



**BOARD OF COMMISSIONERS
AGENDA**

SEPTEMBER 16, 2013

Table of Contents

Agenda	3
Public Hearing and Action:	
Cover Sheet	5
08-45 Case Analysis	6
Section 1	12
Section 1	13
Section 1	14
Section 1	15
Section 2-1	16
Section 2-2	17
Section 2-3	18
Section 2-4	19
Section 5	20
Consideration and Action:	
08-45 Cover Sheet	21
08-45 Memo	22
Public Hearing and Action:	
Cover Sheet	23
13-15 Case Analysis	24
Public Hearing and Action:	
13-18 Cover Sheet	31
13-18 Case Analysis	32
Approval of Board of Equalization and Review Minutes	
Cover-Board of E&R	45
Board of E&R Minutes	46
Approval of September 3, 2013, Minutes	
September 3 Minutes	47
Budget Amendments	
Budget Amendments	75
Approval of Change Order #1 to Historic Jarvisburg Colored School Renovations Contract	
HJCS-Change Order #1	78
Resolution Authorizing the Leasing of Certain Real Property to the Truck Accessory Center, Inc. for a Maximum Term of Fifteen Years Pursuant to N.C. Gen.Stat.Section 160A-272 DELETED	
Resolution-Truck Accessory	80
Resolution Declaring Parcel 110B-010-0015-0000 located in Poplar Branch Township as Surplus Property	
Resolution-Surplus Property	81
Resolution Authorizing Upset Bid Process for Surplus Property 110B-010-0015-0000, 120 Rita Street, Albemarle Sound Beach Estates	
Resolution-Upset Bid Process	82

Resolution Declaring 2013 Big Sweep Litter Clean-up Day
October 5

Resolution-Big Sweep	84
Applications to use lottery funds to replace HVAC unit for CCMS lobby - \$100,000; replace roof on Technology building at Knapp - \$30,000; and replace roof on gym at Knapp - \$140,000.	
CCMS HVAC	86
Knapp Technology Roof	87
Knapp Gym Roof	88
Lottery Balances	89
Past Projects	91
Project Ordinance - Replace CCMS HVAC unit	
CCMS HVAC	92
Project Ordinance - Replace roof on Technology Building at J P Knapp	
Knapp Technology Roof	94
Project Ordinance - Replace roof on gym at J P Knapp School	
Knapp Gym Roof	96
Project Ordinance - HMGP 4019-016-F Generator Grant	
Generator Grant	98
June 2013 Fiscal Monitoring Report for East Carolina Behavioral Health	
ECBH Fiscal Monitoring Report	100
Proclamation Recognizing Shawboro Ruritan Club's 65th Anniversary	
Shawboro Ruritan Proclamation	103

REVISED
Currituck County
Board of Commissioners Agenda
Historic Currituck County Courthouse

Date: Monday, September 16, 2013 Time: 7:00 PM

Work Session

6:00 PM Discussion and review of multi-family provisions and allowances within the UDO

7:00 pm Call to Order

- A) Invocation – Reverend Ricky Bishop, Coinjock Baptist Church
- 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 08-45 Estates at Carova Beach: Request to amend the preliminary plat/special use permit approval to remove parcel 087A-000-000D-0005 (2.1 acres) from open space, Carova Beach Subdivision, Section 5, Fruitville Township.
- B) **Consideration and Action:** PB 08-45 Estates at Carova Beach: An offer of dedication of certain open space parcels as shown on Estates at Carova Beach Final Plats, Sections 1, 2, and 5, Fruitville Township.
- C) **Public Hearing and Action:** PB 13-15 Water Supply Standards: Request to amend the Unified Development Ordinance Chapter 6: Required Infrastructure and Chapter 10: Definitions and Measurement to revise the water supply standards to exempt certain development from connecting to the county water supply system.
- D) **Public Hearing and Action:** PB 13-18 Currituck County: Request to amend the Unified Development Ordinance Chapter 3: Zoning Districts, Chapter 4: Use Standards, Chapter 5: Development Standards, Chapter 6: Subdivision and Infrastructure Standards, Chapter 7: Environmental

Protection Standards, Chapter 10: Definitions and Measurement to clarify and revise miscellaneous sections of the Unified Development Ordinance (UDO).

New Business

A) Consent Agenda:

1. Approval of Board of Equalization and Review Minutes
2. Approval of September 3, 2013, Minutes
3. Budget Amendments
4. Approval of Change Order #1 to Historic Jarvisburg Colored School Renovations Contract
5. Resolution Authorizing the Leasing of Certain Real Property to the Truck Accessory Center, Inc. for a Maximum Term of Fifteen Years Pursuant to N.C. Gen.Stat.Section 160A-272 **DELETED**
6. Resolution Declaring Parcel 110B-010-0015-0000 located in Poplar Branch Township as Surplus Property
7. Resolution Authorizing Upset Bid Process for Surplus Property 110B-010-0015-0000, 120 Rita Street, Albemarle Sound Beach Estates
8. Resolution Declaring 2013 Big Sweep Litter Clean-up Day October 5
9. Applications to use lottery funds to replace HVAC unit for CCMS lobby - \$100,000; replace roof on Technology building at Knapp - \$30,000; and replace roof on gym at Knapp - \$140,000.
10. Project Ordinance - Replace CCMS HVAC unit
11. Project Ordinance - Replace roof on Technology Building at J P Knapp
12. Project Ordinance - Replace roof on gym at J P Knapp School
13. Project Ordinance - HMGP 4019-016-F Generator Grant
14. June 2013 Fiscal Monitoring Report for East Carolina Behavioral Health
15. Proclamation Recognizing Shawboro Ruritan Club's 65th Anniversary

B) Commissioner's Report

C) County Manager's Report

Adjourn



Currituck County Agenda Item Worksheet

Agenda Item Title

Brief Description of Agenda Item

Board Action Requested

Person Submitting Agenda Item

Presenter of Agenda Item

**STAFF ANALYSIS FOR THE
BOARD OF COMMISSIONERS
MEETING DATE: September 16, 2013
PB 08-45 Estates at Carova Beach, Open Space Subdivision**

ITEM: PB 08-45 Estates at Carova Beach, Open Space Subdivision, Amended Preliminary Plat/SUP to re-plot 19 existing lots into 28 residential lots.

LOCATION: The proposed development is located in the following sections of Carova Beach, Fruitville Township:

Section 1	Sections 2 & 3	Sections 5 & 9
087A-000-000A-0001	087A-000-000A-0002	087A-000-001A-0005
087A-000-000B-0001	087A-000-000A-0003	087A-000-002A-0005
087A-000-000C-0001	087A-000-000B-0002	087A-000-000B-0005
087A-000-000D-0001	087A-000-000B-0003	087A-000-000C-0005
087A-000-000E-0001		087A-000-000D-0005
087A-000-000F-0001		087A-000-000A-0009
087A-000-000G-0001		087A-000-000B-0009
087A-000-000H-0001		087A-000-000C-0009

ZONING DISTRICT: Outer Banks Limited Access Residential District (RO2)

PRESENT USE: Sand dunes and maritime forest

OWNERS: Carova Corp. and Ocean Sands Co.
C/O Riggs Realty Co.
P.O. Box 400
Corolla, NC 27927

Ernest Bowden
2155 Sandfiddler Road
Corolla, NC 27927

ENGINEER: Mark Bissell
Bissell Professional Group
PO Box 1068
Kitty Hawk, NC 27949
252-261-3266

LAND USE/ZONING OF SURROUNDING PROPERTY:

NORTH:	Residential and Vacant	Zoned: RO2
SOUTH:	Residential and Vacant	Zoned: RO2
EAST:	Residential and Vacant	Zoned: RO2
WEST:	Residential and Vacant	Zoned: RO2

SIZE OF SITE: Section 1: 31.36 acres
 Sections 2 (3): 22.04 acres
 Sections 5 (9): 18.40 acres
 Total: 71.80 acres

NUMBER OF LOTS: 28 total (19 existing, re-platted lots)

DENSITY: 0.39 unit/ acre

STREETS: The proposed lots will be accessed by existing sand roads excluding two cul-de-sac streets proposed in Section 1 development.

UTILITIES: The development will be served by individual wells and on-site wastewater.

OPEN SPACE: Proposed lot area reduced from the required 120,000 square feet must be dedicated as open space. The required open space and proposed dedication for each section is as follows:

Section	Required Open Space	Dedicated Open Space
Section 1	10.93 acres	11.95 acres
Sections 2 (3)	8.38 acres	9.16 acres
Sections 5 (9)	6.10 acres	5.24 acres

There is a cumulative total of 26.35 acres of open space included in the subdivision proposals. The developer proposes dedicating the open space to Currituck County. As provided for in in the Unified Development Ordinance, required open space shall not be dedicated to the public except upon written acceptance by the county.

I. NARRATIVE OF REQUEST:

- Carova Corp., Ocean Sands Co. is requesting an amended preliminary plat/SUP approval for re-platting 19 existing parcels in sections of Carova Beach into 28 proposed lots.
- Carova Beach subdivision was approved in 1966 and 1967, and at that time Currituck County did not require the street improvements.
- The Estates at Carova Beach sketch plan was approved by the Board of Commissioners on December 15, 2008.
- The Estates at Carova Beach preliminary plat/special use permit was approved by the Board of Commissioners on September 8, 2009 and extended October 1, 2012. The approval included the re-platting of 20 lots into 28 lots (73.92 acres) and the dedication of 27.5 acres of open space.
- The proposed amended preliminary plat/(special) use permit amendment includes:
 - Reduction of the total development area by 2.13 acres (PIN: 087A-000000D-0005);
 - Reduction in open space dedication by 1.15 acres; and,
 - Adding the fire ponds (all sections) into open space.

- The applicant is dedicating 26.35 acres of open space to Currituck County. Condition #7 of the approved special use permit requires “acceptance by the county of any open space property shall be in the form of a general warranty deed. This shall only occur after the adoption of a written resolution of acceptance by the Board of Commissioners, prior to the recordation of a final plat.”
- Chapter 2 (Section 2.3.14) of the UDO requires amendments to a permit or approval to be reviewed in accordance with the procedures and standards established for the original approval. Chapter 10 (Section 10.3.4) of the UDO (in effect under the original approval) requires development constructed in phases or stages meet the requirements of the ordinance with respect for each phase or stage. The three sections of the Estates at Carova Beach were submitted and reviewed collectively; however, as proposed, Section 5 of the development is deficient in required open space.

Section	Required Open Space	Dedicated Open Space
Section 1	10.93 acres	11.95 acres
Sections 2 (3)	8.38 acres	9.16 acres
Sections 5 (9)	6.10 acres	5.24 acres

II. QUESTIONS BEFORE THE BOARD:

Use Permit Criteria and Suggested Findings:

Use permits (UP) are intended to allow the Board of Commissioners flexibility in the administration of the UDO. Through the UP 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 UP, certain criteria must be satisfied. The criteria and suggested findings of fact are outlined as follows:

1. THE PROPOSED USE WILL NOT ENDANGER THE PUBLIC HEALTH OR SAFETY.

Suggested Finding:

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

2. THE PROPOSED USE WILL NOT INJURE THE VALUE OF ADJOINING OR ABUTTING LANDS AND WILL BE IN HARMONY WITH THE AREA IN WHICH IT IS LOCATED.

Suggested Findings:

- a. The UDO indicates that an open space subdivision is allowed in the RO2 zoning district with a special use permit.
- b. The proposed residential lots are currently within a neighborhood with densities comparable to those proposed and should be in harmony with the neighborhood.

3. THE PROPOSED USE WILL BE IN CONFORMITY WITH THE LAND USE PLAN, OR OTHER OFFICIALLY ADOPTED PLAN.

Suggested Findings:

- a. The 2006 Land Use Plan classifies the site as **Limited Service Area** within the Carova subarea and the proposed development is in keeping with the policies of the plan such as:

POLICY OB6: Concerning the OFF-ROAD AREAS OF THE OUTER BANKS, Currituck County shall not permit or encourage the provision of growth-inducing facilities and services to these areas, including for example, commercial services, centralized sewage treatment, and hard surface roads.

POLICY OB7: VEHICULAR ACCESS TO THE NORTH BEACHES (off-road area) shall not compromise the environmental integrity of wildlife refuges, the estuarine research reserve, other ecologically sensitive areas, or habitat for wild horses. Structures or other man-made improvements not specifically serving the public interest shall not be permitted to block vehicular access along the beach.

POLICY OB8: In order to protect WILD HORSES, Currituck County shall not permit nor encourage the provision of hard surface roads in the off-road area of Carova.

POLICY OB9: LARGE HOMES ON OCEANFRONT LOTS IN THE OFF-ROAD AREA should be located as far west as possible. Structures should not be built forward of protective dunes, thereby impeding dune recovery. County minimum setbacks may exceed CAMA minimum setbacks in ocean erodible areas.

- b. The proposed preliminary plat/special use permit is in general compliance with the policy emphasis of the Carova sub-area and the Outer Banks policies of the 2006 Land Use Plan.
4. THE PROPOSED 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.

Suggested Findings:

- a. School seats are no longer allocated for the Outer Banks areas because of the low year round occupancy rate.
- b. The Carova Beach Fire Department testified on September 17, 2007 that the roads in Carova are adequate for their department to respond.

III. STAFF RECOMMENDATION

As noted in the narrative, Chapter 2 (Section 2.3.14) of the UDO requires amendments to a permit or approval to be reviewed in accordance with the procedures and standards established for the original approval. Chapter 10 (Section 10.3.4) of the UDO (in effect under the original approval) requires development constructed in phases or stages meet the requirements of the ordinance with respect for each phase or stage. The three sections of the Estates at Carova Beach were submitted and reviewed collectively; however, as proposed, Section 5 of the development is deficient in required open space.

Chapter 10, Section 10.4.10 of the UDO (in effect under the original approval) allows the permitting issuing body to permit minor deviations from the standards when the board determines:

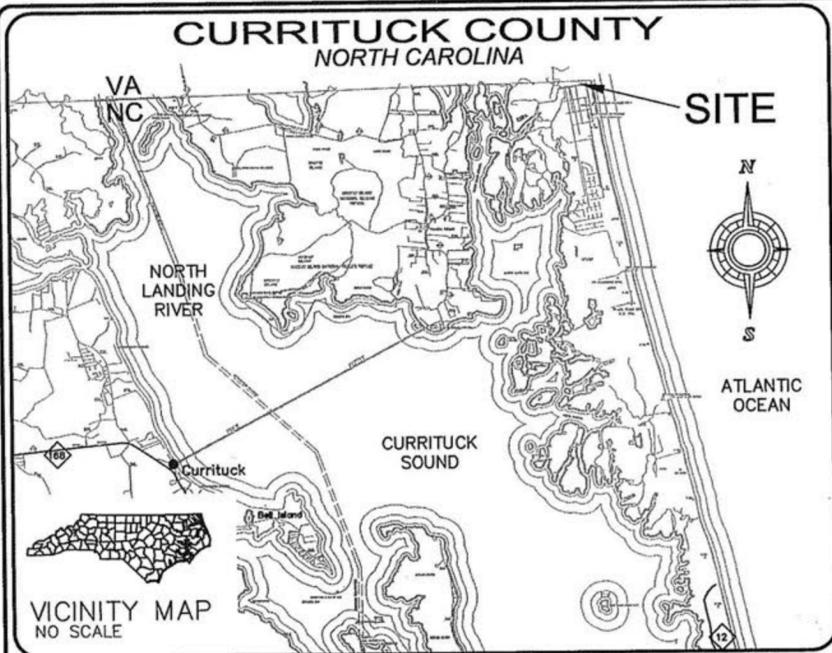
- 1. The objectives underlying these standards can be met without strict adherence to them; and,
- 2. Because of peculiarities in the developer's tract of land or the particular type or configuration of development proposed; it would be unreasonable to require strict adherence to these standards.

Therefore, if the board determines the proposed open space dedication meets the standards above by providing the required open space collectively (Sections 1, 2, and 5), the board may authorize a deviation from the open space standards of the UDO provided a detailed statement of the reasons for allowing the deviation are provided.

If the board authorizes a deviation from the UDO, the Staff recommends **approval** of the Estates at Carova Beach, Sections 1, 2, and 5 with the following existing conditions:

1. A detailed analysis of proposed fill within the Coastal High Hazard Area (VE flood zone) shall be provided with pre-construction plans. The analysis shall indicate the effects of fill and wave deflection or run-up as well as increase in base flood elevation. In addition, there shall be no alteration of sand dunes which would increase potential flood damage. No fill shall be used for structural support.
2. A detailed grading plan must be provided with the pre-construction plans to identify any dune modifications or fill.
3. Please provide a detailed narrative for access and development impacts within 404 wetlands with the pre-construction plans.
4. An on-site inspection by the County Engineer and Planning staff must occur prior to submission of the pre-construction plans to determine the extent of improvements of existing roads.
5. Identify significant trees within the development with the pre-construction plan submittal.
6. Provide a short document or narrative explaining maintenance and the party responsible for maintenance of roadside swales and culverts. In addition provide the procedure for when the developer turns the subdivision over to the homeowner's association and their responsibility at that time. The narrative and procedure should be submitted at pre-construction. (Soil and Water TRC Comment)
7. Acceptance by the county of any open space property shall be in the form of a general warranty deed. This shall only occur after the adoption of a written resolution of acceptance by the Board of Commissioners, prior to the recordation of a final plat.
8. A detailed grading, drainage plan for individual lots shall be provided with pre-construction plan. (Public Works, County Engineer TRC Comment)
9. More detailed grading, drainage, stabilization, fill and excavation information shall be provided to Division of Coastal Management. (DCM TRC Comment)
10. Provide details for the four foot barrier fence in Section 1 with the pre-construction plans (DCM TRC Comment).
11. All vegetation in open space, except for fire ponds, shall be maintained in its current, natural state.
12. Submit a narrative ore report on how the proposed development complies with the maritime Forest Guidelines with the pre-construction submittal. (Policy ES7)
13. The Maritime Forest Guide shall become a mandatory part of this permit (UDO Section 4.7.7) (Policy ES7)
14. Only limited removal of vegetation within 404 wetlands for elevated pedestrian access and minimal road/driveway access shall be permitted. Fill within the wetlands shall be prohibited, except for minimal access to properties (Policy ES2, WQ5, WQ6)

15. Existing vegetation located along proposed street rights-of-way should be protected during construction and retained. (Policy ES7)
16. Lots adjacent to 404 wetlands shall incorporate LID techniques and reduce run-off to the wetland areas. No direct stormwater run-off to wetland areas. No direct stormwater run-off to 404 wetlands shall be permitted. (Policy ES2)



ESTATES AT CAROVA BEACH

OPEN SPACE SUBDIVISION SECTION 1

FRUITVILLE TOWNSHIP CURRITUCK COUNTY NORTH CAROLINA

DEVELOPMENT SUMMARY:
 TOTAL EXISTING PARCEL AREAS: 1,365,964± SF 31.36± AC
 TOTAL AREA PROPOSED RESIDENTIAL LOTS: 812,523± SF 18.65± AC
 AREA OF SMALLEST PROPOSED LOT: 65,368 SF 1.50 AC
 NUMBER OF PROPOSED LOTS: 11 LOTS
 NUMBER OF EXISTING LOTS: 8 LOTS

OPEN SPACE SUMMARY:
 SECTION 1 SUMMARY BY LOT:

PROPOSED LOT #	PROPOSED LOT AREA	OPEN SPACE REQ'D.
101	77,420 SF	42,580 SF
102	68,461 SF	51,539 SF
103	66,009 SF	53,991 SF
104	75,882 SF	44,118 SF
105	65,378 SF	54,622 SF
106	65,368 SF	50,415 SF
107	69,585 SF	37,004 SF
108	82,996 SF	27,515 SF
109	92,485 SF	44,285 SF
110	75,715 SF	15,541 SF
111*	73,224 SF	

*LOT 111 IS A RELOCATION OF LOT H. AREA OF EXISTING LOT H = 88,765 SF.

DEVELOPMENT WIDE SUMMARY:

SECTION	OPEN SPACE REQUIRED	OPEN SPACE PROVIDED	OPEN SPACE SURPLUS	OPEN SPACE UPLANDS	UPLAND PERCENTAGE
1	476,242/10.93	520,467/11.95	44,225/1.02	456,862/10.49	87.78%
2	364,938/8.38	398,870/9.16	33,932/0.78	316,845/7.27	79.44%
5	265,515/6.10	228,350/5.24	-37,165/-0.85	199,566/4.58	87.39%
TOTAL	1,106,695/25.41	1,147,687/26.35	40,992/0.94	973,273/22.34	84.80%

(SQ.FT./AC.)

SURVEYORS CERTIFICATE
 I, MICHAEL D. BARR, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION FROM D.B. 115, PG. 453; THAT THE RATIO OF PRECISION AS CALCULATED BY LATITUDES AND DEPARTURES IS 1:43572, THAT THE BOUNDARIES NOT ACTUALLY SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION FOUND IN P.C. 2, SQL. 113, AND THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30, AS AMENDED. THIS SURVEY CREATES A SUBDIVISION OF LAND IN AN AREA COVERED BY A SUBDIVISION ORDINANCE.

WITNESS MY HAND AND SEAL THIS ____ DAY OF _____, 20____

 P.L.S. L-1756

STORMWATER IMPROVEMENTS ENGINEER CERTIFICATE
 I HEREBY CERTIFY THAT ALL IMPROVEMENTS REQUIRED BY THE CURRITUCK COUNTY UNIFIED DEVELOPMENT ORDINANCE HAVE BEEN INSTALLED IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS PREPARED BY BISSELL PROFESSIONAL GROUP, AND SAID IMPROVEMENTS COMPLY WITH CURRITUCK COUNTY SPECIFICATIONS.

DATE _____ REGISTERED LAND SURVEYOR/ENGINEER _____

 REGISTRATION NUMBER _____

STREET OWNER CERTIFICATE
 I HEREBY CERTIFY THAT THE FOLLOWING STREETS ARE BEING PLATTED AND DEDICATED TO PUBLIC USE WITH THE RECORDING OF THIS SUBDIVISION PLAT, AND WILL REMAIN UNDER THE CONTROL, MAINTENANCE AND RESPONSIBILITY OF THE DEVELOPER AND/OR A HOMEOWNER'S ASSOCIATION:
 1. SANDFIDDLER ROAD EXTENDING NORTH FROM INTERSECTION WITH BASS LANE
 2. CAROVA ROAD EXTENDING NORTH FROM INTERSECTION WITH BASS LANE
 IT IS ACKNOWLEDGED THAT SOME PUBLIC SERVICES MAY NOT BE PROVIDED DUE TO THE PRIVATE NATURE OF THE ROADS.

DATE _____ OWNER _____

SFR ZONING DISTRICT AND ROAD STATEMENT
 FUTURE PROPERTY OWNERS IN THIS AREA SHOULD BE AWARE OF THE FACT THAT NO STATE MAINTAINED ROAD EXTENDS INTO THIS AREA OR IS PLANNED AND THAT ACCESS TO ALL LOTS IS GENERALLY AVAILABLE ONLY TO FOUR-WHEEL DRIVE VEHICLES UTILIZING THE PUBLIC BEACH RIGHT-OF-WAY. THE ROAD OR STREETS SHOWN ON THIS PLAT DO NOT MEET STATE STANDARDS FOR THE ASSUMPTION OF MAINTENANCE DUE TO INADEQUATE RIGHT-OF-WAY AND/OR CONSTRUCTION OR LACK OF PUBLIC DEDICATION. IT IS NOT THE FUNCTION OF THE COUNTY GOVERNMENT IN THE STATE OF NORTH CAROLINA TO CONSTRUCT OR MAINTAIN ROADS. THERE MAY BE AREAS OF STANDING WATER ON THE LOTS AFTER OCEAN WASH OR PERIODS OF HEAVY RAINS THAT MY IMPEDE ACCESS TO THE INDIVIDUAL HOME SITES. IT IS THE SOLE RESPONSIBILITY OF THE OWNERS TO PROVIDE AN IMPROVED ACCESS TO THEIR PROPERTIES.

STORMWATER STATEMENT
 NO MORE THAN 30% OF ANY LOT SHALL BE COVERED BY IMPERVIOUS STRUCTURES AND MATERIALS, INCLUDING ASPHALT, GRAVEL, CONCRETE, BRICK STONE, SLATE, OR SIMILAR MATERIAL, NOT INCLUDING WOOD DECKING OR THE WATER SURFACE OF SWIMMING POOLS. THIS COVENANT IS INTENDED TO ENSURE COMPLIANCE WITH THE STORMWATER PERMIT NUMBER SW 7110102 ISSUED BY THE STATE OF NORTH CAROLINA. THE COVENANT MAY NOT BE CHANGED OR DELETED WITHOUT THE CONSENT OF THE STATE. FILLING IN OR PIPING OF ANY VEGETATIVE CONVEYANCES (DITCHES, SWALES, ETC.) ASSOCIATED WITH THIS DEVELOPMENT, EXCEPT FOR AVERAGE DRIVEWAY CROSSINGS, IS STRICTLY PROHIBITED BY ANY PERSON. THE LOT COVERAGE ALLOWANCE PROVIDED IN THE CURRITUCK COUNTY UNIFIED DEVELOPMENT ORDINANCE MAY BE DIFFERENT THAN THE NC STATE STORMWATER PERMIT. THE MOST RESTRICTIVE LOT COVERAGE SHALL APPLY. REFER TO THE COVENANTS FOR A MORE COMPLETE LIST OF RESTRICTIONS.

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

DATE _____ ADMINISTRATOR _____

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

DATE _____ FOR OCEAN SANDS CORP _____
 DATE _____ FOR CAROVA CORP. _____

NOTARY CERTIFICATE FOR OCEAN SANDS CORP
 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: _____

NOTARY CERTIFICATE FOR CAROVA CORP
 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: _____

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

DATE _____ REVIEW OFFICER _____

ENVIRONMENTAL CONCERN CERTIFICATE
 THIS SUBDIVISION (OR PORTIONS THEREOF) IS LOCATED WITHIN AN OCEAN HAZARD AREA OF ENVIRONMENTAL CONCERN. COASTAL AREA MANAGEMENT ACT REGULATIONS APPLY TO DEVELOPMENT IN AN AEC.

DATE _____ LOCAL PERMIT OFFICER _____

HORIZONTAL POSITIONS ARE REFERENCED TO NAD83 (2011). VERTICAL POSITIONS ARE REFERENCED TO NAVD88 USING (GEOID09). COMBINED FACTOR 1.00012274

SHEET INDEX

SHEET	DESCRIPTION
1	COVER SHEET AND SITE LOCATION
2	PARCEL OVERVIEW & SHEET INDEX
3-4	SUBDIVISION PLATS

- NOTES**
- PROJECT NAME: ESTATES AT CAROVA BEACH SECTION 1 OPEN SPACE SUBDIVISION CURRITUCK COUNTY, NORTH CAROLINA
 - OWNER: CAROVA CORP. AND OCEAN SANDS CORP.
C/O RIGGS REALTY CO.
P.O. BOX 400
COROLLA, NC 27927
 - THESE PROPERTIES ARE IDENTIFIED ON THE CURRITUCK COUNTY TAX MAP #87A
P.I.N. NUMBERS: 087A-000-000A-0001 087A-000-000E-0001
087A-000-000B-0001 087A-000-000F-0001
087A-000-000C-0001 087A-000-000G-0001
087A-000-000D-0001 087A-000-000H-0001
ORIGINALLY PLATTED AS CAROVA BEACH SECTION 1, BUSINESS AREAS A, B, C, D, E, F, G & H
 - SUBDIVISION RECORDED REFERENCES: D.B. 115, PG. 453
P.C. 2, SQL. 113
 - TOTAL AREA OF EXISTING PARCELS: 1,365,964± S 31.36± AC
 - THESE PROPERTIES LAY IN FLOOD HAZARD ZONES VE-16, VE-14, VE-12, AE-6 AND AE-5 (FIS 5.3)
AS SHOWN ON THE F.E.M.A. F.I.R.M. CID No. 370078 PANELS 9013 J & 9023 J, EFFECTIVE DECEMBER 16, 2005. (FIS) ELEVATION BASED ON TABLE 8-SUMMARY OF COASTAL STILLWATER ELEVATIONS IN FLOOD INSURANCE STUDY REPORT FOR CURRITUCK COUNTY, EFFECTIVE DECEMBER 16, 2005. SUBJECT TO CHANGE BY F.E.M.A.
 - USE OF LAND WITHIN A FLOODWAY OR FLOODPLAIN IS SUBSTANTIALLY RESTRICTED BY CHAPTER 6 OF THE CURRITUCK COUNTY UNIFIED DEVELOPMENT ORDINANCE.
 - THESE PROPOSED PARCELS CONTAIN APPROXIMATELY 5.25 ACRES OF ACOE "404" JURISDICTIONAL WETLANDS. WETLANDS DELINEATED IN MARCH AND SEPTEMBER, 2007 BY ENVIRONMENTAL PROFESSIONALS, INC. OF KILL DEVIL HILLS, NORTH CAROLINA. U.S. ARMY CORPS OF ENGINEERS APPROVAL MAY BE REQUIRED PRIOR TO DEVELOPMENT OF CERTAIN AREAS ON THIS PROPERTY.
 - EXISTING RIGHT-OF-WAY WIDTHS: 60 FT. & 100 FT. (OCEAN PEARL RD. ONLY)
TOTAL PLATTED TRAVELWAY TO BE MAINTAINED: 540 ± LF.
 - 10 FT DRAINAGE AND UTILITY EASEMENT HEREBY RESERVED ALONG ALL SIDE PROPERTY LINES.
15 FT DRAINAGE AND UTILITY EASEMENT HEREBY RESERVED ALONG ALL REAR PROPERTY LINES.
20 FT DRAINAGE AND UTILITY EASEMENT HEREBY RESERVED ALONG ALL RIGHT-OF-WAYS.
 - LOTS WILL BE SERVICED BY PRIVATE ON-SITE WELL AND ON-SITE SEPTIC SYSTEMS.
 - IRON PINS AT ALL LOT CORNERS UNLESS OTHERWISE NOTED HEREON.
 - AREA DETERMINED BY COORDINATE METHOD
 - UNDERGROUND UTILITIES, IF ANY, WERE NOT LOCATED BY THIS SURVEY. FURTHER EVALUATION MAY BE REQUIRED.
 - SUBJECT TO TITLE SEARCH AND ANY/OR ALL RIGHT OF WAYS, ENFORCEABLE RESTRICTIONS, AND/OR EASEMENTS OF RECORD WHETHER SHOWN HEREON OR NOT.
 - LOTS WILL BE FOR RESIDENTIAL USE ONLY.

NOTES:
 INDIVIDUAL LOTS IN THIS SUBDIVISION MUST HAVE STORMWATER MANAGEMENT PLANS PREPARED BY A PROFESSIONAL ENGINEER LICENSED IN THE STATE OF NORTH CAROLINA PRIOR TO APPLICATION FOR A BUILDING PERMIT. TYPICAL GRADING AND DRAINAGE PLANS FOR THE VARIOUS TYPES OF INDIVIDUAL LOTS WITHIN THE PLANNED COMMUNITY HAVE BEEN DEVELOPED, ALONG WITH STORMWATER MANAGEMENT DESIGN CRITERIA, AND ARE PRESENTED IN A REPORT AND ACCOMPANYING EXHIBITS PREPARED BY BISSELL PROFESSIONAL GROUP ENTITLED "CURRITUCK COUNTY ENGINEERING STORMWATER MANAGEMENT PLAN REPORT; ESTATES AT CAROVA BEACH - SECTIONS ONE, TWO AND FIVE," SIGNED ON FEBRUARY 10, 2012 AND ON FILE IN THE CURRITUCK COUNTY PLANNING DEPARTMENT (THE "TYPICAL STORMWATER PLANS").

THE MARITIME FOREST GUIDE FROM THE CURRITUCK COUNTY UNIFIED DEVELOPMENT ORDINANCE IS A MANDATORY PART OF THE DEVELOPMENT PERMIT. INDIVIDUAL LOT DESIGN AND BUILDING CONSTRUCTION WILL BE SUBJECT TO PART C OF THE GUIDE AND REVIEWED IN ACCORDANCE WITH THE GUIDE AT THE TIME OF APPLICATION FOR INDIVIDUAL BUILDING PERMITS.

Bissell Professional Group
 3512 North Croatan Highway
 P.O. Box 1068
 Kitty Hawk, North Carolina 27949
 (252) 295-2800
 FAX (252) 295-1760
 FRM LICENSE # C-956



Engineers, Planners, Surveyors
 and Environmental Specialists

ESTATES AT CAROVA BEACH
 COVER SHEET

FRUITVILLE TOWNSHIP CURRITUCK COUNTY NORTH CAROLINA

SECTION 1 FINAL PLAT

REVISIONS

NO.	DATE	DESCRIPTION	BY	CHK

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

DATE: 01-21-2013	SCALE: AS NOTED
DRAWN: BPG	CHECKED: BPG
DESIGNED: MDB	APPROVED: MSB
SHEET: 1 OF 4	
CAD FILE: 4167000FP1	
PROJECT NO: 4167	

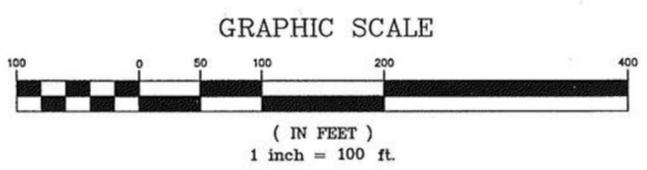
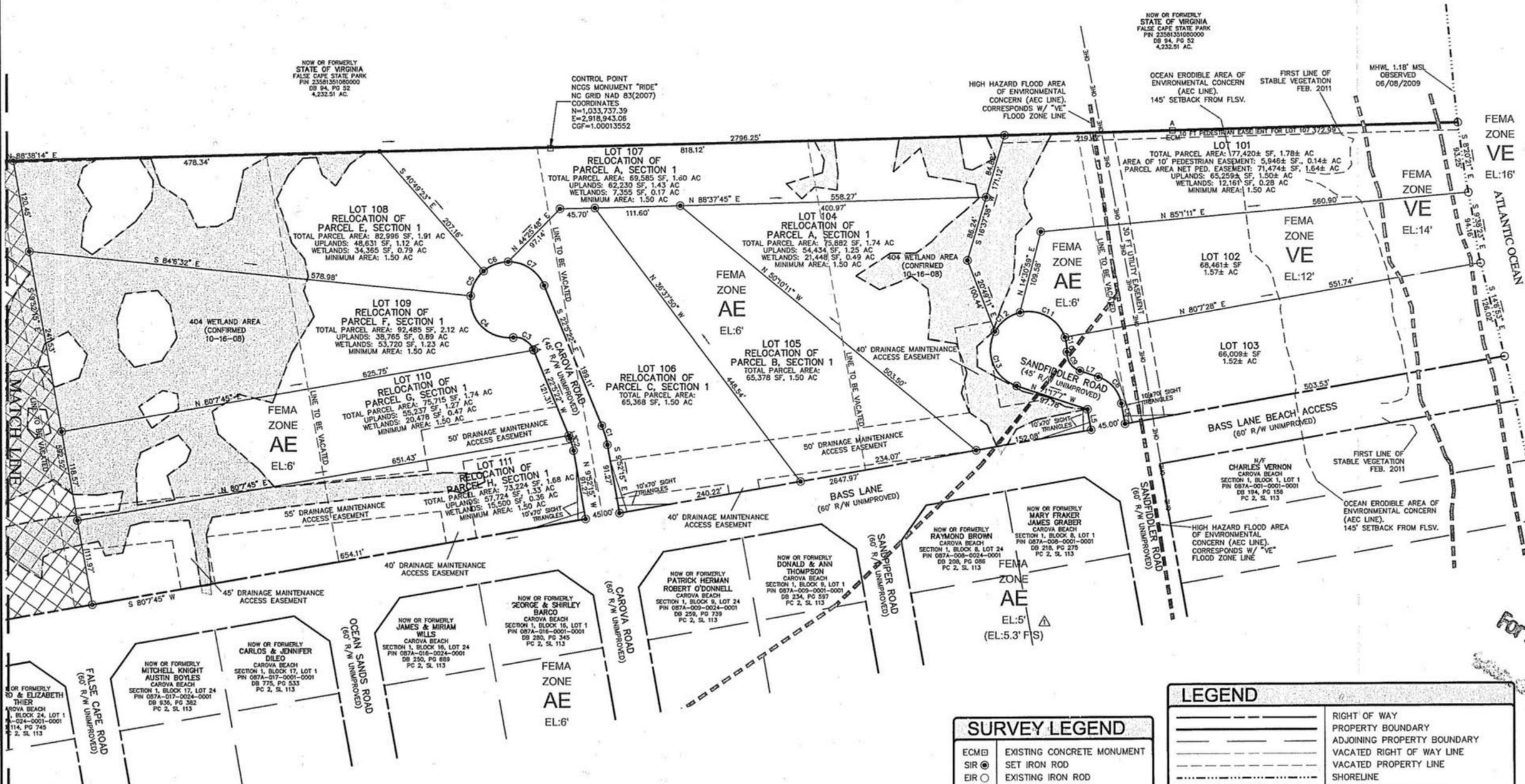


NC GRID NAD 83(2011) NORTH

NC GRID TIE			
FROM	TO	BEARING	DISTANCE(GROUND)
NCGS RIDE	ECM "A"	N 88°33'50" E	814.24
NCGS RIDE	NCGS LONG	S 88°45'35" W	1560.91
NCGS LONG	DOI "B"	S 85°54'3" W	48.16

CURVE TABLE					
CURVE	LENGTH	RADIUS	CHORD	BEARING	DELTA
C1	26.12	122.50	26.07'	N 15°58'48" W	12°13'7"
C2	16.53	77.50	16.50'	N 15°58'48" W	12°13'7"
C3	32.52	25.00	30.28'	N 59°21'19" W	74°32'10"
C4	89.46	50.00	78.00'	S 45°21'58" E	102°30'52"
C5	37.77	50.00	36.88'	S 27°32'2" W	43°17'9"
C6	35.00	50.00	34.29'	S 69°13'59" W	40°6'45"
C7	59.88	50.00	56.37'	N 56°23'57" W	68°37'23"
C8	48.23	45.00	45.96'	N 40°34'41" W	61°24'52"
C9	32.52	25.00	30.28'	S 34°1'6" E	74°32'2"
C10	19.19	50.00	19.07'	N 7°44'46" W	21°59'21"
C11	73.38	50.00	66.97'	N 60°46'59" W	84°5'6"
C12	42.47	50.00	41.21'	S 52°50'22" W	48°40'12"
C13	87.08	50.00	76.49'	S 21°23'26" E	99°47'23"

LINE TABLE		
LINE	LENGTH	BEARING
L1	28.03	S 38°49'34" E
L2	37.17	N 35°11'15" E
L3	4.40	N 22°5'22" W
L4	1.11	N 22°5'22" W
L5	27.22	S 9°52'15" E
L6	27.22	S 9°52'15" E
L7	25.50	N 71°17'7" W
L8	19.17	N 35°11'15" E
L9	56.57	N 54°52'15" W



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

LEGEND	
---	RIGHT OF WAY
---	PROPERTY BOUNDARY
---	ADJOINING PROPERTY BOUNDARY
---	VACATED RIGHT OF WAY LINE
---	VACATED PROPERTY LINE
---	SHORELINE
---	PROPOSED LOT BOUNDARY
---	EASEMENT LINE
---	OVERHEAD UTILITY LINE
---	FEMA FLOOD ZONE LINE
---	OPEN SPACE AREA
---	CONSERVATION BUFFER AREA
---	PART OF OPEN SPACE

BASSELL
 PROFESSIONAL GROUP
 Engineers, Planners, Surveyors
 and Environmental Specialists

Bissell Professional Group
 3512 North Cretan Highway
 P.O. Box 1068
 City Park, North Carolina 27949
 (252) 281-1760
 FAX (252) 281-1760

ESTATES AT CAROVA BEACH
 LOT AREAS
 SECTION 1 FINAL PLAT

FRUITVILLE TOWNSHIP
 CURRITUCK
 NORTH CAROLINA

NO.	DATE	DESCRIPTION	BY
1	01-21-2013	PRELIMINARY	DKK

PRELIMINARY
 For Review Purposes Only

DATE: 01-21-2013	SCALE: 1"=100'
DESIGNED: BPG	CHECKED: BPG
DRAWN: MDB	APPROVED: MSB
SHEET: 3	OF 4
CAD FILE: 4167000FP1	
PROJECT NO: 4167	

Bissell Professional Group
 3512 North Cretan Highway
 P.O. Box 1068
 Kitty Hawk, North Carolina 27949
 (252) 261-3266
 FAX: (252) 261-1760



Engineers, Planners, Surveyors
 and Environmental Specialists

ESTATES AT CAROVA BEACH
 OPEN AREAS
 SECTION 1 FINAL PLAT

PROJECT: FRUITVILLE TOWNSHIP CURRITUCK NORTH CAROLINA

NO.	DATE	DESCRIPTION	BY	CHK
1		PRELIMINARY		

PRELIMINARY
 For Review Purposes Only

DATE:	01-21-2013	SCALE:	1"=100'
DESIGNED:	BPG	CHECKED:	BPG
DRAWN:	MDB	APPROVED:	MSB
SHEET:	4	OF	4
CAD FILE:	4167000FP1		
PROJECT NO:	4167		

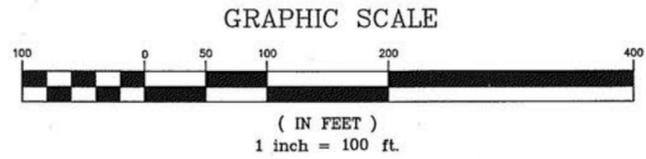
CURVE	LENGTH	RADIUS	CHORD	BEARING	DELTA
C1	26.12	122.50	26.07'	N 15°58'48" W	12°13'7"
C2	16.53	77.50	16.50'	N 15°58'48" W	12°13'7"
C3	32.52	25.00	30.28'	N 59°21'19" W	74°32'10"
C4	89.46	50.00	78.00'	S 45°21'58" E	102°30'52"
C5	37.77	50.00	36.88'	S 27°32'2" W	43°17'9"
C6	35.00	50.00	34.29'	S 69°13'59" W	40°6'45"
C7	59.88	50.00	56.37'	N 56°23'57" W	68°37'23"
C8	48.23	45.00	45.96'	N 40°34'41" W	61°24'52"
C9	32.52	25.00	30.28'	S 34°1'6" E	74°32'2"
C10	19.19	50.00	19.07'	N 7°44'46" W	21°59'21"
C11	73.38	50.00	66.97'	N 60°46'59" W	84°5'6"
C12	42.47	50.00	41.21'	S 52°50'22" W	48°40'12"
C13	87.08	50.00	76.49'	S 21°23'26" E	99°47'23"

LINE	LENGTH	BEARING
L1	28.03	S 38°49'34" E
L2	37.17	N 35°11'15" E
L3	4.40	N 22°5'22" W
L4	1.11	N 22°5'22" W
L5	27.22	S 9°52'15" E
L6	27.22	S 9°52'15" E
L7	25.50	N 71°17'7" W
L8	19.17	N 35°11'15" E
L9	56.57	N 54°52'15" W

FROM	TO	BEARING	DISTANCE(GROUND)
NCGS RIDE	ECM "A"	N 88°33'50" E	814.24
NCGS RIDE	NCGS LONG	S 88°45'35" W	1560.91
NCGS LONG	DOI "B"	S 85°54'3" W	48.16

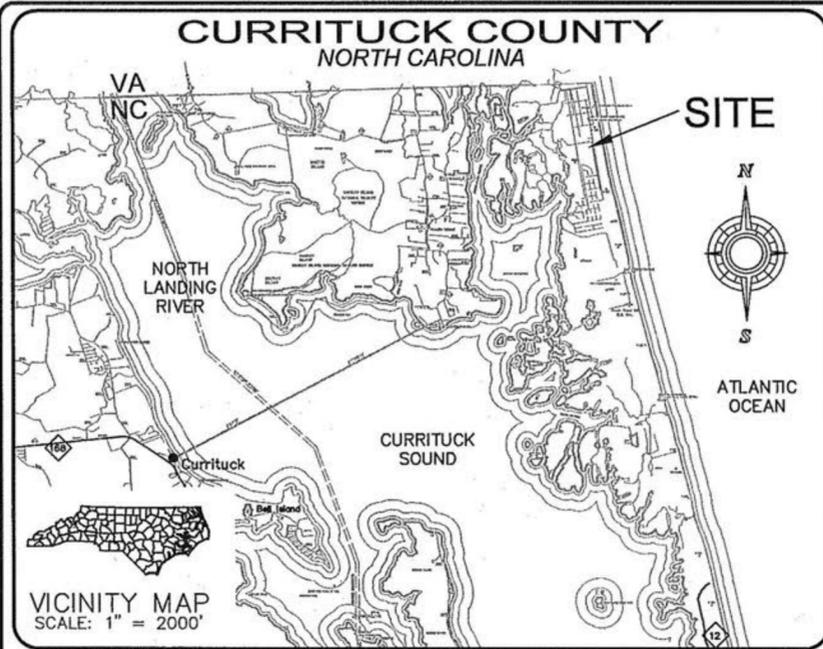
LEGEND

	RIGHT OF WAY
	PROPERTY BOUNDARY
	ADJOINING PROPERTY BOUNDARY
	VACATED RIGHT OF WAY LINE
	VACATED PROPERTY LINE
	SHORELINE
	PROPOSED LOT BOUNDARY
	EASEMENT LINE
	OVERHEAD UTILITY LINE
	FEMA FLOOD ZONE LINE
	OPEN SPACE AREA
	CONSERVATION BUFFER AREA PART OF OPEN SPACE



SURVEY LEGEND

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



ESTATES AT CAROVA BEACH

OPEN SPACE SUBDIVISION SECTION 2

FRUITVILLE TOWNSHIP CURRITUCK COUNTY NORTH CAROLINA

DEVELOPMENT SUMMARY:
 TOTAL PARCEL AREAS BEFORE R/W RELOCATION: 960,051± SF 22.04± AC
 TOTAL PARCEL AREAS AFTER R/W RELOCATION: 972,231± SF 22.32± AC
 TOTAL AREA PROPOSED RESIDENTIAL LOTS: 573,362± SF 13.16± AC
 AREA OF SMALLEST PROPOSED LOT: 65,466 SF 1.50 AC
 NUMBER OF PROPOSED LOTS: 8 LOTS
 NUMBER OF EXISTING LOTS: 4 LOTS

OPEN SPACE SUMMARY:
 SECTION 2 SUMMARY BY LOT:

LOT #	LOT AREA	OPEN SPACE REQ'D.
101	65,466 SF	54,534 SF
102	66,930 SF	53,070 SF
103	67,547 SF	52,453 SF
104*	98,300 SF	0 SF
105	68,465 SF	51,535 SF
106	74,191 SF	45,809 SF
107	66,371 SF	53,629 SF
108	66,092 SF	53,908 SF

*LOT 104 IS ORIGINALLY PLATTED PARCEL B, SECTION 2. AREA OF EXISTING PARCEL B, SECTION 2=98,300 SF.

DEVELOPMENT WIDE SUMMARY:

SECTION	OPEN SPACE REQUIRED	OPEN SPACE PROVIDED	OPEN SPACE SURPLUS	OPEN SPACE UPLANDS	UPLAND PERCENTAGE
1	476,242/10.93	520,467/11.95	44,225/1.02	456,862/10.49	87.78%
2	364,938/8.38	398,870/9.16	33,932/0.78	316,845/7.27	79.44%
5	265,515/6.10	228,350/5.24	-37,165/-0.85	199,566/4.58	87.39%
TOTAL	1,106,695/25.41	1,147,687/26.35	40,992/0.94	973,273/22.34	84.80%

(SQ.FT./AC.)

SURVEYORS CERTIFICATE
 I, MICHAEL D. BARR, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION FROM D.B. 115, PG. 453; THAT THE RATIO OF PRECISION AS CALCULATED BY LATITUDES AND DEPARTURES IS 1:43572; THAT THE BOUNDARIES NOT ACTUALLY SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION FOUND IN P.C. 2, S.L. 113, AND THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30, AS AMENDED. THIS SURVEY CREATES A SUBDIVISION OF LAND IN AN AREA COVERED BY A SUBDIVISION ORDINANCE.

WITNESS MY HAND AND SEAL THIS ____ DAY OF _____, 20____

 P.L.S. L-1756

STORMWATER IMPROVEMENTS ENGINEER CERTIFICATE
 I HEREBY CERTIFY THAT ALL IMPROVEMENTS REQUIRED BY THE CURRITUCK COUNTY UNIFIED DEVELOPMENT ORDINANCE HAVE BEEN INSTALLED IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS PREPARED BY BISSELL PROFESSIONAL GROUP, AND SAID IMPROVEMENTS COMPLY WITH CURRITUCK COUNTY SPECIFICATIONS.

DATE _____ REGISTERED LAND SURVEYOR/ENGINEER _____

 REGISTRATION NUMBER _____

STREET OWNER CERTIFICATE
 THE FOLLOWING STREETS SHOWN ON THIS PLAT WERE PREVIOUSLY PLATTED PER MAP RECORDED IN P.C.: 2, S.L.: 125 & 137, AND ARE SUBJECT TO PROVISIONS THAT WERE IN EFFECT AT THE TIME OF RECORDING:

- | | |
|---------------------|---------------------|
| 1. SANDFIDDLER ROAD | 5. RED SNAPPER LANE |
| 2. SANDPIPER ROAD | 6. FALSE CAPE ROAD |
| 3. ROCK LANE | 7. OCEAN PEARL ROAD |
| 4. SHAD LANE | |

THE FOLLOWING STREETS ARE BEING REPLATTED WITH THE RECORDING OF THIS SUBDIVISION PLAT AND WILL REMAIN SUBJECT TO PROVISIONS THAT WERE IN EFFECT AT THE TIME OF ORIGINAL RECORDING AS REFERENCED ABOVE:
 1. ROCK LANE BEACH ACCESS EXTENDING EAST FROM INTERSECTION WITH SANDFIDDLER ROAD IT IS ACKNOWLEDGED THAT SOME PUBLIC SERVICES MAY NOT BE PROVIDED DUE TO THE PRIVATE NATURE OF THE ROADS.

DATE _____ OWNER _____

SFR ZONING DISTRICT AND ROAD STATEMENT
 FUTURE PROPERTY OWNERS IN THIS AREA SHOULD BE AWARE OF THE FACT THAT NO STATE MAINTAINED ROAD EXTENDS INTO THIS AREA OR IS PLANNED AND THAT ACCESS TO ALL LOTS IS GENERALLY AVAILABLE ONLY TO FOUR-WHEEL DRIVE VEHICLES UTILIZING THE PUBLIC BEACH RIGHT-OF-WAY. THE ROAD OR STREETS SHOWN ON THIS PLAT DO NOT MEET STATE STANDARDS FOR THE ASSUMPTION OF MAINTENANCE DUE TO INADEQUATE RIGHT-OF-WAY AND/OR CONSTRUCTION OR LACK OF PUBLIC DEDICATION. IT IS NOT THE FUNCTION OF THE COUNTY GOVERNMENT IN THE STATE OF NORTH CAROLINA TO CONSTRUCT OR MAINTAIN ROADS. THERE MAY BE AREAS OF STANDING WATER ON THE LOTS AFTER OCEAN OVER WASH OR PERIODS OF HEAVY RAINS THAT MY IMPEDE ACCESS TO THE INDIVIDUAL HOME SITES. IT IS THE SOLE RESPONSIBILITY OF THE OWNERS TO PROVIDE AN IMPROVED ACCESS TO THEIR PROPERTIES.

STORMWATER STATEMENT
 NO MORE THAN 30% OF ANY LOT SHALL BE COVERED BY IMPERVIOUS STRUCTURES AND MATERIALS, INCLUDING ASPHALT, GRAVEL, CONCRETE, BRICK STONE, SLATE, OR SIMILAR MATERIAL, NOT INCLUDING WOOD DECKING OR THE WATER SURFACE OF SWIMMING POOLS. THIS COVENANT IS INTENDED TO ENSURE COMPLIANCE WITH THE STORMWATER PERMIT NUMBER SW 7110102 ISSUED BY THE STATE OF NORTH CAROLINA. THE COVENANT MAY NOT BE CHANGED OR DELETED WITHOUT THE CONSENT OF THE STATE. FILLING IN OR PIPING OF ANY VEGETATIVE CONVEYANCES (DITCHES, SWALES, ETC.) ASSOCIATED WITH THIS DEVELOPMENT, EXCEPT FOR AVERAGE DRIVEWAY CROSSINGS, IS STRICTLY PROHIBITED BY ANY PERSON. THE LOT COVERAGE ALLOWANCE PROVIDED IN THE CURRITUCK COUNTY UNIFIED DEVELOPMENT ORDINANCE MAY BE DIFFERENT THAN THE NC STATE STORMWATER PERMIT. THE MOST RESTRICTIVE LOT COVERAGE SHALL APPLY. REFER TO THE COVENANTS FOR A MORE COMPLETE LIST OF RESTRICTIONS.

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

DATE _____ ADMINISTRATOR _____

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

DATE _____ FOR OCEAN SANDS CORP _____

DATE _____ FOR CAROVA CORP. _____

NOTARY CERTIFICATE FOR OCEAN SANDS CORP
 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: _____

NOTARY CERTIFICATE FOR CAROVA CORP
 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: _____

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

DATE _____ REVIEW OFFICER _____

ENVIRONMENTAL CONCERN CERTIFICATE
 THIS SUBDIVISION (OR PORTIONS THEREOF) IS LOCATED WITHIN AN OCEAN HAZARDOUS AREA OF ENVIRONMENTAL CONCERN. COASTAL AREA MANAGEMENT ACT REGULATIONS APPLY TO DEVELOPMENT IN AN AEC.

DATE _____ LOCAL PERMIT OFFICER _____

HORIZONTAL POSITIONS ARE REFERENCED TO NAD83 (2011). VERTICAL POSITIONS ARE REFERENCED TO NAVD88 USING (GEOID09). COMBINED FACTOR 1.00012274

SHEET INDEX

SHEET	DESCRIPTION
1	COVER SHEET AND SITE LOCATION
2	PARCEL OVERVIEW & SHEET INDEX
3-4	SUBDIVISION PLATS

- NOTES**
- PROJECT NAME: ESTATES AT CAROVA BEACH SECTION 2 OPEN SPACE SUBDIVISION CURRITUCK COUNTY, NORTH CAROLINA
 - OWNER: CAROVA CORP. AND OCEAN SANDS CORP.
C/O RIGGS REALTY CO.
P.O. BOX 400
COROLLA, NC 27927
 - THESE PROPERTIES ARE IDENTIFIED ON THE CURRITUCK COUNTY TAX MAP #87A P.I.N. NUMBERS: 087A-000-000A-0002
087A-000-000A-0003
087A-000-000B-0002
087A-000-000B-0003
ORIGINALLY PLATTED AS CAROVA BEACH SECTION 2, BUSINESS AREAS A & B AND SECTION 3, BUSINESS AREAS A & B
 - SUBDIVISION RECORDED REFERENCES: D.B. 115, PG. 453
P.C. 2, S.L. 125
P.C. 2, S.L. 137
 - TOTAL AREA OF EXISTING PARCELS: 960,051± SQ FT. 22.04± AC.
 - THESE PROPERTIES LAY IN FLOOD HAZARD ZONES VE-16, VE-14, VE-12, AE-5 (FIS 5.3), AND ZONE X AS SHOWN ON THE F.E.M.A. F.I.R.M. CID No. 370078 PANELS 9012 J & 9022 J, EFFECTIVE DECEMBER 16, 2005. (FIS) ELEVATION BASED ON TABLE 8-SUMMARY OF COASTAL STILLWATER ELEVATIONS IN FLOOD INSURANCE STUDY REPORT FOR CURRITUCK COUNTY, EFFECTIVE DECEMBER 16, 2005. SUBJECT TO CHANGE BY F.E.M.A.
 - USE OF LAND WITHIN A FLOODWAY OR FLOODPLAIN IS SUBSTANTIALLY RESTRICTED BY CHAPTER 6 OF THE CURRITUCK COUNTY UNIFIED DEVELOPMENT ORDINANCE.
 - THESE PROPOSED PARCELS CONTAIN APPROXIMATELY 2.50 ACRES OF ACOE "404" JURISDICTIONAL WETLANDS. WETLANDS DELINEATED IN MARCH AND SEPTEMBER, 2007 BY ENVIRONMENTAL PROFESSIONALS, INC. OF KILL DEVIL HILLS, NORTH CAROLINA. U.S. ARMY CORPS OF ENGINEERS APPROVAL MAY BE REQUIRED PRIOR TO DEVELOPMENT OF CERTAIN AREAS ON THIS PROPERTY.
 - EXISTING RIGHT-OF-WAY WIDTHS: 60 FT. & 100 FT. (OCEAN PEARL RD. ONLY)
RELOCATED ROCK LANE BEACH ACCESS RIGHT-OF-WAY WIDTH: 30' FT.
 - 10 FT DRAINAGE AND UTILITY EASEMENT HEREBY RESERVED ALONG ALL SIDE PROPERTY LINES.
15 FT DRAINAGE AND UTILITY EASEMENT HEREBY RESERVED ALONG ALL REAR PROPERTY LINES.
20 FT DRAINAGE AND UTILITY EASEMENT HEREBY RESERVED ALONG ALL RIGHT-OF-WAYS.
 - LOTS WILL BE SERVICED BY PRIVATE ON-SITE WELL AND ON-SITE SEPTIC SYSTEMS.
 - IRON PINS AT ALL LOT CORNERS UNLESS OTHERWISE NOTED HEREON.
 - AREA DETERMINED BY COORDINATE METHOD
 - UNDERGROUND UTILITIES, IF ANY, WERE NOT LOCATED BY THIS SURVEY. FURTHER EVALUATION MAY BE REQUIRED.
 - SUBJECT TO TITLE SEARCH AND ANY/OR ALL RIGHT OF WAYS, ENFORCEABLE RESTRICTIONS, AND/OR EASEMENTS OF RECORD WHETHER SHOWN HEREON OR NOT.
 - LOTS WILL BE FOR RESIDENTIAL USE ONLY.

NOTES:
 INDIVIDUAL LOTS IN THIS SUBDIVISION MUST HAVE STORMWATER MANAGEMENT PLANS PREPARED BY A PROFESSIONAL ENGINEER LICENSED IN THE STATE OF NORTH CAROLINA PRIOR TO APPLICATION FOR A BUILDING PERMIT. TYPICAL GRADING AND DRAINAGE PLANS FOR THE VARIOUS TYPES OF INDIVIDUAL LOTS WITHIN THE PLANNED COMMUNITY HAVE BEEN DEVELOPED, ALONG WITH STORMWATER MANAGEMENT DESIGN CRITERIA, AND ARE PRESENTED IN A REPORT AND ACCOMPANYING EXHIBITS PREPARED BY BISSELL PROFESSIONAL GROUP ENTITLED "CURRITUCK COUNTY ENGINEERING STORMWATER MANAGEMENT PLAN REPORT; ESTATES AT CAROVA BEACH - SECTIONS ONE, TWO AND FIVE," SIGNED ON FEBRUARY 10, 2012 AND ON FILE IN THE CURRITUCK COUNTY PLANNING DEPARTMENT (THE "TYPICAL STORMWATER PLANS").

THE MARITIME FOREST GUIDE FROM THE CURRITUCK COUNTY UNIFIED DEVELOPMENT ORDINANCE IS A MANDATORY PART OF THE DEVELOPMENT PERMIT. INDIVIDUAL LOT DESIGN AND BUILDING CONSTRUCTION WILL BE SUBJECT TO PART C OF THE GUIDE AND REVIEWED IN ACCORDANCE WITH THE GUIDE AT THE TIME OF APPLICATION FOR INDIVIDUAL BUILDING PERMITS.

Bissell Professional Group
 3512 North Croatan Highway
 P.O. Box 1068
 Kitty Hawk, North Carolina 27949
 (252) 261-3266
 FAX (252) 261-1760
 FIRM LICENSE # C-956

BISSELL
 PROFESSIONAL GROUP
 Engineers, Planners, Surveyors
 and Environmental Specialists

ESTATES AT CAROVA BEACH
 COVER SHEET
 CURRITUCK COUNTY, NORTH CAROLINA
 FRUITVILLE TOWNSHIP
 SECTION 2 FINAL PLAT

REVISIONS

NO.	DATE	DESCRIPTION	BY	CHK

PRELIMINARY
 For Review Purposes Only

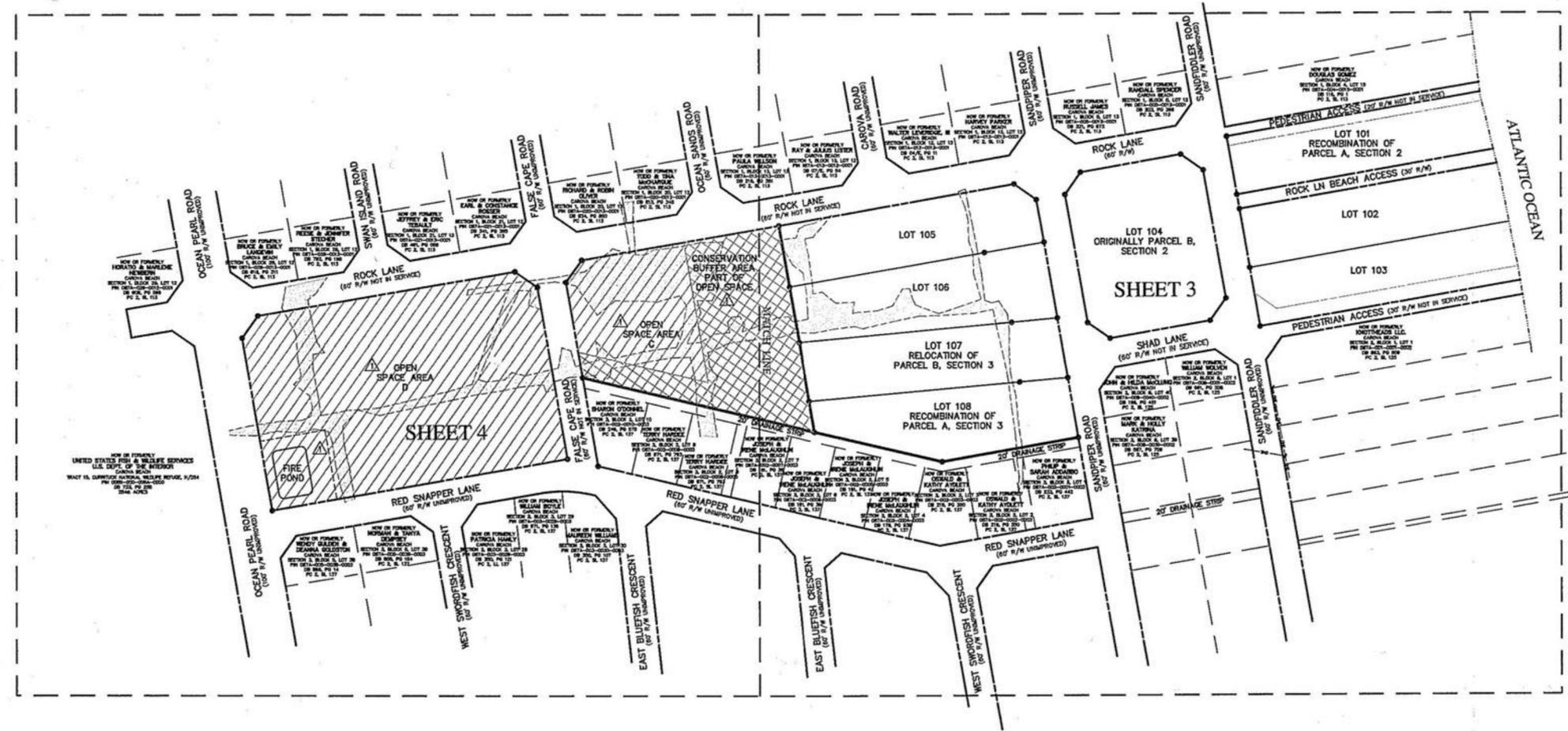
DATE: 01-21-2013	SCALE: AS NOTED
DRAWN: BPG	CHECKED: BPG
DATE: MDB	DATE: MSB
SHEET: 1	OF 4
CAD FILE: 4167000FP1	
PROJECT NO: 4167	

LINE TABLE		
LINE	LENGTH	BEARING
L11	56.57	S 54°53'9" E
L12	56.57	N 35°6'51" E
L13	56.57	S 54°53'9" E
L14	56.57	S 35°6'51" W
L15	56.57	N 54°53'9" W
L16	56.57	N 54°53'9" W
L17	56.57	S 35°6'51" W
L18	56.57	S 54°53'9" E
L19	56.57	N 35°6'51" E
L20	30.08	S 14°10'44" E

MINIMUM FIRST FLOOR ELEVATION TABLE
 FOR THE PURPOSES OF THIS SUBDIVISION, MINIMUM FINISHED FLOOR ELEVATIONS SHALL BE A MINIMUM OF 18 INCHES ABOVE THE 100 YEAR BASE FLOOD ELEVATION. THE FOLLOWING TABLES TABULATE THE CURRENT BASE FLOOD ELEVATIONS FOR EACH LOT BY SECTION AND THE ASSOCIATIVE MINIMUM FIRST FLOOR ELEVATION REQUIRED TO MEET THE REQUIREMENT ABOVE. BASE FLOOD ELEVATIONS ARE SUBJECT TO CHANGE BY FEMA AND SHOULD BE CONFIRMED PRIOR TO THE DEVELOPMENT OF EACH INDIVIDUAL LOT.

SECTION 2		
LOT	BASE FLOOD ELEV.	MIN. FIRST FLOOR ELEV.
101	VE 12 AND AE 5 (FIS 5.3)	13.5' MSL OR 6.8' MSL*
102	VE 12, AE 5 (FIS 5.3) AND X	13.5' MSL OR 6.8' MSL*
103	VE 12 AND X	13.5' MSL OR EX. GRADE*
104	AE 5 (FIS 5.3) AND X	6.8' MSL OR EX. GRADE*
105	AE 5 (FIS 5.3)	6.8' MSL
106	AE 5 (FIS 5.3)	6.8' MSL
107	AE 5 (FIS 5.3)	6.8' MSL
108	AE 5 (FIS 5.3)	6.8' MSL

*WHERE TWO OR MORE BASE FLOOD ELEVATIONS EXIST ACROSS A SINGLE LOT, THE MINIMUM FIRST FLOOR ELEVATION SHALL BE BASED ON THE FLOOD ZONE WITHIN WHICH THE DWELLING IS BEING CONSTRUCTED. IF BEING CONSTRUCTED WITHIN MULTIPLE FLOOD ZONES, THE HIGHEST ELEVATION SHALL BE ACHIEVED.



BISSELL
 PROFESSIONAL GROUP
 Engineers, Planners, Surveyors
 and Environmental Specialists

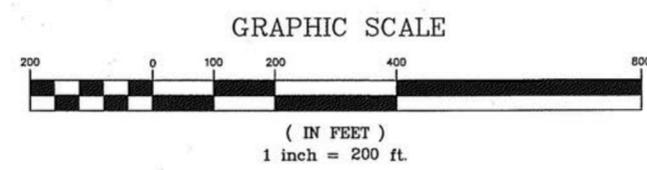
Bissell Professional Group
 3512 North Croatan Highway
 P.O. Box 1088
 Kitty Hawk, North Carolina 27949
 FAX: (252) 326-7680
 FIRM LICENSE # C-956

PROJECT: **ESTATES AT CAROVA BEACH**
 OVERVIEW
 FRUITVILLE TOWNSHIP CURRITUCK NORTH CAROLINA
 SECTION 2 FINAL PLAT

NO.	DATE	DESCRIPTION	BY	CHK
1	01-21-2013	PRELIMINARY	DKK	

PRELIMINARY
 For Review Purposes Only

LEGEND	
	RIGHT OF WAY
	PROPERTY BOUNDARY
	ADJOINING PROPERTY BOUNDARY
	VACATED RIGHT OF WAY LINE
	VACATED PROPERTY LINE
	SHORELINE
	PROPOSED LOT BOUNDARY
	EASEMENT LINE
	OVERHEAD UTILITY LINE
	OPEN SPACE AREA
	CONSERVATION BUFFER AREA PART OF OPEN SPACE

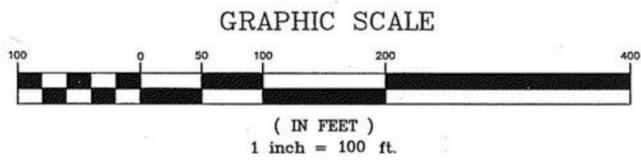
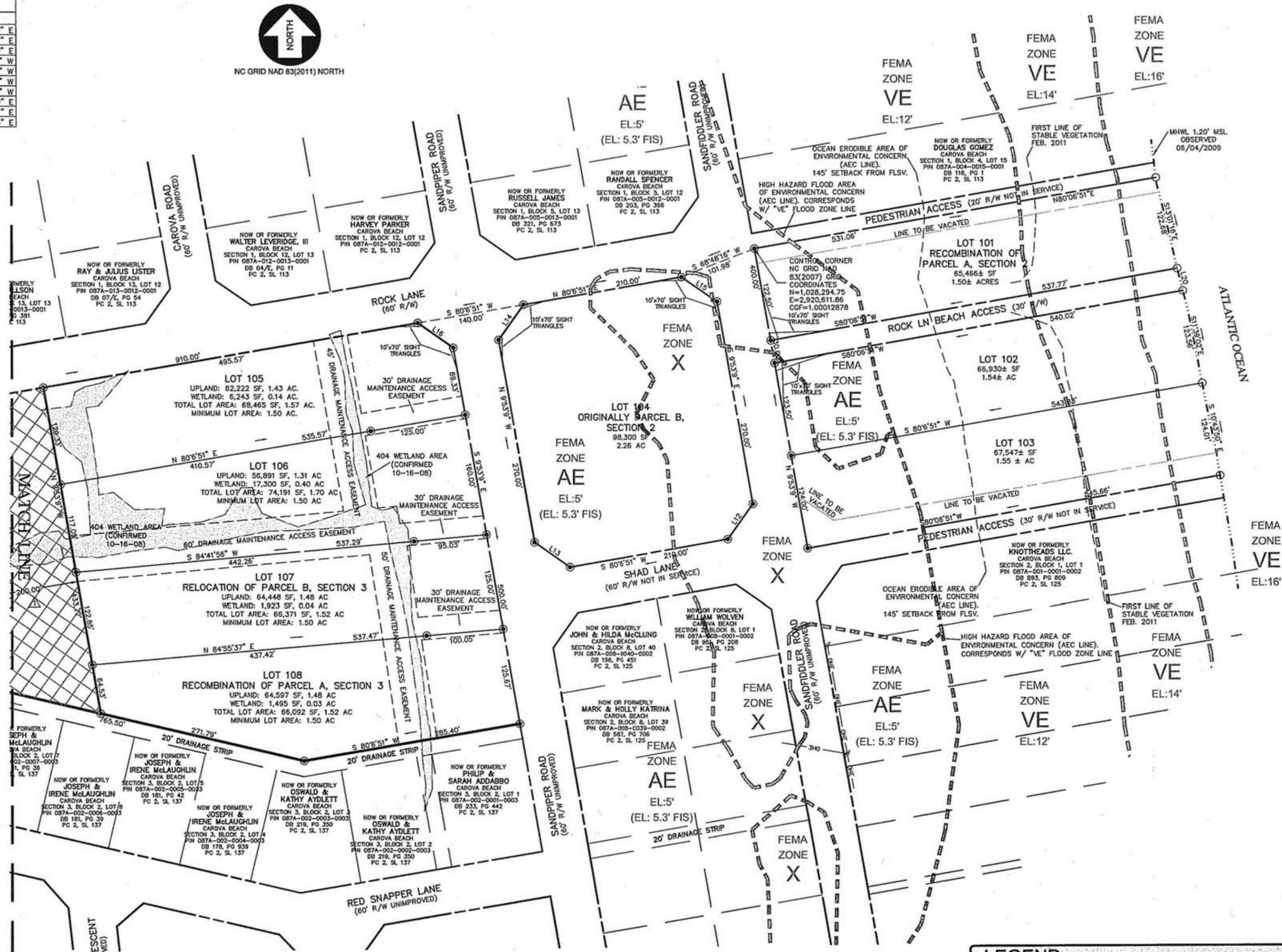


- SECTION 2 STREET ADDRESSES**
- Lot 101: 2299C Sandfiddler Rd
 - Lot 102: 2299B Sandfiddler Rd
 - Lot 103: 2299A Sandfiddler Rd
 - Lot 104: 2298 Sandfiddler Rd (existing)
 - Lot 105: 2298 Sandpiper Rd
 - Lot 106: 2296 Sandpiper Rd
 - Lot 107: 2294 Sandpiper Rd
 - Lot 108: 2292 Sandpiper Rd

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

DATE: 01-21-2013	SCALE: 1"=200'
DRAWN: BPG	CHECKED: BPG
DATE: MDB	APPROVED: MSB
SHEET: 2 OF 4	
CAD FILE: 4167000FP1	
PROJECT NO: 4167	

LINE TABLE		
LINE	LENGTH	BEARING
L11	56.57	S 54°53'9" E
L12	56.57	N 35°6'51" E
L13	56.57	S 54°53'9" E
L14	56.57	S 35°6'51" W
L15	56.57	N 54°53'9" W
L16	56.57	N 54°53'9" W
L17	56.57	S 35°6'51" W
L18	56.57	S 54°53'9" E
L19	56.57	N 35°6'51" E
L20	30.08	S 14°10'44" E



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

LEGEND	
	RIGHT OF WAY
	PROPERTY BOUNDARY
	ADJOINING PROPERTY BOUNDARY
	VACATED RIGHT OF WAY LINE
	VACATED PROPERTY LINE
	SHORELINE
	PROPOSED LOT BOUNDARY
	EASEMENT LINE
	OVERHEAD UTILITY LINE
	FEMA FLOOD ZONE LINE
	OPEN SPACE AREA
	CONSERVATION BUFFER AREA
	PART OF OPEN SPACE

BISSELL
 Bissell Professional Group
 3512 North Croatan Highway
 P.O. Box 1068
 Kitty Hawk, North Carolina 27949
 (252) 285-1780
 FAX (252) 285-1780
 FIRM LICENSE # C-956

Engineers, Planners, Surveyors
 and Environmental Specialists

ESTATES AT CAROVA BEACH

FRUITVILLE TOWNSHIP CURRITUCK NORTH CAROLINA

SECTION 2 FINAL PLAT

REVISIONS			
NO.	DATE	DESCRIPTION	BY
1	04-24-13	REVISED PER COUNTY AND CLIENT COMMENTS	MSB

PRELIMINARY
 For Review Purposes Only

DATE:	01-21-2013	SCALE:	1"=100'
DESIGNED:	BPG	CHECKED:	BPG
DRAWN:	MSB	APPROVED:	MSB
SHEET:	3 OF 4		
CAD FILE:	4167000FP1		
PROJECT NO:	4167		

LINE TABLE		
LINE	LENGTH	BEARING
L11	56.57	S 54°53'9" E
L12	56.57	N 35°6'51" E
L13	56.57	S 54°53'9" E
L14	56.57	S 35°6'51" W
L15	56.57	N 54°53'9" W
L16	56.57	N 54°53'9" W
L17	56.57	S 35°6'51" W
L18	56.57	S 54°53'9" E
L19	56.57	N 35°6'51" E
L20	30.08	S 14°10'44" E



NC GRID NAD 83(2011) NORTH



NOW OR FORMERLY
HORATIO & MARLENE NEWBERN
CAROVA BEACH
SECTION 1, BLOCK 29, LOT 12
PIN 087A-029-0012-0001
DB 609, PG 598
PC 2, SL 113

NOW OR FORMERLY
UNITED STATES FISH & WILDLIFE SERVICES
U.S. DEPT. OF THE INTERIOR
CAROVA BEACH
TRACT 15, CURRITUCK NATIONAL WILDLIFE REFUGE, H/284
PIN 0086-000-006A-0000
DB 753, PG 258
284± ACRES

CONTROL CORNER
NC GRID NAD 83(2011)
GRID COORDINATES
N = 1,077,824.78
E = 2,618,605.32
CG = 1,000,000.00

GRAPHIC SCALE



(IN FEET)
1 inch = 100 ft.

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

LEGEND	
	RIGHT OF WAY
	PROPERTY BOUNDARY
	ADJOINING PROPERTY BOUNDARY
	VACATED RIGHT OF WAY LINE
	VACATED PROPERTY LINE
	SHORELINE
	PROPOSED LOT BOUNDARY
	EASEMENT LINE
	OVERHEAD UTILITY LINE
	FEMA FLOOD ZONE LINE
	OPEN SPACE AREA
	CONSERVATION BUFFER AREA
	PART OF OPEN SPACE

Bissell Professional Group
3512 North Crotan Highway
P.O. Box 1088
Kitty Hawk, North Carolina 27849
919.327.1232 (FAX)
919.327.7600 (PHONE)
FIRM LICENSE # C-956



PROJECT: **ESTATES AT CAROVA BEACH**
FRUITVILLE TOWNSHIP CURRITUCK NORTH CAROLINA
SECTION 2 FINAL PLAT

NO.	DATE	DESCRIPTION	BY	CHK
1	01-21-2013	REVISED PER COUNTY AND CLIENT COMMENTS	MSB	MSB

PRELIMINARY
For Review Purposes Only

DATE:	01-21-2013	SCALE:	1"=100'
DESIGNED:	BPG	CHECKED:	BPG
DRAWN:	MSB	APPROVED:	MSB
SHEET:	4 OF 4		
CAD FILE:	4167000FP1		
PROJECT NO:	4167		

MINIMUM FIRST FLOOR ELEVATION TABLE

FOR THE PURPOSES OF THIS SUBDIVISION, MINIMUM FINISHED FLOOR ELEVATIONS SHALL BE A MINIMUM OF 18 INCHES ABOVE THE 100 YEAR BASE FLOOD ELEVATION. THE FOLLOWING TABLES TABULATE THE CURRENT BASE FLOOD ELEVATIONS FOR EACH LOT BY SECTION AND THE ASSOCIATIVE MINIMUM FIRST FLOOR ELEVATION REQUIRED TO MEET THE REQUIREMENT ABOVE. BASE FLOOD ELEVATIONS ARE SUBJECT TO CHANGE BY FEMA AND SHOULD BE CONFIRMED PRIOR TO THE DEVELOPMENT OF EACH INDIVIDUAL LOT.

SECTION 5

LOT	BASE FLOOD ELEV.	MIN. FIRST FLOOR ELEV.
100	VE 12	13.5' MSL
101	VE 12	13.5' MSL
102	VE 12	13.5' MSL
103	VE 12	13.5' MSL
104	VE 12	13.5' MSL
105	VE 12	13.5' MSL
106	VE 12	13.5' MSL
107	AE 5 (FIS 5.3)	6.8' MSL
108	AE 5.3	6.8' MSL

*WHERE TWO OR MORE BASE FLOOD ELEVATIONS EXIST ACROSS A SINGLE LOT, THE MINIMUM FIRST FLOOR ELEVATION SHALL BE BASED ON THE FLOOD ZONE WITHIN WHICH THE DWELLING IS BEING CONSTRUCTED. IF BEING CONSTRUCTED WITHIN MULTIPLE FLOOD ZONES, THE HIGHEST ELEVATION SHALL BE ACHIEVED.

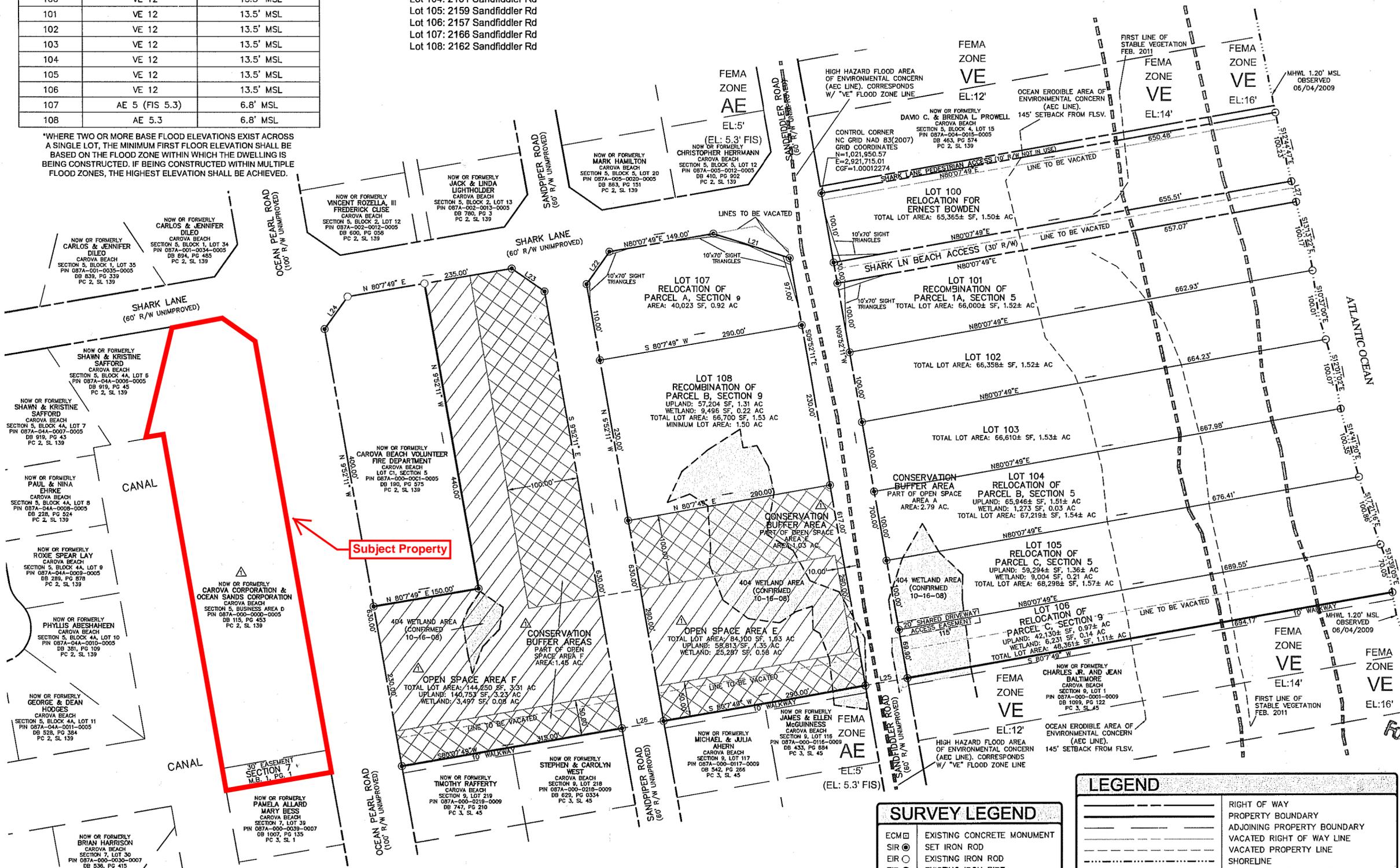
SECTION 5 STREET ADDRESSES

- Lot 100: 2169 Sandfiddler Rd
- Lot 101: 2167 Sandfiddler Rd
- Lot 102: 2165 Sandfiddler Rd
- Lot 103: 2163 Sandfiddler Rd
- Lot 104: 2161 Sandfiddler Rd
- Lot 105: 2159 Sandfiddler Rd
- Lot 106: 2157 Sandfiddler Rd
- Lot 107: 2166 Sandfiddler Rd
- Lot 108: 2162 Sandfiddler Rd



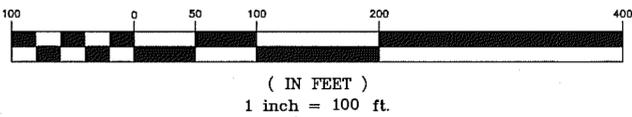
NC GRID NAD 83(2011) NORTH

LINE	LENGTH	BEARING
L21	114.06	S72°10'59"E
L22	56.57	N35°07'49"E
L23	56.57	S54°52'11"E
L24	56.57	N35°07'49"E
L25	60.00	S80°07'49"W
L26	60.00	S80°07'49"W
L27	30.04	S12°50'10"E



Subject Property

GRAPHIC SCALE



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

LEGEND	
	RIGHT OF WAY
	PROPERTY BOUNDARY
	ADJOINING PROPERTY BOUNDARY
	VACATED RIGHT OF WAY LINE
	VACATED PROPERTY LINE
	SHORELINE
	PROPOSED LOT BOUNDARY
	EASEMENT LINE
	OVERHEAD UTILITY LINE
	FEMA FLOOD ZONE LINE
	OPEN SPACE AREA
	CONSERVATION BUFFER AREA
	PART OF OPEN SPACE

BISSELL
 PROFESSIONAL GROUP
 Engineers, Planners, Surveyors and Environmental Specialists
 Bissell Professional Group
 3512 North Croatan Highway
 P.O. Box 1086
 Currituck County, North Carolina 27949
 (252) 761-3966
 (252) 761-3968
 FAX (252) 261-1760
 FIRM LICENSE # C-956

ESTATES AT CAROVA BEACH
 PROJECT:
 FRUITVILLE TOWNSHIP
 CURRITUCK
 NORTH CAROLINA
SECTION 5 FINAL PLAT

NO.	DATE	DESCRIPTION	BY
1	01-21-2013	PRELIMINARY PLAT	BPG
2			
3			
4			
5			
6			
7			
8			
9			
10			

REVISIONS

DATE: 01-21-2013 SCALE: 1"=100'

DESIGNED: BPG CHECKED: BPG

DRAWN: MDB APPROVED: MSB

SHEET: 2 OF 2

CAD FILE: 4167000FP1

PROJECT NO: 4167

PRELIMINARY
 For Review Purposes Only



Currituck County Agenda Item Summary Sheet

Agenda Item Title

PB 08-45 Estates at Carova Beach: An offer of dedication of certain open space parcels as shown on Estates at Carova Beach Final Plats, Sections 1, 2, and 5, Fruitville Township.

Brief Description of Agenda Item

The Estates at Carova Beach subdivision preliminary plat/use permit was approved by the Board of Commissioners on September 8, 2009. The proposed development is located in three separate sections of Carova Beach. The approval re-plated 20 existing lots into 28 residential lots and created a cumulative total of 27.55 acres of open space.

The developer is proposing an offer of dedication of open space to Currituck County.

Board Action Requested

Action

Person Submitting Agenda Item

Ben Woody

Presenter of Agenda Item

Ben Woody



Currituck County

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

To: Board of Commissioners
From: Planning Staff
Date: September 10, 2013
Subject: PB 08-45 Estates at Carova Beach - Open Space Dedication

The Estates at Carova Beach subdivision preliminary plat/use permit was approved by the Board of Commissioners on September 8, 2009. The proposed development is located in three separate sections of Carova Beach. The approval re-plated 20 existing lots into 28 residential lots and created a cumulative total of 27.55 acres of open space.

Section	Required Open Space	Dedicated Open Space
Section 1	10.93 acres	11.49 acres
Sections 2 (3)	8.37 acres	8.70 acres
Sections 5 (9)	6.09 acres	7.36 acres

In application materials, correspondence, and public hearing presentations dating back to 2008, the developer has stated their intention to dedicate open space to Currituck County for public use. As provided for in the Unified Development Ordinance, open space shall not be dedicated to the public except upon written acceptance by the county.

A condition of the 2009 preliminary plat approval requires that acceptance by the county of any open space property shall be in the form of a general warranty deed. This shall only occur after the adoption of a written resolution of acceptance by the Board of Commissioners, prior to the recordation of a final plat.

The developer has proposed a deed to the county that has restrictions on use of the property. The county attorney has exchanged comments with the developer's attorney. Additional information on proposed deed restrictions will be provided at the September 16 Board of Commissioners meeting.

The total acreage of open space dedication may be affected by the developer's request to amend the preliminary plat/special use permit approval to remove parcel 087A-000-000D-0005 (2.1 acres) from open space.



Currituck County Agenda Item Summary Sheet

Agenda Item Title

PB 13-15 Water Supply Standards – Request to amend the Unified Development Ordinance Chapter 6: Required Infrastructure and Chapter 10: Definitions and Measurement to revise the water supply standards to exempt certain development from connecting to the county water supply system.

Brief Description of Agenda Item

The enclosed text amendment submitted by Mr. Eugene White is intended to amend the county's water supply standards to exempt subdivisions located more than one mile from a county water main from connecting to the system. Under the current ordinance major subdivisions are required to connect to the county water system (or provide a cash deposit for future connection) based on a formula included in the ordinance.

The proposed amendment creates a narrow exemption for outlying subdivisions, but maintains a reasonable connection distance for existing developed areas and tracts of land already zoned for higher densities.

Planning staff recommends approval because the proposed text amendment is consistent with the land use plan because it focuses water service in existing developed areas and in nearby targeted growth areas (POLICY WS3); and results in a logical and orderly development pattern.

Planning Board Motion:

Mr. Clark moved to request staff to develop a text amendment that will address reimbursement to the developer anytime they extend a county water line and the interconnectivity aspect. Mr. Craddock seconded the motion. Motion carried unanimously.

Mr. Cooper moved to approve PB 13-15 due to its consistency with the 2006 Land Use Plan and that the request is reasonable and in the public interest and promotes orderly growth and development. Mr. Cartwright seconded the motion. Motion carried unanimously.

Board Action Requested

Action

Person Submitting Agenda Item

Ben Woody

Presenter of Agenda Item

Ben Woody



Currituck County

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

To: Board of Commissioners
From: Planning Staff
Date: September 4, 2013
Subject: PB 13-15 Water Supply Standards Text Amendment

The enclosed text amendment submitted by Mr. Eugene White is intended to amend the county's water supply standards to exempt subdivisions located more than one mile from a county water main from connecting to the system. Under the current ordinance major subdivisions are required to connect to the county water system (or provide a cash deposit for future connection) based on a formula included in the ordinance.

The connection requirement has generally been successful in managing growth of the county water system; however, low density subdivisions that are located a long distance from an existing county water main are required to provide a cash deposit at a rate of cost plus 15 percent for future water system improvements. To date, subdivisions that have provided cash deposits have not connected to the county water system due to the lack of waterline extensions. Staff recognizes the current ordinance structure is not practicable for low-density subdivisions in rural areas of the county that are located more than one mile from the county water supply system. While the amendment creates a narrow exemption for outlying subdivisions, it maintains a reasonable connection distance for existing developed areas and tracts of land already zoned for higher densities.

The Technical Review Committee (TRC) reviewed this request and is recommending minor revisions to the original text amendment. Based on an analysis of the county water system, the TRC is recommending the exemption be for major subdivisions located one mile from an existing 6-inch or larger water main. Enclosed find exhibits illustrating general water main locations and connection distances, as well as approximate cost estimates.

The proposed amendment also includes minor text changes intended to clarify terminology, remove the requirement to convert cash deposits to letters of credit, and provide consistency with the NC Fire Code.

Planning staff recommends **approval** because the proposed text amendment is consistent with the land use plan because it focuses water service in existing developed areas and in nearby targeted growth areas (POLICY WS3); and results in a logical and orderly development pattern.

The Planning Board recommended unanimous approval at their August 13, 2013 meeting.

Eugene White
Water Supply Standards Text Amendment
Page 1 of 7

PLANNING BOARD DISCUSSION (8/13/13)

Mr. Hyman stated he is representing Mr. Eugene White. Mr. Hyman stated this is a good idea for low-density subdivisions in rural areas of the county that are located more than one mile from the county water supply system.

The Planning Board discussed if a developer pays for a water line extension that there is some type of reimbursement for the developer.

Mr. Hyman stated this is a good idea, but not to amend this request.

ACTION

Mr. Clark moved to request staff to develop a text amendment that will address reimbursement to the developer anytime they extend a county water line and the interconnectivity aspect. Mr. Craddock seconded the motion. Motion carried unanimously.

Mr. Cooper moved to approve PB 13-15 due to its consistency with the 2006 Land Use Plan and that the request is reasonable and in the public interest and promotes orderly growth and development. Mr. Cartwright seconded the motion. Motion carried unanimously.

PB 13-15
UDO AMENDMENT REQUEST

Amendment to the Unified Development Ordinance Chapter 6: Required Infrastructure and Chapter 10: Definitions and Measurement to revise the water supply standards to exempt certain development from connecting to the county water supply system.

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

Item 1: That Section 6.2.3 Utility Standards is amended by adding the following underlined language, deleting the strikethrough language, and renumbering accordingly:

D. Water Supply Standards

~~Except where exempted by Section 6.2.3.D.1, Exemptions,~~ All development shall incorporate a water supply system in accordance with these standards.

(1) Water Supply System Required

- (a)** Every principal use and every buildable lot in a subdivision shall be served by a means of water supply that is adequate to accommodate the reasonable needs of such use or lot and that complies with all applicable health regulations.
- (b)** All buildable lots within a planned unit development or planned development shall be connected and serviced by a centralized water supply system.
- (c)** All multi-family development ~~and townhouse units~~ shall be connected to and serviced by a centralized water supply system.
- ~~**(d)** The developer shall submit whatever information the Planning Director determines necessary to ensure the developer or a successor in interest will be able to comply with this section.~~

(2) Connection to Public County Water Supply System

- (a)** Whenever it is legally possible and practicable in terms of topography and the County Engineer determines service is available the following development shall ~~to connect development to the county's water supply system; the developer or subdivider shall install the pipes and accessories necessary to provide water service to all lots or units in a development.~~ ***(Staff Note: this subsection was previously listed as exemptions)***
 - ~~**(i)** Lots in a family subdivision (see Section 2.4.8) Minor subdivisions lots (except family subdivisions) abutting an existing water main;~~
 - ~~**(ii)** Subdivisions in the Fruitville and Moyock Gibbs Woods Townships; and; Major Subdivisions and multi-family development where the distance to an existing six-inch or larger water main is less than one mile as measured along the probable route of the service line subject to the formula requirements in subsection (b) below; and~~
 - ~~**(iii)** Nonresidential and mixed uses abutting an existing water main or meeting the formula requirements in subsection (f) below.~~
 - ~~**(iv)** Connection of individual lots to the future water main within an existing subdivision shall be the responsibility of the individual lot owners.~~

- (b) Connection to the county's water supply system shall be considered impractical if the distance between the closest existing county water main and the proposed development exceeds a distance equivalent to 100 feet for each of the first ten units plus 20 feet for each additional unit.

Example: a proposed subdivision with 30 single-family residential lots would have to be located over 1,400 feet from an existing water main to be considered impractical for connection (10 units x 100) + (20 units x 20).

However, for major subdivisions and multi-family development where the distance to an existing six-inch or larger water main is less than one mile but exceeds the above formula, the ~~subdivider~~ developer shall submit a performance guarantee in the form of a cash deposit for the water improvements (including, but not limited to: fire hydrants, laterals, service lines, meter boxes, and yokes) at a rate of cost plus 15 percent. In the event the water supply infrastructure is not constructed within three years of the approval date, the Planning Director shall release the performance guarantee shall automatically convert to an evergreen letter of credit.

- (c) The total number of units in a development shall be determined by calculating the maximum number of units allowable for each proposed lot.
- (d) In determining the number of units proposed in a phased development, the number of units for water services relates to the total number of proposed units for the entire tract rather than a single phase of the proposed development.
- (e) Each individual dwelling unit shall be counted as one residential unit for the purposes of determining the maximum distance requirements for multi-family developments.
- (f) The maximum connection distance for nonresidential development shall be determined by converting projected water demand from the development into an equivalent number of residential units and applying the formula in (b) above. For the purposes of this section, an individual residential dwelling unit uses 250 gallons of water per day. A nonresidential use anticipated to use 1,000 gallons per day shall be equivalent to four residential dwelling units.

Example: a proposed nonresidential development is anticipated to use 7,500 gallons of water per day. This is equivalent to 30 homes (7,500/250 = 30), and the development would have to be located over 1,400 feet from an existing water main to be considered impractical for connection (10 units x 100) + (20 units x 20).

- (g) Water lines owned by the Ocean Sands Water and Sewer District shall not be considered part of the county's water supply system for the purposes of this section.

(3) Centralized Water Supply System Configuration

The A new centralized water supply system, or proposed connection to an existing centralized water supply system, shall comply with the following requirements:

- (a) The ~~subdivider~~ developer shall install water mains in a subdivision or development so that all lots and uses to be developed will be able to connect to the centralized water supply system.
- (b) Water mains shall be installed within street right-of-ways or dedicated utility easements.
- (c) The ~~subdivider~~ developer shall be required to submit detail drawings with the construction drawings associated with a subdivision, prepared and stamped by a

certified and licensed engineer, showing the installation of the required water mains.

- (d) All materials and pipes shall meet or exceed the requirements established for the county water supply system.
- ~~(e) A community water system may be located within an open space set aside.~~

(4) Connection Fees

- (a) All connection fees shall be paid for each residential lot or use that is required to be connected to the county water system at the time of issuance of the building permit authorizing construction to begin.
- (b) All connection fees shall be paid for each nonresidential lot or use required to be connected to the county water system at the time of issuance of the building permit authorizing construction to begin.

Item 2: That Section 6.2.4 Fire Protection Standards is amended by adding the following underlined language and deleting the strikethrough language:

B. Water Supply for Fire Protection when not Served by ~~Public~~ Centralized Water Supply System

Residential development containing ~~20~~ two or more dwelling units and every nonresidential subdivision ~~containing 10 or more lots and~~ not served by a ~~public~~ centralized water supply system shall provide a supply of water for fire-fighting purposes in accordance with the following standards:

Item 3: That Section 10.5: Definitions is amended by adding the following underlined language, deleting the strikethrough language, and reordering alphabetically:

CENTRALIZED WATER SUPPLY SYSTEM

A system for the provision to the public of water for human consumption through pipes and other constructed conveyances if the system serves 15 or more service connections or which regularly serves 25 or more individuals. A centralized water supply system includes any collection, treatment, storage or distribution facility used primarily in connection with the system.

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

Item 5: This ordinance amendment shall be in effect from and after the _____ day of _____, 201__.

Board of Commissioners' Chairman

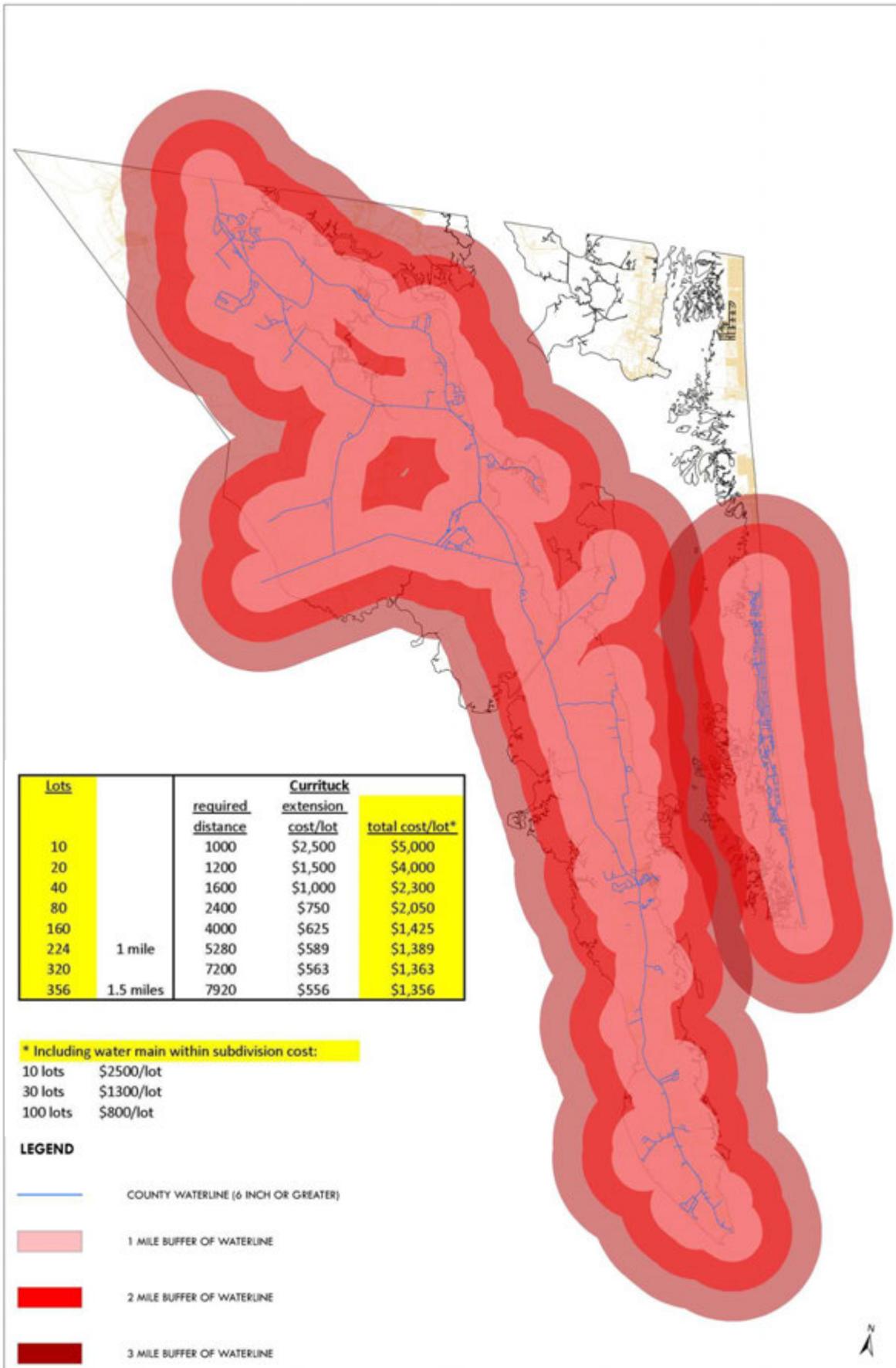
Attest:

Eugene White
Water Supply Standards Text Amendment
Page 5 of 7

Mary S. Gilbert
Clerk to the Board

DATE ADOPTED: _____
MOTION TO ADOPT BY COMMISSIONER: _____
SECONDED BY COMMISSIONER: _____
VOTE: _____AYES _____NAYS _____

PLANNING BOARD DATE: _____
PLANNING BOARD RECOMMENDATION: _____
VOTE: _____AYES _____NAYS _____
ADVERTISEMENT DATE OF PUBLIC HEARING: _____
BOARD OF COMMISSIONERS PUBLIC HEARING: _____
BOARD OF COMMISSIONERS ACTION: _____
POSTED IN UNIFIED DEVELOPMENT ORDINANCE: _____
AMENDMENT NUMBER: _____





Currituck County Agenda Item Summary Sheet

Agenda Item Title

PB 13-18 UDO Housekeeping Amendment 2013

Brief Description of Agenda Item

Text amendment submitted by the Currituck County Planning and Community Development Department is intended to clarify and revise miscellaneous sections of the new Unified Development Ordinance (UDO). The revisions correct and clarify the identified sections in the new UDO as it relates to the following:

- Signage
- Interconnectivity
- Accessory uses & structures
- Densities within conservation subdivisions
- Setbacks within the Agricultural (AG) zoning district
- Ownership of open space set-asides
- Riparian buffer location
- Wetlands definition
- Pawn shops

Planning Board Motion:

The Planning Board **recommended unanimous approval** at their August 13, 2013 meeting.

Board Action Requested

Action

Person Submitting Agenda Item

Ben Woody

Presenter of Agenda Item

Ben Woody



Currituck County

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

To: Board of Commissioners
From: Planning Staff
Date: August 20, 2013
Subject: PB 13-18 UDO Housekeeping Amendment 2013

The enclosed text amendment submitted by the Currituck County Planning and Community Development Department is intended to clarify and revise miscellaneous sections of the new Unified Development Ordinance (UDO). The revisions correct and clarify the identified sections in the new UDO as it relates to:

Items 1-5

Clarifies signage standards.

Items 6-8

Strengthen and clarifies interconnectivity and cross access standards.

Items 9-11

Modifies accessory use/structure standards in regards to location and ownership.

Items 12-13

Establishes maximum density for conservation subdivisions in the SFM zoning district and rural/conservation land use classification.

Item 14

Changes the side setback in the Agriculture zoning district to 10 feet.

Item 15

Allows open space set-asides to have individual private ownership such as a farmer or developer.

Item 16

Allows riparian buffers to be included within the boundaries of individual platted lots.

Item 17

Corrects definition of wetlands.

Item 18

Allows pawn shops in the General Business (GB) zoning district with a use permit as requested by the Board of Commissioners.

The Planning Board **recommended unanimous approval** at their August 13, 2013 meeting.

PLANNING BOARD DISCUSSION (8/13/13)

The Planning Board discussed location of accessory uses or structures on the oceanfront, parking of boats, watercraft, heavy trucks, trailers, or major recreational equipment, private ownership of open space and the maximum building height.

ACTION

Mr. Craddock moved to approve PB 13-18 due to its consistency with the 2006 Land Use Plan and that the request is reasonable and in the public interest and promotes orderly growth and development with the deletion of language in Item 10, Section F, 1, (f). Mr. Bell seconded the motion. Motion carried unanimously.

**HOUSE KEEPING
UDO AMENDMENT REQUEST**

Amendment to the Unified Development Ordinance Chapter 3: Zoning Districts, Chapter 4: Use Standards, Chapter 5: Development Standards, Chapter 6: Subdivision and Infrastructure Standards, Chapter 7: Environmental Protection Standards, Chapter 10: Definitions and Measurement to clarify and revise miscellaneous sections of the new Unified Development Ordinance (UDO).

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 5.12.4 Signs Exempted from Sign Permits is amended by adding the following underlined language and deleting the strikethrough language:

TABLE 5.12.4: SIGNS EXEMPTED FROM SIGN PERMITS				
SIGN TYPE	EXAMPLE	APPLICABLE STANDARDS	MAXIMUM SIGN AREA (SQ. FT)	MAXIMUM HEIGHT (FEET)
Home Occupation		Limited to one sign per home occupation, and may only include business name, location, telephone number. Sign shall not be illuminated.	6	6 4

Item 2: That Table 5.12.6.A Freestanding Signs is amended by adding the following underlined language, deleting the strikethrough language, and renumbering accordingly:

TABLE 5.12.6.A: FREESTANDING SIGNS [1]		
STANDARD	ON MAINLAND [+ 2]	ON OUTER BANKS
Maximum Number	1 per frontage of 500 feet or less; Up to 2 for frontages over 500feet	1 per lot
Minimum Spacing	100 feet between signs serving same development or approved access points	
Maximum Area [3]	128 to 160 square feet, based on road frontage distance <u>128 square feet for frontages of 160 feet or less; 160 square feet for frontages over 160 feet</u>	48 square feet
Minimum Setback (from ROW)	10 feet for signs taller than 10 feet	
Maximum Height	20 feet	8 feet

NOTES:

[1] Freestanding signs shall be landscaped in accordance with Section 5.12.7

[2] Includes Knotts Island and Gibbs Woods

[3] Per individual sign

Item 3: That Table 5.12.6.E Shopping Center Signs is amended by adding the following underlined language, and renumbering accordingly:

TABLE 5.12.6.E: SHOPPING CENTER SIGNS [1]			
STANDARD	ON MAINLAND [2]		OUTER BANKS
	Freestanding Signs	Freestanding Signs- Outparcels	Freestanding Signs
Maximum Number	1 per street frontage; up to 2 for frontages over 500 feet		
Maximum Area [3]	3 to 10 establishments: 200 square feet More than 10 establishments: 300 square feet	64 square feet	80 square feet; 24 square feet for secondary road frontages; 32 square feet for outparcels
Minimum Setback (from ROW)	10 square feet for signs taller than 10 feet		
Maximum Height	25 feet	10 feet	12 feet Outparcel: 6 feet

NOTES:
 [1] Shopping center signs shall be landscaped in accordance with Section 5.12.7
 [2] Includes Knotts Island and Gibbs Woods
 [3] Per individual sign

Item 4: That Section 5.12.2 Prohibited Signs is amended by adding the following underlined language:

5.12.2 Prohibited Signs

The following signs are prohibited:

- A.** Off-premise advertising signs (billboards), including digital billboards, except as otherwise provided by this Ordinance;

Item 5: That Section 5.12.6.G Special Event Signs is amended by adding the following underlined language:

G. Special Event Signs

A special event sign is for identifying a special event or other noncommercial event, on or off premise, and may be approved as part of a temporary use permit (see Section 2.4.11), subject to the following standards:

Item 6: That Section 5.1.4.A.7 Parking Lot Cross-Access is amended by adding the following underlined language and deleting the strikethrough language:

(7) Parking Lot Cross-Access

(ii) Future Stubs Required

A connection for future parking lot cross-access shall be provided to all adjoining undeveloped or partially undeveloped lands deemed appropriate

for future development in the Land Use Plan or adjoining lands that are developed and include opportunities for such connection adjacent vacant land zoned MXR or within a Business and Mixed-Use, or Planned Development zoning district. The adjoining lands shall:

- (A)** Be zoned MXR, GB, LB, CC, VC, or located within a Planned Development zoning district; or be zoned LI or HI and have frontage on a major arterial street; and
- (B)** Consist of an adequate amount of undeveloped area to support new development.

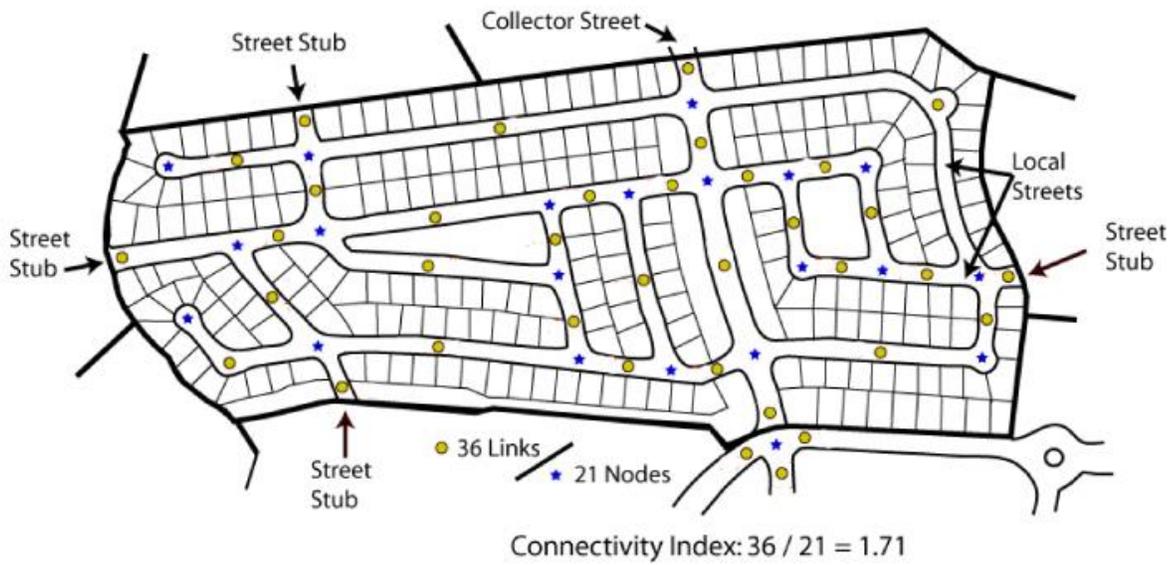
Development subject to these standards shall be designed to provide future cross-access in at least one location while remaining in compliance with all landscaping and stormwater standards.

Item 7: That Section 5.6.5 External Street Connectivity is amended by adding the underlined language and deleting the ~~strike through language~~, and moving the *italicized language* to the location shown:

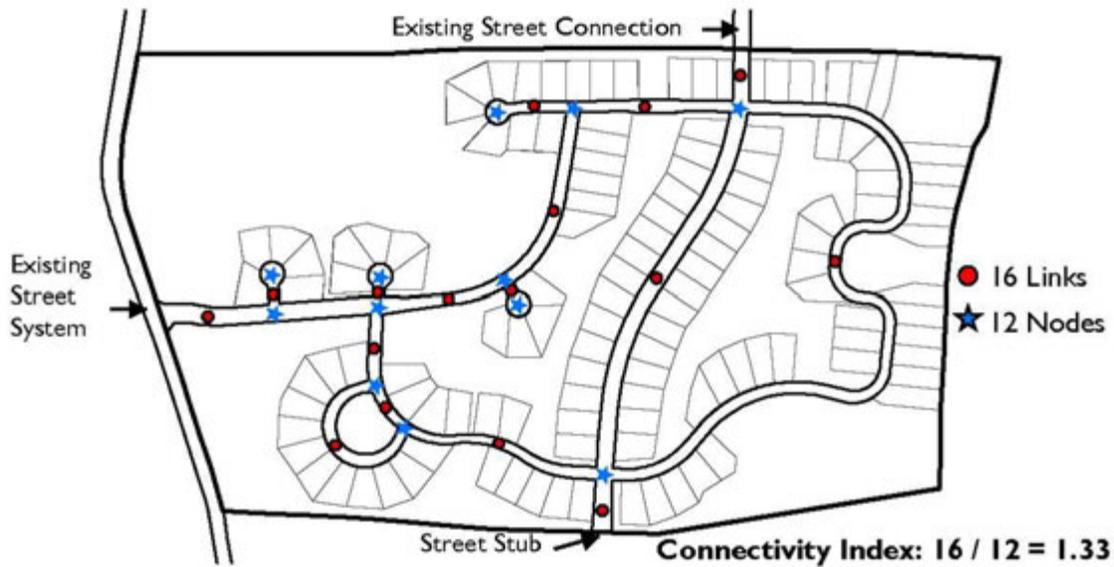
5.6.5 External Street Connectivity

- A.** The arrangement of streets in a development shall provide for the alignment and continuation of existing or proposed streets into adjoining lands ~~in these cases in which the adjoining lands are.~~ *Street rights-of-way shall be extended to or along adjoining property boundaries such that a roadway connection or street stub shall be provided for development where practicable and feasible in each direction (north, south, east, and west) for development which abuts ~~vacant~~ lands that are undeveloped or partially undeveloped and deemed appropriate for future development in the Land Use Plan or in which the adjoining lands are developed and include opportunities for such connections.*
- B.** In cases where the property boundary is within a drainage swale, the roadway connection or street stub shall terminate at the edge of the swale, and the developer shall post a performance guarantee with the county (see Section 6.3, Performance Guarantees) to ensure funds are available to complete the street connection.

Item 8: That Figure 5.6.4.A Street Connectivity Index is amended by deleting the following figure:



And adding the following figured:



Item 9: That Section 3.3.3.F, 3.4.2.F, 3.4.3.F, 3.4.4.F, 3.4.5.F, 3.5.2.E, 3.5.3.E, 3.5.8.F, Dimensional Standards for the AG, SFM, SFO, SFR, SFI, GB, LB, and LI zoning districts respectively, is amended by adding the following underlined language, deleting the strikethrough language, and renumbering accordingly:

F. DIMENSIONAL STANDARDS						
TD = Traditional Development			CS = Conservation Subdivision Development			
	TD	CS		TD	CS	
Max. Gross Density (du/ac)	N/A	-	Min. Front Setback (ft) [4]	20	N/A	3
With 50% Open Space (du/ac)	-	0.4	Min. Corner Side Setback (ft)	20	N/A	4
With 60% Open Space (du/ac)	-	0.5	Min. Major Arterial Street Setback (ft)	50	50	5
With 70%+ Open Space (du/ac)	-	0.66	Min. Side Setback (ft)	15	N/A	6
Max. FAR (%)	0.40	N/A	Min. Rear Setback (ft)	25	N/A	7
Min. Lot Area (acres) [1]	3	N/A	Min. Agriculture Setback (ft) [5]	N/A	50	8
Max. Lot Area (acres)	N/A	N/A	Min. Accessory Use Setback (ft) [6]	10	3	9
Min. Lot Width, Interior Lot (ft) [2]	125	N/A	Min. Driveway/Parking Setback (ft)	10	N/A	10
Min. Lot Width, Corner Lot (ft)	135	N/A	Min. Fill Setback from all Lot Lines (ft)	10	10	
Max. Lot Depth	[3]	N/A	Min. Riparian Buffer (ft) [5]	50	50	
Max. Lot Coverage (%)	30	60	Max. Building Height (ft) [7-6]	35	35	11
[1] Family subdivision lots shall be at least 40,000 square feet in area			Min. Spacing Between <u>Principal</u> Buildings (ft)	10	3	12
[2] All lots shall maintain a minimum street frontage of 35 feet			[6] Prohibited in front of principal building when principal building is less than 300 feet from street			
[3] Lot depth shall not exceed four times the lot width			[7-6] Not applied to farm structures meeting minimum setbacks plus an additional setback of one foot for each foot in height over 35 feet			
[4] Front setbacks shall be measured from ultimate ROW line						
[5] Applied to major subdivisions platted January 1, 2013 and site plans on lots 10 acres in area and greater						

Item 10: That Section 4.3.2 General Standards and Limitations is amended by adding the following underlined language, deleting the strikethrough language, and renumbering accordingly:

B. General Standards

All accessory uses and accessory structures shall meet the following standards:

- (1)** Directly serve the principal use or structure;
- (2)** Be customarily accessory and clearly incidental and subordinate to the principal use and structure;
- (3)** Be subordinate in area, extent, and purpose to the principal use or structure;
- (4)** ~~Accessory uses shall~~ Not exceed 25 percent of the heated floor or buildable area of the principal use, except structures typically associated with single family dwellings (garages, storage buildings), or where otherwise allowed by this Ordinance;
- (5)** Be owned or operated by the same person as the principal use or structure (except that vending machines, automated teller machines, and similar features are exempted from this requirement);
- (6)** Be located on the same lot as the principal use or structure;
- (7)** Together with the principal use or structure, not violate the bulk, density, parking, landscaping, or open space standards of this Ordinance; and

- (8) Not constitute a combination use, which is the combination of two principal uses (combination uses will not meet the above standards in terms of being subordinate or providing service to the principal use).

F. Location of Accessory Uses or Structures

- (1) ~~Except on lots where the principal structure is 300 feet or more from a street, The following accessory uses shall not be located between the principal use and adjacent street rights-of-way:~~
 - ~~(a) Accessory dwelling units;~~
 - (b) Amateur ham radio equipment;
 - (c) Drive-through;
 - (d) Housing for poultry;
 - (e) Outdoor storage;
 - ~~(f) Parking of boats, watercraft, heavy trucks, trailers, or major recreational equipment;~~
 - (g) Small wind energy facilities; or
 - (h) Stable.
- (2) Except for fences, walls, and functionally-dependent facilities, all accessory structures shall comply with the minimum setback and spacing standards applicable to accessory structures in the zoning district where the structure is located (see Chapter 3: Zoning Districts).
- (3) No accessory structure shall be located within any platted or recorded easement or over any known utility unless written authorization is provided from the easement holder or the county, as appropriate.

Item 11: That Section 4.3.3 Specific Standards for Certain Accessory Uses is amended by deleting the strikethrough language and renumbering accordingly:

A. Accessory Dwelling Units

Accessory dwelling units shall comply with the following standards:

(1) Where Permitted

- (a) Accessory dwelling units ~~in the SFM, SFO, SFR, or SFI districts~~ may be located within a principal structure (e.g., a downstairs apartment) ~~subject to a zoning compliance permit (see Section 2.4.9) or as a freestanding building or above a detached outbuilding subject to an approved use permit (see Section 2.4.6).~~
- (b) The use of manufactured homes, travel trailers, campers, tractor trailers, or similar vehicles as an accessory dwelling unit is prohibited.

(2) ~~Owner Occupancy Required~~

~~The owner of the lot shall reside on a lot containing an accessory dwelling unit.~~

(3) Additional Standards

- (a) Not more than one accessory dwelling unit per lot is permitted.
- (b) An accessory dwelling unit shall have a floor area of at least 300 square feet, but shall not exceed 1,000 square feet in size.

- (c) At least one, but no more than two, off-street parking spaces shall be provided for an accessory dwelling unit (in addition to the required off-street parking serving the principal use).
- (d) Accessory dwelling units shall not be sold apart from the principal structure.
- (e) Accessory dwelling units may be used for home occupation uses but in no instance shall more than one home occupation use be conducted on a single lot.

Item 12: That Section 3.4.2.F Dimensional Standards for the SFM zoning district is amended by adding the following underlined language:

F. DIMENSIONAL STANDARDS					
	TD = Traditional Development		CS = Conservation Subdivision Development		
	TD	CS		TD	CS
Max. Gross Density – Traditional Dev. (du/ac)	N/A	-	Min. Front Setback (ft)	20	N/A
Max. Gross Density – Conservation Subdivisions			Min. Corner Side Setback (ft) [4]	20	N/A 3
<u>In Rural/Conservation Areas (du/ac)</u>	=	<u>0.33</u>	Min. Major Arterial Street Setback (ft)	50	50 4
In Limited Service Areas (du/ac)	-	1.0	Min. Side Setback (ft)	10	N/A 5
In Full Service Areas (du/ac)	-	2.0	Min. Rear Setback (ft)	25	N/A 6
Max. FAR (%)	0.40	N/A	Min. Agriculture Setback (ft) [5]	50	50 7
Min. Lot Area (sf ft)	40,000	N/A	Min. Accessory Use Setback (ft) [6]	10	3 8
Max. Lot Area (acres)	N/A	N/A	Min. Driveway/Parking Setback (ft)	10	N/A 9
Min. Lot Width, Interior Lot (ft) [1]	125	N/A 1	Min. Fill Setback from all Lot Lines (ft)	10	10
Min. Lot Width, Corner Lot (ft)	135	N/A 2	Max. Building Height (ft)	35	35 10
Max. Lot Depth	[2]	N/A	Min. Riparian Buffer (ft) [5]	50	50 11
Max. Lot Coverage (%)	30 [3]	60	Min. Spacing Between Buildings (ft)	10	3 12
[1] All lots shall maintain a minimum street frontage of 35 feet			[5] Applied to major subdivisions platted after January 1, 2013 and site plans on lots 10 acres in area and greater		
[2] Lot depth shall not exceed four times the lot width			[6] Prohibited in front of principal building when principal building is less than 300 feet from street		
[3] 35% for platted lots of 19,000 sf in area or less					
[4] Front setbacks shall be measured from ultimate ROW line					

Item 13: That Section 6.4.4.D Maximum Residential Density is amended by adding the following underlined language:

(2) Single-Family Residential-Mainland District

Conservation subdivisions shall be limited to the following maximum densities, based upon the following locations:

- (a) Full Service Areas: 2.0 dwelling units per acre; or
- (b) Limited Service Areas: 1.0 dwelling units per acre.
- (c) Rural/Conservation Areas: 0.33 dwelling units per acre.

Item 14: That Section 3.3.3.F Dimensional Standards for the AG zoning district is amended by deleting the following strikethrough language and adding the underline language:

F. DIMENSIONAL STANDARDS						
TD = Traditional Development			CS = Conservation Subdivision Development			
	TD	CS		TD	CS	
Max. Gross Density (du/ac)	N/A	-	Min. Front Setback (ft) [4]	20	N/A	3
With 50% Open Space (du/ac)	-	0.4	Min. Corner Side Setback (ft)	20	N/A	4
With 60% Open Space (du/ac)	-	0.5	Min. Major Arterial Street Setback (ft)	50	50	5
With 70%+ Open Space (du/ac)	-	0.66	Min. Side Setback (ft)	15 10	N/A	6
Max. FAR (%)	0.40	N/A	Min. Rear Setback (ft)	25	N/A	7
Min. Lot Area (acres) [1]	3	N/A	Min. Agriculture Setback (ft) [5]	N/A	50	8
Max. Lot Area (acres)	N/A	N/A	Min. Accessory Use Setback (ft) [6]	10	3	9
Min. Lot Width, Interior Lot (ft) [2]	125	N/A	1 Min. Driveway/Parking Setback (ft)	10	N/A	10
Min. Lot Width, Corner Lot (ft)	135	N/A	2 Min. Fill Setback from all Lot Lines (ft)	10	10	
Max. Lot Depth	[3]	N/A	Min. Riparian Buffer (ft) [5]	50	50	
Max. Lot Coverage (%)	30	60	Max. Building Height (ft) [7]	35	35	11
[1] Family subdivision lots shall be at least 40,000 square feet in area			Min. Spacing Between Buildings (ft)	10	3	12
[2] All lots shall maintain a minimum street frontage of 35 feet			[6] Prohibited in front of principal building when principal building is less than 300 feet from street			
[3] Lot depth shall not exceed four times the lot width			[7] Not applied to farm structures meeting minimum setbacks plus an additional setback of one foot for each foot in height over 35 feet			
[4] Front setbacks shall be measured from ultimate ROW line						
[5] Applied to major subdivisions platted January 1, 2013 and site plans on lots 10 acres in area and greater						

Item 15: That Section 7.1.3 Open Space Set-Aside Standards and adding the following underline language and renumbering accordingly:

E. Ownership of Open Space Set-Asides

(1) Homeowners or Property Owners Association

All open space set-aside areas ~~shall~~ may be owned jointly or in common by the owners of the development through a recognized homeowners or property owners association, which shall be established in accordance with Section 6.1.4, Homeowners or Property Owners Association Requirements.

(2) Individual Private Ownership

All open space set-aside areas may also be owned by a private individual such as a farmer, developer or other private entity provided it is used in accordance with Section 7.1.3.D Allowable Uses in Open Space Set-Asides.

(2) Nonprofit Organization

The landowners may decide to convey an open space set-aside to a nonprofit organization such as a land trust or land conservancy for management and maintenance if the county is provided adequate assurance the set-aside will be properly managed and maintained.

(3) Dedicated to County or Other Public Agency

In some cases, certain lands designated as open space set-asides, such as wildlife habitat, may be dedicated to the county or other public agency during the development review process. The Board of Commissioners shall

determine which lands and under what conditions open space set-asides may be dedicated to the county or other public agency.

Item 16: That Section 7.6 Riparian Buffers is amended by adding the following underline language and deleting the strikethrough language:

7.6.3 Establishment of Buffer

All surface waters (e.g., streams, etc.), estuarine waters, wetlands, and canals shall maintain a fifty-foot-wide riparian buffer directly adjacent to the shoreline, average annual water edge, or impoundment edge ~~(as appropriate)~~, or wetland boundary.

7.6.4 Delineation of Buffer Zones

Riparian buffers shall be comprised of two zones, which shall be measured horizontally from the edge of the shoreline, impoundment edge, ~~or~~ average annual water edge, or wetland boundary (see Figure 7.6.4, Riparian Buffer Zones).

A. Zone I

Zone I is located within the first 30 feet of the bank, impoundment, ~~or~~ water edge, or boundary and shall prohibit all development and land disturbing activity except as allowed in Section 7.6.5, Development within Buffer.

7.6.6 Depiction of Buffer

All Riparian buffers shall be depicted on site plans, preliminary plats, final plats, planned development master plans, and conservation and development plans associated with a conservation subdivision. The above plans shall note the restrictions on the allowable development and land-disturbing activities within the buffer in accordance with this ordinance.

7.6.7 ~~Exclusion from Lots~~ Location of Buffer

- A.** ~~Lots subject to these standards that are proposed adjacent to surface waters (sounds, creeks, bays, streams, etc.) shall contain a riparian buffer that may be located within the boundaries of individual platted lots.~~ Riparian buffers may be located within individual platted lots.
- B.** ~~Lots subject to these standards that are proposed adjacent to wetlands shall contain a riparian buffer that shall not be included within the boundaries of individual platted lots.~~ Riparian buffers located within individual platted lots of a major subdivision or planned development shall include the restrictions of the buffer within the development's restrictive covenants and deed restrictions.
- C.** Riparian buffers not located within individual platted lots shall be credited towards open space set-aside requirements in Section 7.1, Open Space Set Asides.

Item 17: That Section 10.5 Definitions is amended by adding the following underline language and deleting the strikethrough language:

WETLANDS, CAMA

Those areas that are inundated or saturated by surface or ground water (hydrology) at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation (hydrophytes) typically adapted for life in saturated soil conditions (hydric soils). Wetlands generally include swamps, marshes, bogs, and similar areas. ~~Those areas of land, marsh, or swamp which are frequently saturated or covered with water designated by various state agencies as CAMA Wetlands.~~ There are three types of wetlands;

- a. CAMA Wetlands - Those areas of land, marsh, or swamp which are frequently saturated or covered with water, subject to tidal action, and designated by various state agencies as CAMA Wetlands. ~~These wetlands shall not be filled nor counted in the Yield Plan.~~
- b. Isolated 404 Wetlands – Wetlands regulated under Section 404 of the federal Clean Water Act. ~~pockets that have no connection, subsurface or surface, to any adjacent water body.~~ These wetlands may be filled with Army Corps of Engineers approval and may be used in calculating the yield.
- c. Adjacent/Contiguous 404 Isolated/non-404 Wetlands – Wetlands regulated under the North Carolina administrative code. These wetlands may be filled with N.C. Division of Water Quality (DWQ) approval. ~~These wetlands have a subsurface or surface connection to a water body and shall not count towards the yield.~~

Item 18: That Table 4.1.1 Summary Use Table is amended by adding the following underline language language:

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.____)		
		RC	AG	SFM	SFO	SFR	SFI	MXR	GB	LB	CC	VC	LI	HI	PD-R		PD-M	PD-O
Retail Sales & Services	Pawn shop								U					U				

Item 19: 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.

Item 20: This ordinance amendment shall be in effect from and after the _____ day of _____, 2013.

Board of Commissioners' Chairman
Attest:

Mary S. Gilbert
Clerk to the Board

DATE ADOPTED: _____
MOTION TO ADOPT BY COMMISSIONER: _____
SECONDED BY COMMISSIONER: _____
VOTE: _____AYES _____NAYS _____

PLANNING BOARD DATE: _____
PLANNING BOARD RECOMMENDATION: _____
VOTE: _____AYES _____NAYS _____

ADVERTISEMENT DATE OF PUBLIC HEARING: _____
BOARD OF COMMISSIONERS PUBLIC HEARING: _____
BOARD OF COMMISSIONERS ACTION: _____
POSTED IN UNIFIED DEVELOPMENT ORDINANCE: _____
AMENDMENT NUMBER: _____



CURRITUCK COUNTY BOARD OF COMMISSIONERS

ITEM TO BE CONSIDERED

Meeting Date: Agenda #

SUBJECT:

Minutes of the Board of Equalization and Review

REQUESTED ACTION:

Approval of the Minutes of the Board of Equalization and Review.

Submitted by: Department:

Date submitted: Attachments: Yes No

REVIEW PROCESS:

	Approved	
County Manager	Yes <input type="checkbox"/>	No <input type="checkbox"/>
County Attorney	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Finance Director	Yes <input type="checkbox"/>	No <input type="checkbox"/>
<input type="text"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>

REVIEW COMMENTS:

2013 BOARD OF EQUALIZATION & REVIEW

Minutes

August 16, 2013

The 2013 Board of Equalization & Review was called to order by Vice-Chairman Paul Martin at 9:00am on Friday August 16, 2013. Board Members O. Vance Aydlett Jr., Marion Gilbert, David Griggs, and Kevin McCord were also in attendance. Each member took and subscribed to the oath required by G.S. 105-322(c). The following appeals were considered.

Braxton Hill

Mr. Braxton Hill appeared before the Board representing **Coastland Corporation, Coastland Development Co. LLC, Coastland Properties II LLC, and James E. Johnson**. Mr. Hill informed the Board of certain facts and conditions that may affect the value of his client's property. He asked whether these factors were considered in arriving at the assessed value of the property. The assessments and factors considered were explained.

As a result the exchange the follow actions were taken:

Action: It was the unanimous decision of the Board to reduce the current assessed value of the following properties:

<u>Parcel ID</u>	<u>Old Assessment</u>	<u>New Assessment</u>	<u>Reason</u>
01160000030000	\$2,487,400	\$2,388,400	Encumbrances on Property
126A0000OPEN000Q	\$25,800	\$100	Open Space
126A0000OA4B000O	\$2,250,000	\$100	Open Space

Action: It was the unanimous decision of the Board to confirm the current assessed value of the following properties:

<u>Parcel ID</u>	<u>Assessment</u>	<u>Parcel ID</u>	<u>Assessment</u>
126A000001A000O	\$144,000	116A00000370000	\$180,000
126A0000109000O	\$160,000	0116000005C0000	\$2,590,000
126A0000134000O	\$225,000	126A000194A000C	\$12,000
126A0000135000O	\$270,000	126A00000FD000O	\$4,218,900
126A0000168000O	\$160,000	126a0000000000R	\$1,470,088

The Board of Equalization and Review adjourned at 11:30am

ATTEST:



Tracy Sample, Clerk to the
Board of Equalization and
Review

Paul Martin, Vice-Chairman

O. Vance Aydlett

Marion Gilbert

David Griggs

Kevin Griggs

CURRITUCK COUNTY
NORTH CAROLINA
September 3, 2013

The Board of Commissioners met at 5:30 p.m. in the Historic Courthouse Conference Room with Heather Starck, Executive Director/Vice President, Audubon North Carolina; Chip Hemingway, Bowman, Murray, Hemingway, Architects; Karen Fernandez and Rick Yates regarding plans for the Donal C. O'Brien, Jr. Sanctuary and Audubon Center at Pine Island and its benefits to Currituck County.

The Board of Commissioners met at 7:00 p.m. for its regularly scheduled meeting at the Historic Courthouse in the Board Meeting Room with the following members present: Chairman Paul O'Neal, Vice-Chair Paul Martin, Commissioners Gilbert, Griggs, McCord, and Petrey. Commissioner Aydlett was absent due to illness.

Chairman O'Neal called the meeting to order at 7:00 PM and announced the Board of Commissioners had met for a work session with the Audubon Sanctuary representatives.

- A) Invocation**
- B) Pledge of Allegiance**

Reverend Glenn McCranie was present to give the invocation and lead the Pledge of Allegiance.

- C) Approval of Agenda**

Chairman O'Neal amended the agenda by deleting the Closed Session. Commissioner Petrey moved to approve the Agenda as amended. Commissioner Martin seconded the motion. Motion carried unanimously.

APPROVED AGENDA

Work Session

5:30 PM Presentation and Review of the Pine Island Audubon Sanctuary Master Plan

7:00 pm Call to Order

- A) Invocation – Reverend Glenn McCranie
- 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.

Administrative Reports

Barbara Snowden to Give Update on Civil War Encampment and Presentation of Flag

Public Hearings

- A) **Public Hearing and Action:** PB 84-11 Corolla Light, PUD: Request to amend the existing use permit and sketch plan for Corolla Light PUD to accommodate 16 duplexes totaling 32 units along NC12 south of Shad Street, Tax Map 115B, Parcel P51, Poplar Branch Township.
- B) **Public Hearing and Action:** PB 09-35 Rachel's Ranch: Request for a special use permit for an outdoor recreation facility located at 160 Owens Road, Powells Point, Tax Map 123, Parcel 6B, Poplar Branch Township.
- C) **Public Hearing and Action:** PB 13-16 Rosewood: Request for a preliminary plat/use permit for a 43 lot conservation subdivision located in Moyock, along both sides of Elrod Road, west side of Poyners Road, and the south side of Tulls Creek Road, Tax Map 31, Parcels 1A, 1B, 1D, 15A, and 17A, Moyock Township.
- D) **Public Hearing and Action:** PB 94-18 Malco Mine, Phase 2: Request for a (special) use permit modification to expand an existing mining operation at 136 Griggs Acres Road in Point Harbor, Tax Map 132 Parcel 159, Poplar Branch Township.

New Business

- A) **Board Appointments:**
 - 1. Appointment to ABC Board
- B) **Consent Agenda:**
 - 1. Approval of August 19, 2013 Minutes
 - 2. Budget Amendments
 - 3. Resolution - Surplus 2005 Jeep from Inspections
 - 4. Resolution approving Currituck County to use Raymond James to broker investments
 - 5. CDBG Monthly Status Report
 - 6. Proclamation for Literacy Month
- C) **Commissioner's Report**
- D) **County Manager's Report**

Special Meeting

Tourism Development Authority

- A) Budget Amendments Adjourn

Closed Session

Closed Session pursuant to G.S. 143-318.11(a)(4) to discuss matters relating to the location or expansion of industry or businesses within the county

DELETED

Adjourn

D) Public Comment

Chairman O'Neal opened the Public Comment period.

Mary Etheridge, Shawboro, stated she had been involved in litigation with the County for two years concerning illegal spot zoning. Although the courts had ruled in her favor, the County did not pay her legal fees. She wanted to prevent this same thing from happening to anyone else. She quoted Associate Justice of the Supreme Court Potter Stewart regarding fairness.

John Murray, Coinjock, on behalf of the Coinjock Ruritan Club, invited everyone to their 10th

Annual Wildlife Festival, with Jack Cox as the featured carver and including a calling contest.

Roy Etheridge, Powells Point, requested permission to improve S. Ferebee Lane. He was to work with Ben Woody, Planning & Community Development Director, to explore possibilities.

There being no further comments, Chairman O'Neal closed the Public Comment period.

Administrative Reports

Barbara Snowden to Give Update on Civil War Encampment and Presentation of Flag

Mrs. Snowden gave an overview of the exhibits and demonstrations to take place Friday, October 11, through Sunday, October 13, at the event entitled "Two Flags over Currituck, An Encampment at Currituck County Courthouse." Since the period being reenacted was during the years Currituck was occupied by Union forces, she presented a Union flag to the Commissioners with the request to fly it at the Courthouse beginning October 1 through the weekend of the event.

At Mrs. Snowden's invitation, Diane Nordstrom, Travel and Tourism Director, was present to speak to the fact that Civil War reenactments have not just an historical impact, but also an economic impact on the location of the event. Attendees require food, lodging, gasoline, etc., which directly benefit local businesses as well as bring in sales tax to the County.

Ms. Nordstrom also announced the Wine and Swine event taking place at Currituck Heritage Park on September 5.

Commissioner Petrey commended the Travel and Tourism Department on their contributions which helped Currituck County realize the highest percentage of increase in the State in tourism dollars for the past year.

Public Hearings

- A) Public Hearing and Action: PB 84-11 Corolla Light, PUD: Request to amend the existing use permit and sketch plan for Corolla Light PUD to accommodate 16 duplexes totaling 32 units along NC12 south of Shad Street, Tax Map 115B, Parcel P51, Poplar Branch Township.**

Sworn testimony was given prior to making comments.

Ben Woody, Planning and Community Development Director, reviewed the request, comments from the Technical Review Committee, and Planning Board recommendation.

**CASE ANALYSIS FOR THE
BOARD OF COMMISSIONERS
DATE: 9/3/2013
PB 84-11 COROLLA LIGHT PUD, PHASE 12**

ITEM: PB 84-11 Corolla Light PUD, Phase 12, Amended Use Permit/Sketch Plan

LOCATION: Unassigned Address on Ocean Trail, Corolla Light, Poplar Branch Township

TAX ID: 115B0000P5I0000 & 115B0000OPEN007D

ZONING DISTRICT: Single Family Outer Banks (SFO) with Planned Unit Development (PUD) Overlay

PRESENT USE: Utility Open Space

OWNER: Outer Banks Ventures Inc.

APPLICANT: David Maso
100 Sportsman Drive
Kill Devil Hills, NC 27948

LAND USE/ZONING OF SURROUNDING PROPERTY:

	Land Use	Zoning
NORTH:	Utility	SFO/PUD
SOUTH	Residential	SFO/PUD
EAST:	Residential	SFO
WEST:	Residential	SFO/PUD

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

SIZE OF SITE: 3.16 Acres

NUMBER OF UNITS: 32

PROJECT DENSITY: **Site Specific Density** (10 units/acre) **PUD Density** (2.45 units/acre)

UTILITIES: Water will be provided by Currituck County Southern Outer Banks Water System. Wastewater will be provided by Carolina Water via the Monteray Shores treatment plant expansion (currently not permitted).

PUD ALLOCATION: Total Land Area = 267.05 acres, Open Space = 128.51 acres, and Commercial Allocation = 26.53 acres

I. NARRATIVE OF REQUEST:

To amend the Use Permit and Sketch Plan for Corolla Light Resort, PUD to remove Phase 12 from open space wastewater use and convert to residential use. The applicant is requesting abandonment of existing wastewater facilities on the subject property in Corolla Light PUD. The property will be removed from open space and will be developed as residential duplexes. The Corolla Light sewer capacity lost by removing the existing wastewater system is proposed to be transferred to the Monteray Shores Wastewater Treatment Plant. Transfer will require expansion of the Monteray Shores plant. State permits are required for both removal of the existing Corolla Light system and expansion of the Monteray Shores Plant. The applicant has not provided copies of the required state permits at this time.

II. QUESTION(S) BEFORE THE BOARD:

Use Permit Criteria and Staff Findings:

Use permits (UP) are intended to allow the Board of Commissioners flexibility in the administration of the UDO. Through the UP 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 UP, certain criteria must be satisfied. The criteria and suggested findings of fact are outlined as follows:

1. The use will not endanger the public health or safety.

Suggested Findings:

- a. The proposed development will be accessed from existing Beacon Hill Court off of NC12 and will not endanger the public health or safety assuming wastewater concerns are resolved as proposed.

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

Suggested Findings:

- a. The use is proposed within an existing PUD which currently has multifamily use and is surrounded by residential use. The use will not injure the value of adjoining or abutting lands and will be in harmony with the lands in which it is located.

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

Suggested Findings:

The 2006 Land Use Plan classifies this site as full service within the Corolla subarea. Insert LUP classification narrative. The proposed use is in keeping with the policies of the plan, some of which are:

POLICY WS3: Currituck County endorses UTILITIES EXTENSION POLICIES that focus water and sewer services (1) within existing developed areas and in nearby targeted growth areas identified as Full Service and Limited Service areas, (2) where development densities would make the provision of all public services more efficient, (3) where the land is particularly well suited for development and (4) away from environmentally sensitive areas, such as areas with extensive wetlands or the northern beaches of the Outer Banks.

POLICY WS8: CENTRAL AND PACKAGE TREATMENT PLANTS shall be designed using best available technology to eliminate or reduce odors. In addition, such plants shall be properly located so as not to adversely impact nearby land uses.

POLICY TR8: Local streets shall be designed and built to allow for convenient CIRCULATION WITHIN AND BETWEEN NEIGHBORHOODS and to encourage mobility by pedestrians and bicyclists. Care shall be taken to encourage local street “connectivity” without creating opportunities for cut-through traffic from outside the connected areas.

POLICY TR12: New residential developments shall provide for the installation of PAVED PUBLIC ROADWAY AND DRAINAGE INFRASTRUCTURE at the time of development. This policy is intended to prevent the creation of substandard developments that must later correct for infrastructure problems that could have been avoided, had they been installed properly from the beginning. Family subdivisions and non-asphalt roads serving the northern beaches are the only exceptions to this policy.

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

Suggested Findings:

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

III. TECHNICAL REVIEW COMMITTEE RECOMMENDATION:

Pursuant to the Unified Development Ordinance, the Technical Review Committee recommends approval with the following conditions:

1. The project shall not move forward to the next stage of development (preliminary plat) until state permits for wastewater are provided.
2. The counties well field in Corolla Light shall not be used as sewer green space.
3. All cost for the Monterey Shores Treatment Plant expansion shall be paid by OBV or the developers of Corolla Light Phases 10, 12, 13 and 14.
4. Development shall not occur on phases 10, 12, 13, or 14 of Corolla Light until such time the required wastewater capacity is made available.

IV. PLANNING BOARD RECOMMENDATION:

Mr. Cooper moved to approve PB 84-11 with the findings of fact and the technical review committee recommendations 1-4 included in the case analysis. Ms. Wilson seconded the motion. Motion carried unanimously.

PLANNING BOARD DISCUSSION (8/13/13)

Mr. Cooper asked if the open space that is being abandoned now is not required open space and if any of the Monterey Shores existing customers will be affected by the cost of the expansion.

Mr. Litteral stated that is correct.

Mr. Burgin stated he is working for Outer Banks Ventures in regards to the consolidation of the wastewater at the Monterey Shores treatment plant. Mr. Burgin provided an overview of the wastewater plan. Mr. Burgin stated neither the Monterey Shores nor Corolla Light existing customers will bear any of the costs of the expanded treatment facilities to service them. Outer Banks Ventures will incur all the costs.

Ms. Wilson read a statement from Ms. Simons who is a homeowner on Beacon Hill and is concerned with the increase traffic that will occur on Beacon Hill with the residential development of Phase 12.

PLANNING BOARD ACTION

Mr. Cooper moved to approve PB 84-11 with the findings of fact and the technical review committee recommendations 1-4 included in the case analysis. Ms. Wilson seconded the motion. Motion carried unanimously.

Commissioner Martin questioned whether the property could be reclaimed for sewer if the project was not constructed. Mr. Woody replied affirmatively.

Commissioner Petrey questioned whether Corolla Light plants 1 and 2 would be moved to Monterey Shores and would this project affect the move? Would the 9000 additional gallons needed be at the expense of the developer?

Commissioner Griggs questioned whether the rezoning would stand if the project was not constructed.

Mr. Woody replied the conditions would have to be met.

Mr. Griggs asked if the state permit were altered, could change occur?

Chairman O'Neal stated any changes would have to come back to the Board.

Chairman O'Neal opened the Public Hearing.

David Maso, Kill Devil Hills, the applicant, was there to answer questions.

Commissioner Petrey asked about a buffer and whether the live oaks would stay. He also had concerns about the wastewater.

Mr. Maso responded the live oaks would be kept. Carolina Water was okay with the capacity.

There being no further comments, Chairman O'Neal closed the Public Hearing.

Commissioner Petrey moved to continue PB 84-11 until a State permit for the Monterey Shores wastewater expansion is approved and actual wastewater capacity is available to service Phase 12 at full build-out. Commissioner Griggs seconded the motion. Motion failed since the vote was tied, with Commissioners Petrey, Griggs, and McCord voting for continuance and Chairman O'Neal and Commissioners Martin and Gilbert voting against.

Commissioner Gilbert moved to approve PB 84-11 with the staff findings and recommendations included in the case analysis. Commissioner Martin seconded the motion.

Motion failed since the vote was tied, with Chairman O'Neal and Commissioners Martin and Gilbert voting for approval and Commissioners Petrey, Griggs, and McCord voting against.

Commissioner Petrey noted the owner's two-year track record was not good. The Board was deadlocked.

Chairman O'Neal pointed out the developer would not be able to move forward with the next step without approval. Future steps would address the concerns expressed by the other Commissioners.

Commissioner McCord moved to approve PB 84-11 with the staff findings and recommendations included in the case analysis. Commissioner Martin seconded the motion. Motion carried with Commissioners Petrey and Griggs voting against.

B) Public Hearing and Action: PB 09-35 Rachel's Ranch: Request for a special use permit for an outdoor recreation facility located at 160 Owens Road, Powells Point, Tax Map 123, Parcel 6B, Poplar Branch Township.

Sworn testimony was given prior to making comments.

Ben Woody, Planning and Community Development Director, reviewed the request, comments from the Technical Review Committee, and Planning Board recommendation.

**CASE ANALYSIS FOR THE
BOARD OF COMMISSIONERS
DATE: September 3, 2013
PB 09-35 Rachel's Ranch Special Use Permit**

NOTE:	<i>This item is being reviewed under the previous UDO since TRC comments made under that UDO were valid until July 16, 2013.</i>
ITEM:	PB 09-35 Rachel's Ranch special use permit request for an outdoor recreation facility.
LOCATION:	160 Owens Road, Powells Point, Poplar Branch Township.
TAX ID:	0123-000-006B-0000
ZONING DISTRICT:	Agricultural (AG)
PRESENT USE:	Farmland
OWNER:	Charles Edward Younts, Jr 7764 Caratoke Hwy Powells Point NC 27966

DEVELOPER: Rachel Younts Penland
7764 Caratoke Hwy
Powells Point NC 27966

ENGINEER: Rick House
House Engineering PC
PO Box 466
Kitty Hawk NC 27949

LAND USE/ZONING OF SURROUNDING PROPERTY:

	Land Use	Zoning
NORTH:	Low density residential/active farmland	AG
SOUTH	Low density residential/mining operation	AG
EAST:	Active farmland	AG
WEST:	Low density residential/active farmland	AG

LAND USE PLAN

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

SIZE OF SITE: 47.5 acres

UTILITIES: The development will be served by portable lavatories. The applicant indicates on the site plan that they will install 1,000 linear feet of 6" PVC water main to the Currituck County water main along Bayview Road. County water does not run along Bayview Road. The closest water line is along Caratoke Highway, approximately $\frac{3}{4}$ of a mile from the site.

V. NARRATIVE OF REQUEST:

The applicant is proposing a multi-use outdoor recreational facility. The proposal features a summer concert series with a variety of national, international, and local performing artist. The project expects two to three events during weekdays in season.

VI. OUTSTANDING TECHNICAL REVIEW COMMITTEE COMMENTS:

1. A copy of the private solid waste disposal contract is required prior to permit approval. (UDO 9.5) (Planning)
2. Identify the 10' x 35' site triangles at entrance(s) on the site plan. (DRP) (Planning)
3. Correct existing Owens Road (SR 1117) right-of-way width to 16'. The plat measures at 18'. A previous NCDOT review indicates that this right of way width is 16'. (Planning)
4. Hard service accessible parking required, accessible route required to event restrooms and vendors. Calculate occupancy and show exit size and location. (Inspector)
5. Provide State Stormwater and E&SC Permits. (Engineer)
6. Provide a Stormwater Management Plan. (Engineer)
7. Show existing ditch to be re-routed so as not to impede any upstream flow. The existing ditch is shown on the existing conditions, but is not shown with its connection to the proposed grading and drainage system. (Engineer)
8. A 20' right-of-way is required for Fire and EMS vehicle access. Owen's Road is only 16' wide. Is there the availability of a second access to the site? (Fire Marshal)
9. Can pressurized fire hydrants be brought to the site? (Fire Marshal)

10. The Site and Utilities Plan states that the recreation area will be connected to a waterline along Bayview Road. There is no water line on Bayview Road. (Public Utilities)
11. Will need to consult with NC Public Water Supply Branch for public water supply approval and proposed use of a water truck. (ARHS)
12. Consult with a professional engineer to determine a plan and estimate in writing the number of portable bathrooms needed to accommodate employees and crowd in order to provide proper sanitary conditions at event. (ARHS)
13. All temporary food vendors and event coordinators will need to apply at least 15 days prior to even with Health Department in order to obtain required permits. (ARHS)
14. 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. (NCDENR)

III. QUESTION(S) BEFORE THE BOARD:

Special Use Permit Criteria and Staff Findings:

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

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

1. Completeness of application.
Suggested Findings:
 - a. The application is complete.
2. The proposed use is among those listed in the Table of Permissible Uses as a special use indicated with an "S".
Suggested Findings:
 - a. The proposed use is allowed with a special use permit. (Note: This use is not allowed in the AG district under the new UDO.)
3. The conditions proposed meet or exceed the minimum requirements of this ordinance.
Suggested Findings:
 - a. The conditions proposed do not meet the minimum requirements of this ordinance in regards to Fire and EMS access and water supply.
4. The special use will not endanger the public health or safety:
Suggested Findings:
 - a. This special use will endanger the public health and safety since there is not an adequate 20' wide right-of-way for Fire and EMS access.
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. This special use will not be in harmony with the area in which it is located. The lack of primary access to the highway may contribute to the lack of harmony. The area is primarily low density residential dwelling units.

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 Limited Service within the Point Harbor subarea. The Point Harbor Subarea Summary of Area Character warns of the potential for conflicts between land uses. The area must be watchful not to allow poorly planned non-residential uses to adversely impact the character of the area and the peace and quite traditionally enjoyed by its residents. The proposed use is not in keeping with the policies of the plan, some of which are:

- TR11: "Access to higher intensity development shall generally not be permitted through an area of lower intensity development. For example, access to a multi-family development, a major park facility, or other large traffic generator shall not be permitted through a local street serving a single-family residential neighborhood." Note: Staff expresses concern for the amount of traffic generated from the commercial establishment accessing Owens Road, a local street. Owens Road (SR 1117) is a 16' wide gravel road serving approximately three lots, including one single family dwelling. It should be noted that NCDOT issued a commercial driveway permit for the subject property during a previous review.
- CD5: "Incompatible or poorly planned commercial encroachment within or immediately adjoining existing residential areas shall be prohibited. Such incompatible encroachments often include, but are not limited to, large scale commercial uses or automobile oriented commercial uses such as service stations, car lots, car washes, drive through restaurants, and the like."

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. Although the county has adequate facilities and infrastructure to service this use, Fire and EMS would have great difficulty servicing the site due to inadequate right-of-way widths and improvements.

IV. STAFF RECOMMENDATION:

The submittal does not appear to meet all of the requirements for approval and **TRC recommends denial** of this special use permit subject to the above finds of fact.

V. PLANNING BOARD RECOMMENDATION:

Ms. Bell moved to deny PB 09-35 with the findings of facts and staff recommendations in the case analysis. Mr. Craddock seconded the motion. Motion carried unanimously.

PLANNING BOARD DISCUSSION (8/13/13)

Mr. House stated he has been on this project since 2002. Mr. House talked about different options for access to the property. Mr. House stated this request is very similar to the traffic generator of Muddy Motor Sports Park. Mr. House stated buffering/berms could be used to help with noise. Mr. Craddock stated that he spoke to Brent Bass at the Department of Transportation. Mr. Bass stated that Owens Road was one of the anomalies in the state where the state maintains the road, but the state does not own a right-of-way. The only way this road would have a legal right-of-way is if the land owners on each side of the road would grant a right-of-way easement to the state.

Ms. Heider stated she is concerned with noise, traffic, falling home values, and quality of life. Ms. Heider is asking the board to deny this request.

Mr. Griffin stated he agrees with Ms. Heider. Mr. Griffin is asking the board to deny this request.

Mr. House stated noise could be lessened with buffering or berms, traffic could be controlled with hours of operation for events and lighting can be controlled. This would bring jobs to Currituck and it is a good thing.

Chairman O'Neal opened the Public Hearing.

Rick House, House Engineering, related the difficulties in obtaining access to the property for emergency vehicle access due to the width of the NCDOT right-of-way. Adjacent property owners were unwilling to grant access. The applicant was asking for approval to bring concerts, kid's camp, drive in theater, and other various uses to keep tax dollars in the county. He totally supported the project.

Andrea Blackburn, Kill Devil Hills, supported the project as more recreational opportunities were needed.

Lyndie Costello, Kill Devil Hills, supported the music venue and keeping business local.

Jerry Welch, South Mills, supported the project as a wonderful opportunity to bring revenue, employment and entertainment to the area.

Robert Griffin, Poplar Branch, was adamantly opposed to the project. His mother's home is the second closest residence to the property. He stated it does not meet the character of the area and is not in harmony with the surroundings.

Roy Etheridge, Jarvisburg, supported the project. He owns the adjacent property.

Fannie Newbern, Powells Point, owns property on three sides of the project and opposed the project. She asked the Board to deny the request and requested that all who opposed the project to stand.

Julie Folwick, Jarvisburg, lives close by and opposed the project due to a negative impact regarding traffic, security, litter and decline in property values.

Rachel Younts, Kill Devil Hills, developer, stated she had put much time and effort in the project over the last three years. Regarding sound, the stage would be positioned away from residences. She had asked for an easement over county-owned property with no response.

Commissioner McCord asked the number of events planned. Response was 2-3 per week for 12 weeks.

Chairman O'Neal asked Mr. Woody to state again the staff findings regarding access.

Fisher Estenfeld, Kill Devil Hills, planner and producer of events stated steps had been taken to assure congruence with the area. With new technology regarding lights and sound, concerns would be addressed. The public's concerns were being taken seriously and quality of life had been taken into consideration. He asked supporters of the project to stand.

Commissioners still had concerns with public safety and limited access.

Commissioner Griggs questioned the county's position should the project be approved without consideration of the access question.

County Attorney, Ike McRee, stated the decision could be overturned.

Mr. House stated that three findings would go away if access was solved.

Ms. Younts stated that three residents at the end of Owens Road were not opposed to the project.

There being no further comments, Chairman O'Neal closed the Public Hearing.

Commissioner Martin moved to deny PB 09-35 with the staff findings and recommendations included in the case analysis. Commissioner Griggs seconded the motion. Motion carried unanimously.

Chairman O'Neal declared a five minute recess.

After the recess, Chairman O'Neal called the meeting to order.

C) Public Hearing and Action: PB 13-16 Rosewood: Request for a preliminary plat/use permit for a 43 lot conservation subdivision located in Moyock, along both sides of Elrod Road, west side of Poyners Road, and the south side of Tulls Creek Road, Tax Map 31, Parcels 1A, 1B, 1D, 15A, and 17A, Moyock Township.

Sworn testimony was given prior to making comments.

Ben Woody, Planning and Community Development Director, reviewed the request, comments from the Technical Review Committee, and Planning Board recommendation.

**CASE ANALYSIS FOR THE
Board of Commissioners
DATE: September 3, 2013
PB 13-16 Rosewood**

ITEM: PB 13-16 Rosewood, Preliminary Plat/Special Use Permit for a 43 lot conservation subdivision.

LOCATION: In Moyock, along both sides of Elrod Road, west side of Poyners Road, and the south side of Tulls Creek Road, Moyock Township.

TAX ID: 0031-000-001A-0000; 0031-000-001D-0000; 0031-000-015A-0000; 0031-000-017A; 0031-000-001B-0000

ZONING DISTRICT: Single Family Mainland (SFM); Conditional District Single Family Mainland (CD-SFM); and Agricultural (AG)

PRESENT USE: Agriculture

OWNER: Harbinger Land and Timber, LLC
PO Box 4
Harbinger NC 27941

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

LAND USE/ZONING OF SURROUNDING PROPERTY:

	Land Use	Zoning
NORTH:	Low density residential	SFM
SOUTH	Low density residential	AG
EAST:	Low density residential	SFM/AG
WEST:	Low density residential/woodlands	AG

LAND USE PLAN

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

SIZE OF SITE: 57 acres

NUMBER OF UNITS: 43 Residential Lots

PROJECT DENSITY: SFM = 1 unit per acre (37.68 acres = 37 Units)
AG = .33 units per acre (19.32 acres = 6 Units)

CONSERVATION: 22.80 acres required conservation area (40% x 57 acres)

AREA 19.32 acres conservation area provided.

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

I. NARRATIVE OF REQUEST:

1. Harbinger Land and Timber LLC is requesting preliminary plat/special use permit approval of a 43 lot residential subdivision with an overall project density of 1 unit per acre in the SFM zoning district and .33 units per acre in the AG zoning district.
2. The purpose of a conservation subdivision is to provide landowners in the AG and SFM zoning districts a development option that provides additional development flexibility to build on smaller lots when additional open space set-asides are provided and the development is designed and located in a way that protects the agricultural activities or natural and historic features on the site. The applicant is proposing to conserve wetlands.
3. Parcel 0031-000-001B-0000 (15.49 acres) has been transferred to Fellowship Baptist Church.

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. The use will not endanger the public health or safety.
Suggested Findings:
 - a. The use should have little to no impact on public health or safety.
2. The use will not injure the value of adjoining or abutting lands and will be in harmony with the area in which it is located.
Suggested Findings:
 - a. The use will not injure the value of adjoining or abutting lands and will be in harmony with the area as the subdivision is of similar density to the surrounding area; and,
 - b. The developer expects that the homes will be between 1,200 to 1,800 square feet in size and with home/lot values of \$180,000 to \$225,000. This is in harmony with the surrounding neighborhood.
3. The use will be in conformity with the Land Use Plan or other officially adopted plans.
Suggested Findings:
The 2006 Land Use Plan classifies this site as Limited Services within the Courthouse subarea. The Limited Services area is to provide for primarily residential development at low densities. The policy emphasis is for the Courthouse area to continue to grow as a small community center. 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 (2) or more dwelling units per acre. Projects within areas designated as Limited Service would be permitted a density of one (1) to one and one half (1.5) units per acre depending upon the surrounding development pattern and availability of resources. 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 HN3: Currituck County shall especially encourage two forms of residential development, each with the objective of avoiding traditional suburban sprawl:

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

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

4. The 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:

Suggested Findings:

- a. The proposed 43 lot subdivision will not exceed the county's ability to provide adequate public facilities.

III. TECHNICAL REVIEW COMMITTEE RECOMMENDATION:

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

1. Since the minimum required conservation area is 22.80 acres and the available conservation area on the site exceeds the minimum, the entire 22.80 acres must be conserved. The plat is showing 19.32 acres conservation area and 3.94 acres of open space that is not within the conservation area. (Section 6.4.4.C.2)

2. Need to establish minimum dimensional standards for setbacks and lot coverage. This can be depicted in site data and/or on a diagram at final plat. (UDO Section 6.4.4.F and G)
3. The TRC recommends payment in lieu of recreation and park area dedication. (UDO Section 6.5.4)
4. Provide NCDOT driveway permit. (Administrative Manual)
5. Submit street name approval form to GIS for review and approval. (Administrative Manual)

IV. PLANNING BOARD RECOMMENDATION:

Mr. Cooper moved to approved PB 13-16 with the findings of facts and the technical review recommendations included in the case analysis. Mr. Cartwright seconded the motion. Motion carried unanimously

PLANNING BOARD DISCUSSION (8/13/13)

Mr. Hyman provided an overview of the project. Mr. Hyman stated concerns with buffering have been addressed and a homeowners association would be formed so residents have a point of contact.

Ms. Belote stated she is not opposing this request but would like to have a fence to keep trespassers out from her property.

Mr. Hyman stated a fence could not be put up across the church property, but he feels they have adequately addressed this with buffering, setbacks, and a pond.

Commissioner McCord questioned the acreage. The total was 150 acres, but the subdivision would be 57 acres including lots and open space.

Commissioner Petrey asked about the buffer which was discussed previously.

Eddie Hyman, Hyman and Robey, explained the plans were changed to provide 150 feet of utility open space.

Chairman O'Neal opened the Public Hearing.

Mr. Hyman stated the process had been reviewed and the current request meets the concerns.

Jeff Grzebin, Moyock, opposed the project, noting the incompatibility with the rural lifestyle currently enjoyed. He was also concerned with agriculture.

Richard Royals, Moyock, was opposed to the project, concerned about the loss of peace and quiet.

Janet Rose, Moyock, was opposed to the project. Even though the boundary had been moved away from her property, she questioned what could happen in the future with the open space.

Mr. Woody responded any change of use would have to come back before the Commissioners.

There being no further comments, Chairman O’Neal closed the Public Hearing.

Commissioner Gilbert moved to approve PB13-16 with the staff findings and recommendations included in the case analysis. Commissioner Martin seconded the motion. Motion carried unanimously.

D) Public Hearing and Action: PB 94-18 Malco Mine, Phase 2: Request for a (special) use permit modification to expand an existing mining operation at 136 Griggs Acres Road in Point Harbor, Tax Map 132 Parcel 159, Poplar Branch Township.

Sworn testimony was given prior to making comments.

Ben Woody, Planning and Community Development Director, reviewed the request, comments from the Technical Review Committee, and Planning Board recommendation.

**CASE ANALYSIS FOR THE
Board of Commissioners
DATE: September 3, 2013
PB 94-18 Malco Mine, Phase 2, Special Use Permit Modification**

ITEM: PB 94-18 Malco Mine, Phase 2, Special Use Permit Modification

LOCATION: Point Harbor: 136 Griggs Acres Road

TAX ID: 0132-000-0159-0000

ZONING DISTRICT: Agricultural (AG)

PRESENT USE: Extractive Industry - Mining Operation

OWNER: James I. Malco
135 James Griggs Road
Point Harbor, NC 27964

APPLICANT: TR Equipment Company, Inc.
PO Box 190
Harbinger, NC 27941

LAND USE/ZONING OF SURROUNDING PROPERTY:

	Land Use	Zoning
NORTH:	Undeveloped - Woodland	GB
SOUTH	Low Density Residential	SFM
EAST:	Utility/Low Density Residential	SFM
WEST:	Undeveloped/Low Density Residential	SFM/GB

**LAND USE PLAN
CLASSIFICATION:**

The 2006 Land Use Plan classifies the site as **Limited Services** within the **Point Harbor** subarea.

SIZE OF SITE:

46.1 acres

SIZE OF MINE:

14.7 Acres
Existing Mine: 13.8 Acres
Expansion: 0.9 Acres

WETLANDS:

7.5 Acres (NCDENR, DCM)

STREETS:

The mine access is from a private road off of SR 1101 (Griggs Acres Road)

UTILITIES:

There will be no new utilities associated with the use.

I. NARRATIVE OF REQUEST:

1. The applicant is seeking modifications to the special use permit. The modifications include:
 - a. Mine expansion of 0.9 acres. The expansion area includes an unexcavated buffer for the haul road and stockpile of materials. In addition new excavation area is proposed near the existing private road.
 - b. Reduction in setback along the western property line and a portion of the northern property line.
 - c. Removal of permit condition 2 which places a restriction on mine size. This is being removed to allow staff to approve expansions of the mine up to 40% of the total tract as allowed by the UDO.
2. The existing operation (cumulative total of 13.8 acres including all phases) was approved by the Board of Commissioners on October 4, 2004. The permit is valid for ten years. The Board of Commissioners, at request of the applicant, can grant the UP for ten years from the date of the approval.
3. The mining operation has maintained compliance with the state permits and the county special use permit for the past five years.

II. USE PERMIT REVIEW STANDARDS:

Use Permit Criteria and Staff Findings:

Although, this request is a modification of the existing Special Use Permit, this application is being reviewed under the current standards that require a Use Permit. Use permits (UP) are intended to allow the Board of Commissioners flexibility in the administration of the UDO. Through the UP 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 UP, certain criteria must be satisfied. The criteria and staff findings of fact are outlined as follows:

1. The use will not endanger the public health or safety.

Staff Findings:

- a. The 0.9 acre expansion of the 14.7 acre existing mining operation should have little or no additional impact on public health or safety.
- b. The site will be posted for "No Trespassing" every 250 feet.

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

Staff Findings:

- a. The existing mining activities have been operational for the past 19 years.
- b. The surrounding land uses include farmland, undeveloped properties, Dominion Power transition site and low density residential.
- c. The UDO permits mining operations in the Agricultural zoning district with a use permit.

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

Staff Findings:

The 2006 Land Use Plan classifies this site as Limited Services within the Point Harbor subarea. The policy emphasis of the Point Harbor subarea is to allow the area to continue to evolve as a full service community, but with better attention to the planning needed to protect residential areas and natural features that make the area so attractive. The proposed use is in keeping with the policies of the plan, some of which are:

- a. The 2006 Land Use Plan classifies this site as Limited Services within the Point Harbor subarea. The proposed expansion is in keeping with the policies of the plan, such as:

Policy ID8: MINING ACTIVITIES, or secondary impacts of mining activities not subject to permit approval by the State of North Carolina, may be subject to review and management by Currituck County. Activities to be addressed may include, but not be limited to, the adequacy of roads serving the mine site, visual impacts during operation and after closing of the mine site, noise and dust considerations, etc.

- b. The UDO permit extractive industries in the Agricultural (AG) district with the issuance of a use permit.

4. The 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).

Staff Findings:

- a. The proposed mine expansion will have no impact on schools.
- b. The county should have adequate public facilities to service this subdivision.

III. TECHNICAL REVIEW COMMITTEE RECOMMENDATION:

Pursuant to the Unified Development Ordinance, the Technical Review Committee recommends approval subject to the following plan corrections: (Cross through text is to be removed and underlined text is to be added)

1. If at any time the State permit issued for this mining operation is suspended or revoked, the suspension or revocation shall cause this Special Use Permit to become void.

2. ~~No more than 30% of the total tract, or 13.83 acres, tract shall be excavated at any given time during the mining operation and after completion. The permit is allow the mining of Phase 2 for a total of 6.90 acres.~~
3. Any modifications to the State permits shall be filed within 10 working days of issuance or submittal in the Planning/inspections Department of Currituck County.
4. This special use permit shall be valid for a period of ten years from the date of permit issuance. granted. The Planning Director may, upon receiving a written request for extension, grant an extension not to exceed ten years provided the existing mine has maintained compliance with all applicable state and local regulations
5. The maximum dewatering depth shall be 25' below natural ground or an elevation of -16' below mean sea level.
6. The maximum mining depth shall be 34' below natural ground or an elevation of -25' below mean sea level.
7. A benchmark shall be set proximate to the new mining area to establish the elevation of the natural ground. The benchmark location shall be shown on the mining site plan.
8. The hours of operation of all mining related activities on this site, as determined by the Currituck County Board of Commissioners shall be Monday through Friday from 7 am to 5 pm, Saturday 7 am to 5pm, and no mining activity shall occur on Sunday.
9. No mining activity shall take place in the 120' VEPCO power easement until a written agreement has been reach. The agreement shall be filed within 10 working days of the issuance with the Planning/Inspections Department of Currituck County.
10. Mined materials shall not be stored in excess of 25' in height.
11. All roads utilized to access the mining site shall be maintained free of dust and sediment and shall be properly graded and drained.
12. All trucks hauling mined materials shall be covered with a tarpaulin.
13. Stockpile areas and overburden to be used for future reclamation shall be placed where it will not be disturbed by normal mining activities and shall be stabilized to reduce wind and water erosion.
14. No bulk waste, hazardous waste, commercial waste, garbage, construction or demolition waste shall be placed on the site.
15. Off-site discharging of water from the mine site is permitted under this permit. The County may take random samples and have the results tested for settleable solids, turbidity, and pH at the operator's expense. Such testing shall not exceed six tests per year.
16. "No Trespassing" signs shall be posted around the site being mined at a minimum distance of 250 feet apart indicating that a mining operation is being conducted on the property.
17. Reclamation shall be conducted simultaneously with mining operations. Annual reclamation reports shall be submitted to the Planning/Inspections Department of Currituck County within 10 days of being filed with the State.
18. Drainage patterns shall not be altered so as to cause flooding off-site while the permit is valid and after reclamation.
19. All provisions of State and local permits issued for the operation shall be met.
20. No mining activities shall adversely affect surrounding in use wells. Any person owning or operating a mining site in a manner that adversely affects an in use well through contamination or diminution of groundwater shall provide the well owner with a replacement water supply or equal quantity and quality.
21. A reserve fund shall be established, to be held by the property owner, to finance the initial capital expenses of establishing the anticipated future lake use of the property. At a minimum, the estimated capital expense shall be an amount equal to \$1,000 times the number of acres in the total site. The reserve fund shall include an assumed inflationary

rate of 5% per year for the expected life of the mining site. Any funds held by the State of North Carolina pursuant to G.S. 74-54 will be credited towards the required amount.

22. The owner shall place funds in the reserve annually in amounts equal to the capital cost estimates provided above divided by the number of years the mining site will be open.
23. The annual amount shall be calculated as follows:

$$46.1 \text{ acres} \times \$1,000 = \$46,100 - \$11,900 \text{ State Bond} = \$34,200$$

$$\$34,200 / 10 \text{ years} = \$3,420;$$

Year + 5% Inflationary Rate:

Year 1	\$3,420.00
Year 2	\$3,580.50
Year 3	\$3,759.53
Year 4	\$3,947.50
Year 5	\$4,144.88
Year 6	\$4,352.12
Year 7	\$4,569.73
Year 8	\$4,798.21
Year 9	\$5,038.12
Year 10	\$5,290.03

24. The first payment shall be made prior to commencement of excavation activities and evidence of such payment, in the form of a notarized statement by the property owner, must be presented to the administrator. Such evidence shall be submitted annually, along with the total balance of reserve funds, to the administrator on or before the anniversary of the initial notarized statement. In the event the mining operation permanently discontinues before the expected timetable submitted, the owner shall pay all remaining amounts to the reserve fund as evidenced by a notarized statement to the administrator.
25. The reclamation shall be in accordance with the state approved reclamation plan.
26. Should any conditions within this permit conflict with any other permit issued for this activity, then the more restrictive condition shall prevail.
27. That warning signs noting "Truck Entering Highway" be posted on Caratoke Highway before Griggs Acres Road.

IV. PLANNING BOARD RECOMMENDATION:

Mr. Bell moved to approve PB 94-18 with the findings of fact and technical review recommendations included in the case analysis and the following condition:

- Extend the use permit 10 years.

Mr. Clark seconded the motion. Motion carried unanimously.

PLANNING BOARD DISCUSSION (8/13/13)

Mr. Thompson talked about the operations and is requesting the use permit be extended for 10 years.

PLANNING BOARD ACTION

Mr. Bell moved to approve PB 94-18 with the findings of fact and technical review recommendations included in the case analysis and the following condition:

- Extend the use permit 10 years.

Mr. Clark seconded the motion. Motion carried unanimously.

Chairman O'Neal opened the Public Hearing.

Mr. Thompson, the applicant, asked that the permit be amended to change hours of operation to read from dawn to dusk. He would not be operating on Saturday during the peak tourist season and never on Sundays.

There being no further comments, Chairman O'Neal closed the Public Hearing.

Commissioner Gilbert moved to approve PB 94-18 with the staff findings and recommendations included in the case analysis plus approval of operating dawn to dusk, no Saturday operations during the summer season and no Sunday operations. Commissioner McCord seconded the motion. Motion carried unanimously.

New Business**A) Board Appointments:****1. Appointment to ABC Board**

Commissioner Petrey moved to nominate Gary Barco. Commissioner Gilbert seconded the motion. Motion carried unanimously.

B) Consent Agenda:

1. Approval of August 19, 2013 Minutes
2. Budget Amendments
3. Resolution - Surplus 2005 Jeep from Inspections
4. Resolution approving Currituck County to use Raymond James to broker investments
5. CDBG Monthly Status Report
6. Proclamation for Literacy Month

Commissioner Martin moved to approve the Consent Agenda. Commissioner Griggs seconded the motion. Motion carried unanimously.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10540 557000	Refunds	\$ 1,642	
10340 454000	Building Permits		\$ 1,642
		\$ 1,642	\$ 1,642

Explanation: *Inspections (10540)* - Increase appropriations to refund building permit issued in prior fiscal year.

Net Budget Effect: Operating Fund (10) - Increased by \$1,642.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
14460 545000	Contract Services Fund Balance	\$ 120,000	
14390 499900	Appropriated		\$ 120,000
		\$ 120,000	\$ 120,000

Explanation: *Carova Beach Service District (14460)* - Increase appropriations to carry-forward funds from prior fiscal year for service district improvements.

Net Budget Effect: Carova Beach Service District Fund (14) - Increased by \$120,000.

<u>Account Number</u>	<u>Account Description</u>	Debit <u>Increase Expense</u>	Credit <u>Increase Revenue or Decrease Expense</u>
20609 590000	Capital Outlay Fund Balance	\$ 1,682,000	
20390 499900	Appropriated		\$ 1,682,000
		<u>\$ 1,682,000</u>	<u>\$ 1,682,000</u>

Explanation: *Whalehead Subdivision Drainage Dist (20609) - Carry-forward funds for completion of Phases 1-4 of drainage project.*

Net Budget Effect: Whalehead Subdivision Drainage District (20) - Increased by \$1,682,000.

<u>Account Number</u>	<u>Account Description</u>	Debit <u>Increase Expense</u>	Credit <u>Increase Revenue or Decrease Expense</u>
50512 596100	Professional Services T F - Capital	\$ 60,000	
50390 495040	Improvements		\$ 60,000
		<u>\$ 60,000</u>	<u>\$ 60,000</u>

Explanation: *Animal Shelter Construction (50512) - Increase appropriations for the design portion of contract with Virtexco for design and construction of the animal shelter.*

Net Budget Effect: County Governmental Facilities (50) - Increased by \$60,000.

<u>Account Number</u>		<u>Account Description</u>	<u>Debit</u>	<u>Credit</u>
			Increase Expense	Increase Revenue or Decrease Expense
50795	590001	Signage	\$ 200,000	
50380	481000	Investment Earnings		\$ 200,000
			\$ 200,000	\$ 200,000

Explanation: *YMCA/Recreation/Maple Commerce Park (50795) - Increase appropriations for signage for the Maple Community Center & Commerce Park properties.*

Net Budget Effect: County Governmental Facilities (50) - Increased by \$200,000

RESOLUTION

WHEREAS, the Board of Commissioners of Currituck County, North Carolina during its regularly scheduled meeting held on September 3, 2013 authorized the following, pursuant to GS 160A and 270(b), that the property listed below, be sold at auction, on Gov Deals or by advertised sale:

Asset Tag	Description	Serial Number
6002	2005 Jeep	1J4GR48K95C651855

PROCLAMATION

WHEREAS, the need for a literate citizenry in Currituck County has increased with the expanded labor market; and

WHEREAS, many Currituck County citizens experience literacy issues that impact severely on their lives and families, their ability to work productively, and their full participation as citizens and residents of our State; and

WHEREAS, the 2000 Census showed 20 percent of North Carolina’s adult population had not completed high school; and according to the North Carolina Literacy Association, North Carolina’s community colleges, literacy councils, libraries and community-based organizations provided basic skills and literacy services to 162,000 people across the State in 2004-2005; and

WHEREAS, Currituck County Libraries and the College of the Albemarle provide guidance and resources to those wishing to improve literacy in their own or someone else’s life; and

WHEREAS, the promotion of a literate population should be a primary goal of every governmental unit; and

NOW, THEREFORE, BE IT PROCLAIMED that September 2013 is proclaimed as “NATIONAL LITERACY MONTH” in Currituck County, and all fellow citizens are challenged to become invested in making the eradication of illiteracy in Currituck County a reality.

C) Commissioner’s Report

Commissioner McCord congratulated the Currituck County High School football team on two wins so far.

Chairman O’Neal noted Commissioner Aydlett was absent due to illness.

Chairman O’Neal directed County Manager Scanlon to make a presentation at the next meeting on the various types of revenue sources received by the County and how they may be used for capital projects.

D) County Manager’s Report

No report.

Special Meeting

There being no further business, Commissioner Martin moved to adjourn the regular meeting and reconvene as the Tourism Development Authority. Commissioner Gilbert seconded the motion. Motion carried unanimously.

Tourism Development Authority

A) Budget Amendments

Commissioner Gilbert moved to approve the TDA Budget Amendments. Commissioner Martin seconded the motion. Motion carried unanimously.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
15447-545006	Hist Jburg Colored School	\$ 11,000	
15320-415000	Occupancy Tax		\$ 11,000
		\$ 11,000	\$ 11,000

Explanation: Occupancy Tax - Tourism Related (15447) -Increase appropriations for operating costs associated with the Historic Jarvisburg Colored School.

Net Budget Effect: Occupancy Tax Fund (15) - Increased by \$11,000.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
15447-545001	Beach Services	\$ 49,284	
15447-545002	Historic Preservation	\$ 326,380	
15447-592000	Whalehead Club	\$ 89,528	
15390-499900	Fund Balance Appropriated		\$ 465,192
		\$ 465,192	\$ 465,192

Explanation: Occupancy Tax - Tourism Related (15447) - Carry-forward funds from prior fiscal year for projects in process as follows:

<u>Prior Year PO</u>	<u>Description</u>	<u>Amount</u>
20131235	Ocean Rescue	\$ 49,284
20130359	Whalehead dredging	\$ 29,492
20130361	Whalehead dredging	\$ 34,325
20130377	Whalehead dredging	\$ 25,711
20130364	Historical Overviews Manuscript	\$ 1,500
20130373	Historical Overviews Manuscript	\$ 4,000
20130379	Historical Overviews Manuscript	\$ 3,000
20130791	Prelim proposal for book design	\$ 27,777
20130792	1500 copies of historical book	\$ 16,337
20131414	Historic Colored School	\$ 9,321
	Funding for Jarvisburg School and Historic Jail	\$ 264,445
		\$ 465,192

Net Budget Effect: Occupancy Tax Fund (15) - Increased by \$465,192.

Adjourn

There being no further business, Commissioner Gilbert moved to adjourn the Tourism Development Authority meeting. Commissioner Petrey seconded the motion. The meeting was adjourned.

Closed Session

Closed Session pursuant to G.S. 143-318.11(a)(4) to discuss matters relating to the location or expansion of industry or businesses within the county. **DELETED**

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 16th day of September, 2013, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2014.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10440 514000	Travel	\$ 660	
10440 514500	Training & Education	\$ 475	
10330 449900	Miscellaneous Grants		\$ 1,135
		<u>\$ 1,135</u>	<u>\$ 1,135</u>

Explanation: *Finance (10440)* - Increase appropriations to record grant from the NC Local Government Investment Association for Wanda Davis to attend the Cash Management Class at the UNC School of Government on October 1-3, 2013.

Net Budget Effect: Operating Fund (10) - Increased by \$1,135.

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 16th day of September, 2013, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2014.

<u>Account Number</u>	<u>Account Description</u>	<u>Debit</u>	<u>Credit</u>
		<u>Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10640 532004	FCS Supplies	\$ 3,867	
10640 532000	Supplies	\$ 312	
10330 449900	Miscellaneous Grants		\$ 4,179
		<u>\$ 4,179</u>	<u>\$ 4,179</u>

Explanation: *Cooperative Extension (10640) - To record Medicare (SHIIP) grant funds received and reimbursement for multi-county Ag Expo supplies.*

Net Budget Effect: Operating Fund (10) - Increased by \$4,179.

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 16th day of September, 2013, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2014.

<u>Account Number</u>	<u>Account Description</u>	<u>Debit</u> <u>Increase Expense</u>	<u>Credit</u> <u>Increase Revenue or Decrease Expense</u>
50650 590000	Roadways & Utilities	\$ 810,000	
50390 495015	T F - Occupancy Tax		\$ 810,000
		<u>\$ 810,000</u>	<u>\$ 810,000</u>

Explanation: *Maple Commerce Park (50650)* - Increase appropriations for construction of Barco Way. Carry-forward funds for contracts that were approved on May 6, 2013.

Net Budget Effect: County Governmental Construction Fund (50) - Increased by \$810,000.

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

CHANGE ORDER

Order No. 1

Original Agreement Date: 3/14/13

NAME OF PROJECT: Historic Jarvisburg Colored School – School Improvements and Site Work (Phase2)

OWNER: Currituck County

CONTRACTOR: Waldt Construction, Inc.

The following changes are hereby made to the CONTRACT DOCUMENTS:

Work as described in attached Change Order Summary.

Original CONTRACT PRICE: \$86,300.00

The CONTRACT PRICE due to this CHANGE ORDER will be increased by: \$12,586.00

The new CONTRACT PRICE including this CHANGE ORDER will be: \$ 98,886.00

The CONTRACT TIME will be increased to a completion date of October 11, 2013.

ATTEST:

COUNTY OF CURRITUCK

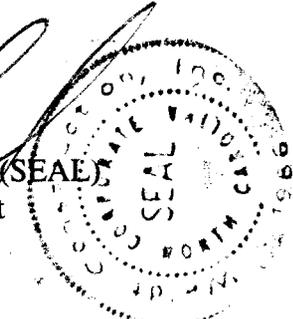
By: _____
Clerk to the Board of Commissioners

By: _____ (SEAL)
Daniel F. Scanlon, II, County Manager

ATTEST:

By: Mandy B. Cervantes
Mandy B. Cervantes, Asst. Secretary

WALDT CONSTRUCTION, INC.
By: Bridge DL McDowell (SEAL)
Bridge DL McDowell, President



This instrument has been preaudited in the manner required by the Local Government Budget and Fiscal Control Act.

Sandra Hill
Finance Officer

**CHANGE ORDER SUMMARY
JARVISBURG HISTORIC SCHOOL**

WALDT CONSTRUCTION CO.

		APPROVED		APPROVED
		STATUS	CO # 1	CO # 2
		PRICE		
1)	Change from spiral to standard snap lock duct	(\$500.00)		
2)	Add Dead and Slide Bolt	\$402.00		
3)	Adjust brick and paver prices	\$45.00		
4)	New sign structure and sign	\$5,742.00		
5)	Stain stairs, riders and deck to second floor	\$447.00		
6)	Adjust light fixture allowance	(\$204.00)		
7)	Delete sash locks and install trim screws	(\$125.00)		
8)	Paint Remainder of Exterior	\$4,830.00		
9)	Correct steps at grade to meet code	\$1,586.00		
10)	Power wash entire exterior	\$558.00		
11)	Replace exterior can lights with surface mount	(\$195.00)		
12)				
13)				
14)				
15)				
TOTAL		\$12,586.00		
TOTAL APPROVED			\$0.00	\$0.00

DELETED

RESOLUTION AUTHORIZING THE LEASING OF CERTAIN REAL PROPERTY TO THE TRUCK ACCESSORY CENTER, INC. FOR A MAXIMUM TERM OF FIFTEEN YEARS PURSUANT TO N.C. GEN. STAT. SECTION 160A-272

WHEREAS, the County of Currituck owns certain property located at 106 Caratoke Highway, Moyock, North Carolina being all of that parcel(s) with the following Parcel Identification Number(s): 000800000040000, (the "Property"); and

WHEREAS, North Carolina General Statute Section 160A-272 permits a county to lease property for a term exceeding ten years and to execute a lease for the property by following any of the procedures authorized for sale of the property; and

WHEREAS, the County has received an offer from The Truck Accessory Center, Inc. to lease a portion of the Property for an initial term of two years with option to renew for successive two year terms up to a maximum of fifteen years and to pay annually the amount of \$18,000.00 during the term of the lease; and

WHEREAS, the Property is not used by the County, is not contemplated for use by the County during the term of the lease and is deemed surplus; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners for Currituck County that:

Section 1. The Board of Commissioners hereby approves lease of the Property to The Truck Accessory Center, Inc. for two years, with the lessee holding the right to renew for additional two year periods not to exceed a maximum of fifteen years.

Section 2. The appropriate county employees are directed to execute any instruments necessary to the lease. The Clerk to the Board of Commissioners shall cause publication of a notice of the lease ten days prior to execution of the lease.

Section 3. This resolution is effective upon its adoption.

ADOPTED the 16th day of September, 2013.

S. Paul O'Neal, Chairman
Board of Commissioners

ATTEST:

Clerk to the Board of Commissioners

R E S O L U T I O N

WHEREAS, Currituck County obtained title to parcel 110B-010-0015-0000 located in the Poplar Branch Township through a property tax foreclosure; and

WHEREAS, this parcel is not currently serving a governmental use or purpose; and

WHEREAS, this parcel holds only a nominal value to Currituck County, and the County would be better served if this parcel was returned to the County tax roll.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Currituck County, North Carolina, during its regularly scheduled meeting held on September 16, 2013, authorized that parcel 110B-010-0015-0000 located in Poplar Branch Township, recorded in Deed Book 496, page 125 is declared as surplus property, pursuant to North Carolina General Statute Section 160A-265.

ADOPTED, this 16th day of September, 2013.

S. Paul O'Neal
Chairman
Board of Commissioners

ATTEST:

Mary S. Gilbert
Clerk to the Board

RESOLUTION AUTHORIZING UPSET BID PROCESS

WHEREAS, The County of Currituck owns certain property, PIN 110B-010-0015-0000, 120 Rita Street, Lot 15, Albemarle Sound Beach Estates, Jarvisburg, NC, located within Poplar Branch Township; and

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

WHEREAS, the County has received an offer to purchase the property described above, in the amount of \$1,600.00, submitted by Rhonda Kirschmann, Norfolk, Virginia.

WHEREAS, Rhonda Kirschmann has paid the required five percent (5%) deposit on this offer;

THEREFORE, THE COUNTY COMMISSIONERS OF CURRITUCK COUNTY RESOLVE THAT:

1. The Board of Commissioners authorizes sale of the property described above through the upset bid procedure of North Carolina General Statute 160A-269.
2. The County Clerk shall cause a notice of the proposed sale to be published. The notice shall describe the property and the amount of the offer, and shall state the terms under which the offer may be upset.
3. Persons wishing to upset the offer that has been received shall submit a sealed bid with their offer to the office of the County Clerk within 10 days after the notice of sale is published. At the conclusion of the 10-day period the County Clerk shall open the bids, if any, and the highest such bid will become the new offer. If there is more than one bid in the highest amount, the first such bid received will become the new offer.
4. If a qualifying higher bid is received, the County Clerk shall cause a new notice of upset bid to be published, and shall continue to do so until a 10-day period has passed without any qualifying upset bid having been received. At that time, the amount of the final high bid shall be reported to the Board of Commissioners.
5. A qualifying higher bid is one that raises the existing offer by not less than ten percent (10%) of the first \$1,000.00 of that offer and five percent (5%) of the remainder of that offer.
6. A qualifying higher bid must also be accompanied by a deposit in the amount of five percent (5%) of the bid; the deposit may be made in cash, cashier's check, or certified check. The County will return the deposit on any bid not accepted, and will return the deposit on an offer subject to upset if a qualifying higher bid is received. The County will return the deposit of the final high bidder at closing.

7. The terms of the final sale are that
 - the County Commissioners must approve the final high offer before the sale is closed, which it will do within 30 days after the final upset bid period has passed, and
 - The buyer must pay with cash at the time of closing.
8. The County reserves the right to withdraw the property from sale at any time before the final high bid is accepted and the right to reject at any time all bids.
9. If no qualifying upset bid is received after the initial public notice, the offer set forth above is hereby accepted. The appropriate County officials are authorized to execute the instruments necessary to convey the property to Rhonda Kirschmann.

Adopted this 16th day of September, 2013.

S. Paul O'Neal, Chairman
Currituck County Board of Commissioners

ATTEST:

Mary S. Gilbert
Clerk to the Board

**RESOLUTION DECLARING OCTOBER 5, 2013
AS
CURRITUCK COUNTY 2013 BIG SWEEP LITTER CLEAN-UP DAY**

WHEREAS, Currituck County is rich in natural resources and beauty; and

WHEREAS, water is a basic and essential need for all life; and

WHEREAS, trash fouls our waterways as well as our landscapes; and

WHEREAS, every citizen should contribute to keeping our environment clean and healthy by working together to preserve clean water and the natural beauty of our surroundings; and

WHEREAS, North Carolina Big Sweep Litter Clean-up is a statewide community effort to retrieve trash from North Carolina's waterways and landscapes;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Currituck County, North Carolina, does hereby declare October 5, 2013, as **CURRITUCK COUNTY 2013 BIG SWEEP LITTER CLEAN-UP DAY** in Currituck County, and does hereby urge every citizen to do his or her part to restore the beauty and function of our waterways by volunteering to participate in the Big Sweep event.

ADOPTED this the 16th day of September, 2013.

S. Paul O'Neal, Chairman
Board of Commissioners

ATTEST:

Mary S. Gilbert
Clerk to the Board

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

Approved: _____

Date: _____

County: Currituck

Contact Person: Laurie Trussell

LEA: Currituck County Schools

Title: Finance Officer

Address: 2958 Caratoke Highway

Phone: 252-232-2223

Project Title: Lobby Rooftop Unit Replacement

Location: Currituck Middle School

Type of Facility: Middle School (Grades 6-8)

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

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

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

Short description of Construction Project: Replace the lobby rooftop unit for Currituck Middle School.

Estimated Costs:

Purchase of Land	_____	\$	_____
Planning and Design Services	_____		_____
New Construction	_____		_____
Additions / Renovations	_____		100,000.00
Repair	_____		_____
Debt Payment / Bond Payment	_____		_____
TOTAL	_____	\$	100,000.00

Estimated Project Beginning Date: September 2013 Est. Project Completion Date: July 2014

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

The County Commissioners and the Board of Education do hereby jointly request approval of the above project, and request release of \$ 100,000.00 from the Public School Building Capital Fund (Lottery Distribution). We certify that the project herein described is within the parameters of G.S. 115C-546.

(Signature — Chair, County Commissioners) _____ (Date) 7/19/13
 (Signature — Chair, Board of Education) _____ (Date) _____

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

Approved: _____

Date: _____

County: Currituck

Contact Person: Laurie Trussell

LEA: Currituck County Schools

Title: Finance Officer

Address: 2958 Caratoke Highway

Phone: 252-232-2223

Project Title: Technology Roof Replacement

Location: J.P. Knapp Early College High School

Type of Facility: High School (Grades 9-12)

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

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

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

Short description of Construction Project: Replace the roof above the technology department at J.P. Knapp Early College High School.

Estimated Costs:

Purchase of Land _____	\$ _____
Planning and Design Services _____	_____
New Construction _____	_____
Additions / Renovations _____	30,000.00
Repair _____	_____
Debt Payment / Bond Payment _____	_____
TOTAL _____	\$ 30,000.00

Estimated Project Beginning Date: September 2013 Est. Project Completion Date: August 2014

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

The County Commissioners and the Board of Education do hereby jointly request approval of the above project, and request release of \$ 30,000.00 from the Public School Building Capital Fund (Lottery Distribution). We certify that the project herein described is within the parameters of G.S. 115C-546.

(Signature — Chair, County Commissioners) _____ (Date) _____
William F. Obry, Sr., Ed.D. 7/19/10
 (Signature — Chair, Board of Education) _____ (Date) _____

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

Approved: _____

Date: _____

County: Currituck
LEA: Currituck County Schools
Address: 2958 Caratoke Highway

Contact Person: Laurie Trussell
Title: Finance Officer
Phone: 252-232-2223

Project Title: Gym Roof Replacement
Location: J.P. Knapp Early College High School
Type of Facility: High School (Grades 9-12)

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

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

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

Short description of Construction Project: Replace the roof above the gym at J.P. Knapp Early College High School.

Estimated Costs:

Purchase of Land	_____	\$	_____
Planning and Design Services	_____		_____
New Construction	_____		_____
Additions / Renovations	_____		140,000.00
Repair	_____		_____
Debt Payment / Bond Payment	_____		_____
TOTAL	_____	\$	140,000.00

Estimated Project Beginning Date: September 2013 Est. Project Completion Date: July 2014

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

The County Commissioners and the Board of Education do hereby jointly request approval of the above project, and request release of \$ 140,000.00 from the Public School Building Capital Fund (Lottery Distribution). We certify that the project herein described is within the parameters of G.S. 115C-546.

(Signature — Chair, County Commissioners)
William L. [Signature]
(Signature — Chair, Board of Education)

(Date)
7/19/13
(Date)

**Public School Building Capital Fund - Fiscal Year Totals
ADM and Lottery Fund**

8/27/2013

County 26 Currituck

LEA 270 Currituck County

Fiscal Year	Tax Revenue	Interest On Tax Revenue	Interest On Disbursing Bal	Project Allocation	Unallocated Balance	Lottery Revenue	Interest On Lottery Rev	Interest On Disbursing Bal	Project Allocation	Unallocated Balance
1987-88	169,886.54	5,483.64	0.00	0.00	175,370.18	0.00	0.00	0.00	0.00	0.00
1988-89	129,677.79	23,925.94	0.00	0.00	328,973.91	0.00	0.00	0.00	0.00	0.00
1989-90	84,413.97	34,188.99	0.00	0.00	447,576.87	0.00	0.00	0.00	0.00	0.00
1990-91	63,106.04	34,675.55	7,221.88	540,000.00	12,580.34	0.00	0.00	0.00	0.00	0.00
1991-92	65,398.58	3,896.79	41,205.65	61,485.00	61,596.36	0.00	0.00	0.00	0.00	0.00
1992-93	78,135.64	7,469.96	6,160.74	0.00	153,362.70	0.00	0.00	0.00	0.00	0.00
1993-94	87,625.71	12,577.28	0.00	0.00	253,565.69	0.00	0.00	0.00	0.00	0.00
1994-95	107,498.16	20,372.59	0.00	0.00	381,436.44	0.00	0.00	0.00	0.00	0.00
1995-96	129,462.16	29,862.45	0.00	0.00	540,761.05	0.00	0.00	0.00	0.00	0.00
1996-97	123,139.69	39,161.64	0.00	0.00	703,062.38	0.00	0.00	0.00	0.00	0.00
1997-98	140,395.95	49,541.42	0.00	0.00	892,999.75	0.00	0.00	0.00	0.00	0.00
1998-99	155,534.63	59,435.56	0.00	0.00	1,107,969.94	0.00	0.00	0.00	0.00	0.00
1999-00	197,450.22	72,451.14	0.00	0.00	1,377,871.30	0.00	0.00	0.00	0.00	0.00
2000-01	121,033.95	45,355.00	42,683.88	1,439,082.00	147,862.13	0.00	0.00	0.00	0.00	0.00
2001-02	110,537.79	10,468.53	46,148.12	241,340.00	73,676.57	0.00	0.00	0.00	0.00	0.00
2002-03	0.00	3,205.05	0.00	0.00	76,881.62	0.00	0.00	0.00	0.00	0.00
2003-04	153,936.34	5,119.46	0.00	0.00	235,937.42	0.00	0.00	0.00	0.00	0.00
2004-05	218,319.13	8,605.38	1,042.56	386,664.17	77,240.32	0.00	0.00	0.00	0.00	0.00
2005-06	281,045.04	7,031.87	1,689.85	234,316.04	132,691.04	0.00	0.00	0.00	0.00	0.00
2006-07	312,046.19	13,769.77	0.00	0.00	458,507.00	200,154.00	4,444.34	0.00	0.00	204,598.34
2007-08	161,477.14	9,868.31	1,574.35	456,584.52	174,842.28	243,451.00	8,849.59	535.51	203,740.48	253,693.96
2008-09	137,192.84	8,742.52	1,706.95	317,860.30	4,624.29	286,174.00	11,825.29	2,278.41	426,340.21	127,631.45
2009-10	0.00	84.88	142.53	0.00	4,851.70	486,782.00	5,522.21	1,760.42	220,000.00	401,696.08
2010-11	0.00	39.87	494.42	5,249.00	136.99	538,627.00	6,679.30	1,089.22	497,554.78	450,536.82

68

**Public School Building Capital Fund - Fiscal Year Totals
ADM and Lottery Fund**

8/27/2013

County 26 Currituck

LEA 270 Currituck County

2011-12	0.00	1.63	74.81	0.00	213.43	245,665.00	4,249.77	561.24	0.00	701,012.83
2012-13	0.00	1.07	118.60	0.00	333.10	263,391.00	2,371.07	1,167.35	398,559.64	569,382.61
2013-14	0.00	0.12	0.00	0.00	333.22	50,168.00	219.15	97.03	0.00	619,866.79
Totals:	3,027,313.50	505,336.41	150,264.34	3,682,581.03		2,314,412.00	44,160.72	7,489.18	1,746,195.11	

06

Public School Building Capital Fund - Monthly Projects Report
(Sorted by Approval Date)

8/27/2013

26 Currituck

Project Title	DSP#	LEA	Lottery Fund Project	Approval Date	Total Approved	Total Allocated	Beg. Date	Comp. Date	Rpt. Rcvd.
Classroom Addition - W.T. Griggs Elementary		Currituck		4/18/1991	540,000.00	540,000.00	09-01-91	05-31-92	Y
HVAC - Knotts Island Elementary		Currituck		2/17/1992	61,485.00	61,485.00	05-92	09-92	Y
New Construction - Moyock Middle School		Currituck		12/6/2000	1,439,082.00	1,439,082.00	11-00	3-02	Y
School Technology - Moyock Middle School		Currituck		4/25/2002	241,340.00	241,340.00	04-02	06-02	Y
Moyock Elementary Sch -- New Media Center		Currituck		5/20/2005	386,664.17	386,664.17	0205	0106	Y
Shawboro/Sligo & Jarvisburg - New elementary schs		Currituck		4/20/2006	234,316.04	234,316.04	0506	0808	Y
Jarvisburg Elementary School - New Construction		Currituck County		8/22/2007	456,584.52	456,584.52	0307	0408	Y
Jarvisburg Elementary School - Construction		Currituck County	Yes	8/22/2007	203,740.48	203,740.48	03-07	04-08	Y
2008-09 Debt Service - Currituck County High School		Currituck County		3/23/2009	317,860.30	317,860.30	0708	0609	Y
2008-09 Debt Service - Shawboro Elem School		Currituck County	Yes	3/23/2009	426,340.21	426,340.21	07-08	06-09	Y
Knotts Island Elem Sch - replace chiller		Currituck County	Yes	11/20/2009	40,000.00	40,000.00	12-09	01-11	Y
Currituck County Mid Sch - replace HVAC units		Currituck County	Yes	11/20/2009	120,400.00	120,400.00	12-09	01-11	Y
Currituck Co. H.S. - Overhall chiller		Currituck County	Yes	11/20/2009	48,561.78	48,561.78	12-09	01-11	Y
J P Knapp EC High School -- replace chiller		Currituck County	Yes	3/25/2011	134,371.20	134,371.20	04-11	05-11	Y
Laptops for teachers -- pilot program		Currituck County		3/25/2011	5,249.00	5,249.00			Y
Knotts Island E S -- Replace connecting roof to gym		Currituck County	Yes	3/25/2011	14,172.81	14,172.81	01-11	02-11	Y
Griggs E S -- addition of bus canopy		Currituck County	Yes	3/25/2011	59,015.63	59,015.63	04-11	08-11	Y
2010-11 Classroom Teachers		Currituck County	Yes	6/9/2011	277,593.00	277,593.00	08-10	06-11	Y
Currituck Mid Sch and Griggs Elem Sch -- replace rooftop HVAC units and Gym HVAC		Currituck County	Yes	7/25/2012	146,000.00	146,000.00	10-12	12-12	N
Central Elem Sch -- Replace Chiller		Currituck County	Yes	7/25/2012	150,000.00	150,000.00	10-12	12-12	N
J P Knapp EC HS and Moyock ES -- replace cafeteria roofs		Currituck County	Yes	3/26/2013	126,000.00	126,000.00	10-12	12-13	N
COUNTY TOTALS					5,428,776.14	5,428,776.14			

**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 replace lobby rooftop unit at Currituck Middle School.

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

CCMS Lobby HVAC replacement	\$ 100,000
	<u>\$ 100,000</u>

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

Lottery Funds	\$ 100,000
	<u>\$ 100,000</u>

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.

ADOPTED this 16th day of September, 2013.

S. Paul O'Neal, Chairman
Board of Commissioners

ATTEST:

Mary S. Gilbert
Clerk to the Board

**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 to replace roof on Technology Building at JP Knapp School.

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

J P Knapp Technology roof replacement	\$	30,000
		<u>30,000</u>
		<u><u>\$ 30,000</u></u>

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

Lottery Funds	\$	30,000
		<u>30,000</u>
		<u><u>\$ 30,000</u></u>

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.

ADOPTED this 16th day of September, 2013.

S. Paul O'Neal, Chairman
Board of Commissioners

ATTEST:

Mary S. Gilbert
Clerk to the Board

**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 to replace roof on the gym at JP Knapp School.

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

J P Knapp gym roof replacement	\$ 140,000
	<u>\$ 140,000</u>

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

Lottery Funds	\$ 140,000
	<u>\$ 140,000</u>

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.

ADOPTED this 16th day of September, 2013.

S. Paul O'Neal, Chairman
Board of Commissioners

ATTEST:

Mary S. Gilbert
Clerk to the Board

**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 HMGP 4019-016-F purchase and installation of two generators. One 300Kw generator will be installed at the Currituck Community Center and one 100Kw will be installed at the Currituck Cooperative Extension Building, both located at 130 Community Way, Barco, NC.

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

HMGP 4019-016-F Generator Project	\$ 206,000
	<u>\$ 206,000</u>

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

HMPG 4019-016-F Generator Grant	\$ 206,000
	<u>\$ 206,000</u>

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.

ADOPTED this 16th day of September, 2013.

S. Paul O'Neal, Chairman
Board of Commissioners

ATTEST:

Mary S. Gilbert
Clerk to the Board

Quarterly Fiscal Monitoring Report - DMHDDSAS

LME / MCO NAME: East Carolina Behavioral Health

FOR THE PERIOD ENDING:

6/30/2013

of month in the fiscal year (July = 1, August = 2, . . . , June = 12) =====>

12

1. REPORT OF BUDGET VS. ACTUAL

ITEM	Basis of Accounting: (check one) Cash <input checked="" type="checkbox"/> X Accrual	(1)	(2)	(3)	(4)	(5)	(6)
		PRIOR YEAR		CURRENT YEAR			
		2011-2012 BUDGET	ACTUAL	BUDGET	ACTUAL YR-TO-DATE	BALANCE (Col. 3-4)	ANNUALIZED PERCENTAGE **
REVENUE							
Service Fees from LME-Delivered Services							
Medicaid Pass Thru		9,800,000	3,810,795	3,200,000	392,454	2,807,546	12.26%
Interest Earned		98,849	367,180	98,849	396,598	(297,749)	401.22%
Rental Income		77,028	77,028	77,028	70,874	6,154	92.01%
Budgeted Fund Balance * (Detail in Item 4, below)							
Other Local		54,500	284,179	54,500	129,393	(74,893)	237.42%
Total Local Funds		10,030,377	4,539,182	3,430,377	989,319	2,441,058	28.84%
County Appropriations (by county, includes ABC Funds):							
Beaufort County		173,599	173,599	173,599	173,599	-	100.00%
Bertie County		49,390	49,390	49,390	49,390	-	100.00%
Camden County		24,226	23,581	24,226	23,700	526	97.83%
Chowan County		37,111	38,471	32,478	33,954	(1,476)	104.54%
Craven County		274,827	277,866	276,827	277,100	(273)	100.10%
Currituck County		60,300	62,852	60,300	62,611	(2,311)	103.83%
Dare County		70,000	70,000	390,369	249,826	140,543	64.00%
Gates County		39,434	41,844	39,434	38,506	928	97.65%
Hertford County		84,250	85,008	83,750	87,677	(3,927)	104.69%
Hyde County		12,414	12,577	12,414	12,427	(13)	100.10%
Jones County		31,268	27,990	23,906	23,868	38	99.84%
Martin County		51,962	55,662	51,962	54,962	(3,000)	105.77%
Northampton County		81,614	86,567	81,614	77,614	4,000	95.10%
Pamlico County		33,593	35,497	33,593	33,618	(25)	100.07%
Pasquotank County		92,506	95,794	92,506	95,864	(3,358)	103.63%
Perquimans County		29,602	29,405	29,406	29,810	(404)	101.37%
Pitt County		595,500	608,783	595,500	602,688	(7,188)	101.21%
Tyrell County		8,750	9,906	9,906	10,732	(826)	108.34%
Washington County		29,562	29,562	29,562	27,956	1,606	94.57%
Total County Funds		1,779,908	1,814,354	2,090,742	1,965,902	124,840	94.03%
LME Systems Admin. Funds (Cost Model)		6,238,506	5,107,800			-	#DIV/0!
DMH/DD/SAS Administrative Funds (% basis)				4,356,292	4,128,981	227,311	94.78%
DMH/DD/SAS Risk Reserve Funds (% basis)		24,852					#DIV/0!
DMH/DD/SAS Services Funding		40,293,481	39,306,499	40,072,771	35,264,780	4,807,991	88.00%
DMA Capitalon Funding		48,385,357	42,923,270	169,341,905	176,568,989	(7,227,084)	104.27%
DMA Risk Reserve Funding		987,456	875,985	3,501,585	3,603,452	(101,867)	102.91%
All Other State/Federal Funds		1,411,124	1,128,517	692,372	565,274	127,096	81.84%
Total State and Federal Funds		97,340,776	89,342,071	217,964,925	220,131,476	(2,166,551)	100.99%
TOTAL REVENUE		109,151,061	95,695,607	223,486,044	223,088,897	399,347	99.82%
EXPENDITURES:							
System Management/Administration/Care Coordination		15,500,184	15,119,600	23,209,060	18,292,934	4,916,125	78.82%
LME Provided Services							#DIV/0!
Provider Payments		92,819,292	71,454,427	198,627,672	173,560,486	25,067,186	87.38%
Merger Expenses							#DIV/0!
MCO Start-Up Expenses		6,949,352	4,387,101				#DIV/0!
All Other		3,602,490	2,445,932	1,649,313	1,238,369	410,943	75.08%
TOTAL EXPENDITURES		118,871,318	93,407,060	223,486,045	193,091,789	30,394,254	86.40%
CHANGE IN CASH BALANCE			2,288,547		29,994,908		
Beginning Unrestricted Fund Balance			9,053,026		22,423,126		
Balance in DMH/DD/SAS Risk Reserve							
Balance in DMA Risk Reserve			876,582		4,494,346		
Current Estimated Unrestricted Fund Balance and percent of budgeted expenditures		18.86%	22,423,126	20.19%	45,128,913		
2. CURRENT CASH POSITION							
		(1) 30 DAYS	(2) 60 DAYS	(3) 90 DAYS	(4) OVER 90 DAYS	(5) TOTAL	Allowance for Uncollectible Receivables
Accounts Payable (Accrual Method)							
Account Receivable (Accrual Method)							
Current Cash In Bank			71,708,198				
3. SERVICE EXCEPTIONS (Provided Based on System Capability)							
Services authorized but not billed							
4. DETAIL ON BUDGETED FUND BALANCE							
				Budgeted	Year-to-Date	Balance	%
Payments to Providers							#DIV/0!
MCO Start-up Expense							#DIV/0!
LME Merger Expense							#DIV/0!
Other (List):							#DIV/0!

* We certify (a) this report to contain accurate and complete information, (b) explanations are provided for any expenditure item with an annualized expenditure rate greater than 110% and for any revenue item with an annualized receipt rate of less than 90%, and (c) a copy of this report has been provided to each county manager in the catchment area.

LME/MCO Director: [Signature] Date: 8/27/13 LME/MCO Finance Officer: [Signature] Date: 8/23/13 Area Board Chair: [Signature] Date: 8-27-13

cc: County Manager for each county within the catchment area.



EAST CAROLINA BEHAVIORAL HEALTH

FMR REVENUE

For the Twelve Months Ending Sunday, June 30, 2013

	Account Codes	PY Budget	PY Actual	CY Budget	CY Actual	Balance
Service Fees from LME - Delivered Services						
Medicaid Pass Thru	4030:4040	\$9,800,000	\$3,810,795	\$3,200,000	\$392,454	\$2,807,546
Interest Earned	4290	\$98,849	\$367,180	\$98,849	\$396,598	(\$297,749)
Rental Income	4270	\$77,028	\$77,028	\$77,028	\$70,874	\$6,154
Budgeted Fund Balance						
Other Local	4280	\$54,500	\$284,179	\$54,500	\$129,393	(\$74,893)
TOTAL LOCAL FUNDS		\$10,030,377	\$4,539,183	\$3,430,377	\$989,319	\$2,441,058
<hr/>						
Beaufort	4105-+4205	\$173,599	\$173,599	\$173,599	\$173,599	\$0
Bertie	4110-+4210	\$49,390	\$49,390	\$49,390	\$49,390	\$0
Camden	4111-+4211	\$24,226	\$23,581	\$24,226	\$23,700	\$526
Chowan	4113-+4213	\$37,111	\$38,471	\$32,478	\$33,954	(\$1,476)
Craven	4115-+4215	\$274,827	\$277,866	\$276,827	\$277,100	(\$273)
Currituck	4117-+4217	\$60,300	\$62,852	\$60,300	\$62,611	(\$2,311)
Dare	4219	\$70,000	\$70,000	\$390,369	\$249,826	\$140,543
Gates	4120-+4220	\$39,434	\$41,844	\$39,434	\$38,506	\$928
Hertford	4125-+4230	\$84,250	\$85,008	\$83,750	\$87,677	(\$3,927)
Hyde	4133-+4233	\$12,414	\$12,577	\$12,414	\$12,427	(\$13)
Jones	4130-+4235	\$31,268	\$27,990	\$23,906	\$23,868	\$38
Martin	4137-+4237	\$51,962	\$55,662	\$51,962	\$54,962	(\$3,000)
Northampton	4135-+4240	\$81,614	\$86,567	\$81,614	\$77,614	\$4,000
Pamlico	4140-+4245	\$33,593	\$35,497	\$33,593	\$33,618	(\$25)
Pasquotank	4147-+4247	\$92,506	\$95,794	\$92,506	\$95,864	(\$3,358)
Perquimans	4149-+4249	\$29,602	\$29,405	\$29,406	\$29,810	(\$404)
Pitt	4145-+4250	\$595,500	\$608,783	\$595,500	\$602,688	(\$7,188)
Tyrrell	4153-+4253	\$8,750	\$9,906	\$9,906	\$10,732	(\$826)
Washington	4159-+4259	\$29,562	\$29,562	\$29,562	\$27,956	\$1,606
TOTAL COUNTY		\$1,779,908	\$1,814,354	\$2,090,742	\$1,965,902	\$124,840
<hr/>						
LME Systems Admin Funds (Cost Model)	4840	\$6,238,506	\$5,107,800	\$0	\$0	\$0
DMH/DD/SAS Admin Funds (% Basis)	4850	\$0	\$0	\$4,356,292	\$4,128,981	\$227,311
DMH/DD/SAS Risk Resv Funds (% Basis)	4860	\$24,852	\$0	\$0	\$0	\$0
DMH/DD/SAS Services Funding	4390:4835	\$40,293,481	\$39,306,499	\$40,072,771	\$35,264,780	\$4,807,991
DMA Capitation Funding	4045-+4060	\$48,385,357	\$42,923,270	\$169,341,905	\$176,568,989	(\$7,227,084)
DMA Risk Resv Funding	4050	\$987,456	\$875,985	\$3,501,585	\$3,603,452	(\$101,867)
All Other State / Federal Funds	4295-+4297	\$1,411,124	\$1,128,517	\$692,372	\$565,274	\$127,098
TOTAL STATE & FEDERAL		\$97,340,776	\$89,342,071	\$217,964,925	\$220,131,476	(\$2,166,551)
<hr/>						
TOTAL REVENUE		\$109,151,061	\$95,695,609	\$223,486,044	\$223,086,697	\$399,347

101



EAST CAROLINA BEHAVIORAL HEALTH

FMR EXPENDITURES

For the Twelve Months Ending Sunday, June 30, 2013

	<u>Account Codes</u>	<u>PY Budget</u>	<u>PY Actual</u>	<u>CY Budget</u>	<u>CY Actual</u>	<u>Balance</u>
System Mgt/Admin/Care Coordination	0001:9999-500...	\$15,500,184	\$15,119,600	\$23,209,060	\$18,292,934	\$4,916,125
LME Provided Services						
Provider Payments	5000	\$92,819,292	\$71,454,427	\$198,627,672	\$173,560,486	\$25,067,186
Merger Expenses						
MCO Start-Up Expenses	9100	\$6,949,352	\$4,387,101	\$0	\$0	\$0
All Other	7300:8400-8100	\$3,602,490	\$2,445,932	\$1,649,313	\$1,238,369	\$410,943
TOTAL EXPENDI...		<u>\$118,871,318</u>	<u>\$93,407,059</u>	<u>\$223,486,044</u>	<u>\$193,091,790</u>	<u>\$30,394,254</u>

**PROCLAMATION
SHAWBORO RURITAN 65TH ANNIVERSARY**

WHEREAS, the Shawboro Ruritan Club in Currituck County, North Carolina, was issued the 248th Charter from Ruritan National on September 7, 1948; and;

WHEREAS, Ruritan Clubs unify the efforts of individuals, organizations and institutions in the community toward making it an ideal place in which to live; and

WHEREAS, as a duly chartered Ruritan Club, the Shawboro Ruritan Club has continued to maintain its commitment to the Ruritan principles; and

WHEREAS, the Shawboro Ruritan Club, one of five Ruritan Clubs in Currituck County, has 65 years of continuous Fellowship, Goodwill and Community Service for the Shawboro region of Currituck County; and

WHEREAS, through the promotion of Fellowship and Goodwill, Shawboro Ruritan Club has created a better place to live and work; and

WHEREAS, through the promotion of Community Service, Shawboro Ruritan Club's initiatives are focused on the welfare of its entire constituency, thereby creating opportunities and a better way of life for all.

NOW THEREFORE BE IT RESOLVED, the Currituck County Board of Commissioners recognizes the Shawboro Ruritan Club for its 65 years of Fellowship, Goodwill and Community Service to the well-being of the citizens of Currituck County.

ADOPTED this 16th day of September 2013.

ATTEST:

S. Paul O'Neal, Chairman
Board of Commissioners

Mary S. Gilbert
Clerk to the Board