



**CAMDEN COUNTY**

NORTH CAROLINA • USA

*Boundless Opportunities.*

# **PLANNING BOARD**

**January 17, 2024**

**7:00 PM**

**Regular Meeting**

**Camden Public Library  
Boardroom**

## **Agenda**

**Camden County Planning Board**

**Regular Meeting**

**January 17, 2024, 7:00 PM**

**Boardroom, Camden Public Library**

**ITEM I.      Call to Order & Welcome**

**ITEM II.     Consideration of Agenda**

**ITEM III.   Consideration of Minutes October 18, 2023**

1. Meeting Minutes - October 18, 2023

**ITEM IV.    Old Business**

**ITEM V.     New Business**

1. Request for Rezoning
2. Text Amendment

**ITEM VI.    Information from Board & Staff**

**ITEM VII.   Adjourn**



# CAMDEN COUNTY

NORTH CAROLINA • USA

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## Camden County Planning Board AGENDA ITEM SUMMARY SHEET

### Consideration of Minutes

**Item Number:** 3.1

**Meeting Date:** January 17, 2024

**Submitted By:** Amber Curling,  
Planning Board  
Prepared by: Patricia Sabo

**Item Title** Meeting Minutes - October 18,2023

**Attachments:** planningminutes\_101823 (DOCX)

**Camden County Planning Board  
Regular Meeting  
October 18, 2023; 7:00 PM  
Board Room in the New Camden County Library  
Camden, North Carolina**

**MINUTES**

The regular meeting of the Camden County Planning board was held on October 18, 2023 in the Board Room in New Camden County Library Camden, North Carolina.

**ITEM 1. CALL TO ORDER & WELCOME**

<i>Attendee Name</i>	<i>Title / Organization / Representing</i>	<i>Status</i>	<i>Arrived</i>
Steven Bradshaw	Chairman	Present	Arrived by 7
Nathan Lilley	Vice-Chairman	Present	Arrived by 7
Ray Albertson	Board Member	Absent	
Marshall "Lee" Powell	Board Member	Present	Arrived by 7
Wayne "Roger" Lambertson	Board Member	Present	Arrived by 7
George "Tom" White Jr.	Board Member	Present	Arrived by 7
David Bundy	Board Member	Present	Arrived by 7
Amber Curling	Planning Director	Present	Arrived by 7
Macie Carver	Permit Clerk	Present	Arrived by 7
Jason Mizelle	Timmons Group, Representing Dollar General	Present	Arrived by 7

**ITEM II. CONSIDERATION OF AGENDA**

***Motion to Approve the Agenda as Written.***

<b>RESULT:</b>	<b>PASSED [6-0]</b>
<b>MOVER:</b>	<b>George "Tom" White Jr</b>
<b>SECONDER:</b>	<b>Marshall "Lee" Powell</b>
<b>AYES:</b>	Steven Bradshaw, Marshall "Lee" Powell, Wayne "Roger" Lambertson, Nathan Lilley, George "Tom" White Jr and David Bundy
<b>ABSENT:</b>	Ray Albertson

**ITEM IV. CONSIDERATION OF MINUTES – October 18, 2023**

***Motion to Approve Minutes from October 18, 2023 As Written.***

Attachment: planningminutes\_101823 (Meeting Minutes - October 18, 2023)

<b>RESULT:</b>	<b>PASSED [6-0]</b>
<b>MOVER:</b>	<b>George “Tom” White Jr</b>
<b>SECONDER:</b>	<b>Wayne “Roger” Lambertson</b>
<b>AYES:</b>	Steven Bradshaw, Marshall “Lee” Powell, Wayne “Roger” Lambertson, Nathan Lilley, George “Tom” White Jr and David Bundy
<b>ABSENT:</b>	Ray Albertson

Steve Bradshaw gave the floor to Amber Curling.

Amber stated on the Agenda tonight is Major Commercial Site Plan Application for Dollar General Store. Jason Mizelle with Timmons Group is here representing the applicant and to answer any questions concerning the application.

Amber went over the staff report which is shown below.

Mr. Lambertson asked if there is a long-term plan to add a traffic light out on 17? Mr. Lambertson then stated that hasn't come up and Amber Curling stated no and not that she knows of.

Mr. Lambertson stated he went out there to look at it and coming back out to make that left to come back out. Amber stated it is a little tight out there and a lot of traffic. Mr. Lambertson stated yes and both Amber and Mr. Lambertson stated a lot of traffic at certain times.

Mr. Powell stated that Future Interstate 87 might take care of that.

Mr. White Jr asked is this going to have any impact on them widening that road thru there. Jason Mizelle stated not on this particular area and that there was already established non-access buffer along 17. That was actually put in place when we did the subdivision on Wharf's Landing back in late 90's early 2000's. Jason stated he thinks the connection point that comes back in Jason wasn't sure if any of them have seen the TIP Plans. Mr. White Jr stated he has seen the plans. Jason stated it's odd it's in an out. Mr. White Jr. didn't know if they had changed because the last time he seen it has been 8 years or more ago. Jason stated the most part if he sees it in my career we will be lucky. Mr. White Jr. agreed. Jason stated what he remembers it comes in a little farther east down near Keeter Barn area and then migrates back in line with 17 at this location. Actually, for the most part it goes back to Keeter Barn Landing according to what's on the TIP. Amber agreed. Mr. White Jr. stated he didn't know if Jason has heard anything. Jason stated the last time he spoke to David Olts(sp) in the beginning of summer they were talking about a couple of different areas. Jason stated they were talking about South Mills area and Westside of Elizabeth City and Perquimans. Jason stated there were so many things that weren't consider when they put that TIP together. Jason stated back then DOT did not put it together it was whoever was there consultant is the one that put it together. Jason stated they didn't consider current land use, land use plans that were being presented and there is a lot of areas along I 87 as far as the projection where both Pasquotank, Perquimans, Elizabeth City and Camden all have projections for growth. Mr.

White Jr. stated he thinks they have changed you know with developments that are taken place since that plan was presented. Mr. White Jr. thinks they almost will have to go back to ground zero and start over again. Jason agreed with Mr. White Jr. Jason stated the other point is land acquisition and you waited so long there are more developments, property owners and more valuable property in these areas.

Mr. Bradshaw stated my question is how are they going to tie it in, right there where they have all the major roads coming together The Great Bridge By-pass, 17, 64 and 464.

Amber stated they don't know. Mr. Bradshaw stated that is my point. Mr. Bradshaw stated they need to skip on the other side of the canal tie in to way on the other side of Deep Creek to make it a though fare and other than that just add one more road to get across. Jason stated just pass the point of congestion. Mr. Bradshaw stated it is ridiculous.

Mr. White Jr. stated there was talk of putting a connector road from 17 to Moyock way. Both Jason and Amber agreed. Mr. White Jr stated that was so long ago and he was on the Board of Commissioners and went to several meetings and met with the State so many times. Mr. White Jr. stated so much development and so much has changed that they are going to have to start over and rethink everything. Jason mentions like Currituck. Jason stated they have additional right of way along Old Swamp South Mills road for widening for that road itself and to put paved shoulders but beyond that they have not furnished any additional right of way acquisitions. Jason stated know that Currituck ban for Mega site would say all bets are off for that connector. Jason stated I digress.

Amber asked if anyone has any other questions for Jason.

Mr. Lilley stated he does. Nathan stated so the way I am looking at this on my right up there that is 17 right and Culpepper is coming off. Mr. Lilley stated so the building parking lot is going to be along side and behind the building? Jason stated it will be on Culpepper side and to North side of 17. Mr. Lilley stated cosmetically how does with the building with the required like coverage with all that HVAC and all that kinds of stuff. Jason stated the HVAC is on the roof. Jason stated it meets all the architect requirements for Camden County. Mr. Lilley asked it will still look like the building facing the front of the road. Mr. Lilley right there where the road comes in off of Culpepper is that planned to extent on. Jason stated it is a shared access any connection point from that would veer off to the left. Mr. Lilley asked so it would not go thru the parking spot? Jason stated no. Mr. Lilley stated he was just curious.

Amber stated she could probably pull up some pictures. Amber stated it basically looks like the store in Moyock. Jason stated yes and that it would have Hardy board on outside. Amber stated it meets all the requirements.

Mr. Bradshaw stated that there was a set of drawings in the packet. Amber stated yes there are and she was going to try to blow them up bigger. Mr. Lilley stated he did not get that far and then he found them. Amber stated on the back there is some metal however this probably will not be the rear forever since chances are they will be development going in behind. Amber stated they will be putting up landscaping so you will not be able

to see it. Will have the pond back there. Amber show the planning board on the big screen. Mr. Lilley asked the front of the building will be facing Culpepper? Jason and Amber both stated yes. Mr. Lilley know understand and that is what he was trying to wrap is head around. Jason stated there is a permit option with DOT for clearing and thinning right of ways so they are good like they did up at Morgan's Corner. Jason stated they will do the thinning and clearing to get some visibility from there and for the most part the store front will be towards Culpepper. Mr. Lilley stated gotcha.

Amber asked anymore questions for him or me?

Mr. Bradshaw stated he likes his little store down in my end of the county.

Mr. White Jr stated that's our supermarket. Amber stated that's because we don't have anything else. All laughing. Mr. Lilley stated this looks good.

Mr. Bradshaw stated do I have a motion on this?

Mr. Lilley made a motion to approve it with the recommendations from the board or staff.

<b>RESULT:</b>	<b>PASSED [6-0]</b>
<b>MOVER:</b>	<b>Nathan Lilley</b>
<b>SECONDER:</b>	<b>Steven Bradshaw</b>
<b>AYES:</b>	Steven Bradshaw, Marshall "Lee" Powell, Wayne "Roger" Lambertson, Nathan Lilley, George "Tom" White Jr and David Bundy
<b>ABSENT:</b>	Ray Albertson

## STAFF REPORT

**UDO # 2023-07-63**

# ARTICLE 151.1 MAJOR COMMERCIAL SITE PLAN FOR DOLLAR GENERAL

## PROJECT INFORMATION

**File Reference:** UDO # 2023-07-63  
**Project Name:** Dollar General  
**Culpepper & US Hwy 17**  
 South Mills, NC 2  
**PIN:** 01-7080-00-07-3293.0000

**Applicant:** Glandon Forest Equity, LLC  
**Address:** 3825 Barrett Drive, Suite 100  
 Raleigh, NC 27609  
**Phone:** 919-459-2602  
**Email:** gbarnes@vanguardpg.com

**Agent for Applicant:** Timmons Group  
**Address:** 1805 West City Drive Unit E  
 Elizabeth City, NC 27909  
**Phone:** 252-621-5028  
**Email:** Jason.Mizelle@Timmons.com

**Current Owner of Record:**  
 Camden Square Associates

**Meeting Dates:**  
**Neighborhood Meeting: optional Waived**  
**Planning Board Meeting: October 18, 2023**

**Application Received:** 7/21/2023  
**By:** Amber Curling, Planning

**Application Fee paid:** \$200 Ck#17290  
**Stormwater Fee paid:** \$3700 Ck# 17286

**Completeness of Application:** See Below

**Documents received:**

- A.** Major Site Plan Application
- B.** Commercial Site Plan/Construction Plan
- C.** Pending DEQ - Stormwater Permit
- D.** Pending DEQ - Erosion and Sediment Control Plan Permit
- E.** Pending DEQ - Wastewater Permit
- F.** Pending DEQ Public Water System
- G.** Pending County Water & Sewer Approval for connection
- H.** Pending NCDOT Driveway Permit
- I.** Pending County Stormwater Management Plan Approval
- J.** Pending Stormwater Facility Operation and Maintenance Agreement



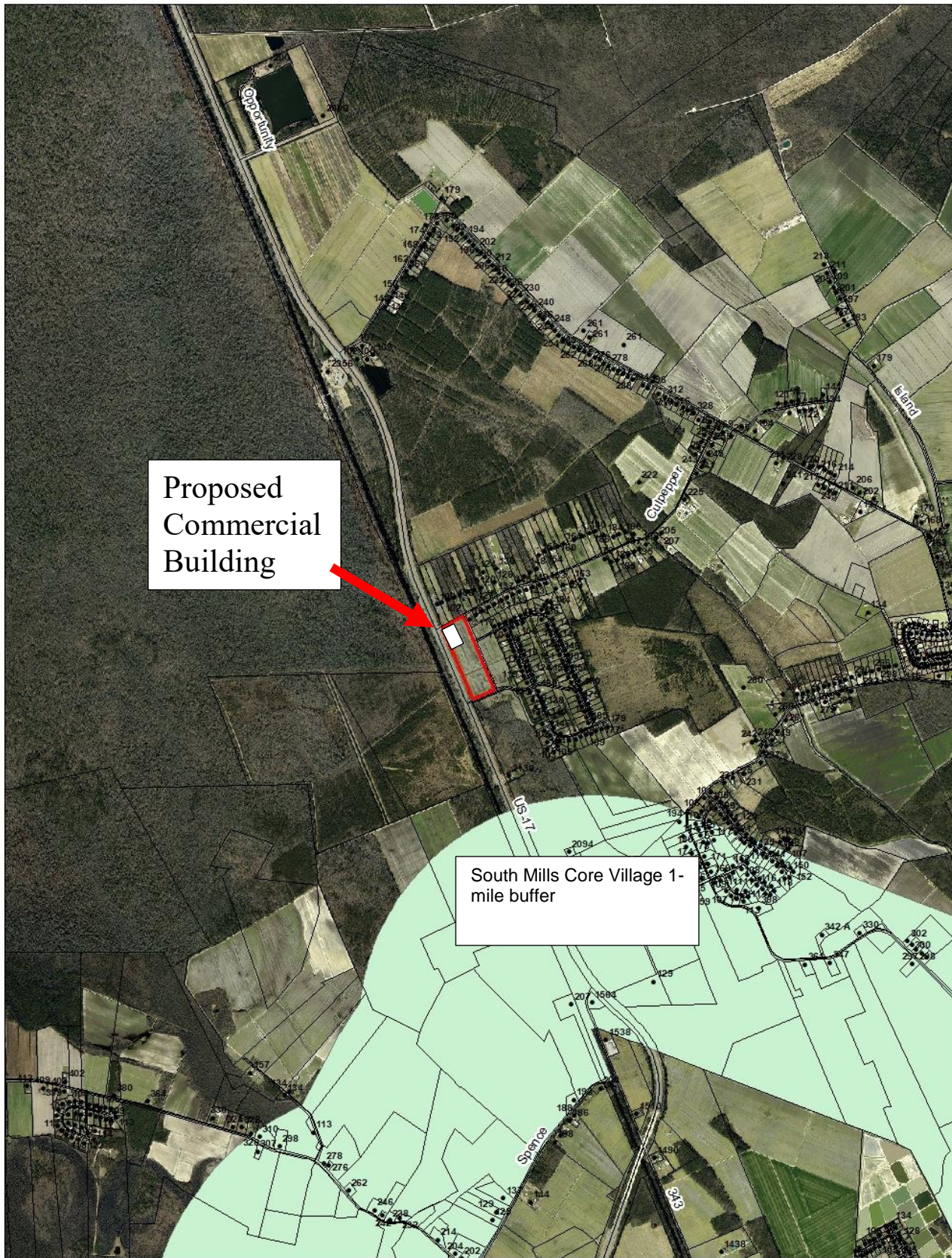
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**REQUEST:** Approval of Major Commercial Site Plan Application for South Mills Dollar General located on north east corner of Culpepper Road and US Hwy 17.

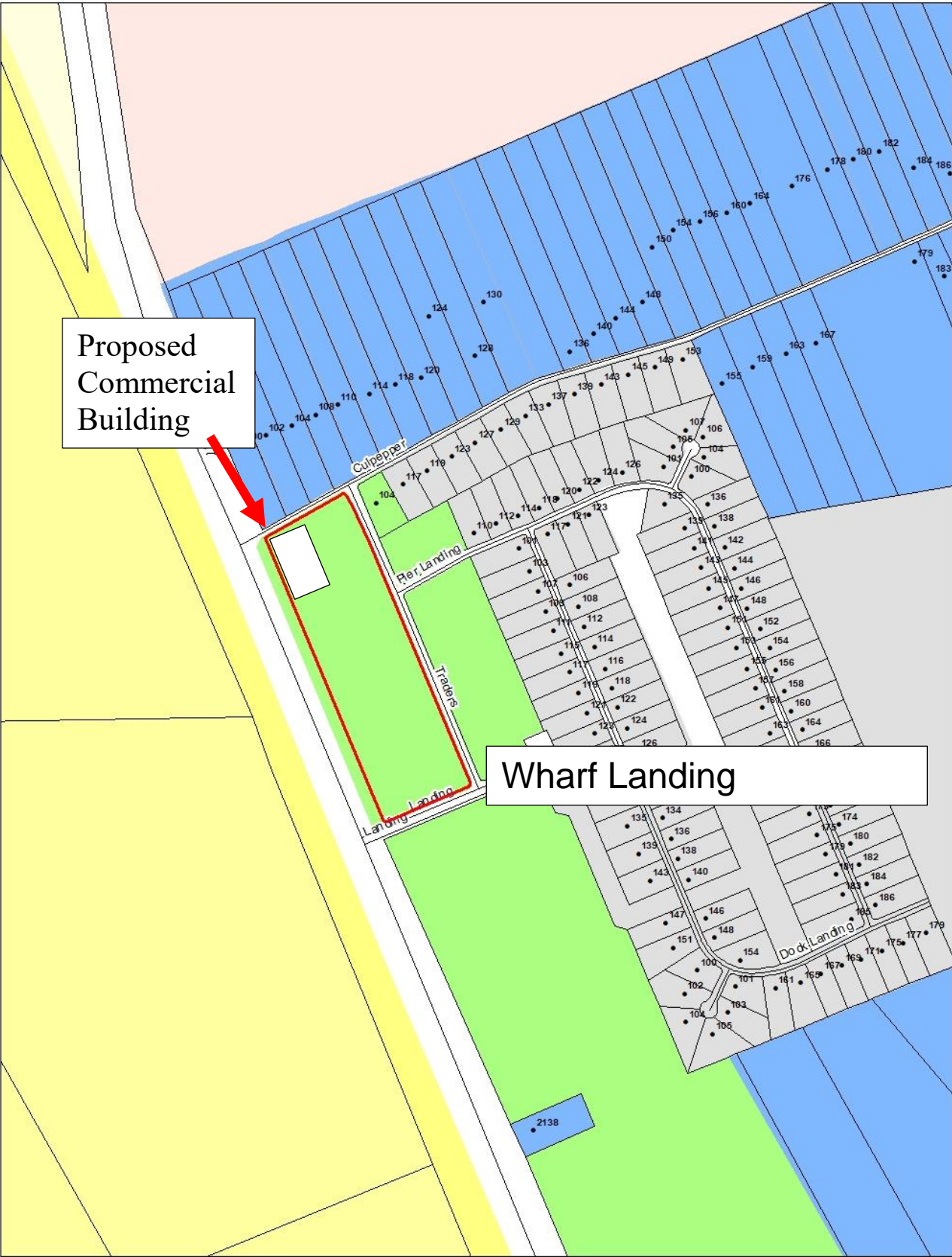
**Description/Location:** The Major Commercial Site Plan Application is for Dollar General located on Commercial parcel of Wharfs Landing Subdivision. The site consists of 1.84 acres from a 21.98 acre parcel (approximately) located in the South Mills Township. The parcel ID number is 01-7080-00-07-3293.0000.



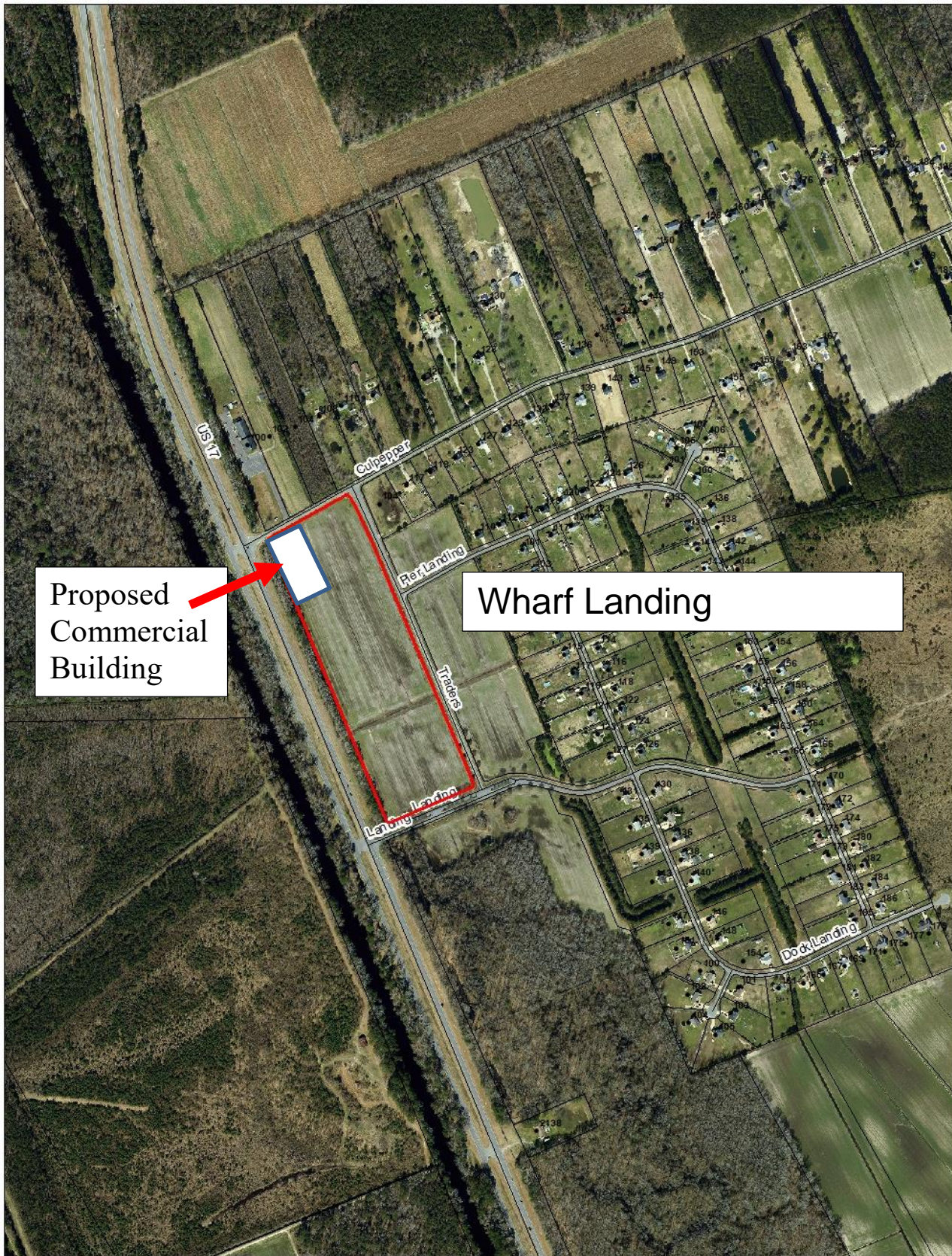
Vicinity Map



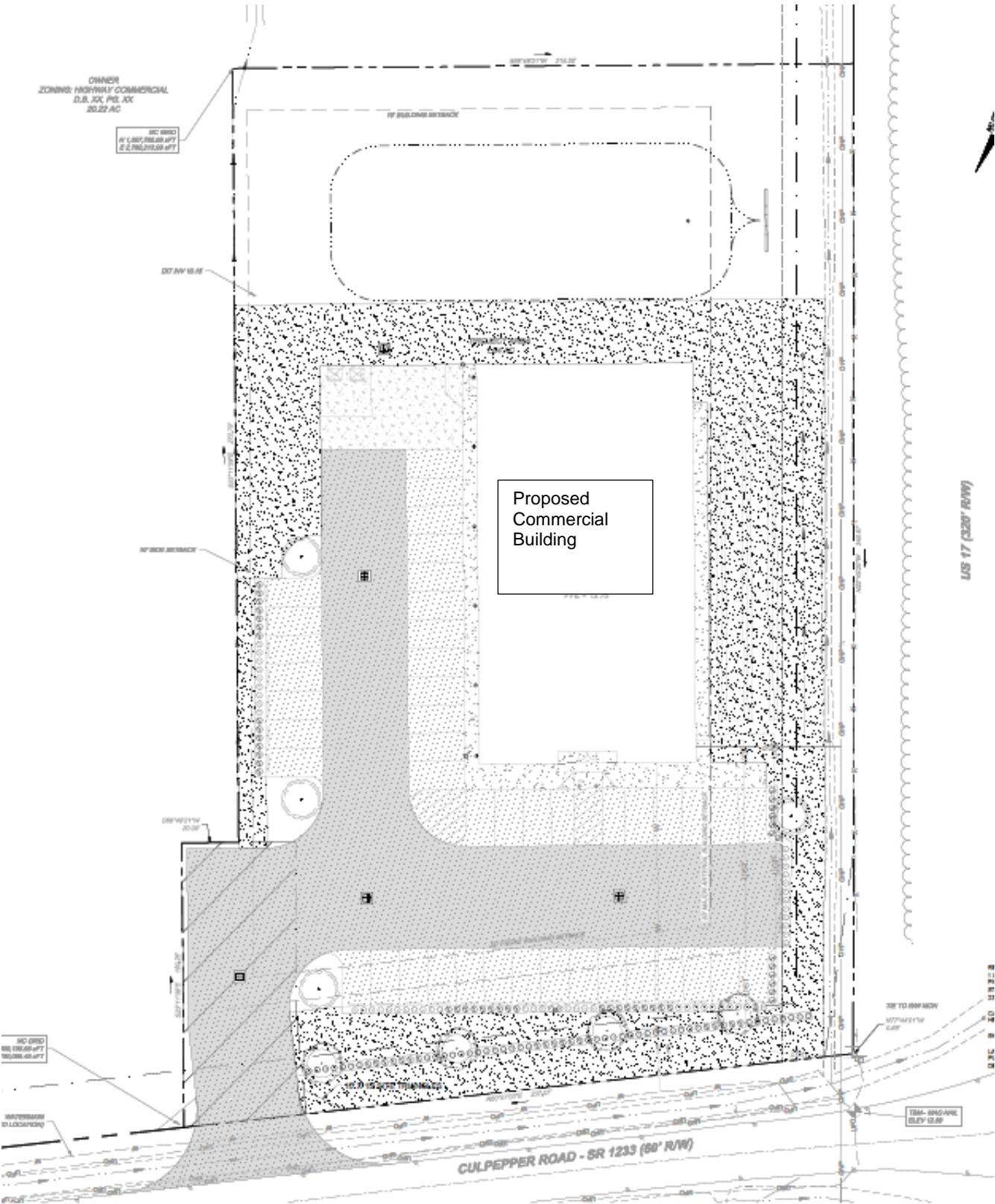












## SITE DATA

<b>Size of Lot:</b>	Approximately 1.84 acres from a 21.98-acre parcel
<b>Flood Zone:</b>	X
<b>Zoning District(s):</b>	Highway Commercial
<b>Existing Land Uses:</b>	Vacant Farmland

**Adjacent Zoning & Uses:**

	<b>North</b>	<b>South</b>	<b>East</b>	<b>West</b>
<b>Zoning</b>	Rural Residential	Highway Commercial	Highway Commercial	Zoning District
<b>Use &amp; size</b>	Church	Farmland	Vacant land and Farmland,	US Hwy 17

**INFRASTRUCTURE & COMMUNITY FACILITIES**

**Water:** Water lines are located adjacent to property

**Sewer:** Sewer lines are located adjacent to property

**Fire District:** South Mills Fire District.

**Schools:** No impact on schools.

**Traffic :** Unknown

**PLANNING STAFF RECOMMENDATION:** Planning Staff recommends approval of Commercial Site Plan for the South Mills Dollar General with the following recommendations:

1. Approval Letter by Camden County for County Sanitary Sewer System
2. Approval Letter by Appropriate Agency for County Water System.
3. Approved DEQ Stormwater Management Permit
4. Approved DEQ Erosion and Sediment Control Plan Permit
5. Final approval from NCDOT for driveway permit
6. Construction Plans show details Exterior Building Design approved with landscaping Buffer in rear
7. Construction Plans with Updated Setbacks
8. Construction Plans show of the required screening to be placed around the dumpster, details to be included/approved with Building Permit Application
9. Exterior Lighting in parking lot/on building details required to be included/approved with Building Permit Application
10. Wall Mounted and/or Stand-Alone Sign details required to be included/approved with Building Permit Application showing Locations and Sign specifications
11. Construction Plans include all easements for public infrastructure (water, sewer and stormwater)
12. Construction Plans include any other utility easements
13. Construction Plans show details from approved Stormwater Management Plan by County Engineer
14. Construction Plans to show stormwater easement for drainage ditch
15. Expedited Subdivision Application completed and recorded
16. Construction Plans contain all updates from Expedited Subdivision Application/Plat
17. Updated set of Construction plans showing these items and any required by Planning Board



## Land Use / Major Site Plan

### Application

CK# 17290-  
CK# 17284-

#### OFFICIAL USE ONLY:

UDO Number: 2023-07-63 Zoning Dist.: HC  
 Date Filed: 7/21/2023 Flood Zone: X  
 Received By: RB Watershed (Y/N): N  
 Application Fee: \$200.00 LLC current(Y/N): Y  
 Storm Water Fee: \$3700.00  
auc

#### Contact Information



PROPERTY  
OWNER



APPLICANT



AGENT

Name: Camden Square Associates

Address: 524 Winston Salem Ave  
Virginia Beach, VA 23451

Telephone: 757-425-0594

Email: bob@widenercorporation.com

Name: Glandon Forest Equity, LLC

Address: 3825 Barrett Drive, Suite 100  
Raleigh, NC 27609

Telephone: 919-459-2602

Email: gbarnes@vanguardpg.com

LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: Purchaser

DOCUMENTATION OF PROPERTY OWNER GIVING CONSENT TO APPLICANT (Y/N/NA): Y

#### Project/Property Information

Project/Business Name: Dollar General - South Mills

Physical Street Address Culpepper Road (no address number assigned)

General Location Description: Intx of US Hwy 17 and Culpepper Road

Parcel ID Number(s): 017080000732930000 Culpepper

Deed Book / Page Number and/or Plat Cabinet / Slide Number: Deed Book 133, Page 839

Total Acreage of Parcel: 1.84 acres Total area of land disturbing activity 1.99 acres

Existing Land Use of Property Vacant Proposed Use Retail

Existing Impervious Surface 0 Proposed Impervious Surface 37,943 SF

Existing Total Floor area 0 Proposed Total Floor Area 8513 Gross Retail Space

Describe Water Availability/Approval (Existing, Well, County) SMWA

Perc Test (Y,N,NA): Y County Approval Sewer Connection (Y,N,NA): N/A

Is Special Use Permit Required? (Y,N,NA) N If yes UDO# and status

#### Building and Site Design

Does the Commercial Design Meet Standards of UDO Article 5.1.2? Y

#### Meeting

Date Neighborhood Meeting Held: N/A Meeting Location:

Proposed Date of Planning Board Meeting



**Documents (If Applicable-Yes, No, NA)**County Storm water Management Plan Review/Approval YesState Erosion & Sediment Control Permit YesState Stormwater Permit YesIs lot served by NCDOT maintained road? Yes NCDOT Approval YesDoes the plan shall clearly indicate the steps that will be taken for restoring a Stormwater Management Facility to design specifications if a failure occurs? N/AStormwater Maintenance Performance Guarantee N/A**Additional Fees**Water Fee Paid (Y,N,NA): N/A (SMWA) Sewer Fee Paid (Y,N,NA): N/A**Brief Description of Construction Activities`**Proposed Retail Store with associated sidewalks, parking, septic system and Stormwater BMP.

*I, the undersigned, do certify that all of the information presented in this application is accurate to the best of my knowledge, information, and belief. Further, I hereby authorize county officials to enter my property during reasonable business hours for purposes of determining zoning compliance. All information submitted and required as part of this application process shall become public record.*

Property Owner(s)/Applicant\*7/17/2023

Date

**\*Note:** Forms must be signed by the owner(s) of record, contract purchaser(s), or other person(s) having a recognized property interest. If there are multiple property owners/applicants, a signature is required for each.

11/17/2020



# TIMMONS GROUP

DOLLAR GENERAL

NORTH CAROLINA LICENSE NO. 61852

SOUTH LEB & TAMP - CAROLINA COUNTY - NORTH CAROLINA

**SITE PLAN**

100.00

C2.0

PERMIT DRAWINGS

JUL 18, 2023

NOT FOR

CONSTRUCTION

THIS DRAWING IS THE PROPERTY OF  
TIMMONS GROUP, INC. AND IS NOT TO BE  
REPRODUCED OR COPIED IN ANY MANNER  
WITHOUT THE WRITTEN PERMISSION OF  
TIMMONS GROUP, INC.

YOUR DESIGN NUMBER THROUGH CHASE

DATE

7/18/2023

PROJECT

FARM

DESIGNED BY

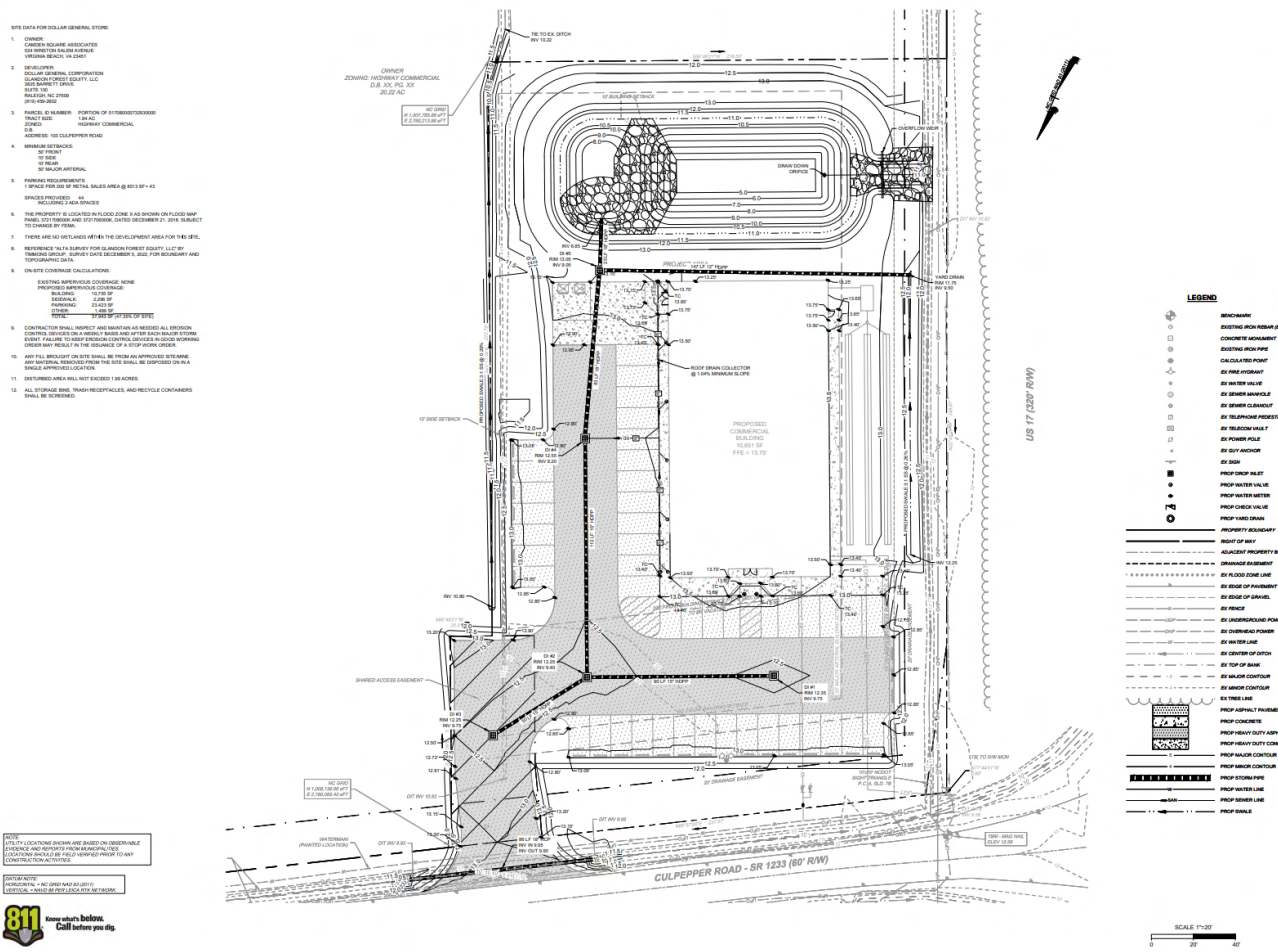
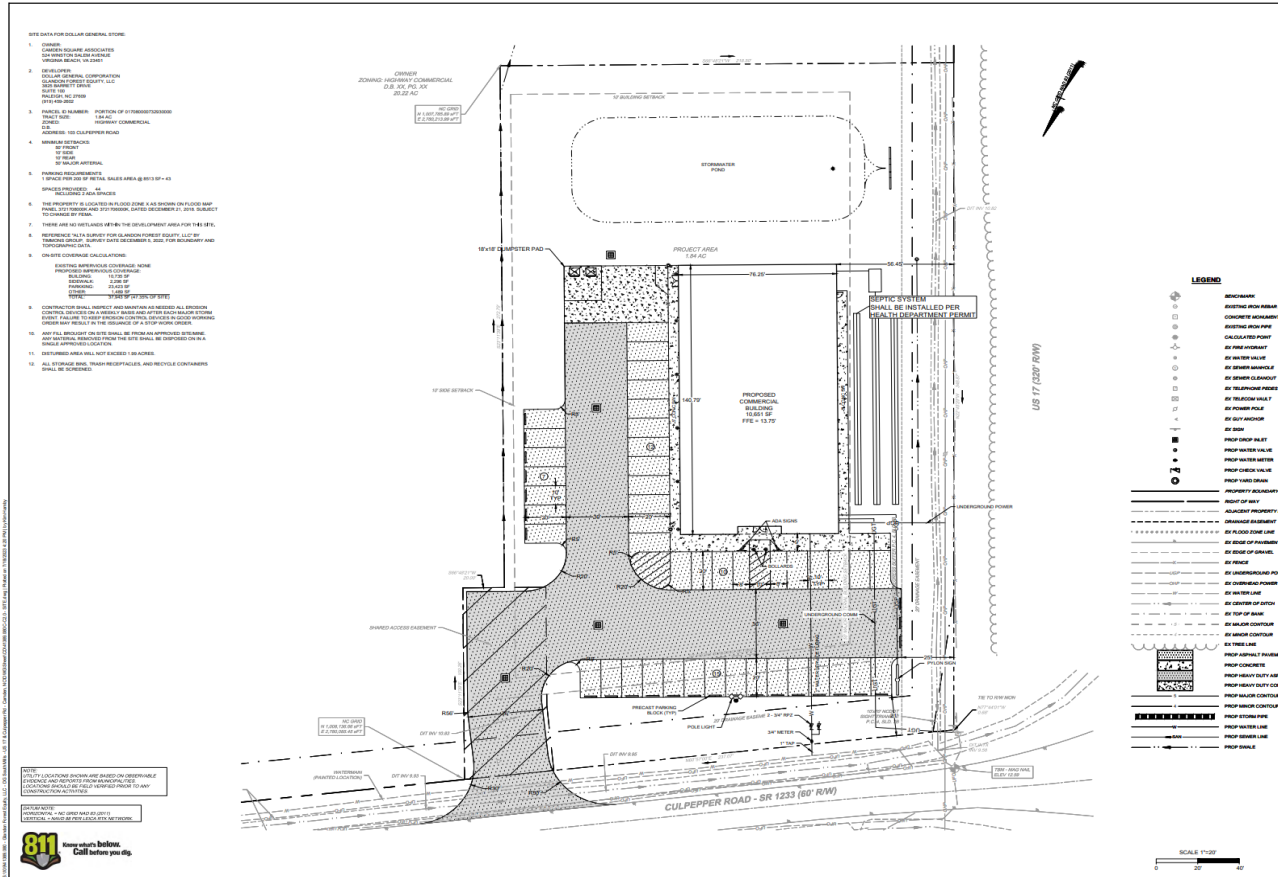
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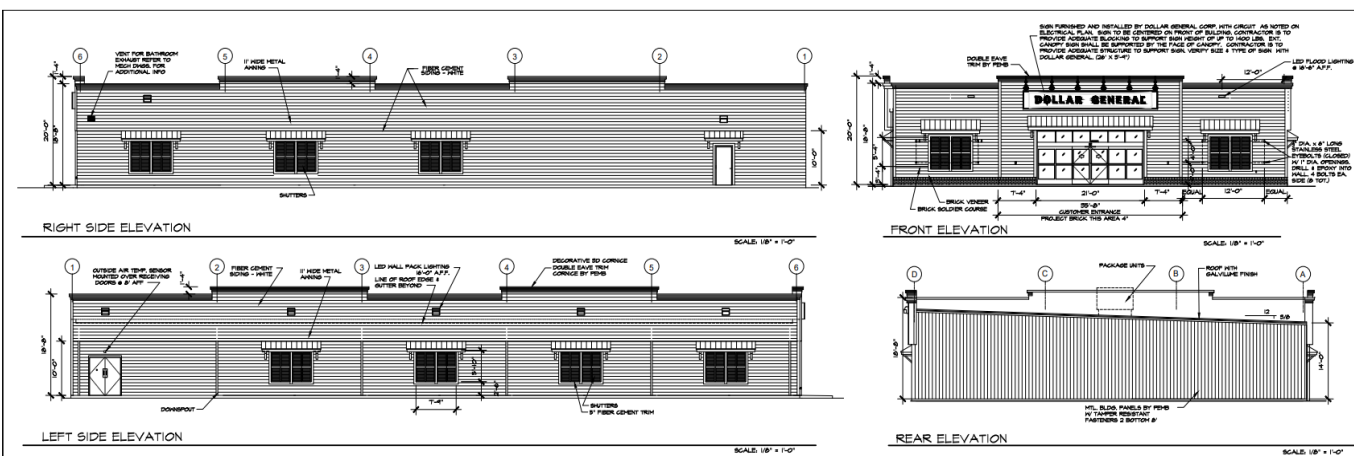
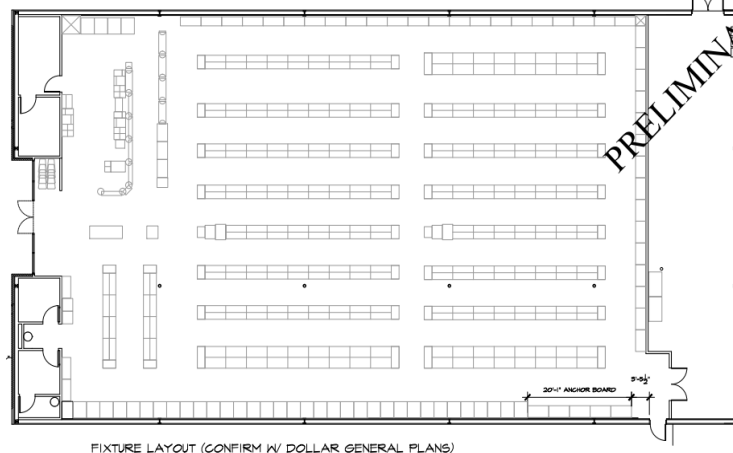
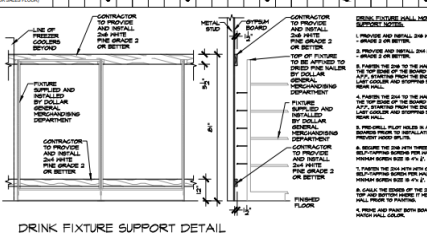
C201

1" = 20'

100.00

C2.0



[illegible]

PRELIMINARY

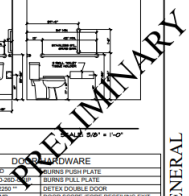
GENERAL

**DOLLAR GENERAL**  
STORE # 25530  
CULPEPPER ROAD  
SOUTH MILLS, NORTH CAROLINA

02/25/25

## References

A-2





# CAMDEN COUNTY

NORTH CAROLINA • USA

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## Camden County Planning Board AGENDA ITEM SUMMARY SHEET

### New Business

**Item Number:** 5.1

**Meeting Date:** January 17, 2024

**Submitted By:** Amber Curling,  
Planning Board  
Prepared by: Patricia Sabo

**Item Title** Request for Rezoning

**Attachments:** RezoningStaffReportPB (DOCX)  
ZoningMapAmendmentApplication (PDF)  
NeighborhoodMeetingInformation (PDF)  
Deed (PDF)  
Plat9-20 (PDF)



## Staff Finding of the Facts Report

### UDO 2023-10-85 Zoning Map Amendment Ordinance 2023-02-01

#### PROJECT INFORMATION

**File Reference:** 2023-10-85  
**Project Name:** Parcel NW corner Upton  
 Road and Seymour Drive  
**PIN:** 02-8934-02-56-8337-0000

**Applicant:** Brian Smith  
**Address:** 202 McPherson Road  
 South Mills, NC 27976  
**Phone:** 804-386-7811  
**Email:** bcsmith53@hotmail.com

**Agent for Applicant:** Owner  
**Address:** same as above  
**Phone:** same as above  
**Email:** same as above

**Current Owner of Record:** Brian Smith and  
 Lindsey M. LaFlamme

**Meeting Dates:**  
 November 24, 2023 **Neighborhood Meeting**  
 January 17, 2023 **Planning Board Meeting**

**Application Received:** October 12, 2023  
**By:** Amber Curling, Planning

**Application Fee paid:** \$650.00

**Completeness of Application:** Application is  
 generally complete

**Documents received upon filing of application  
 or otherwise included:**

- A. Rezoning Application
- B. Neighborhood Meeting Comments
- C. Neighborhood Meeting Notification Letter
- D. Deed
- E. Plat

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**REQUEST:** The request is for a zoning map amendment from Rural Residential and Neighborhood Residential Zoning Districts to Rural Residential Zoning District only.

Description: The parcel identified by parcel ID number 02-8934-02-56-8337-0000 is, located on the north west corner of Upton Road and Seymour Drive in the Courthouse Township and Courthouse Core Village. The parcel approximately 10.08 total acres with approximately 5 acres Rural Residential and approximately 5 acres Neighborhood Residential.

## **Zoning Map Amendment from the Rural Residential and Neighborhood Residential Zoning Districts to only the Rural Residential Zoning District:**

### Rural Residential (RR) Purpose Statement (Article 151.3.5.3)

The Rural Residential (RR) district is established to accommodate low density residential neighborhoods and supporting uses on lots near bona fide farms and agricultural areas in the rural portion of the County. The district is intended to accommodate residential development in ways that will not interfere with agricultural activity or negatively impact the rural character of the County. One of the primary tools for character protection is the requirement to configure residential subdivisions of more than five lots as conservation subdivisions. The conservation subdivision approach seeks to minimize the visibility of new residential development from adjacent roadways through proper placement and screening. The district accommodates several differing agricultural uses and single-family detached homes. It also allows supporting uses like educational facilities, parks, public safety facilities, and utilities. District regulations discourage uses that interfere with the development of residential dwellings or that are detrimental to the rural nature of the district.

### **Rezoning from the following Zoning District:**

#### Neighborhood Residential Zoning District 151.3.5.5

The Neighborhood Residential (NR) district serves as a transition district from the rural and suburban portions of the County to areas proximate to village centers and major commercial corridors. The district is intended to accommodate single-family detached homes in a neighborhood setting at moderate densities. Mobile and manufactured homes on individual lots, conservation subdivisions, and agricultural uses are limited in order to preserve the district's neighborhood character. Manufactured homes are not allowed on lots within 5,280 linear feet of a village center boundary. The district's 40,000-square-foot minimum lot area may be reduced when lots are within one mile of a designated village center boundary and served by public sewer. District regulations discourage uses that interfere with the development of residential neighborhoods or that are detrimental to the district's single-family detached neighborhood character.

## **SITE DATA**

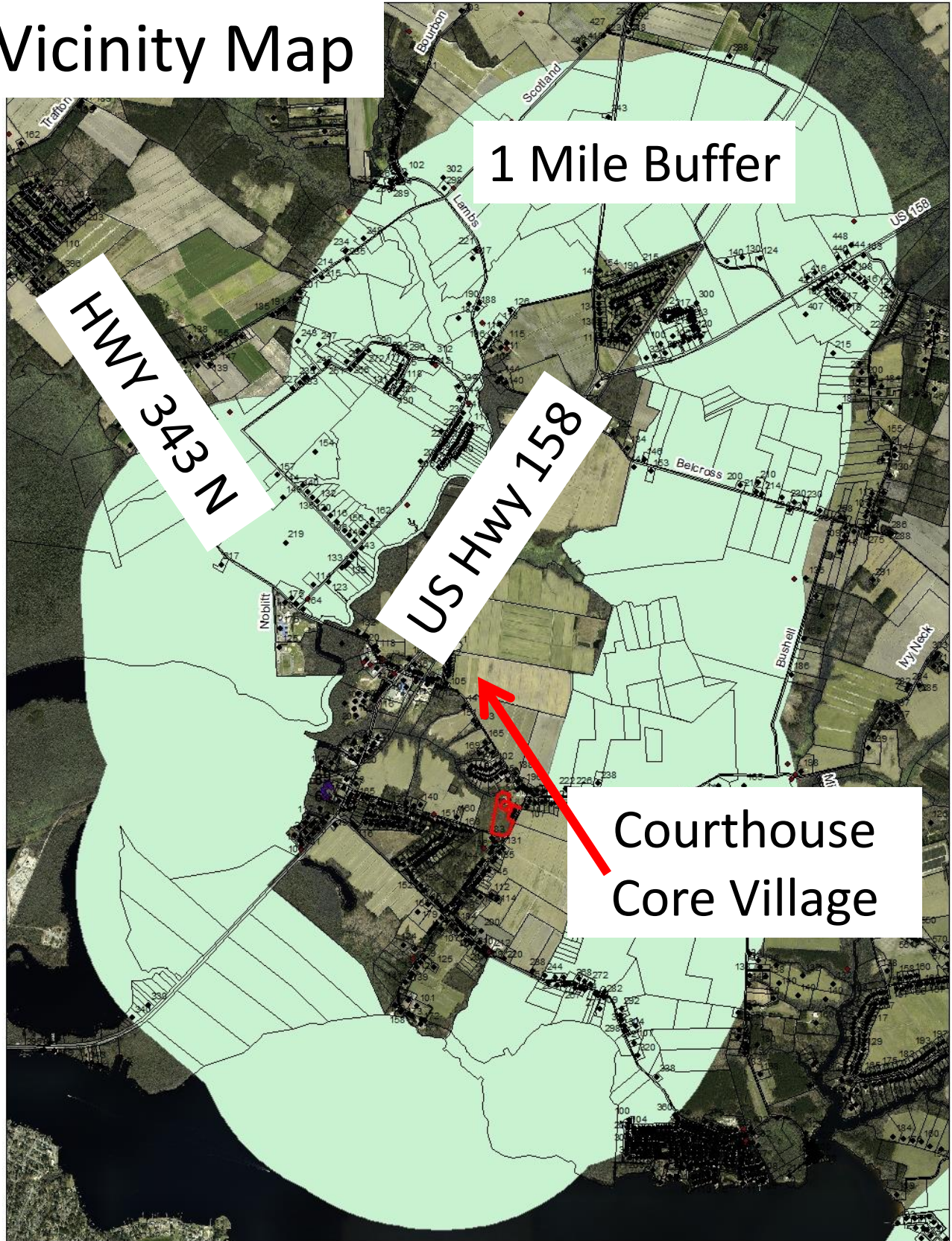
**Size of Lots:** Approximately 10 acres  
**Flood Zone:** **Most of parcel is X**  
**Zoning District(s):** Rural Residential (RR) and Neighborhood Residential (NR)  
**Existing Land Uses:** Vacant

### **Adjacent Zoning & Uses:**

	<b>North</b>	<b>South</b>	<b>East</b>	<b>West</b>
<b>Zoning</b>	Neighborhood Residential (NR)	Rural Residential (RR)	Rural Residential (RR)	Rural Residential (RR and Neighborhood Residential (NR))
<b>Use</b>	Wetlands, Residential Lots and Church	Residential Lots	Residential Lots, & Farmland	Open Space Wetlands Vacant Property

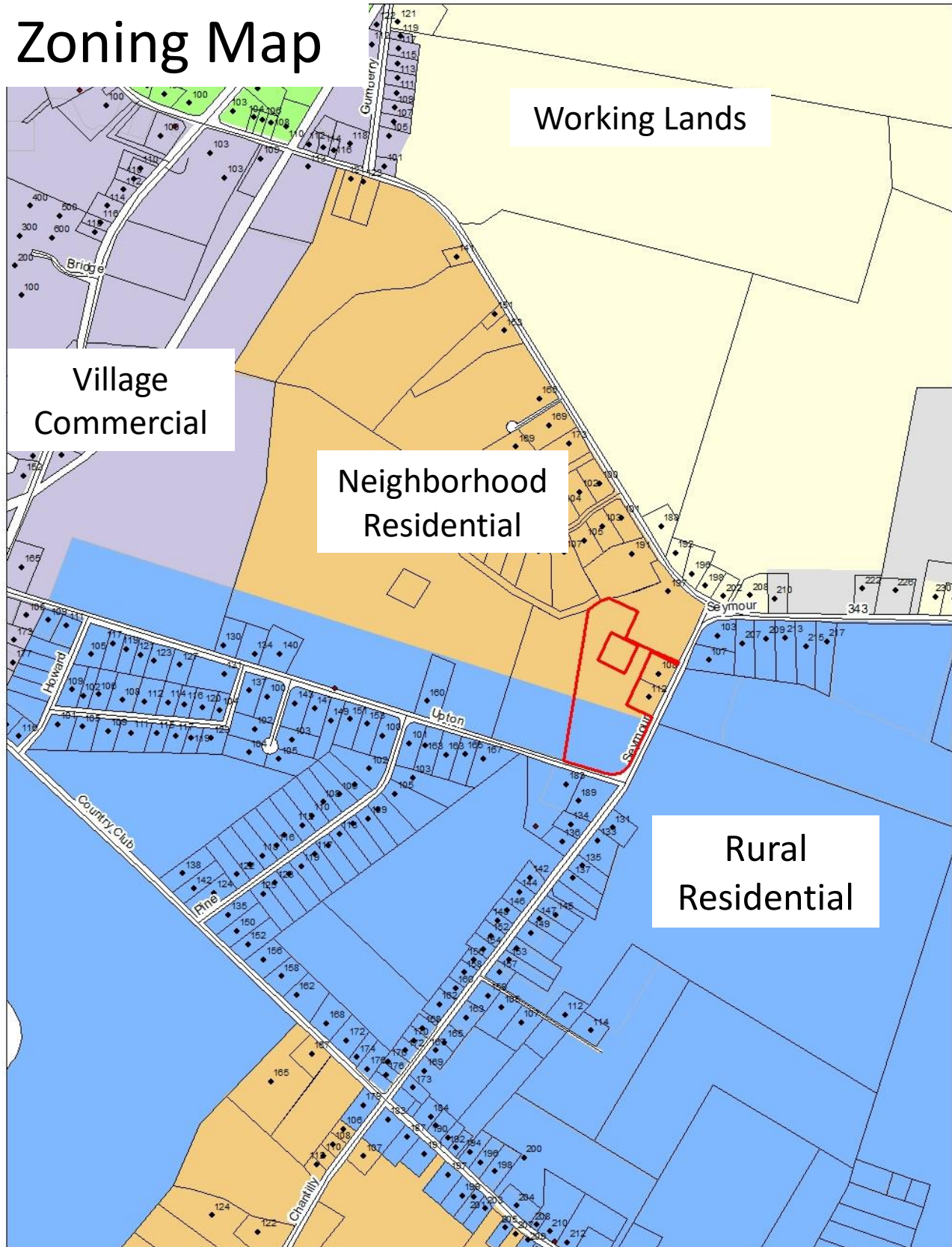
**Proposed Use(s)** – manufacturing and production of wood with sawmill and sales of products

# Vicinity Map

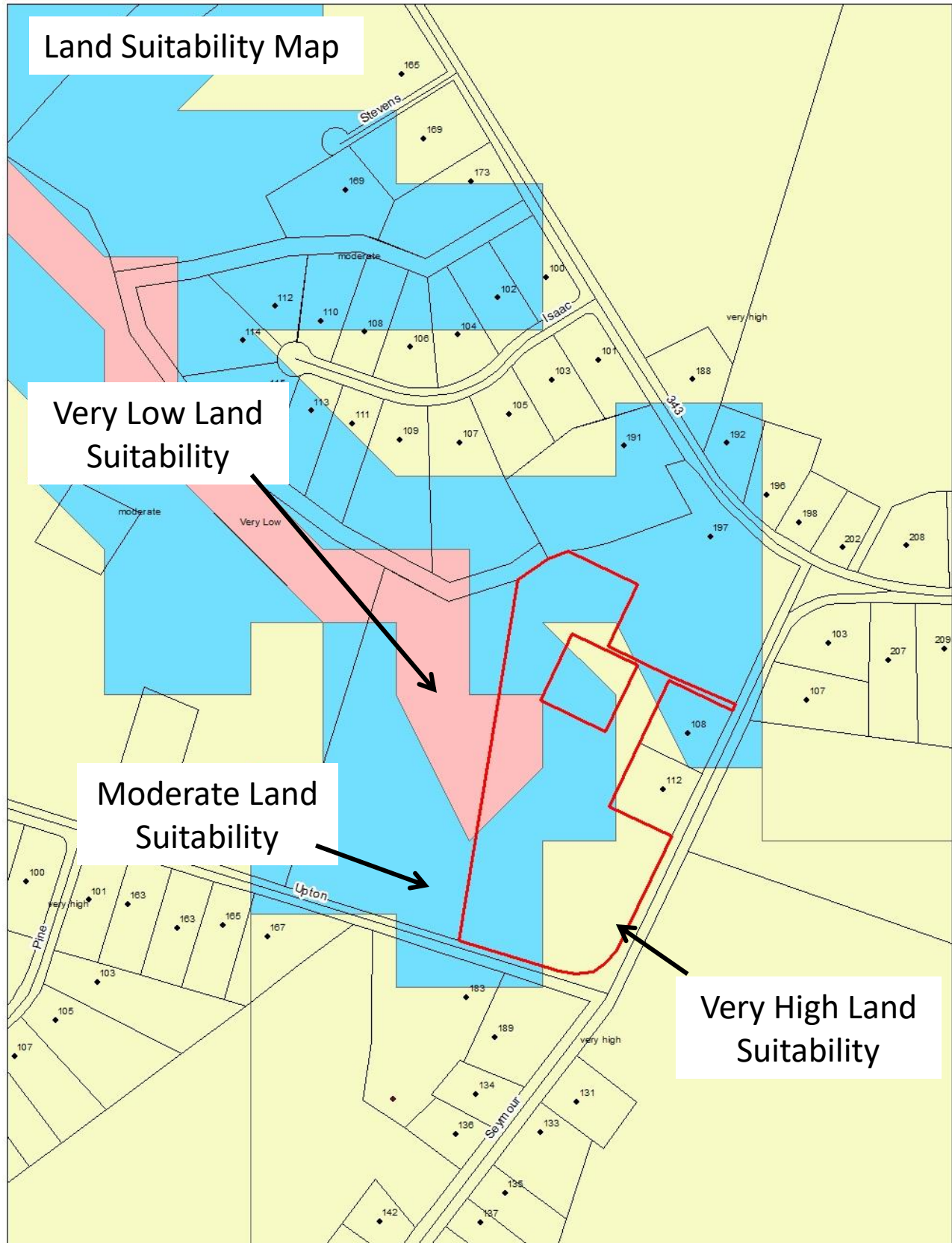




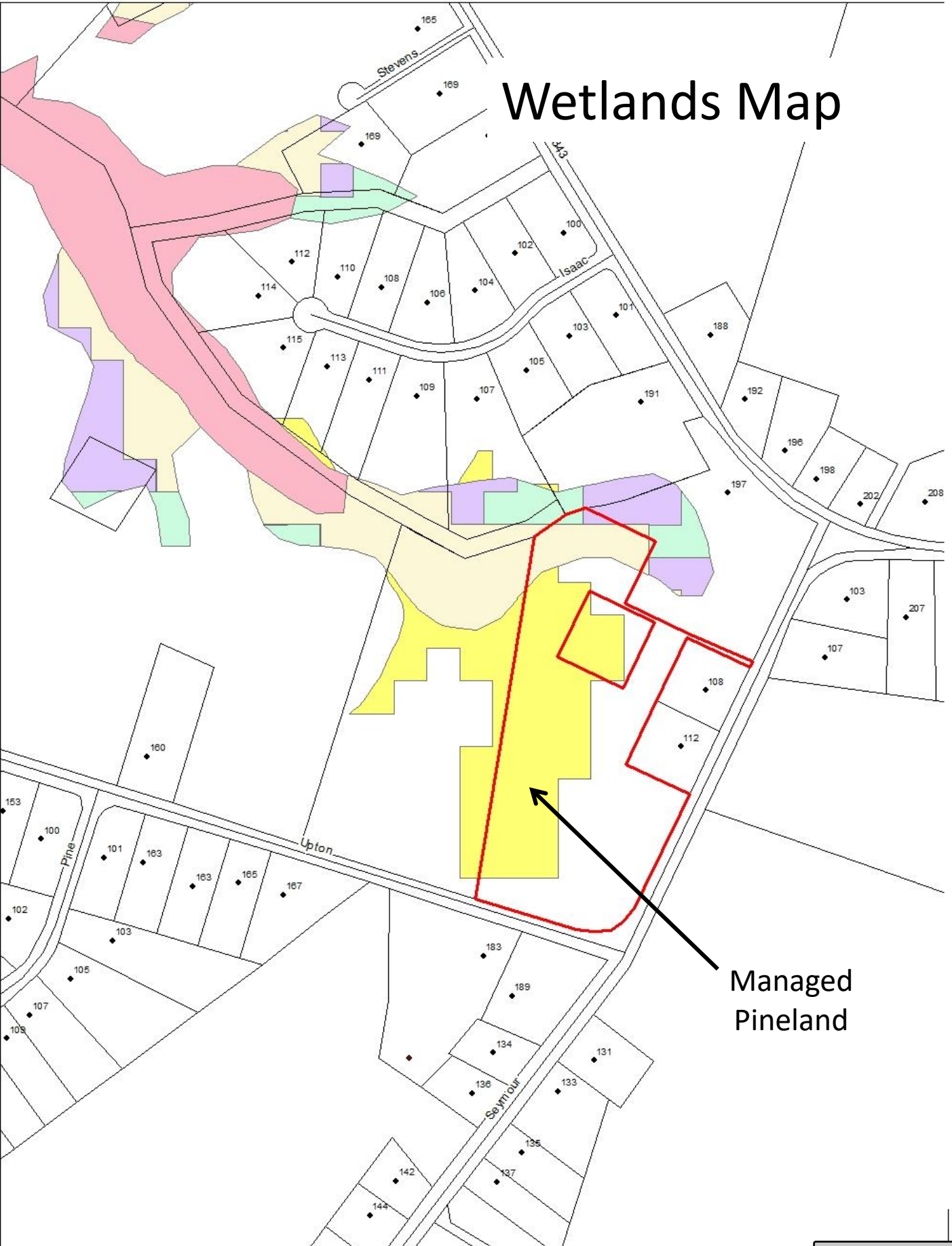
# Zoning Map



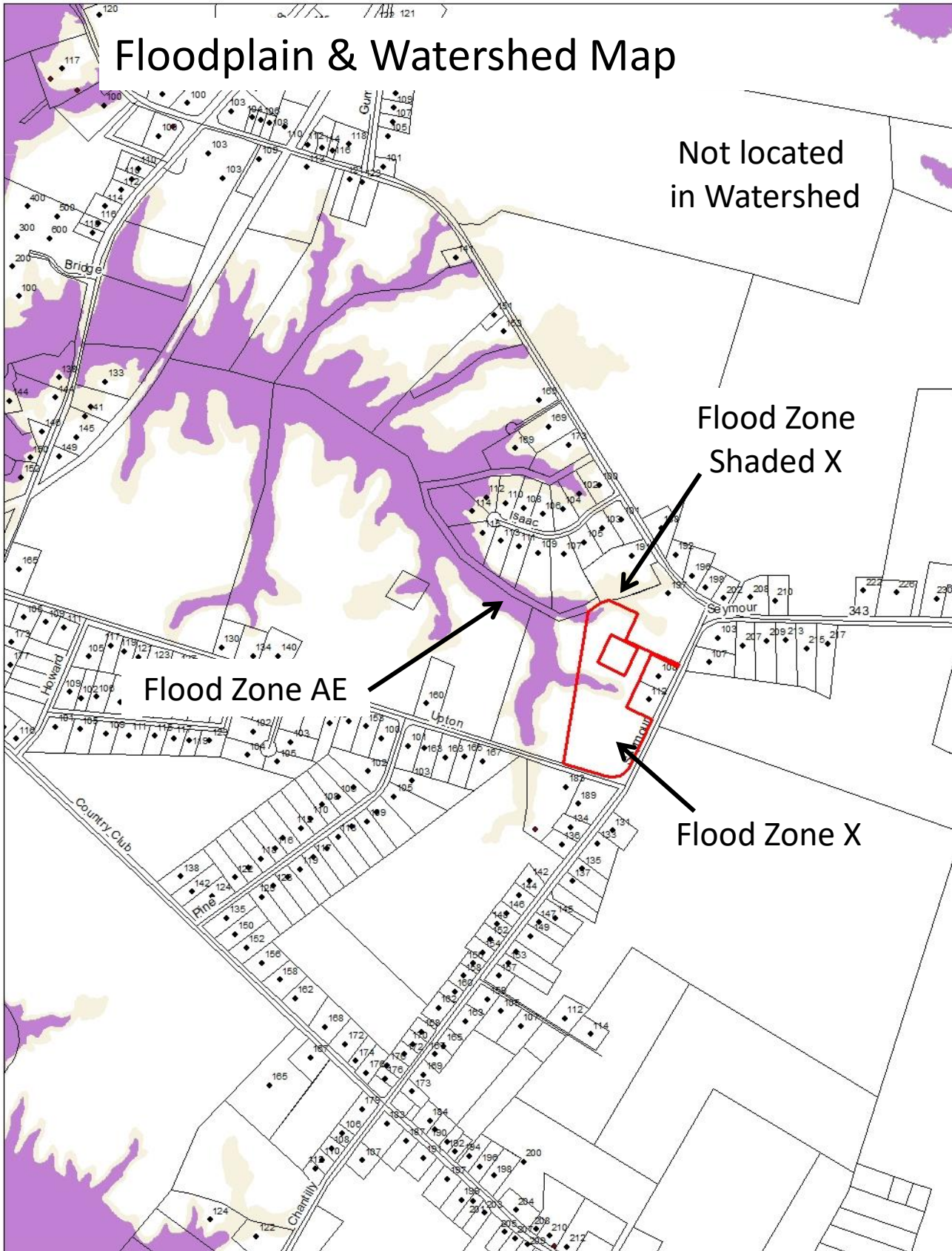




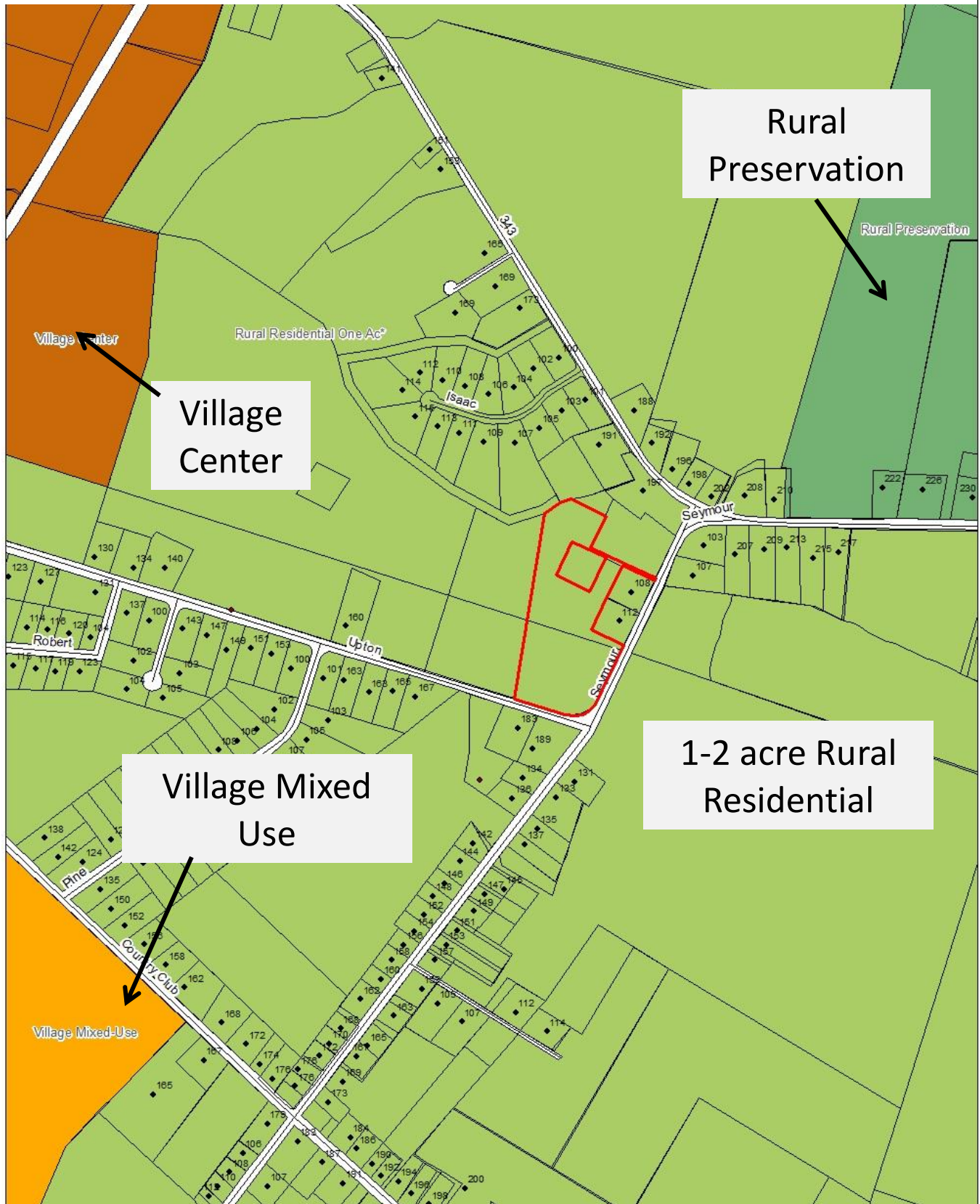
# Wetlands Map





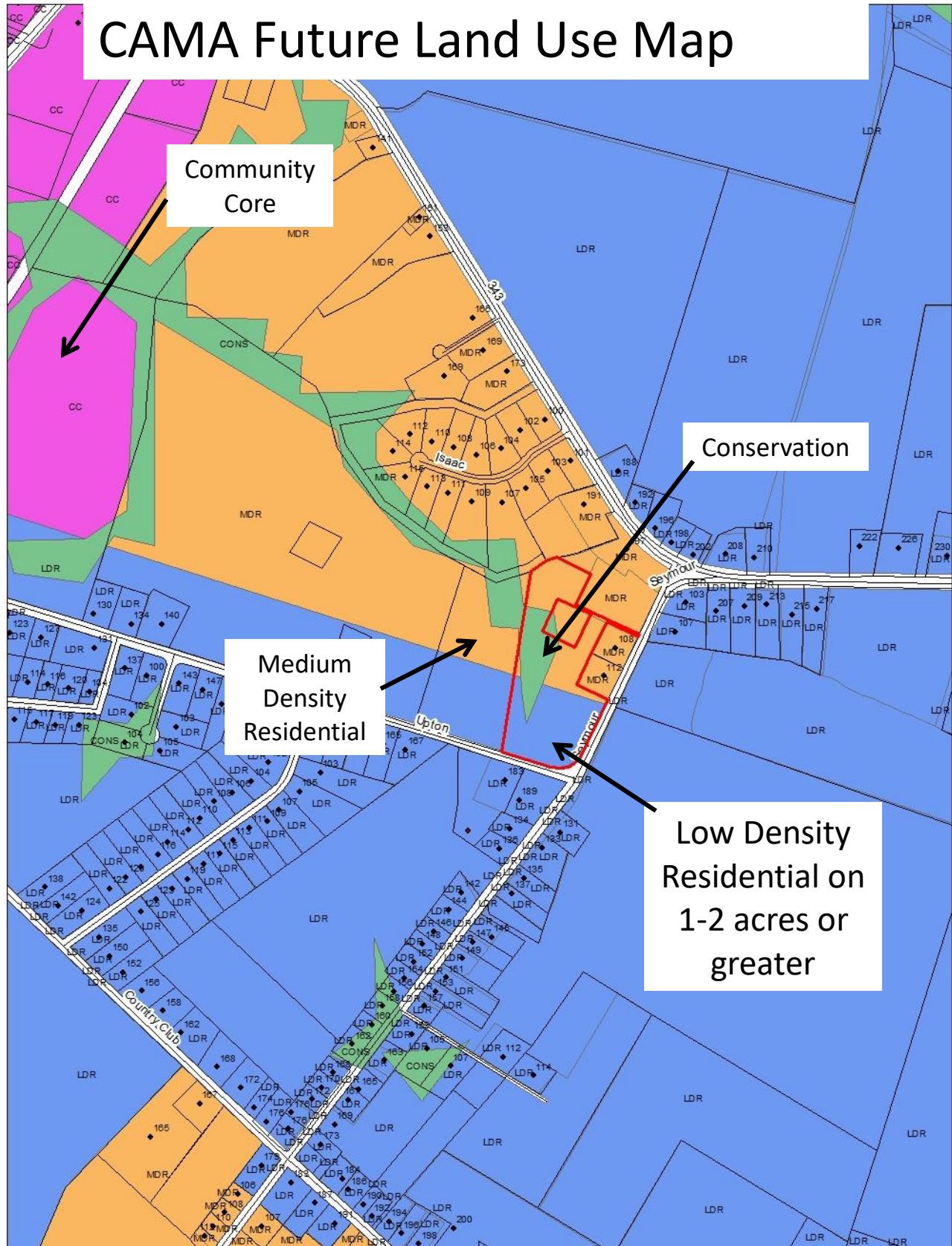


# 2035 Comprehensive Future Land Use Plan

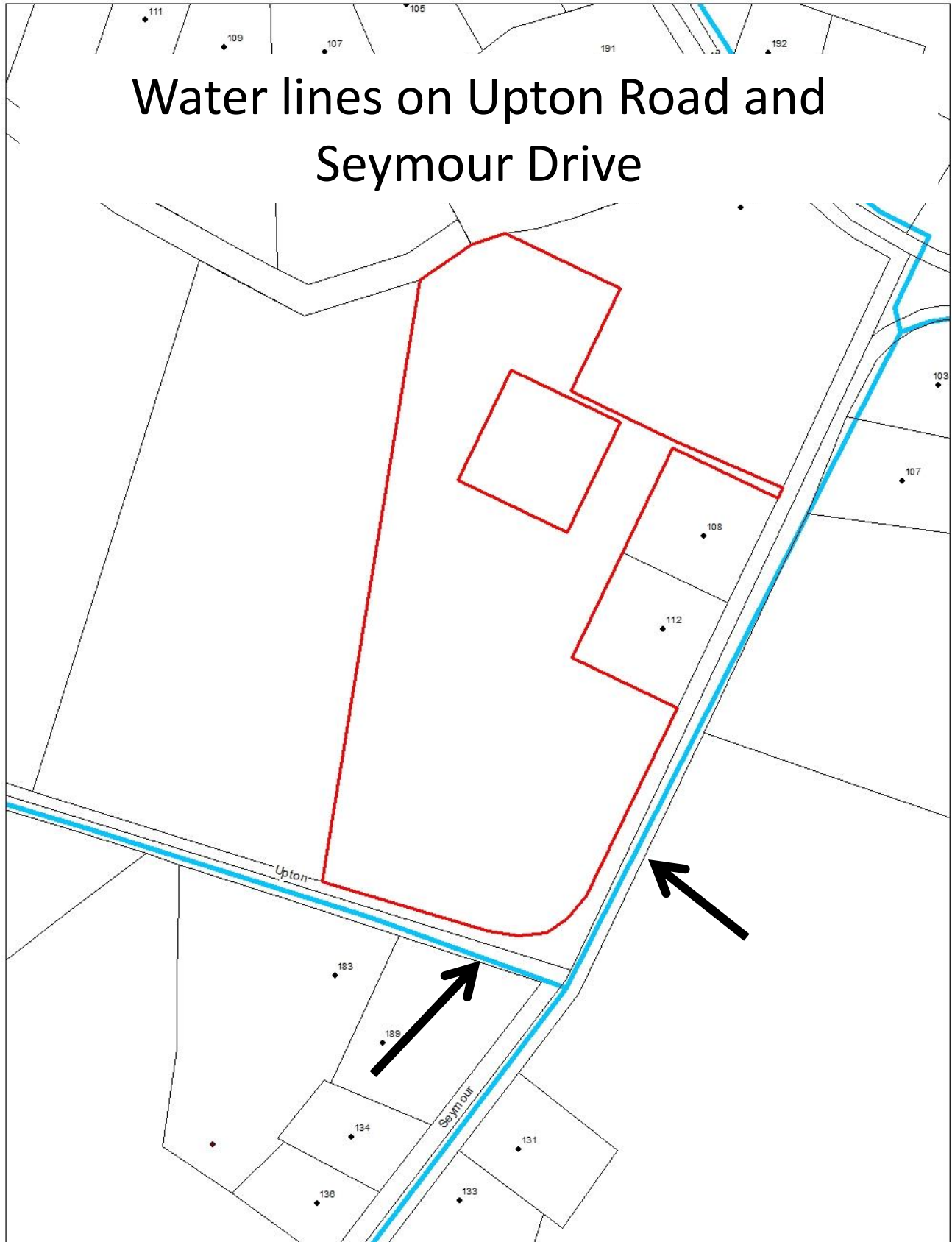




# CAMA Future Land Use Map



## Water lines on Upton Road and Seymour Drive



**INFRASTRUCTURE & COMMUNITY FACILITIES**

**Water:** Water lines are located adjacent to property along Upton Road and Seymour Drive

**Sewer:** Not available.

**Fire District:** South Camden Fire District.

**Schools:** Proposed zoning will have no impact on Schools.

**Traffic:** Proposed zoning should have no impact on Traffic.

**CONSISTENCY with PLANS and MAPS****CAMA Land Use Plan Policies & Objectives:**

**Consistent** ☐

**Inconsistent** ☒

The CAMA Land Use Plan was adopted by the Camden County Board of Commissioners on April 4, 2005. The proposed zoning change is inconsistent in that the CAMA Future Land Use Maps has the majority of property identified as Medium Density Residential and Low Density Residential. Conservation with a small area on the property is identified as Conservation. The most restrictive, Medium Density Residential designated by a mixture of single-family dwelling types in relatively close proximity to core village. The district is intended to restrict the encroachment of incompatible business uses in established residential areas.

**2035 Comprehensive Plan**

**Consistent** ☐

**Inconsistent** ☒

The County's Comprehensive Future Land Use Plan (Adopted 2012) identifies the parcel as Rural Residential District One to Two Acre lots of residential areas serving as a buffer between rural preservation areas and more intense development. The proposed zoning map amendment is inconsistent with the County's Comprehensive Future Land Use Plan. The location to serve as a buffer between rural preservation areas and more intense development, should not be in the Courthouse Core Village.

**Comprehensive Transportation Plan**

**Consistent** ☒

**Inconsistent** ☐

Property abuts Seymour Drive and Upton Road.

**Other Plans officially adopted by the Board of Commissioners**

N/A

**SPECIFIC CAMA LAND USE QUESTIONS FOR THE PLANNING BOARD TO CONSIDER:****1. Does Camden County need more land in the zoning class requested?**

**Yes** ☐ **No** ☒

**Reasoning:** In the appropriate location rural residential zoning district works well. The rural residential zoning district is intended to be a buffer between core village areas with density and areas intended to preserve the of rural integrity of Camden County.

**2. Is there other land in the county that would be more appropriate for the proposed uses?**Yes ☒ No ☐

**Reasoning:** The proposed application is for growing agricultural items and a residence. This is permitted in the Rural Residential and Neighborhood Residential Zoning Districts. Manufacturing and production of materials is not permitted in a Residential Zoning District.

**3. Is the request in accordance with the Camden County land use plans?**Yes ☐ No ☒

**Reasoning:** The Future Land Use plans has the Core Villages designated with new development of core villages utilizing infrastructure and preserving rural areas.

**4. Will the request have serious impact on traffic circulation, parking space, sewer and water services, other utilities?**Yes ☐ No ☒

**Reasoning:** The proposed rezoning and uses should not create a serious impact on traffic, parking or utilities.

**5. Will the request have an impact on other county services, including police protection, fire protection or the school system?**Yes ☐ No ☒

**Reasoning:** The proposed rezoning and uses should not have an impact on other county services.

**6. Is there a good possibility that the request, as proposed, will result in lessening the enjoyment or use of adjacent properties?**Yes ☒ No ☐

**Reasoning:** All uses permitted in the requested zoning classification should not cause any serious noise, odors, light activity, or unusual disturbances.

**7. Will the request, as proposed cause serious noise, odors, light, activity, or unusual disturbances?**Yes ☒ No ☐

**Reasoning:** All uses permitted in the requested zoning classification should not cause any serious noise, odors, light activity, or unusual disturbances.

**8. Does the request raise serious legal questions such as spot zoning, hardship, violation of precedents, or need for this type of use?**Yes ☐ No ☒**9. Does the request impact any CAMA Areas of Environmental Concern?**Yes ☐ No ☒



### **Summary and Recommendations**

The proposed zoning map amendment is inconsistent the County's Comprehensive Future Land Use Plan identifies the parcel as Rural Residential District One to Two Acre lots of residential areas however the location, as a buffer between rural preservation areas and more intense development, should not be in the Courthouse Core Village.

The CAMA Land Use Plan is inconsistent in that the property is identified as Medium Density Residential and Low Density Residential. The core village district is intended to restrict the encroachment of incompatible business uses in established residential areas.



## Zoning Map Amendment Application

Permit # 85

5.1.b

**OFFICIAL USE ONLY:**

UDO Number 2023-10-85

Date Filed: 10/26/2023

Amount Paid: \$650.00

Received By: MC  
avg

### Contact Information

<input checked="" type="checkbox"/> PROPERTY OWNER	<input type="checkbox"/> APPLICANT	<input type="checkbox"/> AGENT FOR APPLICANT
Name: <u>BRIAN/LINDSAY SMITH</u>	Name: _____	
Address: <u>202 MCPHERSON ROAD</u>	Address: _____	
<u>SOUTH MILLS NC 27976</u>		
Telephone: <u>804-386-7811</u>	Telephone: _____	
Fax: <u>N/A</u>	Fax: _____	
Email: <u>BLSMITH53@HOTMAIL.COM</u>	Email: _____	

LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: OWNER

DOCUMENTATION OF PROPERTY OWNER GIVING CONSENT TO APPLICANT (Y/N/NA) \_\_\_\_\_

### Property Information

Physical Street Address 000 UPTON ROAD, CAMDEN NC 27921

Location: CORNER OF SEYMOUR AND UPTON IN CAMDEN

Parcel ID Number(s): 02-8934-02-56-8337.0000

Deed Book/ Page Number and/or Plate Cabinet/Slide Number 418/750 9/20

Total Parcel(s) Acreage: 10.1 Perk Test or County Sewer Approval PERK TEST

Existing Land Use of Property: AG / Vacant Proposed Land Use RESIDENCE / AG

### Request

Current Zoning of Property: RR/NR Proposed Zoning District: ALL RR

Total Acreage for Rezoning: 10.1 Are you rezoning the entire parcel(s): ☒ Yes ☐ No

Metes and Bounds Description Provided: ☐ Yes ☒ No

Community Meeting, if applicable: Date Held: 26 SEP 2023; Location: PROPERTY

**New Meeting Date: 11/24/2023 9am @ property**

**Zoning Change Application Questions**

The UDO requires the Board to consider principal issues when considering an application for a zoning change. Please respond to each issue in the space provided below or on a separate sheet.

(A) What reasons/purpose for the rezoning request?

NO NEED FOR NR. WE HAVE NO DESIRE TO SUBDIVIDE AND SELL THE LAND. WE ARE A BONA FIDE FARM NOW ALSO.

(B) Will the rezoning request cause noise, odors, light, activity or unusual disturbances?

NO

(C) How will the proposed zoning change enhance the public health, safety, or welfare?

MORE FARM LAND, LESS HOUSES.

(D) Is the rezoning consistent with the purposes, goals, objectives and policies of the County's adopted policy guidance and future land use plans?

YES -

(E) Is the rezoning in the best interest of the public? Explain.

YES - LESS HOUSES AND MORE ROOM FOR FLOWERS AND OTHER AG ITEMS.

(F) For proposals to re-zone to non-residential districts along major arterial roads:

(1) Is this an expansion of an adjacent zoning district of the same classification?

(2) What extraordinary showing of public need or demand is met by this application?

I, the undersigned, do certify that all of the information presented in this application is accurate to the best of my knowledge, information, and belief. Further, I hereby authorize county officials to enter my property for purposes of determining zoning compliance. All information submitted and required as part of this application process shall become public record.

  
Property Owner(s)/Applicant

9/11/2023

Date

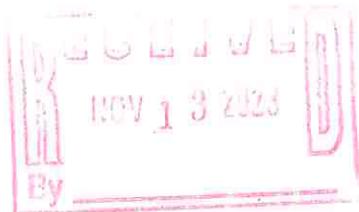
Note: Form must be signed by the owner(s) of record, contract purchaser(s), or other person(s) having a recognized property interest. If there are multiple property owners/applicants, a signature is required for each.

10/09/2020

List of property owners to be notified

BENNETT DANNY	DEBORAH BENNETT	407 CONCORD DRIVE	HAMPTON VA 23666
LDM DEBRITO LLC	ATTN: DEANN MANSFIELD-DEBR	166 PALMER ROAD	CAMDEN NC 27921
KIGHT JOHN H II		121 PINE STREET	CAMDEN NC 27921
LEARY VICTOR & KATHY		112 SEYMOUR DRIVE	CAMDEN NC 27921
HARRISON RHONDA JONES	THOMAS EDWARD HARRISON	191 SOUTH HWY 343	CAMDEN NC 27921
ALBERTSON THOMAS RYAN	CHRISTINA W. ALBERTSON	189 UPTON ROAD	CAMDEN NC 27921
BRAY BETTY S	VERNON D BRAY	183 UPTON ROAD	CAMDEN NC 27921
BOSEMAN SUZANNE S LE	C/O LINDA B SAWYER	693 MT HERMON CHURCH RD	ELIZABETH CITY NC 27909
CHURCH OF THE REDEEMER INC		207 HWY 343 S	CAMDEN NC 27921
CHURCH OF THE REDEEMER INC		207 HWY 343 S	CAMDEN NC 27921
CAMDEN METHODIST CHURCH		1 197 SOUTH 343	CAMDEN NC 27921
CAMDEN LAND AND TIMBER		217 LAMBS ROAD	CAMDEN NC 27921
CAMDEN COUNTY A&B BUILDING INCORPORATED		P.O. BOX 190  141 TRAVIS BLVD	CAMDEN NC 27921 MOYOCK NC 27958
FIELDS BRANDON L A&B BUILDING INCORPORATED	DANA A FIELDS	109 ISAAC COURT  141 TRAVIS BLVD	CAMDEN NC 27921 MOYOCK NC 27958
YOUNG ELVIN B JR	JANICE M YOUNG	105 ISAAC COURT	CAMDEN NC 27921
SMITH BRIAN C	LINDSAY M LAFLAMME	202 MCPHERSON ROAD	SOUTH MILLS NC 27976
HARRIS RICHARD O		167 HAPPY INDIAN LANE	KITTY HAWK NC 27974





8 November 2023

From: Lieutenant Brian Smith, USN & Mrs. Lindsay Smith  
To: Whom it May Concern

Subj: Neighborhood Meeting In Care Of Zoning Changes Regarding The Property Located At  
The Corner of Seymour Drive And Upton Road In Camden, NC

1. This letter serves to notify you of an upcoming "Neighborhood Meeting" required to request zoning changes to the property located on the corner of Seymour Drive and Upton Road in Camden, NC. The neighborhood meeting will take place on the front of the subject property at 9 am on 24 November 2023.

2. As the owners of this property, we are requesting the following changes to both the property and to the County Unified Development Ordinance (UDO):

- a. Change (1) – Request to rezone the entire 10.1 acres to Rural Residential. Approximately half of the property is currently zoned neighborhood residential and we have no intention of dividing the property into smaller plots and selling them.
- b. Change (2) – Request a text amendment change. Currently the Camden County, NC UDO does have not any stipulations or any guidance requiring the use of sawmills in the county. We are requesting for the UDO to be modified to allow small portable sawmills to be operated only in rural residential zoning districts. Small portable sawmills will also require a special use permit to be approved by the county commissioners before usage can begin. We have spoken with the County Manager, Mrs. Erin Burke, on this matter several times and Mrs. Burke recommends that we request this change to the county commissioners and it is a reasonable request.
- c. Change (3) – Request a special use permit to allow us to bring our small portable sawmill back to the property. The sawmill would be located in the very back of the property where it is not easily visible from either Seymour Drive or Upton Road and where it will not affect our sunflower fields and/or farm.

3. Please feel free to reach out to me at (804) 386-7811 if you have any questions or concerns regarding this matter prior to the neighborhood meeting.

  
B. C. SMITH  
LT, USN

Attachment: Neighborhood Meeting Information (Request for Rezoning)

28 Sep 23

From: LT Brian C. Smith, Mrs. Lindsay Smith  
 To: Camden County, NC Board of Commissioners

Subj: Neighborhood Meeting

1. This letter serves to communicate the information and dialogue regarding the neighborhood meeting that took place on 26 September 2023 at 6 pm on the property located at 000 Upton Road, Camden NC 27921.
2. Meeting attendees were either notified in person via face to face communications, via mail with a letter dropped off in the mailbox, or via phone in the case of Mr. and Mrs. Kight. All notifications were made on 16 September 2023.
3. Landowners that were notified about the meeting:
  - a. Vernon and Betty Bray
  - b. Kathy Leary
  - c. John and Diane Kight
  - d. Tommy Harrison
  - e. Chip Young
  - f. White house on corner
  - g. David Clark
  - h. Brandon
4. List of meeting attendees:
  - a. Vernon Bray
  - b. Chip Young
  - c. John Kight
  - d. Tommy Harrison
5. Description of the development process presented to the attendees. Each attendee was briefed that three actions that we were requesting: 1) Request to rezone the entire property located at 000 Upton Road to Rural Residential; 2) Request a change to the Camden County NC UDO to allow for small portable sawmills in Rural Residential zoning areas under permitted uses and; 3) Request a special use permit to allow for a small portable sawmill to be operated on 000 Upton Road.
6. A summary of attendee comments, ideas, suggestions from citizens to be incorporated into the development proposal:
  - a. Vernon Bray: Mr. Bray stated that he had no issues with what we were requesting and we never bothered him or his wife when we operated there in the past.
  - b. Chip Young: Mr. Young stated that he had no issues with what we were requesting but he did have an issue with the church that was located close to his house and the noise level and frequency of the church bells.
  - c. John Kight: Mr. Kight stated his tenants only concern was larger trucks driving down the access road since his tenant has small children and was concerned with their safety.
  - d. Tommy Harrison: Mr. Harrison said he was against this proposal for three reasons. 1) Noise concerns, especially a beeping noise that occurred all day one Sunday; 2) His property value; working during Sunday



B. C. SMITH

CUI

Attachment: Neighborhood Meeting Information (Request for Rezoning)

27 Nov 23

From: LT Brian C. Smith, Mrs. Lindsay Smith  
 To: Camden County, NC Board of Commissioners

Subj: Neighborhood Meeting

1. This letter serves to communicate the information and dialogue regarding the neighborhood meeting that took place on 24 November 2023 at 9 am on the property located at 000 Upton Road, Camden NC 27921.
2. Meeting attendees were notified via mail. All notifications were mailed on 8 November 2023.
3. Landowners that were notified about the meeting:
  - a. BENNETT, DANNY
  - b. LDM DEBRITO LLC
  - c. KIGHT, JOHN H II
  - d. LEARY, VICTOR & KATHY
  - e. HARRISON, RHONDA JONES
  - f. ALBERTSON, THOMAS RYAN
  - g. BRAY, BETTY S
  - h. BOSEMAN, SUZANNE S LE
  - i. CHURCH OF THE REDEEMER INC
  - j. CAMDEN METHODIST CHURCH
  - k. CAMDEN LAND AND TIMBER
  - l. CAMDEN COUNTY
  - m. A&B BUILDING INCORPORATED
  - n. FIELDS, BRANDON L
  - o. A&B BUILDING INCORPORATED
  - p. YOUNG, ELVIN B JR
  - q. CLARK, DAVID (Property formally owned by Richard Harris)
4. List of meeting attendees: None
5. Description of the development process presented to the attendees. None
6. A summary of attendee comments, ideas, suggestions from citizens to be incorporated into the development proposal: None

B. C. SMITH

Attachment: NeighborhoodMeetingInformation (Request for Rezoning)

27 Nov 23

From: LT Brian C. Smith, Mrs. Lindsay Smith  
 To: Camden County, NC Board of Commissioners

Subj: Proposal Dialogue

1. This letter serves to communicate the information regarding the three requests submitted to the board for approval.

2. We are respectfully requesting you approve all 3 applications for the following reasons:

a. Special Use Permit/UDO Text Addendum – We are requesting to bring our sawmill operation back to the property at 000 Upton Road. The relocation of the sawmill would allow for us to mill lumber on site for our agriculture barn that we are currently planning to build in 2024 as well as mill lumber for other projects that we have planned for our farm. We are also requesting to sell some of the additional lumber to help offset the costs of the farm and equipment as well. We would like to locate the sawmill in the back of our property, near the future Camden well site and the current Mediacom operations building. Locating the mill operation in the back of the property would help to keep a neat clean appearance from the road.

The Camden County UDO does not currently have any restrictions or guidance what so ever regarding the use of sawmills. The UDO text addendum that we are requesting is geared towards small independent sawmill operators, like us, who want to provide products to the local community that you cannot find within the county or local counties. The vast majority of sawmill work that we do is for agricultural projects since rough cut lumber cannot easily be used in residential applications. This will allow farmers, who represent a large majority of Camden residents, to get extremely low priced lumber to the exact specifications that they need to operate their farms.

b. Rezoning request – We are also requesting the entire property be rezoned to rural residential vice half rural residential and half neighborhood residential. The current zoning of the property makes no sense since the area that is zoned neighborhood residential has zero road frontage and can only be accessed through the rural residential area. We have no intent of ever subdividing this property for the purpose of selling lots therefore there is no reason for this property to be zoned neighborhood residential.

3. Concerns:

- a. Noise – At the first neighborhood meeting, one resident, Tommy Harrison, said noise was one of his complaints with our proposal. He specifically cited an instance on a Sunday where he heard beeping all day long. After his complaint, I did research regarding decibel levels of my equipment and I found that the sawmill, while cutting a log, reached a decibel level of 75 when I was within 3 ft and the skid steer reached a decibel level of 76 when I was within 3 ft. When I took decibel readings again at approximately 150 ft away both of these levels were under the county mandated 60 decibel rating to be considered a noise complaint. This is one of the major reason why relocating the sawmill to the back of the property where it is surrounded by woods on 3 sides where houses are closest. I estimate these houses to be approximately 150 feet from the proposed mill location as well. The distance plus the trees in between the mill site and their house will ensure that their operation will not produce sound levels above 60 db. The one piece of equipment that I use commonly that does produce noise levels above 60 db is a chainsaw. Since the neighborhood meeting, I have purchased three battery operated chainsaws which I intend

Attachment: Neighborhood Meeting Information (Request for Rezoning)



to use primarily for operations. These battery operated chainsaws do not produce a decibel level over 60 dbs. There will be times when I must use a more powerful 2 stroke gasoline powered chainsaw and I recommend these times be limited to 8 am to 7 pm Monday to Saturday and 12 pm to 6 pm on Sunday. As far as the specific instance that Mr. Harrison cited during our meeting, I'm assuming he was referring to when I rented an excavator and was clearing part of the land in anticipation of farming activities. There are no noise regulations concerning farming activities in the county and I do not own nor do I use an excavator in conjunction with my sawmill. My sawmill does not have a function to beep. My skid steer does have a beeping function, only in reverse, but I would never run my skid steer in reverse all day long in conjunction with sawmill activities as that makes no sense.

- b. Property Value – Mr. Harrison also stated that he did not want the sawmill operation because he did not know how it would affect his property value. I cannot see Mr. Harrison's property from my property nor can you see my property from Mr. Harrison's property. I consider this to be a moot point.

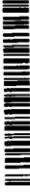
- c. Traffic – Mr. Kight said his tenant was concerned with traffic and/or large trucks driving on the easement on the road that goes to the back of my property where the Mediacom building is located. Only Mediacom employees and county employees going to the well site use this road. I do not intend on using this as the main road to conduct sawmill operations. I intend on using the long road that I built this year to conduct sawmill operations. Also, sawmill operations generate far less traffic than the sunflower farm generates where you will see numerous cars pulling in and out of the driveway on a daily basis.

4. We intend to build our forever home on this property as soon as we have enough money saved for the substantial down payment. We intend to continue farming for many years to come continuing to grow the sunflowers on the main areas visible from the road and are looking to add other things like blueberry and raspberry bushes. In the near future and when we build our home there, we will add animals to the farm also.

5. Our family has resided in Camden County since 2015. I have served in the United States Navy for 17 years now through several submarine tours, aircraft carrier tour and numerous tours both overseas and stateside in surface warfare and cyber warfare. I have volunteered as a coach the past two years and will coach youth basketball this year with Camden County Parks and Rec both during the regular season and all-star tournaments. Lindsay is a state and nationally certified pharmacy technician in both North Carolina and Virginia and is employed by UNC Medical Center. She has coached youth basketball in the past for Camden County Parks and Rec and is currently on the Camden County Youth League Board. All five of our children attend Camden county schools and excel. All five made straight As last year and are involved in sports in both Parks and Rec and school sports. We are a very tight knit community oriented family and we are asking that you pass these three applications to help us live our dream in Camden. I will retire from the U.S. Navy in a few short years and intend to reside in Camden County for the rest of my days on this earth.

6. Thank you very much for your time and consideration regarding this matter.

B. C. SMITH



Doc No. 213422  
Recorded: 12/06/2021 02:49:28 PM  
Fee Amt: \$26.00 Page 1 of 2  
Escheat Tax \$210.00  
Camden County North Carolina  
Tammie Krauss, Register of Deeds  
BK 418 PG 750 - 751 (2)

## NORTH CAROLINA GENERAL WARRANTY DEED

LT#  
\$1,050.00 Revenue Stamps \$210.00

Tax Lot No. Parcel Identifier No. 02893402568337

Verified by Camden County on the 10 day of December, 2021

by Cheryl P. Harris \$105,000.00 / \$1,050.00 no delin. taxes - 100% - 12-6-2021

Mail after recording to Hornthal, Riley, Ellis & Maland, LLP, 301 E. Main Street, Elizabeth City, NC 27909  
This instrument was prepared by Starkey Sharp, Attorney at Law

Brief Description for the index

Parcel 2, Harris Estate Recombination

RE279501f

THIS DEED made November 30, 2021, by and between

### GRANTOR

Richard O. Harris and wife,  
Cheryl P. Harris

167 Happy Indian Lane  
Southern Shores, NC 27949

### GRANTEE

Brian C. Smith and Lindsay M. Laflamme,\*  
a one-half undivided interest each as joint tenants  
with rights of survivorship  
\*aka Brian Christopher Smith and Lindsay  
Marie Laflamme  
202 McPherson Road  
South Mills, NC 27976

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in Courthouse Township, Camden County, North Carolina and more particularly described as follows:

Parcel 2 as shown on that plat entitled "Exempt Subdivision & Recombination For Richard C. Harris Estate," prepared by Timmons Group, dated February 27, 2020 and recorded in Plat Cabinet 9, Slide 20, Camden County Public Registry.

Cheryl P. Harris joins in this conveyance as a third party Grantor for the purpose of granting, conveying, transferring and waiving any and all of her common law and/or statutory marital rights unto the Grantees.

105-317.2 **If checked, the property includes the primary residence of at least one of the Grantors. (NC GS §**

This instrument prepared by Starkey Sharp, a licensed North Carolina attorney. Delinquent taxes, if any, to be paid by the closing attorney to the county tax collector upon disbursement of closing proceeds

The property hereinabove described was acquired by Grantor by instruments recorded in Estate File #78-E-9, Camden County Clerk's Office and Book 52, Page 618, Camden County Registry.

A map showing the above described property is recorded in Plat Cabinet 9, Slide 20, Camden County Registry.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated.

Title to the property hereinabove described is subject to the following exceptions:

Easements and restrictions of record, if any, in the Camden County Registry.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers by authority of its Board of Directors, the day and year first above written.

  
Richard O. Harris (SEAL)

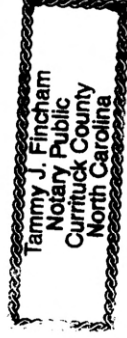
  
Cheryl P. Harris (SEAL)

STATE OF NORTH CAROLINA, COUNTY OF Currituck

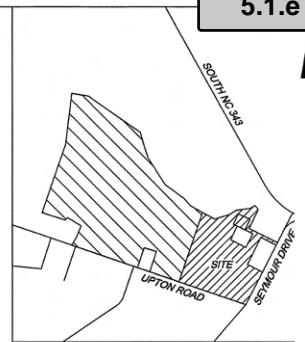
I the undersigned Notary Public for the State and County aforesaid, do hereby certify that Richard O. Harris and wife, Cheryl P. Harris personally appeared before me this day and acknowledged the due execution of the foregoing instrument. Witness my hand and official seal this 20<sup>th</sup> day of December 2021.

My Commission Expires: 7-26-2026  
  
Notary Public

(Place Seal or Stamp Here)





VICINITY MAP  
(NOT TO SCALE)

Attachment: Plat9-20 (Request for Rezoning)

I, EDWARD T. HYMAN, JR. CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION FROM THE DEED DESCRIPTION RECORDED IN D.B. 52, PG. 618; THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000 + AND THE POSITIONAL ACCURACY AS CALCULATED IS 95% CONFIDENCE; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED; WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL THIS 27TH DAY OF FEBRUARY, A.D., 2020.

I, EDWARD T. HYMAN, JR. PLS-2690, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL GNSS SURVEY MADE UNDER MY SUPERVISION AND THE FOLLOWING INFORMATION WAS USED TO PERFORM THE SURVEY:

- 1.) CLASS OF SURVEY: CLASS A
- 2.) POSITIONAL ACCURACY: 2 CENTIMETERS
- 3.) TYPE OF GPS FIELD PROCEDURE: "RTK"
- 4.) DATES OF SURVEY: 01-30-2020, 02-13-2020, 02-26-2020
- 5.) DATUM/EPOCH: NO-GRID NAD83(2011), EPOCH 2010
- 6.) PUBLISHED/FIXED CONTROL USE: OPUS-SOLUTION
- 7.) GEOID MODEL: GEOID12B
- 8.) COMBINED GRID FACTOR: 1.00005158
- 9.) UNITS: US SURVEY FEET

I, EDWARD T. HYMAN, JR. PLS-2690, CERTIFY,

F(11) D. THAT THE SURVEY IS OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT ORDERED SURVEY, OR OTHER EXCEPTION TO THE DEFINITION OF SUBDIVISION.

## NOTES:

- 1.) ALL DISTANCES SHOWN ARE HORIZONTAL GROUND DISTANCES.
- 2.) THE PROPERTY IS LOCATED IN FLOOD ZONE "X", "SHADED X", & "AE(4)" AS SHOWN ON FLOOD MAP PANEL 3720993400K, DATED DECEMBER 21, 2018. SUBJECT TO CHANGE BY FEMA.
- 3.) THERE ARE NO N.G.S. MONUMENTS WITHIN 2,000' OF THE SITE.
- 4.) A WETLAND DELINEATION HAS NOT BEEN PERFORMED ON THIS PROPERTY.

NORTH CAROLINA, CAMDEN COUNTY

I, Matthew Meads REVIEW OFFICER FOR CAMDEN COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

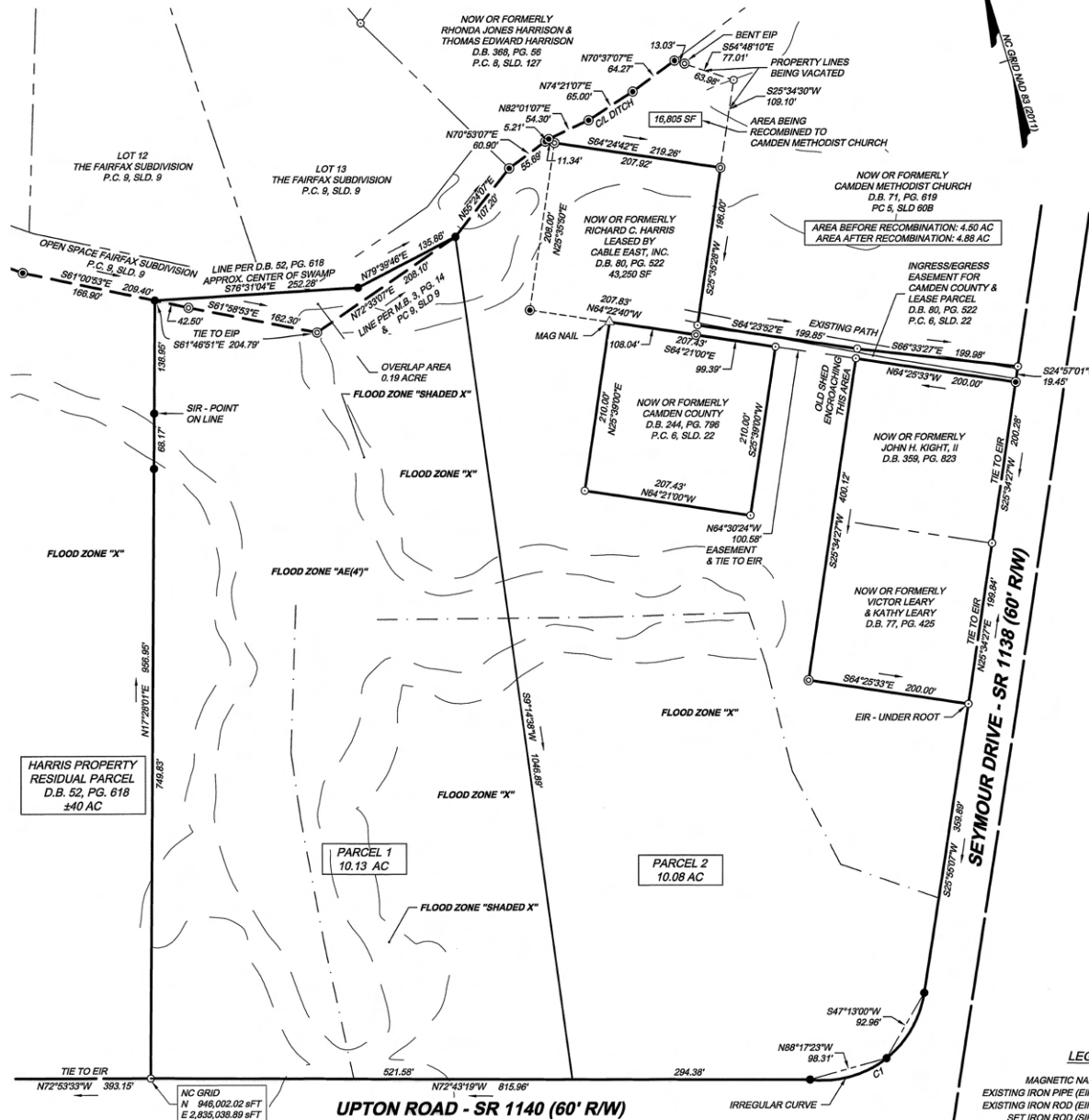
M Meads  
REVIEW OFFICER

7-17-2020  
DATE

Doc No: 209601  
Recorded: 07/17/2020 03:59:26 PM  
Fee Amt: \$21.00 Page 1 of 1  
Camden County North Carolina  
Tammie Kraus, Register of Deeds  
BK 9 PG 20 - 20 (1)

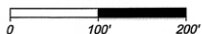
## LEGEND

- MAGNETIC NAIL
- EXISTING IRON PIPE (EIP)
- EXISTING IRON ROD (EIR)
- SET IRON ROD (SIR)
- CALCULATED POINT
- PROPERTY BOUNDARY
- PROPERTY BOUNDARY LINES NOT SURVEYED THIS DATE
- LEASE PARCEL BOUNDARY
- RIGHT-OF-WAY
- PROPERTY EXTENSION
- PROPERTY TIES
- PROPERTY LINES TO BE VACATED
- INGRESS/EGRESS EASEMENT
- FEMA FLOOD ZONE
- APPROXIMATE LOCATION EXISTING DITCH



CURVE TABLE					
CURVE	RADIUS	LENGTH	TANGENT	DELTA	CHORD BEARING
C1	126.31'	196.17'	124.10'	88°59'14"	S70°07'06"W
					177.04'

SCALE 1"=100'





# CAMDEN COUNTY

NORTH CAROLINA • USA

*Boundless Opportunities.*

## Camden County Planning Board AGENDA ITEM SUMMARY SHEET

### New Business

**Item Number:** 5.2

**Meeting Date:** January 17, 2024

**Submitted By:** Amber Curling,  
Planning Board  
Prepared by: Patricia Sabo

**Item Title** Text Amendment

**Attachments:** 2023-10-84-TextAmmendmentApp (PDF)  
OrdinanceForTextAmendments\_2023-01-17 (DOCX)  
NeighborhoodMeetingInformation (PDF)



## Text Amendment Application

### OFFICIAL USE ONLY:

UDO Number 2023-10-84

Date Filed: 10/26/23

Amount Paid: \$500.00

Received By: McAye

### Contact Information

#### APPLICANT

Name: Brian/Lindsay Smith

Address: 000 Upton Road  
Camden, NC 27976

Telephone: 804-386-7811

Fax: N/A

Email: Bcsmith53@hotmail.com

#### REQUEST

I, the undersigned, do hereby make application to change the Camden County UDO as herein requested.

Amend Chapter(s) Article 151.4 Section(s) 4.5; 4.5.4; 4.5.5 as follows:

Respectfully request a change to Section 4.5.4 Table of Allowable Uses to allow for mobile or portable sawmills only in Rural Residential (RR) zoning areas annotated with a (P) to indicate only with permitted uses.

Also, respectfully request a change to Section 4.5.5 to delineate the following:

- Mobile or portable sawmills: A sawing or cutting machine used to turn logs into lumber; whether trailered or truck-mounted; capable of easily being moved, set up and operated on a site; not attached or fixed in location
- Sawmill, Stationary. A fixed structure mounted on a foundation for the purpose of turning logs into lumber; includes the entire operational area: e.g. log sorting yard(s), milling machine(s), sorting and storage area(s); administration and maintenance area(s). Stationary sawmills are not permitted in (RR) zoning districts.

If needed, additional sheets may be attached.

[Signature]  
Petitioner / Applicant

10/12/2023  
Date

Revised 11/13/2020

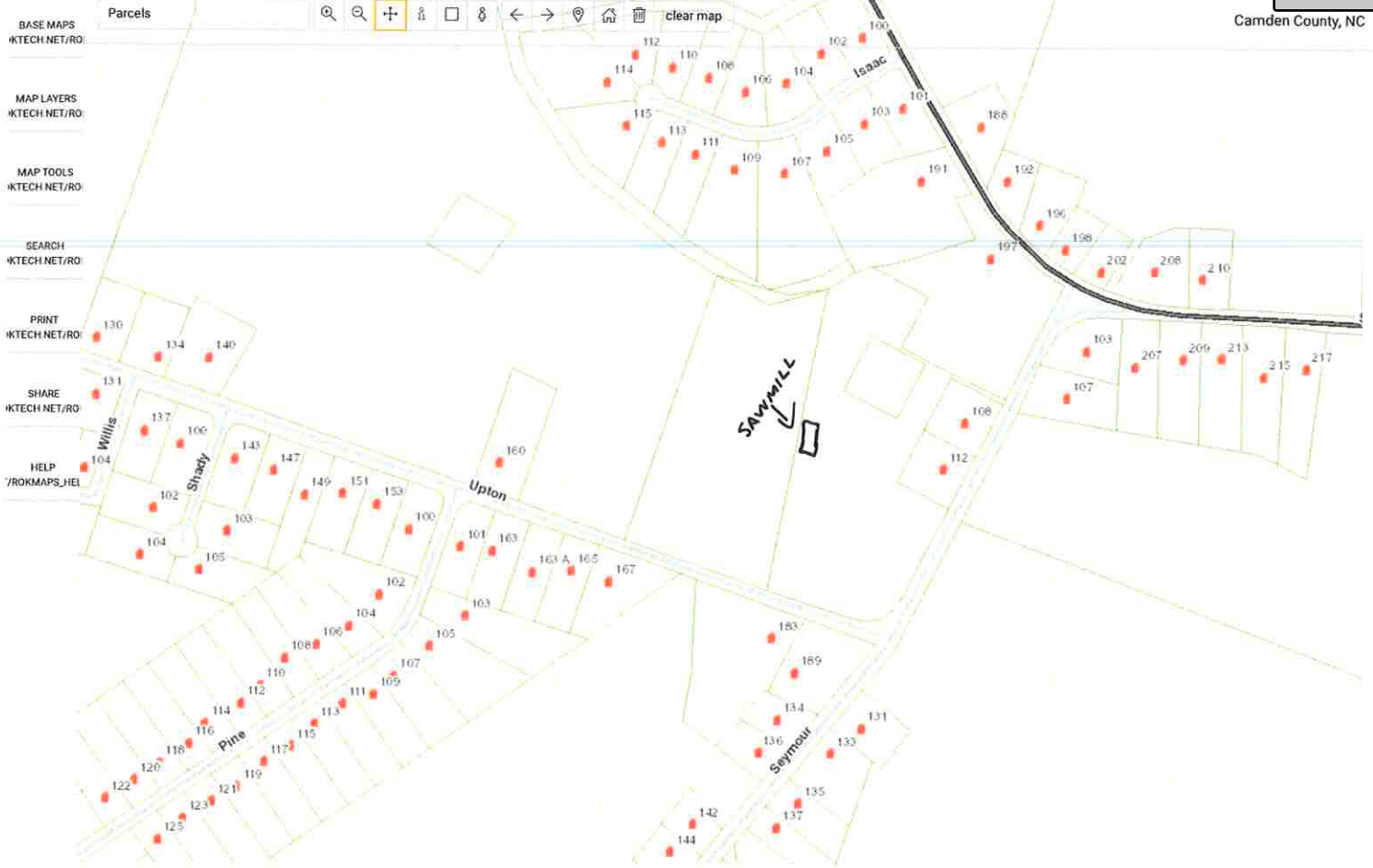
Attachment: 2023-10-84\_TextAmendmentApp (Text Amendment)



# SITE PLAN

5.2.a

Camden County, NC



Attachment: 2023-10-84\_TextAmendmentApp (Text Amendment)

**Ordinance No. 2023-02-02**  
**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 January 1, 1998, and subsequently revised February 4, 2019 and subsequently amended, and as otherwise incorporated into the Camden County Code.

**Article II: Construction**

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

**Article III:** Amending Camden County Code of Ordinances, Chapter 151 specifically

**Article 4 Use Regulations:** 4.5 Accessory Uses Sections 4.5.4 Table of Allowable Locations and 4.5.5 Standards for Specific Accessory Uses which shall read as follows:

TABLE ERROR! REFERENCE SOURCE NOT FOUND.: COMMON ACCESSORY USE TABLE															
"P"= Permitted      "S"= Permitted with Special Use Permit      "."= Prohibited															
ACCESSORY USE		RESIDENTIAL					COMMERCIAL					IND.			ACC. USE-SPECIFIC STANDARD
	CP	WL	RR	SR	NR	VR	CC	VC	MX	HC	MC	LI	HI	PD	
Accessory Dwelling Unit	.	P	P	P	P	P	P	P	P	P	P	.	.	A	Error! Reference source not found.
Amateur Ham Radio	.	P	P	P	P	P	P	P	P	P	P	P	P	A	Error! Reference source not found.
Boat Lifts	P	P	P	P	P	P	P	P	P	P	P	P	P	A	Error! Reference source not found.
Boat Ramps	P	P	P	P	P	P	P	P	P	P	P	P	P	A	Error! Reference source not found.
Cemetery, Family or Religious Institution	.	P	P	P	S	.	P	.	.	P	.	.	.	A	Error! Reference source not found.
Child Care, Incidental	.	P	P	P	P	P	P	P	P	.	.	.	.	A	Error! Reference source not found.

TABLE ERROR! REFERENCE SOURCE NOT FOUND.: COMMON ACCESSORY USE TABLE															
"P"= Permitted      "S"= Permitted with Special Use Permit      "."= Prohibited															
ACCESSORY USE		RESIDENTIAL					COMMERCIAL					IND.			ACC. USE-SPECIFIC STANDARD
	CP	WL	RR	SR	NR	VR	CC	VC	MX	HC	MC	LI	HI	PD	
Community Agriculture	S	P	P	P	P	P	P	P	P	.	.	.	.	A	Error! Reference source not found.
Docks, Piers	P	P	P	P	P	P	P	P	P	P	P	P	P	A	Error! Reference source not found.
Drive-Through	.	.	.	.	.	.	P	P	.	P	.	P	.	A	Error! Reference source not found.
Excavation	.	P	.	.	.	.	.	.	.	P	P	P	P	A	Error! Reference source not found.
Gasoline Sales	.	.	.	.	.	.	P	P	S	P	P	P	.	A	Error! Reference source not found.
Home Occupation	.	P	P	P	P	P	P	P	P	P	P	.	.	A	Error! Reference source not found.
Horse Stable	.	P	P	P	P	P	.	.	.	.	.	.	.	A	Error! Reference source not found.
Housing for Poultry	.	P	P	P	P	.	P	.	.	P	.	.	.	A	Error! Reference source not found.
Ice House	.	.	.	.	.	.	P	P	P	P	P	P	.	A	Error! Reference source not found.
Outdoor Display and Sales	.	.	.	.	.	.	P	P	P	P	.	P	.	A	Error! Reference source not found.
Outdoor Storage (Nonresidential)	.	.	.	.	.	.	P	P	P	P	P	P	P	A	Error! Reference source not found.



TABLE ERROR! REFERENCE SOURCE NOT FOUND.: COMMON ACCESSORY USE TABLE															
"P"= Permitted      "S"= Permitted with Special Use Permit      "."= Prohibited															
ACCESSORY USE		RESIDENTIAL					COMMERCIAL					IND.			ACC. USE-SPECIFIC STANDARD
	CP	WL	RR	SR	NR	VR	CC	VC	MX	HC	MC	LI	HI	PD	
Parking of Boats or Watercraft	.	P	P	P	P	P	P	P	P	P	P	P	P	A	Error! Reference source not found.
Parking of Heavy Trucks, Trailers in Residential Districts	.	P	P	S	S	.	.	.	.	.	.	.	.	A	Error! Reference source not found.
Produce Stands	.	P	P	P	.	.	P	P	P	P	.	P	.	A	Error! Reference source not found.
Recreational Vehicles	.	P	P	P	.	.	.	.	.	P	.	.	.	A	Error! Reference source not found.
Retail Sales from a Vehicle	.	S	.	.	.	.	P	P	P	P	P	P	P	A	Error! Reference source not found.
<u>Sawmill</u>			<u>S</u>												4.5.5.W
Solar Energy Equipment	.	P	P	P	P	P	P	P	P	P	P	P	P	A	4.5.5.WX
Underground Storage Tanks	.	S	.	.	.	.	P	S	.	P	P	P	P	A	XXY
Wind Energy Conversion Facility, Small	.	P	S	S	S	S	P	P	S	P	P	P	P	A	Y

## 4.5.5 STANDARDS FOR SPECIFIC ACCESSORY USES

### W Sawmill

#### 1. Mobile or Portable Sawmill

- A sawing or cutting machine used to turn logs into lumber, whether trailered or truck-mounted.
- Capable of easily being moved, set up and operated on a site.
- Not attached or fixed in location

#### 2. Stationary Sawmill

- A fixed structure mounted on a foundation for the purpose of turning logs into lumber.
- Includes the entire operational area:
  - log sorting yard (s)
  - milling machine (s)
  - sorting area (s)
  - storage area (s)
  - administration area (s)
  - maintenance (s)

#### ~~W~~ X. **Solar Energy Equipment**

Solar energy equipment shall comply with the following standards:

#### ~~X~~ Y. **Underground Storage Tanks**

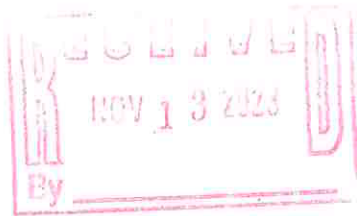
✕ **Z** Wind Energy Conversion Facility, Small

List of property owners to be notified

BENNETT DANNY	DEBORAH BENNETT	407 CONCORD DRIVE	HAMPTON VA 23666
LDM DEBRITO LLC	ATTN: DEANN MANSFIELD-DEBR	166 PALMER ROAD	CAMDEN NC 27921
KIGHT JOHN H II		121 PINE STREET	CAMDEN NC 27921
LEARY VICTOR & KATHY		112 SEYMOUR DRIVE	CAMDEN NC 27921
HARRISON RHONDA JONES	THOMAS EDWARD HARRISON	191 SOUTH HWY 343	CAMDEN NC 27921
ALBERTSON THOMAS RYAN	CHRISTINA W. ALBERTSON	189 UPTON ROAD	CAMDEN NC 27921
BRAY BETTY S	VERNON D BRAY	183 UPTON ROAD	CAMDEN NC 27921
BOSEMAN SUZANNE S LE	C/O LINDA B SAWYER	693 MT HERMON CHURCH RD	ELIZABETH CITY NC 27909
CHURCH OF THE REDEEMER INC		207 HWY 343 S	CAMDEN NC 27921
CHURCH OF THE REDEEMER INC		207 HWY 343 S	CAMDEN NC 27921
CAMDEN METHODIST CHURCH		1 197 SOUTH 343	CAMDEN NC 27921
CAMDEN LAND AND TIMBER		217 LAMBS ROAD	CAMDEN NC 27921
CAMDEN COUNTY A&B BUILDING INCORPORATED		P.O. BOX 190  141 TRAVIS BLVD	CAMDEN NC 27921 MOYOCK NC 27958
FIELDS BRANDON L A&B BUILDING INCORPORATED	DANA A FIELDS	109 ISAAC COURT  141 TRAVIS BLVD	CAMDEN NC 27921 MOYOCK NC 27958
YOUNG ELVIN B JR	JANICE M YOUNG	105 ISAAC COURT	CAMDEN NC 27921
SMITH BRIAN C	LINDSAY M LAFLAMME	202 MCPHERSON ROAD	SOUTH MILLS NC 27976
HARRIS RICHARD O		167 HAPPY INDIAN LANE	KITTY HAWK NC 27974

Attachment: Neighborhood Meeting Information (Text Amendment)





8 November 2023

From: Lieutenant Brian Smith, USN & Mrs. Lindsay Smith  
To: Whom it May Concern

Subj: Neighborhood Meeting In Care Of Zoning Changes Regarding The Property Located At  
The Corner of Seymour Drive And Upton Road In Camden, NC

1. This letter serves to notify you of an upcoming "Neighborhood Meeting" required to request zoning changes to the property located on the corner of Seymour Drive and Upton Road in Camden, NC. The neighborhood meeting will take place on the front of the subject property at 9 am on 24 November 2023.

2. As the owners of this property, we are requesting the following changes to both the property and to the County Unified Development Ordinance (UDO):

- a. Change (1) – Request to rezone the entire 10.1 acres to Rural Residential. Approximately half of the property is currently zoned neighborhood residential and we have no intention of dividing the property into smaller plots and selling them.
- b. Change (2) – Request a text amendment change. Currently the Camden County, NC UDO does have not any stipulations or any guidance requiring the use of sawmills in the county. We are requesting for the UDO to be modified to allow small portable sawmills to be operated only in rural residential zoning districts. Small portable sawmills will also require a special use permit to be approved by the county commissioners before usage can begin. We have spoken with the County Manager, Mrs. Erin Burke, on this matter several times and Mrs. Burke recommends that we request this change to the county commissioners and it is a reasonable request.
- c. Change (3) – Request a special use permit to allow us to bring our small portable sawmill back to the property. The sawmill would be located in the very back of the property where it is not easily visible from either Seymour Drive or Upton Road and where it will not affect our sunflower fields and/or farm.

3. Please feel free to reach out to me at (804) 386-7811 if you have any questions or concerns regarding this matter prior to the neighborhood meeting.



B. C. SMITH  
LT, USN

Attachment: Neighborhood Meeting Information (Text Amendment)

28 Sep 23

From: LT Brian C. Smith, Mrs. Lindsay Smith  
 To: Camden County, NC Board of Commissioners

Subj: Neighborhood Meeting

1. This letter serves to communicate the information and dialogue regarding the neighborhood meeting that took place on 26 September 2023 at 6 pm on the property located at 000 Upton Road, Camden NC 27921.
2. Meeting attendees were either notified in person via face to face communications, via mail with a letter dropped off in the mailbox, or via phone in the case of Mr. and Mrs. Kight. All notifications were made on 16 September 2023.
3. Landowners that were notified about the meeting:
  - a. Vernon and Betty Bray
  - b. Kathy Leary
  - c. John and Diane Kight
  - d. Tommy Harrison
  - e. Chip Young
  - f. White house on corner
  - g. David Clark
  - h. Brandon
4. List of meeting attendees:
  - a. Vernon Bray
  - b. Chip Young
  - c. John Kight
  - d. Tommy Harrison
5. Description of the development process presented to the attendees. Each attendee was briefed that three actions that we were requesting: 1) Request to rezone the entire property located at 000 Upton Road to Rural Residential; 2) Request a change to the Camden County NC UDO to allow for small portable sawmills in Rural Residential zoning areas under permitted uses and; 3) Request a special use permit to allow for a small portable sawmill to be operated on 000 Upton Road.
6. A summary of attendee comments, ideas, suggestions from citizens to be incorporated into the development proposal:
  - a. Vernon Bray: Mr. Bray stated that he had no issues with what we were requesting and we never bothered him or his wife when we operated there in the past.
  - b. Chip Young: Mr. Young stated that he had no issues with what we were requesting but he did have an issue with the church that was located close to his house and the noise level and frequency of the church bells.
  - c. John Kight: Mr. Kight stated his tenants only concern was larger trucks driving down the access road since his tenant has small children and was concerned with their safety.
  - d. Tommy Harrison: Mr. Harrison said he was against this proposal for three reasons. 1) Noise concerns, especially a beeping noise that occurred all day one Sunday; 2) His property value; working during Sunday



B. C. SMITH

CUI

Attachment: Neighborhood Meeting Information (Text Amendment)

27 Nov 23

From: LT Brian C. Smith, Mrs. Lindsay Smith  
 To: Camden County, NC Board of Commissioners

Subj: Neighborhood Meeting

1. This letter serves to communicate the information and dialogue regarding the neighborhood meeting that took place on 24 November 2023 at 9 am on the property located at 000 Upton Road, Camden NC 27921.
2. Meeting attendees were notified via mail. All notifications were mailed on 8 November 2023.
3. Landowners that were notified about the meeting:
  - a. BENNETT, DANNY
  - b. LDM DEBRITO LLC
  - c. KIGHT, JOHN H II
  - d. LEARY, VICTOR & KATHY
  - e. HARRISON, RHONDA JONES
  - f. ALBERTSON, THOMAS RYAN
  - g. BRAY, BETTY S
  - h. BOSEMAN, SUZANNE S LE
  - i. CHURCH OF THE REDEEMER INC
  - j. CAMDEN METHODIST CHURCH
  - k. CAMDEN LAND AND TIMBER
  - l. CAMDEN COUNTY
  - m. A&B BUILDING INCORPORATED
  - n. FIELDS, BRANDON L
  - o. A&B BUILDING INCORPORATED
  - p. YOUNG, ELVIN B JR
  - q. CLARK, DAVID (Property formally owned by Richard Harris)
4. List of meeting attendees: None
5. Description of the development process presented to the attendees. None
6. A summary of attendee comments, ideas, suggestions from citizens to be incorporated into the development proposal: None

B. C. SMITH

Attachment: NeighborhoodMeetingInformation (Text Amendment)

27 Nov 23

From: LT Brian C. Smith, Mrs. Lindsay Smith  
 To: Camden County, NC Board of Commissioners

Subj: Proposal Dialogue

1. This letter serves to communicate the information regarding the three requests submitted to the board for approval.

2. We are respectfully requesting you approve all 3 applications for the following reasons:

a. Special Use Permit/UDO Text Addendum – We are requesting to bring our sawmill operation back to the property at 000 Upton Road. The relocation of the sawmill would allow for us to mill lumber on site for our agriculture barn that we are currently planning to build in 2024 as well as mill lumber for other projects that we have planned for our farm. We are also requesting to sell some of the additional lumber to help offset the costs of the farm and equipment as well. We would like to locate the sawmill in the back of our property, near the future Camden well site and the current Mediacom operations building. Locating the mill operation in the back of the property would help to keep a neat clean appearance from the road.

The Camden County UDO does not currently have any restrictions or guidance what so ever regarding the use of sawmills. The UDO text addendum that we are requesting is geared towards small independent sawmill operators, like us, who want to provide products to the local community that you cannot find within the county or local counties. The vast majority of sawmill work that we do is for agricultural projects since rough cut lumber cannot easily be used in residential applications. This will allow farmers, who represent a large majority of Camden residents, to get extremely low priced lumber to the exact specifications that they need to operate their farms.

b. Rezoning request – We are also requesting the entire property be rezoned to rural residential vice half rural residential and half neighborhood residential. The current zoning of the property makes no sense since the area that is zoned neighborhood residential has zero road frontage and can only be accessed through the rural residential area. We have no intent of ever subdividing this property for the purpose of selling lots therefore there is no reason for this property to be zoned neighborhood residential.

3. Concerns:

- a. Noise – At the first neighborhood meeting, one resident, Tommy Harrison, said noise was one of his complaints with our proposal. He specifically cited an instance on a Sunday where he heard beeping all day long. After his complaint, I did research regarding decibel levels of my equipment and I found that the sawmill, while cutting a log, reached a decibel level of 75 when I was within 3 ft and the skid steer reached a decibel level of 76 when I was within 3 ft. When I took decibel readings again at approximately 150 ft away both of these levels were under the county mandated 60 decibel rating to be considered a noise complaint. This is one of the major reason why relocating the sawmill to the back of the property where it is surrounded by woods on 3 sides where houses are closest. I estimate these houses to be approximately 150 feet from the proposed mill location as well. The distance plus the trees in between the mill site and their house will ensure that their operation will not produce sound levels above 60 db. The one piece of equipment that I use commonly that does produce noise levels above 60 db is a chainsaw. Since the neighborhood meeting, I have purchased three battery operated chainsaws which I intend

Attachment: Neighborhood Meeting Information (Text Amendment)



to use primarily for operations. These battery operated chainsaws do not produce a decibel level over 60 dbs. There will be times when I must use a more powerful 2 stroke gasoline powered chainsaw and I recommend these times be limited to 8 am to 7 pm Monday to Saturday and 12 pm to 6 pm on Sunday. As far as the specific instance that Mr. Harrison cited during our meeting, I'm assuming he was referring to when I rented an excavator and was clearing part of the land in anticipation of farming activities. There are no noise regulations concerning farming activities in the county and I do not own nor do I use an excavator in conjunction with my sawmill. My sawmill does not have a function to beep. My skid steer does have a beeping function, only in reverse, but I would never run my skid steer in reverse all day long in conjunction with sawmill activities as that makes no sense.

- b. Property Value – Mr. Harrison also stated that he did not want the sawmill operation because he did not know how it would affect his property value. I cannot see Mr. Harrison's property from my property nor can you see my property from Mr. Harrison's property. I consider this to be a moot point.

- c. Traffic – Mr. Kight said his tenant was concerned with traffic and/or large trucks driving on the easement on the road that goes to the back of my property where the Mediacom building is located. Only Mediacom employees and county employees going to the well site use this road. I do not intend on using this as the main road to conduct sawmill operations. I intend on using the long road that I built this year to conduct sawmill operations. Also, sawmill operations generate far less traffic than the sunflower farm generates where you will see numerous cars pulling in and out of the driveway on a daily basis.

4. We intend to build our forever home on this property as soon as we have enough money saved for the substantial down payment. We intend to continue farming for many years to come continuing to grow the sunflowers on the main areas visible from the road and are looking to add other things like blueberry and raspberry bushes. In the near future and when we build our home there, we will add animals to the farm also.

5. Our family has resided in Camden County since 2015. I have served in the United States Navy for 17 years now through several submarine tours, aircraft carrier tour and numerous tours both overseas and stateside in surface warfare and cyber warfare. I have volunteered as a coach the past two years and will coach youth basketball this year with Camden County Parks and Rec both during the regular season and all-star tournaments. Lindsay is a state and nationally certified pharmacy technician in both North Carolina and Virginia and is employed by UNC Medical Center. She has coached youth basketball in the past for Camden County Parks and Rec and is currently on the Camden County Youth League Board. All five of our children attend Camden county schools and excel. All five made straight As last year and are involved in sports in both Parks and Rec and school sports. We are a very tight knit community oriented family and we are asking that you pass these three applications to help us live our dream in Camden. I will retire from the U.S. Navy in a few short years and intend to reside in Camden County for the rest of my days on this earth.

6. Thank you very much for your time and consideration regarding this matter.

B. C. SMITH