



SLHS Engineering, PLLC
105 Dolphin Lane, Havelock, NC 28532
252-349-5803
Slhsengineeringpllc@gmail.com

February 5, 2024

Diane Miller

Town Manager, Land Use Administrator, Town of Oriental
507 Church Street, Oriental, NC

Ms. Miller,

We are requesting to present to the Planning Board of the Town of Oriental our request for rezoning of the parcel located within the Town at the end of White Farm Road described as 21 acres, Pin 649745924300, See Figure 1 below.



Figure 1. Pamlico County GIS map, No scale



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The owner is Martin Spratt, Chas 1, LLC 466 Troll View Road, Grants Pass Oregon, 203-401-4411.

Per attached letter, for Mr. Spratt we, SLHS engineering, Pllc, are petitioning to change the district classification of the tract from its current zoning of R3 to MU, mixed use. The engineer/petitioner address is 105 Dolphin Lane, Havelock NC 28532. 252-349-5803. See Figure 2 below.

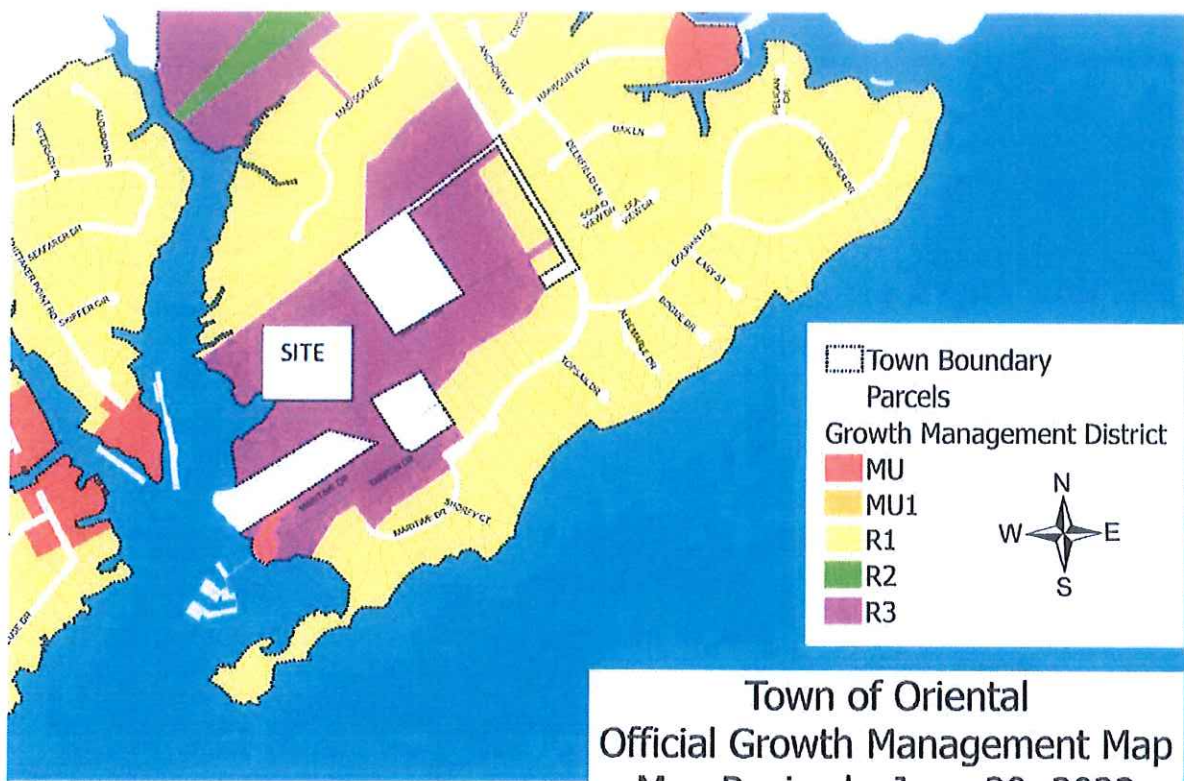
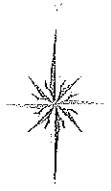


Figure 2. Town of Oriental Management map, No scale

Included in the petition are:

A description includes deed bk 720 page 653 – 655 (attached) and Plat Cabinet B Slide 12-1 (See attached).



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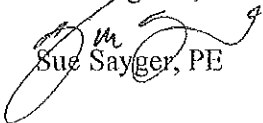
A preliminary layout of the 21-acre parcel as Mixed-use zone with adjacent property current zoning.

The specific objectives of the proposed change include the following:

To contentiously, financially and successfully develop the property in a manner in keeping with the good stewardship of the Town's land use. A brief history of the property suggests that the opportunity to develop the property as R-3 has been fully vetted over the past ten years. The current zoning of R3 was determined as part of the annexation into the Town. It was thought at that time, R3 development was feasible. However, due to changing demographics, including social and economic factors, R3 is no longer viable. The owner remains interested in development, which is both beneficial to the Town, adjacent landowners, and the end users. At this point the rezoning request to MU (mixed Use) from R3 precedes a special use request for a small RV park. The owner intends to meet all the Town's requirements and provide a well-run, meticulous RV park for users to enjoy the Town's local amenities and service, as well as existing nature. It should be noted that the Town's RV Park requirements are stringent and innately minimize the size and extent of a proposed park.

In closing, this request is for a Land use change from R-3 to MU. We look forward to presenting this request to the Planning Board and working with the Town on this Project.

Kind regards,


Sue Sayger, PE



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Section 236 - Initiation of Amendments

236.1 Any person may petition the Town Commissioners to amend this chapter and/or the Official Growth Management Map. For this purpose, a petition shall be filed with the Land Use Administrator and shall contain the following information deemed relevant by the Land Use Administrator:

236.1.1 The name, address, and phone number of the petitioner.

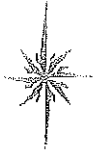
236.1.2 If a change in development district classification is proposed, a legal description and a scaled map of the land affected by the proposed amendment, and

236.1.3 A description of the proposed map change or a summary of the specific objective of any proposed change in the text of this chapter.

236.2 Petitions for amendments to this chapter or the Official Growth Management Map shall be submitted to the Land Use Administrator at least fifteen (15) days prior to the date of a regularly scheduled Planning Board meeting. Upon written confirmation from the Land Use Administrator that the application is complete, the request will be placed on the agenda of the next Planning Board meeting occurring fifteen (15) days or more after the date of submission.

236.3 The Town Commissioners, at their next regularly scheduled meeting following the Planning Board's meeting at which time the petition is first considered, shall schedule a public hearing concerning the petition.

236.4 Whenever a request to amend this chapter or the Official Growth Management Map is initiated by the Town Commissioners, the Planning Board, or the Land Use Administrator, time limits imposed by this chapter shall apply.



SLHS Engineering, PLLC
105 Dolphin Lane, Havelock, NC 28532
252-349-5803
Slhsengineeringpllc@gmail.com

January 31, 2024

Diane Miller

Town Manager, Town of Oriental
507 Church Street, Oriental, NC

Diane,

My engineer, SLHS engineering, Susan Sayger, PE, is working on my behalf as petitioner for our request for rezoning of my property. I look forward to continuing to work with the Town in our development projects. Please let me know if you need any additional information.

My kindest regards,

Martin Spratt,
Manager Chas 1, LLC
466 Troll View Road
Grants Pass, Oregon
203-417-4411

Type: CONSOLIDATED REAL PROPERTY
Recorded: 12/21/2023 11:04:49 AM
Fee Amt: \$876.00 Page 1 of 3
Revenue Tax: \$850.00
Pamlico, NC
Lynn H. Lewis Register of Deeds

BK 720 PG 653 - 655

Prepared by/Return to: Sara L. Delamar, Delamar & Delamar, PLLC, Attorneys at Law,
P.O. Box 411, Bayboro, N.C. 28515

N.C. Excise Tax - \$850.00

NORTH CAROLINA

GENERAL WARRANTY DEED

PAMLICO COUNTY

This deed, made and entered into this 18th day of December, 2023, by and between **Chas 1, LLC, a North Carolina limited liability company**, hereinafter referred to as "Grantor"; and **Third Haven LLC, a North Carolina limited liability company**, hereinafter referred to as "Grantee". Grantor's address is PO Box 280, Oriental, NC 28571. Grantee's mailing address is 4260 Orchard Creek Road, Oriental, NC 28571.

WITNESSETH:

That said Grantor, for and in consideration of valuable consideration paid to Grantor, the receipt of which is hereby acknowledged, does grant, bargain, sell and convey unto the Grantee in fee simple all that certain tract or parcel of land lying and being in Number County, North Carolina, and more particularly described as follows:

TRACT ONE:

Being all of that 10.11 acre tract shown as Parcel "A", on the survey map prepared by William E. Marlowe, PLS, dated December 13, 2023, entitled "PROPERTY DIVISION, THIRD HAVEN, LLC," which survey map is recorded in Plat Cabinet B, Slide 12 - 1, Pamlico County Registry, and is incorporated herein by reference.

TRACT TWO:

Being all of that .06 acre tract shown on the survey map prepared by William E. Marlowe, PLS, dated December 13, 2023, entitled "PROPERTY DIVISION, THIRD HAVEN, LLC," which survey map is recorded in Plat Cabinet B, Slide 12 - 1, Pamlico County Registry, and is incorporated herein by reference.

Also conveyed is an easement for ingress, egress and regress and installation and maintenance of utilities, in favor of Third Haven, LLC, and its successors and/or assigns, over and along that 50' Easement shown as Easement 2 on the above-referenced survey map.

This conveyance is made subject to an easement for ingress, egress and regress and installation and maintenance of utilities in favor of Chas 1, LLC and its successors and/or assigns, over and along that 50' Easement shown as Easement 1 on the above-referenced survey map.

The property described above is a portion of that property acquired by Grantor by instrument recorded in Book 585, Page 295, and Book 609, 861, Pamlico County Registry.

To have and hold the aforesaid tract or parcel of land and all privileges thereunto belonging in fee simple forever.

And Grantor covenants with Grantee that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, except for the exceptions hereinafter stated.

Title to the property described above is subject to ad valorem taxes for the current year (prorated through the date of closing); utility easements and unviolated restrictive covenants that do not materially affect the value of the Property.

The designation Grantor and Grantee as used herein shall include the parties hereto, their heirs, successors, assigns and legal and/or personal representatives.

In Testimony Whereof, said Grantor has hereunto signed this instrument in its company name by its duly authorized member/manager the day and year first written above.

CHAS 1, LLC

BY: [Signature] (SEAL)
Martin Spratt

 If marked or initialed, the property includes the primary residence of at least one of the Grantors, otherwise, note as N/A. (per NC GS § 105-317.2)

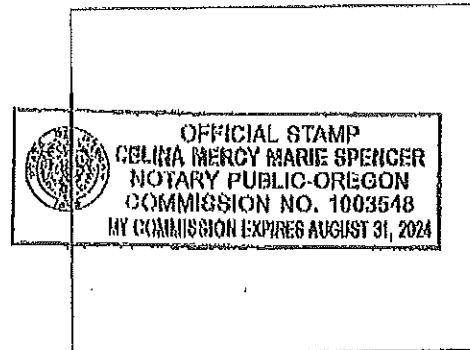
Josephine County, Oregon State

I certify that the following persons personally appeared before me this day, acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: *Martin Spratt, Member/Manager of Chas 1, LLC.*

Date: December 18th 2023

[Signature]
Official Signature of Notary
Notary Public

Celina Mercy Marie Spencer
Notary Public Printed Name



Notary Seal or Stamp Must
Appear In Above Box

My commission expires: Aug 31 2024

Plot Cabinet B Slide 12-1

PLAT RECORDING INFORMATION
PLAT ID: 000012426 Type: PLT
Recorded: 11/21/2013 at 09:54:27 AM
Fee Amt: \$11.00 Page 1 of 1
Jurisdiction: NC
Lynn W. Lewis Register of Deeds
DB B12 pg 1

WHITTAKER HARBOR
PLAT CAS A SLIDE 153-1

N/F
STEVEN DEKRAMER
DB 526, PG 721
TAX ID J083-21-9

N 81°14' E
1275.57

PARCEL "B"
914808.150 FT.
21.00 ACRES

PARCEL B DATA ACQUIRED FROM SURVEY CONDUCTED BY
Prestige
Land Surveying, P.A.
CORPORATION LICENSE NO. C-0902
301 W.B. WELSH BLDG. CAPE CANTON-OWENSBORO, NC 28504 (252) 253-2129
AND NOT INDEPENDENTLY HEREIN

N/F
CHAS 1 LLC
DB 565, PG 295
TAX ID J083-24

REMAINDER OF 31 ACRES NOT SURVEYED

6507
FOX MEAN HIGH WATER LINE (PROPERTY LINE)

N/F
SEA HARBOR CONDO
YACHT CLUB INC
DB 350, PG 522
A117-3
TAX ID J083-25



VICINITY MAP NTS

S 26°20'12" E
1000.00

N/F
JOSEPH BUCK
DB 596, PG 386
TAX ID J083-26-23

N/F
CHAS 1 LLC
DB 565, PG 295
TAX ID J083-24

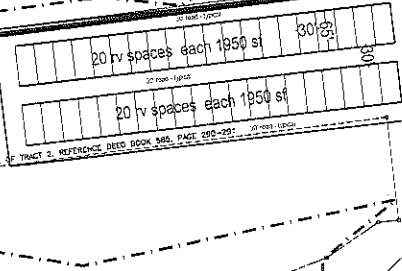
STATE OF NORTH CAROLINA
REVENUE DEPARTMENT
REGISTER OF DEEDS
COUNTY OF PAMLICO
I HEREBY CERTIFY THAT THIS PLAT, TO WHICH THIS CERTIFICATION IS AFFIXED, MEETS ALL
STATUTORY REQUIREMENTS FOR RECORDING
Lynn W. Lewis

RV PARK IS SET WITHIN A SECLUDED SECTION OF THE 21 ACRE SITE. THE LAYOUT PROVIDES USERS AND ADJACENT PROPERTIES THE EXISTING BEAUFITFUL VIEWS AND NATURAL SETTINGS. FULL AMENITIES IN KEEPING WITH VILLAGE GHO AND EXPLICIT PARK REQUIREMENTS.

Whittaker Harbor
 PLAT 1
 PCA 117-3
 REF. DEED BOOK 365, PG. 231

⑨ 100 YR FLOOD LIMITS ⑩ ⑪

R1



See Harbor
 Condo Yacht Club
 REF. DEED BOOK 365, PG. 302
 NC PIN 049726431

NOT IN TOWN LIMITS

Whittaker Creek

Whittaker Creek

R3

R3

⑬

31.148 Ac.
 BY GEOMETRIC CALCULATION
 FENCED NUMBER 1087-24
 NC PIN 049726431
 REFERENCE DEED BOOK 365, PAGES 285-297
 REFERENCE DEED BOOK 365, PAGE 285
 REFERENCE DEED BOOK 365, PAGE 285

NEW PROPERTY LINE

Rodney M. Lee
 REFERENCE DEED BOOK 368
 NC PIN 049746762

NOT IN TOWN LIMITS

Miles C. Shorey III
 REFERENCE DEED BOOK 365, PAGES 285-297
 NC PIN 049726431

Exception #1
 REFERENCE DEED BOOK 365, PAGES 285-297

Easement #1
 20' RIGHT OF WAY AND UTILITY EASEMENT
 REFERENCE DEED BOOK 365, PAGES 285-297

Miles C. Shorey IV
 REFERENCE DEED BOOK 365, PAGES 285-297
 NC PIN 049726431

Whittaker Pointe Yacht Club
 REFERENCE DEED BOOK 365, PAGE 482
 NC PIN 049747410

Whittaker Pointe Marina
 NC PIN 0497447303
 REFERENCE DEED BOOK 365, PAGE 717

REVISION	
SLHS ENGINEERING LLC 308 W 5TH STRE CHARLOTTE, NC 282-348-5803	
APPROVED BY	
DATE	
SCALE	
EXECUTIVE RV ORIENTAL, PAMLICO COUNTY, NC	
DATE & NO.	

Preliminary layout of proposed executive RV park.

Diane Miller

From: Sally Belangia <sallybelangia@townoforiental.com>
Sent: Monday, March 25, 2024 1:05 PM
To: breenalitzenberger@townoforiental.com; Charlie Overcash; Allen Price; Frank Roe; bonniecrosser@townoforiental.com; Diane Miller
Subject: Fwd: Public Hearing for Rezoning at the 2 April Commissioners' Meeting

Sent from my iPhone

Begin forwarded message:

From: Doc Phin <docphin60@gmail.com>
Date: March 25, 2024 at 10:21:41 AM EDT
To: sallybelangia@townoforiental.com
Cc: manager@townoforiental.com
Subject: Public Hearing for Rezoning at the 2 April Commissioners' Meeting

Greetings. I am writing to strongly urge the Town Commissioners to vote NO on the R3 to MU zoning change of 21 acres off White Farm Road. The establishment of a 40 Space RV park in our neighborhood is not a welcome addition to this lovely town of Oriental. Approving this rezoning request is not in keeping with what we learned of the Town of Orientals comprehensive plan when we chose to establish roots and live here. The land in question is appropriately zoned R3 and should remain so. The official Growth management map was just approved and revised in June 2023. Making a major change like R3 to MU is going against what we as a town have already approved. I also note that our August 2023 CAMA certification would also be at risk by making this change.

VR David and Kathy Dougherty

6034 Dolphin Road

PLANNING BOARD RECOMMENDATION
March 20, 2024

On March 20, 2024, pursuant to Code Section 237 of the Growth Management Ordinance of the Town of Oriental, the Planning Board of the Town of Oriental conducted a duly advertised public meeting to consider the rezoning of the real property located at 604 Shorey Dr, Oriental, North Carolina, and more specifically identified as Pamlico County Tax Parcel ID Number J083-24(“SUBJECT PROPERTY”) portion from a zoning classification of R-3 Residential District to the zoning classification of MU Mixed Used District.

After giving all interested parties and opportunity to be heard regarding the application to rezone the Subject Property, the Planning Board does not forward a recommendation, noting development goals and standards that are in opposition to and are consistent with the request and resident input, and declines to make a recommendation that the zoning classification of the portion of the Subject Property be changed from the zoning classification of R-3 Residential to the zoning classification of MU Mixed Use.

At the February 14 Planning Board meeting, members heard from the representative for the project, Ms. Susan Sayger. The Board questioned her regarding the use, setbacks, CAMA regulations, and flood lines. Of the 20(ish) acres under request for rezoning, only about 5 will be usable inside the 100 year flood line.

Board members asked about an entrance to the property, stating residents in Dolphin Point would not like traffic going to through their neighborhood. Sayger said there were three possible routes in and they were interested in both Shorey Drive and the dirt road along the Sea Harbor spoil site – which would have to be paved and brought up to code to carry MU traffic and to be annexed into the town.

Also discussed: Oriental’s GMO prohibits industry along the waterfront, and CAMA regulations are strict and require permitting on top of what the town would allow. While the Board cannot make a recommendation on the proposed use of the land at this time, it was in the application that an Executive RV Park was planned. Discussion was that moving RVs in the event of a named storm is much easier than evacuating townhomes or condos (as proposed under the initial R3 zoning) and comes with much less cleanup in the aftermath. There is also less use of land and density with the proposed RV park (40 RV spots on 5 acres versus the originally planned condos / townhomes on the full 30(ish) acre lot).

There is a tourism bonus to the town, and the added benefit of looping the water lines at Dolphin Point for the increased infrastructure – something the town has discussed for years.

If there were no RV Park, the MU zone would still be limited by what Oriental’s GMO allows along the waterfront, as well as the additional hoops of acquiring a Special Use Permit (also necessary in the case of an RV Park).

There was no opposition presented at the February Planning Board Meeting.

After zoning notices were posted, several residents attended the March 20 Planning Board meeting and unanimously spoke against the rezoning, citing:

- Increased traffic
- Residents purposely purchased in R-1 zone to be away from density
- Property was annexed in as R-3 three years ago with no opposition, Mixed Use allows a myriad of potential uses.
- Concerns with noise following clear-cutting
- Concerns with enforcement of regulations with limited Town Staff (Police not 24/7)
- Preserving Oriental's waterfronts

The Planning Board further finds that:

1. The proposed rezoning of the Subject Property is consistent with/ and in conflict with parts of the Comprehensive Plan in that:

COMPREHENSIVE LAND USE PLAN

SECTION 2: VISION

Oriental Waterfronts

- Maintain and expand the public's access to the water, water views, (for) launching and docking facilities, and public waterways throughout the community.
- Promote public and private environmental stewardship* . (against)
- Design for current and future changing environmental conditions.

Historic Oriental

- Encourage preservation, rehabilitation and restoration of older, historic, and original buildings.
 - Promote development and redevelopment that reflect the traditional "front porch" welcoming character of the town. (against)
 - Oriental's Comprehensive Plan is meant to serve as a guide for the future concerns and development of the town. It is not immutable; the Plan may be changed again and again before the next 10-year update. It is "advisory in nature and without independent regulatory effect." And this plan does not "expand, diminish, or alter the scope of authority for development regulations."
 - **Transportation, Traffic Circulation and Parking**
 - Provide traffic patterns for vehicular and alternative transportation modes that are safe, fluid, and accessible.
 - Implement transportation routes and parking facilities that enhance Oriental's visual appeal.
-

C. Town Governance and General Operations

Open Areas, Trails and Pathways

- Expand Oriental's park space and recreational opportunities in established and future neighborhoods. (for)

D. Growth and Expansion

- Just as the town has evolved since its inception, changes will come to Oriental. In the long-range vision process the public has spoken clearly that in general they like Oriental the way it is now and hope, regardless of what changes may come, that Oriental will continue as a small waterfront town welcoming a variety of individuals, interests and pursuits. (for)
- Establish the means to guide growth, expansion, redevelopment and development that adheres to the points brought forward by the public and contained in this long-range vision. (take residents opinion - against)

2. The proposed rezoning of the Subject Property is consistent / inconsistent with the CAMA Land Use Plan in that:

(a) Section 1.0 Background Information, Page 2, Paragraph 5, "Oriental supports growth and development that is diverse, environmentally sensitive, economically sustainable, and consistent with the natural, historical and cultural character of Oriental."

(b) Page 5, Paragraph 1, "MU zones...are located within some of the residentially-zoned neighborhoods."

(c) Page 5, Paragraph 5, "Primary commercial areas are a mix of commercial and residential and, for the most part, blend appropriately."

(d) Section 4.0 Future Land Use Map Summary, Page 12, Paragraph 3, "Two mixed use zones allow businesses and commercial development to mingle with all types of housing."

(e) The separation between the proposed additional MU portion of the property and the existing developable portion of R-3 maintains the separation from the residential neighborhood.

(F) Community Identity, Waterfronts, Appearance and Lifestyle – Oriental's Waterfronts, Harbor, Historic and Newer Neighborhoods

GOAL #1B:

Ensure that future development and redevelopment include the public's interest, preserves and / or enhances access to the harbor's working waterfront, and meets requirements set forth by CAMA and other applicable government agencies.

(G) Town Governance and General Operations: Public Works / Public and Private Services; Transportation / Traffic Circulation / Parking; Open Areas / Trails / Pathways

GOAL #2:

Manage the town's facilities and assets to preserve and protect the local environment.

RECOMMENDATIONS:

1. Anticipate population change and project future infrastructure needs. (against- water pressure)
2. Maintain a qualified staff.
3. Plan for future capital improvement needs.
4. Identify potential environmental vulnerabilities and work to mitigate where and when possible. (against- clearing)

GOAL #6:

Expand Oriental's park space and recreational opportunities in established and future neighborhoods. (for)

Allison DeWeese, Chair, Planning Board

Diane Miller, Recording, Town Clerk