



**BOARD OF COMMISSIONERS
AGENDA**

MARCH 4, 2013

Table of Contents

Agenda	2
Recognition of Brett Dennison, Eagle Scout	
Resolution	4
Public Hearing and Action:	
10-11 Case Analysis	6
10-11 Attachments	16
10-11 Rev Application	24
Public Hearing and Action:	
12-04 Case Analysis	34
12-04 Preliminary Plat	43
12-04 Development Impact Statement	44
12-04 Application	46
Public Hearing and Action:	
12-27 Case Analysis	52
12-27 Application	66
12-27 Development Impact Statement	70
Budget Amendments	
Budget Amendments	72
Surplus Resolution Communications	
Resolution	75
Approval of February 18, 2013 Minutes	
February 18 Minutes	76
Resolution to surplus vehicles	
Surplus Vehicles	95
Resolution to surplus computers	
Surplus Computers	96
Request by Carova Beach Volunteer Fire Department to use contract funds to purchase a vehicle	
Carova Beach VFD	98

REVISED

Currituck County
Board of Commissioners Agenda
Historic Currituck County Courthouse

Date: Monday, March 04, 2013

Time: 7:00 PM

Work Sessions

6:00 Review proposed UDO definitions relative to salvage yards, junk yards and recycling operations

7:00 pm Call to Order

- A) Invocation
- B) Pledge of Allegiance
- C) Approval of Agenda
- D) Public Comment

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

- E) **Recognition of Brett Dennison, Eagle Scout**

Public Hearings

- A) **Public Hearing and Action:** PB 10-11 Wild Horse Estates, LLC: Request for an amended special use permit for a Private Outdoor Recreational Facility. The property is located at 2088 Midnight Pass, Tax Map 99C, Parcel 2, Fruitville Beach Township.
- B) **Public Hearing and Action:** PB 12-04 Beckmoore Estates: Request for preliminary plat/special use permit for 12 additional lots in a 13 lot residential subdivision. The property is located in Moyock at the northern terminus of Thayne Drive, Tax Map 22, Parcels 89A and 89B, Moyock Township.
- C) **Public Hearing and Action:** PB 12-27 Ballance Estates: Request for a preliminary plat/special use permit for an 8 lot subdivision located on Bell's

Island on the north side of Bell's Island Road approximately 325' east of the intersection with Ed Brumsey Lane, Tax Map 58, Parcel 11, Crawford Township.

New Business

A) Consent Agenda:

1. Budget Amendments
2. Surplus Resolution Communications
3. Approval of February 18, 2013 Minutes
4. Resolution to surplus vehicles
5. Resolution to surplus computers
6. Request by Carova Beach Volunteer Fire Department to use contract funds to purchase a vehicle
7. Resolution Supporting H.R. 819 Preserving Access to the Cape Hatteras National Seashore Recreational Area Act

B) Commissioner's Report

C) County Manager's Report

Adjourn

RESOLUTION
RECOGNIZING
EAGLE SCOUT BRETT DENNISON

WHEREAS, the Currituck County Board of Commissioners takes this opportunity to congratulate Brett Dennison for having attained the coveted rank of Eagle Scout, the highest rank in the Boy Scouts of America; and

WHEREAS, Brett is Scout Troop 117's newest Eagle Scout and is in the class of the very few who reach this goal; and

WHEREAS, at the age of 16, Brett has earned 91 out of 129 merit badges which are offered by the Boy Scouts; and

WHEREAS, Brett has chosen to remain in Scouts and assist younger Scouts in acquiring their goals; and

WHEREAS, this is also the culmination of the patriotic concern and devoted efforts of numerous adult Scout leaders and caring parents who have worked with Brett to this end.

NOW, THEREFORE, BE IT RESOLVED, the Currituck County Board of Commissioners joins with others in the recognition of Brett Dennison for his outstanding accomplishment and wishes him continued success in his life's endeavors.

ADOPTED, this the 4th day of March, 2013.

S. Paul O'Neal, Chairman

ATTEST:

Gwen H. Keene
Clerk to the Board

CASE ANALYSIS FOR THE
Board of Commissioners
DATE: March 4, 2013
PB 10-11 Wild Horse Estates, LLC

Note: This request is being reviewed under the previous UDO. The applicant submitted for an amended special use permit prior to January 1, 2013.

ITEM: PB10-11 Wild Horse Estates, LLC, Amended Special Use Permit for Private Outdoor Recreational Facility.

LOCATION: Wild Horse Lane – Open Area of Wild Horse Estates II
2088 Midnight Pass, Corolla, NC 27927

TAX ID: 099C-000-0002-0000

ZONING DISTRICT: SFR (Single Family Residential Outer Banks Remote) The RO2 transitioned to SFR with the adoption of the Official Zoning Map with the effective date of January 1, 2013.

PRESENT USE: Special Use Permit - Private Outdoor Recreation Facility

OWNER: Wild Horse Estates, LLC
Jay Bender
PO Box 244
Corolla, NC 27927

APPLICANT: Coastal Explorations
Hadley Twiddy
1118 Corolla Village Road
Corolla, NC 27927

LAND USE/ZONING OF SURROUNDING PROPERTY:

	Land Use	Old Zoning	Current Zoning
NORTH:	Residential	RO2	SFR
SOUTH	Residential	RO2	SFR
EAST:	Residential	RO2	SFR
WEST:	Residential	RO2	SFR

LAND USE PLAN

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

I. NARRATIVE OF REQUEST:

1. A special use permit PB10-11 (*Attachment A*) was issued on May 4, 2010 to allow guided kayak and segway tours from 2088 Midnight Pass (Lot 2) in Wild Horse Estates II and on the recorded Conservation & Limited Access Easement of Wild Horse Estates II. A condition of the permit limits tours to those in conjunction with

Special Use Permit PB10-08 issued to Tres Beau Ltd for outdoor tour operator. (*Attachment B*)

2. This request is to amend the special use permit to allow Coastal Explorations to operate guided kayak tours from the property subject to Special Use Permit PB12-08. (*Attachment C*)
3. There are no proposed increases to the total number of kayak tours per day.
4. A kayak rack is proposed.

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. Private Outdoor Recreation Facilities are permitted in the Outer Banks Limited Access Residential (RO2) zoning district with a special use permit.

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

Suggested Findings:

- a. As presented, the proposal meets the minimum requirements of the ordinance

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

Suggested Findings:

- a. The site has direct access from Ocean Pearl Road, which is part of the established Carova Service District.
- b. The proposed use is consistent with the current use of the property.

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

Suggested Findings:

- a. The UDO indicates that private outdoor recreation facilities are a permitted land use with a special use permit in the Outer Banks Limited Access Residential (RO2) zoning district.
- b. There is a "Conservation and Limited Use Easement" recorded that allows for this specific use on and across 70-acres of the 140-acre subdivision as well as any easements.

- c. At most, there will be vehicular traffic of 5 motor vehicles per day associated with this use.
6. The special use will be in conformity with the Land Use Plan or other officially adopted plan.
- Suggested Findings:**
- a. The 2006 Land Use Plan classifies this site as Conservation within the Corolla subarea. The proposed use is in keeping with the policies of the plan, some of which are:
 - 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 HP3:** Development of the tourism and educational potential of the area's architectural, historic and cultural resources shall be encouraged.
 - b. No commercial activity will take place on the property
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. Approval of this request will not exceed the county's ability to provide adequate public facilities.

II. TECHNICAL REVIEW COMMITTEE RECOMMENDATION:

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

Existing SUP conditions of **PB10-11** (*Attachment A*) with recommended changes (~~strike through text~~ = delete, **bold & underlined** = add):

- 1. ~~This Special Use Permit is valid only in conjunction with a valid Special Use Permit for Outdoor Tour Operator from the Corolla Light Town Center Property (PB 10-08).~~
Tour activities associated with Tres Beau Ltd. shall be permitted only in conjunction with valid Special Use Permit PB 10-08. (*Attachment B*).
- 2. ~~The Conservation & Limited Use Easement recorded in Deed Book 699 Pages 219-223 states that the easement is shown on the Plat (Plat Cabinet H, Slide 169-173). We are unable to determine from the recorded plats where the easement is located. The Plat should be amended and re-recorded within 30 days from issuance of the Special Use Permit. (note: this condition has been resolved)~~
Tour activities associated with Coastal Explorations shall be permitted only in conjunction with valid Special Use Permit PB 12-08. (*Attachment C*)
- 3. ~~No equipment, kayaks, segways or vehicles shall be stored on site.~~
- 4. There shall be a maximum of three (3) Kayak Tours and two (2) Segway Tours per day.

5. Kayaks and Segways shall be labeled with decals or paint markings that clearly display the company name.
6. Kayak tours **by Tres Beau Ltd.** shall be limited to one 9-passenger vehicle carrying 8 patrons/trip and a maximum of 4 tandem kayaks plus the guide.
7. **Kayak tours by Coastal Explorations shall be limited to one 8-passenger vehicle carrying 7 patrons/trip and a maximum of 8 kayaks.**
- ~~7~~**8.** Segway tours shall be limited to one 6-passenger vehicle carrying 5 patrons/trip plus the guide.
- ~~8~~**9.** Tour Vehicles and Segways shall not be operated outside of the easement boundaries.
- ~~9~~**10.** Kayak tour participants shall not enter upon private property along the canals or the Currituck Sound.
- ~~10~~**11.** Tours shall operate during daylight hours only.
- ~~11~~**12.** Tours shall comply with Chapter 3: Article II. Wild Horses, Chapter 10: Article II. Beaches and all other applicable provisions of the Currituck County Code of Ordinances. Tours shall also operate in accordance with State and Federal Laws.
- ~~12~~**13.** **All** commercial transactions shall occur at the respective tour company's storefront. ~~Corolla Storefront in the Corolla Light Town Center.~~
- ~~13~~**14.** Tour patrons have access to restrooms at the respective tour company's storefront. ~~Corolla Light Town Center Storefront.~~
- ~~14~~**15.** Anchored waste receptacles shall be provided on-site.
- ~~15~~**16.** Tour operations and launch site shall occur from Lot 2.

III. PLANNING BOARD RECOMMENDATION:

Mr. Cooper moved to approve PB 10-11 as presented with staff findings and the request being in compliance with the Unified Development Ordinance. Mr. Cartwright seconded the motion. Motion carried unanimously.

THE APPLICATION AND RELATED MATERIALS ARE AVAILABLE ON THE COUNTY'S WEBSITE

Board of Commissioners: www.co.currituck.nc.us/board-of-commissioners-minutes-current.cfm

PLANNING BOARD DISCUSSION (2-12-13)

Ms. Wilson asked staff if this request will increase the number of kayak tours and the number of vehicles.

Ms. Newbern stated it would not.

Mr. Wright asked if all participants will be transported in a central van, shuttle or vehicle since there is no parking at Wild Horse Estates.

Mr. Eddus stated yes.

Mr. Craddock asked for clarification on where the kayaks will be launched. Mr. Craddock asked what would happen if the water is too low, would the kayaks be launched at a different location.

Ms. Twiddy stated a kayak takes approximately 3 inches of water to launch.

Mr. Cooper asked what type of equipment storage would be on site.

Mr. Eddus stated a wooden kayak rack.

Mr. Craddock asked if the kayak rack would be taken down at the end of the tour day or locked up on the site.

Mr. Eddus stated locked up on the site.

Mr. Craddock asked about provisions for restrooms.

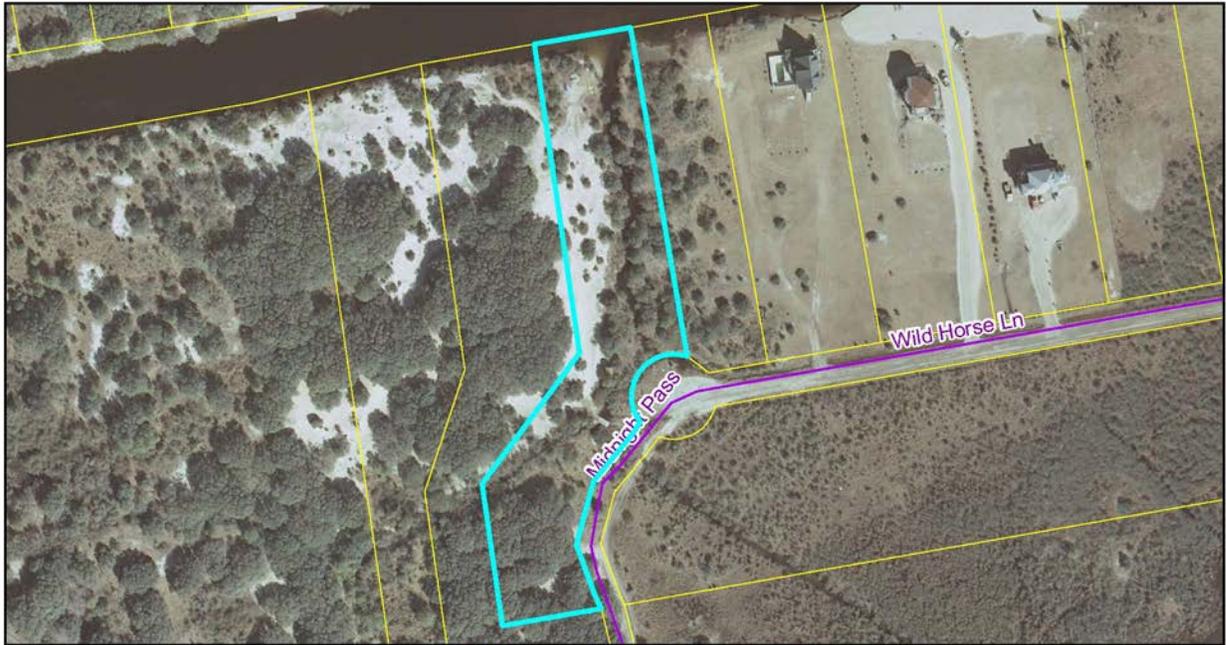
Ms. Newbern stated there will be a fee for tour operations which will be used to maintain the roads and restrooms.

Mr. Wright asked if there will be a maximum of three Kayak Tours and two Segway Tours per day.

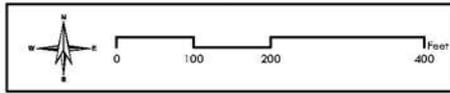
Mr. Eddus stated yes.

ACTION

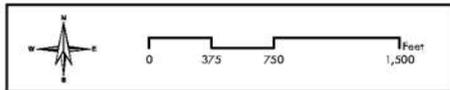
Mr. Cooper moved to approve PB 10-11 as presented with staff findings and the request being in compliance with the Unified Development Ordinance. Mr. Cartwright seconded the motion. Motion carried unanimously.



PB 10-11
Wild Horse Estates - SUP
Aerial

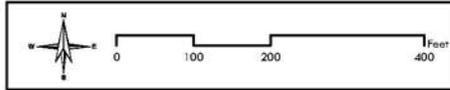


PB 10-11
Wild Horse Estates - SUP
LUP





PB 10-11
Wild Horse Estates - SUP
Zoning



MEMORANDUM

To: Hadley Twiddy, Coastal Explorations

From: Planning Staff

Date: January 10, 2013

Re: PB 10-11 Wild Horse Estates Amended Special Use Permit – Recreational Facility,
Outdoor Private

The following comments have been received for the January 16, 2013 TRC meeting. In order to be scheduled for the February 12, 2013 Planning Board meeting, please address all comments by 3:00 p.m. on January 18, 2013. TRC comments are valid for six months from the date of the TRC meeting.

Planning, Jennie Newbern
Reviewed

1. Please submit a signed application by the owner, Jay Bender of Wild Horse Estates, LLC or amend the submitted letter to reference authorization for amending the existing Special Use Permit (PB10-11) issued to Wild Horse Estates.
2. On January 7, 2013 the Currituck County Board of Commissioners adopted an ordinance that requires a license for any Outdoor Tour Operator operating in Currituck County on the Outer Banks from the terminus of the paved portion of N.C. Highway 12 to the Virginia State Line. The ordinance requires that no more than ten (10) licenses shall be issued at any one time.
3. The request for kayak tours is vague; please provide a summary of how the kayak tours will be operated (include the number of proposed vehicles and proposed capacity of each).
4. Provide the number of kayak tours that will be operated from the property each day by Coastal Explorations and the duration of each tour.
5. Provide a site plan that shows the location of the loading/unloading zones, the parking spaces for all tour vehicles and the launch site for kayaks. The application indicates that a kayak rack is proposed, please label the location and dimensions on the site plan and indicate the number of kayaks that will be stored on site. Please note that this lot is CAMA jurisdictional and a CAMA permit may be required.
6. Commercial transactions related to the Coastal Explorations kayak tours shall occur at the Corolla Storefront at 1118 Corolla Village Road.
7. *Please note the Existing Conditions for Special Use Permit 10-11 Issued to Wild Horse Estates LLC for Private Outdoor Recreation Facility.*

1. This Special Use Permit is valid only in conjunction with a valid Special Use Permit for Outdoor Tour Operator from the Corolla Light Town Center Property (PB 10-08).

2. The Conservation & Limited Use Easement recorded in Deed Book 699 Pages 219 -223 states that the easement is shown on the Plat (Plat Cabinet H, Slide 169-173). We are unable to determine from the recorded plats where the easement is located. The Plat should be amended and re-recorded within 30 days from issuance of the Special Use Permit.

3. No equipment, kayaks, segways or vehicles shall be stored on site.

4. There shall be a maximum of three (3) Kayak Tours and two (2) Segway Tours per day.

5. Kayaks and Segways shall be labeled with decals or paint markings that clearly display the company name.

6. Kayak tours shall be limited to one 9-passenger vehicle carrying 8 patrons/trip and a maximum of 4 tandem kayaks plus the guide.

7. Segway tours shall be limited to one 6-passenger vehicle carrying 5 patrons/trip plus the guide.

8. Tour Vehicles and Segways shall not be operated outside of the easement boundaries.

9. Kayak tour participants shall not enter upon private property along the canals or the Currituck Sound.

10. Tours shall operate during daylight hours only.

11. Tours shall comply with Chapter 3: Article II. Wild Horses, Chapter 10: Article II. Beaches and all other applicable provisions of the Currituck County Code of Ordinances. Tours shall also operate in accordance with State and Federal Laws.

12. All commercial transactions shall occur at the Corolla Storefront in the Corolla Light Town Center.

13. Tour patrons have access to restrooms at the Corolla Light Town Center Storefront.

14. Anchored waste receptacles shall be provided on-site.

15. Tour operations and launch site shall occur from Lot 2.

Currituck County Building Inspections, Spence Castello

Approval with corrections – Is site accessible?

Currituck County Utilities, Pat Irwin

Reviewed

Currituck County GIS, Harry Lee

Reviewed – No Comment

Currituck County Parks and Recreation, Jason Weeks

Reviewed – Applicant should provide portable toilets for clients.

Albemarle Regional Health Services, Joe Hobbs

Will customers be able to use restroom at proposed boat launch site?

Currituck County Economic Development, Peter Bishop

Reviewed

NC Division of Coastal Management, Charlan Owens

Reviewed

1. A 75 foot Area of Environmental Concern (AEC) and 30 foot buffer are located along the shoreline.
2. Locate the wooden kayak rack outside of the 30 foot buffer.
3. Any land disturbance and development activities within the 75 foot AEC will require DCM review. Please contact DCM Field Representative Ron Renaldi at 264-3901 for additional information.

Office of State Archaeology, Lawrence Abbott

An archaeological survey is not recommended. No Comment.

US Army Corps of Engineers, Kyle Barnes

Reviewed – Any impacts to waters or wetlands of the United States will require approval prior to implementation.

Please note that comments were not received from the following:

Currituck Soil and Water, Mike Doxey

Currituck County Engineer, Eric Weatherly

Currituck County Sheriff, Susan Johnson

Currituck County Local Volunteer Fire Department

The following items are necessary for resubmittal:

- 3 – full size copies of revised plans
- 10 – 11” x 17” copies of revised plans
- 1 – 8.5” x 11” copy of all revised plans
- 1 – PDF digital copy of all revised documents and plans



COUNTY OF CURRITUCK

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

SPECIAL USE PERMIT GRANTED

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

Owner: Wild Horse Estates LLC
76 Spindrift Trail
Kitty Hawk, NC 27949

Applicant: Scott Trabue
Tres Beau, Ltd.
PO Box 1630
Kitty Hawk, NC 27949

Property Location: Wild Horse Lane – Wild Horse Estates II

Project: PB 10-11 Tres Beau Ltd. - Special Use Permit

Proposed Use: Private Outdoor Recreational Facility

Meeting Dates: April 13, 2010 – Planning Board Recommendation
May 3, 2010 – Board of Commissioners' Public Hearing/Action

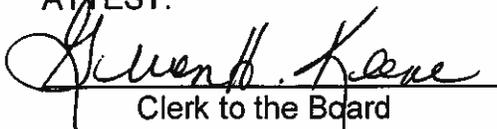
Having heard all the evidence and argument presented at the hearing, the Board finds that the application is complete, that the application complies with all of the applicable requirements of the Currituck County Unified Development Ordinance for the development proposed, and that therefore the application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

- (A) The applicant shall complete the development strictly in accordance with the plans submitted to and approved by the Board of Commissioners, a copy of which is filed in the office of the Planning Department.
- (B) If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this permit shall be void and of no effect.
- (C) Other conditions:

1. This Special Use Permit is valid only in conjunction with a valid Special Use Permit for Outdoor Tour Operator from the Corolla Light Town Center Property (PB 10-08).
2. The Conservation & Limited Use Easement recorded in Deed Book 699 Pages 219 -223 states that the easement is shown on the Plat (Plat Cabinet H, Slide 169-173). We are unable to determine from the recorded plats where the easement is located. The Plat should be amended and re-recorded within 30 days from issuance of the Special Use Permit.
3. No equipment, kayaks, segways or vehicles shall be stored on site.
4. There shall be a maximum of three (3) Kayak Tours and two (2) Segway Tours per day.
5. Kayaks and Segways shall be labeled with decals or paint markings that clearly display the company name.
6. Kayak tours shall be limited to one 9-passenger vehicle carrying 8 patrons/trip and a maximum of 4 tandem kayaks plus the guide.
7. Segway tours shall be limited to one 6-passenger vehicle carrying 5 patrons/trip plus the guide.
8. Tour Vehicles and Segways shall not be operated outside of the easement boundaries.
9. Kayak tour participants shall not enter upon private property along the canals or the Currituck Sound.
10. Tours shall operate during daylight hours only.
11. Tours shall comply with Chapter 3: Article II. Wild Horses, Chapter 10: Article II. Beaches and all other applicable provisions of the Currituck County Code of Ordinances. Tours shall also operate in accordance with State and Federal Laws.
12. All commercial transactions shall occur at the Corolla Storefront in the Corolla Light Town Center.
13. Tour patrons have access to restrooms at the Corolla Light Town Center Storefront.
14. Anchored waste receptacles shall be provided on-site.
15. Tour operations and launch site shall occur from Lot 2.

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

ATTEST:

 (Seal)
Clerk to the Board

5-4-10
Date


Chairman
Board of Commissioners

(NOT VALID UNTIL FULLY EXECUTED)



COUNTY OF CURRITUCK

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

SPECIAL USE PERMIT GRANTED

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

Owner: Corolla Light Town Center, LLC
PO Box 1237
Nags Head, NC 27959-1237

Applicant: Scott Trabue
Tres Beau, Ltd.
PO Box 1630
Kitty Hawk, NC 27949

Property Location: 102-A Austin Street

Project: PB 10-08 Tres Beau Ltd. d/b/a Back Country Outfitters & Segway
of the Outer Banks - Special Use Permit

Proposed Use: Outdoor Tour Operator

Meeting Dates: April 13, 2010 – Planning Board Recommendation
May 3, 2010 – Board of Commissioners' Public Hearing/Action

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

- (A) The applicant shall complete the development strictly in accordance with the plans submitted to and approved by the Board of Commissioners, a copy of which is filed in the office of the Planning Department.

(B) If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this permit shall be void and of no effect.

(C) Other conditions:

1. The guided horse tours and segway walking tours are approved.
2. The guided kayak and off-road segway tours are approved on condition that a valid Special Use Permit for an Outdoor Recreation Facility is issued for the launch site at Wild Horse Estates (PB10-11).
3. All tours shall be guided from Memorial Day to Labor Day. Tag-a-long tours are permitted on condition that the lead vehicle is operated by an employee of the tour company and subsequent vehicles are under the employee's supervision.
4. Tour vehicles shall be labeled with decals or paint markings that clearly display the company name. Label font size shall be a minimum of four inches.
5. Tours shall comply with Chapter 3: Article II. Wild Horses, Chapter 10: Article II. Beaches and all other applicable provisions of the Currituck County Code of Ordinances. Tours shall also operate in accordance with all State and Federal laws.
6. There shall be one parking space required for every vehicle seating 1-5 persons, two parking spaces required for every vehicle seating 6-10 persons etc., and one parking space required for every two employees. If any additional activities or uses occur on-site, additional parking may be required per the Unified Development Ordinance. Currently there is adequate onsite parking.

Use	Parking Requirement	Quantity	Parking Total
Horse Tours	Tour vehicle seating 6 to 10 ppl = 2 parking spaces per vehicle	5	10
Kayak Tours	Tour vehicle seating 6 to 10 ppl = 2 parking spaces per vehicle	1	2
Segway Tours	Tour vehicle seating 1-5 ppl = 1 space per vehicle	1	1
Segway Walking Tour	1 parking space/3ppl	10	3
Employees	1 parking space/2 employees	6	3
TOTAL Required:			19

7. Vehicles held in reserve in the event of inclement weather or breakdowns may be used as long as the parking requirements and all other conditions of this permit are met. Reserve vehicles shall be stored at an approved location.
8. The Board of Commissioners may establish a maximum number of vehicles as part of the special use permit approval process.
9. This special use permit shall be reviewed administratively on an annual basis and a report shall be filed with the Currituck County Board of Commissioners detailing the nature of any complaints received by the Planning Department. At the discretion of the Code Enforcement Officer or Board of Commissioners, the special use permit shall be subject to revocation or modification by the permit issuing authority following a public hearing.

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

ATTEST:

Aileen H. Koene (Seal)
Clerk to the Board

5-4-10
Date

L. Paul O'Neal
Chairman
Board of Commissioners

(NOT VALID UNTIL FULLY EXECUTED)



COUNTY OF CURRITUCK

Planning and Community Development Department
Planning and Zoning Division
153 Courthouse Road, Suite 110
Currituck, North Carolina 27929
Telephone (252) 232-3055 / Fax (252) 232-3026

SPECIAL USE PERMIT GRANTED

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

- Owner: TFP, LLC
PO Box 369
Corolla NC 27927
- Applicant: Hadley Twiddy
1118 Corolla Village Lane
Corolla NC 27927
- Property Location: 1118 Corolla Village Road
- Project: PB 12-08 Coastal Explorations
- Proposed Use: Outdoor Tour Operator – Horse Tours
- Meeting Dates: April 10, 2012 – Planning Board Recommendation
May 21, 2012 – Board of Commissioners' Public Hearing/Action

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

- (A) The applicant shall complete the development strictly in accordance with the plans submitted to and approved by the Board of Commissioners, a copy of which is filed in the office of the Planning Department.
- (B) If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this permit shall be void and of no effect.
- (C) This permit is valid shall remain valid so long as the conditions under which it was granted are met.

(D) Other conditions:

1. The applicant shall resolve the outstanding wastewater issues to the satisfaction of the County Engineer by connecting to a permitted central wastewater system or installing an operational on-site wastewater system within 90-days or the special use permit shall be void.
2. All tours shall be guided from Memorial Day to Labor Day. Tag-a-long tours are permitted as long as the lead vehicle is operated by an employee of the tour company and subsequent vehicles are under the employee's supervision.
3. Tour/Rental vehicles shall be labeled with decals or paint markings that clearly display the company name. Label font size shall be a minimum of four inches.
4. Tours shall comply with Chapter 3: Article II. Wild Horses, Chapter 10: Article II. Beaches and all other applicable provisions of the Currituck County Code of Ordinances. Tours shall also operate in accordance with all State and Federal laws.
5. There shall be one parking space required for every vehicle seating 1-5 persons, two parking spaces required for every vehicle seating 6-10 persons etc., and one parking space required for every two employees. If any additional activities or uses occur on-site, additional parking may be required per the Unified Development Ordinance. Currently there is adequate parking available. Parking can be accommodated on-site based on the existing retail and apartment uses; however, if the approved additional retail and accessory apartment are constructed; satellite parking will need to be reviewed and approved.

Use	Parking Requirement	Quantity	Parking Total
Horse Tour Rentals	Tour vehicle seating 6-10 persons = 1 space per vehicle	1	2
Employees (Horse tours)	1 space/2 employees	1	1
Existing Retail Space	1 space/ 400 sq. ft.	528 sq. ft.	2
Existing Accessory Apartment	2 spaces/dwelling unit	1	2
Total Available:	7	Total Proposed	7

6. Vehicles held in reserve in the event of inclement weather or breakdowns may be used as long as the parking requirements and all other conditions of this permit are met. Reserve vehicles must be stored at an approved location.
7. This special use permit shall be reviewed administratively on an annual basis and a report shall be filed with the Currituck County Board of Commissioners detailing the nature of any complaints received by the Planning Department. At the discretion of the Code Enforcement Officer or Board of Commissioners, the special use permit shall be subject to revocation or modification by the permit issuing authority following a public hearing.
8. The Board of Commissioners may establish a maximum number of vehicles as part of the special use permit approval process.

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

ATTEST:

Shawn H. Kiore (Seal)
Clerk to the Board

5-24-12
Date

John P. [Signature]
Chairman
Board of Commissioners

(NOT VALID UNTIL FULLY EXECUTED)

Quible

Quible & Associates, P.C.

ENGINEERING • ENVIRONMENTAL SCIENCES • PLANNING • SURVEYING
SINCE 1959

P.O. Drawer 870
Kitty Hawk, NC 27949
Phone: 252-261-3300
Fax: 252-261-1260
Web: quible.com

January 18, 2013

Jennie Newbern
Currituck County Planning Staff
153 Courthouse Road, Suite 110
Currituck, NC 27929

Re: Special Use Permit Application
Coastal Explorations, LLC – Tract 2 Wild Horse Estates
Kayak Launch-Resubmittal

Ms. Newbern:

Please find attached the revised Special Use Permit application package for the above referenced project. Coastal Explorations, LLC, located in Historic Corolla Village, intends to add a remote launch site for kayak tours. Per your January 10, 2013 correspondence, please find the following revised documentation to assist in this Special Use Permit process:

1. Three (3) full size copies of the revised plans;
2. Ten (10) 11"x17" copies of the revised plans;
3. One (1) 8.5"x11" copy of all revised plans;
4. One (1) CD containing digital copies of all revised plans and documents.

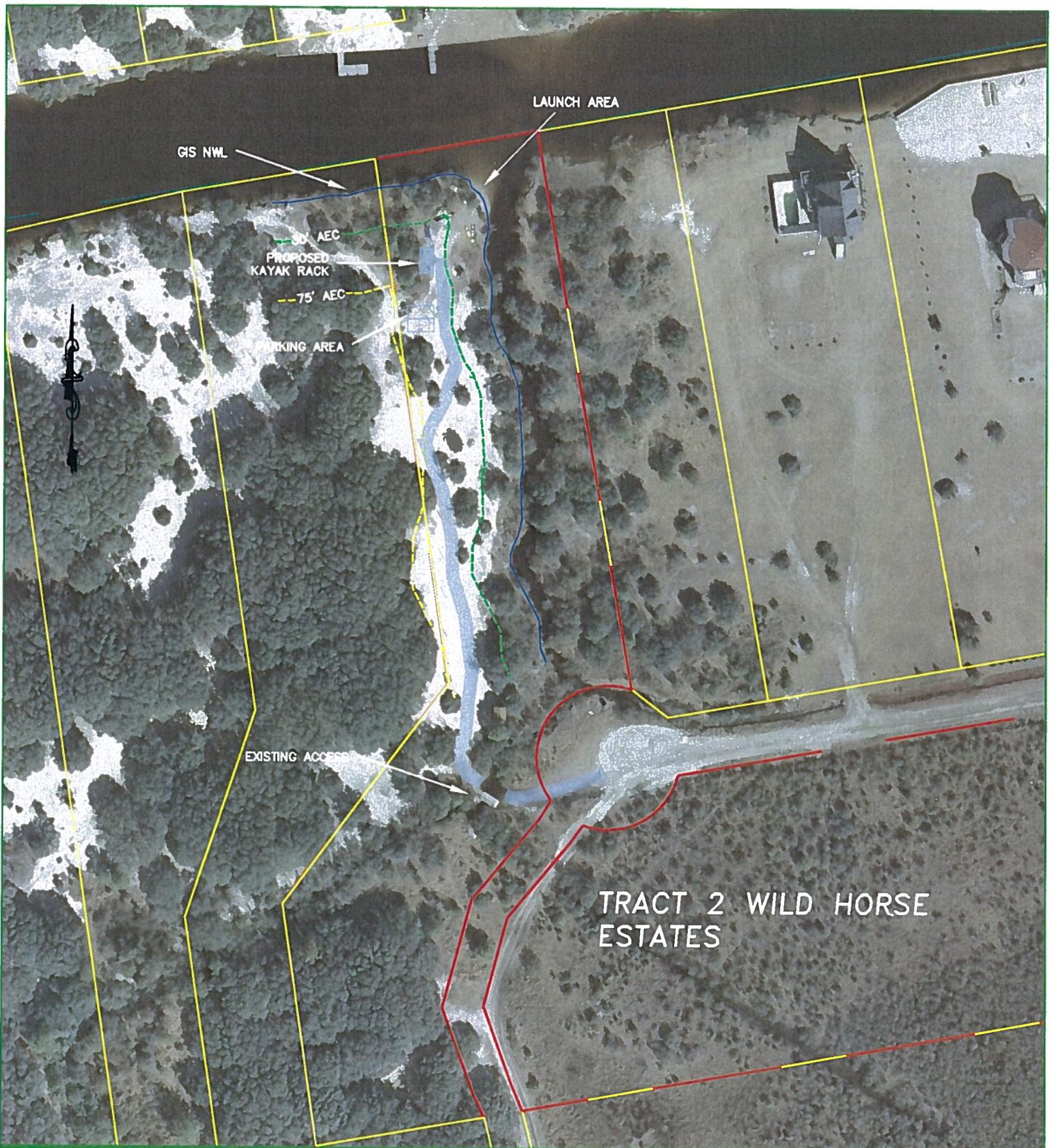
Please do not hesitate to contact me should you have any questions and/or concerns at (252) 261-3300 or weadus@quible.com. Thank you for your attention to this project.

Sincerely,
Quible & Associates, P.C.



Warren D. Eadus, P.G.

Enc as stated
cc Hadley Twiddy, Coastal Explorations, LLC
File



PROJECT p07094	COPYRIGHT © 2013 QUIBLE & ASSOCIATES, P.C.	COASTAL EXPLORATIONS LLC SPECIAL USE PERMIT TRACT 2 WILD HORSE EST. FRUITVILLE BEACHES CURRITUCK COUNTY NORTH CAROLINA	 ENGINEERING * CONSULTING * PLANNING ENVIRONMENTAL SCIENCES * SURVEYING NC License#: C-0208 PO Drawer 370, Kitty Hawk, NC 27949 Phone: (252) 261-3500 Fax: (252) 261-1260 E-Mail: administrator@quible.com
DRAWN BY WDE	THIS DOCUMENT IS THE PROPERTY OF QUIBLE & ASSOCIATES, P.C. ALL RIGHTS ARE RESERVED. ANY REPRODUCTION OF THIS OR POSSESSION WITHOUT PRIOR PERMISSION OF QUIBLE & ASSOCIATES, P.C. WILL CONSTITUTE VIOLATION OF COPYRIGHT LAWS. VIOLATION WILL BE SUBJECT TO LEGAL ACTION.		
CHECKED BY WDE	IF THIS PLAN OR PLAT IS NOT SIGNED AND SEALED BY A LICENSED PROFESSIONAL THEN THIS PLAN OR PLAT SHALL BE CONSIDERED PRELIMINARY AND NOT A CERTIFIED DOCUMENT AND SHALL NOT BE USED FOR CONSTRUCTION, RECORDATION, SALES OR LAND CONVEYANCES.	 GRAPHIC SCALE IN FEET 1"=100	



Special Use Permit Application Review Process

Contact Information

Currituck County
Planning Department
153 Courthouse Road, Suite 110
Currituck, NC 27929

Phone: 252.232.3055
Fax: 252.232.3026
Website: <http://www.co.currituck.nc.us/Planning.cfm>

Step 1 Pre-application Meeting

The applicant must schedule a pre-submittal meeting with county staff to discuss the plan, preliminary assessments regarding the proposed use and the adopted ordinance and plans, and process.

Step 2 Application Submittal

The applicant must submit a complete application packet on or before the application submittal date. A complete application packet consists of the following:

- Completed Currituck County Special Use Permit Application.
- Application Fee (\$150).
- A narrative explaining the proposed use, description of any processes to be utilized, equipment used as part of the operation, proposed days/hours of operation, and any information which will be useful in considering this application.
- An accurate site plan of the property drawn to scale (1"=50') in a professional like manner, unless waived by the administrator. The site plan shall include the following:
 - General information including, but not limited to: vicinity sketch; north arrow; engineering scale ratio; acreage; title of the development; date of the plan; gross floor area of all buildings; name and address of owner/developer and person or firm preparing the plan; and zoning setback lines.
 - Location(s), dimension(s), and arrangement of all: vehicular entrances, exits, drives and fire lanes; automobile parking spaces, width of aisles and bays, angle of parking and number of spaces; truck unloading docks, ramps and spaces; refuse collection (dumpster) container space(s); building(s) with exterior dimensions; fences, walls, docks, ramps, pools, patios, and surface areas; water tap(s) denoting size(s) of line(s) or well area; sewer tap(s) denoting size(s) of lines or septic system location, including repair area; electrical service connection(s); existing and proposed fire hydrant; easements and rights-of-way; size(s) of all public utility lines (water, sewer and storm sewer) within all adjacent public rights-of-way and easements.
 - Drainage plan, including a drainage narrative with calculations, site surface drainage, pipe size, yard drains, catch basins, curb inlets, and topographic plan that indicates location and elevation changes above or below natural grade (shown in one foot intervals) within the past six months and contains the following certificate:

I, Harley Twidley, owner/agent do hereby certify that I will develop 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 channeled 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 impede

the natural flow of water from higher or adjacent properties across such development, thereby unreasonably causing substantial damage to such higher adjacent properties.

Date: _____ Owner/Agent: _____

- Curb and gutter alignment, including street widening and storm drainage, if necessary.
- Bufferyard/Landscape plan, including the following information:
 - Existing and proposed buildings, drives, parking areas, exterior storage areas, dumpsters, stormwater detention areas (if applicable) and accessory structures;
 - All existing and proposed planting areas and vegetation that will be used to comply with the bufferyard requirements, including the species, height, caliper (for single stem trees only) and spacing of all vegetation;
 - Existing and proposed physical barriers to be used to comply with the bufferyard requirements;
 - All surrounding existing land uses; and,
 - Adjoining property lines and names and address of adjoining property owners.
- Site distance triangles of 10' x 70' shall be indicated at the intersection of all public right-of-way lines, and site distance triangles of 10' x 35' shall be indicated at the intersection of a right-of-way and driveway.
- Comparison of how the proposed development relates to the maritime forest guide, if applicable.
- The flood zone(s), including boundary lines and finished floor elevations, where applicable.
- A lighting plan compliant with the Currituck County Unified Development Ordinance.
- A copy of an executed NCDOT Street and Driveway Access Permit Application and Encroachment Agreement, if necessary.
- Any additional information as may be required by the reviewing agents.
- NCDENR, DWQ, stormwater permit application for projects with 10,000 square feet or more of built upon area proposed.
- NCDENR, Land Quality, Erosion and Sedimentation Control permit application for projects with one acre or more of land disturbance proposed.
- Number of Copies Submitted
 - 5 Copies of conceptual site plans
 - 5 Hard copies of ALL documents
 - 1 PDF digital copy (ex. Compact Disk – e-mail not acceptable) of all plans AND documents

NOTE: NCDENR PERMITS AND APPROVED PLANS ARE REQUIRED PRIOR TO BUILDING PERMIT APPLICATION OR COMMENCEMENT OF PROPOSED USE IF A BUILDING PERMIT IS NOT REQUIRED.

Step 3 Technical Review Committee Review and Recommendation

The planning staff will submit the plan to the TRC and prepare a written report that will include any outstanding concerns with the proposed request or layout of the plan. After the TRC meeting, the planning staff will prepare the staff report and recommendation. A copy of the report will be provided to the applicant in advance of the Planning Board meeting.

Step 4 Adjoining Property Owner Notification

It is the planning staff's responsibility to mail a notice to all adjacent property owners within 200 feet of the subject property at least 10 days but not more than 25 days prior to the Planning Board meeting date.

Step 5 Planning Board Meeting

The Planning staff will present the request to the Planning Board. The applicant must attend the Planning Board meeting to answer any questions the board or public may have about the proposed project. The Planning Board may recommend approval, denial, or may defer their decision for two months. The Planning Board may recommend reasonable and appropriate conditions be attached to the approval of the application. Such conditions should relate to the relationship of the proposed use to surrounding property, proposed support facilities such as parking areas and driveways, pedestrian and vehicular circulation, screening and buffers, phasing of development, infrastructure improvements, and other matters that the board may find appropriate or the applicant may propose.

Step 6 Adjoining Property Owner Notification and Posting of Property

After the Planning Board recommendation, It is the planning staff's responsibility to notify the local paper and property owners within 200 feet of the subject property at least 10 days but not more than 25 days prior to the Board of Commissioners public hearing date. The planning staff will post a notice of public hearing sign in a conspicuous location on the property that outlines the date, time, place, and nature of the hearing.

Step 7 Board of Commissioners Meeting

The Board of Commissioners will hold a public hearing at the Historic Courthouse Board Meeting Room. Public hearings are held on the first or third Monday meeting of the month. The applicant must attend the public hearing to answer any questions the board or public may have about the project. The Board of Commissioners shall conduct a quasi-judicial hearing that is subject to procedural rules set forth by the courts, including the requirement of a formal evidentiary hearing. The Board of Commissioners may require reasonable and appropriate conditions be attached to the approval of the application. Such conditions should relate to the relationship of the proposed use to surrounding property, proposed support facilities such as parking areas and driveways, pedestrian and vehicular circulation, screening and buffers, phasing of development, infrastructure improvements, and other matters that the board may find appropriate or the applicant may propose.



Special Use Permit Application

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

Contact Information

APPLICANT:		PROPERTY OWNER:	
Name:	<u>Coastal Explorations</u> <u>Co. HARVEY TIMMONY</u>	Name:	<u>WILD HORSE ESTATES, LLC</u> <u>Co. JAY BENDER</u>
Address:	<u>1118 COROLLA VILLAGE</u> <u>ROAD COROLLA, NC 27927</u>	Address:	<u>PO BOX 244</u> <u>COROLLA, NC 27927</u>
Telephone:	<u>252.453.9072</u>	Telephone:	_____
Fax Number:	_____	Fax Number:	_____
E-Mail Address:	<u>water@coastalexplorations.com</u>	E-Mail Address:	_____
LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: <u>N/A</u>			

Property Information

Physical Street Address: 2008 MIDNIGHT PASS COROLLA, NC 27927

Location: TRACT 2 WILD HORSE ESTATES

Parcel Identification Number(s): 099C0000020000 GLOBAL PIN: 9021-08-0464

Total Parcel(s) Acreage: ± 10.48 ACRES AND ± 2.46 ACRES (616)

Existing Land Use of Property: UNDEVELOPED, EXISTING KAYAK TOUR LAUNCH SITE.

Request

Proposed Use of the Property: SAME AS EXISTING WITH ADDED

Total square footage of land disturbance activity: N/A

Total structure coverage: N/A Total vehicular area: USE EXISTING

Total square footage of all existing and proposed buildings: N/A

Existing gross floor area: N/A Proposed gross floor area: N/A

Purpose of Special Use Permit and Project Narrative: PLEASE SEE ATTACHED NARRATIVE.

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.

PROPOSED USE IS CONSISTENT WITH CURRENT OPERATION AND
WILL NOT MATERIALLY ENDANGER PUBLIC HEALTH OR
SAFETY

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

PROPOSED USE IS CONSISTENT WITH CURRENT OPERATION AND
WILL NOT SUBSTANTIALLY INJURE THE VALUE OF
ADJOINING OR ABUTTING PROPERTY.

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).

PROPOSED USE IS CONSISTENT WITH CURRENT OPERATION
AND WILL BE/REMAIN IN HARMONY WITH NEIGHBORHOOD

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

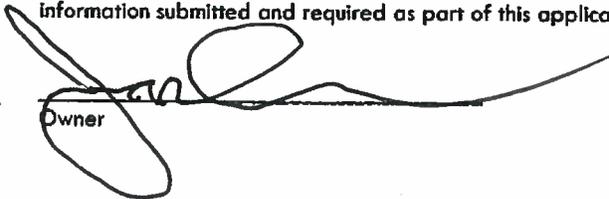
PROPOSED USE GENERALLY CONFORMS WITH THE LAND USE
PLAN.

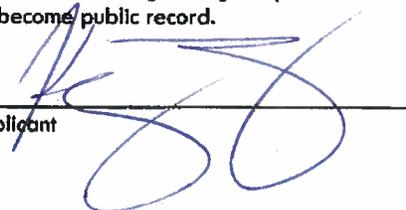
E. The use will not exceed the county's ability to provide adequate public facilities, including, but not limited to, schools, fire and rescue, and law enforcement.

PROPOSED USE WILL NOT EXCEED COUNTY'S ABILITY TO
PROVIDE ADEQUATE PUBLIC SERVICE AND FACILITIES

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

Special Use Permit Application
Page 5 of 7
9/10

Special Use Permit

Hearing Dates and Procedure for Continued Requests

Request: AMENDMENT OF SPECIAL USE PERMIT PB 10-11 TREES BOON LTD.
TO INCLUDE GUIDED KAYAK TOUR LAUNCH SITE FOR COASTAL EXPLORATIONS
Application Submittal Date: DECEMBER 27, 2012

Technical Review Committee Meeting Date: JANUARY 16, 2013

Planning Board Meeting Date: FEBRUARY 12, 2013

Board of Commissioners' Meeting Date: MARCH 9, 2013

or MARCH 18, 2013

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, KADLEY TWIDDY, 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.



Property Owner/Authorized Agent

Special Use Permit Submittal Checklist

Staff will use the following checklist to determine the completeness of your application. Only complete applications will be accepted.

**Special Use Permit
Submittal Checklist**

Date Received: _____

TRC Date: _____

Project Name: _____

Applicant/Property Owner: _____

Applications

- ___ Complete Special Use Permit application
- ___ Hearing Dates and Procedure for Continued Requests form
- ___ NCDENR, DWQ stormwater permit application
- ___ NCDENR, Land Quality, Erosion and Sedimentation Control permit application
- ___ NCDOT Street and Driveway Access Permit Application and Encroachment Agreement

Approvals/Forms

- ___ Narrative explaining the proposed use

Fee

- ___ Application Fee (\$150)

Plans

- ___ Accurate conceptual site plan drawn to scale (1" = 50')
- ___ Drainage Plan, including narrative
- ___ Bufferyard/Landscape Plan
- ___ Number of Copies Submitted
 - 5 Copies of plans
 - 5 Hard copies of ALL documents
 - 1 PDF digital copy (ex. Compact Disk – e-mail not acceptable) of all plans AND documents

File

- ___ Add new case number

Pre-application Meeting

- Pre-application Meeting was held on 12/14/12 and the following people were present: JASON LITZEL, JENNI NEWBORN, ANDREY TWIDY & WARREN ERDOS

Comments



Quible SINCE 1959
& Associates, P.C.
 ENGINEERING * CONSULTING * PLANNING
 ENVIRONMENTAL SCIENCES * SURVEYING
 NC License#: C-0208
 PO Drawer 870, Kitty Hawk, NC 27949
 Phone: (252) 261-3300
 Fax: (252) 261-1260
 E-Mail: administrator@quible.com

COASTAL EXPLORATIONS LLC
SPECIAL USE PERMIT
TRACT 2 WILD HORSE EST.
 FRUITVILLE BEACHES NORTH CAROLINA CURRITUCK COUNTY
 0 60 120
 GRAPHIC SCALE IN FEET 1"=60

COPYRIGHT © 2013
 QUILBE & ASSOCIATES, P.C.
 THIS DOCUMENT IS THE PROPERTY OF QUILBE & ASSOCIATES, P.C. ALL RIGHTS ARE RESERVED. ANY REPRODUCTION OF THIS OR POSSESSION, WITHOUT PRIOR PERMISSION OF QUILBE & ASSOCIATES, P.C. WILL CONSTITUTE VIOLATION OF COPYRIGHT LAWS. VIOLATION WILL BE SUBJECT TO LEGAL ACTION.
 IF THIS PLAN OR PLAT IS NOT SIGNED AND SEALED BY A LICENSED PROFESSIONAL THEN THIS PLAN OR PLAT SHALL BE CONSIDERED PRELIMINARY AND NOT A CERTIFIED DOCUMENT AND SHALL NOT BE USED FOR CONSTRUCTION, RECORDATION, SALES OR LAND CONVEYANCES.

PROJECT
p07094
 DRAWN BY
WDE
 CHECKED BY
WDE
 DATE
01/18/13

CASE ANALYSIS FOR THE
Board of Commissioners
DATE: March 4, 2013
PB 12-04 Beckmoore Estates

Note: *This request is being reviewed under the previous UDO. The applicant submitted for sketch plan and preliminary plat/SUP approval prior to January 1, 2013.*

ITEM: PB 12-04 Beckmoore Estates, Preliminary Plat/Special Use Permit for 12 additional lots in a 13-lot residential subdivision.

LOCATION: Moyock: northern terminus of Thayne Drive, Moyock Township.

TAX ID: 0022-000-089A-0000 (Lot 1 – recombination)
0022-000-089B-0000

ZONING DISTRICT: CD-SFM 11-15 (Conditional District – Single Family Mainland) The CD-R transitioned to CD-SFM with the adoption of the Official Zoning Map with the effective date of January 1, 2013.

PRESENT USE: Farmland

OWNER: Beckmoore Development, LLC
Robert Shawn Moore
1253 Tulls Creek Road
Moyock, NC 27958

APPLICANT: Hyman & Robey
Doug Abbott
PO Box 339
Camden, NC 27921

LAND USE/ZONING OF SURROUNDING PROPERTY:

	Land Use	Old Zoning	Current Zoning
NORTH:	Active farmland	A	AG
SOUTH	Low density residential	A	AG
EAST:	Low density residential	A	AG
WEST:	Active farmland	R/PUD Overlay	SFM/PUD Overlay

LAND USE PLAN

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

SIZE OF SITE: 20.13 acres (total tract)

NUMBER OF UNITS: 12 Residential lots
13 Total lots within the subdivision

PROJECT DENSITY: .65 units per acre

OPEN SPACE: 4.03 acres required open space (20% of the total tract)
4.03 acres provided open space

UTILITIES: The individual lots will be served by county water and on-site septic systems.

I. NARRATIVE OF REQUEST:

1. The conditional zoning was approved by the Board of Commissioners on January 17, 2012 and established the following zoning conditions:
 - a. A drainage analysis of the development site will be provided to the county at the time of preliminary plat submittal. The drainage analysis will investigate methods in which the site's stormwater design will reduce the stormwater discharge from the site during peak storm events. The design features or methods will include:
 1. Use of perimeter lot swales/ditches or ponds to capture stormwater leaving the lots and provide additional storage;
 2. Diversion of some stormwater to the ditch along the western property line;
 3. Techniques to control and reduce the velocity of discharge.
 - b. Open space may be relocated within the development for purposes of stormwater management.
 - c. 13-lot residential subdivision.
 - d. Minimum lot size shall be 40,000 square feet.
 - e. 60 foot buffer provided along the eastern boundary.
 - f. Street interconnection will be provided to adjacent properties to the north and west.
 - g. Stick built single family dwellings will be constructed on the lots.
2. The property owner is requesting preliminary plat/special use permit approval of 12 residential lots within a 13-lot subdivision with an overall project density of .65 units per acre.
3. The sketch plan and preliminary plat/SUP were heard by the Technical Review Committee on January 16, 2013. The sketch plan was approved January 31, 2013.
4. The open space improvements for the required open space will include reforestation, five foot mulch walking path, benches, and foot bridges. The maintenance of the open space including the detention basin will be the responsibility of the homeowner association.

II. QUESTION(S) BEFORE THE BOARD:

Special Use Permit Criteria and Staff Findings:

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

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

1. Completeness of application.
Suggested Findings:
 - a. The application is complete.

2. The proposed use is among those listed in the Table of Permissible Uses as a special use indicated with an "S".
Suggested Findings:
 - a. Chapter 10 of the UDO allows a major subdivision as a permissible use with a special use permit.

3. The conditions proposed meet or exceed the minimum requirements of this ordinance.
Suggested Findings:
 - a. As presented, the subdivision meets or exceeds the minimum requirements of the ordinance.

4. The special use will not endanger the public health or safety:
Suggested Findings:
 - a. The low density residential subdivision should have little to no impact on public health or safety.

5. The special use will not injure the value of adjoining or abutting property and will be in harmony with the area in which it is located
Suggested Findings:
 - a. The UDO indicates that a subdivision is allowed in the R zoning district with a special use permit.
 - b. The proposed subdivision is consistent with the approved conditional rezoning (CD-R-11-15)
 - c. The proposed residential subdivision is similar in density with the surrounding community.

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 Services within the Moyock subarea. Areas designated as Full Service are those parts of the county where a broad range of infrastructure and service investments have been provided or will be made available by the public and/or private sectors. The policy emphasis for the Moyock area includes residential development densities at medium to high depending on available services. In areas with on-site wastewater development densities should be limited to 1 to 2 units per acre. 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. LOCATION AND DENSITY FACTORS shall include whether the development is within an environmentally suitable area, the type and capacity of sewage treatment available to the site, the adequacy of transportation facilities providing access to the site, and the proximity of the site to existing and planned urban services. For example, projects falling within the Full Services areas of the Future Land Use Map would be permitted a higher density because of the availability of infrastructure as well as similarity to the existing development pattern.

Such projects could be developed at a density of two or more dwelling units per acre. Projects within areas designated as Limited Service would be permitted a density of one to one and one half units per acre depending upon the surrounding development pattern and availability of resources. Projects within areas designated as Rural or Conservation by the Future Land Use Plan would be permitted a much lower density of 1 dwelling unit per 3 acres because of the lack of infrastructure in the area, the existing low density development pattern, and presence of environmentally sensitive natural areas.

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 HN8: To protect the County’s tax base and to ensure the long-term viability of the County’s neighborhoods and housing stock, the County will continue to enforce appropriate CONSTRUCTION AND SITE DEVELOPMENT STANDARDS for residential developments. Such standards may include for example, that all homes have a permanent masonry foundation (except where flood levels require elevation) and a pitched roof and overhang, and that local roads must be built to NCDOT acceptance standards.

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 12 residential lot subdivision will not exceed the county’s ability to provide adequate public facilities.

III. TECHNICAL REVIEW COMMITTEE RECOMMENDATION:

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

1. Street interconnectivity to adjacent properties shall be paved to the property line of the property being developed.

IV. PLANNING BOARD RECOMMENDATION:

Mr. Cartwright moved to approve PB 12-04 as presented with staff findings. Mr. Cooper seconded the motion. Motion carried unanimously.

THE APPLICATION AND RELATED MATERIALS ARE AVAILABLE ON THE COUNTY’S WEBSITE

Board of Commissioners: www.co.currituck.nc.us/board-of-commissioners-minutes-current.cfm

PLANNING BOARD DISCUSSION (2-12-13)

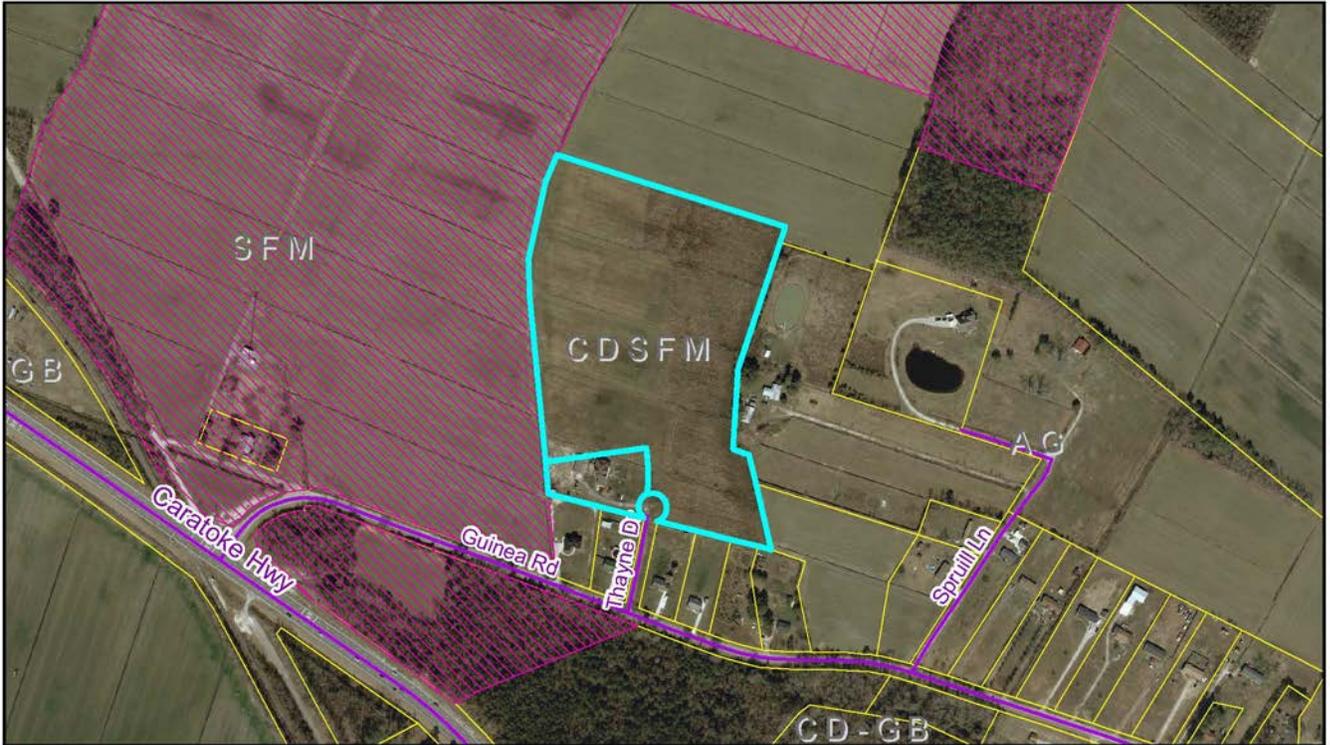
Ms. Wilson asked if staff was satisfied that only 13 trees are proposed in the four acre area of the open space.

Ms. Voliva stated the applicant has come back and additional trees will be added.

Mr. Hyman stated the stormwater features are more aggressive than what is required because of the flooding downstream.

ACTION

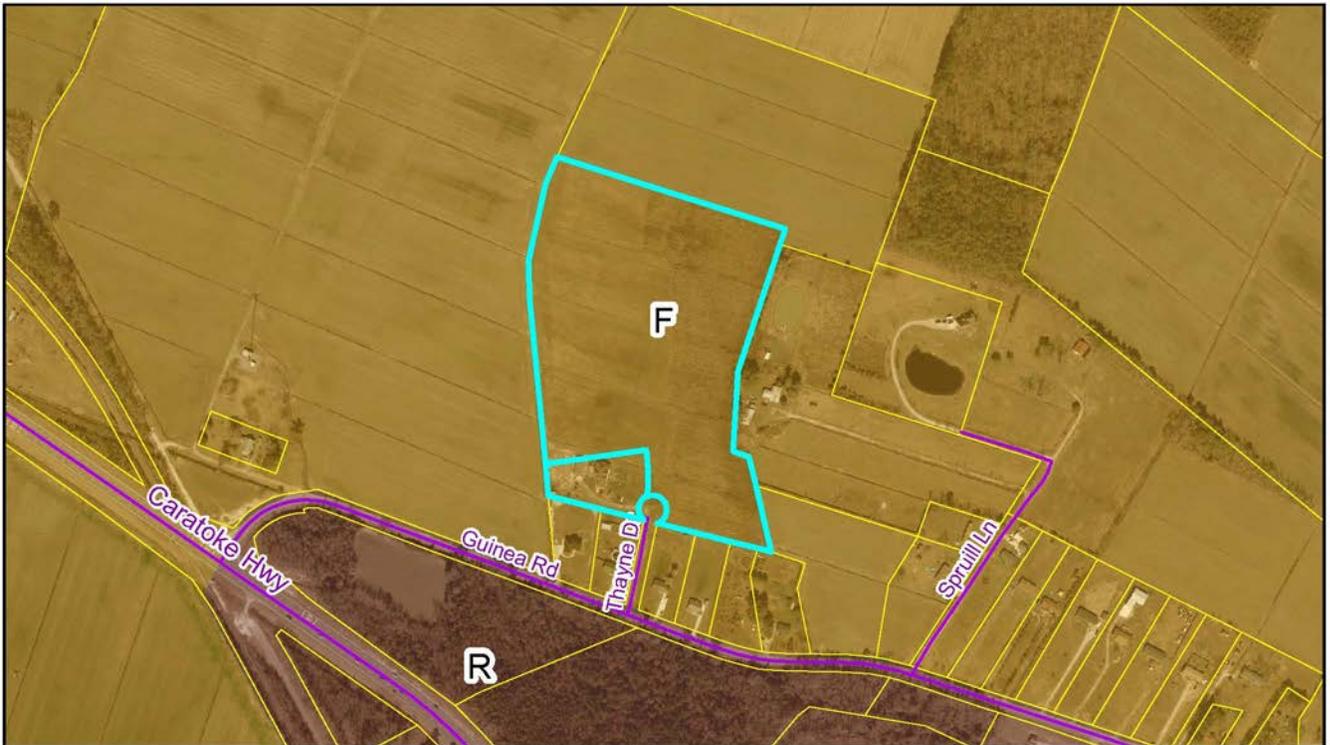
Mr. Cartwright moved to approve PB 12-04 as presented with staff findings. Mr. Cooper seconded the motion. Motion carried unanimously.



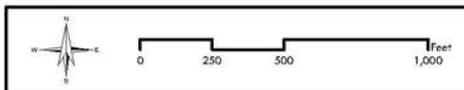
PB 12-04
Beckmoore Estates
Zoning



 **Currituck County**
Planning Department



PB 12-04
Beckmoore Estates
Land Use Classification



 **Currituck County**
Planning Department

MEMORANDUM

To: Doug Abbott, Hyman & Robey
Robert Shaun Moore, Beckmoore Development, LLC

From: Donna Voliva, Planner

Date: January 10, 2013

Re: Beckmoore Estates, Sketch Plan and Preliminary Plat/SUP, TRC Comments

The following comments have been received for the January 16, 2013 TRC meeting. The sketch plan will be reviewed and acted on by the TRC. The preliminary plat will require Planning Board recommendation and Board of Commission's action. The preliminary plat comments listed below must be addressed and resubmitted by January 18, 2013 in order to be placed on the February 12, 2013 Planning Board meeting. TRC comments are valid for six months from the date of the TRC meeting.

Planning, Donna Voliva 252-232-6032

Approved with comments

1. Corner lots must be 135' in width.
2. A 5' non-access buffer shall be provided on double frontage lots. Lots 5 and 6 should access Beckmoore Drive.
3. Street interconnectivity to adjacent properties shall be paved to the property line of the property being developed.
4. Please provide a schedule and summary of open space recreational improvements along with the responsible party for maintenance.
5. The required open space for the proposed development is 20%.
6. Thayne Drive right of way and pavement shall extend to the northern property line.
7. Please correct the parcel identification numbers. The correct PINs are:
 - a. 0022-000-089A-0000 (existing parcel)
 - b. 0022-000-089B-0000
8. The preliminary plat shall indicate 10' x 70' site triangles at street intersections.
9. Temporary skimmer basins are located within the proposed street rights of way. Please demonstrate how road installation will be provided within this area.
10. Thayne Drive provides a temporary cul-de-sac. The ordinance requires the road to be extended to the development property line. The county would like to discuss alternatives to the temporary cul-de-sac.
11. The preliminary plat indicates the open space will be reforested. Only 13 trees are proposed in the four acre area. Please provide a narrative or plan for reforestation.
12. The lot evaluations indicate the lots are unsuitable for on site septic systems. A letter must be provided from ARHS that indicates the lots will be reclassified as provisionally suitable with on-site lot improvements.
13. The 10' x 70' site triangles must be located on the preliminary plat.
14. The building setback lines for the SFR (converted zoning district) are 10' from the side property line.

Currituck Soil and Water, Mike Doxey
Currituck County Engineer, Eric Weatherly 252-232-6035

Approved

1. Provide stormwater plan and calculations at pre-construction.
2. Provide stormwater and E&SC permit at pre-construction.
3. Provide building pad elevations at pre-construction.
4. Provide existing topo (show elevations on contour lines).

Currituck County Utilities, Pat Irwin

Reviewed

1. Supply valve markers with directional coins on all valves.
2. Place water line around Thayne Drive cul-de-sac not through.
3. Ok to reduce to 2 inch line past the closest fire hydrant to Thayne Drive cul-de-sac.

Currituck County Fire and Emergency Management, James Mims 252-232-6641

Approved

Currituck County GIS, Harry Lee

Reviewed

1. Parcel ID number as shown is incorrect. The parcel ID number is 0022-000-089B-0000.
2. Beckmoore Drive street name is approved.
3. Addresses:
 - a. Lot 2: 115 Thayne Dr
 - b. Lot 3: 117 Thayne Dr
 - c. Lot 4: 119 Thayne Dr
 - d. Lot 5: 121 Thayne Dr or 101 Beckmoore Dr
 - e. Lot 6: 125 Thayne Dr or 100 Beckmoore Dr
 - f. Lot 7: 127 Thayne Dr
 - g. Lot 8: 122 Thayne Dr
 - h. Lot 9: 120 Thayne Dr
 - i. Lot 10: 118 Thayne Dr
 - j. Lot 11: 116 Thayne Dr
 - k. Lot 12: 114 Thayne Dr
 - l. Lot 13: 112 Thayne Dr

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

Approved

Currituck County Economic Development, Peter Blshop

Reviewed

Currituck County Code Enforcement, Stacey Smith

No comment

Currituck County Parks and Recreation, Jason Weeks

No comment

NC DENR, Land Quality Section, Pat McClain 252-946-6481

Reviewed

1. More than one acre to be disturbed, E & S plan must be submitted to and approved by land Quality Section prior to any grading activity.

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

No comment

NC State Archaeology, Lawrence Abbot

No comment

1. An archaeological survey is not recommended.

Albemarle Regional Health Services, Joe Hobbs 252-232-6603

Reviewed

1. Consult with Kevin Carver RS at 252-232-6603 concerning septic system approval for each lot that makes up this proposed subdivision.

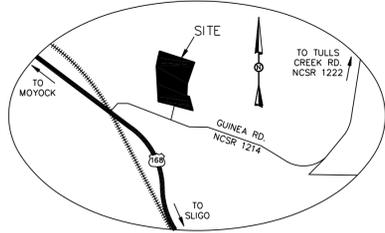
US Army Corps of Engineers, Kyle Barnes 910-251-2013

Reviewed

1. Any impacts to waters and wetlands of the United States will require approval prior to implementation.

The following items are necessary for resubmittal:

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



VICINITY MAP
1" = 2000'

SITE DATA:

- OWNERSHIP:**
BECKMOORE DEVELOPMENT, LLC.
C/O ROBERT SHAUN MOORE
1253 TULLS CREEK ROAD
MOYOCK, NC 27958
- PIN:** 0022-000-0899-0000 (SUBD - BECKMOORE)
0022-000-0899-0000 (LOT 1 - WILLIAMS)
- ORIGINAL TRACT AREA:** 20.13 AC
LOT 1 SOLD-REVERTED R/W: -1.55 AC
R/W IN EX. CUL. TO REMAIN: -0.10 AC
AREA IN CURRENT SUBD: 18.48 AC

LOT AREA: 12.89 AC
R/W AREA: 1.47 AC
TOTAL SITE OPEN SPACE: 4.13 AC
SITE AREA: 18.48 AC
- SITE ZONING:** CD-R
- TOTAL NUMBER OF LOTS:** 12
MINIMUM LOT SIZE: 40,000 SF
- PROPOSED STREETS:**
THAYNE DRIVE (45' R/W) = 1297 LF TOTAL
(330± LF IN 45' R/W OF ADJACENT THAYNE ACRES SUBDIVISION TO SOUTH)
- THIS SITE IS LOCATED IN FLOOD ZONE AND "AE 5.4" AS SHOWN ON F.I.R.M. MAP 3721804000L EFFECTIVE DATE: DECEMBER 16, 2005. FLOOD ZONES ARE SUBJECT TO CHANGE BY FEMA.**
- A 10' EASEMENT FOR UTILITIES AND DRAINAGE ALONG INTERNAL (SIDE) PROPERTY LINES AND A 20' EASEMENT FOR UTILITIES AND DRAINAGE ALONG RIGHTS-OF-WAY AND EXTERNAL PROPERTY LINES ARE HEREBY ESTABLISHED, UNLESS OTHERWISE LABELED. DRAINAGE EASEMENTS THAT VARY ARE AS LABELED.**
- MIN. BUILDING SETBACKS (FOR CD-R OR SFM):**
FRONT - 20' OR AS LABELED ALONG MAJOR DRAINAGE ROUTES
REAR - 25' OR AS LABELED ALONG MAJOR DRAINAGE ROUTES
SIDE - 10' OR AS LABELED ALONG MAJOR DRAINAGE ROUTES
- OPEN SPACE:** BASED ON ORIGINAL TRACT AREA OF 20.13 AC. (INCLUDES LOT 1)
4.03 AC. (20.0% OF TOTAL TRACT)
- REFERENCES:** D.B. 1156, PG. 213
D.B. 881, PG. 557
P.C. G, SL. 123
- ANY EXCAVATED MATERIAL REMOVED FROM SITE MUST BE TRANSPORTED TO AN APPROVED LOCATION. ANY FILL MATERIAL TRANSPORTED TO SITE MUST BE FROM AN APPROVED LOCATION.**
- EXISTING UTILITIES ARE SHOWN FOR THE CONVENIENCE OF THE CONTRACTOR. ALL EXISTING UTILITY LOCATIONS ARE APPROXIMATE. EXISTING UTILITIES MUST BE FIELD LOCATED BY THE CONTRACTOR.**
- ELEVATIONS TIED TO MONUMENT:**
B-210 ELEV=4.77 (NAVD 88)
- TREES SHALL BE RETAINED PER UDO SECTION 5.8.**
- NO BUILDABLE LOT IS ALLOWED OVER 24" OF FILL FOR A SEPTIC SYSTEM.**
- ACCESS/DRIVEWAYS TO LOTS 5 AND 6 SHALL BE FROM BECKMOORE DRIVE.**

CERTIFICATE OF OWNERSHIP AND DEDICATION

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

DATE _____ OWNER _____
DATE _____ OWNER _____

ADDRESSES:

- LOT 1: 113 THAYNE DRIVE (EX)
- LOT 2: 115 THAYNE DRIVE
- LOT 3: 117 THAYNE DRIVE
- LOT 4: 119 THAYNE DRIVE
- LOT 5: 121 THAYNE DRIVE OR 101 BECKMOORE DRIVE
- LOT 6: 123 THAYNE DRIVE OR 100 BECKMOORE DRIVE
- LOT 7: 127 THAYNE DRIVE
- LOT 8: 122 THAYNE DRIVE
- LOT 9: 120 THAYNE DRIVE
- LOT 10: 118 THAYNE DRIVE
- LOT 11: 116 THAYNE DRIVE
- LOT 12: 114 THAYNE DRIVE
- LOT 13: 112 THAYNE DRIVE

I, _____ A NOTARY PUBLIC OF _____ COUNTY NORTH CAROLINA, DO HEREBY CERTIFY THAT _____ PERSONALLY APPEARED BEFORE ME THIS DATE AND ACKNOWLEDGED THE DUE EXECUTION OF THE FOREGOING CERTIFICATE. WITNESS MY HAND AND OFFICIAL SEAL THIS _____ DAY OF _____ 20____

NOTARY PUBLIC _____
MY COMMISSION EXPIRES _____

AS OF THE RECORDED DATE OF THIS PLAN, SOME PORTIONS OF THIS DEVELOPMENT ADJACENT LAND USED FOR ACTIVE AGRICULTURE PURPOSES WHICH MAY INCLUDE, BUT NOT BE LIMITED TO ACTIVITIES SUCH AS DUST GENERATION, SPRAYING OF CHEMICALS, ETC., THEREFORE, FURTHER INVESTIGATION MAY BE DESIRED BY PROSPECTIVE PURCHASERS.

PROPERTY ON THIS PLAN MAY CONTAIN 404 WETLANDS AND MAY REQUIRE U.S. CORPS OF ENGINEERS APPROVAL PRIOR TO DEVELOPMENT OF THE PROPERTY.

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

CERTIFICATE OF REVIEW OFFICER
STATE OF NORTH CAROLINA
COUNTY OF CURRITUCK

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

REVIEW OFFICER _____ DATE _____

CERTIFICATE OF APPROVAL

I HEREBY CERTIFY THAT ALL STREETS SHOWN ON THIS PLAN ARE WITHIN CURRITUCK COUNTY. ALL STREETS AND OTHER IMPROVEMENTS SHOWN ON THIS PLAN HAVE BEEN INSTALLED OR COMPLETED AND THAT THE SUBDIVISION SHOWN ON THIS PLAN IS IN ALL RESPECTS IN COMPLIANCE WITH THE CURRITUCK COUNTY UNIFIED DEVELOPMENT ORDINANCE AND, THEREFORE, THIS PLAN HAS BEEN APPROVED BY THE CURRITUCK COUNTY PLANNING BOARD AND SIGNED BY THE CHAIRMAN, BOARD OF COMMISSIONERS, SUBJECT TO ITS BEING RECORDED IN THE CURRITUCK COUNTY REGISTRY WITHIN NINETY (90) DAYS OF THE DATE BELOW.

DATE _____ CHAIRMAN, BOARD OF COMMISSIONERS _____

CERTIFICATE OF SURVEY AND ACCURACY

I, EDWARD T. HYMAN, JR., PLS HEREBY CERTIFY THAT THE SURVEY CREATES A SUBDIVISION OF LAND IN AN AREA COVERED BY A SUBDIVISION ORDINANCE.

THE RESIDUAL PARCEL(S), IF ANY, MEET OR EXCEED THE MINIMUM LOT SIZE AS SPECIFIED WITHIN THE CURRITUCK COUNTY UNIFIED DEVELOPMENT ORDINANCE.

I, EDWARD T. HYMAN, JR. CERTIFY THAT THIS PLAN WAS DRAWN FROM AN ACTUAL FIELD LAND SURVEY MADE UNDER MY SUPERVISION; THAT THE DEED DESCRIPTION FOR SAID PROPERTY IS RECORDED IN: D.B. 1156, PG. 213, D.B. 881, PG. 557, AND P.C. G, SLIDE 123; THAT THE ERROR OF CLOSURE IS 1:10,000+; THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH GS 47-30; WITNESS MY ORIGINAL SIGNATURE, REG. NUMBER, AND SEAL THIS _____ DAY OF _____ 2012.

PROFESSIONAL LAND SURVEYOR PLS L-2690



HYMAN ROBEY
SOLUTIONS FROM THE GROUND UP
150 US Hwy 158 E.
PO Box 339
Camden, NC 27921
(252) 338-2913
(252) 338-5522 fax
www.hymanroby.com
License C-0598

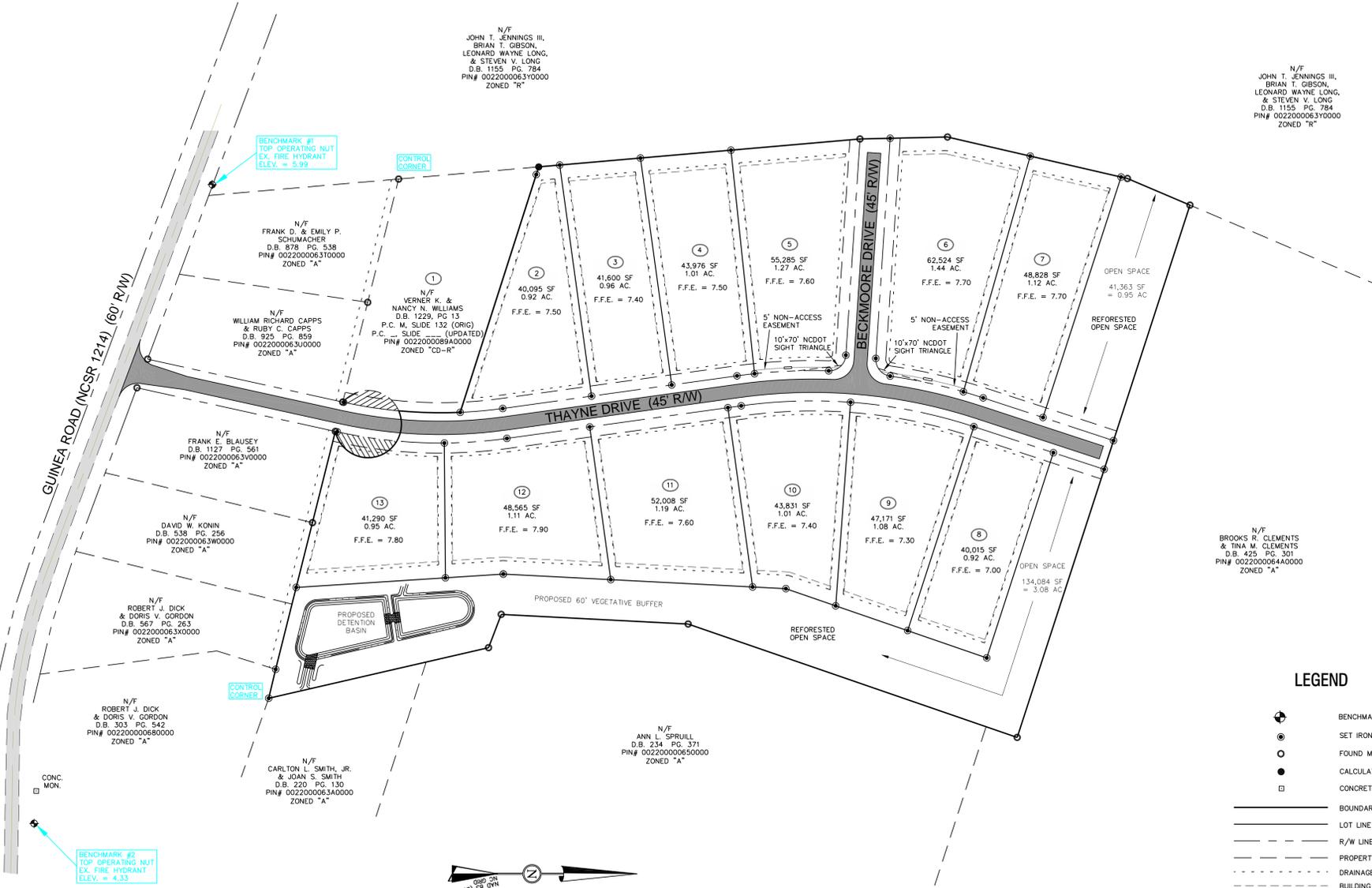
PRELIMINARY
DO NOT USE FOR CONSTRUCTION,
SALES OR RECORDATION.

BECKMOORE ESTATES

MOYOCK TOWNSHIP
CURRITUCK COUNTY
NORTH CAROLINA

PERMIT DRAWING ONLY
NOT RELEASED FOR CONSTRUCTION

NOTIFY
NC ONE CALL
1-800-632-4949
FOR LOCATION OF EXISTING UTILITIES



DIVISION OF HIGHWAY DISTRICT ENGINEER CERTIFICATE FOR PUBLIC STREETS

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

DATE _____ DISTRICT ENGINEER _____

ENGINEER CERTIFICATION OF STORMWATER IMPROVEMENTS

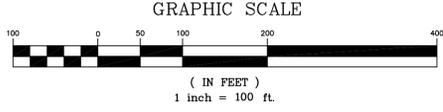
IN THE SUBDIVISION ENTITLED THAYNE ESTATES, STORMWATER DRAINAGE IMPROVEMENTS HAVE BEEN INSTALLED ACCORDING TO PLANS AND SPECIFICATIONS PREPARED BY HYMAN & ROBEY, P.C. AND APPROVED BY THE CURRITUCK COUNTY PLANNING BOARD. CURRITUCK COUNTY ASSUMES NO RESPONSIBILITY FOR THE DESIGN, MAINTENANCE OR THE GUARANTEED PERFORMANCE OF THE STORM WATER DRAINAGE IMPROVEMENT AND THEIR EFFECTS.

PROFESSIONAL LAND SURVEYOR/CIVIL ENGINEER _____ DATE _____
REGISTRATION NUMBER _____



LEGEND

- BENCHMARK
- SET IRON REBAR
- FOUND MONUMENT
- CALCULATED POINT
- CONCRETE MONUMENT
- BOUNDARY LINE
- LOT LINE
- R/W LINE
- PROPERTY EXTENSION
- DRAINAGE EASEMENT
- BUILDING SETBACK
- 15' DOMINION POWER EASEMENT
- MIN. FIRST FLOOR ELEV. (LOWEST HABITABLE FLOOR)



KEY PLAN:

Project #: 110256
Drawing #: 110256 - SITE
Drawn: DAA
Checked: KDH
Approved: ETH
Date: 12/21/12
Sheet #: 1 OF 12
Scale: 1:100

REVISIONS:

NUM.	DATE	DESCRIPTION
1	12/27/12	Prel. Plat Subm.
2	01/18/13	TRC revisions

SHEET TITLE:
PRELIMINARY PLAT COVER SHEET

SHEET NUMBER: **C**

BECKMOORE ESTATES DEVELOPMENT IMPACT STATEMENT

PHYSICAL ANALYSIS

This project is a 12 lot conventional subdivision on 18.69 acres of land for residential development. The lots range in size from 0.92 acres to 1.42 acres. 20% Open Space will be provided. The owners plan on building homes on a portion of the lots while possibly selling some lots to individuals who wish to build custom 3 or 4 bedroom homes. It is expected that the homes will be between 1,600 to 2,200 square feet in size. The lots will sell in the range of \$65,000. The post construction home/lot values at today's cost will be from \$200,000 to \$245,000.

HOUSING MARKET ANALYSIS

The target market for the Subdivision will be a combination of commuters from the Hampton Roads area, retirees, and Currituck County residents who prefer living in a small community with easy access to the Outer Banks and to amenities found in larger urban settings to in the Tidewater area. The site is located in Near the Moyock Community on Guinea Road that host a mix of residential homes.

ENVIRONMENTAL IMPACT

The estimated maximum water consumption for 3 bedroom homes is 360 and 4 bedroom homes is 480 gallons of water per day. The developer intends upon connecting to Currituck County's municipal water system. Total GPD=4,320 to 5,670.

All sanitary sewer disposals will be handled by individual septic systems. Specific requirements for individual septic systems will be determined as necessary. If water consumption =4,320 to 5,670 GPD septic disposal will be the same.

FISCAL IMPACT ANALYSIS

Considering the average value of the home/lot combinations to be \$222,500, the total valuation for Subdivision would be \$2,670,000. The resultant real property taxes would be \$8,544 per year based upon the current countywide tax rate of \$0.32 per \$100.00 of value.

Land transfer taxes (\$1.00 per \$100.00) = \$7,800.00.

Estimated personal property valuation; \$106200.00 per lot.

TRAFFIC ANALYSIS

The estimated number of trips generated daily by the 12 lots once all the homes are complete is 72 trips per day. NCDOT traffic count numbers from 2010 for Guinea Road is 790 trips per day. Since the capacity for two lane roads such as Guinea Road are generally 8,000 – 10,000 vehicles per day, the proposed subdivision is not expected to have a negative impact on Guinea Road.



Major Subdivision Application

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

Contact Information

APPLICANT:		PROPERTY OWNER:	& Robert Shaun Moore
Name:	<u>Hyman & Robey, PC</u>	Name:	<u>Beckmoore Development, LLC</u>
Address:	<u>P.O. Box 339</u>	Address:	<u>1253 Tulls Creek Road</u>
	<u>Camden, NC 27921</u>		<u>Moyock, NC 27958</u>
Telephone:	<u>252-338-2913</u>	Telephone:	<u>252-232-7744</u>
Fax Number:	<u>252-338-5552</u>	Fax Number:	_____
E-Mail Address:	<u>doug@hymanrobey.com</u>	E-Mail Address:	<u>rjr10212@yahoo.com</u>
LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER:		<u>Consulting Engineer</u>	

Property Information

Location: E. off Caratoke Hwy (NC Hwy 168) approx. 0.3 miles on Guinea Rd.

Parcel Identification Number(s): 0022000063R0000 & 0022000063S0000 (NCSR 1214)

Total Parcel(s) Acreage: 20.13 Ac.

Request

Subdivision Name: Beckmoore Estates

Number of Lots or Units: 12

TYPE OF SUBMITTAL

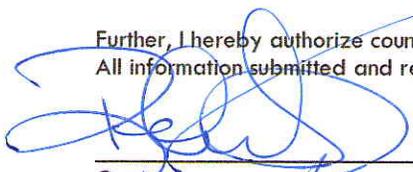
- Sketch Plan (or amended)
- Preliminary Plat (or amended)
- Pre-Construction Plan (or amended)
- Final Plat (or amended)

TYPE OF SUBDIVISION

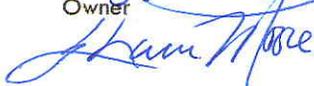
- Conventional
- Conservation
- Planned Unit Development
- Residential Airpark Development
- Open Space, Lot Size Reduction

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

MAJOR SUBDIVISION (Preliminary Plat)

Hearing Dates and Procedure for Continued Requests

Request: _____

Application Submittal Date: _____

Technical Review Committee Meeting Date: _____

Planning Board Meeting Date: _____

Board of Commissioners' Meeting Date: _____

or _____

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.

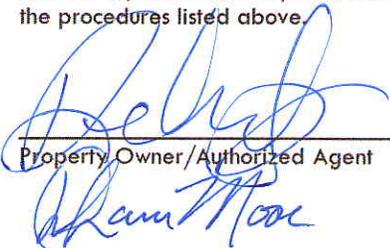
___ There is a \$100 processing fee for each delayed request. This must be paid prior the delayed meeting date.

___ 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, _____, 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.

Property Owner/Authorized Agent



MAJOR SUBDIVISION (Preliminary Plat)

Street Name Request

Request

This section to be completed by the applicant.

Subdivision Name: Beckmoore Estates

Proposed Street Name(s)	Office Use Only
BECKMOORE DRIVE	

Alternate Street Name(s): Please provide at least one alternate street name

Proposed Alternate Street Name(s)	Office Use Only

Street Name Review

This section to be completed by GIS Coordinator.

Proposed street name(s) with a check mark are approved. Proposed street names with an X mark are denied.

Reviewed By: _____ Date: _____

Please return copy to lead Planner: _____

Beckmoore St



Special Use Permit Application

OFFICIAL USE ONLY:

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

Contact Information**APPLICANT:**

Name: Hyman & Robey, PC
 Address: P.O. Box 339
Camden, NC 27921
 Telephone: 252-338-2913
 Fax Number: 252-338-5552
 E-Mail Address: doug@hymanrobey.com

PROPERTY OWNER: & Robert Shaun Moore

Name: Beckmoore Development, LLC
 Address: 1253 Tulls Creek Road
Moyock, NC 27958
 Telephone: 252-232-7744
 Fax Number: _____
 E-Mail Address: rjr10212@yahoo.com

LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: Consulting Engineer

Property Information

Physical Street Address: Guinea Road (NCSR 1214)
 Location: E. off Caratoke Hwy (NC Hwy 168) approx. 0.3 mi.
 Parcel Identification Number(s): 0022000063R0000 & 0022000063S0000
 Total Parcel(s) Acreage: 18.69 Ac.
 Existing Land Use of Property: Agriculture

Request

Proposed Use of the Property: Residential
 Total square footage of land disturbance activity: 914,750 sf
 Total structure coverage: Per lot basis Total vehicular area: 1.55 Ac. R/W
 Total square footage of all existing and proposed buildings: Sum of per lot basis
 Existing gross floor area: 0 Proposed gross floor area: Per lot basis

Purpose of Special Use Permit and Project Narrative: TO CONSTRUCT A 12 LOT LOW DENSITY RESIDENTIAL SUBDIVISION ON 18.69 ACRES OF LAND, EXTEND COUNTY WATER TO SERVE LOTS AND CONSTRUCT A N.C.D.O.T. DESIGN ROADWAY 1297' TO PROVIDE ACCESS TO THE LOTS.

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.

LOW DENSITY RESIDENTIAL SUBDIVISION WILL NOT
ENDANGER THE PUBLIC HEALTH OR SAFETY, THE PROPOSED
STORMWATER IMPROVEMENTS WILL HELP THE AREA

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

THE ADDITION OF THIS 12 LOT SUBDIVISION SHOULD
IMPROVE PROPERTY VALUE.

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 LAND USE PLAN AS WELL AS EXISTING USE ADJACENT
TO THE PROPERTY AS RESIDENTIAL SUPPORTS THE PROPOSED
RESIDENTIAL SUBDIVISION

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 AND THE ZONING OF THE PROPERTY
ARE IN CONFORMITY WITH THE PROPOSED RESIDENTIAL
DEVELOPMENT

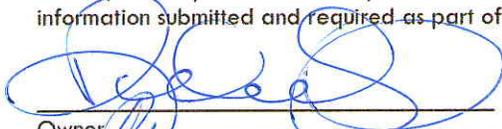
E. The use will not exceed the county's ability to provide adequate public facilities, including, but not limited to, schools, fire and rescue, and law enforcement.

ACCORDING TO PLANNING STAFF COMMENTS THIS
SUBDIVISION WILL NOT EXCEED THE COUNTY'S ABILITY
TO PROVIDE SERVICES TO THE RESIDENTS.

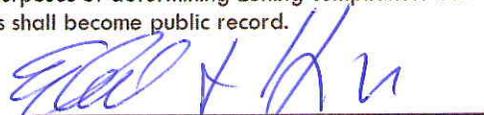
I, the undersigned, do certify that all of the information presented in this application is accurate to the best of my knowledge, information, and belief.

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


Shuan Moore

Applicant



Special Use Permit

Hearing Dates and Procedure for Continued Requests

Request: _____

Application Submittal Date: _____

Technical Review Committee Meeting Date: _____

Planning Board Meeting Date: _____

Board of Commissioners' Meeting Date: _____

or _____

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, _____, 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.



Property Owner/Authorized Agent

Shan Moor

CASE ANALYSIS FOR THE
Board of Commissioners
DATE: March 4, 2013
PB 12-27 Ballance Estates

Note: *This request is being reviewed under the previous UDO. The applicant submitted for sketch plan and preliminary plat/SUP approval prior to January 1, 2013.*

ITEM: PB 12-27 Ballance Estates, Preliminary Plat/Special Use Permit for an 8-lot subdivision.

LOCATION: Bells Island: North side of Bells Island Road approximately 325' east of the intersection with Ed Brumsey Lane, Crawford Township.

TAX ID: 0058-000-0011-0000

ZONING DISTRICT: R (Residential) – R transitioned to SFM (Single Family Mainland) with the adoption of the new Official Zoning Map with the effective date of January 1, 2013.

PRESENT USE: Active Farmland

OWNER: Lynn Green
Charlene Darden
Patricia Ballance
Victoria Russell
Olie Ballance
Victor Ballance
Richard Ballance
Teresa Martin
Ronnie Ballance

c/o Lynn Green
2693 Lake Cahoon Rd
Suffolk VA 23434

APPLICANT: Hyman & Robey
Doug Abbott
PO Box 339
Camden NC 27921

LAND USE/ZONING OF SURROUNDING PROPERTY:

	Land Use	Zoning	New Zoning District
NORTH:	Active Farmland	R	SFM
SOUTH	Low density residential	RA	SFM
EAST:	Active Farmland	R	SFM
WEST:	Low density residential	R	SFM

LAND USE PLAN

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

SIZE OF SITE: 12.81 acres

NUMBER OF UNITS: 8 Residential Lots

PROJECT DENSITY: .63 units per acre

OPEN SPACE: Open space is not required for subdivisions of 20 lots or less. No open space is provided under this plan.

UTILITIES: The individual lots will be served by county water and on-site septic systems.

I. NARRATIVE OF REQUEST:

1. The property owners are requesting preliminary plat/special use permit approval of an 8 lot residential subdivision with an overall project density of .63 units per acre.
2. The sketch plan and preliminary plat/SUP were heard by the Technical Review Committee on January 16, 2013. Sketch Plan approval is pending because of lot width-to-depth and access issues that are being addressed in this review.
3. The applicant is requesting to exceed the 4:1 lot width to depth ratio.

II. QUESTION(S) BEFORE THE BOARD:

Special Use Permit Criteria and Staff Findings:

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

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

1. Completeness of application.

Suggested Findings:

 - a. The application is complete.

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

Suggested Findings:

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

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

Suggested Findings:

- a. As presented, the subdivision *does not meet the minimum requirements of the ordinance.*
 - i. The lot depth-to-width ratio of 4:1 is being exceeded for lots 5-8. (UDO Section 2.6.3.G). The UDO allows the board to vary this requirement if it finds that the physical dimensions of the tract provide no other practical alternative. Staff offers the following alternatives:
 1. Reconfigure the lots and create open space.
 2. Install a street into the property and have the lots access that new street.
 3. Reduce the subdivision to seven lots and reconfigure the remaining lots.

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

Suggested Findings:

- a. As presented, *staff has concerns about public safety.*
 1. Staff is concerned about the driveway cuts along the sharp curves of this section of Bell’s Island Road and the safety of the public accessing this road. At minimum, the applicant should consider shared driveways for lots 4 and 5 (aligning with Doxey Creek Road) and lots 6 and 7. Since lot 8 is at the beginning of another sharp curve, driveway placement should be set at the safest location.
 2. Staff has contacted NCDOT for comment, but has not yet received a formal response. NCDOT has questioned the possibility of gaining access from Ed Brumsey Lane for each of the lots. Since the lane is an unpaved private right-of-way, it would have to be improved to minimum state standards and receive permission to access the right-of-way.

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

Suggested Findings:

- a. The UDO indicates that a subdivision is allowed in the R zoning district with a special use permit.
- b. The proposed residential subdivision is similar in density with the surrounding community.

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 Services within the Courthouse subarea. Areas designated as Full Service are those parts of the county where a broad range of infrastructure and service investments have been provided or will be made available by the public and/or private sectors. The policy emphasis of this plan is for the Courthouse area to continue to grow as a small community center. In areas where on-site wastewater

is proposed, development density should be limited to 1-2 units per acre. 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. LOCATION AND DENSITY FACTORS shall include whether the development is within an environmentally suitable area, the type and capacity of sewage treatment available to the site, the adequacy of transportation facilities providing access to the site, and the proximity of the site to existing and planned urban services. For example, projects falling within the Full Services areas of the Future Land Use Map would be permitted a higher density because of the availability of infrastructure as well as similarity to the existing development pattern. Such projects could be developed at a density of two or more dwelling units per acre. Projects within areas designated as Limited Service would be permitted a density of one to one and one half units per acre depending upon the surrounding development pattern and availability of resources. Projects within areas designated as Rural or Conservation by the Future Land Use Plan would be permitted a much lower density of 1 dwelling unit per 3 acres because of the lack of infrastructure in the area, the existing low density development pattern, and presence of environmentally sensitive natural areas.

Policy HN8: To protect the County's tax base and to ensure the long-term viability of the County's neighborhoods and housing stock, the County will continue to enforce appropriate CONSTRUCTION AND SITE DEVELOPMENT STANDARDS for residential developments. Such standards may include for example, that all homes have a permanent masonry foundation (except where flood levels require elevation) and a pitched roof and overhang, and that local roads must be built to NCDOT acceptance standards.

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 8 lot residential subdivision will not exceed the county's ability to provide adequate public facilities.

III. TECHNICAL REVIEW COMMITTEE RECOMMENDATION:

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

Currituck County Planning Division

1. The lot depth-to-width ratio of 4:1 is being exceeded for lots 5-8. (UDO Section 2.6.3.G). The UDO allows the board to vary this requirement if it finds that the physical dimensions of the tract provide no other practical alternative. Staff offers the following alternatives:
 - a. Reconfigure the lots and create open space.
 - b. Install a street into the property and have the lots access that new street.
 - c. Reduce the subdivision to seven lots and reconfigure the remaining lots.
2. Staff is concerned about the driveway cuts along the sharp curves of this section of Bell's Island Road and the safety of the public accessing this road. At minimum, the applicant should consider shared driveways for lots 4 and 5 (aligning with Doxey Creek Road) and

lots 6 and 7. Since lot 8 is at the beginning of another sharp curve, driveway placement should be set at the safest location. Staff has contacted NCDOT for comment and in turn they've asked if access from Ed Brumsey Lane has been considered for all the lots. Ed Brumsey Lane is a private, unpaved right-of-way. Staff requests that NCDOT formal comment be received prior to the Board of Commissioners public hearing.

3. Lots 1, 2, and 4 have been classified as unsuitable for a septic system by Albemarle Regional Health Services. The lots must be classified as provisionally suitable to suitable to meet the minimum requirements of the ordinance. A letter from Albemarle Regional Health Services stating that the lots will be (not may be) provisionally suitable with certain improvements is acceptable.

NC State Archeology

1. The project location is deemed a high probability area for significant archaeological resources. Prior to initiation of any ground disturbing activities within the project area, the permittee shall arrange for an archaeological survey and assessment of the entire project area (12.81 acres). The purpose of the survey will be to locate archaeological sites within the project area and assess them in terms of the National Register of Historic Places (NRHP). If any site is determined to be eligible for the NRHP the permittee shall determine whether the site will be adversely affected by the project activities; and, if so, develop and implement an appropriate mitigation plan.

IV. PLANNING BOARD RECOMMENDATION:

Mr. Cartwright moved to approve PB 12-27 with staff findings and the following recommendations:

- Contingent the Board of Commissioners grant the variance for the lot depth-to-width ratio of 4:1;
- Lots 5, 6, 7, and 8 have the alternative driveways that Mr. Hyman provided instead of shared driveways; and
- A non vegetative buffer starting at the cemetery to the curve.

Mr. Cooper seconded the motion. Ayes: Mr. Cooper, Ms. Bell, Ms. Newbern, Mr. Bell, Mr. Cartwright, Mr. Wright, Ms. Wilson, and Mr. Craddock. Nays: Mr. Clark.

THE APPLICATION AND RELATED MATERIALS ARE AVAILABLE ON THE COUNTY'S WEBSITE
Board of Commissioners: www.co.currituck.nc.us/board-of-commissioners-minutes-current.cfm

PLANNING BOARD DISCUSSION (2-12-13)

Mr. Cartwright asked how well did shared driveways work in the past.

Ms. Glave stated they are required on Tulls Creek Road, Caratoke Highway, Popular Branch Road, and NC 12.

Mr. Cartwright asked if Ed Brumsey Lane was improved to NCDOT standards, could it still remain a private road.

Ms. Glave stated yes.

Mr. Cooper asked if the Board of Commissioners would be able to amend the lot depth-to-width ratio of 4:1 based on the physical characteristics of the property.

Ms. Glave stated yes.

Mr. Craddock stated there is a total of 14 driveways that start at Hwy. 168 and go through the 2nd curve. Adding 8 separate driveways would make a serious safety issue through these curves with a speed limit of 35 mph. Mr. Craddock stated some consideration should be given to using Ed Brumsey Lane as the driveway side or a central street through this property would alleviate having 7 additional driveways on the road and make it a lot safer.

Mr. Howard stated he is representing the Ballance family. Mr. Howard stated they are trying to stay away from an open space subdivision because the developer would be required to have a homeowners association. Mr. Howard stated they have put cuts in front of the driveways across the road to make it more conforming and safer. Mr. Howard stated the family would like to see single ownership homes go on this property and stay away from a homeowners association.

The Planning Board discussed extensively shared driveways, one central street through the property, using Ed Brumsey Lane as the driveway side, one shared driveway for lots 4-8, slope of the property, variance for lot depth-to-width ratio of 4:1; non vegetative buffer, topography of property; and drainage.

Mr. Craddock asked if anything would be done to the existing cemetery.

Mr. Howard stated they do not own it and nothing would be done to it. It is an active cemetery.

Mr. Clark stated lots 1, 2, and 4 have been classified as unsuitable for septic systems by Albemarle Regional Health Services. Mr. Clark asked what improvements will be made to make these lots suitable.

Mr. Howard stated the lots will have to be built up and fill brought in.

Mr. Craddock stated there is a decline in the lots from east to west.

Mr. Hyman stated they will dig swales and the fill dirt will go to these lots.

Mr. Clark asked if there is any flooding on this property during heavy rains.

Mr. Howard stated not to his knowledge.

Mr. Craddock asked if any consideration has been given to redesigning the subdivision so the lots are running east to west instead of north to south.

Mr. Hyman stated they did look at a lot of different options.

Mr. Wright asked if this was based more on topography or affordability.

Mr. Hyman stated if they did it that way it would increase the number of lots, but the construction costs, water line, the trade off wasn't that good.

Mr. Craddock stated the trade off is safety vs. cost.

Mr. Hyman stated they do not want to create anything that is not safe. Mr. Hyman stated they are still waiting to hear from NCDOT.

Mr. Cooper asked if staff knew the footage on the separation requirement for the roads that required shared driveways.

Ms Glave said it was a matrix that included such things as the speed limit of the road, etc.

Mr. Howard stated the Board of Commissioners granted a variance for Grandy Woods.

Mr. Hyman stated they could have a non vegetative buffer on the lots and require the houses to be setback more.

Mr. Wright stated that staff has provided three alternatives to the ratio of 4:1; would the applicant consider any of them?

Mr. Hyman stated the owners want to keep the eight lots and not have a homeowners association.

ACTION

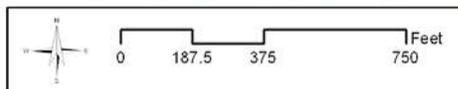
Mr. Cartwright moved to approve PB 12-27 with staff findings and the following recommendations:

- Contingent the Board of Commissioners grant the variance for the lot depth-to-width ratio of 4:1;
- Lots 5, 6, 7, and 8 have the alternative driveways that Mr. Hyman provided instead of shared driveways; and
- A non vegetative buffer starting at the cemetery to the curve.

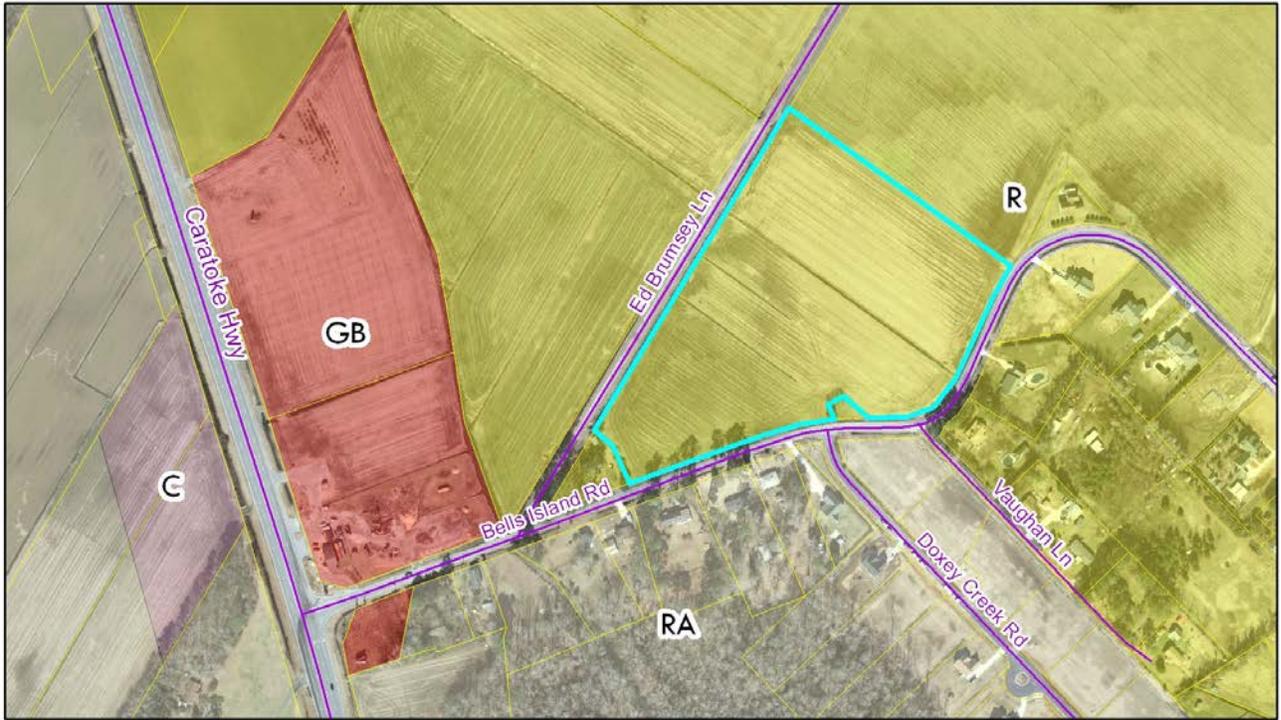
Mr. Cooper seconded the motion. Ayes: Mr. Cooper, Ms. Bell, Ms. Newbern, Mr. Bell, Mr. Cartwright, Mr. Wright, Ms. Wilson, and Mr. Craddock. Nays: Mr. Clark.



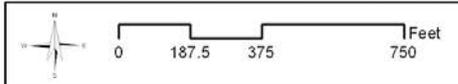
PB 12-27 Ballance Estates
Preliminary Plat/Special Use Permit
2010 Aerial Photography



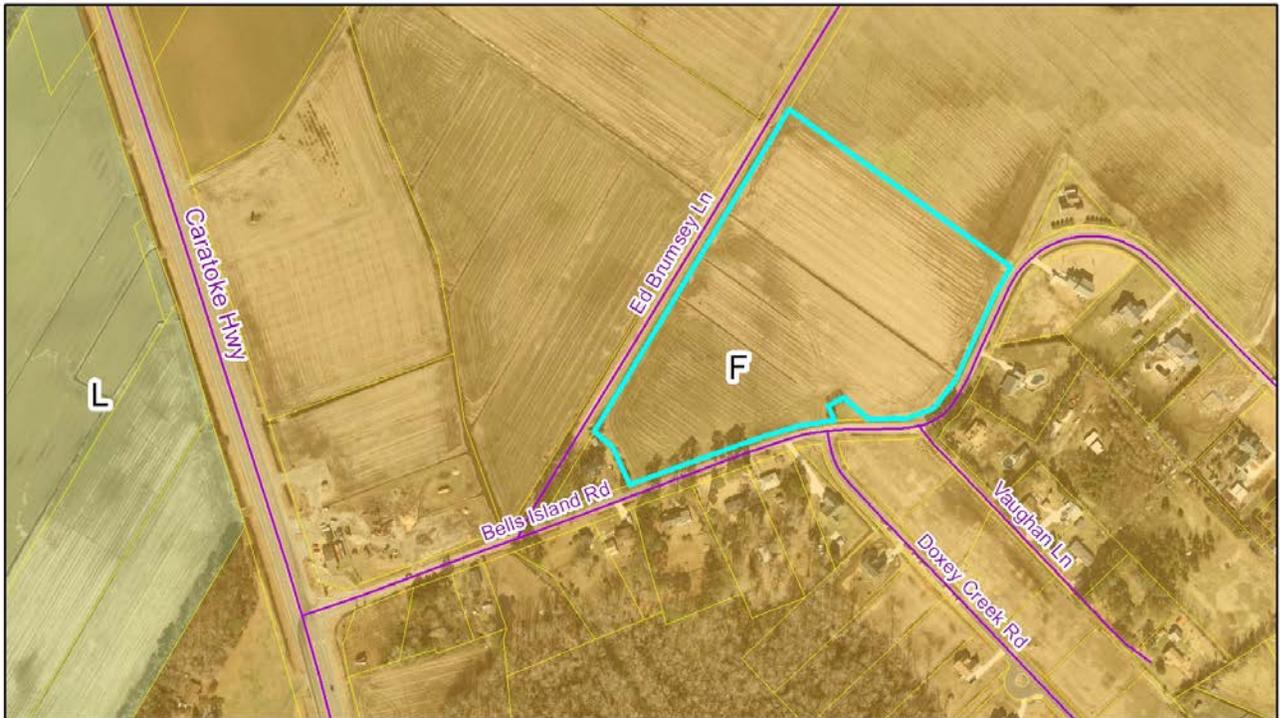
 Currituck County
Planning and
Community Development



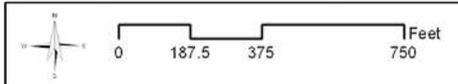
PB 12-27 Ballance Estates
 Preliminary Plat/Special Use Permit
 Zoning



 Currituck County
 Planning and
 Community Development



PB 12-27 Ballance Estates
 Preliminary Plat/Special Use Permit
 Land Use Classification



 Currituck County
 Planning and
 Community Development

Currituck County

Planning and Community Development
153 Courthouse Road, Suite 110
Currituck, North Carolina 27929
252-232-3055
FAX 252-232-3026

TO: Doug Abbott, Hyman and Robey
Ballance Heirs

FROM: Tammy Glave, Planner II

DATE: January 10, 2013

SUBJECT: Ballance Estates, Sketch Plan/SUP and Preliminary Plat
January 16, 2013 TRC Comments

The following comments have been received for the January 16, 2013 TRC meeting. In order to be scheduled for the February 12, 2013 Planning Board meeting, please address all comments and resubmit corrected plans by 3:00 p.m. on January 18, 2013. TRC comments are valid for six months from the date of the TRC meeting.

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

Reviewed/Resubmit:

1. The lot depth-to-width ratio of 4:1 is being exceeded for lots 5-8. (UDO Section 2.6.3.G). The UDO allows the board to vary this requirement if it finds that the physical dimensions of the tract provide no other practical alternative. Staff offers the following alternatives:
 - a. Reconfigure the lots and create open space.
 - b. Install a street into the property and have the lots access that new street.
 - c. Reduce the subdivision to seven lots and reconfigure the remaining lots.
2. Delineate the flood zones on the plat. (DRP Manual)
3. Correct the flood elevation from 4' to 4.2'. (DRP Manual)
4. Staff is concerned about the driveway cuts along the sharp curves of this section of Bell's Island Road and the safety of the public accessing this road. At minimum, the applicant should consider shared driveways for lots 4 and 5 (aligning with Doxey Creek Road) and lots 6 and 7. Since lot 8 is at the beginning of another sharp curve, driveway placement should be set at the safest location. Staff has contacted NCDOT for comment, but has not yet received a response.
5. Lots 1, 2, and 4 have been classified as unsuitable for a septic system by Albemarle Regional Health Services. The lots must be classified as provisionally suitable to suitable to meet the minimum requirements of the ordinance. A letter from Albemarle Regional Health Services stating that the lots will be (not may be) provisionally suitable with certain improvements is acceptable.

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

Approved without comment.

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

Reviewed without comment.

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

Reviewed without comment.

Currituck County Engineer (Michelle Perry, 252-232-6035) and Soil and Water (Mike Doxey 252-232-3360)

Approved with corrections:

1. Provide at Pre-Construction
 - a. Stormwater Plan and Calculations
 - b. Stormwater and E&S Permits
 - c. Building Pad Elevations

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

Approved without comment.

Currituck County Information Technology (Harry Lee, 252-232-2034)

Reviewed with comment:

1. Addresses:
 - Lot 1 = 137 Bells Island Rd
 - Lot 2 = 141 Bells Island Rd
 - Lot 3 = 145 Bells Island Rd
 - Lot 4 = 151 Bells Island Rd
 - Lot 5 = 159 Bells Island Rd
 - Lot 6 = 165 Bells Island Rd
 - Lot 7 = 171 Bells Island Rd
 - Lot 8 = 175 Bells Island Rd

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

Reviewed without comment.

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

Approved without comment.

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

Reviewed with comment:

1. CONSULT WITH KEVIN CARVER R.S. AT (252)232-6603 CONCERNING SEPTIC SYSTEM APPROVAL FOR EACH LOT THAT MAKES UP THIS PROPOSED SUB-DIVISION.

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

Reviewed without comment.

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

Reviewed with comment:

1. More than one acre to be disturbed, E & S plan must be submitted to and approved by Land Quality Section prior to any grading activity.

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

Reviewed with comment:

1. The project location is deemed a high probability area for significant archaeological resources. Based on our review, the following conditions are recommended for this application:

Prior to initiation of any ground disturbing activities within the project area, the permittee shall arrange for an archaeological survey and assessment of the entire project area (12.81 acres). The purpose of the survey will be to locate archaeological sites within the project area and assess them in terms of the National Register of Historic Places (NRHP). If any site is determined to be eligible for the NRHP the permittee shall determine whether the site will be adversely affected by the project activities; and, if so, develop and implement an appropriate mitigation plan. Two copies of all resulting archaeological reports, as well as one copy of the North Carolina site forms, should be forwarded to the Office of State Archaeology for review and comment as soon as they are available and in advance of any construction or ground disturbance activities.

A list of archaeological consultants who have conducted or expressed an interest in contract work in North Carolina is available at www.archaeology.ncdcr.gov/ncarch/resource/consultants.htm. The archaeologists listed, or any other experienced archaeologist, may be contacted to conduct the recommended survey. All activities associated with the archaeological investigations shall be coordinated with the Office of State Archaeology prior to beginning any archaeological fieldwork.

US Army Corps of Engineers (Kyle Barnes, 919-343-4647)

Reviewed with comment:

1. Any impacts to waters or wetlands of the United States will require approval prior to implementation.

Please note that comments were not received from the following:

NCDOT (James Hoadley, 252-331-4737)

The following items are necessary for resubmittal:

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

E-Mail from CA Howard to BOC

From: C A Howard [mailto:cahowardjr@hotmail.com]
Sent: Tuesday, December 18, 2012 9:43 AM
To: eddie@hymanrobey.com
Subject: Fw: Letter to Commissioners

Dear Currituck County Commissioners,

We, the owners/developers of this tract of land are requesting that the limitations of its size and shape be given special consideration . For the reasons stated below, we feel the design of this subdivision meets both our needs and the ultimate overall intent of the Currituck County Zoning Ordinance.

We understand the purpose of the UDO is to allow development of an owners land to its highest and best use, while conforming not only to the lay of the land, structure (soil type) of the land, but also its surrounding usage.

This subdivision in its present design, keeps density down, allows an owner adequate space to either utilize their property or to plant trees while still keeping an open appearance.

To install a short street that may never be maintained by the state has several consequences.

1. A HOA must be formed and dues assessed.
2. Density would be increased.
3. The present overall look of the area will change even greater.

Another alternative would be to decrease the number of lots in order to meet size requirements. In an 8 lot subdivision that could jeopardize the development or at least change the continuity of it's design . We ask that you approve this design for the reasons mentioned above which will keep all the area within the boundaries of this parcel in single ownership, in similar appearance and without the need of a HOA.

Respectfully,

Ballance Heirs

No virus found in this message.

Checked by AVG - www.avg.com

Version: 10.0.1430 / Virus Database: 2638/5537 - Release Date: 01/16/13



Major Subdivision Application

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

Contact Information

APPLICANT: HYMAN + ROBEY, PC
 Name: DOUG ABBOTT
 Address: P.O. BOX 339
CAMDEN NC 27921
 Telephone: 252-337-8926
 Fax Number: 252-338-5552
 E-Mail Address: DOUG@HYMANROBEY.COM

PROPERTY OWNER: LYON B. GREENE
CHARLENE B. DARDEN ET. AL.
 Name: BALLANCE HEIRS
 Address: 2693 LAKE CROFTON RD
SUFFOLK, VA 23434
 Telephone: 757-539-5367
 Fax Number: _____
 E-Mail Address: _____

LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: CLIENT

Property Information

Location: NORTH SIDE OF BELLS ISLAND ROAD ACROSS FROM DOKEY CREEK RD
 Parcel Identification Number(s): 0058 0000011 0000
 Total Parcel(s) Acreage: 12.81 ACRES

Request

Subdivision Name: BALLANCE ESTATES
 Number of Lots or Units: 8

TYPE OF SUBMITTAL

- Sketch Plan (or amended)
- Preliminary Plat (or amended)
- Pre-Construction Plan (or amended)
- Final Plat (or amended)

TYPE OF SUBDIVISION

- Conventional
- Conservation
- Planned Unit Development
- Residential Airpark Development
- Open Space, Lot Size Reduction

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.

Charlene B. Darden
 Owner
Sharon Kuttbard

Douglas A. Abbott, PE
 Applicant

L. M. ...
Laura B. Martin
Lynn B. Greene
Oliver A. Bellon
Ronnie Bellon



Special Use Permit Application

OFFICIAL USE ONLY:

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

Contact Information**APPLICANT:**

Name: HYMAN + ROBEY, PC
 Address: P.O. 339
CAMDEN, N.C. 27921
 Telephone: 252-337-8921
 Fax Number: 252-338-5552
 E-Mail Address: EDDIE@HYMANROBEY.COM

PROPERTY OWNER:

Name: BALLANCE HEARS
C/O LYNN GREENE
 Address: 2693 COHON ROAD
SUFFOLK VA 23434
 Telephone: 757-539-5367
 Fax Number: —
 E-Mail Address: —

LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: CLIENT

Property Information

Physical Street Address: NORTH SIDE OF BELLS ISLAND ROAD
 Location: ACROSS FROM DOKEY CREEK ROAD
 Parcel Identification Number(s): 0058 00000 11 0000
 Total Parcel(s) Acreage: 12.81
 Existing Land Use of Property: AGRICULTURE

Request

Proposed Use of the Property: 8 LOT RESIDENTIAL SUBDIVISION
 Total square footage of land disturbance activity: 12 ACRES
 Total structure coverage: 9,600 SF PER LOT Total vehicular area: NA
 Total square footage of all existing and proposed buildings: ± 76,800 SQ FT
 Existing gross floor area: 0 Proposed gross floor area: NA

Purpose of Special Use Permit and Project Narrative: CONSTRUCT AN 8 LOT
LOW DENSITY RESIDENTIAL SUBDIVISION ON 12.81 ACRES
AND ADD ONE FIRE HYDRANT TO MEET THE
COUNTY'S HYDRANT SPACING REQUIREMENTS.

BALANCE ESTATES DEVELOPMENT IMPACT STATEMENT

PHYSICAL ANALYSIS

This project is an 8 lot conventional subdivision on 12.81 acres of land for residential development. The lots range in size from 0.92 acres to 2.2 acres. Open Space will not be required. The owners plan on selling the lots to individuals who wish to build custom 3 or 4 bedroom homes. It is expected that the homes will be between 1,200 to 1,800 square feet in size. The lots will sell in the range of \$50,000 to \$65,000. The post construction home/lot values at today's cost will be from the \$180,000 to \$225,000.

HOUSING MARKET ANALYSIS

The target market for the Subdivision will be a combination of commuters from the Hampton Roads area, retirees, and Currituck County residents who prefer living in a small community with easy access to the Outer Banks and to amenities found in larger urban settings. The site is located in Near the Currituck Community on Bells Island Road that host a mix of residential homes.

ENVIRONMENTAL IMPACT

The estimated maximum water consumption for 3 bedroom homes is 360 and 4 bedroom homes is 480 gallons of water per day. The developer intends upon connecting to Currituck County's municipal water system. Total GPD=2,880 to 3,840.

All sanitary sewer disposals will be handled by individual septic systems. Specific requirements for individual septic systems will be determined as necessary. If water consumption =2,880 to 3,840 GPD septic disposal will be the same.

FISCAL IMPACT ANALYSIS

Considering the average value of the home/lot combinations to be \$202,500, the total valuation for Subdivision would be \$1,620,000. The resultant real property taxes would be \$5,184 per year based upon the current countywide tax rate of \$0.32 per \$100.00 of value.

Land transfer taxes (\$1.00 per \$100.00) = \$4,000.00.

Estimated personal property valuation; \$106200.00 per lot.

TRAFFIC ANALYSIS

The estimated number of trips generated daily by the 8 lots once all the homes are complete is 48 trips per day. NCDOT traffic count numbers from 2011 for Bells Island Road is 1,600 trips per day. Since the capacity for two lane roads such as Bells Island Road are generally 8,000 – 10,000 vehicles per day, the proposed subdivision is not expected to have a negative impact on Bells Island Road.

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 4th day of March, 2013, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2013.

<u>Account Number</u>	<u>Account Description</u>	<u>Debit</u>	<u>Credit</u>
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
52530-590000	Capital Outlay	\$ 12,601	
52530-533900	Supplies		\$ 12,601
		<u>\$ 12,601</u>	<u>\$ 12,601</u>

Explanation: *DPR1 Grant (52530)* - Transfer funds from supplies to capital outlay to reclassify purchases approved by the DPR1 Grant to equip the medical bus.

Net Budget Effect: Multi-year Grant Fund (52) - No change.

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 4th day of March, 2013, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2013.

<u>Account Number</u>	<u>Account Description</u>	<u>Debit</u>	<u>Credit</u>
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10550-516400	Equipment Maintenance	\$ 800	
10550-535000	Credit Card Maint	\$ 8,000	
10350-467100	Aviation Fuel Sales		\$ 8,000
10550-532000	Supplies		\$ 800
		<u>\$ 8,800</u>	<u>\$ 8,800</u>

Explanation: *Airport (10550)* - Transfer funds for maintenance on tractor and increase appropriations for increased gas sales due to rising cost of fuel.

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

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 4th day of March, 2013, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2013.

<u>Account Number</u>	<u>Account Description</u>	<u>Debit</u> Decrease Revenue or Increase Expense	<u>Credit</u> Increase Revenue or Decrease Expense
12541-545000	Contract Services	\$ 30,000	
12390-499900	Appropriated Fund Balance		\$ 30,000
		<u>\$ 30,000</u>	<u>\$ 30,000</u>

Explanation: *Fire Services (12541)* - Increase appropriations for a comprehensive overview of the Fire Services system.

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

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

R E S O L U T I O N

WHEREAS, the Board of Commissioners of Currituck County, North Carolina during its regularly scheduled meeting held on March 4th, 2013 authorized the following, pursuant to GS 160A and 270(b), that the property listed below, be sent to our local landfill or recycling center:

1. Mitrak-Serial#447hny0144-model#144jj3106c-asset#2076
2. Mitrak-Serial#447hny0143-model#144jj3106c-asset#2074
3. Wordnet Digital Voice Recorder-Serial#rr14352-01-01s43 asset#4208
4. Polaroid ID4 System-asset#2501
5. Serial#731690 -model#dpu411043-asset#2335
6. 200' Tower at high school- asset tag#614
7. WYSE terminal, dell monitor asset tag#2574
8. Remote Audio Unit, serial# 005821, asset tag#4209
9. Powerware ferrups UPS, serial#Ey403fj010
10. Polaroid Imaging digital camera and printer, asset Tag#5663

ADOPTED, this 4th day of March, 2013.

ATTEST:

S. Paul O'Neal, Chairman

Gwen H. Keene, CMC
Clerk to the Board

CURRITUCK COUNTY
NORTH CAROLINA
February 18, 2013

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 Paul O'Neal, Vice-Chair Paul Martin, Commissioners Aydlett, Gilbert, Griggs, and McCord. Commissioner Petrey was absent.

A) Invocation

B) Pledge of Allegiance

The Reverend Daniel Bergey, was present to give the invocation.

C) Approval of Agenda

Commissioner Gilbert moved to approve the agenda as amended by adding to Consent Agenda, Appointment to Moyock Small Area Plan Committee. Commissioner Martin seconded the motion. Motion carried.

A) Invocation

B) Pledge of Allegiance

C) Approval of Agenda

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 12-26 Currituck County: Request to amend to the Unified Development Ordinance, Chapter 4: Use Standards, Chapter 5: Development Standards, and Chapter 10: Definitions and Measurement, to clarify waste related uses.

Administrative Reports

- A) **Award Bid for Maple Park Expansion Phase 1 and authorize County Manager to sign Contract**
- B) **Consideration of License Agreement** between County of Currituck and Whalehead Preservation Trust and Currituck County Wildlife Museum for the operation of the Whalehead Club at Heritage Park

New Business

A) Board Appointments:

1. Appointment to Recreation Board
2. Appointment to Board of Adjustment
3. Appointment to Tourism Board
4. Appointment to Moyock Small Area Plan Committee

B) Consent Agenda:

1. Approval of January 22 and February 4, 2013, Minutes
2. Resolution Approving Water Shortage Response Plan
3. Approval of Quarterly Fiscal Monitoring Report for East Carolina Behavioral Health
4. Resolution to declare Sheriff vehicles as surplus

5. Department of Social Service request to purge certain files
6. Approval of Resolution supporting continued funding for the Museum of the Albemarle
7. Budget Amendments
8. Project Ordinance - Crawford Fire Station Addition

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 O'Neal opened the public comment period.

Earl Rountree, Gates County, invited the citizens and Board to an event at the Museum of the Albemarle to salute all WWII survivors.

There being no further comments, Chairman O'Neal closed the public comment period.

Public Hearings

A) Public Hearing and Action: PB 12-26 Currituck County: Request to amend to the Unified Development Ordinance, Chapter 4: Use Standards, Chapter 5: Development Standards, and Chapter 10: Definitions and Measurement, to clarify waste related uses.

Ben Woody, Planning Director, reviewed the request.

The definitions and use standards below have been prepared by staff in order to clarify waste related uses in the new Unified Development Ordinance (UDO). This proposal would split the current uses of 'Recycling Center' and 'Salvage and Junk Yard' into four separate uses: 'Recycling Center, Processing', 'Recycling Center, Transfer', 'Salvage Yard', and 'Junk Yard'.

This proposal also modifies to the Use Table, creates/modifies the use standards for each of the four proposed uses, and updates the parking standards. Staff used other zoning ordinances, the North Carolina General Statutes, and discussion with Bissell Professional Group, to create the definitions and standards.

Currently, the UDO may classify 'Recycling Centers' as a 'Salvage and Junk Yard'.

Staff presented this proposal at the December Planning Board meeting and is now bringing it forward as a formal text amendment application to the new UDO.

The Planning Board **recommended approval** at their January 8, 2013 meeting as written, but with a change to 6(D) from a fully enclosed building to a 3-sided building. Motion carried unanimously.

PLANNING BOARD DISCUSSION (1-8-13)

Mr. Klebitz stated he is here in the interest of the citizens and someone who has worked with staff through this process in rewriting these new standards and definitions. Mr. Klebitz talked about the concerns he has with the language which is being presented in the packet. Mr. Klebitz talked about the definitions of a junk yard, salvage yard, recycling center, processing, and recycling center, transfer. Mr. Klebitz stated a salvage yard, recycling center, processing, and recycling center, transfer are limited to recyclable or recoverable materials; where as a junk yard handles junk or recoverable materials. Mr. Klebitz stated he thinks a salvage yard should be included in the language of junk. Mr. Klebitz talked about the standards for recycling center, transfer, specifically requiring the building to be fully enclosed.

Mr. Schaubach provided pictures of what a typical transfer station looks like. Mr. Schaubach is concerned with the language that the transfer station be fully enclosed. Mr. Schaubach provided an overview of what happens at a transfer station. Mr. Schaubach stated a door of this size will cost him approximately \$80,000 and does not see a need for one since it would remain open all day.

Mr. Schuler provided an explanation of why the building would need to be fully enclosed, and explained if the board wanted to allow for 3-sided buildings then staff recommends permitting the transfer stations with a use permit.

The Planning Board discussed a 3-sided building vs. a fully enclosed building, screening requirements, this request would be county wide, light vs. heavy manufacturing, and setbacks.

Mr. Klebitz stated that a fully enclosed industrial building may require a sprinkle system.

Mr. Schaubach stated a processing center would be fully enclosed, but not a transfer station.

Ms. Bell asked what is involved in a special use permit.

Mr. Schuler provided an overview.

Mr. Schaubach stated a use permit would not be an option for him.

PLANNING BOARD ACTION

Mr. Cooper moved to approve PB 12-26 as written but with a change to 6(D) from a fully enclosed building to a 3-sided building. Ms. Newbern seconded the motion. Motion carried unanimously.

PB 12-26 UDO AMENDMENT REQUEST

Amendment to the Unified Development Ordinance Chapter 4: Use Standards, Chapter 5: Development Standards, and Chapter 10: Definitions and Measurement to clarify waste related uses.

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

Item 1: That Table 4.1.1 Summary Use Table is amended by adding the following underlined language, deleting the strikethrough language, and renumbering accordingly:

TABLE 4.1.1: SUMMARY USE TABLE

PROPOSED UDO PROCEDURE: Z = Zoning Compliance Permit; U = Use Permit; MP = Allowed with Master Plan; blank cell = Prohibited

USE CATEGORY	USE TYPE	ZONING DISTRICT (CURRENT DISTRICT IN PARENTHESIS) [NOTE: OVERLAY OR SUB-DISTRICT REQUIREMENTS MAY FURTHER LIMIT USES]															ADDITIONAL REQ. (4.2.1.1)		
		RC	AG	SFM	SFO	SFR	SFI	MXR	CB	LB	CC	VC	LI	HI	PD-R	PD-M		PD-O	
INDUSTRIAL USE CLASSIFICATION																			
Waste-Related Services	Incinerator																	U	5.E.1
	<u>Junk Yard</u>																	<u>U</u>	5.E.2
	Landfill, land clearing and inert debris or construction debris													U	U				5.E.3
	Public convenience center/transfer station		U	U	U	U	U	U	U	U				U	U				5.E.4
	Recycling center													Z	Z				5.E.5
	Recycling center, processing														Z				5.E.5
	Recycling center, transfer													Z	Z				5.E.6
	Salvage and junkyard-Yard															U			5.E.7
	Waste composting		U											U	U				

Item 2: That Section 4.2.5 Industrial Uses is amended by adding the following underlined language and deleting the strikethrough language:

E. Waste-Related Services

(2) Junk Yard

- A junkyard yard shall:
- (a) Not be placed within 1,000 feet of a residential zoning district, lot with a school, lot with a day care center, or a major arterial street right-of-way.
 - (b) Be screened in accordance with Section 4.3.3.P, Outdoor Storage (other than boats or vehicles).
 - (c) Not burn non-vegetative matter.
 - (d) Not engage in open dumping, disposal of toxic or hazardous matter, or stock piling of tires or batteries.

- (e) Ensure that disposal of garbage unrelated to motor vehicles is in an approved container that is regularly maintained.
- (f) Ensure drainage is adequate in order to prevent standing water.
- (g) Not allow weeds or other vegetation to exceed a height of 12 inches.
- (h) Ensure junk vehicles are arranged to permit easy access firefighting purpose.
- (i) Any lot with vehicles stored without current registration plates or having an amount of trash, either burnable or non-burnable, considered as excessive in the judgment of the administrator, shall be classified as a junk yard and will require the appropriate zoning and permits.

(5) Recycling Center, Processing

A recycling center, processing shall comply with the following standards:

- (a) The center shall be on a parcel with an area of at least five acres.
- (b) The center shall be located at least 250 feet from any residential district, schools, child care center, or major arterial street right-of-way.
- (c) Except for a freestanding office, no part of the center shall be located within 50 feet of any property line.
- (d) All processing of recyclable materials shall occur within a fully enclosed building.
- ~~(d e)~~ Recyclable materials stored outside shall be contained within a leak-proof bin or trailer, and not stored on the ground.
- ~~(e)~~ Only limited sorting, separation, or other processing of deposited materials shall occur on the site.
- (f) There shall be no collection or storage of hazardous or biodegradable wastes on the site.

(6) Recycling Center, Transfer

A recycling center, transfer shall comply with the following standards:

- (a) The center shall be on a parcel with an area of at least five acres.

- (b) The center shall be located at least 250 feet from any residential district, schools, child care center, or major arterial street right-of-way.
- (c) Except for a freestanding office, no part of the center shall be located within 50 feet of any property line.
- (d) All recyclable and recoverable materials shall be collected, sorted, and prepared for transfer within a fully enclosed building. Processing of the materials by briquetting, compacting, flattening, grinding, crushing, shredding, cleaning, or altering the materials is prohibited.
- (e) Recyclable or recoverable materials stored outside shall be contained within a leak-proof bin or trailer, and not stored on the ground.
- (f) There shall be no collection or storage of hazardous or biodegradable wastes on the site.

(7) Salvage and junkyard Yard

A salvage ~~or junkyard~~ yard shall:

- (a) Not be placed within 1,000 feet of a residential zoning district, lot with a school, lot with a day care center, or a major arterial street right-of-way.
- (b) Be screened in accordance with Section 4.3.3.P, Outdoor Storage (other than boats or vehicles).
- (c) Not burn non-vegetative matter.
- (d) Not engage in open dumping, disposal of toxic or hazardous matter, or stock piling of tires or batteries.
- (e) Ensure that disposal of garbage unrelated to motor vehicles is in an approved container that is regularly maintained.
- (f) Ensure drainage is adequate in order to prevent standing water.
- (g) Not allow weeds or other vegetation to exceed a height of 12 inches.
- (h) Ensure junk vehicles are arranged to permit easy access for firefighting purpose.

Item 3: That Table 5.1.3.C: Minimum Off-Street Parking Standards is amended by adding the following underlined language and deleting the strikethrough language:

TABLE 5.1.3.C: MINIMUM OFF-STREET PARKING STANDARDS		
USE CATEGORY	USE TYPE	MINIMUM NUMBER OF PARKING SPACES
INDUSTRIAL USE CLASSIFICATION		
Waste-Related Services	Incinerator	See Section 5.1.3.E
	<u>Junk yard</u>	<u>1 per every 10,000 sf of outdoor area</u>
	Landfill, land clearing and inert debris or construction debris	See Section 5.1.3.E
	Public convenience center/transfer station	See Section 5.1.3.E
	Recycling center	3 per station
	<u>Recycling center, processing</u>	<u>1 per every 2,500 sf</u>
	<u>Recycling center, transfer</u>	<u>1 per every 2,500 sf</u>
	Salvage and junkyard yard	1 per every 10,000 sf of outdoor area
Waste composting	See Section 5.1.3.E	

Item 4: That Section 10.5: Definitions is amended by adding the following underlined language and deleting the strikethrough language:

RECYCLING CENTER, PROCESSING

~~A facility engaged solely in the storage, processing, resale, or reuse of recyclable and recovered materials.~~

A facility used for the collection and processing of recyclable and recoverable materials. Processing means the preparation of materials for efficient shipment, or to an end-user's specifications, by such means as briquetting, compacting, chipping, flattening, grinding, crushing, sorting, shredding, cleaning, and altering. A processing recycling center does not include salvage or junk yards.

RECYCLING CENTER, TRANSFER

A facility which recyclable or recoverable materials are collected, sorted, and prepared for transfer to another facility for processing. A transfer recycling center may not process by briquetting, compacting, chipping, flattening, grinding, crushing, shredding, cleaning or altering the materials.

SALVAGE AND JUNK YARD

~~An establishment where junk, waste, discarded, salvaged, or similar materials such as old metals, wood, slush, lumber, glass, paper, rags, cloth, bagging, cordage, barrels, containers, and the like, are brought, sold, exchanged, baled, packed, disassembled, stored, or handled, including used lumber and building material yards, housewrecking yards, heavy equipment wrecking yards, and yards or places where salvaged house~~

~~wrecking or structural steel materials are stored, handled, and sold. This definition includes automobile wrecking or automobile wrecking yards and establishments for the sale, purchase, or storage of secondhand cars, clothing, salvaged machinery, furniture, radios, stoves, refrigerators, or similar household goods and appliances, all of which shall be usable, nor shall it apply to the processing of used, discarded, or salvaged materials incident to manufacturing activity on the same site where such processing occurs.~~

An establishment primarily engaged in the storage, sale, dismantling or other processing of recoverable and recyclable materials which are not intended for reuse in their original forms, such as automotive wrecking yards, metal salvage yards, or paper salvage yards.

For the purposes of section 7.4, Flood Damage Prevention, any non-residential property used for the storage, collection, and/or recycling of any type of equipment, and including but not limited to vehicles, appliances and related machinery.

JUNKYARD

See “Salvage yard or Junkyard”.

JUNK YARD

An establishment or place of business which is maintained, operated or used for storing, keeping, buying or selling junk or recoverable materials.

For the purposes of section 7.4, Flood Damage Prevention, any non-residential property used for the storage, collection, and/or recycling of any type of equipment, and including but not limited to vehicles, appliances and related machinery.

JUNK

Old or scrap copper, brass, rope, rags, batteries, paper, trash, rubber, debris, waste, or junked, dismantled or wrecked automobiles, or parts thereof, iron, steel, and other old or scrap ferrous or nonferrous material. Junk does not include materials used for recycling purposes as part of an approved recycling center (processing or transfer).

RECYCLABLE MATERIALS

Materials which are capable of being recycled and which would otherwise be processed or disposed of as solid waste. Recyclable materials do not include residential or commercial solid waste, hazardous or toxic waste.

RECOVERABLE MATERIALS

Materials which the majority can be feasibly recycled, and has been diverted or removed from solid waste stream for sale, use, or reuse.

Item 5: The provisions of this Ordinance are severable and if any of its provisions or any sentence, clause, or paragraph or the application thereof to any person or circumstance shall be held unconstitutional or violative of the Laws of the State of North Carolina by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions which can be given effect without the invalid provision or application.

Chairman O'Neal opened the public hearing.

Clay Cartwright, requested that the setback from the highway be reduced and use the state language for junk yards.

David Klebitz, supports the 3 sided buildings for transfer only and definition for junk be added to salvage yard definition and also to reduce setback requirements.

H.D. Newbern, Aydlett, requested to keep setback definition and agreed to 3 sided building.

There being no further comments, Chairman O'Neal closed the public hearing.

Commissioner Aydlett moved to table for a work session.
Commissioner Gilbert seconded the motion. Motion carried.

Administrative Reports

A) Award Bid for Maple Park Expansion Phase 1 and authorize County Manager to sign Contract

Dan Scanlon, County Manager, reviewed the expansion phase of the project and funding.

Commissioner Aydlett, moved to award the bid to A.R. Chesson Construction Co., Inc. in the amount of \$2,467,164.00.
Commissioner Gilbert seconded the motion. Motion carried.

B) Consideration of License Agreement between County of Currituck and Whalehead Preservation Trust and Currituck County Wildlife Museum for the operation of the Whalehead Club at Heritage Park

Ike McRee, County Attorney, reviewed the agreement for the operation of the Wildlife Museum and operation of the Whalehead Club. This agreement is for 5 years.

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

New Business

A) Board Appointments:

1. Appointment to Recreation Board

Commissioner Aydlett moved to appoint Steve Carletti. Commissioner Gilbert seconded the motion. Motion carried.

2. Appointment to Board of Adjustment

Commissioner Griggs moved to appoint Shay Ballance. Commissioner Gilbert seconded the motion. Motion carried.

3. Appointment to Tourism Board

Commissioner Griggs moved to appoint Wanda Beasley. Commissioner Martin seconded the motion. Motion carried.

4. Appointment to Moyock Small Area Plan Committee

Commissioner Gilbert moved to appoint Valerie Williams. Commissioner Aydlett seconded the motion. Motion carried.

B) Consent Agenda:

1. Approval of January 22 and February 4, 2013, Minutes
2. Resolution Approving Water Shortage Response Plan
3. Approval of Quarterly Fiscal Monitoring Report for East Carolina Behavioral Health
4. Resolution to declare Sheriff vehicles as surplus
5. Department of Social Services request to purge certain files
6. Approval of Resolution supporting continued funding for the Museum of the Albemarle
7. Budget Amendments
8. Project Ordinance - Crawford Fire Station Addition

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

RESOLUTION FOR APPROVING WATER SHORTAGE RESPONSE PLAN

WHEREAS, North Carolina General Statute 143-355 (l) requires that each unit of local government that provides public water services or plans to provide such services shall, either individually or together with other such units of local government, prepare and submit a Water Shortage Response Plan; and

WHEREAS, as required by the statute and in the interests of sound local planning, a Water Shortage Response Plan for the Southern Outer Banks Water System, has been developed and submitted to the Currituck County Board of Commissioners for approval; and

WHEREAS, the Currituck County Board of Commissioners finds that the Water Shortage Response Plan is in accordance with the provisions of North Carolina General Statute 143-355 (l) and that it will provide appropriate guidance for the future management of water supplies for the Southern Outer Banks Water System, as well as useful information to the Department of Environment and Natural Resources for the development of a state water supply plan as required by statute;

NOW, THEREFORE, BE IT RESOLVED by the Currituck County Board of Commissioners of the Southern Outer Banks Water System that the Water Shortage Response Plan entitled, Water Shortage Response Plan Southern Outer Banks Water in Currituck County dated February 18, 2013, is hereby approved and shall be submitted to the Department of Environment and Natural Resources, Division of Water Resources; and

BE IT FURTHER RESOLVED that the Currituck County Board of Commissioners intends that this plan shall be revised to reflect changes in relevant data and projections at least once every five years or as otherwise requested by the Department, in accordance with the statute and sound planning practice.

RESOLUTION

WHEREAS, the Board of Commissioners of Currituck County, North Carolina during its regularly scheduled meeting held on February 18, 2013 authorized the following, pursuant to GS 160A and 270(b) that the property listed below be disposed of by transferring to another governmental agency or selling by GovDeals auction.

Asset#	Description	Serial#
	1986 Chevrolet Truck	1GCH034J6GF35323
7225	1995 Chevrolet SUV	1GNEK13K5SJ363062
5260	2000 Ford Crown Vic	2FAFP71WOYX137380
5621	2002 Dodge Durango	1B4HS38N12F171089
5688	2003 Ford Van	1FMRE11283HB47201
6094	2006 Ford Crown Vic	2FAHP71W76X119013
6090	2005 Kodiak ATV	5Y4AJ15YX5A008718
6091	2005 Kodiak ATV	5Y4AJ15Y55A009193

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

**RESOLUTION SUPPORTING CONTINUED FUNDING
FOR MUSEUM OF THE ALBEMARLE**

WHEREAS, Museum of the Albemarle serves a 13 county area that spans Northeastern North Carolina and is one of six divisional museums of the North Carolina Museum of History; and

WHEREAS, Museum of the Albemarle opened its first museum on May 29, 1967 in the old Highway Patrol building south of Elizabeth City; and

WHEREAS, the Museum is a regional resource center that houses historically significant regional artifacts and state-of-the-art displays and provide rare opportunities for inquiry and learning; and

WHEREAS, some of the current exhibits which are quite significant for our area include "Our Story; Life in the Albemarle", "Out of the Blue: Coast Guard Aviation", Under Both Flags: Civil war in the Albemarle"; and

WHEREAS, The Museum of the Albemarle has become a vital resource for our area.

NOW, THEREFORE, BE IT RESOLVED, that the Currituck County Board of Commissioners supports funding for continued operation of Museum of the Albemarle and requests the Governor and General Assembly to include full funding in the state's 2013-14 budget for Museum of the Albemarle.

<u>Account Number</u>	<u>Account Description</u>	Debit Decrease Revenue or Increase Expense	Credit Increase Revenue or Decrease Expense
51848-591001	CCMS HVAC/Griggs Gym HVAC	\$ 146,000	
51848-598002	Central Chiller Replacement	\$ 150,000	
51380-481000	Lottery Funds		\$ 296,000
		\$ 296,000	\$ 296,000

Explanation: School Construction Fund (51848) - Increase appropriations to record approval from the NC Department of Public Instruction to use lottery funds for the HVAC and Chiller replacements.

Net Budget Effect: School Construction Fund (51) - Increased by \$296,000.

<u>Account Number</u>	<u>Account Description</u>	Debit		Credit	
		Decrease Revenue or Increase Expense		Increase Revenue or Decrease Expense	
12541-587050	T T - County Govt Construction Fund Appropriated Fund	\$	120,000		
12390-499900	Balance			\$	120,000
		<u>\$ 120,000</u>		<u>\$ 120,000</u>	

Explanation: Fire Services Fund (12) - Transfer funds to the County Governmental Facilities Construction fund for an addition to the Crawford Fire Station.

Net Budget Effect: Fire Services Fund (12) - Increased by \$12,000.

<u>Account Number</u>	<u>Account Description</u>	Debit		Credit	
		Decrease Revenue or Increase Expense		Increase Revenue or Decrease Expense	
10790-532000	Supplies	\$	700		
10790-516000	Maintenance & Repair			\$	700
		<u>\$ 700</u>		<u>\$ 700</u>	

Explanation: Library (10790) - Transfer funds to purchase Office 2010 for the staff computers in the Barco and Corolla libraries.

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

<u>Account Number</u>	<u>Account Description</u>	Debit		Credit	
		Decrease Revenue or Increase Expense		Increase Revenue or Decrease Expense	
10530-553000	Dues and Subscriptions	\$	200		
10530-526000	Advertising			\$	200
10530-536000	Uniforms	\$	4,500		
10530-514500	Training and Education			\$	4,500
		<u>\$ 4,700</u>		<u>\$ 4,700</u>	

Explanation: Emergency Medical Services (10530) - To transfer funds for increases in dues and subscriptions and for uniforms for new hires for the remainder of this fiscal year.

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

<u>Account Number</u>	<u>Account Description</u>	Debit		Credit	
		Decrease Revenue or Increase Expense		Increase Revenue or Decrease Expense	
10752-519004	ST/CO SPEC ASSISTANCE	\$	12,000		
10752-519005	STATE FOSTER CARE			\$	12,000
10752-519600	DAYCARE	\$	217,681		
10760-585000	DONATIONS	\$	7,733		
10760-585001	DONATIONS-CURR KIDS	\$	1,000		
10330-432800	DAYCARE			\$	217,681
10330-43100	DSS ADMIN			\$	14,759
10380-487000	DONATIONS			\$	1,114
10380-487001	DONATIONS CURR KIDS			\$	2,000
10390-499900	FUND APPROPRIATE BLANCE	\$	9,140		
			<u>\$ 247,554</u>		<u>\$ 247,554</u>

Explanation: PUBLIC ASSISTANCE (752) - Adjust to accommodate the amount of Special Assistance clients receiving benefits; Reflect State Funding Authorizations for the Daycare program. COUNTY ASSISTANCE (760)-Adjust to reflect the actual amount of donated funds received for Donations and Currituck Kids. REVENUE (330)-Adjust to the State Funding Authorizations for DSS Admin and Daycare funds.

Net Budget Effect: Operating Fund (10) - Increased by \$226,414.

<u>Account Number</u>	<u>Account Description</u>	Debit		Credit	
		Decrease Revenue or Increase Expense		Increase Revenue or Decrease Expense	
10531-545000	Contracted Services			\$	100
10531-514500	Training & Education	\$	100		
			<u>\$ 100</u>		<u>\$ 100</u>

Explanation: Emergency Management (10531) - Transfer funds for registration fee for NCEMA Spring conference.

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

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10750-590000	Capital Outlay Appropriated Fund	\$ 6,775	
10390-499900	Balance		\$ 6,775
		<u>\$ 6,775</u>	<u>\$ 6,775</u>

Explanation: *Social Services (10750)* - Increase appropriations to replace HVAC system in Social Services.

Net Budget Effect: Operating Fund (10) - Increased by \$6,775.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
66868-545000	Contracted Services		\$ 10,000
66868-553000	Dues & Subscriptions		\$ 2,000
66868-533800	Chemicals		\$ 2,000
66868-531400	Equipment Fuel		\$ 2,500
66868-513000	Utilities		\$ 2,000
66868-516000	Repairs & Maintenance		\$ 2,000
66868-514000	Travel		\$ 1,500
66868-532000	Supplies	\$ 5,500	
66868-531000	Gas, Oil, etc	\$ 8,000	
66868-590000	Capital Outlay	\$ 8,500	
		<u>\$ 22,000</u>	<u>\$ 22,000</u>

Explanation: *Southern Outer Banks Water System (66868)* - Transfer funds for operations for the remainder of this fiscal year and to replace one of the automatic meter readers that is not functioning.

Net Budget Effect: Southern Outer Banks Water System Fund (66) - No change.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
65858-545000	Contracted Services	\$ 8,000	
65858-561000	Professional Services		\$ 8,000
		\$ 8,000	\$ 8,000

Explanation: *Moyock Commons Sewer System (65858)* - Transfer funds for additional sewer pumping to take the existing Moyock Commons Plant offline.

Net Budget Effect: Moyock Commons Sewer Fund (65) - No change.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10510-516200	Vehicle Maintenance	\$ 18,526	
10380-484001	Insurance Recovery		\$ 18,526
		\$ 18,526	\$ 18,526

Explanation: *Sheriff (10510)* - Increase appropriations to record insurance proceeds to repair Sheriff vehicles.

Net Budget Effect: Operating Fund (10) - Increased by \$18,526.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10440-502000	Salaries - Regular	\$ 13,000	
10440-505000	FICA	\$ 995	
10440-506000	Health Insurance	\$ 1,793	
10440-507000	Retirement	\$ 1,530	
10440-532000	Supplies	\$ 2,500	
10440-535000	Safekeeping Fees		\$ 700
10350-468000	Sale of Fixed Assets		\$ 1,800
10480-502000	Salaries - Regular		\$ 13,000

10480-505000	FICA	\$	995
10480-506000	Health Insurance	\$	1,793
10480-507000	Retirement	\$	1,530
		<u>\$</u>	<u>19,818</u>
		<u>\$</u>	<u>19,818</u>

Explanation: *Finance; Register of Deeds (10440;10480) - Transfer funds from the Register of Deeds Department to the Finance Department to reclassify a Deputy Register of Deeds to an Accounting Clerk I and an Accounting Clerk I to an Accounting Clerk II and for initial set-up equipment for the additional Finance position.*

Net Budget Effect: Operating Fund (10) - Increased by \$1,800.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10460-592000	Courthouse Projects	\$ 77,963	
10380-484001	Insurance Recovery		\$ 77,963
		<u>\$ 77,963</u>	<u>\$ 77,963</u>

Explanation: *Public Works (10460) - Increase appropriations to record funds received for insurance recovery from Hurricane damage to Public Buildings.*

Net Budget Effect: Operating Fund (10) - Increased by \$77,963.

**COUNTY OF CURRITUCK
CAPITAL PROJECT ORDINANCE**

BE IT ORDAINED by the Currituck County Board of Commissioners, North Carolina that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

SECTION 1. The project authorized is an addition to the Crawford Fire Department in Shawboro, North Carolina.

SECTION 2. The following amounts are appropriated for the project:

Crawford Fire Department renovations	\$ 120,000
	\$ 120,000

SECTION 3. The following revenues are available to complete this project:

Transfer from Fire Services Fund	\$ 120,000
	\$ 120,000

SECTION 4. The Finance Director is hereby directed to report, on a quarterly basis, on the financial status of each project element delineated in Section 2 above.

SECTION 5. SPECIAL APPROPRIATIONS AND RESTRICTIONS

The Budget Officer is hereby authorized to transfer appropriations within the fund as contained herein under the following conditions:

- a. He may transfer amounts between object line items within the fund up to One Thousand dollars (\$1,000).

SECTION 6. CONTRACTUAL OBLIGATIONS

The County Manager is hereby authorized to execute contractual documents under the following conditions:

- a. He may execute contracts for construction or repair projects which do not require formal competitive bid procedures.
- b. He may execute contracts for (1) purchases of apparatus, supplies, and materials, or equipment which are within the budgeted departmental appropriations; (2) leases of personal property for a duration of one year or less and within budgeted departmental appropriations; and (3) services which are within budgeted departmental appropriations.
- c. He may execute contracts, as the lessor or lessee of real property, which are of a duration of one year or less which are within the budgeted departmental appropriations.

SECTION 7. USE OF BUDGET ORDINANCE

The Budget Officer and the Finance Director shall use this capital project ordinance for administration of the budget and for the accounting system.

C) Commissioner's Report

Commissioner Aydlett moved to send a letter of support for legislation to let school boards control the school calendar. Commissioner Martin seconded the motion. Motion carried.

Commissioner Gilbert reviewed the Moyock Small Area Plan meeting.

Commissioner McCord, commented on the fundraising event for the school baseball team.

Chairman O'Neal requested the County Manager to review the unemployment legislation proposed by the state.

D) County Manager's Report

No comments

Adjourn

There being no further comments, the meeting adjourned.

R E S O L U T I O N

WHEREAS, the Board of Commissioners of Currituck County, North Carolina during its regularly scheduled meeting held on March 4, 2013 authorized the following, pursuant to GS 160A and 270(b) that the property listed below be disposed of as follows:

Asset#	Description	Serial#
TO BE SOLD ON GOV DEALS		
7110	1968 Kaiser Truck	022525156
5728	2004 Dodge Intrepid	2B3HD46V04H606855
TO BE TRANSFERRED TO COROLLA VFD FOR OCEAN RESCUE		
6271	2006 Nissan Titan	1N6BA07B16N546649
6909	2009 Nissan Titan	1N6AA07CX9N302815

The above vehicles are in fair to poor condition, and have been stripped of all markings and emergency equipment prior to decommissioning.

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

ADOPTED, this 4th day of March, 2013.

S Paul O'Neal
Currituck County Board of
Commissioners

ATTEST:

Gwen H. Keene, CMC
Clerk to the Board

R E S O L U T I O N

WHEREAS, the Board of Commissioners of Currituck County, North Carolina during its regularly scheduled meeting held on March 4, 2013, authorized the following, pursuant to GS 160A and 270(b), that the computers listed below be given to outgoing commissioners Rorer and Etheridge.

<u>Asset Tag</u>	<u>Description</u>	<u>Serial Number</u>
6965	Laptop computer issued to Etheridge	CL88QH1
6968	Laptop computer issued to Rorer	DL88QH1
6931	Laptop computer issued to Petrey	5WHBTG1

ADOPTED, this 4th day of March 2013.

S. Paul O'Neal
Currituck County Board of
Commissioners

ATTEST:

Gwen H. Keene, CMC
Clerk to the Board

***Carova Beach Volunteer Fire & Rescue
2169 Ocean Pearl Road
Corolla North Carolina 23234***



Board of Commissioners; Currituck County

Carova Beach Volunteer Fire and Rescue is requesting your concurrence on replacing the command vehicle for this Department (Chief – 7) with a 2013 Chevrolet 4X4 Crew Cab Truck per the attached agreement with OBX Chevrolet. The existing vehicle is unsafe to keep in emergency service due to structural and body corrosion and eminent transmission failure.

The original price of this vehicle was \$38,750. The Balance Due after trade-in, dealer discount, fees and tax on this vehicle will be \$18,673.50. This Department plans to finance the vehicle as follows;

- \$2,500 – this year’s budget funds
- 2,500 - Contribution from CBVF&R Auxiliary
- 13,673 – an advance from the Departments reserve funds to be reimbursed from budget funds available at year end 2013 and 2014 budget funds.

\$18,673 Total

The existing equipment such as radio and light bar will be reinstalled on the new vehicle by Department personnel. Undercoating and other conversion requirements will be handled by us.

Your earliest consideration will be appreciated.

Bill Vann, Chief CBVF&R

Bill Vann, Chief CBVF&R
2380 Carova Road
Corolla NC 27927
252 453-3688