

CURRITUCK COUNTY PLANNING BOARD

April 13, 2004

A work session was held prior to the meeting to discuss items on the agenda.

The Currituck County Planning Board met in the Historic Courthouse on April 13, 2004. The following members were present: Bobby Bell, Horace Bell, William Etheridge, Eddie Hawley, Alvin Keel, Forrest Midgette, Pat Riley, and Arthur Winter. Absent: Lloyd Parker. Gary Ferguson, Planning Director, and Shelley Cox, Chief Planner, were also present.

Horace Bell called the meeting to order, announced a quorum had been met, and lead the Pledge of Allegiance. None of the members disqualified themselves from voting on any of the items on the agenda.

Bob Henley gave the invocation.

APPROVAL OF AGENDA

Ms. Cox asked that the following items be tabled to allow for further staff review:

Item 3 PB 04-12: Amendment to Section 940 of the UDO to allow zero lot line developments within the multi-family districts in planned unit developments.

Item 10 PB 99-13 Brady Landing: Preliminary Plat approval for a 15 lot residential airpark subdivision located in Maple on Maple Road (SR 1246) adjacent to the airport, Tax Map 52, Lot 2A, Crawford Township.

Item 11 PB 99-13 Brady Landing: Final Plat approval for a 15 lot residential airpark subdivision located in Maple on Maple Road (SR 1246) adjacent to the airport, Tax Map 52, Lot 2A, Crawford Township.

Item 12 PB 00-27 Eric Lashley: Amended Special Use Permit for Currituck Motocross to allow new track expansions, restrooms, and a showroom located in Moyock at 140 Wildwood Farms Avenue, Tax Map 23, Lot 66D, Moyock Township.

Stevie Grant spoke in support of this request. His children use this facility.

The board approved amending the agenda as requested.

APPROVAL OF MARCH 9, 2004 MINUTES

Mr. Midgette motioned to approved the March 9, 2004 minutes as presented. Mr. Riley seconded the motion and the motion passed unanimously.

PB 04-20: AMENDMENT TO ARTICLES 13 AND 14 OF THE UDO TO ALLOW A SECURITY TRAINING AND SERVICES OPERATIONS WITH A SPECIAL USE PERMIT.

Steve Capace appeared before the board.

Ms. Cox presented the following memo to the board:

MEMORANDUM

*TO: Planning Board
Board of Commissioners*

*FROM: Shelley Cox
Chief Planner*

DATE: April 7, 2004

SUBJECT: PB 04-20

A text amendment request has been made to allow Security Training Operations and Services to operate within the Agricultural (A) zoning district with a Special Use Permit. This amendment is proposed in conjunction with Blackwater Training Facilities' plans to expand into Currituck County and will require a minimum lot size of 3,500 contiguous acres. Under this amendment, security training operations would be allowed to conduct various training exercises involving firearms, explosives, driving, parachuting and maritime training. In addition, accessory uses including lodging, dining facilities and office services would be permitted.

It is our understanding that the Board of Commissioners supports Blackwater's expansion into Currituck County and that this enterprise will be a valuable economic asset to the community. If the proposed text is approved, conditions further mitigating the impact of this type of operation on the surrounding area may be required in conjunction with the Special Use Permit.

Ms. Cox presented the following amendment to the board:

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:

Part 1. That the following sections be amended:

Section 1403 Specific Standards.

- 23. A Security Training Operations and Services Facility is permitted in the "A" District only. A minimum lot size for this use shall be three thousand five hundred (3500) contiguous acres. All areas within the proposed Security Training**

Operations and Services Facility, including but not limited to firing area(s), backstops, downrange safety zones, parking & accessory areas, parachute landing zone, driver training area, maritime training area, etc. shall be under uniform control or ownership. The Security Training Operations and Services Facility shall also be subject to the following requirements:

Firearms and Explosive Training

- (a) The design criteria for all firearms ranges cited in the Military Handbook – Range Facilities and Miscellaneous Training Facilities Other Than Buildings (MIL-HDBK-1027/3B), as amended or superseded or the National Rifle Association range Manual, as amended or superseded shall be met;**
- (b) The proposed firearms ranges shall be reviewed by and comments received from the Currituck County Sheriff’s Department;**
- (c) No firing or explosive training activities shall occur between the hours of 10 p.m. to 7 a.m. EST daily;**
- (d) Alcohol consumption shall be prohibited before and during hours of operation, but shall be allowed after the ranges and training areas are closed provided proper permits are obtained;**
- (e) The immediately adjacent areas to the proposed training areas and ranges shall be predominately undeveloped and shall be at least nine hundred (900) feet from any property line regardless of the direction of fire unless the applicant can provide noise or safety test evidence to show that a lesser distance may be acceptable;**
- (f) The maximum downrange safety area for each range and shooting area shall be essentially fan-shaped, with its vertex being 100 yards each side of the end firing point and extending 4800 meters in length 100 degrees from the firing line, plus an additional 100 meters running parallel to the 100 degree line. The safety area shall not encompass any public right-of-way or other property not owned by range operator or owner;**
- (g) Weapon types will be restricted to pistol, rifle and shotgun, or similar. No automatic assault type weapon shall be used by the general public but will be allowed by any law enforcement, military or federal agency group duly authorized to use these style weapons. Limits on caliber size shall be in accordance with the National Rifle Association Range Manual subject to the physical constraints of the property;**
- (h) Concussion type explosives will be permitted for use by law enforcement, military or federal agency group duly authorized to use these type of explosives;**

- (i) **Military, para-military or militia type activities or maneuvers, including but not limited to hand-to-hand combat training, maritime training, swamp, or guerilla warfare techniques, incendiary type firings, infiltration course type training, etc. permitted for use by law enforcement, military or federal agency groups only;**
- (j) **All actual firing activities will be directed toward either moving or stationary targets only;**
- (k) **Any overnight or temporary storage of weapons, ammunition and explosives shall meet the Department of Defense storage and stand-off safety standards;**
- (l) **In no case shall any explosive material be stored, either inside or outside a “magazine,” closer than one thousand twelve hundred fifty (1250) feet to a property line or dwelling unit and three hundred (300) feet to any roadway;**
- (m) **The maximum amount of explosives on-site at any one time shall not exceed one hundred (100) pounds stored and ten (10) pounds utilized during any one evolution;**
- (n) **A listing of the type, amount, and physical location of all explosive material shall be provided by the applicant to the County annually at the special use renewal hearing;**
- (o) **The County Fire Marshall shall be authorized by the applicant to inspect the site and shall not be required to give advance notice of his inspection date for the purpose of determining compliance with all required permits and regulations including but not limited to: Alcohol, Tobacco and Firearms (AT&F) permits, National Fire Protection Association standards, Volume 5 of the NC State Building code (Fire Prevention Code), and local ordinances. The facility shall be inspected annually for the first three (3) years and thereafter a minimum of once every five (5) years;**
- (p) **The facility and all individuals working with explosives within the facility shall be certified and permitted by Alcohol, Tobacco and Firearms (AT&F) to conduct such operations in compliance with its permits;**

Driver Training and Vehicle Maintenance

- (q) **The immediately adjacent areas to the driver training area shall be predominately undeveloped and shall be at least one hundred fifty (150) feet from any property line unless the applicant can provide noise or safety test evidence to show that a lesser distance may be acceptable;**

- (r) **Burning of non-vegetative matter and disposal of toxic/hazardous matter is prohibited**
- (s) **Stockpiling of tires and vehicles is prohibited;**
- (t) **No driver training is permitted on any public road and all driver training may only be conducted in clearly marked designated driving areas;**

Rotary and Fixed-Wing Aircraft Operations and Parachute Operations

- (u) **Any training or operations involving rotary or fixed wing aircraft shall comply with FAA Part 91 and any and all other applicable FAA regulations or any other applicable State or local ordinance that governs the use and operation of rotary and fixed wing aircraft.**
- (v) **Any and all parachute operations shall comply with FAA Part 105 and any and all other applicable FAA regulations or any other applicable State or local ordinance that governs parachute operations, including any and all federal, state or local rules and regulations related to a parachute landing zone, if any;**

Dining Facility and Lodging

- (w) **Construction of dormitory type structures to house not more than one hundred twenty (120) persons at any one time shall be permitted to provide overnight accommodations to those people training at the Security Training Operations and Services Facility; provided that all state, county and relevant agency permits, approvals and licenses are obtained in connection with the construction and operation of such structure;**
- (x) **All state, county and relevant agency permits, approvals and licenses must be obtained in connection with the operation of a dining facility;**
- (y) **Sleeping and dining accommodations to persons not utilizing or otherwise associated with the Security Training Operations and Services Facility shall not permitted;**

Miscellaneous

- (z) **The site or area used as a Security Training Operations and Services Facility shall be enclosed by a six (6) foot fence or otherwise restricted by natural physical features (i.e. swamps, bodies of water, ditches, etc.) so that access to the site is controlled to insure the safety of patrons, spectators and the public at large. Warning signs shall be posted along access points;**

- (aa) **The special use permit is non-transferable and will be reviewed annually for the first three years after approval and then every five years thereafter.**
- (bb) **The special use permit does not waive any requirement for compliance with any applicable federal, state and local rules, regulations, permits and other required licenses and permits to conduct any of the aforementioned operations or to construct any building or improvement;**
- (cc) **The operators of a Security Training Operations and Services Facility must provide proof of coverage by adequate accident and liability insurance companies. A minimum coverage of \$2,000,000 shall be established; and**
- (dd) **That any activity not specifically mentioned within the foregoing shall be prohibited.**

Part 2. That the following sections be amended:

Section 2501 Definitions of Basic Terms.

Security Training Operations and Services. A facility located on at least 3,500 contiguous acres which provides the following services; explosives training, driver training (including vehicle maintenance facility to support driver training activities), training operations utilizing fixed and rotary wing aircraft (including parachute operations and training, airstrip and supporting aviation structures, and parachute landing zones), maritime training, towers that are 100' tall or less that are used in connection with security training, dining facilities, commercial retail and lodging areas, and office, clerical, research and services related to security training operations and services.

Part 4. This ordinance amendment shall be in effect from and after the ____ day of _____, 2004.

Chairman, Board of Commissioners

DISCUSSION

Ms. Cox said the applicant plans no maritime training at this time.

Mr. Hawley asked who other than the FAA regulated the parachuting activities.

Mr. Capace said the FAA regulates the aircraft and the parachuting activities.

PLANNING BOARD RECOMMENDATION

Mr. Riley motioned to recommend approval of this amendment as presented. Mr. Keel seconded the motion and the motion passed unanimously.

PB 04-02: AMENDMENT TO ARTICLES 2 AND 9 OF THE UDO TO REQUIRE THE FOLLOWING IN CONSERVATION AND OPEN SPACE SUBDIVISIONS: 1) THAT ALL SEPTIC SYSTEM IMPROVEMENTS BE LOCATED ON THE LOT IT IS DESIGNED TO SERVE AND; 2) TO INCREASE THE MINIMUM LOT SIZE FROM 20,000 SQ. FT. TO 40,000 SQ. FT. AND; 3) TO INCREASE MINIMUM LOT WIDTHS FROM 100 FEET TO 125 FEET.

Ms. Cox presented the following memo to the board:

Memorandum

To: *Planning Board
Board of Commissioners*

From: *Planning Staff*

Date: *March 22, 2004*

Subject: *PB 04-02 Currituck County Planning Staff Amendment*

These amendments are policy changes to increase the minimum lot size to 40,000 sf and the width to 125 for lots within Conservation and Open Space Subdivisions. In addition, it will be required that septic systems are located on the lots on which they are to serve.

Item 3 includes an amendment to eliminate the allowance for 40,000 sf lots to be created for blood relatives within the A zoning district. This type subdivision was replaced last year by the Family Subdivision regulations, which permit one lot per year to be created which is accessed by a graveled accessway.

Intermixed though Items 3 and 4 are text amendments to correct section references and have the sections agree with the regulations found in Article 9

Following is a description of the requested amendments and the reasons for them:

Item 1. *Most recently, two (2) major policy issues have arisen concerning minimum lot sizes and on-site septic systems. Due to the preponderance of poor soils throughout the county mainland, the Board of Commissioners has requested that minimum lot sizes be increased to 40,000 sf. Albemarle Regional Health Services has strongly recommended this change as well, especially in light of the larger size of single family homes now being built in addition to all the amenities now requested by owners (i.e. swimming pools, larger parking areas, etc.). In addition, the board of Commissioners has also requested that all required septic improvements be located*

**Minutes are not official until approved by the board.*

on the same lot with the house. As you may know, in conservation subdivision there is currently an allowance for placing these improvements in common open space which often requires tri-party agreements, specific easements, and additional engineering expenses. The proposed amendment would require all of these improvements to be located on the lot that it is designed to serve.

Item 2. As requested by Board Member Gene Gregory, we may now want to consider increasing the minimum lot width for the open space and conservation subdivision lots for the following reasons:

- i. With the County's current concerns with drainage and fill, the wider lots would be beneficial in giving the home builders a larger buildable/fill area while keeping in conformance with our drainage and fill requirements.*
- ii. The wider lots render a more open, private and spacious feeling to the subdivisions.*

Item 3. These sections are amended to agree with Article 9 and the increased lot sizes in the Conservation and Open Space Subdivisions. Last year when Article 9 was revamped, Family Subdivisions were created. To agree with Article 9, this additional amendment is to eliminate the allowance for 40,000 square foot lots to be created for blood relatives in the A zoning district.

Item 4. This section is amended to agree with Article 9 and the increased lots widths for Conservation and Open Space Subdivisions.

Recommendation

Staff recommends approval of these amendments.

Ms. Cox presented the following amendment to the board:

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 the following sections be amended to increase minimum lot sizes and require on-site septic systems:

Section 902 Subdivision Styles

Eight types of subdivisions are permitted. A maximum of five lots may be created with administrative approval on any separate tract in existence on April 2, 1989. Additional design and development standards for subdivision styles, other than Conventional are set forth in Part V of this Article.

- (d) Conservation Subdivision – A residential subdivision where lot sizes may be reduced to a minimum of ~~20,000~~ 40,000 square feet and at least 45% open space shall be provided. Subdivisions of five lots or less that are developed under these standards will not be

**Minutes are not official until approved by the board.*

eligible for a density bonus. Subdivisions with more than 40 lots are required to meet the Conservation Subdivision standards, unless lot sizes are five acres or more. (See Sections 927 through 935 for special design and development standards).

Section 921 Lots

| MINIMUM LOT SIZES AND WIDTHS | | |
|---------------------------------|--|-------------------|
| | Minimum Lot Size | Minimum Lot Width |
| Private Access Subdivision | 40,000 square feet; 3 acres in "A" Zoning District ¹ 120,000 square feet in RO2 Zoning District. | 125' |
| Family Subdivision | 40,000 square feet; 3 acres in A Zoning District ¹ | 125' |
| Conventional Subdivision | 5 acres; <u>or</u> | 200' |
| | up to 10 Lots - 40,000 square feet; 3 acres in "A" Zoning District ¹ 120,000 square feet in RO2 Zoning District. | 125' |
| Open Space Subdivision | Up to 40 Lots 20,000 <u>40,000</u> square feet ² | 100' |
| Conservation Subdivision | 20,000 <u>40,000</u> square feet ³ | 100' |
| Planned Residential Development | 10,000 square feet with centralized water <u>and</u> centralized sewer ⁴ ; 15,000 square feet with centralized water <u>or</u> centralized sewer; 20,000 square feet if there is no centralized water or centralized sewer. | 65' |
| Planned Unit Development | 10,000 square feet with centralized water <u>and</u> centralized sewer ⁴ ; 15,000 square feet with centralized water <u>or</u> centralized sewer; 20,000 square feet if there is no centralized water or centralized sewer. | 65' |
| Residential Airpark Development | 40,000 square feet | 125' |

¹ In the A zoning district, each parcel as it existed on March 1, 1995 may create a total of five 40,000 sf lots.
² The required lot size (~~40,000 sf or 3 acres~~) in the "A" zoning district may be reduced to ~~20,000~~ 40,000 sf if the lot size reduction is applied to the open space area. In the RO2 zoning district the lots may be reduced to 1.5 acres.
³ In the RO2 zoning district minimum lot size may be reduced to 1.5 acres.
⁴ May be reduced to 7,500 sf if the lot size reduction is added to the Open Space area.

Section 928 Lot Sizes and Septic Systems

1. In any single-family residential subdivision, a developer may create open space subdivision lots that have or contain ~~20,000~~ 40,000 square foot minimum lot sizes, subject to Albemarle Regional Health Services approval.
2. ~~With approval from Albemarle Regional Health Services, individual septic systems, drain lines, and repair areas may be located within common open space provided:~~
 - (a) ~~Easements shall be recorded showing the location of systems within common open space.~~
 - (b) ~~Restrictive covenants shall provide for access, maintenance and upkeep of systems located in common open space. All septic systems shall be operated in compliance with state and local regulations.~~
3. All required septic system improvements and requirements including, but not limited to the septic tank, drain lines, repair area and pumps shall be located on the individual lot they are designed to serve.

Item 2 That the following section be amended to increase minimum lot widths:

Section 921 Lots

| MINIMUM LOT SIZES AND WIDTHS | | |
|---------------------------------|--|----------------------|
| | Minimum Lot Size | Minimum Lot Width |
| Private Access Subdivision | 40,000 square feet; 3 acres in "A" Zoning District ¹ 120,000 square feet in RO2 Zoning District. | 125' |
| Family Subdivision | 40,000 square feet; 3 acres in A Zoning District ¹ | 125' |
| Conventional Subdivision | 5 acres; <u>or</u> | 200' |
| | up to 10 Lots - 40,000 square feet; 3 acres in "A" Zoning District ¹ 120,000 square feet in RO2 Zoning District. | 125' |
| Open Space Subdivision | Up to 40 Lots 20,000 square feet ² | 100' 125' |
| Conservation Subdivision | 20,000 square feet ³ | 100' 125' |
| Planned Residential Development | 10,000 square feet with centralized water <u>and</u> centralized sewer ⁴ ; 15,000 square feet with centralized water <u>or</u> centralized sewer; 20,000 square feet if there is no centralized water or centralized sewer. | 65' |

*Minutes are not official until approved by the board.

Item 3 That the following sections are amended to correct references, to agree with the Article 9 and to increase lot sizes:

Section 201 Minimum Lot Size.

1. Subject to the provisions of Section 202, ~~Article 11 Section 921~~ (Planned Residential Developments), ~~Article 10~~ ~~and~~ Planned Unit Developments), and Section 208 (Multi-Family and Two-Family Development); every lot in every zoning district shall have or contain at least 40,000 square feet except in the A district where the minimum lot size shall be 3 acres or as provided for in Section 202(1)(a) and in the RO2 where the minimum lot size is 120,000 square feet. Minimum lot sizes shall not apply to areas designated as open space. (Amended 2-20-95)
2. For purposes of this and the following Sections, land that is submerged or regularly under water or intended in the future to be in such condition in canals, sounds, streams, ocean, CAMA wetlands, etc. shall not be included in the area of any lot for purpose of meeting minimum square footage requirements except where the area is designated as open space, in which case the provisions of Article 7 or Section 207 shall apply. Further, at least ~~thirty three percent (33%)~~ **fifty percent (50%)** of the required minimum lot area shall be uplands that do not contain 404 wetlands. (Amended 5-7-01)

Section 202 Maximum Residential Density.

1. Subject to Subsection (2) and the provisions of ~~Article 11 (Planned Residential Developments), Article 10 (Planned Unit Developments)~~, Article 9 (~~Planned Residential Developments and Planned Unit Developments~~ ~~Common Open Space Subdivisions~~) and Section 207 (Multi-Family, Two-Family, and Retirement/Assisted Living Communities). (Amended 11-1-99)
 - (a) every lot developed for residential purposes except as provided herein and lots within Planned Residential Developments, Planned Unit Developments, ~~Common Open Space Subdivisions~~, or A zoning districts, shall have or contain a minimum lot size of 40,000 square feet. When in an A district, every lot developed for residential purposes shall contain a minimum of 3 acres except as provided below. (Amended 2-20-95)

~~(1) In an A zone, a lot owner may create a total of one lot for each child, grandchild, sister, brother and parent in accordance with county subdivision standards, a minimum of 40,000 sq.ft. in area. This provision shall only be used one time for each eligible family member regardless of the number of properties owned by that lot owner and the property shall be for the use of the individual the lot is created for. In the event the lot owner is a corporation, partnership, firm or other legal entity, this provision may only be used by a person having a majority interest in that entity. For purposes of this section, a husband and wife shall be considered as a single lot owner. (Amended 2-20-95)~~
 - (2)(1) On each parcel of land in an A zone, as such parcel existed as of March 1, 1995, a total of five lots may be created with a minimum lot size of 40,000 sq. ft. each. Regardless of the number of times a parcel is subdivided after March 1, 1995, the total number of 40,000 sq. ft. lots shall not exceed 5 on the parcel as it originally existed on March 1, 1995. If the parcel, as it existed on March 1, 1995 is recombined with another parcel ~~or parcels at some later date or is adjacent to another parcel under the same ownership~~, then the total number of 40,000 sq. ft. lots on the parcel or parcels shall not exceed five. (Amended 5-15-95)

(b) every lot developed for residential purposes in the RO2 District, except lots within ~~Common~~ Open Space **and Conservation** Subdivisions, shall have or contain a minimum lot size of 120,000 square feet;

Item 4 That the following sections be amended for clarification and to agree with the increased lot widths:

Section 203 Minimum Lot Widths.

- 2. The following lot widths, **as measured at the Building Setback Line**, shall be deemed presumptively to satisfy the standard set forth in Subsection 1.
 - (a) in all Zoning Districts: one-hundred and twenty-five feet (125'). This provision shall not apply to lots in Planned Unit Developments; **and** Planned Residential Developments ~~Open Space Subdivisions~~ and as provided in Section 115, Every Lot Must Abut a Street or ~~Road~~ **Accessway**. (Amended 2-20-95)
 - (b) lots in Planned Unit Developments; and Planned Residential Developments ~~and Open Space Subdivisions~~ shall **have a minimum lot width of sixty five feet (65')** and shall comply with the provisions ~~or of~~ Section 115, Every Lot Must Abut a Street or ~~Road~~ **Accessway** and subsection 1 above.
- 3. Lots fronting on cul-de-sacs shall have at least 80% of the minimum lot width required when measured to a point ~~fifty (50)~~ **seventy five (75)** feet back from the street right-of-way. Further, cul-de-sac lots shall have a minimum of thirty-five (35) feet of frontage along the street right-of-way.

Item 5 This ordinance amendment shall be in effect from and after the _____ day of _____, 200__.

Board of Commissioners' Chairman

DISCUSSION

Mr. Hawley asked if this amendment would affect the lot size of a development if they put in a sewage treatment plant.

Ms. Cox said the minimum lot size would have to be met.

Mark Bissell said this amendment would cut the available density in half for subdivisions over 40 acres.

PLANNING BOARD RECOMMENDATION

Mr. Hawley motioned to recommend approval of this amendment as presented. Mr. Riley seconded the motion and the motion passed unanimously.

**Minutes are not official until approved by the board.*

PB 04-21 THOMAS POPE: REZONE 2.15 ACRES FROM AGRICULTURAL (A) TO COMMERCIAL (C) ON PROPERTY LOCATED IN SHAWBORO AT 1808 SHORTCUT ROAD, TAX MAP 27, LOT 20A, CRAWFORD TOWNSHIP.

Thomas Pope appeared before the board.

Ms. Cox presented the following case analysis to the board:

TYPE OF REQUEST: Request for rezoning 2.15 acres from Agricultural (A) to Commercial (C).

LOCATION: This site is located in Shawboro along the north side of Shortcut Road, Tax Map 27, Parcel 20A.

PROPERTY OWNERS: Thomas & Gayla R. Slade

| | | |
|----------------|------------------------------|-------------------------------|
| ZONING: | <u>Current Zoning</u> | <u>Proposed Zoning</u> |
| | Agricultural | Commercial |

ZONING HISTORY: Property has been zoned Agricultural since 1975.

SURROUNDING

| | | |
|-------------------------|--------|--------------------------|
| ZONING/LAND USE: | NORTH: | Agricultural/woodlands |
| | SOUTH: | Agricultural/farmland |
| | EAST: | Agricultural/farmland |
| | WEST: | Agricultural/residential |

EXISTING LAND USE: Vacant

PROPOSED LAND USE: Commercial/Seasonal Business

LAND USE PLAN

CLASSIFICATION: According to the 1990 Land Use Plan this area appears to be located at the boundary of the Rural With Services and Conservation land classifications. The purpose of the Rural With Services class is “to provide for low density land uses including residential use where limited water services are provided to avert an existing or projected health problem.” The purpose of the Conservation class is “to provide for the effective long-term management and protection of significant, limited or irreplaceable areas.” This rezoning is not consistent with the Conservation classification and consistency with the Rural With Services class is questionable.

PUBLIC SERVICES

**Minutes are not official until approved by the board.*

AND UTILITIES: Crawford Volunteer Fire Department provides fire protection for this area. Electric, telephone, County water and cable are currently available.

TRANSPORTATION: Property has access onto Shortcut Road (US 158), classified as a Minor Arterial in the 1988 NCDOT Thoroughfare Plan.

FLOOD ZONE: According to FEMA maps, the property is located in Flood Zone C (outside of the 100 year flood plain).

SOILS: The property consists of Roanoke fine sandy loam. Roanoke fine sandy loam consists of poorly drained soils that have slow permeability.

STAFF COMMENTS:

- Property is surrounded on 4 sides by Agricultural (A). There is a parcel zoned Commercial (C) approximately 115' south of this property.
- This site was previously utilized for a commercial nursery (Comito's).
- A similar rezoning request for this property was reviewed and recommended for approval by the Planning Board in April 1998. The application was withdrawn prior to consideration by the Board of Commissioners

STAFF

RECOMMENDATION: This property is not contiguous with the Commercial zoning district and spot zoning may be of concern given the size of the property. However, in consideration that the site has previously been utilized for commercial purposes, staff is recommending approval of this request.

DISCUSSION

Horace Bell asked how Committos operated a nursery without a Commercial zoning.

Ms. Cox said he operated under a bona fide farm exemption.

Mr. Pope said he would like to put a small seasonal nursery on the site.

Mr. Hawley asked if there is a building on the property line.

Mr. Pope said there is a barn within 2' of the property line.

John Carlberg, adjoining property owner, said he and his wife just moved to this location to get away from city life. He said the property in question cuts in front of his property and is within 2' of his barn. He said there is a pond that will be split by the property line. He is concerned about his privacy if a business goes in next door and about trash blowing on to his property. If the property is rezoned, it will defeat the purpose of him purchasing his property. He said he is also speaking for Pauline Jewell, neighboring property owner, who request that this rezoning not be approved.

Mr. Hawley pointed out that the commercial property on the other side of this property could be used for any commercial activity.

Mr. Carlberg said that that property owner is running an automobile mechanic shop and he knew about that business before he purchased his property. He does not have a problem with that commercial lot.

Mr. Bell asked if the applicant would be required to install a buffer along the property line.

Mr. Ferguson said that it depended on the use and that the buffer type would be determined with the zoning permit.

Mr. Pope said that he would install a buffer. He is willing to work with Mr. Carlberg on the land configuration.

Cornelia Carlberg said she is concerned that any use allowed in the Commercial zone would be allowed on the property.

PLANNING BOARD RECOMMENDATION

Mr. Hawley motioned to recommend approval of this request. Mr. Etheridge seconded the motion and the motion passed unanimously.

PB 04-22 SWAN BEACH COROLLA, LLC: REZONE 18.88 ACRES FROM OUTER BANKS LIMITED ACCESS RESIDENTIAL (RO2) TO GENERAL BUSINESS (GB) ON PROPERTY LOCATED IN CAROVA AT 1702, 1703, AND 1705 OCEAN PEARL ROAD, TAX MAP 101A, LOTS B, C, AND D, FRUITVILLE TOWNSHIP.

Mark Bissell appeared before the board.

Ms. Cox presented the following case analysis to the board:

TYPE OF REQUEST: Request for rezoning 18.88 acres from Outer Banks Limited Access Residential (RO2) to General Business (GB).

LOCATION: This site is located in Carova at 1702, 1703 and 1705 Ocean Pearl Road, Tax Map 101A, Lots B, C and D, Fruitville Township.

PROPERTY OWNER: Swan Beach Corolla, LLC

| | | |
|----------------|---|-------------------------------|
| ZONING: | <u>Current Zoning</u> | <u>Proposed Zoning</u> |
| | Outer Banks Limited Access Residential (RO2) | General Business |

ZONING HISTORY: Property was zoned Outer Banks Limited Access Residential (RO2) on the January 1, 1989 Official Zoning Map.

SURROUNDING

| | |
|-------------------------|---|
| ZONING/LAND USE: | NORTH: RO2/Currituck National Wildlife Refuge |
| | SOUTH: RO2/Residential |
| | EAST: RO2/Atlantic Ocean |
| | WEST: RO2/Residential |

EXISTING LAND USE: Vacant

PROPOSED LAND USE: To provide a commercial services district to serve the north beach area

LAND USE PLAN

CLASSIFICATION: According to the 1990 Land Use Plan this area is designated Limited Transition. The purpose of the Limited Transition class is “to provide for development in areas that will have some services, but are suitable for lower densities than those associated with the urban transition class, and/or are geographically remote from existing towns and municipalities....This class also contains nonresidential areas along major transportation routes” This rezoning is consistent with the Limited Transition classification.

PUBLIC SERVICES AND UTILITIES:

Carova Volunteer Fire Department provides fire protection for this area. Electric and telephone are currently available.

TRANSPORTATION:

Property has access onto Ocean Pearl Road and Albatross Lane which are unimproved, private streets that are not classified within the 1988 NCDOT Thoroughfare Plan.

FLOOD ZONE:

According to FEMA maps, this area is located in a CBRA zone and would not be eligible for flood insurance.

SOILS:

These parcels primarily consist of Dune land and Dune land-Newhan complex. Dune land is made up of large areas of sand

**Minutes are not official until approved by the board.*

that are subject to severe blowing and shifting with the wind. Newhan soils are excessively drained with rapid permeability.

STAFF COMMENTS:

- There is currently no General Business zoning districts present in the Carova/Swan Beach area
- The parcels within this proposal were designated as “Business Areas” on the original plat for Swan Beach Section 1.
- A 375’ large structure setback from the first line of vegetation exists per CAMA regulations.

STAFF

RECOMMENDATION:

This area is environmentally sensitive and its limited access could pose a public health and safety concern as development increases. Although some limited commercial areas may be needed within the off-road area, staff has strong reservations with approving a rezoning that would allow all of the uses permitted within the General Business District. For example, the General Business District would permit shopping centers, hotels, restaurants, and various other retail operations designed to attract a high volume of traffic.

Staff has previously recommended the applicant consider a Village Commercial District designation which would permit limited commercial uses designed to serve the local community. It is our position that the creation of a Village Commercial District would be more in harmony with the Carova environment than the proposed General Business District. Therefore, staff recommends denial of this request.

DISCUSSION

Mr. Hawley asked if there are any other Village Commercial Districts within the county.

Ms. Cox said the zoning district does not exist yet, but had suggested to the applicant that the Village Commercial District be established.

Mr. Ferguson said that this area is in a CBRA zone. He said that Federal funds will never be made available to the area and flood insurance cannot be obtained unless it is from a company such as Lloyds of London. The Federal government created the CBRA zone to keep development out of fragile areas.

Mr. Bissell said there are no commercial services in Carova. These services are needed. The applicant is looking at a convenience store, post office, fire station, heilo pad, chappel, etc. They are looking at a boardwalk type of development. He said that the larger commercial uses,

hotels, and restaurants would require a special use permit and additional restrictions can be placed on those uses at that time. They are proposing an access for traffic to come off of the beach and enter the commercial area.

Mr. Hawley asked if the applicant thought the rezoning was consistent with the neighborhood.

Mr. Bissell said that the neighborhood is residential, but plats have always shown this area as commercial.

Ms. Cox said that the property is zoned RO2 and has never been properly zoned to Commercial.

Mr. Hawley asked how you would service the commercial district. He expressed a concern for commercial vehicles using the beach as an access to the property.

Mr. Bissell said he did not see a great increase in traffic.

Mr. Hawley listed many service trucks that would be required (food trucks, beverage trucks, etc.). He expressed a concern for the safety of those using the beach.

Mr. Ferguson said that if rezoned, all GB uses would be allowed on the property.

Bobby Bell asked the distance to the paved road.

Mr. Ferguson said about 8 miles.

Mr. Hawley asked if this zoning could be considered spot zoning.

Mr. Ferguson said that it could be challenged.

PLANNING BOARD RECOMMENDATION

Mr. Hawley motioned to recommend denial of this request. Mr. Winter seconded the motion and the motion passed unanimously.

PB 03-48 POPLAR RIDGE: PRELIMINARY PLAT FOR 18 LOTS LOCATED IN POPLAR BRANCH AT 390 POPLAR BRANCH ROAD, TAX MAP 93, LOT 175, POPLAR BRANCH TOWNSHIP.

Sean Robey and CA Howard appeared before the board.

Ms. Cox presented the following case analysis to the board:

LOCATION: On the west side of Poplar Branch Road (SR 1131) approximately 1,800 feet south of the intersection with Macedonia Church Road, Poplar Branch Township.

ZONING DISTRICT: Residential & Agricultural

OWNER:
C.A. Howard
P.O. Box 94
Currituck, NC 27929

APPLICANT/AGENT
Hyman & Robey, PC
150 A US Hwy 158 East
Camden, NC 27921

LAND USE/ZONING OF SURROUNDING PROPERTY:

NORTH: Farmland & Vacant- zoned R & A
SOUTH: Farmland & Vacant - zoned R & A
EAST: Residential & Farmland - zoned R
WEST: Vacant - zoned A

NARRATIVE OF REQUEST:

C.A. Howard is seeking Preliminary Plat approval for 18 single family lots through the major subdivision process. The total acreage of the entire development is approximately 24.84 acres.

Lots 1 – 13 are zoned Residential. Lot 14 is divided by the Residential and Agricultural zones, with lots 15 – 18 zoned Agricultural. Section 202 of the UDO allows for the creation of a total of 5 lots within the Agricultural zone at 40,000 sq.ft. The 40,000 sq. ft. allowance is utilized with lots 14 through 18. Lot sizes within this development range from 40,000 – 265,194 sq. ft.

OTHER IMPORTANT ELEMENTS TO THIS PLAN:

STREETS: There is one street proposed and it will be built to NCDOT Design and Construction Standards. The developer expects the street will be dedicated for maintenance to the NCDOT. Although the cul-de-sac exceeds 1,000 sq. ft., the street is located adjacent to the property line which allows for future connectivity to adjoining properties, if the Board of Commissioners chooses to require it.

WATER: This development will be served by County water.

FIRE: This development will be located within the Lower Currituck Volunteer Fire District.

WASTEWATER: Individual on-site septic systems are proposed. The lots have been tested and provisionally approved by Albemarle Regional Health.

SOILS: The soils on this property consist of Conetoe loamy sand, Portsmouth fine sandy loam, State fine sandy loam, Nimmo loamy sand and Wasda muck. Conetoe and State soils are well drained

**Minutes are not official until approved by the board.*

soils with moderate permeability. Portsmouth and Nimmo soils are poorly drained with moderate permeability. The portion of this property that is designated as 404 wetlands contains Wasda muck, which is very poorly drained with a surface layer of black muck.

SCHOOL CAPACITIES: Using national averages for school age student generation from the *1987 American Housing Study*, one can expect .4243 elementary students, .084 Jr. high students and .1568 High school students per dwelling unit. (*Note: These figures were verified by a field check of Currituck subdivisions in 1994.*) Based on these pupil generation figures, Currituck can expect 7 elementary students, 2 Jr. high students, and 3 high school students from this development.

OPEN SPACE: No open space is required, however a small area of open space (approximately 16,000 sq. ft.) is provided to accommodate an existing private cemetery.

DRAINAGE: The drainage plan has been reviewed and approved by the County Engineer (Pat McDowell) and Mike Doxey (District Conservation Technician). Drainage will be provided via lot line swales with a minimum of 3:1 side slopes.

FLOOD ZONES: This development is located within flood zone C (not within the 100 year flood area).

CAMA CLASS: The 1990 Land Use Plan classifies this site as Rural. The purpose of the Rural class is “to provide for agriculture, forestry, mineral extraction and other allied uses traditionally associated with an agrarian region. Low density dispersed, single family residential uses at a gross density of approximately one unit per acre are also appropriate within rural areas where lot sizes are large and where densities do not require the provision of urban type services. This development is consistent with the Land Use Plan.

STAFF COMMENTS:

- The Sketch Plan/Special Use Permit for this development was approved by the Board of Commissioners in January 2004.
- On March 11, 2004 Technical Review staff reviewed this application. The Preliminary Plat has been revised to address concerns expressed by the Technical Review staff.

STAFF RECOMMENDATION:

Staff recommends approval of this request with the following conditions and Suggested Findings of Fact:

1. That applicant meet all requirements of the County's Unified Development Ordinance, including but not limited to, parking spaces, landscaping, shading, lighting, etc.
2. That the applicant shall complete the development strictly in accordance with the plans submitted to and approved by the Board of Commissioners and which may be amended from time to time per UDO provisions, a current copy of which will be filed in the office of the Planning and Inspections Department.
3. That as a continuing condition to this approval, the applicant will continue to meet all requirements of the County's Unified Development Ordinance.

DISCUSSION

Mr. Hawley asked if the 1000' maximum cul-de-sac length was exceeded.

Ms. Cox said yes, but this is acceptable because the road design provides for interconnectivity.

PLANNING BOARD RECOMMENDATION

Mr. Keel motioned to recommend approval of this request subject to the following conditions and Suggested Findings of Fact:

1. That applicant meet all requirements of the County's Unified Development Ordinance, including but not limited to, parking spaces, landscaping, shading, lighting, etc.
2. That the applicant shall complete the development strictly in accordance with the plans submitted to and approved by the Board of Commissioners and which may be amended from time to time per UDO provisions, a current copy of which will be filed in the office of the Planning and Inspections Department.
3. That as a continuing condition to this approval, the applicant will continue to meet all requirements of the County's Unified Development Ordinance.

Bobby Bell seconded the motion and the motion passed unanimously.

PB 03-49 PINEY LANE: PRELIMINARY PLAT FOR 6 LOTS LOCATED IN HARBINGER ON THE EAST SIDE OF OWENS BEACH ROAD (SR 1117) BEGINNING AT THE INTERSECTION WITH HARBINGER RIDGE ROAD (SR 1103), TAX MAP 132, LOT 4, POPLAR BRANCH TOWNSHIP.

Joe Houska appeared before the board.

Ms. Cox presented the following case analysis to the board:

LOCATION: On the east side of Owens Beach Road (SR 1117) approximately 1,000 feet south of the intersection with Harbinger Ridge Road, Poplar Branch Township.

ZONING DISTRICT: Residential

OWNER:
Joe Houska, Holly Houska Wyler
& Amanda Houska
2727 Mackinnon Ranch Road
Cardiff, CA 92007

APPLICANT/AGENT
William S. Jones, Jr.
303 West Archdale Street
Kill Devil Hills, NC 27948

LAND USE/ZONING OF SURROUNDING PROPERTY:

NORTH: Residential- zoned R
SOUTH: Vacant (proposed Albemarle Estates) - zoned R
EAST: Vacant (proposed Albemarle Estates) - zoned R
WEST: Residential - zoned R

NARRATIVE OF REQUEST:

Joe Houska, Holly Houska Wyler and Amanda Houska are seeking Preliminary and Final Plat approval for 6 single family lots through the major subdivision process. The total acreage of the entire development is approximately 6.929 acres.

This property is zoned Residential and fronts on Owens Beach Road. It is located adjacent to the proposed Albemarle Estates subdivision.

Existing houses are located on Lots 8 and 4. A jog in the side lot lines shared by lots 8 and 9 has been shown to provide the required space for the existing septic system on Lot 8.

OTHER IMPORTANT ELEMENTS TO THIS PLAN:

STREETS: All proposed lots will front on Owens Beach Road which is an existing NCDOT maintained right-of-way.

WATER: This development will be served by individual private wells.

FIRE: This development will be located within the Lower Currituck Volunteer Fire Department.

WASTEWATER: On-site septic systems are proposed for disposal of wastewater.

**Minutes are not official until approved by the board.*

- SOILS:** Property consists of Conetoe loamy sand which is a well drained soil with moderately rapid permeability.
- SCHOOL CAPACITIES:** Using national averages for school age student generation from the *1987 American Housing Study*, one can expect .4243 elementary students, .084 Jr. high students and .1568 High school students per dwelling unit. (*Note: These figures were verified by a field check of Currituck subdivisions in 1994*). Based on these pupil generation figures, Currituck can expect 2 elementary students, 1 Jr. high student, and 1 high school student from this development.
- OPEN SPACE:** No open space is required or provided within this development.
- DRAINAGE:** Drainage is primarily proposed to occur through infiltration.
- FLOOD ZONES:** This development is located within flood zone C (not within the 100 year flood area).
- CAMA CLASS:** The 1990 Land Use Plan classifies this site as Rural. The purpose of the Rural class is “to provide for agriculture, forestry, mineral extraction and other allied uses traditionally associated with an agrarian region. Low density dispersed, single family residential uses at a gross density of approximately one unit per acre are also appropriate within rural areas where lot sizes are large and where densities do not require the provision of urban type services.

STAFF COMMENTS:

- On March 11, 2004 Technical Review staff reviewed this application. One major issue that arose was how drainage for this subdivision is going to be addressed. The applicant and his engineer have stated that infiltration will be the primary method of addressing storm water run-off for this site. They have also agreed to restrict lot coverage to 30% in order to minimize the impact of storm water run-off. During Sketch Plan review, the applicant stated that the existing roadside swale would be utilized for drainage. However, the project’s engineer has acknowledged that the roadside swale is “quite shallow and is incapable of storing a significant volume of storm water.”

Pat McDowell, County Engineer and Mike Doxey, Soil and Water Conservation have expressed strong reservations for how drainage is planned to be addressed for this subdivision. They have requested the applicant provide a topographic map of the property and drainage calculations showing that the storm water run-off is being adequately addressed. The applicant feels that this information is unnecessary and has not been willing to provide this information.

Other concerns expressed during Technical Review revolved around the location of existing septic systems and a well point on lots 4 and 8. Staff has requested that the measurements from these items to the side property lines be provided to ensure adequate setbacks will be met. The plans were revised to reflect these distances “per Joe Houska.” Staff would prefer to see these measurements provided by a survey of the property to ensure accuracy.

STAFF RECOMMENDATION:

Staff is recommending denial of this request on the basis that adequate information has not been provided to ensure that drainage is suitably addressed. Given the extensive flooding and drainage problems the County has recently experienced, it is staff’s position that all subdivisions should provide the necessary information to ensure that public health and safety concerns are met in regards to storm water run-off and septic/property line separation.

DISCUSSION

Mr. Houska said this is family property and is not being developed for sale. He has never had a drainage problem on the property. He said Bob Stewart, PE, had written three letters to the county stating that the land is suitable for development. He said he has done everything the county has asked for. Bob Stewart feels infiltration will take care of the drainage. He does not want to cut down trees, cut ditches, or provide swells.

Mr. Hawley asked if Pat McDowell and Mike Doxey were in agreement with Bob Stewart.

Mr. Houska said he did not understand why there are still problems.

Mr. Hawley asked about the location of the septic and wells.

Mr. Houska said no one told him he had to survey the area. He has the septic areas marked off and thinks he has plenty of room to meet the setbacks. He said he does not want to spend the money on the survey.

Mr. Hawley explained that if Mr. Houska is allowed to provide insufficient data, others developers will request the same treatment.

Mr. Houska repeated that he did not know what the problem is. He doesn’t want ditches because they attract mosquitoes. He said he had asked for a waiver for the topo plan and thought that he has provided everything that staff has requested of him.

PLANNING BOARD RECOMMENDATION

Mr. Hawley motioned to recommend denial of this preliminary plat request on the basis that adequate information has not been provided to ensure that drainage is suitably addressed. Given the extensive flooding and drainage problems the County has recently experienced, it is board’s

position that all subdivisions should provide the necessary information to ensure that public health and safety concerns are met in regards to storm water run-off and septic/property line separation. Mr. Keel seconded the motion and the motion passed unanimously.

PB 04-23 CURRITUCK COUNTY: SPECIAL USE PERMIT TO ALLOW THE CONSTRUCTION OF A FIRE/EMS STATION LOCATED IN WATERLILY AT 412 WATERLILY ROAD, TAX 70, LOT 5B, POPLAR BRANCH TOWNSHIP.

Andy Deal appeared before the board:

Ms. Cox presented the following case analysis to the board:

OWNER & APPLICANT

Currituck County
P.O. Box 39
Currituck, NC 27929

PURPOSE OF REQUEST

The applicant requests Special Use Permit approval for a Fire/EMS Station to be located at 412 Waterlily Road.

LOCATION OF PROPERTY

The site of the proposed development is located on the east side of Waterlily Road (SR 1142) approximately 0.7 miles north of the intersection of Waterlily Road and SR 1141. The property is shown on Tax Map 70, Parcel 5B, Poplar Branch Township.

EXISTING CONDITIONS

This property is zoned Residential. The proposed 3,520 sq. ft. Fire/EMS station will be located on 5 acres with two driveways off of Waterlily Road. The building is proposed to be a one story metal frame structure. Currituck County's UDO requires a minimum of six parking spaces for this proposal (2 spaces for every full time employee plus four spaces for volunteers), however thirteen parking spaces will be provided.

STAFF FINDINGS:

Criteria: (a) Does the applicant meet the standards established in the Unified Development Ordinance (UDO) for the proposed use?

Findings: The applicant is requesting a Special Use Permit for a Fire/EMS Station in the Residential (R) zoning district. UDO requirements including parking and landscaping have been met.

Criteria: (b) Will the proposed use materially endanger the public health or safety?

Findings: The proposed Fire/EMS station will serve the Waterlily/Coinjock communities and will enhance the public safety of the surrounding area by providing for a more rapid response time.

Criteria: (c) Will the proposed use substantially injure the value of adjoining or abutting property?

Findings: The surrounding land uses for the property include:

| | |
|---------------|---------|
| North: Vacant | Zone: R |
| South: Vacant | Zone: R |
| East: Vacant | Zone: R |
| West: Vacant | Zone: R |

The facility is proposed to be centrally located on a 5 acre parcel and a large, natural buffer is provided between the proposed improvements and the surrounding properties.

Criteria: (d) Will the proposed use be in harmony with the particular neighborhood or area in which it is to be located?

Findings: The site will provide necessary Fire and Emergency Services protection to the surrounding area.

Criteria: (e) Will the proposed use be in general conformity with the Land Use Plan, Thoroughfare Plan or other plans officially adopted by the board?

Findings: The 1990 Land Use Plan classifies the property as Conservation. The Conservation class is to “provide for the effective long-term management and protection of significant, limited or irreplaceable areas...If land is developable, it should be done at densities of less than one unit per gross acre.” Proposed improvements will be constructed on the uplands area of the property and will be consistent with the Conservation classification.

Access for the property is from Waterlily Road, a minor collector road according to the 1988 Thoroughfare Plan.

Criteria: (f) 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.

Findings: Approval of this request will increase the availability of public facilities.

STAFF COMMENTS

The site plan for this project was reviewed by the Technical Review Committee on March 11, 2004. All concerns expressed during Technical Review have been adequately addressed.

STAFF RECOMMENDATION

In consideration of the suggested Findings of Fact, staff recommends approval with the following condition:

1. That as a continuing condition to this approval, the applicant will meet and continue to meet all requirements of the County's Unified Development Ordinance.

PLANNING BOARD RECOMMENDATION

Mr. Riley motioned to recommend approval of this request subject to the following:

1. That as a continuing condition to this approval, the applicant will meet and continue to meet all requirements of the County's Unified Development Ordinance.

Mr. Winter seconded the motion and the motion passed unanimously.

OLD BUSINESS

Horace Bell gave a brief summary of the NCDOT meeting regarding the mid-county bridge. He said the bridge is no closer to construction.

Horace Bell said that the work session with the Board of Commissioners had been approved. The items to discuss include: adequate public facilities ordinance, drainage, mining operations, ferry to corolla, water system, mid-county bridge, large residential structures, inter-connectivity, multi-family zoning, open space percentages, etc.

Mr. Hawley asked that a Board of Education representative be present at the work session.

Mr. Ferguson said that the school capacity issues had halted the multi-family issues.

The board asked to meet on a Tuesday at 7:00 p.m.

Horace Bell gave a brief summary of the April 12, 2004 Board of Commissioners' work session. The board discussed many topics including growth control, drainage issues, curb and guttering, sidewalks, etc.

Mr. Riley asked that the board be informed of amended sketch plans going to the Board of Commissioners. The Planning Board may want to consider hearing the amended sketch plans.

Mr. Hawley encouraged board members to attend the Land Use Plan meetings.

ADJOURNMENT

There being no further business to discuss, Mr. Riley motioned for adjournment. Mr. Hawley seconded the motion and the motion passed unanimously. The meeting adjourned at 9:15 p.m.

Respectfully Submitted,

Tammy D. Glave /s/

Tammy D. Glave
Clerk to the Board