

At a regular meeting of the Southampton County Board of Zoning Appeals (BZA) held in the Board Room of the Southampton County Office Center at 26022 Administration Center Drive, Courtland, Virginia on July 21, 2003, at 7:30 PM.

COMMISSIONERS PRESENT

Douglas A. Chesson, Chairman
James Bradshaw, Vice Chairman
Elma A. Brown
Peter F. Copeland
Thomas Daisey
Barbara Ellsworth
Marie Sykes

COMMISSIONERS ABSENT

None

OTHERS PRESENT

Robert L. Barnett, Building Official (Secretary)
Richard E. Railey, Jr., County Attorney
Susan H. Wright, County Administration Executive Secretary

Chairman Chesson called the meeting to order at 7:30 PM and welcomed everyone.

(*Note:* Commissioners Brown and Sykes arrived at approximately 7:45 PM, as they thought the meeting began at 8:00 PM.)

Chairman Chesson sought approval of the minutes of the January 23, 2003 organizational meeting, as approval of those minutes was deferred from the last meeting due to some Commissioners not receiving them and others misplacing them. **Vice-Chairman Bradshaw moved, seconded by Commissioner Ellsworth, to approve the minutes as presented. All were in favor.**

He then sought approval of the minutes of the March 17, 2003 regular meeting. **Vice-Chairman Bradshaw moved, seconded by Commissioner Daisy, to approve the minutes as presented. All were in favor.**

Vice-Chairman Bradshaw asked if anything had been done about what Commissioner Daisey recommended regarding the Board of Supervisors going back and looking at the 250 feet? (Commissioner Daisey, at the March 17, 2003 BZA meeting, stated that he thought they needed to encourage the Planning Commission and Board of Supervisors to change the telecommunications ordinance to allow for a maximum tower height of 250 feet in an Agricultural District, as originally drafted in the ordinance, rather than 199 feet.) Chairman Chesson replied that nothing had been done, but he would try and remember to bring it up (to the Planning Commission, whom he was also a member of), but it was pretty intentional that the tower height be set at 199 feet.

Chairman Chesson announced that the first public hearing was to consider the following:

The application of Alexander W. Hatch (Owner) for a Variance to Sections 18-38, Minimum Lot Area, 18-40, Minimum Lot Frontage, 18-41, Minimum Lot Width, 18-42a,

Minimum Side Yards and Section 18-424e (2), Waterfront Lot Set Back. Said Variance is requested on property identified as Tax Map 118A Double Circle (3), Parcel 3, of the Southampton County Zoning Map and located on Battle Beach Road, Franklin, Virginia. Newsoms Magisterial District.

Chairman Chesson asked Secretary Barnett if he had anything to add to the application? Secretary Barnett replied yes. He advised that after further review, the applicant would not need a variance for the minimum lot area, minimum lot frontage, or minimum lot width. It was actually a legal lot of record, so those items would not come into play. The applicant would still need a variance for the minimum side yards and waterfront lot set back. He pointed out that in the agenda package was a copy of a site plan submitted by Mr. Hatch showing the lot size and what he proposed on the lot. On the east side of the property, looking at the drawing, there was approximately 16 feet from the foundation of the home to the property line. However, Mr. Hatch proposed a 10-foot deck on that side, which would reduce the setback to 6 feet. On the west side of the site plan, there was 10 feet from the foundation of the home to the property line, but he proposed a set of stairs 4 foot in width on that side, which would make that side yard 6 feet. In essence, Mr. Hatch was requesting a 45-foot setback on the waterfront, whereas a 50-foot setback was required, so he was asking for 5 feet there, and was asking for 6 feet on each side, whereas 15 feet was required on one side and 20 feet on the other. Mr. Barnett informed that the lots in the Nottoway Shores/Dockside area (the area of the said property) were all still zoned Agricultural (A-1), so all of them were nonconforming. To his knowledge, everyone that had built back since the flood, and prior to the flood, had to request a variance in order to place a structure on those small lots. Thus this application was in keeping with what the BZA had been doing in the past, especially since 1999 directly after the flood.

Vice-Chairman Bradshaw asked if there was a house on Lot 2? (*Note: Mr. Hatch's property was Lot 3, and Lot 2 was directly adjacent to it on the west side*). Mr. Barnett replied yes. Vice-Chairman Bradshaw asked if there had been any concerns from those residents? Mr. Barnett replied that the owner of that lot, Mr. Thomas White, was in the audience and could speak to that. He added that the lot on the east side also had a structure.

Chairman Chesson asked that anyone present wanting to speak for or against the application to approach the podium.

Mr. Thomas White addressed the BZA. He advised that he wanted to look at the drawing before making any comments. Mr. Barnett showed and explained the drawing to him. Mr. White stated that he did not know what to say because he had to get the same thing done when he built his house, but he wished there was some way Mr. Hatch could keep 10 feet away from the line. He was 10 feet away from the line, and if Mr. Hatch could do the same, there would at least be enough room for a little bit of air to come between the 2 houses. He commented that he did not know if the stairs were considered part of the house or not, since they were outside. He advised that he did not have a problem with the house being 10 feet away from the line.

Commissioner Daisey asked if he would consider a reduction of 4 more feet (to allow for the stairs)? Mr. White replied that he did not like it. Commissioner Daisey again asked if he would consider it? Mr. White replied that he was leaving it up to the BZA.

Vice-Chairman Bradshaw asked if the stairs could be moved to the north? Mr. White stated that the site plan Mr. Hatch showed him about a week ago showed the stairs going up the front of the house

(facing the river). Mr. Barnett remarked that he was not sure who prepared the site plan, but that was what was submitted to him. Mr. White pointed out on the site plan this his own stairs were actually only about 8 feet from the line, so if Mr. Hatch's were 6 feet from the line, that would put them real close together.

Vice-Chairman Bradshaw asked what had been the BZA's policy in the past? Had it been consistently 10 feet? Had it ever been less than 10 feet? Mr. Barnett replied that it had been less than 10 feet. Mr. Hatch stated that he had 10 feet on both sides, but there had been less than 10 feet on some of the houses.

Mr. Alexander "Pete" Hatch, owner/applicant, addressed the BZA. He advised that they planned to have the house built with its center on the center of the lot. The house would be 34 foot wide and the lot was 60 foot wide. He was going to put a chair lift *under* the front porch facing the river, which would carry him up to the living quarters; there would be no *outside* stairs there. (*Note:* Mr. White referred to the front of the house as that which faced the river, but in terms of zoning, the front of the house was defined as that which faced the road. Hereon, "front" in quotation marks indicates facing the river). He stated that Mr. White called his attention to the situation (of there possibly being very little room between their houses), so he went out and looked at it and decided to move the house back to the center of the lot, with its center being on the center of the lot.

Chairman Chesson asked if the application could be amended at this stage? Attorney Railey replied sure. There was some confusion as to what the amended application should be.

Mr. Bill Hatch, grandson of Mr. Alexander "Pete" Hatch, addressed the BZA. He stated that he drew the site plan for his grandfather. He stated that the reason the house was moved over towards Mr. White's side was they were advised by the Health Department that the sewage, or septic system, would need to be 10 feet off the utilities line which ran between Lot 3 (Mr. Hatch's property) and Lot 4 (the lot adjacent to Mr. Hatch to the east), so they would have to come further off of that side. The other side of the property, between Lot 2 (Mr. White's property) and Lot 3 (Mr. Hatch's property), had no utilities running through it. He advised that the Health Department had since changed that plan a little bit, which he thought might allow for the house to be shifted back some away from Mr. White's property, but he did not know if that plan had been finalized. He clarified that they did have stairs going up in the "front" of the house as Mr. White had stated, but the 4-foot stairs on the side towards Mr. White's property were optional if they were given the variance. In response to an inquiry by Chairman Chesson, he indicated that since it was not definitely known what the Health Department's plan would be, he thought it might be best to keep with the original application, but stated that Alexander Hatch was the applicant, so he would yield to his wishes. He just wanted to provide some background information.

Mr. Alexander Hatch clarified for Vice-Chairman Bradshaw that there would be stairs on the "front" of the house, not shown on the site plan, but they would be under the porch. Vice-Chairman Bradshaw commented that he did not understand then why he needed steps on the left side of the "front" porch as well, and Mr. Hatch stated that he did not think he would.

Chairman Chesson closed the public hearing, as no other individuals desired to speak.

Commissioner Daisey made a motion to approve the application without the stairs on the left side. Vice-Chairman Bradshaw seconded the motion.

Attorney Railey informed Chairman Chesson that he understood that the applicant had asked the application to be amended. There was still some confusion as to exactly what the applicant was proposing. **Secretary Barnett advised that he believed Mr. Hatch had proposed that he could live with the removing of the stairs on the west side (or left side) of the drawing towards Mr. White's property. That would put him at the full 10 feet on the west side of the house from the foundation to the property line. He then confirmed with Mr. Hatch that the 10-foot deck on the right side of the house towards Mr. Sunday's house (Lot 4) would remain, so there would be a 6-foot setback to the property line from the deck on that side. He stated that Mr. Hatch was still asking for a 5-foot setback reduction on the riverside, or waterfront. (He was asking for a 45-foot setback instead of the required 50-foot setback). He could make the 50+-foot setback on the front (facing the road). He stated that he believed the motion was meant to accept the above.**

Chairman Chesson asked Secretary Barnett if the 6-foot setback on the right side only applied to that particular deck? If Mr. Hatch later wanted to put a 10-foot addition on that side of the house, would that be permissible with this variance? Secretary Barnett replied that he would have to come back and ask the BZA for anything with a roof over it. However, if he wanted to continue the deck north towards the river, as long as it did not protrude further toward the right line, he could do so because it would not be any more nonconforming than what the BZA may or may not allow tonight.

Commissioner Daisey, who made the motion, and Vice-Chairman Bradshaw who seconded the motion, were in agreement with the aforementioned statements of Secretary Barnett regarding the exact setbacks being requested. All were in favor.

(Note: Commissioner Copeland dismissed himself from the panel, as he was directly involved in the next public hearing and would address the BZA as a Southampton County citizen and owner of Brookside Mobile Home Park.)

Chairman Chesson announced that the second and final public hearing was to consider the following:

The application of Lawrence W. Brown to appeal the decision of the Zoning Administrator as it relates to the set back requirements for an existing mobile home park. Said appeal is in reference to property identified as Tax Map 94, Parcels 1-A and 1-B of the Southampton County Zoning Map and located on Brook Road, Franklin, Virginia. Franklin Magisterial District.

Mr. Barnett wrote and sent Mr. Peter Copeland, owner of Brookside Mobile Home Park, the subject park, and sent a copy to Mr. Lawrence Brown, applicant/grievant, the following letter which was the basis of Mr. Brown's appeal:

May 13, 2003

Mr. Peter F. Copeland
29085 Bethany School Road
Franklin, Virginia 23851

Dear Mr. Copeland:

I spoke with you about the setback of one of the mobile homes in the mobile home park owned by you which is located on Brook Road in Southampton County. You stated that the one mobile home in question was moved only because it was encroaching on the neighboring property and that it could only be moved a few feet to fit on the existing lot. I informed you that the setback as required by the Zoning Ordinance was 15 feet from the property line. You requested that I research the property as an existing nonconforming use and lots as they relate to the setback requirements.

You informed me that the mobile home park was created in June 1966 and has continued the use to this day. If the mobile home park was constructed today it would be required to be zoned (RMH) Residential Mobile Home, the lots would be required to be larger, there would be street requirements, storage units would be required and the setbacks would be 15 feet from the property lines.

Section 18-446 of the Southampton County Zoning Ordinance states that if on October 1, 1968 any legal activity which was being pursued, or any lot or structure legally utilized in a manner or for a purpose may be continued.

As none of the existing lots, setbacks or the zoning meets the current zoning requirements, and Section 18-446 allows nonconforming lots and uses to continue, it is my determination as Zoning Administrator that you will not need to seek a Variance for the setback.

Please be advised that any person aggrieved by the decision of the Zoning Administrator may appeal his decision in writing to the Board of Zoning Appeals within 30 days of such decision.

Respectfully,

Robert L. Barnett
Zoning Administrator

Chairman Chesson asked Secretary Barnett if he had anything to add to the application? Secretary Barnett replied yes. He stated that there was quite a bit of information included in the agenda packets pertaining to the mobile home park, and his decision to not require a variance and reasoning for such. Also, information submitted by Mr. Lawrence Brown, applicant/grievant, and Mr. Peter Copeland, owner of Brookside Mobile Home Park, the subject park. In front of them was some additional information not included in the agenda packets. The first page contained information he wanted to pass on to them. The second page was a list of the 10 mobile home parks located in Southampton County. The remaining pages contained the following 7 submittals by Mr. Peter Copeland: 1) Letter from Donald Porter verifying the date of construction of Brookside Mobile Home Park, 2) Pictures with the date 1966 on them showing construction of the park, 3 & 4) Photos of newspaper advertisements of the park in 1966, 5) Southampton County Board of Supervisors' minutes dated 1965 showing the rezoning of the park land from Agricultural to Commercial for a mobile home park, 6) Letter dated 1966 from the City of Franklin Planning Commission approving the plat for the mobile home park, and 7) Letter dated 1966 from the State Health Department recommending approval of the mobile home park.

Vice-Chairman Bradshaw asked why the *City of Franklin* Planning Commission approved the plat? Mr. Barnett replied that in talking to the County Administrator, he understood that prior to 1968 Southampton County only had *some* zoning in the Franklin District, and the City of Franklin Planning Commission assisted the County in their planning and Board of Supervisors in making decisions.

Chairman Chesson asked those desiring to speak for or against the application to approach the podium.

Mr. Lawrence Brown addressed the BZA. He stated that he was the grievant in this situation and thanked them for the opportunity to speak. He informed that he was not represented by an attorney, did all of the “leg work” himself, and did not go to the City of Franklin looking for minutes or a map, so he may be “out of the loop” a little. He wanted to add a few comments in addition to the information he had sent them. He stated that the setback problem had been going on for over 4 years, and there had been no effort by the Copeland’s to resolve the problem. The net result was that the Copeland’s were the sole benefactors of approximately 10% of the land he owned and paid taxes on adjacent to the trailer park. He noted that the map in the agenda packets showed that that part of his land could be considered as an integral part of the trailer park. He advised that he attempted to resolve the matter with the Copeland’s by way of an equitable land swap, but to no avail. He then stated that he thought the nonconforming lot justification to allow the trailer formerly on his property to be pulled less than 4 feet from his property line and set back down on the Copland’s property was not valid because of the trespass issue. He thought the trailer should be treated as if it were a new trailer coming in to the park and should have to adhere to 2003 setback requirements. He stated that Peter Copeland knew when he sold the subject trailer to William and Teresa Byrd that the trailer was partially on his property, but his attitude was to do nothing to resolve the problem and made the comment “let a sleeping dog lie”, or something very close to that. He informed that the Copeland’s had over 125 acres of land adjacent to his 5.725 acres, which was more than ample to allow the trailer park facilities to be in compliance with existing zoning requirements.

Mr. Brown continued that the Copeland’s had more than ample land to also eliminate potential health risks to inhabitants of the trailer park from present-day agricultural practices and chemicals. I.e.: In the last 4 years since he had the property, they (Mr. Brown and those he rented his land to) had raised cotton on the land and used Temik, which was extremely toxic, along with other chemicals. He advised that in the past, the approximately 30-foot strip of land he had left out of production had not resulted in any safety problems, but asked why should he be responsible for providing a safety zone to residents of the trailer park, when the Copeland’s had over 22 times as much land as he did that could provide for this function? He thought a fair compromise was to maintain a permanent 30-foot buffer, which had proven to be safe to residents of the trailer park, with he and Mr. Copeland each contributing 15 feet. I.e.: He would not farm within 15 feet of his property line, and the Copeland’s would not have any trailer park facilities within 15 feet of the North side of the trailer park boundary line. He commented that he personally would want to live at least 30 feet from where lethal chemicals were used in agricultural production. He did not think anyone would want to live within 5-10 feet of a field where those chemicals were used, which would be the situation if he were to farm his land to the line he was entitled to. He thought a fence on the property line would also be beneficial to the trailer park residents.

Mr. Brown advised that he may be incorrect, as he did not check City of Franklin records, but as noted in his June 6, 2003 letter to the BZA, his research indicated that at the November 1965 Board of Supervisors meeting, Mrs. J. R. Lawrence, Peter Copeland's aunt, requested that the preliminary plat of the trailer park, showing the land she desired to be rezoned, be placed on file in the clerk's office. He noted that he was unable to find any of the above requested information, and wanted the BZA to clarify the matter for him. He asked, if a 1965 request of the Board of Supervisors was not honored, why shouldn't the 1996 plat that was put to record be the official plat for the trailer park, meaning the trailer park lots and setbacks would have to conform to those in existence since 1996? He stated that he had always felt that right would eventually prevail when all facts were known. Although he did not have the benefit of legal counsel, he thought the BZA should make changes to the setback problem at Peter Copeland's trailer park when all facts were considered. He thanked them for their consideration.

Vice-Chairman Bradshaw asked how long he had owned the property? Mr. Brown replied that he purchased the property in 1999. He then asked who was the previous owner? Mr. Brown replied that it belonged to the Robert A. Pretlow estate and was sold at sealed bid auction.

Mr. Peter Copeland addressed the BZA. He advised that he wanted to correct the statement of Mr. Brown that he sold the trailer to William Byrd. He stated that he did not sell the trailer to him. Mr. Brown immediately remarked that he did sell the trailer to him. Mr. Copeland stated that no, he did not. The trailer was owned by an older couple who went into bankruptcy. Mr. Byrd bought the trailer through the bankruptcy court when it was taken away from the previous owners. He informed that he told Mr. Byrd that the trailer was 6 inches over the property line, and if he bought it, he was buying it at his own risk as far as working out an arrangement with Mr. Brown. It came to be that Mr. Brown said the trailer had to be moved. He relayed that message to Mr. Byrd, who paid \$1,500 to move the trailer 6 inches. He advised that he also wanted to correct the statement of Mr. Brown that cotton was grown in the field. He stated that he had never seen cotton grown in that field. It had always been round-up ready soybeans, where the land was tilled one day, planted, and possibly sprayed once. Thus, he did not see the chemical risk.

Mr. Copeland advised that he was the owner of Brookside Mobile Home Park. The park went through the planning stages in 1965, was constructed in the Spring of 1966 by Don Porter, and opened June 6, 1966 by a partnership between Don Porter and his father. He purchased the park in April 1998 from Don Porter. He stated that Mr. Barnett had already addressed quite a bit of the facts that proved the park was in existence prior to October 1, 1968, as it related to the code as an existing legal nonconforming use. He informed that there were 10 trailer parks in Southampton County, 7 of which, including his, were all existing nonconforming uses. He advised that when Mr. Brown purchased the property, the trailer park was there. There had been no problems with the past owners. The real issue was that Mr. Brown wanted a piece of property they owned, which bordered Pretlow Street and Brook Road, that was in between 2 parcels of land Mr. Brown owned. He advised that they, actually his father, had tried to buy the land next to the trailer park from Mr. Brown. He (Peter Copeland) had also proposed to rent the land from Mr. Brown. None of this worked for Mr. Brown, as the only thing that would work for him was a land swap. Mr. Brown wanted them to trade the piece of property they had between Mr. Brown's 2 parcels, which had road frontage on both sides, for the strip of land Mr. Brown had next to the trailer park, which had virtually no road frontage. Mr. Copeland then stated that it appeared to him that if they made this trailer conform, they would have to make all of them conform. That was not economically feasible for him as the owner. If he had to move the court, which would entail moving electrical lines,

sewage lines, and asphalt road, it would not be done. If Mr. Barnett's decision was overridden, it would eventually lead to the closing of the park. He noted that most of the residents of the park were low income, and it would be a hardship for them to have to relocate. He then welcomed any questions.

Commissioner Daisey asked what Mrs. J. R. Lawrence was to him? Mr. Copeland replied that she was his mother's aunt. He then asked if she left the property to him in a will? Mr. Copeland replied no, that she leased the property to Don Porter and his father. He added that he purchased the park from Don Porter in April 1998.

Vice-Chairman Bradshaw asked if the previous owners of the 5-acre parcel (Mr. Brown's property beside the park) farmed all those years? Mr. Copeland replied that the land was rented, just as Mr. Brown rented the land. Vice-Chairman Bradshaw asked, but was it farmed all those years? Mr. Copeland replied yes. He then asked if there were ever any complaints from the previous owners? Mr. Copeland replied no, not to his knowledge. He added that it was a country setting, people had enjoyed the quiet country life there for the last 37 years, and that was how they wanted to keep it. Vice-Chairman Bradshaw asked if there had been any new trailers put in? Mr. Copeland replied no, not since he had owned it. Vice-Chairman Bradshaw then confirmed with Mr. Copeland that the trailer that was moved 6 inches off of Mr. Brown's property was an existing trailer. Mr. Copeland explained that the trailer was moved 6 inches to get it off of Mr. Brown's property, but was actually moved a total of a little over 4 feet. Vice-Chairman Bradshaw asked if any of the mobile home owners had complained about pesticides or anything being sprayed? Mr. Copeland replied no, not to him. He added that again, round-up ready soybeans were the only thing he had ever seen grown in that field.

Vice-Chairman Bradshaw asked when they (soybeans) were grown? Mr. Copeland replied that they were planted anytime between May and June, and there was very little chemical use on them. He added that he had never seen peanuts or cotton grown in that field, not to say that they couldn't be.

Commissioner Daisey asked Mr. Copeland how old he was in 1965? Mr. Copeland replied that he thought he was 7.

Mr. Lawrence Brown asked if he could please speak again? Chairman Chesson replied yes, but that if it was a matter of questioning what kind of crops were grown in the field, they were not interested.

Mr. Brown again stated that he did not have a lawyer do his presentation, so some of his information was from word of mouth from residents of the trailer park. He informed that he rented his land the first year to Jeb Bradshaw, who put cotton on almost all of the land. He advised that the people attending his land fully intended to put cotton on it next year, in which the toxic chemical Temik would be used. But even round-up ready soybeans were subject to having to be sprayed with insecticides at the rate of 1-2 ounces per acre, which was very toxic. He commented that the reason he suspected that no one had ever objected to the agricultural procedures in that field, was because of the graciousness of the past owners and himself for the last 4 years to give the residents a 30-foot strip of land in which there was no agricultural activity on. His proposal, to be fair so those residents would not have to worry about it, would be for he and Mr. Copeland to both contribute 15 feet, so that "safety zone" would be there. He stated that Mr. Copeland was correct in that the residents were not having any problems. He remarked that he did not think anyone here, himself

and Mr. Copeland included, would want agricultural practices conducted 4 or 5 feet from where they lived.

Commissioner Daisey asked Mr. Brown if he would do something like that? Mr. Brown replied no, out of consideration, but it was within his right to do so.

Mr. Brown then acknowledged that he had proposed a land swap with Mr. Copeland. He stated that he proposed to swap Mr. Copeland a piece of his land that was zoned A-1 and that he paid \$2,000 an acre for, in exchange for a piece of Mr. Copeland's land that was described by the Corps of Engineers as being fragmented wetland. The access to Pretlow Street that Mr. Copeland mentioned was restricted access, as it was at the base of the ramp below the Route 58 bypass. He commented that the land would cost a minimum of \$2,500-\$3,000 an acre to clear up and you would have to go through mitigation to get it in A-1 condition. He informed that he offered to get that land, which he proposed to get from Mr. Copeland, appraised by 3 different people and divide the value by 3, and do the same for the land Mr. Copeland would receive from him. Or to get the County tax values of the properties in question and add 20% to each of them, and pay Mr. Copeland the difference, if any, or have Mr. Copeland pay him the difference, if any. He advised that his proposal was met with total noncompliance.

Chairman Chesson closed the public hearing, as no one else desired to speak for or against the application.

Chairman Chesson stated, that although he was sure it would be, he wanted Mr. Barnett's letter (the letter he sent to Mr. Peter Copeland and copied Mr. Lawrence Brown) to be included in the minutes, as that was the issue at hand; Mr. Barnett's letter indicated his ruling that the movement of the mobile home was appropriate and no variance was required.

Commissioner Daisey moved that it fall within Section 18-446; nonconforming. Attorney Railey confirmed with Commissioner Daisey that, in other words, his motion was to sustain the decision of Mr. Barnett. Commissioner Bradshaw seconded the motion. All were in favor.

Chairman Chesson asked if there was any more business to be brought before them? Commissioner Sykes stated that in reference to the information packet that was passed out to them (page 2 of which listed the 10 mobile home parks in the County), Lloyd Sykes no longer owned Sykes Mobile Home Park; it was now Fieldcrest Mobile Home Park. Secretary Barnett advised that that was an old list, but the legal description and size and shape of the property, as well as all the others, remained the same.

Commissioner Brown asked if their meeting time had been changed from 8:00 PM for daylight savings time? Chairman Chesson replied that as noted on page 11 of the minutes of the last meeting, it was decided that the meeting time be changed to 7:30 PM.

Mrs. Barbara E. Story addressed the BZA. She stated that she would like to express some things that had been going on in her life that needed to be brought to their attention. She had held back and had been very patient. She advised that she had been totally disabled since 1987. She had tried to work many jobs and had a lot of jobs in this County, and was a citizen of the U.S. She was born in Sussex and moved to Southampton when she was a little girl. She had had many government jobs, etc. Getting down to the bottom line, she tried so hard driving the school bus for the Academy

2 different years, public for a year and substitute bus driver. She had worked for the Clerk part-time, Hancock peanut company, was a telephone operator, and worked at Veeco in Richmond. She graduated from Southampton in 1964, was 13th from the top academically and wittiest of 87. She had various other jobs.... electrolux, worldbook, and census bureau. She believed in straightforwardness and truthfulness. She did not believe in a liar or a thief. She stated that here she stood tonight. She had set back and let things happen, and now it was time for her to take a stand. She was not blaming anyone on the BZA. The bottom line was, as she was driving those school buses, and carrying those electroluxes, her sister had to carry it in between sales. She demoed it and couldn't tote it. She was stricken with physical back problems; she was not brain dead. She stated that she stupidly sat back and let it happen. She had some savings. She was a widow and lost her husband June 14, 1981 and was left with 2 beautiful children. Not the milk man or orange juice man, but the children of the classmate she was in love with. She had a son, Maury Story, Jr. and a daughter Barbara Jo Story Gregson, who also lost her husband. They had been married 2 years, but had no children. She commented that life goes on. She was living for the day to be 120+ like they were. Living to be a grandmother. She just hoped they got Mr. Wright and he got Ms. Wright's support.

She advised that the bottom line, going back to the matter, they moved down in the Newsom's area in 1978. Her husband was farming or in it. And at that time, that was the way you could get one acre of land. They had 3 chances to buy 3 different houses. They had a little savings. They decided they wanted this particular acre of land. She was still living on it, 25 years this past June. On that land, they put a custom-made 14x70 heavy-duty trailer. It had 2x6s in it, 3 doors, dishwasher; they selected what they wanted. It had 923 square living feet, 3 full size bedrooms, etc. After 3 1/2 years, she lost her husband in an automobile and train collision. Social security was helping with the children. She dedicated her life to her children. She also worked for the peanut inspection service for 14 years. They had people coming out of North Carolina, South Carolina, and Georgia who did not even know what a peanut was, and she was in charge at many, many stations. You could ask anybody, she was one of the best graders. She did not like to brag, but she was who she was. She stated that the bottom line, going back to the matter, when they got down there, they had intended to leave frontage in front of the trailer, which they did, to build a home. There were some metal iron things on the side of the lot right now. Back then he was a mechanic and he was going to weld John Deere tractors, etc. and have a shop. She was going to tend to the children and just do part-time work, possibly go back to the Department of Social Services where she had worked before and be a social worker. Once the kids got in school, she would keep his books, and they would move the trailer to the beach, build a house in front, and have their business on that same agricultural lot. That was their intentions. Things failed. Life goes on.

Chairman Chesson politely interrupted and asked Mrs. Story if she had filed an application with this Board and/or was she aggrieved by a decision by this Board? She replied no. He advised that since there was no application, and the Board members' time was very valuable, he would be more than happy to spend some time with her after the meeting to discuss and determine if there was an application that needed to be filed. She was ok with that but stated that she wanted to say something that absolutely needed to be brought to public knowledge. She advised that they built her a home in front of her trailer due to the flood situation, for which she was grateful. She had not physically been able to live in neither house nor trailer comfortably since the inspector came out there and inspected it February 27, 2002. Stuff was backing up in her house, she was steady buying chemicals, and plunging and plunging. They said you don't want the health man to come out. She informed that Bruce Trew had come out and there were problems. The man hole was too low. She

could not even use her brand new dryer that she had to put in the house because the door wouldn't fit with a 25-year old dryer. That showed that she was economical. With her little savings that was left to her, she did not even put in for disability until 1994. The lawyer got \$4,000 even though she did the appealing and all the work. The 7 years she had to live, she had to borrow from family and friends, and that hurt her feelings. By God, she fell on the ground, but she was not 6 foot under. Now you go 4 foot, 11 inches, and she was going to go back up that ladder. She stated that she was not going to let people walk over her because she was educated enough to realize that something could be done differently, and she did not know why she couldn't have it for occupational therapy. She was in a wheelchair in 1990, and she got out of that in less than a week because she was not going to be an invalid. She was up against 2 surgeries right now. She was under complete doctor's care. She had been going to court faithfully since March, but missed it one time. That was because she called the zoning man the day before Memorial Day, and John Jenkins said he did not know. Come to find out, they had already had court. Then the deputy came out there for just cause that she did not show up. She was under doctor's care and did not get the piece of paper. She stated that she did not talk much in court because she did not like being before the judge. She then mentioned something about liens on her trailer and that the trailer was rentable.

Chairman Chesson stated that if it were acceptable, he would be glad to meet with her after the meeting. He did not know if he would be able to help her, but would be willing to listen.

There being no further business, the meeting was adjourned at 9:24 PM.

Douglas A. Chesson, Chairman

Robert L. Barnett, Secretary