



**ONLOW COUNTY BOARD OF ADJUSTMENT  
MEETING MINUTES  
February 22, 2022  
Onslow County Government Center  
Commissioners' Chambers  
234 NW Corridor Blvd, Jacksonville, NC 28540**

**BOARD MEMBERS PRESENT:**

Jerome Shaw, Chairman

John Smith, Vice Chairman

Roger Brown

Jeff Brown

Kyle Fountain

Cindy Edwards

**ONLOW COUNTY STAFF MEMBERS PRESENT:**

Angie Manning, Land Use Administrator

Kendrick Stanton, Chief Zoning Enforcement Officer

Brett DeSelms, County Attorney

Michael Montgomery, Administrative Assistant

**I. MEETING CALLED TO ORDER**

Mr. Jerome Shaw, Chairman, called the meeting to order at 6:30 p.m.

**II. INVOCATION**

Mr. Jeff Brown pronounced the invocation.

**III. PLEDGE OF ALLEGIANCE**

Mr. Jerome Shaw led all present in the Pledge of Allegiance.

**IV. ELECTION OF CHAIR AND VICE CHAIR**

Mr. Jeff Brown nominated Mr. Jerome Shaw as Chairman. Mr. Roger Brown seconded. The motion carried by an unanimous vote.

Mr. Jeff Brown nominated Mr. John Smith as Vice Chairman. Mr. Roger Brown seconded. The motion carried by unanimous vote.

#### **V. APPROVAL OF MINUTES AND DECISIONS**

Mr. Jeff Brown made the motion to approve the January 25, 2022 minutes with the correction to Mrs. Edwards name. Mr. Roger Brown seconded the motion. All members were in favor and the motion passed.

Mr. Jeff Brown made the motion to approve the Board Decision: SUP-2021-00025. Mr. Smith seconded the motion. All members were in favor and the motion passed.

Mr. Jeff Brown made the motion to approve the Board Decision: SUP-2021-00026. Mr. Roger Brown seconded the motion. All members were in favor and the motion passed.

Mr. Roger Brown made the motion to approve the Board Decision: SUP-2021-00027. Mr. Jeff Brown seconded the motion. All members were in favor and the motion passed.

Mr. Jeff Brown made the motion to approve the Board Decision: SUP-2021-00028. Mr. Roger Brown seconded the motion. All members were in favor and the motion passed.

#### **VI. SPECIAL USE APPLICATION**

**SUP-2022-00001 — James C. Dolph Jr. requested a Special Use Permit for a single RV on a property at 405 Prince Drive, Hubert, NC known as Tax Parcel 1313D-84.**

**Applicant/Owner:** James C. Dolph Jr.

**Summary of proposal:** To establish a Single RV on a 0.36-acre lot

Mr. Stanton provided an overview of the application SUP-2022-00001.

Mr. Shaw asked if the property is vacant. Mr. Stanton responded that he believes it is vacant.

James C. Dolph Jr. 608 West Shore Drive, Swansboro NC, spoke on behalf of the application. He stated that he wants to live on property. The RV will be his primary residence. He was going to build a home, but it fell through. He does not have the time to go through the home building process again. He must leave his current residence as the owner is moving into the home. He said the RV will not harm the property value of the surrounding homes. His partner is currently staying on the lot in a tent to provide security because there is no fence around the property. Mr. Dolph wants to fit in the neighborhood. The camper is a newer camper from 2017.

Joanna Arnold, 205 Youpon Drive, Hubert NC, stated that the neighborhood is not a RV Park. This neighborhood is for single and double-wide mobile homes and stick-built homes. There are RV Parks near-by out of the neighborhood that Mr. Dolph could live in. She is opposed to the RV on Mr. Dolph's lot.

Dewayne Riverbark, 215 Youpon Drive, Hubert NC said the covenants from 1975 does not allow RVs on lots. He said that an RV will harm property values. He ended by saying that a special use permit should not overrule the covenants.

Mr. Brett DeSelms expanded that the neighborhood restrictive covenants are private and cannot be considered in the Board's decision. The County cannot enforce covenants.

Emmett Morton, 211 Youpon Road, Hubert NC, went over the County's definitions of recreational vehicle and residential dwelling. He also covered the differences between the R-8M and the RA zoning.

Charles Pudenz, 106 Quail Point Drive, Hubert NC informed the Board that Mr. Dolph's partner has been living in a tent since the property was bought. There are plenty of RV parks around the area that the applicant can live in.

Brad Padgett, P.O. Box 1, Jacksonville NC told the Board that his parents developed the subdivision. It was sold for single-family homes and mobile homes. RVs were never intended to be in the neighborhood. He owns three lots, and this area is not an RV park. If one RV is allowed, it could lead to the community being full of RVs. One RV is already in the area, but it will be addressed later. He asked the Board to leave the subdivision as it was meant to be, which is for single-family stick built and mobile homes.

Charles Rawls, 22 Creekside Drive, Hubert NC is a land surveyor and appraiser. He has lived in the area for forty years. He gave a brief history of the area. He manages a property across the street on Youpon. He believes continuity is important. He said the RV is not appropriate for the wind zone for this area.

Mr. Dolph responded to the concerns. He said he understand the concerns the neighbors have. He said the RV parks rent the lots to you, but you cannot own the land and the lots are usually a tenth of an acre. The property in question is over a third of an acre so he will not be up against anyone. He mentioned the amount of abandoned homes in the subdivision. He mentioned a container home is being built near the water in the neighborhood. The area has all kinds of structures, an RV will not stand out and there already is an RV in the neighborhood.

**First General Conclusion:** That the Special Use, if approved, will not materially endanger the public health or safety, if located where proposed according to the plan submitted and approved.

Ms. Edwards made a motion to approve the finding. Mr. Roger Brown seconded the motion. Ms. Edwards stated that this will not pose an immediate threat to the public health or safety. The motion passed by unanimous vote.

**Second General Conclusion:** That the use meets all special uses and specifications. Mr. Jeff Brown made a motion to approve the finding. Mr. Roger Brown seconded the motion. Mr. Jeff Brown stated that it appears to meet all required special use standards and specifications. The motion passed by unanimous vote.

**Third General Conclusion:** That the use would not substantially injure the value of the adjoining or abutting property, or that the use is a public necessity. Mr. Jeff Brown made a motion to approve the finding. Ms. Edwards seconded the motion. Mr. Jeff Brown stated that based on the report provided by a licensed appraiser, the proposed structure will not substantially injure the value of the adjoining or abutting property. The motion passed by unanimous vote.

**Fourth General Conclusion:** That the location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it was to be located and in general conformity with the Onslow County Comprehensive Plan and other Onslow County Ordinances. Mr. Jeff Brown made a motion to approve the finding for the purposes of discussion. Mr. Smith seconded the motion. Mr. Jeff Brown stated that it appears to not be in harmony with the surrounding area and maybe in general conformity with the Onslow County Comprehensive Plan. The motion failed by 1(Shaw)-4 vote.

## VI. COMMENTS

### A. PUBLIC

There were no comments from the public.

### B. BOARD OF ADJUSTMENT MEMBERS

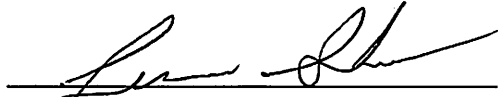
There were no comments from the Board

### C. PLANNING DEPARTMENT STAFF

There were no comments from Planning and Development Staff.

## VII. ADJOURNMENT


There being no further business, the meeting was adjourned at 7:10 p.m.



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Jerome Shaw, Chairman

ATTEST:



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Michael Montgomery, Administrative Assistant