

**CITY OF ELIZABETH CITY  
BOARD OF ZONING ADJUSTMENT  
REGULAR MEETING  
TUESDAY, January 17, 2017  
5:30 PM**

**MEMBERS PRESENT**

Carlton Etheridge, Chairman  
Joda Bollard  
Peggy Davenport  
Rwanda Farrer  
David Harris  
Bill Hiemer  
Thomas Ward

Also present were Kaitlen Alcock, Planner; Dawn Harris, Secretary to the Board and applicant.

Chairman Etheridge opened the meeting with a roll call and determination of a quorum.

The first item was the Adoption of the Agenda. Mr. Harris made a motion to **ADOPT** the January 17, 2017 agenda as presented. Mr. Hiemer seconded the motion. ***ALL IN FAVOR: ETHERIDGE, BOLLARD, DAVENPORT, FARRER, HARRIS, HIEMER AND WARD. NONE OPPOSED. MOTION PASSED.***

Next item on the agenda was the adoption of the June 21, 2016 minutes. Mr. Hiemer made a motion to **APPROVE** the June minutes as presented. Ms. Farrer seconded the motion. ***ALL IN FAVOR: ETHERIDGE, BOLLARD, DAVENPORT, FARRER, HARRIS, HIEMER AND WARD. NONE OPPOSED. MOTION PASSED.***

Ms. Harris then read the following Statement of Disclosure:

Elizabeth City Code of Ethics provides that public officials and employees be independent, impartial and responsible to the public; that governmental decisions and policy be made in proper channels of the governmental structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. In recognition of these goals and in keeping with the ethical standards of conduct for city public officials and its employees, disclosure of interest in legislative action must be stated for the public record, as per City of Elizabeth City Code of Ordinances Section 2-113. Any member of the Board of Adjustment who has an interest, as defined in Section 2-111 of the City of Elizabeth City Code of Ordinances, in any official act or action before the Board shall publicly disclose on the record of the Board the nature and extent of such interest, and shall withdraw from any consideration of the matter if excused by the Board pursuant to G.S. 160A-75.

Next on the agenda was CASE NO.: SUP 02-16 Special Use Permit filed by the City of Elizabeth City on behalf of Visions of Hope Emergency Shelter and Outreach Center. The

applicant is proposing a homeless shelter to be located at 709 Herrington Road. Zoning classification for this property is Residential (R6). Ms. Alcock gave the following report:

### **STAFF REPORT**

The City of Elizabeth City purchased 709 Herrington Road in 2006 with Community Development Block Grant funds. The 1,500 square foot, two-story residential structure sits on a 0.95 acre parcel and is zoned R-6 Residential. Because this property was purchased with CDBG funds it has to be used to serve low to moderate income individuals. A Special Use Permit was issued in 2006 to operate a homeless shelter for woman and children at this facility. Over the past several years, several nonprofit groups have operated the homeless shelter, the most recent being Visions of Hope Emergency Shelter and Outreach Center. Visions of Hope first received a special use permit in January 2015; however, did not satisfy the annual renewal criteria and therefore had to reapply for the permit. Staff has received comments from City Departments and all indicate they have no concern about the facility resuming as a homeless shelter. The Planning Commission reviewed this case at their January meeting and voted in favor of its recommendation to this Board for approval. The proposed request is consistent Joint Pasquotank County Elizabeth City Land Use Plan as well as the development standards specific to homeless shelters found in the Elizabeth City Unified Development Ordinance. As such, Staff recommends approval of the special use permit with the conditions that they comply with the aforementioned development standards as well as the conditions of the previous use permit as follows:

- All state and city code regulations and Ordinance-required conditions are satisfied prior to permit issuance and maintained in proper standing thereafter;
- No more than eight persons, including a resident manager, shall be sheltered at the facility at one time;
- The applicant, Visions of Hope, shall renew said permit annually with the deadline for renewal calculated as twelve months from the previous issue date; failure to renew the permit by the requisite deadline shall void the original permit; and
- If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this permit shall be void and of no effect.

This concluded Staff's report.

Chairman Etheridge asked for the applicant to come forward. Ms. Helen Williams came forward and was sworn in by Ms. Harris.

Ms. Williams thanked the Board for allowing them a chance to show what they are doing with the shelter. Ms. Williams stated that they have been counseling several women and being able to provide collaborative services. They would like to continue in that capacity. She stated that they have received several calls since it has been so cold. They have not been able to service any individuals that have been homeless. They are still getting calls. She stated that they received a call over the weekend. It is a viable piece that is needed in the area.

Mr. Harris asked if they would be able to open after receiving all of their approvals. Ms. Williams stated they had to get rid of everything because of the bed bug issue; but because of the

recent write-up in the paper they have received several calls to assist. They have just about everything and are ready.

Ms. Davenport stated that on page eight of the Staff Report under the heading Planning Commission it states, "Ms. Williams advised the Commission that the shelter has operated at capacity since opening in 2015 and generally has several individuals on the waitlist." Ms. Davenport asked Ms. Williams if they had been in the house or not been in the house. Ms. Williams stated that they were operating the house prior to their permit expiring. Ms. Davenport stated and bed bug issue. Ms. Williams stated yes up until that time. She stated that regarding the waiting list they had referred them to other places--the closest being Greenville and the following would be Rocky Mount. Ms. Davenport asked when the bed bug issues resolved was. Ms. Williams stated that they received clearance last month. Ms. Davenport asked if they had been in the home operating before that time. Ms. Williams stated yes up until October. She stated that they asked the City for assistance with the bed bug issues. Ms. Davenport clarified that they closed in October. She stated that she had not understood the timeline. Also, under Staff Recommendations it states, "Although not indicated in the application, staff is of the understanding that there will be a fulltime caretaker of the shelter." She stated that she understands residential manager, but what is a fulltime caretaker. Ms. Williams stated that it coincides with each other. The resident manager they have will be onsite 24/7. During the daytime they will have volunteers that will relieve resident manager if they have other appointments. Ms. Davenport clarified that the resident manager/fulltime caretaker is the same person. Ms. Williams stated yes. That person will live there. They will have to monitor the house and the coming and going of each resident. There will be eight persons there and this includes the resident manager.

Ms. Farrer asked if they anticipate a full house once they are able to open. Ms. Williams stated yes. They already have five individuals waiting. The other residents they have tried to contact to see what their status is because this has been a month and half since they had to leave the shelter. They continue to reach out and try to assist these individuals. Ms. Farrer asked if there were any children involved at this point. Ms. Williams stated that they have one lady that is waiting with two children; however from what they have reviewed she is a better candidate for Albemarle Hopeline and they have made that referral.

Ms. Davenport asked if they are actually prepared to take women with children. Ms. Williams stated yes. They have been taking women with children. They link them to whatever resources they need to maintain. When they are homeless and children are involved then Social Services is involved. Ms. Williams stated that they work closely with Social Services and make sure the children are able to stay with the parent. Ms. Davenport asked if the children would be inclusive of the eight residents. Ms. Williams stated yes.

Mr. Hiemer asked if they had a total of four bedrooms. Ms. Williams stated yes there are three upstairs and one downstairs, a dining room and living room.

There were no further questions from the Board and no one in attendance as opposition to this case.

Chairman Etheridge closed the public hearing.

Chairman Etheridge asked for a motion. Ms. Davenport made a motion to APPROVE Special Use Permit SUP-02-16 for an emergency shelter and outreach center to include all of the requirements set forth in the original permit including the annual renewal. Mr. Ward seconded the motion. ***ALL IN FAVOR: ETHERIDGE, BOLLARD, DAVENPORT, FARRER, HARRIS, HIEMER AND WARD. NONE OPPOSED. MOTION PASSED.***

There were no committee reports.

Staff reported to the Board that the Downtown Maintenance Code will be going to City Council this coming Monday to call for a Public Hearing. The Public Hearing will be held in February. As soon as Staff receives a final version of the code it will be sent out to the Board with some clarification. This will be handled as an Appeal.

There was no Old or New Business. With no further business, meeting was adjourned.

Respectfully submitted by,

*Dawn Harris*  
Secretary to the Board