



## Board of Adjustment

MINUTES  
20 November 2025  
6:00 PM

### **Members Present**

Kenneth Turner, Chair  
Vickie Mullins-Vice Chair  
Donald Brooks  
Joseph Stephens  
Veronica Mitchell-Rozer

### **Absent Members**

Brenne Orozco  
Jacob Dluzak  
Gary Silverman

### **Staff/Others Present**

David Moon  
Timothy Doersam  
Oswaldo Garcia  
Amanda Ozanich  
Kristen Walkinshaw  
Barry Roberts  
Matthew Mottinger  
Helen Nelson (Asst County Attorney)

Chair Turner called the meeting to order at 6:00 p.m. in Public Hearing Room #3 of the Historic Courthouse.

### **1. INVOCATION& PLEDGE OF ALLEGIANCE**

Veronica Mitchell- Rozier gave the invocation and Pledge of Allegiance was recited by all.

### **2.ROLL CALL**

Deputy Director David Moon called the roll and made note of the absence of Brenne Orozco, Jacob Dluzak and Gary Silverman. Mr. Moon started a quorum was established.

### **3. SWEAR IN NEW BOA APPOINTMENT**

David Moon announced the new appointment of Kristen Walkinshaw as an alternate member of the Board of Adjustment. Amanda Ozanich of the Planning and Inspection notary performed the oath of office for Kristen Walkinshaw appointment on the Board.

### **4. SWEAR IN STAFF**

Chair Turner swears in David Moon, Barry Roberts, Tim Doersam, and Oswaldo Garcia

### **5.APPROVAL OF THE AUGUST 21, 2025, AND SEPTEMBER 18, 2025, MINUTES**

Chair Turner made a motion to approve, and Donald Brooks seconded the motion, all unanimously approved.

### **6. ADJUSTMENTS TO AGENDA**

There were none.

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

There were none.

### **8.PUBLIC HEARING DEFERRALS/WITHDRAWALS**

There were none.



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### 9. POLICY STATEMENT REGARDING APPEAL PROCESS

Deputy Director Moon read the policy statement.

### 10. PUBLIC HEARING(S)

Chair Turner opened the public hearing for cases.

**BOA-2025-0014:** Ruling by the Board of Adjustment pursuant to Section 1003.C. Nonconforming Uses, County Zoning Ordinance, to consider expansion of a nonconforming Recreational Vehicle Park Use onto three adjacent parcels containing 1.46 +/- acres in an R6A Residential Zoning District, located along the eastern end of Hulon St; submitted by Tom Lloyd (Applicant/Agent) on behalf of Guillermo Romo (Owner)

**Tim Doersam, Planner II**, on the behalf of the County Planning staff gave a presentation on the findings for the BOA ruling requested by the applicant. A PowerPoint presentation was presented to the Board.

1. Per the request letter, Mr. Romo had purchased the three subject properties at the same time as the two parcels containing the RV park that was deemed a legal nonconforming use in 2024.
2. The current legal nonconforming RV park is stated to have 67 spaces according to the applicant's request letter, but a to-scale site plan demonstrating the spaces and their layout has not been provided to the Current Planning Division yet.
3. The appeal comes from the property owner and his agent's desire to expand the amount of RV park spaces to serve a higher demand for temporary residential spaces due to the proximity to Ft. Bragg, Fayetteville, and US Highway 301/I-95 Business. The applicant's application states that having the additional RV spaces will cater to transient housing due to the costs of other nearby living accommodations such as hotels, motels, and manufactured housing.
4. The legal nonconforming RV park for the two larger parcels would still be allowed to continue forward if the appeal to expand is not ruled in favor of the property owner and applicant.
5. The surrounding area contains a mixture of manufactured housing and wooded lands with the nearby Brooklyn Circle roadway having a direct connection from and onto US Highway 301.
6. The property owner and his agent have stated to Current Planning that water taps exist on the three subject properties that have served RV spaces in the past, but no current records or photographs indicate that the three subject properties have been used for an RV park operation.
7. The appeal, if ruled in favor of the property owner and applicant, shall only be for up to ten total additional RV spaces across the three subject properties. The property owner would still need to provide a to-scale site plan demonstrating the number of RV spaces on the two larger parcels previously deemed to be legal nonconforming as well as demonstrating the locations of the RV spaces on the three subject properties

**Donald Brook**; inquired about the strip of land to the left of the property in question

**Tim Doersam**; it is an unnamed right-of-way extension that connects from Hulan street towards the existing, legal, non-conforming RV park

**Donald Brooks**: Did you mean section instead of Road.

**Tim Doersam**: It appears to be a road from what seen on plats.

**Donald Brooks**: There's no state or US road?

**Tim Doersam**: We have not been able to find who the current owner of it is. As we can tell it's from plats. It looks like the intent at some point was to extend that road towards the interior of the Eastern parcel that the RV Park is on, but nothing has developed on that little sliver that connects directly to Hulan Street

**Chair Turner**: How wide is that sliver?



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**Tim Doersam:** It is approximately 20 to 30 feet.

**Tim Doersam:** called Barry Roberts Code Enforcement Manager for Cumberland County Planning and Inspection department to provide context to the area and characteristic. He has already been sworn in as a staff member of the Department of Planning and Inspections as we did so earlier this evening.

**Tim Doersam:** Mr. Roberts could you please give us your title with the Department and your general responsibilities?

**Barry Roberts:** I am the Cumberland County code enforcement manager, and my responsibilities are management of code enforcement staff for minimum housing and zoning regulations, as well as supervising the intake of building permit, zoning permits, that sort of thing, and seeing that process through to issuance.

**Tim Doersam:** Are you certified by the North Carolina Association of zoning officials as a certified zoning official?

**Barry Roberts:** I am.

**Tim Doersam:** As your role as a code enforcement manager for the county, do you conduct interpretations of the zoning ordinance?

**Barry Roberts:** Yes, I do.

**Tim Doersam:** Please explain why this RV Park is considered a legal nonconforming use in an R6A residential district.

**Barry Roberts:** to begin with, per the zoning ordinance, a RV park is not an approved use or permitted use in the R6A zone. The reason this one is considered legal nonconforming is that the owner of the property, through an attorney, was able to satisfy both code enforcement and county legal counsel that this property had been used for an RV park for a period exceeding seven years, which is by law, the statute of limitations for land use issues and the North Carolina General statutes. So by default, having been longer than seven years, it becomes legal, nonconforming, and the use can continue.

**Tim Doersam:** What use is typically allowed in an R6A residential district?

**Barry Roberts:** R6A a residential district is designed for single family homes, both stick built and manufactured homes, as well as multi-family units with a density of around 6000 square feet per unit on a site.

**Tim Doersam:** Are you familiar with the subject property, and have you personally visited or observed the existing RV Park and the proposed RV Park expansion site along Hulon Street?

**Barry Roberts:** I haven't, I have personally seen it, as well as several members of our code enforcement staff have also seen it.

**Tim Doersam:** Based on your site visits and those conducted by your staff. What is the maximum number of recreational vehicles observed at the existing RV Park?

**Barry Roberts:** Probably between half a dozen and eight visits to the property that I can recall, the maximum number of RVs we've ever seen at any one given time both myself, nor or my staff, has been five

**Tim Doersam:** Thank you. That concludes my question

**Chair Turner:** Why have you been there eight times?

**Barry Roberts:** Well, we originally had, we had a code case on the property for using it without a site plan, operating an RV Park without permitting that sort of thing. That complaint came about as the result of another complaint in the immediate area, in which the complainant then rode around and started pointing out addresses. So, this property was sort of a secondary complaint to that. We sent out a notice of violation. The owner retained counsel who was able to, you know, provide us with proper documentation that it had been used. And that effectively closed our code case, because it was considered resolved at that point.

**Donald Brooks:** This is a number of RVs. It has to be on the property to be considered an RV, you know, the whole seven years in the past when you say that the statute limitation. So, was it five? Was it always five or six? You think it was more?

**Barry Roberts:** You know, historically, I can't speak for that, except for what we have seen since we became involved. But what makes it an RV Park is when it becomes commercial use for renting slots or



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spaces for people to bring their RV and use it. There's not a figure a number that calls it an RV Park, but whenever it becomes a commercial enterprise where non owners are invited onto the property to set up their RV and use it as a residence or temporary that that constitutes the commercial use which is not permitted under.

**Donald Brooks:** so, this property is broken up into how many slots or spaces for RVs?

**Barry Roberts:** Well, it's not, originally. It appears from historical records that had been set up for manufactured houses at some point in the past, and then again, at some point, those were removed, and then RVs begin making use of the old RV or manufactured home pedestals and manufactured home septic tanks that are on the site. So, but there, when you look at the property, there are several spots where, where RVs are sitting, but you don't, you don't see it when you go on the property, like delineated numbered slots. It's not laid out that way. The number that's presented as to the number of slots that are on the property is based on the number that can be placed on the property based on the acreage. So, per the ordinance, you can have so many RVs per so many acres, and that's where that calculation comes from. There aren't currently 60 or whatever slots delineated on the property.

**Deputy Director Moon:** Tim Doersam can address that question further with the next slide.

**Vice Chair Mullins:** so, the current property that you're saying was grandfathered in?

**Barry Roberts:** correct. you can say that. Yes, ma'am. Grandfather is not the exact language they use.

**Vice Chair Mullins:** but the other three that are in discussion would not be under that?

**Barry Roberts:** No, ma'am, that those were not these. That's the expansion they were not originally part of the term determination that they are legal non-conforming Otherwise we wouldn't have to discuss it

**Chair Turner:** this is secondary. I know a couple of counties will not allow permanent RVs. What do we do here?

**Barry Roberts:** That is correct in an RV park. The regulation is 90 days at a time in an approved RV park for a maximum of 180 days in a calendar year, and there has to be a minimum of 30-day gap in between those two 90-day periods. So, 180 days in a calendar year, by law and by definition, RVs are intended as temporary housing. In the past, we've had a definition in our ordinance that defined temporary housing as 30 days or less in at some point in some iteration of the editing of the minimum housing code, that definition was removed, so that language is no longer there. But just to give you some historical context,

**Vice Chair Mullins:** The property is at the end of a dead-end road, correct?

**Barry Roberts:** Yes ma'am.

**Vice Chair Mullins:** so, any other property owners around been notified?

**Deputy Director Moon:** Yes ma'am. Letters were sent to all adjacent property owners informing them of the hearing this evening, and a notice was also placed in the legal ads of the Fayetteville observer. Then, as you'll see in some of the pictures later, a sign was placed on the property next to the road to let adjacent property owners nearby, driving by, that there is hearing for the property.

**Tim Doersam:** on this slide, we see the subjects property outlined in red, and again, to just further clarify that the two existing parcels are where the current legal, non-conforming RV Park is, to sort of answer your questions from earlier, to Mr. Roberts, for Section 921.B for recreational vehicle parks and or campgrounds, the maximum number of RV spaces per acre is 20 using the existing RV park, the total acreage between the two parcels is approximately 3.71 acres, meaning that, using the math of 20 maximum per acre, with 3.71 we have a total potential RV space of 67 and per Mr. Roberts testimony, with the RV campers seen during the site visits being consistently up to five, the potential available spaces is currently sitting at 62 for the requested expansion area having a combined total of 1.46 acres. The total potential RV spaces that would be allotted to this would be up to 29, the request by the property owner and the applicant is for up to 10 spaces for the three subject properties involved.

**Chair Turner:** Would you say that first sentence again? I don't believe I heard everything before you said. I believe what's allowed versus the request for 10. What did you say





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**Tim Doersam:** for the requested three subject properties? These three properties, their total combined acreage is 1.46 and so using the 20 maximum RV spaces per acre times 1.46, then 29 is the potential total RV spaces, but the applicant is requesting only up to 10 spaces.

**Chair Turner:** Thank you.

**Tim Doersam:** This is a concept plan just showing a rough idea of the RV park provided by the applicant, and to provide more character the area from the zoning perspective, this is the zoning map showing that the area is predominantly R6A and R10 to the north, with town of Hope Mills, town limits. In terms of the county R10 is a defunct, currently dormant, zoning district that defaults to R7.5 and then across the street we have the RR, rural residential and some commercial zoning to the south and southeast., As is in your packet. This is the applicant's request letter. In the second paragraph, this is where it states the existing RV Park, consisting of up to 67 spaces, which is consistent with the total potential RV spaces from the two-existing parcels containing the existing legal non-conforming RV Park.

**Tim Doersam:** Per staff's findings per the request letter, Mr. Romo had purchased the three subject properties at the same time as the two parcels containing the RV Park that was deemed a legal non-conforming use in 2024 the current legal, non-conforming RV Park, per the property owner, has 67 spaces. But a site plan has not been submitted to current planning yet, demonstrating that the site thing in the can accommodate 67 spaces. Also, per the applicant's letter, the amount of RV Park spaces is needed, however, to serve a demand for temporary residential spaces due to the proximity to Fort Bragg Fayetteville and US Highway 301, I-95 the applicant has stated that having additional spaces will cater to transient housing. The legal, non-conforming RV Park will also remain as is, if the board rules to deny the expansion request. It will not go away and lose its legal non-conforming status if a denial is what the board finds. Additionally, the surrounding area contains a mixture of homes and wooded lands. The appeal, if ruled in favor of the property owner, shall only be up to 10 total additional RV spaces across the three subject properties and known nuisances generated by RV Parks can include noise, traffic, smoke from campfires and trash. An increase in nuisances can be anticipated if there is an increase in the number of RV spaces. To provide a look at the character the land surrounding area, these are photos taken by the county graphics team. This is a photo looking directly at the subject parcels across Hullon Street, and we can see the sign that was posted out to notify nearby residences of the board of adjustment meeting tonight. This is looking westward down Hullon street towards Brooklyn circle. This is looking across Hullon Street to the north from the subject properties. And this is looking eastward from down Hullon street towards where the dead-end continues onto the abutting property. The border adjustment has the authority to rule, to approve, deny or approve with conditions the request from a property owner to expand the non-conforming RV Park and any conditions made by the board must be reasonable in nature. The burden is on the property owner to demonstrate that the expansion of the park is in a quotation from the zoning ordinance "no more detrimental to the neighborhood than the initial non-conforming use of the property in question. And to rule in favor of the RV Park expansion, the board of adjustments must find that the expansion is no more detrimental to the neighborhood than the initial non-conforming use of the property in question".

**Donald Brooks:** on the current property can house 67 RVs based on the calculation?

**Deputy Director Moon:** Correct

**Donald Brook:** the additional property is an additional, possibly 29 more?

**Tim Doersam:** from the calculations yes sir, the applicant, though is not requesting that

**Donald Brooks:** I know, but its 29 more,

**Tim Doersam** Yes,

**Donald Brooks:** so, 67 plus 29 with ever that number is, but he said that eight times prior what he says he only had five RVs on it, on the whole property that can have 67? So, you're expanding it, I don't understand this a little bit. You have 67 spaces now and you want another area that will take it possible up to 29 and make it for 10.



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**Deputy Director Moon** That's a question you would want to address to the property owner or his representative.

**Joseph Stephens** the potential is there, if you by the amount of acreage.

**Donald Brooks:** I know what the acreage is, but I am still curious.

**Chair Turner:** any more comments from the Board.

**Chair Turner:** Open the public hearing to the floor.

**Chair Turner:** swears in the property owner Mr. Guillermo Romo

**Mr. Romo:** confirmed and approved Tom Lloyd to speak on his behalf in the matter of his appeal

**Chair Turner:** swears in Tom Lloyd who is speaking on behalf of the property owner in this appeal

**Tom Lloyd:** My name is Tom Lloyd; I was the planning director joint planning staff and current chairman of the joint planning board. Usually, I don't get involved in these. Mr. Romo is a friend of mine, so he doesn't really understand the ordinance. I said I'd help him out. So, if you could put it on the slide, it shows just some land use one the very first thing I want to bring up is one use that is permitted in the R6A it was brought up as a manufacturer's own park. So, the nature of the area is an existing manufacturer comes on now he's only asked to expand this because he has a set amount of poles, electrical poles set in there. And he doesn't want to, I don't want to say, clog up. He wants to keep the existing RV Park nice. He bought this land on the impression that, because the zoning is the same, that he could just go ahead and expand, and he can't without the expense of legal, non-conforming use, which Scott flowers appeared and had it established that. All Mr. Romo wants to do is expand this, so he doesn't have to, which is why he purchased it. He was under the impression to expand it. He doesn't want to put any more in the existing park, which there's also an advertisement. He likes it the way it is, which is nice. It's a nice if you all went out there, I don't know. So, the bottom line is, he's here asking he can expand this for a set amount of lots, and I'm here to answer any questions. I always say it won't appear any more detrimental to the neighborhood than what's already there now, if you all have written out there and seen this area, actually, its improvement compared to what's in the surrounding area. No offense to anybody. There's nobody here in opposition. The neighbors were notified. We had one person in support, but first not to speak. It's just so I'm basically here to present this and answer any questions.

**Chair Turner:** I looked at the hand drawn diagram and the one question that I think is answered is it appears that that little sliver that Mr. Brooks mentioned is will not be used to access this property.

**Tom Lloyd:** No, sir, it's really but it's not platted.

**Chair Tuner:** correct,

**Tom Lloyd:** but it's really a sub road that the applicant doesn't own it, and the neighbor doesn't own.

**Chair Tuner:** that's my problem. We don't have permission to use it, so that's why I say we want to make sure that we don't use it.

**Tom Lloyd:** No, it won't be used.

**Chair Turner:** And I think I see that coming in across the right side of that lot. It's closest to that little strip.

**Tom Lloyd:** And I apologize for the drawing, like I said. I mean, I worked, but I'm not much of an artist.

**Chair Turner:** I wasn't sure about your drawing. That was, that was, you know, the issue that I had, or the question that I had was, how that was going to work. Do we anticipate him loading the initial subdivision up, or excuse me, the initial partial that's under the legal not conforming up with more units,.

**Tom Lloyd:** no. And you could put that condition on, except for the fact that and the staff may correct me if I'm wrong, it's not really part of the application, in retrospect, had I included that you could have said no more in the original parking part?

**Chair Turner:** Yeah. And does he currently understand that you can't have somebody to live there year-round?

**Tom Lloyd:** Yes,

**Chair Turner:** okay

**Tom Lloyd:** 30 days is usually the max that he has.



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**Chair Tuner** Is that right? 30 days?

**Barry Robert:** Yes

**Tom Lloyd:** I apologize for him, His English isn't that great, so my Spanish isn't that great.

**Chair Turner:** What about fires? Or the slots? Can they have open fires?

**Tom Lloyd:** No

**Chair Turner:** okay

**Tom Lloyd:** and that's a condition that you could put on. But if you look at the ordinance, you really not supposed to be burning trash or residential area.

**Chair Turner:** agreed.

**Vice Chair Mullins:** who keeps track of how long they are there in attendance, how long they're staying parked.

**Tom Lloyd:** The owner, the owner keeps records.

**Vice Chair Mullins:** then who checks up on that? Does anybody?

**Tom Lloyd:** I mean that could be the only one really thoroughly answer that would be code enforcement other than to believe in

**Donald Brooks:** so all of these RVs, they connect to water and septic?

**Tom Lloyd:** Yes, and electric. And that's why there's a set number. That's because originally, he had electric there. Electric was there. The utilities were there and that's not on the I'm talking about on the present RV Park. He didn't even realize it took a life for me, because somehow utilities post got put there. There's none on the exist there the proposed property as of yet, but there will well and septic

**Vice Chair Mullins:** I think somewhere I was just reading it. Tell me if I'm wrong that the owner pays electrical bill, just one bill or does each person does?

**Tom Lloyd:** it my understanding he does.

**Mr. Romo:** there is four for one post. So, it four people that way, so it gets billed that way, so they charge for electricity and water and everything together, so each one for that day or tow days or three days, whatever they stay there.

**Jospeh Stephens:** Looking at the applicant's letter, he states here that he would like 10 more spaces, mostly trade contractors and become sought after and failed. So, it doesn't sound like it's an RV park in the sense that it is going to be sending people to stay there on vacation.

**Tom Lloyd:** No.

**Joseph Stephens:** it's more of a labor camp where they're going to come and stay there and work, and when the work.

**Tom Lloyd:** traditionally, that's who he's had there.

**Jospeh Stephens:** Okay, so it's the RV park. Is a name we're using, but it's really not what we're thinking about, you know, Yellowstone or someone. So, it's, it's going to be a little bit different demographic, and in essence, it could become a drain on public officials that have to go and police that area, because you've got people that are not travelers. They're just working on folks or whatever the job can be. Am I misinterpreting it, or am I reading his statement correct?

**Tom Lloyd:** No, you are and I'm glad you brought that up, because there hasn't been any complaints on any incidences in the existing the existing.

**Chair Turner:** are complaints your issue?

**Jospeh Stephens:** Well. for me, it's just, is it an RV park, or is it where people are going to bring their campers and stay and work until the work is done and then they go to the next job site? You know, are the RVs leaving with the people, or are the RV staying he's going to rent that out to whoever comes in.

**Tom Lloyd:** He does not do any RVs rental. And I'm glad that there was a question, because a lot of these are people that come in for 20 to 30 days to Fort Bragg. They'll stay there and then leave.

**Vice Chair Mullins:** they pull their own in and come in?

**Tom Lloyd:** Yes' Ma'am, he doesn't own any.



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**Chair Turner:** Yes, well water, is that correct?

**Tom Lloyd:** Yes

**Chair Turner:** PWC

**Tom Lloyd:** Yes

**Tom Lloyd:** So, we will have to get a well and septic permit

**Chair Turner:** that's not the big deal, I know PWC taps are very expensive, I was curious about that

**Deputy Director Moon:** Mr. Lloyd so the board of adjustment understands were you offering the condition to limit the existing parent RV Park to no more than five RV's?

**Tom Lloyd:** What's in there now, they know what in there now, they are not going to add any more

**Deputy Director Moon:** The county staff has identified five RV parks on the property. There's also, I think it wasn't mentioned, a single-family home on the property. I believe Mr. Romo lives there. And then there's the staff has identified as many as five, but that's only at the times that staff has been on the site. Whether there are more or not, I can't testify to that.

**Chair Turner:** I believe Mr. Kent recognized that's not part of this, but it certainly could be part of the total package. It seemed like whatever we decided on, is that incorrect

**Tom Lloyd:** They can correct me if I am wrong, but I think this because this wasn't advertised the parent tracks and in retrospect, I wish I knew that you could put limitations on that, but the limitations really are on the lots being considered tonight. Now I will say this, there is a site plan on file now there should be for the original, not legal, non-conforming use. So, any expense of that would have come through with another site plan for the staff to approve

**Chair Turner:** is that correct

**Deputy Director Moon:** correct

**Donald Brooks:** So are we going to approve 67 slots

**Tom Lloyd:** he could do that; I don't know the original application. I know he doesn't want to put anymore there, but the application was brought in front of you before, well, there was none it would the staff maintained it was legal, non-conforming, so there isn't a site plan of that put on file, the original two tracks, I know track

**Donald Brooks:** I thought that they have said because the statute of limitation that is adopted and it was potentially 67 slots on their property to go up 67 RVs on that property. So, when you say that they would have to submit a plan for what already 67

**Tom Lloyd:** same reason we're here because that would be expanding on an existing legal non-conforming park if he added more, and staff can correct me if I'm wrong on that

**Deputy Director Moon:** Our understanding based on the application that was submitted, that letter that the property owner is stating that they have rights to 67 RV spaces on the property, based on section 921b that says up to 20 spaces per acre are allowed. And that calculation of 67 I believe some acreage was reduced to accommodate the existing single-family home. If I let this single-family home out of it, then the number would be closer to 75.

**Tom Lloyd:** It's actually a duplex

**Tom Lloyd:** Now again, I don't know if you drove out there

**Chair Turner:** we are not allowed too we have to do it right

**Tom Lloyd:** WOW, it's been that long, but the way its laid out he wouldn't be here if he was going to bring more on. I mean, that's all I can say. But the bottom line is, when we're considering these three parcels, if you consider what's the surrounding use of the area, how its zone and where it is located in respect to 301, and who uses it, it basically fits into the neighborhood, and there's no opposition.

**Chair Turner:** do we have any other questions.

**Chair Turner:** so, as it stands, he would have to come back and do more than the five then what's on the parent parcel?

**Tom Lloyd:** yes.





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**Chair Turner:** but he wants 10 other parts?

**Tom Lloyd:** right, he doesn't want to expand the existing parcel

Chair Turner: Any questions? Do we have anybody else who would like to speak

**Tom Lloyd:** No sir

**Chair Turner:** closes the public hearing.

**Chair Turner:** any discussion? I have a concern about putting twice as many on another parcel. That's the only concern I have, that we're doubling up on that parcel. I think I feel better if the same numbers were going to be on that parcel.

**Tom Lloyd** you know, in retrospect, that could have included that, but since it's not included in the application the other partials, then we can't limit them so and but because it's illegal, the other parcels legal, non-conforming, and the staff can correct me if I'm wrong, if any more additive that would have to be the staff, and I believe they would have come back here.

**Chair Turner:** is that correct?

**Barry Roberts:** I believe, I believe so that's kind of always been our position when it was established as legal non-conforming. At that time, there were five and even though that non-conforming status was established, that adding to that nonconformity by just simply, by adding a larger number of homes, would require the board's approval for expansion of amount

**Chair Turner:** Thank you that solves the 67.

**Helen Nelson:** I don't know at what point did you all hear from legal, but if you would be willing to hear from me, one thing that I do want to see, if you all have understanding and clarity of, is that the non-conforming parcels are the two existing parcels, those larger lots. It's my understanding, whenever they request, that those were the only two lots that were approved for legally non-conforming. So now it sounds like they're here today asking you to allow them to take a parcel that was not done legally non-conforming and making legally non-conforming.

**Tom Lloyd:** it's what the application says is the expansion of determining legal non-conforming right?

**Helen Nelson:** So, then your question is whether or not the expansion per the letter for legal non-conforming use means the expansion on the existing non-conforming or if it allows them to reach further out into the other properties and make them now become non-conforming.

**Chair Tuner:** R6A allows trailers, but does it allow RVs on these?

**Barry Roberts:** No. Not permitted right.

**Jospeh Stephens:** Okay, now if we're going to use the word expansion, wouldn't the deed need to be redone so that that parcel is included with the other two.

**Helen Nelson:** so, we're not necessarily talking about the deed itself. It's just the use of the property. I don't know if those are deeded as two or three separate parcels they make.

**Jospeh Stephens:** Well, I mean, it's a separate parcel. It's not part of the existing pieces of property, so if they're going to say, you know, expansion, they're expanding upon the existing, non-conforming, if you take expansion out of it, say, okay, here, we're just looking for a change. But I know, you know I had to have my land redeemed so that all three sections, all three parcels, were made one parcel. So, what I'm not he going to run it as two separate businesses or so that would be a question for them to answer. Okay,

**Helen Nelson:** and I do know that you did close the hearing. So, if you want to continue to address that you might want to reopen it.

**Chair Turner;** re-opens the public discussion portion once again.

**Chair Turner:** would you address that?

**Tom Lloyd:** I am going to let the applicant, or I am the applicant, what was the question again?



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**Chair Turner:** are you going to combine the pieces to make one big piece? I guess, I'm confused actually is why we are going for non-conforming instead of a variance on that piece, why is that?

**Tim Doersam:** the main reason is, per statute, you can't use a variance to add a use to the permitted uses of a zoning district.

**Chair Turner:** but you can, you can add, or you can legalize a non-conforming?

**Deputy Director Moon:** A non-conforming use can be expanded based on the criteria presented to you this evening,

**Chair Turner:** expanded?

**Deputy Director Moon:** It could be if determined by the board that it's not going to create more detrimental impacts to the character of the surrounding area than the current non-conforming situation. But yes, the state statutes do not allow the use of a variance to change the use of property. The subject site is zoned R6A residential so an RV Park would be a commercial use, so we would be changing the use of the property unless an existing, non-conforming use was expanded on to it.

**Donald Brooks:** That piece of property is not adjacent to each other. It's not like existence properties being expanded out. This is property that's not actually adjacent to the non-conforming property. It's not next to it where you can just expand so this sustains two partials of property

**Chair Turner:** The use is being expanded without the property rights.

**Tom Lloyd:** and the staff can correct me if I'm wrong, two or more uses under the same ownership adjacent can be considered as one.

**Chair Turner:** Mr. Moon.

**Deputy Director Moon:** both the subject property that's being discussed in the existing RV park are owned by Mr. Romo, so he owns both. So, it could be considered as one entity. It'll be one RV park, if the expansion is approved. It's not two separate RV parks. It would be, one RV park.

**Chair Turner:** Right.

**Donald Brooks:** on two separate parcels

**Tom Lloyd:** I think the key word is adjacent, if I understand ownership

**Deputy Director Moon:** today, Mr. Romo could replat that property and make it one parcel like that.

**Chair Turner:** I just tried to make sure we follow the letter of what we're supposed to follow. To be honest with you, we have any other questions, any motions.

**Veronica Mithcell-Rozer** I got question, how far is? Where's the nearest residence?

**Tom Lloyd:** nearest residence?

**Veronica Mitchell-Rozer:** house?

**Tom Lloyd:** There is a duplex on the property

**Veronica Mitchell-Rozer:** on the property

**Tom Lloyd:** It'll put the landing slide up there. Most of the land use around there is either older houses or manufactured homes, so it fits in character with the neighborhood

**Veronica Mitchell-Rozer:** would it have any effect on the value?

**Tom Lloyd:** even though that should not be a consideration, the answer is no, based on what's existing out there now matter of fact, it may be an improvement, because it's going to go ahead and make the proposed area like the existing park.

**Chair Turner:** Is any there anymore questions, no, closes the public discussion portion again.

**Chair Turner:** BOA members, any question, motions, anything we need to look at

**Vice Chair Mullins:** I would say I can make a motion that we accept can RV expansion but with limitations of only five to be put in, not 10.



**Chair Turner:** I second that, **All in Favor (2) Opposed (1) Did not Vote (2)**

<b>Members Vote</b>	<b>Favor</b>	<b>Opposed</b>	<b>Did not Vote</b>
Kenneth Turner, Chair	x		
Vickie Mullins-Vice Chair	x		
Joseph Stephens		x	
Donald Brooks			x
Vernoica Mitchell-Rozerr			x

Mr. Turner: Looks like that motion did not pass. Are there any other motions?

[No other motion was offered by the Board of Adjustment. The BOA did not make a ruling that the expansion is "no more detrimental to the surrounding neighborhood than the initial nonconforming use."

#### **11. OTHER BUSINESS:**

##### **A. 2026 BOA MEETING SCEHDULE:**

Chair Turner made a motion to approve the 2026 Meeting Schedule: Vice Chair Mullins seconded the motion, approved unanimously.

#### **12. DISCUSSION/UPDATES(S):**

Deputy Director Moon informed the BOA members Jacob Dluzak deployment as active-duty officer, and his absence for the upcoming months as a board member. He also advised the board that Mr. Dluzak will still be a member of the Board of Adjustment but due to his absence, participation from all current members is very important to proceed forward during this time.

#### **13.ADJOURNMENT**

**Chair Turner:** Adjourned at 6:57 pm