



Agenda Item Summary Sheet

Item No.

9

Meeting Date:

1/18/05

Item Title: Aaron Hill Harbor Group Housing Development -- CUP and Site Plan

Item Summary:

Aaron Hill Harbour is a proposed 11-unit residential group housing development in Salvo, NC. The site is zoned S-1, which permits all uses. However, the presence of more than one principal use structure on one large tract triggers review as a conditional use permit subject to approval by the Board of Commissioners. Section 22-31 of the Dare County Zoning Ordinance provides the standards for the development of group housing projects. A copy of the site plan and draft CUP prepared by the staff

(Use additional Paper if necessary)

Number of Attachments: _____

Will your presentation require audiovisual equipment? Yes No

Note: All audiovisual materials must be submitted in digital format to the Clerk of the Dare County Board of Commissioners with this sheet. Acceptable formats include: VHS, DVD, audio CD, Word document, Adobe Acrobat PDF files, PowerPoint files and jpeg files.

Specific Action Requested:

Review of site plan and draft CUP for the proposed group housing development

Submitted By: Donna Creef, Senior Planner *Donna Creef*

Date: 1/16/05

Dept. Head

Comments:

Jay Shroyer Signature

Date: 1/10/05

Finance

Comments:

Signature

Date:

County Attorney

Comments:

Signature

Date:

County Manager

Approval:

Thurl Signature

1/10/05 Date:

Commission Action:

Existing Improvements: The site features an existing boat ramp and three buildings. One of these buildings will be converted to a clubhouse for use by the property owners and residents. The other buildings will be used for accessory storage units. The boat basin will be for the exclusive use of property owners. This has been included as a condition in the CUP. The Planning Board also recommended a condition that precluded the location of any fuel storage or fuel service tanks on the property. Although the developers indicated agreement with this condition during the Planning Board discussion, they have expressed an interest to staff since the Planning Board meeting to delete this condition from the CUP. It is their opinion that the provision of fuel for the property owners is an amenity that can be expected with the provision of boat slips. The developers have submitted a letter explaining their position on this issue and other matters pertaining to the site improvements and draft CUP.

The Planning Board also included language in the draft CUP that precludes any commercial activities on the site.

Road Improvements: The road improvements will consist of 24' wide rights-of-way with 20 feet of paved improvements. The impervious improvements shall be constructed to the pavement standards used by the NC Department of Transportation. These construction standards shall be verified by testing performed by an independent laboratory after their completion. Road maintenance will be the responsibility of a homeowners association and covenants addressing road maintenance shall be submitted to the Planning Department. The roadway designs have been reviewed by the Fire Marshal and determined to be consistent with the applicable state fire codes.

Parking Improvements: The proposed parking layout is consistent with the Dare County Zoning Ordinance. The Ordinance requires two parking spaces per unit in group housing projects. The site plan has been designed to exceed this standard with one parking space per bedroom provided at each unit.

Stormwater: Due to the amount of land disturbance exceeding one acre, a NC Division of Water Quality stormwater management permit will be needed. A copy of the stormwater plan has been included with the site plan although the State permit has not been issued. The sequencing of state stormwater permits with County site plan approval is always a point of discussion. The developer has requested that the site plan be permitted to move through the County review and approval process without the benefit of the state stormwater permit. The Planning Board and staff have indicated to the developers any changes to the site plan as a result of the state's review will require additional review and approval by Dare County. Draft language has been included in the CUP stating that work on the installation of road improvements and other infrastructure improvements shall not commence until all applicable supplementary permits have been secured. The developers feel this language is too severe and have suggested revised language, as detailed in their attached letter.

The draft CUP also includes language that provides for an escrow of funds by the homeowners association to address maintenance of the stormwater improvements.

Maintenance funds for the stormwater improvements will be established by the homeowners association.

Buffer: The Zoning Ordinance does not require any type of buffer for residential group housing projects that abut existing residential development. Buffers are required when commercial developments are proposed adjacent to residential development. However, the Planning Board has recommended that a buffer be installed along the northern and southern property lines. This recommendation was in an effort to address noise that may be associated with pool amenities for the units. The Planning Board deemed the installation of a buffer to be a “reasonable and appropriate condition” to apply to the site plan. There was discussion of the type of buffer (wooden fencing versus vegetative buffer) with some of the Board members indicating that a vegetative buffer of salt tolerant species would be acceptable. The developers have submitted language from the homeowners documents stating that fencing (a minimum of five feet in height) will be installed around pool improvements. They have also included language in the architectural guidelines that restricts outdoor lighting to low profile style improvements.

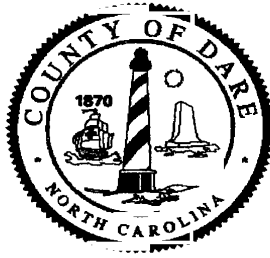
Approval Period: All infrastructure improvements (roads, wastewater, waterlines) shall be installed within one year from the date of County approval. The Planning Board has recommended an overall approval period of 3 years for all residential construction to be completed. The developers would prefer to leave the approval period for the construction of all units open-ended to give property owners the flexibility of when to construct their individual units. The Zoning Ordinance does not provide any regulation on approval period for group housing developments. The inclusion of an approval period in CUPs is a discretionary item for the Board’s consideration.

Planning Board Review: The Planning Board reviewed the proposed group development project on November 13th. Following a lengthy discussion and the addition of several conditions to the draft CUP prepared by staff, the Board voted to recommend approval of the site plan.

Summary: Numerous conditions have been included in the draft CUP to address the use of this property. This site is zoned S-1 and all uses are permitted in this district. As stated earlier, the developers have expressed some concerns about some of the conditions (length of approval period, use of fuel tanks, buffer) recommended by the Planning Board and offered additional information to the site plan in an attached letter. The conditions of concern have been highlighted in boldface text in the draft CUP. Pending the resolution of these items and any other issues that may be identified during the Board’s discussion, the site plan and draft CUP may be approved by the Board of Commissioners.

Draft Motions for Consideration:

To approve site plan and draft CUP as recommended by Planning Board: *“I move that the site plan and draft CUP recommended by the Planning Board for Aaron Hill Harbor be approved.”*



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Conditional Use Permit No. 8 -2004

Dare County Sections 22-27.1; 22-31; and 22-68.

Application of: Sapphire LLC for Aaron Hill Harbour, a group housing project in Salvo, NC.

On _____, 2005 the Dare County Board of Commissioners considered the application of the Petitioner above named which application is on file with the Dare County Planning Department, and the Board finds as follows:

1. That the written application of Petitioner with attachments has been duly submitted to the Dare County Planning Board as required by Section 22 of the Dare County Code (hereinafter referred to as "Code");
2. That the application substantially complies with the requirements of the Code in that it requests uses permitted by conditional use permit under the Code, including group housing developments;
3. That the Petitioner owns 9.77 acres of property located in Salvo, NC and identified on the Dare County Tax Records by Parcel Identification Numbers (PINs) 064608892658 and 064608893867. The property is zoned S-1.
4. That the Dare County Planning Board recommended for approval the granting of a Conditional Use Permit as requested. The Planning Board made this recommendation on November 13, 2004;
5. That the Dare County Board of Commissioners is empowered under sections of the Code set out above to grant uses such as allowed herein and insofar as the conditional use is hereinafter allowed it will not adversely affect the public interest;
6. That the hereinafter described conditional use is deemed to be reasonable and is not in degradation of the intent of the ordinance.

NOW, THEREFORE, under the provisions of the Code, the following conditional use is granted to Sapphire LLC for the construction of a group housing development, subject to such conditions as are hereinafter set out:

CONDITIONAL USE: an 11-unit residential group housing development, boat basin, clubhouse, street and parking improvements, and wastewater system. A site plan, as approved by the Board of Commissioners depicting the location of the residential units and other site improvements is identified as Appendix B, attached to and made a part of this Permit.

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CONDITIONS:

1. The residential units shall consist of a maximum of 6 bedrooms each. Individual parking spaces shall be provided for each unit as depicted on the site plan. The dimensional and separation requirements of Section 22-31 shall be met. The maximum building height shall be 52 feet as permitted under the S-1 zoning district regulations. All structural improvements (including pools, spas, and decks) shall be located within the 40' x 60' footprint provided for each residential unit.
2. An as-built survey of the infrastructure improvements shall be submitted to the Planning Department upon completion of the improvements. Individual as-built surveys for each residential unit shall be submitted before the final inspection of each unit is completed by the Dare County building inspector.
3. All impervious road improvements shall be constructed to pavement design standards of the NC Department of Transportation and verified by an independent consultant once the road improvements are completed.
4. All infrastructure improvements shall be completed within one year from the date of Board of Commissioner approval. **All residential units shall be completed within 3 years of the date of Board of Commissioner approval.**
5. **No work on the installation and construction of the road improvements, waterline improvements, wastewater treatment system, residential units or other improvements associated with this project shall commence until all State and Federal permit have been secured by the developers. This includes but is not limited to the Division of Land Resources sedimentation and erosion control permit and the Division of Water Quality stormwater management permit.**
6. No commercial activities shall take place on the site.
7. The boat basin, boat ramp and boat slips shall be for the exclusive use of the property owners and residents of the development. **No fuel storage tanks or fuel service shall be located on the property.**
8. **A buffer (insert details) shall be provided along the northern and southern property lines as depicted on the site plan included with this CUP. This buffer shall be constructed at the same time as the other infrastructure improvements are constructed and be in place within one year of the date of Board of Commissioners approval.**

9. The property owners of the group housing development shall be responsible for the maintenance of the road improvements and stormwater improvements. Homeowners documents shall address the maintenance of these improvements and an escrow fund for the maintenance of the stormwater improvements shall be established and administered by the homeowners association.
10. It is understood that all other terms and provisions of the Code shall remain in full force and effect except as herein lawfully permitted;
11. A violation of this Permit shall be a violation of the Code punishable as therein provided, and shall automatically void Permit.

This _____ day of _____ 2005

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SEAL: COUNTY OF DARE

By:
Stan White, Chairman
Dare County Board of Commissioners

ATTEST:

By:
Fran Harris
Clerk to the Board

THIS PERMIT AND THE CONDITIONS HEREIN ARE ACCEPTED

Sapphire LLC
By:

APPROVED AS TO LEGAL FORM

By:
Norma Mills
County Attorney

PO Box 68535
Virginia Beach, Virginia 23471
Phone (757) 286-5859
Fax (866) 728-8444

Aaron Hill Harbor

Donna Creef
Senior Planner Dare County
PO Drawer 1000, Manteo NC 27954

Dear Donna,

As you have advised, our project Aaron Hill Harbor at Salvo is scheduled to be before the Dare County Board of Commissioners on January 18, 2005. I am hopeful the board will remove some of the conditions placed on our project approval granted by the Dare County Planning Board.

The conditions I hope can be removed or revised are:

Begin Construction Work Date (Item 2, November 10 letter)

The condition states that no construction work can begin until "the State storm water management permit and all other State and Federal permits shall be secured." This is a killer condition which will result in a six to nine month delay, during which the developer's loan interest charges unnecessarily soar. We suggest the condition be revised to state, "no final plat approval shall be granted until all local, State, and Federal permits have been granted and constructed." This revision accomplishes the County's goals without forcing serious costs and delays to the developer.

Homeowners Association Maintenance of Stormwater System (Item 2 also)

This is a totally satisfactory condition. I have attached hereto a copy of the proposed HOA budget showing a line item devoted to stormwater management. Before the developer turns over the HOA to the homeowners, the developer will fund the budget with \$100,000.00. Dues are estimated to begin at \$ 5,700 per homesite.

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Road Improvements and residential structure completion dates (Item 3, November 10 letter.)

— The condition states "all road improvements shall be completed within one year."
— This condition is acceptable assuming the condition stating construction cannot start until all local, State, and Federal permits is secured is amended as suggested, as we suggested above for Item 2.

— The condition regarding completion of residential structures within three years doesn't seem to accomplish anything and voids some of the buyer's rights. We ask that the Board of Commissioners strike this condition.

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Fuel for owners of Aaron Hill harbor (Item 6, November 10 letter)

— The boat basin, slips, and ramp are available solely for owners and guests of Aaron Hill Harbor. The condition stated owners and residents. We suggest this be changed to owners and guests.

— The condition also stated "no fuel storage tanks or fuel service shall be located on the property". We ask that this condition be eliminated so that the homeowners association of Aaron Hill Harbor will have the same opportunity to seek the required State and Federal permits for onsite fuel as do all other property owners. We assure you the Association will supervise the fueling activity with total respect for the environment and safety.

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Architectural restrictions (Item 8, November 10th letter)

— The following architectural restrictions will be placed upon the homesites:

— Open and Privacy Fences:

— Fencing will be limited to enclosures for outdoor pools and rear yards. Fencing and walls will be constructed in a manner that does not impede or alter storm drainage patterns. Side lot fencing around pools will be designed to restrict noise and site with a minimum height of five feet.

— Lighting

— Security equipment and flood lighting will be mounted in locations that are as non-obtrusive as possible without compromising their functions. Cameras and lighting will not be located or oriented in a manner that violates the privacy of or degrades the enjoyment of neighboring properties.

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Exterior radio and television antennas are not allowed. One satellite dish per house, with a diameter not to exceed two (2) feet may be located in a location approved by the architectural review board.

Awnings and cloth fabric shade structures may be used in rear yards or over rear doors. Such equipment will be retractable or easily demountable and stored away in winter months. Color and style must be consistent with the existing house colors.

Exterior Building Lighting:

Exterior lighting on each individual house and site shall be architectural lighting installed in ceilings and bulkheads of architectural elements of the outside. Low profile landscape lighting shall not exceed four (4) feet in height, with all lighting shielded and directed down and out. All lighting on the building should be shielded to cast down and out. Lighting on wall surfaces other than at doors on covered porches is discouraged. Lights should be installed in porch ceilings, steps, railings and as landscape elements.

No pole lights are allowed. Recommended lights are down lights, valance lights, step lighting in the riser section of the steps, and soffit lighting in overhangs at doors. No lighting is allowed in roof eaves above the first floor.

All lighting is subject to review and approval of the architectural review board

Aaron Hill Harbor will have an active and strong Homeowners Association; just as our other projects do. Developer guidance and emphasis on important issues help produce a vibrant Homeowners Association. I have attached a copy of a recent newsletter from the Corolla Light Community Association telling of it's selection as North Carolina's Community Association of the year for 2004 and previous awards in 1997, 1998, 1999 and 2000.

I hope you will agree with these suggestions and forward them to the Commissioners. Thank you for your help as this process has unfolded. If I can answer any additional questions please let me know.

Sincerely,

Richard Willis,

Project Manager

Sapphire LLC

(757)286-5859

November 10, 2004

Rick Willis
Sapphire LLC
5116 Lunar Street
Kitty Hawk, NC 27949

Dear Rick:

On Monday, November 8, 2004, the Dare County Planning Board reviewed the site plan and the conditional use permit application for the proposed Aaron Hill Harbour group housing development. The Planning Board voted to recommend approval of the CUP subject to the following conditions:

1. The site plan should be revised to re-number the residential units to be sequential with proposed phasing and to reflect the correct roadbed widths. The road names shall also be indicated on the revised plat.
2. State stormwater management permit and all other applicable State and Federal permits shall be secured before construction of the project. The homeowners' documents for the development shall include language providing for the escrow of funds for the maintenance of the proposed stormwater management improvements.
3. All road improvements shall be completed within one year of approval by the Dare County Board of Commissioners and all residential structures shall be completed within 3 years of the Dare County Board of Commissioner approval.
4. Submission of written verification from Dare County Fire Marshal concerning the proposed road turnarounds.
5. No commercial activities shall take place on the property.
6. The boat basin, boat ramp, and boat slips shall be for the exclusive use of the property owners and residents of the development. No fuel storage tanks or fuel service shall be located on the property.
7. The site plan and the covenants shall include language indicating that all structural improvements (including pools, spas and decks) shall be located within the 40' x 60' footprint allocated for each unit. Parking improvements may be located outside of this footprint area.
8. The developer shall install a vegetative buffer (preferably of salt tolerant species) in those areas on the property that adjoining existing residential structures.

This item will be forwarded to the Board of Commissioners for their review on December 20, 2004. Twenty (20) copies of the site plan should be submitted to this office no later than December 2, 2004. An electronic version of the site plan (.tiff or jpeg. file) should also be e-mailed to me at donnac@darenc.com by this date. Representation at the Commissioners meeting is necessary. The December 20th meeting is scheduled to begin

at 3:00 pm and will be held at the Dare County Administrative Annex located at 204 Ananias Dare Street in Manteo, NC.

If you have any questions, please give me a call at 252-475-5873.

Sincerely,

Donna Creef
Senior Planner

Aaron Hill Harbor Association Budget

Replacement reserves budget	Planned Value	Developer Contribution	Remaining Value	Life	Annual Fee
Operating emergency (1 Year operating total)	\$ 50,000	\$ 36,000	\$ 14,000	5	\$ 2,800
Clubhouse	\$ 40,000	\$ 10,000	\$ 30,000	30	\$ 1,000
Boat House	\$ 20,000	\$ 5,000	\$ 15,000	30	\$ 500
Docks	\$ 40,000	\$ 10,000	\$ 30,000	20	\$ 1,500
Bulkheads	\$ 50,000	\$ 12,500	\$ 37,500	20	\$ 1,875
Sewer System	\$ 50,000	\$ 20,000	\$ 30,000	30	\$ 1,000
Stormwater Maintenance	\$ 20,000	\$ 5,000	\$ 15,000	10	\$ 1,500
Lights	\$ 6,000	\$ 1,500	\$ 4,500	10	\$ 450
Total Reserves	\$ 276,000	\$ 100,000	\$ 176,000		\$ 10,625

General operating budget

	Annual Fee
Annual Replacement (from above)	\$ 10,625
Manager or management fee	\$ 10,000
Electricity - common areas	\$ 9,000
Sewer operation	\$ 6,500
Landscaping & Maintenance	\$ 20,000
Insurance	\$ 5,000
Legal & Accounting	\$ 1,500

Total Budget \$ 62,625
Total Owners 11
Annual Dues \$ 5,693

Corolla Light Receives North Carolina's Resort Community Of The Year Award For 2004

We are pleased to announce that the North Carolina chapter of the Community Association Institute has named Corolla Light as the recipient of the 2004 North Carolina Resort Community of the Year Award.

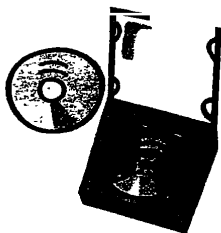
As you may recall, CLCA received the North Carolina Community Association of the Year Awards in 1997, 1998, 1999, and 2000. During the next three years, General Manager Don Cheek served as a member of the Board of Directors of the North Carolina CAI chapter, and CLCA was not eligible for any state awards.

We would like to congratulate Don Cheek and his entire staff for their effort in bringing this prestigious award back to Corolla Light once again.

DVD Promotional Disc Is Distributed To Owners

An outstanding DVD promotional disc has been created by Owner and Guest Services Director Kevin Ross. This DVD was distributed to all of our owners who attended the Owners' Weekend meeting. The DVD offers many views of Corolla Light's facilities and showcases our summer activity programs.

Among the activities highlighted in the DVD are the preparation for the July 4th bicycle parade as well as the actual parade, the sand sculpture contest on the beach, and the games around the pool deck in which so many guests participate. Athletic activities such as swimming, basketball, tennis and shuffleboard are also included.



President's Corner

I'm pleased to have been elected President by your Board of Directors to represent our unique resort community. My service on the CLCA Board of Directors for the last 2 years has been entertaining, challenging and very rewarding in many ways. Given our influential role as the premier "go to" community on the Outer Banks, I can think of no better way to serve the best interests of Corolla Light owners. Assembled among your 2005 Board of Directors and our General Manager's energetic staff is an enormously gifted and visionary team - working hand in hand - dedicated to continually improving the standards of quality and achievement for which our Corolla Light Resort has become so well known.

Every year, Owners' Weekend signals an end of the current season and a beginning to the season ahead. If Owners' Weekend this year was any indication, it's no surprise Corolla Light was named the NC Resort Community of the Year for 2004. We are all immensely proud of that recognition and honored by the dedicated, often unnoticed, effort of all who made it possible. Don Cheek and his staff have set a new standard!

The OWE setup, agenda, presentations, guest speakers, table topics, community involvement, activities and resort beautification collectively reflected an attention to detail and a great deal of pride we all share in our special OBX community. The unique spirit of a very supportive and engaged staff was obvious. It was a class act; the effort was contagious. 2005 should be exciting! If you were not at OWE this year, I encourage you to mark your calendars for October 8 & 9 next year. You will not be disappointed.

Now, planning for the 2005 resort season has begun. The Board of Directors will convene prior to Thanksgiving this year and, in conjunction with the General Manager, set our strategy and focus on the year ahead. The objective is to initiate activities that should be in place prior to January. Operational and Functional Committee chairs have already been designated, and respective memberships will be appointed prior to the 4th week in October. Operational committees - Facilities, Long Range Planning and Marketing - will have Soundside / Oceanside representation with a minimum of 2 homeowners in addition to Board members.

CLCA Committees will be the fuel that drives our process in 2005. If you have a particular interest or talent and would like to contribute a portion of your time to our community, I encourage you to contact Don Cheek or me. Owner involvement is essential to our efforts. Also, as a reminder, owner attendance at Board meetings is encouraged. A brief period of time will be set aside for owner comment on agenda items prior to convening. On-site meetings are scheduled for Jan 15th, March 26th and October 9th next year. Please check the Corolla Light Resort web site for updates and useful information on events and activities throughout the year. Newsletters, in addition to approved minutes of all past Board meetings, are also posted on the web site.

Finally, I encourage you during your next weekend visit this off-season to take a guided tour of your resort. It's a fascinating and educational experience, well worth the hour or so that Don will spend with you. You will come away with an education, an appreciation of the year-round work he and his staff provide for our benefit, and a unique perspective on just how good we've got it "Under the Light"!

I, your Board of Directors, Don Cheek and his staff look forward to serving on your behalf.

Bill Deaver, CLCA President



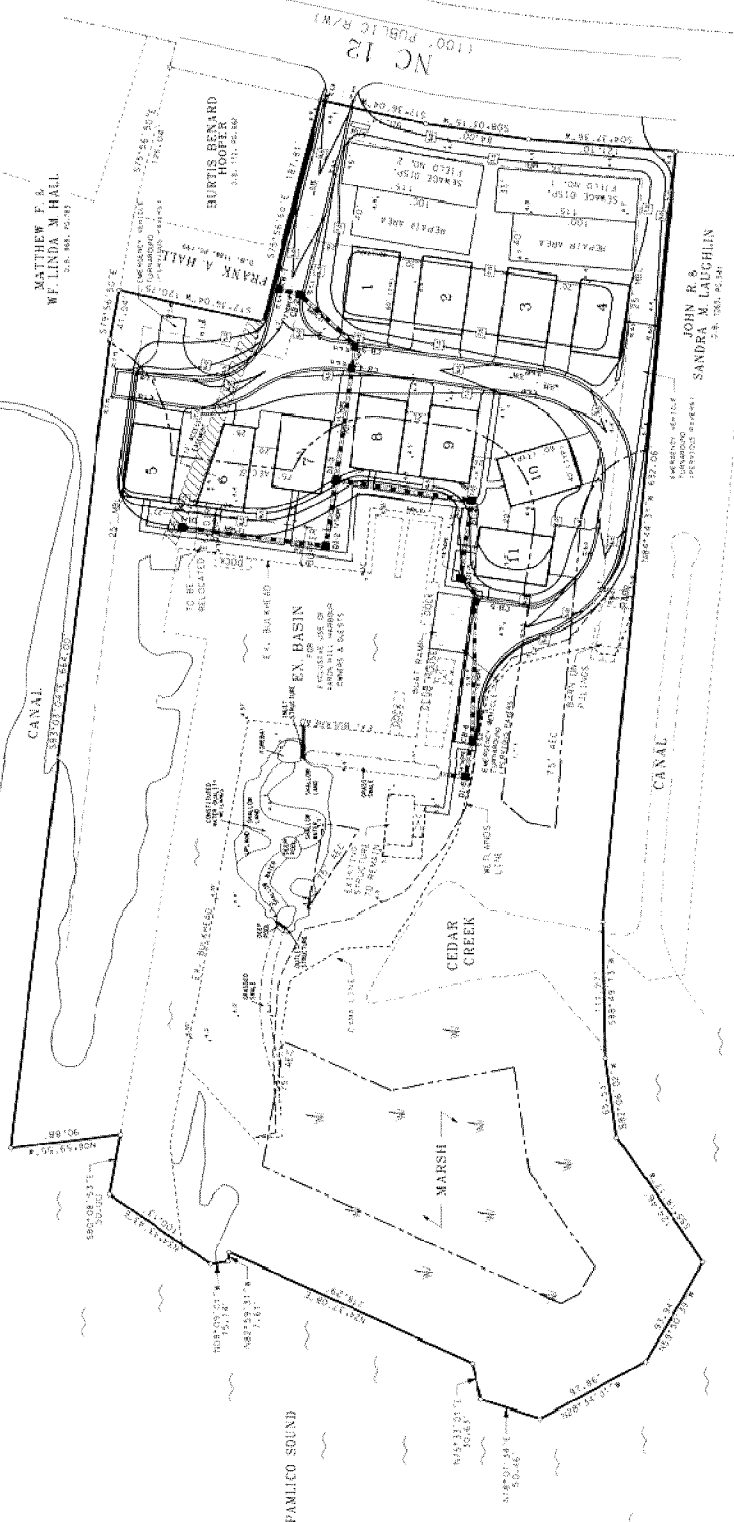
HI ENTERPRISES, LLC
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SANDRA M. LAUGHLIN
200 S. 15TH ST. #200
TAMPA, FL 33611



REVISIONS	DATE	DESCRIPTION
1	10/15/08	ISSUED FOR PERMITS
2	11/10/08	REVISED TO SHOW PERMITS
3	12/15/08	REVISED TO SHOW PERMITS
4	01/15/09	REVISED TO SHOW PERMITS
5	02/15/09	REVISED TO SHOW PERMITS
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7	04/15/09	REVISED TO SHOW PERMITS
8	05/15/09	REVISED TO SHOW PERMITS
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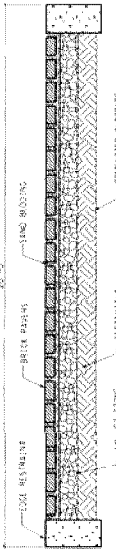
PRELIMINARY DRAWING
DO NOT USE FOR
CONSTRUCTION

GENERAL GRADING DRAINAGE AND SEWERAGE
CONTROL PLAN
AARON HILL HARBOUR

DATE: 11/15/2024 NORTH: 2.000.000
OWNER: SAPPBEE LLC
ADDRESS: 5115 LINDA STREET
PHONE: 757-561-9122

DESIGNED BY: [Signature]
DRAWN BY: [Signature]
APPROVED BY: [Signature]

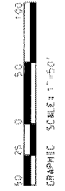
DATE: 11/15/2024
SCALE: 1"=50'
SHEET 2 OF 3



TYPICAL SECTION
EMERGENCY VEHICLE TURNAROUND
N.1.S.



TYPICAL 24' B.E. STREET SECTION
& PREVIOUS PARKING PAD
N.1.S.



GRAPHIC SCALE 1"=50'



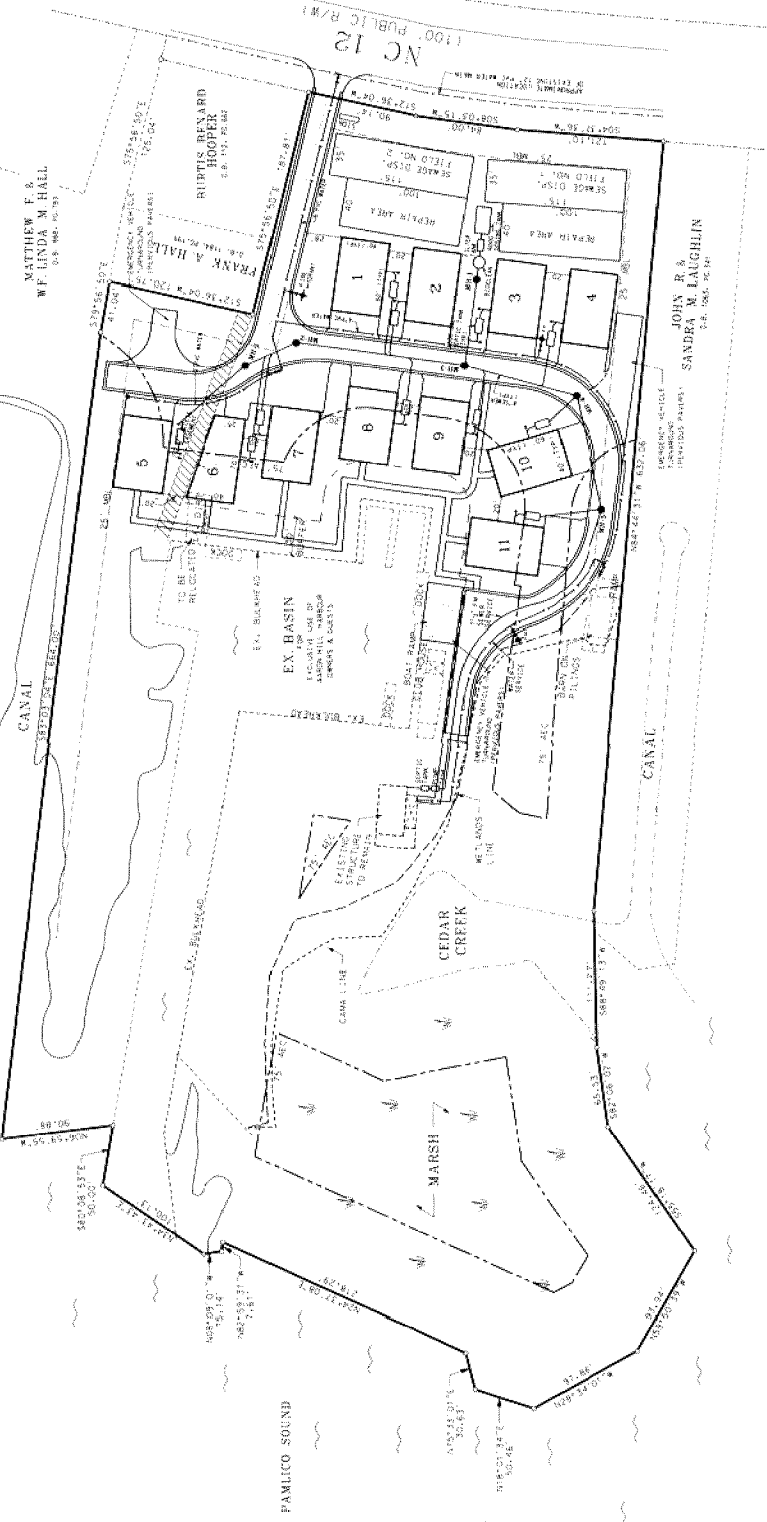
HI ENTERPRISES, LLC
D.B. # 2001-00-000

MATTHEW F. &
W.F. LINDA M HALL
D.B. # 989-00-000

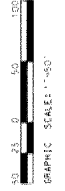
RUBEN BEYARD
HOOPER
D.B. # 177-00-000

FRANK A HALL
D.B. # 188-00-000

JOHN R. &
SANDRA M. LAUGHLIN
D.B. # 989-00-000



PRELIMINARY DRAWING
DO NOT USE FOR
CONSTRUCTION



PROJECT NO.: 24716
DRAWING NO.: 003

NO.	DATE	DESCRIPTION
1	08/15/04	ISSUED FOR PERMITS
2	08/15/04	ISSUED FOR PERMITS
3	08/15/04	ISSUED FOR PERMITS
4	08/15/04	ISSUED FOR PERMITS
5	08/15/04	ISSUED FOR PERMITS
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9	08/15/04	ISSUED FOR PERMITS
10	08/15/04	ISSUED FOR PERMITS
11	08/15/04	ISSUED FOR PERMITS

UTILITIES PLAN

AARON HILL HARBOR

OWNER: SAPPHEE, LLC
 ADDRESS: 5116 LINDA STREET
 PHONE: 757-541-1000

DESIGNED BY: [Signature]
 DRAWN BY: [Signature]
 APPROVED BY: [Signature]

DATE: 10/15/04
 SCALE: 1"=50'

STROUD ENGINEERING, P.A.
 504 COMMERCE STREET
 CHARLOTTE, NC 28202

PROJECT NO.: 24716
 DRAWING NO.: 003

SHEET 1 OF 3