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**Camden County Board of Adjustment
Record of Proceedings
July 1, 2002, 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: Roger Lambertson, Morris Kight, Clayton Riggs and Emory Upton. Also present were Dave Parks, Permit Technician and Melissa Gray, Clerk to the Board. The following members were absent: Willie Gallop, William McPherson, and Robert Johnson.

Chairman Lambertson called for consideration of the agenda. Chairman Lambertson stated that item #3 would be tabled due to not having enough members present.

Chairman Lambertson called for consideration of the June 3, 2002 minutes. Upton made a motion to approve the minutes as read. Kight seconded the motion. The motion passed 4-0.

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

New Business

Item # 1 Amendment to a Conditional Use Permit Application (UDO2002-03-15) from Thomas Tarrants for the location of a home based business located at 168 Country Club Road, Courthouse Township - attachments

Thomas Tarrants was sworn in as applicant and stated that the conditional use permit was no longer needed at the North Mill Dam Road location. He was requesting an amendment to move the location of the home based business to 168 Country Club Road.

Dave Parks, Permit Technician stated that staff recommends approval of the amendment.

Chairman Lambertson called for a motion to open the public hearing. Riggs made a motion to open the public hearing. Kight seconded the motion. The motion passed 4-0.

Riggs asked the applicant was there any noise from the business. Mr. Tarrants stated that there was not any noise created from there machines.

Hearing no more comments, Chairman Lambertson called for a motion to close the public hearing. Riggs made a motion to close the public hearing. Lambertson seconded the motion. The motion passed 4-0.

1. Is the requested permit within its jurisdiction, according to the table of uses?
 - **Lambertson made a motion that it is within jurisdiction.**
 - **Riggs seconded the motion.**
 - **The motion passed 4-0 with Upton, Riggs, Kight and Lambertson voting aye.**

2. Is the application complete?
 - **Lambertson made a motion that the application is complete.**
 - **Upton seconded the motion.**
 - **The motion passed 4-0 with Upton, Riggs, Kight and Lambertson voting aye.**

3. Is the application a Nonconforming Use?
 - **Lambertson made a motion the application is not a nonconforming use.**
 - **Kight seconded the motion**
 - **The motion passed 4-0 with Upton, Riggs, Kight and Lambertson voting aye.**

4. Will the proposed use comply with all of the requirements of this ordinance?
 - **Lambertson made a motion that the proposal will comply with all requirements.**
 - **Riggs seconded the motion.**
 - **The motion passed 4-0 with Upton, Riggs, Kight and Lambertson voting aye.**

- A. Will the use applied for meet all the requirements of the zoning district where it is proposed to be located?
 - **Lambertson made a motion that the use will meet all requirements of the zoning district.**
 - **Upton seconded the motion.**
 - **The motion passed 4-0 with Upton, Riggs, Kight and Lambertson voting aye.**

- B. Will the proposed use meet all of the special requirements (if any) for that particular type of use?
 - **Lambertson made a motion that it will.**
 - **Riggs seconded the motion.**
 - **The motion passed 4-0 with Upton, Riggs, Kight and Lambertson voting aye.**

5. If the proposed use meets all requirements of the ordinance, is it appropriate for the area where it is intended to be located?
 - **Lambertson made a motion that the use is appropriate for the area.**
 - **Kight seconded the motion.**
 - **The motion passed 4-0 with Upton, Riggs, Kight and Lambertson voting aye.**

- A. Does the evidence show that it will not endanger the public health or safety?
- **Lambertson made a motion that the evidence shows that it will not endanger the public health or safety.**
 - **Riggs seconded the motion.**
 - **The motion passed 4-0 with Upton, Riggs, Kight and Lambertson voting aye.**
- B. Does the evidence show that it will not substantially injure the value of adjoining or abutting property?
- **Lambertson made a motion that the evidence shows that it will not injure the value of adjoining or abutting property.**
 - **Upton seconded the motion.**
 - **The motion passed 4-0 with Upton, Riggs, Kight and Lambertson voting aye.**
- C. Does the evidence show that it will be in harmony with the particular neighborhood or area where it is proposed to go?
- **Lambertson made a motion that the evidence shows that it will be in harmony with the area.**
 - **Kight seconded the motion.**
 - **The motion passed 4-0 with Upton, Riggs, Kight and Lambertson voting aye.**
- D. Does the evidence show that it will be in general conformity with the County's adopted land use plan?
- **Lambertson made a motion that the evidence shows that it will be in conformity with the county's land use plan.**
 - **Riggs seconded the motion.**
 - **The motion passed 4-0 with Upton, Riggs, Kight and Lambertson voting aye.**
- E. Does the evidence show that it will not exceed the County's ability to provide adequate public facilities, such as schools, fire protection, law enforcement coverage, water supply, sewage or drainage facilities?
- **Lambertson made a motion that the evidence shows that it will not exceed the county's ability to provide adequate fire, water and rescue.**
 - **Kight seconded the motion.**
 - **The motion passed 4-0 with Upton, Riggs, Kight and Lambertson voting aye.**
6. Chairman Lambertson called for consideration for approval or disapproval of the findings of facts:
- **Riggs made a motion to approve the Finding of Facts as submitted by staff.**
 - **Kight seconded the motion.**
 - **The motion passed 4-0 with Upton, Riggs, Kight and Lambertson voting aye.**
7. Chairman Lambertson called for consideration for granting or denying the

Amendment to the Conditional Use Permit for UDO 2002-03-15:

- **Riggs made a motion to approve the Conditional Use Permit with conditions as recommended by staff.**
- **Kight seconded the motion.**
- **The motion passed 4-0 with Upton, Riggs, Kight and Lambertson voting aye.**

Item #2 Conditional Use Permit Application (UDO 2002-06-08) from Cornelius and Gloria Paxton to install a new Class A doublewide located at 1298 North Highway 343, South Mills Township – attachments

Gloria Paxton was sworn in and stated that her home had been damaged by a storm and that it needed to be replaced with a new Class A mobile home.

Dave Parks, Permit Technician stated that staff recommends approval of the permit.

Chairman Lambertson called for a motion to open the public hearing. Kight made a motion to open the public hearing. Upton seconded the motion. The motion passed 4-0.

Hearing no more comments from the applicant or the public, Chairman Lambertson called for a motion to close the public hearing. Riggs made a motion to close the public hearing. Kight seconded the motion. The motion passed 4-0.

1. Is the requested permit within its jurisdiction, according to the table of uses?
 - **Lambertson made a motion that it is within jurisdiction.**
 - **Kight seconded the motion.**
 - **The motion passed 4-0 with Lambertson, Upton, Kight and Riggs voting aye.**
2. Is the application complete?
 - **Lambertson made a motion that the application is complete.**
 - **Riggs seconded the motion.**
 - **The motion passed 4-0 with Lambertson, Upton, Kight and Riggs voting aye.**
3. Is the application a Nonconforming Use?
 - **Lambertson made a motion the application is not a nonconforming use.**
 - **Upton seconded the motion**
 - **The motion passed 4-0 with Lambertson, Upton, Kight and Riggs voting aye.**
4. Will the proposed use comply with all of the requirements of this ordinance?
 - **Lambertson made a motion that the proposal will comply with all requirements.**
 - **Riggs seconded the motion.**
 - **The motion passed 4-0 with Lambertson, Upton, Kight and Riggs voting aye.**

- A. Will the use applied for meet all the requirements of the zoning district where it is proposed to be located?
- **Lambertson made a motion that the use will meet all requirements of the zoning district.**
 - **Riggs seconded the motion.**
 - **The motion passed 4-0 with Lambertson, Upton, Kight and Riggs voting aye.**
- B. Will the proposed use meet all of the special requirements (if any) for that particular type of use?
- **Lambertson made a motion that it will.**
 - **Riggs seconded the motion.**
 - **The motion passed 4-0 with Lambertson, Upton, Kight and Riggs voting aye.**
5. If the proposed use meets all requirements of the ordinance, is it appropriate for the area where it is intended to be located?
- **Lambertson made a motion that the use is appropriate for the area.**
 - **Kight seconded the motion.**
 - **The motion passed 4-0 with Lambertson, Upton, Kight and Riggs voting aye.**
- A. Does the evidence show that it will not endanger the public health or safety?
- **Lambertson made a motion that the evidence shows that it will not endanger the public health or safety.**
 - **Riggs seconded the motion.**
 - **The motion passed 4-0 with Lambertson, Upton, Kight and Riggs voting aye.**
- B. Does the evidence show that it will not substantially injure the value of adjoining or abutting property?
- **Lambertson made a motion that the evidence shows that it will not injure the value of adjoining or abutting property.**
 - **Riggs seconded the motion.**
 - **The motion passed 4-0 with Lambertson, Upton, Kight and Riggs voting aye.**
- C. Does the evidence show that it will be in harmony with the particular neighborhood or area where it is proposed to go?
- **Lambertson made a motion that the evidence shows that it will be in harmony with the area.**
 - **Kight seconded the motion.**
 - **The motion passed 4-0 with Lambertson, Upton, Kight and Riggs voting aye.**
- D. Does the evidence show that it will be in general conformity with the County's adopted land use plan?
- **Lambertson made a motion that the evidence shows that it will be in conformity with the county's land use plan.**
 - **Riggs seconded the motion.**
 - **The motion passed 4-0 with Lambertson, Upton, Kight and**

Riggs voting aye.

- E. Does the evidence show that it will not exceed the County's ability to provide adequate public facilities, such as schools, fire protection, law enforcement coverage, water supply, sewage or drainage facilities?
- **Lambertson made a motion that the evidence shows that it will not exceed the county's ability to provide adequate fire, water and rescue.**
 - **Riggs seconded the motion.**
 - **The motion passed 4-0 with Lambertson, Upton, Kight and Riggs voting aye.**
6. Chairman Lambertson called for consideration for approval or disapproval of the findings of facts:
- **Lambertson made a motion to approve the Finding of Facts as submitted by staff.**
 - **Riggs seconded the motion.**
 - **The motion passed 4-0 with Lambertson, Upton, Kight and Riggs voting aye.**
7. Chairman Lambertson called for consideration for granting or denying the Conditional Use Permit for UDO 2002-06-08:
- **Riggs made a motion to approve the Conditional Use Permit with conditions as recommended by staff.**
 - **Upton seconded the motion.**
 - **The motion passed 4-0 with Lambertson, Upton, Kight and Riggs voting aye.**

Item #4 Conditional Use Permit Application (UDO 2002-05-22) from John Aldridge to conduct a flea market business located at 396 Camden Causeway, Courthouse Township – attachments

John Aldridge and Melachi Lee Wilson were sworn in as applicants and stated they wanted to establish and conduct a flea market business on the property which they were renting from Mr. Pefley.

Dave Parks, Permit Technician stated that staff recommends approval and that there was a discrepancy between Camden County and Elizabeth City in determining which county the property was located. The applicants were from the beginning trying to be in compliance with the county or city ordinances.

Chairman Lambertson called for a motion to open the public hearing. Riggs made a motion to open the public hearing. Kight seconded the motion. The motion passed 4-0.

Ed Merrell, of Whitehall Shores stated that he was not opposed to the flea market but was opposed to the location of the business. He was also concerned with the surrounding property values and with this area being the prime entrance into Elizabeth City and also the high traffic volume.

Mr. Wilson stated that the Corp. of Engineers, the health department and the fire chief had been to the property because they had received complaints about the property and the work that was being conducted on the property. According to Mr. Wilson and Mr. Aldridge they had passed inspection and where told they were conducting the clean up without any violations.

Chairman Lambertson called for a motion to close the public hearing. Riggs made a motion to close the public hearing. Kight seconded the motion. The motion passed 4-0.

Chairman Lambertson requested that the item be tabled until such time that staff had received approval or information from the Corp. of Engineers and North Carolina Department of Transportation. Riggs made a motion to table the conditional use permit for further follow-up with the Corp. of Engineers and the North Carolina Department of Transportation for traffic safety. Kight seconded the motion. The motion passed 4-0.

Items from board members and staff

Chairman Lambertson requested of staff that at the hearing for the Appeal (UDO 2002-05-46) that the County Attorney be present at the meeting. Chairman Lambertson also requested of staff to draft a letter to each board member to notify staff in advance if they will no be able to attend a scheduled meeting.

Information

Board of Commissioners Minutes – April 1, 2002 & April 15, 2002
Planning Board Minutes – June 19, 2002

Consideration for date of next meeting – August 5, 2002

The next meeting of the Camden County Board of Adjustment will be held on Monday, August 5, 2002.

Adjournment

Riggs made a motion that the meeting of the Camden County Board of Adjustment be adjourned. Kight seconded the motion. The motion passed 4-0. The meeting adjourned at 8:35 p.m.

Approved: _____

Chairman

ATTEST:

Melissa Gray, Clerk to the Board