

**BOARD OF COMMISSIONERS**

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County Manager

AVA MURGIA  
Clerk of the Board/  
Assistant to the Manager

**Camden County Board of Adjustment**  
Record of Proceedings  
April 6, 2004  
7:00 PM  
Senior Center Conference Room  
Courthouse Complex

Chairman Roger Lambertson called to order a meeting of the Camden County Board of Adjustment with the following members present:

Chairman Roger Lambertson  
Vice Chairman Morris Kight  
Members William McPherson, Tony Royle, Patrick Duckwall and Douglas Lane

The following members were absent: Emory Upton

Also present were Dave Parks, Permit Officer and Melissa Joines, Clerk to the Board.

Chairman Lambertson introduced the new member to the board Douglas Lane and also stated Patrick Duckwall would be a voting member.

Chairman Lambertson called for consideration of the agenda. There were no changes and no motion made.

Chairman Lambertson called for consideration of the March 8, 2004 minutes. Kight made a motion to approve the minutes. Royle seconded the motion. The motion passed 5-0.

Chairman Lambertson called for comments from the public. Hearing none Chairman Lambertson continued with the agenda.

**New Business**

**Item #1 Variance Application (UDO 2004-03-26) to install a Class A doublewide mobile home in General Use District (GUD) located at 393 Ivey Neck Road, Courthouse Township**

Chairman Lambertson called for a motion to open the public hearing. McPherson made a motion to open the public hearing. Duckwall seconded the motion. The motion passed 5-0.

Danielle Donilli of Hobbs and UpChurch, stated she was representing Ms. Williams in a request to replace on dilapidated home with a new doublewide mobile home with

the CDBG Scattered Housing Grant that the County has received through the state. Ms. Donilli stated that Ms. Williams was one of the applicants for the grant but the property is not zoned for a doublewide.

The board questioned the relocation of Ms. Williams. Ms. Donilli stated the grant pays for the relocation and the storage of furniture and other items. Ms. Donilli stated that Ms. Williams will be moving in with her son who lives next door to her.

Lane questioned how long would the process take to demolish the home. Ms. Donilli stated there had been a test done for asbestos and that would have to be removed then the house would be demolished. The maximum time this process would take would be two weeks then the installation of the new mobile home would begin.

Chairman Lambertson hearing no objections called for a motion to close the public hearing. McPherson made a motion to close the public hearing. Kight seconded the motion. The motion passed 5-0.

Chairman Lambertson stated that since there was no applicant response in the application he would read the staff response and ask Ms. Donilli if staff's response was acceptable.

Chairman Lambertson then continued with the variance questions:

- 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 with the provisions of the Ordinance, they can make no reasonable use of property as the existing house per the County's Building Inspector is condemnable (see attached photo) and unfit to live in.

*Ms. Donilli stated she accepted staff response.*

**Royle made a motion that if applicant complies with the provisions of the Ordinance, they can make no reasonable use of property as the existing house per the County's Building Inspector is condemnable (see attached photo) and unfit to live in. McPherson seconded the motion. The motion passed 5-0.**

- 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 that the applicant suffers is one that is suffered by other elderly members of the county with low incomes Under guidelines of the CDBG for Scattered Site Housing she has qualified for grant money to install a new doublewide mobile home on lot to include new septic system and paved driveway, which would drastically improve the appearance of the property and surrounding areas.

*Ms. Donilli stated she accepted staff response.*

**Chairman Lambertson made a motion that the hardship that the applicant suffers is one that is suffered by other elderly members of the county with low incomes Under guidelines of the CDBG for Scattered Site Housing she has qualified for grant money to install a new doublewide mobile home on lot to include new septic system and paved driveway, which would drastically improve the appearance of the property and surrounding areas. Kight seconded the motion. The motion passed 5-0.**

3. **The hardship relates to the applicant's land, rather than personal circumstances.**

Staff response: The hardship relates to personal circumstances, as the applicant is unable to work due to age and on current income cannot afford to replace the dilapidated house.

*Ms. Donilli stated she accepted staff response.*

**McPherson made a motion that the hardship relates to personal circumstances, as the applicant is unable to work due to age and on current income cannot afford to replace the dilapidated house. Duckwall seconded the motion. The motion passed 5-0.**

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

Staff response: The hardship is unique, as people shouldn't have to live in these types of conditions and when the opportunity comes along where the county can assist in improving the health, safety, and welfare of the people they should do everything in its power to do so.

*Ms. Donilli stated she accepted staff response.*

**Kight made a motion that the hardship is unique, as people shouldn't have to live in these types of conditions and when the opportunity comes along where the county can assist in improving the health, safety, and welfare of the people they should do everything in its power to do so. Royle seconded the motion. The motion passed 5-0.**

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 own actions.

**Chairman Lambertson made a motion that the hardship is not the result of the applicant's own actions. Duckwall seconded the motion. The motion passed 5-0.**

6. **The Variance will neither result in the extension of a nonconforming situation in violation of Article 14 nor authorize the initiation of a nonconforming use of land.**

Staff response: If variance is approved, this will create a nonconforming use of land.

**Duckwall made a motion that if variance is approved, this will create a nonconforming use of land. Kight seconded the motion. The motion passed 5-0.**

Chairman Lambertson made a motion to approve the variance with the conditions as recommended by staff. Royle seconded the motion. The motion passed 5-0.

**Item #2 Variance Application (UDO 2004-03-27) to install a Class A doublewide mobile home in a General Use District (GUD) located at 441 Trotman Road, Courthouse Township**

Chairman Lambertson called for a motion to open the public hearing. McPherson made a motion to open the public hearing. Kight seconded the motion. The motion passed 5-0.

Danielle Donilli of Hobbs and UpChurch, stated she was representing Mr. Shaw in a request to replace on dilapidated home with a new doublewide mobile home with the

CDBG Scattered Housing Grant that the County has received through the state. Ms. Donilli stated that Mr. Shaw was one of the applicants for the grant but the property is not zoned for a doublewide. Ms. Donilli stated that she was not sure where Mr. Shaw would be relocating at this time. Ms. Donilli stated he could move into an apartment, with his son or with his daughter. Ms. Donilli stated there had been a test done for asbestos and that would have to be removed then the house would be demolished. The maximum time this process would take would be two weeks then the installation of the new mobile home would begin.

Hearing no more questions or comments from the board, Chairman Lambertson called for a motion to close the public hearing. Duckwall made a motion to close the public hearing. Royle seconded the motion. The motion passed 5-0.

Chairman Lambertson stated that since there was no applicant response in the application he would read the staff response and ask Ms. Donilli if staff's response was acceptable.

Chairman Lambertson then continued with the variance questions:

- 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 with the provisions of the Ordinance, they can make no reasonable use of property as the existing house per the County's Building Inspector is condemnable (see attached photo) and unfit to live in.

*Ms. Donilli stated she accepted staff response.*

**McPherson made a motion that if applicant complies with the provisions of the Ordinance, they can make no reasonable use of property as the existing house per the County's Building Inspector is condemnable and unfit to live in. Kight seconded the motion. The motion passed 5-0.**

- 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 that the applicant suffers is one that is suffered by other elderly members of the county with low incomes Under guidelines of the CDBG for Scattered Site Housing he has qualified for grant money to install a new doublewide mobile home on lot to include new septic system and paved driveway, which would drastically improve the appearance of the property and surrounding areas.

*Ms. Donilli stated she accepted staff response.*

**Royle made a motion that the hardship that the applicant suffers is one that is suffered by other elderly members of the county with low incomes Under guidelines of the CDBG for Scattered Site Housing he has qualified for grant money to install a new doublewide mobile home on lot to include new septic system and paved driveway, which would drastically improve the appearance of the property and surrounding areas. McPherson seconded the motion. The motion passed 5-0.**

- 3. The hardship relates to the applicant's land, rather than personal circumstances.**

Staff response: The hardship relates to personal circumstances, as the applicant is unable to work due to age and on current income cannot afford to replace the dilapidated house.

*Ms. Donilli stated she accepted staff response.*

**Duckwall made a motion that the hardship relates to personal circumstances, as the applicant is unable to work due to age and on current income cannot afford to replace the dilapidated house. McPherson seconded the motion. The motion passed 5-0.**

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

Staff response: The hardship is unique, as people shouldn't have to live in these types of conditions and when the opportunity comes along where the county can assist in improving the health, safety, and welfare of the people they should do everything in its power to do so.

*Ms. Donilli stated she accepted staff response.*

**Kight made a motion that the hardship is unique, as people shouldn't have to live in these types of conditions and when the opportunity comes along where the county can assist in improving the health, safety, and welfare of the people they should do everything in its power to do so. Royle seconded the motion. The motion passed 5-0.**

- 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.

**McPherson made a motion that the hardship is not the result of the applicant's own actions. Duckwall seconded the motion. The motion passed 5-0.**

- 6. The Variance will neither result in the extension of a nonconforming situation in violation of Article 14 nor authorize the initiation of a nonconforming use of land.**

Staff response: If variance is approved, this will create a nonconforming use of land.

**Chairman Lambertson made a motion that if variance is approved, this will create a nonconforming use of land. Royle seconded the motion. The motion passed 5-0.**

Kight questioned if the taxes were paid on the property because there was a line for taxes on the application. Staff stated the taxes were paid for each property.

Chairman Lambertson called for a motion. Duckwall made a motion to approve the variance with the condition as recommended by staff. Kight seconded the motion. The motion passed 5-0.

### **Items for Board members and staff**

Chairman Lambertson requested that staff be sure and have an applicant response on the application.

Kight questioned was Blackwater coming before the board. Staff stated that Blackwater had applied for a Special Use Permit and would be going before the Planning Board.

### **Information**

Board of Commissioners Minutes –Feb. 16, 2004 & March 1, 2004  
Planning Board Minutes – February 18, 2004

**Consideration for date of next meeting – May 3, 2004**

Chairman Lambertson stated he and McPherson would not be available for the next board meeting. Staff stated as of the date there were no items for the agenda and if a meeting was needed staff would contact the Chairman.

**Adjournment**

Duckwall made motion that the meeting of the Camden County Board of Adjustment be adjourned. Kight seconded the motion. The motion passed 5-0. The meeting adjourned at 7:35 p.m.

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

\_\_\_\_\_  
Chairman

ATTEST:

\_\_\_\_\_  
Melissa Joines, Clerk to the Board