



OAK RIDGE TOWN COUNCIL MEETING  
JULY 10, 2014 – 7:00 P.M.  
OAK RIDGE TOWN HALL

MINUTES

**Members Present**

Ray Combs, Mayor  
Spencer Sullivan, Mayor Pro Tem  
George McClellan  
Jim Kinneman  
Mike Stone

**Staff Present**

Sandra Smith, Town Clerk  
Bruce Oakley, Town Manager  
Bill Bruce, Planning Director  
J. Michael Thomas, Town Attorney  
Sam Anders, Finance Officer

**1. CALL TO ORDER**

Mayor Ray Combs called the meeting to order at 7:00 p.m.

**A. Invocation**

**B. Pledge of Allegiance**

**2. APPROVE AGENDA**

**Councilman Jim Kinneman** made a **motion** to approve the meeting agenda. **Councilman Mike Stone** seconded the motion, and it was passed unanimously (5-0).

**3. APPROVE MINUTES OF JUNE 5, 2014, MEETING**

**Mayor Pro Tem Sullivan** made a **motion** to approve the June 5, 2014, meeting minutes. **Councilman Stone** seconded the motion, and it was passed unanimously (5-0).

**4. RESOLUTIONS, PROCLAMATIONS, ANNOUNCEMENTS**

**Recognition of Andrew Russoli-Strength and Honor Scholarship Fund recipient.**

Assistant Fire Chief Sam Anders introduced Roland Russoli, father of fallen marine Andrew Russoli, who presented the scholarship to Alyson Jones. Jones is a volunteer with the Oak Ridge Fire Department. She took as many fire service courses as possible before she turned 18, and finished the remaining specialty classes and was awarded her "black helmet" within about two months after she turned 18. Anders said Jones was an accomplished firefighter and she is the first female recipient of the scholarship, which has been awarded four times previously to volunteer firefighters to allow them to continue their education in fire science.

Mayor Combs congratulated Jones, and told Russoli there was no better way to honor his son.

5. **TOWN MANAGER'S REPORT**

- A. **Resolution to add Invershield Court to the State Maintenance System**. Town Manager Bruce Oakley said Invershield Court is in the Williard Oaks subdivision, and NCDOT had requested a resolution from the Town before adding the street to the State Maintenance System.

**Councilman Kinneman** made a **motion** to approve the resolution. **Councilman George McClellan** seconded the motion, and it was passed unanimously (5-0).

- B. **Recommendation to appoint and reappoint Board and Commission members**. Oakley recommended Jay Cumbus be reappointed to the Board of Adjustment, Barry Knight be reappointed to the Parks & Recreation Commission, and Phyllis Clodfelter be appointed as an alternate to the Parks & Recreation Commission.

**Councilman McClellan** made a **motion** to approve the appointments and reappointments. **Mayor Pro Tem Sullivan** seconded the motion, and it was passed unanimously (5-0).

- C. **Services contract with Guilford County**. Oakley said Bill Bruce had recently been hired as the Town's planning director. Previously, the Town had contracted with the County for planning and zoning services and code enforcement. He requested Council approve a contract, which is hereby incorporated by reference and made part of the minutes, for other services including building inspections, soil erosion, fire investigations, and solid waste services. The new contract would remove the planning and zoning services from the existing contract, and lower the amount paid to the County by \$15,000. If approved by the Council, the contract would then need to be approved by the County Commissioners.

**Councilman McClellan** made a **motion** to approve the new services contract with Guilford County. **Councilman Kinneman** seconded the motion, and it was passed unanimously (5-0).

6. **NEW BUSINESS**

**Subdivision Case # 14-06-ORPL-02897: River Gate**. The property is located on the north side of Haw River Road, approximately 300 feet east of Pepper Road, in Oak Ridge Township. This subdivision consists of 15 lots and road dedication for a total of approximately 17.99 acres. It is Guilford County Tax Parcel 0164838, and is zoned CU-RS-40. The property is owned by Susan D. Teeter. Designer: Hugh Creed Associates, Inc., P.A.

Mayor Combs reminded meeting attendees that this was a site plan review, not a public hearing.

Planning Director Bill Bruce presented the case from the staff report, which is hereby incorporated by reference and made part of the minutes. Bruce said the Planning & Zoning Board reviewed the case, as well as a waiver for the length of the cul-de-sac which was passed by a 3-2 vote. Because it was not a unanimous vote, the case automatically goes to the Town Council for a decision. Bruce presented two possible configurations for the subdivision, as well as an updated letter from the

applicant which explained better why the applicant was asking for a waiver for the subdivision length. Those documents are also incorporated by reference and made part of the minutes. He explained that the development ordinance currently allows a maximum cul-de-sac length of 800 feet, but the applicants have proposed one that is approximately 1,100 feet long. A utility easement needs to be added to the front of the property, but otherwise the subdivision meets the requirements for RS-40 zoning. There will be a public trail easement on the property, the 20 percent tree preservation standard has been met, and the plan is being reviewed for compliance with the Jordan Lake Watershed Rules. Pending that approval, staff recommends approval of the subdivision plan.

Norris Clayton of Hugh Creed Associates, the engineer, said he thought the applicants could clarify the reason for the waiver a little better than was presented to the Planning & Zoning Board. He said the property is long and narrow, and topographic features including streams on this property and on the adjoining property make it difficult to put in a stub. In addition, the adjoining properties are already developed except for the Cascades, which will never be developed. Clayton referred to the two sketches to show where possible stub streets could be built and that would make the cul-de-sac length waiver unnecessary. Although a stub street to either the north or south could easily be built, they would never be extended. Clayton also said because no driveways would be serviced by the stub roads, they would never be picked up by NCDOT for maintenance, and they would just be an invitation for loitering. Norris said his feeling was that it would be better to avoid that type of situation, so the applicants were requesting a cul-de-sac length waiver based on equal or better performance.

Councilman McClellan asked about the Cascades, and Bruce explained that it was dedicated open space purchased by Guilford County and that it was to remain undeveloped in perpetuity.

Councilman Kinneman said that a stub road to the north could provide an access to the Cascades, but asked if that would be unlikely because of the topography, and Bruce said yes.

Councilman Stone said the claim that stub streets would never go through is speculative, but equal or better performance means to the standard, not to the subdivision design. Stone asked if the ordinance would allow for a 1,000- or 1,200-foot stub street instead of a cul-de-sac, and Bruce said yes, so long as the road stubs to a different property. Stone asked if the applicant could install an 800-foot cul-de-sac and change the lot size at the end of it, even though that might reduce the number of lots and might not be an economically desirable option; Norris said yes, although that would necessitate putting in a couple of flag lots with long driveways, something he felt was not a good design and might make it more difficult for emergency vehicles to access those lots. Stone asked if a stub road could be put in on the north side of the property to provide access to the Cascades; Norris said yes, although he didn't think the stub would actually go into the park property, so vehicles accessing the park would be parked along the sides of the road there. Stone said people accessing the Cascades would need to park somewhere, and the issue of parking on the street or possibly creating a place for people to loiter was not an ordinance issue, but a subdivision issue. Norris said driveways to access lots are required so that people do not park on the side of the road.

Mayor Pro Tem Sullivan said Stone had raised an interesting point, and asked if a road was also limited to a length of 800 feet. Bruce said it was not, because a road could be any length, but that it would need to go all the way to the back of the property. Sullivan asked if the road could just be terminated and a cul-de-sac not installed; Bruce said yes, but the road would have to go all the way back to the property line. Sullivan said he kept coming back to whether such a road would ever be connected, and that his impression was that this would simply be a road to nowhere. He said a stub on the east side could not simply be moved north or south without either leading into someone's lot or into a ravine.

Kinneman said if the Council insisted on a stub street that went nowhere, it would be adding impervious surface. If the cul-de-sac length were restricted to 800 feet, flag lots would be required and a safety issue would be presented because EMS vehicles would have to go down long driveways. He said he thought the equal or better performance standard might be met because the compromises being suggested would create more issues than they would solve.

Mayor Combs said it seemed to him as though the waiver could be because of physical hardship. Clayton responded that the Planning & Zoning Board voted 3-2 in favor of the waiver based on physical hardship, but one of the dissenting members said he would have voted in favor had the applicant claimed equal or better performance. After talking with some of the P&Z Board members after the meeting, the applicants decided to base their argument for the waiver on equal or better performance.

Town Attorney Michael Thomas said in the letter the applicants had submitted regarding the waiver, which is hereby incorporated by reference and made a part of the minutes, the first paragraph argues for physical hardship, but the end of the letter cites equal or better performance. Thomas said Council could consider granting the waiver on either basis.

**Councilman McClellan** made a **motion** to grant the waiver based on physical hardship and equal or better performance. **Mayor Pro Tem Sullivan** seconded the motion, and it was passed unanimously (5-0).

**Councilman Kinneman** then made a **motion** to approve the subdivision plan. **Councilman McClellan** seconded the motion, and it was passed unanimously.

**7. CITIZEN COMMENTS**

None

**8. MONTHLY FINANCIAL UPDATE**

Finance Officer Sam Anders presented the monthly financial report, which is hereby incorporated by reference and made a part of the minutes. He reported:

- Property taxes in the amount of \$8,907.74 covering the period through June 30 were received from Guilford County.

- The monthly sales tax disbursement was received, as were franchise tax receipts for electricity, natural gas, telecommunications and video programming.
- His office is continuing to work with Black Mountain Software on installation and conversion to new accounting software, and training has begun.
- The main field work on the annual audit is scheduled for the week of September 15.
- End of year inventory was completed.
- A budget amendment had been done per Council's OK in June, but a few more items came up and another adjustment was needed to balance the budget for year-end. Anders explained that he had simply shifted money around within the budget so that the fund balance did not change. He asked for approval of the budget amendment, the finance report and the letter of engagement to continue using his firm in the upcoming fiscal year.

**Councilman Kinneman** made a **motion** to approve the budget amendment as presented by the finance officer. **Mayor Pro Tem Sullivan** seconded the motion, and it was passed unanimously (5-0).

**Councilman McClellan** made a **motion** to approve the financial report as presented. **Mayor Pro Tem Sullivan** seconded the motion, and it was passed unanimously (5-0).

**Mayor Combs** made a **motion** to extend the contract to continue to employ Anders' firm. **Councilman Stone** seconded the motion, and it was passed unanimously (5-0).

## 9. COMMUNITY UPDATES

### A. Fire Department

Assistant Chief Anders reported that Chief Steve Simmons was out of town, but that the fire department's annual meeting was held in June. Anders advised those in attendance to stay hydrated during the hot weather.

### B. Parks and Recreation Commission

Chairman Bill Edwards reported there was a Music in the Park event on June 21, and another will be held July 26 featuring the band Sidetrip. On Saturday, July 12, the Summit Church was scheduled to sponsor another Movie in the Park event. No word has been received yet about the Town's PARTF grant application, but an announcement should be made soon.

### C. Planning and Zoning Board

Chairman Doug Nodine said the Board met and voted on the subdivision application which Council had ruled on earlier in the meeting.

### D. Historic Preservation Commission

No meeting, no report

### E. Finance Committee

No meeting, no report

**F. Board of Adjustment**

No meeting, no report

**10. CITIZEN COMMENTS**

None

**11. COUNCIL COMMENTS**

- **Councilman McClellan** agreed with Mayor Combs' comments at the June meeting regarding the need for middle-income housing in Oak Ridge. He said developers, planners, citizens and Town officials can work together to make it happen.
- **Mayor Pro Tem Sullivan** agreed with McClellan, and urged everyone to vote in the upcoming run-off election.
- **Councilman Kinneman** agreed with McClellan and Sullivan on more moderately priced housing and voting. Without municipal water and sewer, the high cost of land and the desire to maintain the character of Oak Ridge, Kinneman said it is challenging to make houses here attainable for more people.
- **Councilman Stone** talked about the importance of voting and the value of volunteers and staff, and he said it is an honor to serve.
- **Mayor Combs** also encouraged residents to vote. He welcomed Bill Bruce as the Town's new planning director, and said the housing situation will be a challenge because of the many hurdles to be faced.

**12. CLOSED SESSION**

**Councilman Kinneman** made a **motion** to go into closed session to discuss a personnel issue at 7:57 p.m. **Councilman Stone** seconded the motion, and it was passed unanimously (5-0).

**Councilman Kinneman** made a **motion** to return to open session 8:07 p.m. **Mayor Pro Tem Sullivan** seconded the motion, and it was passed unanimously (5-0).

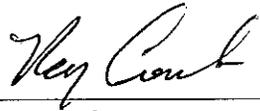
**Councilman Kinneman** made a **motion** to approve a 5 percent raise for the town manager. **Councilman McClellan** seconded the motion, and it was passed unanimously (5-0).

**13. ADJOURNMENT**

**Councilman Kinneman** made a **motion** to adjourn the meeting at 8:08 p.m. **Councilman McClellan** seconded the motion, and it was passed unanimously (5-0).

Respectfully Submitted:

  
\_\_\_\_\_  
Sandra B. Smith, Town Clerk

  
\_\_\_\_\_  
Ray Combs, Mayor



RESOLUTION R-2014-02

**A RESOLUTION CONSENTING TO THE ADDITION OF INVERSHIELD COURT (0.07 MILES), WHOLLY WITHIN THE CORPORATE LIMITS OF THE TOWN OF OAK RIDGE, NORTH CAROLINA, TO THE NC STATE MAINTENANCE SYSTEM.**

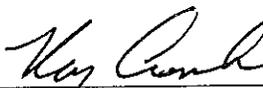
**WHEREAS**, the property owners on the road in Guilford County known as Invershield Court have petitioned the North Carolina Department of Transportation to accept for state maintenance said road as defined on the Williard Oaks subdivision plat, **Final Plat as recorded on the 8th day of March, 2000, in Book 136, Page 82, Guilford County Registry, North Carolina;** and

**WHEREAS**, the North Carolina Department of Transportation has declared through its Secondary Road Addition Investigation Report (**File G-14-2013**) dated June 13, 2014, that said roads meets the minimum requirement for the addition of INVERSHIELD COURT) into the State Maintenance System; and

**WHEREAS**, the District Engineer of the North Carolina Department of Transportation does recommend the addition of the Secondary Road System of the State of North Carolina;

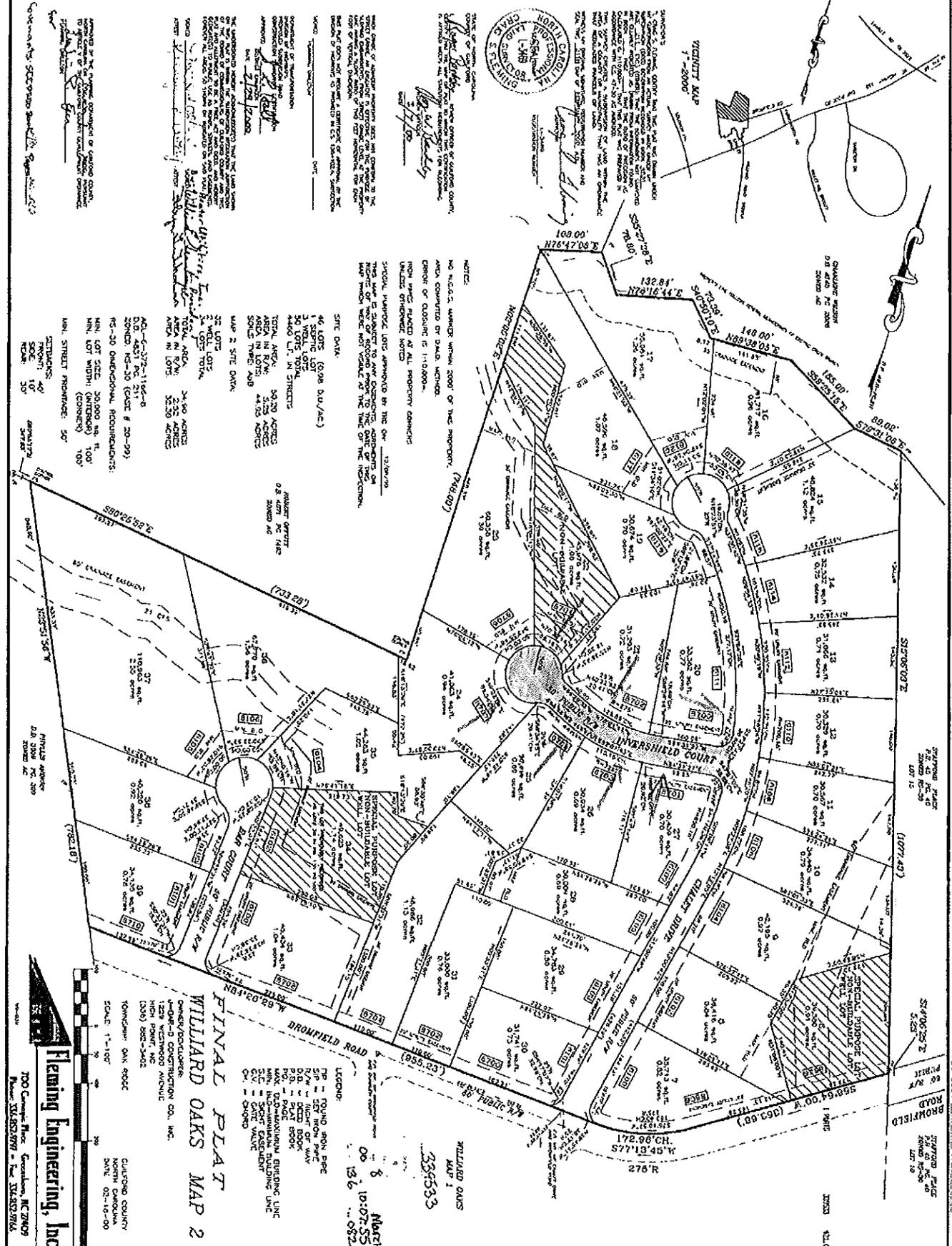
**NOW, THEREFORE, BE IT RESOLVED**, that the Town Council on behalf of the Town of Oak Ridge, North Carolina, does hereby, after due consideration and deliberation and without any objection being heard, concur and consent to the addition of INVERSHIELD COURT to the NC State Maintenance System to the same degree and measure to which the property owners have petitioned said Department of Transportation of the State of North Carolina; and to the same degree and measure to which the said Department of Transportation does now recommend acceptance into the said NC State Maintenance System.

Adopted this 10<sup>th</sup> day of July, 2014.

  
\_\_\_\_\_  
Ray Combs, Mayor

ATTEST:

  
\_\_\_\_\_  
Sandra B. Smith, Town Clerk



NOTICE: THIS MAP IS A PRELIMINARY MAP AND IS NOT TO BE USED FOR CONVEYANCE OF ANY INTEREST IN REAL ESTATE. THE INFORMATION CONTAINED HEREIN IS SUBJECT TO CHANGE WITHOUT NOTICE. THE ENGINEER HAS NOT CONDUCTED A SURVEY OF THE PROPERTY SHOWN ON THIS MAP. THE ENGINEER HAS NOT CONDUCTED A SURVEY OF THE PROPERTY SHOWN ON THIS MAP. THE ENGINEER HAS NOT CONDUCTED A SURVEY OF THE PROPERTY SHOWN ON THIS MAP.

NOTICE: NO RIGHTS, WHETHER WITHIN 2000' OF THE PROPERTY, ARE RESERVED BY THIS MAP. THE ENGINEER HAS NOT CONDUCTED A SURVEY OF THE PROPERTY SHOWN ON THIS MAP. THE ENGINEER HAS NOT CONDUCTED A SURVEY OF THE PROPERTY SHOWN ON THIS MAP. THE ENGINEER HAS NOT CONDUCTED A SURVEY OF THE PROPERTY SHOWN ON THIS MAP.

**SITE DATA:**

- 46 LOTS (3088 sq./ac.)
- 1 SPECIAL LOT
- 30 LOTS TOTAL
- 4440 LF. IN STREETS
- TOTAL AREA: 30.20 ACRES
- AREA IN FEET: 3,235 ACRES
- SOFT TYPED SUB
- MAP 2 SITE DATA
- 32 LOTS
- 2 WILL. LOTS
- TOTAL AREA: 34.80 ACRES
- AREA IN FEET: 3,735 ACRES
- AREA IN LOTS: 253 ACRES
- MIN. LOT SIZE: 1187'-0"
- MIN. LOT AREA: 20,000 SQ. FT.
- MIN. LOT HEIGHT (CONCRETE): 10'
- MIN. STREET FRONTAGE: 50'
- SETBACKS: 10'
- MIN. FRONT: 20'
- MIN. SIDE: 20'

**Fleming Engineering, Inc.**  
 700 George Pike, Greenville, NC 27609  
 Phone: 336-537-7111 • Fax: 336-537-7116

**FINAL PLAT**  
**WILLARD OAKS MAP 2**  
 ENGINEER/PLATSMAN  
 JAMES D. CONSTRUCTION CO., INC.  
 1229 VICTORIO AVENUE  
 HIGH POINT, NC  
 (336) 882-3402  
 TONY/DAVE OAK REPC  
 CLATSOP COUNTY  
 NORTH CAROLINA  
 DATE: 02-16-00  
 SCALE: 1"=100'

**LEGEND:**  
 PR - FOUND BRON SPIC  
 R/W - RIGHT OF WAY  
 D/D - DEED BOOK  
 P/P - PLAT BOOK  
 P/B - PLAT BOOK  
 M/L - METEOROLOGICAL BUILDING LINE  
 M/N - METEOROLOGICAL BUILDING LINE  
 C/V - CURVE VALUE  
 OX - CHORD

WILLARD OAKS  
 MAP 1  
 336533  
 10:07:55  
 136  
 082

# TOWN OF OAK RIDGE

## VOLUNTEER APPLICATION FOR BOARD OR COMMISSION



Please return your completed application to the Town Clerk by hand to the Town Hall at 8315 Linville Road, by mail to P.O. Box 374 Oak Ridge, NC 27310, or by email to [ssmith@oakridgenc.com](mailto:ssmith@oakridgenc.com). Please call Town Hall at (336) 644-7009 with any questions regarding board/commission service or your application.

Please note that Town of Oak Ridge Volunteer Applications are Public Record according to North Carolina law and can be shown to third parties without notice.

Please Print Clearly

- (1) Name: Phyllis Clodfelter Date 6/17/14
- (2) Address: 6707 Brookbank Road
- (3) Email Address: PCL0D41@Yahoo.com
- (4) Phone Number(s): 336 643-4332 336 740-2211 Cell
- (5) Please indicate on which board you would like to serve by selecting from the following options. For more information, please visit [www.oakridge.com](http://www.oakridge.com) and click Board & Committees.

- Board of Adjustment:
- Finance Committee:
- Historic Preservation Commission:
- Parks & Recreation Commission:
- Planning & Zoning Board:

(6) Where do you reside:

Incorporated Oak Ridge:

For 28 Years Born & raised in Oak Ridge

Oak Ridge ETJ:

For \_\_\_\_\_ Years Lived in California 15 years  
& returned to Oak Ridge 1986

(7) Are you currently serving on a Town of Oak Ridge Advisory Board? Yes  No

If Yes, which one: \_\_\_\_\_

(8) Have you previously served on a Town of Oak Ridge Advisory Board? Yes  No

If Yes, Did you complete the term for which you were appointed? Yes  No

If No, Please explain: \_\_\_\_\_

(9) Where are you currently employed? Retired

Current Position or Job Title: \_\_\_\_\_

Brief Description of Job Duties: \_\_\_\_\_

(10) Please list any volunteer, professional or civic activities in which you participate:

Hostly Church activities; UMW, CIO (given), member of Oak Ridge Methodist Church since 1949; Sunday School Teacher, help in community and needed.

(11) Any additional information or comments relating to your ability or desire to serve on a Town of Oak Ridge Advisory Board (feel free to attach a resume for additional information):

I was raised in Oak Ridge and have interest in our community & our beautiful parks & would like to serve on this committee as our parks grow.

(12) How did you learn about this volunteer opportunity? Helped last year with the first music in the park.

(13) For purposes of reporting to the NC Department of the Secretary of State (as required by G.S. 143-157.1), are you: Female:  or Male:

This application will stay on file for two years, if not appointed during this time frame; this application will be discarded without notice.

*For Internal Use Only*

Date Received: 6/18/14 Residence: Incorporated  ETJ \_\_\_\_\_  
Board Interview:  Date: 6/19/14 Nominated: Yes  No \_\_\_\_\_  
Appointed by Council: Yes \_\_\_\_\_ No \_\_\_\_\_ Date: \_\_\_\_\_  
Term of Office: (3) Years Expiration Date: \_\_\_\_\_  
Seat #: \_\_\_\_\_ on \_\_\_\_\_ (Board, Committee, Commission)  
Notes: \_\_\_\_\_

STATE OF NORTH CAROLINA

GUILFORD COUNTY

THIS CONTRACT AMENDMENT is hereby made, entered into, and effective as of this 21<sup>st</sup> day of July, 2014, by and between GUILFORD COUNTY, a body politic and corporate of the State of North Carolina, hereinafter referred to as the "COUNTY," and the TOWN OF OAK RIDGE, hereinafter referred to as the "TOWN," also collectively referred to as the "Parties."

WITNESSETH:

WHEREAS, the Parties entered into a CONTRACT on January 7, 1999 and amended it on December 16, 1999, July 1, 2000, and January 1, 2006, for various services to be provided by the COUNTY to the TOWN; and,

WHEREAS, the Parties now desire to modify and amend the initial Contract, as amended, effective July 21, 2014;

NOW THEREFORE, the Parties agree as follows:

- A. The COUNTY shall continue to provide all inspection (building, mechanical, plumbing, electrical and fuel gas) and erosion control services to the TOWN, as well as indirect services, such as construction plan review, permit issuance, computer forms and files keeping, administration, and disaster response. (The enforcement provision is hereby deleted from this Contract.)
- B. The TOWN hereby adopts the current GUILFORD COUNTY building permit fee schedule(s), and as it may be amended from time to time. All building permit fees generated by construction activity in the TOWN will be received, processed, and retained by the COUNTY for services rendered.
- C. All other provisions of the initial Contract entered into on January 7, 1999, as amended, are hereby ratified and shall continue in full force and effect without change unless and until revised upon mutual written Agreement of the Parties or terminated pursuant to the initial Contract.
- D. The Parties agree that this Contract is subject to the jurisdiction and laws of the State of North Carolina. The TOWN will comply with bid restrictions, if any, and applicable laws, including N.C.G.S. §143-129(j) regarding E-Verify. Any controversies arising out of this Contract shall be governed by and construed in accordance with the laws of the State of North Carolina.
- E. This Contract shall be in effect on and after July 21, 2014, and shall be automatically renewed each year for four (4) additional years unless notice of non-renewal is given in writing by either Party to the other.
- F. The Parties agree that either Party may terminate this Contract, or portion thereof, without penalty, upon thirty (30) days written notice to the other Party.

WITNESS the following signatures and seals all pursuant to authority duly granted as of the day and year first above written.

ATTEST:

GUILFORD COUNTY

\_\_\_\_\_  
Guilford County Clerk to Board

By: \_\_\_\_\_  
Marty K. Lawing, Guilford County Manager

(COUNTY SEAL)

ATTEST:

TOWN OF OAK RIDGE

\_\_\_\_\_  
Oak Ridge Town Clerk  
(CORPORATE SEAL)

By: \_\_\_\_\_  
Mayor

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

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

\_\_\_\_\_  
Guilford County Finance Director

\_\_\_\_\_  
Oak Ridge Finance Director

APPROVED AS TO FORM & LEGALITY:

\_\_\_\_\_  
Oak Ridge Town Attorney

SUBDIVISION CASE #14-06-ORPL-02897: RIVER  
GATE

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Subdivision Case # 14-06-ORPL-02897: River Gate. Located on the north side of Haw River Road, approximately 300 feet east of Pepper Road, in Oak Ridge Township. This subdivision consists of 15 lots and road dedication for a total of approximately 17.99 acres. Being Guilford County Tax parcel 0164838, zoned CU-RS-40. Owned by Susan D. Teeter. Designer: Hugh Creed Associates, Inc., P.A.

Staff comments:

1. The applicant has requested a waiver to Section 30-860(j) for cul-de-sac maximum length. Please see the attached letter for the applicant's proposed justification. Grounds for granting waivers are also attached.
2. A 20' utility easement must be provided along the street frontage of all proposed lots.
3. All lots meet the minimum dimensional requirements of the RS-40 zoning district, and all zoning conditions are accommodated by this preliminary plat.
4. Tree preservation meets the minimum required (20% of the site).
5. The preliminary plat is currently under review for compliance with the adopted Jordan Lake Rules.

Pending compliance with the Jordan Lake Rules and the addition of the required utility easement, staff recommends approval.

# Hugh Creed Associates, Inc. P.A.

Consulting Engineers & Land Surveyors

1306 W. WENDOVER AVENUE P.O. BOX 9623  
GREENSBORO, N.C. 27400 GREENSBORO, N.C. 27429  
TELE: (336) 275-9826 OR (336) 275-8084 FAX: (336) 275-3379  
FIRM LICENSE #C-0551 E-MAIL: [HCA@TRIADBIZ.RR.COM](mailto:HCA@TRIADBIZ.RR.COM)

June 20, 2014

Town of Oak Ridge  
P.O. Box 374  
Oak Ridge, NC 27310

Subject: River Gate Subdivision  
Cul-De-Sac Length Waiver Request

Dear Board Members,

This letter is written on behalf of Ms. Susan D. Teeter, present owner, and LTD Equity, Inc., proposed developer, to request a waiver of the maximum cul-de-sac length for River Gate Court from 800 feet as per the Development Ordinance Section 30-860(j) to  $\pm 1,100$  feet. This request is made due to the shape of the property, its topographic features and surrounding development.

Shape of Property:

The property is approximately 1,350 feet deep by 640 feet wide, which only supports a single street with lots along each side.

Topographic Features:

There are two existing streams on the southwest side of the property and another stream within the park side on the north side. These topographic features further restrict development of the lots onto the flatter slopes.

Surrounding Properties:

- The existing development on the south of the site has no access point for a stub street connection.
- The property on the west and north is existing Guilford County parkland and needs no street access from this site.
- The remaining two tracts along the north of the site are existing developed lots with access to Haw River Road. These lots do not require access from this site.

These surrounding properties allow no stub street extensions from this subdivision.

We appreciate your consideration of this request.

Sincerely,  
Hugh Creed Associates, Inc., P.A.



Norris Z. Clayton, P.E., P.L.S.

Secs. 30-804—30-829. Reserved.

## DIVISION 8. WAIVERS

## Sec. 30-830. Approval authority.

The planning and zoning board may approve waivers to the standards of this article following a unanimous vote. Less than a unanimous vote shall constitute a recommendation with final action required from the town council.  
(Ord. of 1-6-2000, § 5-12.1)

## Sec. 30-831. Grounds for waivers.

The plan approval agency may waive standards in this article under one of the following circumstances:

- (1) *Physical hardship.* Where because of the size of the tract to be subdivided, its topography, the condition or nature of adjoining areas, or the existence of other unusual physical conditions, strict compliance with the provisions of this article would cause unusual and unnecessary hardship on the subdivider.
- (2) *Equal or better performance.* Where in its opinion a waiver will result in equal or better performance in furtherance of the purposes of this chapter.
- (3) *Unintentional error.* Where through an unintentional error by the applicant, his agent, or the reviewing staff, there is a minor violation of a standard in this article, where such violation is not prejudicial to the value or development potential of the subdivision or adjoining properties.

(Ord. of 1-6-2000, § 5-12.2)

## Sec. 30-832. Grounds for waivers to section 30-860(f).

(a) At the time of the waiver, a stub street to the subject property under consideration for waiver must exist. A new stub street to the subject property cannot be created for purposes of granting requested waiver herein.

(b) The subject property must be completely land locked without any other means of access at the time of application and request for waiver.

(c) That the granting of such waivers will not be of substantial or material harm to the intent, nor be prejudicial or contravene the intent of section 30-860(f) which is to limit single entrance residential subdivision streets to no more than 500 trips per day.

(Ord. of 1-6-2000, § 5-12.3)

## Sec. 30-833. Conditions.

In granting waivers, the approval authority may require such conditions as will secure, insofar as practicable, the purposes of the standards or requirements waived.

(Ord. of 1-6-2000, § 5-12.4)

**Town of Oak Ridge Council Meeting 7/10/2014**

**Report from Finance Officer Samuel K. Anders, CPA, MSA**

**1. Financial Report (See attached)**

**2. Activity Update**

A. We received the wire transfer of our remittance of property taxes from the Guilford County Tax Department totaling \$8,907.74. This represents all collections in our account as of 06/30/14.

B. We received our monthly property tax receipts and monthly sales tax disbursement. We also received Interest, Other Park Revenues, Dog Park Fund Donations, Planning and Zoning Fees, and Franchise Tax Receipts for Electricity/Piped Natural Gas/Telecommunications/Video Programming.

C. We have renewed and updated our investments at our banks.

D. We are working with Black Mountain on the installation and conversion of the software. Training started early to accommodate our payroll cycle.

E. Preliminary field work on the annual audit has been finished. The main field work is now scheduled for the week of September 15th.

F. Budget amendment authorization to insure a balanced budget through 06/30/14. Update.

Town of Oak Ridge  
Budget Amendment Request

Date: 6/30/2014

Requesting Party: Sam Anders

Account	Debit	Credit	Reason
General Fund			
Advertising	100.00		Added Advertising
Mileage Reimbursement - Administrative	200.00		Variance on estimated amount used to budget
Animal Control	4,000.00		Updated to correct balance due under contract
Retirement Matching	250.00		Variance on estimated amount used to budget
Legal Fees		13,050.00	Excess funds not spent
Transfer to Cultural and Recreation	8,500.00		Balance to cover increased expenses
Totals	<u>13,050.00</u>	<u>13,050.00</u>	

Account	Debit	Credit	Reason
Cultural and Recreation			
Operations and Maintenance	8,500.00		Increase due to Old Union cleanup and early maint services
Transfer from General Fund		8,500.00	Amount to Balance
	<u>8,500.00</u>	<u>8,500.00</u>	

Account	Debit	Credit	Reason
Capital			
Capital Additions - Equipment	1,120.00		Increase due to capitalized repair costs
Capital Additions - Black Mountain Software		1,120.00	Unspent funds redirected to cover increased expense
	<u>1,120.00</u>	<u>1,120.00</u>	

Town Council Approved Date: \_\_\_\_\_

Requesting Party Signature: \_\_\_\_\_