



Town of North Topsail Beach
Zoning Board of Adjustment Special Meeting

Tuesday, December 17, 2024, at 6:00 PM
2008 Loggerhead Court, North Topsail Beach, NC 28460
(910) 328-1349 | www.northtopsailbeachnc.gov

PRESENT: Hanna McCloud - Chair, Scott Morse, Kip Malcolm, Susan Meyer, Jason Stahr - Alternate.

ABSENT: Lisa Lee Kozlowski

I. CALL TO ORDER

Chair McCloud called the meeting to order at 6:24 p.m.

II. OATH OF OFFICE

Deputy Town Clerk Winzler administered the Oath of Office to Susan Meyer for appointment as a regular member on 03/06/2024 to serve a three-year term ending May 1, 2027.

III. ADOPTION OF AGENDA

Mr. Malcolm made a motion to adopt the agenda. Mr. Stahr seconded the motion. The motion passed unanimously, 5-0.

IV. 2025 REGULAR MEETING SCHEDULE

Mr. Malcolm made a motion to approve the proposed 2025 Zoning Board of Adjustment regular meeting schedule. Mr. Stahr seconded the motion. The motion passed unanimously, 5-0.

V. APPROVAL OF MINUTES: NOVEMBER 19, 2024, SPECIAL MEETING

Mr. Morse made a motion to approve the minutes from the November meeting. Mr. Malcolm seconded the motion. The motion passed unanimously, 5-0.

VI. ORGANIZATIONAL: Rules of Procedure

Planning Director Deb Hill informed the members that the Rules of Procedure would be presented at the January 21, 2025 meeting.

Chair McCloud requested Article 1. Composition be amended to read "five regular members and four alternate members."

Planning Director Hill acknowledged the request.

VII. NEW BUSINESS: #AA24-000003 Appeal by Aneta Paval of the denial of a fence permit #SB24-000044 at lot 14 Green Oar Street, Rogers Bay Campground located at 4021 Island Drive

Chair McCloud introduced the hearing.

Deputy Town Clerk Winzler swore in Aneta Paval, Planning Director Deb Hill, and Darlene Maillet.

Town Attorney Trey Ferguson allowed the Board to identify any conflicts of interest or special knowledge. None were presented. Attorney Ferguson explained the administrative decision appeal process.

Chair McCloud explained the order of business for the hearing and opened Case #AA-24-000003 at 6:34 p.m. and requested testimony from the staff.

Planning Director Hill reviewed the staff report and asked that the staff report and exhibits one-thirty be entered into evidence.

Ms. Paval had no objection to the request.

There were no questions for Ms. Hill from the Board.

Ms. Paval cross examined Planning Director Hill.

Ms. Paval provided testimony to the Board.

The Board asked Ms. Paval questions.

Planning Director Hill cross examined Ms. Paval.

Darlene Maillet, of lots six and seven Atlantic Street, 4021 Island Drive provided testimony.

The Board cross examined Ms. Maillet.

The Board held open discussion.

Mr. Malcolm made a motion Ms. Paval we would request that you work with the Fire Department and other public safety officials to further examine the situation regarding a proposed fence on the lot to present we would prefer an aerial photo and or photographs of the lot that would give us a better understanding of the layout and impact of your proposed fence and then I would propose move that we continue this to the January 21st, 2025 Board of Adjustment meeting.

There was discussion.

Ms. Paval did not object to the continuation of the hearing to the next meeting.

Mr. Stahr seconded the motion. The motion passed unanimously, 5-0.

Attorney Ferguson explained that he believed the quasi-judicial hearing was continued until the next meeting.

VIII. CLOSED SESSION Pursuant to NCGS § 143.318.11 (a) (3) Consultation with the attorney

Mr. Malcolm made a motion to go into closed session. Mr. Stahr seconded the motion. The motion passed unanimously, 5-0.

The Zoning Board of Adjustment went into closed session at 8:19 p.m.

Mr. Malcolm made a motion to come out of closed session. Mr. Stahr seconded the motion. The motion passed unanimously, 5-0.

The Zoning Board of Adjustment came out of closed session at 8:40 p.m. No action was taken.

IX. ADJOURNMENT

Mr. Malcolm made a motion to adjourn. Mr. Stahr seconded the motion. The motion passed unanimously, 5-0.

The Zoning Board of Adjustment meeting adjourned at 8:41 p.m.

APPROVED

CERTIFIED

This 18th day of February 2025

This 18th day of February 2025

Chair

Clerk to the Zoning Board of Adjustment