

STAFF REPORT

UDO 2016-05-05 Zoning Map Amendment

PROJECT INFORMATION

File Reference: UDO 2016-05-05
Project Name; N/A
PIN: 01-7989-00-36-1006
Applicant: Linsey W. Hewitt
Address: 575 Old Swamp Rd
South Mills NC
27976
Phone: (252) 333-5492
Email:

Agent for Applicant:
Address:
Phone:
Email:

Current Owner of Record: Steve Dail

Meeting Dates:

6/15/2016 **Planning Board**

Board of Commissioners

Application Received: 5/9/2016
By: David Parks, Permit Officer

Application Fee paid: \$650 Check #3583

Completeness of Application: Application is generally complete

Documents received upon filing of application or otherwise included:

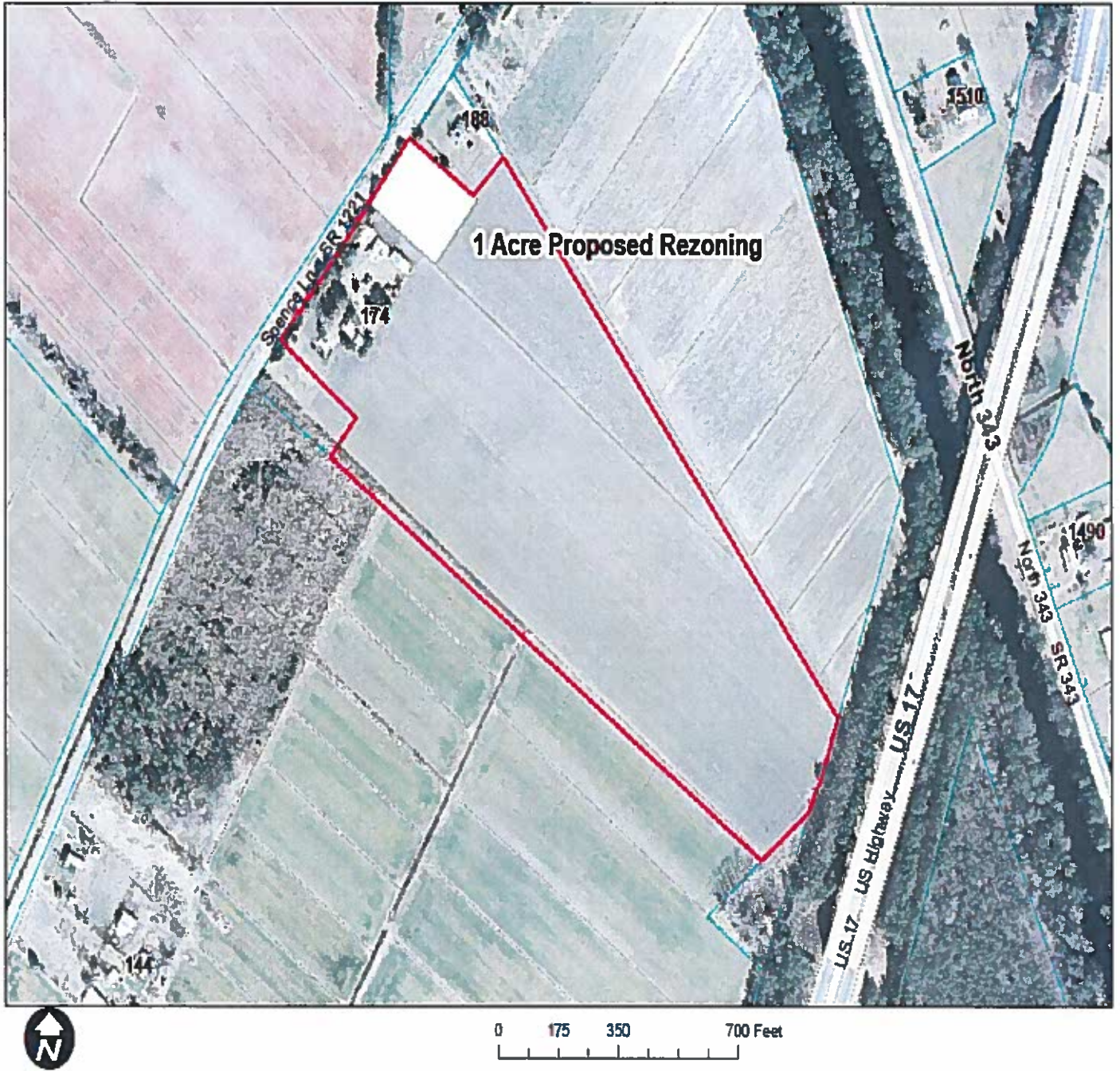
- A. Rezoning Application
- B. Letter from property owner
- C. Aerial of proposed location of rezoning.
- D. GIS Aerial, existing zoning, Comprehensive Plan Future Land Use Map, CAMA Land Use Plan Suitability Maps

PROJECT LOCATION:

Street Address: Property adjacent to 174 Spence Lane

Location Description: South Mills Township

Vicinity Map:



REQUEST: Rezone one acre of approximately 26 acres of land

From: General Use District (GUD)

To: Basic Residential (R3-1)

The GUD, general use, district is established to allow opportunities for very low density residential development and bona fide farms, along with agricultural and related agricultural uses (e.g., timber, horticulture, silviculture and aquaculture.)

The R3 Districts are designed to provide for low density residential development in areas that are adjacent to those areas primarily devoted to agriculture. Subdivision in the R3-1 district requires a minimum of one acre per lot.

SITE DATA

Lot size: Approximately 26 acres.
Flood Zone: Zones: X
Zoning District(s): General Use District (GUD)
Existing Land Uses: Farm with house

Adjacent Zoning & Uses:

	North	South	East	West
Zoning	General Use District (GUD)	US 17	Highway Commercial (HC)	Highway Commercial (HC)
Use & size	Farmland w/House	Highway	Farmland w/House	Farmland

Proposed Use(s):

See Attachment "A"

Description of property:

Property abuts Spence Lane and is classified as a Bona Fide Farm. According to the tax card there are three dwellings on property (site built and two manufactured homes).

ENVIRONMENTAL ASSESSMENT

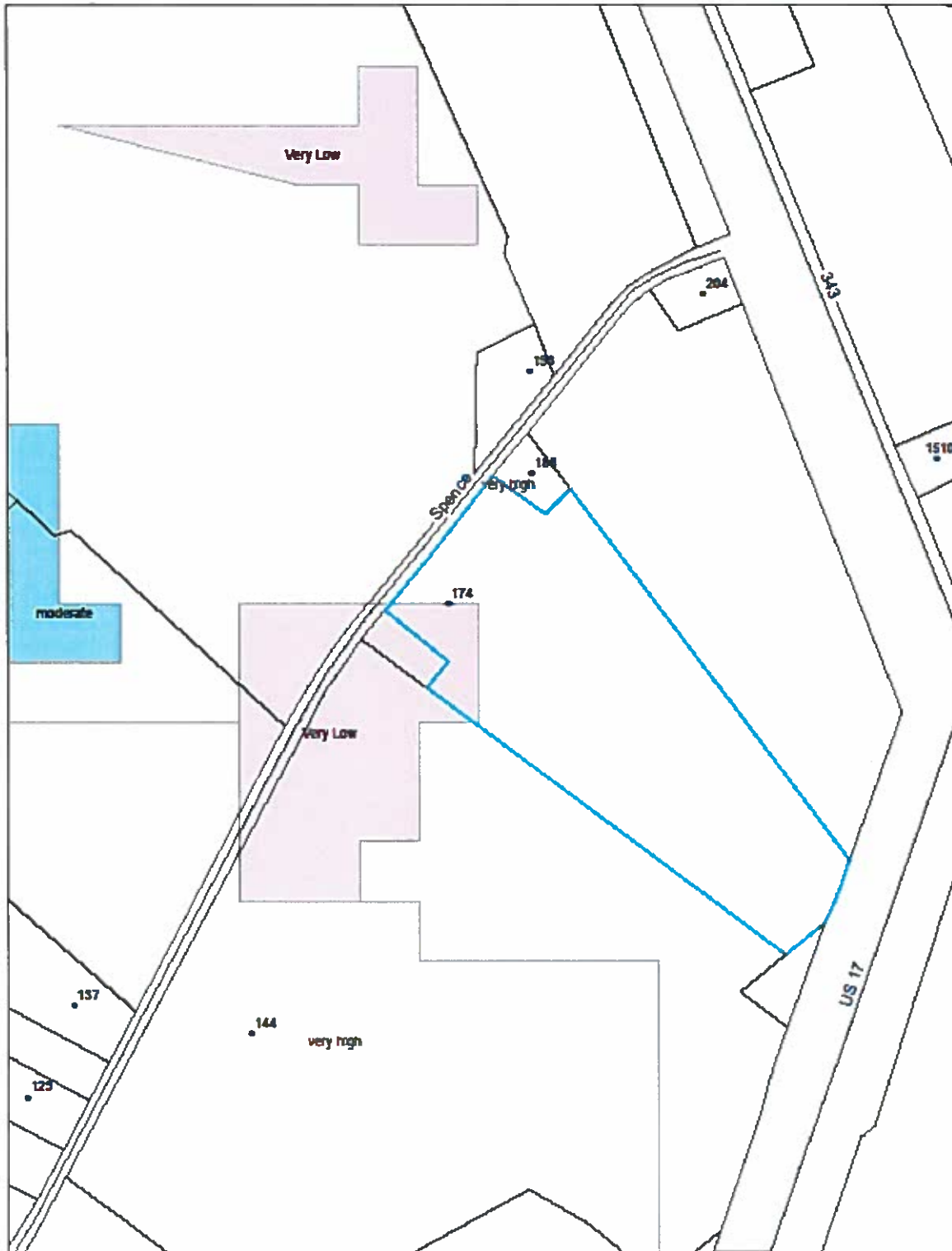
Streams, Creeks, Major Ditches: Dismal Swamp Canal is closest water body.

Distance & description of nearest outfall: Dismal Swamp Canal would be nearest outfall.

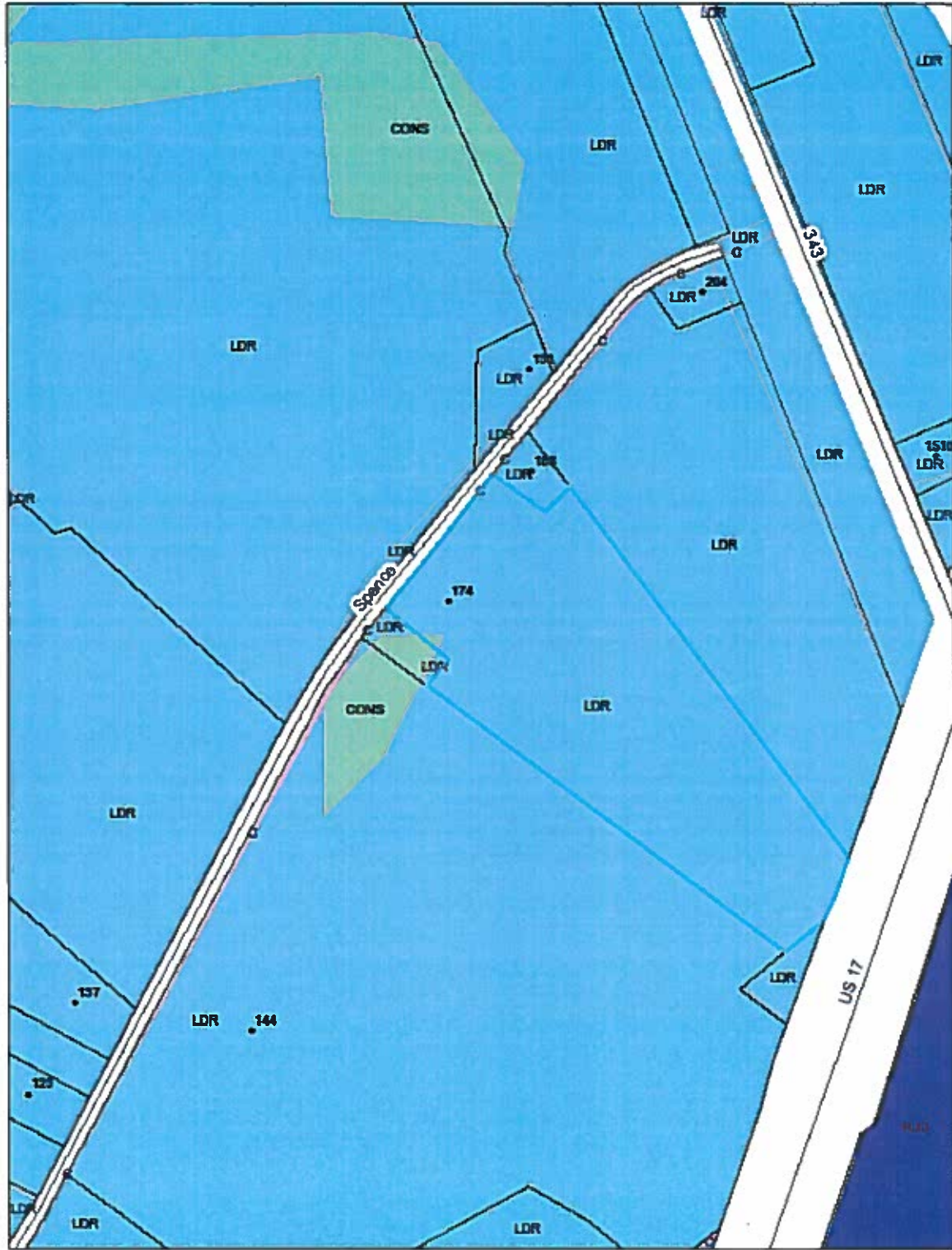
Current Zoning Map



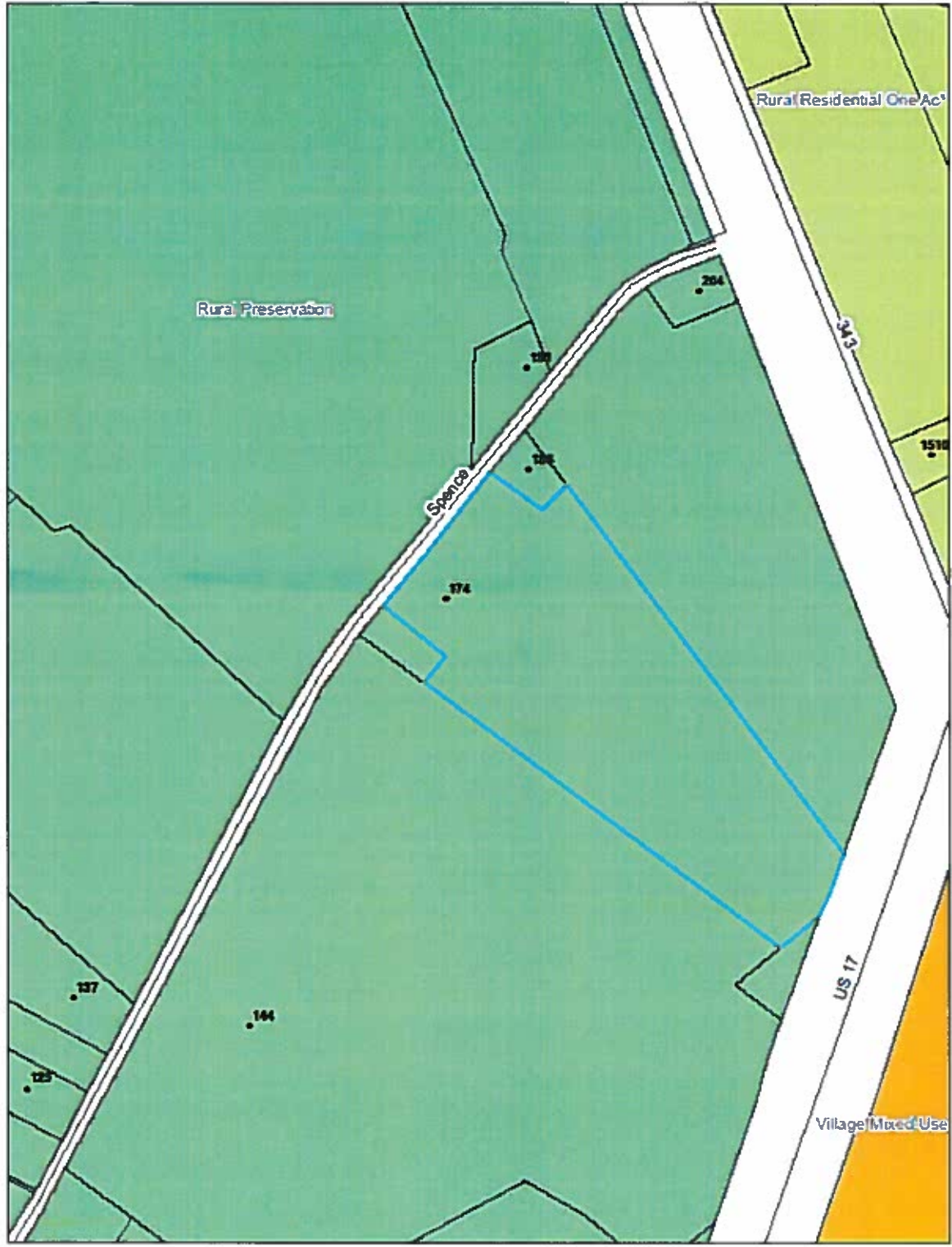
Land Suitability



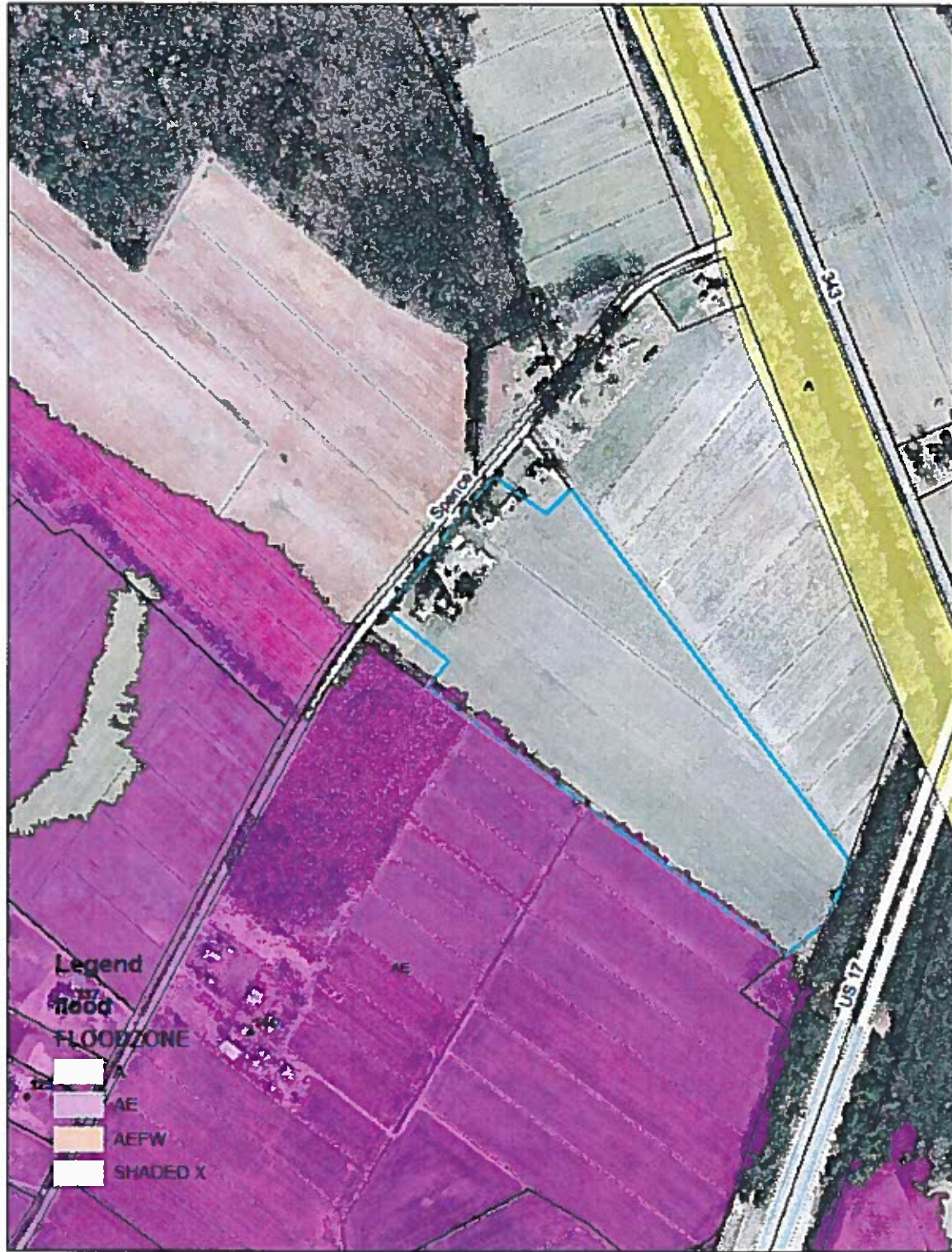
CAMA Future Land Use Map



Comprehensive Plan Future Land Use Map



Floodplain Map



INFRASTRUCTURE & COMMUNITY FACILITIES

Water	Nearest water line located approximately 3800 feet away at Horseshoe Road
Sewer	No sewer available.
Fire District	South Mills Fire District. Station located approximately 2.5 miles from property.
Schools	N/A
Traffic	N/A

PLANS CONSISTENCY

CAMA Land Use Plan Policies & Objectives:

Consistent Inconsistent

The proposed zoning change is inconsistent with the CAMA Land Use Plan which was adopted by the Camden County Board of Commissioners on April 4, 2005 in that the entire tract is designated as Low Density Residential and that the requested rezoning is classified as spot zoning. **Spot zoning is zoning that benefits the applicant only and is not part of an overall zoning plan that would benefit the County as a whole.** See Attachment "A" which is pages from the Executive Summary of the Advance Core CAMA Land Use Plan that provide a guide when deliberating zoning petitions.

PLANS CONSISTENCY – cont.

2035 Comprehensive Plan

Consistent Inconsistent

The requested zoning change is Inconsistent with Comprehensive Plan Future Land Use Maps in that area is identified as Rural Preservation. Current Zoning (General Use District) supports the principles of Comprehensive Plan.

Comprehensive Transportation Plan

Consistent Inconsistent

Property abuts Spence Lane (SR 1221)

Other Plans officially adopted by the Board of Commissioners: N/A

FINDINGS REGARDING ADDITIONAL REQUIREMENTS:

Yes No **Will the proposed zoning change enhance the public health, safety or welfare?**

Reasoning:

(1) The proposed zoning change will only enhance the welfare of the applicant and not the general public.

Is the entire range of permitted uses in the requested classification more appropriate than the range of uses in the existing classification?

Reasoning: The permitted uses in the existing classification are more appropriate as they are compatible to what the County's Comprehensive Plan calls for.

Yes No **For proposals to re-zone to non-residential districts along major arterial roads: N/A**

Yes No **Is this an expansion of an adjacent zoning district of the same classification? N/A**

Reasoning:

Yes No **What extraordinary showing of public need or demand is met by this application? N/A**

Reasoning:

Yes No **Will the request , as proposed cause serious noise, odors, light, activity, or unusual disturbances?**

Reasoning: All uses allowed in the requested zoning classification should not cause any serious noise, odors, light activity, or unusual disturbances.

Yes No **Does the request impact any CAMA Areas of Environmental Concern?**

Reasoning: Property is located outside the 100 year Flood Zone.

Yes No **Does the county need more land in the zoning class requested?**

Reasoning: Yes, but not in this area.

Yes No **Is there other land in the county that would be more appropriate for the proposed uses?**

Reasoning: Yes, in those areas indicated on Camden's Comprehensive Plans Future Land Use Map.

Yes No **Will not exceed the county's ability to provide public facilities:**

Schools – Minimal Impact as this is a single acre lot rezoning.

Fire and Rescue – Minimal impact.

Law Enforcement – Minimal impact.

Parks & Recreation – Minimal impact

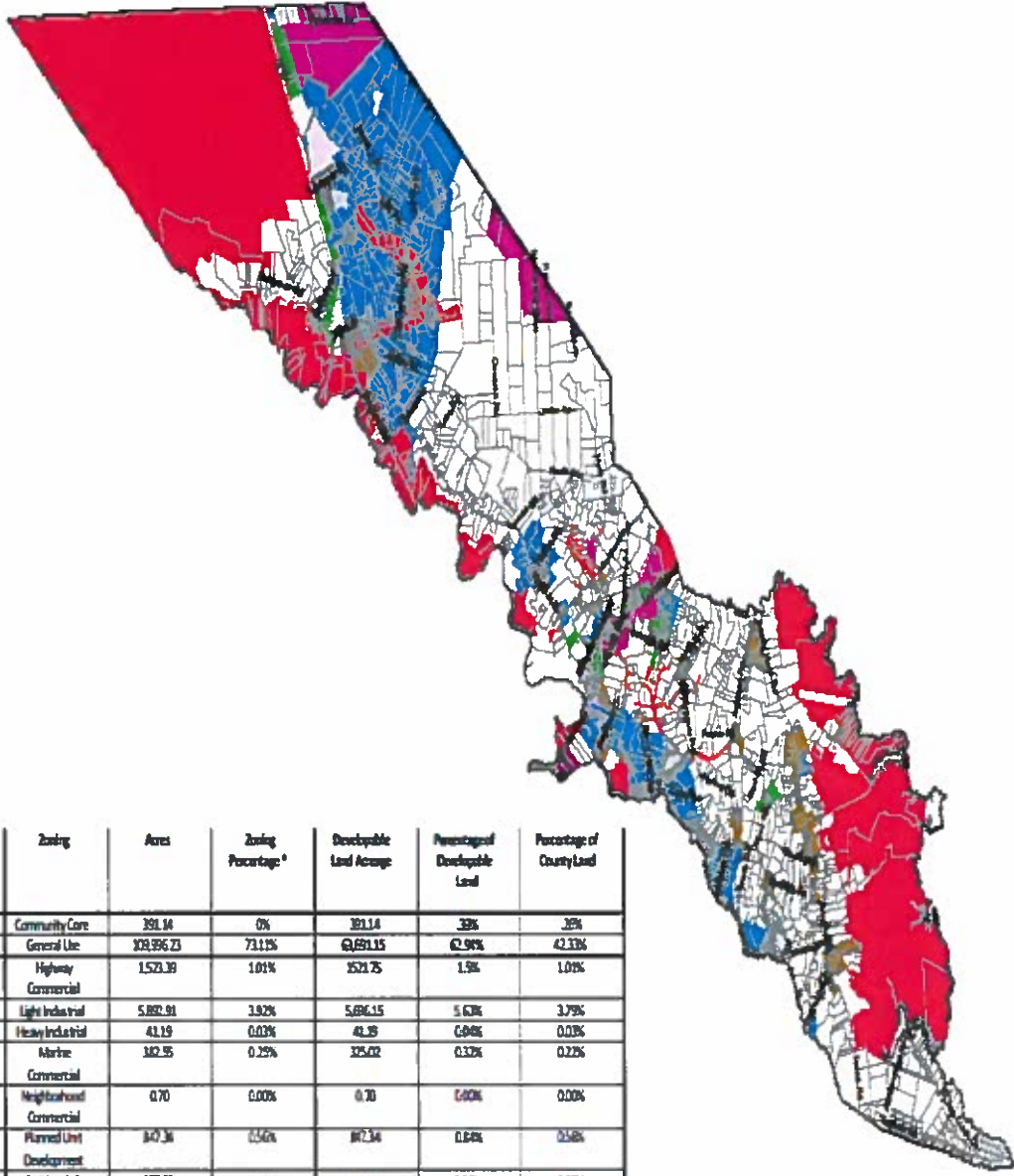
Traffic Circulation or Parking – N/A

Other County Facilities – No.

Yes No **Is This A Small Scale “Spot” Rezoning Request Requiring Evaluation Of Community Benefits?**

If Yes (regarding small scale spot rezoning) – Applicants Reasoning:

	Personal Benefits/Impact	Community Benefits/Impact
With rezoning	Will allow applicant to subdivide and acre of land that an older singlewide is located.	There are no Community Benefits than that of the applicant. Impact will be not following the adopted plans that were approved based on Community input.
Without rezoning	Applicant will need to locate property that allows Singlewide mobile homes.	The County staying consistent with their adopted plans.



Camden County Zoning

Legend

- Land that cannot be developed
- Zoning**
- Community Core
- General Use
- Heavy Industrial
- Light Industrial
- Highway Commercial
- Marine Commercial
- Neighborhood Commercial
- Planned Unit Development
- Residential 1
- Residential 2
- Residential 3-1
- Residential 3-2



Zone	Zoning	Aces	Zoning Percentage*	Developable Land Acsage	Percentage of Developable Land	Percentage of County Land
CC	Community Core	391.14	0%	391.14	38%	35%
GU	General Use	928,996.23	73.11%	62,691.15	62.96%	42.33%
HC	Highway Commercial	1,523.39	1.01%	1521.75	1.9%	1.01%
I-1	Light Industrial	5,892.91	3.92%	5,896.15	5.63%	3.79%
I-2	Heavy Industrial	41.19	0.03%	41.35	0.04%	0.03%
MC	Marine Commercial	382.35	0.29%	325.02	0.32%	0.22%
NC	Neighborhood Commercial	0.70	0.00%	0.70	0.00%	0.00%
PUD	Planned Unit Development	347.36	0.56%	397.34	0.64%	0.54%
R-1	Residential 1	877.29	0.58%	832.67	0.82%	0.59%
R-2	Residential 2	4,632.09	3.08%	3,994.55	3.95%	2.63%
R-3-1	Residential 3-1	2,447.01	1.63%	2,307.47	2.18%	1.48%
R-3-2	Residential 3-2	23,431.74	15.57%	21,644.66	21.38%	14.39%
TOTALS		250,462.91 Acres		101,188.58 Acres		62.29% of land is developable

*This includes the zoning percentage of the entire county, including land that has been deemed "undevelopable".

City of Camden Maps/Zoning Percentage List
August 17, 2010

This map is a general information document. Camden County does not warrant the accuracy of the information shown on this map. Camden County does not warrant the accuracy of the information shown on this map.

STAFF COMMENTARY:

Mr. Hewitt desires to purchase one acre of land from property owner to replace a singlewide that is located on the 26 acre parcel. Current zoning (GUD) requires any subdivision has a minimum density of 5 acres, whereas Mr. Hewitt only wants to purchase 1 acre.

In 2012 the property was zoned Highway Commercial (HC) and the property owner Mr. Steve Dail petitioned the county to rezone the property to General Use District (GUD) which was consistent with the CAMA Land Use Plan as the future land map had property identified as low density residential. Rezoning was approved in September 2012.

When Staff reviews rezoning requests we utilized both Camden County's CAMA Land Use Plan and the Comprehensive Plan for consistency with each plan.. The Comprehensive Plan Future Land Use Maps has this property identified as Rural Preservation with minimum lot sizes of 5 acres.

Attachment "B" is an exert from the Executive Summary of CAMA Land Use Plan which provides a list of questions the Planning Board and Board of Commissioners shall consider during the deliberation of all rezoning requests. A key question is *"does the request raise serious legal question such as spot zoning, hardship, violation of precedents, or the need for this type of zoning"*.

Precedent has been set as a similar rezoning request (UDO 2013-12-12) where applicant wanted to rezone 10 acres of 130 acre tract in Shiloh Township from GUD to R1 was denied as it was inconsistent with the CAMA Land Use Plan as it was consider spot zoning and not part of an overall zoning plan benefiting the community as a whole. (See attachment "C" an exert from BOC Minutes of March 17, 2014)

STAFF RECOMMENDATION:

Based on all information provided, staff is recommending denial of the rezoning request to rezone one acre of the 26 acre parcel as the request is inconsistent with both the CAMA and Comprehensive Land Use Plans as stated above.

**CAMDEN COUNTY, NORTH CAROLINA
TABLE OF PERMISSIBLE USES
(GUD Vs R-3 Zoning Districts)**

USE#	DESCRIPTION	GUD	R-3
1.000	Residential		
1.100	Single Family Detached (One dwelling unit per lot)		
1.111	Site Built	Z	Z
1.111.5	Modular	Z	Z
1.200	Two-Family Residences		
1.300	Multi-Family Residences		
1.400	Homes Emphasizing Special Services, Treatment or Supervision		
1.430	Child Care Homes	S	S
1.500	Miscellaneous rooms for rent situations		
1.520	Bed and Breakfast establishments	Z	
1.550	Hunting and Fishing Lodges	S	
1.600	Temporary Emergency Construction and Repair of Residences	Z	Z
1.700	Home Occupations	Z	Z
2.000	Sales and Rental of Goods, Merchandise and Equipment		
2.100	No storage/display of goods outside fully enclosed structure		
2.200	Storage/Display of Goods Outside Fully Enclosed Allowed		
3.000	Office, Clerical, Research and Services not primarily related to goods or merchandise		
3.100	All operations conducted entirely within fully enclosed building		
3.200	Operation conducted within or outside fully enclosed building		
4.000	Manufacturing, Processing, Creating, Repairing, Renovating, Painting, Cleaning, Assembling of Goods, Merchandise and Equipment, Subject to Hereto		
4.100	All operations conducted entirely within fully enclosed building		
4.110	Majority of dollar volume of business done with walk-in trade	Z	
4.120	Majority of dollar volume business not done with walk-in trade	Z	
5.000	Educational, Cultural, Religious, Philanthropic, Social and Fraternal Uses		
5.100	Schools		
5.110	Elementary and Secondary (including associated grounds, athletic and other facilities)	S	S
5.200	Churches, Synagogues and temples (including associated residential structures for religious personnel)	Z	S
5.300	Libraries, museums, art galleries, art centers and similar uses (including associated educational and instructional activities)		
5.310	Located within a building designed and previously occupied as a residence or within a building having a gross floor area not in excess of 3,500 feet		S
6.000	Recreation, Amusement, Entertainment		
6.100	Activity conducted entirely within a building or substantial structure		
6.200	Activity conducted primarily outside enclosed buildings or structures		
6.210	Privately owned outdoor recreation facilities such as golf and country clubs, etc. (But not including campgrounds), not constructed pursuant to a permit authorizing the construction of some residential development	Z	
6.220	Publicly owned outdoor recreational facilities, such as athletic fields, golf courses, tennis courts, swimming pools, parks, campgrounds, boat ramps and docks, etc. Not constructed pursuant to a permit authorizing the construction of another use (i.e. school)	Z	
6.240	Horseback riding, schooling and boarding facilities provided that when its in a GUD district, a minimum of 10 acres is required (and not constructed pursuant to a permit authorizing a residential development)	Z	
6.250	Automobile and motorcycle racing tracks	S	
6.251	Competitive go-kart/ATV race track	S	
6.270	Private Campgrounds		

**CAMDEN COUNTY, NORTH CAROLINA
TABLE OF PERMISSIBLE USES
(GUD Vs R-3 Zoning Districts)**

USE#	DESCRIPTION	GUD	R-3
6.271	Travel trailers allowed	S	
6.272	Travel trailers prohibited	S	
6.280	Petting Zoo	S	
6.290	Recreational grounds	S	
7.000	Institutional Residences or Care/Confinement facilities		
8.000	Restaurants, Dance Halls, Bars, Night Clubs		
8.100	Restaurants		
9.000	Motor vehicle and boat related sales and service operations		
9.200	Automobile service center	Z	
9.400	Automobile repair shop or body shop provided all wrecked vehicles and parts are visually screened from exterior property lines and right-of-way lines	Z	
10.000	Storage and Parking		
10.200	Storage of goods not related to the sale or use of those goods on same lot where they are stored		
12.000	Service and Enterprises related to animals		
12.100	Veterinarian	Z	
12.200	Kennels	Z	
13.000	Emergency Services		
13.100	Law Enforcement Stations	S	S
13.200	Fire Stations	S	S
13.300	Rescue Squad, Ambulance Service	S	S
13.400	Civil Defense Operations	S	S
14.000	Agricultural, Silvicultural, Mining, and Quarrying Operations		
14.100	Agricultural operations, farming (not exempt as bona-fide farms)		
14.110	Excluding livestock	Z	Z
14.120	Including livestock	Z	
14.200	Silvicultural Operations	Z	Z
14.300	Mining or quarrying operations, including on site sales of products	S	
14.400	Reclamation Landfill	S	
15.000	Miscellaneous Public and Semi-Public Facilities and related uses		
15.100	Post Office	Z	
15.200	Airports and Air Strips		
15.210	County owned and operated airport		S
15.300	Sanitary Landfill, Convenience Centers and related facilities		
15.310	Camden County owned and operated	S	Z
15.600	ABC Stores	Z	
16.000	Dry Cleaner and Laundromat		
17.000	Utility Facilities		
17.100	Neighborhood	Z	S
17.200	Community or Regional	Z	S
17.300	County owned and operated	S	Z
18.000	Wireless Telecommunication Facilities (WTF), Towers, other related structures		
18.100	WTF, antennas, supporting structures, radio or TV towers which are 35 feet or less, and receive only earth stations	Z	Z
18.200	WTF, antennas, support structures and towers of all types that are over 35 feet tall, subject to Article 151.065	S	
18.300	WTF, antennas, support structures and towers of all types that are over 300 feet tall, subject to Article 151.035	S	
18.400	Wind Turbines - Refer to Article 151.347 (T) - Specific Standards		
18.410	Small Turbines	Z	S

**CAMDEN COUNTY, NORTH CAROLINA
TABLE OF PERMISSIBLE USES
(GUD Vs R-3 Zoning Districts)**

USE#	DESCRIPTION	GUD	R-3
18.411	Small Turbines (over 3 systems)	S	
18.420	Large Turbines	S	
19.000	Open Air Markets		
19.100	Farm and craft markets, produce markets not qualifying as an accessory use to use classification 14.100	Z	S
21.000	Cemetery and Crematorium		
21.100	Cemetery not on same property as church	S	S
21.200	Cemetery on same property as church	Z	Z
21.300	Crematorium	S	
22.000	Nursery School, Day Care Centers	Z	
23.000	Temporary Construction and Sales Office	Z	Z
25.000	Commercial Greenhouse, Nursery		
25.100	On-premise sales permitted	Z	
26.000	Special Events	Z	S
27.000	Combination Uses	ZSC	ZSC
28.000	Off-Premises Signs	S	
29.000	Subdivisions		
29.100	Major - Preliminary Plat	S	S
29.200	Minor	Z	Z
29.300	Private Access Subdivision (see 151.260 for Zoning Permit authority when one lot created)		S
31.000	Agribusiness uses	Z	
32.000	Miscellaneous Water Related Uses		
32.100	Boat Ramps		
32.110	Publicly owned	Z	S
32.120	Privately owned, but open to the public on a fee basis	S	
32.200	Marinas not associated with a residential development	Z	
33.000	Adaptive reuse of Historic Property	Z	S
999.99	NOTES TO TABLE:		
9	Z - Zoning Permit Required C - Conditional Use Permit Required S - Special Use Permit Required -The underpinning of a modular home shall be masonry with bricks covering all of the exposed masonry underpinning.		

- Public Access
- Conservation
- Stormwater Control
- Natural Hazard Areas
- Water Quality
- Cultural, Historical, and Scenic Areas

Specifically, in implementing this plan, the Camden County Planning Board and Board of Commissioners will continually do the following:

- Consult the Land Use Plan during the deliberation of all re-zoning requests.
- Consider the following in deliberation of all zoning petitions:
 - Consider the policies and implementing actions of this plan and all applicable CAMA regulations in their decisions regarding land use and development (including 15A NCAC 7H).
 - All uses that are allowed in a zoning district must be considered. A decision to re-zone or not to re-zone a parcel or parcels of property cannot be based on consideration of only one use or a partial list of the uses allowed within a zoning district.
 - Zoning decisions will not be based on aesthetic considerations.
 - ✘ • Requests for zoning changes will not be approved if the requested change will result in spot zoning. Spot zoning is a form of discriminatory zoning whose sole purpose is to serve the private interests of one or more landowners instead of furthering the welfare of the entire community as part of an overall zoning plan. Spot zoning is based on the arbitrary and inappropriate nature of a re-zoning change rather than, as is commonly believed, on the size of the area being re-zoned.
 - Zoning which will result in strip development should be discouraged. Strip development is a melange of development, usually commercial, extending along both sides of a major street. Strip development is often a mixture of auto-oriented enterprises (e.g., gas stations, motels, and food stands), and truck-dependent wholesale and light industrial enterprises along with the once-rural homes and farms that await conversion to commercial use. Strip development may severely

reduce traffic-carrying capacity of abutting streets by allowing for excessive and conflicting curb cuts.



- The concept of uniformity should be supported in all zoning deliberations. Uniformity is a basic premise of zoning which holds that all land in similar circumstances should be zoned alike; any different circumstances should be carefully balanced with a demonstrated need for such different treatment.
- Zoning regulations should be made in accordance with the Camden County Land Use Plan and designed to lessen congestion in the streets; to secure safety from fire, panic, and other dangers; to promote health and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; and to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements. The regulations shall be made with reasonable consideration, among other things, as to the character of the district and its peculiar suitability for particular uses, and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout Camden County's planning jurisdiction.
- Specifically, the Planning Board and Board of Commissioners should ask the following questions:
 - Does Camden County need more land in the zone class requested?
 - Is there other property in the county that might be more appropriate for this use?
 - Is the request in accordance with the Camden County land use plan?
 - Will the request have a serious impact on traffic circulation, parking space, sewer and water services, and other utilities?
 - Will the request have an impact on other county services, including police protection, fire protection, or the school system?
 - Is there a good possibility that the request, as proposed, will result in lessening the enjoyment or use of adjacent properties?

- Will the request, as proposed, cause serious noise, odors, light, activity, or unusual disturbances?
- ✱ • Does the request raise serious legal questions such as spot zoning, hardship, violation of precedents, or need for this type of use?
- Does the request adversely impact any CAMA AEC's or other environmentally sensitive areas including water quality?

It is intended that this plan will serve as the basic tool to guide development/growth in Camden County subject to the following:

- The Camden County Land Development Ordinances should be revised from time to time to be consistent, as reasonably possible, with the recommendations of this plan and the evolving nature of the county's growth and development policy.
- Land development regulations should be designed: to lessen congestion in the streets; to secure safety from fire, panic, and other dangers; to promote health and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; and to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements.
- Camden County will coordinate all development proposals with appropriate State and/or Federal agencies.

B. POLICIES REGARDING LAND USE AND DEVELOPMENT IN AECS

Camden County accepts state and federal law regarding land uses and development in AEC's. By reference, all applicable state and federal regulations are incorporated into this document. However, Camden County does not consider the following issues to be relevant at this time:

- Outstanding Resource Waters
- Maritime Forests
- Shellfishing Waters
- Development of Sound and Estuarine System Islands
- Peat or Phosphate Mining's Impact on any Resource
- Dredging
- Beach Nourishment

Dave Parks, Zoning Officer, Camden County Planning Department provided the following information:

- Public hearing was held on 2-17-14
- Regardless of whether the Board's motion tonight is for approval or denial, there are 2 motions that are required:
 - Statement relating to plan consistency, whether or not the request is consistent with the plans of Camden County
 - If the Board votes to approve, the statement would indicate that the rezoning is consistent with policy 10 of the CAMA Land Use Plan which states that the County shall provide a range of affordable housing options
 - If the Board votes to deny, the statement would indicate that the rezoning is not consistent with the CAMA Land Use Plan as it is spot zoning and is not part of an overall zoning plan.
 - Motion for approval or denial of the ordinance itself
- Planning Board met on February 19, 2014 and voted unanimously to recommend denial of this rezoning because it was not consistent with the CAMA Land Use Plan and it is considered spot zoning
- Mr. Overton is present tonight

Manager Renshaw noted that recommended language to use for the motions with regard to consistency statement is included in the board packet on the agenda item summary sheet.

Vice Chairman Michael McLain made a motion that the requested zoning is inconsistent with the CAMA Land Use Plan as it is spot zoning and is not part of an overall zoning plan. The motion was approved 5-0 with Chairman Garry Meiggs, Vice Chairman Michael McLain, Commissioners Randy Krainiak, Sandra Duckwall, and Clayton Riggs voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Commissioner Sandra Duckwall made a motion to deny Ordinance 2014-04-01 Rezoning Application (UDO 2013-12-12) for Britton J. Overton. The motion was approved 5-0 with Chairman Garry Meiggs, Vice Chairman Michael McLain, Commissioners Randy Krainiak, Sandra Duckwall, and Clayton Riggs voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

After the vote was taken, Commissioner Riggs asked Mr. Parks why Mr. Overton couldn't simply use the parent to child exemption on 1 acre of the property for placement of his desired singlewide. Mr. Parks explained that the parent to child exemption only exempts from the requirements of sub-division of the property, it does not change the allowed uses on the property and since the property is in a General Use zone, singlewides are not allowed.

New Business

Item # 5.A.

VFD Contract Agreement

County Manager Michael Renshaw described this agenda item:

- Emergency Management Director Christy Saunders has drafted a Mutual Aid Agreement which, if the Board approves, will be between the County of Camden and the City of Chesapeake with regard to emergency services, fire protection services, in the event of a disaster that might require large numbers of assets.
- Manager Renshaw and Director Saunders both feel this Mutual Aid Agreement would be beneficial to the County
- This topic was previously discussed, back in 2006, however no action was taken at that time
- Director Saunders has spoken with both Fire Chiefs and their Boards
- If the Board of Commissioners were to approve this Mutual Aid Agreement, it would require addendums to the existing Fire Protection Services Contract with both volunteer fire departments.

ATTACHMENT "C"

Zoning Change Application
County of Camden, North Carolina

A rezoning may be obtained pursuant to Article 151.580 of Unified Development Ordinance (UDO) of Camden County and upon approval by the Board of Commissioners after a recommendation from the Planning Board.

Please consult the Planning Office (1-252-338-1919) with any questions about your application.

PLEASE PRINT OR TYPE

Please Do Not Write in this Box

PN: 01-7989-00-36-1006

UDO# 2016 - 05 - 05

Date Received: 5/9/16

Received by: of

Zoning District: G40

Fee Paid: \$ 650.⁰⁰

CK #
3583
of

Applicant's Name: Lindsey W. Hewitt

If the Applicant is acting as agent for another person (the "principal"), please give that person's name on the line below and submit a copy of the agency agreement/letter with this Application.

Applicant's Mailing Address: 575 Old Swamp Road
South Mills, NC 27976

Daytime Phone Number: (252) 333-5492

Street Address Location of Property: 174 Spence Lane South Mills, NC 27976

General Description of Proposal: 1 acre lot is currently zoned GU, would like to change to R-3-1

I swear or affirm that the foregoing information and all attachments hereto (now or subsequently provided as part of this application) are true and correct to the best of my knowledge.

Signed: Lindsey W. Hewitt

Dated: 5/9/2016

Please include a site plan with this application and any other supporting documentation that the applicant feels would assist the Board of Commissioners and the Planning Board in determining the need for a zoning change.

* Information to be filled out by Planning Department

*Is the Property in a Watershed Protection area? no

*Flood Zone (from FIRM Map): X *Taxes paid? yes ✓ no _____

Zoning Change Application Questions

The UDO requires the Board to consider to principal issues when considering an application for a zoning change. Please respond to each issue in the space provided below or on a separate sheet.

(A) How will the proposed zoning change enhance the public health, safety or welfare? (Article 151.585)

Change to R-3-1 would increase the tax revenue collected by Camden County for tax of land and residential use.

Overall maintainance of 1 acre lot would improve. Improvement in appearance and drainage of said acre. 1 acre portion of this property is currently not farmed by owner and would not cause financial hardship as the remaining 4 acres would still be farmed.

(B) Is the entire range of permitted uses in the requested classification more appropriate than the range of uses in the existing classification? (Article 151.585)

Yes. This 1 acre portion would come into compliance with the R-3-1 zoning. This would allow the lot to be corrected to be in conforming use. There is currently electric power and sewage established on this 1 acre lot. This 1 acre lot meets the criteria to be zoned as R-3-1 due to the fact it is a low density area and is located adjacent to an area primarily devoted to agriculture. The sale of 5 acres would cause hardship to the owner as 4 acres are farmed and 1 acre is not used for the purpose of farming, will not be used for that purpose in the future, and the rezoning of 1 acre would not impact the owner's livelihood but would increase the tax revenue for Camden County as a residential lot. Camden County would benefit by the 4 acres remaining GU to comply with the very low residential development and the 1 acre change to R-3-1 would comply with low density residential.

(C) For proposals to re-zone to non-residential districts along major arterial roads (Article 151.586):

(1) Is this an expansion of an adjacent zoning district of the same classification? N/A

(2) What extraordinary showing of public need or demand is met by this application? N/A

1 ACRE



Imagery ©2016 Google, Map data ©2016 Google 50 f

174 Spence Ln
South Mills, NC 27976

May 10, 2016

Dave Parks

Camden County Planning Board

Mr. Stepher Earl Dail, owner of property at 174 Spence Lane, South Mill, NC, gives Lindsey W Hewitt permission to apply for rezoning of one acre of his property from general use (GU) to R-3-1 for the Purpose of purchase.

Sign: Stepher Earl Dail

Date: 5-10-16

Acknowledgement

STATE OF NORTH CAROLINA

COUNTY OF Perquimans

I certify that Steven Earl Dill personally appeared before me this day, acknowledging to me that he or she signed the foregoing document: Purchase of Property.
Name or description of attached document

I further certify that (select one of the following identification options):

- I have personal knowledge of the identity of the principal(s)
- I have seen satisfactory evidence of the principal's identity, by a current state or federal identification with the principal's photograph in the form of a N.C.D.L..
type of identification
- A credible witness, _____, has sworn or affirmed to me the
name of credible witness
identity of the principal, and that he or she is not a named party to the foregoing document, and has no interest in the transaction.

Date: 5/10/16

(Official Seal)

Angela S. Bruny
Notary Public

Angela S. Bruny
Typed or Printed Notary Name

My commission expires: February 5, 2017