

**CAMDEN COUNTY PLANNING BOARD**

Regular Meeting – September 20, 2017

---

**Camden County Planning Board  
Regular Meeting  
September 20, 2017 7:00 PM  
Historic Courtroom, Courthouse Complex  
Camden, North Carolina**

**MINUTES**

*The regular meeting of the Camden County Planning Board was held on September 20, 2017 in the Historic Courtroom, Camden, North Carolina. The following members were present:*

**CALL TO ORDER & WELCOME**

Planning Board Members Present:

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>	<b>Arrived</b>
Calvin Leary	Chairman	Present	6:50 PM
Fletcher Harris	Board Member	Present	6:50 PM
Patricia Delano	Vice Chairman	Present	6:50 PM
Rick McCall	Board Member	Late	7:10 PM
Ray Albertson	Board Member	Absent	
Steven Bradshaw	Board Member	Present	6:50 PM

Staff Members Present:

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>	<b>Arrived</b>
Dan Porter	Planning Director	Present	6:50 PM
Dave Parks	Permit Officer	Present	6:50 PM
Amy Barnett	Planning Clerk	Present	6:30 PM

Others Present:

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>	<b>Arrived</b>
Stephanie Jackson	Applicant for Rezoning	Present	6:50 PM

**CONSIDERATION OF AGENDA**

**Motion to Approve Agenda as Presented.**

<b>RESULT:</b>	<b>PASSED [UNANIMOUS]</b>
<b>MOVER:</b>	Steven Bradshaw, Board Member
<b>SECONDER:</b>	Fletcher Harris, Board Member
<b>AYES:</b>	Leary, Harris, Delano, Bradshaw
<b>ABSENT:</b>	McCall

**CAMDEN COUNTY PLANNING BOARD**

Regular Meeting – September 20, 2017

---

**CONSIDERATION OF MINUTES**

August minutes will be considered at next meeting.

**COMMENTS FROM PUBLIC**

None.

**OLD BUSINESS**

None.

**NEW BUSINESS**

***Item 1: UDO 2017-08-19, Rezoning Application, Stephanie & Christopher Jackson***

Dave Parks described this rezoning request and reviewed the Staff Report as incorporated herein below:

-----  
**STAFF REPORT  
UDO 2017-08-19  
Zoning Map Amendment**

**PROJECT INFORMATION:**

**File Reference:** UDO 2017-08-19  
**Project Name:** N/A  
**PIN:** 01-7989-03-11-3920

**Applicant:** Christopher & Stephanie Jackson  
**Address:** 520 Main Street, South Mills, NC  
**Phone:** (252) 339-2821  
**Email:**

**Agent for Applicant:**  
**Address:**  
**Phone:**  
**Email:**

**Current Owner of Record:** Applicant

**Meeting Dates:**  
Planning Board - 9/20/2017

**Application Received:** 6/16/17  
**By:** David Parks, Permit Officer

**Application Fee paid:** \$650 Check #254

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

# CAMDEN COUNTY PLANNING BOARD

Regular Meeting – September 20, 2017

---

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

- A. Rezoning Application
- B. Health Department Soil Evaluation
- C. Aerial of portion of property requested to be rezoned.
- D. Deed
- E. GIS Aerial, existing zoning, Comprehensive Plan future land use and CAMA Land Use Plan Suitability Maps

**PROJECT LOCATION:**

**Street Address:** Property located off Horseshoe Road.

**Location Description:** South Mills Township

**MAPS SHOW:**

- A. **Vicinity Map** - located at 163 Horseshoe Road, adjacent to 165 Horseshoe Road
- B. **CAMA Land Suitability** - Moderate
- C. **Comprehensive Plan Future Land Use Map** - Rural Preservation
- D. **CAMA Future Land Use Map** - Low Density Residential
- E. **Zoning Map** - Highway Commercial
- F. **Floodplain Map** - AE Flood Zone

**REQUEST:**

Rezone approximately 10 acres from Highway Commercial (HC) to Basic Residential (R3-1)

**From:** Highway Commercial (HC). The Highway Commercial district is designed to provide for and encourage the proper grouping and development of roadside uses which will best accommodate the needs of the motoring public along US 17, US 158 and NC 343. In addition, commercial uses served by large trucks and other intense commercial uses shall be encouraged to locate in these districts. These regulations are intended to control those aspects of development that affect adjacent residential land use, traffic flow and the capacity of the land to absorb development. Specifically prohibited in this district are uses which create a hazardous or noxious effect and junkyards.

**To:** Basic Residential (R3-1). The R3 Districts are designed to provide for low density residential development in areas that are adjacent to those areas primarily devoted to agriculture. Subdivision in the R3-1 district requires a minimum of one acre per lot.

**SITE DATA:**

**Lot size:** Approximately 10 acres.  
**Flood Zone:** Shaded X/AE (100 year flood)  
**Zoning District(s):** Basic Residential (R3-2)  
**Existing Land Uses:** Agriculture

# CAMDEN COUNTY PLANNING BOARD

Regular Meeting – September 20, 2017

---

## Adjacent Zoning & Uses:

	North	South	East	West
<b>Zoning</b>	Basic	Basic	Residential (R3-2) (R2)	Basic
	Residential (R3-2)	Residential (R3-2)		Residential (R3-2)
<b>Use &amp; Size</b>	Farmland / Some Housing	Tar Corner Subdivision	Farmland / Two Houses	Farmland

**Proposed Use(s):** Residential purposes.

**Description of property:** Property is adjacent to 165 Horseshoe Road.

## ENVIRONMENTAL ASSESSMENT:

**Streams, Creeks, Major Ditches:** Upper Pasquotank.

**Distance & description of nearest outfall:** Less than 1 mile.

## INFRASTRUCTURE & COMMUNITY FACILITIES:

**Water:** Water lines are located adjacent to property along Horseshoe Road.

**Sewer:** Perc test provided.

**Fire District:** South Mills Fire District. Property located approximately 1 mile from Station on Halstead St.

**Schools:** Impact calculated at subdivision/building permit.

**Traffic:** Staffs opinion is traffic will not exceed road capacities.

## PLANS CONSISTENCY:

**CAMA Land Use Plan Policies & Objectives: Consistent.** The proposed zoning change is consistent with the CAMA Land Use Plan which was adopted by the Camden County Board of Commissioners on April 4, 2005 in that the Future Land Use Maps has area as Low Density Residential 1-2 acres or greater.

**2035 Comprehensive Plan: Inconsistent.** Inconsistent with Comprehensive Plan (Adopted 2012) as Future Land Use Maps reflect land as Rural Preservation.

**Comprehensive Transportation Plan: Consistent.** Property abuts Horseshoe Road.

**Other Plans officially adopted by the Board of Commissioners: N/A**

## FINDINGS REGARDING ADDITIONAL REQUIREMENTS:

**Will the proposed zoning change enhance the public health, safety or welfare? Yes AND No. Reasoning:** The proposed zoning change will neither enhance nor hinder the public health, safety, or welfare. The infrastructure if there for residential development however sewer is unavailable (if needed ) for commercial development.

**CAMDEN COUNTY PLANNING BOARD**

Regular Meeting – September 20, 2017

---

**Is the entire range of permitted uses in the requested classification more appropriate than the range of uses in the existing classification? Yes AND No.** Reasoning: Could debate both sides based on infrastructure.

**For proposals to re-zone to non-residential districts along major arterial roads:**

Is this an expansion of an adjacent zoning district of the same classification? N/A; Reasoning:

What extraordinary showing of public need or demand is met by this application? N/A; Reasoning:

**Will the request, as proposed cause serious noise, odors, light, activity, or unusual disturbances?** No. Reasoning: All uses allowed in the requested zoning classification should not cause any serious noise, odors, light activity, or unusual disturbances.

**Does the request impact any CAMA Areas of Environmental Concern?** No. Reasoning: Property is outside any CAMA Areas of Environmental Concern.

**Does the county need more land in the zoning class requested?** Yes. Reasoning: Higher density development in areas identified in the CAMA Land Use Plan provides needed roof tops to support commercial development.

**Is there other land in the county that would be more appropriate for the proposed uses?** No. Reasoning: There are homes located adjacent to and near the property.

**Will not exceed the county's ability to provide public facilities:** No.  
**Schools** - The higher density would have an impact on the high school as it is over capacity.  
**Fire and Rescue** - Minimal impact.  
**Law Enforcement** - Minimal impact.  
**Parks & Recreation** - Minimal impact  
**Traffic Circulation or Parking** - N/A  
**Other County Facilities** - No.

# CAMDEN COUNTY PLANNING BOARD

Regular Meeting – September 20, 2017

---

**Is This A Small Scale "Spot" Rezoning Request Requiring Evaluation Of Community Benefits? Yes.**

**If Yes (regarding small scale spot rezoning) – Applicants Reasoning:**

	<b>Personal Benefits/Impact</b>	<b>Community Benefits/Impact</b>
<b>With Rezoning</b>	Will allow owner to build their home on the land.	None.
<b>Without Rezoning</b>	Property owner will not be able to use the land in which they intended.	When sewer is available, will provide needed commercial development.

**STAFF COMMENTARY:**

This is another area where the CAMA Plan, Comprehensive Plan and Zoning Maps are not consistent with each other. CAMA Plan has property identified as Low Density Residential, Comprehensive Plan has land at Rural Preservation and Zoning Map has property zoned Highway Commercial. There is no sewer available at this time and there are 8 dwellings that surround the property.

**STAFF RECOMMENDATION:**

1. Staff [recommended] motion for the Consistency Statement is the requested rezoning is both consistent and inconsistent with adopted CAMA Land Use Plan and the Comprehensive Plan stated in Staff Commentary.
2. Staff recommends

---

At this time, Ms. Stephanie Jackson, applicant for this rezoning request, provided the following information:

- She and her husband purchased the 10 acre tract of land located at 163 Horseshoe Road
- Plans are to demolish the current home on the property and build new home
- Need property to be rezoned in order to build residential dwelling on the property as it is currently zoned Highway Commercial.

Dave Parks noted that there is no staff recommendation in the Staff Report. There could be an argument made either way for this rezoning. Current zoning on the property is Highway Commercial (HC) and there are all kinds of residential zoning in the immediate area. The rezoning request is inconsistent with the Comprehensive Plan as the Comprehensive Plan has the area designated as Rural Preservation.

Steve Bradshaw commented that the zoning in the area is a mixed bag, with homes all along the road in that area being different zoning designations on those properties and adjacent properties. Dave Parks concurred with this assessment.

**CAMDEN COUNTY PLANNING BOARD**

Regular Meeting – September 20, 2017

---

Dan Porter stated that the reason staff had no recommendation was that he wanted to discuss the matter during the meeting instead. He stated that the R-3-2 in the area was once HC. He also spoke about the South Mills core village area. He went on to say that there was no access to the property which was zoned Highway Commercial except by Spence Lane. Much of the land in the area is farmland and/or woodland. It is a mixed up area in terms of zoning designations.

Dave Parks then spoke about the Table of Permissible Uses for the requested zoning classification versus the existing zoning classification. With the appropriate infrastructure, an argument could be made for Highway Commercial. Argument for residential use, there are adjacent residential uses within a closely compacted area.

Dan then spoke about the CAMA Future Land Use Map, which was adopted around 2004 / 2005. He stated that it is as close to reasonable as it can be, showing a lot of commercial on the Northern side of Horseshoe Road. Since the time this map was adopted, the commercial on the other side of Horseshoe Road has been converted back to residential. From that standpoint, the requested rezoning does conform with the CAMA Plan.

Steve Bradshaw expressed his opinion that this is a perfectly reasonable rezoning request.

Dave Parks continued going over the Staff Report as incorporated herein above. At the conclusion of the Staff Report, Mr. Parks read the recommendation for consistency statement which is included at the end of the report. Mr. Parks stated that there would need to be 2 motions in order to approve the request: Consistency Statement and Motion to Approve.

Rick McCall asked if the UDO Update is compatible with this request. Dan Porter stated that the UDO Update being worked on establishes zoning types, but does not specify where those zoning boundaries are. Mr. Porter stated that the short answer is yes it is compatible, and that the UDO Update process is not making any zoning changes to the zoning maps.

At this time, Chairman Calvin Leary asked if there were any further comments or questions. Hearing none, the Chair entertained the following motions:

***Consistency Statement: Requested rezoning is both consistent and inconsistent with the CAMA Land Use Plan and the Comprehensive Plan adopted by the county.***

<b>RESULT:</b>	<b>PASSED [UNANIMOUS]</b>
<b>MOVER:</b>	Steven Bradshaw, Board Member
<b>SECONDER:</b>	Fletcher Harris, Board Member
<b>AYES:</b>	Leary, Harris, Delano, McCall, Bradshaw

**CAMDEN COUNTY PLANNING BOARD**

Regular Meeting – September 20, 2017

---

***Motion to Approve Rezoning Request for 163 Horseshoe Road, Stephanie and Christopher Jackson***

<b>RESULT:</b>	<b>PASSED [UNANIMOUS]</b>
<b>MOVER:</b>	Rick McCall, Board Member
<b>SECONDER:</b>	Patricia Delano, Vice Chairman
<b>AYES:</b>	Leary, Harris, Delano, McCall, Bradshaw

Dave Parks mentioned that the owners at 159 Horseshoe Road, property which is directly adjacent to the property being considered for rezoning here, would like to be included in the rezoning.

***Motion to include 159 Horseshoe Road in this Rezoning***

<b>RESULT:</b>	<b>PASSED [UNANIMOUS]</b>
<b>MOVER:</b>	Patricia Delano, Vice Chairman
<b>SECONDER:</b>	Rick McCall, Board Member
<b>AYES:</b>	Leary, Harris, Delano, McCall, Bradshaw

**INFO FROM BOARD AND STAFF**

Dan Porter reminded the Board of a workshop, regarding the Update of the UDO, to take place September 26 at the Camden County Library in the Community Room.

**CONSIDER DATE OF NEXT MEETING - OCTOBER 18, 2017**

**CAMDEN COUNTY PLANNING BOARD**

Regular Meeting – September 20, 2017

---

**ADJOURN**

**Motion to Adjourn**

<b>RESULT:</b>	<b>PASSED [UNANIMOUS]</b>
<b>MOVER:</b>	Fletcher Harris, Board Member
<b>SECONDER:</b>	Steven Bradshaw, Board Member
<b>AYES:</b>	Leary, Harris, Delano, McCall, Bradshaw

The meeting adjourned at 7:25 PM.

---

*Chairman Calvin Leary  
Camden County Planning Board*

*ATTEST:*

---

*Amy Barnett  
Planning Clerk*