

Ordinance No. 2013-08-01

**An Ordinance
Amending the Camden County
Code of Ordinances**

Camden County, North Carolina

BE IT ORDAINED BY THE CAMDEN COUNTY BOARD OF COMMISSIONERS as follows:

Article I: Purpose

The purpose of this Ordinance is to amend Chapter 151 of the Camden County Code of Ordinances of Camden County, North Carolina, which was originally adopted by the County Commissioners on December 15, 1997, and subsequently amended and as otherwise incorporated into the Camden County Code.

Article II. Construction

For purposes of this Ordinance, underlined words (underline) shall be considered as additions to existing Ordinance language and strikethrough words (~~strikethrough~~) shall be considered deletions to existing language. New language of proposed ordinance shall be shown in italics (*italics*) and underlined.

Article III. Amend Chapter 151 as amended of the Camden County Code which shall read as follows:

CHAPTER 151: UNIFIED DEVELOPMENT

§ 151.530 APPEALS.

(A) An appeal from any final order or decision of the Administrator may be taken to the Board of Adjustment by any person aggrieved. An appeal is taken by filing with the Administrator and the Board of Adjustment a written notice of appeal specifying the grounds therefor. A notice of appeal shall be considered filed with the Administrator and the Board of Adjustment when delivered to the office of the Administrator and the date and time of filing shall be entered on the notice by the staff.

(B) An appeal must be taken within ~~ten~~ thirty (30) days after the date of the decision or order appealed from.

§ 151.531 VARIANCES.

(A) An application for a variance shall be submitted to the Board of Adjustment by filing a

copy of the application in the office of the Administrator. Applications shall be handled in the same manner as applications for conditional use permits.

~~(B) A variance may be granted by the Board of Adjustment if it concludes that strict enforcement of this chapter would result in practical difficulties or unnecessary hardships for the applicant and that, by granting the variance, the spirit of the chapter will be observed, public safety and welfare secured and substantial justice done. It may reach these conclusions if it makes detailed written findings that:~~

When unnecessary hardships would result from carrying out the strict letter of a zoning ordinance, the Board of Adjustment shall vary any of the provisions of the ordinance upon a showing of all of the following:

~~(1) If the applicant complies strictly with the provisions of this chapter, he or she can make no reasonable use of his or her property; *Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.*~~

~~(2) The hardship of which the applicant complains is one suffered by the applicant rather than by neighbors or the general public; *The hardships results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis of granting a variance.*~~

~~(3) The hardship relates to the applicant's land, rather than personal circumstances; *The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.*~~

~~(4) The hardship is unique, or nearly so, rather than one shared by many surrounding properties; *The requested variance is consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and substantial justice is achieved.*~~

~~(5) The hardship is not the result of the applicant's own actions; and~~

~~(6) The variance will neither result in the initiation of a nonconforming use of land.~~

~~(C) In granting variances, the Board of Adjustment may impose reasonable conditions as will ensure that the use of the property to which the variance applies will be as compatible as practicable with the surrounding properties. *Appropriate conditions may be imposed on any variance, provided that the conditions are reasonably related to the variance. Any other ordinance that regulates land use or development may provide for variances consistent with the provisions of the subsection.* In granting a variance, the Board of Adjustment shall make~~

detailed written findings of fact and conclusions arising from the facts which explain and justify

the decision, which written findings and conclusions shall be incorporated into the minutes of the meeting.

§ 151.334 TABLE OF PERMISSIBLE USES.

USE#	DESCRIPTION	R-1	R-2	R-3	CCD	NCD	HC	MC	GUD	I-1	I-2
6.130	Internet Sweepstakes Caf Subject to Article 151.347(U)				S		S				
6.220	Publically-owned outdoor recreational facilities, such as athletic fields, golf courses, tennis courts, swimming pools, parks, campgrounds, boat ramps and docks and the like not constructed pursuant to a permit authorizing the construction of another use (such as school)	Z	Z	Z	Z	Z	Z	Z	Z		

§ 151.347 SPECIFIC STANDARDS.

~~(U) Reserved for future use. The following development and design standards shall apply to all Internet Sweepstakes Cafés:~~

~~(1) If food is served, the establishment shall meet all the requirements of the Albemarle Regional Health Services or appropriate state agency requirements.~~

~~(2) There shall be no consumption of alcoholic beverages on the premises to include parking areas.~~

~~(3) The gaming operation shall be visible and open to the store front.~~

~~(4) All exterior windows shall not exceed a window tint of 35%.~~

~~(5) The maximum number of player terminals shall be made as a condition of the special use permit. No poker or slot style machines shall be allowed.~~

~~(6) The hours of operations shall be made as a condition of the special use permit.~~

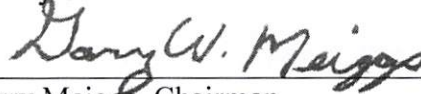
~~(7) Firearms shall be prohibited in the establishment.~~

~~(8) The establishment shall be limited to patrons and employees at least 18 years of age.~~

~~(9) There shall be no other café located within a 1/2 mile of each other. The measurement of distance shall be a straight line from the closest point of the building at which the operations are located.~~

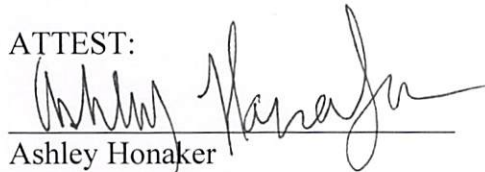
Adopted by the Board of Commissioners for the County of Camden this 16th day of September, 2013.

County of Camden



Garry Meiggs, Chairman
Board of Commissioners

ATTEST:



Ashley Honaker
Clerk to the Board

