



NEW HANOVER COUNTY

BOARD OF ADJUSTMENT

230 Government Center Drive, Lucie Harrell Conference Room, Wilmington, NC 28403

Members of the Board

Cameron Moore, Chair | **Kristin Freeman**, Vice-Chair
Henry "Hank" Adams | **Maverick Pate** | **Luke Waddell**

Board Alternates

Pete DeVita | **Richard Kern** | **Michael Keenan, Sr.**

Rebekah Roth, Director of Planning & Land Use | **Sharon Huffman**, Deputy County Attorney

April 27, 2021, 5:30 PM

I. Call Meeting to Order (Chairman Cameron Moore)

II. Approval of March Minutes (*currently in draft status*)

March Member Attendees: Cameron Moore, Kristin Freeman, Maverick Pate, Luke Waddell

III. Regular Items of Business

Case BOA-958 – Sean McDonough, applicant, on behalf of Brett and Christy Tanner, property owners, is requesting a variance of 8.8' from the 15' minimum side yard setback requirement per Section 3.2.6.D of the New Hanover County Unified Development Ordinance. The property is zoned R-20S, Residential District and is located at 8020 Bald Eagle Lane.

Case BOA-959 – Keith Williams, applicant and property owner, is requesting a variance of 10' from the 20' minimum Performance Residential Development periphery setback requirement per Section 3.1.3.D(1)(a) of the New Hanover County Unified Development Ordinance. The property is zoned R-15, Residential District and is located at 6900 Persimmon Place.

Case BOA-960 – Palm Investment, Inc., applicant and property owner, is requesting a variance of 10' from the 20' minimum Performance Residential Development periphery setback requirement per Section 3.1.3.D(1)(a) of the New Hanover County Unified Development Ordinance. The property is zoned R-15, Residential District and is located at 502 Pilots Ridge Road.

Case BOA-961 – Oxford House Showman, applicant, on behalf of Javarah and Mary Joseph, property owners, is requesting a reasonable accommodation under the Federal Fair Housing Act per Section 10.3.13 of the Unified Development Ordinance to allow up to 8 residents in a group home. The property is zoned R-15, Residential District and is located at 314 Silva Terra Drive.

Case BOA-962 – Jeffrey Serens, applicant, on behalf of Ted Meehan, property owner, is requesting a variance of 10' from the 20' minimum Performance Residential Development periphery setback requirement per Section 3.1.3.D(1)(a) of the New Hanover County Unified Development Ordinance. The property is zoned R-15, Residential District and is located at 1140 Lt. Conleton Road.

IV. Other Business

V. Adjourn

MINUTES

BOARD OF ADJUSTMENT

The New Hanover County Zoning Board of Adjustment held a regular and duly advertised meeting at 5:30 P.M. at the New Hanover County Government Center Complex, 230 Government Center Drive, in the Lucie Harrell Conference Room, Wilmington, NC, on Tuesday, March 23, 2021.

Members Present

Cameron Moore, Chairman
Kristin Freeman, Vice-Chair
Luke Waddell
Maverick Pate

Members Absent

Hank Adams
Pete DeVita
Michael Keenan
Richard Kern

Ex Officio Members Present

Ken Vafier, Executive Secretary
Sharon Huffman, County Attorney
Rebekah Roth, Planning & Land Use Director
Marty Little, Long Range Planner
Denise Brown, Zoning Admin Technician

The meeting was called to order at 5:30 P.M. by the Chairman, Mr. Cameron Moore.

Mr. Moore stated the Board of Adjustment is a quasi-judicial board appointed by the Board of Commissioners to consider ordinance variances from residents in New Hanover County where special conditions would create unnecessary hardships. The Board of Adjustment also hears appeals of the County's interpretation in enforcement of the Unified Development Ordinance. The appellants have thirty days in which to appeal any decision made by the Board to Superior Court.

FIRST ORDER OF BUSINESS

Mr. Maverick Pate made a motion to adopt the minutes from the February 23, 2021 meeting. Vice-Chair Freeman second the motion. The motion passed unanimously.

Sharon Huffman gave overview that four board members present at today's hearing is a quorum for decisions on the agenda's cases. However, all four members must agree to grant variances to be approved. The two applicants for the cases on the agenda agreed to move forward with the case hearings.

The Chairman then swore in County staff Ken Vafier.

CASE ZBA-956

Mr. Vafier presented an overview of the case stating the petitioner, Kenneth Haynes, applicant, on behalf of Jeffrey and Jeane Finucan, property owners, is requesting a variance of 8.33' from the 20' minimum rear yard setback requirement per Section 3.2.9.D of the New Hanover County Unified Development Ordinance. The property is zoned R-10, Residential District and is located at 4504 Barnards Landing Road.

Mr. Vafier stated the applicant intends to construct a 1,128-sf pool enclosure on the subject property. The subject property is located on a 0.27-acre lot, and currently contains an existing 384 sf shed adjacent to an in-ground pool. The

applicant applied for a screened-in enclosure to cover the in-ground pool, but a re-submittal was required as the total area of the accessory structure would require that it meets the principal setbacks for the R-10 district.

The UDO defines an accessory structure subordinate to a principal structure and use, the use of which is customarily found in association with and is clearly incidental to the use of the principal structure of the land and which is not attached by any part of a common wall or roof to the principle structure. The UDO allows for two different types of subdivision designs, Performance Residential and Conventional Residential Developments.

The subject site is in the Huntington Forest subdivision which was recorded in 1994. The site is listed as conventional development and subject to the required rear yard setback in the R-10 district of 20' as specified in Section 3.2.9 of the UDO.

The new enclosure will be attached to the existing shed and will total 1,512 sf. The structure would require to meet the 20' rear yard setback. The applicant is requesting to locate the enclosure over the existing concrete pool deck, which would be set back 11' 8" from the rear property line for an encroachment of 8.33' into the required setback.

Mr. Vafier stated the applicant contends that they began the project under the impression the enclosure could encroach up to 5' from the property line, and the pool and surrounding deck has already been installed and cannot be altered at this time.

Mr. Vafier stated the applicants are requesting variance from the minimum rear yard setback requirement of 20' in order to construct a 1,128-sf pool enclosure on the site over the existing pool and deck. The applicant states this enclosure will provide security to the pool and protection from surrounding wildlife.

Mr. Vafier presented an aerial photo of the subject site displaying the in-ground pool, the shed and the rear of the property line.

Mr. Waddell asked what type of screening will be around the pool.

Mr. Vafier stated the applicant provided a site plan displaying an aluminum type frame with exterior screen for the pool.

Chairman Moore asked if anything over the 600 sf would require the rear 20 ft setback back.

Mr. Vafier stated structures over 600 sf would require a 20 ft rear setback.

Vice-Chair Freeman asked how close the shed to the property line is.

Mr. Vafier stated the shed currently sits 5' from property line per initial site plan. The applicant submitted plans for permit approval however the plan was denied due to not meeting the required rear setback requirements.

Mr. Pate asked why the setback changes with structures over 600 sf.

Mr. Vafier stated with larger structures additional setbacks are needed.

Chairman Moore asked if the shed was conforming.

Mr. Vafier stated the shed would not be considered non-conforming; with a variance approval it would apply to the rear setback encroachment primarily.

Chairman Moore then swore in Mr. Jeff Finucan and Mr. Kenneth Haynes.

Mr. Jeffrey Finucan - Mr. Finucan presented as owner of the subject site and requested that Mr. Kenneth Haynes speak on behalf of the variance request.

Mr. Kenneth Haynes- Mr. Haynes stated that the applicant reached out to him requesting a pool enclosure to comply with fencing requirements in having a pool, in addition wanted to keep younger members out of the pool unless they were supervised. Mr. Haynes stated the applicant has family members with allergies and requested the pool enclosure to have a screen.

Mr. Haynes stated the enclosure is totally aluminum with screen walls and roof. Mr. Haynes stated he was told the setback was 5' by the property owner. As they were applying for permits with a structure over 600 sf the setback was informed to be 20 ft from the rear. Mr. Haynes stated the hardship a shed was previously constructed to the rear of the pool.

The piping for the pool has been placed in the ground with concrete outlining it. Mr. Haynes stated the pool and concrete cannot be removed. Mr. Haynes stated he was not aware of the setback requirements.

Vice-Chair Freeman asked about the framing, particularly how far past the pool the structure is to be placed.

Mr. Haynes stated the enclosure will be around the structure. The height will be about 10 ft tall.

Mr. Pate asked about the safety of the enclosure.

Mr. Haynes stated the screened is see thru and does not block adjacent neighbor views. In addition, the enclosures provide a safety net for smaller members of the household in entering the pool unsupervised. The enclosure is free standing from the primary residence.

Chairman Moore asked if there is a limit on accessory structures.

Mr. Waddell asked if there is an HOA in the community.

Mr. Haynes stated the residence is not associated with an HOA. There is a fence surrounding the residence, however it does not comply with pool requirements.

Mr. Vafier stated per the county Building Safety department permitted the pool site plan as submitted.

PUBLIC HEARING CLOSED

BOARD DISCUSSION

The Board discussed the applicant's proposal of constructing a pool enclosure to provide safety and security in addition to the plans as submitted. The Board agreed the applicant presents with an unnecessary hardship as the pool has been placed in the ground and with concrete surrounding it, and that the applicant was not clear of the regulated rear setback prior to pool placement. The Board talked about the shed to the rear of the property already being in place.

The Board generally discussed the building code, setbacks, and hardship this circumstance presents for the applicant.

BOARD DECISION

On a motion by Mr. Maverick Pate and seconded by Mr. Luke Waddell, the board voted 4-0 to grant the variance at 4504 Barnards Landing Road, Wilmington NC.

The Board's decision was based on the following conclusions and findings of fact:

1. **It is the Board's conclusion that, if the applicant complies with the literal terms of the ordinance, specifically a variance of 8.33' from the 20' minimum rear yard setback requirement per Section 3.2.9.D of the New Hanover County Unified Development Ordinance, that an unnecessary hardship would result. This conclusion is based on the following FINDINGS OF FACT:**
 - The installation of the enclosure is a method that will comply with fencing requirements per the NC Building Code.
2. **It is the Board's conclusion that the hardship of which the applicant complains results from unique circumstances related to the subject property, such as location, size, or topography. This conclusion is based on the following FINDINGS OF FACT:**
 - With the existing shed, the size of the lot provides limitations on the room to place the enclosure on an R-10 lot.
3. **It is the Board's conclusion that the hardship did not result from actions taken by the applicant or the property owner. This conclusion is based on the following FINDINGS OF FACT:**
 - The UDO does allow for accessory structures and pools, with a requirement that fencing be placed around a pool.
 - The property owner did not take any action to cause the hardship.
4. **It is the Board's conclusion that, if granted, the variance will be consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and substantial justice is achieved. This conclusion is based on the following FINDINGS OF FACT:**
 - The installation of the enclosure will enhance public safety, is required to satisfy NC Building Code requirements regarding pool security fencing.
 - As a screened in enclosure, the enclosure will still be "see-through" and will not provide a large visual barrier.

CASE ZBA-957

Mr. Vafier presented an overview of the case stating the petitioner, Martha Estela Vicente Andrade, applicant and property owner, is requesting a variance of 1.2 ft from the 20 ft minimum side yard setback requirement per Section 3.2.5.D of the New Hanover County Unified Development Ordinance. The property is zoned AR, Airport Residential District and is located at 1514 Roane Drive.

The subject parcel is a part of the Glynwood Subdivision, which was recorded in 1974 as a conventional development. The required side yard setbacks in the AR district are 20 ft as specified in the dimensional standards in Section 3.2.5 of the UDO.

Mr. Vafier stated that Ms. Andrade is requesting a variance from the side yard setback to place a 1,792-sf mobile home on the subject property. The applicant is proposing to relocate the 64' x 28' mobile home on the parcel, which consists of 0.34 acres and has width of 101.62'. The placement of the home would result in both side yards having an 18.8 ft setback.

Mr. Vafier stated the applicant contends the variance is necessary in order to place the mobile home on the lot with the accommodation of the required septic system location, and that it is a replacement of a previous home with similar side yard dimensions.

Mr. Vafier stated a previous home existed on the lot with an approximate 14 ft side yard setback on the southern property line and would have been considered a legal non-conforming situation as the AR district requirements were adopted in 1976. The previous home was removed in 2019 and continued utilization of this side yard dimension is not permitted as the situation has been discontinued for over 180 days.

Mr. Vafier presented photos of the lot from various angles. Currently there is not a home on the site.

Mr. Vafier concluded that the applicate is requesting the variance to place the mobile home on the property utilizing the dimension of 18.8 ft. on each side.

Chairman Moore asked if the subject site is non-conforming.

Mr. Vafier stated the site is non-conforming due to the lot size.

Vice-Chair asked if the previous home had a similar dimension.

Mr. Vafier stated that the previous home per the applicant had a side yard set of 14 ft from the southern property line.

Chairman Moore then swore in Martha Andrade and Stella Azamar.

Ms. Azamar stated that the applicant requests the variance to place the home at the requested dimensions to obtain septic and well services on the lot. Ms. Azamar stated there is a nearby mobile home that has a home placed with dimension of 11 sf to the side yard setback.

PUBLIC HEARING CLOSED

BOARD DECISION

The Board stated that without the relief to the required dimensions the applicant would not be able to place the mobile home at the subject site. The Board stated that the lot requirements are challenging, the lot is less than an acre size. The Board stated the subject site is a non-conforming use. The Board discussed the hardship that presents in placing a home on the lot.

The Board discussed the property's size and location and that the current status of the property was not created by the owner. The applicant purchased the property as is without knowledge of prior restrictions to setback regulations due to previous structures were at dimensions prior to current zoning. The Board agreed that granting the variance approval would be consistent and substantial justice is achieved.

On a motion by Mr. Luke Waddell and seconded by Mr. Maverick Pate, the board voted 4-0 to grant the variance at 1514 Roane Drive, Wilmington NC.

The Board's decision was based on the following conclusions and findings of fact:

1. **It is the Board's conclusion that, if the applicant complies with the literal terms of the ordinance, specifically a variance of 1.2' from the 20' minimum side yard setback requirement per Section 3.2.5.D New Hanover County Unified Development Ordinance, that an unnecessary hardship would result. This conclusion is based on the following FINDINGS OF FACT:**
 - Without issuance of the variance, the applicant would not be able to locate the mobile home on the property as the lot is non-conforming with respect to the minimum lot area requirements for the AR district.

2. **It is the Board's conclusion that the hardship of which the applicant complains results from unique circumstances related to the subject property, such as location, size, or topography. This conclusion is based on the following FINDINGS OF FACT:**

- The property is on an older lot with a smaller lot size than currently required in zoning.
- The septic location restricts relocation options.

3. **It is the Board's conclusion that the hardship of which the applicant complains results from unique circumstances related to the subject property, such as location, size, or topography. This conclusion is based on the following FINDINGS OF FACT:**

- The owner of the property bought the lot as is without the knowledge of current restrictive setbacks due to the previous structure not meeting them prior to zoning.

4. **It is the Board's conclusion that, if granted, the variance will be consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and substantial justice is achieved. This conclusion is based on the following FINDINGS OF FACT:**

- The Board finds that the requested variance is consistent with the spirit and intent of the UDO.

OTHER BUSINESS

Mr. Marty Little, Long Range Planner- Mr. Little presented the Development Code Update to the Board members regarding State Law updates and Ongoing Maintenance.

Mr. Little stated that a proposed amendment to align the UDO with NC General Statutes Chapter 160D, a new state law for planning and development regulations, will be moving forward to the Planning Board and Board of Commissioners in the coming months.

These changes will take effect on July 1, 2021. Mr. Little then overviewed five ways the amendment impacts the Board of Adjustment, which include:

- BOA to hear decided variances to subdivision regulations
- Ordinance to clarify current practice of requiring 4/5 majority vote for Reasonable Accommodations
- Applicant must provide written consent to all conditions of approval placed on variances
- New Rules for Permit Choice
- Update BOA rules of procedure to reflect new conflict of interest standards

There being no further business before the board, it was properly moved by Mr. Luke Waddell and seconded by Vice-Chair Freeman to adjourn the meeting. All ayes.

MEETING ADJOURNED.

Please note the minutes are not a verbatim record of the proceedings.

Executive Secretary

Chairman

Date: _____

**VARIANCE REQUEST
BOARD OF ADJUSTMENT
April 27, 2021**

CASE: BOA-958

PETITIONER: Sean McDonough, applicant, on behalf of Brett and Christy Tanner, property owners.

REQUEST: Variance of 8.8' from the 15' minimum side yard setback requirement per Section 3.2.6.D of the New Hanover County Unified Development Ordinance.

LOCATION: 8020 Bald Eagle Lane
PID: R07020-010-011-000

ZONING: R-20S, Residential District

ACREAGE: 0.57 Acres

BACKGROUND AND ORDINANCE CONSIDERATIONS:

Sean McDonough of NCA Builders, Inc., on behalf of Brett and Christy Tanner, property owners, is requesting a variance from the minimum side yard setback requirement of 15' in the R-20S district in order to construct a 12' x 22' addition (264 sf) to an existing 28' x 22' (616 sf) detached garage on the subject property.

The detached garage is located on a 0.57-acre lot which is ancillary to a single-family residence constructed in 1996. The property owners recently purchased the lot and are in the process of renovating the main residence to complete structural repairs and electrical and plumbing upgrades. During the renovation, it was discovered that the garage has sustained water damage resulting from inadequate surface water runoff on this portion of the lot. The applicant is proposing to construct the garage addition with a 2' tall masonry foundation wall in addition to other surface water mitigation measures to provide adequate stormwater controls on the lot.

Detached garages on single-family residential lots are considered accessory structures, which the UDO defines an accessory structure as follows:

ACCESSORY STRUCTURE - *A structure subordinate to a principal structure and use, the use of which is customarily found in association with and is clearly incidental to the use of the principal structure of the land and which is not attached by any part of a common wall or roof to the principal structure. (When a specific structure is identified in this Ordinance as accessory to another use or structure, the structure need not be customarily incidental to, or ordinarily found in association with, the principal use to qualify as an accessory structure.)*

The 264 sf addition to the existing garage would maintain a total area over 600 square feet. Section 4.4.4 of the UDO requires that accessory structures in excess of 600 sf meet the minimum required setbacks for a principal structure in their respective zoning district:

4.4.4 STANDARDS FOR SPECIFIED ACCESSORY USES AND STRUCTURES

B. Accessory Structure

Accessory structures shall comply with the following standards:

1. *No accessory structure shall be erected in any required yard nor within five feet of any other building, except that accessory buildings not exceeding 600 square feet may be permitted in the required side and rear yards provided such accessory buildings are at least five feet from the property line and do not encroach into any required easements.*

The UDO allows for two different types of subdivision design: Performance Residential Developments and Conventional Residential Developments. In a performance development, individual lots are not subject to the specific yard requirements of a zoning district provided that the density for the zoning district is not exceeded. In a conventional development, the UDO requires that the dimensional standards for each zoning district be met. The subject parcel is legally described as being part of Section D of Porters Neck Plantation, which was recorded in 1951, before there was an option to utilize the standards of a performance development. Although not recorded specifically as a conventional development, the parcel is subject to the required 15' side yard setback in the R-20S district as specified in the dimensional standards in Section 3.2.6 of the UDO:

3.2.6. RESIDENTIAL 20S (R-20S)

A. Purpose

The purpose of the R-20S Residential (R-20S) District is provide lands to accommodate primarily very low density single-family development. The intent of the district regulations are to allow development that is compatible with the preservation of the district's very low density single-family character, while accommodating residential opportunities for those who desire an exurban, low-density lifestyle. District residents should be willing to assume the costs of providing many of their own services and amenities while maximizing the protection of resources and the conservation of open space.

B. Concept



C. Use Standards

Allowed uses and use-specific standards for principal, accessory, and temporary uses are established in Article 4: Uses and Use-Specific Standards.

D. District Dimensional Standards [11-16-2020]

Standard	All Uses
Lot area, minimum (square feet)	20,000
1 Lot width, minimum (feet)	90
2 Front setback (feet)	30
3 Side setback, street (feet)	22.5
4 Side setback, interior (feet)	15
5 Rear setback (feet)	25
Building height, maximum (feet)*	40

* Structures elevated on open foundations consisting of piers, posts, columns or piles shall have a maximum height of 44 feet.

The existing garage was constructed with a side yard setback of 6.2', which does not meet the minimum side yard setback requirement of 15' in the R-20S district. Research as to how the garage was able to encroach into the side yard has proven inconclusive, and staff is not able to determine that this dimension is a legal non-conformity. County records indicate that the area along Bald Eagle Lane, including the subject property, was rezoned from R-20 to R-20S in 1983, and an accessory building exceeding 600 sf would have been subject to the 15' side yard setback at the time the lot was developed in the mid 1990's. Thus, in order to complete the proposed addition, a variance is required.

The proposed addition will result in the detached garage having a total area of 880 sf. Applying the language from Section 4.4.4.B.1 would require that the structure meet the 15' side yard setback. The applicant is proposing to maintain the existing 6.2' setback on the northern side yard as shown on the proposed site plan, and the addition would not be an increase to the degree of the dimensional non-conformity.

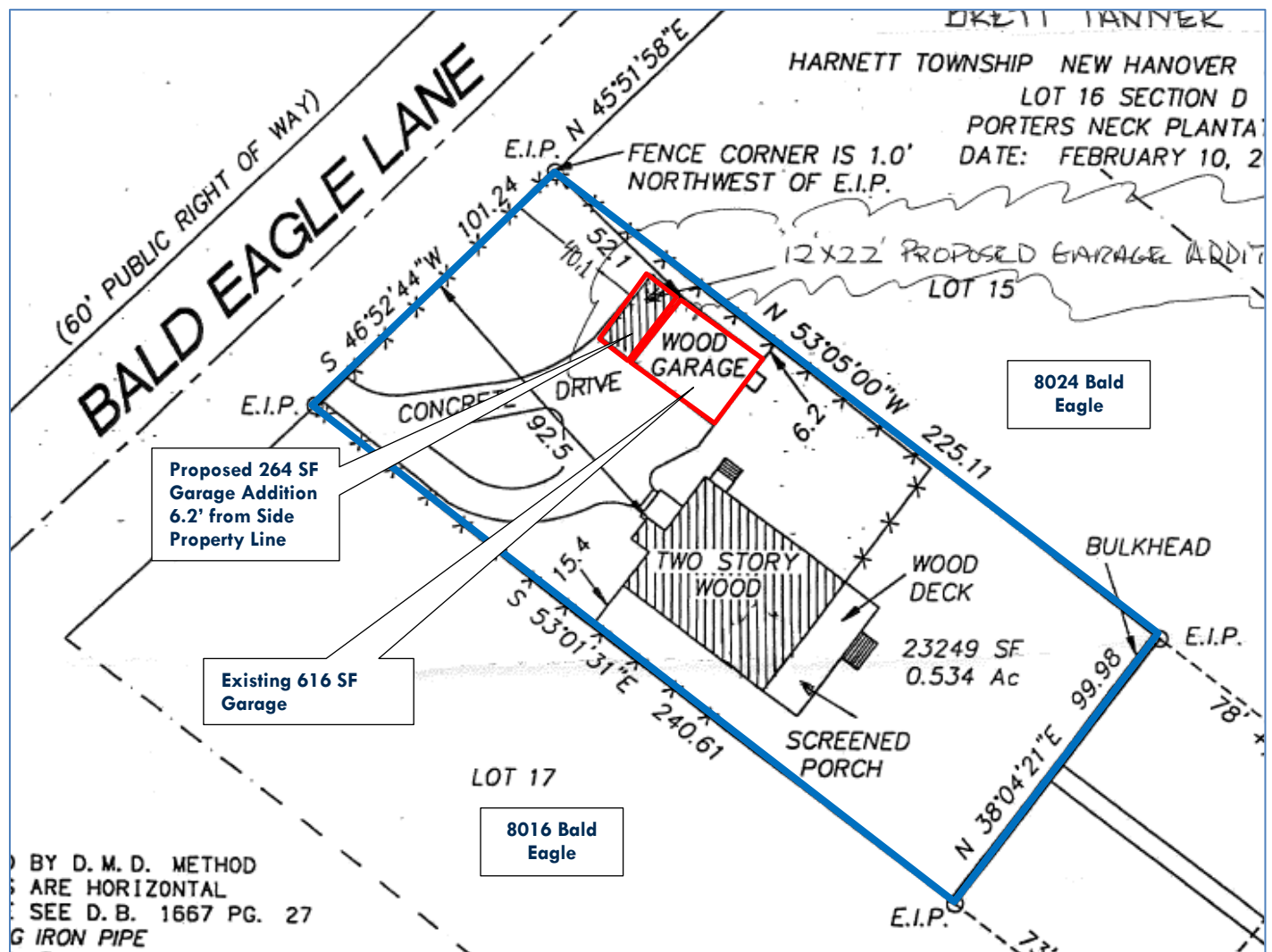


Figure 2: Proposed Site Plan with Staff Markups

The applicant contends that the variance is necessary in order to provide additional protected parking and storage for the new property owners, as well as to provide necessary mitigation for the stormwater surface runoff and mitigate water intrusion into the garage.

In summary, the applicants are requesting a variance from the minimum side yard setback requirement of 15' in order to construct a 264 sf addition to the existing detached garage on the subject property, which will maintain the existing 6.2' side yard setback.

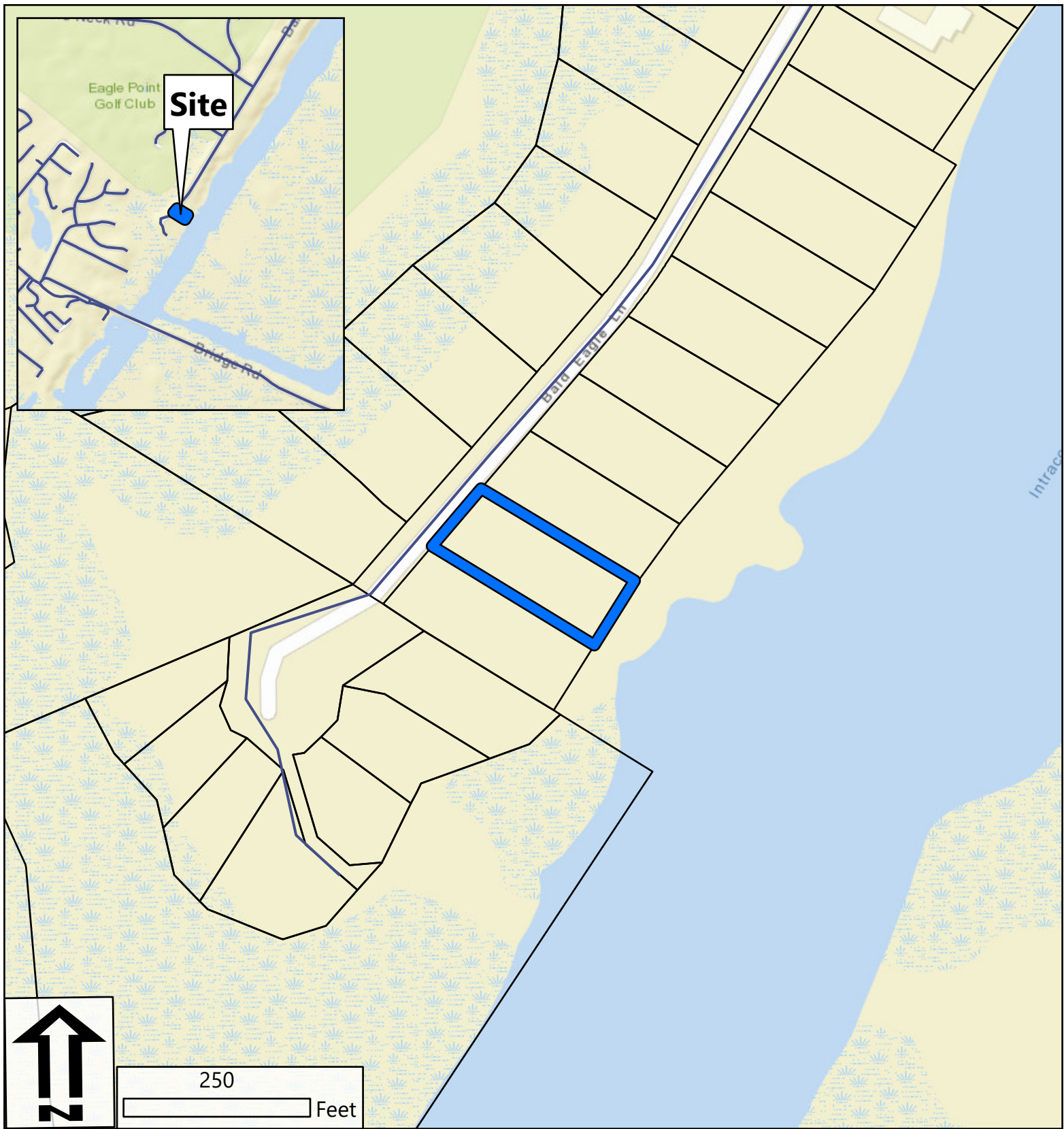
BOARD OF ADJUSTMENT POWER AND DUTY:

The Board of Adjustment has the authority to authorize variances from the terms of the Unified Development Ordinance where, due to special conditions, a literal enforcement of the regulations would result in unnecessary hardship. In granting any variance, the Board may prescribe appropriate conditions and safeguards in conformity with the Unified Development Ordinance. A concurring vote of four-fifths (4/5) of the voting members of the Board shall be necessary to grant a variance. A variance shall not be granted by the Board unless and until the following findings are made:

1. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
2. The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.
3. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.
4. The requested variance is consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and substantial justice is achieved.

ACTION NEEDED (Choose one):

1. **Motion to approve the variance request based on the findings of fact (with or without conditions)**
2. **Motion to table the item in order to receive additional information or documentation (Specify).**
3. **Motion to deny the variance request based on specific negative findings in any of the 4 categories above.**



Case: BOA-958

Address: 8020 Bald Eagle Ln

Variance from Side Yard Setback Requirements

Applicant: Sean McDonough

Vicinity Map



Case: BOA-958

Address: 8020 Bald Eagle Ln
Variance from Side Yard Setback Requirements
Applicant: Sean McDonough

Zoning Map



Case: BOA-958

Address: 8020 Bald Eagle Ln

Variance from Side Yard Setback Requirements

Applicant: Sean McDonough

Aerial Map



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Rebekah Roth, Director of Planning & Land Use | Sharon Huffman, Deputy County Attorney

ORDER TO GRANT A VARIANCE – Case BOA-958

The Board of Adjustment for New Hanover County, having held a public hearing on April 27, 2021 to consider application number BOA-958, submitted by Sean McDonough, applicant, on behalf of Brett and Christy Tanner, property owners, a request for a variance of 8.8' from the 15' minimum side yard setback requirement per Section 3.2.6.D of the New Hanover County Unified Development Ordinance to use the property located at 8020 Bald Eagle Lane in a manner not permissible under the literal terms of the ordinance and having heard all the evidence and arguments presented at the hearing, makes the following FINDINGS OF FACT and draws the following CONCLUSIONS:

1. It is the Board's conclusion that, if the applicant complies with the literal terms of the ordinance, specifically a variance of 8.8' from the 15' minimum side yard setback requirement per Section 3.2.6.D of the New Hanover County Unified Development Ordinance, that an unnecessary hardship would/would not result. *(It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.)* This conclusion is based on the following FINDINGS OF FACT:

- _____.
- _____.
- _____.
- _____.

2. It is the Board's conclusion that the hardship of which the applicant complains results/does not result from unique circumstances related to the subject property, such as location, size, or topography. *(Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.)* This conclusion is based on the following FINDINGS OF FACT:

- _____.
- _____.
- _____.
- _____.

3. It is the Board's conclusion that the hardship did/did not result from actions taken by the applicant or the property owner. *(The act of purchasing property with knowledge that*

circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.) This conclusion is based on the following FINDINGS OF FACT:

- _____.
- _____.
- _____.
- _____.

4. It is the Board's conclusion that, if granted, the variance will/will not be consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and substantial justice is achieved. This conclusion is based on the following FINDINGS OF FACT:

- _____.
- _____.
- _____.
- _____.

THEREFORE, on the basis of all the foregoing, IT IS ORDERED that the application for a VARIANCE from New Hanover County Unified Development Ordinance to allow a variance of 8.8' from the 15' minimum side yard setback requirement per Section 3.2.6.D of the UDO be GRANTED/DENIED, subject to the following conditions, if any:

ORDERED this 27th day of April, 2021.

Cameron Moore, Chairman

Attest:

Kenneth Vafier, Executive Secretary to the Board

NEW HANOVER COUNTY

DEPARTMENT OF PLANNING & LAND USE

230 Government Center Drive, Suite 110
Wilmington, North Carolina 28403
Telephone (910) 798-7165
FAX (910) 798-7053
planningdevelopment.nhcgov.com



ZONING & SUBDIVISION VARIANCE APPLICATION

This application form must be completed as part of a request for a zoning and/or subdivision variance. The application submitted through the county's online COAST portal. The main procedural steps in the submittal and review of applications for a variance are outlined in the flowchart below. More specific submittal and review requirements, as well as the standards to be applied in reviewing the application, are set out in Section 10.3.11 of the Unified Development Ordinance.



1. Applicant and Property Owner Information

Applicant/Agent Name Sean McDonough	Owner Name (if different from Applicant/Agent) Brett Tanner
Company NCA Builders Inc.	Company/Owner Name 2 Christy Tanner
Address 827 Bayshore Drive	Address 8020 Bald Eagle Lane
City, State, Zip Wilmington, NC 28411	City, State, Zip Wilmington, NC 28411
Phone 910-443-1667	Phone 910-617-1729
Email ncabuildersinc@gmail.com	Email btanner@pinnacletrailers.com

2. Subject Property Information

Address/Location 8020 Bald Eagle Lane Wilmington, NC 28411	Parcel Identification Number(s) Lot 16 Section D – Porters Neck Plantation, R03720-001-007-000
Total Parcel(s) Acreage .534 acres	Existing Zoning and Use(s) R-20S / SFR (KJ)

3. Proposed Variance Narrative

Subject Zoning Regulation, Chapter and Section

3.2.6.D (4)

(EV)

In the space below, please provide a narrative of the application (attach additional pages if necessary).

We are in the process of a renovation of the main house at 8020 Bald Eagles lane, with which includes structural repairs, Electric and plumbing upgrades. While renovating the main house it came to are attention that the existing (2) garage had water damage do to surface run off coming from Bald Eagle Lane, (not hurricane or storm damage) The original detached garage did not actually address surface water intrusion, resulting in water damage to garage interior walls. The remedy would be to install a masonry retaining wall as part new addition and install proper water proofing, French drains and other grading applications to stem future water intrusion.

Please see attach survey

CRITERIA REQUIRED FOR APPROVAL OF A VARIANCE

The Board of Adjustment may grant a variance if it finds that strict application of the ordinance results in an unnecessary hardship for the applicant, and if the variance is consistent with the spirit, purpose, and intent of the ordinance. The applicant must explain, with reference to attached plans (where applicable), how the proposed use meets these required findings (attach additional pages if necessary).

1. **Unnecessary hardship would result from strict application of the ordinance.** It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.

We Propose to extend existing garage by 12' and construct a 24" tall masonry foundation wall, to help divert and control surface water coming from adjacent planter area and run off form Bald Eagle Lane.

Failure to control run off in this area could lead to further damage to structure.

Existing Garage was built at set 5'-6' back as depicted in current survey, in order to serve the needs of Mr. and Mrs. Tanner and their family, the extension of existing garage at the current set back of 5'-6' would

1. Mitigate water intrusion
2. Maintain the integrity of existing homes Architectural lines
3. Enhance and or maintain the value of their home consistent with neighboring properties
4. Increase on site protecting parking
5. Increase storge for homeowners

- 2. The hardship results from conditions that are peculiar to the property, such as location, size or topography.** Hardship resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or general public, may not be the basis for granting a variance.

As it relates to "Hardship" and the rights of a property owner, to enhance said property, we believe our request for this variance is consistent with the existing structure setbacks, the continuity of the adjacent properties and would have no adverse effects of adjacent property owners. Failure to grant variance would deny homeowners right to both protect and enhance their property

- 3. The hardship did not result from actions taken by the applicant or the property owner.** The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.

This home was purchased less than 4 months ago, with understanding that the home would need improvements, repairs and enhancements. So, it's fair to say that could include additions that consistent with existing structure setbacks.

4. The requested variance is consistent with the spirit, purpose and intent of the ordinance, such that public safety is secured, and substantial justice is achieved.

As previously stated, the proposed addition is consistent with both the spirit and of the rights of any property owner to preserve the value and integrity of their investment.

Thank you very much for your consideration in this matter

Sincerely

Sean McDonough

Sr Project Manager

NCA Builders inc.

Staff will use the following checklist to determine the completeness of your application. Please verify all of the listed items are included and confirm by initialing under "Applicant Initial". Applications determined to be incomplete must be corrected in order to be processed for further review.

Application Checklist

Applicant Initial

This application form, completed and signed

Application fee: \$400 per application

Site plan or sketch illustrating the requested variance

One (1) hard copy of ALL documents

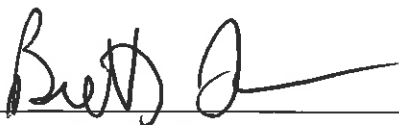
One (1) PDF copy of ALL documents

Acknowledgement and Signatures

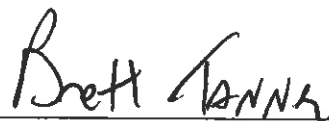
By my signature below, I understand and accept all of the conditions, limitations, and obligations of the variance application for which I am applying. I understand that I have the burden of proving why this application meets the required findings necessary for granting a variance. I certify that this application is complete and that all information presented in this application is accurate to the best of my knowledge, information, and belief.

If applicable, I also appoint the applicant/agent as listed on this application to represent me and make decisions on my behalf regarding this application during the review process. The applicant/agent is hereby authorized on my behalf to:


1. Submit an application including all required supplemental information and materials;
2. Appear at public hearings to give representation and comments; and
3. Act on my behalf without limitations with regard to any and all things directly or indirectly connected with or arising out of this application.



Signature of Property Owner(s)



Print Name(s)



Signature of Applicant/Agent



Print Name

Note: This form must be signed by the owner(s) of record. If there are multiple property owners, a signature is required for each owner of record.

- The land owner or their attorney must be present for the case at the public hearing

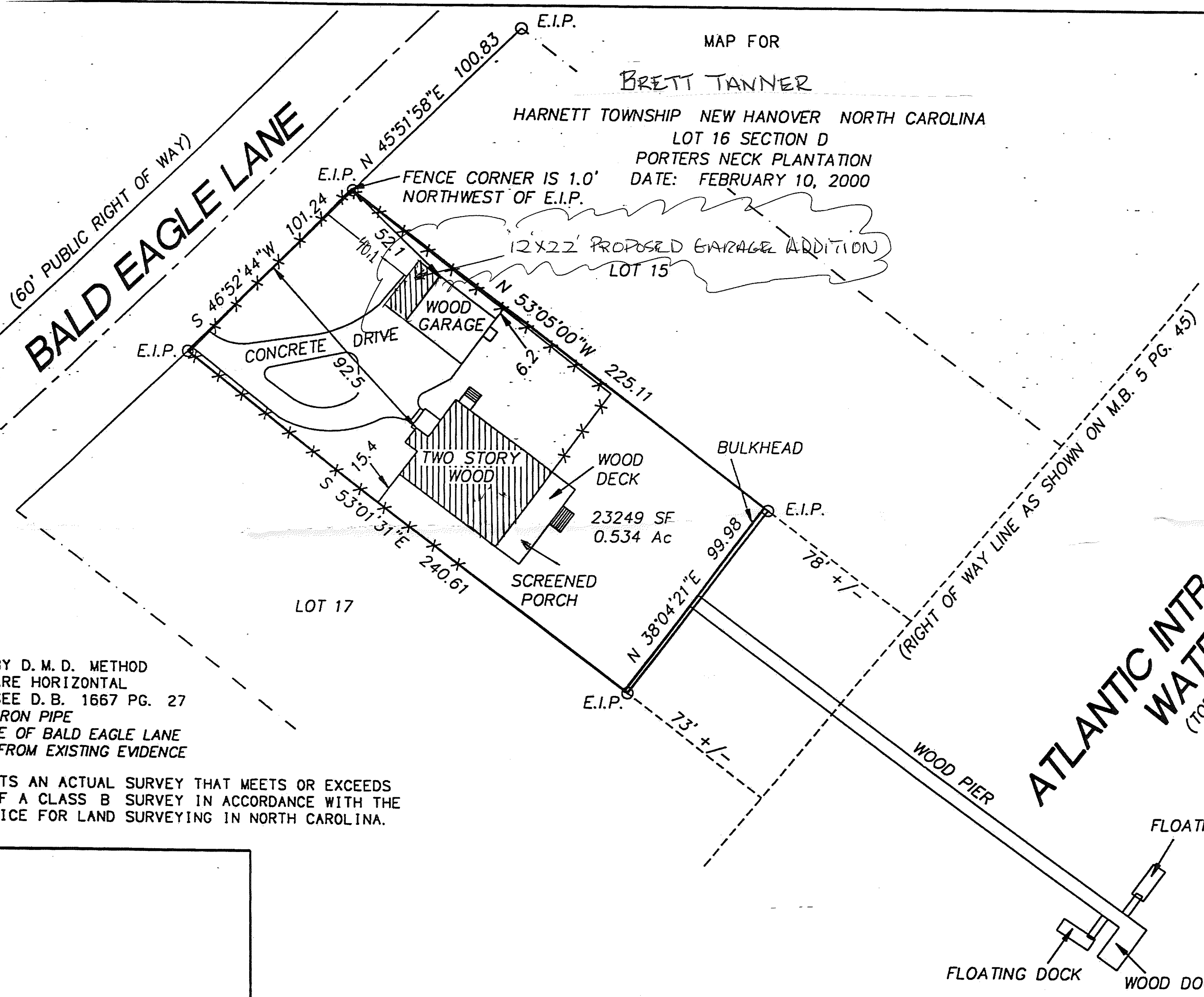
M.B. 5 PG. 45

LOCALITY
(NOT TO SCALE)
PORTER'S NECK PLANTATION

(60' PUBLIC RIGHT OF WAY)
BALD EAGLE LANE

MAP FOR
BRETT TANNER

HARNETT TOWNSHIP NEW HANOVER NORTH CAROLINA
LOT 16 SECTION D
PORTER'S NECK PLANTATION
DATE: FEBRUARY 10, 2000



- NOTES
1. AREA COMPUTED BY D.M.D. METHOD
 2. ALL DISTANCES ARE HORIZONTAL
 3. FOR REFERENCE SEE D.B. 1667 PG. 27
 4. E.I.P. = EXISTING IRON PIPE
 5. RIGHT OF WAY LINE OF BALD EAGLE LANE WAS ESTABLISHED FROM EXISTING EVIDENCE

THIS PLAT REPRESENTS AN ACTUAL SURVEY THAT MEETS OR EXCEEDS THE REQUIREMENTS OF A CLASS B SURVEY IN ACCORDANCE WITH THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA.



**VARIANCE REQUEST
BOARD OF ADJUSTMENT
April 27, 2021**

CASE: BOA-959

PETITIONER: Ketih Williams, applicant and property owner.

REQUEST: Variance of 10' from the 20' minimum Performance Residential periphery setback requirement per Section 3.1.3.D of the New Hanover County Unified Development Ordinance.

LOCATION: 6900 Persimmon Place
PID: R07919-010-018-000

ZONING: R-15, Residential District

ACREAGE: 0.58 Acres

BACKGROUND AND ORDINANCE CONSIDERATIONS:

Keith Williams, applicant and property owner, is requesting a variance from the minimum Performance Residential Subdivision periphery setback requirement of 20' in order to construct a 41' x 30' (1,230 sf) accessory structure on the subject property.

The subject property consists of a 0.58-acre lot, and currently contains a single-family residence constructed in 1989. The UDO defines an accessory structure as follows:

ACCESSORY STRUCTURE - *A structure subordinate to a principal structure and use, the use of which is customarily found in association with and is clearly incidental to the use of the principal structure of the land and which is not attached by any part of a common wall or roof to the principal structure. (When a specific structure is identified in this Ordinance as accessory to another use or structure, the structure need not be customarily incidental to, or ordinarily found in association with, the principal use to qualify as an accessory structure.)*

Section 4.4.4 of the UDO requires that accessory structures in excess of 600 sf meet the minimum required setbacks for a principal structure in their respective zoning district:

4.4.4 STANDARDS FOR SPECIFIED ACCESSORY USES AND STRUCTURES

B. Accessory Structure

Accessory structures shall comply with the following standards:

- 1. No accessory structure shall be erected in any required yard nor within five feet of any other building, except that accessory buildings not exceeding 600 square feet may be permitted in the required side and rear yards provided such accessory buildings are at least five feet from the property line and do not encroach into any required easements.*

The UDO allows for two different types of subdivision design: Performance Residential Developments and Conventional Residential Developments. In a performance development, individual lots are not subject to the specific yard requirements of a zoning district provided that the density for the zoning district is not exceeded. In a conventional development, the UDO requires that the dimensional standards for each zoning district be met. The subject parcel is a part of Grove Point, Section 1, which was recorded in 1987 as a performance subdivision.

Section 3.1.3 of the UDO contains provisions governing Performance Subdivisions, which generally address design parameters and other approval requirements. Although the conventional front, side, and rear yard requirements are not mandated on a performance residential lot, this section still requires a 20' setback on the periphery of the subdivision:

3.1.3. SUPERSEDING DIMENSIONAL STANDARDS

D. Performance Residential Development

Performance Residential Developments are not subject to the minimum lot size, minimum lot width, and front, rear, and side setback requirements in the zoning district where they are located. Performance Residential Developments shall comply with the standards in this section and with all other applicable standards in this Ordinance.

1. Setbacks and Spacing

- a. *Buildings on the periphery of a Performance Residential Development shall be setback a minimum of 20 feet from the adjoining property line.*

The subject property's rear yard lies on the periphery of Section 1 of Grove Point, as shown on the record plat recorded in MB 28, Page 98 of the New Hanover County Register of Deeds:

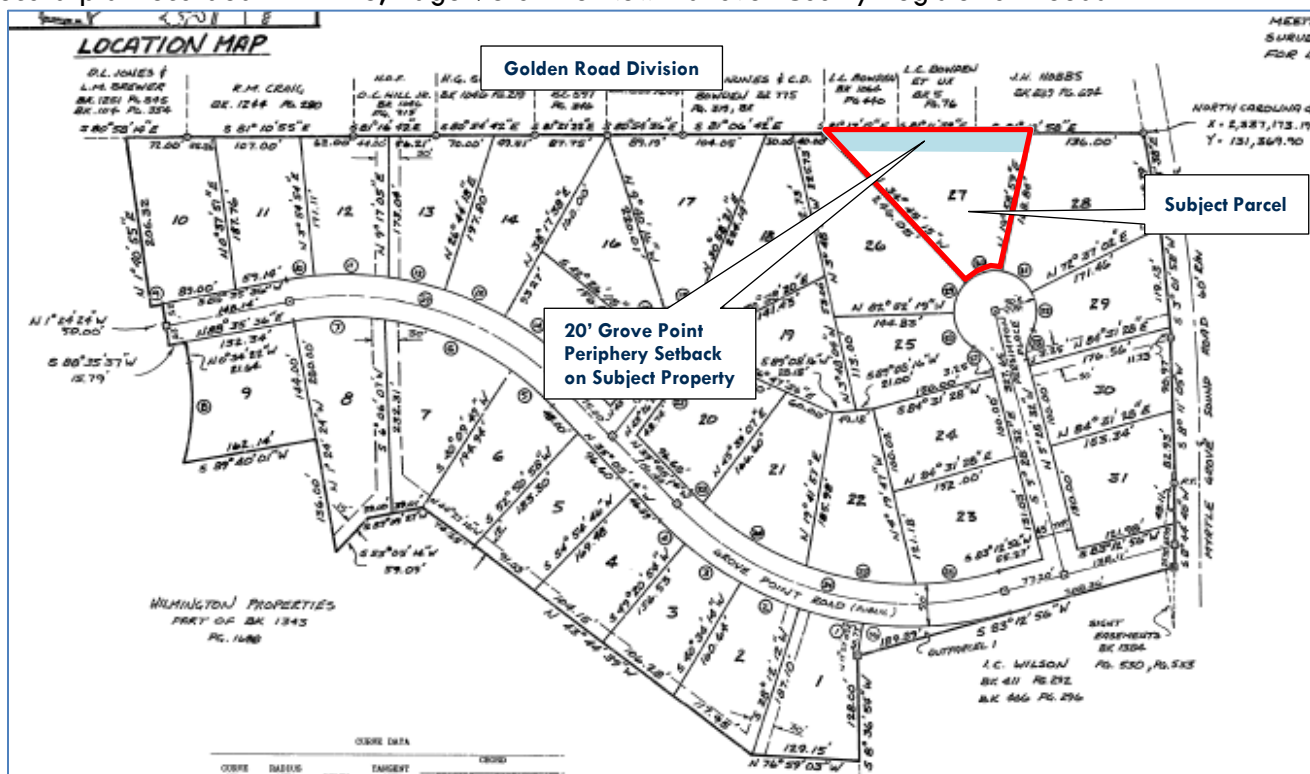


Figure 1: Inset from recorded plat of Grove Point Section 1 with staff markups showing approximate location of required periphery setback on subject property.

The applicant contends that the application of the 20' periphery setback would result in the garage encroaching into the septic drain line area and would result in the removal of two mature Hickory and Oak trees, which the applicant intends to retain. While the applicant was performing due diligence into the project, county staff did not make the applicant aware of the 20' periphery setback, thus the garage was sized, planned, and purchased with the assumption that a 10' setback could be utilized.

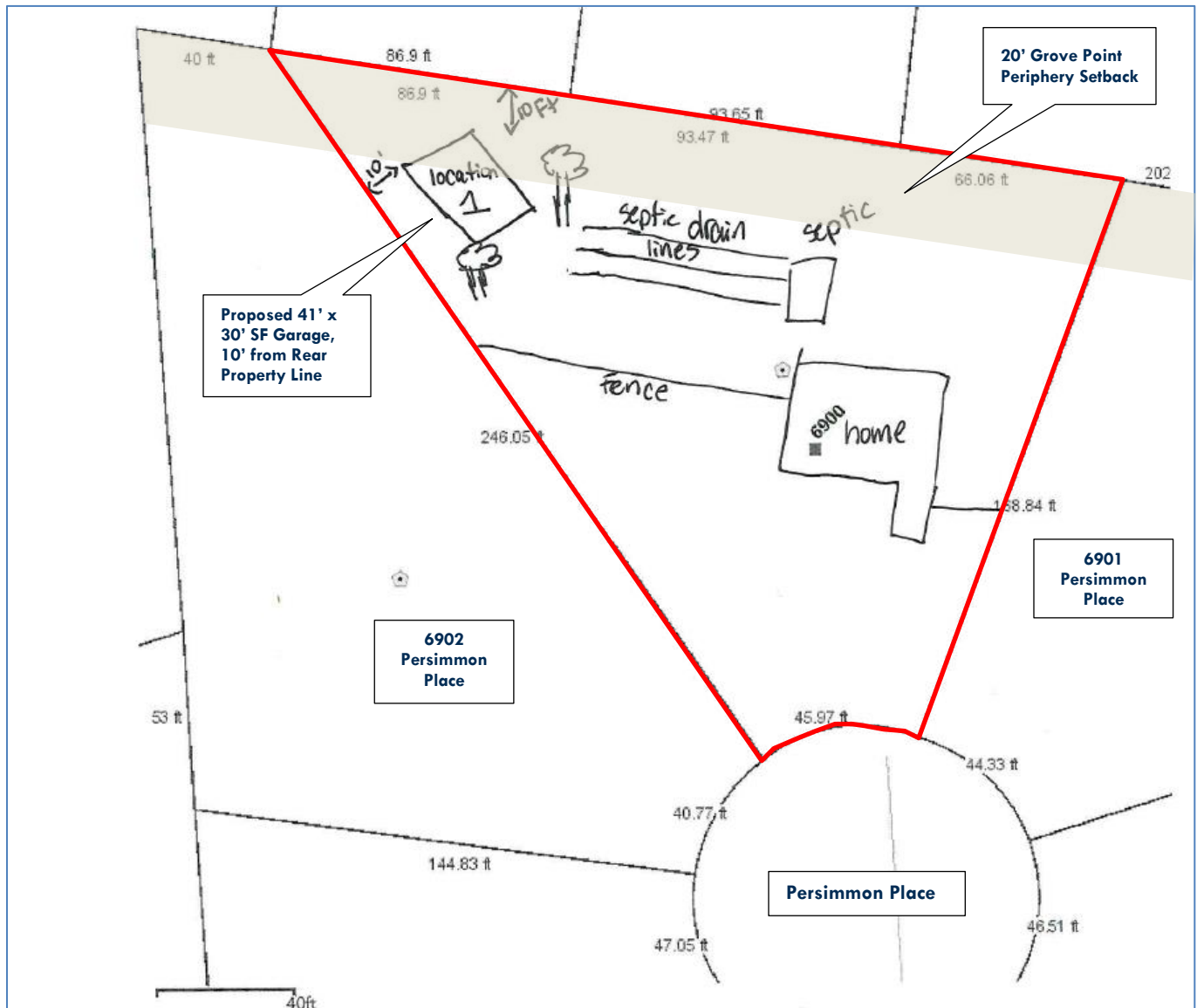


Figure 2: Proposed site plan with staff markups

In summary, the applicant is requesting a variance from the 20' Performance Subdivision periphery setback requirement of 10' in order to construct a 1,230 sf detached garage on the subject property, which will be set back 10' from the periphery of Grove Point.

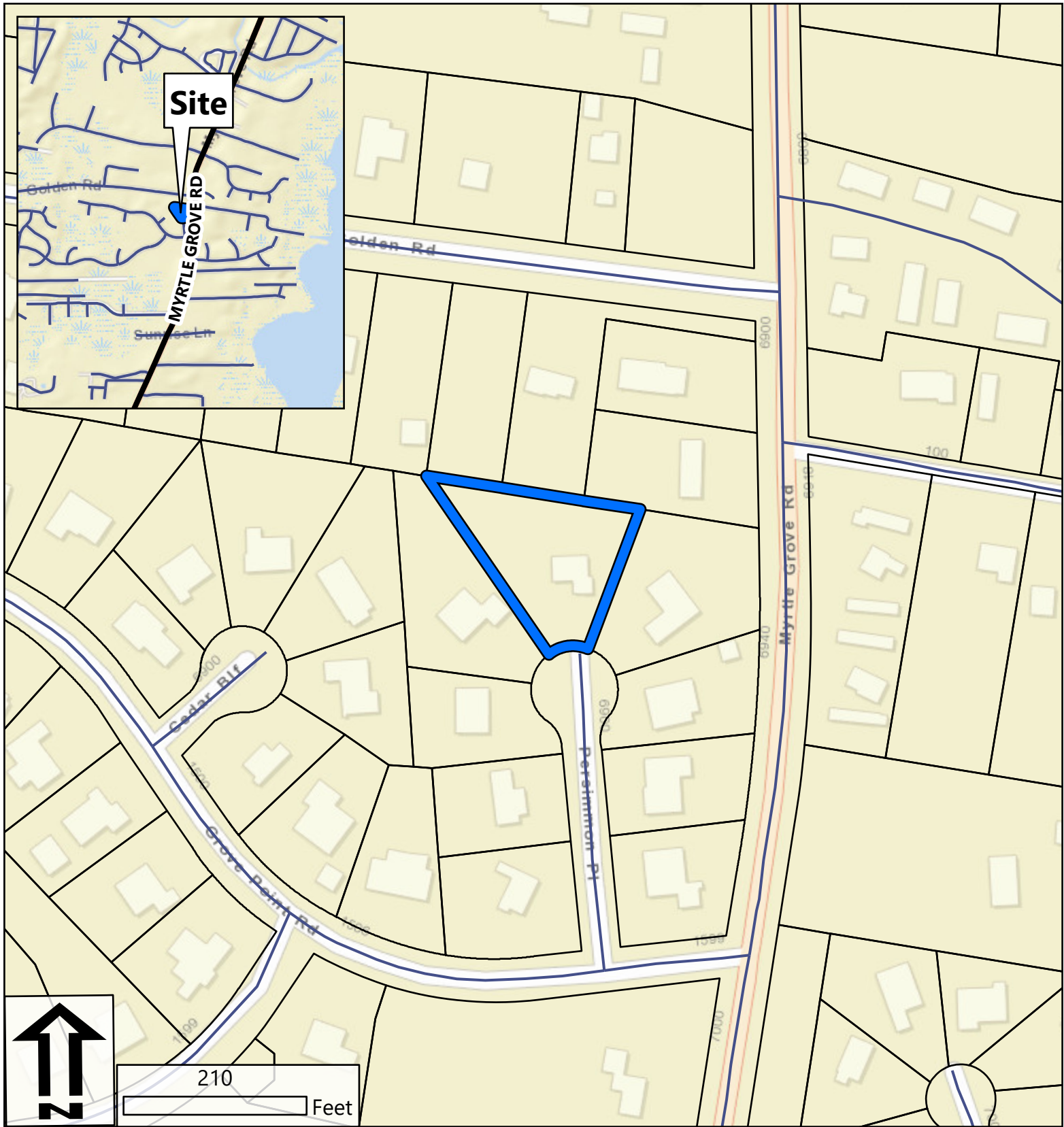
BOARD OF ADJUSTMENT POWER AND DUTY:

The Board of Adjustment has the authority to authorize variances from the terms of the Unified Development Ordinance where, due to special conditions, a literal enforcement of the regulations would result in unnecessary hardship. In granting any variance, the Board may prescribe appropriate conditions and safeguards in conformity with the Unified Development Ordinance. A concurring vote of four-fifths (4/5) of the voting members of the Board shall be necessary to grant a variance. A variance shall not be granted by the Board unless and until the following findings are made:

1. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
2. The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.
3. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.
4. The requested variance is consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and substantial justice is achieved.

ACTION NEEDED (Choose one):

1. **Motion to approve the variance request based on the findings of fact (with or without conditions)**
2. **Motion to table the item in order to receive additional information or documentation (Specify).**
3. **Motion to deny the variance request based on specific negative findings in any of the 4 categories above.**



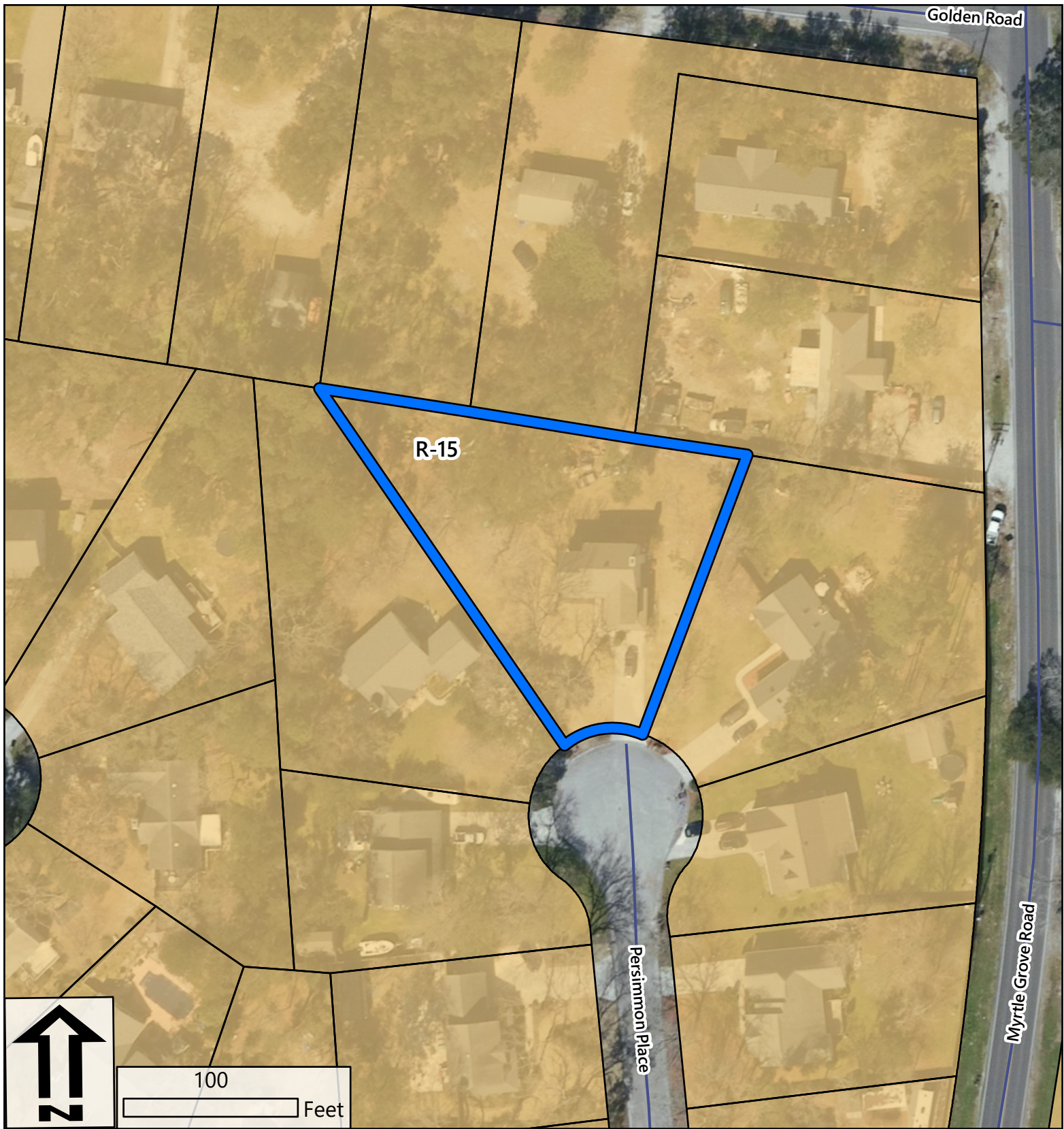
Case: BOA-959

Address: 6900 Persimmon Pl

Variance from Performance Subdivision Periphery Setback Requirements

Applicant: Keith Williams

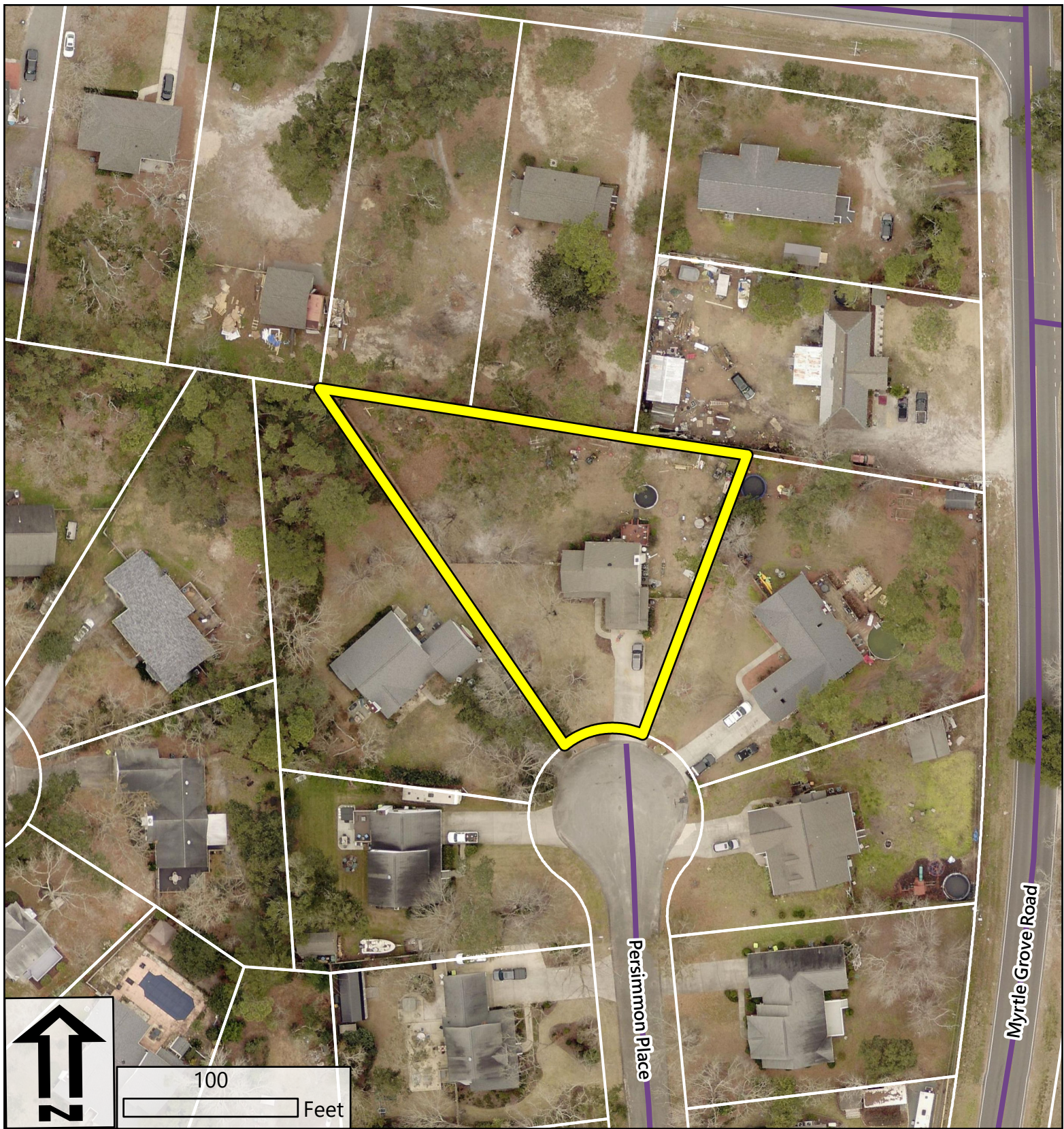
Vicinity Map



Case: BOA-959

Address: 6900 Persimmon Pl
Variance from Performance Subdivision Periphery Setback Requirements
Applicant: Keith Williams

Zoning Map



Case: BOA-959

Address: 6900 Persimmon Pl

Variance from Performance Subdivision Periphery Setback Requirements

Applicant: Keith Williams

Aerial Map



NEW HANOVER COUNTY

BOARD OF ADJUSTMENT

230 Government Center Drive, Lucie Harrell Conference Room, Wilmington, NC 28403

Members of the Board

Cameron Moore, Chair | Kristin Freeman, Vice-Chair
Henry "Hank" Adams | Maverick Pate | Luke Waddell

Board Alternates

Pete DeVita | Richard Kern | Michael Keenan, Sr.

Rebekah Roth, Director of Planning & Land Use | Sharon Huffman, Deputy County Attorney

ORDER TO GRANT A VARIANCE – Case BOA-959

The Board of Adjustment for New Hanover County, having held a public hearing on April 27, 2021 to consider application number BOA-959, submitted by Keith Williams, applicant and property owner, a request for a variance of 10' from the 20' minimum Performance Residential Development periphery setback requirement per Section 3.1.3.D(1)(a) of the New Hanover County Unified Development Ordinance to use the property located at 6900 Persimmon Place in a manner not permissible under the literal terms of the ordinance and having heard all the evidence and arguments presented at the hearing, makes the following FINDINGS OF FACT and draws the following CONCLUSIONS:

1. It is the Board's conclusion that, if the applicant complies with the literal terms of the ordinance, specifically a variance of 10' from the 20' minimum Performance Residential Development periphery setback requirement per Section 3.1.3.D(1)(a) of the New Hanover County Unified Development Ordinance, that an unnecessary hardship would/would not result. *(It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.)* This conclusion is based on the following FINDINGS OF FACT:

- _____.
- _____.
- _____.
- _____.

2. It is the Board's conclusion that the hardship of which the applicant complains results/does not result from unique circumstances related to the subject property, such as location, size, or topography. *(Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.)* This conclusion is based on the following FINDINGS OF FACT:

- _____.
- _____.
- _____.
- _____.

3. It is the Board's conclusion that the hardship did/did not result from actions taken by the applicant or the property owner. *(The act of purchasing property with knowledge that*

circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.) This conclusion is based on the following FINDINGS OF FACT:

- _____.
- _____.
- _____.
- _____.

4. It is the Board's conclusion that, if granted, the variance will/will not be consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and substantial justice is achieved. This conclusion is based on the following FINDINGS OF FACT:

- _____.
- _____.
- _____.
- _____.

THEREFORE, on the basis of all the foregoing, IT IS ORDERED that the application for a VARIANCE from New Hanover County Unified Development Ordinance to allow a variance of 10 from the 20' minimum Performance Residential Development periphery setback requirement per Section 3.1.3.D(1)(a) of the UDO be GRANTED/DENIED, subject to the following conditions, if any:

ORDERED this 27th day of April, 2021.

Cameron Moore, Chairman

Attest:

Kenneth Vafier, Executive Secretary to the Board

NEW HANOVER COUNTY

DEPARTMENT OF PLANNING & LAND USE

230 Government Center Drive, Suite 110

Wilmington, North Carolina

Telephone (910) 798-7165

FAX (910) 798-7053

planningdevelopment.nhcgov.com



VARIANCE Application

Applicant/Agent Information		Property Owner(s) If different than Applicant/Agent
Name <i>Keith Scott Williams</i>	Owner Name	
Company	Owner Name 2	
Address <i>6900 Persimmon Place</i>	Address	
City, State, Zip <i>Wilmington NC 28409</i>	City, State, Zip	
Phone <i>910 471-5008</i>	Phone	
Email <i>cheatrfive@gmail.com</i>	Email	
Subject Property Information		
Address/Location <i>6900 Persimmon Place Wilmington NC 28409</i>		
Parcel Identification Number(s) <i>R07919-010-018-000</i>		
Total Parcel(s) Acreage <i>.58</i>		
Existing Zoning and Use(s) <i>R15</i>		
Application Tracking Information (Staff Only)		
Case Number <i>BOA - 959</i>	Date/Time received: <i>3/29/21 10 am</i>	Received by: <i>KV</i>

PROPOSED VARIANCE NARRATIVE

Subject Zoning Regulation, Chapter and Section: NMC Zoning Ordinance, Article V, Section 51.1-2
NMC Unified Development Ordinance, Article 3.1.3

In the below space, please provide a narrative of the application. (Additional pages may be attached to the application if necessary)

Proposal is to have the setback of the back/periphery property line of 6900 Persimmon Place changed from 20 foot setback to 10 foot setback for the construction of a metal storage building.

CRITERIA REQUIRED FOR APPROVAL OF A VARIANCE

The Zoning Board of Adjustment may grant a variance if it finds that strict application of the ordinance results in an unnecessary hardship for the applicant, and if the variance is consistent with the spirit, purpose, and intent of the ordinance. The applicant must explain, with reference to attached plans (where applicable), how the proposed use meets these required findings (please use additional pages if necessary).

1. **Unnecessary hardship would result from strict application of the ordinance.** *It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.*

Should the 20 foot setback be adhered to, there would be significant hardship, both financially & environmentally. As you can see in Attachment B, if the 20 foot setback was adhered to, the building would have to be moved from location 1 to location 2... continued on Attachment A

2. The hardship results from conditions that are peculiar to the property, such as location, size or topography. Hardship resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or general public, may not be the basis for granting a variance.

The shape of the property is one that makes it difficult to build anything in the back left side of the property. Having a 10-foot setback is hard to begin with because of the acute angle.

... Continued on Attachment A

3. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.

complete narrative on Attachment A

4. The requested variance is consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and substantial justice is achieved.

The 10 foot setback on the side property lines are in accordance to the county zoning & setback regulations, and having a 10-foot setback instead of 20-foot on the back/periphery line will not affect the safety of any of the neighboring properties. If our property was one lot to the left, this would not be an issue as the "interior" lots in our neighborhood only have the 10 foot setback on all sides

APPLICATION REQUIREMENTS

Staff will use the following checklist to determine the completeness of your application. Please verify all of the listed items are included and confirm by initialing under "Applicant Initial". Staff will not process an application for further review until it is determined to be complete.

Required Information		Applicant Initial	Staff Initial
1	Complete Variance application	<i>KS</i>	<i>KV</i>
2	Application fee - \$400 — <i>TBD</i>	<i>KS</i>	—
3	Site plan or sketch illustrating requested variance	<i>KS</i>	<i>KV</i>
4	1 hard copy of ALL documents	<i>KS</i>	<i>KV</i>

ACKNOWLEDGEMENT AND SIGNATURES

By my signature below, I understand and accept all of the conditions, limitations and obligations of the variance application for which I am applying. I understand that I have the burden of proving why this application meets the require findings necessary for granting a variance. I certify that this application is complete and that all information presented in this application is accurate to the best of my knowledge, information, and belief.

I also appoint the applicant/agent as listed on this application to represent me and make decisions on my behalf regarding this application during the review process. The applicant/agent is hereby authorized on my behalf to:

1. Submit an application including all required supplemental information and materials;
2. Appear at public hearings to give representation and commitments; and
3. Act on my behalf without limitations with regard to any and all things directly or indirectly connected with or arising out of this application.



 Signature of Property Owner(s)

Keith S Williams

 Print Name(s)

 Signature of Applicant/Agent

 Print Name(s)

NOTE: Form must be signed by the owner(s) of record. If there are multiple property owners a signature is required for each owner of record.

***The land owner or their attorney must be present for the case at the public hearing.**

For Staff Only

Application Comments

Attachment A

Criteria Narrative Continued...

1. Unnecessary hardship would result from strict application of the ordinance:

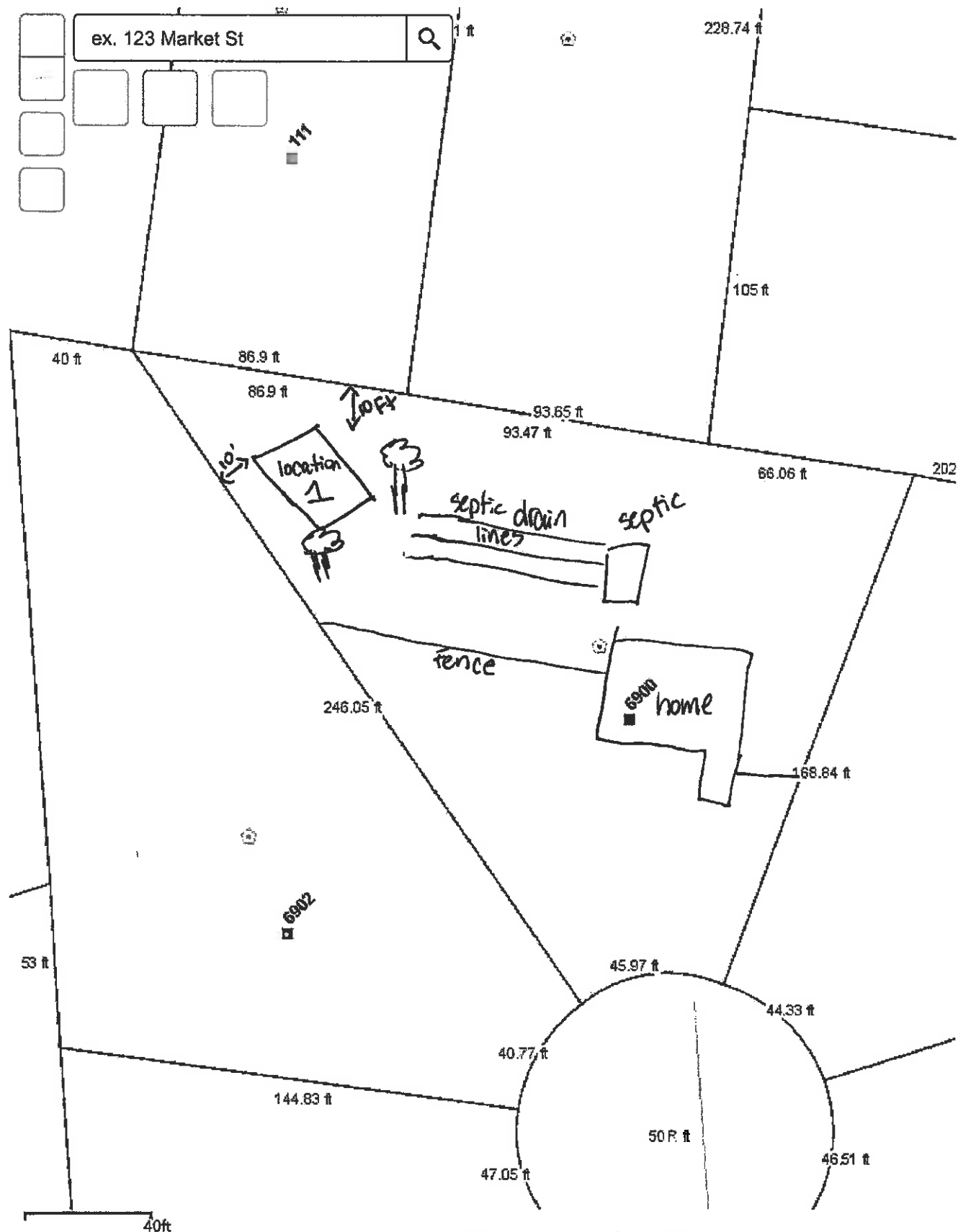
In location 2, (also displayed on Attachment B) we would have to move the septic drain lines to the repair field. Based on our research, this would cost over \$10,000. In location 2, we would also have to cut down established trees (seen in pictures on Attachment C). These trees are over 50 years old and provide shade to the property, helping our home to be energy efficient, as well as providing the neighborhood with overall appealing aesthetics. The cost we were quoted to have the trees removed was \$4277.56 (attachment D). With the many trees constantly being cut down in Wilmington, we would like to do our part to save these established trees if possible.

2. The hardship results from conditions that are peculiar to the property, such as location, size or topography.

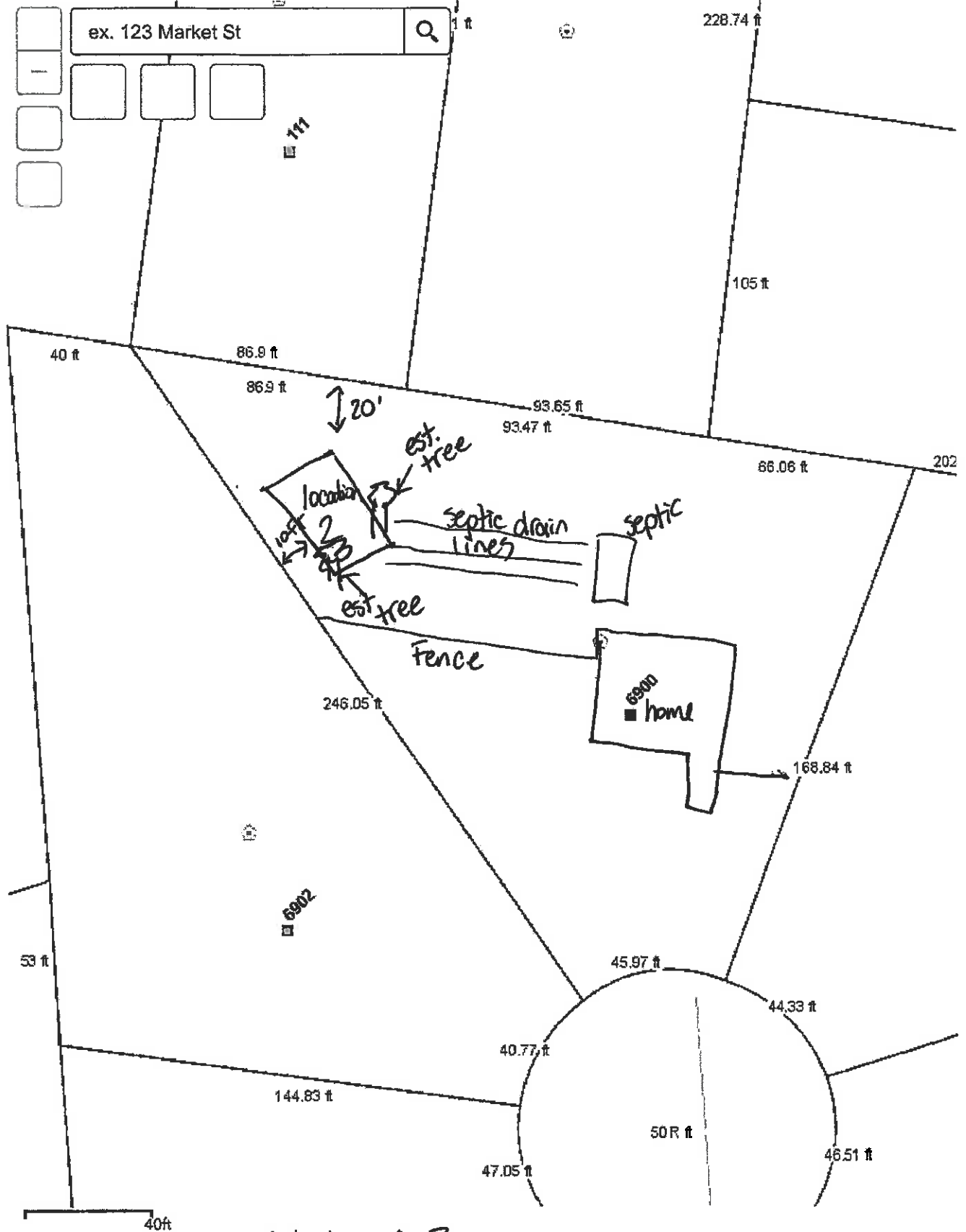
If we had to adhere to the 20 foot setback on the back property line, it would result in so much unused space in the backyard (attachment E). This would also cause somewhat of an "eyesore" to the neighborhood having to move it closer to the main house and not hidden by the established trees that would need to be removed.

3. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.

Prior to initiating building design and permit, we did our due diligence and contacted the Planning and Land Use department asking what the particular setbacks were for our property, so we could adhere to the county's zoning regulations. The property address was given to the Zoning Compliance Official for Zoning and Setbacks to make sure we were obtaining the correct setbacks. Per the Zoning Compliance Official, we were told the setback for our property address was 10 feet (see Attachment F). With this information, we mapped out the area in order to know what building dimensions could be put in the area. We contacted the building company, made our non-refundable deposit of \$5,6750 (Attachment G) to obtain a site plan, and submitted the information for a permit. Had we been told the setback was 20 feet on the back property line, we would not have moved forward with plans. But, since we did, we now have a \$5,6750 non-refundable deposit at stake. This loss would cause a significant hardship (as well as the above stated hardships) on our family, and we feel this hardship is based on the incorrect information we were given while we were being proactive, from the Zoning office.



Find A Parcel An Interactive Web Map of New Hanover County, NC



2,337,049 652 131,251.275 Feet

Attachment B page 2 of 2

All rights reserved

Attachment C page 1 of 3

Unused area would be much greater than this current display.



Location 1



Front view of location 1

Attachment C page 2 of 3



Location 1 with established trees shown

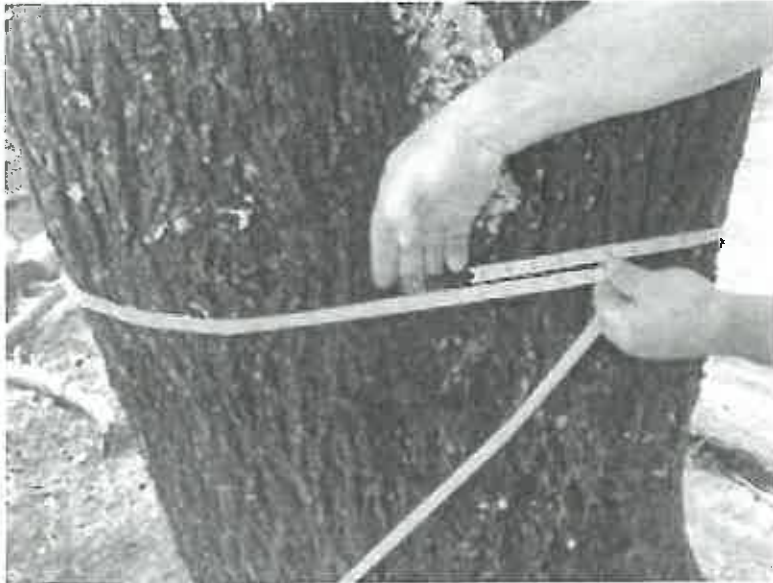


Location 2 marked



Location 2 marked

Attachment C page 3 of 3



Tree 1, 8 foot circumference



Tree 2, 7 foot circumference

Attachment D



Landscapes Unlimited

Client Name: Williams, Keith

Project Name: Tree Removal

Jobsite Address: 6900 Persimmon Place Wilmington, North Carolina 28409

Estimate ID: EST2373208

Date: Mar 22, 2021

Billing Address: 6900 Persimmon Place Wilmington, North Carolina 28409

Tree Removal

Tree Removal	\$4,277.56
---------------------	-------------------

Labor, equipment, and disposal costs to remove (1) large Hickory and (1) large Oak in the event building needs to be shifted inward from property lines. Includes excavating stumps.

Subtotal	\$4,277.56
-----------------	-------------------

Taxes	\$0.00
--------------	---------------

Estimate Total	\$4,277.56
-----------------------	-------------------

Estimate authorized by: _____

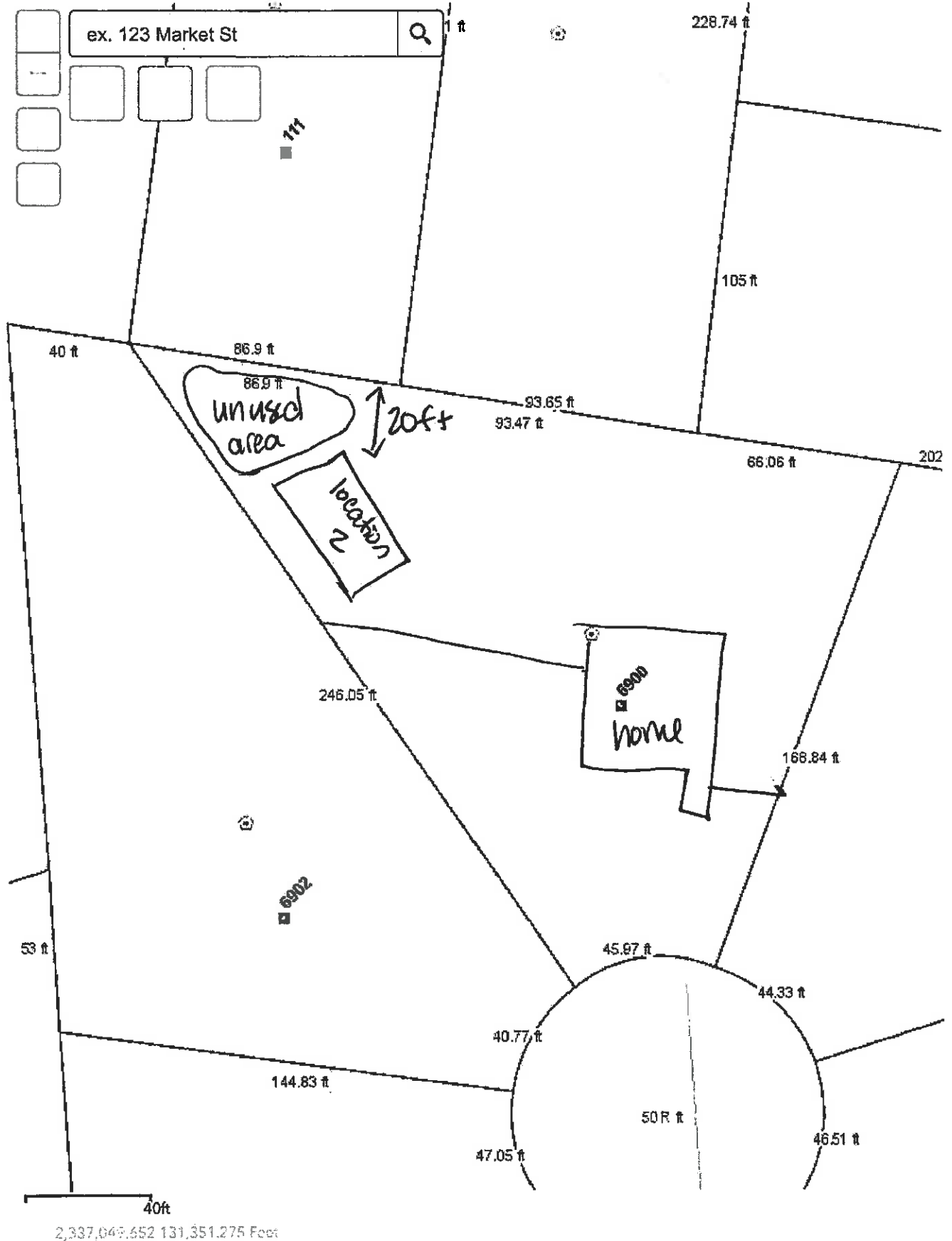
Company Representative

Signature Date: _____

Estimate approved by: _____

Customer Representative

Signature Date: _____



Attachment E

page 2 of 2

Unused area would be much greater than this current display.



⏮ Reply all ⏹ Delete ⓧ Junk Block ...

Attachment F

Fwd: Zoning Setbacks Inquiry

April Stephens <als4122@aol.com>

Fri 3/26/2021 10:06 AM

To: Keith Williams

👍 ↶ ⏮ → ...

**** CAUTION: External Email ****

Do not click links or attachments **unless** you recognize the sender and know the content is safe.

-----Original Message-----

From: Temple, Sheighla <stemple@nhcgov.com>

To: April Stephens <als4122@aol.com>

Sent: Wed, Aug 26, 2020 10:37 am

Subject: RE: Zoning Setbacks Inquiry



The address in question is in a performance subdivision meaning that all structures have a minimum setback requirement of 10' between structures on all sides, unless the structure is under 600 sqft, then it is required to be 5' off the property line on the sides and rear. I hope this information was helpful and please feel free to follow up with further questions, thank you for your time, and have a wonderful day.

Respectfully,

Sheighla Temple | Zoning Compliance Official

Planning & Land Use - Planning & Zoning

New Hanover County

230 Government Center Drive, Suite 110

Wilmington, NC 28403

(910) 798-7521 p | (910) 798-7053 f

www.nhcgov.com

From: April Stephens <als4122@aol.com>

Sent: Wednesday, August 26, 2020 10:34 AM

To: Temple, Sheighla <stemple@nhcgov.com>

Subject: Re: Zoning Setbacks Inquiry

Sure...the address is 6900 Persimmon Place



-----Original Message-----

From: Temple, Sheighla <stemple@nhcgov.com>

To: als4122@aol.com <als4122@aol.com>

Sent: Wed, Aug 26, 2020 10:32 am

Subject: Zoning Setbacks Inquiry

Hello Mrs. April,

Could you please provide an address in regard to your inquiry in order to provide accurate information?

Respectfully, Sheighla Temple

Sheighla Temple | Zoning Compliance Official

Planning & Land Use - Planning & Zoning

Attachment 61

1183 S NC 41 & 111 Hwy
Beulaville, NC 28518
Office (910) 298-3774 *Josie*
sales@superiormsc.com



Installer: _____ Date: _____

BUILDING CONTRACT 2021.01

Customer Name: Keith S Williams
Address: 6900 Persimmon Pl
City: Wilmington State: NC Zip Code: 28409
Phone Number: #1 _____ #2 _____

Date: 2-6-2021

Note: _____

Email: _____

STRUCTURE SIZE:

Width 30' Length 41' Height 10'
A-Frame: Building ☒ Carport _____ Combo _____ Barn _____ Other _____
Roof Lean-To: _____ Drop Down Lean-To: _____
☐ Basic ☐ Dressed ☐ Yes ☐ No Openings ☐ Yes ☐ No Qty/Size _____

CARPOT ONLY:

Gable _____ Closed Sides _____ Closed Ends _____

COLORS:

Roof: Antique Bronze Walls: light stone Trim: light stone
Color Screws: ☒ Yes ☐ No Two-Tone _____ Height _____

STRUCTURE OPTIONS:

Roof: Vertical ☒ Horizontal _____ Walls: Vertical _____ Horizontal ☒
Roll-Up Doors: Qty/Size 2-10x8 WL Insulated ☒ Yes ☐ No
Panel Doors: Qty/Size _____ Insulated ☐ Yes ☐ No \$ _____
Walk-In Door: Basic 1 Cottage _____ Other _____ \$ _____
Windows: Basic _____ Metal Grid _____ Insulated 3 Side Entry: 1-10x8 for Rollup \$ _____
Insulation: Roof (Full) R4 R9 R10 ROOF CLOSURE STRIPS ROOF WALL \$ _____
Building Zone: 3' OC _____ 4' OC ☒ 5' OC _____ Other _____ (May Change by County) \$ _____

☒ Engineered-Certified (Plans) ☐ Basic Certified ☐ Non-Certified

MISC. Options: _____ \$ _____

CONCRETE:

Pad Size: 30x40x4" 2-10x5 Ramps 2'x12" Footers ☒ Yes ☐ No Lean-To: _____ Footers: Yes ☐ No \$ _____
Fiber: ☒ Yes ☐ No PSI 3,500 Other _____ Grading (\$75.00 an hr.) ☒ Yes ☐ No

CUSTOMER IS RESPONSIBLE FOR THE COST OF ANY GRADING DONE BY SMS&C, LLC AND IS TO BE RESPONSIBLE FOR FILL DIRT NEEDED TO LEVEL GROUND. IF CUSTOMER COMPLETES GRADING CUSTOMER IS RESPONSIBLE FOR ADDITIONAL CONCRETE AT \$265 PER YARD. IF CUSTOMER FAILS TO PAY FOR GRADING SUPERIOR METAL STRUCTURES & CONCRETE, LLC RESERVES THE RIGHT TO TERMINATE THE CONTRACT AND COLLECT ALL UNPAID DEBTS. IF THERE IS NO ACCESS TO THE SITE CUSTOMER IS RESPONSIBLE FOR ALL EXPENSES TO ACCESS THE SITE (EX. CONCRETE BUGGY/PUMP). THERE IS A \$500 TRIP FEE FOR ANY UNNECESSARY TRIPS TO YOUR PROJECT. CUSTOMER IS RESPONSIBLE FOR TOW BILL IF CONCRETE TRUCK GETS STUCK.

THE CUSTOMER WILL BE RESPONSIBLE TO PROVIDE A LIFT IF THE STRUCTURE IS 14' AND OVER IN HEIGHT. ALL DEPOSITS ARE NON-REFUNDABLE. NO REFUNDS ON ANY STRUCTURE OR MATERIAL. SUPERIOR METAL STRUCTURES & CONCRETE, LLC IS NOT RESPONSIBLE FOR PERMITS, DAMAGE TO UNDER GROUND WATER LINES, YARD, ETC. NOT RESPONSIBLE FOR ANY OTHER DAMAGE CAUSED BY OTHER CONTRACTS/VEHICLES. SMS&C, LLC SHALL NOT BE LIABLE FOR ANY INJURY TO ANY PET OR TO ANY PERSON ENTERING THE PREMISES OR THE STRUCTURE DURING CONSTRUCTION. SMS&C, LLC RESERVES THE RIGHT TO CORRECT ANY BALANCE ERRORS OR TO REPOSSSESS ANY STRUCTURE NOT PAID FOR IN FULL UPON INSTALLATION, IT ALSO RESERVES THE RIGHT TO REFUSE ANY ORDERS. SMS&C, LLC PROVIDES LIMITED WARRANTY. MANUFACTURER WARRANTS THE FRAMING ELEMENTS FOR 20 YRS AND ROOFING MATERIAL FOR 40 YEARS ONLY AGAINST RUST THROUGH FROM INSTALLATION, ASSUMING NORMAL CARE AND MAINTENANCE. STRUCTURE WILL WITHSTAND THE SNOW LOAD AND WIND SPECIFIED ON THE ENGINEER-CERTIFIED PLANS OF THE SAID STRUCTURE PROVIDED (ENGINEERED CERTIFIED STRUCTURES ONLY). STRUCTURE DAMAGE OR LOSS CAUSED BY THEFT, FIRE, ACTS OF GOD (NATURAL DISASTERS, BAD WEATHER), AND OR ANY OTHER CAUSES OR ANY ALTERATION OR ABUSE OF THE STRUCTURE SHALL VOID ALL SUCH LIMITED WARRANTIES. WE DON'T GUARANTEE CONCRETE WILL NOT CRACK. PRICE MAY CHANGE IF ENGINEER CALLS FOR 2' OR 3' CENTERS/LARGER FOOTER DEPENDING ON YOUR COUNTY. All basic 14 gauge tubing and all 29 gauge sheeting. Any upgrades is additional cost. BASIC CERTIFIED MAY NOT MEET YOUR COUNTY CERTIFICATION. INCLEMENT WEATHER MAY EXTEND STRUCTURE COMPLETION. \$35 FEE FOR BOUNCED CHECKS.

I HAVE READ AND UNDERSTAND THE ABOVE INFORMATION AND APPROVE THE CONSTRUCTION OF THE BUILDING.

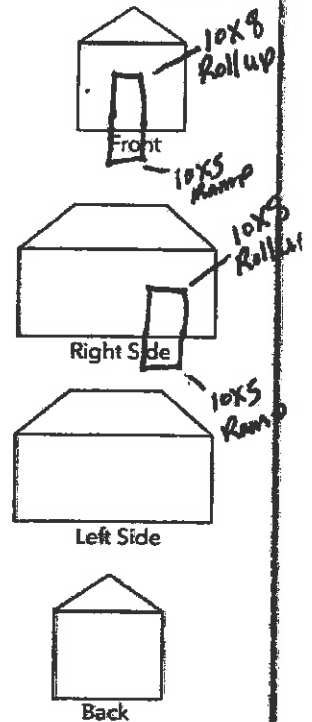
CUSTOMER SIGNATURE: [Signature] DATE: 2/6/2021

SALES SIG: [Signature] PRINT Josie Sanchez DATE: 2-6-2021

PROJECT TIME FRAME: 8-10 wks CONCRETE and 4-5 wks STRUCTURE JS Initials

IS ELECTRICITY AVAILABLE? ☒ YES ☐ NO

DOORS & WINDOWS FACING THE BUILDING



SUBTOTAL \$ 28,165.00

TAX \$ _____

TOTAL \$ 28,165.00

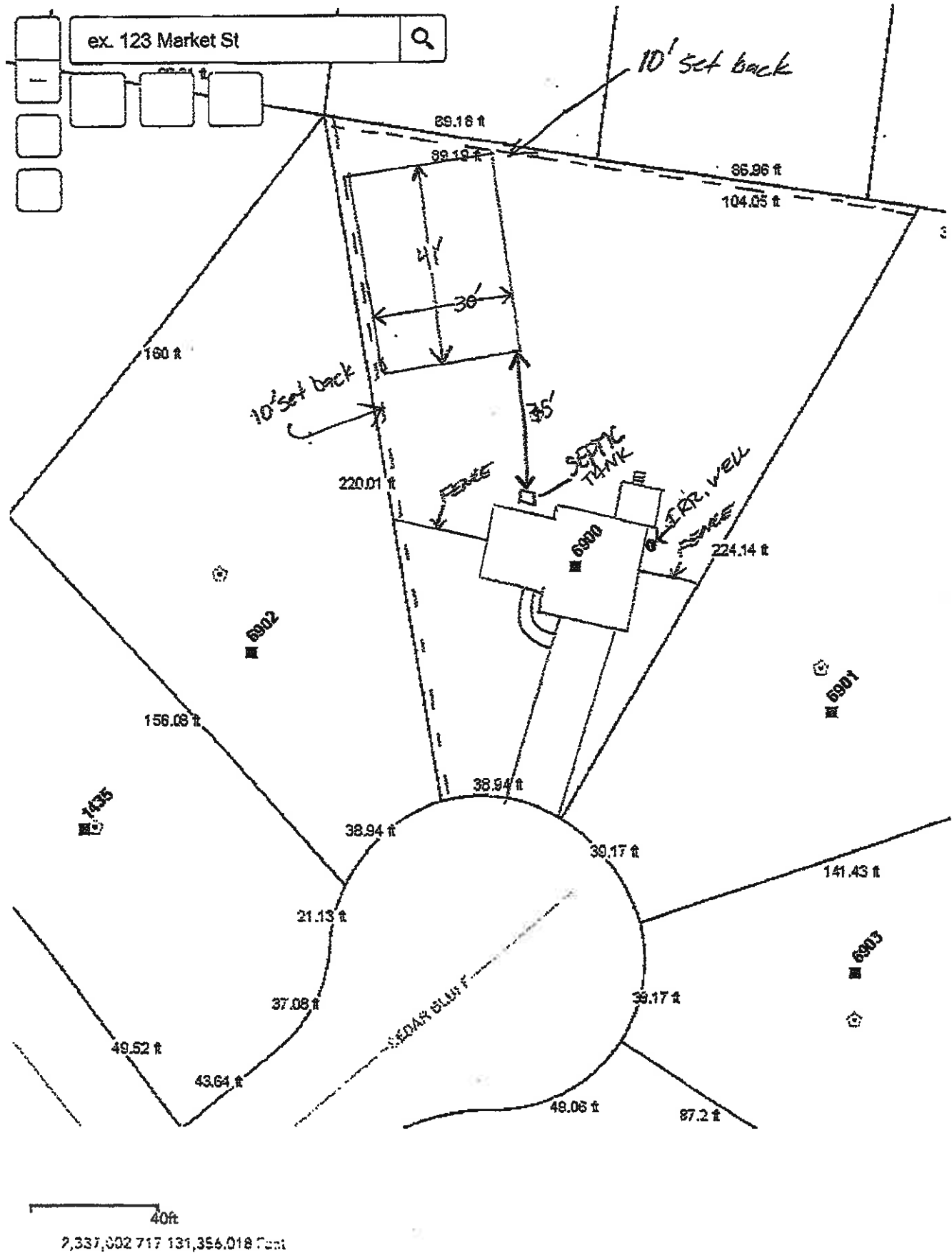
1ST PYMT (20%) \$5,635.00
2ND PYMT (60%) \$16,995.00
Due day of Concrete Pour
FINAL PYMT (20%) \$5,635.00
Due day of Building Install

Polch #176



Find A Parcel

An Interactive Web Map of New Hanover County, NC



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**VARIANCE REQUEST
BOARD OF ADJUSTMENT
April 27, 2021**

CASE: BOA-960

PETITIONER: Palm Investment, Inc., applicant and property owner.

REQUEST: Variance of 10' from the 20' minimum Performance Residential periphery setback requirement per Section 3.1.3.D of the New Hanover County Unified Development Ordinance.

LOCATION: 502 Pilots Ridge Road
PID: R07900-001-484-000

ZONING: R-15, Residential District

ACREAGE: 0.50 Acres

BACKGROUND AND ORDINANCE CONSIDERATIONS:

Palm Investment, Inc., applicant and property owner, is requesting a variance from the minimum Performance Residential Subdivision periphery setback requirement of 20' in order to construct a single-family residence and an aircraft hangar on the subject property. The parcel is located within Pilots Ridge, a community in southern New Hanover County platted in 2006 which provides residents with access to a private runway. Many of the residences in Pilots Ridge have personal aircraft which are stored in hangars on individual lots.

The subject property is located on a 0.50-acre undeveloped lot on the far western extent of Pilots Ridge. The individual aircraft hangars in Pilots Ridge would be considered as accessory structures, which the UDO defines as follows:

ACCESSORY STRUCTURE - *A structure subordinate to a principal structure and use, the use of which is customarily found in association with and is clearly incidental to the use of the principal structure of the land and which is not attached by any part of a common wall or roof to the principal structure. (When a specific structure is identified in this Ordinance as accessory to another use or structure, the structure need not be customarily incidental to, or ordinarily found in association with, the principal use to qualify as an accessory structure.)*

Section 4.4.4 of the UDO requires that accessory structures in excess of 600 sf meet the minimum required setbacks for a principal structure in their respective zoning district:

4.4.4 STANDARDS FOR SPECIFIED ACCESSORY USES AND STRUCTURES

B. Accessory Structure

Accessory structures shall comply with the following standards:

- 1. No accessory structure shall be erected in any required yard nor within five feet of any other building, except that accessory buildings not exceeding 600 square feet may be permitted in the required side and rear yards provided such*

accessory buildings are at least five feet from the property line and do not encroach into any required easements.

The UDO allows for two different types of subdivision design: Performance Residential Developments and Conventional Residential Developments. In a performance development, individual lots are not subject to the specific yard requirements of a zoning district provided that the density for the zoning district is not exceeded. In a conventional development, the UDO requires that the dimensional standards for each zoning district be met. The subject parcel is a part of Pilots Ridge, which was recorded as a performance subdivision.

Section 3.1.3 of the UDO contains provisions governing Performance Subdivisions, which generally address design parameters and other approval requirements. Although the conventional front, side, and rear yard requirements are not mandated on a performance residential lot, this section still requires a 20' setback on the periphery of the subdivision:

3.1.3. SUPERSEDING DIMENSIONAL STANDARDS

D. Performance Residential Development

Performance Residential Developments are not subject to the minimum lot size, minimum lot width, and front, rear, and side setback requirements in the zoning district where they are located. Performance Residential Developments shall comply with the standards in this section and with all other applicable standards in this Ordinance.

1. Setbacks and Spacing

- a. Buildings on the periphery of a Performance Residential Development shall be setback a minimum of 20 feet from the adjoining property line.

The subject property's side yard lies on the periphery of Pilots Ridge, as shown on the plat recorded in MB 50, Page 275 of the New Hanover County Register of Deeds:

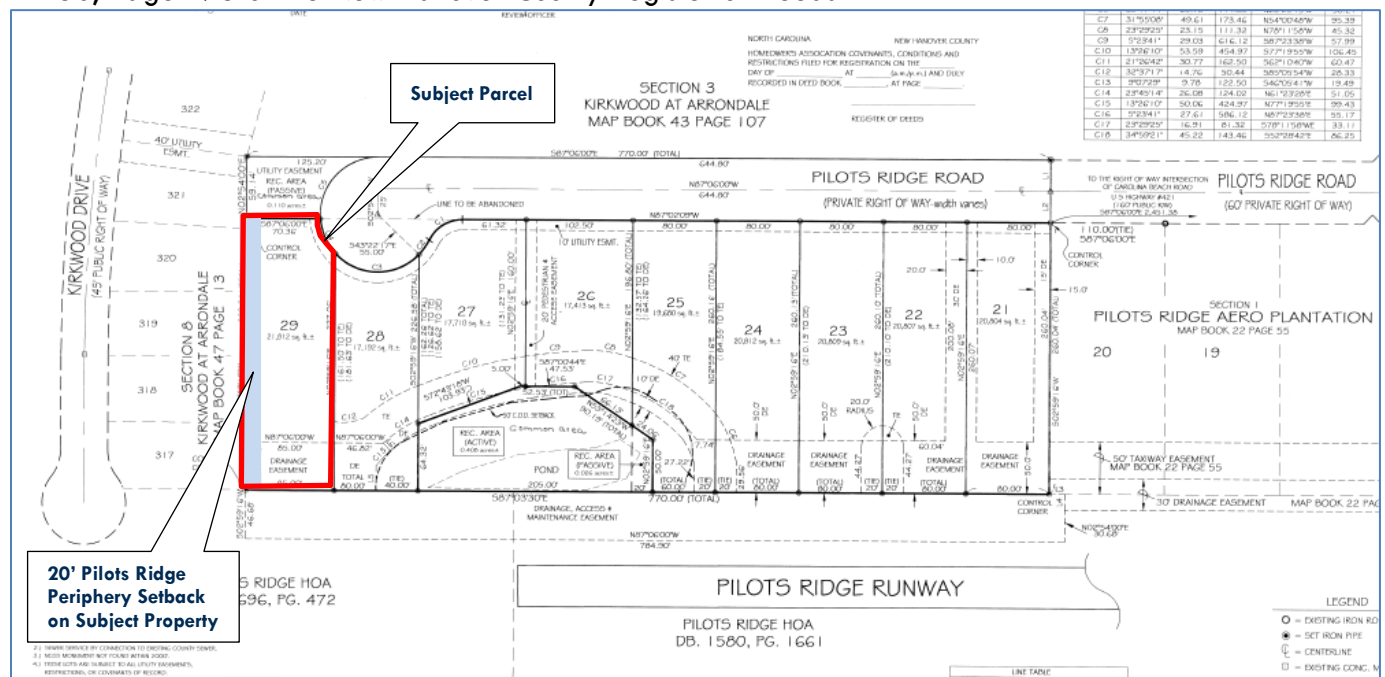


Figure 1: Inset from recorded plat of Pilots Ridge with staff markups showing approximate location of required periphery setback on subject property.

The applicant contends that the variance is necessary in order to provide flexibility in the site design for the lot, which contains a drainage easement on the south side which limits the ability to access the runway in a similar design to other lots in Pilots Ridge.

In summary, the applicant is requesting a variance from the 20' Performance Subdivision periphery setback requirement of 10' in order to construct a future single family residence and aircraft hangar on the subject property, which will be set back 10' from the periphery of Pilots Ridge.

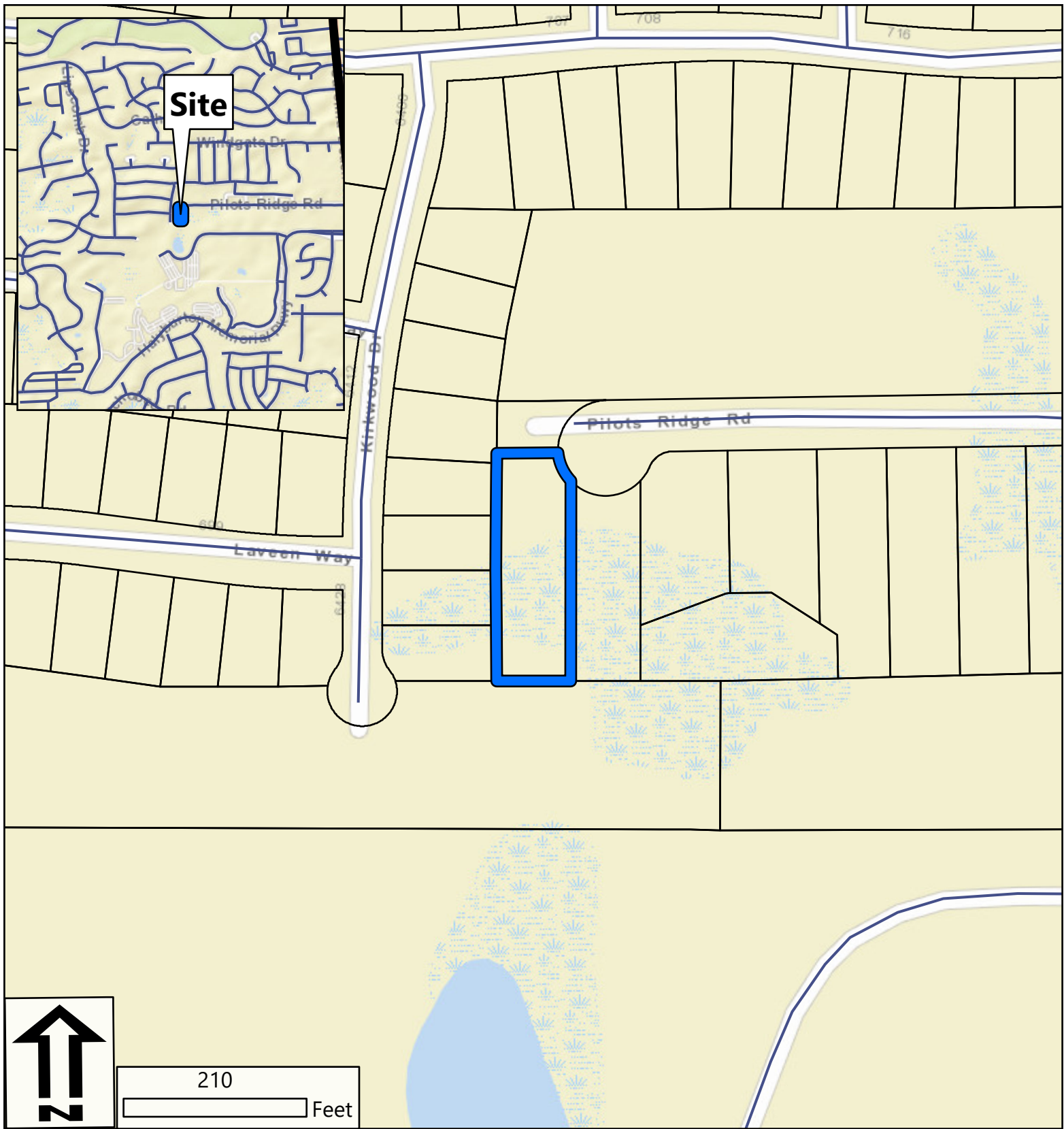
BOARD OF ADJUSTMENT POWER AND DUTY:

The Board of Adjustment has the authority to authorize variances from the terms of the Unified Development Ordinance where, due to special conditions, a literal enforcement of the regulations would result in unnecessary hardship. In granting any variance, the Board may prescribe appropriate conditions and safeguards in conformity with the Unified Development Ordinance. A concurring vote of four-fifths (4/5) of the voting members of the Board shall be necessary to grant a variance. A variance shall not be granted by the Board unless and until the following findings are made:

1. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
2. The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.
3. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.
4. The requested variance is consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and substantial justice is achieved.

ACTION NEEDED (Choose one):

1. **Motion to approve the variance request based on the findings of fact (with or without conditions)**
2. **Motion to table the item in order to receive additional information or documentation (Specify).**
3. **Motion to deny the variance request based on specific negative findings in any of the 4 categories above.**



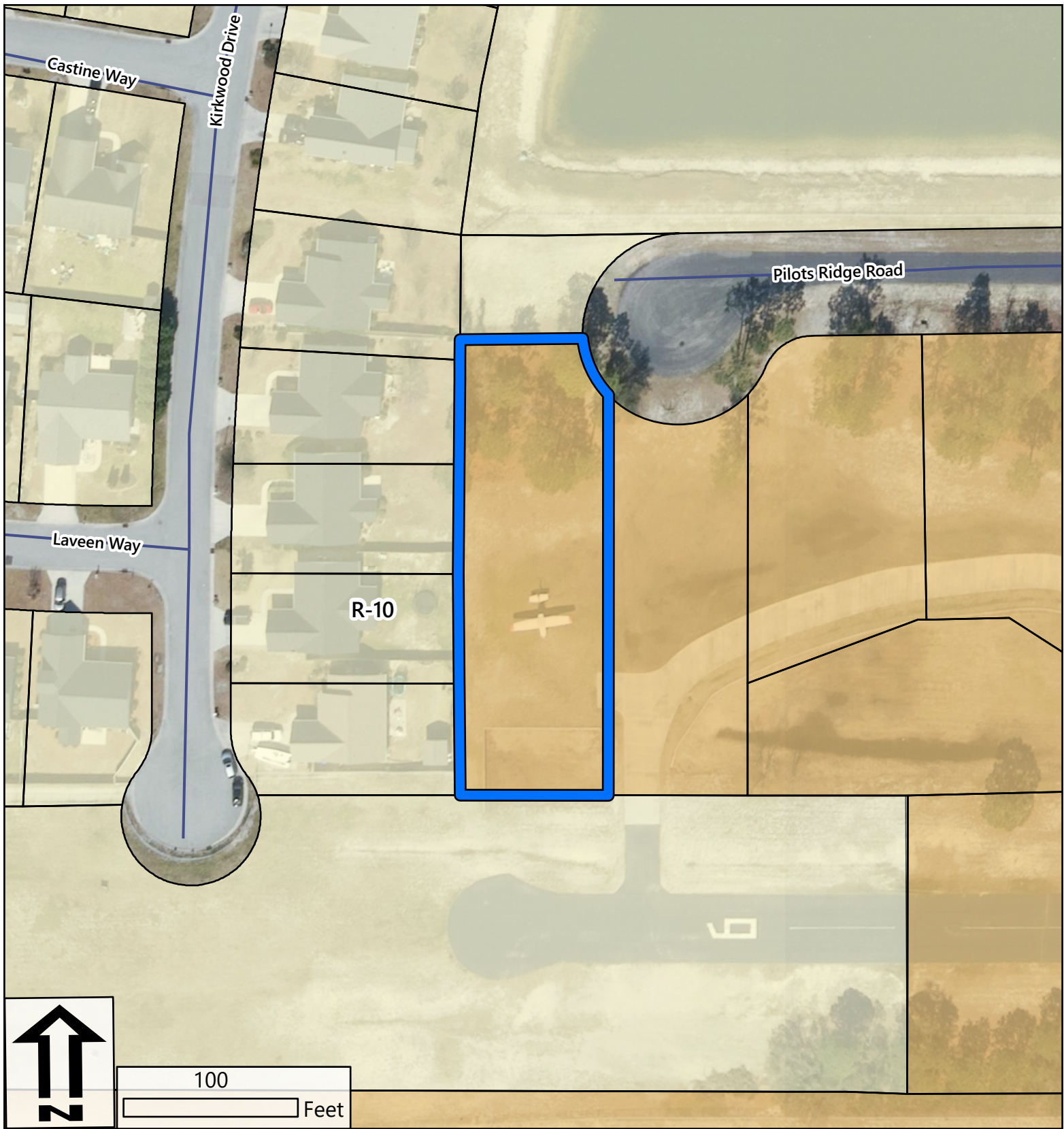
Case: BOA-959

Address: 502 Pilots Ridge

Variance from Performance Subdivision Periphery Setback

Applicant/Owner: Palm Investment, Inc.

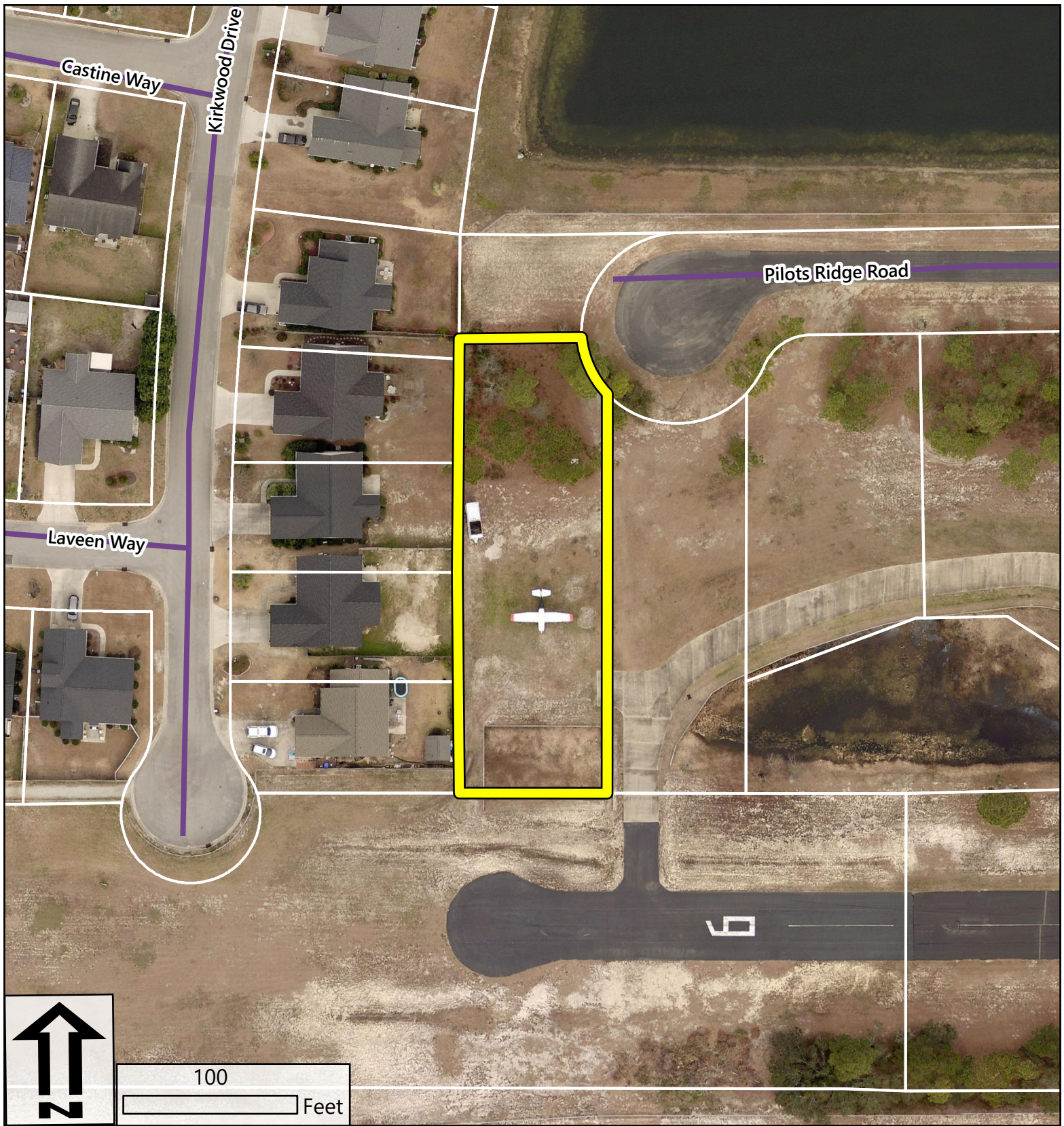
Vicinity Map



Case: BOA-959

Address: 502 Pilots Ridge
Variance from Performance Subdivision Periphery Setback
Applicant/Owner: Palm Investment, Inc.

Zoning Map



Case: BOA-959

Address: 502 Pilots Ridge
Variance from Performance Subdivision Periphery Setback
Applicant/Owner: Palm Investment, Inc.

Aerial Map



NEW HANOVER COUNTY

BOARD OF ADJUSTMENT

230 Government Center Drive, Lucie Harrell Conference Room, Wilmington, NC 28403

Members of the Board

Cameron Moore, Chair | Kristin Freeman, Vice-Chair
Henry "Hank" Adams | Maverick Pate | Luke Waddell

Board Alternates

Pete DeVita | Richard Kern | Michael Keenan, Sr.

Rebekah Roth, Director of Planning & Land Use | Sharon Huffman, Deputy County Attorney

ORDER TO GRANT A VARIANCE – Case BOA-960

The Board of Adjustment for New Hanover County, having held a public hearing on April 27, 2021 to consider application number BOA-960, submitted by Palm Investment, Inc., applicant and property owner, a request for a variance of 10' from the 20' minimum Performance Residential Development periphery setback requirement per Section 3.1.3.D(1)(a) of the New Hanover County Unified Development Ordinance to use the property located at 502 Pilots Ridge Road in a manner not permissible under the literal terms of the ordinance and having heard all the evidence and arguments presented at the hearing, makes the following FINDINGS OF FACT and draws the following CONCLUSIONS:

1. It is the Board's conclusion that, if the applicant complies with the literal terms of the ordinance, specifically a variance of 10' from the 20' minimum Performance Residential Development periphery setback requirement per Section 3.1.3.D(1)(a) of the New Hanover County Unified Development Ordinance, that an unnecessary hardship would/would not result. *(It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.)* This conclusion is based on the following FINDINGS OF FACT:

- _____.
- _____.
- _____.
- _____.

2. It is the Board's conclusion that the hardship of which the applicant complains results/does not result from unique circumstances related to the subject property, such as location, size, or topography. *(Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.)* This conclusion is based on the following FINDINGS OF FACT:

- _____.
- _____.
- _____.
- _____.

3. It is the Board's conclusion that the hardship did/did not result from actions taken by the applicant or the property owner. *(The act of purchasing property with knowledge that*

circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.) This conclusion is based on the following FINDINGS OF FACT:

- _____.
- _____.
- _____.
- _____.

4. It is the Board's conclusion that, if granted, the variance will/will not be consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and substantial justice is achieved. This conclusion is based on the following FINDINGS OF FACT:

- _____.
- _____.
- _____.
- _____.

THEREFORE, on the basis of all the foregoing, IT IS ORDERED that the application for a VARIANCE from New Hanover County Unified Development Ordinance to allow a variance of 10 from the 20' minimum Performance Residential Development periphery setback requirement per Section 3.1.3.D(1)(a) of the UDO be GRANTED/DENIED, subject to the following conditions, if any:

ORDERED this 27th day of April, 2021.

Cameron Moore, Chairman

Attest:

Kenneth Vafier, Executive Secretary to the Board



NEW HANOVER COUNTY

DEPARTMENT OF PLANNING & LAND USE

230 Government Center Drive, Suite 110

Wilmington, North Carolina 28403

Telephone (910) 798-7165

FAX (910) 798-7053

planningdevelopment.nhcgov.com

ZONING & SUBDIVISION VARIANCE APPLICATION

This application form must be completed as part of a request for a zoning and/or subdivision variance. The application submitted through the county's online COAST portal. The main procedural steps in the submittal and review of applications for a variance are outlined in the flowchart below. More specific submittal and review requirements, as well as the standards to be applied in reviewing the application, are set out in Section 10.3.11 of the Unified Development Ordinance.



1. Applicant and Property Owner Information

Applicant/Agent Name Palm Investment, Inc.	Owner Name (if different from Applicant/Agent) Same as Applicant
Company	Company/Owner Name 2
Address 701 N. Lake Park Blvd.	Address
City, State, Zip Carolina Beach, N.C. 28428	City, State, Zip
Phone 910-620-4072	Phone
Email davidpiercejj@yahoo.com	Email

2. Subject Property Information

Address/Location 502 Pilots Ridge Rd.	Parcel Identification Number(s) R07900-001-484-000
Total Parcel(s) Acreage ± .5 ac.	Existing Zoning and Use(s) R-15, vacant

3. Proposed Variance Narrative

Subject Zoning Regulation, Chapter and Section	Sec. 3.1.3.D(1)(a)
<p>In the space below, please provide a narrative of the application (attach additional pages if necessary).</p> <p>Please see attached Exhibit "A". (Variance Narrative). Please see attached Exhibit "B" (Variance Site Plan).</p>	

CRITERIA REQUIRED FOR APPROVAL OF A VARIANCE

The Board of Adjustment may grant a variance if it finds that strict application of the ordinance results in an unnecessary hardship for the applicant, and if the variance is consistent with the spirit, purpose, and intent of the ordinance. The applicant must explain, with reference to attached plans (where applicable), how the proposed use meets these required findings (attach additional pages if necessary).

- 1. Unnecessary hardship would result from strict application of the ordinance.** It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.

Please see attached Exhibit "A"

- 2. The hardship results from conditions that are peculiar to the property, such as location, size or topography.** Hardship resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or general public, may not be the basis for granting a variance.

Please see attached Exhibit "A".

3. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.

Please see attached Exhibit "A".

4. The requested variance is consistent with the spirit, purpose and intent of the ordinance, such that public safety is secured, and substantial justice is achieved.

Please see attached Exhibit "A".

Staff will use the following checklist to determine the completeness of your application. Please verify all of the listed items are included and confirm by initialing under "Applicant Initial". Applications determined to be incomplete must be corrected in order to be processed for further review.

Application Checklist

Applicant Initial

This application form, completed and signed

Application fee: \$400 per application

Site plan or sketch illustrating the requested variance

One (1) hard copy of ALL documents

One (1) PDF copy of ALL documents

Acknowledgement and Signatures

By my signature below, I understand and accept all of the conditions, limitations, and obligations of the variance application for which I am applying. I understand that I have the burden of proving why this application meets the required findings necessary for granting a variance. I certify that this application is complete and that all information presented in this application is accurate to the best of my knowledge, information, and belief.

If applicable, I also appoint the applicant/agent as listed on this application to represent me and make decisions on my behalf regarding this application during the review process. The applicant/agent is hereby authorized on my behalf to:

1. Submit an application including all required supplemental information and materials;
2. Appear at public hearings to give representation and comments; and
3. Act on my behalf without limitations with regard to any and all things directly or indirectly connected with or arising out of this application.

Signature of Property Owner(s)

David Pierce, President, Palm Investment, Inc.
Print Name(s)

Signature of Applicant/Agent

David Pierce, President, Palm Investment, Inc.
Print Name

Note: This form must be signed by the owner(s) of record. If there are multiple property owners, a signature is required for each owner of record.

- The land owner or their attorney must be present for the case at the public hearing



NEW HANOVER COUNTY
PLANNING & LAND USE
***AUTHORITY FOR
APPOINTMENT OF AGENT***

230 Government Center Drive
Suite 110
Wilmington, NC 28403
910-798-7165 phone
910-798-7053 fax
www.nhcgov.com

Please note that for quasi-judicial proceedings, either the land owner or an attorney must be present for the case at the public hearing.

The undersigned owner does hereby appoint an authorized the agent described herein as their exclusive agent for the purpose of petitioning New Hanover County for a variance, special use permit, rezoning request, and/or an appeal of Staff decisions applicable to the property described in the attached petition. The Agent is hereby authorized to, on behalf of the property owner:

1. Submit a proper petition and the required supplemental information and materials
2. Appeal at public meetings to give representation and commitments on behalf of the property owner
3. Act on the property owner's behalf without limitations with regard to any and all things directly or indirectly connected with or arising out of any petition applicable to the New Hanover County Zoning Ordinance.

Agent Information	Property Owner(s)	Subject Property
Name Matthew A. Nichols	Owner Name Palm Investment, Inc.	Address 502 Pilots Ridge Rd.
Company Law Office of Matthew A. Nichols	Owner Name 2	City, State, Zip Wilmington, NC 28412
Address 3205 Randall Pkwy, Suite 104	Address 701 N. Lake Park Blvd.	Parcel ID R07900-001-484-000
City, State, Zip Wilmington, NC 28403	City, State, Zip Carolina Beach, N.C. 28428	
Phone 910-508-7476	Phone 910-620-4072	
Email matt@mattnicholslaw.com	Email davidpiercejj@yahoo.com	
Application Tracking Information (Staff Only)		
Case Number Reference: BoA-960	Date/Time received: 3/31/21 4:00 pm	Received by: pv

This document was willfully executed on the 31 day of March, 2021

Palm Investment, Inc.

Owner 1 Signature

Owner 2 Signature

By: David Pierce, President

EXHIBIT "A"
to
Application for Variance
502 Pilots Ridge Rd.

Project Narrative:

As illustrated below, the Subject Property is located within the Pilots Ridge Aero Plantation neighborhood ("Pilots Ridge") in the southern portion of New Hanover County. Pilots Ridge is a very unique neighborhood, as it contains its own private airplane runway. Each lot within the subdivision has an access for aircraft to the runway situated to the south. The subdivision is also unique in that it is linear in a design that parallels the private runway, which is the main feature of the subdivision and distinguishes the development from all other residential developments within the County and the vast majority of developments throughout the State. As illustrated below, the Subject Property is the last lot at the western end of the line of residential lots within the subdivision.



Many property owners within Pilots Ridge have private hangars for their personal aircraft. The Applicant plans to build a single-family residential home with an aircraft hangar on the Subject Property, similar to other lots within the subdivision.

Typically, under New Hanover County UDO Section 3.2.8, R-15 zoned residential lots require a 10-foot side setback; however, Pilots Ridge was developed as a Performance Residential neighborhood, and UDO Sec. 3.1.3.D(1)(a) states that "[b]uildings on the periphery of a Performance Residential Development shall setback a minimum of 20 feet from the adjoining property line." Because of several unique factors with respect to this lot, the Applicant is requesting a variance of 10 feet from the 20-foot setback required under Sec. 3.1.3.D(1). In granting a 10-foot setback, the Subject Property would still meet the standard 10-foot setback applicable to conventional subdivision development under UDO Section 3.2.8.

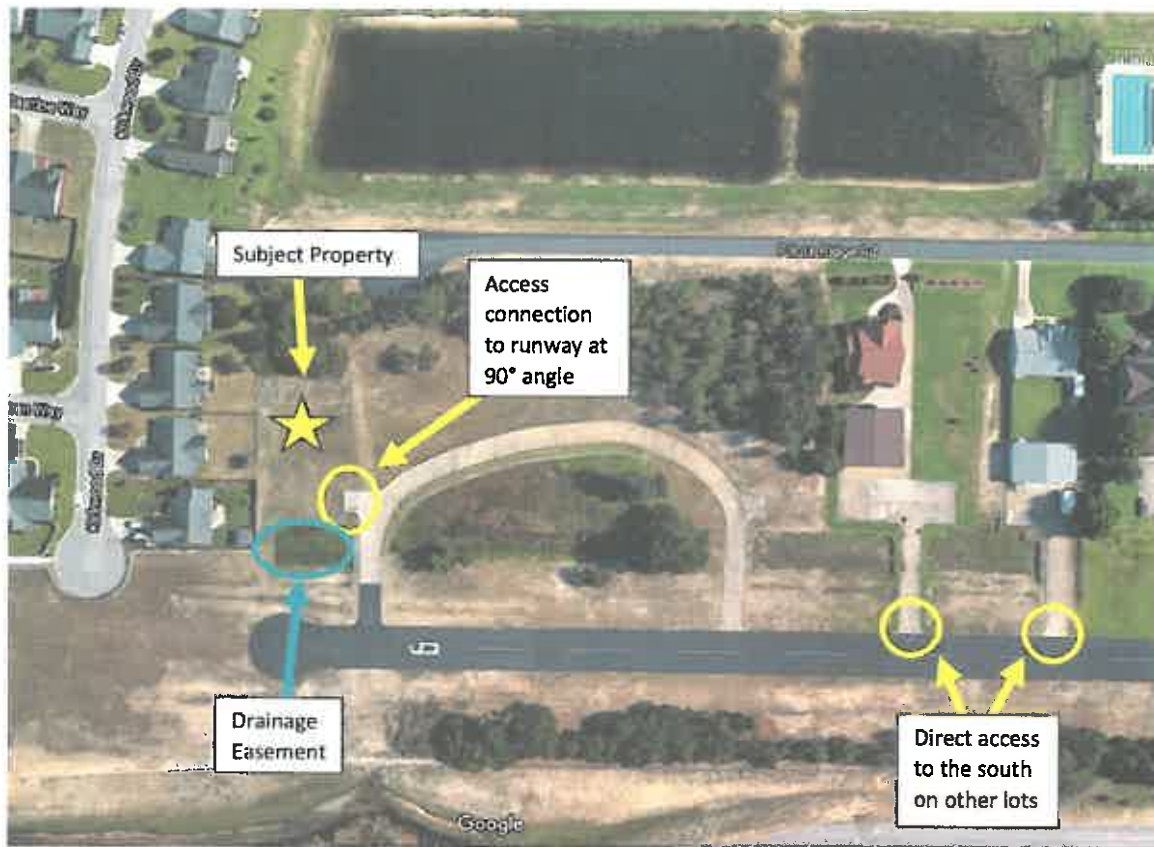
1. Unnecessary hardship would result from strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.

Due to the unique configuration of this lot at the end of the subdivision, the application of a 20-foot side setback under Section 3.1.3.D(1) prevents the Applicant from building a residence and hangar in the most efficient, most practical and safest configuration. The Subject Property is identified as Lot 29, Pilots Ridge Aero Plantation, Section 2, as shown on that map recorded on December 4, 2006, in Map Book 50 at Page 275, New Hanover County Registry (copy attached hereto as **Exhibit "A-1"**). A copy of the Owner/Applicant's deed recorded on November 30, 2018, in Book 6181 at Page 2774, New Hanover County Registry, is attached hereto as **Exhibit "A-2"**). A copy of the Map of Section 1, Pilots Ridge Aero Plantation, recorded on November 22, 1983, in Map Book 55 at Page 37, which shows the other portion of the airplane runway/landing strip and Pilots Ridge Road (private), is attached hereto as **Exhibit "A-3"**.

The requirement of a 20-foot side setback in this case creates an unnecessary hardship on the design and layout of the Subject Property for its intended and unique use as an aircraft hangar lot residence along the private runway. The requested variance would allow additional design flexibility and spacing with the construction of the hangar, resulting in a better and safer site building design and configuration for operation of the private aircraft.

2. The hardship results from conditions that are peculiar to the property, such as location, size or topography. Hardship resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or general public, may not be the basis for granting a variance.

The location of this particular lot within the subdivision, and the approved and intended use of this lot as an airplane hangar residence, are very unique. Being the westernmost periphery lot, the 20-foot side setback under Section 3.1.3.D(1) affects this lot in manner different than the rest of the lots. Additionally, due to a drainage easement located on this lot the airplane access to the runway is differently configured than most of the lots in Pilots Ridge. (See aerial view below / on following page.) Rather than a straight access to the south directly to the runway, the access is situated 90 degrees to the lot to a semi-circular "driveway" that then connects to the runway.



The other lots within the Pilots Ridge Aero Plantation subdivision are not impacted in the same way that this lot is, namely, a periphery lot with a unique driveway approach that is essentially perpendicular to the airplane driveway/taxiing area, which is further impacted by the location of the drainage easement on the lot.

The requested variance will allow additional design flexibility with the residence and airplane hangar and also make the site design more practical. Allowing the variance will improve maneuvering the plane on the Subject Property and increase safety taxiing the plane to and from the runway.

3. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.

The hardship did not result from actions taken by the Applicant/Property Owner. The hardship is created by the location of the lot at the end of the subdivision and the very unique nature of the lot and its intended and approved use. The hardship is also

created by the location of the drainage easement and its unique impact on this particular lot and the access configuration to the runway.

4. The requested variance is consistent with the spirit, purpose and intent of the ordinance, such that public safety is secured, and substantial justice is achieved.

The requested variance is consistent with the spirit, purpose and intent of the ordinance, such that public safety is secured, and substantial justice is achieved. In addition to the foregoing, it is significant to note that the Subject Property (Lot 29, Pilots Ridge Aero Plantation, Section 2) abuts the adjacent subdivision (Kirkwood at Arrondale) perpendicularly. More specifically, the side property line where the setback variance is requested meets the rear property line of the adjacent Lots 317 through 320, and a portion of Lot 321, in Section 8 of Kirkwood at Arrondale, as generally shown on that map recorded in Map Book 47 at Pages 113-114 (copy attached hereto as **Exhibit "A-4"**). Because Kirkwood at Arrondale is also a performance residential subdivision, the adjacent Kirkwood at Arrondale lots to the west, all of which are developed with single-family homes, already have a minimum 20-foot rear setback from the shared property line with the Subject Property. Moreover, there will still be at least a 30-foot separation between the nearest Kirkwood at Arrondale house and the proposed airplane hangar and house on the Subject Property. It is also significant to note that Kirkwood at Arrondale is zoned R-10, which requires only a 5-foot side setback, so allowing a variance to provide for a 10-foot side setback on the Subject Property is entirely consistent with the general development pattern in the vicinity.

Additionally, the other property owners within Pilots Ridge Aero Plantation have already approved a 10-foot side setback for the Subject Property. See document titled *"Amendment to: Amended and Restated Declaration Of Restricted Covenants for Pilots Ridge Aero Plantation, July 31, 2012"* recorded on May 27, 2020 in Book 6315 at Page 17 of the New Hanover County Registry. (Copy attached hereto as **Exhibit "A-5"**) (allowing reduced side setback from 15 feet to 10 feet under subdivision covenants).

This variance request, which has been approved by the other owners within Pilots Ridge under their subdivision covenants, is consistent with the development pattern found throughout the R-15 and R-10 development in this general vicinity, will not have a negative impact to adjoining or nearby neighbors, and is consistent with conventional R-15 side setbacks. Furthermore, allowing this variance will improve safety of airplane taxiing and parking, and will allow a more efficient and safer use of the property consistent with the intended design and use of this unique lot and subdivision.



2006066634

FOR REGISTRATION REGISTER OF DEEDS
REBECCA P. SMITH
NEW HAMPSHIRE COUNTY, NC
2006 DEC 04 10:35:44 AM
BK:50 PG:275-276 FEE:\$21.00

INSTRUMENT # 2006066634

MAP INDEX

Pilots Ridge Acres Plantation, Section 2

Name of Map

The Manning Companies, L.L.C.

Ward Manning

Owner's Name

Type of Map: ☒ Subdivision

☐ Condo

☐ Highway

Book 50 Page(s) 275

Number of Pages 1

Recorded By: Donna Harme

Deputy/ Assistant



REBECCA P. SMITH
REGISTER OF DEEDS, NEW HANOVER
216 NORTH SECOND STREET

WILMINGTON, NC 28401

Filed For Registration: 12/04/2006 10:35:44 AM
Book: PLAT 50 **Page:** 275-276
Document No.: 2006066634
PLAT 2 PGS \$21.00
Recorder: CRESWELL, ANDREA

State of North Carolina, County of New Hanover

**YELLOW PROBATE SHEET IS A VITAL PART OF YOUR RECORDED DOCUMENT.
PLEASE RETAIN WITH ORIGINAL DOCUMENT AND SUBMIT FOR RE-RECORDING.**

2006066634

2006066634

4
26
220



BK: RB 6181
PG: 2774-2778
RECORDED:
11-30-2018
09:21:33 AM
BY: KELLIE GILES
DEPUTY



2018035837
NEW HANOVER COUNTY, NC
TAMMY THEUSCH BEASLEY
REGISTER OF DEEDS

NC FEE \$26.00
STATE OF NC
REAL ESTATE
EXTX \$220.00

NORTH CAROLINA GENERAL WARRANTY DEED

Real Property conveyed is not the primary residence of the Grantors.

Prepared by: Ned M. Barnes, Attorney at Law
A-3 Pleasure Island Plaza
Carolina Beach, NC 28428

Return to: Ned M. Barnes, Attorney at Law

Excise Tax: \$220.00

Parcel Identifier: R07900-001-484-000

Brief description for the Index

Lot 29, Section 2, Pilots Ridge Aero

THIS DEED made this 21 day of November, 2018, by and between

GRANTOR	GRANTEE
JOSEPH LOUIS CATELLI and wife, TRACIE CATELLI 612 Greenwich Avenue Warwick, Rhode Island 02886	PALM INVESTMENT, INC., a North Carolina Corporation 701 Lake Park Blvd. N. Carolina Beach, NC 28428

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in New Hanover County, North Carolina and more particularly described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED.

The property hereinabove described was acquired by Grantor by Instrument recorded in Book 5588, Page 344.

A map showing the above described property is recorded in Map Book 50 at Page 275.


TO HAVE AND TO HOLD the aforesaid lots or parcels of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated.

Title to the property hereinabove described is subject to the following exceptions:

1. Rights of way and easements of record, if any.
2. Zoning and/or subdivision ordinances and regulations, if any.
3. Restrictive covenants of record, if any.
4. Ad valorem taxes for 2018 and subsequent years.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.


JOSEPH LOUIS CATELLI

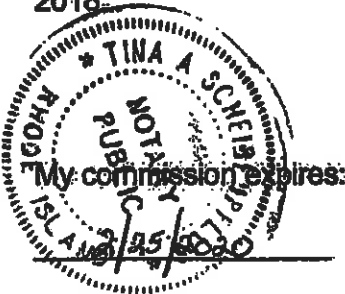

TRACIE CATELLI

STATE OF Rhode Island
COUNTY OF Kent

I, Tina A. Scheibenzflug, a Notary Public in and for the County and State aforesaid do hereby certify that JOSEPH LOUIS CATELLI and TRACIE CATELLI, having provided satisfactory identification, personally appeared before me this day and acknowledged the due execution of the foregoing instrument and that said act was done voluntarily for the purpose stated therein.

WITNESS my hand and notarial stamp or seal, this 21 day of November,

2018.



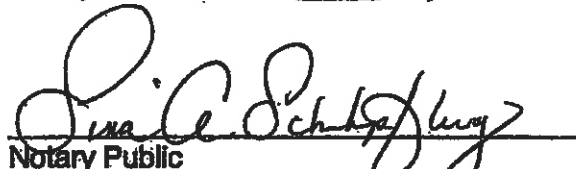

Notary Public

EXHIBIT A

BEING in the County of New Hanover and State of North Carolina, and being described as follows:

All of Lot 29* in Pilots Ridge Aero Plantation Subdivision, Section 2, a Performance Development, as the same is shown on a map recorded in Map Book 50 at Page 275 in the New Hanover County Registry, TOGETHER WITH AND SUBJECT TO all of the rights, covenants, easements, conditions and restrictions contained in a declaration recorded in Book 1239 at Page 616 and following pages in said Registry, and all amendments and supplements thereto, and including an easement over and on the airport runway, taxiway and other concomitant airport property and Pilots Ridge Road. as set out in said declarations and shown on the aforesaid subdivision map and that map in Map Book 22 at Page 55, excepting that 60' Taxiway Easement between Lots 15 and 16 in Section 1 which is shown on the plat of Section 1 recorded in Map Book 22 at Page 55.

TAMMY THEUSCH
BEASLEY
Register of Deeds

New Hanover County Register of Deeds

320 CHESTNUT ST SUITE 102 • WILMINGTON, NORTH CAROLINA 28401
Telephone 910-798-4530 • Fax 910-798-7716



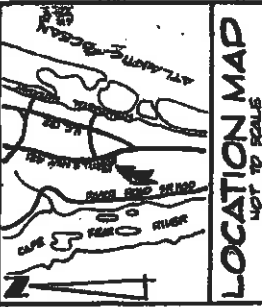
State of North Carolina, County of NEW HANOVER
Filed For Registration: 11/30/2018 09:21:33 AM
Book: RB 6181 Page: 2774-2778
5 PGS \$246.00
Real Property \$26.00
Excise Tax \$220.00
Recorder: KELLIE GILES
Document No: 2018035837

DO NOT REMOVE!

This certification sheet is a vital part of your recorded document. Please retain with original document and submit when re-recording.

Oct. 3, 1968
DATE

Donald H. Hobbs
MANUFACTURER OF CINDER (S)

[illegible]

LANDING STRIPS

NAME
MR. JOE L. BROWN

NEW MARSHES COUNTY, NORTH CAROLINA

I, EDWARD H. GOSSET, A RECORDED LAND SURVEYOR, BEING DULY SWORN, DEPOSE THAT THIS MAP WAS MADE BY HIM FROM AN ACTUAL SURVEY DURING THE SUMMER OF 1908, AND THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH THE ACT OF MARCH 3, 1895, AS AMENDED, AND THAT THE SAME IS CORRECT AND TRUE TO THE BEST OF HIS KNOWLEDGE AND BELIEF.

Robert W. Yule
ROBERT W. YULE
REGISTERED LAND SURVEYOR

NORTH CAROLINA **NEW HANOVER COUNTY**

I, A NOTARY PUBLIC OF THE COUNTY AND STATE AFORESAID, CERTIFY THAT ROBERT M. GARDNER, A DESIGNATED LAJO SUBROGEE, PERSONALLY APPEARED BEFORE ME THIS DAY AND ACKNOWLEDGED THE EXECUTION OF THE FOREGOING INSTRUMENT, WITNESS MY HAND AND OFFICIAL SEAL, THIS 12TH DAY OF OCTOBER, 1959.



Ernest M Smith
Ernest M. Smith
Lecturer, English Lit.

MY COMMISSION EXPIRES NOVEMBER 14, 1984.

NOTIFICATION AND NOTIFICATION, DIFFERENTIAL TO SUBMITTED

[illegible]

DATE TO OVER
DATE

CERTIFICATE OF DISCLOSURE FOR PRIVATE DEVELOPMENTS

Oct 3, 1983

SIGNATURE OF OWNER (S)

CERTIFICATE OF APPROVAL
FEEL HENDER COUNTY PLANNING INST.
 DATE 11-2-83 PLANNING COMMISSION [Signature]
 THIS APPROVE DOES NOT WARRANT
 THE SUFFICIENCY OF INFORMATION
 NOR THE ADEQUACY OF COSTS

SECTION 1
PILOTS RIDGE AERO PLANTATION

FEDERAL POINT TOWNSHIP
SCALE 1"=100'

NEW HAVEN COUNTY
SCALE IN FEET

NORTH CAROLINA
SEPTEMBER 1980

Year	Percent
1950	7
1960	10
1970	12
1980	14
1990	16
2000	18
2025	20

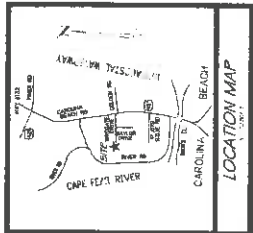
DEVELOPED BY
DONALD S. LINDA, HORSES
AT 2, BOX 487, WILMINGTON, N.C. 28403

**"J.N. NEMINPTIA
WILD AND - GRASSHOPPER QUIT
TODAY OUT AT 10:11 AM 1982"**

EXHIBIT

A-3

आवृत्ति



SECTION	AREA (AC)	PERMITS	REMARKS
SECTION 1	1.00	1.00	1.00
SECTION 2	1.00	1.00	1.00
SECTION 3	1.00	1.00	1.00
SECTION 4	1.00	1.00	1.00
SECTION 5	1.00	1.00	1.00
SECTION 6	1.00	1.00	1.00
SECTION 7	1.00	1.00	1.00
SECTION 8	1.00	1.00	1.00
SECTION 9	1.00	1.00	1.00
SECTION 10	1.00	1.00	1.00
SECTION 11	1.00	1.00	1.00
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SECTION 98	1.00	1.00	1.00
SECTION 99	1.00	1.00	1.00
SECTION 100	1.00	1.00	1.00

NEW HANOVER COUNTY
NORTH CAROLINA
SECTION 8
KIRKWOOD
ARROWDALE
7. PERFORMANCE DEVELOPMENT

SECTION 8 KIRKWOOD ARROWDALE

7. PERFORMANCE DEVELOPMENT

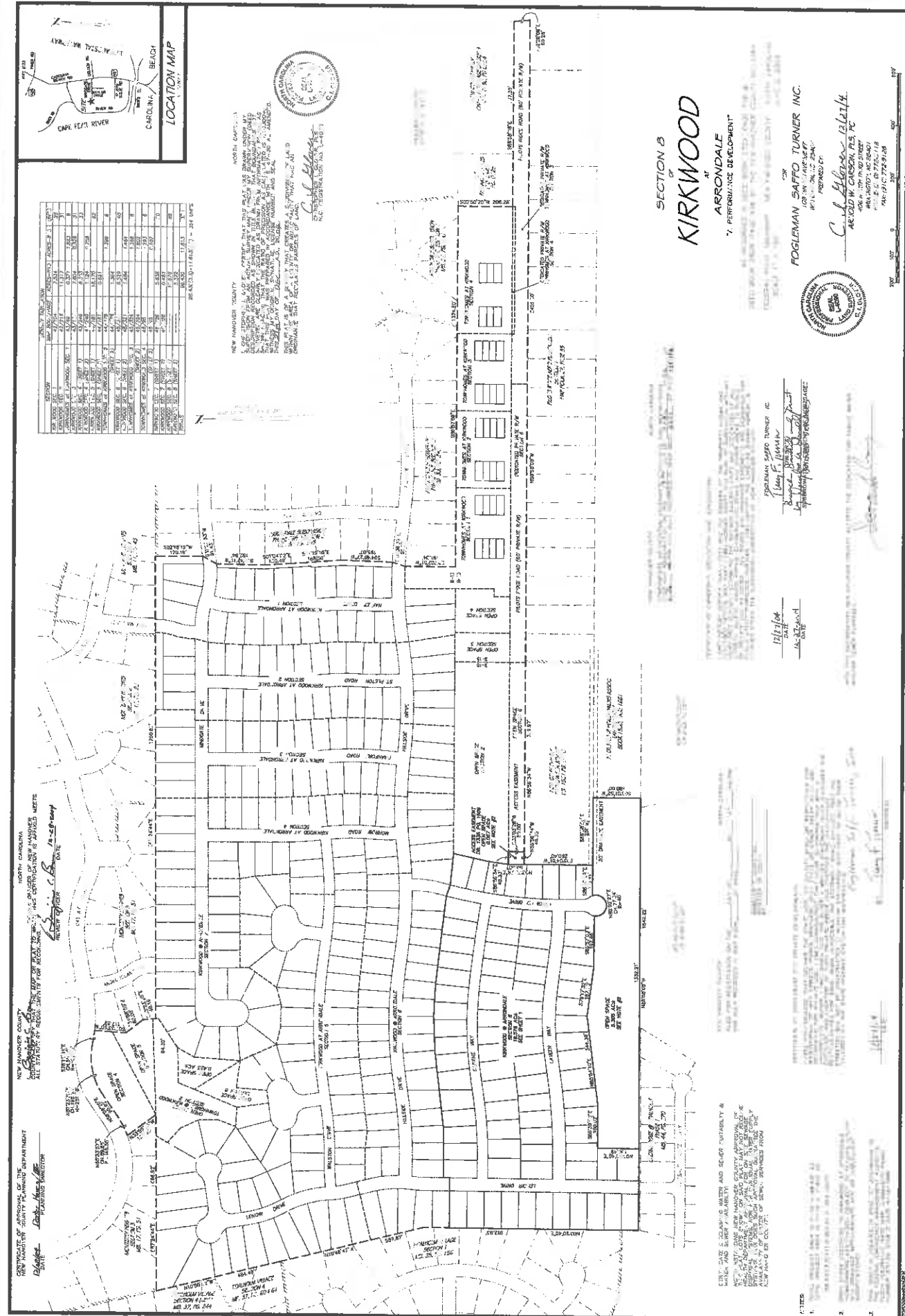
FOGLEMAN SAFFO TURNER INC.
100 N. 1st St.
Raleigh, NC 27601

C. J. Fogleman
100 N. 1st St.
Raleigh, NC 27601



FOGLEMAN SAFFO TURNER INC.
100 N. 1st St.
Raleigh, NC 27601

1/17/04
1/27/04



2



FOR REGISTRATION REGISTER OF DEEDS
REBECCA T. CHRISTIAN
NEW HANOVER COUNTY, NC
2004 DEC 29 03:48:57 PM
BK:47 PG:113-115 FEE:\$42.00

MAP INDEX

INSTRUMENT # 2004068236

Section 8 of Kirkwood at Arrandale
as recorded in deed book 2729 Page 736 &
deed book 2829, page 436

Name of Map

Fogelman Affo Turner, Inc.
Terry F. Turner, president

Owner's Name

Type of Map: ✓ Subdivision
 Condo
 Highway

Book 47 Pages(s) 113-114

Number of Pages 2

Recorded by Jacqueline E. Moore
Deputy/Assistant/Register of Deeds



REBECCA T. CHRISTIAN
REGISTER OF DEEDS, NEW HANOVER
216 NORTH SECOND STREET

WILMINGTON, NC 28401

Filed For Registration: 12/29/2004 03:48:57 PM

Book: PLAT 47 Page: 113-115

Document No.: 2004068236

PLAT 3 PGS \$42.00

Recorder: MARVIS ANN STORER

State of North Carolina, County of New Hanover

REBECCA T. CHRISTIAN , REGISTER OF DEEDS

By: MarvisAnnStorer
Deputy/Assistant Register of Deeds

YELLOW PROBATE SHEET IS A VITAL PART OF YOUR RECORDED DOCUMENT.
PLEASE RETAIN WITH ORIGINAL DOCUMENT AND SUBMIT FOR RE-RECORDING.

2004068236

2004068236

BK: RB 6315

PG: 17-19

RECORDED:

05-27-2020

12:29:16 PM

BY: SAMANTHA SPEAKER
DEPUTY



2020019071

NEW HANOVER COUNTY, NC

TAMMY THEUSCH BEASLEY

REGISTER OF DEEDS

NC FEE \$26.00

EXHIBIT

tabbies

4-5

State of North Carolina

County of New Hanover

Amendment to:

Amended and Restated Declaration

Of Restricted Covenants for:

Pilots Ridge Aero Plantation

July 31, 2012

Whereas, there have previously been recorded for Pilots Ridge Aero Plantation subdivision ("Pilots Ridge") a Declaration and amendments in Book 1239, Page 616; Book 1279, Page 647; Book 1309, Page 65; Book 1320, Page 480; Book 4900, Page 2119, which replaces all prior versions; Book 5113, Page 239; Book 5659, Page 2039, which replaces all prior versions; Book 5773, Page 1269; Book RB 5948, Page 2484; and Book RB 6101, Page 910; and

Whereas, page 5 of the Restricted Covenants of the Declaration, Section 7, Setback Lines, states that "No building or structure of any nature shall be located closer than fifteen (15) feet to the side property lines".

Whereas, the Owner of Lot 29 requested a variance for a modified setback for both the east and west side property lines of ten (10) feet, consistent with New Hanover County Zoning.

Whereas, the said Declaration provides in Section 23 "Modifications and Amendments", that it may be amended by a vote of not less than two-thirds (2/3) of the interests of all owners; and

Whereas, a notice to all members was provided on the 4th day of June, 2019, the notice of which contained a full statement of the proposed amendment; and

Whereas, on June 30, 2019 more than 2/3 of all the members voted in favor of the amendment and all of the Board of Directors are in favor of the amendment.

Whereas, as a result of the votes of more than 2/3 of the members, and the affirmative approval of the Directors, the Amended and Restated Declaration of Restrictive Covenants for Pilots Ridge Aero Plantation, dated July 31, 2012 is approved to be amended.

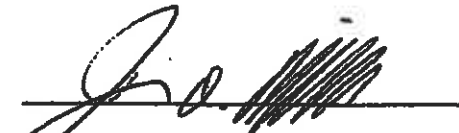
Now Therefore, the holders of interests comprising more than two-thirds of the lot owners of a certain Subdivision in New Hanover County, North Carolina, known as "Pilots Ridge Aero Plantation" as shown on plats titled "Section 1, Pilots Ridge Aero Plantation" recorded in Map Book 22 at Page 55, and "Section 2, Pilots Ridge Aero Plantation" recorded on Map Book 50 at Page 275, each in the office of the Register of Deeds of New Hanover County, have approved this Amendment in accordance with the provisions of Section 23 of the Declaration regarding Amendments.

Further therefore, this amendment hereby grants an exception of the Restrictive Covenants, Section 7, Setback Lines, with regard to Lot 29. Therefore, the setback requirements for Lot 29 are waived, and the requested East and West side property line setback of ten (10) feet, consistent with New Hanover County Zoning is hereby approved.


In witness whereof, the Association has caused this instrument to be signed in its name and do hereby certify that 2/3rds or more of the lot owners have approved this instrument as evidenced by written and signed ballots on file with the Secretary/Treasurer.

This 22 day of May, 2020.

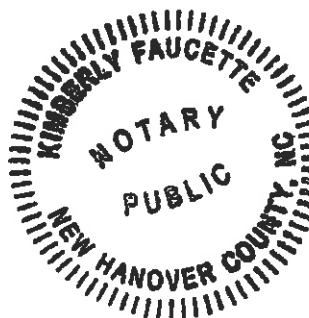
PILOTS RIDGE AERO PLANTATION HOMEOWNERS ASSOCIATION. By:



Jimmy Miller, President


Gregory Dunn, Vice President


Bill Sansone, Secretary/Treasurer

Witness my hand and notarial seal this 22 day of May, 2020




Notary Public
My commission expires: 11/14/20

TAMMY THEUSCH
BEASLEY
Register of Deeds

New Hanover County Register of Deeds

320 CHESTNUT ST SUITE 102 • WILMINGTON, NORTH CAROLINA 28401
Telephone 910-798-4530 • Fax 910-798-7716



State of North Carolina, County of NEW HANOVER
Filed For Registration: 05/27/2020 12:29:16 PM
Book: RB 6315 Page: 17-19
3 PGS \$26.00
Real Property \$26.00
Recorder: SAMANTHA SPEAKER
Document No: 2020019071

DO NOT REMOVE!

This certification sheet is a vital part of your recorded document. Please retain with original document and submit when re-recording.



NO.	DATE	DESCRIPTION
1	10-10-10	PRELIMINARY SITE PLAN
2	10-10-10	PROPOSED FACILITY FOR
3	10-10-10	PIERCE HANGAR
4	10-10-10	LOT 20 - PLOTS AERO PLANTATION
5	10-10-10	WILKINSON, NORTH CAROLINA

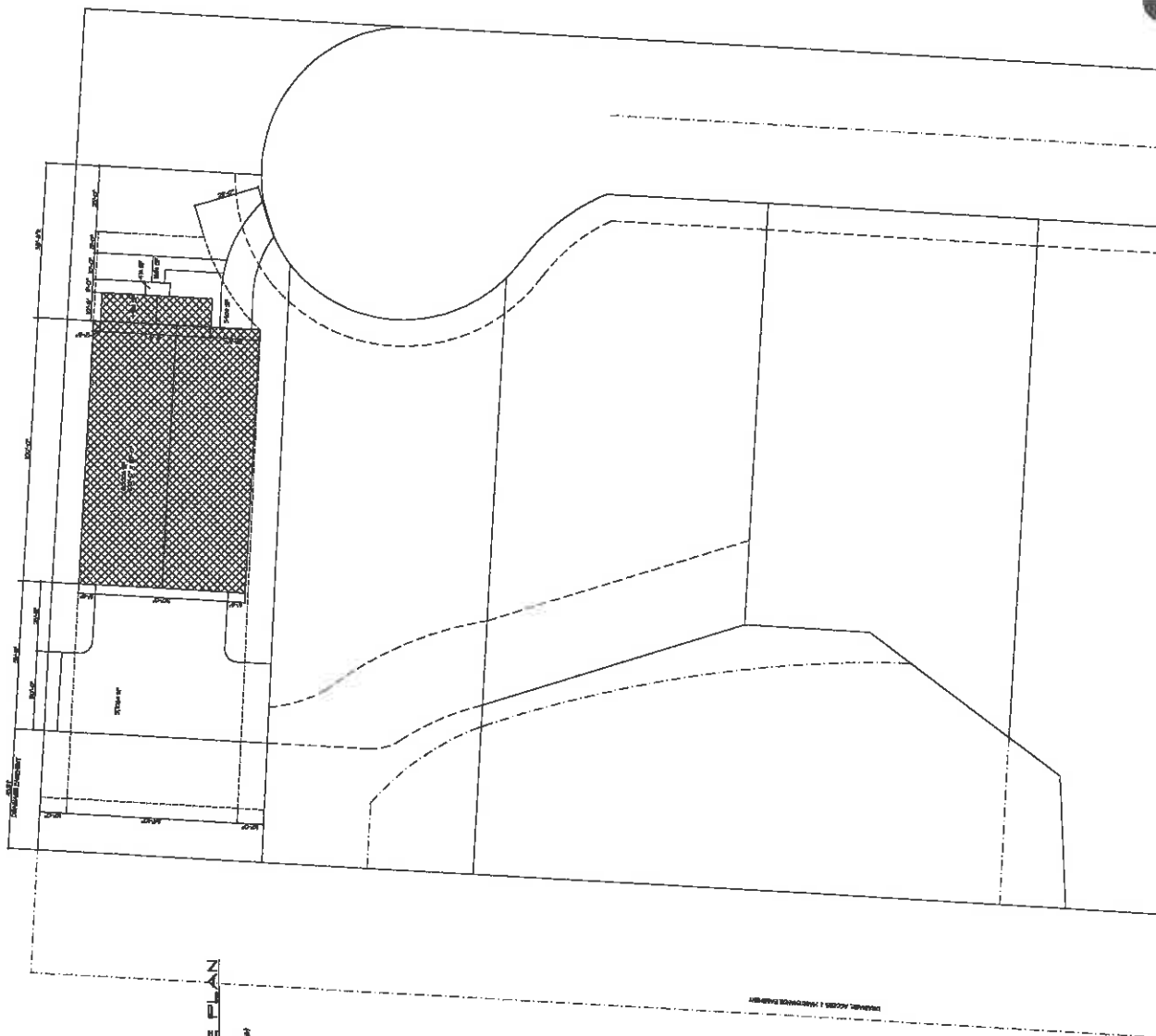
NO.	DATE	DESCRIPTION
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5	10-10-10	WILKINSON, NORTH CAROLINA

EXHIBIT

B

Tables



PRELIMINARY SITE PLAN

LOT 20 - PLOTS AERO PLANTATION
WILKINSON, NORTH CAROLINA
PROPOSED FACILITY FOR
PIERCE HANGAR
LOT 20 - PLOTS AERO PLANTATION
WILKINSON, NORTH CAROLINA
PROPOSED FACILITY FOR
PIERCE HANGAR

**REASONABLE ACCOMMODATION REQUEST
BOARD OF ADJUSTMENT
April 27, 2021**

CASE: BOA-961

PETITIONER: Oxford House Showman, applicant, on behalf of Javarah and Mary Joseph, property owners.

REQUEST: Reasonable accommodation request under the Federal Fair Housing Act per Section 10.3.13 of the Unified Development Ordinance to allow up to 8 disabled persons residing together in a group home.

LOCATION: 314 Silva Terra Drive
PID: R07020-010-011-000

ZONING: R-15, Residential District

BACKGROUND AND ORDINANCE CONSIDERATIONS:

The applicant intends to permit a group home run by the Oxford House at the subject property. The New Hanover County UDO allows up to six disabled persons to reside in a group home by-right in the R-15 zoning district per the Principal Use Table in Section 4.2.1:

Table 4.2.1: Principal Use Table																								
Key: P = Permitted by Right S = Special Use Permit Required * = Specific Use Standards Apply in District blank cell = not allowed																								
Use	Zoning District																			Use Standards				
	RA	AR	R-20S	R-20	R-15	R-10	R-7	R-5	RMF-L	RMF-M	RMF-MH	RMF-H	PD	UMXZ	B-1	CB	B-2	O&I	SC		CS	AC	I-1	I-2
Group Living																								
Group Home	P *	P *	P *	P *	P *	P *	P *	P *	P *	P *	P *	P *	P *	P *		S *				S *				4.3.2 .2

Group Homes fall under the “Group Living” classification in the Principal Use Table and are defined in the UDO as follows:

Group Home – A home in which more than three unrelated persons with a disability, as defined in the U.S. Fair Housing Act, 42 U.S.C. 3601 et seq., live together as a self-supporting and self-sufficient household unit.

The Fair Housing Act defines persons with a disability to mean those individuals with mental or physical impairments that substantially limit one or more major life activities. The term mental or physical impairment may include conditions such as blindness, hearing impairment, mobility impairment, HIV infection, mental retardation, alcoholism, drug addiction, chronic fatigue, learning disability, head injury, and mental illness.

Additional standards for group homes are detailed in Section 4.3.2.B.3 of the UDO and generally address the number of occupants, required approvals and certifications, parking requirements, and separation from other group homes:

4.3.2. RESIDENTIAL USES

- B. Group Living**
- 3. Group Home**

Group homes shall comply with the following standards:

- a. Group homes shall be limited to six disabled persons living together as a self-supporting and self-sufficient household unit.*
- b. No group home shall be occupied or operated without zoning approval.*
 - 1. Group homes that are exempt from licensure pursuant to NCGS §122C-22 must recertify their exemption status annually; and*
 - 2. Group homes for special needs persons must recertify qualification of all residents as special needs persons annually.*
- c. Parking shall be provided in accordance with Section 5.1: Parking and Loading.*
- d. Group homes shall not be located closer than 2,000 feet to any other existing group home, measured by a straight line from the nearest property lines, irrespective of jurisdictional boundaries. The distance shall be reduced by the right-of-way of a major thoroughfare exceeding 100 feet, major topographical features such as a major watercourse, or by major nonresidential or public uses such as a park, school, or religious institution.*
- e. Reasonable accommodations shall be provided in accordance with Section 10.3.13, Reasonable Accommodation.*

This section also references a process located in Section 10.3.13 by which a group home provider may petition for a reasonable accommodation under the Federal Fair Housing Act to vary any of the provisions outlined in Section 4.3.2 B. Section 10.3.13 outlines the eligibility requirements for residents in a group home as well as the application and review standards for a reasonable accommodation request. The Board of Adjustment is authorized to grant such a request after holding a quasi-judicial hearing and finding that the request meets the criteria below, particularly if it is found to be both “reasonable” and “necessary:”

10.3.13. REASONABLE ACCOMMODATION

A. Applicability

1. General

This section provides a procedure for reasonable accommodation of eligible persons in cases where the strict application of the standards of this Ordinance would deprive them of their right to equal opportunity to use a dwelling under the federal Fair Housing Act.

2. Eligible Persons

- a. An eligible person is a person who meets the definition of a disabled or handicapped person under federal law.*

- b. A person recovering from substance abuse is considered a person with a disability or handicap provided they are not currently engaging in the illegal use of controlled substances.*

(section B discusses the Reasonable Accommodation application and review procedures)

C. Reasonable Accommodation Review Standards

- 1. A reasonable accommodation application shall be approved on a finding the proposed accommodation:*
 - a. Will be used by an individual or individuals with a disability or handicap protected under federal law;*
 - b. Is the minimum needed to provide accommodation; and*
 - c. Is reasonable and necessary.*
- 2. For the purposes of this section, an accommodation is reasonable if it would not undermine the legitimate purposes of this Ordinance, it does not constitute a substantial alteration of this Ordinance or other County standard, and it will not impose significant financial and administrative burdens upon the County.*
- 3. For the purposes of this section, an accommodation is necessary if it would provide direct or meaningful therapeutic amelioration of the effects of the particular disability or handicap, and would afford handicapped or disabled persons equal opportunity to use housing in residential districts in the County.*

The specific request is to allow up to 8 disabled persons instead of up to 6 disabled persons to reside in a proposed group home at 314 Silva Terra Drive. According to New Hanover County tax records, the home lies on a 0.36-acre parcel and contains 1,915 square feet of living area. A copy of the property record card is included as an addendum to this staff report.

Included with the petitioner's application is a statement of justification for the special exception request, as well as the Oxford House Manual.

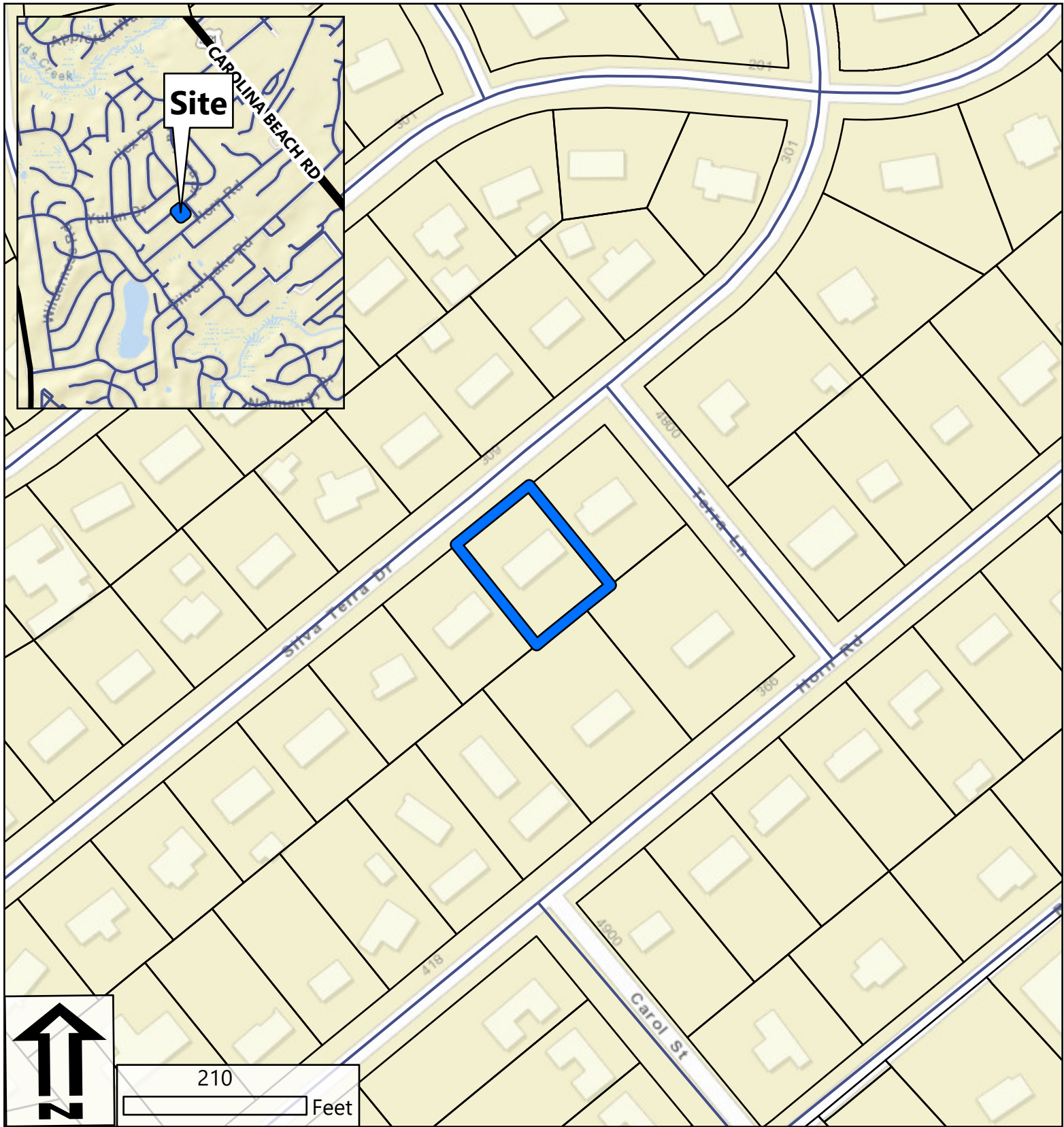
BOARD OF ADJUSTMENT POWER AND DUTY:

The Board of Adjustment is authorized to grant reasonable accommodations for the special circumstances as set forth in 10.3.13 of the New Hanover County Unified Development Ordinance to allow for reasonable accommodation under the Federal Fair Housing Act. The Board of Adjustment shall grant a request for reasonable accommodation under the Federal Fair Housing Act if the Board finds by the greater weight of the evidence that the proposed special exception will be used by an individual or individuals with a disability or handicap protected under federal law, is the minimum needed to provide accommodation, and is both "reasonable" and "necessary."

1. "Reasonable" - An accommodation will be determined to be reasonable if it would not undermine the legitimate purposes of this Ordinance, it does not constitute a substantial alteration of this Ordinance or other County standard, and it will not impose significant financial and administrative burdens upon the County; and
2. "Necessary" - An accommodation will be determined to be necessary if it would provide direct or meaningful therapeutic amelioration of the effects of the particular disability or handicap, and would afford handicapped or disabled persons equal opportunity to use housing in residential districts in the County.

ACTION NEEDED (Choose one):

1. **Motion to approve the special exception request based on the findings of fact (with or without recommended conditions)**
2. **Motion to table the item in order to receive additional information or documentation (Specify).**
3. **Motion to deny the special exception request based on specific negative findings in either of the two categories above.**



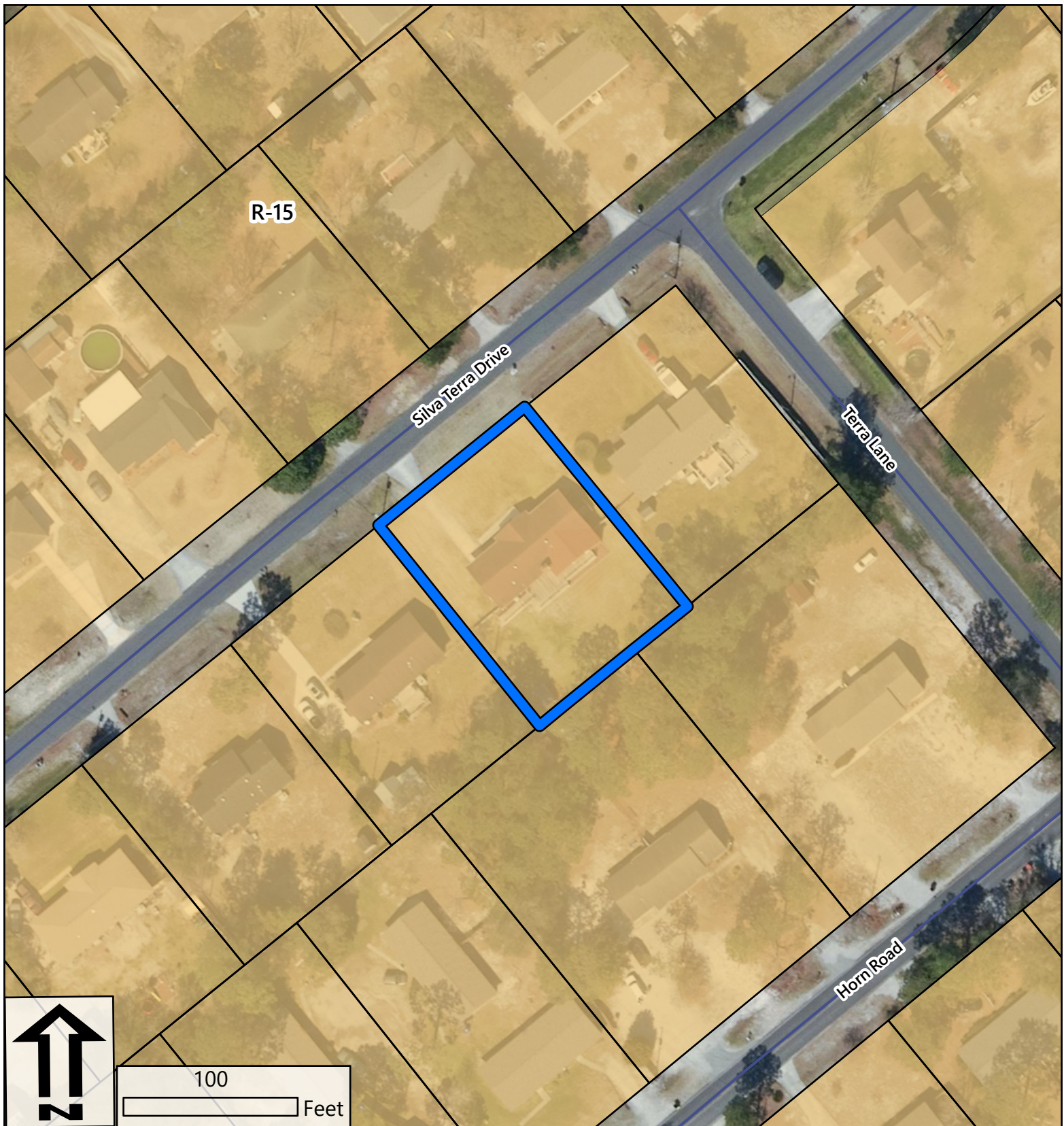
Case: BOA-961

Vicinity Map

Address: 314 Silva Terra Dr

Reasonable Accommodation Request per Section 10.3.13 of the New Hanover County Unified Development Ordinance

Applicant: Oxford House Showman



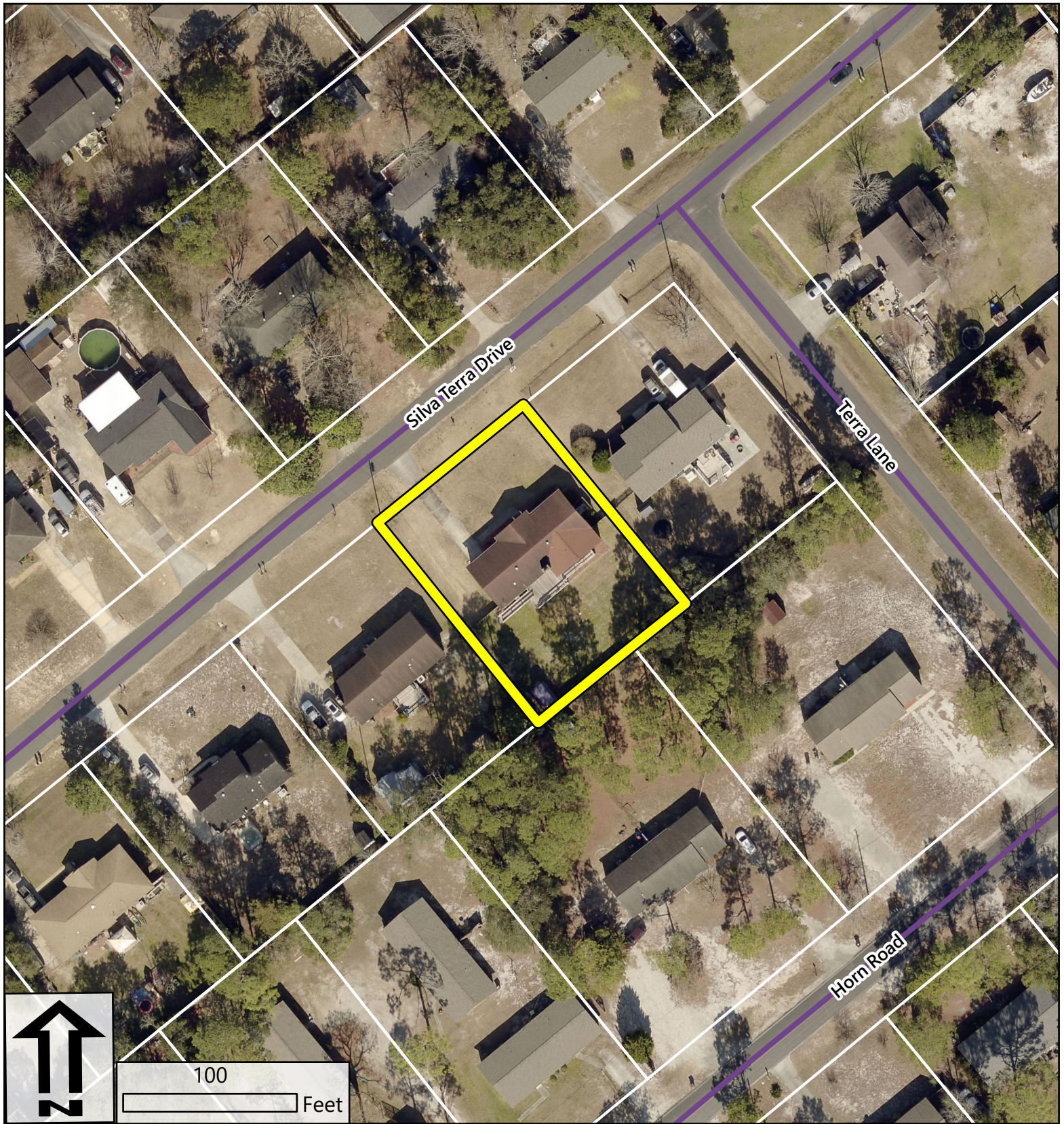
Case: BOA-961

Zoning Map

Address: 314 Silva Terra Dr

Reasonable Accommodation Request per Section 10.3.13 of the New Hanover County Unified Development Ordinance

Applicant: Oxford House Showman



Case: BOA-961

Address: 314 Silva Terra Dr

Reasonable Accommodation Request per Section 10.3.13 of the New Hanover County Unified Development Ordinance

Applicant: Oxford House Showman

Aerial Map



NEW HANOVER COUNTY

BOARD OF ADJUSTMENT

230 Government Center Drive, Lucie Harrell Conference Room, Wilmington, NC 28403

Members of the Board

Cameron Moore, Chair | Kristin Freeman, Vice-Chair
Henry "Hank" Adams | Maverick Pate | Luke Waddell

Board Alternates

Pete DeVita | Richard Kern | Michael Keenan, Sr.

Rebekah Roth, Director of Planning & Land Use | Sharon Huffman, Deputy County Attorney

ORDER TO GRANT/DENY A REASONABLE ACCOMMODATION REQUEST – Case BOA-961

The Board of Adjustment for New Hanover County, having held a public hearing on April 27, 2021 to consider application number BOA-961, submitted Oxford House Showman, applicant, on behalf of Javarah and Mary Joseph, property owners, a request for reasonable accommodation under the Federal Fair Housing Act to allow up to eight disabled persons to reside together in a group home located at 314 Silva Terra Drive, and having heard all the evidence and arguments presented at the hearing, makes the following FINDINGS OF FACT and draws the following CONCLUSIONS:

1. It is the Board's conclusion that the request to deviate to eight from the limit of six disabled persons living together in a group home at 314 Silva Terra Drive is/is not reasonable. *Note: an accommodation will be determined to be reasonable accommodation if it would not undermine the legitimate purposes of this Ordinance, it does not constitute a substantial alteration of this Ordinance or other County standard, and it will not impose significant financial and administrative burdens upon the County. This conclusion is based on the following FINDINGS OF FACT:*

- _____.
- _____.
- _____.
- _____.

2. It is the Board's conclusion that the request to deviate to eight from the limit of six disabled persons living together in a group home at 314 Silva Terra Drive is/is not necessary. *Note: an accommodation will be determined to be necessary if it would provide direct or meaningful therapeutic amelioration of the effects of the particular disability or handicap, and would afford handicapped or disabled persons equal opportunity to use housing in residential districts in the County. This conclusion is based on the following FINDINGS OF FACT:*

- _____.
- _____.
- _____.

• _____.

THEREFORE, on the basis of all the foregoing, IT IS ORDERED that the application for a REASONABLE ACCOMMODATION under the Federal Fair Housing Act per Section 10.3.13 of the New Hanover County Unified Development Ordinance to allow up to 8 disabled persons to reside together in a group home located at 314 Silva Terra Drive be GRANTED/DENIED.

ORDERED this 27th day of April, 2021.

Cameron Moore, Chairman

Attest:

Kenneth Vafier, Executive Secretary to the Board



NEW HANOVER COUNTY

DEPARTMENT OF PLANNING & LAND USE

230 Government Center Drive, Suite 110

Wilmington, North Carolina 28403

Telephone (910) 798-7165

FAX (910) 798-7053

planningdevelopment.nhcgov.com

REASONABLE ACCOMMODATION APPLICATION

This application form must be completed as part of an application to appeal an administrative decision submitted through the county's online COAST portal. The main procedural steps in the submittal and review of applications for text amendments are outlined in the flowchart below. More specific submittal and review requirements, as well as the standards to be applied in reviewing the application, are set out in Section 10.3.13 of the Unified Development Ordinance.



1. Applicant and Property Owner Information

Applicant/Agent Name OXFORD HOUSE SHOWMAN	Owner Name (if different from Applicant/Agent) JAVARAH JOSEPH
Company	Company/Owner Name 2 MARY JOSEPH
Address 314 SILVA TERRA DRIVE	Address PO BOX 61214
City, State, Zip WILMINGTON, NC, 28412	City, State, Zip RALEIGH, NC, 27661
Phone 910-742-9284	Phone 828-237-1008
Email SHOWMAN@oxfordhouse.us	Email JOSEPH.enterprise@yahoo.com



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Phone 910-742-9284	Phone 828-237-1008
Email SHOWMAN@oxfordhouse.us	Email JOSEPH.enterprise@yahoo.com

2. Subject Property Information

Address/Location 314 SILVA TERRA DRIVE	Parcel Identification Number(s) R07020-010-011-000 KV
Total Parcel(s) Acreage 0.36 KV	Summary of Special Exception Requested: SEE Attached Statement of Justification.

3. Request for Special Exception

In the space below, please describe the request for the reasonable accommodation, including the provisions of the Unified Development Ordinance for which the accommodation is being requested. Applicants are advised to demonstrate how the reasonable accommodation request

- Will be used by an individual or individuals with a disability or handicap protected under federal law;
- Is the minimum needed to provide accommodation; and
- Is reasonable and necessary.

Please attach additional pages if necessary.

SEE Attached Statement of Justification

Staff will use the following checklist to determine the completeness of your application. Please verify all of the listed items are included and confirm by initialing under "Applicant Initial". Applications determined to be incomplete must be corrected in order to be processed for further review.

Application Checklist

- ☐ This application form, completed and signed
- ☐ Any supporting documentation
- ☐ One hard copy of ALL documents. Additional hard copies may be required by staff depending on the size of the document/site plan
- ☐ One digital PDF copy of ALL documents.

Applicant Initial

JH
JH
JH
JH

4. Acknowledgement and Signatures

By my signature below, I understand and accept all of the conditions, limitations, and obligations of the reasonable accommodation for which I am applying. I certify that this application is complete and that all information presented in this application is accurate to the best of my knowledge, information, and belief.

If applicable, I also appoint the applicant/agent as listed on this application to represent me and make decisions on my behalf regarding this application during the review process. The applicant/agent is hereby authorized on my behalf to:

1. Submit an application including all required supplemental information and materials;
2. Appear at public hearings to give representation and comments; and
3. Act on my behalf without limitations with regard to any and all things directly or indirectly connected with or arising out of this application.

[Signature]
Signature of Property Owner(s)

Jonathan Joseph
Print Name(s)

[Signature]
Signature of Applicant/Agent

JONATHAN GUIDO
Print Name



NEW HANOVER COUNTY PLANNING & INSPECTIONS

AUTHORITY FOR APPOINTMENT OF AGENT

230 Government Center Drive
Suite 110
Wilmington, NC 28403
910-798-7165 phone
910-798-7053 fax
www.nhcgov.com

Please note that for quasi-judicial proceedings, either the land owner or an attorney must be present for the case at the public hearing.

The undersigned owner does hereby appoint an authorized the agent described herein as their exclusive agent for the purpose of petitioning New Hanover County for a variance, special use permit, rezoning request, and/or an appeal of Staff decisions applicable to the property described in the attached petition. The Agent is hereby authorized to, on behalf of the property owner:

1. Submit a proper petition and the required supplemental information and materials
2. Appeal at public meetings to give representation and commitments on behalf of the property owner
3. Act on the property owner's behalf without limitations with regard to any and all things directly or indirectly connected with or arising out of any petition applicable to the New Hanover County Zoning Ordinance.

Agent Information	Property Owner(s)	Subject Property
Name GREG HEAFNER	Owner Name JAVARAH JOSEPH	Address 314 SILVA TERRA PT.
Company Gregory Alan Heafner, PA	Owner Name 2 MARY JOSEPH	City, State, Zip Wilmington, NC, 28412
Address 1570 Twisted oak drive	Address PO BOX 61214	Parcel ID
City, State, Zip CHAPEL Hill, NC 27516	City, State, Zip Raleigh, NC, 27661	
Phone 919-967-3800	Phone 828-237-1008	
Email gshafner@bellsouth.net	Email Joseph.entrerise@yahoo.	
Application Tracking Information (Staff Only)		
Case Number Reference: BoA-941	Date/Time received: 4/15/21 9:54 am	Received by: KV

This document was willfully executed on the _____ day of _____, 20_____.

DocuSigned by:

F2A8E3D18CC849F

Owner 1 Signature

2/27/2021

DocuSigned by:

F3E3D5CD158417

Owner 2 Signature

2/27/2021

STATEMENT OF JUSTIFICATION

Oxford House, Inc. requests a Special Exception from Section 63.11:1 of the County Zoning Ordinance, which section limits the number of disabled persons that may live in a group home to six.

Specifically, Oxford House requests that eight disabled men be allowed to live at the Oxford House located at 314 Silva Terra Drive in Wilmington. The house itself is a single-family detached home, 2088 square foot home, with 5 bedrooms and 2 full baths. The home has driveway parking.

New Hanover County's zoning ordinance defines Oxford Houses as a "group homes" pursuant to the definition of same in the ordinance. Further, the residents of Oxford House are defined as "disabled persons" pursuant to the definition of same in the ordinance.

WHAT IS AN OXFORD HOUSE

Oxford Houses are homes for persons recovering from alcoholism and or drug addiction, who are no longer using alcohol or drugs. Oxford House is a self-run, self-supported recovery home concept and standardized system of operation that served as the model for the self-run, self-supported group recovery homes authorized for start-up loans under the Federal Anti-Drug Abuse Act of 1988. This legislation required each state to set aside \$100,000 in a revolving loan fund to make loans to recovering addicts and alcoholics to assist in the establishment of housing that is financially self-supported, democratically run, and immediately expels anyone who relapses.

Many of over three thousand Oxford Houses in the United States were started with loans pursuant to this Act through contracts with state governments. Most of the over three hundred Oxford Houses in North Carolina were started with loans pursuant to this Act through an ongoing

contract with the State of North Carolina. Since 1990, the State of North Carolina, through the Department of Health and Human Services, has entered into annual contracts with Oxford House, Inc., the umbrella organization of the national network of Oxford Houses, to help establish and assist in the maintenance of a statewide network of Oxford Houses.

Each Oxford House is chartered by Oxford House, Inc., a 501(c)(3) nonprofit umbrella organization. Three basic conditions are required to obtain a charter: 1). The house must be democratically self-run following the standard system of operation set forth in the Oxford House Manual; 2). The house must be financially self-supporting by the individual residents paying equal shares of household expenses in a timely manner, and; 3). The house must immediately expel any resident who returns to using alcohol or drugs inside or outside of the house.

Oxford House, Inc.'s by-laws preclude it or its chartered houses from owning residential property, thus all Oxford Houses are rented. A group wanting to start an Oxford House behaves in the household rental market just like an ordinary family. It finds an available, suitable house and rents it by paying the first month's rent and security deposit to a willing landlord. Usually, these funds come from the above referenced start-up loans. Oxford House residents are encouraged to rent single family dwellings in good neighborhoods.

The houses operate autonomously, but must follow the procedures in the Oxford House Manual and adhere to the conditions of its charter. Each Oxford House has its own bank account. There are no dues or fees to Oxford House, Inc. by individual houses, but having a charter gives the houses technical assistance and support by Oxford House, Inc., including defense of the civil rights of every Oxford House.

Oxford Houses are not substance abuse centers or halfway houses. No treatment, counseling, therapy, or any kind of health care is provided. There is no house manager, paid staff,

Palatine, 37 F.3d 1230 (7th Cir. 1994); *United States (on behalf of Oxford House) v. Village of Audubon*, 797 F. Supp. 353, aff'd without opinion, 968 F.2d 14 (3d Cir. 1992); *Oxford House, Inc. v. Town of Babylon*, 819 F. Supp. 1179 (E.D.N.Y. 1993); *Oxford House v. Township of Cherry Hill*, 799 F. Supp. 450 (D.N.J. 1992); *Oxford House-Evergreen v. City of Plainfield*, 769 F. Supp. 1197 (D.N.J. 1991), and; *Tsombanidis, and Oxford House, Inc. v. City of West Haven, Connecticut*, 180 F. Supp. 262 (Ct. 2001).

As members of a protected class under the FHA, Oxford Houses are protected against discriminatory zoning practices. As such, the issue of whether an Oxford House is in violation of local zoning ordinances is not relevant to the question of federal law. See *United States (on behalf of Oxford House) v. Village of Audubon*, supra. The FHA prohibits discriminatory land use decisions by local governments, even when such decisions are “ostensibly authorized by local ordinance.” See *Oxford House Evergreen v. City of Plainfield*, supra; also 42 U.S.C. Section 3615 (“any law of a State, a political subdivision, or other jurisdiction that purports to require or permit any action that would be a discriminatory housing practice under this subchapter shall to that extent be invalid under the Fair Housing Act”).

The aforementioned prohibition under the FHA against zoning discrimination by local governments includes the requirement that local governments make reasonable accommodations in their zoning ordinances to allow the operation of Oxford Houses. Specifically, 42 U.S.C. 3604(f)(3)(B), defines discrimination to include a “refusal to make reasonable accommodations in rules, policies, practices, or services, when such accommodations may be necessary to afford such handicapped person equal opportunity to use and enjoy a dwelling.” See *Oxford House v. City of St. Louis*, supra; *Oxford House v. City of Plainfield*, supra; *Oxford House v. Township of Cherry Hill*, supra, and; *Oxford House, Inc. v. Town of Babylon*, supra. The County’s zoning ordinance

is ostensibly a means for the County, through its BOA, to provide the required reasonable accommodation.

The Section 63 of the County Zoning Ordinance follows federal law by requiring a reasonable accommodation when the request is both reasonable and necessary as each is defined in the law and set forth in Section 63.1 of the ordinance. Specifically, the ordinance defines reasonable and necessary as follows:

1. “Reasonable”. An accommodation will be determined reasonable if it would not undermine the legitimate purposes and effects of the existing zoning regulations, and if it would not impose significant financial and administrative burdens upon the County and/or constitute a substantial or fundamental alteration of the County’s ordinance provisions; and
2. “Necessary”. An accommodation will be determined necessary if it would provide direct or meaningful therapeutic amelioration of the effects of the particular disability or handicap, and would afford handicapped or disabled persons equal opportunity to enjoy and use housing in residential districts of the County.

Under Section 63.1 of the ordinance, upon the finding that the request by Oxford House is reasonable and necessary as defined above, the BOA shall grant the requested exception to allow 8 persons to live at 314 Silva Terra Drive. The reasonableness and necessity as to Oxford House at 314 Silva Terra Drive are set forth below.

REQUEST IS REASONABLE

No Burden

There is no evidence of any financial or administrative burden on the County by the existence of the Oxford House. In fact, the Oxford House will provides a free benefit to the County

by providing housing and aiding in the recovery of those recovering from alcoholism and drug addiction.

Zoning Scheme Not Undermined or Fundamentally Altered

The Oxford House does not undermine the purposes of the County's zoning ordinance. The ordinance expressly allows for this type of housing. The ordinance also allows for this type of housing at this particular location. Further, the ordinance was recently amended to provide for an exception or reasonable accommodation for the request made herein. The ordinance itself is proof that the Oxford House does not undermine the County's ordinance or fundamentally alter its zoning scheme. There are other Oxford Houses in the County in similar zoning districts, and none have undermined or fundamentally altered the County's zoning scheme.

REQUEST IS NECESSARY

Therapeutically Beneficial

By its very nature the Oxford House model's therapeutic benefit is derived solely from its residents. As described above, in an Oxford House there are no counselors, managers, care providers or outside personnel that provide any therapeutic services. Oxford Houses are not like traditional group homes, halfway houses, or family care homes - all of which have managers and provide some services to their residents. In such traditional homes a lesser number of residents will not have any therapeutic impact. Not so in an Oxford House. The quality of the relationship among the residents in an Oxford House is one of mutual support and bonding, providing an ameliorative therapeutic benefit which aids each resident in their recovery from alcoholism or drug addiction. As a result of this therapeutic benefit, those living in an Oxford House are more likely to remain clean and sober than those living on their own.¹

¹ DePaul University study that followed 897 residents in 219 Oxford Houses across the country for 27 months found that only 13% relapsed. A peer-reviewed published report of that study in Addictive

The average number of residents in an Oxford House in North Carolina is eight (8). The average vacancy rate for Oxford Houses in North Carolina is one (1), meaning that with an allowed maximum capacity of 8, the Oxford House at 314 Silva Terra Drive will usually have just 7 residents. If the house is not granted the requested exception, then it would be limited to 6 residents. With the average vacancy rate, a 6 person Oxford House would usually have only 5 residents. As set forth above the Oxford House model requires a minimum of 6 residents at all time to hold all required offices (president, vice president, secretary, treasurer, comptroller, and coordinator). A house that falls below six residents on a regular basis can lose its charter from Oxford House, Inc. Without the requested accommodation/exception, the Oxford House 314 Silva Terra Drive would be put in jeopardy of failing for lack of enough residents. Failure of the house means it would close, causing its residents to lose their home and support in their recovery. Invariably some would relapse. Relapse could be permanent and fatal. The ameliorative therapeutic benefit of the requested exception here is a threshold, make or break degree of amelioration.

An Equal Opportunity to Use and Enjoy Housing of Their Choice

Finally, the Oxford House at 314 Silva Terra Drive will be home to its residents. The requested accommodation/exception provides the residents an equal opportunity to use and enjoy housing of their choice².

Behaviors 32 (2007) can be downloaded at the Oxford House, Inc. website under "Publications/Evaluations/DePaul." In another study 150 individuals getting out of primary treatment were divided into two groups of 75 each with one group going to Oxford Houses and the other group going to normal living situations, each group was followed for two years after treatment and the Oxford House group did substantially better in staying clean and sober – 66% v. 33%. American Journal of Public Health, Oct 2006; Vol. 96, pp1727–1729.

² The County's ordinance falls short of what federal law requires as to equal opportunity. The law requires not just an equal opportunity to enjoy and use housing "in residential districts in the County", but requires equal opportunity for disabled person to enjoy and using housing *of their choice*. Several courts

Without the requested accommodation the house would close as noted above. Closing of the house cause some residents to relapse, with potentially fatal consequences as noted above. Additionally, finding another house to rent to potentially relocate the Oxford House would be extremely difficult. Finding landlords willing to rent to Oxford House is difficult because of the stigma of alcoholism and drug addiction, the fear of zoning problems, neighbor ignorance and opposition, and finally because Oxford House requires long-term leases into which many landlords simply will not often enter.

have held the FHA protects the rights of disabled persons to use and enjoy the particular dwelling of their choice. See, e.g., *Hovson's, Inc. v. Township of Brick*, 89 F.3d 1096, 1103-06 (3rd Cir. 1996); *United States v. City of Jackson*, 318 F.Supp.2d 395, 416 (S.D. Miss. 2002) (FHA "guarantee[s] that the disabled be afforded equal opportunity to live, not in some residence in the community, but rather in the residence of their choice"); *ARC of New Jersey, Inc. v. State of New Jersey*, 950 F. Supp. 637, 645 (D. N.J. 1996) ("Such ceiling quotas [imposed via group home spacing rules] improperly limit the ability of handicapped persons 'to live in the residence of their choice in the community,' House Report at 24, even if imposed in the name of integration or 'declustering'"); *Oxford House, Inc. v. Town of Babylon*, 819 F. Supp. 1179, 1185 n.10 (E.D. N.Y. 1993) (FHA "dictates that a handicapped individual must be allowed to enjoy a particular dwelling, not just some dwelling somewhere in the town"); *Oxford House-Evergreen v. City of Plainfield*, 769 F. Supp. 1329, 1344 (D. N.J. 1991) (defense based on existence of alternative locations in the city for group home held "without merit").

Oxford House Manual®

**An Idea Based On a Sound System
For Recovering Alcoholics and Drug Addicts to Help Themselves**

**HOUSING,
FELLOWSHIP,
SELF-RELIANCE,
SELF-RESPECT,
FOR RECOVERING INDIVIDUALS**



Commemorative Edition

19th Oxford House World Convention

Oxford House™

"Unique•Time-Tested•Evidence-Based"

Marriott Renaissance

Washington, D.C.

August 31 – September 3, 2017

Oxford House, Inc., the umbrella organization of the worldwide network of individual Oxford Houses, is the non-profit corporation that provides charters to eligible groups of recovering alcoholics and drug addicts who want to establish a new Oxford House™.

© September 2017

Introduction

This is the eighth edition of the Oxford House™ Manual® that has served thousands of Oxford House members since 1975. The theme of the 2017 Annual World Convention in Dallas – “Oxford House:Unique • Time-tested • Evidence-based ” – focuses on the characteristics and practices identified in this manual and are still applicable.

On November 18, 1988 President Ronald Reagan signed P.L.100-690, the Anti-Drug Abuse Act of 1988, which established a nationwide program to encourage the mass replication of recovery houses based upon the Oxford House™ concept. At the request of Congress, Oxford House™ worked with them in crafting a simple, but workable, start-up loan program in each state. Originally the start-up loan program was mandatory but now it is permissive.¹ Some states have start-up revolving loan funds and some do not.

Expansion of Oxford Houses began in June 1989. Within five years the number of Oxford Houses had grown from 18, primarily in and around Washington, D.C., to more than 500 located in 39 states.² Year after year, the number of Oxford Houses has continued to increase. More than 450,000 individuals recovering from alcoholism, drug addiction and co-occurring mental illness have found that Oxford House living has contributed to their long-term recovery. The time, peer support and disciplined participatory democracy that underlies Oxford House™ gave each of them time to re-invent personal behavior from a life of chaos into comfortable long-term recovery without relapse.

The foundation or blueprint for that transformation continues to be the Oxford House Manual®. As with the previous seven editions of the original 1975 manual, this edition is also dedicated to Jim S. – the first member voted into Oxford House in 1975. On August 19, 1987, Jim died – at far too young an age but with over 12 years of remarkable sobriety. He touched hundreds of recovering alcoholics with his dedicated program of joyful sobriety. For two and a half years he lived in Oxford House™, keeping everyone's spirits up and proving that Oxford House™ worked, and then rejoined his wife and two children. As a "graduate of Oxford House™ " Jim kept coming back to bring "newcomers" in and help "old-timers" out. Jim taught us all that you don't need to drink or use drugs to have a good time living in an Oxford House™.

The only significant change in this edition of the manual is a reminder that bills must be paid on time for an Oxford House to retain its charter. Simply stated, that means that if a house is short of funds to pay the landlord's rent or any other bill on time, then those living in the house at that time must dig into their own pockets and come up with the necessary money on an equal share basis. The reputation of Oxford House™ is too important to let it be damaged by deadbeats.

The Oxford House Manual® is a blueprint for running a successful Oxford House™. Learn what it says and follow its time-tested practices and procedures.

¹ See the Oxford House website: www.oxfordhouse.org under “About Us/History” for the text of the current law.

²The number of Oxford Houses reached 2,200 early in the third quarter of 2017 just prior to the 19th Oxford House World Convention in Washington, DC. The total number includes houses in 44 states, Canada, England, Australia and Ghana.

The Oxford House™ Story

In October 1975, the first Oxford House™ was opened in Silver Spring, Maryland, by a group of recovering alcoholics and drug addicts, who had been living in a county government-run halfway house. Each of them had been clean and sober for but a short period of time when they learned that the halfway house was to be closed. Each of them was fearful that he would return to alcoholic drinking or drug use without the support of living in a group committed to staying sober and clean.

When the news reached them that the halfway house was going to be closed, their first reaction was one of anger, resentment and panic. They had known that the halfway house had a "six month rule" which required an individual to move out after six months to make room for a newcomer. As a matter of fact, during their tenure in the halfway house, they had watched 12 men move out at the end of six months. Eleven of the 12 had returned to drinking or using drugs within a month. That fact only added to the fears and insecurity they felt upon learning that the house they lived in would be closed and they all would have to move within thirty days.

A private individual, a member of Alcoholics Anonymous, held the lease on the house the county was closing. Several of the men faced with eviction approached him to see if there was some way the county could be convinced to change its decision. He felt such a change of heart was impossible. It was a matter of economics. County halfway houses cost a lot of money to run. The county budget was tight and Alpha I, as the halfway house was named, would definitely be closed. He then asked if the men had given any thought to taking over the house themselves.

Over the next several days, hope began to replace the despair shared by the men but a number of obstacles stood between the ideas of taking over the house themselves and the reality of being able to do it. Where would they get the money? All of them had drunk themselves out of good jobs and few of them had done more than day work since getting sober. How could they pay for the rent, the utilities, the food and a counselor to manage a halfway house? Who could they find to run the house, even if they could come up with the money? Day and night they discussed the possibilities among themselves and went to a lot of AA meetings in order to get the advice of AA members. Time and again AA members gave them encouragement. "Just don't drink," they heard over and over again. "Keep it simple" and "Remember—a day at a time," were offered as advice almost as frequently.

Slowly an idea began to form that maybe it could be done. The first task involved studying the costs of the halfway house to determine how much money was needed. The largest single cost was the paid manager, cook and counselor attached to the house. Someone suggested maybe they could live without a paid manager or cook or counselor. But who would be the supervisor or manager if they did not have a paid manager who lived in the house? Of all the men to live in the new house, only one had gained six months of sobriety.

The men decided that the cost of a manager, cook and counselor was too great. If there were going to be any chance of maintaining the house, a way would have to be found to learn how to stay sober and manage a house without a paid staff.

One man recalled that he had lived in a college fraternity with sixteen men that did not have a paid manager. Of course there had been no requirement of not drinking in that house. As the men talked about the fraternity house concept, fear of being able to enforce sobriety without

the presence of a paid authority figure became the heart of the matter. They had been without real responsibility for so long there was considerable doubt about whether or not they could act responsibly as a group.

As discussions centered on whether or not they could run a house themselves, talk would inevitably drift into complaints about the halfway house way of life. There were a lot of rules. Lights out at eleven o'clock at night. Everybody up at six in the morning. Breakfast at exactly seven o'clock. Table setting, dishwashing, vacuuming, trash removal, bed making – all specific assignments to be done at a specific time and in a particular way. Any suggested changes to the rigid routine were dismissed with a lecture and a warning to shape up or ship out. As much as the residents of the halfway house resented the arbitrary rules, the fear of having no place to live was even greater.

After days and days of discussions an organizational plan began to evolve which gave the group the confidence they needed to give it a try. Their experiences in the halfway house – both positive and negative – helped them develop an organization to carry the responsibilities for which the manager, cook and counselor had been responsible for in the county halfway house. And so, the Oxford House concept began to take form.

On the positive side of the ledger of halfway house experience was the re-enforcement of sobriety that was gained by knowing that immediate eviction followed taking the first drink. From the start, the founders recognized that there had to be an absolute rule against any alcohol or drug use by members of the house. The problem for a self-run group house was how to develop procedures to make sure that any resident who drank or took drugs would be thrown out. It was finally decided that the only way it could be done would be to call a meeting of the house members and discuss the situation. If a member had taken drugs or a drink, there would have to be a vote to expel him from the house. If a majority of the members agreed that the member had in fact taken a drink or drugs, he would automatically be out.²

Before the first relapse occurred there was considerable debate among the members about how one could tell if an individual has in fact returned to drinking or taking drugs. Some members thought that the house should purchase a breathalyzer to test everybody to guard against the "secret drinker" among us. Others suggested the election of an official "sniffer" (as a less expensive safeguard). New houses today will probably go through the same kinds of concern. The fact of the matter is that no member of a house is able to fool other members for very long. We are all professional alcoholics and/or drug addicts who would have done anything to drink and take drugs. We really do know all the tricks of the trade and a relapse cannot be covered up by any one of us for very long.

Unfortunately, relapses can occur. Some members of an Oxford House™ will return to their addiction. When they do, it is important for the other members of the house to act promptly. The worse mistake any house can make is to let a slip or relapse by one member slide. That slip endangers the sobriety of every other member of a house and can quickly ruin the house for everyone. Every Oxford House™ resident knows before moving in that the use of

² The first Oxford House™ tried a system that distinguished drinking or taking drugs in the house from drinking or taking drugs outside the house. In the former case expulsion from the house was automatic; in the latter case expulsion was likely but if the membership felt it was warranted a member who had relapsed away from the house could be given probation. This was done in four cases and it did not work in any of them. In each case the member with the relapse had relapsed again within a period of a few days or weeks. Experience showed that probation did not work. Therefore any slip or relapse now results in automatic expulsion. The vote taken by the house membership is solely to judge if in fact a relapse has taken place. The third condition of a house's charter absolutely requires immediate expulsion and no house wants to lose its charter.

alcohol or drugs will result in getting kicked out. Oxford House™ members have the responsibility to use "tough love" and promptly expel the slipper – for his welfare, their own welfare and the welfare of the entire house³

Once a member has been expelled from a house because he has returned to drinking or taking drugs, he cannot be readmitted unless there is a clear demonstration that he has returned to solid sobriety. Each house develops certain rules of thumb for determining a return to solid sobriety. Some accept successful completion of a 28-day rehabilitation program as a return to solid sobriety. Most generally require strong evidence of no drinking or taking of drugs and regular attendance at AA and/or NA as a minimum requirement for re-acceptance into an Oxford House™⁴.

The founders of Oxford House™ developed a democratic way of operation. They had to – they could not afford to pay a house manager or supervisor to take responsibility for them. The early history of Oxford House™ showed that the Oxford House residents could run a house on their own. Today, Oxford House™ is still self-run and it still works.

Within six months of its beginning, the first Oxford House™ had helped finance and start the second Oxford House™. Soon those two houses started a third and the three houses then started a fourth. Over its first thirteen years Oxford House™ grew from one house to more than twenty houses and the expansion of a good idea had just begun.

In October 1987, an Oxford House™ for men was started in Bethlehem, Pennsylvania – far away from the cluster of houses in the Washington, D.C. area. It worked and the eleven men in that Oxford House™ followed the pattern begun the Washington area thirteen years earlier by finding another house to rent to start a second house in the Bethlehem area.

Early in 1988, all the members of the individual Oxford Houses decided to establish a full-time central services office to provide other individuals recovering from alcoholism and drug addiction the technical assistance necessary for them to start Oxford Houses in their communities. There was a strong belief that Oxford House could work anywhere. As Oxford Houses open around the country, the first Oxford House in a particular area will follow the tradition set by the original Oxford House of helping other houses get started. Between 1989 and 2016, the growth of Oxford Houses has been phenomenal – more than 2,060 individual Oxford Houses have been started in 45 states, Australia, Canada, England and Ghana.

Foundations, businesses, churches, individual and government agencies have helped fund technical assistance to help get the first few Oxford Houses established in an area. However, expansion of the movement continues to rely primarily upon the volunteer efforts of individuals living in existing Oxford Houses working with newly-formed groups. Throughout the country

³ It is seldom easy to take action against the relapsing member but every Oxford House™ does. The first case is always the most difficult because all members in a house become friends and no one likes to have to throw a friend out. Nevertheless, principles must come before personalities and the member who has relapsed must leave the house right away. Otherwise the sobriety of every member of the house is threatened. More importantly, the good reputation of Oxford House™ is threatened. The first Oxford House™ used to be the subject of bets by outsiders about how soon it would fail. There was a genuine belief by many that a group house of recovering alcoholics and addicts could not work without a manager or counselor to enforce the edict against drinking or taking drugs. Those doubters all lost their bets because the members of Oxford House™ proved that they could act responsibly. The first responsibility of any Oxford House™ is to enforce sobriety.

⁴ Once several Oxford Houses have opened a geographic area, each house keeps in touch with the other houses so that a relapsing member does not simply move from one house to another. On the other hand, once a relapsing member regains sobriety, it may be advisable for him to "start over" in another house in the area if it has room. The group conscience of those for whom Oxford House™ is working generally has no trouble in guiding the recovered relapser into the house that can give the most support.

clusters of Oxford Houses have organized themselves into mutually supportive chapters working together to expand the number of houses so that every recovering alcoholic and drug addict can gain the support of living in an Oxford House™.

Each Oxford House™ has its own history but all Oxford Houses share a common history of operating in a democratic fashion on a self-supporting basis. That common history is the key to why Oxford House™ works. The *System of Operations* and the *Oxford House Traditions* contain the blueprint for any Oxford House™ to work well by following a tried and true path for success.

The *System of Operations* and *Oxford House Traditions*, which follow, are taken directly from the original Oxford House Manual© with very minor changes, duly noted through footnotes.

The key Oxford House™ organization is listed below. Direct any correspondence, telephone calls or e-mail to it. Its purpose is to be of help.

Oxford House, Inc.

1010 Wayne Avenue, Suite 300
Silver Spring, Maryland 20910

Telephone: 1-(301) 587-2916
Facsimile: 1-(301) 589-0302
Internet: www.oxfordhouse.org
E-Mail: Info@oxfordhouse.org

(Oxford House, Inc. is incorporated in Delaware and is a 501(c)(3) non-profit corporation.)

The following standard forms and others — time-tested to be helpful in running an Oxford House™ — are printed at the end of this manual and can be download from the website www.oxfordhouse.org as can new versions of the forms.

Membership Application

The standard form used by Oxford Houses to help evaluate the eligibility of applicants applying for membership in an Oxford House™.

Weekly Meeting Report

A form to record the minutes of the weekly meeting of the Oxford House™ family members so that the House has an on-going record of the democratic decisions made by the group.

Weekly Financial Report

A form to report who have paid their share of expenses, a list of expenses paid during the previous week, the amount of funds available to the house and a list of regular or unexpected expenses coming due with the next few weeks.

Oxford System Checklist

A checklist used by some Oxford Houses to remind members of the Oxford House™ family about the basic steps that have to be taken to make the house run on a financially sound basis.

Oxford House™ System of Operations

There is a frequent saying among Oxford House™ members that "Oxford House™ has no rules except "Don't drink." For the most part, that saying is true. However, it does overstate the facts.

While rules at Oxford House™ are kept at a minimum, there are nevertheless rules. Unfortunately, it is impossible for any organization to function without having some system or procedures. The basic rule for all Oxford Houses is that they *must operate on a democratic basis*. Each member of the House has one vote. A majority rules except in the case of accepting a new recovering alcoholic or drug addict for membership when 80% of the current membership must vote its approval.

The following discussion spells out the Oxford House System of Operations. It draws upon the experience of the existing Oxford Houses and tells any recovering alcoholic or drug addict who is interested: (1) how to start an Oxford House™; (2) how to make an Oxford House™ run smoothly; and (3) how to manage money in an Oxford House™.

Oxford House, Inc., is the umbrella organization for all Oxford Houses. Any group of recovering alcoholics that wants to form an Oxford House™ must obtain a charter from Oxford House, Inc. The charter confers on the particular Oxford House™ the benefits of being part of a non-profit corporation that offers the experience and guidance necessary for making an Oxford House™ work.

Any group of recovering alcoholics and/or drug addicts can apply for an Oxford House™ charter. Oxford House, Inc., has no hard and fast rules as to the length of sobriety required of applicants who want to charter a new house. As a general rule, however, several members of any charter group should have several months of solid sobriety.

Obtaining a Charter

Two or more recovering alcoholics can apply for a charter from Oxford House, Inc., by completing an application for a charter⁵ or simply writing a letter containing the pertinent information to Oxford House World Services. Pertinent information would include answers to the following questions:

1. Names of proposed charter members.
2. Length of sobriety for each proposed charter member.
3. The plans that the charter group has for renting or leasing a house.
4. The number of beds contemplated for use in the proposed new Oxford House™.⁶
5. The anticipated charge per person per week that would be needed to make the House self-supporting.

⁵ One can get a form to apply for a charter by writing to Oxford House, Inc., 1010 Wayne Avenue, Suite 300, Silver Spring, Maryland 20910 or by downloading a charter application form from the web site www.oxfordhouse.org by clicking "applications" under "Houses".

⁶ To receive a charter the proposed house must be for a minimum of six residents. The largest Oxford House™ group to date has been eighteen. The best size group seems to be made up of eight to twelve members. Charters are only granted for single-sex houses. There are no "co-ed" Oxford Houses. Leases with landlords should make clear that no smoking within the house is permitted and that the use of decorative candles, incense or other items that represent fire hazards should be prohibited. Group safety is important.

Once Oxford House World Services has reviewed the application or letter from the prospective charter members, they will either issue a charter or suggest additional steps for the prospective members to take in order to obtain a charter. A charter will be issued if, in the judgment of Oxford House World Services, the proposed new Oxford House™ would have a reasonable chance of success.⁷ All charters are issued conditionally. This means that the new group once started must demonstrate that it has learned the Oxford House system of operation sufficiently to be awarded a permanent charter.

In rare cases, Oxford House World Services will issue a charter prior to the actual acquisition of housing by the applicants. In such cases, the charter will be issued upon the condition that the charter members obtain a suitable house within a specific period of time.⁸

Obtaining a House

The Oxford House™ philosophy is one that relies on expanding capacity rather than limiting the length of time that a member can live in a House. To achieve sufficient capacity for providing enough rooms for all recovering alcoholics and drug addicts who want to live in an Oxford House™, it has been the custom for an established Oxford House™ to look for an additional house once it has become full and has applications that it is unable to accept because of lack of space.

The size, location and cost of a suitable house depends more on what is available than any specific criteria. The charter members who are looking for a suitable house should make certain that any prospective house can be occupied without violating local zoning or health and safety laws. In practice any Oxford House™ is no different from an ordinary family – except no one in an Oxford House™ drinks or takes mood- changing drugs.

As a matter of fact, most jurisdictions in the country do not have specific ordinances that relate directly to an Oxford House™-type situation. Most group housing ordinances, if they exist at all, are geared to highly institutionalized situations. Most commercial zoning ordinances, i.e., rooming houses, apartments, or hotels or motels, are inappropriate for the Oxford House™ situation. Under the Federal Fair Housing Act local governments are required to make a reasonable accommodation for recovering alcoholics and drug addicts to live in the supportive Oxford House™ living environment.⁹

If the charter members have any doubt as to how their particular jurisdiction will view an Oxford House™, they should face the matter directly and clear their occupancy with the local zoning authorities. Oxford House, Inc., is willing to provide any assistance it can for the

⁷ The Board of Directors has delegated the decision-making authority to approve charter applications to Oxford House World Services.

⁸ This situation is more likely to occur when Oxford House™ is new to a geographic area. In those geographic areas where there is already an Oxford House™, those wanting to start a new House are more likely to find the available house first and then apply for a Charter. Following the tradition of early Oxford Houses each house tries to match supply of Oxford House™ recovery beds with the number of applicants wanting to live in an Oxford House™. Houses in an area always work through the chapter to make sure supply and demand stay in balance.

⁹ The United States Supreme Court on May 15, 1995 issued a decision in *City of Edmonds, WA v. Oxford House, Inc.* (514 U.S. 725) which confirms that recovering alcoholics and drug addicts living in an Oxford House™ are “handicapped” and therefore a protected class within the meaning of the Federal Fair Housing Act, as amended, and local jurisdictions must make a reasonable accommodation to afford them living arrangements supportive of recovery. A number of subsequent federal cases have affirmed that Oxford Houses are not commercial institutions and should be treated as single families for purposes of zoning.

purpose of persuading local authorities to treat Oxford House™ the same as it would treat any other single-family residential property within its jurisdiction.¹⁰

Common sense should be used in selecting any house, to be used as an Oxford House™. It should have adequate plumbing, adequate kitchen facilities, adequate laundry facilities, a sufficient number of bedrooms, and a pleasant common living space. In addition, the area should be carefully examined to determine if parking of automobiles might cause a problem.

The amount of rent that a new group can afford depends on the number of beds that the house can hold. More than one bed should be put in larger rooms. New members moving into a house can be made to feel at home more easily if they share a room. Most Houses use a system of seniority for bed selection. "Old-timers" generally move into single rooms as new members move into the house. The single rooms are usually the smaller rooms in a house.

There are three reasons Oxford House™ encourages more than one to a room. First, newcomers maintain recovery better with a roommate. Loneliness continues to be a threat to sobriety and loneliness can be a problem for the newcomer adjusting to a new place to live. Second, the number of people living in a House directly affects the economics of an Oxford House™. The more people who live in a House the less each member has to pay for the House to be self-supporting. Third, roommates discourage having non-house members spending the night at an Oxford House™.

The size of the house has a direct relationship to the amount of rent a new group can afford to pay. In most areas the monthly rent will be the largest single cost for the members of a House to meet. For example, the very first Oxford House™ (Oxford House-Silver Spring)¹¹, held 13 members. The monthly rent was \$700; utilities ran about \$300 a month; staples about \$250 a month.¹² The charge per member had been set at \$30 a week. Since the House quickly became full and stayed full, income exceeded expenses.¹³ As a matter of fact, after six months of operation the House had nearly \$2,000 in the bank. It used \$1,200 of that money to start a new Oxford House™ so that some of the recovering alcoholics who had applied to live in an Oxford House™ could live in one. Even today, most Oxford Houses have a backlog of applications. The tradition of some house members of an existing house helping to start a new Oxford House™ in an area continues.

As a general rule, it is easy to acquire furniture for a new House at little or no expense. Letting friends, family, and church groups know you are looking for furnishings can be very effective. Every community tends to be willing to help. Sometimes, however, it may be difficult to get beds and chests of drawers donated. Since beds are essential, members in a new house might want to buy twin-size mattress and box springs sets. New twin-size mattresses and box springs

¹⁰ In Bethlehem, Pennsylvania for example, Oxford House™ received a ruling from the Chief of the Bureau of Inspections that it is within the definition of "Family" as defined in the City Zoning Code. As a practical matter most jurisdictions so appreciate the useful service provided by an Oxford House™ that it is considered to have a "family" classification.

¹¹ Oxford House-Silver Spring was opened October 25, 1975 and continued to be an Oxford House™ until the end of 1984. It was located at 1219 Fiddler Lane, Silver Spring, Maryland. The building was razed to make way for another building in 1986.

¹² The first Oxford House™ and most subsequent Houses have bought milk, potatoes, spices, flour, coffee, bread, eggs and bacon on a group basis. Individual members get their own meals – either individually or as groups – but use the "staples" as needed. Note also that the figures used above are 1975 dollars or about one-half comparable 1987 dollars or one-third 2000 dollars.

¹³ By late spring a surplus of nearly \$2,000 was in the House treasury. The members met to decide whether to lower their weekly payment or to use the surplus to open a new House. They chose to open a new House in Washington, DC in May 1976.

cost between \$90 to \$120 per unit. Thrift stores, Goodwill or Salvation Army stores often have chests of drawers at a reasonable price. The first and most effective way to get furniture, however, is to ask for it from AA members. Often they are up-grading their own furnishing and are pleased to give their old furniture to an Oxford House™.

Other start-up costs include a month's rent in advance and a security deposit equal to one month's rent. New Houses often get a loan from AA members or other Oxford Houses in order to meet this expense. Whenever a loan is obtained, the members of the new House should agree to pay it back according to a definite schedule – at least \$100 a month until it is repaid.¹⁴ The good name of Oxford House™ is at stake whenever any House has a loan outstanding. Therefore, it is important to make payments on the loan on a regular basis.

Membership

The charter members of a new Oxford House™ constitute a basic core of membership for the House. Once the House has started, the charter members will want to bring in enough new members to fill all available beds. The higher the occupancy rate, the lower the rent that must be paid by each Oxford House™ member.

One of the requirements of an Oxford House™ charter is that new members must be approved by 80% of the existing members in a particular House. An approval by 80% of the existing members is required because it is extremely important for all of the members living in an Oxford House™ to feel comfortable with any newcomer. As a practical matter, existing Oxford Houses have denied membership to very few individuals. Most members of Oxford House™ keep their memory green and few applicants are excluded from membership. Those who are excluded are generally excluded because there are no beds available¹⁵. A waiting list is maintained, but it is of little value after a period of time because, when a person needs a room, he or she needs it immediately. On the other hand, the waiting list can be a useful resource for getting new members to help form another House.¹⁶ The waiting list also is a ready resource for filling vacancies as members move out to live elsewhere in the community or are evicted because of a relapse to drinking or taking drugs.

Oxford House™ works well for men and for women. However, it has been the experience of Oxford House™ that it does not work well with men and women in the same House.¹⁷ Relationships are bound to develop and will unnecessarily complicate the comfortable operation of an Oxford House™.

¹⁴ This is also true of loans received from a state revolving loan fund. Repayments on time is a must because it allows other groups to start houses and helps expand the opportunities for recovering individuals to stay clean and sober without relapse. State loans are usually \$4,000 and are repaid at \$170 a month for 24 months.

¹⁵ Not everyone is suited for living in an Oxford House but the existing members should never exclude anyone simply because of race, creed or a disability co-occurring with addiction to alcohol or other addictive drugs unless such disability would make it difficult for an individual to function in an Oxford House. For example, being HIV positive does not – in and of itself – preclude successful Oxford House membership because, absent unprotected sex or needle sharing, HIV or AIDS is not contagious and hundreds of recovering individuals afflicted by HIV or AIDS are and have been successful Oxford House residents. Also, hundreds of recovering individuals with co-occurring mental illnesses or physical disabilities have been – and are – successful Oxford House residents. In considering whether an applicant will make a suitable Oxford House resident, the group conscience should always err on the side of providing a recovering individual a chance to benefit from Oxford House living. In other words, if the group believes the individual has exhibited a sincere desire to develop sobriety comfortable enough to avoid relapse, pay an equal share of household expenses and help others in recovery, the applicant should be accepted if space is available.

¹⁶ Once an Oxford House™ has been established for a few months, there will soon be more applicants than there are beds available. The situation soon causes the members living in the House to start looking for an additional house to rent.

¹⁷ In 1978, Oxford House™ opened a House intended for women but started with a core group of four men from an existing Oxford House™. After eight women moved into the House, the four men moved out with the expectation that their spaces would be filled by the women accepting four additional women. Instead the women accepted four additional men as replacements and the House began to have problems. A number of relationships evolved between the men and women and soon a number of the members had returned to drinking. Oxford House, Inc. closed the House and reopened it as a House for men. It was clear then and continues to be clear today that men and women living in the same house operating under the self-support system of Oxford House™ create unnecessary additional stress to group living. Women's Oxford Houses work well; men's Oxford Houses work well; however, Houses with both men and women do not work and will not be granted a charter by Oxford House, Inc.

When a new Oxford House™ is established, the charter members of the House should make themselves known to quarterway houses, halfway houses, detoxification units, drug courts, rehabilitation facilities, AA groups and NA groups within the area. Included among those items which should be stressed are that the House is democratically run; it is self- supporting; drinking or the taking of drugs is not permitted; and that both the new and not-so-new recovering alcoholics are welcome to come and live at the House as long as they do not drink or take drugs and pay their equal share of household expenses. Oxford House™ is not in competition with any of these groups. It is a resource for them to use in the common goal of helping the alcoholic avoid relapses. Many of these groups will become supporters of Oxford House™ and will refer new members to the House. Remember to explain that a new member must file an application, be interviewed and approved by 80% of the members living in Oxford House™ .

Once an Oxford House™ has been established for a few months, applications for membership will exceed the space available. At that point in time, consideration should be given to opening a new Oxford House™ using some of the current members as a core group for the new House.¹⁸ Generally, a few members in a House will begin thinking about opening another House in response to a House's inability to accept all the deserving applicants. They will discuss the matter at a House meeting and everyone will begin to look for a suitable additional house to rent. When such a house is found several existing members will volunteer to become the core group for a new House. The existing House begins to figure out ways to come up with the necessary money for starting the new House and checks with applicants to see if they would be willing to live in the new House. This is the way that Oxford House™ is able to comfortably exist with the principle of letting members live in an Oxford House™ for as long as they want provided they do not drink or use drugs and pay their rent.

Rules

Alcoholics and drug addicts by nature seem to dislike rules. There is only one rule applicable to all Oxford Houses; i.e. membership is conditioned on not drinking. It is impossible for a house of recovering alcoholics to stay sober if even one person is permitted to drink or take drugs. The presence of a practicing alcoholic among those who are trying to stay sober invites other relapses. As a matter of self-preservation it is necessary for the membership of an Oxford House™ to confront the relapsing member immediately. A meeting of the House should be held and if a majority of the members believe that a member is drinking or taking drugs that member should be asked to leave.

The rule relating to the use of alcohol or drugs grows out of common sense. That rule is the only rule considered mandatory once a group of recovering alcoholics has received an Oxford House™ charter. Other rules will tend to evolve from the membership of the House itself. Those rules should come into being only if they are absolutely necessary. The fewer the rules, the more likely it will be that a house will be successful. Different Houses will often tend to

¹⁸ In the first Oxford House™ – Oxford House - Silver Spring – members felt confident enough after six months to start another House. They started the first house in Washington, DC by having four of the thirteen members in the original house move to form a core membership for the new House.

have different rules. For example, one Oxford House™ has a rule that requires unanimous consent before any pet can be brought onto the premises. Another Oxford House™ has two cats and a dog and would probably require unanimous consent before either the cat or the dog could be evicted.

In many alcohol rehabilitation units, there are rules covering a multitude of activities. Those rules include curfew hours; clean-up details; mandatory attendance at AA or NA meetings; and other rules almost inherent in institutional living. Oxford House™ is not an institution. It is more analogous to a family. However, certain rules may be required to assure an equitable distribution of the work in keeping the house clean and at times there may be the need for rules to keep some individuals from disrupting other individuals.¹⁹

Since the success of an Oxford House™ depends on having enough income to meet expenses, it is important that members pay their equal share of household expenses in a timely manner. Rules may be required that force the eviction of members who do not keep their equal share of household expenses up to date. All members should be encouraged to pay their share of household expenses at least one week in advance. The weekly house meeting becomes the ideal time to discuss this issue particularly if a resident is not up-to-date in paying the equal share of household expenses. It helps neither the individual resident nor the house group to let anyone get behind.

Officers

For an Oxford House™ to run successfully on a democratic basis, it must have certain elected officers. It is part of the Oxford House tradition to make sure that officers do not become so entrenched that other members of the house do not have an equal voice in its management. Therefore, it is an Oxford House tradition that no officer shall serve longer than six months in the same office for one continuous period of time.²⁰ All officers are but trusted servants of the entire membership. The number of officers may vary from House to House but all Houses generally have the following elected officers:

- ☐ President
- ☐ Treasurer
- ☐ Secretary
- ☐ Comptroller
- ☐ Coordinator

The election of both a treasurer and comptroller emphasizes the importance each Oxford House™ places on money management. The two officers are able to divide rent collection and help each other with the payment of bills. Houses elect a "Coordinator" to help schedule daily and weekly work details to keep the house clean – inside and outside.

The election of officers is necessary because they provide the leadership for the House to work well. The officers can serve continuously for only six months in any particular office, i.e. after an intervening six-month period an individual can be re-elected to an office in which he or she has already served. The duties of the various officers are designed to keep Oxford House™

¹⁹ For example, if a resident's non-attendance at AA or NA meetings is causing problems – for the individual or the house – the residents may vote at a meeting to require meeting attendance as a condition of living in the house. In this situation the "group conscience" should be the determining factor. It is guided by the fact that the welfare of the house must always come first. Long-term recovery is the primary reason for the house to exist.

²⁰ See Tradition Two

running smoothly by conduct regular weekly meetings of the House membership, assure that the Oxford House Traditions are followed, and keep the finances of the House in good order.

Meetings

It is important to have a House meeting at least once a week. After some experimenting, an Oxford House™ will find the particular hour or half-hour, which is the most convenient for most of its members. A meeting should be used to:

- report on the current financial status of the House;
- consider new applications for membership;
- resolve any problem affecting members in the House;
- resolve general complaints about maintenance of the House; and
- consider proposals or projects to be undertaken by the House

A special meeting should be called, just as soon as possible, whenever there is any suspicion that a member is drinking or taking drugs. Such meeting are the most difficult of any held in an Oxford House™. Some Houses have decided to use three of the elected officers as a screening committee for determining if an individual has violated the rule against drinking or taking drugs. In such cases, the screening committee makes its report to the full membership of the House for their consideration. The individual suspected of violating the rule against drinking or taking drugs should be directly confronted with the facts leading to the suspicion. The membership of the House then must vote on whether or not the facts support the conclusion that a member has violated the rule.

The decision by the House membership should be viewed simply as a factual determination. If a majority of the House membership attending the special meeting believes that the individual did in fact drink or take drugs, expulsion of that member is automatic.

The Secretary should take notes about what takes place at each House meeting. The notes of the previous meeting should be read at the beginning of the next meeting so that all the members can agree with the record of what the House had previously determined. If the Secretary has made a mistake in recording what had happened, it should be corrected. The approved minutes of a meeting should be made a permanent record of the House. The Secretary should also verify that vacancy updates have been made.²¹ The next item of business should be the report on House finances by the Treasurer. That report should include: (a) the amount of the bills outstanding, (b) the cash on hand, (c) members' rent paid in advance, and (d) members' rent due. To the extent possible the Treasurer should project what the House finances are likely to be over the next month and take into account the expectation of any large utility bills or unusual expenses.

The House meeting should then take up new applications and listen to each member who has met or talked to the applicant. A vote should be taken on each applicant whether or not space is available. If the applicant is rejected, he or she should be told right after the meeting and encouraged to apply to another Oxford House. If the applicant is accepted, and space is available, he or she should be informed as to when to move in, who current officers are, money due to move in and given a copy of the manual – so as to understand how Oxford House™

²¹ Keeping vacancies accurate on the website is essential if a house is to have any credibility with treatment providers, drug court judges or the recovery community. The newcomer relies upon accurate vacancy data and every house should make sure that the Secretary updates the vacancy website by text at least once a week and that a current cell phone in the house is available for weekly vacancy verification.

works. If the applicant is accepted, but no space is immediately available, he or she should be put on a waiting list and told his or her prospects of getting in. Each new member should be told that the completed application constitutes agreement to follow the rules of the House.

Meetings also include discussion of the wide range of decisions facing an Oxford House™ from purchases of wastebaskets to plans for opening a new House. The House meeting is the place to resolve any conflicts that arise from living together as a group. It is also a good place to pass on information about new AA or NA meetings or up-coming AA/NA related events. Staying sober and enjoying life is at the heart of Oxford House™ living.

Money

Oxford House™ is built on the principle of self-help. When it comes to money matters, this simply means that any House must be self-supporting and operate without debt – other than the start up loan that should be repaid on a regular basis. There may be exceptions when a House is first getting started. After a few weeks or months, a new Oxford House™ should be able to pay all of its operating expenses out of its equal share of household expenses.

Some expenses associated with an Oxford House™ are fixed. For example, the monthly rental payment will be a fixed amount. In addition, utilities (electric, gas or oil, telephone and often water) will be relatively fixed expenses. One area where expenses are controllable involves the purchase of food and supplies. All expenses, whether fixed or controllable, must be carefully watched so that any member at any time can know the exact financial condition of the House. Particular attention must be paid to cable TV expenses. If one or two members get a pay for view, they should reimburse the house. Usually the Comptroller is responsible to see that the members pay their share of the cable bill promptly so that the House is not faced with an unwanted and unwarranted expense.²²

The President, the Treasurer, and Comptroller all have a responsibility for making certain that accurate records are maintained showing expenses and income of the House. Every Oxford House™ should have its own checking account and make certain to run all income and outgo through the checking account as the main control point for keeping track of money flow. The very first thing a new Oxford House™ does is to establish a checking account. At least three officers of the House should be authorized to sign checks with two signatures required on each check in order for it to be valid. Promptly deposit member's rent in the checking account and pay all bills by check.²³ That is the easiest and safest way to assure good record-keeping. Do not use electronic payment except for start-up loan repayment and contributions to Oxford House World Services.

Each Oxford House™ should maintain (1) a membership ledger; (2) a cash receipts journal and (3) a cash expenses journal. The Treasurer is responsible for keeping these records and for posting the "Weekly Financial Status Report".

²² As a general rule an Oxford House™ gets cable TV with limited access to pay for view. However, if that is not possible the house should carefully monitor any "extra" expense over the basic system.

²³ Sometimes petty cash is useful for buying the staples the House will use. Usually petty cash is less than \$100 and can be run through the checking account by making out a check for "cash". Receipts should then be kept for purchases made out of petty cash and on a weekly basis the Treasurer should balance the cash against the receipts in the petty cash fund. The Treasurer is usually the person who has control over the petty cash and pays individual members who make the purchases of staples for the House. A separate little book for petty cash is useful to maintain showing income and outgo. A small amount of petty cash is a good idea because checks for only a few dollars can become expensive when the bank charges for checks written.

The "Weekly Financial Status Report" lets everyone in the House know exactly the current financial condition of the House. It shows:

- money on hand the prior week;
- money on hand that week;
- bills paid during the last week;
- bills due during the current week;
- bills due by the end of the current month;
- members' rent paid in advance (total dollars);
- members' rent behind (total dollars) and
- status of individual members' payment history (paid in advance, up-to-date and behind) listed by member.²⁴

The Treasurer and Comptroller are the two officers primarily responsible for assuring sound financial management for an Oxford House™. Together with the President, they should continually check and crosscheck the books so as to assure the true financial status of the House. At each weekly meeting, a report should be made to the full membership of the House for the membership to determine whether the equal share of household expenses is accurate and to decide if a member is too delinquent in paying to continue in the house.

Oxford House, Inc.

Oxford House, Inc., serves as an umbrella, non-profit corporation for all the Oxford Houses that have or will be given a charter. It is incorporated in the State of Delaware and is recognized as qualifying under Section 501(c)(3) of the Internal Revenue Code. The sole purpose of the umbrella organization is to serve the Oxford House™ movement. Each Oxford House™ has an equal voice in running Oxford House, Inc, consistent with the principle that each resident has an equal voice in the running of an individual Oxford House™.

Oxford House, Inc. is authorized to provide charters for individual Oxford Houses and operates a central services office to help existing houses stay on track and to help start new houses.

The World Council

Nine Oxford House™ residents are elected by vote of all of the Oxford Houses to serve staggered three-year terms as members of the Oxford House World Council, an advisory Board that recommends policies. Three alumni members of Oxford House™ are also elected to the 12-member World Council. Elections for one-third of the members are held each year at the annual Oxford House Convention. Meetings of the Oxford House World Council are held six times a year. Various committees of the World Council are established to address policy areas important to the worldwide network of Oxford Houses. The Chairperson of the World Council serves as a member of the Oxford House Board of Directors to assure that the corporation's services are consistent with the policies of the individual houses reflected by actions of the World Council.

The Board of Directors

The Oxford House Board of Directors oversees and governs Oxford House, Inc. – the umbrella 501(c)(3) nonprofit organization of the national network of individual Oxford Houses. One quarter of the Board members are alumni or resident members of Oxford Houses. The Board guides the external finances used for expansion and network maintenance.

²⁴ There are no "secrets" in an Oxford House™. Members need to know whether the House is living on "borrowed money" (from rents paid in advance) or whether members are falling behind in rent in order to know how much needs to be charged for a House to be financially sound.

Oxford House Nine Traditions ...

TRADITION ONE

Oxford House™ has as its primary goal the provision of housing and rehabilitative support for the alcoholic and drug addict who wants to stop drinking or using drugs and stay stopped.

By the time many of us had stopped drinking, we had lost jobs; we had lost families, and some of us either had no place to live or no place to live which was not an invitation to start drinking again. Oxford House™ was founded not only to put a roof over our head, but also to create a home where the disease of alcoholism and drug addiction was understood and the need for the alcoholic and drug addict to stay away from the first drink or drug fix was emphasized.

Oxford House™ is group housing. The bond that holds the group together is the desire to stop drinking or using drugs and to stay stopped. Modest rooms and living facilities can become luxurious suites when viewed from an environment of alcoholics and drug addicts working together for comfortable sobriety.

When we stopped drinking or using drugs, we began to realize that in order to stay stopped, our lives would need to change. Alcoholics Anonymous and Narcotics Anonymous provided a framework for us to change physically, mentally, and spiritually. The degree to which we were able to successfully change our lives had a direct relationship to Alcoholics Anonymous and Narcotics Anonymous. Many of us soon learned, however, that living alone or living among our old drinking companions made it more difficult to practice the principles necessary for continued sobriety.

Some of us had lived for a time in alcoholic and drug rehabilitation facilities. Those facilities provided us with shelter, food, and therapy for understanding alcoholism and addiction. Initially, the structure and supervision of such facilities were acceptable because physically and mentally, we were exhausted. Later, some of us were to move into halfway houses, which provided shelter, food, and supervision. As our recovery progressed, the supervision and dependency on a halfway house created dissatisfaction. The dissatisfaction was in part the realization that we were shirking responsibility for our own lives and in part a resentment of authority. The third factor affecting us both in the rehabilitation facilities and the halfway houses was the realization that the duration of our stay must be limited because space must be made for others in need of help.

Oxford House™ grew out of the need for many of us to begin a new life without fear of backsliding because of loneliness leading to renewed dependency on former drinking companions or drug dealers. Throughout its tradition, Oxford House™ has combined the concepts of self-support and responsibility with a fellowship having the common purpose of continued and comfortable sobriety. Oxford House™ must always have as its primary goal the provision of housing and rehabilitative support for the alcoholic who wants to stop drinking and stay stopped and the drug addict who wants to stop using drugs and stay stopped.

TRADITION TWO

All Oxford Houses are run on a democratic basis. Our officers are but trusted servants serving continuous periods of no longer than six months in any one office.

During the last days of our drinking or using drugs, most of us ceased to function as responsible individuals. We were not only dependent upon alcohol and/or drugs, but were also dependent on many others for continuing our alcoholic and/or drug addicted ways. When we stopped drinking or using drugs, we began to realize just how dependent we had become. For those of us who had been in institutions or halfway houses, resentments against authority were common.

A major part of the Oxford House philosophy is that dependency is best overcome through an acceptance of responsibility. In Oxford House™, each member equally shares the responsibility for the running of the House and upholding the Oxford House tradition. All aspects of Oxford House operations, from the acquisition of the house to the acceptance or dismissal of members, are carried out under democratic procedures. Each member has one vote and majority rule applies except that 80% of the members must agree in accepting new persons for membership.

During our drinking and drug use years, and even before, many of us found it difficult to accept authority. Many individuals in society are able to abide by the strict letter of any rule, regulation, or law. Alcoholics and drug addicts seem to have a tendency to test and retest the validity of any real, potential, or imagined restriction on their behavior. As alcoholics and drug addicts, we became experts at outwitting "the system." As recovering alcoholics and recovering drug addicts, it has become important for us to learn how to live without *the use of alcohol or drugs*, within society.

By running Oxford House™ on a democratic basis, members of Oxford House become able to accept the authority of the group because the group is a peer group. Each member has an equal voice in the group and each has an opportunity to relearn responsibility and to accept decisions once they are made.

The opportunity for a house to democratically function requires periodic meetings within the house – at least once a week. Such meetings should be used to resolve any operational or personality problems facing the house.

Any group, in order to function effectively, needs leaders. Misguided leaders can create dependency and usurp self-responsibility. Oxford House™ should rely on democratically chosen leaders, but the leaders must always be but trusted servants. To discourage an excessive dependence on leaders, it is a principle of Oxford House™ that no member should serve in the same office for a continuous period of longer than six months.

TRADITION THREE

No member of an Oxford House™ is ever asked to leave without cause – a dismissal vote by the membership because of drinking, drug use, or disruptive behavior.

During early recovery for alcoholism and drug addiction, some members had to leave an institution in order to make room for an alcoholic or drug addict just beginning the recovery process. Other members were asked to leave halfway houses in order to make room for a recovering alcoholic or recovering drug addict who was ready to move into a halfway house. Only the very fortunate are able to make such a transition upon demand. Each individual recovers from alcoholism or drug addiction at a different pace. All too often, an abrupt transition from a protected environment to an environment that places considerable glamour on the use of alcohol and drugs causes a return to alcoholic drinking or addictive drug use.

There is no reason to believe that society as a whole has the responsibility to provide long-term housing within a protected environment for the alcoholic and drug addict. However, there is every reason to believe that recovering alcoholics and drug addicts can do for themselves that which society, as a whole, has no responsibility to do for them. Oxford House™ is built on the premise of expanding in order to meet the needs of recovering alcoholics and drug addicts. This principle contrasts sharply with the principle of providing the alcoholic or drug addict with assistance for a limited time period in order to make room for a more recently recovering alcoholic or drug addict.

One of the greatest threats to the sobriety of a recovering alcoholic or drug addict is loneliness. At a time when we acquired a serious desire to stop drinking or using drugs, many of us had lost our families and friends because of our alcoholism and/or drug addiction. Too often, newly recovering alcoholics and drug addicts are faced with the necessity of living alone and of relying solely on contacts with Alcoholics Anonymous and Narcotics Anonymous to stay sober. Some are able to keep from drinking in spite of the loneliness. Others are not so fortunate. The alcoholic or drug addict alone begins to compare himself to those members of Alcoholics Anonymous and Narcotics Anonymous who still have family and friends. Loneliness and self-pity soon lead such individuals back to alcoholic drinking or drug use. With Oxford House™ there is no need for a recovering individual to live in an environment dominated by loneliness.

The only members who will ever be asked to leave an Oxford House™ are those who return to drinking, use drugs, or have disruptive behavior, including the nonpayment of an equal share of household expenses. No Oxford House™ can tolerate the use of alcohol or drugs by one of its members because that threatens the sobriety of all of the members. Neither can an Oxford House™ function if some do not pay their fair share of the costs.

It is obvious why Oxford House™ must strongly protect the sobriety of its other members by asking the drinking member or member using drugs to leave. The line between an Oxford House™ of recovering alcoholics or drug addicts and an Oxford House™ of active alcoholics or drug addicts is a thin one. A member's tenure is absolutely secure in an Oxford House™ as long as he does not drink or use drug, keeps his share of household expenses up to date and is not disruptive.

TRADITION FOUR

Oxford House™ is not affiliated with Alcoholics Anonymous and Narcotics Anonymous, organizationally or financially, but Oxford House members realize that only active participation in Alcoholics Anonymous and/or Narcotics Anonymous offers assurance of continued sobriety.

Every Oxford House member attributes his sobriety to Alcoholics Anonymous and/or Narcotics Anonymous. Each Oxford House member, as an individual, considers himself a member of AA and/or NA. Without that, sobriety would be short-lived.

As individual members of Alcoholics Anonymous, Oxford House members are keenly aware of the Sixth Tradition of AA, which is:

An A.A. group ought never endorse, finance, or lend the A.A. name to any related facility or outside enterprise, lest problems of money, property, and prestige divert us from our primary purpose.

In deference to that tradition, Oxford House™ has never sought nor obtained sponsorship from any AA or NA group. Oxford House members value the Sixth Tradition of Alcoholics Anonymous (and Narcotics Anonymous) too greatly for themselves to try to get either movement deeply involved in the organizing, financing, or sponsorship of any Oxford House™. However, Oxford House members firmly believe that the Oxford House concept can expand as an independent entity, while fully utilizing the benefits of Alcoholics Anonymous and/or Narcotics Anonymous.

In fact, Oxford House™ creates an environment whereby each member can more fully realize the benefits available from active AA or NA membership. A house full of sober, recovering alcoholics and drug addicts invites informal AA or NA "meetings after the meeting" and each day finds many informal AA or NA meetings before individual members each go off to their regular AA or NA meeting.

An underlying principle of Oxford House™ is that each individual member has the ability to be responsible for himself or herself. Living within an Oxford House™ provides both the opportunity and motivation for all residents to regularly attend AA and/or NA meetings. The example of Oxford House members going to AA or NA meetings on their own is contagious. It has been the experience of Oxford House™ that participation in AA and NA is extremely high in an environment where one individual can see another individual, with the same disease, reaping great benefits from AA and/or NA participation.²⁵

As an organization Oxford House™ is not part of AA or NA. However, the members of Oxford House™ have found that only by being active in AA and/or NA have they found comfortable, long-term sobriety – for themselves and the Oxford House™ in which they live.

²⁵ If a resident's non-attendance at AA or NA meetings is causing problems – for the individual or the house – the residents may vote at a meeting to make meeting attendance for a particular member a condition of living in the house. In this situation the "group conscience" should be the determining factor. It is guided by the fact that the welfare of the house must always come first.

TRADITION FIVE

Each Oxford House™ should be autonomous except in matters affecting other houses or Oxford House, Inc., as a whole.

Each Oxford House™ is self-supporting and self-run. The members of an Oxford House™ assume full responsibility for the operation of the House. The members themselves in a democratic fashion determine the equal share of household expenses that is charged the members. The rules that govern the house are for the most part made by those who live in a particular Oxford House™.²⁶ Such autonomy is essential for the Oxford House system to work.

The reason that each Oxford House™ is independent arises from the very practical consideration that those who are closest to a situation are best able to manage it. If an Oxford House™ follows the democratic principles and traditions of Oxford House, Inc., it should have no difficulty in running smoothly. Those democratic principles will also enable the members of a particular Oxford House™ to take pride in their newfound responsibility.

The charter of each Oxford House™ requires that an Oxford House™ meet certain minimum requirements of Oxford House, Inc. First, an Oxford House™ must be democratically self-run following the Oxford House Manual[©]. Second, an Oxford House™ must, in essence be a good member of the community by obeying the laws and paying its bills. Third, an Oxford House™ group must immediately expel any resident who returns to drinking alcohol or using drugs.

Failure to adhere to any of these three requirements would bring the entire Oxford House concept into question. Therefore, it is important that each Oxford House™ meet these minimum responsibilities in order for its charter to be continued.²⁷ Oxford Houses are both autonomous and self-supporting. All Oxford Houses have been careful to avoid undue dependence on government or other outside funds.

Each local Oxford House™ votes annually in convention to elect the national Oxford House World Council. Nine members of the Oxford House World Council are elected by all the individual Oxford Houses and must be a resident of an Oxford House when they are elected. Three of the World Council members are alumni and are elected by the houses and the alumni in attendance at the annual world convention. The organization was deliberately set up to assure that each Oxford House™ is autonomous and that overall policy of the Oxford House movement reflects the will of the majority of individual Oxford Houses.

²⁶ Rules against anyone living in an Oxford House™ who uses alcohol or drugs are universal with all houses. For obvious reasons, an individual house cannot establish different rules in this regard because such rules would run entirely counter to the primary purpose and functions of the Oxford House System. On the other hand, while the "application for residency" is used by every house, other forms are "suggested" for use – they generally make sense to use by every house, but are not mandatory.

²⁷ At this point in the text the original Oxford House Traditions, which were written when the first Oxford House™ began in the Fall of 1975, stated: "At this time, it also appears that Oxford Houses can be totally self-supporting. By that, we mean that a minimum amount of government support or private support may be accepted for start-up purposes." Some states have recovery house revolving loan funds to help a new house get started. This grew out of §2036 of PL 100-690, the federal Anti-Drug Abuse Act of 1988, and has served as an important catalyst for the expansion of Oxford Houses.

TRADITION SIX

Each Oxford House™ should be financially self-supporting although financially secure houses may, with approval or encouragement of Oxford House, Inc., provide new or financially needy houses a loan for a term not to exceed one year.

Oxford House™ was built on the unique concept that its members should try to expand the number of beds available – rather than turn existing members out of the house after a set period of time. In carrying out that concept, Oxford House-Silver Spring, shortly after it started, put up over \$1,200 in order to start Oxford House-Washington. Later Oxford House-Washington did the same for the start-up of another House. From the beginning, existing Oxford Houses helped new ones get started. Once a new House gets on its feet, it pays back the older Houses, which had loaned it money, and stands ready to help another new House.²⁸

When an Oxford House™ first starts, it is generally necessary for the members to pay a slightly higher rent than what they pay once the House is established. There are two reasons for this pattern. First, there are start-up costs associated with the beginning of any new house such as security deposits, supplies and furnishings.²⁹ Second, when a House first starts it takes some time to fill all the beds. As all the available beds in a House become full the members can decide whether to lower the equal share of household expenses or begin to develop a small surplus. As a practical matter, most houses choose to have a surplus of one month's expenses. Once having obtained that surplus, it then decides whether to lower the weekly equal share of household expenses or to accumulate money for the beginning of a new house – or to do both.

Starting new Houses through the mutual assistance of existing Oxford Houses is a tradition because each House was started with the help of existing Houses and tends to pass on to others that which they received. Once more applications are received than there are beds available, the members of any Oxford House™ will begin to look around for another suitable house. When they find such a house they will bring it up with the other existing Houses and if there is a consensus they will attempt to find the start up money and members to fill the new house. Often several members of an existing House will move into the new House to provide a core group of new members who already know how an Oxford House™ works.

Oxford House, Inc. acts as the coordinating body for providing charters for the opening of new Oxford Houses. It also acts as the coordinating body to help individual houses to organize mutually supportive chapters. Through chapters individual houses are able to share their experience, strength and hope with each other to assure compliance with the Oxford House concept and its respected standardized system of operations.

²⁸ Numerous Oxford Houses have been opened since 1975. Some operate for several years and then, because of expiration of a lease, dissatisfaction with the facilities, or simply the finding of a better location, the members of a particular House will move into a new location. Other Houses often help that type of move as well as the start up of new Oxford Houses. In both cases, financial assistance is in the form of a loan having a pay back schedule, not to exceed one year, defined up front. (Since 1989, many new Oxford Houses have taken advantage of state revolving loan programs. Repayment from those start-up loans assures the continuation of the revolving fund to enable other new houses to get started – just as repayment of loans to chapters permits the same resources to be used again and again.)

²⁹ For example, the landlord and phone company may require a security deposit and, while furnishings are generally donated, members will often have to rent a truck in order to pick them up. There may also be a need to buy more "staples" such as flour, sugar, coffee, and cleaning supplies, etc. when a new House starts up.

TRADITION SEVEN

Oxford House™ should remain forever non-professional, although individual members may be encouraged to utilize outside professionals whenever such utilization is likely to enhance recovery from alcoholism and drug addiction.

It is inconsistent with the Oxford House system of democratic rule to have a professional manager of Oxford House™. Likewise, it is inconsistent with the Oxford House concept to have a requirement placed on members to utilize the services of psychiatrists, doctors, or even the program of Alcoholics Anonymous or Narcotics Anonymous except in very special circumstances.

Within an Oxford House group, it is not unusual to find some members who have problems that cannot be dealt with by the group. In those situations, it is not uncommon for the Oxford House members, at a meeting, to strongly suggest that a fellow member seek professional help. In those situations where a member's behavior is disruptive to the group as a whole, the member may be required to seek such professional help or attend more self-help meetings in order to avoid being dismissed from Oxford House™.

One can only be dismissed from an Oxford House™ because of drinking, using drugs, non-payment of rent, or disruptive behavior. Members should be careful not to abuse the dismissal process. Every opportunity should be given to a member who needs professional help to see that he obtains it.

Nearly all members of Oxford House™ utilize the AA and/or NA program in order to obtain and keep a comfortable sobriety. However, an Oxford House™ relies primarily upon example for assuring a high percentage of AA and/or NA attendance from its members. Formal AA or NA meetings are not held in an Oxford House™. However, every member who has maintained comfortable sobriety in an Oxford House™ makes it a practice to attend a lot of AA and/or NA meetings on a regular basis.³⁰ If a house member does not regularly attend AA or NA meetings, the house may – as a group conscience – decide that an individual resident should attend a set number of meetings each week for both the individual's well-being and the well-being of others who live in the house.

Individuals living in each of the Oxford Houses have also been responsible for starting many new groups of Alcoholics Anonymous or Narcotics Anonymous with meetings near an Oxford House™. This not only helps those individuals to become more involved in AA or NA, and thereby reap greater individual benefits, but also helps to build strong bonds between local AA and NA groups and Oxford House™.

³⁰ The 1988 Spring Survey of Oxford House members showed that the average member attends six AA or NA meetings a week. Subsequent annual surveys of Oxford House residents all around the country have confirmed that Oxford House residents attend an average of between five and six AA or NA meetings a week. There are two primary reasons 12-step meetings are not held in an individual Oxford House: [a] it is good for individuals in recovery to get into the habit of attending 12 step meetings in the community, and [b] it is unfair to house members and neighbors to collect a lot of cars in the neighborhood for regular 12-step meetings at the house.

TRADITION EIGHT

Propagation of the Oxford House, Inc. concept should always be conceived as public education rather than promotion. Principles should always be placed before personalities.

Those who have benefited from living in an Oxford House™ have acquired enthusiasm for the Oxford House concept. In their enthusiasm, they have been anxious to share Oxford House™ with any recovering alcoholics and drug addicts who want to establish an Oxford House™ in their community.

Every Oxford House member stands ready to explain the workings of his House and the benefits derived there to anyone anywhere. No personal gain is derived from any Oxford House™ promotion. It should also be pointed out that Oxford House, Inc. in no way gains from the creation of new Oxford Houses. It has been formed as a non-profit tax-exempt corporation and will continue to operate as one both according to the letter and spirit of the law.

It is not easy to spread the word of a new concept or an old concept with a new twist. Propagation, or spreading the word, of the Oxford House concept is given the highest priority by the members of Oxford House™.

Before spreading the word, an individual Oxford House™ should make certain that it is sufficiently established to undertake public discussion of its goals and mission. The best sales pitch for spreading the word about Oxford House™ is simply the establishment of a sound Oxford House™ and a straightforward discussion of what it is, how it works and why it is needed.

As with any group or organization, there will be some individuals who will be so impressed with the Oxford House concept that they will become "super salesmen." Each super salesman should be keenly aware that the Oxford House concept is one based on principles rather than personalities. The situation should be avoided whereby certain individuals will begin to equate their persuasive qualities with the Oxford House concept. The concept and the standardized, democratic, self-supported Oxford House system of operations itself are far more persuasive than any individual. Be honest and straightforward when sharing the Oxford House concept with others.

The Oxford House concept is a sound one, based on sound principles, and has demonstrated its worth with an established track record. We should spread the word about Oxford House™, but be wary of individuals who place their own personalities before the principles that made Oxford House™ work. Oxford Houses are dedicated to recovery and group support; not individual gain.

TRADITION NINE

Members who leave an Oxford House™ in good standing are encouraged to become associate members and offer friendship, support, and example to newer members.

While no one is ever asked to leave an Oxford House™ without cause, some individuals will simply outgrow living in an Oxford House™. They will return to their families; they may start new families; they may simply move into another living situation.

Once a member has left an Oxford House™, he or she should be encouraged to become active in the Oxford House Alumni Association. Many alumni members continue to be associated with their former Oxford House™ as an associate house member. The associate member should be encouraged to attend House meetings, but a local house may decide that his voting privileges are somewhat less than those who live in the House. Such a restriction of voting privileges makes sense and should not discourage members who leave in good standing from becoming associate members of their former house or chapter.

Gratitude is a feeling that most alcoholics acquire sometime during their recovery process. Often, recovering alcoholics and drug addicts find it difficult to adequately express their gratitude. The alumni member of Oxford House™ is in the enviable position of being able to be of service in an environment in which he has total understanding. The alumni member can offer friendship, support, and an example to the active members of an Oxford House™.

Moreover, the alumni member can often provide assistance in forming new Oxford Houses or in recruiting new members who want to live in an Oxford House™. Above all the associate member serves as an example of one who lived in an Oxford House™ and "made it."

All Oxford Houses should encourage members who leave in good standing to maintain a continuous link with their Oxford House™ experience. The welcome mat should be out to any associate member and contacts between associate members and active members should be encouraged.³¹

To the extent possible, each Oxford House™ should keep Oxford House, Inc. up-to-date with the current address of Alumni Members who have left the House in good standing, so that they can receive the "Oxford Grape" and other Oxford House newsletters.³²

³¹ Many former residents of Oxford Houses, who left their particular house clean and sober, become members of the national Oxford House Alumni Association. The Alumni Association is a fellowship of former Oxford House™ residents who share their experience, strengths and hope in order to expand the Oxford House™ movement and keep it operating and expanding in a way to assure other recovering individuals the same opportunity they have enjoyed.

³² Names and addresses of Alumni Members and inquires concerning the Oxford House Manual© should be sent to Oxford House, Inc. 1010 Wayne Avenue, Suite 300, Silver Spring, Maryland 20910. A cooperative effort by both alumni and active house members can help keep successful members of Oxford House™ in touch with the Oxford House family. Most Oxford Houses honor their members who leave in good standing by awarding them a certificate of accomplishment and the first year's membership in the Oxford House Alumni Association. At the website: www.oxfordhouse.org one can go to "Contact Us" and register the name and current address of alumni members.

OXFORD HOUSE SYSTEM CHECKLIST

MONEY

- **Set up a checking account for each Oxford House™**
 - Obtain a federal tax identification number
 - Get name of House and address on each check
 - Require at least two signatures to write a check
 - Record all deposits, checks drawn and service charges
 - Run all income and expenses through account
 - Post monthly statement so all members of House can see
- **Set weekly equal share of household expenses to cover costs**
 - Figure monthly expenses (rent, utilities, staples)
 - Divide by number of beds likely to be occupied
 - Add a small amount to enable House to have a reserve
 - Remember that any shortfall has to be made up by other residents if any of the house recovery beds are not occupied
- **Collect equal share of household expenses in advance**
 - Usually a House sets a rule of one or two weeks in advance
 - Do not let members get behind in equal share of household expenses
 - If a member is two weeks behind confront the member at the weekly meeting
 - Discuss hardship cases at a meeting before accepting a new member – sometimes, it may be necessary to take into account the fact that an individual just out of rehabilitation will have to get a job in order to get rent money
- **Utilities**
 - Remember electric bill is higher in summer
 - Remember fuel bill is higher in winter
 - Pay for view cable TV programs must be paid by user unless a house vote
 - Protect against “pay for view” or “900” telephone calls

ALCOHOL AND DRUGS

- **Sobriety**
 - Sobriety is the primary purpose of an Oxford House™
 - Make no compromise
 - Frequently go to AA /NA meetings but rely on "attraction" rather than mandates – AA/NA meetings should be outside the house
- **Alcohol or drug use**
 - As soon as use is suspected call a special meeting
 - When a majority vote confirms use expulsion results
 - If drunk or high, member should leave immediately
 - If passive, leave the next morning
 - Make no exceptions
 - Establish a *readmission* guideline of thirty days sobriety
 - Accept the fact that the House welfare is more important than any individual
 - Accept the fact that "tough love" stops relapses

OFFICERS

- **House President**
 - Elected for six-month term
 - Must be resident of House
 - Calls and leads weekly and special meetings
 - Cannot succeed himself but can be elected to the same office after six months have elapsed
- **House Treasurer**
 - Elected for six-month term
 - Must be resident of House
 - Responsible for maintaining House financial records
 - Keeps membership informed about financial condition
 - Cannot succeed himself but can be elected to the same office after six months have elapsed
- **House Secretary**
 - Elected for six-month term
 - Must be resident of House
 - Responsible for recording minutes of House Meetings
 - Before each weekly meeting assures that vacancy updates have been made and the vacancy contact cell phone is accurate
 - Sends thank you notes to contributors
 - Cannot succeed himself but can be elected to the same office after six months have elapsed
- **House Comptroller**
 - Elected for six-month term
 - Must be resident of House
 - Responsible for collection of equal share of expenses and reports to house
 - Balances books with Treasurer prior to each meeting
 - Responsible for annual survey completion and transfer to website
 - Cannot succeed himself but can be elected to the same office after six months have elapsed
- **House Coordinator**
 - Elected for six-month term
 - Must be resident of House
 - Assigns and reviews house chores
 - Cannot succeed himself but can be elected to the same office after six months have elapsed

The goal of every Oxford House is to be an example to everyone in recovery of the way to become comfortable enough in sobriety to assure long-term recovery without relapse. In brief, every Oxford House is a “*Good Neighbor and a Good Citizen.*”

Staying Connected



Every Oxford House stays connected in order to share strength, experience and hope with other Oxford Houses, Oxford House World Services, the treatment community, drug courts, researchers and all in the recovery community. At the heart of staying connected is having the House Secretary check the Oxford House website: www.oxfordhouse.org before each weekly house meeting to report any new material to the house membership. The House Secretary should also make certain that the cell phone number of at least one current resident is listed on the vacancy input website: www.oxfordvacancies.com so that a person in the house can respond to the text messages automatically sent each week to record current vacancies.

Remember that finding a safe place to live was a tough job for each of us. We were often frustrated. One frustration was learning that a house reportedly had a vacancy but then finding out there was no vacancy. The least each of us can do for the newcomer to recovery seeking a safe place to live is to make sure that our vacancy data is correct – if for no other reason than to protect the good name of our house among counselors and members of the recovery community who are trying to help the newcomer to find a safe place to live. No counselor or twelfth-stepper will refer anybody to Oxford House if they are consistently misled by the vacancy information on the Oxford House website or if the telephone contact number is wrong or never answered. Now that every house has been assigned an email address, answering email promptly can be a good way to set up interviews and fill vacancies.

The elected **Comptroller** of each house is responsible for making certain that the house has an assigned email account. Beginning in September 2012, every new house will get an assigned email address when it gets its charter. Check the website for how houses existing before that date can get an assigned email address. If an Oxford House does not have a computer or an Internet connection, get one. Computers have come down in price and a fast Internet connection costs much less than cable TV. Donated hand me down computers are also okay. Ask in the community for donations of computers.

Keeping connected and up-to-date will mean that vacancies are promptly filled. Remember that if a house does not have enough money in its checking account to pay the landlord or the utility company on time, every resident must dig into his or her pocket to come up with the shortfall. It is essential that vacancies be filled quickly and that adjustments to the equal share of household expenses be promptly made to avoid losing the house charter. Keeping an Oxford House on track by expelling residents who relapse and paying bills on time is important to everyone. It is also a requirement for meeting the conditions of the House Charter.

□ □ □

Protecting House and Chapter Finances

The key to making any Oxford House work well is to have a weekly house meeting. Avoid thinking that, “Things are going so well we only need to meet once every two weeks or once a month.” Experience has shown that whenever a house fails to have a regular weekly house meeting, trouble is just around the corner. The standard forms in the Oxford House Manual[®], the Oxford House Chapter Manual[®], and on the website are blueprints or maps for staying on track during a house or chapter meeting. Use them and if you have any questions use the hotline or web contact form to get an answer or explanation from Oxford House World Services.

When an Oxford House is established it gets its own unique Federal Employer Identification Number [FEIN] from the Internal Revenue Service because that number is needed to establish a house checking account. Write the FEIN number in the House Record Book so that future residents in the house will have it. Also, make certain that Oxford House World Services has a copy of the number in their database. When the House Secretary checks into the website, he or she should verify house data on the World Services database. If the FEIN number is blank, please provide one. Your bank can tell you the FEIN number if your house has misplaced it.

All Oxford Houses require two signatures for checks drawn on their checking accounts. Most Oxford Houses write checks for paying bills during their regular house meeting. That way everyone knows that the house money – which belongs to all the house members – is being properly spent. Between house meetings, the house checkbook should be locked up in a safe place. A simple lock box can be purchased at office supply stores like Staples, Office Max or Office Depot. The President, Treasurer and one other officer should have a key or know the combination code for opening the lock box. This ritual underscores how important it is to keep house money safe. Remember not to use electronic payments for paying bills except for start-up loan repayment or contributions to Oxford House, Inc. That makes certain that all expenditures on behalf of the house are easily documented and approved by all the house members. Also do not vote the same person as treasurer of house, chapter and state association.³³

The best safeguard for protecting finances in a house or chapter or state association is to make the financial data available to all members of the house or chapter or state association. Transparency is the best safeguard against stealing by dishonest members. The audit forms and procedures ensure transparency. The Treasurer of the House should report current house finances at each weekly house meeting. The Comptroller should work with the Treasurer to conduct a monthly audit of house or chapter funds to make sure careless mistakes in addition or subtraction do not misrepresent how much money is on hand, paid out or due.


Finally, don’t let residents get behind in paying their equal share of expenses. Everyone in recovery must be responsible. Our past addictive behavior often led us to put off doing things until tomorrow. Remember there is never an excuse for not paying house bills on time - including rent to the landlord. Vacancies can be no excuse. If the house checking account is short of funds when the bills are due, residents must kick in an additional amount on an equal basis to pay the rent and other bills on time.



³³ See World Council Resolution # 42. Voting different individuals to be in charge of membership money at different levels of the organization is a sound “check and balance” to avoid embezzlement.

Application For Membership In Oxford House

To be accepted in an Oxford House an applicant must complete both sides of this application and be interviewed by the residents of the particular Oxford House to which the applicant is applying. The residents of the house then vote on acceptance. An 80% affirmative vote is needed to be accepted. Carefully read the application and honestly answer the questions. Living in an Oxford House is special and if you understand its value it can help you achieve comfortable sobriety without relapse.

1. Print Name (Last, First, Middle)			3. Date of Birth		
			Month	Day	Year
2. Present address (Street) Check if treatment facility <input type="checkbox"/>			4. Phone Where You Can Be Reached		
			Home ()		
City	State	Zip	Work ()		
5. Are you an Alcoholic? <input type="checkbox"/> Yes <input type="checkbox"/> No			6. Date of Your Last Drink?		9. List drugs you used addictively:
7. Are you addicted to drugs? <input type="checkbox"/> Yes <input type="checkbox"/> No			8. Date of last drug use?		
10. When did you attend your first AA or NA meeting?			11. How many AA/NA meeting do you now attend each week?		
12. Do you want to stop drinking alcohol and using addictive drugs? <input type="checkbox"/> Yes <input type="checkbox"/> No			13. Are you employed? <input type="checkbox"/> Yes <input type="checkbox"/> No If "yes" who is your employer?		
14. Are you getting welfare or other non-job related income? <input type="checkbox"/> Yes <input type="checkbox"/> No If "yes" what?			15. If you do not have a job will you get one? <input type="checkbox"/> Yes <input type="checkbox"/> No If "yes" what job plans do you have?		
16. What is your <u>monthly</u> income right now? \$ _____			17. What do you expect your monthly income to be next month? \$ _____		
18. Marital status [Check One] <input type="checkbox"/> Married, <input type="checkbox"/> Never Married, <input type="checkbox"/> Separated, <input type="checkbox"/> Divorced			19. Do you have a medical doctor? <input type="checkbox"/> Yes <input type="checkbox"/> No If "yes" list the doctor's name and phone number:		
20. Have you ever been to a treatment facility for alcoholism and/or drug addiction? <input type="checkbox"/> Yes <input type="checkbox"/> No If "yes" list the treatment provider, phone number and primary counselor, if any.			21. Do you take prescription drugs? <input type="checkbox"/> Yes <input type="checkbox"/> No If "yes" list drugs and reason the drug has been prescribed.		
Please complete the other side of this application. 					

22. Date of move in ? <input type="checkbox"/> Immediately <input type="checkbox"/> Other -- If "other" list the date you would want to move in, if accepted, and why the date is in the future rather than immediately. Date: _____ Reason: _____		
23. Have you ever lived in an Oxford House before? <input type="checkbox"/> Yes <input type="checkbox"/> No If "yes," provide the name and location of the Oxford House below and answer question 24.		
24. [Answer this question if the answer to question 23 was "yes."] I left the previous Oxford House for the following reason: [check one] <input type="checkbox"/> relapse, <input type="checkbox"/> voluntarily, <input type="checkbox"/> other reason(s) _____ I, did <input type="checkbox"/> or do not <input type="checkbox"/> owe money to the Oxford House I left. If I did owe money to the Oxford House I left, I will agree to repay the money I owed to my former Oxford House. <input type="checkbox"/> Yes <input type="checkbox"/> No		
25. Emergency Telephone Numbers. [[List family doctor, if you have one, + two family members or friends]		
Name and Address	Relationship	Telephone
1-		
2-		
3-		
26. I realize that the Oxford House to which I am applying for residency has been established in compliance with the conditions of § 2036 of the Federal Anti-Drug Abuse Act of 1988, P.L. 100-690, as amended, which provides that federal money loaned to start the house requires the house residents to (A) prohibit all residents from using any alcohol or illegal drugs, (B) expel any resident who violates such prohibition, (C) equally share of household expenses including the monthly lease payment, among all residents, and (D) utilize democratic decision making within the group including inclusion in and expulsion from the group. In accepting these terms, the applicant excludes himself or herself from the normal due process afforded by local landlord-tenant laws.		
27. Use this space for additional relevant information:		
28. I have read all of the material on this application form including the limitations set forth in item 26. I have also answered each question honestly and want to achieve comfortable recovery from alcoholism and/or drug addiction without relapse. SIGNATURE: _____ DATE: _____		
FOR USE BY OXFORD HOUSE		
ACCEPTED NOT ACCEPTED MOVE IN DATE _____ MOVE OUT DATE: _____ HOUSE KEYS RETURNED YES NO OUTSTANDING DEBT TO HOUSE \$ _____ DATE REPAYED _____		

WEEKLY OXFORD HOUSE FINANCIAL STATUS REPORT

Name of House

Number of Weekly Report

Week Of: _____ TO _____ 20____

CASH IN BANK
START OF THIS WEEK

CHECKING ACCOUNT BALANCE		+	SAVING ACCOUNT BALANCE		=	\$
DATE	DEPOSITS AND MONEY RECEIVED AT THIS MEETING OR SINCE LAST DEPOSIT [LIST BY SOURCE]	AMOUNT				
TOTAL MONEY RECEIVED: (ADD TO AMOUNT AT TOP OF PAGE TO SHOW "CASH + RECEIPTS")						CASH + RECEIPTS \$

CASH + RECEIPTS
FROM FRONT



EXPENDITURE BY CHECK AND CASH				\$	
DATE	PAID TO AND PURPOSE	CHECK NO.	AMOUNT		
SUBTRACT TOTAL MONEY PAID OUT:			→	\$	

BILLS TO BE PAID (Future bills due within 30 days)			
DATE DUE	TO WHOM AND FOR WHAT	AMOUNT	
TOTAL			

ENTER DIFFERENCE
BETWEEN AMOUNT PAID
OUT AND CASH + RECEIPTS



--

Carry forward this amount to the next weekly financial report. Remember to number each sheet for easy reference of one week from the next.

Oxford House Monthly Reconciliation and Financial Audit

HOW TO RECONCILE YOUR HOUSE CHECK BOOK --

Reconcile your checking account every month when you receive your Bank Statement. The following easy steps will help you do the job.

HOUSE NAME

MONTH/YEAR OF:

Step 1. CHECK (✓) AMOUNTS SHOWN ON YOUR STATEMENT AGAINST AMOUNTS ENTERED IN YOUR CHECK BOOK.

Step 2. LIST BELOW THE CHECKS WRITTEN DURING THE PERIOD WHICH ARE NOT RECORDED ON YOUR BANK STATEMENT.

Step 3. LIST BELOW THE DEPOSITS MADE DURING THE PERIOD WHICH ARE NOT RECORDED ON YOUR BANK STATEMENT.

Step 4. ADJUST YOUR CHECK BOOK BALANCE BY SUBTRACTING ANY SERVICE CHARGES NOTED ON YOUR STATEMENT.


Step 5. Add the deposits not recorded to the statement balance and subtract the amount of outstanding checks plus service charges.

Apply the five steps above by filling in the form below. The result arrived at in the "AUDITED HOUSE ACCOUNT" box is the amount of money a house has available at the end of the period. This completes an audit of the checking account. If your house has a savings account, audit it using the steps on the other side of this form.

House Checking Account Audit:

BANK STATEMENT DATE

DEPOSITS NOT ON YOUR STATEMENT		
DATE	AMOUNT	
ENTER STATEMENT ENDING BALANCE	+	TOTAL OF ITEMS NOT DEPOSITED


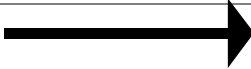

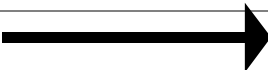
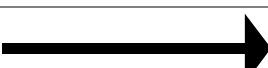

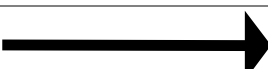

CHECKS NOT ON YOUR STATEMENT			
NUMBER AND DATE		AMOUNT	
=	SUB TOTAL		- MINUS TOTAL OUTSTANDING CHECKS
AUDITED HOUSE ACCOUNT		 \$	

1. HOUSE TREASURER, COMPTROLLER AND PRESIDENT SHOULD WORK TOGETHER TO COMPLETE EACH MONTHLY AUDIT OF HOUSE FUNDS.

2. AFTER COMPLETING THE AUDIT EACH SHOULD SIGN THE OTHER SIDE OF THIS FORM AND THEN POST THE FORM SO EVERYONE IN THE HOUSE KNOWS THE FINANCIAL STATUS.

Oxford House Monthly Reconciliation and Financial Audit

The summary of the financial status our Oxford House at the end of the month is computed below by filling in the right amounts and adding or subtracting:

House Savings Account Amount in the Bank		\$
	<i>Plus</i>	
House Checking Account Amount in the Bank		\$
	<i>Plus</i>	
Amount to be Deposited in Savings Account		\$
	<i>Plus</i>	
Amount to be Deposited in Checking Account		\$
	<i>Minus</i>	
Total of Bills Due		\$
Available Funds		\$
	<i>Plus</i>	
Money Owed the House		\$
Total Funds Available When All Money Owed the House is Paid		\$

List below the individuals who are behind in paying their equal share of household expenses.

Name	Amount Owed	Name	Amount Owed

Auditing Officer's Initials

President	Date:
Treasurer	Date:
Comptroller:	Date:

DATE MOVED IN	
SOBRIETY DATE	

OXFORD HOUSE

INDIVIDUAL MEMBER
RECEIVABLE LEDGER

NAME OF MEMBER

	AMOUNT DUE	DATE PAID	DATE LEFT HOUSE	REASONS	AMOUNT REFUNDED	DATE REFUNDED
EQUAL EXPENSE SHARE [EES]						
ENTRY FEE						

EQUAL EXPENSE SHARE [EES]

+

MISCELLANEOUS EXPENSES [phone/fines/other]

= TOTAL

DUE

WEEK OF	EES PAYABLE	AMOUNT PAID	DATE PAID	BALANCE	ITEM	AMOUNT PAYABLE	AMOUNT PAID	DATE PAID	BALANCE	TOTAL BALANCE

Keep a weekly report on individual resident's payments and amount due. Do it by the week even if payment may cover a longer period. [SIDE 1]

EQUAL EXPENSE SHARE [EES] + MISCELLANEOUS EXPENSES [phone/fines/other] = TOTAL DUE

WEEK OF	EES PAYABLE	AMOUNT PAID	DATE PAID	BALANCE	ITEM	AMOUNT PAYABLE	AMOUNT PAID	DATE PAID	BALANCE	TOTAL BALANCE

START A NEW LEDGER SHEET AS REQUIRED BUT KEEP EACH INDIVIDUAL'S LEDGER SHEETS TOGETHER IN A LOOSE LEAF NOTEBOOK. GOOD RECORDS PREVENT MISUNDERSTANDINGS AND HELP ALL MEMBERS OF THE GROUP TO PAY AN EQUAL SHARE OF HOUSEHOLD EXPENSES.

HELP BUILD AN ACTIVE OXFORD HOUSE ALUMNI ASSOCIATION BY PROVIDING YOUR CHAPTER OR OXFORD HOUSE WORLD SERVICES WITH THE NEW ADDRESS OF ANY MEMBER WHO MOVES OUT ON GOOD TERMS.

OXFORD HOUSE

Weekly Summary Report

ACCOUNTS RECEIVABLE JOURNAL

NAME OF HOUSE

MONTH - DAY

AS OF THE WEEK OF:

	MEMBER'S NAME [Or other person or entity owing the house money]]	Weekly Equal Expense Share [EES]	EES Deposit	Miscellaneous Items	Fines	Balances Due
1.						
2.						
3.						
4.						
5.						
6.						
7.						
8.						
9.						
10.						
11.						
12.						
TOTALS						



This form is completed by the Comptroller each week, presented at the weekly House Meeting and made available for house members to know who has paid up-to-date and who owes money.

OXFORD HOUSE COORDINATOR'S REPORT

NAME OF HOUSE:

Assign Work Details To Keep Common Areas Clean. [List member's assignments and rotate jobs so that everyone equally shares work to be done.]

ACTIVITY	Week No. 1 NAME		Week No. 2 NAME		Week No. 3 NAME		Week No. 4 NAME		Week No. 5 NAME	
1. Living Room										
2. Kitchen										
3. Laundry Room										
4. Hall/Stairs										
5. Bathroom No. 1										
6. Bathroom No. 2										
7.										
8.										
9.										
10. Yard - Front of House										
11. Yard - Rear of House										
12. SAFETY (Working smoke alarms, extinguishers & exit doors)										

Chores should be done on a daily basis. Before each regular house meeting Coordinator should score each chore in the box next to the assigned member's name as follows: to indicate: "completed in a satisfactory manner;" **X** to indicate: "not completed in a satisfactory manner."

If a chore is not completed in a satisfactory manner, the Coordinator should report to the full membership at the house meeting and the group may decide to assess a fine or penalty. All fines or penalties must be approved by a vote of the group.

Coordinator's Signature

Date

OXFORD HOUSE TRADITIONS

1. Oxford House has as its primary goal the provision of housing for the alcoholic and drug addict who wants to stay clean and sober.
2. All Oxford Houses are run on a democratic basis. Our officers serve continuous periods of no longer than six months.
3. No Member of an Oxford House is ever asked to leave without cause -- drinking, drug use, or disruptive behavior.
4. Oxford House members realize that active participation in AA and/or NA offers assurance of continued sobriety.
5. Each Oxford House should be autonomous except in matters affecting other houses or Oxford House, Inc. - as a whole.
6. Each Oxford House should be financially self-supporting.
7. Oxford House should remain forever non-professional.
8. Propagation of the Oxford House, Inc. concept should always be conceived as public education.
9. Members who leave an Oxford House in good standing should become associate members.



Oxford House™

1975 - 2017

*42 Years of Organized Self-Help To Enable Alcoholics and
Drug Addicts to Recover Without Relapse*

- Providing Sole Authority for Oxford House Charters
- Providing Technical Assistance to Establish New Oxford Houses
- Providing Technical Assistance to Keep Existing Oxford Houses on Track
- Providing Organization of Chapters to Help Oxford Houses to Help Themselves
- Providing the Time, Living Environment and Support to Enable Alcoholics and Drug Addicts to Achieve Recovery Without Relapse
- Providing the Legal, Philosophical, and Scientific Framework for a Cost-effective, Worldwide Network of Supportive Recovery Housing.

Write or Call

Oxford House World Services

1010 Wayne Avenue, Suite 300
Silver Spring, Maryland 20910

Telephone 301-587-2916

Facsimile 301-589-0302

E-Mail Info@oxfordhouse.org

Web Site: www.oxfordhouse.org

**VARIANCE REQUEST
BOARD OF ADJUSTMENT
April 27, 2021**

CASE: BOA-962

PETITIONER: Jeffrey Serens, applicant, on behalf of Ted Meehan, property owner.

REQUEST: Variance of 10' from the 20' minimum Performance Residential periphery setback requirement per Section 3.1.3.D of the New Hanover County Unified Development Ordinance.

LOCATION: 1140 Lt. Congleton Road
PID: R07900-003-473-000

ZONING: R-15, Residential District

ACREAGE: 0.22 Acres

BACKGROUND AND ORDINANCE CONSIDERATIONS:

Jeffrey Serens, applicant, on behalf of Ted Meehan, property owner, is requesting a variance from the minimum Performance Residential Subdivision setback requirement of 20' in order to construct a 504-sf addition to the existing single-family residence on the subject property.

The UDO allows for two different types of subdivision design: Performance Residential Developments and Conventional Residential Developments. In a performance development, individual lots are not subject to the specific yard requirements of a zoning district provided that the density for the zoning district is not exceeded. In a conventional development, the UDO requires that the dimensional standards for each zoning district be met. The subject property is a 0.22-acre parcel in the Tarin Woods subdivision, which was recorded in 2016 as a performance subdivision.

Section 3.1.3 of the UDO contains provisions governing Performance Subdivisions, which generally address design parameters and other approval requirements. Although the conventional front, side, and rear yard requirements are not mandated on a performance residential lot, this section still requires a 20' setback on the periphery of the subdivision:

3.1.3. SUPERSEDING DIMENSIONAL STANDARDS

D. Performance Residential Development

Performance Residential Developments are not subject to the minimum lot size, minimum lot width, and front, rear, and side setback requirements in the zoning district where they are located. Performance Residential Developments shall comply with the standards in this section and with all other applicable standards in this Ordinance.

1. Setbacks and Spacing

- a.*** *Buildings on the periphery of a Performance Residential Development shall setback a minimum of 20 feet from the adjoining property line.*

The subject property's eastern side yard lies on the periphery of Tarin Woods, as shown on the plat recorded in MB 61, Page 139 of the New Hanover County Register of Deeds. This eastern side yard is adjacent to the rear yards of lots within Congleton Farms, which is a separate performance residential subdivision recorded in 2018.

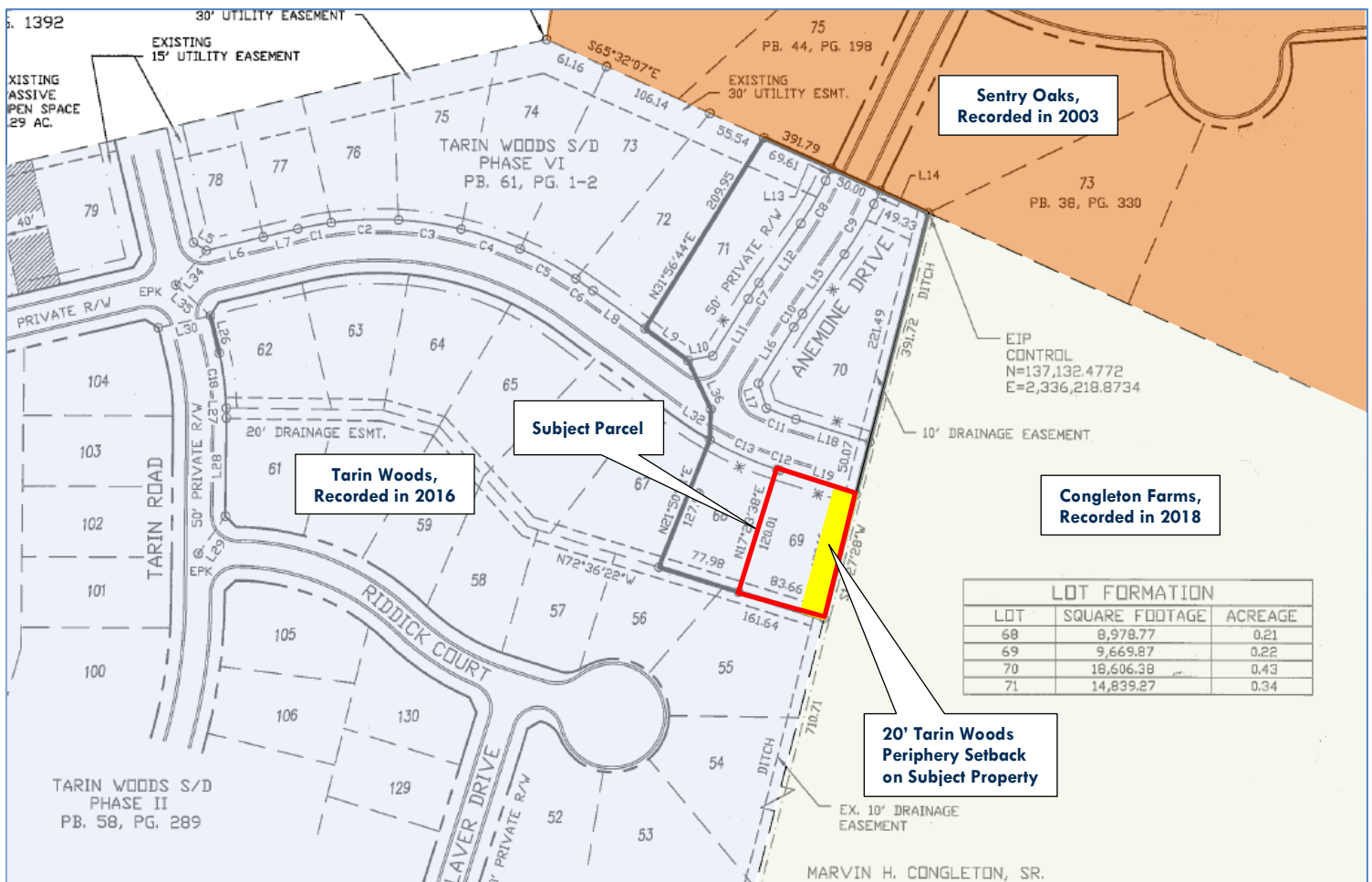


Figure 1: Inset of record plat for Tarin Woods, Phase VII showing boundaries of separate Performance Subdivisions and location of required periphery setback on subject property.

The single-family residence on the parcel was constructed in 2016. However, the periphery setback was not applied to this side yard at the time of construction, and the structure currently lies 14' from the eastern side property line at its closest extent in the front of the lot. Research into the specific reason the periphery setback was not applied in this instance is inconclusive. As the structure was submitted, reviewed, and permitted with an encroachment into the 20' periphery setback, staff determined that this extent constitutes a legal non-conformity. With this interpretation, the applicant would be able to construct the addition utilizing the 14' setback as it does not increase the degree of the non-conformity, as stated in Section 11.4.6 of the UDO:

- 11.4.6.** Physical alteration of structures or the placement of new structures on open land are unlawful if they result in:
- A.** An increase in the total amount of space devoted to a nonconforming use; or
 - B.** A greater non-conformity with respect to dimensional restrictions such as yard requirements, height limitations, or density requirements.

However, the addition is proposed on the southeastern corner of the structure and would lie 10' from the eastern property line, extending approximately 4' further into the periphery setback than the existing structure. The applicant intends to utilize the additional living area for a bedroom, bathroom and kitchenette for an aging family member.

The applicant contends that the variance is necessary to permit construction of the addition which the property owners intended to pursue when they purchased the home. The preliminary plot plan provided by the surveyor when the home was submitted for permitting labeled the side yard setbacks as 10', and the property owners were not informed of the required 20' periphery setback.

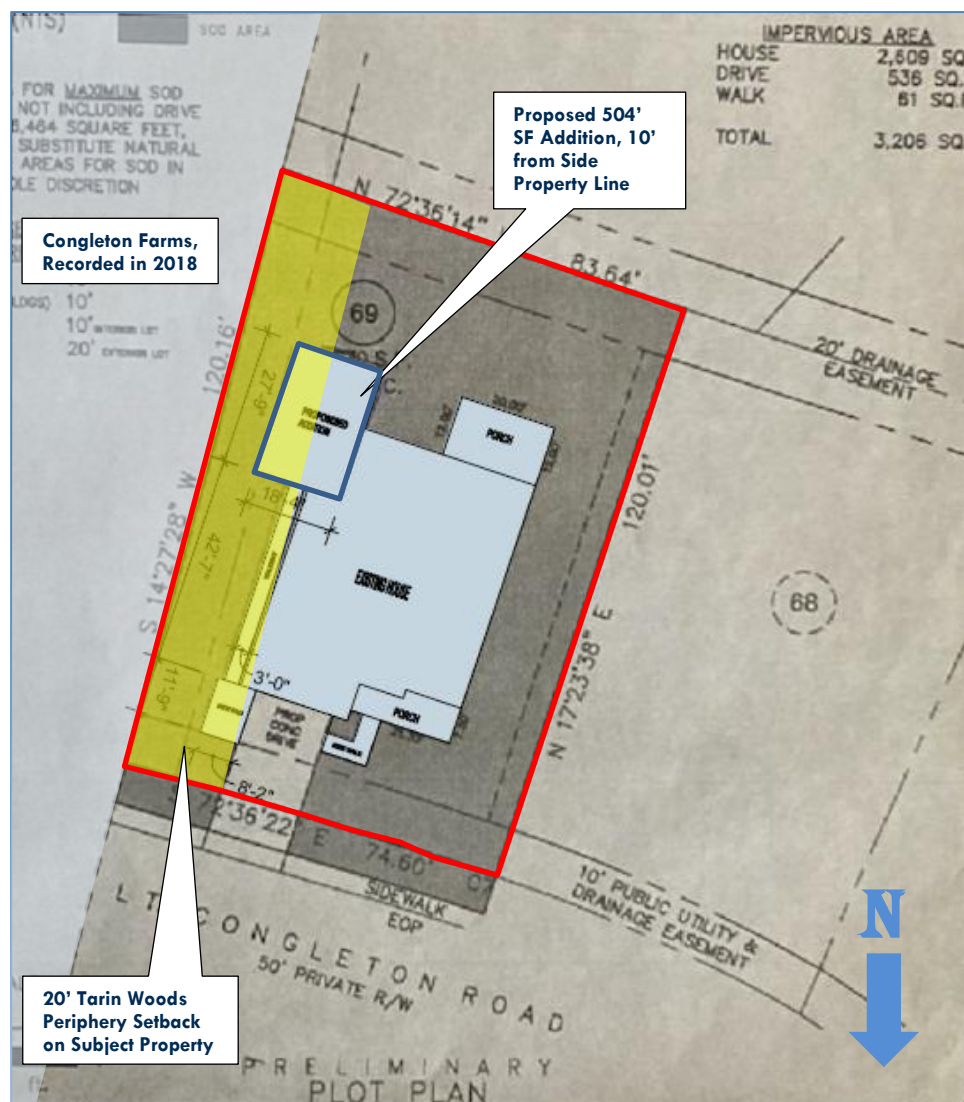


Figure 2: Proposed Site Plan with Staff Markups

In summary, the applicants are requesting a variance from the 20' Performance Subdivision periphery setback requirement of 10' in order to construct a 504 sf addition to the existing single-family dwelling on the subject property, which will be set back 10' from the periphery of Tarin Woods.

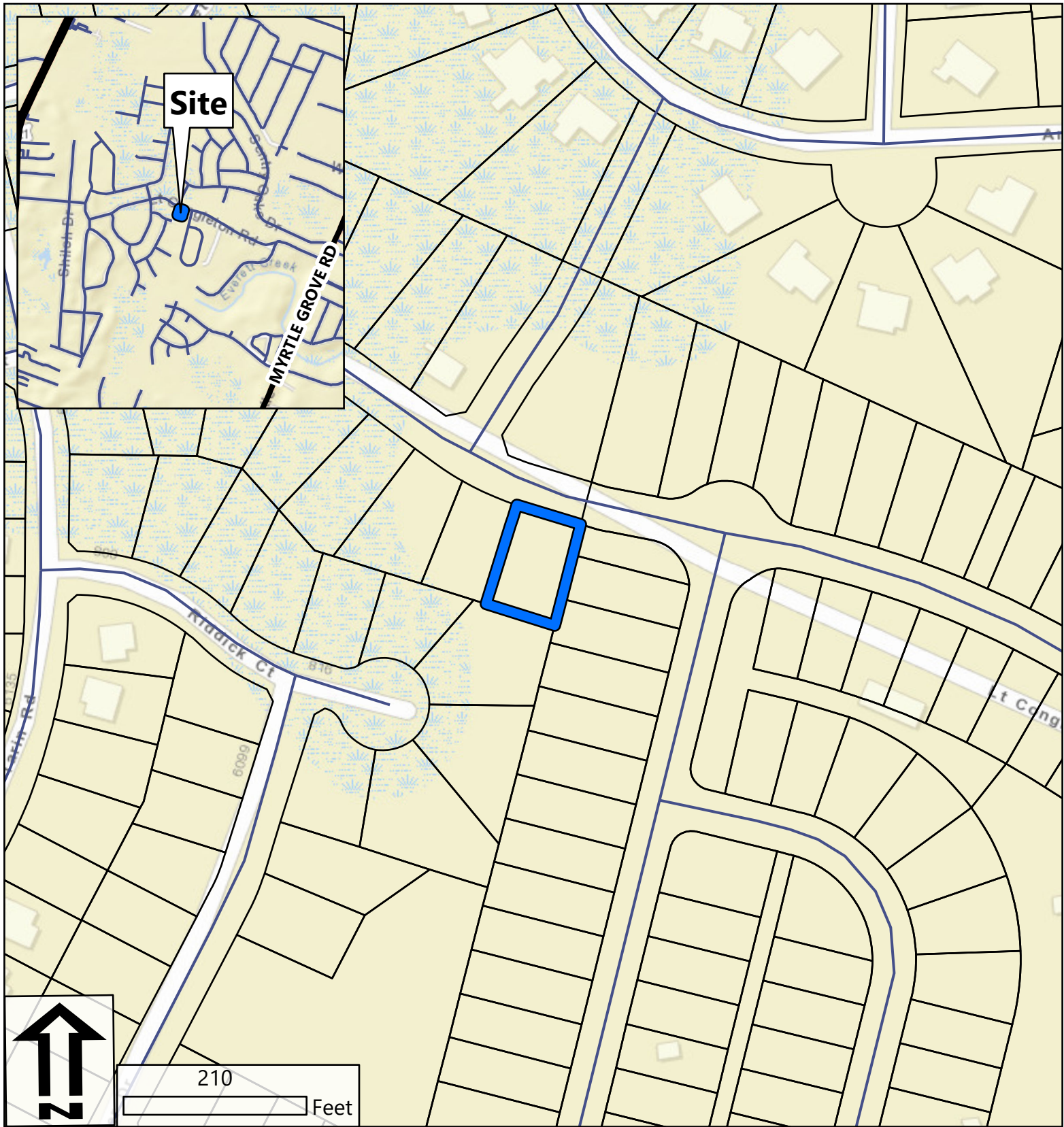
BOARD OF ADJUSTMENT POWER AND DUTY:

The Board of Adjustment has the authority to authorize variances from the terms of the Unified Development Ordinance where, due to special conditions, a literal enforcement of the regulations would result in unnecessary hardship. In granting any variance, the Board may prescribe appropriate conditions and safeguards in conformity with the Unified Development Ordinance. A concurring vote of four-fifths (4/5) of the voting members of the Board shall be necessary to grant a variance. A variance shall not be granted by the Board unless and until the following findings are made:

1. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
2. The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.
3. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.
4. The requested variance is consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and substantial justice is achieved.

ACTION NEEDED (Choose one):

1. **Motion to approve the variance request based on the findings of fact (with or without conditions)**
2. **Motion to table the item in order to receive additional information or documentation (Specify).**
3. **Motion to deny the variance request based on specific negative findings in any of the 4 categories above.**



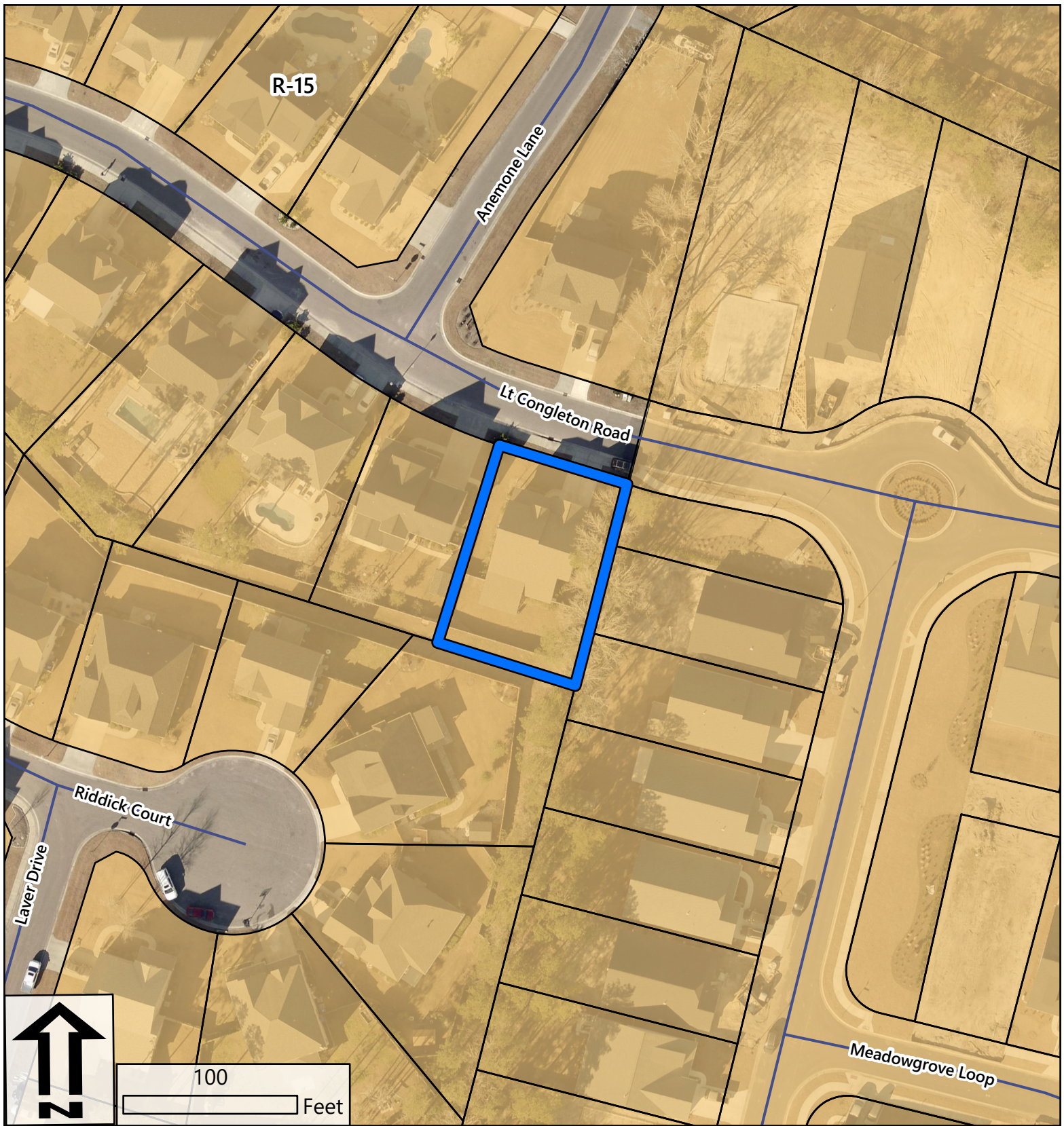
Case: BOA-962

Address: 1140 Lt Congleton Rd

Variance from Performance Subdivision Periphery Setback Requirements

Applicant: Jeff Serens

Vicinity Map



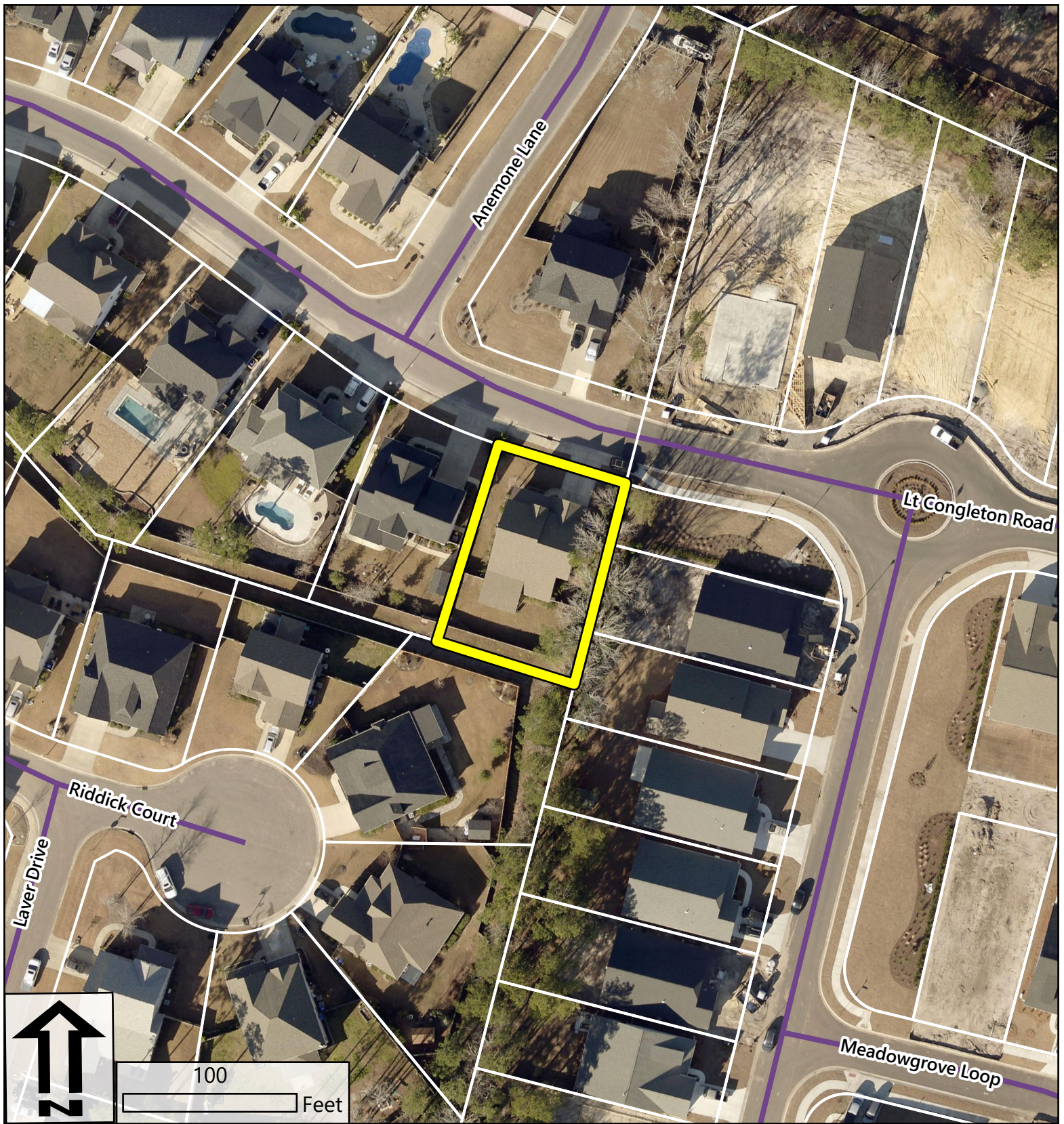
Case: BOA-962

Address: 1140 Lt Congleton Rd

Variance from Performance Subdivision Periphery Setback Requirements

Applicant: Jeff Serens

Zoning Map



Case: BOA-962

Address: 1140 Lt Congleton Rd

Variance from Performance Subdivision Periphery Setback Requirements

Applicant: Jeff Serens

Aerial Map



NEW HANOVER COUNTY

BOARD OF ADJUSTMENT

230 Government Center Drive, Lucie Harrell Conference Room, Wilmington, NC 28403

Members of the Board

Cameron Moore, Chair | Kristin Freeman, Vice-Chair
Henry "Hank" Adams | Maverick Pate | Luke Waddell

Board Alternates

Pete DeVita | Richard Kern | Michael Keenan, Sr.

Rebekah Roth, Director of Planning & Land Use | Sharon Huffman, Deputy County Attorney

ORDER TO GRANT A VARIANCE – Case BOA-962

The Board of Adjustment for New Hanover County, having held a public hearing on April 27, 2021 to consider application number BOA-962, submitted by Jeffrey Serens, applicant, on behalf of Ted Meehan, property owner, a request for a variance of 10' from the 20' minimum Performance Residential Development periphery setback requirement per Section 3.1.3.D(1)(a) of the New Hanover County Unified Development Ordinance to use the property located at 1140 Lt. Congleton Road in a manner not permissible under the literal terms of the ordinance and having heard all the evidence and arguments presented at the hearing, makes the following FINDINGS OF FACT and draws the following CONCLUSIONS:

1. It is the Board's conclusion that, if the applicant complies with the literal terms of the ordinance, specifically a variance of 10' from the 20' minimum Performance Residential Development periphery setback requirement per Section 3.1.3.D(1)(a) of the New Hanover County Unified Development Ordinance, that an unnecessary hardship would/would not result. *(It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.)* This conclusion is based on the following FINDINGS OF FACT:

- _____.
- _____.
- _____.
- _____.

2. It is the Board's conclusion that the hardship of which the applicant complains results/does not result from unique circumstances related to the subject property, such as location, size, or topography. *(Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.)* This conclusion is based on the following FINDINGS OF FACT:

- _____.
- _____.
- _____.
- _____.

3. It is the Board's conclusion that the hardship did/did not result from actions taken by the applicant or the property owner. *(The act of purchasing property with knowledge that*

circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.) This conclusion is based on the following FINDINGS OF FACT:

- _____.
- _____.
- _____.
- _____.

4. It is the Board's conclusion that, if granted, the variance will/will not be consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and substantial justice is achieved. This conclusion is based on the following FINDINGS OF FACT:

- _____.
- _____.
- _____.
- _____.

THEREFORE, on the basis of all the foregoing, IT IS ORDERED that the application for a VARIANCE from New Hanover County Unified Development Ordinance to allow a variance of 10 from the 20' minimum Performance Residential Development periphery setback requirement per Section 3.1.3.D(1)(a) of the UDO be GRANTED/DENIED, subject to the following conditions, if any:

ORDERED this 27th day of April, 2021.

Cameron Moore, Chairman

Attest:

Kenneth Vafier, Executive Secretary to the Board

NEW HANOVER COUNTY

DEPARTMENT OF PLANNING & LAND USE

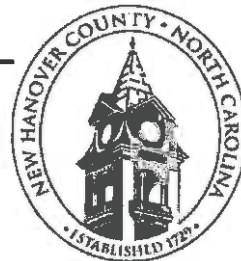
230 Government Center Drive, Suite 110

Wilmington, North Carolina 28403

Telephone (910) 798-7165

FAX (910) 798-7053

planningdevelopment.nhcgov.com



ZONING & SUBDIVISION VARIANCE APPLICATION

This application form must be completed as part of a request for a zoning and/or subdivision variance. The application submitted through the county's online COAST portal. The main procedural steps in the submittal and review of applications for a variance are outlined in the flowchart below. More specific submittal and review requirements, as well as the standards to be applied in reviewing the application, are set out in Section 10.3.11 of the Unified Development Ordinance.



1. Applicant and Property Owner Information

Applicant/Agent Name Jeffrey SERENS	Owner Name (if different from Applicant/Agent) Ted Meehan
Company J. Serens Construction	Company/Owner Name 2
Address PO Box 12526	Address 1140 Lt. Congleton rd
City, State, Zip Wilm NC 28405	City, State, Zip Wilm, NC 28409
Phone 910-443-0299	Phone 910-465-7247
Email jserensconstruction@gmail.com	Email tgmeehan@gmail.com

2. Subject Property Information

Address/Location 1140 Lt. Congleton Rd	Parcel Identification Number(s) 207900-003-473-000 (KV)
Total Parcel(s) Acreage 0.22 (KV)	Existing Zoning and Use(s) R-15; Residential (KV)

3. Proposed Variance Narrative

Subject Zoning Regulation, Chapter and Section

3-1-3-D(1)(a)

In the space below, please provide a narrative of the application (attach additional pages if necessary).

CRITERIA REQUIRED FOR APPROVAL OF A VARIANCE

The Board of Adjustment may grant a variance if it finds that strict application of the ordinance results in an unnecessary hardship for the applicant, and if the variance is consistent with the spirit, purpose, and intent of the ordinance. The applicant must explain, with reference to attached plans (where applicable), how the proposed use meets these required findings (attach additional pages if necessary).

1. **Unnecessary hardship would result from strict application of the ordinance.** It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.

2. The hardship results from conditions that are peculiar to the property, such as location, size or topography. Hardship resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or general public, may not be the basis for granting a variance.

3. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.

4. The requested variance is consistent with the spirit, purpose and intent of the ordinance, such that public safety is secured, and substantial justice is achieved.

Staff will use the following checklist to determine the completeness of your application. Please verify all of the listed items are included and confirm by initialing under "Applicant Initial". Applications determined to be incomplete must be corrected in order to be processed for further review.

Application Checklist

Applicant Initial

- ☐ This application form, completed and signed
- ☐ Application fee: \$400 per application
- ☐ Site plan or sketch illustrating the requested variance
- ☐ One (1) hard copy of ALL documents
- ☐ One (1) PDF copy of ALL documents

Acknowledgement and Signatures

By my signature below, I understand and accept all of the conditions, limitations, and obligations of the variance application for which I am applying. I understand that I have the burden of proving why this application meets the required findings necessary for granting a variance. I certify that this application is complete and that all information presented in this application is accurate to the best of my knowledge, information, and belief.

If applicable, I also appoint the applicant/agent as listed on this application to represent me and make decisions on my behalf regarding this application during the review process. The applicant/agent is hereby authorized on my behalf to:

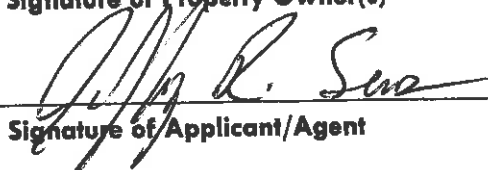
1. Submit an application including all required supplemental information and materials;
2. Appear at public hearings to give representation and comments; and
3. Act on my behalf without limitations with regard to any and all things directly or indirectly connected with or arising out of this application.



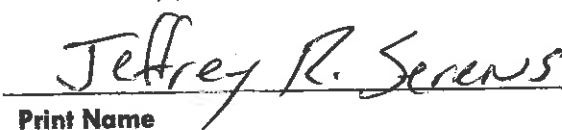
Signature of Property Owner(s)



Print Name(s)



Signature of Applicant/Agent



Print Name

Note: This form must be signed by the owner(s) of record. If there are multiple property owners, a signature is required for each owner of record.

- The land owner or their attorney must be present for the case at the public hearing

3.

Mr. and Mrs. Meehan are requesting a zoning variance for their property 1140 Lt. Congleton rd. Wilmington 28409.

Their intention is to build a 504 sq. ft. bedroom, bath and kitchenette addition to accommodate Mr. Meehan's aging mother.

We were made aware of a 20' periphery easement that is not noted on the survey provided to them by ECLS dated 1-26-16

1.

The Meehan's purchased the home with the intent of adding on this space for Mr. Meehan's aging and now ailing mother. The Meehan's are more concerned with moving their mother to a safe and more private living space with the presence of Covid 19.

With a stamped survey and the fence constructed on the survey property line, it is reasonable to trust they could build to those same specifications.

Please see attached exhibit A, B and C.

2.

The lot abuts a separate sub-division. In between is a natural creek and the new sub-division's lots are rear lots along this property. Those lots should have 20' rear setbacks. This will maintain a natural buffer and a substantial distance between homes that will not be built on in the future.

3

The hardship is not the result of the property owners' actions.

The Meehan's purchased the property with the intent to pursue the addition for their mother.

The home was built without the proper setbacks on the east side. The stamped survey by ECLS dated 1-26-16 shows a 10' setback, it also states the 10' setback in the survey text. The Homeowner's would have no reason to challenge the stamped document.

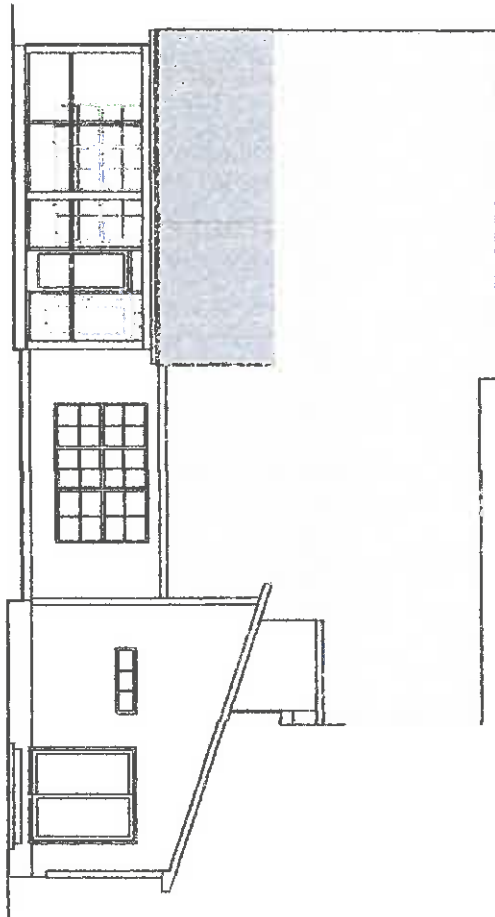
4.

The safety of each community and their residents is achieved with the existing west side and rear setback. The east side has a natural creek buffer and the new sub-division homes being all 20' rear setbacks. The safety, drainage and privacy will be well maintained.

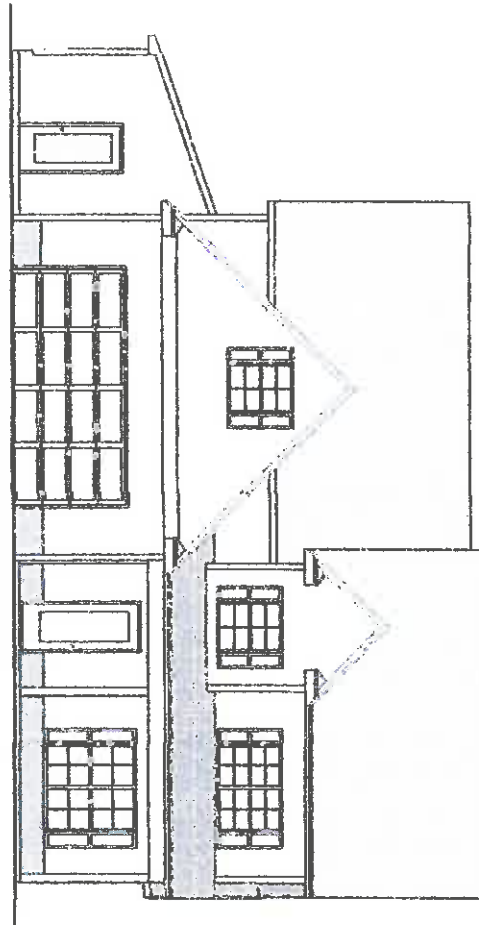
B.1

A.

SOUTH ELEVATION



NORTH ELEVATION

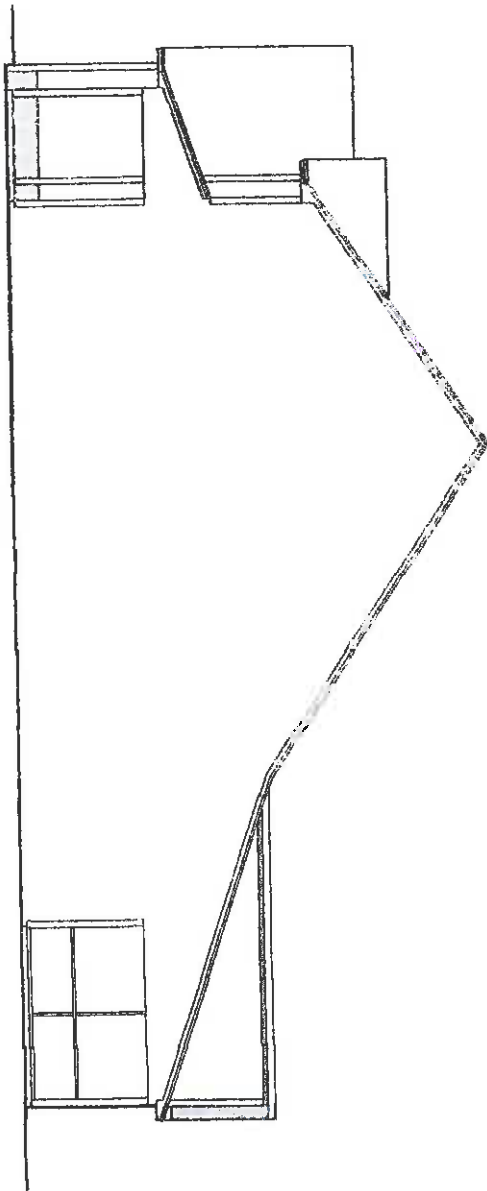


PROJECT
EFFICIENCY ADDITION

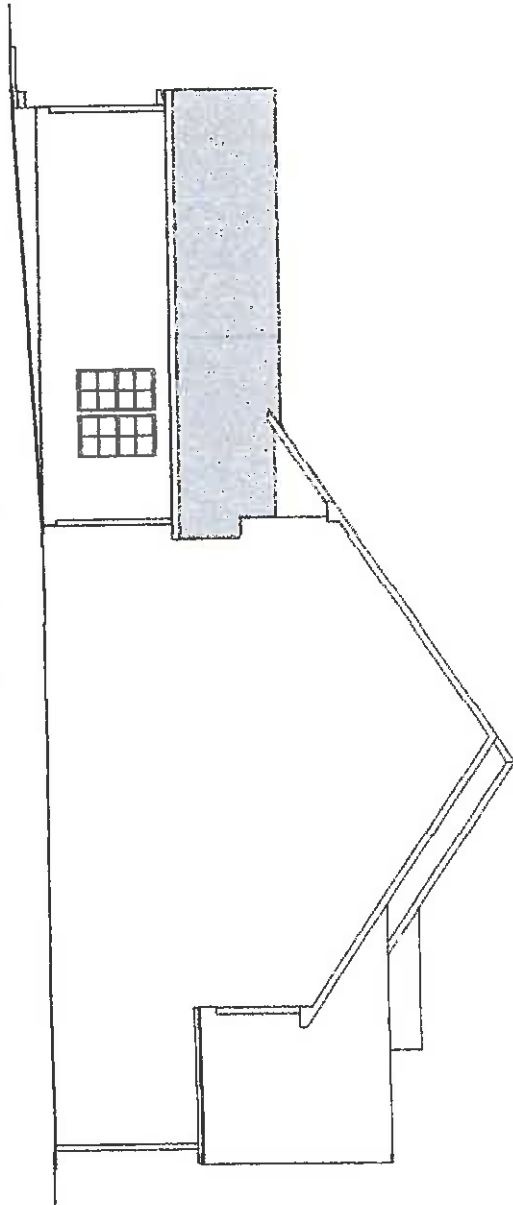
CLIENT
JEFF SERENS
1140 LT. CONGELTON
WILMINGTON N.C.

John Langone
OWNER: (910) 540-5938
775 Rosewood Avenue | Wilmington, NC 28403
john@jlangone.com

WEST ELEVATION



EAST ELEVATION



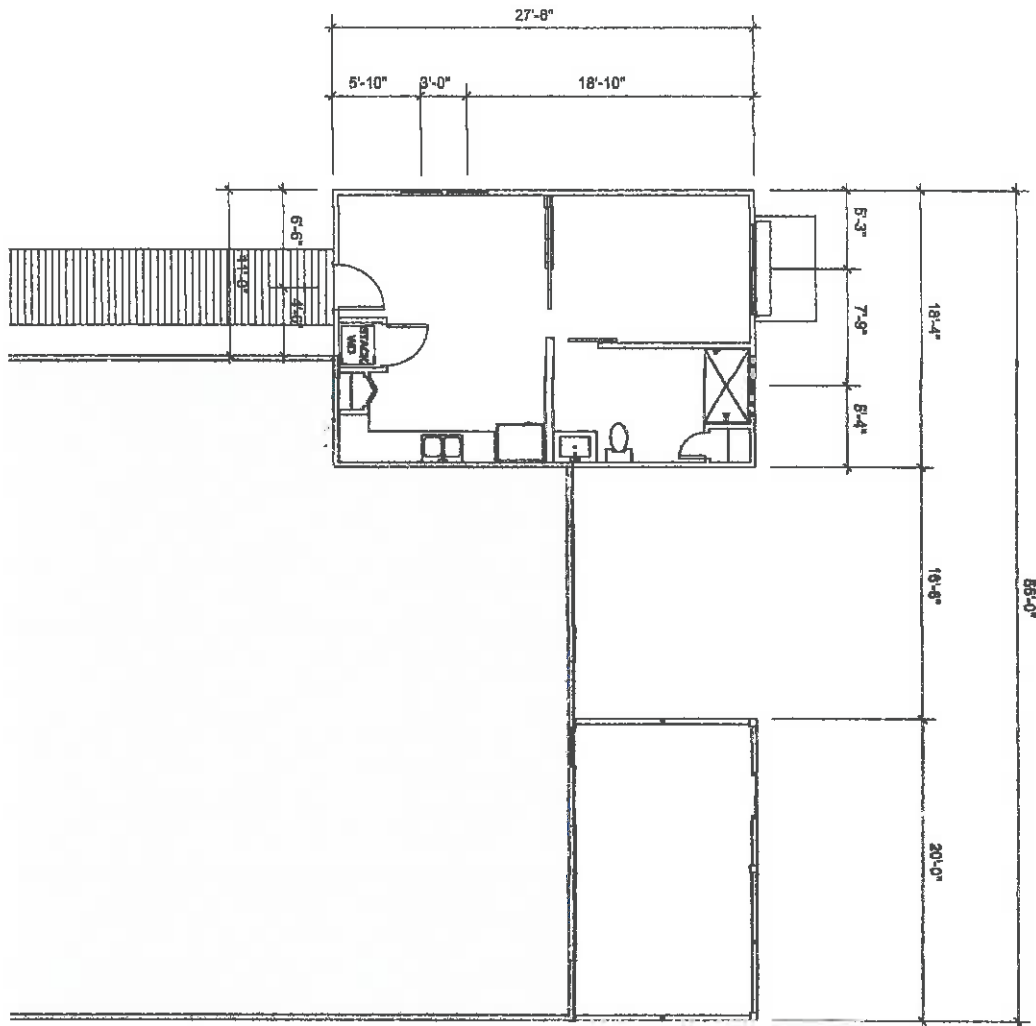
A.1

PROJECT
EFFICIENTCY ADDITION

CLIENT
JEFF SERENS
1140 LT. CONGELTON
WILMINGTON N.C.

John Langone
ARCHITECTS
2011 Rosemont Avenue | Wilmington, NC 28403
Phone: (910) 540-5838
jpl@jplarch.com

B.2



A.2

FLOOR PLAN

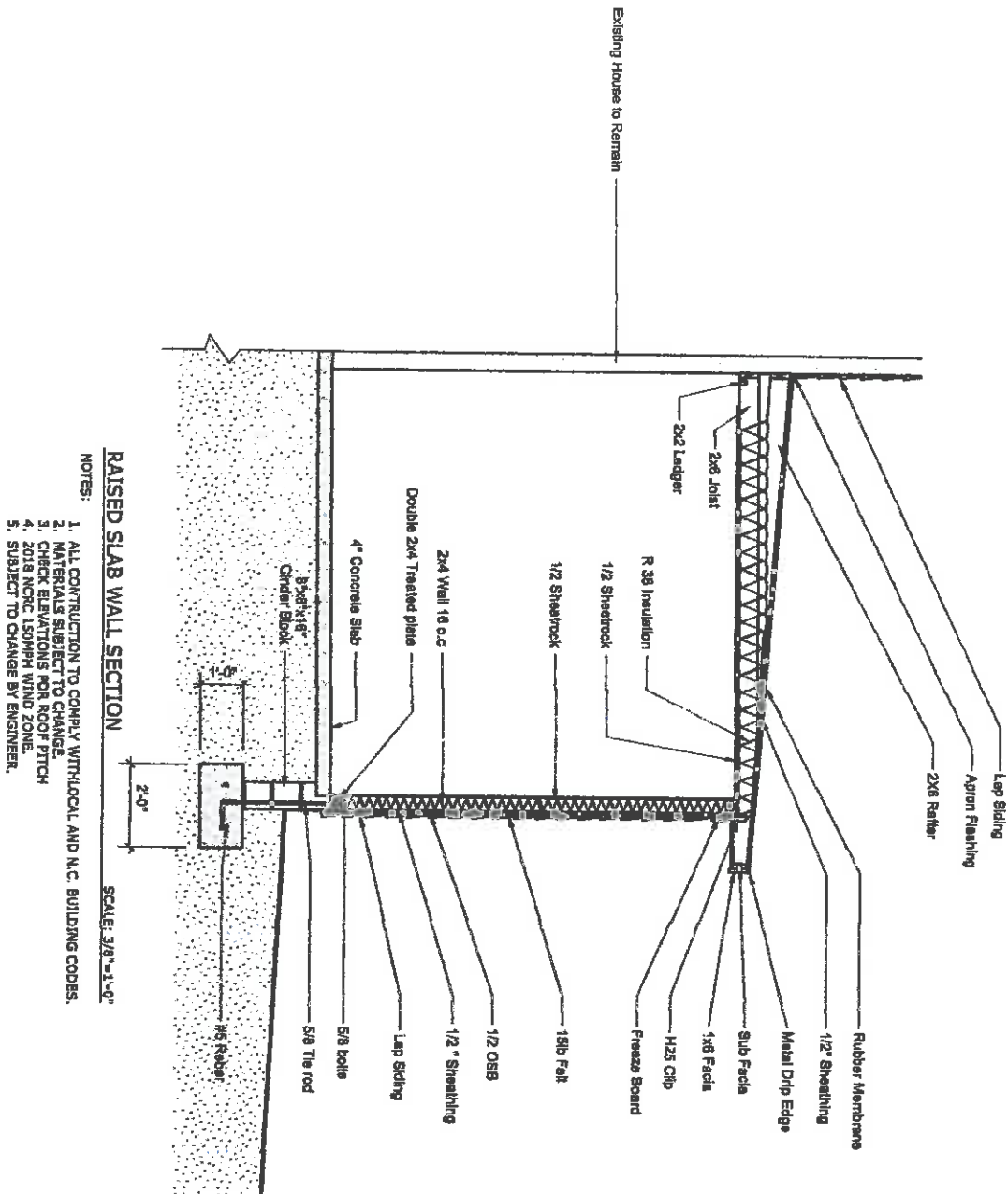
PROJECT
EFFICIENTCY
ADDITION

CLIENT
JEFF SERENS
1140 CONBELTON ROAD
WILMINGTON N.C.

John Langone

Phone: (310) 540 5838
271 Rosemont Avenue | Wilmington, NC 28403
john@johnlangone.com

B.3



RAISED SLAB WALL SECTION

- NOTES:
1. ALL CONSTRUCTION TO COMPLY WITH LOCAL AND N.C. BUILDING CODES.
 2. MATERIALS SUBJECT TO CHANGE.
 3. CHECK ELEVATIONS FOR ROOF PITCH.
 4. 2018 NCRC 150MPH WIND ZONE.
 5. SUBJECT TO CHANGE BY ENGINEER.

PROJECT
Project Name
PROJECT NO.
245.170

CLIENT
Client Name
1140 LT. CONGLETON
WILMINGTON N.C.

John Langone

Phone: 910 540-5938
721 Rosemont Avenue | Wilmington, NC 28403
john@jlangone.com



