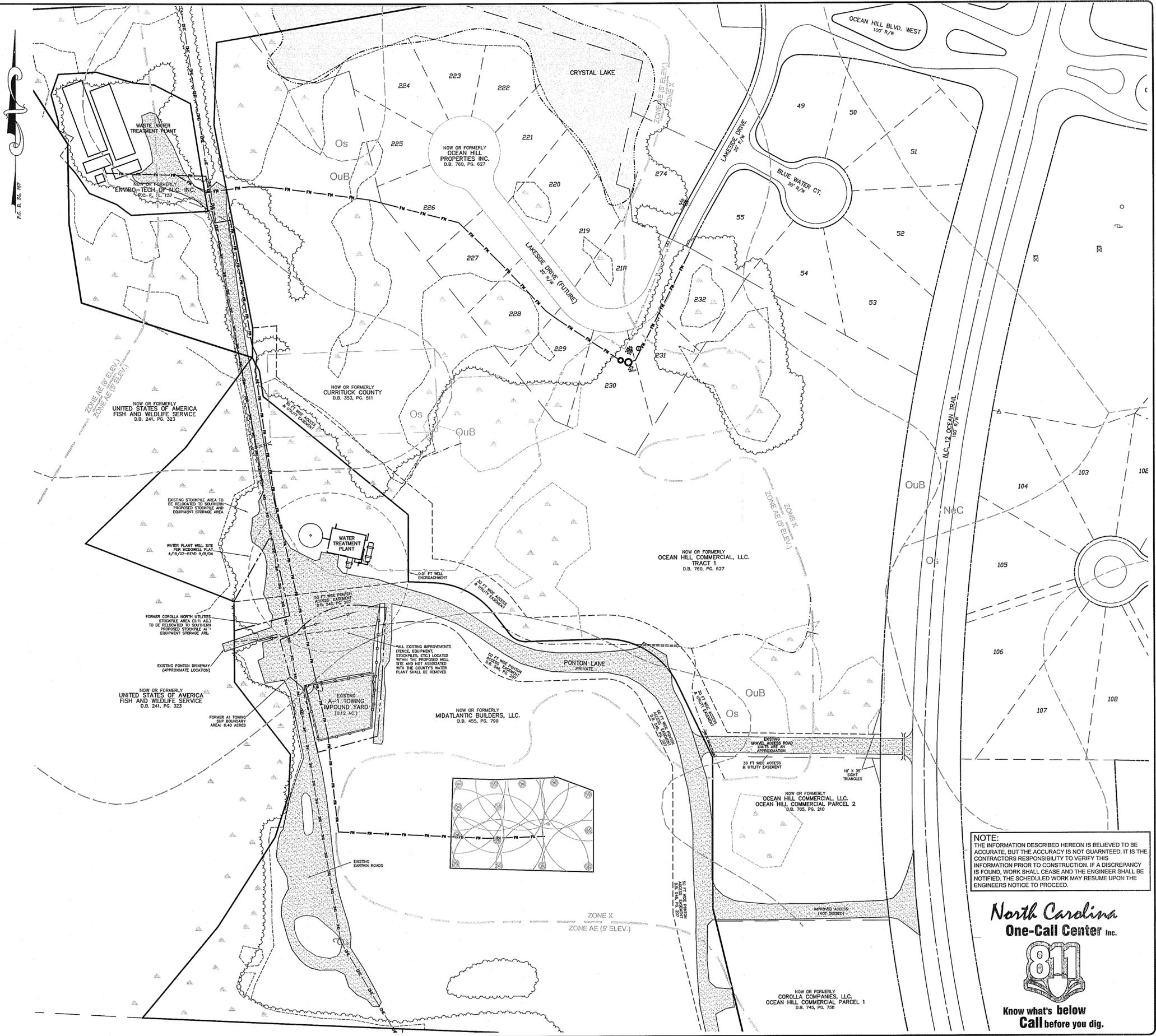
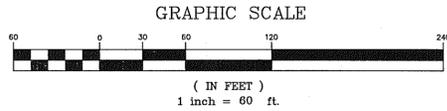
Michael Lantieri Builders LLC
[Signature]
Property Owner/Authorized Agent



VICINITY MAP
SCALE: 1" = 2000'

*GENERAL NOTE REGARDING PROPOSED COUNTY WELL SITE IMPROVEMENTS:
THE PROPOSED EASEMENT AND SITE IMPROVEMENT MODIFICATIONS ASSOCIATED WITH THE COUNTY WELL SITE NEED ONLY BE FURTHER COORDINATED AND EXECUTED AT THE TIME THE COUNTY INSTALLS THE PROPOSED WELL. SAID MODIFICATIONS ARE DENOTED HEREON WITH AN ASTERISK.

PLAN LEGEND	
	PROPERTY BOUNDARY
	ADJOINING PROPERTY BOUNDARY
	EXISTING S.U.P. BOUNDARY
	WELL SITE BOUNDARY
	EXISTING ROADWAY CENTERLINE
	RIGHT OF WAY
	EASEMENT LINE
	"404" WETLAND BOUNDARY
	SHORELINE
	FEMA F.I.R.M. BOUNDARY
	SOIL BOUNDARY
	OSIER FINE SAND
	OUSLEY FINE SAND
	EXISTING SANITARY SEWER FORCE MAIN
	EXISTING WATERLINE
	EXISTING OVERHEAD ELECTRIC POWERLINE
	EXISTING DITCH
	EXISTING CULVERT
	EXISTING FENCE
	WETLAND AREA
	EXISTING TREELINE



NOTE:
THE INFORMATION DESCRIBED HEREON IS BELIEVED TO BE ACCURATE, BUT THE ACCURACY IS NOT GUARANTEED. IT IS THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THIS INFORMATION PRIOR TO CONSTRUCTION. IF A DISCREPANCY IS FOUND, WORK SHALL CEASE AND THE ENGINEER SHALL BE NOTIFIED. THE SCHEDULED WORK MAY RESUME UPON THE ENGINEER'S NOTICE TO PROCEED.

North Carolina
One-Call Center Inc.



Know what's below
Call before you dig.

Bissett Professional Group
 P.O. Box 1088
 1000 Highway 7749
 Corolla, NC 27924
 (252) 281-2866
 (252) 281-1790
 FAX (252) 281-1790

EXISTING FEATURES OVERVIEW
DEMO & DEVELOPMENT ACCESS

THIS DOCUMENT IS THE SOLE PROPERTY OF BRG, INC. OF KATY PART OR THE MODIFICATION OF ANY DETAIL OR DESIGN IS NOT TO BE MADE WITHOUT THE EXPRESS WRITTEN CONSENT OF MARK S. BISSELL, PRINCIPAL OF BRG, INC. COPYRIGHT 2005.

PROJECT: VILLAGES AT OCEAN HILL - A1 TOWING NORTH CAROLINA
COROLLA CURRITUCK COUNTY

AMENDED SPECIAL USE PERMIT

REVISIONS		
NO.	DATE	DESCRIPTION
1	6/23/11	ISSUED FOR PERMIT
2	7/12/12	REVISED PER CLIENT

DATE: 6-23-11 SCALE: 1" = 60'

DESIGNER: BPG CHECKER: MSB

DRAWN: WKG APPROVED: MSB

SHEET: 1 OF 3

CAD FILE: 196800S3

PROJECT NO: 1968

NOTES:

- PROJECT NAME: VILLAGES AT OCEAN HILL - AI TOWING & RECOVERY OPERATION
MATERIAL & EQUIPMENT STORAGE OPERATIONS
LANDSCAPING OPERATION
- OWNER: MIDLANTIC BUILDERS LLC
c/o JIM BICKFORD
P.O. BOX 2225
KITTY HAWK, NC 27949
- PROPERTY DATA:
ADDRESS: 1221 PONTON LN, COROLLA, NORTH CAROLINA, 27927
P.I.N.: 0114-000-003K-0000, 0114-000-003S-0000
TOTAL PARCEL AREA: 19.7 AC±
RECORDED REFERENCES: D.B. 546, PG. 207, D.B. 1153, PG. 938
ZONING: GB AND RO1 W/ PUD OVERLAY
- PROPOSED DEVELOPMENT SUMMARY: (TOTAL SUP AREA: 1.13 AC.)
4.1. AI TOWING AND RECOVERY OPERATION
OPERATOR: LARRY WEAVER
USE: EXISTING TOWING AND RECOVERY IMPOUND LOT
AREA: 5,391 SF± WITHIN 0.95 AC. SOUTHERN 'GB' ZONING DISTRICT
- 4.2. MATERIAL & EQUIPMENT STORAGE OPERATION
OPERATOR: MICHAEL CHERRY
USE: OUTDOOR MATERIAL AND EQUIPMENT STORAGE
AREA: NORTHERN SITE: APPX. 5,500 SQ. WITHIN 0.18AC. 'GB' ZONING DISTRICT
SOUTHERN SITE: VARIES WITHIN 0.95AC. SOUTHERN 'GB' ZONING DISTRICT
- 4.3. LANDSCAPING OPERATION
OPERATOR: C/O MICHAEL CHERRY
USE: GENERAL LANDSCAPING OPERATION
W/ (3) PROPOSED ACCESSORY STRUCTURE STORAGE SHEDS
AREA: VARIES WITHIN 0.95 AC. SOUTHERN 'GB' ZONING DISTRICT
F.I.R.M. ZONE: ZONE AE (5 FT. ELEV.) AS SHOWN ON THE F.E.M.A. F.I.R.M. MAP: #37209937 J, REVISED DECEMBER 16, 2005.
ZONE AE (1% CHANCE) = 9.9 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 DEVELOPMENT AREA BORDERS ALONG "404" JURISDICTIONAL WETLANDS, THE WETLAND INFORMATION WAS DERIVED FROM FIELD LOCATION OF NO DELINEATIONS PROVIDED BY VANASSE HANGEN BRUSTLIN, INC. IN JULY 2007, NOVEMBER 2007, MARCH 2008 AND NOVEMBER 2008 AND FIELD LOCATED IN JULY 2007, DECEMBER 2007, APRIL 2008 AND NOVEMBER 2008, RESPECTIVELY.
- EXISTING GRADE CONTOURS ARE AN APPROXIMATION BASED ON LIDAR 2' INTERVAL CONTOURS AND ELEVATION DATA OBTAINED FROM THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION GIS LIDAR DATA DOWNLOAD PAGE FOR CURRITUCK COUNTY. ELEVATIONS ARE BASED ON THE NAVD 88 VERTICAL DATUM. THE LOCATIONS OF EXISTING SITE FEATURES ARE BASED ON A COMBINATION OF FIELD SURVEYS PERFORMED BY BISSELL PROFESSIONAL GROUP AND AN OVERLAY OF 2010 AERIAL PHOTOGRAPHY OBTAINED FROM MCOONMAP.COM
- THIS DEVELOPMENT WILL NOT HAVE WATER AND SEWER SERVICE.
- DEVELOPMENT PLANS AND CONDITIONS:
9.1. THE PROPOSED USES SHALL NOT GENERATE FREQUENT USE OF THE PONTON LANE ACCESS ROAD BY THE GENERAL PUBLIC AND FREQUENTLY MAINTAINED TO PREVENT THE FORMATION OF POTHOLES AND OTHER POTENTIALLY DANGEROUS SITUATIONS.
- 9.2. THE PONTON LANE ACCESS ROAD SHALL BE FREQUENTLY MAINTAINED TO PREVENT THE FORMATION OF POTHOLES AND OTHER POTENTIALLY DANGEROUS SITUATIONS.
- 9.3. WITH REGARD TO THE TOWING OPERATION, THE ACCESS ROAD SHALL ONLY BE USED FOR TRANSPORTING VEHICLES TO AND FROM THE IMPOUND LOT. THE TOWING OPERATION SHALL PROVIDE ASSISTANCE WITH VEHICLE RETRIEVAL WHEN NECESSARY.
- 9.4. THE IMPOUND LOT SHALL NOT BE USED FOR STORAGE OF NON-TOWING RELATED VEHICLES, INCLUDING BUT NOT LIMITED TO, STORAGE OF VEHICLES FOR OFF ROAD AREA VACATIONERS.
- 9.5. ALL PROPOSED USES AND ASSOCIATED AREAS OF DISTURBANCE SHALL HAVE NO DIRECT IMPACT ON THE ADJACENT WETLANDS. THIS SHALL INCLUDE, BUT NOT LIMITED TO, THE USE OF VEGETATIVE BUFFERS AND THE TREATMENT OF STORMWATER THROUGH VEGETATIVE PERIMETER SWALES AS PRESCRIBED.
- 9.6. DRAINAGE WITHIN THE USE AREAS SHALL ALSO BE PROVIDED AND MAINTAINED SO AS NOT TO CREATE PROBLEMS WITH STANDING WATER AND SHOULD DIRECT RUNOFF TO THE VEGETATIVE BUFFERS AND PERIMETER SWALES NOTED ABOVE.
- 9.7. NO HAZARDOUS WASTE MATERIAL SHALL BE STORED ON SITE.
- 9.8. THE EXISTING EARTHEN SURFACES TO BE USED FOR ACCESS, LOADING, PARKING AND CIRCULATION AREAS SHALL BE ADAPTIVELY MAINTAINED BY THEIR RESPECTIVE OPERATORS. SPECIFIC USE AREAS ARE NOT DELINEATED TO ALLOW FLEXIBILITY BUT SHALL BE ARRANGED TO ALLOW ADEQUATE ACCESS FOR FIRE AND RESCUE PURPOSES.
- 9.9. NO FILL, STORAGE OF EQUIPMENT AND MATERIALS, AND ACCESSORY STRUCTURES SHALL BE LOCATED WITHIN 10 FEET OF THE SUBJECT PROPERTY BOUNDARY.
- 9.10. THIS PLAN PROPOSES ONLY MINIMAL IMPERVIOUS IMPROVEMENTS (3 STORAGE SHEDS), HOWEVER, IF ADDITIONAL IMPERVIOUS COVERAGES ARE PROPOSED TO EXCEED A TOTAL OF 10,000 S.F., A NCDENR STATE STORMWATER PERMIT AND COUNTY APPROVAL WILL BE REQUIRED PRIOR TO THEIR INSTALLATION.
- 9.11. LAND DISTURBANCES EXCEEDING 1.0 ACRE WILL REQUIRE AN NCDENR STATE SEDIMENTATION AND EROSION CONTROL PERMIT AND COUNTY APPROVAL.
- 9.12. A MINIMUM OF 20' OF SEPARATION MUST BE PROVIDED BETWEEN AREAS OF OPEN MATERIAL STORAGE AND THE EDGE OF PERIMETER SWALES OR MEANS OF SEDIMENT CONTAINMENT MUST BE UTILIZED WHERE SEPARATION IS LESS THAN 20' MINIMUM.

*GENERAL NOTE REGARDING PROPOSED COUNTY WELL SITE IMPROVEMENTS: THE PROPOSED EASEMENT AND SITE IMPROVEMENT MODIFICATIONS ASSOCIATED WITH THE COUNTY WELL SITE NEED ONLY BE FURTHER COORDINATED AND EXECUTED AT THE TIME THE COUNTY INSTALLS THE PROPOSED WELL. SAID MODIFICATIONS ARE DENOTED HEREON WITH AN ASTERISK.

I, THE OWNER/AGENT, DO HEREBY CERTIFY THAT I WILL DEVELOPE THE PROPERTY IN ACCORDANCE WITH THE APPROVED PLANS WHICH WILL BE CONSTRUCTED OR MAINTAINED SO THAT SURFACE WATERS FROM SUCH DEVELOPMENT ARE NOT UNREASONABLY COLLECTED AND CHANNLED ONTO LOWER ADJACENT PROPERTIES AT SUCH LOCATIONS OR AT SUCH VOLUMES AS TO CAUSE SUBSTANTIAL DAMAGE TO SUCH LOWER ADJACENT PROPERTIES. IN ADDITION, THE DEVELOPMENT WILL BE CONSTRUCTED OR MAINTAINED SO THAT IT WILL NOT UNREASONABLY IMPIDE THE NATURAL FLOW OF WATER FROM HIGHER ADJACENT PROPERTIES ACROSS SUCH DEVELOPMENT, THEREBY UNREASONABLY CAUSING SUBSTANTIAL DAMAGE TO SUCH HIGHER ADJACENT PROPERTIES.

DATE _____ OWNER/AGENT _____
NOW OR FORMERLY UNITED STATES OF AMERICA FISH AND WILDLIFE SERVICE D.B. 241, PG. 323

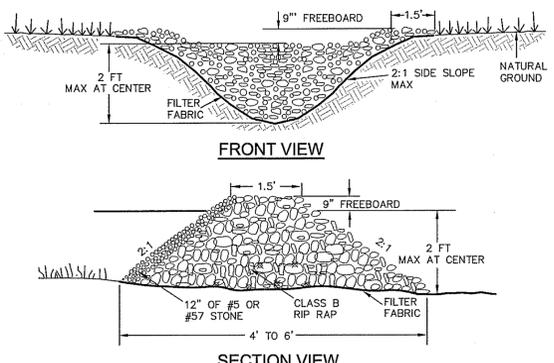
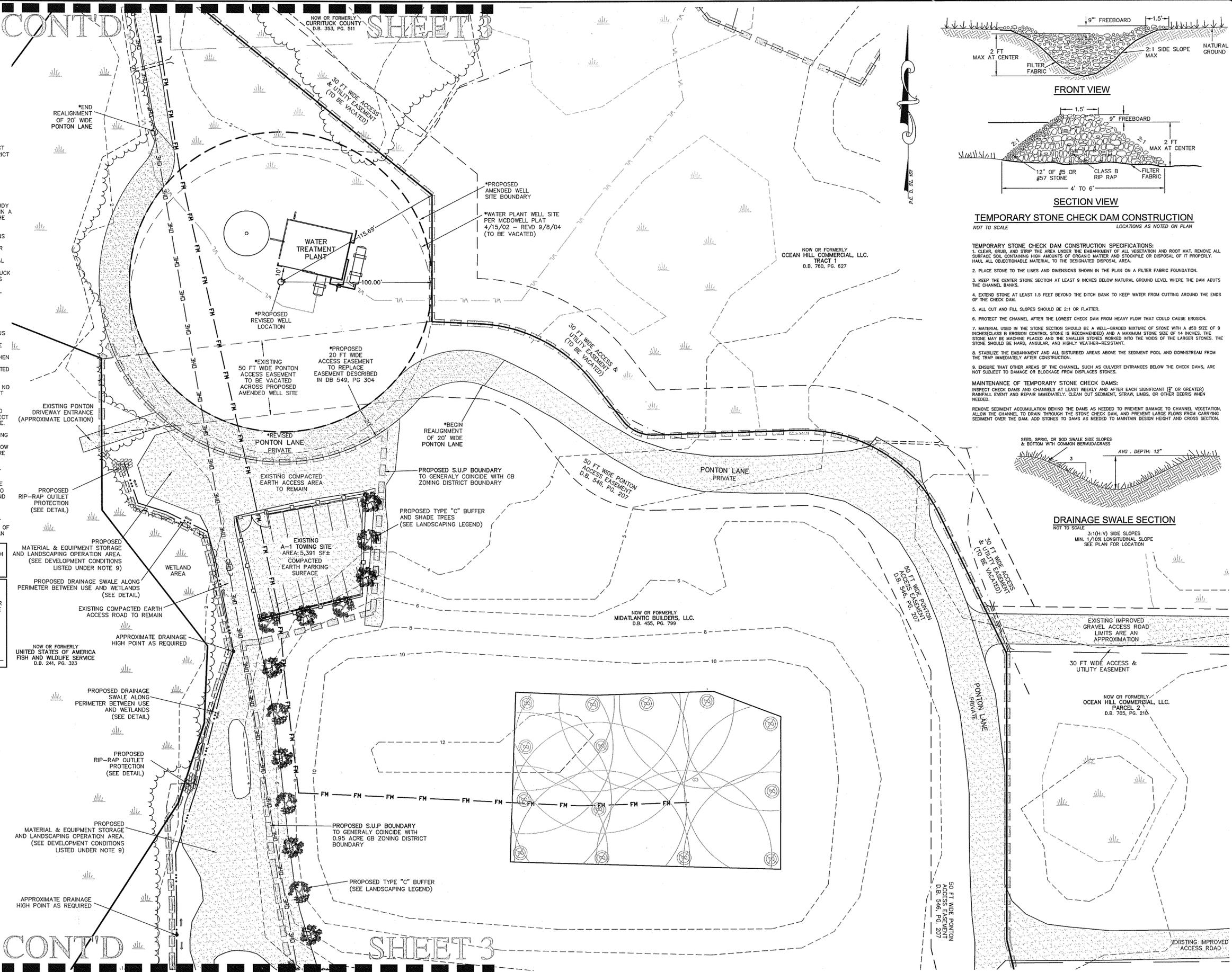
PLAN LEGEND

[Symbol]	PROPERTY BOUNDARY
[Symbol]	ADJOINING PROPERTY BOUNDARY
[Symbol]	EXISTING GB ZONING/PROP. SUP BOUNDARY
[Symbol]	PROPOSED WELL SITE
[Symbol]	RIGHT OF WAY
[Symbol]	EASEMENT LINE
[Symbol]	FM
[Symbol]	EXISTING GRADE CONTOUR
[Symbol]	EXISTING SANITARY SEWER FORCE MAIN
[Symbol]	EXISTING WATERLINE
[Symbol]	EXISTING OVERHEAD ELECTRIC POWERLINE
[Symbol]	EXISTING DITCH
[Symbol]	PROPOSED DRAINAGE SWALE W/HIGH POINT
[Symbol]	PROPOSED DRAINAGE FLOW DIRECTION
[Symbol]	PROPOSED FENCE
[Symbol]	WETLAND AREA
[Symbol]	EXISTING TREELINE

LANDSCAPING LEGEND

[Symbol]	GRAPE MYRTLE* AND RIVER BIRCH* - ALTERNATE SMALL TREES PLANTED 30' O.C. TO MEET TYPE "C" BUFFER REQUIREMENTS AS WELL AS SHADING.
[Symbol]	*TREE SPECIES MAY BE SUBSTITUTED AS PER SECTION 5.9.3 IN THE CURRITUCK COUNTY U.D.O.
[Symbol]	SHADING REQUIREMENTS IN ACCORDANCE WITH SECTION 5.8.4, 20% OF PARKING AREA SHALL BE SHADED WITH LARGE TREES, EACH WITH A 15' CROWN RADIUS.
[Symbol]	1/2 CREDIT SMALL BUFFER TREES ALONG PERIMETER = 177 SF
[Symbol]	AREA OF PARKING AND DRIVES = 5,391 SF
[Symbol]	20% PARKING AND DRIVES = 1,078 SF
[Symbol]	1/2 CREDIT SMALL TREES ALONG PERIMETER = 6 X 177 = 1,062 SF
[Symbol]	TOTAL SHADING PROVIDED = 1,062 SF (99%)

GRAPHIC SCALE
(IN FEET)
1 inch = 30 ft.

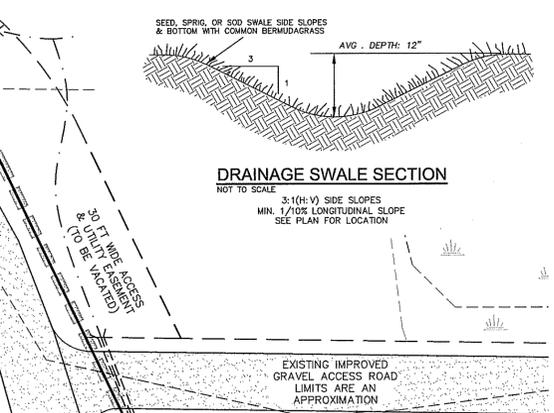


TEMPORARY STONE CHECK DAM CONSTRUCTION
NOT TO SCALE LOCATIONS AS NOTED ON PLAN

TEMPORARY STONE CHECK DAM CONSTRUCTION SPECIFICATIONS:

- CLEAR, GRUB, AND STRIP THE AREA UNDER THE EMBANKMENT OF ALL VEGETATION AND ROOT MAT. REMOVE ALL SURFACE SOIL CONTAINING HIGH AMOUNTS OF ORGANIC MATTER AND STOCKPILE OR DISPOSAL OF IT PROPERLY. HALL ALL QUESTIONABLE MATERIAL TO THE DESIGNATED DISPOSAL AREA.
- PLACE STONE TO THE LINES AND DIMENSIONS SHOWN IN THE PLAN ON A FILTER FABRIC FOUNDATION.
- KEEP THE CENTER STONE SECTION AT LEAST 9 INCHES BELOW NATURAL GROUND LEVEL WHERE THE DAM ABUTS THE CHANNEL BANKS.
- EXTEND STONE AT LEAST 1.5 FEET BEYOND THE DITCH BANK TO KEEP WATER FROM CUTTING AROUND THE ENDS OF THE CHECK DAM.
- ALL CUT AND FILL SLOPES SHOULD BE 2:1 OR FLATTER.
- PROTECT THE CHANNEL AFTER THE LOWEST CHECK DAM FROM HEAVY FLOW THAT COULD CAUSE EROSION.
- MATERIAL USED IN THE STONE SECTION SHOULD BE A WELL-GRADED MIXTURE OF STONE WITH A #50 SIZE OF 9 INCHES CLASS B EROSION CONTROL STONE IS RECOMMENDED AND A MAXIMUM STONE SIZE OF 14 INCHES. THE STONE MAY BE MACHINE PLACED AND THE SMALLER STONES WORKED INTO THE VOIDS OF THE LARGER STONES. THE STONE SHOULD BE HARD, ANGULAR, AND HIGHLY WEATHER-RESISTANT.
- STABILIZE THE EMBANKMENT AND ALL DISTURBED AREAS ABOVE THE SEDIMENT POOL AND DOWNSTREAM FROM THE TRAP IMMEDIATELY AFTER CONSTRUCTION.
- ENSURE THAT OTHER AREAS OF THE CHANNEL, SUCH AS CULVERT ENTRANCES BELOW THE CHECK DAMS, ARE NOT SUBJECT TO DAMAGE OR BLOCKAGE FROM DRIFTING STONES.

MAINTENANCE OF TEMPORARY STONE CHECK DAMS:
INSPECT CHECK DAMS AND CHANNELS AT LEAST WEEKLY AND AFTER EACH SIGNIFICANT (1" OR GREATER) RAINFALL EVENT AND REPAIR IMMEDIATELY. CLEAN OUT SEDIMENT, STRAW, LIMBS, OR OTHER DEBRIS WHEN NEEDED.
REMOVE SEDIMENT ACCUMULATION BEHIND THE DAMS AS NEEDED TO PREVENT DAMAGE TO CHANNEL VEGETATION. ALLOW THE CHANNEL TO DRAIN THROUGH THE STONE CHECK DAM, AND PREVENT LARGE FLOWS FROM CARRYING SEDIMENT OVER THE DAM. ADD STONES TO DAMS AS NEEDED TO MAINTAIN DESIGN HEIGHT AND CROSS SECTION.



BISSELL PROFESSIONAL GROUP
3512 North Creston Highway
14131 Hwy 101, North Carolina 27949
(252) 261-3268
(252) 261-1760
Fax: (252) 261-1760

BISSELL PROFESSIONAL GROUP
Engineers, Planners, Surveyors
and Environmental Specialists

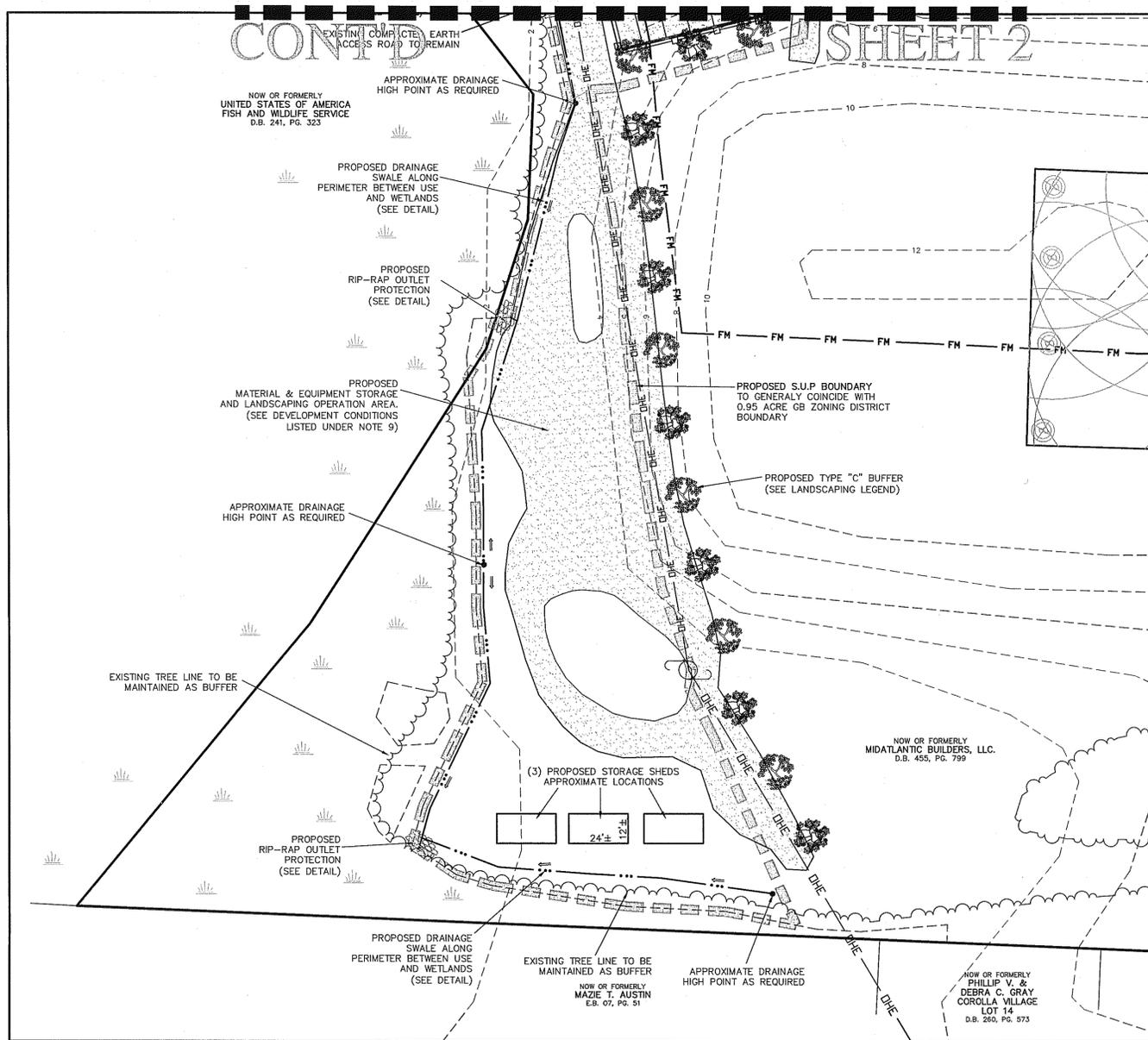
PROPOSED SITE PLAN
AI - TOWING SITE

VILLAGES AT OCEAN HILL - AI TOWING
COROLLA
CURRITUCK COUNTY
NORTH CAROLINA

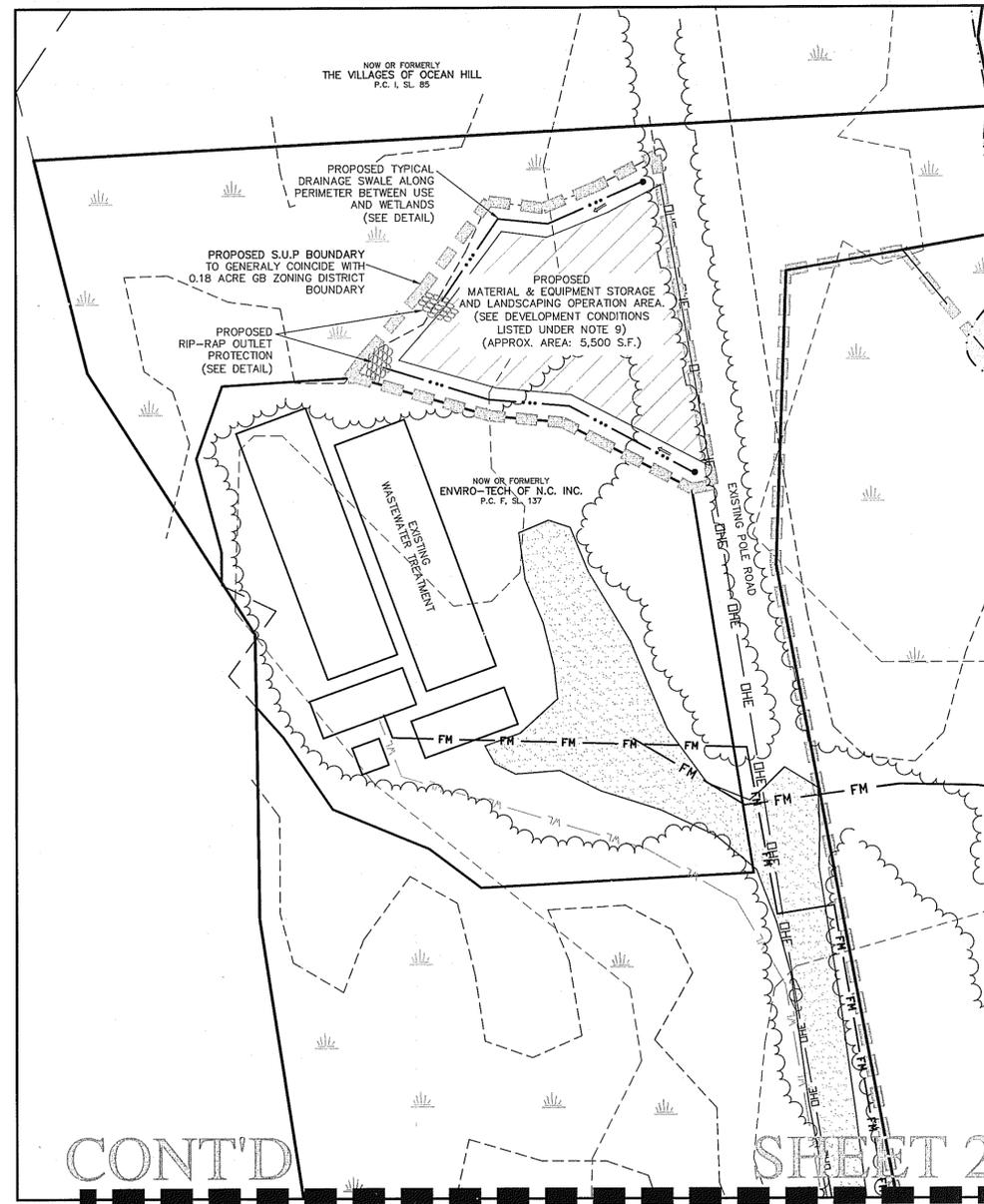
AMENDED SPECIAL USE PERMIT

NO.	DATE	DESCRIPTION	BY	SCALE
1	11-11-11	ISSUED	DMK	1" = 30'
2	11-11-11	REVISED PER PLAN 9.12	DMK	

DATE: 11-11-11 SCALE: 1" = 30'
DESIGNED BY: BFG CHECKED BY: MSB
DRAWN BY: DMK APPROVED BY: MSB
SHEET: 2 OF 3
CAD FILE: 196800S3
PROJECT NO: 1968



SOUTHERN PROPOSED EQUIPMENT & MATERIAL STORAGE AND LANDSCAPING OPERATION SITE
SCALE: 1"=30'



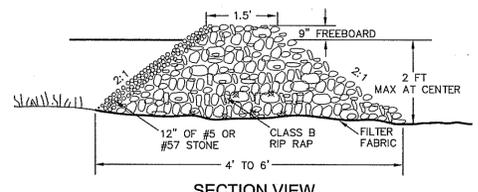
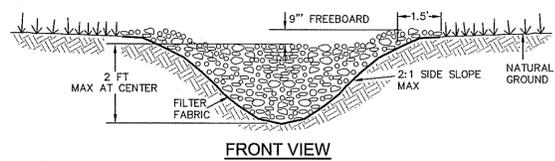
NORTHERN PROPOSED EQUIPMENT & MATERIAL STORAGE SITE
SCALE: 1"=30'

PLAN LEGEND

[Symbol]	PROPERTY BOUNDARY
[Symbol]	ADJOINING PROPERTY BOUNDARY
[Symbol]	EXISTING GB ZONING/PROP. S.U.P. BOUNDARY
[Symbol]	PROPOSED WELL SITE
[Symbol]	RIGHT OF WAY
[Symbol]	EASEMENT LINE
[Symbol]	"404" WETLAND BOUNDARY
[Symbol]	EXISTING GRADE CONTOUR
[Symbol]	EXISTING SANITARY SEWER FORCE MAIN
[Symbol]	EXISTING WATERLINE
[Symbol]	EXISTING OVERHEAD ELECTRIC POWERLINE
[Symbol]	EXISTING DITCH
[Symbol]	PROPOSED DRAINAGE SWALE W/HIGH POINT
[Symbol]	PROPOSED DRAINAGE FLOW DIRECTION
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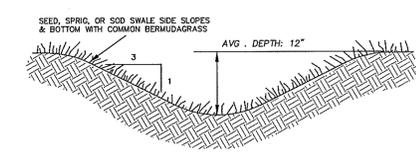
LANDSCAPING LEGEND

[Symbol]	GRAPIC MYRTLE* AND RIVER BIRCH* - SMALL TREES PLANTED 30' O.C. TO MEET TYPE "C" BUFFERLAND REQUIREMENTS
[Symbol]	*TREE SPECIES MAY BE SUBSTITUTED AS PER SECTION 5.9.3 IN THE CURRITUCK COUNTY U.D.O.

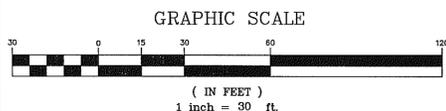


TEMPORARY STONE CHECK DAM CONSTRUCTION
NOT TO SCALE LOCATIONS AS NOTED ON PLAN

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DRAINAGE SWALE SECTION
NOT TO SCALE
3:1(H:V) SIDE SLOPES
MIN. 1/100' LONGITUDINAL SLOPE
SEE PLAN FOR LOCATION



BISSELL
Professional Group
P.O. Box 148
14800 Highway 79
Carolina 27949
(252) 281-2880
(252) 281-1780
FAX (252) 261-1780

PROPOSED SITE PLAN
STORAGE AND LANDSCAPING SITES

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Engineers, Planners, Surveyors and Environmental Specialists

PROJECT: VILLAGES AT OCEAN HILL - A1 TOWING
NORTH CAROLINA
CURRITUCK COUNTY
COROLLA

AMENDED SPECIAL USE PERMIT

NO.	DATE	REVISION
1	12/12/12	ISSUE FOR CLIENT
2	12/12/12	ISSUE FOR CLIENT
3	12/12/12	ISSUE FOR CLIENT
4	12/12/12	ISSUE FOR CLIENT
5	12/12/12	ISSUE FOR CLIENT
6	12/12/12	ISSUE FOR CLIENT
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26	12/12/12	ISSUE FOR CLIENT
27	12/12/12	ISSUE FOR CLIENT
28	12/12/12	ISSUE FOR CLIENT
29	12/12/12	ISSUE FOR CLIENT
30	12/12/12	ISSUE FOR CLIENT

DATE: 6-23-11 SCALE: 1"=30'

DRAWN: BPG CHECKED: MSB
DMK APPROVED: MSB

SHEET: 3 OF 3
CAD FILE: 196800S3
PROJECT NO: 1968

CASE ANALYSIS FOR THE
Board of Commissioners
DATE: July 2, 2012
PB 12-11 Ryan Anderson

ITEM: PB 12-11 Ryan Anderson, Special Use Permit request for Outdoor Entertainment, Special Events, and Light Manufacturing.

LOCATION: 5650 and 5666 Caratoke Highway (Diggers Dungeon) Poplar Branch Township.

TAX ID: 0084-000-019A-0000 and 0084-000-019B-0000

ZONING DISTRICT: General Business (GB) and Agricultural (A)

PRESENT USE: Retail, Light Manufacturing, Special Events, Restaurant

OWNER: Dennis and Carissa Anderson, Julie Anderson
5650 Caratoke Highway
Poplar Branch NC 27965

APPLICANT: Ryan Anderson
5650 Caratoke Highway
Poplar Branch NC 27965

LAND USE/ZONING OF SURROUNDING PROPERTY:

	Land Use	Zoning
NORTH:	Retail	GB/A
SOUTH:	Retail	GB/A
EAST:	Low density residential	GB
WEST:	Undeveloped	A

LAND USE PLAN CLASSIFICATION: The 2006 Land Use Plan classifies the site as Limited Service within the Aydlett-Waterlily-Churches Island subarea.

SIZE OF SITE: 11.75 acres

UTILITIES: County water and an on-site septic system service this project.

I. NARRATIVE OF REQUEST:

While several permits have been granted to these properties throughout the years, the applicant is seeking a special use permit to cover all uses on the two properties. The special use permit request is for outdoor entertainment, special events, and light manufacturing. Some of the uses for the property include a Power Wheels track, monster truck rides, signing events,

Easter Egg hunts, retail, and the manufacturing, repairing, and maintenance of monster trucks. A 7,500 sf shop to the rear of the existing shop is also proposed as a part of this project.

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. When a combination of uses compromises two or more principal uses that require different types of permits including zoning, special use, and conditional use, then a special use permit shall be required if any of the uses require a special use permit. (UDO Section 2.4.3). Outdoor entertainment and special events are listed as special use permits in the GB zoning district.

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

Suggested Findings:

- a. The conditions proposed appear to meet the minimum requirements of the UDO.

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

Suggested Findings:

- a. Public health and safety should not be endangered.
- b. The applicant will be working directly with Emergency Medical Services, Sheriff's Office, Health Department, Building Inspector, Fire Marshal, etc. for special events to insure adequate public resources are available.

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 uses are similar to the existing uses of the property; therefore, property value and harmony with the area should not change.

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 Limited Service within the Aydlett/Waterlily/Churches Island subarea. With respect to nonresidential uses, it is essential that the existing community character be preserved in the Limited Service classification. Also, businesses designed to serve the tourist industry should not be prohibited provided the character and intensity of the use is in keeping with the character of the surrounding area. The proposed use is in keeping with the policies of the plan, some of which are:

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 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.

POLICY ED4: In addition to the recruitment and expansion of major new industries, the considerable value of SMALL BUSINESS START-UPS, EXPANSIONS AND SPIN-OFFS shall also be recognized.

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 uses should not exceed the county's ability to provide adequate public facilities. The applicant will coordinate each special event with Emergency Medical Services, Sheriff's Office, Health Department, Building Inspector, Fire Marshal, etc. The applicant also plans to provide private security as necessary at the events.

III. TECHNICAL REVIEW COMMITTEE RECOMMENDATION:

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

1. Show the location of the proposed fire hydrant and corresponding water lines. (Fire Marshal)
2. Without careful planning and full cooperation of the applicant with fire, EMS, and LE the size, nature, and use of alcohol at the activities will present a public health and safety concern. Participants and visitors are of all ages. There is over night camping. While camping here visitors do not know the proper location to give to the 911 center during overnight emergencies. While the applicant expresses that most of his activities are of no significant size, he is unable to give any quantitative measurements. Staff of Fire, EMS, and LE are striving for a ratio of their staff required to meet the needs of the particular events. (Fire Marshal)

3. EMS and LE plan for nearly a year ahead for county activities. In this economy we are working with strained staffing and volunteers. These agencies are committed with assisting the applicant but it must be on the terms of available staffing and funds for staffing. Planning must be in place not to affect other events needing additional services and scheduling such as tourism events on the outer banks, biker events on the mainland, and school events, not to mention day to day operations increased by summer tourism. (Fire Marshal)
4. It is my recommendation that the permit be required to be reissued every year in order to assure the focus of cooperation among all parties involved toward the result of optimal public health and safety. (Fire Marshal)
5. The applicant must be aware that this permit does not circumvent additional state and local requirements such as fireworks permits, tent permit, construction permits, etc. All non conforming elements of his present operation should be brought into compliance prior to the additional activities. (Fire Marshal)
6. I would consider the event to require minimum of two Deputies if there is no security provided by the applicant at the events. Applicant should provide a schedule of events as soon as possible to coordinate off duty work assignments if required to have law enforcement present during the event. (Sheriff)

IV. PLANNING STAFF RECOMMENDATION:

Planning Staff recommends approval of this request subject to the following conditions and special requirements of the UDO:

1. That all TRC comments be satisfactorily addressed.
2. That all special events be coordinated with the Sheriff's Office, Emergency Medical Services, Building Inspector, Fire Marshal, and any other relevant agency at least 30 days in advance of each event to ensure adequate public services are available for each event.
3. The existing fabrication and engine shop was originally approved for residential use only through Building Permit #20044275. Please coordinate with the building inspector, fire marshal, etc. regarding commercial use of the building.
4. Special Events, Section 3.10.4:
 - A. The hours of operation allowed shall be compatible with the uses adjacent to the activity.
 - B. The amount of noise generated shall not disrupt the activities of adjacent land uses.
 - C. The applicants shall guarantee that all litter generated by the special event be removed at no expense to the county.
 - D. Parking generated by the event shall be accommodated without undue disruption to or interference with the normal flow of traffic or with the right of adjacent and surrounding property owners to the beneficial use and enjoyment of their property.
 - E. In cases where it is deemed necessary, the board may require the applicant to post a bond to ensure compliance with the conditions of the special use permit.
 - F. If the permit applicant requests the county to provide extraordinary services or equipment or if the county otherwise determines that extraordinary services or equipment should be provided to protect the public health or safety, the applicant shall be required to pay to the county a fee sufficient to reimburse the county for the costs of these services. This requirement shall not apply if the event has been

anticipated in the budget process and sufficient funds have been included in the budget to cover the costs incurred.

5. Light Manufacturing in a commercial zoning district, in Section 3.8.2:
 - A. Light manufacturing use must include retail sales on the premises.
 - B. Where the use abuts a residential use or a residential zone an opaque (Type A) screen shall be installed to shield neighboring property from the view of any building. If a fence is used to accomplish the opaque screen, evergreen vegetation shall be planted outside of the screen such that within six years the fence will not be visible from a distance of at least ten feet. A semi-opaque (Type B) screen shall be required along all street right-of-ways. Existing vegetation shall be preserved to the maximum extent possible.
 - C. Buffer and setback areas in the side and rear may not be used for parking.
 - D. No open storage shall be permitted. All materials, supplies or products shall be stored under roof or shall be screened from view with opaque fencing. This shall not apply to finished products presented in the open for display and sale.
 - E. The use shall not generate more noise, smoke, odor, fumes, vibrations or other disturbance than is characteristic of permitted business uses located within 1,000 feet in any direction when observed, measured, or monitored from the closest property line. In cases where such monitoring, measuring or observation is required, it shall be the responsibility of the applicant to provide adequate information to the Board of Adjustment.

V. PLANNING BOARD RECOMMENDATION:

The Planning Board recommended approval of PB 12-11 with the findings of fact and staff recommendations included in the case analysis.

PLANNING BOARD DISCUSSION (6-12-12)

Mr. Anderson stated it was recommended by Sheriff Susan Johnson that he hire two Deputies when he has a special event on the property. Mr. Anderson stated he does not agree that he needs to do this since it will be family events and free admission. To hire two Deputies would be expensive.

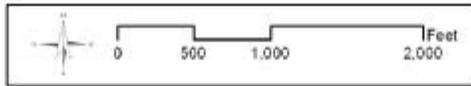
Ms. Glave stated this was a recommendation by Sheriff Johnson, but not a requirement. Ms. Glave stated the applicant could handle security informally and if it is a need for formal security then it would be handled on a case-by-case basis. Camping on the property will be addressed 30 days prior to the event.

ACTION

Ms. Wilson moved to approve PB 12-11 with the findings of fact and staff recommendations included in the case analysis. Ms. Everhart seconded the motion. Motion carried unanimously.



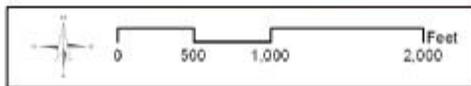
PB 12-11 Ryan Anderson
Special Use Permit
Aerial Photography



Currituck County
Planning and
Community Development



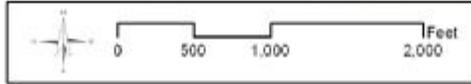
PB 12-11 Ryan Anderson
Special Use Permit
Zoning Classification



Currituck County
Planning and
Community Development



PB 12-11 Ryan Anderson
Special Use Permit
Land Use Classification



 Currituck County
Planning and
Community Development

MEMORANDUM

To: Ryan Anderson
Kevin O'Connell

From: Planning Staff

Date: May 8, 2012

Re: Special Use Permit (Light Manufacturing, Special Events, Outdoor Entertainment)
(Post TRC Comments)

The following comments have been received for the May 16, 2012 TRC meeting. In order for the special use permit to be scheduled for the June 12, 2012 Planning Board meeting, please address all comments and resubmit a corrected plan by 3:00 p.m. on May 21, 2012. 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 and comments:

1. Carisa Anderson must also sign the application. (Signed)
2. A Type C landscaping buffer is required along the front and north property lines. Please provide a landscaping plan compliant with bufferyard standards. (UDO Chapter 5)
(Shown)
3. That the special requirements for Special Events in Section 3.10.4 of the UDO be met:
 - a. The hours of operation allowed shall be compatible with the uses adjacent to the activity.
 - b. The amount of noise generated shall not disrupt the activities of adjacent land uses.
 - c. The applicants shall guarantee that all litter generated by the special event be removed at no expense to the county.
 - d. Parking generated by the event shall be accommodated without undue disruption to or interference with the normal flow of traffic or with the right of adjacent and surrounding property owners to the beneficial use and enjoyment of their property.
 - e. In cases where it is deemed necessary, the board may require the applicant to post a bond to ensure compliance with the conditions of the special use permit.
 - f. If the permit applicant requests the county to provide extraordinary services or equipment or if the county otherwise determines that extraordinary services or equipment should be provided to protect the public health or safety, the applicant shall be required to pay to the county a fee sufficient to reimburse the county for the costs of these services. This requirement shall not apply if the event has been anticipated in the budget process and sufficient funds have been included in the budget to cover the costs incurred.

4. That the special requirements for Light Manufacturing in a commercial zoning district in Section 3.8.2 of the UDO be met:
 - a. Light manufacturing use must include retail sales on the premises.
 - b. Where the use abuts a residential use or a residential zone an opaque (Type A) screen shall be installed to shield neighboring property from the view of any building. If a fence is used to accomplish the opaque screen, evergreen vegetation shall be planted outside of the screen such that within six years the fence will not be visible from a distance of at least ten feet. A semi-opaque (Type B) screen shall be required along all street right-of-ways. Existing vegetation shall be preserved to the maximum extent possible.
 - c. Buffer and setback areas in the side and rear may not be used for parking.
 - d. No open storage shall be permitted. All materials, supplies or products shall be stored under roof or shall be screened from view with opaque fencing. This shall not apply to finished products presented in the open for display and sale.
 - e. The use shall not generate more noise, smoke, odor, fumes, vibrations or other disturbance than is characteristic of permitted business uses located within 1,000 feet in any direction when observed, measured, or monitored from the closest property line. In cases where such monitoring, measuring or observation is required, it shall be the responsibility of the applicant to provide adequate information to the Board of Adjustment.

Suggested SUP Requirement:

1. That all special events be coordinated with the Sheriff's Office, Emergency Medical Services, Building Inspector, Fire Marshal, and any other relevant agency at least four weeks in advance of each event to ensure adequate public services are available for each event.

Comment

1. The existing fabrication and engine shop was originally approved for residential use only through Building Permit #20044275. Please coordinate with the building inspector, fire marshal, etc. regarding commercial use of the building.

Currituck County Building Inspections (Spence Castello, 252-232-6020)

Denied/Resubmit:

1. Must have an accessible route to track. (Bill explained need van accessible parking space and hard surface path to track. Path can be 4' wide w/ turn arounds or 5' wide w/o turn arounds.)

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

Reviewed with comment:

1. My first comment is that question A of the application asked: The use will not materially endanger the public health and safety. The applicant states "no". It is my belief that without careful preplanning and full cooperation of the applicant with fire, EMS, and LE that the size, nature, and use of alcohol of the activities, do present a public health and safety concern. Participants and visitors are of all ages babies to elderly from all over the world. There is over night camping. While camping here do not know the proper location to give to the 911 center during overnight emergencies. While the applicant expresses that most of his activities are of no significant size he is unable to give any quantitative measurements. Staff of Fire EMS and LE are striving for a ratio of their staff required to meet the needs of the particular events.
2. Question E The use will not exceeded the county's ability to provide adequate public facilities, including, but not limited to schools, fire and rescue and law enforcement. The applicant states "no" It must be stated that fire, EMS and LE plan for nearly a year ahead for county activities. In this economy we are working with strained staffing and volunteers. These agencies are committed with assisting the applicant but it must be on the terms of available staffing and funds for staffing. Preplanning must be in place not to affect other events needing additional services and scheduling such as tourism events on the outer banks, biker events on the mainland, and school events not to mention day to day operations increased by summer tourism.
3. It is my recommendation that the permit be required to be reissued every year in order to assure the focus of cooperation among all parties involved toward the result of optimal public health and safety.
4. The applicant must be aware that this permit does not circumvent additional state and local requirements such as fireworks permits, tent permit, construction permits and etc. All non conforming elements of his present operation should be brought into compliance prior to the additional activities.

Currituck County Engineer (Eric Weatherly, 252-232-6035)

Approved without comment.

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

Reviewed without comment.

Currituck County Sheriff (Susan Johnson, 252-453-8204)

Reviewed with comment:

1. I would consider the event to require minimum of two Deputies if there is no security provided by the applicant at the events. Applicant should provide a schedule of events as soon as possible to coordinate off duty work assignments if required to have law enforcement present during the event.

Currituck Soil and Water (Mike Doxey, 252-232-3360)

Approved 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. Need to make sure proposed dirt power wheels track is not located on existing septic system area that serves existing dwelling on property. Consult with Health Department at least a month before any scheduled events if food vendors will be present at any event.
(Septic in rear. No well (county water). House/pool to be demolished.)

NC State Archeology (Lawrence Abbott, 919-807-6554)

Reviewed with comment:

1. An archaeological survey is not recommended.

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

Reviewed without comment.

Please note that comments were not received from the following:

Currituck County Airport Manager (James Elliott, 252-453-2876):

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

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

Currituck County Local Volunteer Fire Department

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

Currituck County Schools (Allison Sholar, 252-232-2223)

NC Wildlife, Maria Dunn

NCDOT, Jim Hoadley

NC DENR Aquifer Protection, David May

NC DENR Public Water (Siraj Chohan, 919-715-3235)

NC DENR Water Quality, (Kim Colson, 919-733-5083, Ext. 540)

NC DENR Environmental Management (Roger Thorpe, 252-948-3923)

NC DENR Environmental Health/Onsite Wastewater, Bob Uebler

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

NC DENR Marine Fisheries, Kevin Hart

NC DENR Water Quality/Surface Water Protection, Al Hodge

US Army Corps of Engineers (Kyle Barnes, 910-251-4584)

Centurylink, Kimberly Hoevenair

Charter Communications, Sam Scilabba

Dominion Power, Troy Lindsey

Embarq, Hester Jones

Naval Facilities Engineering Command, Community Plans Liaison Officer William DuFault

The following items are necessary for resubmittal:

- 5 - full size copies of revised plans.
- 1- 8.5"x11" copy of all revised plans.
- 12 – 11"x17" copies of all revised plans.
- 1- PDF digital copy of all revised documents and plans.



Special Use Permit Application

OFFICIAL USE ONLY:
 Case Number: _____
 Date Filed: _____
 Gate Keeper: _____
 Amount Paid: _____

Contact Information

APPLICANT:

Name: RYAN ANDERSON
 Address: 5650 Caratoke Hwy
Poplar Branch NC 27965
 Telephone: 252-982-6387
 Fax Number: _____
 E-Mail Address: sonuvadigger@hotmail.com

PROPERTY OWNER:

Name: DENNIS ANDERSON
 Address: 5650 CARATOKE HWY
POPLAR BRANCH, NC 27965
 Telephone: _____
 Fax Number: _____
 E-Mail Address: _____

LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: SON

Property Information

Physical Street Address: 5666 CARATOKE HWY
 Location: POPLAR BRANCH, NC 27965
 Parcel Identification Number(s): 0084-00009B-0000
 Total Parcel(s) Acreage: 6.03 AC.
 Existing Land Use of Property: (LIGHT MANUFACTURING, SPECIAL EVENTS, OUTDOOR ENT.)

Request

Proposed Use of the Property: SAME
 Total square footage of land disturbance activity: 5525 SF
 Total structure coverage: 22,766 SF Total vehicular area: 104,855 SF
 Total square footage of all existing and proposed buildings: 23,214 SF
 Existing gross floor area: 25,174 SF Proposed gross floor area: 448 SF

Purpose of Special Use Permit and Project Narrative: PROPOSED POWER WHEEL TRACK
PLACEMENT OF 14' x 32' PRECONSTRUCTED BUILDING
ADDITION # MOVING DIRT FOR TRACK IN 448 SF AREA



Non-Residential Site Plan Application

OFFICIAL USE ONLY:

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

Contact Information**APPLICANT:**

Name: DENNIS ANDERSON
 Address: 5850 CARATOKE HWY
POPLAR BRANCH, NC 27965
 Telephone: 252-982-6114 OR 453 4121
 Fax Number: _____
 E-Mail Address: _____

PROPERTY OWNER: DENNIS W., JULIE E. &

Name: CARISA L. ANDERSON
 Address: 5850 CARATOKE HWY
POPLAR BRANCH, NC 27965
 Telephone: 252-982-6114 453-4121
 Fax Number: _____
 E-Mail Address: _____

LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: _____

Property Information

Physical Street Address: 5650 CARATOKE HWY
 Location: POPLAR BRANCH 27965
 Parcel Identification Number(s): 0084 000 019A 0000
 Total Parcel(s) Acreage: 5.72 AC.
 Existing Land Use of Property: LIGHT MANUFACTURING, STORAGE, RETAIL

Request

Project Name: GRAVEDIGGERS MONSTER TRUCK MAINT. SHOP
 Proposed Use of the Property: LIGHT MANUFACTURING, STORAGE
 Deed Book/Page Number and/or Plat Cabinet/Slide Number: D.B. 1131, PG. 580
 Total square footage of land disturbance activity: 12,500 SF
 Total lot coverage: 82,841 SF (33.2%) Total vehicular area: 63,570 SF
 Existing gross floor area: 9,600 SF Proposed gross floor area: 7,500 SF

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

Dennis Anderson 5/24/12
 Applicant Date

Same
 Owner Date

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

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

NO

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

NO

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

YES

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

YES

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

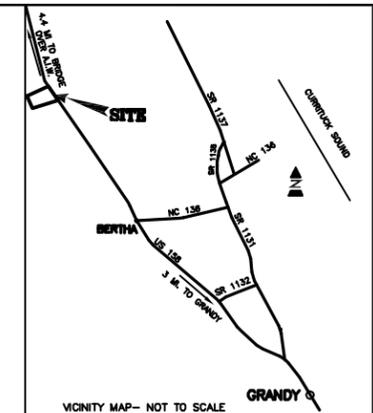
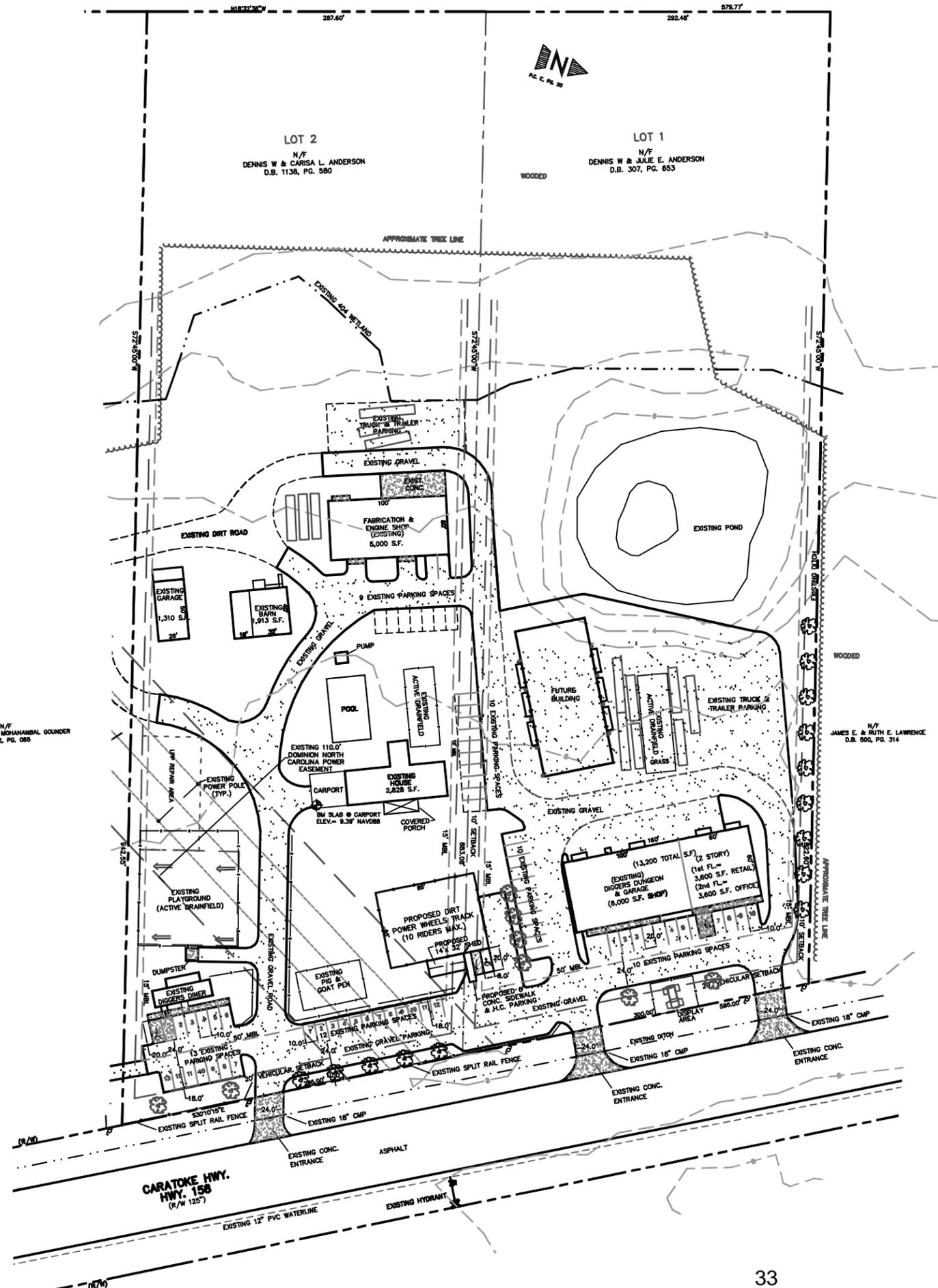
NO

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

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

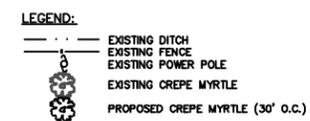
Owner

Applicant



1. APPLICANT: RYAN ANDERSON
5650 CARATOKE HWY.
POPLAR BRANCH, NORTH CAROLINA 27965
OWNER: DENNIS ANDERSON
5650 CARATOKE HWY.
POPLAR BRANCH, NORTH CAROLINA 27965
2. SUBJECT PROPERTIES: LOT 1 - PIN# 0084-000-019A-0000 (5.72 AC.)
PHYSICAL ADDRESS: 5650 CARATOKE HWY.
OWNER: DENNIS W., JULIE E. & CARISA L. ANDERSON
5650 CARATOKE HWY.
POPLAR BRANCH, NORTH CAROLINA 27965
LOT 2 - PIN# 0084-000-019B-0000 (6.03 AC.)
PHYSICAL ADDRESS: 5666 CARATOKE HWY.
OWNER: DENNIS W. & CARISA L. ANDERSON
5650 CARATOKE HWY.
POPLAR BRANCH, NORTH CAROLINA 27965
3. TOTAL TRACT AREA = 11.75 AC.
4. TOTAL EXISTING GROSS FLOOR AREA = 25,174 S.F. (4%)
5. TOTAL EXISTING IMPERVIOUS COVERAGE = 25.8%
EXISTING VEHICULAR AREA = 104,855 S.F.
EXISTING BUILDINGS = 22,766 S.F.
EXISTING CONCRETE = 2,945 S.F.
EXISTING POOL & PUMP HOUSE = 1,871 S.F.
TOTAL EXISTING IMPERVIOUS AREA = 132,437 S.F.
6. TOTAL IMPERVIOUS COVERAGE = 26%
PROPOSED BUILDING = 448 S.F.
PROPOSED CONCRETE = 470 S.F.
TOTAL IMPERVIOUS AREA = 133,355 S.F.
7. TOTAL DISTURBED AREA = 6,400 S.F.

PROJECT NOTES:
1. BOUNDARY, NORTH ROTATION & 404 LINE TAKEN SURVEY BY KIRK R. FOREMAN RECORDED IN P.C. E. PG. 35.
2. SUBJECT PROPERTY IS IN FLOOD ZONE X, SHADED X & AE MAP #37209902004, EFF. DATE DEC. 16, 2005
3. CONTOURS TAKEN FROM NCDOT GIS WEBSITE GENERATED FROM LIDAR ON APRIL 2007 AND IS IN NORTH CAROLINA STATE PLANE NAD83 FEET



REV. 1: 5/22/12 - RELOCATED PROPOSED IMPROVEMENTS, ADDED SIDEWALK, HAND-CAP ACCESS AND LANDSCAPING. ADDED FUTURE BUILDING LOCATION, NOTED REVISIONS.

SPECIAL USE PERMIT FOR PROPOSED POWER WHEELS TRACK @ HOME OF THE GRAVEDIGGER 5650 CARATOKE HWY. CURRITUCK COUNTY, NORTH CAROLINA				SHEET: 1 of 1
SCALE: 1" = 50'	DRAWN: KPO	APPROVED: KPO	CADD FILE: SPP 4-03-12	CURRENT REVISION: 1
PROJECT NO: Gravedigger	DATE: 4/20/12	REVISION DATES:	REV. 1 5/22/12	
				Ruth P. O'Connell 31 South Lane Apollonia, NC 27966 Phone 803-937-0407 rpo@rpoconsult.com

**ABC BOARD
3 Year Terms**

Incumbent	Nominated by	New Appointee	Nominated by	Date of Appointment	End of Term
Harold Capps	District 1		Vance Aydlett	9/2010	9/1/2013
Owen Etheridge	District 2		John Rorer	1/2010	1/1/2013
David Myers*	District 3		Butch Petrey	5/2009	2nd 5/4/2012
Horace Bell, III*	District 4		Owen Etheridge	6/15/09	2nd 6/15/2012
Gene Gregory	District 5		Marion Gilbert	1/2010	1/1/2013
	At-Large				
	At-Large				

*** To Be Replaced**

BOARD OF ADJUSTMENT

Incumbent	Nominated by	New Appointee	Nominated by	Date of Appointment	End of Term
Christian Conner	District 1		Vance Aydlett	12/7/2009	1st Term 12/1/2012
Bryan Bass	District 2		John Rorer	12/7/2009	2nd Term 12/31/2012
Miles Riddick*	District 3	Theresa Dozier	Butch Petrey	3/7/2011	1st Term 12/31/2013
David Palmer	District 4		Owen Etheridge	4/18/2011	1st Term 12/1/2013
Cameron Tabor-Alternate	District 5		Marion Gilbert	2/21/2011	1st Term 12/31/2013
Theresa Dozier-Alternate**	At Large		Paul Martin	1/17/2012	1st Term 1/1/2015
Vivian Simpson	At-Large		Paul O'Neal	1/17/2012	1st Term 1/1/2015

***Resigned**

****Moved from Alternate-To be replaced**

LIBRARY BOARD OF TRUSTEES
4 Year Terms

Incumbent	Nominated by	New Appointee	Nominated by	Date of Appointment	End of Term
Stephanie Miller*	District 1	Shelly Haskell	Vance Aydlett	5/18/2009	2nd 6/30/2013
Dr. Norman Dahm	District 2		John Rorer	5/18/2009	2nd 6/30/2013
Colleen Umphlett	District 3		Butch Petrey	3/1/2010	Unexpired Term 6/30/2013
Joann DiBello	District 4		Owen Etheridge	7/20/2009	1st 6/30/2013
Lisa Rose	District 5		Marion Gilbert	6/15/2009	1st 6/30/2013
George Gregory	At-Large		Paul Martin	5/18/2009	1st 6/30/2013
Rhonda Cheek	At-Large		Paul O'Neal	6/2010	6/30/2014
Dr. Alison Boone-Heyder**				9/2/2008	1st 6/30/2012

***Resigned-To Be Replaced**

****May be Reappointed**

EARL appointment needed to replace Stephanie Miller. Must be from current Board of Trustees. Umphlett, Cheek, Gregory or Boone-Heyder (Rose has work conflict)

Stephanie Cowan Miller

172 Lands End Road • KI, NC • Phone: 252-429-3739
E-Mail: carova_girl@yahoo.com

Date: May 21, 2012

Currituck County Board of Commissioners
Historic Currituck Courthouse
153 Courthouse Road, Suite 204
Currituck, NC 27929

Dear Commissioners:

It is with regret that I am writing to inform you of my resignation from my position on the Currituck County Public Library Board of Trustees, effective June 30, 2012. I have thoroughly enjoyed working with Vicky Hagemester, her staff and the Board members over the past six years. I would encourage each Commissioner to truly understand and value the importance of library services to the residents of not only Currituck and Corolla, but to Knotts Island as well. I am well aware of the economic climate and state/local budget constraints; however, I challenge you to continue funding and increase the budget for your library's staff and services.

After my resignation, there will be a vacancy on the CCPL Board. I recommend that Knotts Island resident, Mrs. Shelly Haskell, be appointed to the CCPL Board. She holds NC certification as a Library Media Specialist and a Classroom Teacher. I have worked with her in a professional capacity and can attest to her desire to provide the best library/media services to the students at Knotts Island Elementary School, as well as the community at large. She would be an incredible asset to the local board and possibly to the East Albemarle region.

If I can be of any assistance during the transition, please don't hesitate to contact me via phone or email.

Sincerely,



Stephanie Cowan Miller

Chairperson, CCPL Board of Trustees & EARL Board of Trustees

CURRITUCK COUNTY PUBLIC LIBRARY BOARD OF TRUSTEES – Membership Revised April 2012

Terms are 4 years

POSITION	NAME	ADDRESS	EMAIL	HOME	WORK	CELL	1 ST term	2 ND term
CHAIR	Stephanie Miller	172 Lands End Rd Knotts Is, NC 27950	carova_girl@yahoo.com	429-9177		757- 544-1416	6/09	6/13
VICE-CHAIR	Dr. Norman Dahm	P. O. Box 207 Harbinger, NC 27941	normdahm@yahoo.com	491-8339	491-8550	267-3064	6/09	6/13
SECRETARY	Colleen Umphlett	118 Woodhouse Dr. Grandy, NC 27939	cumphlett@compueasy.com	453-6483			6/14	
MEMBER	Joanne Dibello	124 Sound Shore Dr. Currituck, NC 27929	cdibello2000@yahoo.com	232-2550			10/13	
MEMBER	Lisa Rose	P. O. Box 456, Moyock, NC 27958	LRose0220@gmail.com	435-2652	333-8362		6/13	
MEMBER	George Gregory	444 NW Backwoods Rd. Moyock, NC 27958	Gregorygospel56@yahoo.com	435-2554			6/13	
MEMBER	Dr. Alison Boone-Heyder	102 Continental Court Point Harbor, NC 27964	Alison.heyder@gmail.com	491-2550	261-7700		6/12	
MEMBER	Rhonda Cheek	1131 Gray Court Corolla, NC 27927	sunseekers@earthlink.net	453-3064		202-4772	6/10	6/14
EX-OFFICIO	Vicky Hagemeister	115 Scotland Road Camden, NC 27921	vhagemeister@earlibrary.org	331-2026	453-8345	Fax 453-8717		
EARL	Jonathan Wark	P.O. Box 1000 Manteo, NC 27954- 9241	jwark@earlibrary.org		473-2372			

EARL Board Members Representing Currituck County

Stephanie Miller	term expires June 30, 2012	on second term
Dr. Norman Dahm	term expires June 30, 2016	on first term
Joanne Dibello	term expires June 30, 2014	on first term

TOURISM ADVISORY BOARD
3 Year Terms

Incumbent	Nominated by	New Appointee	Nominated by	Date of Appointment	End of Term
Petrina Ramey	District 1		Vance Aydlett	4/4/2011	November 2013
Shearl Bell	District 2		John Rorer	5/21/2012	Unexpired Term November 2012
Ted Jagucki	District 3		Butch Petrey	Appointed 11/21/11	November 2014
Paul Robinson	District 4		Owen Etheridge	Reappointed 11/21/11	November 2014
Jeff Nelson*	District 5	Janice Farr	Marion Gilbert	Appointed 5/2/11	May 2013
Don Cheek	At-Large		Paul Martin	Reappointed 11/16/09	November 2012
Leslie Daughtry	At-Large		Paul O'Neal	Appointed 1/3/2012	January 2015

* To Be Replaced

Commissioner O'Neal



APPLICATION FOR ADVISORY BOARDS & COMMITTEES

Date: 12 June 2012

Name: Janice Aydlett Farr

Address: PO Box 949 (100 Soundside Estates Drive)

Grandy NC 27939

Phone: 202-4506 C 441-4402 W 453-4506 H **Email:** janicefarr@sunrealtync.com janicefarr@gmail.com

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

Please check

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

Qualifications and reasons you would like to serve:

I loved serving on the TAB and was appointed at it's inception. I have 27+ years of professional Outer Banks Property Mgt experience, am a STS Marketing College graduate (TMP), BBB Executive&Standards Board member, NCTIA (NC Travel Industry Assoc.)(Treasurer) Board member, NCAR (Governor on state PMD, Professional Standards Board), OBAR (Prof. Standards, Prop Mgt), NCVRMA (Board), VRMA, Licensed Real Estate Broker: NC & VA, GRI, CRB, GREEN, Currituck Chamber Board, Mt Zion UMC (Treasurer, SPRG Chair), KKLG Board, and more! I like staying busy and involved in the community and in business. I would consider it an honor to serve again on the TAB. Thanks for the consideration!

Please return to **County Manager's Office153
Courthouse Road, Suite 204
Currituck, NC 27929
Gwen.Keene@CurrituckCountyNC.gov**

CURRITUCK COUNTY
NORTH CAROLINA
June 18, 2012

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 Rorer, Commissioners Gilbert, O'Neal, Etheridge, Aydlett, Martin and Petrey.

A) Invocation

B) Pledge of Allegiance

Reverend Scott Finicum, Mt. Zion Church, was present to give the invocation and Pledge of Allegiance.

C) Approval of Agenda

Commissioner O'Neal moved to continue Board Appointments to a work session and discuss Moyock Fire Department request. Commissioner Aydlett seconded the motion. Motion carried.

D) Public Comment

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

Public Hearings

- A) **Public Hearing and Action:** PB 07-33 Shingle Landing, Phase 2: Request for a preliminary plat/special use permit for 25 additional lots within the Shingle Landing subdivision located in Moyock along Moyock Landing Drive, Tax Map 9, Parcels 29R and 29T, Moyock Township.

Administrative Reports

- A) **Award Contract for Currituck Community Park Roads and Infrastructure**

New Business

A) Board Appointments: (TABLED)

1. Appointment to Tourism Board
2. Discussion on term limits for ABC Board and appointments to ABC Board
3. Appointment to Board of Adjustment
4. Appointments to Public Library Board of Trustees
5. Appointment to East Albemarle Regional Library (EARL)

B) Consent Agenda:

1. Approval of Moyock Fire Department Pension Buy-Back
2. Budget Amendments

- 3. Resolution authorizing purchase of 800 Mhz radio communication system from Gately Communication
- 4. Change Order-COA Regional Aviation & Technical Training Center
- 5. Approval of June 4,2012 Minutes
- 6. Recommend Commissioner O'Neal to the Coastal Resources Commission, Local Government Representative and Recommend Commissioner Etheridge as the Coastal Agriculture Representative

- C) Commissioner's Report
- D) County Manager's Report

Adjourn

D) Public Comment

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

Chairman Rorer opened the public comment period. There being no comments, he closed the public comment period.

Public Hearings

A)Public Hearing and Action: PB 07-33 Shingle Landing, Phase 2: Request for a preliminary plat/special use permit for 25 additional lots within the Shingle Landing subdivision located in Moyock along Moyock Landing Drive, Tax Map 9, Parcels 29R and 29T, Moyock Township.

Sworn testimony was given prior to comments.

Ben Woody, Planning Director, reviewed the request. This item was previously heard on June 4, 2012.

**CASE ANALYSIS FOR THE
Board of Commissioners
DATE: June 18, 2012
PB 07-33 Shingle Landing, Phase 2**

ITEM: PB 07-33 Shingle Landing, Phase 2, preliminary plat/special use permit for 25 additional lots including 24 residential lots and 1 nonresidential lot.

LOCATION: Moyock, along Moyock Landing Drive, Moyock Township

TAX ID: 0009-000-029T-0000
0009-000-029R-0000

ZONING DISTRICT: General Business (GB)

PRESENT USE: Undeveloped

OWNER: CTX, Inc.
378 Caratoke Hwy
Moyock, NC 27958

APPLICANT: Hyman and Robey
PO Box 339
Camden, NC 27921

LAND USE/ZONING OF SURROUNDING PROPERTY:

	Land Use	Zoning
NORTH:	Undeveloped	LM
SOUTH	Low Density Residential	CD-R/R
EAST:	Low Density Residential	R
WEST:	Undeveloped	GB

LAND USE PLAN

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

SIZE OF SITE: 36.93 acres

NUMBER OF UNITS: 25 lots (24 Residential Lots and 1 Nonresidential Lot)
82 existing residential lots in Phase 1

PROJECT DENSITY: 1.7 residential units/acre in Shingle Landing
1.54 residential units/acre proposed in Phase 2
1.76 residential units/acre in Phase 1

UTILITIES: The development is served by an existing 8" water line along Moyock Landing Drive. Wastewater will be treated by individual on-site septic systems. The estimated water consumption is 8,640 to 11,520 GPD based on 3 to 4 bedrooms per dwelling.

I. NARRATIVE OF REQUEST:

- o The applicant is requesting preliminary plat/special use permit approval of Shingle Landing, Phase 2. The proposed development consists of 24 residential lots and 1 nonresidential lot.
- o The proposed development is served by existing infrastructure.
- o According to the preliminary plat, interconnectivity will be provided from Moyock Landing Drive to the proposed Tulls Creek Landing subdivision by way of Gees Drive. The applicant is not proposing to construct the connection at this time due to the potential maintenance liability for the association. A funding source should

- be identified to install the connection should the board allow bonding of Gees Drive.
- o The proposed open space (12.37 acres within this phase) will consist of areas reforested with pines planted in accordance with NC Forestry specifications.
 - o The proposed development provides 1.5 acres of reserve utility open space.
 - o According to the Soil Survey for Currituck County, the soils within the development are considered marginal and unsuitable for conventional septic systems.
 - o The active recreation is provided in Phase 1. The recreational areas include:
 - o 3.75 acres dedicated to Currituck County and contain the WRC boat ramp and parking;
 - o 25.55 acres dedicated to Currituck County

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 Unified Development Ordinance indicates a special use permit is required for preliminary plats in all major subdivisions.
3. The conditions proposed meet or exceed the minimum requirements of this ordinance.

Suggested Findings:

 - a. Provided the Technical Review Committee conditions are adequately addressed the request will meet the minimum requirements of the ordinance.
4. The special use will not endanger the public health or safety:

Suggested Findings:

 - a. The proposed development should have little to no negative 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 proposed development will predominately consist of single family residential lots that are being developed at a size compatible with the existing residential lots within the area.

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 Moyock subarea. The Full Service area contemplates a residential base development density to be two units per acre and increases can be achieved through overlay zoning. The Moyock subarea policy emphasis suggests residential densities should be medium to high depending on available services. The proposed use is in keeping with the policies of the plan, some of which are:

POLICY HN1: Currituck County shall encourage development to occur at densities appropriate for the location.

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

POLICY 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 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 proposed development will not exceed the county's ability to provide adequate public facilities.

III. TECHNICAL REVIEW COMMITTEE/PLANNING STAFF RECOMMENDATION:

Pursuant to the Unified Development Ordinance, the Technical Review Committee, including planning staff, recommends conditional approval subject to the following:

Planning Department (Donna Voliva 252-232-6032)

- 1. Please provide an update regarding the plan of action for the stormwater maintenance of the subdivision (see letter dated October 11, 2011 to NCDENR). *Staff can not recommend approval of the proposed development until such time as the site is in compliance of the NCDENR stormwater permit. *Staff commentary: As of the February 14, 2012 Planning Board meeting, the existing stormwater maintenance is not in compliance with the state permit.*
- 2. Please provide an update regarding the road maintenance of the streets in the subdivision. *Staff commentary: The developer contacted NCDOT to indicate areas of pavement that must be replaced or repaired. The developer is requesting the Board approve a performance bond to complete the necessary road improvements for NCDOT acceptance. The improvements will be completed when the weather is warmer and dryer. If the Board allows the performance bond, the staff suggests all work be complete by September 1, 2012. The bond must be reviewed and approved by the county attorney.*
- 3. Note #13 indicates Gees Drive will not be constructed at this time. Given the fact the road/sidewalk does not provide access to a parcel at this time staff will support the installation at a later date; however, a funding source shall be identified for the installation of the street. *(i.e. cash bond to be held until the future connection is installed)*
- 4. The existing drainage ditch (Winslow Ditch) located along the northern property line of lot 107 shall contain a 50 foot maintenance easement measured from the top of bank.
- 5. The 2011 property taxes must be paid prior to issuance of the special use permit.

IV. TECHNICAL REVIEW COMMITTEE/PLANNING STAFF RECOMMENDATION (UPDATED 4/30/2012):

Pursuant to the Unified Development Ordinance, the Technical Review Committee, including planning staff, recommends conditional approval subject to the following:

Planning Department (Donna Voliva 252-232-6032) UPDATED
4/30/2012

1. Please provide an update regarding the road maintenance of the streets in the subdivision. *Staff commentary: The developer contacted NCDOT to indicate areas of pavement that must be replaced or repaired. A drainage as-built was prepared by Hyman and Robey and indicates required re-grading of the roadside swales. The developer is requesting the Board approve a performance bond to complete the necessary road improvements for NCDOT acceptance. If the Board allows the performance bond, the staff suggests all work commence immediately and be complete in a timely manner (Engineering is recommending all work be complete in 30-60 days see below). The bond must be reviewed and approved by the county attorney.*
2. Note #13 indicates Gees Drive will not be constructed at this time. Given the fact the road/sidewalk does not provide access to a parcel at this time staff will support the installation at a later date; however, a funding source shall be identified for the installation of the street. *(i.e. cash bond to be held until the future connection is installed)*
3. The existing drainage ditch (Winslow Ditch) located along the northern property line of lot 107 shall contain a 50 foot maintenance easement measured from the top of bank.

Engineering Department (Eric Weatherly 252-232-6035)
UPDATED 4/30/2012

1. Phase II of the improvements involves bonding the remaining road and drainage improvements in accordance to the DOT letter and plans prepared by Hyman and Robey dated 4-24-12.
2. I have received the Hyman and Robey plans dated 4-24-12 which require re-grading approximately 8000 feet of swales along the roadways in the development. The developer, DOT, DWQ, and Hyman and Robey should agree on the exact method and grass to stabilize all new work.
3. I have received a copy of the attached unexecuted proposal from C&L Concrete Works. A bond for the C&L work should be received by the Planning & Community Development Department. I recommend requiring 30-60 days to complete the work.
4. Provide an update on the remaining DOT items in the letter from last August. Of particular concern should be providing documentation that the subdivision has permission to cross the railroad right-of-way.

NCDENR, DWQ (Scott Vinson 252-948-3848) UPDATED
4/30/2012)

1. On April 17, 2012 Scott Vinson, NCDENR, inspected the stormwater infrastructure for compliance. The swales of the site are in compliance with the terms and conditions of the stormwater permit. A few minor eroded and bare areas need to be stabilized and reseeded with grassed vegetation.
2. The updated partial certification and ownership change must be submitted to the Division of Water Quality.

V. PLANNING BOARD RECOMMENDATION:

The Planning Board recommended denial of PB 07-33 due to the application is not complete. Motion carried unanimously.

PLANNING BOARD DISCUSSION (2/14/12)

Mr. Hyman stated they have a contractor to bring the roads up to the Department of Transportation (DOT) standards in the amount of \$80,000, but the state has not signed off on the stormwater maintenance for the subdivision.

Mr. West stated this case has been tabled twice because the application was not complete and now it must move forward to the Board of Commissioners (BOC) with either a denial or approval from the Planning Board (PB).

Mr. Midgette asked staff if there was any way the Planning Board could send this to the Board of Commissioners with a recommendation for denial, but when the project receives approval from the state that the BOC sends it back to the PB for their approval before the BOC act on it.

Ms. Voliva stated this could be part of the recommendation, but it would be up to the BOC if they would proceed with the recommendation.

PLANNING BOARD ACTION

Mr. West motioned to deny PB 07-33 due to an incomplete application and recommends that once the project receives approval from the state for stormwater maintenance that the Board of Commissioners sends it back to the Planning Board for their approval before the Commissioners act on it. Ms. Taylor seconded the motion. Motion carried unanimously.

PLANNING BOARD DISCUSSION (1/10/12)

Mr. Hyman stated they have gotten a quote from a contractor in the amount of \$80,000 to bring the roads up to the Department of Transportation (DOT) standards which include repairs and maintenance. They are working off the original letter from DOT dated in August 2011. Mr. Hyman stated the stormwater inspection is scheduled for Wednesday, 1/11/12 with NCDENR.

Mr. Hyman stated the applicant would like to make a bond for the road improvements in the amount of \$80,000 so they can be completed when the weather is warmer and dryer. Mr. Hyman is asking the Planning Board to make a recommendation on the approval of the bonding for road improvements with the contractor in the amount of \$80,000 and contingent approval from DENR on the stormwater inspection moving it forward to the Board of Commissioners.

Mr. Midgette asked staff does this mean all the requirements on the application have not been met.

Ms. Voliva stated all the requirements have not been presented to date that would offer a favorable recommendation by staff.

Mr. Clark stated that at this point there are still requirements that are not complete.

Mr. Hyman asked if the contract for the road repairs meet requirement.

Ms. Voliva stated if they are operating off the original letter from DOT along with the contract; then it would meet the requirement. It would be up to the Board of Commissioners to set a bonding amount associated with the road repairs, as well as a duration period for the work to be completed. Ms. Voliva stated the primary issue is the inspection of the stormwater maintenance by NCDENR.

PLANNING BOARD ACTION

Mr. Clark motioned to table PB 07-33 due to the pending inspection by NCDENR for the stormwater maintenance of the subdivision. Ms. Taylor seconded the motion. Motion carried unanimously.

PLANNING BOARD DISCUSSION (12/13/11)

Mr. Hyman provided an update on the stormwater maintenance and road maintenance of the subdivision. Mr. Hyman talked about Gees Drive not being constructed at this time.

Mr. West stated a final plat is approved administratively and does not come back to the Planning Board.

The Planning Board discussed ditch erosion, Phase I with 82 lots and Phase 2 with 25 lots, how many lots sold in Phase I, septic tanks, soil types, sidewalks and railroad issues.

Mr. West stated that representing the county he doesn't feel comfortable approving a project with missing pieces.

Mr. Midgette asked Mr. Hyman if this was tabled until the next meeting could he have everything completed.

Mr. Hyman stated no because of the weather and not being able to pave. Mr. Hyman stated a community meeting was held which was not required to try to get everyone on the same page. A lot of good information was exchanged which is being used to get Phase I up to speed. Had Shingle Landing been turned over to the Homeowners Association and been paying dues it would have the money to make these improvements.

Mr. Old stated the property is zoned General Business (GB) and they want to build comparable houses that keep in harmony with the neighborhood.

Mr. Meekins stated he is concerned with more construction which would drive down the existing home values. Since the application is not complete he is asking the board to deny the request.

Ms. Goumenis stated she has concerns with the existing conditions of Phase I that include roads, stormwater drainage, sidewalks, and ditches of the neighborhood.

Ms. Wadleigh stated she has concerns with the existing conditions of Phase I and is asking the Planning Board to table this request until repairs have been completed in Phase I before approving Phase 2.

Mr. Davis stated the county needs to protect future developments from things like this happening.

Mr. West stated he thought the county required bonds.

Ms. Voliva stated that the county does require maintenance bonds for roads until such time the roads and open areas are taken over by the Homeowners Association or DOT.

Ms. Davis stated the roads and ditches need to be brought up to standard before the Homeowners Association takes over them.

Mr. Melton stated he is concerned if the roads are repaired now that during the construction of Phase 2 they will be torn up by construction equipment and the neighborhood is left with roads not up to standard again.

Mr. Dashiell read a letter from Mr. Bobby Gelormine of 128 Applewood who is concerned with Phase 2, ditches, drainage, incomplete sidewalks and roads.

Mr. Barns stated to table Phase 2 until the roads, ditches and sidewalks are brought up to standard before being turned over to the Homeowners Association.

Mr. Doyon stated he is concerned with what has been left out in Phase I which are roads, drainage, and ditches. Mr. Doyon is concerned with the square footage of houses being proposed in

Phase 2. Mr. Doyon is asking that the Planning Board to table this request until everything in Phase 1 is completed.

Mr. Hyman addressed some of the concerns brought up by the residents. Mr. Hyman requested if the Planning Board could not make a recommendation for approval he would like the board to deny the request so it could move forward to the Board of Commissioners instead of tabling it. Mr. Hyman stated that maybe by the Board of Commissioners meeting some of the issues may be resolved.

Mr. West stated the subdivision does have a restrictive covenant which would specify the square footage and architectural features. Mr. West stated that the comment Mr. Hyman made regarding the Planning Board to either approve or deny the request and not to table it, does not sit well with the Planning Board. It makes the Planning Board appear that they are just a check mark to get out of the way to proceed to the Board of Commissioners. Mr. West stated it takes the importance of the Planning Board away.

Mr. Hyman apologized for his comment.

Mr. Kovacs stated that as part of the Planning Board function is to make sure the application is complete before it goes to the Board of Commissioners.

PLANNING BOARD ACTION

Ms. Newbern motioned to table PB 07-33 due to the application not being complete. Ms. Taylor seconded the motion. Motion carried unanimously.

Chairman Rorer opened the public hearing.

Commissioner Martin requested staff to review what work has been completed at the site.

Commissioner Etheridge requested staff to review Preliminary Plat process.

Don Williams, Developer, stated that sidewalk and roads will be completed when ditches were finished. He has applied for a road bond.

Ron Melton, approved request with conditions to move forward.

Kevin Andrews, approved request with conditions.

Mary Waller, supported with conditions.

Roxanne Crocker, supported to move forward.

Ron Rose, supported request.

Paul Garrett, supported approval of Phase II.

Valerie Bowling, requested work be done before moving forward.

John Morrison, Attorney, discussed roads and the DOT process for maintenance.

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

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

A performance guarantee shall be required to ensure Phase 1 improvements identified in correspondence from NCDOT dated 8-1-2011 and in plans prepared by Hyman & Robey dated 4-24-2012 are completed within 60 days.

A final plat may not be recorded until the Phase 1 improvements are certified in a report by a licensed engineer as complying with the minimum standards of the UDO. The Technical Review Committee must review and approve the report.

The permit shall expire in 90 days from time of issuance, unless all recommended conditions are satisfied.

Administrative Reports

A) Award Contract for Currituck Community Park Roads and Infrastructure

Commissioner Etheridge moved to award bid to Barnhill in the amount of \$1,368,229 and DOT Grant for \$750,000. Commissioner Gilbert seconded the motion. Motion carried.

New Business

A) Board Appointments:

1. Appointment to Tourism Board
2. Discussion on term limits for ABC Board and appointments to ABC Board

3. Appointment to Board of Adjustment
4. Appointments to Public Library Board of Trustees
5. Appointment to East Albemarle Regional Library (EARL)

Board Appointments were tabled pending a work session.

B) Consent Agenda:

1. Approval of Moyock Fire Department Pension Buy-Back

County Manager discussed the reason for the buy-back.

Commissioner O’Neal moved to approve the request.
 Commissioner Aydlett seconded the motion. Motion carried.

2. Budget Amendments
3. Resolution authorizing purchase of 800 Mhz radio communication system from Gately Communication
4. Change Order-COA Regional Aviation & Technical Training Center
5. Approval of June 4, 2012 Minutes
6. Recommend Commissioner O'Neal to the Coastal Resources Commission, Local Government Representative and Recommend Commissioner Etheridge as the Coastal Agriculture Representative

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

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
50447-590007	Corolla Greenway/County Funds	\$ 224,631	
50447-590001	Corolla Greenway/PARTF		\$ 224,631
		\$ 224,631	\$ 224,631

Explanation: Corolla Multi-Use Path (50447) - To record release of County match funds as a requirement of the PARTF grant for the Corolla Multi-use path.

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

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
51800-594500	Contract Services	\$ 195,229	
51800-588000	Contingency		\$ 195,229
		\$ 195,229	\$ 195,229

Explanation: COA Aviation & Technical Training Center (51800) - Transfer funds per Sussex contract.

Net Budget Effect: School Governmental Construction Fund (51) - No change.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
57878-594500	Contract Services	\$ 401,002	
57878-596100	Professional Services		\$ 68,460
57878-588000	Contingency		\$ 285,754
57878-597000	Reimbursable Expenses		\$ 8,062
57360-471000	Tap & Connection Fee		\$ 38,726
		\$ 401,002	\$ 401,002

Explanation: Moyock Central Sewer Construction (57878) - To record additional tap and connection fee to connect the Moyock Volunteer Fire Department to the Central Wastewater system and to reclassify funding for the construction contract.

Net Budget Effect: Moyock Central Sewer System (57) - Increased by \$38,726.

<u>Account Number</u>	<u>Account Description</u>	Debit		Credit	
		Decrease Revenue or Increase Expense		Increase Revenue or Decrease Expense	
23690-545000	Contract Services	\$	467		
23380-481000	Investment Earnings Appropriated Fund			\$	251
23390-499900	Balance			\$	216
		<u>\$ 467</u>		<u>\$ 467</u>	

Explanation: Moyock Fire District (23690) - Increase appropriations for tap & connection fees for the Moyock Volunteer Fire Department to connect to the Moyock Central Sewer System.

Net Budget Effect: Moyock Fire District Fund (23) - Increased by \$467.

<u>Account Number</u>	<u>Account Description</u>	Debit		Credit	
		Decrease Revenue or Increase Expense		Increase Revenue or Decrease Expense	
12548-511015	Telephone & Postage			\$	3,700
12548-513015	Utilities	\$	1,000		
12548-516015	Maintenance & Repair	\$	1,000		
12548-516215	Buildings & Grounds	\$	1,500		
12548-526215	Promotion			\$	1,000
12548-532015	Supplies			\$	1,500
12548-532115	Fire Supplies			\$	12,000
12548-536015	Uniforms			\$	5,000
12548-536115	Personal Protective Equipment	\$	24,000		
12548-545000	Contract Services			\$	4,300
		<u>\$ 27,500</u>		<u>\$ 27,500</u>	

Explanation: Knotts Island Volunteer Fire Department (12548) - Transfer funds to purchase additional Personal Protective Equipment and operating transfers for the remainder of this fiscal year.

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

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10545-561000	Professional Services Appropriated Fund	\$ 8,000	
10390-499900	Balance		\$ 8,000
		\$ 8,000	\$ 8,000

Explanation: Medical Examiner (10545) - Increase appropriations for medical examiner fees for the remainder of this fiscal year.

Net Budget Effect: Operating Fund (10) - Increased by \$8,000.

RESOLUTION AUTHORIZING THE PURCHASE OF 800 Mhz RADIO COMMUNICATIONS SYSTEM FROM GATELY COMMUNICATIONS THROUGH SOLE SOURCE PURCHASE

WHEREAS, the County of Currituck desires to purchase material, equipment, supplies and services for the establishment of a 800 Mhz radio communications system; and

WHEREAS, the purchase of material, equipment, supplies and services necessary to establish a 800 Mhz radio communications system is critical for emergency communications, response and public safety and welfare; and

WHEREAS, N.C. Gen. Stat. §143-129(e)(6) authorizes a unit of local government to purchase from a sole source “when a needed product is available from only one source of supply”, and

WHEREAS, in order that the county’s 800 Mhz radio system is compatible with the State of North Carolina’s VIPER radio system it is necessary to obtain P-25 radio compliant equipment which is currently only manufactured by Motorola; and

WHEREAS, Gately Communications is the only Motorola representative capable of providing the county with material, equipment and supplies to establish a 800 Mhz radio communications system that is P-25 radio compliant and compatible with the state’s VIPER system.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners for Currituck County, North Carolina as follows:

Section 1. The County of Currituck is authorized to enter into a contract in the amount of \$963,150.00 with Gately Communications for the sole source purchase of material, equipment, supplies and services necessary to establish a 800 Mhz radio communications system and in accordance with the sole source provision requirements set forth by N.C. Gen. Stat. §143-129(e)(6). Further, the county manager is authorized to execute the agreement with Gately Communications.

C) Commissioner's Report

Commissioner Aydlett requested the Board to consider action on Fire-EMS for Carova Beach.

Commissioner Etheridge requested staff to contact WRC for a camp ground site at the end of Swains Lane. He also discussed a sticker program for the convenience sites.

Commissioner O'Neal discussed a recreation site for Moyock area.

D) County Manager's Report

No comments

Adjourn

There being no further business, the meeting adjourned.

**APPLICATION
PUBLIC SCHOOL BUILDING CAPITAL FUND
NORTH CAROLINA EDUCATION LOTTERY**

Approved: _____

Date: _____

County: Currituck

Contact Person: James K. McClellan

LEA: Currituck County Schools

Title: Finance Officer

Address: 2958 Caratoke Hwy

Phone: 252-232-2223

Project Title: Replacement Chiller Unit at Central Elementary School

Location: Central Elementary School

Type of Facility: Elementary School (Grades Pre-K - 5)

North Carolina General Statutes, Chapter 18C, provides that a portion of the proceeds of the North Carolina State Lottery Fund be transferred to the Public School Building Capital Fund in accordance with G.S. 115C-546.2. Further, G.S. 115C-546.2 (d) has been amended to include the following:

- (3) No county shall have to provide matching funds...
- (4) A county may use monies in this Fund to pay for school construction projects in local school administrative units and to retire indebtedness incurred for school construction projects.
- (5) A county may not use monies in this Fund to pay for school technology needs.

As used in this section, "Public School Buildings" shall include only facilities for individual schools that are used for instructional and related purposes, and does not include central administration, maintenance, or other facilities. **Applications must be submitted within one year following the date of final payment to the Contractor or Vendor.**

Short description of Construction Project: Replace Chiller at Central Elementary School.

Estimated Costs:

Purchase of Land _____	\$ _____
Planning and Design Services _____	_____
New Construction _____	_____
Additions / Renovations _____	150,000.00
Repair _____	_____
Debt Payment / Bond Payment _____	_____
TOTAL _____	\$ 150,000.00

Estimated Project Beginning Date: October 2012 Est. Project Completion Date: December 2013

We, the undersigned, agree to submit a statement of state monies expended for this project within 60 days following completion of the project.

The County Commissioners and the Board of Education do hereby jointly request approval of the above project, and request release of \$ 150,000.00 from the Public School Building Capital Fund (Lottery Distribution). We certify that the project herein described is within the parameters of G.S. 115C-546.

(Signature — Chair, County Commissioners) _____ (Date) _____
William R. ... 5/12/12
 (Signature — Chair, Board of Education) _____ (Date) _____

**APPLICATION
PUBLIC SCHOOL BUILDING CAPITAL FUND
NORTH CAROLINA EDUCATION LOTTERY**

Approved: _____

Date: _____

County: Currituck

Contact Person: James K. McClellan

LEA: Currituck County Schools

Title: Finance Officer

Address: 2958 Caratoke Hwy

Phone: 252-232-2223

Project Title: Replacement HVAC Units at Currituck Middle (2) and Griggs Elementary (1)

Location: Currituck Middle School and Dr. W.T. Griggs Elementary School

Type of Facility: Middle (Grades 6 - 8) & Elementary School (Grades K - 5)

North Carolina General Statutes, Chapter 18C, provides that a portion of the proceeds of the North Carolina State Lottery Fund be transferred to the Public School Building Capital Fund in accordance with G.S. 115C-546.2. Further, G.S. 115C-546.2 (d) has been amended to include the following:

- (3) No county shall have to provide matching funds...
- (4) A county may use monies in this Fund to pay for school construction projects in local school administrative units and to retire indebtedness incurred for school construction projects.
- (5) A county may not use monies in this Fund to pay for school technology needs.

As used in this section, "Public School Buildings" shall include only facilities for individual schools that are used for instructional and related purposes, and does not include central administration, maintenance, or other facilities. **Applications must be submitted within one year following the date of final payment to the Contractor or Vendor.**

Short description of Construction Project: Replace rooftop HVAC units at Currituck Middle (Media Center and Science classrooms) and the Gym HVAC unit at W.T. Griggs Elementary School.

Estimated Costs:

Purchase of Land	_____	\$	_____
Planning and Design Services	_____		_____
New Construction	_____		_____
Additions / Renovations	_____		146,000.00
Repair	_____		_____
Debt Payment / Bond Payment	_____		_____
TOTAL	_____	\$	146,000.00

Estimated Project Beginning Date: October 2012 Est. Project Completion Date: December 2013

We, the undersigned, agree to submit a statement of state monies expended for this project within 60 days following completion of the project.

The County Commissioners and the Board of Education do hereby jointly request approval of the above project, and request release of \$ 146,000.00 from the Public School Building Capital Fund (Lottery Distribution). We certify that the project herein described is within the parameters of G.S. 115C-546.

(Signature — Chair, County Commissioners) (Date)
William L. ... 3/12/12

(Signature — Chair, Board of Education) (Date)

**APPLICATION
PUBLIC SCHOOL BUILDING CAPITAL FUND
NORTH CAROLINA EDUCATION LOTTERY**

Approved: _____

Date: _____

County: Currituck

Contact Person: James K. McClellan

LEA: Currituck County Schools

Title: Finance Officer

Address: 2958 Caratoke Hwy

Phone: 252-232-2223

Project Title: Replacement Cafeteria roofs at J.P. Knapp Early College HS & Moyock Elementary

Location: J.P. Knapp Early College High School & Moyock Elementary School

Type of Facility: High School (Grades 9 - 12) & Elementary School (Grades K - 5)

North Carolina General Statutes, Chapter 18C, provides that a portion of the proceeds of the North Carolina State Lottery Fund be transferred to the Public School Building Capital Fund in accordance with G.S. 115C-546.2. Further, G.S. 115C-546.2 (d) has been amended to include the following:

- (3) No county shall have to provide matching funds...
- (4) A county may use monies in this Fund to pay for school construction projects in local school administrative units and to retire indebtedness incurred for school construction projects.
- (5) A county may not use monies in this Fund to pay for school technology needs.

As used in this section, "Public School Buildings" shall include only facilities for individual schools that are used for instructional and related purposes, and does not include central administration, maintenance, or other facilities. **Applications must be submitted within one year following the date of final payment to the Contractor or Vendor.**

Short description of Construction Project: Replace Cafeteria Roofs at Moyock Elementary School and J.P. Knapp Early College High School.

Estimated Costs:

Purchase of Land	_____	\$	_____
Planning and Design Services	_____		_____
New Construction	_____		_____
Additions / Renovations	_____		126,000.00
Repair	_____		_____
Debt Payment / Bond Payment	_____		_____
TOTAL	_____	\$	126,000.00

Estimated Project Beginning Date: October 2012 Est. Project Completion Date: December 2013

We, the undersigned, agree to submit a statement of state monies expended for this project within 60 days following completion of the project.

The County Commissioners and the Board of Education do hereby jointly request approval of the above project, and request release of \$ 126,000.00 from the Public School Building Capital Fund (Lottery Distribution). We certify that the project herein described is within the parameters of G.S. 115C-546.

(Signature — Chair, County Commissioners) (Date)

William L. [Signature] 3/12/12
(Signature — Chair, Board of Education) (Date)