

Camden County Special Meeting Board of Adjustment
March 5th; 7:00 PM
February 19, 2025 Canceled due to snow
Camden County Library Board Room
Camden, North Carolina

MINUTES

BOARD MEMBERS PRESENT/ABSENT

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

STAFF PRESENT

Name:	Title:
Amber Curling	Director of Planning
Hunter Munro	Planning Officer
Lauren Lee	Planning Clerk

OTHERS PRESENT

Name	Title:	Purpose / Representing	Meeting Section
Levi Drake	Applicant	Variance Application	
Melissa Henry	Complainant		
Douglas Henry	Complainant		

ITEM 1. CALL TO ORDER & WELCOME

Calling to order the meeting for Board of Adjustment by Chairman Steven Bradshaw at 7:00 PM. My name is Steven Bradshaw and I am the Chairman of the Camden County Board of Adjustment. For those of you who have not been here before, the Board of Adjustment hears request for variances and appeals under the Camden County Code. We are a Quasi-Judicial body which means we must make our decisions in accordance with that ordinance. We must base our decision only upon sworn testimony and evidence received at these hearings. When we are deciding these cases, our discretion is limited to the code which was enacted by the Board of Commissioners. We can interpret it and apply it but we cannot change it. The first order of business for today is approve the minutes from last meeting.

ITEM II. CONSIDERATION OF AGENDA

Motion to approve the Consideration of Agenda

RESULT:	APPROVED [5 – 0]
MOVER:	Steven Bradshaw
SECONDER:	Briant Robey
AYES:	Steven Bradshaw, Briant Robey, Roger Lambertson, Tom White, Lee Powell
NAYES:	
ABSENT:	Nathan Lilley, Ray Albertson

ITEM III. CONSIDERATION OF MINUTES

Motion to approve the minutes as written

RESULT:	APPROVED [5 – 0]
MOVER:	Steven Bradshaw
SECONDER:	Briant Robey
AYES:	Steven Bradshaw, Briant Robey, Roger Lambertson, Tom White, Lee Powell
NAYES:	
ABSENT:	Nathan Lilley, Ray Albertson

ITEM IV. COMMENTS from the PUBLIC

None

ITEM V. OLD BUSINESS

None.

ITEM VI. NEW BUSINESS

Variance Application - UDO # 2025-01-156 – Levi Drake – 102 Summer Way

Chairman Bradshaw: All persons representing factual information on this issue may please come forward.

- Chairman Bradshaw swears in Mr. Levi Drake, Mr. Hunter Munro and Mrs. Melissa Henry

Hunter Munro: Good evening. I am submitting into evidence the staff report, a hard copy of an email, notices required by law and attachments for 102 Summer Way Variance Application for the Board.

Chairman Bradshaw: We receive the package.

Hunter Munro: On the agenda tonight is a Variance Application submitted by Mr. Levi Drake at 102 Summer Way. The applicant is requesting a variance to where an accessory structure can be located on the lot and to reduce the front setback. A neighborhood meeting was held on January 4th, to which no objections were raised by those in attendance. The applicant's 0.94-acre lot is located off of 343 halfway between the South Mills and Camden Townships. The use is Residential and the lot is part of the Tall Tree Commons residential subdivision. The surrounding uses are residential lots, farmland and woodland. The applicant's lot is in the Rural Residential Zoning district. The surrounding zoning district is Working Lands. The lot is located in Flood Zone X. Water lines run adjacent to the property along Summer Way. The applicant's request states, "I wish to install a shed that is located 30 feet from the west lot line and 110 feet from the south lot line. The shed is 14 feet by 36 feet and will run length wise parallel to the west lot line. Use of the shed is intended for a wood working shop and storage." The email submitted into evidence amends the original request of 30 ft from the west lot line to 28 ft. The red square here is the proposed location for the accessory structure. This red line is the setback that the accessory structure currently needs to fall behind. The blue box and blue outline are the septic tank and leech field, respectfully. The white cross here is a cemetery. The green circles here are trees. The black arrows indicate where the land begins to incline significantly. The fenced in backyard is outlined in yellow here, and this brown box is an existing shed. Required Staff Findings for the Variance application were as such: The application of Article 151.4.5.3.F.1 is causing the hardship. The current owner was deeded the property in 2021. The house was built in 2005. The characteristics of the lot were present before Mr. Drake was deeded the lot. The lot possesses numerous additional features that make its particular situation unique in comparison to the surrounding lots. Location of the septic tank and leech field, a cemetery on site, the shape of the lot, the angle and placement of the front of the house, the property abutting two roadways, and the lot topography all together make this hardship unique. The hardship is a result of the topography of the lot, the location of preexisting lot characteristics, and the application of the ordinance. Accessory Structures, such as sheds and metal buildings, are permitted accessory uses for Rural Residential Lots and will not create a nonconforming use of the land. In Summary, the characteristics of the lot and the application of Article 151.4.5.3.F.1 create a situation of hardship for the applicant. It is the determination of the Planning Department Staff that granting a variance would be within the spirit and intent of the Camden County Ordinance. Planning Department Staff recommends allowing the accessory structure to be between the principal structure and the street bounding the lot, and to reduce the front setback along Summer Way from 50ft to 28 ft. Does the Board have any questions for me? Mr. Drake has a presentation that I will now pull up.

Levi Drake: Good evening board members, my name is Levi Drake and I live over at 102 Summer Way. This is going to be a reiteration of what Mr. Munro just presented to you, so I will go over it as quickly as possible.

begins slide presentation

That's the front of the house. You have already seen the aerial view. His presentation looks a lot like this, actually except mine is a little rougher. All the yellow area represents the inclined, sloping areas. I just tried to mark off areas to talk about. The front yard; obviously not an option. Trees here, backyard area, septic field, cemetery area. This is something that wasn't on his map, there is

a hole here, used to be a tree there. I'd have to use a lot of fill. G is the desired location. Front plane of the house; this whole area is extremely crowded with the septic field. That's really the only area that doesn't have something preexisting and it's just not big enough. It seems that no matter what, I'm going to break this plane. Even if I was to do something down here. Let's see; neighborhood sign over there. There's the existing shed. That older picture doesn't show that I've got a garden there. I have a chicken coop in the back, a couple of playsets for my kids. Right here, I've got some planter boxes, so even if I could build on the septic, it's already being used. Again, front plane of the house, we already discussed this. Just trying to indicate how inconvenient that is, in general. Leaving most of the yard in the front, as you can see because the house is at an angle, it creates this triangle there. There are the 50-foot setbacks from the roads. So, our location, this is essentially where it is in the yard. This corner as I have it staked out is correct, but I had to go out and remeasure this corner. I had to move it back five feet. You'll see this line is not exactly right, it's more along this area. It's one of the flattest spots of the yard that is not a septic field. As you can see how it is to the road, not really that close. Front yard, again, not really an option as that's completely bizarre. Back yard; stuff is already back there. I actually measured where this kettle bell sits, that would be a corner of the shed, the fence would be the back of the shed, and it would go the entire way of the entire area of the back yard if I put it back there. However, it slopes off significantly and there are crape myrtles back here. The crape myrtle would be two inches away from the shed. The backyard slopes significantly, so not very realistic back here. You can see the slope going from the fence and now to the east side of the yard. The garden is back here. Looking south on the east side, you can really see how it slopes into that ditch. That arrow points at the cemetery. This area, if it wasn't so sloped, might be able to fit the shed. Cemetery here. This whole area is marked off on the plat, so my assumption is that I can't do anything with that area. You can see how bad this all slopes from this angle. Again, just trying to illustrate that this is a busy side of the yard already. If I'm mowing my lawn here, it feels like a 45-degree angle, probably isn't, but feels like it. Septic field is right there; here's a picture of the septic field drawing from the Health Services. You can see here that they indicate this is a low area out here, so I really don't like that idea. Right across the street is that flood zone. Topographically problematic. It has slopes, it has dips, like I mentioned the hole where that tree used to be. My concern is in the event of that 100-year storm, I don't want my stuff to get swamped out. Distance from the house; it's kind of a security issue. I got a lot of tools I want to keep out there and I'd rather be just a little closer to the house. In summary, this is the only non-used and flat area of the yard. Any questions?

Chairman Bradshaw: When you sent out the letters, did you get any responses back at all that were negative?

Levi Drake: No negative responses to the letters, no sir.

Chairman Bradshaw: The house right here on the side, did he make any response?

Levi Drake: The letter I sent to him got sent back. He was not interested in communicating about it.

Chairman Bradshaw: When you say "sent back", did it say "No longer at this address" or...?

Levi Drake: "Return to Sender".

Chairman Bradshaw: That's curious.

Levi Drake: He and I have talked, it's not like we're on bad terms. It might've just seemed odd to him.

Chairman Bradshaw: Okay

Briant Robey: You showed pictures that you had staked this out; about how far off of the top of that bank of the slope were you?

Levi Drake: It's pretty much right next to it. If I go another ten feet, I'm standing on the sloped area; five feet to the west and that's where it's really starting to slope off.

Briant Robey: Could you go back to that picture? Okay, so you still have a fair amount of room and you indicated I believe, or I think Hunter had it in his packet, that you intend to screen this from the road?

Levi Drake: Absolutely. I want to plant some Leland fir trees back there for privacy. This stake actually, at 35 feet from the blacktop, lines up being right about here. When they drop it off I'm going to tell them 35 feet from the blacktop because that would put us at 28 feet from the lot line.

Briant Robey: According to your email, that meets the setbacks on the plat. Do you have any sort of idea what the other side of it, how far that is off your septic tank?

Levi Drake: I don't know exactly. It was just an estimate. Just looking at the drawing I was given when I bought the house, it seemed like it was probably clear. The way they had it drawn out, it came out pretty much straight to the side of the house. Mr. Munro showed it coming out at a little bit of an angle. I'm still pretty sure there's plenty of room.

Briant Robey: It looks like, at least on the aerial that was provided on the project map, there is a little discoloration; pretty typical of where those gravel trenches are that indicate it may be a little closer to the shed than what that drawing showed. Just something to be aware of when you got to situate that. In case you have septic issues down the line, you've got a shed that's right on top of it. As long as you meet the clearances there. I think the location has merit, makes sense.

Chairman Bradshaw: I understand you want to put it there. Are you going to put a driveway to your shed and to the road?

Levi Drake: That was never the intent. If I needed to drive to the shed I could. There is a pretty easy grade where the neighborhood sign is. I do not intend to pave that area at all. I have four children with another on the way, so I do intend to pave some parking spots to the right of the driveway.

Briant Robey: You do actually have a non-access easement on the plat at that corner, so you wouldn't be able to run a driveway to that corner.

Levi Drake: Good to know. Thank you.

Chairman Bradshaw: I'm looking at the size of the proposed location; I'm assuming that's to scale, the red box they have. It looks to me that it would fit between the septic tank and the shed. That area there. Now I wish your neighbor had made a comment because that puts the shed closer to his house and I think would be more intrusive. I like putting it there, kind of the less of evils, even effecting your neighbor. Is there any physical reason...? It looks like it's behind the setback, it's not in your leech field... what's wrong with that area?

Levi Drake: Putting it where, again?

Chairman Bradshaw: You've got your septic tank; your septic field and you've got a preexisting shed. There's a chunk of land in there that looks relatively flat and is behind the side of the house. So why could it not go there?

Levi Drake: Between the current shed and the cemetery, you mean?

Briant Robey: I think that's what he's looking at, yeah. Between the...

Chairman Bradshaw: If you look; you've got a septic tank, a septic field, you got your plane, you got a preexisting shed. What's wrong with that piece of property right there?

Levi Drake: That's where my planter boxes are right now. I thought that that's where the septic field was. I think the septic field is here based off the drawing that I was given. I don't think there's as much room as it looks and it does slope down quite a bit. It's just not really level. If you look at

the difference between the bottom of the shed and these stone that are right here, there's a pretty decent topographical difference between the two.

Chairman Bradshaw: I'm not going to get into your building requirements, but there is no topographical challenge that you cannot overcome relatively easy. Anyone have any other comments? Thank you.

Chairman Bradshaw: Anyone wishing to speak, will have 3 minutes as indicated on the podium timer. Each person speaking will have 3 minutes of which to speak. Subject matter is to be of a factual nature. We will now yield the floor to members of the public. So, if you would please read off their name.

Hunter Munro: Melissa Henry.

Melissa Henry: Thank you Hunter and members of the board and neighbor that I never met formally or informally. I have nothing factual, I'm unaware of whatever this January 4th meeting or letter, I don't know if you sent a letter to everyone in Tall Tree Commons, but I didn't receive one. Until I came back from vacation on the 18th of February, I saw the sign, and was unaware of what was going on. So, I went on your site which showed there was a meeting on the 19th, and it hadn't been updated to show that the meeting was now on the 5th of March. So, I have no clue; I see this sign and I see these stakes, so I'm guessing I know what was going to go on. I came and saw Hunter and he told me that the meeting had been cancelled, because of the weather. I clicked on the Board Packet and I could never get anything. If I have to have something factual, well it's not factual, it's the opinion of living in Tall Tree Commons, where I see the stakes are and where you come in from 343 onto Summer Way. I think aesthetically it's not pleasing to the neighborhood and I don't know over the long run what it would do to property values. I walk that road and the side road pretty much every day, and it looks like, what Mr. Bradshaw was saying, beside your existing shed; yes, you may have to put in some fill. But that's just the way it is. You could possibly put it there and avoid what I consider an eyesore for all of us on Summer Way. Thank you.

Chairman Bradshaw: Is there anyone else who would like to speak?

Douglas Henry: I haven't been sworn in but I'd like to say something.

Chairman Bradshaw swears in Douglas Henry

Roger Lambertson: May I ask your address?

Douglas Henry: 121 Summer Way. Chairman, members of the board, neighbor. Same boat. Come back from vacation. See the stakes. See the sign. Can't get to the website. Just brings up a blank page. Wonder what's going on. Have an idea. Structure going in at the stakes. I've put in two structures in my yard. They're in my backyard and away from all my structures and within the confines of the protocol. Now I have questions here, because now I'm hearing it's a woodshop. Noise? Lumber? Customers? Projects? Trees? How does all this come to play. I'm looking at the topology here, from the standpoint of Cedar Branch Road, and I'm thinking; If we can put a house on a land with a walkout basement, there's no reason we can't put a shed right back next to that other shed. Part of what I see coming in is headlights, shining on the house. I see that as a way to block lights, I see it as a way to put up trees. And I agree with my wife that this is not something I want to see every time I go home. Sorry. Any questions for me?

Roger Lambertson: How big is your lot?

Douglas Henry: Plenty big enough for two sheds. Under one acre.

Chairman Bradshaw: Any other questions of comments? Discussion. I understand where he wants to put the shed, but I can't see why he can't go in that area that I talked about. I just don't know. If you look at the size, we don't need a variance and it would meet the requirements of the

UDO. I don't see a compelling reason to do this. Now that's just my opinion. I don't see a reason. I understand the Planning Board. I don't see a reason to give a Variance when the solution is doable. I tend to agree that a large shed close to the road at the entrance of the neighborhood, I can see why someone would object to that. Does anyone else have any comments?

Briant Robey: I mean I think it is a tight fit on the lot. I guess one of the determining pieces is we don't really know where the septic field is. This location was being proposed on the assumption that the septic field was closer to the house. Where I think Hunter has marked it, strictly from the aerial and how the grass is has grown there, I think would be correct. Unless that's surveyed or located somehow, I'm not sure that we know really, exactly, where that septic field falls out to or if there is enough room close to that existing shed.

Roger Lambertson: Question?

Chairman Bradshaw: Yes sir?

Roger Lambertson: Will this new shed be sort of exactly like the old shed that's there now? In style, color and so forth?

Levi Drake: It's almost exactly like that old shed sir, it's just larger. It's not exactly the same color, though I intend to paint it to match the house. That light blue color. That shed is going to stay there, I'm not getting rid of that shed. That shed is for garden tools.

Lee Powell: So, if it would not fit behind the septic field, between the septic field and the existing shed, would it be a better placement if it could come to the end of the drain field? It seems like it would be easier to screen it if it was at the end of the septic field versus being out by the neighborhood entrance potentially. As a possible alternate location. Or did I miss something about that area there?

Briant Robey: It seems like you almost get into that same problem of line of sight from 343, the fact that it still breaks the front plane of the house.

Lee Powell: It just seems that it would be easier to screen three sides of it there versus where its at now. I think it would feel slightly less obtrusive. It would feel like it was in the "side" yard versus the front yard if it was off into the septic field. I don't think it would be as "in-your-face".

Briant Robey: One of the problems is this is the most visible lot from 343.

Chairman Bradshaw: Based on the information that I see, there's room for that shed between the field and existing shed below the septic tank. Are there any more questions?

Douglas Henry: I have questions about the shop. Woodshop. Are we talking saws and planers? Are the doors going to be facing...?

Levi Drake: My yard. And you had mentioned potential customers... That's absolutely not the situation at all. This is for my own personal hobbies. I make small projects like gun racks. I'm in the military so I make cutlass boards for the Chiefs who leave the command. This is not a commercial enterprise by any means. Nothing industrial in size.

Douglas Henry: So, no lumber trucks?

Levi Drake: No sir, it's going to be me and my F-250.

Chairman Bradshaw: Sir, this is not a Variance to see if he can operate a business.

Douglas Henry: A woodshop is a woodshop. If that echoes out to the side, straight down summer way, that's one of my concerns.

Levi Drake: Sorry we haven't met before... in the past three years I've been on two 9-month deployments.

Douglas Henry: Look... I just don't know what happened to the letter.

Levi Drake: I sent those to everyone who was within 300 feet of my house, based off of what the UDO says. It's a recommendation, not a requirement I was trying to be as forthright as possible.

Roger Lambertson: Do you want to entertain a motion?

Chairman Bradshaw: Yes, I'll entertain a motion.

Motion to grant the Variance as Requested.

RESULT:	APPROVED 3-2
MOVER:	Roger Lambertson
SECONDER:	Tom White
AYES:	Roger Lambertson, Tom White, Briant Robey
NAYES:	Steven Bradshaw, Lee Powell
ABSENT:	Nathan Lilley, Ray Albertson

ITEM VII. INFORMATION FROM BOARD AND STAFF

None

ITEM VIII. CONSIDER DATE OF NEXT MEETING

To be determined as required by agenda.

ITEM VIII. ADJOURN

RESULT:	APPROVED 5-0
MOVER:	Tom White
SECONDER:	Roger Lambertson
AYES:	Steven Bradshaw, Briant Robey, Roger Lambertson, Tom White, Lee Powell
NAYES:	
ABSENT:	Nathan Lilley, Ray Albertson