




## TOWN OF ORIENTAL

Post Office Box 472  
Oriental, North Carolina 28571  
(252) 249-0555 • Fax (252) 249-0208  
www.townoforiental.com  
townhall@townoforiental.com

TO: Mr. G. Christopher Fulcher

FROM: Diane H. Miller, Land Use Administrator 

DATE: October 13, 2016

RE: SUP and LUP

Find enclosed your Special Use Permit as granted by the Board of Commissioners on October 4, 2016. The conditions agreed to are part of this document as filed with the Register of Deeds of Pamlico County on October 13, 2016. You should become familiar with Section 97 of the Growth Management Ordinance. If substantial progress has not been made on this project within the designated time frame, the Board can move to rescind the permit.

Also, this serves to note that I have approved your Land Use Permit, #2016-60 for a travel lift, as diagrammed and submitted August 11, 2016. Of course, this permit is approved conditional on securing the necessary State and Federal Permits as required by CAMA for its installation.

If you have any questions regarding this permit, please feel free to call or email, or set an appointment for discussion. Thank you very much for your patience as we moved through this process.



# Land Use Application

Application # 2016-34 <sup>60 DMM</sup>  
Check # 57016

Owner	Applicant/Agent	Business
<u>CHRIS FULCHER</u>	<u>FULCHER PT, LLC</u>	
Mailing Address	Site Address	Phone
<u>PO Box 253</u>	<u>101 SOUTH AVE</u>	<u>ORIENTAL NC 28571</u>

Description of Use/Project/Activity TRAVEL LIFT  
EXTENSION + BACKFILL OF BULKHEAD, CONSTRUCTION OF MOBILE GANTRY CRANE  
SUBSTRUCTURE W/ REINFORCED CONCRETE DECK LEADING TO/ADJOINING CONCRETE WASHDOWN  
AND STORMWATER RETENTION SYSTEM

Growth Management District MM-1 Building Vacant? (Y/N) How Long?  
 Proposed Use ENVIRONMENTAL IMPROVEMENT TO EXISTING USE GMO Section PERMISSIBLE USES 9, 230  
3, 220

Lot Size/Area (required)	Setbacks (proposed)	Action	Application #
Lot Area: <u>2.7 acres</u>		Land Use Permit (Y/N) _____	
Lot Width: <u>341 ft</u>		Special Use Permit (Y/N) _____	
Lot Depth: <u>580 ft</u>		Street Closing (Y/N) _____	
Front: <u>N/A</u>		Subdivision Approval (Y/N) _____	
Street Side: <u>120 ft</u>		Variance (Y/N) _____	
Side: <u>100 ft +</u>		Site Plan (Y/N) _____	
Rear: <u>N/A</u>		Appeal/Interpretation (Y/N) _____	
Height: <u>6"</u>		Amendment (Y/N) _____	

Size of Structure:  
 Length: 100 FT X Width: 9 FT Gross Building Area 945 FT<sup>2</sup> Number of Stories 0  
x 2

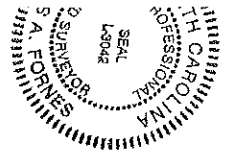
Comments:  
THIS STRUCTURE WOULD REMOVE VESSELS TO LAND FOR WORK PREVIOUSLY  
CONTRACTED OUT / DONE IN WATER.

★ APPROVAL CONDITIONAL UPON CEMA APPROVAL OF CONSTRUCTION - DMMiller

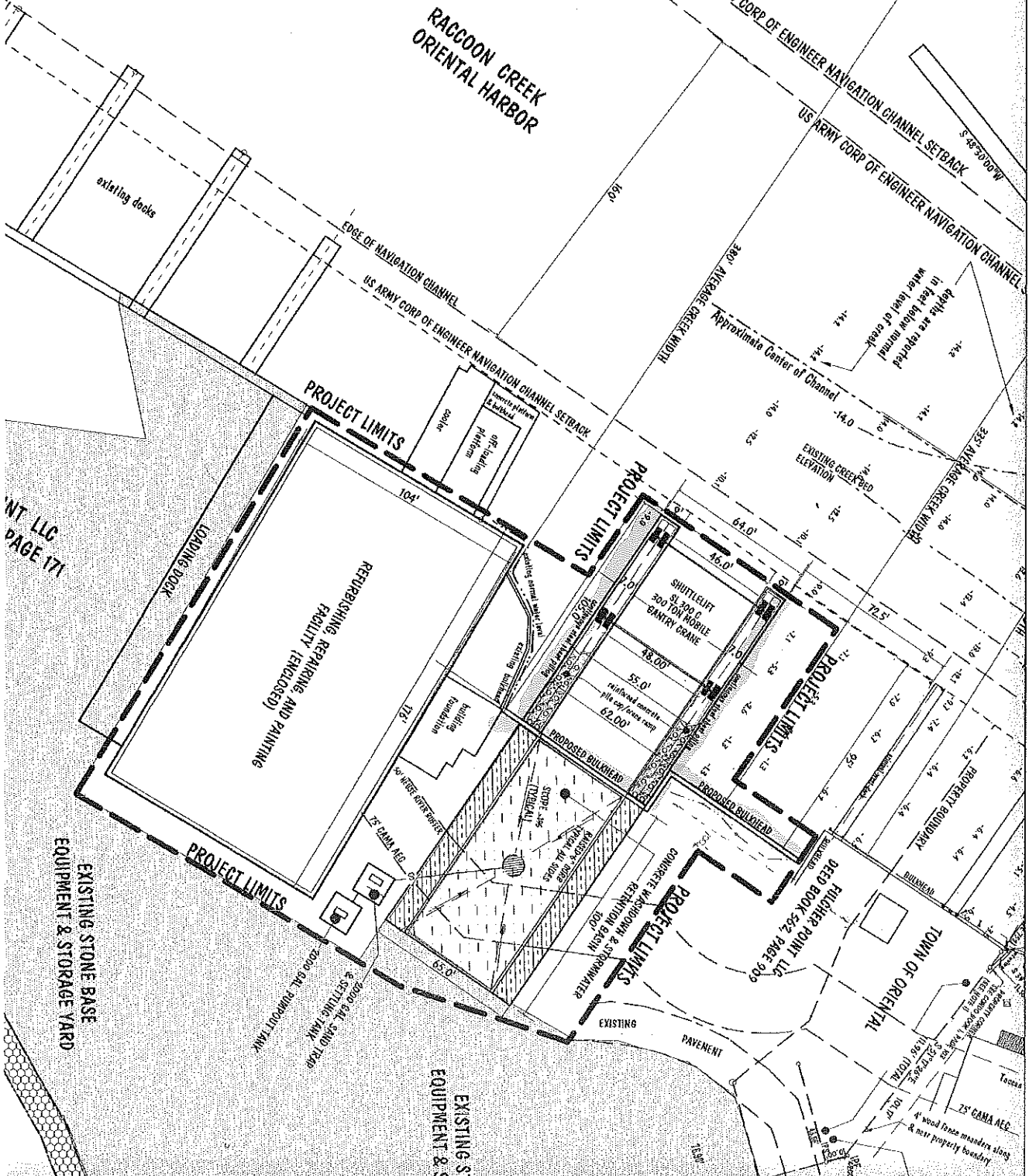
Signature of Applicant Chris Fulcher Fulcher Point LLC Manager Date 8/11/16

Approved By Diane H Miller Date 8/11/16

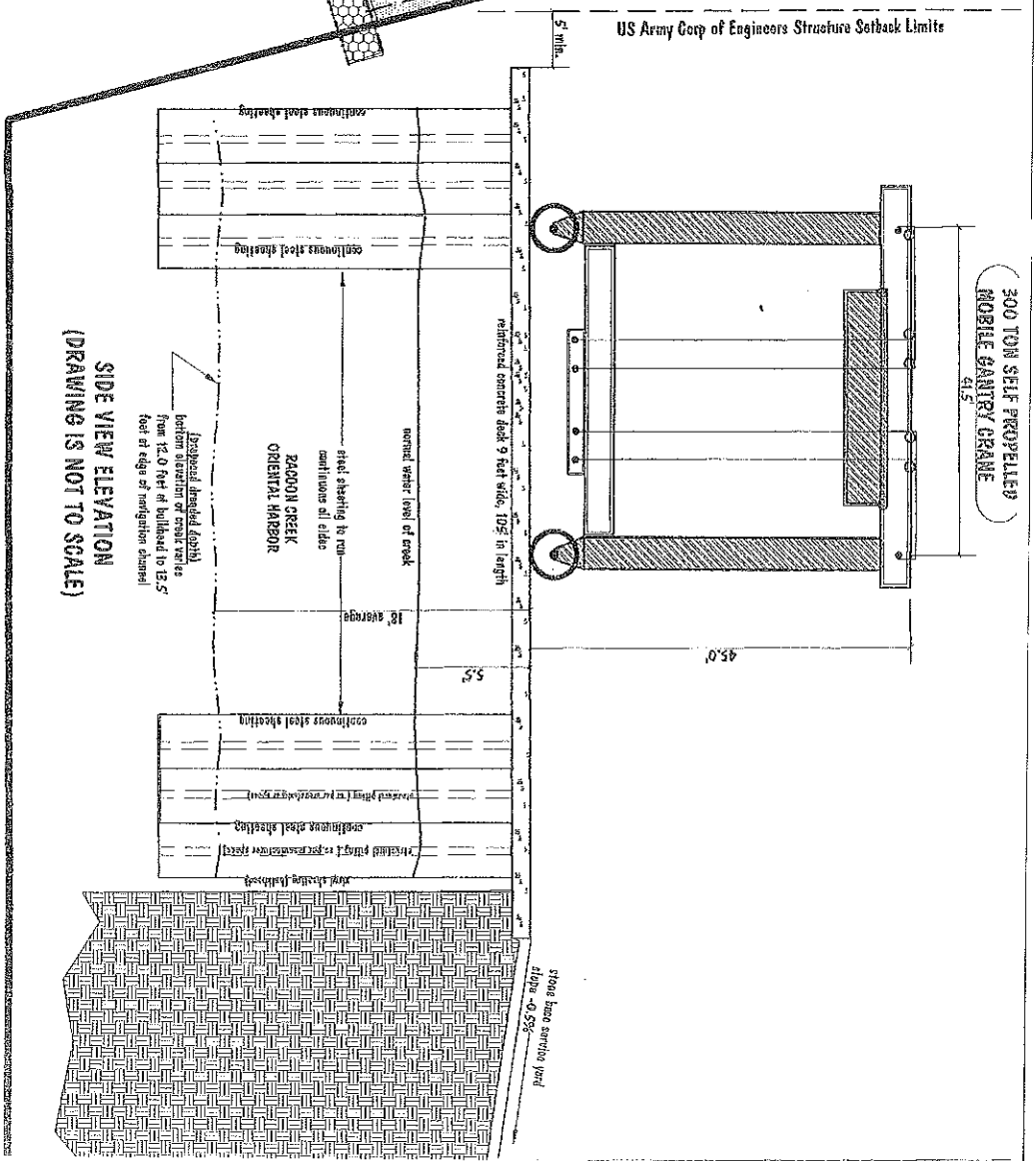
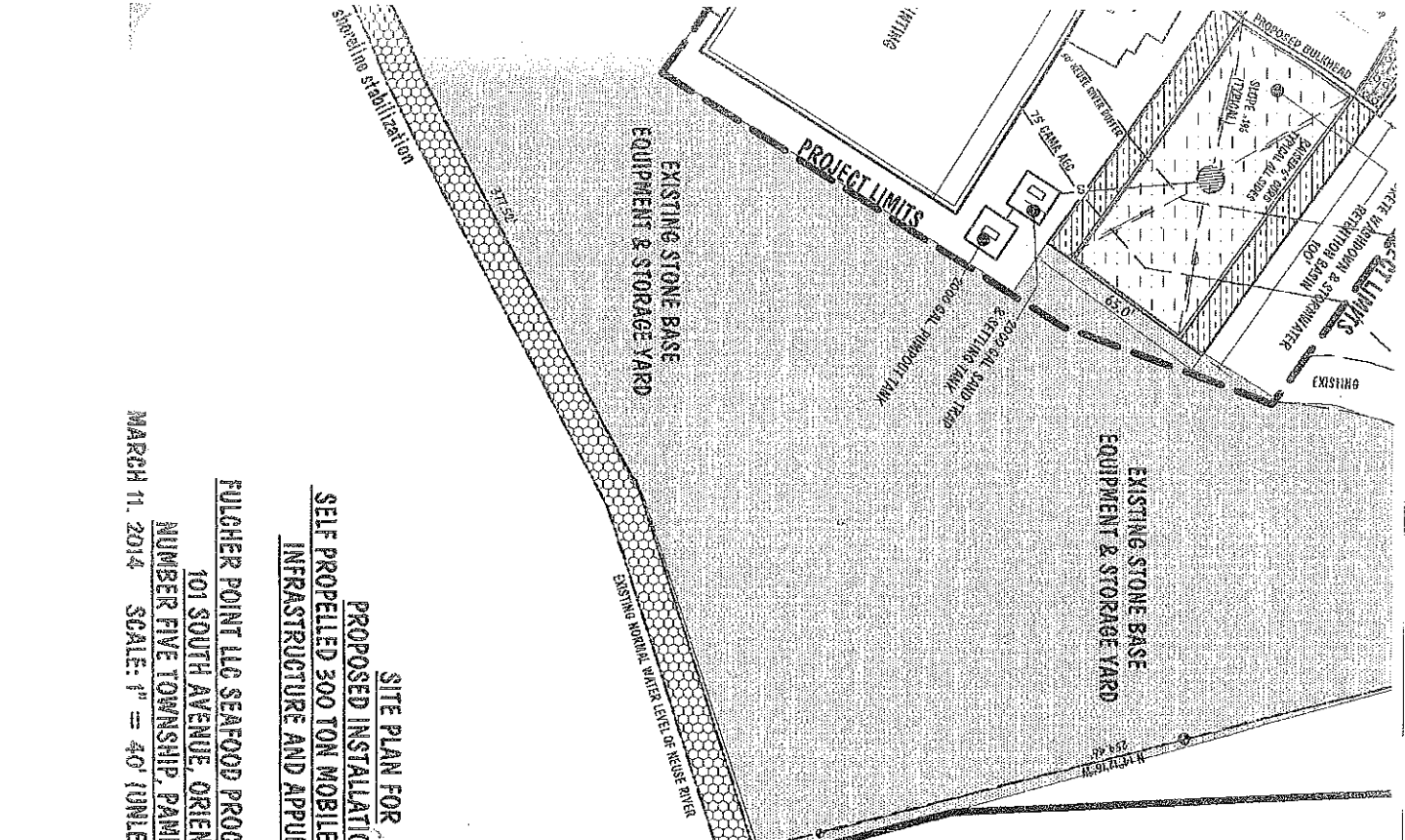
80.1.2



DEVELOPED AND  
PLAT WAS DEVELOPED  
BY S. A. F. FORVES & ASSOCIATES,



NT LLC  
PAGE 171



**300 TON SELF PROPELLED  
MOBILE GANTRY CRANE  
41.5'**

**STONE BASE STORAGE YARD  
SLOPE -0.5%**

**SIDE VIEW ELEVATION  
(DRAWING IS NOT TO SCALE)**

**DRAWING INSET "A"  
(NOT TO SCALE)**

**18" AVERAGE**  
normal water level of creek

**STEEL SHEETING (HULL-ROCK)**  
**STEEL SHEETING (SHIELDING)**  
**REINFORCED PILING (AS PER STRUCTURE SPEC)**  
**CONTINUOUS STEEL SHEETING**  
**CONTINUOUS STEEL SHEETING**  
**CONTINUOUS STEEL SHEETING**  
**CONTINUOUS STEEL SHEETING**

**PROPOSED INSTALLATION OF  
SELF PROPELLED 300 TON MOBILE GANTRY CRANE  
INFRASTRUCTURE AND APPURTENANCES**

**SITE PLAN FOR  
FULCHER POINT LLC SEAFOOD PROCESSING FACILITY  
101 SOUTH AVENUE, ORIENTAL, NC  
NUMBER FIVE TOWNSHIP, PAMLICO COUNTY  
MARCH 11, 2014 SCALE: 1" = 40' (UNLESS NOTED OTHERWISE)**

**EXISTING STONE BASE  
EQUIPMENT & STORAGE YARD**

**EXISTING STONE BASE  
EQUIPMENT & STORAGE YARD**

**PROJECT LIMITS**

**EXISTING STONE BASE  
EQUIPMENT & STORAGE YARD**

**EXISTING STONE BASE  
EQUIPMENT & STORAGE YARD**

**PROPOSED BULKHEAD**  
**PROPOSED WATERLINE**  
**PROPOSED STORMWATER  
RETENTION BASIN**  
**EXISTING WATERLINE**  
**EXISTING STORMWATER  
RETENTION BASIN**  
**EXISTING WATERLINE**  
**EXISTING STORMWATER  
RETENTION BASIN**

**EXISTING STONE BASE  
EQUIPMENT & STORAGE YARD**

**EXISTING STONE BASE  
EQUIPMENT & STORAGE YARD**

**EXISTING STONE BASE  
EQUIPMENT & STORAGE YARD**

**EXISTING STONE BASE  
EQUIPMENT & STORAGE YARD**

**EXISTING STONE BASE  
EQUIPMENT & STORAGE YARD**



Town of Oriental  
Application for Special Use Permit

Date Received: 8/11/16 Fee Paid: 56998 check #

APPLICANT: CHRIS FULCHER / FULCHER POINT LLC  
ADDRESS: PO Box 250 ORIENTAL, NC 28571  
PHONE: 252 249 0123 CELL: \_\_\_\_\_ FAX: \_\_\_\_\_ EMAIL: \_\_\_\_\_

PROPERTY OWNER: SAA  
ADDRESS: SAA  
PHONE: 252 249 0123 CELL: 670-1974 FAX: \_\_\_\_\_ EMAIL: SEAFOOD@FULCHERSNC.NE

PROJECT CONTACT PERSON: CHRIS FULCHER  
ADDRESS: SAA  
PHONE: \_\_\_\_\_ CELL: \_\_\_\_\_ FAX: \_\_\_\_\_ EMAIL: \_\_\_\_\_

PHYSICAL LOCATION: 101 SOUTH AVE  
GMO ZONE OF THE PROPERTY: MU-1  
INTENDED USE OF PROPERTY: COMMERCIAL FISHERY / BOATYARD / MARINA  
PREVIOUS USE OF PROPERTY: SAME

DOES THIS PROJECT INVOLVE A CHANGE IN USE? YES \_\_\_ NO \_\_\_  
IF YES, DESCRIBE HERE: ADDITIONAL USE COMPATIBLE WITH CURRENT USE

DOES THIS PROPERTY INVOLVE A COMBINATION OF USES? YES X NO \_\_\_  
IF YES, DESCRIBE HERE: COMMERCIAL FISHERY, BOATYARD, PROCESSING, PACKING MARINA OPERATIONS, BOAT REPAIR

HAS THIS LOT BEEN REPLATTED IN LAST 12 MONTHS? YES \_\_\_ NO X IF YES, WHEN? \_\_\_\_\_

SQUARE FOOTAGE OF STRUCTURE: 6500ft<sup>2</sup> SQUARE FOOTAGE USED FOR BUSINESS: 6500ft<sup>2</sup> NUMBER OF PARKING SPACES REQUIRED: N/A WILL OFFSITE PARKING BE UTILIZED? YES \_\_\_ NO \_\_\_ IF YES, WHERE AND NUMBER OF SPACES? N/A

WILL SIGNS BE ERECTED OR MODIFIED? \_\_\_\_\_ If yes, please complete a sign permit application.

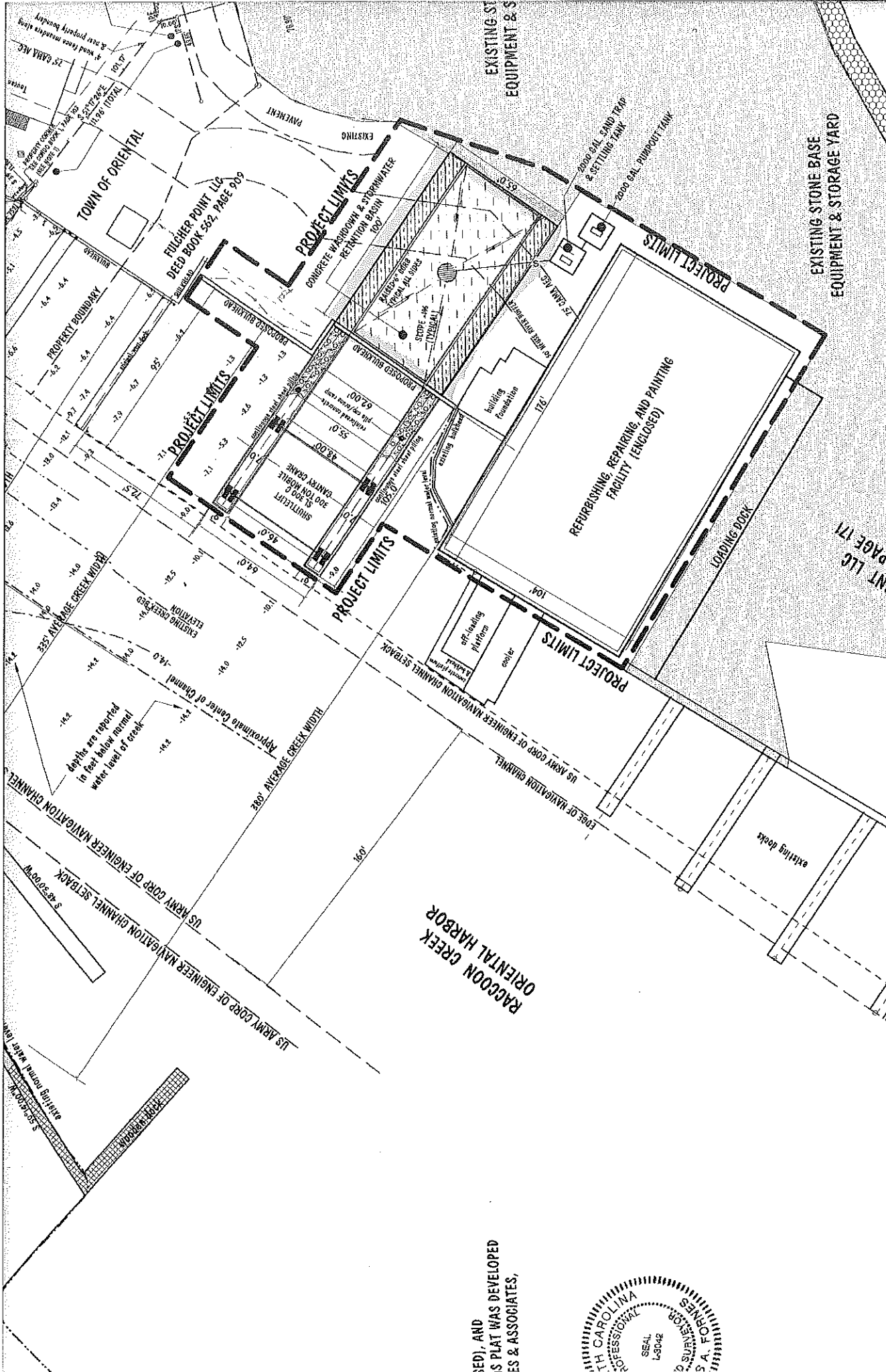
ATTACHMENT(S): \_\_\_ Change of Use Form \_\_\_ Sign Permit X Site Plan or Survey \_\_\_ Parking Landscape Plan \_\_\_ Other: \_\_\_\_\_

I certify that all of the above information and that contained in the attachments hereto is true and accurate to the best of my knowledge and that all work will comply with state and local codes, laws and ordinances. The Town of Oriental will be notified of any modifications to the approved plans prior to the change being done. I understand that any place modifications may require a new application in compliance with the Town of Oriental. Growth Management Ordinance, and failure to report such changes may result in permit revocation. I certify that I am the property owner or that I am authorized to act on the property owner's behalf.

Chris Fulcher, Fulcher Point LLC  
Applicant Signature Manager

8/11/16  
Date Signed

Application attempt since 8/5 - Mgr unable to meet in person until 8/11 - please add to Planning Board agenda 8/17/16 DH Miller



PAGE 171

DESIGNED AND DEVELOPED BY  
 S. A. CORNISH & ASSOCIATES, INC.



00633



Doc ID: 002507690004 Type: CRP  
Recorded: 10/13/2016 at 10:25:01 AM  
Fee Amt: \$26.00 Page 1 of 4  
Pamlico, NC  
Lynn H. Lewis Register of Deeds  
BK **618** PG **633-636**

RETURNED TO: *Diane Miller*  
DATE RETURNED: *10-13-16*

NORTH CAROLINA  
CRAVEN COUNTY

BEFORE THE BOARD OF COMMISSIONERS  
OF THE TOWN OF ORIENTAL

Application of Mr. Christopher Fulcher  
For a Special Use Permit for Real Property  
Located at 101 South Ave  
Oriental, N.C.

SPECIAL USE  
PERMIT

THIS APPLICATION FOR SPECIAL USE PERMIT, came on before the Board of Commissioners of the Town of Oriental (“Board”) at a public hearing conducted on September 22, 2016 at its scheduled Meeting in the Town Hall Board Room located at 507 Church St in Oriental, North Carolina. After considering evidence and statements from the Applicant, and Town staff, the Board finds the facts as follows, and directs the issuance of this special use permit subject to the conditions contained herein:

**Findings of Fact**

1. Mr. Chris Fulcher (“Applicant”) filed an application for a Special Use Permit with the Town of Oriental to construct a boat wash on the real property located at 101 South Ave in Oriental, North Carolina (“Application”). The real property is further identified by Pamlico County Tax Parcels #J082-426 (“Subject Property”).
2. The Subject Property is located in zoning districts identified as MU-1 by the Town of Oriental.
3. The matter came on for hearing before the Board on October 4, 2016. All notice requirements of the Growth Management Ordinance (GMO) of the Town of Oriental were satisfied.
4. The Applicant proposes to construct a boat wash on the Subject Property. Each of the identified primary uses for the Subject Property is a permitted use in a MU-1 and zoning district.
5. Testimony was offered by Ms. Diane Miller, the Land Use Administrator for the Town of Oriental that the requested special use permit is within the Board of Commissioners’

jurisdiction according to the Town of Oriental GMO table of permissible uses. No opposing evidence was offered

6. Testimony was offered by Ms. Diane Miller that the Application is complete. No opposing evidence was offered.

7. Testimony was offered by Ms. Diane Miller that if completed as proposed in the Application, the development will comply with all of the requirements of the Town of Oriental GMO. No opposing evidence was offered.

8. Testimony was offered by the Applicant's representative and Ms. Diane Miller that the use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved in that the proposed development is required to further be permitted by CAMA, DWQ, DENR, and several other state and federal agencies, who will be notified in the course of a CAMA Major Application. No opposing evidence was offered.

9. Testimony was offered by the Applicant's representative that the proposed project will not have an adverse effect on the value of adjoining or abutting property given the commercial nature of the existing parcel and the high quality of the proposed development. No opposing evidence was offered.

10. Testimony was offered by the Applicant's representative that the location and character of the use of the Subject Property, if developed according to the plan submitted and approved, will be in harmony with the area in which it is to be located and in general conformity with the plan of development of the Town. The Applicant's representative noted that the proposed use of the subject property is permitted by the existing zoning ordinance. No opposing evidence was offered.

### **Conclusions**

1. The Board, after reviewing all of the evidence offered, concludes that the Applicant has offered competent, material, and substantial evidence to satisfy the six (6) elements required by Code Section 86 for the issuance of a special use permit as follows:

(a) The requested permit is within the Board's jurisdiction according to Section 86.1.4.1 of the GMO and all relevant sections of the Code of the Town of Oriental.

(b) The Applicant's application for a special use permit is complete.



(c) If completed as proposed in the Application, the development will comply with all of the requirements of the Town's GMO.

(d) The use of the Subject Property will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved.

(e) The use of the Subject Property will not substantially reduce the value of adjoining or abutting property.

(f) The location and character of the use of the Subject Property, if developed according to the plan submitted and approved, will be in harmony with the area in which it is to be located and in general conformity with the plan of development of the Town.

The Permit is issued with the following conditions, as agreed to by the Applicant in the Hearing:

(1) This approval is subject to the condition that the business owner be compliant with all CAMA, State, Local, and County Laws and processes and procedures/regulations concerning the installation and operation of the proposed boat wash; and

(2) That a standard procedure include a shroud to be in place during boat wash operations; and

(3) All DEQ, CAMA, State, Local, and County laws and processes/procedures and regulations regarding any sanding, stripping accomplished are followed, including a collection system that prevents airborne or drainage carried contaminants into the ground or toward the Neuse River or Raccoon Creek; and

(4) That the solid/liquid waste from the boat wash holding tank will be pumped out, recorded, and moved offsite to a proper disposal facility by the business owner. The business owner will be responsible for keeping a log book including dates of the pumpout, waste carrier, disposal facility and quantity. The business owner will provide access to these records to the Town and other entities for periodic review; and

(5) That, all hazardous wastes, chemicals or materials be handled and stored in a legal and appropriate manner; and

(6) The business owner will install a pumpout station for heads; and

(7) That the business owner enclose currently unroofed structure that will be used to sand/ paint, and fit with an air filtration system for use during those operations.

This Special Use Permit is subject to the restrictions of expiration as noted in Section 97 of the Growth Management Ordinance.

IN WITNESS WHEREOF, the Town of Oriental has caused this permit to be issued this 4<sup>th</sup> day of October, 2016.

  
MAYOR

  
TOWN CLERK

