



# County of Dare

P.O. Box 1000 | Manteo, NC 27954

## DARE COUNTY BOARD OF COMMISSIONERS

Dare County Administration Building  
954 Marshall C. Collins Dr., Manteo, NC

Monday, September 16, 2019

**“HOW WILL THESE DECISIONS IMPACT OUR CHILDREN AND FAMILIES?”**

### AGENDA

- 5:00 PM**      **CONVENE, PRAYER, PLEDGE OF ALLEGIANCE**
- ITEM 1**      Opening Remarks - Chairman's Update
- ITEM 2**      Proclamation - Hatteras Island Watermen's Day
- ITEM 3**      Proclamation - Alzheimer's Awareness
- ITEM 4**      Resolution Requesting North Carolina Dominion Power to Replace Utility Poles
- ITEM 5**      Public Comments
- ITEM 6**      Public Hearing -- Essential Housing Amendments
- ITEM 7**      CUP Amendment - Midgett Group Development
- ITEM 8**      Approval of 'Final Cost Estimate Prior to CMR Bidding' for the Animal Shelter Project
- ITEM 9**      College of The Albemarle - Independent Consultant Agreement
- ITEM 10**     Consent Agenda
- 1. Approval of Minutes
  - 2. Tax Collector's Report
  - 3. North Carolina Governor's Crime Commission Grant Award
  - 4. Road Request - The Dogwoods West, Manteo
- ITEM 11**     Commissioners' Business & Manager's/Attorney's Business

ADJOURN UNTIL 9:00 A.M. ON OCTOBER 7, 2019



*Opening Remarks - Chairman's Update*

**Description**

Dare County Chairman Robert Woodard will make opening remarks.

**Board Action Requested**

Informational Presentation

**Item Presenter**

Chairman Robert Woodard



*Proclamation - Hatteras Island Watermen's Day*

**Description**

A Proclamation is being presented to the Board of Commissioners for the 2019 Hatteras Village Day at the Docks Celebration.

**Board Action Requested**

Issue Proclamation

**Item Presenter**

Christina Hicks, Co-Chair



**DARE COUNTY BOARD OF COMMISSIONERS  
SETTING SEPTEMBER 14, 2019 AS  
HATTERAS ISLAND WATERMEN'S DAY**

**WHEREAS**, Hatteras Island's watermen are integral to the economy, culture, and history of Dare County communities; and

**WHEREAS**, heritage tourism is important to Dare County and Day at the Docks makes a unique contribution to heritage tourism by presenting working watermen, their skills, their products, and their gear to the public in an educational, entertaining, family-oriented manner; and

**WHEREAS**, maritime livelihoods and traditions need to be preserved and showcased and young people encouraged to participate; and

**WHEREAS**, watermen are good stewards of North Carolina's waters and natural resources; and

**WHEREAS**, working watermen and working waterfronts, and access to them, are important to the economy, culture, and history of Dare County;

**NOW, THEREFORE, WE**, the Dare County Board of Commissioners, do hereby proclaim September 14, 2019 as "**HATTERAS ISLAND WATERMEN'S DAY.**"

**AND, FURTHER, WE** do hereby call upon all citizens to attend "Day at the Docks - A Celebration of Hatteras Island Watermen," set for September 14, 2019 in Hatteras village,

Adopted by the Dare County Board of Commissioners this 16<sup>th</sup> day of September, 2019.

---

Robert Woodard, Chairman

Attest:

---

Cheryl C. Anby, Clerk to the Board



*Proclamation - Alzheimer's Awareness*

**Description**

In recognition of World Alzheimer's Day a presentation will be made by GEM Day Services on efforts to raise awareness in our community about Alzheimer's Disease and the need for research, educational programs, and caregiver services. A Proclamation will be presented for Board approval.

**Board Action Requested**

Issue Proclamation

**Item Presenter**

Gail Sonnesso, GEM Day Services, Inc.



**PROCLAMATION  
WORLD ALZHEIMERS' MONTH**

**WHEREAS** September 2019 will mark the eighth World Alzheimer's Month™, an International campaign to raise awareness of dementia and challenge stigma. This year's campaign promotes the important message that: While there is no cure, there is enlightened care; and

**WHEREAS**, We can all raise awareness and promote Dare as a Dementia Capable Community by learning about dementia and providing programs and services for these citizens; and

**WHEREAS**, People living with dementia and their care partners have an equal right to receive respect and inclusion, and to diagnosis, quality care and treatment; and

**WHEREAS**, Alzheimer's and related dementias are devastating diseases affecting over 50 million people worldwide, five million people in the United States and about 1 thousand people in Dare County; and

**WHEREAS**, Dementia became a trillion-dollar disease in 2018. Informal dementia care provided is equivalent to 40 million full time workers. A disproportionate number of women are informal caregivers. Most people with dementia do not receive a diagnosis or support. Today, almost 50 million people worldwide are living with dementia. As populations continue to age, the prevalence of dementia is expected to increase to 152 million people by 2050.

**WHEREAS**, While there is no cure for Alzheimer's and related dementias, there is treatment in the form of person-centered care that will promote a healthier lifestyle for people with the disease; and

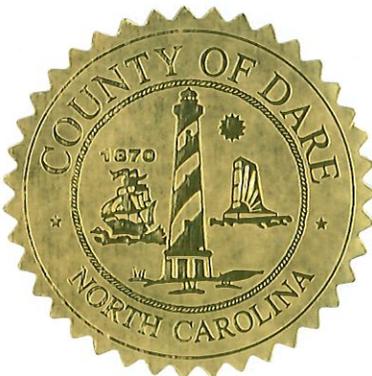
**WHEREAS**, Dare County joins individuals, families, community friends and caregivers living with the effects of Alzheimer's and related dementias in promoting care for those living with the disease, in supporting educational programs and direct support services for our Dare County families; and

**WHEREAS**, Dare County joins Alzheimer's Disease International honoring those living with Alzheimer's disease, those who have passed and caregivers both family and professional at GEM's 12<sup>th</sup> Annual Candlelighting, November 3<sup>th</sup>, 2019, and throughout the year.

**NOW, THEREFORE**, the Dare County Board of Commissioners hereby proclaims September 2019 as "**WORLD ALZHEIMER'S DISEASE AWARENESS MONTH**" in Dare County, and commends its observance to all citizens.

This the 16<sup>th</sup> day of September, 2019

Dare County Board of Commissioners



By: \_\_\_\_\_  
Robert Woodard, Chairman

Attest: \_\_\_\_\_  
Cheryl C. Anby, Clerk to the Board



*Resolution Requesting North Carolina Dominion Power to Replace Utility Poles*

**Description**

Dare County Board of Commissioners request North Carolina Dominion Power to replace the utility poles along the Manteo-Nags Head Causeway with steel or concrete poles in light of recent storm damage.

**Board Action Requested**

Approve Resolution

**Item Presenter**

Robert Wood, Chairman



*Public Comments*

**Description**

The Board of Commissioners encourages citizen participation and provides time on the agenda at every regularly scheduled meeting for Public Comments. This is an opportunity opportunity for anyone to speak directly to the entire Board of Commissioners for up to five minutes on any topic or item of concern.

Comments can be made at the Commissioners Meeting Room in Manteo or through an interactive video link at the Fessenden Center Annex in Buxton.

Commissioners Meeting Room - Administration Building, 954 Marshall Collins Drive, Manteo  
Video Link - Fessenden Center Annex, 47017 Buxton Back Road, Buxton

**Board Action Requested**

Hear Public Comments

**Item Presenter**

Robert Outten, County Manager



*Public Hearing -- Essential Housing Amendments*

**Description**

Last month the Board scheduled a public hearing on several amendments to the Dare County Zoning Ordinance to address essential housing needs. A staff report, finding of consistency statement, and draft amendment language are attached. I also included the Power Point presentation from last month for easy reference and the illustrations from last month. After the close of the hearing, the Board may choose to adopt all of the alternatives or may choose to adopt only some of the amendments.

**Board Action Requested**

Conduct hearing and adopt amendments as recommended by the Planning Board.

**Item Presenter**

Donna Creef

## STAFF REPORT – ZONING AMENDMENTS FOR HOUSING

DATE: SEPTEMBER 16, 2019 PUBLIC HEARING

FROM: DONNA CREEF, PLANNING DIRECTOR

A public hearing on four additional amendments to the Zoning Ordinance is scheduled for 5:30 p.m. At the close of the hearing, the Board may choose to adopt all four of the amendments or choose to adopt only some of the four amendments. The amendments are summarized below:

1. Cluster Home Developments – This alternative would extend cluster home regulations to the NH, RS-1, R-1, SNC, VR, WR1, ELR, and ELNH zoning districts. These districts are more traditional single-family districts that do not allow duplex structures. The MP-1 zoning district for Martin’s Point, BNH for the old Coast Guard station in Buxton, the R-1A for Baum Bay Harbor Subdivision and the R-4 zoning district for Colington Harbour Subdivision are not on this list since these areas are already platted developments and are not likely candidates for cluster home developments. In order to implement this alternative, Section 22-31.1 Cluster Home Developments would need to be amended to add the other districts and the individual district regulations to add cluster home development as conditional uses. In recognition of the more restrictive nature of these eight districts, the draft language recommended by the Planning Board sets a minimum lot size of 30,000 square feet versus the 20,000 square feet minimum lot size for other zoning districts authorized for cluster homes last year.
2. Educational housing alternative – This alternative would adopt regulations for educational housing opportunities in twenty-five zoning districts. These districts were selected for this alternative because they allow duplex and/or or multifamily structures and are not the more traditional single family zoning districts. Educational housing projects must be affiliated with Dare County, UNC-CSI, College of Albemarle or Dare County Board of Education. Such projects would be reviewed as conditional use permits. Please note, currently the R-1 district allows university campuses as a conditional use. This use was added to the R-1 district when the UNC-Coastal Studies Institute was originally proposed. The R-1 language specifically allows housing as part of an university campus.
3. Conditional Use Subdivisions – The third alternative is for conditional use subdivisions featuring reduced lots sizes of 12,500 square feet in exchange for a dwelling size limitation of 1,200 square feet of heated space. The current minimum lot size is 15,000 square feet for lots served by central water. This alternative is proposed for twenty-eight zoning districts and includes a minimum parcel size of three acres. The draft language precludes the grouping of existing platted lots for redevelopment as a conditional use subdivision. Development restrictions would be applied to the lots to ensure they are used for year-round housing construction and not as vacation rental homes.

4. Workforce Housing Units – This alternative would establish regulations to allow the construction of housing units in conjunction with a commercial use similar to the accessory dwelling units allowed for residential districts. The proposal would add workforce housing regulations in seventeen commercial zoning districts in unincorporated Dare County. There is no size limitation for the workforce units instead the overall lot coverage limitation of 60% associated with commercial districts will be used to control development on parcels.

Draft motions for the Board's consideration:

Motion to adopt entire package of amendments: "I move that the entire package of housing amendments be adopted as recommended by the Planning Board. A finding of consistency included with the agenda item is adopted as part of this action".

Motion to adopt only certain components of zoning amendment package: "I move that the proposed zoning amendments (insert which ones i.e workforce housing alternative) be adopted as recommended by the Planning Board.

Motion to adopt revisions based on input/discussion: I move that the proposed amendments be revised to reflect (insert revision items) and then adopted as revised. A finding of consistency included with the agenda item is adopted as part of this action".

## Section 22-31.1 Cluster Home Developments (PROPOSED REVISIONS underlined)

Cluster home developments consist of more than one residential dwelling on one parcel of land whereby the dwellings are occupied on a long-term basis. These standards are designed to facilitate the development of cluster home projects in unincorporated Dare County.

The following provisions shall apply:

1. Cluster homes developments shall be subject to review and approval as conditional uses in the following zoning districts: R-2, R-2A, R-2B, R-2H, R2-AH, R-3, RS-6, RS-8, SP-2, SP-C VC-2, C-2, C-2-H, C-3, 1-1, S-1, CS, BT, RB, NC, MLM, WVC, MC-1, MC-2, and Highway 345. Minimum lot size: 20,000 square in these zoning districts.
2. Cluster homes developments shall be subject to review and approval as conditional uses in the following zoning districts: NH, RS-1, R-1, SNC, VR, WR1, MH-A, MH-B, ELR, and ELNH. Minimum lot size: 30,000 square feet in these zoning districts.
3. Setbacks: Dwellings constructed as part of a cluster home development shall be subject to the setbacks of the applicable zoning district.
4. Separation of dwellings: 15 feet
5. Lot coverage: 30% of the total lot area
6. Building height: same as the applicable zoning district
7. Maximum size of dwelling: Any dwelling constructed as part of the cluster home development shall not exceed 1200 square feet of heated/conditioned space.
8. Parking: Parking for cluster homes shall be provided at a rate of one parking space per bedroom of each cluster home. Such parking may be provided at individual dwelling sites or in a congregate area for the entire development. Fifty percent (50%) of the required parking shall be of an impervious surface of concrete or asphalt (not to include asphalt millings or other similar products)
9. Roads – cluster home developments that cannot be properly served by emergency or service vehicles from an existing abutting road or street, shall be made accessible to such vehicles from a 30' right-of-way with 20 feet of paved improvements.
10. Ownership of cluster homes – cluster home sites may be transferred to individual owners with the remainder of the lot dedicated as common area owned by a homeowners association or similar entity. Cluster homes shall ~~not~~ be occupied or rented for long-term occupancy transient, short-term basis (30 days or less) as defined in Section 22-2 of the Zoning Ordinance.
11. A copy of the approved conditional use permit for a cluster home development shall be recorded with the approved site plan of the development.
12. Other reasonable and appropriate conditions to reflect individual specific site conditions may be applied to cluster home development as part of the conditional use review and approval process.

## SECTION 22-58.8 EDUCATIONAL HOUSING PROJECTS (Proposed new section to be added to Zoning Ordinance)

Educational housing projects are residential developments that provide housing opportunities for employees and students of educational facilities located in Dare County.

1. Educational housing projects shall be constructed on property owned and/or leased by Dare County, the Dare County Board of Education, the UNC Coastal Studies Institute or the College of the Albemarle. Partnerships or cooperative agreements between these public agencies and with private-sector agencies or individuals may be authorized as educational housing projects.
2. Educational housing projects may be located in the following zoning districts: RS-6, RS-8, R-2, R-2A, R-2B, R-2H, R2-AH, R-3, MH-A, MH-B, ELR, ELVC, SNC, C-2, C-2H, C-3, I-1, ELCS, S-1, RB, NC, WVC, HML, MC-1, MC-2, and H345. In the R-1 district, university campuses are conditional uses and any housing proposed for addition to a university campus will be reviewed and approved as a part of the university campus. The regulations set forth in this section shall not apply to any university campus in an R-1 zoned area.
3. Educational housing projects may include single family homes, duplex structures, or multifamily structures as permitted in the applicable zoning district. Multifamily structures cannot be constructed as part of an education housing project unless the underlying zoning district permits multifamily structures.
4. Density – Overall density for EHPs shall not exceed 12 units for per acre for those projects served by onsite wastewater systems and 15 units per acre for those projects connected to municipal central wastewater facilities.
5. Setbacks: the setbacks of the applicable zoning districts shall apply.
6. Minimum parcel size: 1 acre
7. Any building approved as part of an EHP shall not exceed the building height of the applicable zoning district.
8. Parking shall be provided at a rate of one space per bedroom. A reduction of 25% of the overall parking may be applied for structures designed for occupancy by students.
9. Lot coverage: 45% for EHPs served by onsite wastewater systems. 60% for EHPs connected to municipal central wastewater treatment facilities.
10. EHPs shall be subject to review and approval as conditional use permits by the Dare County Planning Board and Board of Commissioners.

**SECTION 22-58.9 CONDITIONAL USE SUBDIVISIONS (proposed new section to be added to Zoning Ordinance)**

Intent: These regulations shall apply to subdivisions platted at a reduced minimum lot size in to be used with dwelling square footage limitation. These regulations shall apply in the following zoning districts: R-2, R-2A, R-2B, R-2H, R2-AH, R-3, RS-6, RS-8, SP-2, SP-C VC-2, C-2, C-2H, C-3, 1-1, S-1, CS, ELNH, ELR, MHA, MHB, BT, RB, HML, NC, WVC, MC-1, MC-2, and Highway 345.

Overall minimum parcel size: The overall parcel submitted for approval as a conditional subdivision shall contain a minimum of three acres of area not classified as coastal wetlands by the NC Division of Coastal Management and/or freshwater wetlands under the jurisdiction of the U.S Army Corps of Engineers.

Minimum individual lot size:

12,500 square feet of contiguous area, exclusive of any soils classified as coastal wetlands or freshwater wetlands by the NC Division of Coastal Management and/or the US Army Corps of Engineers for a lot served by a centralized water system. The centralized water may be designed to serve the specific subdivision and installed as part of the subdivision infrastructure improvements or may be a system operated by a local government or other public agency. .

15,000 square feet of contiguous area, exclusive of any soils classified as coastal wetlands or freshwater wetlands by the NC Division of Coastal Management and/or the US Army Corps of Engineers for lots served by individual on-site private well for potable water.

Lots platted as part of existing subdivisions shall not be grouped together to meet the three acre minimum parcel size for development as a conditional use subdivision.

Use of property: One detached residential dwelling per individual lot not to exceed 1200 square feet of heated/conditioned space. Accessory structures may be constructed on the property in conjunction with the dwelling and used for parking or storage only. Accessory structures shall not contain any heated/conditioned space in excess of the dwelling square footage limitation of 1200 square feet of heated/conditioned space.

Occupancy of Dwellings: Any dwelling constructed as part of Section 22-58.9 shall be occupied on a long-term basis as defined in the Dare County Zoning Ordinance.

Parking: One 10' x 20' parking space for each bedroom shall be provided on site. 50% of the required parking shall be of an impervious surface such as concrete or asphalt. Permeable or pervious concrete does not qualify as an impervious surface. Asphalt millings or "crush and run" shall not be used for residential parking.

Review Procedures: Any proposed conditional use subdivision shall be subject to review by the Dare County Planning Board and approval by the Dare County Board of Commissioners as a conditional use permit and subject to quasi-judicial proceedings. The conditional use permit and subdivision plat shall be recorded in the Dare County Register of Deeds. Restrictive covenants stating the conditions of approval, including the maximum dwelling size of 1200 square feet of

heated/conditioned space, shall be recorded in conjunction with the conditional use permit and subdivision plat.

Road Access – Any lot developed as part of a conditional use subdivision shall have frontage on an existing State-maintained road. If new road improvements are proposed as part of the conditional use division, the roads shall be dedicated as public roads and constructed according to the road standards of the Dare County Subdivision Ordinance. Maintenance of roads constructed as part of a conditional use subdivision shall be the responsibility of property owners in the division until such time that the roads are accepted into the NC State road system.

Lot coverage: 30% of the total lot area of each individual lot.

Setbacks: Front yard –25 feet, Side yard – 10 feet, Corner Side yard – 15 feet, Rear yard -20 feet shall apply to each individual lot.

Building height: Any dwelling constructed as part of a conditional subdivision shall be constructed to the building height of the applicable zoning district.

## SECTION 22-58.7 Workforce Housing Units (proposed new section to be added to Zoning Ordinance )

A workforce housing unit (WHU) is a dwelling constructed in conjunction with a commercial structure. Workforce housing units may be located on a commercial lot in the following zoning districts:

Hatteras Island: S-1, C-2, C2-H, C-3, I-1.

Colington/KDH Outside: VC-2, C-3

Manteo Outside: C-3, I-1, SNC

Wanchese: RB, NC, HML, WVC, MC-1, MC-2, and Highway 345

Manns Harbor: MH-A, MH-B

East Lake: ELVC, ELCS

The following standards shall apply:

1. A WHU may be attached to the principal commercial structure, located within a commercial structure, or detached from the principal commercial use structure and shall be subject to administrative review by the Dare County Planning Department. More than one WHU may be located on a lot with a principal commercial use if the dimensional requirements as set forth in this section are met. If two or more WHU units are proposed for construction in addition to the principal commercial structure, than such projects shall be subject to conditional use review. A site plan of the proposed WHU and other existing improvements on the property shall be submitted to the Planning Department for approval according to the applicable review procedures of the Zoning Ordinance.
2. Lot coverage- 60%. A WHU shall be located on a commercial lot according to the applicable principal use setbacks. A WHU shall be separated from commercial structures or other structures on the lot by fifteen feet.
3. Existing on-site parking may be utilized for the WHU if only one unit is proposed. Any WHU project subject to conditional use review may be required to provide additional parking as determined during CUP process.
4. A WHU shall be constructed according to North Carolina building code and Dare County floodplain management regulations.
5. Recreational vehicles, travel trailers and/or manufactured homes shall not be used or approved as a WHU.
6. An existing accessory structure may be converted to a WHU if compliance with the principal structure setbacks, separation distances, and applicable Dare County floodplain

management regulations can be met. A WHU shall not exceed the building height of the applicable zoning district.

7. A WHU approved under these guidelines shall be used for workforce housing and not for additional commercial or business activities.
8. A WHU shall not be subdivided or segregated in ownership from the principal dwelling unit.
9. A WHU shall not be used for short-term occupancy rentals during the time period of April 1 to October 31 annually. A Memorandum of Agreement outlining the requirements applicable to the WHU, including the short-term occupancy limitations, shall be executed by the property owner at the time of permit approval by Dare County.

# Housing Amendments

Dare County

Board of Commissioners

August 19, 2019



# Housing Amendments

- First set of amendments adopted in October 2018.
- Second set recommended by Planning Board last week. Recommendation includes four alternatives for the Board's consideration.

# Alternative 1

## Expansion of Cluster Homes

- Cluster home regulations were adopted in October 2018, only in those districts that allow duplexes or multifamily structures.
- Alternative to extend the regulations into ten more districts that are single family districts –NH, RS-1, R-1, SNC, VR, WR-1, MH-A, MH-B,ELR, ELNH.
- Minimum parcel size of 30,000 sq ft.
- Dwelling limitation of 1200 sq. ft. Long-term occupancy.

# Alternative 2

## Educational Housing

- Regulations for projects associated with UNC Coastal Studies Institute, Bd. of Education, Dare County, or College of the Albemarle.
- Proposed for twenty-five districts – those districts that allow duplex and/or multifamily structures.
- Density –12 units per acre for on-site wastewater. 15 units per acre if municipal wastewater.
- Higher than general density limitations.

# Alternative 3

## Conditional Use Subdivisions

- Reduced lot size of 12,500 sq. ft. for lots served by central water in exchange for dwelling limitation of 1,200 sq. ft.
- Long-term occupancy requirement.
- Minimum parcel size – 3 acres.
- Existing platted lots cannot be combined and then re-divided as conditional use division.
- Density 3.5 units per acre vs 2.9 units per acre for 15,000 sq. ft. lots.

# Alternative 4

## Workforce Housing

- Accessory dwellings in conjunction with commercial structures in all commercial zoning districts.
- 60% lot coverage, no size limitation on dwellings. May be able to build more than one WHU if adequate area and septic capacity.
- One WHU administrative approval. Two or more WHUs- conditional use approval.
- Shall not be used for short-term rental April 1 to October 31.

# Next Step

- Public Hearing needed before adoption—September 16 is suggested date.
- After hearing, the Board may choose to adopt any of the alternatives or adopt all of the alternatives.

## ZONING AMENDMENT CONSISTENCY DETERMINATION

On September 16, 2019, the Dare County Board of Commissioners considered a package of zoning amendments to the Dare County Zoning Ordinance to address the housing needs of Dare County. These amendments involve cluster home developments, educational housing projects, reduced lot sizes for subdivisions on land greater than 3 acres, and workforce housing standards for commercial districts.

The Dare County Planning Board conducted a public hearing on the amendment on June 10, 2019. There were no speakers at the public hearing. The Planning Board discussed the amendment on two subsequent occasions and made a recommendation for approval of the amendments on August 12, 2019. Their recommendation included a finding of consistency with the Dare County Land Use Plan.

The 2009 Dare County Land Use Plan is the comprehensive plan for unincorporated Dare County adopted by the Dare County Board of Commissioners on December 6, 2010.

A review of the Dare County Land Use Plan found the following policies to be applicable to the zoning text amendment:

### Land Use Compatibility Management Topic

#### Policy LUC #4

*To address the housing needs of the year-round population, multi-family dwellings and other types of residential structures, such as accessory use dwellings, are considered appropriate alternatives when located in areas zoned for multi-family structures and constructed on lots or parcels greater than the minimum lot size for single family lots established in the individual zoning districts of the Dare County Zoning Ordinance. This diversification of housing opportunities is important to address the needs of Dare County's workforce.*

Based upon a review of the policy, the Dare County Board of Commissioners finds the zoning amendments to be consistent with the 2009 Dare County Land Use Plan since the amendments will facilitate a variety of residential structures in many Dare County zoning districts and will increase opportunities for essential year-round and workforce housing.

village heritage, traditional industries, and development patterns is essential to the continued livelihood of our residents and our continued ranking as a top tourist destination. This includes an emphasis on locally-owned and operated businesses versus franchises that rely on corporate building designs to make their businesses universally recognizable. The continued successful of our locally-owned businesses adds to our unique character and as appealing traits to many of visitors and residents. The development patterns found in our various coastal villages do not follow traditional patterns of land development due to the isolated nature of some of the areas and the island geography of Dare County. However, this should not be seen as a disadvantage but as part of our heritage and our unique nature. The incompatibility of adjoining land uses that can be found throughout unincorporated Dare County must be viewed with some level of tolerance because of the uneven balance of public-private ownership and the historical patterns of development that follow the confines of the various village communities and separation of land masses by water bodies.

*Policy LUC #1*

Dare County recognizes the importance of our coastal village heritage and will continue to work toward the preservation of that heritage with appropriate land use guidelines and regulations.

*Policy LUC #2*

Public sector and private sector development activities should recognize Dare County's coastal heritage and incorporate traits reflective of our heritage in building design and other site features and improvements.

*Implementation Strategy:*

1. Identify amendments to the Dare County Zoning Ordinance and other land use ordinances that may be necessary to implement management objectives for residential and commercial development. This may include the elimination of drive-thru window service for restaurants (but not all businesses employing drive-thru window service such as banks and pharmacies) in all commercial and S-1 zonings districts and building design standards for commercial structures. (2011-2012)

**Residential Development**

The construction of detached single family residential structures as the preferred pattern of development in Dare County dates back to the 1987 Dare County Land Use Plan. The 2009 update continues this preference as expressed at public input workshops, in the Citizen Involvement Poll results, and at Planning Board workshops. The 2009 update also recognizes that the need for workforce housing and year-round housing opportunities might conflict with this objective but are necessary to address the housing needs of Dare County. Multifamily structures may be a more cost-effective alternative for workforce housing and the 2009 LUP acknowledges this option. Comments from the Planning Board workshops indicate support for residential development that is consistent

with existing neighborhoods patterns and that is reflective of the coastal heritage architecture style prevalent along the Outer Banks. The scale and size of residential development should follow existing neighborhood patterns. Since the 2003 update, the trend in seasonal accommodations has been the construction of large, multi-bedroom structures.

There has been some criticism of these large structures and adjustments made to local zoning regulations to link the numbers of bedrooms to the lot size and to address on-site parking. The construction of these large residential structures is reflective of the seasonal market demands and the stated land use policy of detached residential structures versus townhomes or multifamily structures. Most of these large homes have been constructed along the oceanfront and in areas that are generally dedicated to seasonal or second home accommodations. However, some of the large residential homes have been constructed in more year-round residential settings and this often results in complaints from the residents of noise, overflowing trash cans, and excessive vehicles parked in the right-of-way. Such compatibility issues are difficult, if not impossible to address with local zoning regulations, since the use remains residential but the occupancy of the structure creates conflicts. Some subdivisions have adopted covenant restrictions on seasonal rentals which seem to be successful in curbing incompatible occupancy issues.

Since 1982, the minimum lot size standards for Dare County have remained unchanged for new residential lots – 15,000 square feet for lots served by central water and 20,000 square feet for new lots served by private wells. During the development of the Wanchese zoning maps, the majority of the residents expressed the sentiment that the minimum lot size of 20,000 square feet should be applicable in all Wanchese zoning districts even if central water becomes available in the future. The zoning regulations adopted for Wanchese reflect this sentiment. The issue of changing the minimum lot size has not been identified as an issue of concern during the 2009 update. The scale of development associated with the current minimum lot sizes is congruent with the objective of residential development that is compatible with existing neighborhood patterns.

The issue of moderately-priced housing for permanent residents has received a great deal of attention since the 2003 LUP update. In 2003, the Dare County Board of Commissioners appointed an ad hoc committee to study housing issues and identify incentives for the private sector to encourage development of moderately-priced housing. A set of zoning standards, entitled the Family Housing Incentives Standards, were adopted which provide multi-family dwelling density bonuses, reduced lot size for duplexes, and accessory unit provisions in exchange for housing that is rented or sold to certain household incomes ranges. Since the adoption of the FHIS ordinance, one site plan for the development of a multi-family project on Hatteras Island has been approved by Dare County. The committee has also identified a tract of County-owned land on Bowsertown Road for construction of workforce housing for year-round residents. The County is working with the Outer Banks Community

Development Corporation (CDC) on this project. The CDC is a non-profit group founded in 2003 to provide guidance to local residents in identifying housing opportunities. The County has provided funding assistance to the CDC since its inception.

The Dare County Board of Commissioners has provided financial support to the Dare County Educational Foundation for the construction of a housing complex for teachers to be located in Kill Devil Hills adjacent to the First Flight Schools campus. This project is financed by the North Carolina State Employees Credit Union and will be built on land owned by the Dare County Board of Education. Similar projects have been funded by the State Employee Credit Union in other areas of North Carolina. For years, the Board of Education has struggled with recruitment and retention of teachers in Dare County due to the area's high cost of housing and living expenses. The construction of this housing complex is designed to provide moderately priced housing for newly graduated teachers who may not otherwise be able to live and work in Dare County.

Another factor affecting the workforce housing issue is housing for seasonal employees. In recent years, workers from foreign countries comprise a large sector of the seasonal workforce. These foreign visitors live in Dare County for several months on temporary work visas and provide labor in many restaurants, grocery stores, retail establishments, and other hourly-wage businesses. The same workforce housing that is affordable to the seasonal workers is the same housing market that is affordable to the year-round service industry. This creates competition among the two sectors of the workforce. The lack of affordable housing opportunities often results in many of the foreign workers residing in one residential structure and exceeding the approved occupancy of the structure. The housing of these workers in traditional neighborhoods also results in conflicts with the adjoining property owners due to varying work schedules and lack of understanding of local customs. Noise and trash issues are the most frequent complaints. Some employers provide housing for their seasonal workers but this is the exception not the norm.

The parking of heavy equipment and commercial vehicles in residential neighborhoods is an often-made complaint received by the Planning Department. With many service-oriented and construction related businesses, heavy equipment and commercial vehicles are parked in neighborhoods where current zoning regulations do not address such issues. This often results in complaints from neighbors concerned about the inconsistency of this activity with a residential zoning designation. As neighborhoods continue to build-out and develop over the next several years, the need to amend the Zoning Ordinance to address the parking and location of heavy equipment and commercial vehicles may be necessary. However, such efforts will most likely meet with resistance from the business owners who may be impacted by such a change.

Another issue that has increased in frequency of complaints since the 2003 LUP update is the issue of junked and abandoned vehicles. The County Code of Ordinances includes a junked and abandoned vehicle ordinance that is outdated and extremely cumbersome to enforce. The issue is complicated by the lack of a storage yard available for the relocation of junked and/or abandoned vehicles once removed from private property. In larger metropolitan areas, local governments often own and maintain vehicle yards for the storage of junked vehicles. This is not the case in Dare County where County owned lands are dedicated to other uses such as schools, office buildings, and infrastructure needs. The vehicle storage yards are often the source of contaminants in stormwater which is another concern. As Dare County continues to grow and become more developed, updating the County's junked and/abandoned vehicle ordinance to include alternatives to the traditional removal and mass storage may be needed.

#### *Policy LUC #3*

Residential structures shall be the preferred land use in unincorporated Dare County for both seasonal accommodations and permanent housing. All new residential structures, whether attached or detached, are encouraged to be on a scale that is consistent with existing neighborhood patterns of development.

#### *Implementation Strategy:*

1. Administration of existing regulations of the Dare County Zoning Ordinance for minimum lot size, dwelling density, building height and other standards for residential development. Changes in wastewater technology, improved construction practices for "green" buildings, market conditions, and demographic trends should be examined periodically to ensure that the standards of the Dare County Zoning Ordinance are not obsolete and recognize newer technologies that may benefit our existing communities. (2010-2015).

#### *Policy LUC #4*

To address the housing needs of the year-round population, multi-family dwellings and other types of residential structures such as accessory use dwellings, are considered appropriate alternatives when located in areas zoned for multi-family structures and constructed on lots or parcels greater than the minimum lot size for single family lots established in the individual zoning districts of the Dare County Zoning Ordinance. This diversification of housing opportunities is important to address the needs of Dare County's workforce.

#### *Implementation Strategy:*

1. Administration of Family Housing Incentive Standards (section 22-58.2) of the Dare County Zoning Ordinance to address workforce housing needs. (2010-2015)



*CUP Amendment -- Midgett Group Development*

**Description**

In 2017, Dare County approved a site plan and conditional use permit for Jonathan Midgett's property located at 1145 Colington Road. The 2017 CUP was for the construction of two metal buildings in addition to an existing home/beauty shop on the property. Mr. Midgett has sold the property to New Way Community Church. An amendment to the site plan and CUP are needed as a result of this land transfer. A staff report, revised site plan and draft CUP are included with the cover sheet.

**Board Action Requested**

Amend CUP and site plan as recommended by the Planning Board.

**Item Presenter**

Donna Creef

STAFF REPORT – September 16, 2019 Meeting

TO: Dare County Board of Commissioners

FROM: Donna Creef, Planning Director

RE: CUP Amendment and Revised Site Plan for 1145 Colington Road

Dare County approved a group development for Mr. Jonathan Midgett in 2017 to construct three structures on his property located at 1145 Colington Road. The property is zoned Commercial Services. Mr. Midgett sold his property to New Way Community Church earlier this year. Two of the three structures have been constructed. The second structure includes four individual units, which is proposed for use as a church and associated church functions. Churches are permitted uses in the CS district but because the property was approved as a conditional use permit, an amendment to the CUP is needed.

The site plan included in your packet depicts the proposed revisions to the site including the deletion of the third structure originally approved and expanded parking to accommodate the church. The Zoning Ordinance establishes parking for churches based on the number of seats in the sanctuary. The CUP application indicates a total of 120 seats will be provided. The parking on the revised site plan is calculated on this 120-seat number. I have advised Pastor Roga if parking demand exceeds the parking provided on site, the church will need to make additional arrangements with an adjoining property owner for off-site parking.

As part of the change of use, revised building plans prepared by a NC licensed design professional are needed. Approval of the CUP amendment is a separate approval process. CUP approval of the changes is for the layout of the site improvements only. The illustration of the building layout on the site plan does not alleviate the need to complete the change of use review process with the Building Inspector and Fire Marshal. The NC fire codes base the occupancy load of the building on various factors. However for the calculation of parking, the Zoning Ordinance relies on the number of seats. Comments from the Fire Marshal on the site improvements are attached to my memorandum.

The CUP amendment will allow for the transfer of the CUP to the new land owners. The hair salon and residence will remain in their current capacity and arrangements with the owner of the hair salon and the church officials are in place as part of the land transfer.

Lighting improvements will be added to the parking lots as part of the church revisions. The Zoning Ordinance provides that no glare shall be directed onto adjoining properties. I have included a condition in the CUP requiring the church to provide footcandle ratings as part of the as-built survey.

THE CS zoning regulations establish the need for a wooden fence as a buffer adjacent to residential uses. We have received an email from the adjoining property owner, Tanya Hill, requesting vegetation be added to the fence buffer. The request was received after the Planning Board meeting and we advised Ms. Hill we would forward the request to the Board of Commissioners.

AMENDMENT TO CUP 3-2017 for  
New Way Community Church  
September 16, 2019

**CONDITIONAL USE:** a group development consisting of a single family residential dwelling with attached hair salon, a second structure for use as a church and other associated church functions and parking improvements for the group development as depicted on the associated site plan labelled Appendix B.

**CONDITIONS:**

1. The group development authorized at 1145 Colington Rd shall operate as set forth in Section 22-31 of the Dare County Zoning Ordinance.
2. No parking or staging of equipment shall be conducted on adjoining properties or the Colington Rd right-of-way. On-site parking improvements shall be as depicted on the site plan labelled as Appendix B. The Planning Department shall monitor the parking at the site and if it is determined that parking needs of the church exceeds the current parking capacity, then the church officials will be notified of the need to make arrangements for off-site parking.
3. The access road servicing the site and the parking areas shall be improved and maintained according the NC fire codes as noted on the site plan (appendix B) and the comments provided by the Dare County Fire Marshal dated August 5, 2019 on file with the Planning Department.
4. The deed overlap on site plan labeled as Appendix B shall be accounted for in the construction of all improvements associated with the group development. No structural improvements requiring a Dare County building permit shall be located in the deed overlap area. All setbacks for structural improvements on the site shall be measured from the applicant's side of the overlap boundary.
5. A solid wooden buffer fence, as required by the CS zoning regulations, shall be constructed and perpetually maintained by applicant.
6. All signage shall be consistent with the Dare County Sign Ordinance and shall be approved by a separate permit process. Temporary signs such as sandwich board or A-frame type signs shall not be used on the property. The display of flags and other wind devices shall be according to the standards of Chapter 158.
7. A change of use permit for the occupancy of the second structure to be used as a church shall be secured. A revised set of building plans for the structure and other associated plan specifications prepared and certified by North Carolina design professional shall be submitted in conjunction with the change of use permit.

8. Any proposal to operate a child care facility shall require an amendment to the CUP. This does not include child care services provided to church members during church service and other church-sponsored functions.
  
9. Light fixtures shall be full cut-off style fixtures. Security lighting shall be provided in the parking spaces on low-level poles. Glare from all lighting improvements shall be directed away from any right-of-way and adjoining properties. Foot candle measurements of 1 foot-candle shall not be exceeded at the west property line. Such measurement shall be certified by a lighting specialist to the Planning Department as part of the as-built survey process.
  
10. Signage as required by the North Carolina fire code shall be posted at the sign and the signage reviewed by the Fire Marshal for compliance before occupancy of the site by the church.
  
11. An as-built survey of the property shall be submitted to the Planning Department upon completion of the additional parking improvements.
  
12. All other terms and provisions of the Dare County Zoning Ordinance shall remain in full force and effect except as herein specifically permitted otherwise;

This \_\_\_\_\_ day of \_\_\_\_\_ 2019

SEAL:

COUNTY OF DARE

By: \_\_\_\_\_  
 Robert L Woodard  
 Dare County Board of Commissioners

ATTEST:

By: \_\_\_\_\_  
 Cheryl Anby  
 Clerk to the Board

**THIS PERMIT AND THE CONDITIONS HEREIN ARE ACCEPTED**

By: \_\_\_\_\_  
Roga Compean, Pastor  
New Way Community Church

APPROVED AS TO LEGAL FORM

By: \_\_\_\_\_  
Robert L. Outten  
County Attorney

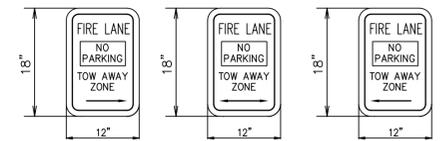
**GENERAL NOTES:**

PROPERTY OWNER: Roga Compean  
 P.O. Box 171, Nags Head, NC 27959  
 STREET ADDRESS: 1145 Colington Rd  
 Kill Devil Hills, NC 27948  
 PARCEL ID NUMBER: 023696000-023696004  
 PIN: 988417008061, 988417009172, 988417009153, 988417009134, 988417009114  
 RECORDED REFERENCE: D.B. 2290, Pg. 0168  
 LOT AREA : 276,096 sq. ft. / 6.34 Ac.  
 \* FEMA DATA: COMMUNITY - DARE COUNTY  
 FIRM ZONE - AE (8)  
 3720988300J  
 FLOOD ZONES SUBJECT TO CHANGE BY FEMA  
 \* SUBJECT PROPERTY ZONING: CS (COMMERCIAL SERVICES DISTRICT)  
 \* PROPOSED DEVELOPMENT:  
 CHANGE OF USE FROM OFFICE/STORAGE TO CHURCH. WITH ASSOCIATED CHANGE OF PARKING  
 \* Property is zoned "CS"  
 \* Total Uplands= 56,941 Sq. Ft.  
 \* Total 404 Wetlands= 26,398 Sq. Ft.  
 \* Total Coastal Wetlands= 192,397 Sq. Ft.  
 \* Driveway Shall Be Designed To Support 60,000 Lb. Emergency Vehicle  
 \* FIRE APPARATUS ACCESS ROADS SHALL HAVE AN UNOBSTRUCTED WIDTH OF NOT LESS THAN 20 FEET, EXCLUSIVE OF SHOULDERS, AND AN UNOBSTRUCTED VERTICAL CLEARANCE OF NOT LESS THAN 13 FEET 6 INCHES.  
 \* FIRE APPARATUS ACCESS ROADS SHALL BE DESIGNED AND MAINTAINED TO SUPPORT THE IMPOSED LOADS (60,000 POUNDS) OF FIRE APPARATUS AND SHALL BE SURFACED SO AS TO PROVIDE ALL WEATHER DRIVING CAPABILITIES.

\* NO PARKING - FIRE LANE SIGNS SHALL BE PLACED ON BOTH SIDES OF THE ACCESS ROAD. (SEE DETAIL BELOW). SIGNS SHALL BE SPACED NO MORE THAN 100 FEET APART FROM EACH OTHER. SIGNS SHALL BE METAL, REFLECTIVE AND SHALL FACE THE FIRE LANE. SIGNS SHALL BE MOUNTED ON A POLE OR THE BUILDING, AT LEAST 5' BUT NOT MORE THAN 7' A.F.G.

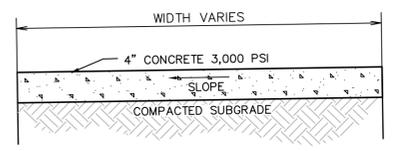
\* NO PARKING - FIRE LANE SIGNS SHALL BE PLACED ON BOTH SIDES OF THE ACCESS ROAD. (SEE DETAIL BELOW). SIGNS SHALL BE SPACED NO MORE THAN 100 FEET APART FROM EACH OTHER. SIGNS SHALL BE METAL, REFLECTIVE AND SHALL FACE THE FIRE LANE. SIGNS SHALL BE MOUNTED ON A POLE OR THE BUILDING, AT LEAST 5' BUT NOT MORE THAN 7' A.F.G.

\* ANY PROPOSAL TO PROVIDE CHILD CARE OUTSIDE OF CHURCH FUNCTIONS SHALL REQUIRE AN ADDITIONAL, SEPARATE AMMENDMENT TO THE C.U.P.

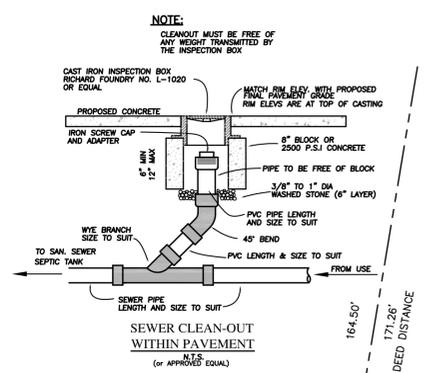


**SITE DATA**

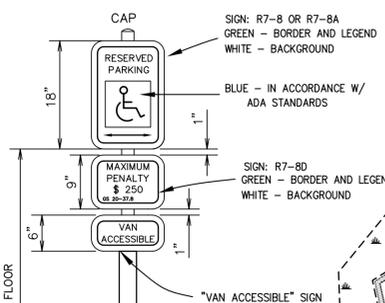
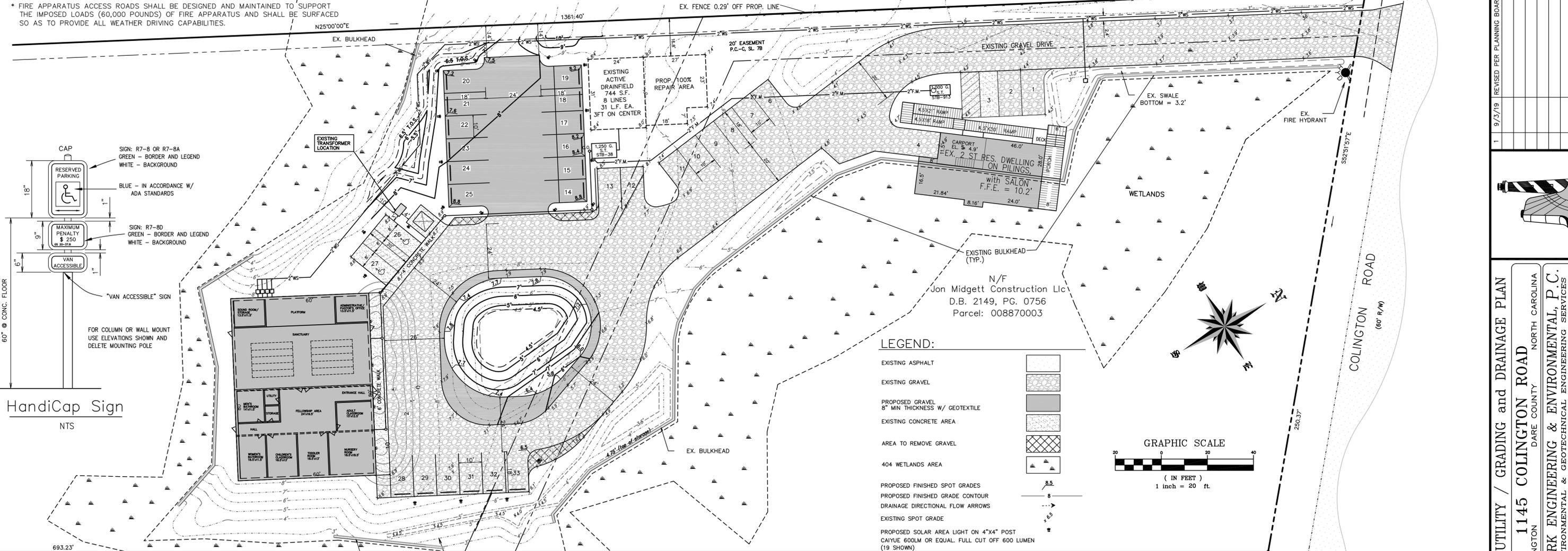
EXISTING RESIDENTIAL RESIDENTIAL BUILDING	1684 SF.
CONCRETE PARKING	320 SF.
TOTAL RESIDENTIAL IMPERVIOUS COVERAGE	2,004 SF.
EXISTING COMMERCIAL	
EXISTING COMMERCIAL BUILDING	4,800 SF.
EXISTING GRAVEL DRIVE	17,600 SF.
EXISTING CONCRETE	1,405 SF.
TOTAL EX. COMMERCIAL IMPERVIOUS COVERAGE	6,205 SF.
PROPOSED COMMERCIAL	
PROPOSED GRAVEL DRIVE & PARKING	4,708 SF.
TOTAL IMPERVIOUS COVERAGE	8,209 SF.
TOTAL PARCEL AREA	276,096 SF. (6.34 AC.)
TOTAL UPLAND AREA	56,941 SF. (1.31 AC.)
TOTAL IMPERVIOUS UPLAND COVERAGE	14.42 %
TOTAL PROPOSED DISTURBED AREA :	9,410 SQ.FT.
PARKING SCHEDULE:	
REQUIRED:	
RESIDENCE - 1 SPACE PER BEDROOM x 2 BR = 2 SPACES	
SALON - 2 SPACES/CHAIR x 1 CHAIR = 2 SPACES	
CHURCH - 1 SPACE PER 4 SEATS - 120 SEATS/4 = 30 SPACES	
TOTAL SPACES REQUIRED = (34 SPACES - 3 SHARED SPACES) = 31 SPACES	
TOTAL SPACES PROVIDED = 33 SPACES	



Typical Concrete Section  
N.T.S.



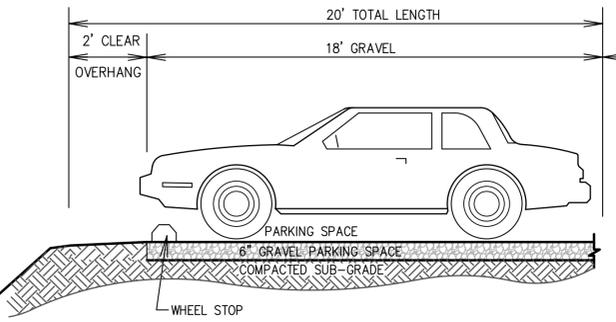
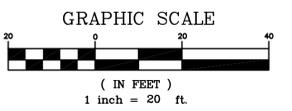
Sewer Clean-out Within Pavement  
N.T.S.



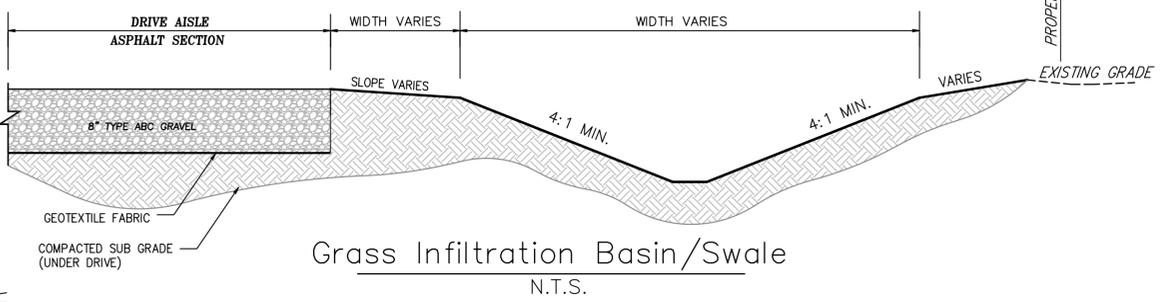
HandiCap Sign  
N.T.S.

**LEGEND:**

- EXISTING ASPHALT
- EXISTING GRAVEL
- PROPOSED GRAVEL 8" MIN THICKNESS W/ GEOTEXTILE
- EXISTING CONCRETE AREA
- AREA TO REMOVE GRAVEL
- 404 WETLANDS AREA
- PROPOSED FINISHED SPOT GRADES
- PROPOSED FINISHED GRADE CONTOUR
- DRAINAGE DIRECTIONAL FLOW ARROWS
- EXISTING SPOT GRADE
- PROPOSED SOLAR AREA LIGHT ON 4"x4" POST CAIYUE 600LM OR EQUAL. FULL CUT OFF 600 LUMEN (19 SHOWN)



Typical Parking With Wheel Stop  
N.T.S.

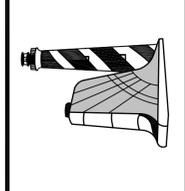


Grass Infiltration Basin/Swale  
N.T.S.

**NOTE:**  
 THE DATA GIVEN ON THESE PLANS IS BELIEVED TO BE ACCURATE, BUT THE ACCURACY IS NOT GUARANTEED. THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING ALL LEVELS, LOCATIONS, TYPES, AND DIMENSIONS OF THE EXISTING UTILITIES PRIOR TO CONSTRUCTION. IF A DISCREPANCY IS FOUND, WORK SHALL CEASE AND THE ENGINEER NOTIFIED. WORK MAY CONTINUE UPON ENGINEERS NOTICE TO PROCEED.



NO.	DATE	DESCRIPTION
1	9/3/19	REVISED PER PLANNING BOARD REVIEW COMMENTS



**SITE / UTILITY / GRADING and DRAINAGE PLAN**  
 1145 COLINGTON ROAD  
 DARE COUNTY NORTH CAROLINA  
**LANDMARK ENGINEERING & ENVIRONMENTAL, P.C.**  
 CIVIL, ENVIRONMENTAL & GEOTECHNICAL ENGINEERING SERVICES  
 MAILING: P.O. Box 1190 - Kitty Hawk, NC 27949 - PHONE: (252) 255-0892 FAX: (252) 255-0892 EMAIL: vector@landmarkeng.net

Project #	P19005
Designed By:	VEW
Drawn By:	VEW
Checked By:	VEW
Issued Date:	7/22/19

SHEET NO.  
**C1**  
 OF: 1 SHEETS



COUNTY OF DARE  
Department of Emergency Management  
Office of the Fire Marshal  
P.O. Box 1000, Manteo, North Carolina, 27954

Steven R. Kovacs  
Fire Marshal

(252) 475-5750  
Fax: (252) 473-3168

**To:** Donna Creef, Planning Director  
**From:** Steven R. Kovacs, Fire Marshal  
**Date:** August 5, 2019  
**Re:** 1145 Colington Road

---

I have shared and reviewed the site plan for the reconfiguration of the storage property at 1145 Colington Road with Chief Glenn Rainey. The following comments are based on this review.

- The only major change to the plan is the inclusion of additional parking on what was planned a second commercial building on the south-west portion of the lot and along the drive.
- Due to the nature of the building now changing from an "S"-storage to an "A"-assembly occupancy additional "No Parking – Fire Lane" signs shall be posted on both sides of the access road. These signs shall be spaced no more than 100-feet from each other. This is to maintain the required 20-foot clear width for access of emergency vehicles. Signage specs shall be as attached.
- The following language needs to be added to the site plan specifying the following:

***NCFC 503.2.1 Dimensions.*** *Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 m), exclusive of shoulders, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm).*

***503.2.3 Surface.*** *Fire apparatus access roads shall be designed and maintained to support the imposed loads (60,000 pounds) of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities.*

If you have any questions please do not hesitate to contact me.



*Approval of 'Final Cost Estimate Prior to Construction Manager At Risk Bidding' for the Animal Shelter Project*

**Description**

The Capital Improvements Planning Committee will meet with the architect (Waller Todd Sadler) and the Construction Manager at Risk (Whiting Turner) prior to the Board meeting on 9/16 and will recommend a cost estimate to proceed with the project.

**Board Action Requested**

Approve design completion and development of the guaranteed maximum price with the recommended cost estimate.

**Item Presenter**

David Clawson, Finance Director - for the CIPC



*College of The Albemarle - Independent Consultant Agreement*

**Description**

Kennon D. Briggs, of Higher Education Consultant, has agreed to serve as an Education Consultant for the COA Project.

**Board Action Requested**

Approve the Agreement with any review changes the County Manager deems necessary and authorization for the County Manager to sign the final agreement

**Item Presenter**

Robert Outten, County Manager

## HIGHER EDUCATION CONSULTANT

2433 Shelmore Way | Leland, N.C. 28451 | kennondb@gmail.com

September 9, 2019

Mr. Robert L. Outten  
Dare County Manager  
P.O. Box 1000  
Manteo, North Carolina 27954

Dear Mr. Outten

I write to confirm our conversation of today, September 9, 2019 with regard to serving as an Education Consultant to the Dare County Board of Commissioners, College of The Albemarle Board of Trustees, Dare County Campus and you in the design and development of a post-secondary, community college facility in Dare County.

I offer to work as a Consultant to each party listed, and with any design or construction professionals selected by the Dare County Commissioners, by providing the following services:

- Be available, as required, to attend pre-design, design, charrettes, and construction delivery meetings, either in person and/or through the use of technology, and offer educated opinions and experiences;
- Assist in the discussion among (County, Campus, College) and advocacy for desired academic programming in dedicated and specific spaces in relationship to the design of the facility (pedagogy by design);
- Work cooperatively with the President and Senior Staff at COA to bridge relationships and understanding of the specific needs of students in the Dare County Service Area of the College;
- Work with the County in obtaining the best value facility at the best price possible; and,
- Other professional, educational and financial consulting services as may be required by the County of Dare.

The general terms and conditions are included in Attachment #1 to this offer.

Thank you for the opportunity to work with and for all parties.

Kennon D. Briggs

*/s/ Kennon D. Briggs*  
Higher Education Consultant

**Attachments: 1**

# Independent Consultant Agreement

I, Kennon D. Briggs, Consultant, offer Professional Consulting Services to the Dare County Commissioners, the Dare County Manager, the College of The Albemarle (COA) Board of Trustees, and the President of COA as it relates to the design and construction of a post-secondary community college facility at the Dare County campus of COA.

The scope of professional consulting services includes:

- Be available, as required, to attend pre-design, design, charrettes, and construction delivery meetings, either in person and/or through the use of technology, and offer educated opinions and experiences;
- Assist in the discussion among (County, Campus, College) and advocacy for desired academic programming in dedicated and specific spaces in relationship to the design of the facility (pedagogy by design);
- Work cooperatively with the President and Senior Staff at COA to bridge relationships and understanding of the specific needs of students in the Dare County Service Area of the College;
- Work with the County in obtaining the best value facility at the best price possible; and,
- Other professional, educational and financial consulting services as may be required by the County of Dare.

In return for the rendering of professional, the Consultant will be compensated by the County of Dare, upon production of a signed timesheet, mileage and receipts documentation:

- Fees at the rate of \$65 per hour for actual hours worked, with a short-snappy description of the hours billed, by day, submitted on a monthly basis;
- Round-trip mileage from Leland, North Carolina to Manteo, or to places designated by the County or College, at the prevailing IRS mileage reimbursement rate, submitted on a monthly basis; and,
- Lodging, if an overnight stay(s) is required, upon producing a paid receipt, submitted on a monthly basis.

The County of Dare or the Consultant may terminate this Agreement at any time, without prior notice or explanation. The County of Dare is not responsible for

making any withholdings or deductions for payments issued to the Consultant. The Consultant is solely responsible for all tax obligations arising from such payments made by Dare County. The County will issue to the Consultant a form 1099 for all payments at the end of any calendar year. The Consultant shall receive no additional compensation, benefits or leave. The Consultant will provide required federal tax identification information to the County.

Consultant:

Dare County

*/S/ Kennon D. Briggs*

Kennon D. Briggs

September 10, 2019

Robert L. Outten or Designee



*Consent Agenda*

**Description**

1. Approval of Minutes (09.03.19)
2. North Carolina Governor's Crime Commission Grant Award
3. Tax Collector's Report
4. Road Request - The Dogwoods West, Manteo

**Board Action Requested**

Approval

**Item Presenter**

Robert Outten, County Manager



*Approval of Minutes*

**Description**

The Board of Commissioners will review and approve their previous Minutes, which follow this page.

**Board Action Requested**

Approve Previous Minutes

**Item Presenter**

Robert Outten, County Manager



# County of Dare

P.O. Box 1000 | Manteo, NC 27954

---

## MINUTES

### DARE COUNTY BOARD OF COMMISSIONERS MEETING

Dare County Administration Building, Manteo, NC

**9:00 a.m., September 3, 2019**

Commissioners present: Chairman Robert Woodard, Vice Chairman Wally Overman  
Rob Ross, Steve House, Jim Tobin, Danny Couch, Ervin Bateman

Commissioners absent: None

Others present: County Manager/Attorney, Robert Outten  
Assistant Finance Director, Sally DeFosse  
Public Information Officer, Dorothy Hester  
Clerk to the Board, Cheryl Anby

A full and complete account of the entire Board of Commissioners meeting is archived on a video that is available for viewing on the Dare County website [www.darenc.com](http://www.darenc.com).

At 9:01 a.m. Chairman Woodard called to order the regularly scheduled meeting with appropriate prior public notice having been given. He invited Rev. Cherrie Wheeler to share a prayer, and then he led the Pledge of Allegiance to the flag.

#### **ITEM 1 – OPENING REMARKS – CHAIRMAN’S UPDATE**

Following is a brief outline of the items mentioned by Chairman Woodard during his opening remarks, which can be viewed in their entirety in a video on the Dare County website:

Chairman Woodard reminded everyone that hurricane Dorian was a huge storm which continues to pound the Bahamas. Dare County Control Group met yesterday and with information gathered from numerous weather sources wanted to ensure the safety of our visitors and citizens with the declaration of a State of Emergency. County Manager Outten added the County offices would remain open until noon tomorrow to allow employees time to secure their homes. Currently the mandatory evacuation order for residents would be in effect beginning 6:00 am, September 4. He encouraged everyone to follow instructions for the re-entry system available online.

#### **ITEM 2 – PRESENTATION OF COUNTY SERVICE PINS**

- 1) Jami Brown, received a 10-year pin presented by Elizabeth Reilly.
- 2) Daniel McCallum received a 15-year pin presented by Jennie Collins.

### **ITEM 3 – EMPLOYEE OF THE MONTH – September, 2019**

James DeGroff received the Employee of the Month award from Chief Jennie Collins. Mr. DeGroff, a relatively new member to the EMT Department since 2015, is always willing to step up and offers to help out his fellow team members and always demonstrates professionalism. He has a high level of compassion for his patients and co-workers and is self-motivated with an upbeat attitude.

### **ITEM 4 – PUBLIC COMMENTS**

At 9:24 a.m. the Manager outlined the procedure for making public comments in Manteo and via the video link to the Fessenden Center Annex in Buxton. Following is a summary of all citizen remarks, which can be viewed in their entirety in a video on the County website:

*The following comments were made in Manteo:*

1. Manny Medeiros, Jr. followed up his earlier concerns over the Dare County School program referred to as “Dare 2023”. He expressed dissatisfaction with the program’s outline to include a lack of commitment to mastery of language or proficiency in mathematics and felt the 18 page overview of the program consisted of “fluff, filler and photos”. He requested that the Board spend time to review the program themselves as our children do not get a second chance at their education.
2. Kelly Harmon presented the Board with details concerning a North Carolina Department of Military Affairs Veterans Claims Clinic event she has been organizing to help area veterans with an opportunity to have their claims evaluated in person. This event could bring over 1,000 people from neighboring states for an opportunity to review their claims. She has begun coordination efforts with Bea Basnight for school location, the Sheriff and others for man-power support. The event would likely be scheduled in the beginning of January, when schools are closed and the tourist season has slowed. The Board discussed the possible support and partnerships with local restaurants and motels during the event and thanked Kelly for her continued efforts to benefit our area veterans.

### **MOTION**

Commissioner Tobin motioned to support the Veterans Claim Clinic and provide an initial \$500.00 as additional assistance with refreshments for veterans in attendance from the contingency account.

Vice-Chairman Overman seconded the motion.

VOTE: AYES unanimous

*The following comments were made in Buxton:*

1. Bob Davis commented on the public beach access restrictions to the national seashore which have been imposed to protect the life cycle of the piping plover. The Audubon Society had indicated the protection of the birds from humans would provide the birds with the ability to successfully nest, as they are considered an endangered or threatened species. With the implementation of protection efforts for the birds for over fifteen years he feels there has been no increase in their population. He asked that the Board reopen the beach access areas.

2. Barbara Ackley from Buxton commented that her enjoyment of the Cape Hatteras National Seashore Recreational Area has been curtailed due the access restrictions imposed. Her health problems and her age prevent her from enjoying the Hatteras Inlet and Ocracoke side closed to vehicle traffic.

The County Manager closed Public Comments at 10:01 a.m.

#### **ITEM 5 – PROCLAMATION – SUICIDE PREVENTION AWARENESS – CHALK TALK**

Dr. Sheila F. Davies, on behalf of the Health Department and in coordination with the Breaking Through Taskforce and the Adult Mental Health Collaborative presented a proclamation notice recognizing September as Suicide Prevention Awareness Month. As part of the project, inspirational and kind words would be placed on sidewalks and pavement areas with chalk messages to spread additional hope and encouragement to the many suffering with mental health issues and stigma associated with the public issue of suicide. In October there would be a slideshow presentation of the many messages spread throughout the County to support this issue.

#### **MOTION**

Commissioner House motioned to issue the Proclamation for Suicide Prevention Awareness Month.

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

#### **ITEM 6 – PROCLAMATION – CONSTITUTION WEEK**

Betty Corbin, on behalf of the Virginia Dare Chapter of the Daughters of the American Revolution (DAR), presented a proclamation commemorating the anniversary of the framing of the Constitution of the United States. The Chapter won the state award for best broadcast coverage last year as a result of their 2018 proclamation. Sept 17 through 23 is Constitution Week, which was first observed on July 23, 1956 by President Dwight E. Eisenhower. Mrs. Corbin added the constitution was a living document that ensured the freedoms we all appreciate.

#### **MOTION**

Vice-Chairman Overman motioned to issue the Constitution Week Proclamation.

Commissioner House seconded the motion.

VOTE: AYES unanimous

#### **ITEM 7 – SOUTH FERRY CHANNEL DREDGE EVENT OCTOBER 2019**

Brent Johnson, Grant Waterways and Project Manager, provided the Board with the survey completed by the United States Army Corps of Engineers in July 2019 along with the graph calculating the one quarter required to be paid by the County to \$86,925.00 for the South Ferry Channel dredging effort scheduled for October, 2019.

#### **MOTION**

Commissioner Couch motioned to approve funding for South Ferry Channel dredge event in October 2019 at a total amount of \$86,925.00.

Commissioners Bateman and Ross seconded the motion.

VOTE: AYES unanimous

### **ITEM 8 – CONSENT AGENDA**

The Manager announced the items as they were visually displayed in the meeting room.

#### **MOTION**

Commissioner House motioned to approve the Consent Agenda:

- 1) Approval of Minutes (08.19.19) **(Att. # 1)**
- 2) 2020 Census Resolution **(Att. #2)**
- 3) Request for Addition to State Maintained Secondary Road System – Maid Marian Court **(Att.# 3)**

Vice-Chairman Overman seconded the motion.

VOTE: AYES unanimous

### **ITEM 9 – BOARD APPOINTMENTS**

#### **Nursing Home Community Advisory Council**

Commissioner Tobin motioned to reappoint Mary F. Pendill and Pamela “Susie” Walters. Commissioner House seconded the motion.

VOTE: AYES unanimous

#### **Upcoming Board Appointments**

The upcoming Board appointments for October, November and December, 2019 were announced. Commissioner Ross noted a correction in the December upcoming appointments for the Albemarle Commission may be needed due to a rewrite of their bylaws to reestablish their term cycle, which would result in no December vacancy.

### **ITEM 10 – COMMISSIONERS’ BUSINESS & MANAGER’S/ATTORNEY’S BUSINESS**

Commissioners and the County Manager frequently make extensive remarks, which can be viewed in their entirety in a video on the Dare County website. Following is a brief summary outline of the items mentioned by Commissioners during this segment:

Commissioner Ross noted the storm preparations and warnings should be taken seriously. He attended the convocation ceremony to launch the 2019/20 new school year and said it was an inspiring and outstanding event.

Commissioner House would be looking into the economic impact the recent changes with fisheries would have for Dare County and anticipated devastating losses to the area. He encouraged everyone to take heed to the evacuation orders for this serious storm.

Vice-Chairman Overman thanked and recognized the Employee of the Month and service pin recipients. He also enjoyed the creativity with the “tarp wave” and friendly competition shown during the school convocation kickoff with the popular “Farrelly” awards. He continued the warning to residents regarding hurricane Dorian with a quote: “Hide from the wind and run from the water” and be safe.

Commissioner Bateman attended the school convocation noting the creativity with the skateboard and tarp wave was spectacular with impressive singing and acting. He warned citizens to use common sense with their decisions regarding the approaching hurricane and to take heed of the warnings presented.

Commissioner Couch reminded there would probably be much water in the sound. Hatteras did not have a lot of protection and we should not be complacent with this storm as it continues to move northward.

Commissioner Tobin attended the dedication of a plaque at Fort Raleigh for Joachim Gans, a Czech mineralist and the first scientist and Jewish person to set foot here with Sir Walter Raleigh in the New World to set up a lab. He reminded everyone to continue with prayers for Freeport, the Bahamas and the marinas that sustained damages from the storm, along with the tragic deaths from a boating fire in California.

Chairman Woodard reminded everyone there would be a Control Group meeting at 1:00 p.m. this afternoon and the public information office would provide updates at [www.readync.org](http://www.readync.org) for tips and information.

#### **MANAGER'S/ATTORNEY'S BUSINESS**

County Manager presented the Spatialest Software and Services Agreement which is a pictometry software program used by the tax office. It is a renewal of a multi-year contract which had been reviewed by staff and the County Manager.

#### **MOTION**

Commissioner Tobin motioned to approve the Spatialest Software and Services Agreement with any review changes the County Manager deems necessary and to authorize the County Manager to execute the final agreement.

Vice-Chairman Overman and Commissioners Couch and Ross seconded the motion.

VOTE: AYES unanimous

County Manager provided an update that the GIS department was continuing work on an inventory of all the property owned by Dare County and should have a spread sheet soon to present to the staff in order to review and discuss future plans for any excess properties.

Chairman Woodard returned to the Consent Agenda item concerning the road approval for Maid Marian noting he had understood The Dogwoods should be added to the resolution approval. County Manager confirmed NCDOT had been requested to consider the inclusion of the omitted section of The Dogwoods West and clarified another petition would need to be provided in order to complete the addition of that portion of road. Ken Barnes, representative of the subdivision residents, will continue work with NCDOT to have The Dogwoods West added with a supplemental request.

Dorothy Hester, as Public Relations Director, followed up with confirmation of the Emergency Operations Center gearing up with all the agencies working and they would be updating the website with bulletins as they come available. She reminded everyone to not look at the category of the storm but to be mindful of the potential for flooding.

At the conclusion of the meeting, Chairman Woodard asked for a motion to adjourn.

**MOTION**

Commissioner House motioned to adjourn the meeting.

Commissioner Overman seconded the motion.

VOTE: AYES unanimous

At 10:35 a.m., the Board of Commissioners adjourned until 5:00 p.m., September, 16, 2019.

Respectfully submitted,

[SEAL]

By: \_\_\_\_\_  
Cheryl C. Anby, Clerk to the Board

APPROVED: By: \_\_\_\_\_  
Robert Woodard, Chairman  
Dare County Board of Commissioners

Note: copies of attachments (Att.), ordinances, resolutions, contracts, presentations, and supporting material considered by the Board of Commissioners at this meeting are on file in the office of the Clerk to the Board.



*Tax Collector's Report*

**Description**

Aug 2019 Discoveries over \$100  
Aug 2019 Releases over \$100  
Aug 2019 NCVTS Refunds over \$100

**Board Action Requested**

Approved

**Item Presenter**

Becky Huff, Tax Collector

**Discovery Report for REAL ESTATE and PERSONAL PROPERTY**

*(Discoveries over \$100.00 )*

**MONTH: August**

**Date Range: 8/1/2019 - 8/31/2019**

**Submitted By: Becky Huff**

<u>Taxpayer Name</u>	<u>Parcel</u>	<u>Value Discovered</u>	<u>Tax Discovered</u>
WICKSTROM, SHERRY BUTCHER	024534001	236,800.00	1,989.12
SURF OR SOUND REALTY RENTALS & SALES	974919000	2,808.00	182.50
SPENCER YACHTS INC	981672000	109,450.00	12,113.84
SPENCER YACHTS INC	981672001	983.00	111.84
STAN WHITE REALTY & CONSTRUCTION INC	974584000	5,711.00	317.22
STAN WHITE REALTY AND CONSTRUCTION INC	971083000	7,837.00	542.92
SMITH, MARION G THE HEIRS OF	937632000	14,955.00	103.94
		<b>378,544.00</b>	<b>15,361.38</b>

## Release Report for REAL ESTATE and PERSONAL PROPERTY

(Releases over (\$100.00) )

**MONTH** August

**DATE** 8/1/2019

- 8/31/2019

**SUBMITTED BY:** Becky Huff

<b>Taxpayer Name</b>	<b>Parcel#</b>	<b>Bill Yr</b>	<b>Reason</b>	<b>Released Value</b>	<b>Released Tax</b>
EVANS, JOHN DOUGLAS JR.	937495000	2019	Camper Value Change	-16,900.00	<b>-127.97</b>
MASCIA, MARY ANN	937160000	2019	Boat situs in NJ	-34,355.00	<b>-288.58</b>
MCGRATH, CHRISTOPHER MICHAEL	936569000	2018	Clerical Error	-37,725.00	<b>-336.14</b>
MCGRATH, CHRISTOPHER MICHAEL	936569000	2019	Clerical Error	-36,627.00	<b>-326.36</b>
LAURA, RICHARD	937498000	2019	Situs in Dare County not 6 months	-36,117.00	<b>-244.93</b>
POWELL, STEPHEN	937425000	2019	Duplicate Listing	-52,380.00	<b>-484.00</b>
GILLIAM, HARDY	937437000	2019	Trailer situs in VA	-24,347.00	<b>-184.72</b>
DANIELS, DUSTIN C	960569000	2019	Boats sold in 2018	-28,996.00	<b>-200.07</b>
HICKS, JEREMY STEPHEN	962934000	2019	Duplicate Listing	-250,000.00	<b>-2,002.28</b>
WHITE, TAMELY DAWN	936478000	2019	Value Change	-34,440.00	<b>-237.09</b>
EARLS, GARY SCOTT	937211000	2019	Value Change	-36,886.00	<b>-260.94</b>
CRAWFORD REAL ESTATE HOLDINGS LLC	029991085	2019	Duplicate Listing	-456,337.00	<b>-3,833.23</b>
TROVITCH, MICHAEL	937428000	2019	Situs in Dare County not 6 months	-363,750.00	<b>-3,361.06</b>
LAWRENCE, ROBERT D JR	018826000	2019	Boat not owned by new parcel owner	-23,118.00	<b>-181.09</b>
HOUSTON, SCOTT	937469000	2019	Situs in Dare County not 6 months	-27,160.00	<b>-187.31</b>
DUNN, PAUL M	016942000	2019	Value change	-24,056.00	<b>-165.60</b>
SELTZER, DAWN HOLLAND	937499000	2019	Tagged through NCDMV	-35,485.00	<b>-228.21</b>

# Release Report for REAL ESTATE and PERSONAL PROPERTY

(Releases over (\$100.00) )

**MONTH** August

**DATE** 8/1/2019

- 8/31/2019

**SUBMITTED BY:** Becky Huff

<b>Taxpayer Name</b>	<b>Parcel#</b>	<b>Bill Yr</b>	<b>Reason</b>	<b>Released Value</b>	<b>Released Tax</b>
HARRIS, JACK N	21 029672021	2019 20	Rental removal	-14,955.00	<b>-138.68</b>
TATE, MARKHAM C.	962696000	2019 25	Boat sold in 2018	-15,410.00	<b>-142.39</b>
MORTON, STEVEN THOMAS	963042000	2019 25	Boat situs in FL	-53,316.00	<b>-447.86</b>
ELLISON, CHARLES M JR	831234854	2019 25	Personal Property situs in Hallifax County	-26,221.00	<b>-250.93</b>
OREGON INLET FISHING CENTER INC	972663000	2019 25	Clerical error	-163,240.00	<b>-1,049.80</b>
FOREHAND, COLLIN	962910000	2019 25	Boat situs in VA	-100,000.00	<b>-800.91</b>
NEAL, TIMOTHY	03 019713000	2019 20	Building Value Change	-73,900.00	<b>-526.24</b>
TOBIN ENTERPRISES INC	10 029991010	2019 20	Boat ownership	-257,050.00	<b>-2,159.23</b>
BRINKMAN, DAVID ALAN SR TTEE	07 029612001	2019 20	Clerical error	-15,181.00	<b>-132.07</b>
CLARK, MURRAY	962118000	2019 25	Duplicate listing	-30,000.00	<b>-206.52</b>
BURKE, JASON O.	963004000	2019 25	Boat situs in FL	-19,054.00	<b>-160.05</b>
PETERS, MARK EDWARD	814234349	2019 25	Boat situs in FL	-73,146.00	<b>-555.24</b>
KEANY, TERRANCE	10 029991150	2019 20	Value adjustment	-23,958.00	<b>-201.24</b>
CHUN, DANIEL	10 029991071	2019 20	Boat situs in NY	-800,250.00	<b>-7,394.32</b>
BLUE WATER PROPERTIES 1 L, LC	984682000	2019 25	Clerical error	-12,900.00	<b>-119.19</b>
COMMERCIAL READY MIX PRODUCTS, INC	976836000	2019 25	Clerical error	-206,900.00	<b>-1,424.29</b>

**Total Tax Released: -28,358.54**



# North Carolina Vehicle Tax System

AUGUST 2019 Over \$100 Refunds

## NCVTS Pending Refund report

Report Date 9/3/2019

Payee Name	Address 1	Address 3	Bill #	Interest Change	Total Change
BLANKENSHIP, ADAM TERRELL	159 FOXX GRAPE RD	KILL DEVIL HILLS, NC 27948	0047432224	\$0.00	(\$80.66)
				\$0.00	(\$23.87)
				\$0.00	(\$17.68)
				<b>Refund</b>	<b>\$122.21</b>
HAIGH, JONELLE ULEP	300 RIDGEVIEW WAY	NAGS HEAD, NC 27959	0037301801	\$0.00	(\$102.08)
				\$0.00	(\$66.68)
				<b>Refund</b>	<b>\$168.76</b>
HARRELL, JAMES ALFRED JR	57 OCEAN BLVD	KITTY HAWK, NC 27949	0046436365	\$0.00	(\$132.01)
				\$0.00	(\$61.79)
				<b>Refund</b>	<b>\$193.80</b>
PARENTI, WILLIAM RONALD	4049 BLUEWATER DR	MONETA, VA 24121	0044575607	\$0.00	(\$73.39)
				\$0.00	(\$10.38)
				\$0.00	(\$1.50)
				\$0.00	(\$16.08)
				<b>Refund</b>	<b>\$101.35</b>
SAWYER, DAVID WAYNE	100 W NORTH PORT LN	NAGS HEAD, NC 27959	0049370869	\$0.00	(\$66.88)
				\$0.00	(\$45.11)
				<b>Refund</b>	<b>\$111.99</b>
SEA & SOUND TACKLE INC	PO BOX 706	WANCHESE, NC 27981	0041754102	\$0.00	(\$121.02)
				\$0.00	(\$11.20)
				\$0.00	(\$26.52)
				\$0.00	(\$6.85)
				<b>Refund</b>	<b>\$165.59</b>
SEKO, DONALD JOHN	216 SIR RICHARD E	KILL DEVIL HILLS, NC 27948	0040783476	\$0.00	(\$23.86)
				\$0.00	(\$17.66)
				<b>Refund</b>	<b>\$122.12</b>



# North Carolina Vehicle Tax System

AUGUST 2019 Over \$100 Refunds

## NCVTS Pending Refund report

Report Date 9/3/2019

Payee Name	Address 1	Address 3	Bill #	Interest Change	Total Change
SIANY, BARBARA KROPLIN	1501 ROCK SPRINGS DR, APT #284	LAS VEGAS, NV 89128	0037332307	\$0.00	(\$85.97)
				\$0.00	(\$67.68)
				<b>Refund</b>	<b>\$153.65</b>
STEVENS, SHARON POWELL	510 QUAIL LN	KILL DEVIL HILLS, NC 27948	0036622730	\$0.00	(\$62.90)
				\$0.00	(\$50.98)
				<b>Refund</b>	<b>\$113.88</b>
				<b>Total Refund</b>	<b>\$1253.35</b>

Tax Jurisdiction	District Type	Net Change
C99	COUNTY	(\$805.51)
T07	CITY	(\$50.98)
T10	CITY	(\$67.68)
T14	CITY	(\$111.79)
T20	CITY	(\$61.79)
F01	FIRE	(\$10.38)
F50	FIRE	(\$47.73)
F51	FIRE	(\$11.20)
R01	FIRE	(\$1.50)
S99	SPECIAL	(\$77.94)
Y17	SPECIAL	(\$6.85)
<b>Total Refund</b>		<b>(\$1,253.35)</b>



*North Carolina Governor's Crime Commission  
Grant Award*

**Description**

The Dare County Sheriff's Office requests to receive a grant award of \$24,280.00 with no local matching funds.

**Board Action Requested**

Approval

**Item Presenter**

Sheriff J. D. "Doug" Doughtie

---

# **DARE COUNTY**

---

## **BUDGET AMENDMENT**

**F/Y 2019/2020**

ACCOUNT	CODE			INCREASE	DECREASE
	Org	Object	Project		
<u>Department:</u>					
<u>Revenues:</u>					
Grant Proceeds - GCC	103510	42215	00068	24,280	
 <u>Expenditures:</u>					
Equipment - GCC	104510	513325	0068		24,280

**Explanation:**

To budget grant proceeds and expenditures for GCC grant.

**Approved by:**

Board of Commissioners: \_\_\_\_\_

Date: \_\_\_\_\_

County Manager: \_\_\_\_\_

Date: \_\_\_\_\_

(sign in red)

*Finance only:*

Date entered: \_\_\_\_\_ Entered by: \_\_\_\_\_ Reference number: \_\_\_\_\_



*Road Request - The Dogwoods West, Manteo*

**Description**

The petitions are attached to include The Dogwoods West, Manteo, NC to the NCDOT State maintained road system.

**Board Action Requested**

Approval of petitions and adoption of resolution

**Item Presenter**

Bobby Outten, County Manager



**INSTRUCTIONS FOR COMPLETING PETITION:**

1. Complete Information Section
2. Identify Contact Person (This person serves as spokesperson for petitioner(s)).
3. Attach two (2) copies of recorded subdivision plat or property deeds, which refer to candidate road.
4. Adjoining property owners and/or the developer may submit a petition. Subdivision roads with prior NCDOT review and approval only require the developer's signature.
5. If submitted by the developer, encroachment agreements from all utilities located within the right of way shall be submitted with the petition for Road addition. However, construction plans may not be required at this time.
6. Submit to District Engineer's Office.

**FOR NCDOT USE ONLY:** Please check the appropriate block

- Rural Road   
  Subdivision platted prior to October 1, 1975   
  Subdivision platted after September 30, 1975

**REQUIREMENTS FOR ADDITION**

If this road meets the requirements necessary for addition, we agree to grant the Department of Transportation a right-of-way of the necessary width to construct the road to the minimum construction standards of the NCDOT. The right-of-way will extend the entire length of the road that is requested to be added to the state maintained system and will include the necessary areas outside of the right-of-way for cut and fill slopes and drainage. Also, we agree to dedicate additional right-of-way at intersections for sight distance and design purposes and execute said right-of-way agreement forms that will be submitted to us by representatives of the NCDOT. The right-of-way shall be cleared at no expense to the NCDOT, which includes the removal of utilities, fences, other obstructions, etc.

General Statute 136-102.6 states that any subdivision recorded on or after October 1, 1975, must be built in accordance with NCDOT standards in order to be eligible for addition to the State Road System.

<u>ROAD NAME</u>	<u>HOMES</u>	<u>LENGTH</u>	<u>ROAD NAME</u>	<u>HOMES</u>	<u>LENGTH</u>
THE DOGSWOODS	5	LESS 0.1			

North Carolina Department of Transportation  
Division of Highways  
Petition for Road Addition

**ROADWAY INFORMATION:** (Please Print/Type)

County: DARE Road Name: THE DOGWOODS WEST  
(Please list additional street names and lengths on the back of this form.)

Subdivision Name: NOTTINGHAM Phase II Length (miles): 0.1

Number of occupied homes having street frontage: 12 Located (miles): 0.1

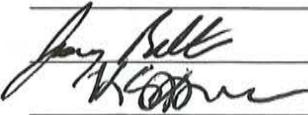
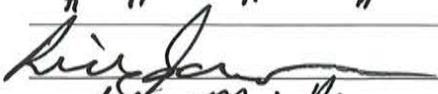
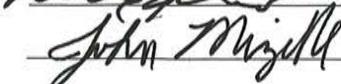
miles N  S  E  W  of the intersection of Route 1315 and Route 1314.  
(Check one) (SR, NC, US) (SR, NC, US)

We, the undersigned, being property owners and/or developers of NOTTINGHAM P. II in DARE County, do hereby request the Division of Highways to add the above described road.

**CONTACT PERSON:** Name and Address of First Petitioner. (Please Print/Type)

Name: WALTER BARNE'S Phone Number: 252-216-8454  
Street Address: 115 MAID MARIAN CT.  
Mailing Address: MANTEO, NC 27954

**PROPERTY OWNERS**

<u>Name</u>	<u>Mailing Address</u>	<u>Telephone</u>
	161 THE DOGWOODS WEST	919-369-3040
	164 THE DOGWOODS WEST	252-982-6180
Ref. Orig. Petition 2012 Attc.	168 THE DOGWOODS WEST	252-423-0253
" " " " "	172 THE DOGWOODS WEST	252-423-0253
" " " " "	176 THE DOGWOODS WEST	252-423-0253
	186 THE DOGWOODS WEST	252-423-3227
	188 THE DOGWOODS WEST	252-312-0386

PROPERTY OWNERS

A9-2

Name

Mailing Address

Telephone

*[Handwritten signature]*

189 THE DOGWOODS WEST

252-305-8063

John Iacono

187 THE DOGWOODS WEST

757-285-2558

Richard Otti

185 THE DOGWOODS WEST

252-473-1883

*[Handwritten signature]*

~~183~~ 183 THE DOGWOODS WEST

252-473-3517

Ray Albert Sr.

179 THE DOGWOODS WEST

252-473-0647

NORTH CAROLINA DEPARTMENT OF TRANSPORTATION  
PETITION FOR ROAD ADDITION  
FORM SR-1 REVISED 1-99

**ROADWAY INFORMATION:** (Please Print)

County: Dare Road Name: Sherwood Dr  
(Please list additional street names and lengths on the back of this form.)

Subdivision Name: Nottingham II Length (miles): 1.3

Number of occupied homes having street frontage: 34

Location: \_\_\_\_\_ miles N S E W of the intersection of Route \_\_\_\_\_ and Route \_\_\_\_\_  
(Circle one) (SR, NC or US) (SR, NC or US)

We, the undersigned, being property owners and/or developer of Nottingham II in Dare County, do hereby request the Division of Highways to add the above described road.

**CONTACT PERSON:** Name and Address of First Petitioner. (Please Print)

Name: Collie J Ellen Phone Number: 252-473-1963

Street Address: 168 Sherwood Dr Manteo NC 27954

Mailing Address: same

**PROPERTY OWNERS**

NAME	MAILING ADDRESS	TELEPHONE
<u>John D Mizell</u>	<u>188 The Dogwood West</u>	<u>473-1742</u>
<u>Walter M. Minkley</u>	<u>168 " "</u>	<u>473-1140</u>
<u>Walter M. Minkley</u>	<u>172 " "</u>	<u>473-1140</u>
<u>Walter M. Minkley</u>	<u>176 " "</u>	<u>473-1140</u>
<u>Phyllis Starling</u>	<u>161 The Dogwoods</u>	<u>473-1098</u>
<u>Roy A. Jordan</u>	<u>131 SHERWOOD DR.</u>	<u>255-5377</u>
<u>August Robertson</u>	<u>176 Sherwood Drive</u>	<u>473-5367</u>
<u>Stanley Overcott</u>	<u>162 Sherwood Dr.</u>	<u>473-2203</u>
<u>James D. Finn</u>	<u>156 Sherwood Drive</u>	<u>305-1811</u>
<u>Christopher O'Hair</u>	<u>128 Sherwood Drive</u>	<u>305-6835</u>
<u>Ricky Scarborough</u>	<u>184 THE DOGWOODS</u>	<u>473-4966</u>

**INSTRUCTIONS FOR COMPLETING PETITION:**

1. Complete Information Section
2. Identify Contact Person (This person serves as spokesperson for petitioner(s)).
3. Attach two (2) copies of recorded subdivision plat or property deeds, which refer to candidate road.
4. Adjoining property owners and/or the developer may submit a petition. Subdivision roads with prior NCDOT review and approval only require the developer's signature.
5. If submitted by the developer, encroachment agreements from all utilities located within the right of way shall be submitted with the petition for Road addition. However, construction plans may not be required at this time.
6. Submit to District Engineer's Office.

**FOR NCDOT USE ONLY:** Please check the appropriate block

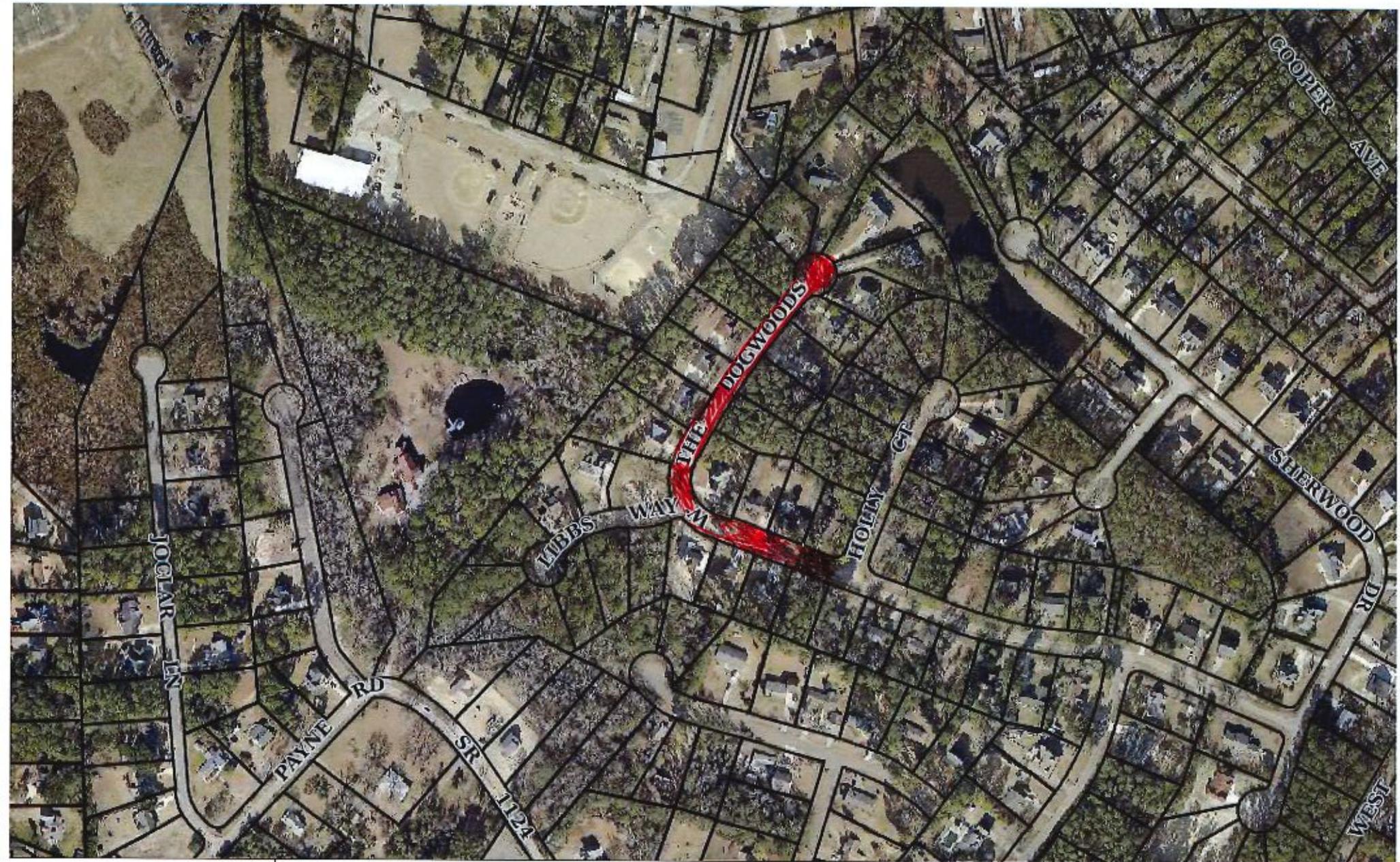
- Rural Road   
  Subdivision platted prior to October 1, 1975   
  Subdivision platted after September 30, 1975

**REQUIREMENTS FOR ADDITION**

If this road meets the requirements necessary for addition, we agree to grant the Department of Transportation a right-of-way of the necessary width to construct the road to the minimum construction standards of the NCDOT. The right-of-way will extend the entire length of the road that is requested to be added to the state maintained system and will include the necessary areas outside of the right-of-way for cut and fill slopes and drainage. Also, we agree to dedicate additional right-of-way at intersections for sight distance and design purposes and execute said right-of-way agreement forms that will be submitted to us by representatives of the NCDOT. The right-of-way shall be cleared at no expense to the NCDOT, which includes the removal of utilities, fences, other obstructions, etc.

General Statute 136-102.6 states that any subdivision recorded on or after October 1, 1975, must be built in accordance with NCDOT standards in order to be eligible for addition to the State Road System.

<u>ROAD NAME</u>	<u>HOMES</u>	<u>LENGTH</u>	<u>ROAD NAME</u>	<u>HOMES</u>	<u>LENGTH</u>
THE DOGWOODS WEST 12		0.1			



This map is prepared from data used for the inventory of the real property for tax purposes. Primary information sources such as recorded deeds, plats, wills, and other primary public records should be consulted for verification of the information contained in this map.





*Commissioners' Business & Manager's/Attorney's Business*

**Description**

Remarks and items to be presented by Commissioners and the County Manager.

**Board Action Requested**

Consider items presented

**Item Presenter**

Robert Outten, County Manager