



**Asheboro Planning Board
Asheboro City Hall (146 N. Church Street)**

Monday, May 1, 2017

7:00 PM

AGENDA

- I. Call to Order
- II. Approval of Minutes from April 3, 2017 meeting
- III. Review of Cases
- IV. Old Business:

SUB-17-01: Subdivision Sketch Design (Waterford Villas: Phase 2)
continued from April 3, 2017 meeting
- V. Annual Report concerning Planning Board activities, expenditures, and budget estimates
- VI. Items Not on the Agenda
- VII. Adjournment

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**MEETING OF THE ASHEBORO PLANNING BOARD
CITY COUNCIL CHAMBERS, 146 N. CHURCH ST.
MONDAY, APRIL 3, 2017
7:00 p.m.**

This being the time and place for the regular meeting of the Asheboro Planning Board, a meeting was held with the following officials and members present:

Van Rich) - Chair
James Lindsey) - Vice Chair

Ritchie Buffkin)
Lynette Garner)
David Henderson) - Members Present
Thomas Rush)
Dave Whitaker)

John Evans, Assistant Community Development Division Director
Justin Luck, Zoning Administrator/Planner
Brad Morton, Planning Technician/Deputy City Clerk
Trevor Nuttall, Community Development Division Director
Jeff Sugg, City Attorney

27 citizens were present at this meeting.

I. CALL TO ORDER

Mr. Van Rich called the Asheboro Planning Board to order.

II. APPROVAL OF MINUTES FROM MARCH 6, 2017 MEETING INCLUDING APPROVAL OF FINAL DECISION DOCUMENT FOR BOARD OF ADJUSTMENT CASE NO. BOA-17-01 (325 AND 329 LOACH STREET)

Mr. Rich inquired if there were any corrections to be made to the March 6, 2017 minutes or the final decision document for Board of Adjustment Case No. BOA-17-01. There being no corrections, the minutes and final decision document were approved as submitted.

III. REVIEW OF CASES

Mr. Luck informed the board of the zoning related cases at the regular March meeting of the City Council.

IV. RZ-17-02: REQUEST TO REZONE PROPERTY LOCATED AT 471 EAST DORSETT AVENUE FROM R7.5 (MEDIUM-DENSITY RESIDENTIAL) TO CU-B2 (CONDITIONAL USE GENERAL COMMERCIAL)

Mr. Evans gave a visual presentation of rezoning case RZ-17-02, a request submitted by Mr. Bob J. Crumley, manager of CF Properties, LLC, to rezone property located at 471 East Dorsett Avenue from R7.5 Medium-Density Residential to CU-B2 Conditional Use General Commercial. He gave an overview of the property, stating that there was one parcel identification number, listed as 7750973085, and that the property was approximately .43 acres. He stated that the existing land use is a single-family dwelling. He showed maps of the surrounding areas and listed the surrounding uses and zoning districts. He stated that the property was outside of any flood areas and was also outside of the Center City Planning Area. He stated that the property does not have significant topography issues. He stated that the

property is within the corporate city limits and that all city services are available. He presented photographs of the property from all directions. He gave an analysis of the property stating that East Dorsett Avenue is a city-maintained street, which is approximately 17 feet wide in front of the property, connecting South Cox Street and Cliff Road. He stated that if the property is rezoned, then the current single family dwelling will become a legal nonconforming use. Article 800 restricts expansion/modification of nonconforming uses. He stated that the request is to rezone the property to the CU-B2 district with no corresponding use. Prior to modifying the existing land use, a site plan and conditional use permit must be reviewed/approved by City Council. He stated that the Land Development Plan recommends neighborhood residential on the proposed land use map and the property is in a primary growth area according to the growth strategy map. He stated that there are five (5) goals/policies in support of the request and three (3) negative to the request. The negative goals include noncompliance with the proposed land use map (neighborhood residential), not fitting the B2 description of the zoning ordinance, and infrastructural availability with respect to road design. Mr. Evans summarized staff's statement of the request's consistency with adopted plans, reasonableness, and in keeping with the public interest: the abutting commercial property (southwest, along entire block on south side of E. Dorsett Ave.) including SUP for light manufacturing use is on abutting property to west, the property's location within a transitional area, that the Conditional Use process ensures appropriate use and manner in which property develops, accounting for adjoining residential uses and limitations of street infrastructure (which likely will need improvements either from a requirement that is part of a development process or initiated by the City with continued commercial interest), and that there were no substantial environmental factors outside watershed, flood area, steep slopes). He then stated that in light of the above analysis, staff recommends approval of the request. He stated that he would answer any questions that the board had at this time. There were no questions for Mr. Evans from the board.

Mr. Rich asked if there was anyone to speak in favor of the request.

At this time Mr. Bob Crumley, applicant, spoke on the request stating he believes the conditional use is appropriate and supportive with the transitioning area. He stated that he was asking for a commercial designation which extends no further back from East Dixie Drive than similarly situated properties, and that expansion of commercial opportunities near that corridor is important in allowing economic development. He stated that there are no plans for a Conditional Use Permit at this time, but, if the property is developed it will be supportive to the existing uses in the surrounding area, and particularly the property with the previously approved conditional use permit attached to it. He stated that no excess traffic would be generated in the area, and he would continue to work with staff (similar to the adjoining property) to make sure that city requirements are met. He stated that he would answer any questions that the board had at this time. There were no questions for Mr. Crumley from the board.

Mr. Rich asked if there was anyone to speak in opposition of the request. There was no one to speak in opposition.

Mr. Whitaker moved to recommend approval of the rezoning request based on staffs' recommendation and consistency statement. Mr. Rush seconded the motion and the motion carried unanimously.

V. ITEMS RELATED TO PROPERTY ON THE NORTH SIDE OF HUB MORRIS ROAD, APPROXIMATELY 700 FEET EAST OF ITS INTERSECTION WITH NORTH FAYETTEVILLE STREET AT THE NORTHERN TERMINUS OF WATERSIDE DRIVE, AND ALONG WEST SIDE OF FOREST PARK DRIVE (RANDOLPH COUNTY PIN #7763270025, 7763275095, AND 7763265981)

a. RZ-17-03: REQUEST TO REZONE FROM R10 (MEDIUM-DENSITY RESIDENTIAL) TO CU-RA6 (CONDITIONAL USE HIGH-DENSITY RESIDENTIAL)

Mr. Evans gave a visual presentation of rezoning case RZ-17-03, a request submitted by Waterford RE: LLC., and stated that Mr. Tom Wright is the applicant's attorney. He stated that the request was to rezone from R10 medium density residential to Conditional Use RA6 high density residential. He stated that the total property is approximately 37.35 acres. The property is currently undeveloped but there is

infrastructure for a previously permitted residential Planned Unit Development under construction at this time. He stated that there are a total of three (3) parcel identification numbers and listed them as PIN#s: 7763270025, 7763275095, and 7763265981. He stated that in 2006 a residential PUD was approved with 108 units (28 in Phase 1, 80 in Phase 2, which is the portion of property being requested for rezoning.) He stated that in 2007, a preliminary plat was approved allowing construction for both phases. He stated that in 2008, a plat for phase 1 (28 lots) was recorded. He showed maps of the surrounding areas and listed the surrounding uses and zoning districts. He showed photos of the property from all directions. He then stated that Hub Morris Road is a state-maintained minor thoroughfare and that Forest Park Drive is a state-maintained road. He stated that the request is for a Conditional Use High-Density Residential district (CU-RA6) and that the Planning Board is reviewing the question on its recommendation to place the property in the district. He stated that if the property is rezoned to a Conditional Use district, no use can be permitted until a specific use is approved by City Council with a Conditional Use Permit. He stated that once approved, significant changes would require approval by City Council. He stated that the associated subdivision sketch design and Conditional Use Permit request have been filed (currently scheduled for May 4, 2017 City Council), and briefly highlighted the request for informational purposes of those in attendance, reiterating that the Planning Board is only concerned with the recommendation of whether to place the property in the CU-RA6 district. He stated that with the existing special use permit in phase 2, the applicant was approved for 80 dwelling units on 80 lots with two (2) dwellings per structure, totaling 40 structures. He stated that the current proposal, (subject to change until April 19, 2017 to stay on schedule for the May 4, 2017 City Council) for development would be 117 dwellings on 117 lots with two (2) to three (3) dwellings per structure, totaling 45 structures. This would be in a combination of 24 three (3) dwelling structures and 21 two (2) dwelling structures. He stated that there were also proposed self storage units for residents. He also mentioned that both have architectural and building design standards. He then went on and stated that if the current SUP for Phase 2 is abandoned, then the applicant could have a possible 100+ single-family lots and dwelling units or 65 two-family lots and 130 dwelling units.

He stated that no minimum dwelling size or architectural design standards would be enforceable if the current Special Use Permit were abandoned in the existing R10 district. He stated that the Land Development Plan (LDP) recommends Neighborhood Residential on the Proposed Land Use Map and is in a Primary Growth area under the Growth Strategy Map. He stated that there were four (4) goals and policies of the LDP which supported the request, which were, compliance with Growth Strategy Map, Consistency with Land Category Descriptions, that the property is outside of watershed, and also the property is outside of any flood areas. He stated that there were three (3) goals and policies that did not support the request, which were, compliance with the Proposed Land Use Map, areas with poor soil, and areas with steep slopes. Mr. Evans summarized staff's statement of the request's consistency with adopted plans, reasonableness, and in keeping with the public interest: Staff acknowledges potential difference in density/building design significantly different than Phase 1. The requested district and corresponding CUP are not atypical of R10 district density. The plan calls for heightened design elements, neighborhood sidewalks, and building placement to the street (support application). While a general RA6 district wouldn't be appropriate or supported by LDP, CUP district/permit has the ability to evaluate density/design/form and take into account recommendations/suggestions in public hearing. He stated that in light of the above analysis, staff recommends approval of the Conditional Use High Density Residential (CU-RA6) district request.

Mr. Tom Wright, applicant's attorney, addressed the board. He gave history on the property, by stating the project began in 2006 and that the entire tract was put before Planning Board and City Council and that there was approval of Phase 1 and a reserved area (Phase 2). He stated that the zoning district is R10 and that the City Council did give approval of a preliminary sketch design of phase 2 and mentioned infrastructure being installed within Phase 2. He stated that due to the 2008 financial crisis, the project halted. He stated that the developer needed to have some changes made to market this development. He stated the need for smaller units. He mentioned homeowners restrictions of Phase 1 do not apply to Phase 2. He stated that maintenance of dam, and road improvements would be only for Phase 1 homeowners. He stated that in order for Phase 2 homeowners to be incorporated into the homeowners' association, Phase 1 would have to approve this. He stated that the developer thinks the homeowners' association should be spread about both phases due to an ease of financial obligations for the Phase 1

homeowners. He stated that the other option would be to abandon what is currently approved, and allow for a much larger number of single-family dwellings. He stated that the current zoning does not permit triplex units and that in order to get this type of use on the lots would require this CU-RA6 district. He stated that in order for the units to be marketed, they would need to be smaller. He stated that the units proposed run from 1300 square feet to 1600 square feet. He stated that the aerial map shows large ponds that separate Phase 1 and Phase 2, and that the ponds form a natural barrier between these two phases. He stated that there would be a slight increase in the number of buildings, from 40 up to 45. He stated that there would be essentially the same design features in Phase 2 that there is in Phase 1 with respect to the dwellings. He stated that the proposal is consistent with the spirit of the R10 district, and makes economic sense to recommend approval of the request. He stated that if the board had any questions at this time, he would answer them.

Mr. Daniel Stickler, developer, approached the board and stated that in 10 years, there have been 16 lots within the development. He stated that the range of square footage is around 1800 to 2000 square feet. He stated that he felt that this large amount of square footage may not be necessary and that the request would keep the smaller dwellings consistent with respect to design. He stated that the numbers within Phase 2 do not work for developers or homeowners. He stated that the Homeowner's Association does not work well with only 16 homes. He stated that it will work with 108 homeowners, however. He stated that at this time he would answer any questions from the board at this time. Mr. Henderson asked how long it took to build Phase 1. Mr. Stickler answered that the Phase 1 project took approximately 10 years.

Mr. Rich asked if there was anyone else to speak in favor of the request. There was no one else to speak in favor of the request. Mr. Rich then asked if there was anyone else to speak in opposition of the request.

Mr. Jim Wright addressed the board with concerns regarding the proposal. He stated that he has lived in Waterford Villas for three (3) years now and in 2006, the whole development was approved and according to the approved plat, the dwellings were all supposed to be around the same size. He stated that this was the buying basis for some of the homeowners within Phase 1. He stated that there is a difference in the value of a 1300 and a 2000 square foot dwelling. He asked the question of how to build a 1300 square foot dwelling in Phase 2 without diminishing the value of homes in Phase 1. He stated that his opinion is that the proposal is not in harmony with the existing homes. He stated that some of the lots around the lakes are low and swampy areas, and he felt that it would be difficult to get 117 lots in that area. He stated that the thought was 80 lots and now there is an almost 47% more additional lots. He states that the largest townhome development in Asheboro has around 47 dwelling units as opposed to this proposed development. He stated that he felt traffic would be increased and that this proposal would change the overall makeup of the neighborhood. He inquired to the applicant as to the overall price point for the proposed units, to which the applicant stated that the units would be around 100-110 dollars a square foot. Mr. Wright stated then that price point then would be around 135-160,000 dollars per unit. He then went on to state that this would be a significant price difference. He stated that there were seven (7) sales in Waterford Villas and none were below 180,000 dollars. He stated that this would not be in conformity with the rest of the neighborhood. He stated that if anyone had questions he would answer them at this time. Mr. Rush asked if there was a specific plan that he envisioned would work in that development. Mr. Wright stated that he and the other homeowners would like to see what was originally approved applied to Phase 2. He also stated that he didn't want to see a 47% increase in the number of units, but perhaps the homeowners and the developer could work something out together that was different than this request. He also stated that there were no real model homes to advertise within the development at the time Phase 1 was being marketed, and had there been construction going on at this time, perhaps more lots would have sold. Mr. Rich also added that with a straight zoned property, there could be a larger number of dwellings on that property, to which Mr. Wright acknowledged and thanked the applicant for proposing the Conditional Use option instead of the general RA6 district request.

Mr. Ken Leonard spoke in opposition to the request. He stated that he has lived in the neighborhood for one (1) year now and enjoys the neighborhood. He mentioned his professional background in banking and stated that he has worked in a number of counties and jurisdictions. He stated that water runoff is a concern of his due to the impervious surface taken up with the increase in driveways. He also stated that

when the development was approved in 2006, a bond was required for the additional paving, which is not valid at this time. He inquired if a bond should be required again for the paving and driveways. He stated that he was concerned with maintenance of the dam. He stated that if the same size footprint is used as in Phase 1, then a unit of more like 1240 instead of 1350 square feet will be developed. He stated concerns of limitations with square footage. He stated that there is another concern of what they are proposing can be completed in the time that the applicant has stated it will be completed. He compared Olde Towne Village townhomes with this proposal. He stated that there are only 16 units in the 160 to 200 thousand range on the market right now. He stated that there is a change in the market. He stated that if there were any other questions he would answer them at this time. There were no questions for Mr. Leonard.

Mr. Wright stated that in response to the property values, that this may be better addressed at the City Council meeting where they can discuss details regarding the Conditional Use Permit. Mr. Rich agreed to this statement.

Mr. Stickler addressed some of the points made by Mr. Wright and Mr. Leonard, stating that since Waterford RE, LLC has owned the property, there has always been a furnished display model available for marketing purposes, to which opposition from several persons in the audience was given. At this time, Mr. Sugg stated that the City Council will address any aspects of the Conditional Use Permit. Mr. Rich stated that the Planning Board will only look at the rezoning. Mr. Henderson asked if the ponds were existing before the development, to which Mr. Stickler responded they were existing before the development and they were approximately 50 years old. Mr. Henderson asked how big the largest pond was, to which Mr. Stickler and another member of the audience, Mr. Robert Bloh, stated that it was around 7.33 acres. He also asked how often the dam is inspected. Mr. Stickler stated that the dam is inspected every year to every other year and they are on an erosion control plan.

Mr. Rich asked if there were any other questions. There were no further questions.

Mr. Whitaker moved to recommend approval of the request based on staff's recommendation and consistency statement. Mr. Buffkin seconded the motion and the motion was carried with a 5 to 2 vote, with Mr. Henderson and Mr. Rush being the dissenting votes.

b. SUB-17-01: SUBDIVISION SKETCH DESIGN (WATERFORD VILLAS: PHASE 2)

Mr. Evans presented the subdivision sketch design plans for Phase 2 of Waterford Villas. He stated that there were 117 lots proposed plus common area as shown on the presented plat. He stated that the average lot size is pending due to the rezoning request. He presented the plat, which was received on March 30, 2017, showing the layout of the subdivision. At this time he went over department comments with the board. He stated that the Engineering department needed plat corrections and some additional plat detail. He stated that the Public Works department needed new construction plans to be submitted prior to starting development on the site for review showing the proposed locations of individual water and sewer services with connections to the mainlines for each proposed unit. He stated that the Planning department needed plat corrections and additional plat detail along with homeowners documents, if the subdivision was approved. These documents would detail ownership/maintenance mechanisms, including restrictions on RV parking. He stated that these documents would need to be recorded with final plat. He also mentioned that the Fire department had assessed the existing hydrants and found that they were adequate to serve the proposed development. He provided comments from Randolph County Schools, stating that Randleman Elementary is at capacity, Randleman Middle has room to grow, and Randleman High School is over capacity. He also provided comments from the NC Department of Transportation stating that no additional improvements will be required. After presenting the report, he stated that staffs' recommendation was to continue the sketch design request until the May 1, 2017 Planning Board meeting to give the applicant an opportunity to provide more detailed information as outlined in the department comments. He stated that City Council is scheduled to review the rezoning, conditional use permit, and the subdivision on Thursday, May 4, 2017 at 7:00 p.m.

Ms. Lynette Garner moved to continue the request to the Monday, May 1, 2017 Planning Board meeting. Mr. Dave Whitaker seconded the motion and the motion carried unanimously.

VI. ITEMS NOT ON THE AGENDA

There were no items at this time.

VII. ADJOURNMENT

With no further business to come before the board, Mr. Rich adjourned the meeting.

Bradley Morton, Planning Board Secretary

Van Rich, Planning Board Chairman



SUB-17-01: Subdivision Sketch Design review for Waterford Villas, Phase 2

(north of Hub Morris Rd. at current northern terminus of Waterside Drive
approximately 700' east of North Fayetteville Street and on west side of Forest
Park Drive)

Staff Report

SUBDIVISION STAFF REPORT
Sketch Design

CASE # SUB-17-01

Date 5/1/2017 PB
5/4/2017 CC

GENERAL INFORMATION

Subdivision Name Waterford Villas Phase 2
Requested Action Subdivision Sketch Design
Applicant Waterford RE. LLC
Address 5607 Tradd Drive, Greensboro, NC 27455
Phone 336-362-4715
Location Terminus of Waterside Dr. north of Hub Morris Road approximately 700' east of North Fayetteville St./west side of Forest Park Drive

PARCEL INFORMATION

PIN 7763265981, 7763275095, 7763270025, 7763265467, 7763265562
Size 38 acres +/- (all five parcels) **Number of Lots** 117 + common area
Existing Zoning R10 **Average Lot Size** 2,251.37 sq. ft.
Existing Land Use Planned Unit Development (this phase is uncompleted).
Surrounding Land Use
North Medium-density residential **East** Low- to Medium-Density Res.
South PUD/Low-Med. Density Res. **West** Low-Density Residential/Commercial/Industrial

LAND DEVELOPMENT PLAN

Growth Strategy Map Primary Growth
Proposed Land Use Map Neighborhood Residential
Small Area Plan Map Northeast
Identified Activity Center? No

Development Issues

1. A preliminary plat has been approved on this property for a Planned Unit Development, consisting of a total of 108 lots (28 in existing Phase 1, 80 in this phase).
2. The applicant now proposes an increase from 80 units to 117 units, with two and three dwelling units per structure.
3. In order to allow a structure with three (3) dwelling units in some structures as proposed, a rezoning as described in (4) below is required.
4. The applicant has filed a request to rezone the property from R10 (Medium-Density Residential) to CU-RA6 (Conditional Use High Density Residential).
5. A Conditional Use Permit is also required for a Planned Unit Development. The applicant has filed this application to be considered by City Council on May 4, 2017, during a combined quasi-judicial hearing.
6. Homeowners' association documents are required to be recorded with the final plat, including restricting recreational vehicle parking.

SUBDIVISION STAFF REPORT
Sketch Design

DEPARTMENT COMMENTS

Engineering Plat comments have been addressed.

Public Works New construction plans shall be submitted prior to starting development. Plans must show on the site proposed locations of the individual water & sewer services with connections to the mainlines for each of the proposed units.

Planning Plat corrections have been addressed, noting condition concerning driveway locations and open space calculation on Conditional Use Permit report.

A rezoning and Conditional Use Permit are required for the development. The City Council will consider the rezoning request, subdivision sketch design, and conditional use permit during its May 4th hearing.

Other Randolph County Schools: See attached
NCDOT: No additional improvements will be required.
Fire Dept.: Existing hydrants are adequate to serve proposed development.

Staff Recommendation Approve subject to above conditions.

**Planning Board
Recommendation** Recommendation will be available after the May 1, 2017 Planning Board meeting.

John Evans

Subject: FW: Proposal for Waterford Villas townhomes off Hub Morris Road (SR 2149)

From: Marty Trotter [<mailto:mtrotter@randolph.k12.nc.us>]

Sent: Tuesday, March 21, 2017 12:16 PM

To: John Evans

Subject: Re: Proposal for Waterford Villas townhomes off Hub Morris Road (SR 2149)

John,

Thank you for sharing this proposal with the school system. Here are our concerns about a larger development in this particular area:

- Proposed development feeds into Randleman Elementary, Randleman Middle and Randleman High schools
- Randleman Elementary is at capacity with 10 mobile units on campus to handle Specials (art and music) and other pull out classes; currently we have 7 (72 passenger - these are the largest capacity buses we own) buses and two are already running double routes
- Randleman Middle has some space to grow
- Randleman HS is over capacity and has 21 mobile units on campus to handle core and elective classes as well as other pull out classes; currently our middle and high school share buses, we currently have 14 (72 passenger) buses and two are also running double routes

Hope this is helpful. Please let me know if you have questions or need additional information. Thanks again for the opportunity to provide feedback.

Respectfully,

Mr. Marty A. Trotter

Assistant Superintendent - Operations Division

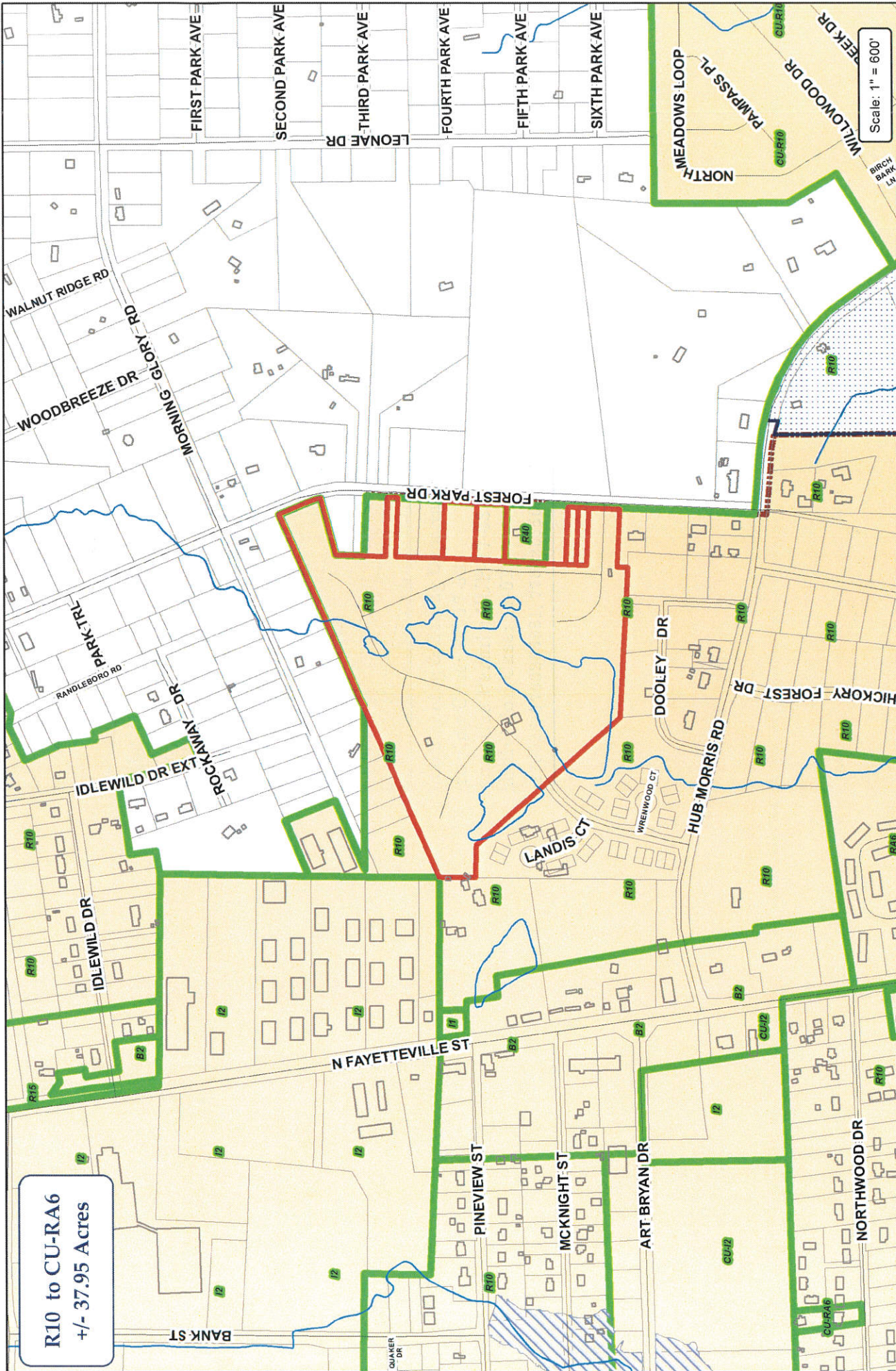
Randolph County School System

2222-C S. Fayetteville Street

Asheboro, North Carolina 27205

336-318-6283 - Telephone

336-318-6155 - Fax



R10 to CU-RA6
+/- 37.95 Acres



Scale: 1" = 600'



Subject Property



Zoning

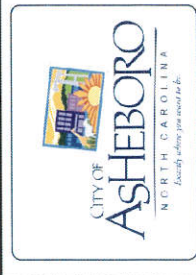


City Limits

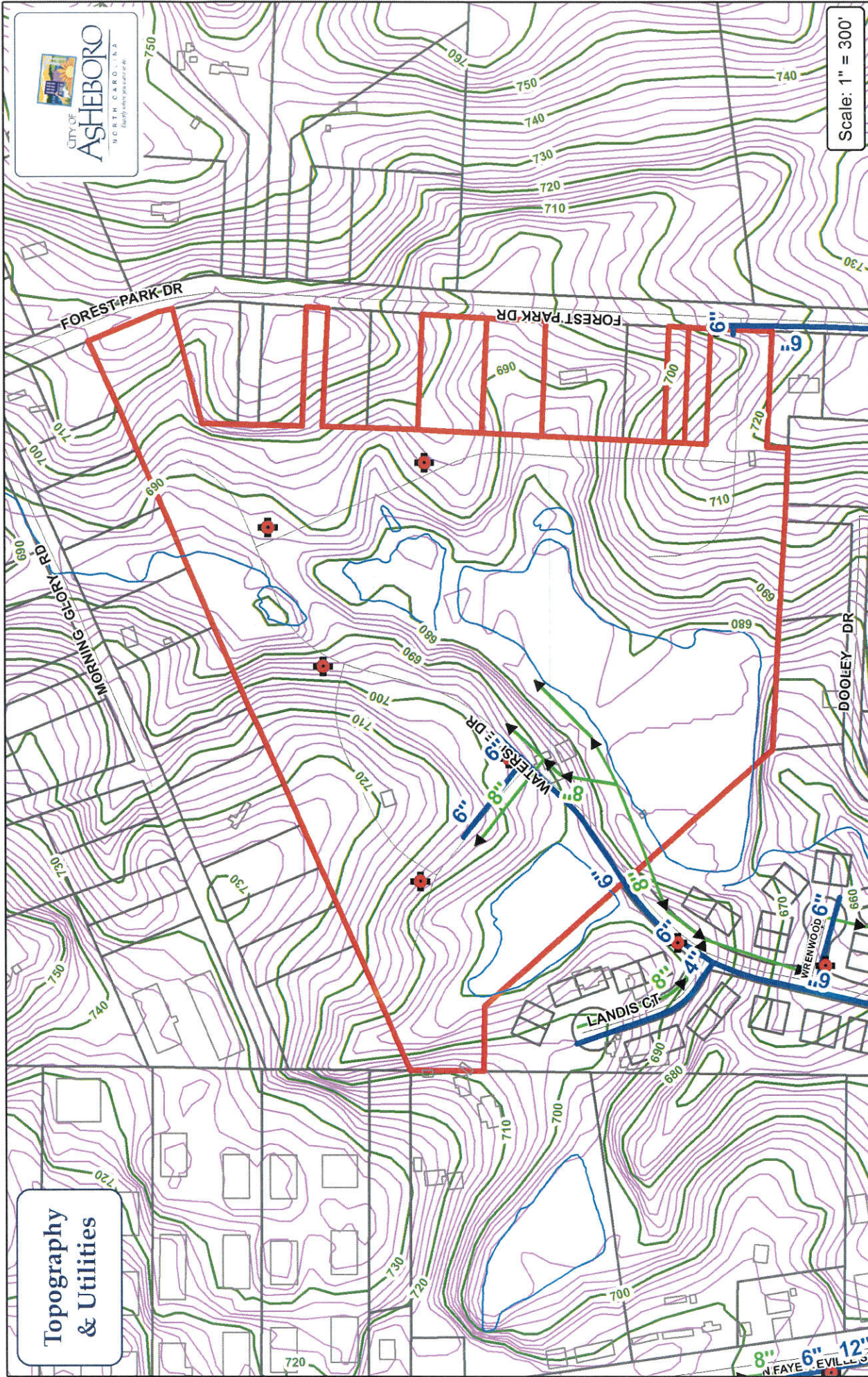


ETJ

City of Asheville Planning & Zoning Department
 Rezoning Case: RZ-17-03
 Conditional Use Permit: CUP-17-03
 Subdivision Case: 17-01



Parcel: 7763270025, 7763275095, 7763265981, 7763265562 & 7763265467



City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-17-03

Conditional Use Permit: CUP-17-03

Subdivision Case: 17-01

Parcel: 7763270025, 7763275095, 7763265981, 7763265562 & 7763265467

Subject Property

Water Main

Sewer Main

Force Main

Fire Hydrant

Pump Station



Scale: 1" = 300'



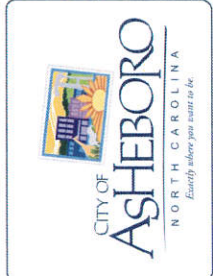
Subject Property

Zoning

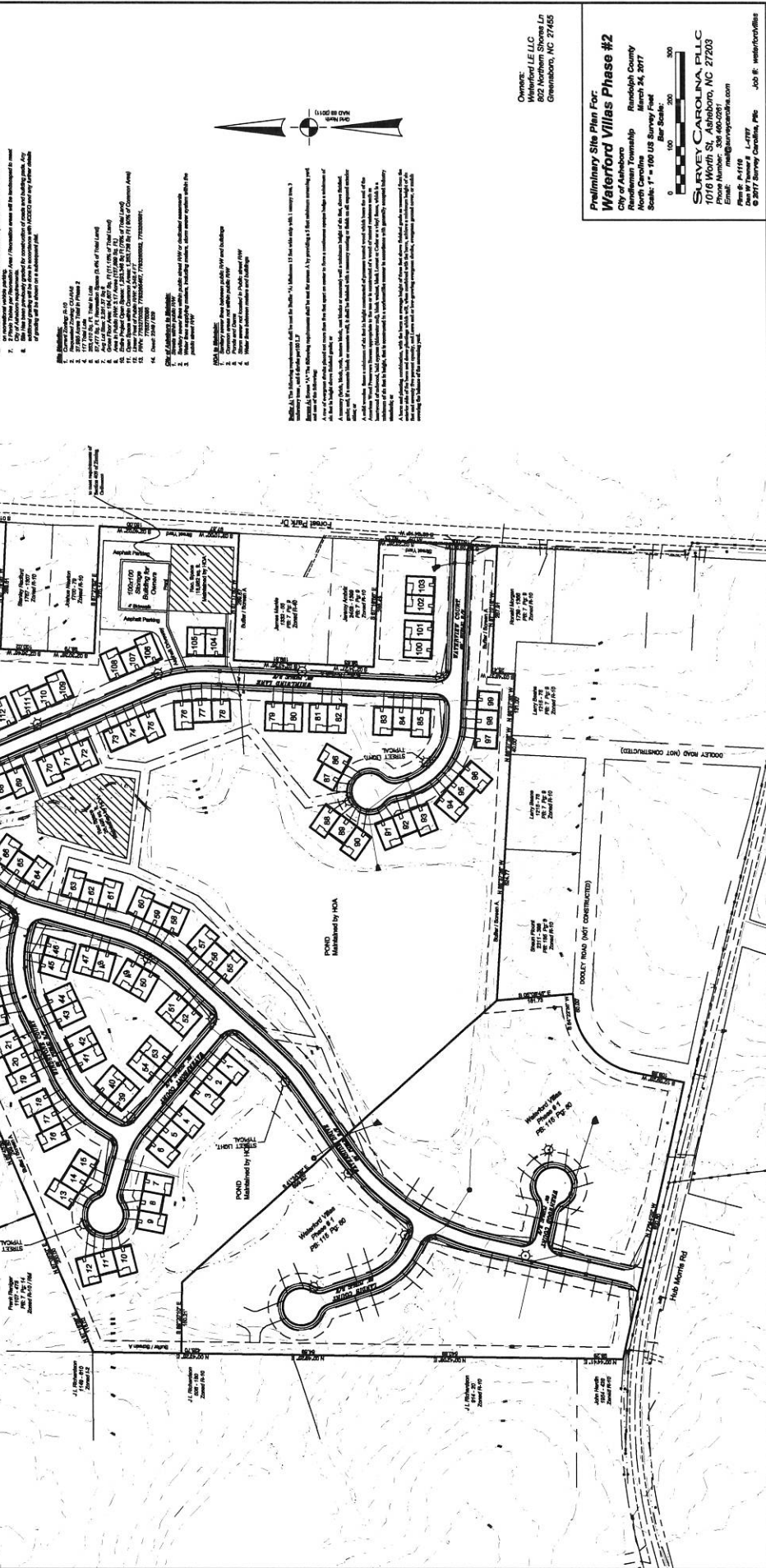
City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-17-03
Conditional Use Permit: CUP-17-03
Subdivision Case: 17-01

Parcel: 7763270025, 7763275095, 7763265981, 7763265562 & 7763265467



Aerial



Owner:
Waterford LE LLC
822 Northern Shores Ln
Greensboro, NC 27405

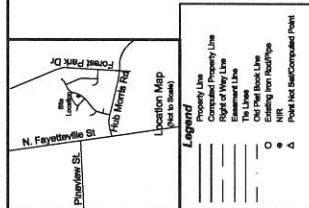
City of Ashboro
Planning Department
March 24, 2017

Scale: 1" = 100 US Survey Feet

Job #: WLF017

Job #: WLF017

Job #: WLF017



Legend

—	Proposed Line
—	Computed Property Line
—	Right of Way Line
—	Utility Line
—	Old Plot Book Line
—	Existing Iron Footings
•	Point and Seal/Computed Point
Δ	Point and Seal/Computed Point



Preliminary Utilities Plan For:
Waterford Villas Phase #2
 City of Asheville
 Randolph County
 North Carolina
 Scale: 1" = 100 US Survey Feet
 Date: 03/24/2017

SURVEY CAROLINA, PLLC
 1016 Worth St., Asheville, NC 27203
 Phone Number: 336-460-0261
 Email: info@surveycarolina.com
 License: 00000000000000000000000000000000
 Job #: 10111
 Job #: 10111
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