



## Board of Adjustment

MINUTES  
16 May 2024  
6:00 PM

### Members Present

Gregory Parks-Chair  
Linda Amos, Vice-Chair  
Marva Lucas-Moore  
Vickie Mullins  
Kenneth Turner-Alt

### Absent Members

Robert Davis  
Jovan Bowser-Alt  
Brenee Orozco-Alt

### Staff/Others Present

David Moon  
Timothy Doersam  
Amanda Ozanich  
  
Donald Brooks-Alt in Audience  
Gary Silverman- Alt in Audience  
  
Robert Hasty (Asst County Attorney)

Chair Parks called the meeting to order at 6:01 p.m. in Public Hearing Room #3 of the Historic Courthouse.

#### 1. INVOCATION

Linda Amos read the invocation.

#### PLEDGE OF ALLEGIANCE

Recited by all.

#### 2. ROLL CALL

Mr. Moon called the roll and made note of the absence of Robert Davis, Jovan Bowser, and Brenee Orozco. Mr. Moon stated we do have a quorum.

#### SWEAR IN OF STAFF

Chair Parks swore in staff David Moon and Timothy Doersam.

#### 3. ADJUSTMENTS TO THE AGENDA

There were none.

#### 4. APPROVAL OF THE APRIL 18, 2024, MINUTES

**Mr. Kenneth Turner made a motion to approve the minutes from April 18, 2024, meeting as written, seconded by Vickie Mullins. Approved by All.**

#### 5. ABSTENTIONS BY BOARD MEMBERS/BOARD MEMBER DISCLOSURES (SITE VISITS AND/OR PERSONAL AFFILIATIONS)

There were none.

#### 6. PUBLIC HEARING DEFERRALS/WITHDRAWALS

There were none.



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### 7. POLICY STATEMENT REGARDING APPEAL PROCESS:

Mr. Moon read the policy statement.

### 8. PUBLIC HEARING(S)

Chair Parks read:

**BOA-2024-0006:** Consideration of a Special Use Permit to allow a recreation vehicle park/campground in an A1 Agricultural District on 7.83 +/- acres, located at 5896 Tabor Church Road; submitted by Karrie Hawkins (Owner).

#### David Moon:

Thank you, Sir. I am David Moon, deputy director of planning and inspection. Tonight is case BOA-2024-0006, located in the South-Central area of the county. As you see, by the star indicated on the map on the screen. The case before you is a request for a special use for a campground/RV park. Based on our zoning ordinance, A campground and RV park is land upon which shelters such as tents, cabins, open air cabins, travel trailers, and recreational vehicles are erected or located for temporary occupation by transients and or vacationers. They may include. As permanent structures and facilities as are normally associated with the operation of a campground. As you see on the screen section 403 from the zoning code indicates that a. Recreational vehicle park with campground requires a special Use permit approved by the Board of Adjustment for that use to occur on a property assigned an A1 agricultural zoning category. I won't go through the details since the board is familiar with special uses, but it's a situation where a permit is required for the proposed activity to determine that the proposed use is compatible with the character of the surrounding area. There are 4 criteria that the applicant must meet for the Board of adjustment to approve the special use permit. And those four criteria are listed before you here on this screen and basically the use will not materially endanger the public health or safety if located according to the plan submitted and proposed. The use meets all required conditions and specifications. The use will maintain or enhance the value of adjoining or abutting properties, or that the use is a public necessity, and then the last of the four criteria is location and character of the use if developed according to the plan, as submitted, and recommended will be in harmony with the area in which it is to be located. I'll turn over the microphone to Tim Doersam, who will give information about the application and the surrounding area. Thank you.

#### Timothy Doersam:

Good evening, ladies and gentlemen of the board. My name is Tim Doersam. I am a Planner 1 here with Cumberland County current planning. So, on this slide, we see that the area demarked in the white and black dashed line area is the 7.83 ± acres that the special use permit is going to apply to. This is where the RV park and campground would be located on this parcel and. The area below shows that there's about 975 feet distance between where this RV park and campground would be located, and the Cape Fear River. The board does have the authority in the final disposition to approve, deny or approve it conditions the special use permit as granted in Chapter 160 D.

This is the site plan that was submitted by the applicants, showing the layout of their site plan for their special use permit. This is the 7.83-acre parcel. On here they show the location of the proposed septic tanks and wells the communal bathhouse, the manager office near the front and they show 38 spots for the campsite RV spaces. And to the South, in case it is a little hard to read, is where they are proposing a buffer for the residential lot to the South of them. On this slide, we see the distance from the right of way line to the management office is 350 feet and the distance from the right of way line to the first RV space is approximately 460 feet.



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This is the surrounding area for the parent parcel. To the South we have a lot of farmlands and single-family residential homes to the east we have single family residential homes with some manufactured homes. To the north is undeveloped wooded areas. And to the West is the Cape Fear River and undeveloped wooded area.

This is a clean blank screenshot of where the area marked out for the RV park is sort of naturally formed by how the land is with the pond to the slightly northeast of it. This is surrounding zoning categories for the area. It is predominantly A1 within the immediate location. There is CD to the West that is on the property, but that is outside the boundaries of the special use permit area, the CD Conservation District area.

This slide shows where the hydric soils and hydric inclusion soils are on the parcel. For the most part, there are no hydric soils, though there are some at the very northern part of the special use area and there are no hydric inclusions within the special use area. There are no water and no sewer lines. Along Tabor Church Rd. This is the land use area for the parent parcel where again in the western part of it is for open space and conservation. But that area is not included with, the specially use permit area itself. The rest of it is within the one acre without water, half acre with public water land use area.

This is a photo taken of the subject property, looking across Tabor Church Road, looking down the area that would be the entrance to the RV park. This is a little further down the street of Table Church Road, looking again at the current track. This is showing more of where the other portion of the property is, which does have the owner's residence that would be located on essentially lot two. It would not be included on the special use permit area.

This is a picture showing the north view of Tabor Church Road as you go down going towards the parent track. This is the eastern view of it. Looking from the parent track across the Tabor Church Road St. looking at the abutting property. And this is the southwest view looking down with the parent track on the right-hand side. And again, this is the approximate area of the special use permit. As you can see to the left, that is where a lot of the conservation effects for the Cape Fear River apply, they do not encroach upon the special use area and special use area itself doesn't have any pathways for vehicles to go and encroach upon the conservation area.

These are the key conditions for the special use permit. The use and development of the site must be consistent with the special use site plan. The RV parking campground shall be consistent with Section 921 Recreation Vehicle Park and our campground found in the county Zoning Ordinance. The special use form will be limited to a maximum of 38 camp sites. The final site plan and landscape plan must be approved by county planning staff and consistent with the zoning ordinance. Permanent occupancy on the same site by the same occupant is prohibited. Stays should be limited to a continuous period of time not to exceed 90 days, with a maximum allowance of 180 days per calendar year within the same park, and that there must be a minimum of a 30-day waiting period between stays within the same park for each recreational vehicle and occupants. The final site plan must show that the campground is enclosed by a fence, wall, landscape screening, earthen mounds, or by other means from all contiguous residential areas. And the site plan will expire within two years if the applicant does not make any moves to fulfill these special site plan and operate.

### **David Moon:**

Somehow in the setup process, we had one slide that went missing, but in this application the owner and applicant is Karrie Hawkins, and the site address is 5896 Tabor Church Rd. The proposed special use permit applies to approximately 7.83 acres of a larger parcel that contains 49.16 acres, all owned by Karrie Hawkins. The board has the authority to approve, deny or approve with conditions, this application, based on those four special use criteria that were presented to you earlier. If you have any questions, the staff will be able to address those at this time.



**Chair Parks:**

Do we have a set up for public hearing and speakers?

**David Moon:**

We have one speaker in favor. The applicant and property owner Karrie Hawkins.

**Marva Lucas-Moore:** I have a question for staff.

Who will be monitoring the maximum days of 90 days. How is that being monitored?

**David Moon:**

Based on the special use conditions, we list the key conditions to you right now, but one of the other conditions within the special use permit as proposed also within section 921 of the zoning code, applies to campgrounds and RV parks, the owner must maintain a book that monitors basically the log for the patrons that are attending the camp.

**Marva Lucas-Moore:** Ok. I have one question.

So as far as the separate tank, is 38 the maximum that the septic tank can hold?

**David Moon:**

We do not know that at this time. The Applicant has applied for the special use. That's the first step and there's a general site plan. The next step is a final site plan which staff reviews. The next process the applicant Ms. Hawkins will have to coordinate with the Environmental Health Department as well as state agencies and Environmental Health Department will determine the size of the septic tank and the area for the drainage field.

**Marva Lucas-Moore:** Thank you.

**Ken Turner:** This, being close to the river. Is there a watershed issue here with requiring a minimum.

**David Moon:** No, now if we go back a few slides. The western boundary of the special use permit area is 975 feet from the river edge. So, the special use permit does not include those 975 feet up to the river. So, there are no proposed activities for the special use. There's no proposed access to the river. The applicant, Miss Hawkins, probably can address more of that information.

**Chair Parks:**

Is there a there a finite rule on how many feet away from it when it does come into effect.

**David Moon:**

How many feet from the river?

**Chair Parks:** Yeah.

**David Moon:**

They're required to follow the boundaries of the special use permit. So, as you see in that hatched area there, any use or accessory activity related to the campground would have to stay within the boundaries of the campsite.

Chair Parks:

I was just curious to see. Yeah, if there's a role that you're 150 feet from the river that you had to do different stuff. No, don't worry about that.



**David Moon:**

If we go to the soils map you can see this property has hydric soils, but the campground is located in an area where the soils are not hydric. There are no wetlands present on the portion of property where the campsite will be located.

**Chair Parks:**

Any other questions from the board?

**Linda Amos:**

For the single-family homes, are they within the distance then having sent out notifications to any of them.

**Timothy Doersam:**

Yes, we send out for the houses you see here kind of marked in the yellow and the hash that is the mailing radius for the special use permit. These households that have mailing addresses were notified by mail about these special use permit and we have answered a couple of phone calls about people questions on what was going on out there? So, we have had the mail out notice sent and received.

**Linda Amos:**

Were the comments positive?

**Timothy Doersam:**

They're more inquisitive about what was going on, but they weren't negative. And once I explain what was going on, they seem to be very fine with it. They didn't have any negative issues or any concerns with it once I explained what was going on, what was being proposed.

**David Moon:**

In the back of your packet, you'll see a list of all the property owners that received a notice. Per state law, the county is only required to mail a notice to all the abutting property owners for a quasi-judicial case. This falls under quasi-judicial. There are also two notices that were placed in the Fayetteville Observer and a sign was posted on the property, as you witnessed from the photos that were presented to you earlier.

**Linda Amos:** Thanks.

**Chair Parks:**

Thank you, Mr. Moon, if there's no other question from the board, I'd like to have Miss Hawkins, please.

**Karrie Hawkins:** Good evening, Sir.

**Chair Parks:** Raise your right hand. Do you swear to tell the truth and nothing but the truth, so help you God?

**Karrie Hawkins:** Yes, Sir.

**Chair Parks:** State your name and your address please.

**Karrie Hawkins:** My name is Karrie Hawkins. My address is 5896 Tabor Church Rd.

**Chair Parks:** You want to tell us a little bit about?

**Karrie Hawkins:** Yes, Sir. So back in April 2021, we purchased the property. I fell in love with the property from the moment I rode by it and instantly started dreaming about having an RV park out there and just a quiet country



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setting, RV type setting because we like to go camping ourselves. Nothing with a bunch of hoopla or anything like that. Just enjoy the sunset and the peacefulness out there.

First, like I said, it's set up for 38 sites. I don't know if anybody goes RV in or camping. My goal is to have 20 to 24 sites full hook up, which means you can hook up to water and sewer. The other 10 – 14, something like that, will not be full hookup, just so you know somebody coming off 95 just wants to stop for the night or something. They don't have to hook up to the sewer and it's more cost effective for me not to have self-contained sites, as well full hookup sites. My goal is to create my office here so I can have full view of what's coming in and out.

On one of the photos, you've seen to make it safer for the people coming in and out, which I've spoken to DOT, Just to let him know about the driveway situation. There is a fence along this line right here going into the current driveway. For the going into the residence, we're going to remove that up to the to one point just to make it a wider area to make sure that you know the RVs are safely coming in and out of the driveway.

I'll offer a bathhouse. There will be a man and a woman's side, and in the middle will be a laundry room. Each will have 3 stalls, 3 showers, 3 toilets, 3 sinks on each side and the laundry room will have three extra-large washer and dryers to accommodate that and to answer the question about the river, not only is it 975 feet, but right behind the campground it drops off probably 30 feet. And then there's another drop off another 30 feet. So it's quite a ways to the river. Well with the drop offs as right now, I don't want to include anything like that. You know when we go to campgrounds like this, we just really enjoy just getting away for the weekend and just to have a break. I'm not even including my ponds or anything like that. It's just if you ever had a chance to come out there and just see the sunset, you'll understand. I think people just go out there just, it's like heaven on earth to me so. But other than that, that's my goal for the campground.

**Chair Parks:** Alright, does anyone have any questions? Yes, ma'am.

**Vickie Mullins:**

That turn. That Tabor Church turn is a very sharp turn.

**Karrie Hawkins:** Yes, ma'am.

**Vickie Mullins:** Have you checked to see how many wrecks there has been there?

**Karrie Hawkins:** There have been quite a few but when I spoke with Todd on that at DOT about when we do the park, I like the flashing turning light. When you, when you're going around the curve, the flashing. So, we have spoken about that just because there will be a business there now, just making it more aware and I am going to put a Jersey barrier on this side of the property, the sharpest when you're coming from this side right here, there will be a Jersey barrier there. There was a whole fence there, but we took that down because I knew from the get-go, I wasn't wanting to have on the property. Plus, I like to get back to the river a little bit easier, for myself.

**Vickie Mullins:**

You realize there is GenX in that river. How are you going to tell these occupants about the GenX and what kind of water are you going to run, because you're going to end up with a system and everything else, I mean.

**Karrie Hawkins:** Yes, ma'am. We've spoke to a few of the people that do like the Wells. I'm going to have to do a deep well, I'm working with Kinetics or whatever, you know they've come out and put a filtration system on my house, which I've spoken to them. Once I get my special use permit, I can go more into detail with them on how they're going to actually handle it as well.



**Vickie Mullins:** Because as of right now, deep wells not going to fix it. I'm just saying. You know. You're going to have to let the patrons know that there is GenX, I mean.

**Karrie Hawkins:** Yes, I mean, I will have it posted as well. I'm also working to help you know, put some type of filtration on to make sure you know the water going into the RV's, are safe.

**Ken Turner:** I've just got a couple of curiosity questions. So up to 38 units? And they all. You don't have a dump system; you're going to have a septic field for all 38 units?

**Karrie Hawkins:** Yes, Sir. I had a soil test done back in January of 2023.

**Ken Turner:** Who was the Soil scientist?

**Karrie Hawkins:**

A Mike Eckert. And he came out and we're working together. We're going to work with an engineer to develop and design everything. But of course, everything was based on the special use permit from there.

**David Moon:**

Miss Hawkins, could you show the board where the Septic tank and field is located and where the well is proposed?

**Karrie Hawkins:** We're proposing the well on kind of, on this area right here and then the septic area here. I think, I can't remember if that's the play area or they said one of these in the subject area proposed septic, but I might test this this whole area here and this whole area here you know, for the drain fields to be adequate for the septic system.

**David Moon:**

And Miss Hawkins, there will be one septic system for the entire campsite, not 38 individual septic tanks.

**Karrie Hawkins:** That's correct.

No, no, Sir. We might have a couple of tanks, you know, different tanks, but there won't be one on each site. Each site will not have an individual septic. There won't be 38 septic tanks. It might be like I was telling you, when I do decide on how I'm going to layout the rows, all my ones that will be self-contained will be on this side, over here of each row, and the ones that I designate for full hookup will be on this side to allow for proper drainage of the septic.

**Ken Turner:**

If you're supplying water for that many sites, then you would have to go to the state level to get approval. Is that correct?

**Karrie Hawkins:**

Yes, Sir. From what I understand, once I get the special use, I had spoken to them a while back when looking for the well permits and septic permits, they mentioned that may be a possibility depending on the number of sites that we decide to do for full hookup.

**Ken Turner:**

Well, last I heard it was more than 14, you've got to go to a Full Monty into the state system for the well system.



**Karrie Hawkins:** Yes, Sir.

**Ken Turner:**

And I have one other question. Are open fires going to be allowed on all 38 sites? Like campfires you know or are you going to have a community Kumbaya kinda?

**Karrie Hawkins:** Well, I was going to have each site and have a picnic table and I was going to do a little fire ring that you see. It would be a small fire pit of some sort. You know contained. Because most of the parks I've ever been to, everybody's had their own individual's little area. Since I'm not offering much to it. That's why I was going to have a picnic table with a shelter over it and a little, you know, a little burn, a fire pit.

**Ken Turner:**

I just always worry about open fires, and you have that many of them. We sometimes don't have people to watch after them like they need to and they get out of hand, they get huge. So that's it's the question.

**Karrie Hawkins:** I'll be on site majority of the time. Yeah, we are already on the LOT 2 and is slowly starting like goats and donkeys and kind of raising them. So, I'm always on site. You know of course I'm going to have designated hours too, because just out of respect. I mean, only have one neighbor, but still out of respect, it's going to be done by 10:00 at night.

**Chair Parks:**

You don't know what you're in for. Moving right here beside it. Any other questions?

**Ken Turner:** I'd like to make a motion to approve, but I'd really like to limit the number of campfires that can be going on.

**Karrie Hawkins:**

Well, if I mean if, that's a case, I can have one area back here, open area back there, I can just have, you know, 1 area. Like for a designated, you know, like a picnic area, yeah. Yes, Sir. Yeah, because, I mean, because my home, my home is our residence is.

**Ken Turner:**

But you could monitor and control better than 38 fires. I've got I have to tell them. I'd like to make a motion that that we approve the special use permit for the RV campground with the stipulation that we eliminate 38 campfires and try and bring them down to one.

**David Moon:**

Chair, have you closed the public hearing?

**Chair Parks:** No, I have not, but I have now closed the public hearing.

**Ken Turner:** You want me to make my motion?

**Chair Parks:** We need a little discussion on this.

I don't know about saying that you can only have one fire. Maybe we could say it a little different in that kid too. Whatever the local fire people, fire marshal, says type thing instead of limiting to one. You know what's going to



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happen and it's inevitable. Joe blow is going to go out there, he's going to do a little fire when its 50° at night. Yes, ma'am.

**Karrie Hawkins:**

In each site, you know, will have its own water source too, so just you know. Each and every site will have water. Just not every site will have septic.

**Chair Parks:**

Yes. And if you try to unhook your unit.

**Karrie Hawkins:** No, no. Each will have a hook up and right beside you know, you hook up for the RV and then right beside it, there's a faucet just like at the house.

**Ken Turner:** I withdraw my motion.

**Chair Parks:** Ok. Anyone else like to make a motion?

**Linda Amos:** I'd like to make a motion to approve the special use permit based on the 4 of additions. The 4 criteria. Sorry, based on the 4 criteria. Do I need to read them?

**Mr. Hasty:**

If you want to incorporate exhibit J which is the applicant responses. If you agree with their response to make that part of your motion, to incorporate that.

**Linda Amos:**

And motion to incorporate their responses. To the working conditions in section J.

**Marva Lucas-Moore:** Second the motion.

Members Vote	In Favor
Gregory Parks-Chair	YES
Linda Amos, Vice-Chair	YES
Marva Lucas-Moore	YES
Ken Turner-Alt	YES
Vickie Mullins	NO

**David Moon:**

The motion passes by 4 to 1 with Miss Mullins objecting.

**Chair Parks:**

I think at this time, do you have any discussions?

**David Moon:**



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Yes, Sir. Briefly on the dais before you is a list of the BOA membership. Both the regular members and the alternates. Your name is listed on there and you'll also see the expiration date of your terms. I will be contacting those whose terms are approaching a closure. In some cases, that is a member, whether alternate or regular, could be eligible for a second term. In other cases, if two terms have already been filled, then the board member cannot continue the board. That's the policy established by the Board of County Commissioners. So, I'll be contacting each of the Members who terms are going to expire within the next two to three months to inquire about your interest, to participate and if you indicate that you will, that's wonderful and if not, then when the board discusses its membership chair and vice chair positions, you can recommend an existing member whether alternate or regular, to continue as a member. You'll also have a list of other candidates that are eligible to participate on the board. Your recommendations, the board's recommendation will be forwarded to the Board of County Commissioners, and they'll decide whether to extend a term to a second term or appoint someone else. If there's any vacancies. Then they will decide whether to appoint an alternate or another candidate that's on their qualification list. That's all I have, chair.

**Mr. Brooks:** questioned his term date ending at 2yrs instead of 3yrs.

**David Moon:** explained that some members were appointed midterm, and they were assuming the time of a prior member.

**Chair Parks:**

Do we have any more discussion about anything? Thank you all for coming. Adjourned. 6:41pm.