

**CITY OF ELIZABETH CITY  
BOARD OF ZONING ADJUSTMENT  
REGULAR MEETING  
TUESDAY, JUNE 21, 2016  
5:30 PM**

**MEMBERS PRESENT**

Carlton Etheridge, Chairman  
Peggy Davenport  
Lee Gutman  
David Harris  
Bill Hiemer  
Geraldine Hill

Also present were Cheryl Eggar, 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 of business was the election of officers. The floor was opened for nominations for the position of Chairman. Mr. Harris made a motion that Carlton Etheridge remains Chairman of the Board of Adjustment. Ms. Hill seconded the motion. ***ALL IN FAVOR: DAVENPORT, GUTMAN, HARRIS, HIEMER AND HILL. NONE OPPOSED. MOTION PASSED.***

Next were nominations for Vice-Chairman. Ms. Davenport made a motion that David Harris remains Vice-Chairman of the Board of Adjustment. Mr. Hiemer seconded the motion. ***ALL IN FAVOR: DAVENPORT, ETHERIDGE, GUTMAN, HIEMER AND HILL. NONE OPPOSED. MOTION PASSED.***

The first item was the Adoption of the Agenda. Mr. Harris made a motion to **ADOPT** the June 21, 2016 agenda as presented. Ms. Davenport seconded the motion. ***ALL IN FAVOR: DAVENPORT, ETHERIDGE, GUTMAN, HARRIS, HIEMER AND HILL. NONE OPPOSED. MOTION PASSED.***

Next item on the agenda was the adoption of the December 15, 2015 minutes. Ms. Hill made a motion to **APPROVE** the December minutes as presented. Ms. Davenport seconded the motion. ***ALL IN FAVOR: ETHERIDGE, DAVENPORT, GUTMAN, HARRIS, HIEMER, AND HILL. 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-01-16** filed by River City Community Development Corporation (RCCDC) for property located at 317 Culpepper Street. The applicant is requesting to operate a homeless shelter for River City YouthBuild participants in need of emergency shelter. Ms. Eggar gave the following report:

### **STAFF REPORT**

This case was heard by the Planning Commission on June 6, 2016. Comments by the Commission members were brief. Ms. Angie Wells with River City Community Development Corp. stated that she has operated the Youth Build program since 1999. She provided an overview of the Youth Build program and the need for the shelter. The discussion on the request was brief and included a discussion regarding funding for the shelter's expenses. The Commission voted unanimously to approve SUP 01-16 for the Board of Zoning Adjustment's consideration. The Commission recommended that if the Board were to approve the request that it be approved it with the conditions stated in the staff report.

The shelter will be owned and managed by River City Development Corp. A staff person will be hired to act as an on-site resident manager. There will be a maximum of five occupants at the shelter in addition to a resident manager. At any one time, all of the homeless occupants will be required to be of the same sex. No compensation will be required from the occupants. The purpose of the shelter is to provide emergency housing for participants of the River City Youth Build program who are 18 to 24 years of age.

Youth Build is a program designed to provide economically disadvantaged young adults, ages 16-24, education and employment skills. The program provides construction and rehabilitation experience as well as academic classes, job skills training, leadership development and support services.

The residents will be permitted to stay at the shelter as long as they are an active participant in the Youth Build program. It typically takes 9 to 12 months for individuals to complete the program.

The 1,158 square foot house was built in 1946 with three bedrooms and one bath. According to the applicant, a full bath will be added on the second floor. On the first floor one room will be converted into a bedroom for the resident manager. The living and dining areas will be combined to make one large room. Based upon the amount of available sleeping area, the shelter will be permitted to have a maximum of five homeless persons sheltered there.

This application was heard by the Technical Review Committee at its regularly scheduled meeting on April 26, 2016. Comments made by Committee members were brief and included the following:

- Building Inspections requires that the windows meet the state building code standards for fire egress. It is recommended that a second means of egress be provided from the second floor. Since the building will have six or less residents it will be treated as a single family residence and will not be required to meet the commercial building code.
- The City manager is concerned with the shelter being sexually comingled and the problems that it creates. The applicant agrees to have all of the homeless residents at any one time to be of the same sex.
- Public works has a concern with on-street parking and the accessibility of emergency vehicles when there are major events and funeral processions from the Mt. Lebanon AME Zion Church located across the street.
- The Fire Department is requiring that a fire alarm system be installed throughout the shelter and that emergency backup lights will be provided on each floor.
- Planning Department requested clarification in regards to the fourth bedroom since only three rooms with closets were shown on the floor plan. It was stated that the left front room will be used as a bedroom for the resident manager. In regards to parking, staff was informed that there would not be any volunteers working there and that there would be no vehicles involved with the daily operations of the shelter.

Staff has determined that this property meets all requirements specified in the Unified Development Ordinance and as such is suitable for the proposed use. This shelter will accommodate a maximum of six persons living at the residence. Staff recommends approval with the following conditions:

1. No more than six persons, including the resident manager, shall be sheltered at the facility at any one time;
2. With the exception of the resident manager, the persons sheltered at the facility shall be of one sex;
3. The windows shall meet the required fire egress requirements;
4. A fire alarm system shall be installed;
5. Backup emergency lighting shall be installed on both floors of the structure.
6. The applicant adhere to the minimum parking standards by providing on-site or off-site (but not on the street) parking for residents, staff, and vehicles for the operation of the shelter;
7. As per the Unified Development Ordinance the applicant is required to renew the special use permit annually. Failure to apply for a renewal within the specified time period shall render the special use permit null and void.

That concluded the Staff Report.

Chairman Etheridge asked that all those wishing to speak come forward and be sworn in. Ms. Angie Wills came forward and was sworn in by Ms. Harris.

Ms. Wills stated that she is the Program Manager for River City YouthBuild. She stated that the summary has been read very thoroughly and she thanked Ms. Eggar for covering everything that the agency is trying to accomplish. She stated that the homeless shelter will fill an unmet need

as it relates to the young people that have come through their program. It has been stated that YouthBuild has been operated since 1999. Ms. Wills stated that YouthBuild is a transformation program for at risk youth. The homeless shelter will meet the needs of some of the young people that come through the program. In spite of their living conditions they still come to our agency and become very successful, contributing, law-biding citizens. Ms. Wills stated that she would entertain any questions the Board may have.

Ms. Hill asked if they had more than five students wanting/needing shelter. Ms. Wills stated not all at one time. She stated that this has been a growing concern over the years as they are seeing an increase in the number of young people that are homeless. It is their goal that the home is not filled, but in some cases there are emergency situations where their young people may need shelter.

Ms. Davenport questioned if they had established a timeline in regards to the conditions listed that included windows meeting the fire egress requirements, fire alarm system and emergency lighting being installed. Ms. Wills stated that they are working with a general contractor and they are working on the plans for rehabbing the home. She stated that their goal is to have the shelter open by the fall before it gets cold. She is thinking right before Thanksgiving.

Mr. Hiemer asked if the second egress from the second floor not being recommended by Staff. Ms. Eggar stated that there was talk about having rope ladders on the second floor. Mr. Hiemer asked if there would be smoking. Ms. Wills stated no.

Mr. Harris asked if there was issue with the parking. Ms. Wills stated no there are none.

With no further questions, Chairman Etheridge called for a motion. Ms. Davenport made a motion to **APPROVE SUP-01-16** for a homeless shelter for the participants of River City YouthBuild to include recommendations made by Staff. Mr. Hiemer seconded the motion. ***ALL IN FAVOR: ETHERIDGE, DAVENPORT, GUTMAN, HARRIS, HIEMER, AND HILL. NONE OPPOSED. MOTION PASSED.***

With no further business, meeting was adjourned.  
Respectfully submitted by,

*Dawn Harris*  
Secretary to the Board

*\*Minutes were APPROVED at the January 17, 2017 BOA meeting.*