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Interim Town Clerk

Zoning Board of Adjustment Committee Report

January 8, 2025

Zoning Board of Adjustment

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

ABSENT: Lisa Lee Kozlowski

Staff: Deborah J. Hill MPA AICP CFM CZO, Planning Director, Kate Winzler CMC NCCMC, Clerk to the Board.

Attorneys: Trey Ferguson | Sumrell Sugg, PA

The Zoning Board of Adjustment (ZBA) held a special meeting on December 17, 2024, at 6:00 PM.

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.

2025 REGULAR MEETING SCHEDULE

The ZBA unanimously approved the proposed 2025 Zoning Board of Adjustment regular meeting schedule.

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.

CASE #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 1 through 30 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.

CLOSED SESSION

The Board held a closed session pursuant to North Carolina General Statutes 143.318.11 (a) (3) Consultation with the attorney. No action was taken.

ADJOURNMENT

The Board adjourned at 8:41 p.m.