**Camden County Board of Adjustment**

**Special Meeting**

**July 17, 2024; 8:00 PM**

**Camden County Library Board Room**

**Camden, North Carolina**

**MINUTES**

BOARD MEMBERS PRESENT/ABSENT

|  |  |
| --- | --- |
| **Present:** | **Absent:** |
| Chairman Steven Bradshaw | Marshall “Lee” Powell (Alt) |
| Vice Chairman Nathan Lilley |  |
| George “Tom” White |  |
| Briant Robey |  |
| Wayne “Roger” Lambertson |  |
| Ray Albertson (Alt) |  |
|  |  |

STAFF PRESENT

|  |  |
| --- | --- |
| **Name:** | **Title:** |
| Amber Curling | Director of Planning |
| Macey Carver | Planning Officer |

OTHERS PRESENT

|  |  |  |  |
| --- | --- | --- | --- |
| **Name** | **Title:** | **Purpose / Representing** | **Meeting Section** |
| Brock Bryant | Appellant | Appeal of Planning Decision |  |
| Mike Wise | Complainant |  |  |
| James Bryant | Son of Brock Bryant |  |  |
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**ITEM 1. CALL TO ORDER & WELCOME**

Calling to order the meeting for Board of Adjustment by Chairman Steven Bradshaw at 7:00 PM.

My name is Steven Bradshaw and I am the Chairman of the Camden County Board of Adjustment. For those of you who have not been here before, the board of adjustment hears request for variances and appeals under the Camden County Code. We are a Quasi-Judicial body which means we must make our decisions in accordance with that ordinance. We must base our decision only upon sworn testimony and evidence received at these hearings. When we are deciding these cases, our discretion is limited to the code which was enacted by the Board of Commissioners. We can interpret it and apply it but we cannot change it. The first order of business for today is approve the minutes from last meeting.

**ITEM II. CONSIDERATION OF AGENDA**

Chairman Bradshaw asked does anybody have any comments Agenda?

**Chairman Steven Bradshaw made a motion to approve the agenda.**

**RESULT: APPROVED [5 – 0]**

**MOVER:** Chairman Steven Bradshaw

**SECONDER:** Vice Chairman Nathan Lilley

**AYES:** Steven Bradshaw, Nathan Lilley, Wayne “Roger” Lambertson, Briant Robey, George “Tom” White

**NAYES:**

**ABSENT:** Marshall “Lee” Powell

**ITEM III. CONSIDERATION OF MINUTES**

Chairman Steven Bradshaw called for the consideration of the minutes from May 30, 2024 meeting.

Does anybody have any comments for the minutes from the last meeting? Hearing no comments on minutes do I hear a motion? Chairman Bradshaw minutes are approved.

**George “Tom” White made a motion to approve the minutes as presented.**

**RESULT: APPROVED [5 – 0]**

**MOVER:** George “Tom” White

**SECONDER:** Vice Chairman Nathan Lilley

**AYES:** Steven Bradshaw, Nathan Lilley, Wayne “Roger” Lambertson, Briant Robey, George “Tom” White

**NAYES:**

**ABSENT:** Marshall “Lee” Powell

**ITEM IV. COMMENTS from the PUBLIC**

* None

**ITEM V. OLD BUSINESS**

* None

**ITEM VI. NEW BUSINESS**

* **Appeal - UDO # 2024-02-101 – Brock Bryant – 165 Country Club Road**
  + **Amber Curling, Planning Director,** took the floor andstates “The agenda tonight is a request to appeal an Administrative decision. Brock Bryant, the applicant, is requesting an appeal to the decision to deny a Special Use Permit and Zoning Text Amendment application to permit a towing business at 165 Country Club Rd in the Courthouse Township. The Zoning District for this parcel is Neighborhood Residential. The Zoning District for the adjoining parcels is Neighborhood Residential and Rural Residential. Current land use is Single Family Detached Residential Home. Adjacent property uses include farmland and residential homes. The subject property,165 Country Club Rd, is a flag lot with a home with a detached metal building existing. Mr. Bryant owns a towing business, and has inquired about running the business from the property which he is currently resides. A home occupation permit for the towing business was issued then revoked due to violating the Unified Development Ordinance 151.4.5.5.L. The extent Mr. Bryant was operating the towing business exceeded the restrictions for a home occupation. The Unified Development Ordinance identifies towing as Vehicle Establishment as a Principal Use Table in Commercial Zoning and Industrial Zoning. The Ordinance does not permit a towing business in Residential Zoning. The Principal Use of the subject property is a Household Living Use as identified in the Principal Use Table. A Towing Business Use is not permitted as an Accessory Use. Applying these restrictions, the Planning Staff denied the Special Use Permit Application and the Rezoning Application. Planning staff has determined a rezoning application is not permitted due to the property being the primary residential home location of Mr. Bryant. The Planning staff has determined a special use permit for a towing business is prohibited per the Unified Development Ordinance. Brock Bryant is here to present his information. and to answer any questions concerning the application.”
  + **Board Member** asks“Specifically deliberating, is the rejection of the Special Use Permit?”
  + **Amber Curling, Planning Director,** response to the question is “No, I would not accept his applications. He applied for a Special Use Permit and Zoning Text Amendment, and appealing my decision.”
  + **Brock Bryant, Appellant,** states “I bought the property, and had the understanding, that I was allowed to do this. After getting started, I found out I am not allowed.” Mr. Bryant states he was misled by his real estate agent, not any county official.
  + **Board Member** states to Mr. Bryant “Zoning is very clear.”
  + **Amber Curling, Planning Director,** states Home Occupation Permit is very limited on what is allowed. He is in the towing business, and if he was inside doing paperwork and not towing and storing cars”
  + **Board Member** state the reason for being revoked due to the Home Occupation Permit Ordinance does not allow the line of work he performs.
  + **Board Member** states “Even if we thought this was a great thing for the county, and wanted to do it, we would be illegal if we granted this”
  + **Chairman Steven Bradshaw,** states “The original call to order, where it talks about where we can interpret and apply, but not change. This is very specific and the way I read it… and straight forward.”
  + **Amber Curling, Planning Director,** states “Even if his house wasn’t there and it was vacant land, and it was Neighborhood Residential, it is not permitted to be a towing establishment according to the Principal Use Table (Table 4.3.10).
* **Public Comments:**
  + **Mike Wise, Complainant,** states “I have been in the towing business for twenty years. I bought property in Camden two and a half years ago, 156 Country Club, I did my due diligence and knew a towing business was not allowed.
  + **James Bryant, son of Brock Bryant,** states “We are under the understanding that one commercial truck is allowed per property. I drive a tow truck, my dad (Brock Bryant) drives a tow truck, so if I go over for a family function and on call, there will be two tow trucks at the property. A fence was built to block the view of the trucks to public.

**Chairman Steven Bradshaw made a motion to Deny the Appeal.**

**RESULT: APPROVED DENIAL OF APPEAL [5 – 0]**

**MOVER:** Steven Bradshaw

**SECONDER:** George “Tom” White

**AYES:** Steven Bradshaw, Nathan Lilley, Wayne “Roger” Lambertson, Briant Robey,

George “Tom” White

**NAYES:**

**ABSENT:** Marshall “Lee” Powell

**ITEM VII. INFORMATION FROM BOARD AND STAFF**

None

**ITEM VIII. DATE OF NEXT MEETING**

August 19th, 2024

**ITEM VIIII. ADJOURN**

**Nathan Lilley made a Motion to adjourn.**

**RESULT: APPROVED [5 – 0]**

**MOVER:** Vice Chairman Nathan Lilley

**SECONDER:** Briant Robey

**AYES:** Steven Bradshaw, Nathan Lilley, Wayne “Roger” Lambertson, Briant Robey, George “Tom” White

**NAYES:**

**ABSENT:**  Marshall “Lee” Powell

There being no further matters for discussion Chairman Steven Bradshaw adjourned the meeting at 8:22 PM.

ATTEST:

Steven Bradshaw, Chairman

Camden County Board of Adjustment Permit Clerk