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**Camden County Board of Adjustment**  
**Record of Proceeding**  
**December 11, 2006**  
**6:00pm**

Historical Courtroom  
Camden County Courthouse

Chairman Roger Lambertson  
Vice Chairman Morris Kight  
Members William McPherson, Emory Upton,  
Patrick Duckwall, and Douglas Lane

Also Present: Dan Porter, Director of Planning/ Flood Administrator, Dave Parks, Permit Officer/ Flood Administrator, and Lori Tuss, Clerk to the Board of Adjustment

Regular voting member Patrick Duckwall was unable to attend the meeting. Alternate Douglas Lane will vote in Mr. Duckwall's place.

**Call to Order & Welcome**

Chairman Roger Lambertson called to order the December 11, 2006 Regular Board of Adjustment meeting.

**Consideration of Agenda**

Chairman Lambertson called for consideration of the December 11, 2006 agenda. Hearing no comments, the meeting proceeded.

**Consideration of November 13, 2006 minutes**

Chairman Lambertson asked the Board for any comments concerning the November 13, 2006 minutes. Hearing none, he asked for a motion. Douglas Lane made a motion to approve the November 13, 2006 minutes. Member William McPherson seconded the motion. The motion passed with Chairman Roger Lambertson, Vice Chairman Morris Kight, members Emory Upton, William McPherson, Douglas Lane voting aye; none voting no; one absent; and none not voting.

**New Business**

**Item# 1 UDO 2006-11-19 Variance Application for Camden County**

Staff member Dave Parks stated that Camden County requests a Variance to minimum lot size in the R3-2 zoning district for installation of water infrastructure at

property located adjacent to 220 Country Club Rd in Camden, NC. Request this variance apply to two other sites yet to be determined (if necessary).

Chairman Roger Lambertson questioned the statement “request for variance to apply to two other sites yet to be determined (if necessary)”. Chairman Lambertson stated that he could not in good conscience grant the variance unless that part of the request is stricken from the request. The Board of Adjustment overwhelmingly agreed to remove the last portion of the request before proceeding any further.

For the record, Camden County requests a variance to minimum lot size in the R3-2 zoning district for the purpose of water infrastructure adjacent to property at 220 Country Club Rd, Camden, NC.

Chairman Lambertson read the following questions and answers on the Variance request for discussion and possible action:

1. If the applicant complies strictly with provisions of the Ordinance, he can make no reasonable use of his property.

**Staff response:** If applicant complies strictly with provisions of the Ordinance, staff feels they can not make reasonable use of the property as the proposed utility facility (well site) only requires one acre. There are no provisions in the ordinance that address lot sizes for infrastructure (proposed amendment drafted).

2. The hardship of which the applicant complains is one suffered by the applicant rather than by neighbors or the general public.

**Staff response:** The hardship the applicant complains of is one that could affect other utility facilities (i.e. electric, cable) when looking for property to locate equipment. It is staffs interpretation of the ordinance that the minimum lot sizes apply to residential/commercial uses and not to infrastructure/utility uses.

3. Does the hardship relate to the applicant’s land, rather than personal circumstances?

**Staff response:** The hardship could relate to the citizens of the county that are connected to South Camden Water & Sewer District as it could affect water rates if the District would have to purchase the two acres of land that current zoning requires.

4. The hardship is unique, or nearly so, rather than one shared by many surrounding properties.

**Staff response:** This hardship is unique as current ordinances do not allow for any flexibility on subdivision of land when addressing infrastructure. Land Use Plan states that the county supports extension of infrastructure for economic growth.

5. The hardship is not the result of the applicant’s own actions.

**Staff response:** The hardship is not the result of the applicant’s actions.

6. The Variance will not result in the initiation of a nonconforming use of land.

**Staff response:** The Variance will not result in the initiation of a nonconforming use of land as utility facilities are permissible in the R3-2 residential district.

Chairman Lambertson asked for consideration of the above questions and answers. Member William McPherson made a motion to accept the provisions of the Ordinance presented by the staff. Douglas Lane seconded the motion. The motion passed with Chairman Roger Lambertson, Vice Chairman Morris Kight, members Emory Upton,

William McPherson, Douglas Lane voting aye; none voting no; one absent; and none not voting.

Chairman Lambertson asked for consideration of the Variance based on the staffs recommendation for approval of the Variance to Article 151.060 (Minimum lot size) with the following conditions:

1. The applicant must strictly abide by all other requirements of the Unified Development Ordinance of Camden County, North Carolina, and must also strictly comply with all other local, state, and federal ordinances, laws, rules and regulations as one or more ordinances, laws, rules and regulations may apply to this development.
2. The applicant shall have 180 days from approval to survey and record plat in the Camden County Registry of Deeds.
3. The applicant must sign before a notary public the Variance agreeing to the conditions by January 12, 2007, or the Variance shall become null and void.

Douglas Lane made a motion to approve the variance based on the recommendation by the staff and the finding of facts with conditions. Vice Chairman Morris Kight seconded the motion. The motion passed with Chairman Roger Lambertson, Vice Chairman Morris Kight, members Emory Upton, William McPherson, Douglas Lane voting aye; none voting no; one absent; and none not voting.

**Information from Board and Staff**

Staff presented the Board of Adjustment with the schedule calendar for 2007. The dates may change as meeting schedules with other boards change allowing a more flexible and convenient times for the board members to meet.

**Consider Date of Next Meeting- January 8, 2007**

**Adjournment**

With no further business, member Douglas Lane made a motion to adjourn the December 11, 2006 meeting. Emory Upton seconded the motion. The motion passed with Chairman Roger Lambertson, Vice Chairman Morris Kight, members Emory Upton, William McPherson, Douglas Lane voting aye; none voting no; one absent; and none not voting.

Approved: \_\_\_\_\_  
Date

\_\_\_\_\_  
Chairman Roger Lambertson

ATTEST:

\_\_\_\_\_  
Lori Tuss  
Clerk to the Board

