



# 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.**

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

**May 25, 2021, 5:30 PM**

**I. Call Meeting to Order (Chairman Cameron Moore)**

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

*April Member Attendees: Cameron Moore, Michael Keenan, Richard Kern, Maverick Pate, Luke Waddell*

**III. Old 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. *This item was continued from the April 27, 2021 meeting.*

**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. *This item was continued from the April 27, 2021 meeting.*

**IV. Regular Items of Business**

**V. Other Business**

**VI. Adjourn**

## MINUTES

### BOARD OF ADJUSTMENT

The New Hanover County 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, April 27, 2021.

#### Members Present

Cameron Moore, Chairman  
Richard Kern  
Michael Keenan, Sr.  
Maverick Pate  
Luke Waddell

#### Members Absent

Kristin Freeman, Vice-Chair  
Hank Adams  
Pete DeVita

#### Ex Officio Members Present

Ken Vafier, Executive Secretary  
Sharon Huffman, County Attorney  
Rebekah Roth, Planning & Land Use Director  
Wendell Biddle, Zoning Compliance Official  
Denise Brown, Zoning Admin Technician

The meeting was called to order at 5:30 P.M. by the Chairman, 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. Luke Waddell made a motion to adopt the minutes from the March 23, 2021 meeting. Mr. Michael Keenan second the motion.

Following a motion by Mr. Waddell and seconded by Mr. Keenan, the minutes from the March 23, 2021 meeting were unanimously approved.

Chairman Moore informed Board members that the applicant from the fourth case on today's agenda is present to request a continuance of the case hearing.

### **CASE BOA-961**

Mr. Jonathan Guido, on behalf of the Oxford House Showman, appeared requesting case BOA-961 be continued to the next scheduled meeting on May 25, 2021. Mr. Guido stated they are asking for a continuance for the homeowner to address Building Safety permitting requirements at the subject site of 314 Silva Terra Drive.

Mr. Waddell made a motion for BOA-961 to be heard at the next scheduled meeting on May 25, 2021. Mr. Kern second the motion. All ayes.

Chairman Moore informed residents who were in attendance for the BOA-961 meeting to appear for case hearing at the May 25, 2021 meeting.

The Chairman then swore in County staff Ken Vafier.

### **CASE BOA-958**

Mr. Vafier presented an overview of the case stating the petitioner, Sean McDonough, 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.

The owners 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 the northern portion of the lot.

Mr. Vafier stated the applicant intends to construct a 12' x 22' addition to an existing 28' x 22' detached garage on the subject property. 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.

Mr. Vafier stated previously the subject site property was granted a hardship variance during the garage construction process for the previous owners in 1995.

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. The 264-sf addition to the existing garage would maintain a total area over 600 sf.

The applicant contends storage is needed for parking as well additional room for the stormwater run-off with measures to decrease water entering the garage.

Mr. Waddell inquired as to when the previous variance was granted on the subject site.

Mr. Vafier stated the previous variance was granted in 1995 to allow the garage setback of 6.2'.

Chairman Moore inquired as to documentation from the previous variance granted.

Mr. Vafier stated the record was located for the previous variance granted for the subject site.

The Chairman swore in Sean McDonough, Brett Tanner and Robert Foster.

**Mr. Brett Tanner** presented as owner of the subject site and requested that Sean McDonough speak on behalf of the variance request.

**Mr. McDonough** stated currently the subject site does not have a stormwater infiltration system on the road. The residence is water-front; however, the water intrusion is coming from stormwater run-off from Bald Eagle Lane, and the garage built on the lot in 1995 receives water intrusion during heavy rains.

Mr. McDonough stated that in order to control the continuous water intrusion, they propose to add a raised stem wall with a french drain to control the water. Mr. McDonough stated the home is large enough, however, the parking area is small with minimum storage area therefore an addition to the garage is necessary.

Mr. McDonough stated currently they are renovating the single-family dwelling, and this would make sense to complete the garage upgrade at the same time of the home renovation.

Mr. Keenan inquired as to which way the water infiltration mitigation would direct the incoming water.

Mr. McDonough stated the water would be directed to the front of the house and controlled within the lot.

Chairman Moore then swore in Robert Foster.

**Robert Foster- (8024 Bald Eagle Lane resident)** Mr. Foster stated he was a resident when the previous owners were granted approval for the garage in 1995. However, Mr. Foster stated it was his understanding that no additional variance request would be granted for this same garage.

Mr. Foster stated with heavy rainfalls and no infiltration system on the road he continues to receive runoff into his yard. Mr. Foster stated the applicant previously raised the elevation of their lot with fill dirt at the subject site during the home construction; with this adjacent lot being raised the water from the site drains to his property as well.

Mr. Foster stated heavy rain falls cause water to drain from the applicant's garage, this also impacts his aging septic system. Mr. Foster does not want to seal his backyard and replace his septic system. However, if consistent amounts of water continue to accumulate on his property to replace the system would be a huge financial impact for him.

Mr. Foster stated as this property changes ownership, he is concerned about constant changes to the garage that will impact his lot with more water. He is concerned about property owners maintaining their koi pond to prevent overflow of water.

Mr. Waddell asked how long the Fosters have resided at the residence.

The Fosters have resided at their residence since 1986.

Chairman Moore asked Mr. Vafier about a prior variance approval at 8020 Bald Eagle Lane.

Mr. Vafier stated the board order was approved however no conditions were applied.

Mr. Pate asked how far the garage is from the adjacent resident property.

Mr. Vafier stated the proposed new structure is about 15-16 ft from the subject site residence using a GIS measurement, however no specific measurement is available for the distance to the adjacent residence.

Mr. Vafier stated the board order granted approval in 1995 for a variance to construct a 25'x30' garage with a 5ft. setback.

**Mr. McDonough (rebuttal)** - Mr. McDonough stated they can divert more water away from the adjacent neighbors with implementing appropriate drainage, and a catch basin in the front of the proposed garage addition



that should alleviate some of the water flow direction. Mr. McDonough stated previous construction to the garage elevation was poorly executed, however the Tanners plan to alleviate that with the new plan.

Chairman Moore asked where the french drain would be placed on the subject site.

Mr. McDonough stated the french drain would be placed at a front stem wall; the intent is to have the french drain catch the water coming from the road to a catch basin in the direction of the rear area of the subject lot.

Mr. McDonough stated the current gutter system at the subject site can be diverted to the same catch system pipe to control the flow of the water. This method would also assist in water flowing from the subject site roof lines.

Chairman Moore asked the applicant about the water volume calculation or size of french drain.

Mr. McDonough stated generally it is his business practice to not deviate water flow to adjacent properties however he has not spoken to an engineer on this project. Mr. McDonough stated they would probably utilize a 4-inch french drain with approximately a 6-inch piping in collecting water fall from the roof.

Mr. Waddell inquiry has the applicant consulted with an engineer regarding landscaping water runoff.

Mr. McDonough relayed he has not consulted an engineer consult but would be open to discuss with one on the matter.

Chairman Moore inquired if the area had a minimum standard for impervious calculation

Mr. Vafier stated there may be CAMA impervious lot requirements. The subject site is not in a HOA.

Mr. Keenan asked if the wall located at the subject near garage apart of the original variance granted in 1995.

Mr. Vafier stated the garage constructed in 1995 was granted a variance due to the garage being enlarged without obtaining required permits.

**Mr. Foster (rebuttal)-** Mr. Foster reiterated that the applicant's lot elevation is already higher than his. Mr. Foster stated the applicant has a pond on-site, all the water that accumulates from the subject site travels to the front of his driveway, home and into the side and rear of his property. Mr. Foster concluded that with heavy rainfall this also impacts his land and septic system.

Mr. Foster relayed he does not agree that the measures the applicant proposes will assist with his lot not accumulating more water.

**Mr. Tanner (8020 Bald Eagle Lane)** Mr. Tanner stated he was not fully aware the neighbor had an issue with excessive water runoff. However, he is committed to doing what he can to resolve some of the issue whereby water from his residence impacts adjacent lot.

Mr. Tanner mentioned that his garage sustains enormous water intrusion, so he is aware rain run-off is an issue. Mr. Tanner stated he will mitigate the water issue and it seems adjacent neighbors have no complaints to the garage addition.

Mr. McDonough stated with completion of the proposed construction they will be assessing the need of concrete and impervious surface.

Chairman Moore asked would he be open to have an engineer look at his plan regarding stormwater.

Mr. Tanner stated he wanted to be a good neighbor and would seek additional engineer consult and bring findings back to the board for decision.

Mr. Tanner requested the variance request be continued to the next scheduled meeting.

Mr. Keenan motioned that the applicants request be continued to the next scheduled meeting. The Board voted unanimously to continue case BOA-961 to May 25, 2021 meeting.

## **CASE BOA-959**

Mr. Vafier presented an overview of the case stating the petitioner, 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.

The subject site property consists of 0.58 acres and currently contains a single-family residence constructed in 1989. The subject site is a part of the Grove Point, Section 1, which was recorded in 1987 as a performance subdivision. The UDO allows for two different type of subdivision designs, Performance and Conventional.

This section of the UDO requires a 20' setback on the periphery of the subdivision.

Mr. Vafier stated the applicant states the 20' periphery setback would result in the garage encroaching in the septic drain line area and would result in the removal of two mature hickory and oak trees, which the applicant intends to retain.

Mr. Vafier stated that in August 2020 the applicant was performing due diligence to the garage requirements and staff did not relay to the applicant that a 20' periphery setback would apply to the garage construction, the applicant purchased with the assumption that a 10' setback could be utilized.

Upon seeking a building permit for the purchased garage, the applicant was notified that the setbacks were to be met given the location of said property being in a Performance Residential district.

The applicant is requesting setback relief of 10' to place the 1230 sf detached garage on the property which will be set back 10' from the periphery of Grove Point and not encroach septic system on the lot.

Mr. Vafier presented photos of the subject site from various angles.

Chairman Moore summarized that after the applicant purchased the garage, it was later noted that setbacks provided during staff review were not met per regulation.

Mr. Waddell asked if there was another area to place the garage.

Mr. Vafier stated with the site plan presented by the applicant there is not a reasonable location on the property to place the garage that would not affect the septic system or existing mature large trees.

Chairman Moore then swore in Keith Williams.

**Mr. Williams - (6900 Persimmon Place)** - Mr. Williams stated that after researching the type and size of the garage he purchased the building and was later informed that the placement of the garage would not meet requirements to obtain a county building permit.

Mr. Williams stated the corner he has chosen for the structure is the only reasonable area he can place the detached garage. With the presented site plan Mr. Williams stated he does not have the ability to place the detached garage elsewhere in the rear yard without encroaching some form of side or rear setback. Mr. Williams stated he has a fence behind his home, he stated it would be a financial burden to remove the trees and drain field.

Chairman Moore asked how the applicant was notified the site plan would not suffice for a building permit.

Mr. Williams stated he was contacted by New Hanover County permitting staff via email.

## **PUBLIC HEARING CLOSED**

### **BOARD DECISION:**

The Board stated that the applicant presented with a narrative that he purchased the detached garage size with the thought the 10' setback would meet regulation. The Board also agreed that the applicant lot is challenged in location to adequately place the detached garage and meet setback regulation. The Board discussed that the location of the mature large trees and the septic system already in place in the rear of the subject site would be a financial burden for the applicant to relocate on the lot.

The Board agreed that the applicant has provided adequate information and operate in good faith in requesting a variance to obtain a building permit for the accessory structure. The Board discussed the property's size and location and that the current status of the property was not created by the owner. The Board agreed that granting the variance approval would be consistent and substantial justice is achieved.

On a motion by Mr. Michael Keenan and seconded by Mr. Richard Kern, the board voted 5-0 to grant the variance at 6900 Persimmon Place, 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 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 result. This conclusion is based on the following FINDINGS OF FACT:**

- The proposed accessory structure cannot be located elsewhere without removal of the existing septic area and mature trees.
- Should the 20 ft setback be adhered to, there would be significant hardship, both financially and 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. 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 out 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 \$4,277.56

(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. 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 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. 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. It is the Board's conclusion that the hardship of did not result from actions taken by the applicant or the property owner. This conclusion is based on the following FINDINGS OF FACT:**

- 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 Officials, 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 \$5,675 (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 \$5,675 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.

**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 10-foot setback on the side property lines are in accordance with the county zoning and setback regulations and having a 10foot 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.

## CASE BOA-960

Mr. Vafier presented an overview of the case stating the petitioner 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.

Mr. Vafier stated the subject site 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. Mr. Vafier stated the subdivision was plotted in 2006 and provides residents with access to a private runway.

Many of the residents in Pilots Ridge have personal aircraft which are stored in hangars on individual lots. Pilots Ridge is a Performance Subdivision whereby these lots are subject to the 20' periphery setback.

Mr. Vafier stated the applicant contends a variance is needed to obtain appropriate size hangar on the western portion of the lot. In addition, the applicant states setbacks regulations are limited to meet due to the existing drainage easement on the western side of the lot.

The applicant would like to develop the lot utilizing a 10' periphery setback.

Chairman Moore asked if there is a site plan for the site and if this were the only lot the setback would apply.

Mr. Vafier stated all the runway parcels in the subdivisions are subject to setback requirements.

Chairman asked if the county required unique provisions to accessory structures at this subdivision.

Mr. Vafier stated the aircraft are subject to aviation regulations. He stated no county restrictions to the subdivision are on file.

Chairman Moore then swore in Matt Nichols, David Pierce, and Dan Wilcox.

**Mr. Nichols, PLLC**, presented on behalf of Palm Investments owner David Pierce stating the applicant request a 10' setback to the lot to construct a single-family residence and an aircraft hangar on the lot. The property is located at the end of the subdivision with challenges due to the drainage easement to the lot. Mr. Nichols stated the taxi runway area differs from the other lots in the subdivision.

Mr. Nichols stated the runway runs east to west. There are vacant lots in the subdivision and some lots are constructed with the aircraft hangar. Mr. Nichols stated that the applicant is proposing to construct one structure of a single-family home with the hangar attached.

Mr. Nichols stated the taxi runway has a 90-degree turn that also presents challenges in applying setback regulations to the construction. Mr. Nichols stated the lot was recorded in 1983 and allows an aircraft and hangar in the subdivision. Mr. Nichols stated the drainage easement is towards the south end of the applicant's lot near the taxi runway area.

Mr. Nichols stated Performance Residential Developments require a 20' periphery setback. However, the applicant is requesting a 10' setback for the proposed hangar home. This would assist with the appropriate size hangar door for the aircraft. Mr. Nichols said by relaxing the setback this would allow construction of the hangar home more functional. Mr. Nichols stated the applicant proposes a wire hangar door for safety and will provide additional storage space for items.

**David Pierce - (property owner)-** Mr. Pierce stated they propose a hangar house which is smaller than the typical full-size home. Mr. Pierce stated due to the lot being on the end the 90-degree angle, it presents a challenge in securing an aircraft at the site with a smaller hangar door. Mr. Pierce stated when he purchased the property, he was not aware of the performance setback regulations. Mr. Pierce was made aware of the required setbacks when applying for county permits.

Mr. Pierce stated the aircraft requires a 50-foot door to ensure safe maneuvering of the aircraft in and out of the hangar without destroying the home structure.

Chairman Moore asked which direction the hangar door swings.

Mr. Pierce stated the door swings up right.

Mr. Keenan asks how wide the plane is.

Mr. Pierce stated the plane is about 36 ft wide.

Mr. Pierce stated the house will be constructed on a cement slab.

Mr. Vafier relayed the applicant did not present a site plan for proposed hangar home.

Mr. Nichols presented landscape drawing plans and fencing for the proposed construction at the subject site.

Mr. Keenan asked what the proposed height fence the applicant proposes.

Mr. Vafier stated buffer requirements are not required at this location.

Mr. Keenan asked how tall the plane is.

Mr. Pierce stated the plane is approximately 6ft with a 10ft tail.

Chairman Moore then swore in Eric Griffen.

**Mr. Eric Griffen - (650 Castine Way)-** Mr. Griffen stated he is present on behalf of the HOA to relay they are opposed to the applicant's request. Mr. Griffen stated due to the uniqueness of this lot and its location at the end they are concerned with the increased gasoline the aircraft will store at the hangar. Mr. Griffen stated they are concerned with the applicant's proposal of the consolidated home and hangar design. Mr. Griffen stated the perception of property value. Mr. Griffen stated there is a reason why county setbacks are in place and he questions the applicants need for an actual variance.

Mr. Waddell asked what HOA board Mr. Griffen was representing.

Mr. Griffen stated he is a representative of the nearby HOA Board for the Kirkwood subdivision.

**Sharon Huffman - (Deputy County Attorney) -** Ms. Huffman stated the Board can accept the testimony if they choose to, however without the appropriate proof as to the person speaking representing the Kirkwood HOA the testimony given is hearsay.

Ms. Huffman stated the Board can choose to consider the testimony as an adjacent property owner opposing the applicant's request.

Mr. Kern asked if the Kirkwood subdivision was new.

Mr. Griffen stated he does not have the documents of when the subdivision was implemented.

Mr. Keenan asked about the fence requirements to the rear property that abuts the subject site and what were the requirements to buffer fencing as it relates to the site given.

Mr. Griffen stated the Kirkwood Board discussed the presence of the fence. However, due to appearance and setbacks, they ask for the same consideration of the applicant's proposal.

Mr. Griffen stated they oppose the applicant request; the lack space in between the homes. In addition, to safety concerns of stored gasoline being close to said property.

**Mr. Nichols (rebuttal)** - Mr. Nichols stated he respectfully asks the Board to reject Mr. Griffen's comments on opposing the applicant's variance request. Mr. Nichols stated the subdivision allows aircrafts to be constructed.

**Mr. Dan Wilcox- (Aviation Representative)-** Mr. Wilcox stated the applicant requested he review plans on the proposed construction of the hangar designs for safety concerns. Mr. Wilcox stated the hangar construction would be steel and the fuel used for the aircraft is very similar to fuel used for vehicles.

**Mr. Pierce** stated the aircraft would be stored only in the hangar. Unlike a vehicle, an aircraft would not be started in the hangar. Mr. Pierce stated he is a former fire fighter, has a family and safety is a sole concern in this project.

**Mr. Pierce** stated he is approximately 40 ft away from adjacent residence to construct the steel structure. He will adhere to all safety and fire and county regulations. Mr. Pierce stated he will not start the aircraft until it is in a cleared, appropriate space.

**Mr. Nichols, PLLC (rebuttal)** Mr. Nichols concluded on behalf of the applicant, stating they believe they have presented enough testimony to meet the findings for a variance approval. The neighborhood of Kirkwood is R10, Performance Residential with smaller lot size. Mr. Nichols stated the applicant would still be able to meet a 10 ft setback with the approved variance.

## **PUBLIC HEARING CLOSED**

## **BOARD DISCUSSION:**

Mr. Keenan stated the applicants present with a hardship in construction due to the drainage easement. The aircraft comes into the hangar at an angle that is challenging for the applicant. Mr. Waddell stated the strict application of the county requirements are difficult for the applicant to adhere to due narrow lot size. The Board agreed with the applicant's narrative and was impressed with the proposed landscape plan for the subject site.

Chairman Moore made a motion to approve the variance and accept the applicant's narrative labeled as **Exhibit A** in the facts of findings. A condition was place on the variance of a 6 ft solid wood fence. In addition, the applicant is to plant appropriate vegetation along the area **Exhibit C2-1** perimeter as presented to the Board for review.

Mr. Waddell second the motion. The Board voted 5-0 to **GRANT** the variance at 502 Pilots Ridge.

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 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 result. This conclusion is based on the following FINDINGS OF FACT:**

- Due to unique location of lot, it is impacted differently by the larger periphery setback compared to other lots in Pilots Ridge.
- The lot is significantly impacted by large drainage easement and location of taxiway and runway access points.
- A larger side setback constrains the possible width of hangar door, which impacts safety and maneuvering of aircraft.
- The minimal variance requested will still result in a standard R-15 side setback of 10 feet.

**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 unique nature of Pilots Ridge development is such that the lots contain aircraft hangar homes with access to a private runway.
- The subject property is the only lot adjacent to residential uses on the periphery of the subdivision.
- Standard R-15 lots have a 10-foot side setback.
- The unusual shape and size of the lot and drainage easement creates an approximately 90 degree turn to access taxiway.
- The adjacent development is more densely developed and zoned R-10.

**3. It is the Board's conclusion that the hardship of did not result from actions taken by the applicant or the property owner. This conclusion is based on the following FINDINGS OF FACT:**

- The hardship did not result from actions taken by the Applicant/Property Owner.
- The Applicant/Property Owner is not the developer or subdivider of the property.
- Pilots Ridge Aero Plantation Section 2, including subject Lot 29 was approved by New Hanover County (Map Book 50, Page 275, NHC Registry).

**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 variance will allow a wider hangar door which will improve safety of maneuvering aircraft into hangar.



- Pilots Ridge development was approved by New Hanover County and aircraft-residential uses are well-established for development.
- The Applicant/Property Owner has already obtained approval of Pilots Ridge HOA and an Amendment to Declaration of Restricted Covenants has been recorded.
- The variance is still consistent with the 10-foot standard side setback in R-15 District.
- The variance still provides a greater setback than the 5-foot standard side setback in adjacent R-10 District.

The Board also adopted the following condition to the variance:

- A 6' wooden fence with appropriate plantings shall be provide on the western property line subject to this variance request, as shown in Sheet C2.1 of the *Exhibit 1* submitted by the applicant (attached).

## **CASE BOA-962**

Mr. Vafier presented an overview of the case stating the petitioner Jeffrey Serens, 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. Congleton Road.

Mr. Vafier stated the applicants are requesting a variance of 10' from the 20' Performance Subdivision periphery setback requirement to construct an addition of 504 sf to the existing single-family dwelling on the subject site, located in the Tarin Woods subdivision. Mr. Vafier stated the applicant is constructing the addition to the home for an aging family member.

The home 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 approximately 14' from the eastern side property line.

Research into the specific reason the periphery setback was not applied in this instance is inconclusive.

Mr. Vafier stated the proposed construction is on the southeastern corner and would lie 10' from the existing property line extending 4' further into the periphery setback than the existing structure.

The preliminary plot plan provided by a 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. The proposed construction is on the side of lot however away from the drainage easement presently located.

Due to the findings of the dimensions presented staff determined this lot to be a legal non-conforming.

Mr. Vafier presented aerial photos of the lot and adjacent subdivision location.

Mr. Keenan asked how far the front corner of the building from the side of the lot is.

Mr. Vafier stated the building front corner is 14 ft. With the proposed addition it would encroach 10' from the side yard requirements.

Mr. Kern asked if this were an accessory building and what the setback would be.

Mr. Vafier stated an accessory building setback is 5 ft from the property line. However, the applicant is proposing an addition.

Chairman Moore asked can the Board address the legal conformity of the residence.

Mr. Keenan asked about the rear subdivision setback.

Mr. Vafier stated nearby Congleton Farms are subject to the periphery setback regulations.

Chairman Moore then swore in Ted Meehan.

**Ted Meehan-(property owner)** - Mr. Meehan stated due to his mother's aging health he is proposing to construct a 504-sf addition to accommodate the mother living on the site. Mr. Meehan stated with the surrounding trees around the lot, the addition will not be visible.

Mr. Keenan asked if the applicant intended with purchasing the property to construct an addition.

Mr. Meehan stated it has been a goal to have his mother reside with him and his family. The intent when he purchased the home was to add on to have the mother reside near his family.

## **PUBLIC HEARING CLOSED**

### **BOARD DISCUSSION:**

The Board discussed that the applicant upon purchasing the home intended to construct an addition for a family member referencing presented exhibits A-C by the applicant. The members stated the home was constructed within the setback creating a legal nonconforming use. They discussed the design and approval of the home presents a hardship to construct an addition on the lot within required setbacks.

Mr. Keenan made a motion to approve the variance as requested. Mr. Kern second the motion.

The Board voted 5-0 **GRANT** the variance at 1140 Lt. Congleton Road.

- 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 result. This conclusion is based on the following FINDINGS OF FACT:**

- 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 was reasonable to trust they could build to those same specifications.
- Exhibits A, B, and C submitted by the applicant support the applicant's stated hardship.

**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:**

- As initially permitted, the house does encroach into the setback and is a legal non-conformity.
- The design and approval of the house does provide a hardship related to where the house is currently located which limits the ability for a proposed addition.
- The variance is partially mitigated by the periphery boundary of the adjacent subdivision.

**3 It is the Board's conclusion that the hardship of did not result from actions taken by the applicant or the property owner. This conclusion is based on the following FINDINGS OF FACT:**

- As initially permitted, the house does encroach into the setback and is a legal non-conformity.
- The design and approval of the house does provide a hardship related to where the house is currently located which limits the ability for a proposed addition.
- 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 homeowners would have no reason to challenge the stamped document.

**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 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 subdivision homes being all 20' rear setbacks. The safety, drainage, and privacy will be well maintained.

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

**MEETING ADJOURNED.**

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

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**Executive Secretary**

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**Chairman**

**Date:** \_\_\_\_\_

**VARIANCE REQUEST  
BOARD OF ADJUSTMENT  
May 25, 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.

After conducting a hearing at the April 27, 2021 meeting, the Board passed a motion to continue this request in order to allow the applicant to provide additional clarification as to how the proposed stormwater mitigation methods would affect the subject property and adjacent property. The applicant has provided an exhibit showing additional details of the proposed drainage plan which is included in the applicant's submitted materials.

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
<b>1</b> Lot width, minimum (feet)	90
<b>2</b> Front setback (feet)	30
<b>3</b> Side setback, street (feet)	22.5
<b>4</b> Side setback, interior (feet)	15
<b>5</b> 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.

A variance was approved to construct the existing garage in its present location in 1995, which lies 6.2' from the side yard as shown on a survey provided by the applicant. In order to permit an addition and expansion of the non-conforming garage previously approved by the Board of Adjustment, an additional 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.

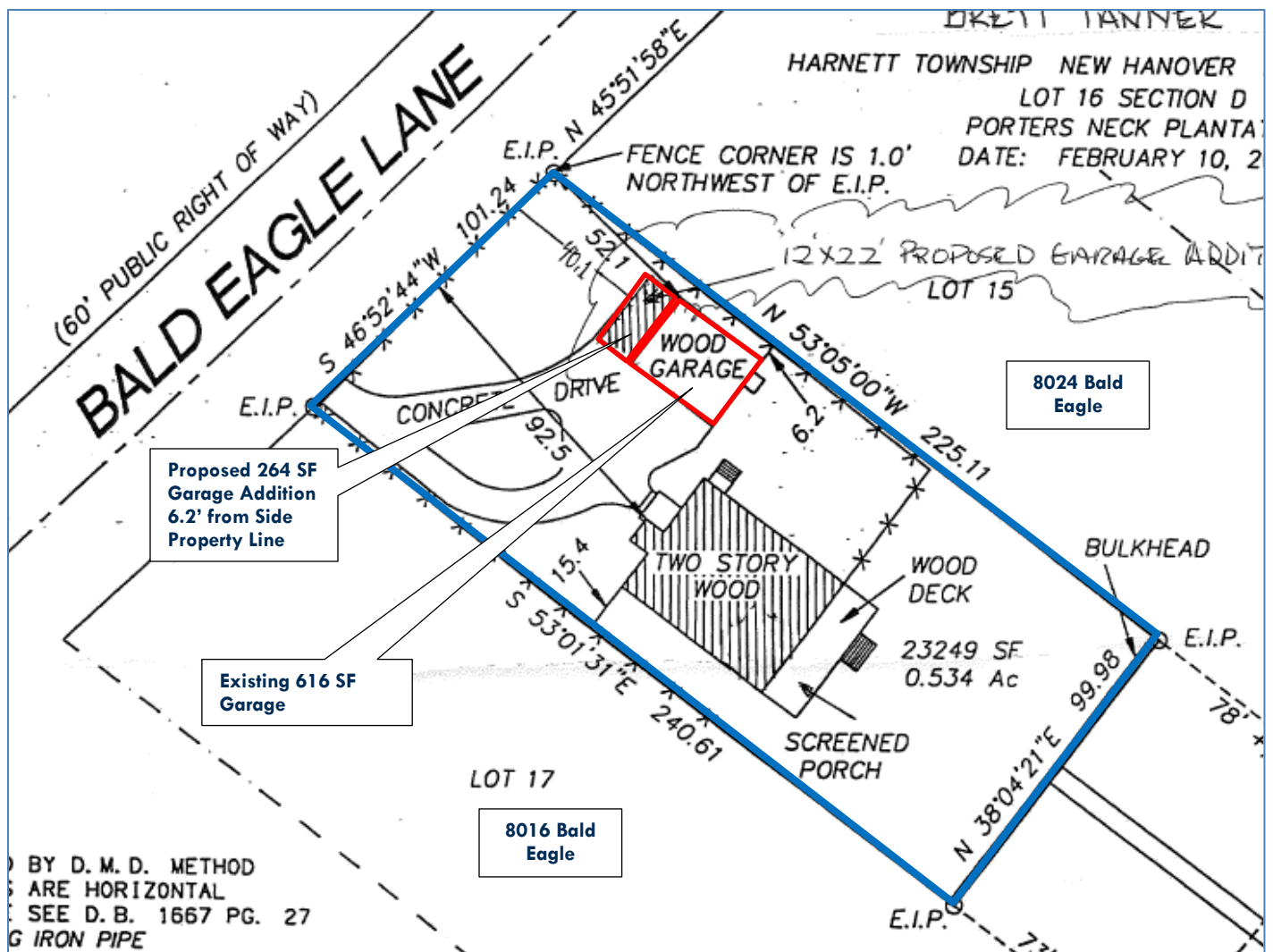


Figure 2: Proposed Site Plan with Staff Markups

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:**

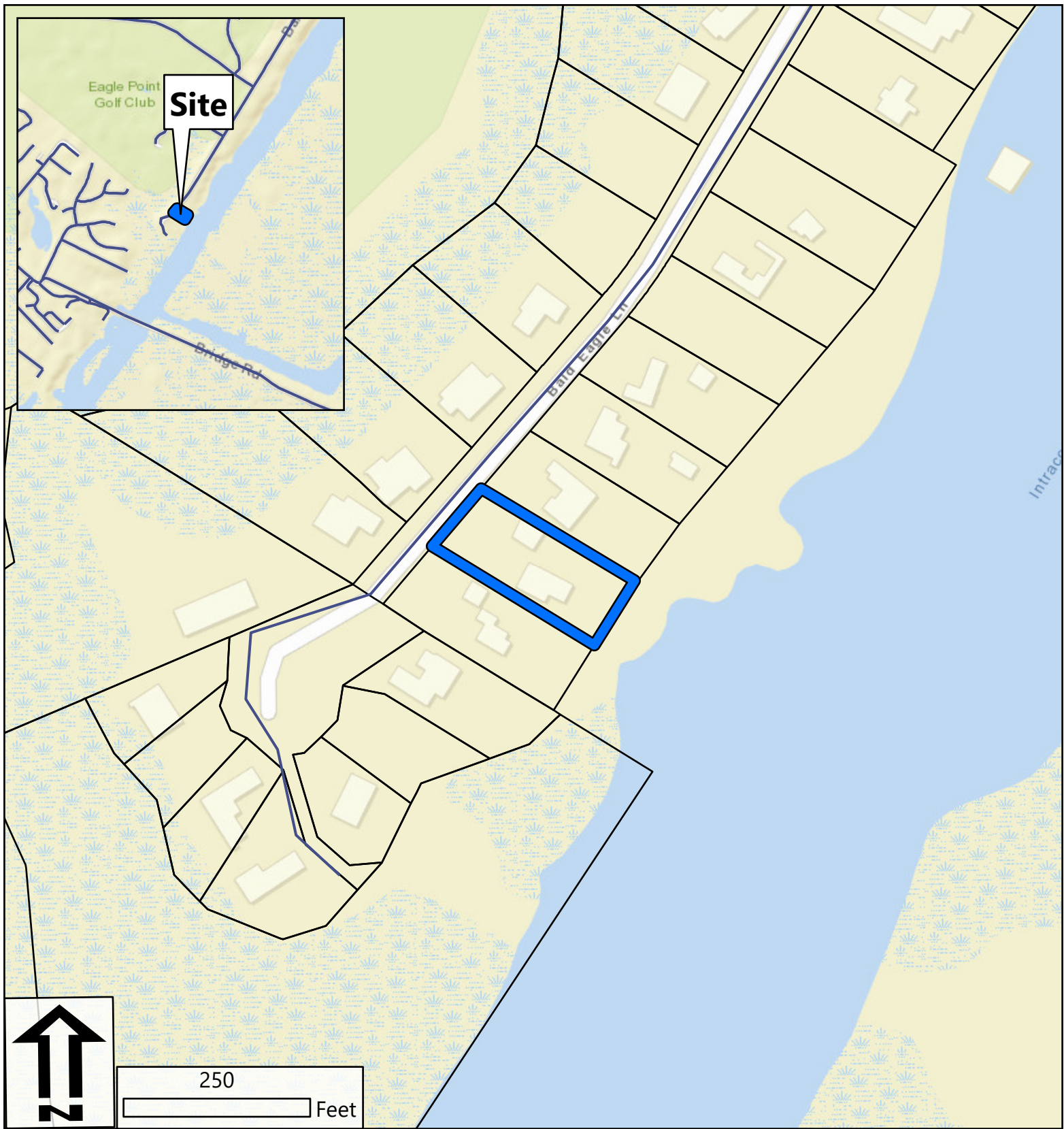
The Board of Adjustment has the authority to authorize variances from the terms of the Unified Development Ordinance where, due to special conditions, a literal enforcement of the regulations would result in unnecessary hardship. In granting any variance, the Board may prescribe appropriate conditions 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**





# 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.

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

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### ORDER TO GRANT A VARIANCE – Case BOA-958

The Board of Adjustment for New Hanover County, having held a public hearing on May 25, 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 25<sup>th</sup> day of May, 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

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

### 2. Subject Property Information

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

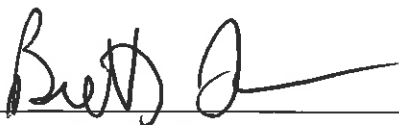
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**Acknowledgement and Signatures**

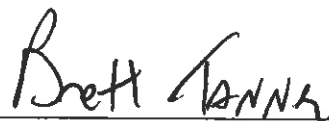
By my signature below, I understand and accept all of the conditions, limitations, and obligations of the variance application for which I am applying. I understand that I have the burden of proving why this application meets the required findings necessary for granting a variance. I certify that this 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

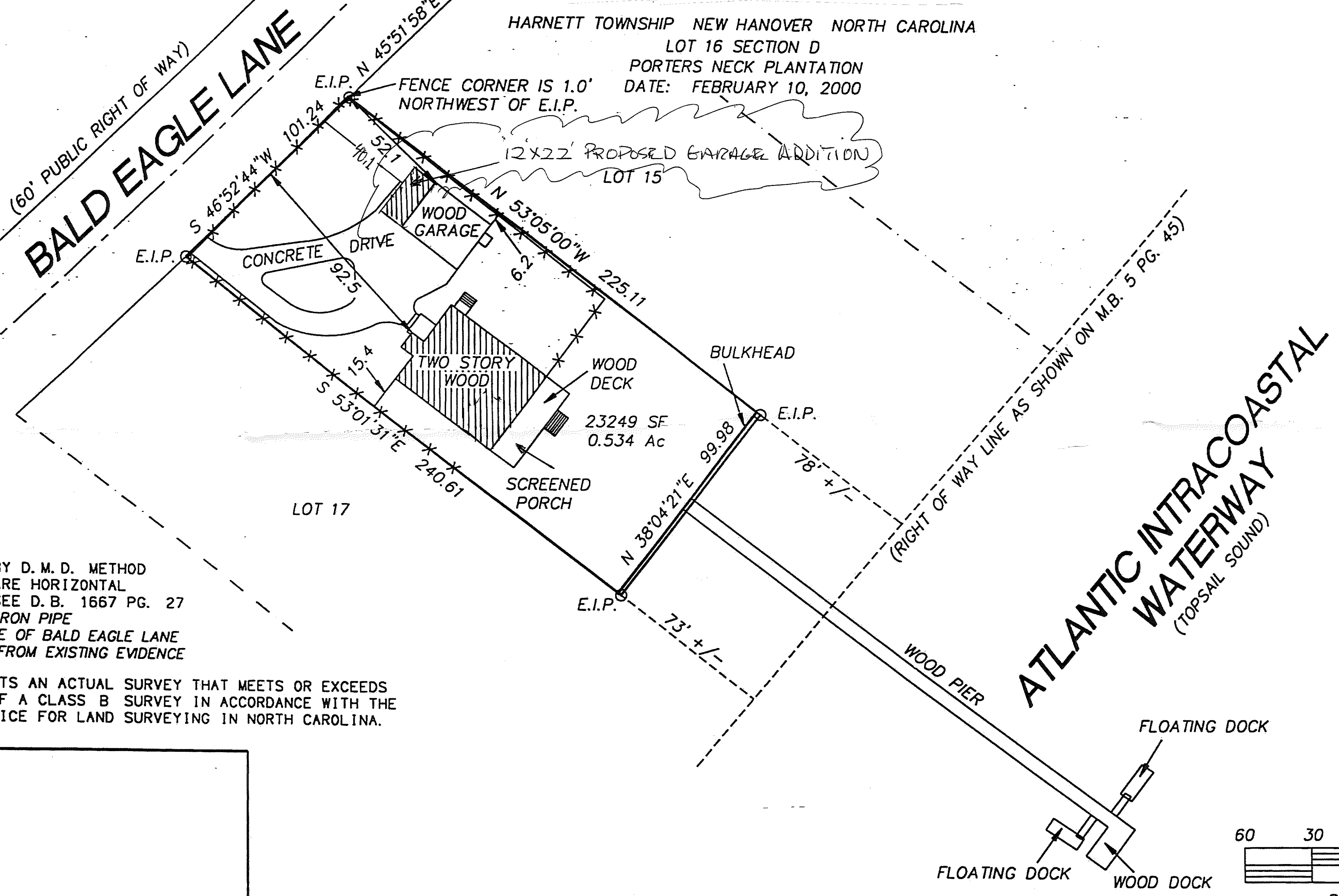
Note: This form must be signed by the owner(s) of record. If there are multiple property owners, a signature is required for each owner of record.

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

(60' PUBLIC RIGHT OF WAY)  
**BALD EAGLE LANE**

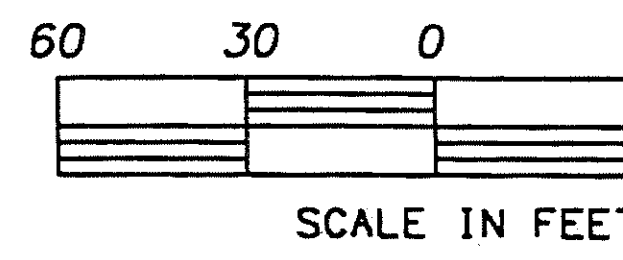
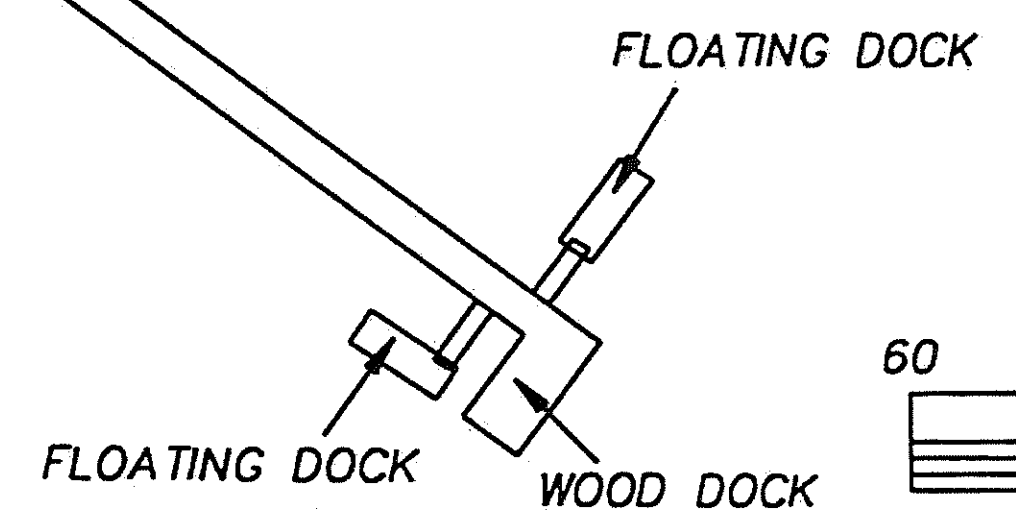
MAP FOR  
**BRETT TANNER**

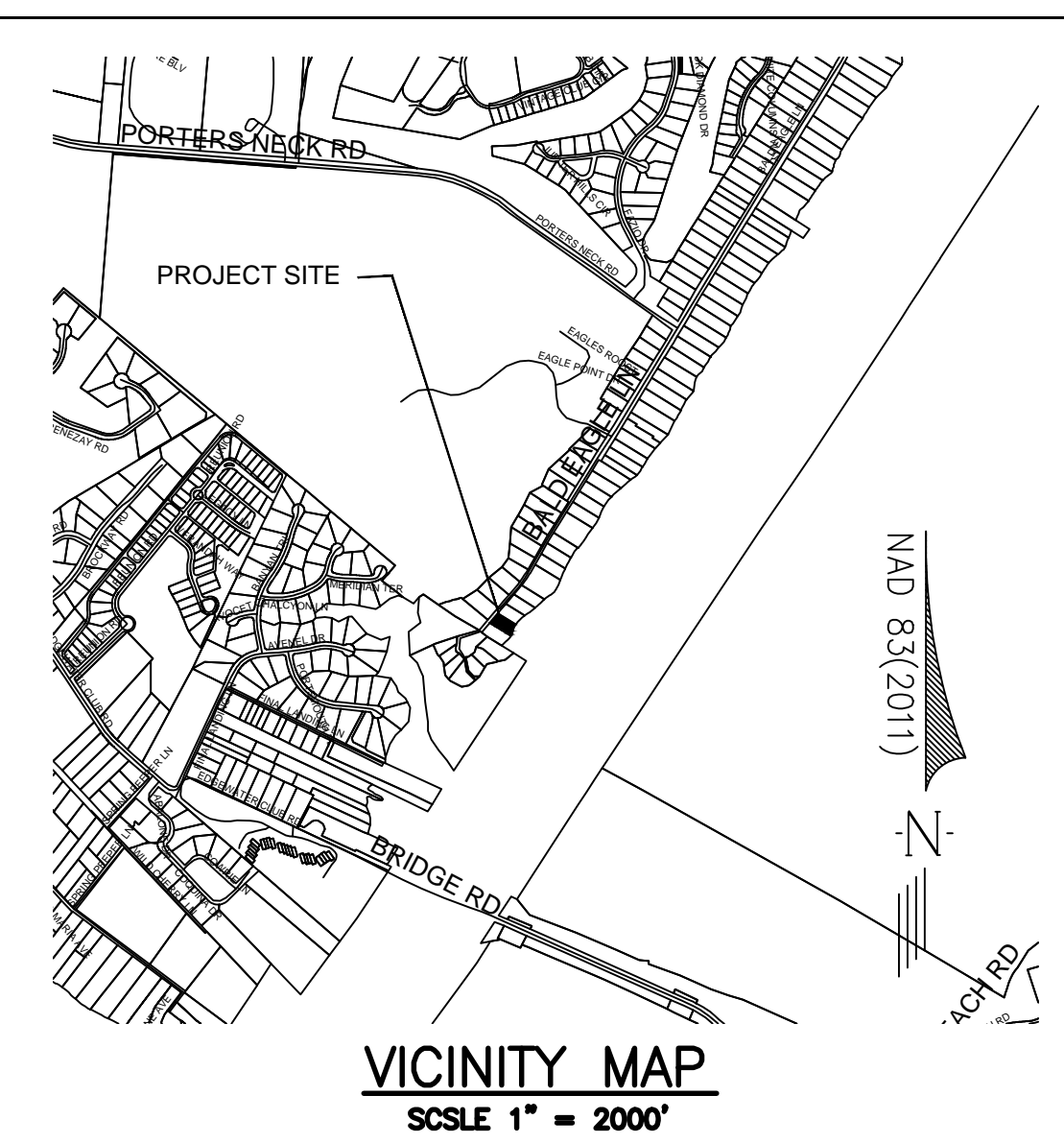
HARNETT TOWNSHIP NEW HANOVER NORTH CAROLINA  
LOT 16 SECTION D  
PORTERS NECK PLANTATION  
DATE: FEBRUARY 10, 2000



- 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.





DESIGN BY: BDS DRAWN BY: BDS CHECKED BY: BDS DATE: MAY, 2021	<div style="display: flex; justify-content: space-between; align-items: center;"> <div style="text-align: left;"> <p><b>BRETT TANNER</b>              8020 BALD EAGLE LANE              WILMINGTON, NC</p> </div> <div style="text-align: center;"> <p><b>DRAINAGE PLAN</b></p> </div> <div style="text-align: right;"> <p><b>8020 BALD EAGLE LANE</b>              WILMINGTON, NC</p> </div> </div>
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**JBS CONSULTING, PA**  
 7332 Colesworth Drive  
 Wilmington, NC 28405  
 (910) 619-9990  
 License Number C-2825

PLANNING — ENGINEERING — PROJECT MANAGEMENT

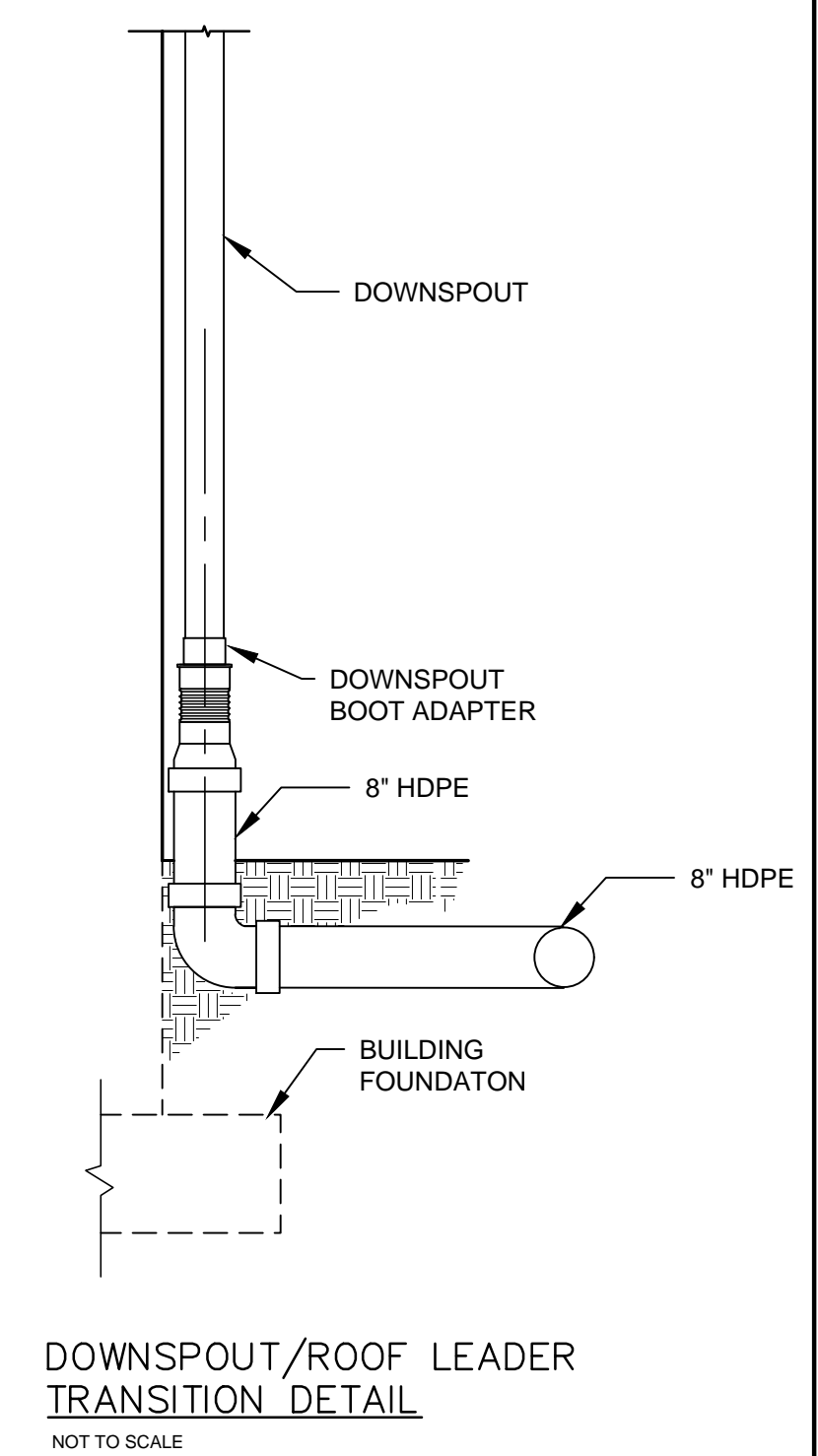
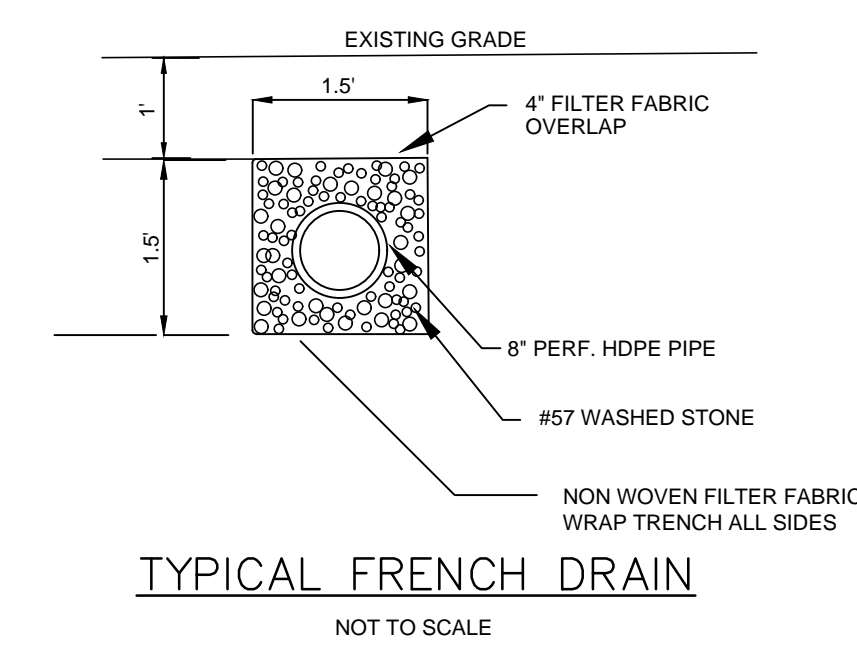
SHEET

C1

of X

JOB NO. 147

149-007



DRAINAGE PLAN  
SCALE 1" = 10'

**REASONABLE ACCOMMODATION REQUEST  
BOARD OF ADJUSTMENT  
May 25, 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:**

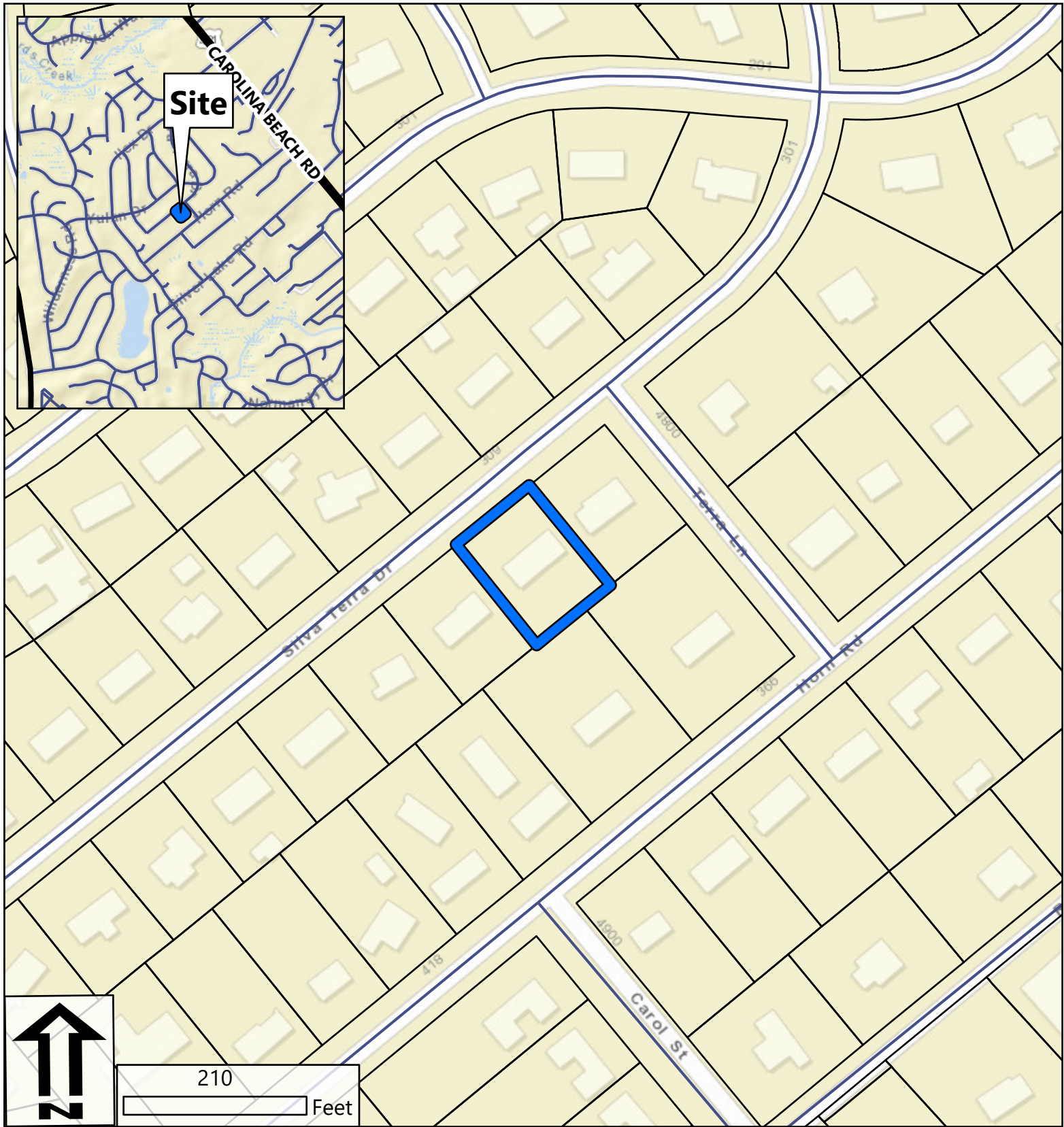
The Board of Adjustment is authorized to grant reasonable accommodations for the special circumstances as set forth in 10.3.13 of the New Hanover County Unified Development Ordinance to allow for reasonable accommodation under the Federal Fair Housing Act. The Board of Adjustment shall grant a request 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

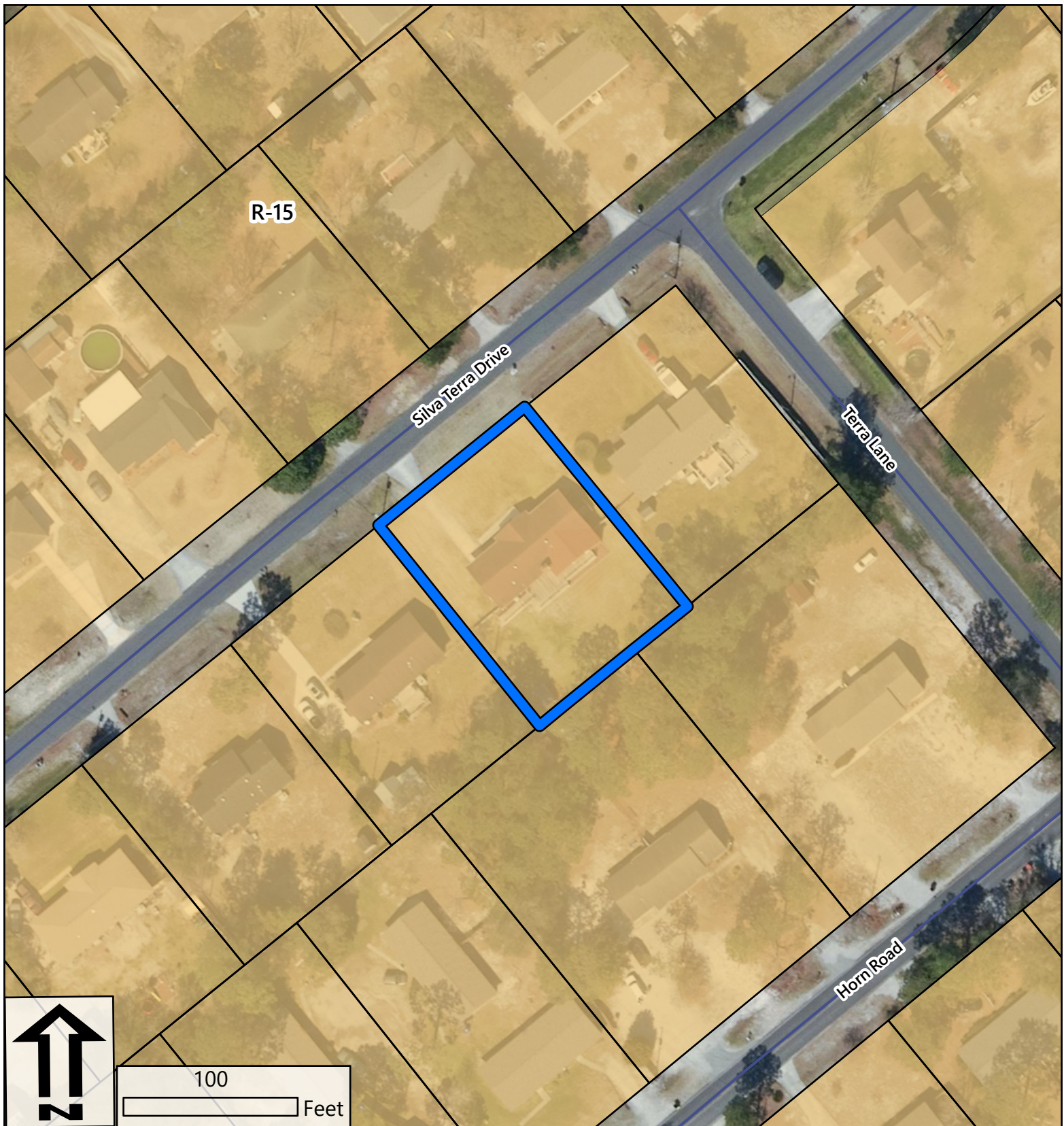
Address: 314 Silva Terra Dr

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

Applicant: Oxford House Showman

## Vicinity Map





## Case: BOA-961

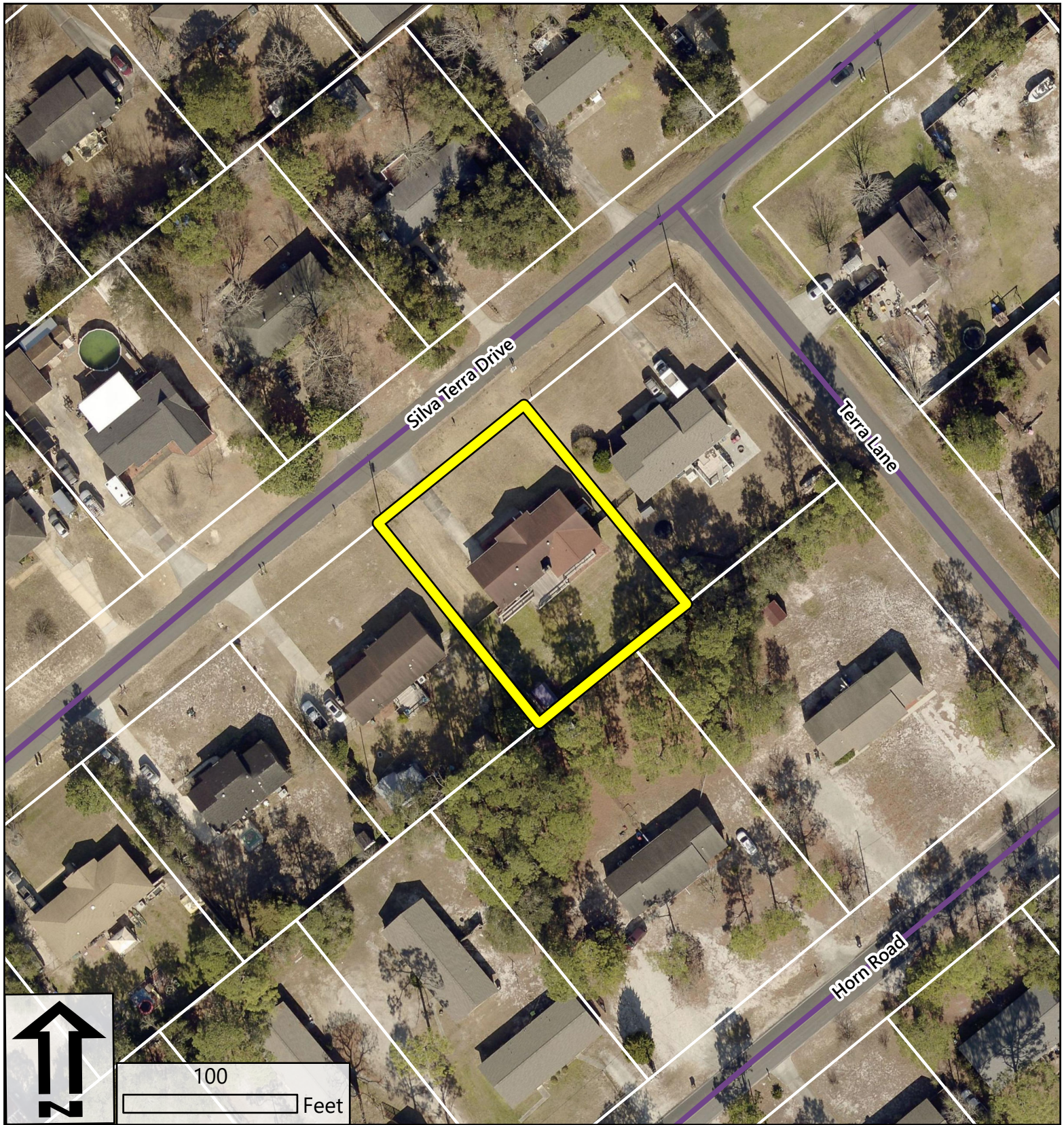
## Zoning Map

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.

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

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### 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 May 25, 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 25<sup>th</sup> day of May, 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

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



# NEW HANOVER COUNTY

## DEPARTMENT OF PLANNING & LAND USE

230 Government Center Drive, Suite 110

Wilmington, North Carolina 28403

Telephone (910) 798-7165

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### REASONABLE ACCOMMODATION APPLICATION

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#### 1. Applicant and Property Owner Information

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

## 2. Subject Property Information

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

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

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

DocuSigned by:

F2A8E3D18CC849F

Owner 1 Signature

2/27/2021

DocuSigned by:

F3E3D5CD15847

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.<sup>1</sup>

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<sup>1</sup> 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 choice<sup>2</sup>.

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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.

<sup>2</sup> 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.

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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**

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

---



## *Commemorative Edition*

19<sup>th</sup> 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.<sup>1</sup> 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.<sup>2</sup> 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.

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<sup>1</sup> See the Oxford House website: [www.oxfordhouse.org](http://www.oxfordhouse.org) under “About Us/History” for the text of the current law.

<sup>2</sup>The number of Oxford Houses reached 2,200 early in the third quarter of 2017 just prior to the 19<sup>th</sup> 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.<sup>2</sup>

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

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<sup>2</sup> 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 house<sup>3</sup>

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™<sup>4</sup>.

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

<sup>3</sup> 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.

<sup>4</sup> 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](http://www.oxfordhouse.org)  
E-Mail: [Info@oxfordhouse.org](mailto: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](http://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 charter<sup>5</sup> 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™.<sup>6</sup>
5. The anticipated charge per person per week that would be needed to make the House self-supporting.

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<sup>5</sup> 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](http://www.oxfordhouse.org) by clicking "applications" under "Houses".

<sup>6</sup> 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.<sup>7</sup> 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.<sup>8</sup>

### **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.<sup>9</sup>

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

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

<sup>8</sup> 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.

<sup>9</sup> 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.<sup>10</sup>

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)<sup>11</sup>, held 13 members. The monthly rent was \$700; utilities ran about \$300 a month; staples about \$250 a month.<sup>12</sup> The charge per member had been set at \$30 a week. Since the House quickly became full and stayed full, income exceeded expenses.<sup>13</sup> 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

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<sup>10</sup> 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.

<sup>11</sup> 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.

<sup>12</sup> 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.

<sup>13</sup> 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.<sup>14</sup> 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 available<sup>15</sup>. 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.<sup>16</sup> 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.<sup>17</sup> Relationships are bound to develop and will unnecessarily complicate the comfortable operation of an Oxford House™.

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<sup>14</sup> 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.

<sup>15</sup> 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.

<sup>16</sup> 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.

<sup>17</sup> 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.<sup>18</sup> 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

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<sup>18</sup> 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.<sup>19</sup>

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.<sup>20</sup> 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™

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<sup>19</sup> 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.

<sup>20</sup> 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.<sup>21</sup> 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™

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<sup>21</sup> 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.<sup>22</sup>

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.<sup>23</sup> 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".

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<sup>22</sup> 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.

<sup>23</sup> 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.<sup>24</sup>

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.

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<sup>24</sup> 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.<sup>25</sup>

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.

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<sup>25</sup> 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™.<sup>26</sup> 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<sup>©</sup>. 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.<sup>27</sup> 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.

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<sup>26</sup> 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.

<sup>27</sup> 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.<sup>28</sup>

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.<sup>29</sup> 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.

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<sup>28</sup> 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.)

<sup>29</sup> 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.<sup>30</sup> 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™.

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<sup>30</sup> 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.<sup>31</sup>

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.<sup>32</sup>

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<sup>31</sup> 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.

<sup>32</sup> 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](http://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](http://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](http://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<sup>®</sup>, the Oxford House Chapter Manual<sup>®</sup>, 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.<sup>33</sup>

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.




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<sup>33</sup> 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


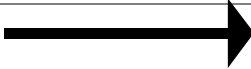

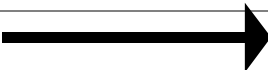
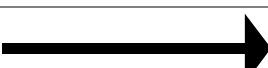

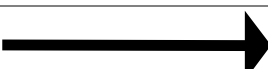

CHECKS NOT ON YOUR STATEMENT			
NUMBER AND DATE		AMOUNT	
=	SUB TOTAL		- MINUS TOTAL OUTSTANDING CHECKS
AUDITED HOUSE ACCOUNT			\$

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***

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Silver Spring, Maryland 20910

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Facsimile 301-589-0302

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Web Site: [www.oxfordhouse.org](http://www.oxfordhouse.org)