



**ONslow COUNTY BOARD OF ADJUSTMENT  
MEETING MINUTES  
August 25, 2020  
Onslow County Government Center  
Commissioners' Chambers  
234 NW Corridor Blvd, Jacksonville, NC 28540**

**BOARD MEMBERS WERE PRESENT:**

Mr. Jerome Shaw, Chairman  
Mr. John Smith  
Mr. Roger Brown  
Mr. Ricky Cannon  
Mr. Jeff Brown  
Ms. Marilyn Bunce  
Mr. Kyle Fountain

**ONslow COUNTY STAFF MEMBERS PRESENT:**

Brett DeSelms, County Attorney  
Jessica Rhue, Planning and Development Director  
Angie Manning, Land Use Administrator  
Austin Brinkley, Chief Zoning and Environmental Officer  
Kendrick Stanton, Zoning Enforcement Officer  
Sammie Rogers, Zoning Enforcement Officer  
Kourtney Lanier, Administrative Assistant

**I. MEETING CALLED TO ORDER**

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

**II. INVOCATION**

Mr. Jerome Shaw pronounced the invocation.

**III. PLEDGE OF ALLEGIANCE**

Mr. Smith led all present in the Pledge of Allegiance.

**IV. APPROVAL OF MINUTES AND DECISIONS**

Mr. Jeff Brown made the motion to approve the July 28, 2020 minutes. 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: VAR-2020-00002. Mr. Smith seconded the motion. All members were in favor and the motion passed.

Mr. Smith made the motion to approve the Board Decision: SUP-2020-00013. Mr. Jeff Brown seconded the motion. All members were in favor and the motion passed.

Mr. Smith made the motion to approve the Board Decision: SUP-2020-00014. Mr. Cannon seconded the motion. All members were in favor and the motion passed.

Mr. Jeff Brown made the motion to approve the Board Decision: SUP-2020-00015. Mr. Smith seconded the motion. All members were in favor and the motion passed.

Mr. Cannon made the motion to approve the Board Decision: SUP-2020-00012. Mr. Jeff Brown seconded the motion. All members were in favor and the motion passed.

#### **V. DECISION ON RE-SUBMISSION OF SPECIAL USE APPLICATION**

Section 1303 of the Zoning Ordinance allows an applicant who has previously had an application for a Special Use Permit denied to re-submit an application if the Board finds that there is new and different evidence that was not reasonably available at the time of the original hearing or that a substantially revised application/plan has been submitted. Staff has received a request from Attorney Donald Walton on behalf of Tommy and Becky Pollard regarding their proposed Bed & Breakfast at 1 Tranquility Lane, Jacksonville, NC.

Donald Walton, 722 New Bridge Street, Jacksonville, NC 28540 stated that he represents Mr. And Mrs. Pollard regarding their proposed Bed & Breakfast application. On February 25, 2020, the Board of Adjustment denied their application. Mr. Walton asked, under Section 1303 of the Zoning Ordinance, if the Board allows them to file another application. The Bed & Breakfast proposal has now been reduced from 12 units to 8 units. This is a 33% reduction which would generate less traffic and would be in harmony with the surrounding area. Mr. Walton stated that the applicants will have expert witnesses come and present evidence of the impact this project would have on the area. He stated that in his opinion, this application has been substantially revised and requested that the Board allow Mr. and Mrs. Pollard to resubmit their application for reconsideration.

Mr. DeSelms explained to the Board that if re-submission is approved, the neighbors would be notified again of a public hearing and would have the opportunity to attend the meeting for questions and comments.

Mr. Jeff Brown made a motion to approve the re-submission of the Special Use Permit application. Mr. Smith seconded the motion. All members were in favor and the motion passed.

**VI. SPECIAL USE APPLICATIONS**

**A. SUP-2020-00016— John L. Pierce & Associates, on behalf of the property owner, is requesting to establish a compliant auto salvage yard on property in Jacksonville, NC, Parcel 333-1.**

Mr. Rogers provided an overview of the application SUP-2020-00016.

**Applicant:** John L. Pierce & Associates

**Summary of proposal:** John L. Pierce & Associates, on behalf of the property owner Linda Peck, is requesting a Special Use Permit to bring an existing Auto Salvage yard into compliance on Pickett Road in Jacksonville, NC. The property is within the Rural Agriculture (RA) Zoning District. The subject property consists of approximately 4.79 acres. The parcel has not yet been given a Future Land Use Designation as it was formerly in the City of Jacksonville ETJ. A TRC meeting was conducted on July 21, 2020, and the following comment was received:

1. Recommended that an Emergency contact number be posted on site.

Brian Jarman, John L. Pierce & Associates, 405 Johnson Blvd., Jacksonville, NC 28540 stated he believes all of the requirements of the ordinance have been satisfied. A statement from a licensed real estate appraiser was provided stating that this use would not have any negative impacts on the surrounding areas. Mr. Jarman stated that he believes this use is in harmony with the surrounding area and the Onslow County Comprehensive Plan.

Mr. Smith asked if there was going to be any fencing around the property.

Mr. Jarman stated that there will be a natural buffer around the property that will meet the County's buffer requirements.

Mr. Shaw asked if this auto salvage yard was already in use.

Mr. Jarman confirmed it was. They are trying to bring it into compliance.

Dan MacDonald, 404 Walkens Woods Lane, Jacksonville, NC 28546 spoke against the Special Use Permit request. He explained that he is a real estate agent for the homeowners next to this property. Mr. MacDonald stated that he has had numerous people come and look at the house, but he keeps receiving complaints about the auto salvage yard next door. He stated that the auto salvage yard was not there a year and a half ago; it just appeared one day with no notice. Mr. MacDonald asked about the buffering and what would happen in the fall when the leaves fall. He also asked about the environmental impact of this auto salvage yard and questioned the appraisal report that was provided. He expressed his concerns about the noise of the cars being brought in and the property attracting thieves with all of the car parts. Mr. MacDonald stated that although the appraisal report states that there would be no negative impacts

on the surrounding properties, he feels as if it has impacted how long this house has been on the market for sale.

Mr. Shaw asked if Mr. MacDonald would show where this house is on the map.

Mr. MacDonald stated that it is the house that is adjacent to this property.

Mr. Shaw asked if Mr. MacDonald had viewed buffer on the site plan.

Mr. MacDonald responded that he had viewed it, but he did not see how that was going to help. He stated that the plants would need to grow in, they would thin during the fall, and the buffer would still not help with the environmental concerns of the auto salvage yard.

Mr. Shaw asked if Mr. MacDonald thought a fence would be helpful.

Mr. MacDonald responded that a fence would be beneficial.

Mr. Roger Brown asked if a fence was required around a salvage yard.

Ms. Manning stated that a fence is required from public view, but the Zoning Ordinance allows for many different buffer options. Ms. Manning shared that the Board has the ability to add to the basic buffer requirements.

Mr. Roger Brown asked if the owners of the house have moved.

Mr. MacDonald stated that they have not moved because the house has not been sold. He shared that the house has been shown 16-20 times and over 70% of those showings did not purchase due to the auto salvage yard. He stated that it has had a significant impact on selling the house.

Mr. Shaw asked if it would be of any benefit if a fence was required.

Mr. MacDonald responded that it certainly would be of some benefit.

Carlos Torres, 1150 Pickett Road, Jacksonville, NC 28540 spoke against the special use request. Mr. Torres owns the house that is for sale. He expressed his concerns about safety. He stated that a fence would be beneficial. Mr. Torres asked the Board to please consider the neighbor's health and safety concerns.

Lavonda Torres, 1150 Pickett Road, Jacksonville, NC 28540 spoke against the special use request. Ms. Torres prepared a written statement that she presented to the Board. She stated that she has been apart of this community for over a decade. She explained that this area has grown with residential homes and this auto salvage yard does not fit in with the surrounding area. She expressed that the auto salvage yard

poses a potential threat for crime and lowers the property value of surrounding homes. Ms. Torres stated that her home has been for sale since November 2019 and the auto salvage yard has hindered this process. She has received the same feedback from interested buyers about the auto salvage yard each time that the house has been shown. Ms. Torres stated that the auto salvage yard is an eye sore and has no place in this residential community.

Gennittie Welcome, 1134 Humphrey Road, Jacksonville, NC 28540 spoke against the special use request. Ms. Welcome stated that her property is 1,000 feet from this auto salvage yard. She grew up in this area and she stated that she has never seen anything so unsightly in their community. Ms. Welcome stated that there are two family cemeteries next to this property and she is sad to see it surrounded by something that looks so bad. She stated that her family has farmed and lived in this area for over a century. She stated that she does not believe a fence will help the situation because there will still be pollution.

Donald Humphrey, 1148 Humphrey Road, Jacksonville, NC 28540 spoke against the Special Use Permit request. Mr. Humphrey stated that he was raised in this community with his grandparents and family. Mr. Humphrey asked if there was a permit that should have been obtained prior to the establishment of this auto salvage yard.

Mr. Brinkley explained that this property was previously located within the City of Jacksonville's ETJ. This area has recently been relinquished to the County. The auto salvage yard is not currently in compliance. The owner has applied for a Special Use Permit to bring it into compliance.

Mr. Humphrey explained that things are burned on this property that he can smell from his home. He stated that it is not a pleasant smell and the property is an eye sore. Mr. Humphrey stated that he is fully against this issuance of this Special Use Permit.

Wendy Napoleon, 1155 Pickett Road, Jacksonville, NC 28540 spoke against the special use request. Ms. Napoleon stated that the auto salvage yard has installed wildlife cameras because of being robbed in the past. She has concerns about crime due to the auto salvage yard.

Christopher Bell, 1157 Humphrey Road, Jacksonville, NC 28540 spoke against the special use request. Mr. Bell stated that he can smell what is being burned at the auto salvage property, and it is toxic. He has concerns about the auto salvage yard attracting more traffic, crime, and trash. He does not believe a fence will help anything.

Mr. Jarman stated that he cannot speak to the operational or environmental requirements of the salvage yard.

Mr. Shaw asked if Mr. Jarman had any knowledge of what they might be burning on this property.

Mr. Jarman stated that he has no knowledge.

Mr. Shaw asked if the owner would be willing to construct a fence down the whole side of the property line.

Mr. Jarman responded that the owner will do whatever the Board decides.

Mr. Roger Brown asked if there are storage units on the property.

Mr. Jarman stated that there is automobile storage on the property.

Mr. Shaw asked if they are dismantling the vehicles or just storing the vehicles on the property.

Mr. Jarman stated that he is not aware of dismantling, but they do store vehicles on the property.

Mr. Smith asked if there is any fence around the property currently.

Mr. Jarman answered that there is currently no fence around the property.

Mr. Jeff Brown asked if there was a fence on the front.

Mr. Jarman stated that there is a gate on the front that is locked, but there is no fence.

Mr. Roger Brown asked how long the auto salvage yard has been there.

Mr. Jarman is not sure of how long it has been there.

Mr. Brinkley stated that it was established some time since 2018 as it does not appear on the 2018 aerial photos.

Mr. Cannon asked if there was any more information on what is being burned on the property because, without that information, he does not know whether it poses a risk to the public health or safety.

Mr. Jarman stated that he was not aware that there was anything being burnt on the property.

Mr. Smith asked if Mr. Jarman knew approximately how many cars are stored there.

Mr. Jarman stated approximately 20 stored cars and 80-100 junk cars.

Mr. Roger Brown asked if the fluids are drained from the vehicles prior to them being stored.

Mr. Jarman stated that he is not sure of the regulations for the salvage yard.

Fredreca Monk, 1157 Humphrey Road, Jacksonville, NC 28540 spoke against the special use request. She stated that she lived at this address for 50 years; she is currently renting it out. Ms. Monk stated that she did some research on the effects that an auto salvage yard can have on the public. She expressed that her biggest concern with the auto salvage yard are the health issues.

Clanzell Brookin, 121 Bellchase Drive, Jacksonville, NC 28540 spoke against the special use request. Ms. Brookin expressed her concerns about her property value and the health concerns from what is being burned.

**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. Mr. Smith made a motion to deny the finding. Mr. Cannon seconded the motion. Mr. Smith stated that he does not feel like the auto salvage yard would be appropriate in the neighborhood. 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. Shaw 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 deny the finding. Mr. Roger Brown seconded the motion. Mr. Jeff Brown stated that although there is an appraisal report, he does not believe it is a public necessity. 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 deny the finding. Mr. Roger Brown seconded the motion. Mr. Jeff Brown stated that it does not appear to be in harmony with the area. The motion passed by unanimous vote.

**B. SUP-2020-00017— Danny, Dena & Gregory Baysden and Brenda Brown are requesting the construction of a 260' wireless communication tower on property located in Richlands, NC, Parcel ID 21-63:**

Mr. Stanton provided an overview of the application SUP-2020-00017.

**Applicant:** Diamond Towers V, LLC

**Summary of proposal:** Diamond Towers V, LLC is requesting a Special Use Permit to construct a 260' wireless communication tower located on Luther Banks Road in Richlands, NC. The property is within the Rural Agriculture (RA) Zoning District. The subject property consists of approximately 179.35 acres. The

Future Land Use Map shows this property as being within both Rural Residential and Agriculture/Forestry. A TRC meeting was conducted on July 21, 2020, and the following comments were received:

1. Plan needs to show adjacent properties in relation to the fall zone,
2. Road needs to be 20' and consistent with fire code,
3. Camp Lejeune requires the antenna to be illuminated, and
4. Emergency turnaround shall be relocated.

Karen Kamerait, 434 Fayetteville Street, Raleigh, NC 27601 spoke on behalf of the applicant. She provided the Board with notebooks with information about the cell tower. Ms. Kamerait explained to the Board that this tower will help improve AT&T wireless communication coverage and will be for a first- responder network. Ms. Kamerait explained this network and the partnership with AT&T to the Board. She explained that this property is a vacant property and is heavily wooded. Ms. Kamerait stated that the cell tower is very appropriate for this area because it will support and provide wireless services to the rural area. The tower will be located in the southeast portion of the site. There will be a natural buffer on all sides of the tower. Ms. Kamerait showed AT&T's current coverage in that area, and what the coverage will be in that area once the tower is constructed. She described to the Board how they have met all the County's requirements for this Special Use Permit.

David Smith, 2007 Front Street, Durham, NC 27705 stated that he is a NC Certified Appraiser and he conducted a study on this property to determine if the surrounding property values would be impacted by this wireless communication tower. Mr. Smith stated that he personally walked down Luther Banks Road and Hinson Lane and took pictures. Mr. Smith explained how he conducts his research. He stated that he views and studies two properties that are very similar except for one item. If there is any difference between the two properties, it is because of that item. He considered two separate neighborhoods with larger cell towers in this study area and determined that there were no negative impacts on property values in those neighborhoods; therefore, there would be no negative impact on property values in this neighborhood.

Anthony Barr, 530 Luther Banks Road, Richlands, NC 28574 spoke against the special use request. Mr. Barr explained that the area where the tower is proposed to be constructed is less than a half-mile from the house that he and his wife just built. Mr. Barr stated that he is a disabled veteran and he has concerns about the health risks that the cell tower may cause.

Lisa Foskey, 122 Hinson Lane, Richlands, NC 28574 spoke against the special use request. Ms. Foskey stated her concerns about the effects the cell tower might have on her children. She read an article from the American Academy of Pediatrics listing the negative effects a cell tower can have on children. Ms. Foskey also shared the results of a survey by the National Institute of Science Law and Public Policy stating that 94% of people would not buy or rent a home near a cell tower along with information about a school in California that experienced negative impacts on the children's and teacher's health from a cell tower that was constructed near it. Ms. Foskey continued to share other articles that provided information about

the negative effects and dangers from cell towers. She stated that she would prefer no cell phone service than to risk the health of her children and grandchildren in the future.

Linda Barr, 530 Luther Banks Road, Richlands, NC 28574 spoke against the special use request. Ms. Barr asked why the cell tower was being constructed so close to the house and not further off the road at the back of the property. She stated that the property is not fully wooded; it was recently cleared. She expressed her concerns about her property value and the potential health risks.

Ms. Kemerait stated that they have submitted substantial material evidence and have met all the requirements for the Special Use Permit. She stated that under NC General Statute 168-393, non-expert testimony stating that a cell tower would impact property values is considered to be incompetent evidence and testimony that cannot be considered. She explained only NC Certified Real Estate Appraisers can discuss property values. There has been no competent evidence about the safety concerns. Cell towers cannot be denied based on general concerns about safety. Ms. Kemerait stated that there was no expert testimony to demonstrate the impact on the public health and safety. She expressed to the Board that they have met all the requirements of the Ordinance and the tower will be located a significant distance away from existing homes.

**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. Mr. Jeff Brown made a motion to approve the finding. Mr. Smith seconded the motion. Mr. Jeff Brown stated that based on the evidence provided, it will not endanger the public health or safety if located where proposed. The motion to approve passed by a vote of 4 to 1 (Roger Brown).

**Second General Conclusion:** That the use meets all special uses and specifications. Mr. Smith made a motion to approve the finding with the condition that the expansion may not encroach onto the neighboring property. Mr. Jeff Brown seconded the motion. Mr. Smith stated that the application appears to be compliant with the standards set forth in the zoning ordinance. 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. Ms. Cannon made a motion to approve the finding. Mr. Jeff Brown seconded the motion. Mr. Cannon stated that there is no evidence that it will injure the value of the adjoining or abutting property according to the NC licensed appraiser's report. The motion to approve passed by a vote of 4 to 1 (Roger Brown).

**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. Mr. Smith seconded the motion. Mr. Jeff Brown stated that

the use appears to be in harmony with the area and in general conformity with the Onslow County Comprehensive Plan. The motion passed by unanimous vote.

**C. SUP-2020-00019— John and Alexandra McLaughlin are requesting to establish a 21-lot RV campground on property located in Sneads Ferry, NC, Parcel ID 777-159.5, 777-159.6, and 777-159.7:**

Mr. Brinkley provided an overview of the application SUP-2020-00019.

**Applicant:** Charles F. Riggs & Associates

**Summary of proposal:** Charles F. Riggs & Associates is requesting a Special Use Permit on behalf of John & Alexandra McLaughlin to set-up a 21-lot RV campground at 140, 144, and 148 Wendy Hill Lane in Sneads Ferry, NC. The property is within the Residential 8m (R-8M) Zoning District. The properties consist of approximately 1.68 acres. The Future Land Use Map shows this property within the High-Density Residential Land Use Category. A TRC meeting was conducted on July 21, 2020, and the following comments were received:

1. Asked if the applicant has a written set of rules and regulations.
2. Clearly indicate that the boat storage area is for RV park members only.
3. Fencing or a buffer around the septic repair area to prevent vehicles from locating on top of them.

Mr. Brown asked what kind of buffer the applicant is proposing.

Mr. Brinkley responded that they are proposing a vegetative buffer consistent with the requirements of the zoning ordinance.

John McLaughlin, 128 Cando Road, Sneads Ferry, NC 28460 stated that he and his wife are 1.2 miles away from the property where the RV campground is proposed to be established. He stated that they chose this property because of how close it is to their residence so that they can manage it. He explained to the Board that 18 of the units will be long-term annual rentals, one unit is for the office, and the other two are optional short-term rentals. The campground is designed to have a one-way driveway, but with two accesses to the road in case of an emergency. Mr. McLaughlin stated that many of the homes in the area are second homes for people on vacation so there should be no issue with the traffic. Because of the amount of RV campgrounds that are now in Sneads Ferry, Mr. McLaughlin stated that this campground would be in harmony with the surrounding area. He explained that there is a demand for RV Parks in this area. Mr. McLaughlin stated that nobody from the general community needs access to this road. He stated that this RV campground will have no effect on the community. Mr. McLaughlin had mailed letters and organized a meeting with the community earlier in the year, but because of the pandemic, it was canceled. He shared that he and his wife would like to establish an RV campground with a family atmosphere. They have established a detailed list of rules for the campground. Mr. McLaughlin presented and explained the rules to the Board. He explained to the Board how he has met all the County's requirements for this Special Use Permit.

Charles Riggs, 502 New Bridge Street, Jacksonville, NC 28540 stated that there will be a 6 feet opaque fence with a minimum of 3 feet of evergreen plantings as the buffer. There will also be buffering around the proposed stormwater feature and the proposed boat storage. The boat storage will be only for the members of the campground. The driveway will be 20 feet wide on the sides and 30 feet wide on the back for ease of access with turning the RVs. Mr. Riggs stated to limit the impact on the neighborhood, there will only be 21 units.

Michael Fisher, 137 Wendy Hill Lane, Sneads Ferry, NC 28460 spoke against the special use request. Mr. Fisher asked if there was a noise ordinance in Sneads Ferry.

Mr. Brinkley stated that there is a noise ordinance that is enforced by the Onslow County Sheriff's Department.

Mr. Fisher stated that he is strongly against this RV Park.

Mike Sowell, 182 Hill Lane, Sneads Ferry, NC 28460 spoke against the special use request. He stated that he moved into this area with the expectation of living in this area long-term. Mr. Sowell asked if the RV Park is intended for tourists, why most of them would be leased yearly. He would prefer for this area to remain residential and not fill up with RV parks. He stated that this would change the character of the community and affect the surrounding property values.

Raymond Earl Warlick, 122 Lucky Street, Sneads Ferry, NC 28460 spoke against the special use request. Mr. Warlick explained to the Board about the boats and traffic in that area. He stated that there is already limited space for boats and parking in this area and asked where all the members were going to launch their boats.

Thomas Newton, 177 Hill Lane, Sneads Ferry, NC 28460 spoke against the special use request. Mr. Newton stated that he feels this RV Park will substantially injure the value of the surrounding properties. He stated that he has spoken with real estate agents and an appraiser who informed him that there is no way to predict the effects the RV Park will have on the surrounding properties. He expressed to the Board that if the campground was already existing prior to him purchasing his home, it would have prevented him from purchasing his home. Mr. Newton stated that to his knowledge, there are 17 RV Parks currently in operation in the area; therefore, he does not feel like this RV Park is a necessity. He does not feel like a campground is in harmony with their neighborhood. He stated that he feels like this use is more commercial than residential, which would not fit in with this area. Mr. Newton expressed his concerns about stormwater. He provided photos to the Board showing them the issues he has with flooding. He is concerned that the stormwater runoff from the RV Park will generate a bigger flooding issue for him on his property.

Randy Murray, 200 Hill Lane, Sneads Ferry, NC 28460 spoke against the special use request. Mr. Murray expressed his concerns about traffic. He explained that an RV was set up on Crabshell Lane illegally for approximately 3 months, and during that time, the traffic increased and created an issue. Mr. Murray stated that he has concerns about the effect on his property value. He explained that the RV Park may not affect the value, but it will have an effect on selling his home if he ever chooses to do so.

Cindy Sallis, 113 Owens Drive, Sneads Ferry, NC 28460 spoke against the special use request. Ms. Sallis stated that their community is similar to a subdivision and the neighbors are very close. She presented an

enlarged map on a 24"x36" poster board of this community so that the Board could see the density of the area. She explained to the Board that there is currently no light pollution or noise and her family enjoys their home. She expressed to the Board that there are many elderly neighbors in this area that are against this special use request but could not attend the meeting. She provided a letter with signatures from these neighbors. Ms. Sallis stated that the homes in this area are mostly stick-built and custom-built. She disagreed with Mr. McLaughlin's statement about the homes in this area mainly being second homes. She stated that there was only one home in the community that was a second home and it is rented out full-time to a military family. She stated that Mr. McLaughlin informed her previously that he would not move forward with an RV Park unless the community agreed to it. Ms. Sallis stated that a campground is not in harmony with the area. She expressed her concerns about the use of golf carts on the street if this special use request is approved. She stated that this is a residential community, not for commercial uses. Ms. Sallis confirmed that Mr. Newton's lot does flood and provided photos. She stated that a campground with this design and yearly leases is more like a trailer park. She is concerned about her children and the effects this RV Park will have on their community.

Veronica Fisher, 137 Wendy Hill Lane, Sneads Ferry, NC 28460 spoke against the special use request. Ms. Fisher stated that Wendy Hill Lane is a neighborhood street, not a commercial street. She stated her concerns about the road not being taken care of and the increase in traffic this campground will bring.

James Peabody, 182 Hill Lane, Sneads Ferry, NC 28460 spoke against the Special Use Permit request. Mr. Peabody stated that he purchased his house because he wanted to live in a community. He expressed that he enjoys the minimum noise and light and no worries about stormwater runoff currently. Mr. Peabody stated that he hoped to settle down, get married, and have a family in this area. He stated that if a campground is established across the street then he may have to reconsider where he lives.

Mr. Charles Riggs came forth to address some of the questions and comments provided by the public. He stated that the Park Rules that were provided addressed the noise concerns. Mr. Riggs provided a map showing all the homes within 1,000 feet of the proposed RV park. Mr. Riggs stated that approximately 33% of these homes in this radius are mobile homes and the remainder are stick-built homes. He explained that Wendy Hill Lane is a State-maintained road. If this Special Use Permit is approved, the applicant will have to begin obtaining stormwater, driveway, and erosion control permits which should address any stormwater runoff concerns the public has. Mr. Riggs stated that the proposed plan is consistent with the Sneads Ferry Community Plan and the Future Land Use Plan. Buffers have been provided, the number of units has been reduced, and there is a letter from a licensed NC Appraiser that addresses property value concerns.

Bobby Toole, 157 Wendy Hill Lane, Sneads Ferry, NC 28460 spoke against the special use request. Mr. Toole stated that this community is very peaceful. He expressed his concerns about safety and the changes that may occur to the community from this campground.

Donald Hoy, 192 Hill Lane, Sneads Ferry, NC 28460 spoke against the special use request. Mr. Hoy stated that the original letter that the neighbors received from Mr. McLaughlin did not mention the possibility of an RV park. It mentioned boat storage or duplexes. Mr. Hoy asked how the Board or Mr. McLaughlin would feel if he wanted to establish a business across from their personal home. He stated that he is not in favor of the establishment of this commercial use in his neighborhood and it is not in harmony with the community.

Deborah Hoy, 192 Hill Lane, Sneads Ferry, NC 28460 spoke against the special use request. Ms. Hoy stated that an RV park has already been proposed in this area and it was denied. She shared information about a camper that was recently set up on a property in this area illegally and the drug traffic that this camper brought to the community. Ms. Hoy stated that she disagrees with the office hours that have been proposed. She would rather the hours be 8 am-5 pm. She has concerns about the noise and the buffering requirements. She recommended an 8-10 feet fence for a barrier between the campground and the neighborhood.

Justin Nolan, 114 Crabshell Lane, Sneads Ferry, NC 28460 spoke against the Special Use Permit request. Mr. Nolan stated he has lived in his house for 10 years and he does not want an RV park next door. He explained his concerns about the impact on the road and the traffic if the campground is approved.

Reid Flinchum, 121 Lawndale Lane, Sneads Ferry, NC 28460 spoke in support of the special use request. Mr. Flinchum stated that he has known John McLaughlin and his family for 30 years and that Mr. McLaughlin is an honest and good man. He stated that this RV park will not materially endanger the public health or safety or devalue anyone's property. He also stated that this meets all the special use requirements and specifications and the Future Land Use Plan. Mr. Flinchum stated that Mr. McLaughlin will be a good neighbor and stated that he believes this campground will be a positive use for this area.

Mike Sowell, 182 Hill Lane, Sneads Ferry, NC 28460 came forth to speak again. Mr. Sowell stated that this proposal is not in harmony with this area at all. He expressed that he has no doubt that Mr. McLaughlin is a good man, but this use does not fit in with the community. He stated that there are people who have based their entire retirement plan off of this community and this use would rapidly change their plans.

Robert Carter, 165 Wendy Hill Lane, Sneads Ferry, NC 28460 spoke against the special use request. Mr. Carter has lived in his home for 40 years. He closed a mobile home park down in this area because of the negative impact of traffic. He stated that he is against the establishment of this RV park.

Veronica Fisher, 137 Wendy Hill Lane, Sneads Ferry, NC 28460 came forth to speak again. Ms. Fisher asked if this area was zoned residential and asked if it had to be rezoned in order to establish a business.

Mr. Brinkley stated that RV parks are allowed by special use and that is why this application has been brought before the Board of Adjustment.

**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. Mr. Jeff Brown made a motion to approve the finding with the condition that the "quiet hours" of the campground be moved to 9 pm-8 am. Mr. Smith seconded the motion. Mr. Jeff Brown stated that it does not appear to materially endanger the public health or safety. The motion passed by unanimous vote.

**Second General Conclusion:** That the use meets all special uses and specifications. Mr. Smith made a motion to approve the finding. Mr. Jeff Brown seconded the motion. Mr. Smith stated that the application appears to be compliant with the standards set forth in the Zoning Ordinance. 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. Mr. Roger Brown seconded the motion. Mr. Jeff Brown stated that based on the report provided by an NC licensed appraiser, there will be no adverse effects on the surrounding properties. 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. Roger Brown made a motion to approve the finding with the condition that the fence height is changed to a minimum of 8 feet. Mr. Jeff Brown seconded the motion. Mr. Roger Brown stated that if the fence height requirement is met then he believes it will be in harmony. The motion to approve passed by a vote of 4 to 1 (Smith).

**VII. COMMENTS**

**A. PUBLIC**

There were no comments from the public.

**B. BOARD OF ADJUSTMENT MEMBERS**

There were no comments from the Board of Adjustment.

**C. PLANNING DEPARTMENT STAFF**

There were no comments from the Planning Department staff.

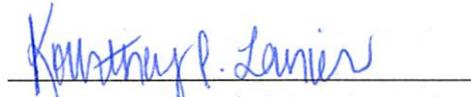
**VII. ADJOURNMENT**

There being no further discussion, the meeting was adjourned at 9:58 p.m.



Jerome Shaw, Chairman

ATTEST:



Kourtney Lanier, Administrative Assistant