



## Town of North Topsail Beach

Zoning Board of Adjustment Committee Report 4/2/2025 for  
regular meeting held March 18, 2025, at 6:00 PM

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**PRESENT:** Hanna McCloud - Chair, Kip Malcolm - Vice Chair, Lisa Lee Kozlowski, Susan Meyer, Jason Stahr- Alternate.

**ABSENT:** Scott Morse

**VIA TEAMS:** Town Attorney Trey Ferguson, Attorney Beth Faleris

### I. CALL TO ORDER

Chair McCloud called the meeting to order at 6:04 p.m.

### II. ADOPTION OF AGENDA

**Vice Chair Malcolm made a motion to adopt the agenda as presented. Ms. Meyer seconded the motion. The motion passed unanimously, 5-0.**

### III. APPROVAL OF MINUTES: February 18, 2025, Regular Meeting

**Ms. Kozlowski made a motion to approve the minutes from February 18, 2025. Vice Chair Malcolm seconded the motion. The motion passed unanimously, 5-0.**

### IV. OLD BUSINESS

#### A. #AA24-000003 ORDER

Planning Director Hill explained the draft order for the Board's consideration and welcomed amendments, edits, discussion, or questions from the Board.

Attorney Ferguson explained that Planning Director Hill drafted the administrative appeal draft order from the evidentiary quasi-judicial hearing that the Board heard on the matter. He explained that they were proposed orders for the Board's consideration, and that the Board was welcome to make edits or amendments, discuss, and ask questions to make sure the proposed order was in line with what the Board's decision was after hearing all the evidence in the case. If acceptable, Attorney Ferguson welcomed the Board to make a motion to approve the written decision.

**Vice Chair Malcolm made a motion to approve and adopt the written draft decision. Ms. Kozlowski seconded the motion. The motion passed, 5-0 with the following role call:**

<b>Mr. Stahr</b>	<b>aye</b>
<b>Ms. Kozlowski</b>	<b>aye</b>
<b>Vice Chair Malcolm</b>	<b>aye</b>
<b>Chair McCloud</b>	<b>aye</b>
<b>Ms. Meyer</b>	<b>aye</b>

#### B. #VAR24-000001 ORDER

Planning Director Hill explained the variance draft order for the Board's consideration. Vice Chair Malcolm asked for guidance on the motion. Attorney Ferguson provided guidance.

**Ms. Kozlowski made a motion to accept the proposed draft order in its entirety for #VAR24-000001. Ms. Meyer seconded the motion. The motion passed unanimously, 5-0 with the following role call:**

<b>Ms. Meyer</b>	<b>aye</b>
<b>Chair McCloud</b>	<b>aye</b>
<b>Vice Chair Malcolm</b>	<b>aye</b>
<b>Ms. Kozlowski</b>	<b>aye</b>
<b>Mr. Stahr</b>	<b>aye</b>

## **V. ORGANIZATIONAL**

Chair McCloud announced her resignation as Chair of the Zoning Board of Adjustment, and her future resignation from the Zoning Board of Adjustment at the end of her term.

Attorney Ferguson provided guidance on the matter.

The Zoning Board of Adjustment accepted Ms. McCloud's resignation as Chair.

Vice Chair Malcolm formally accepted the role of Chair of the Zoning Board of Adjustment and called for the nomination of a Vice Chair.

**Ms. Meyer made a motion to nominate Mr. Morse as the Vice Chair. Ms. Kozlowski seconded the motion. The motion passed unanimously, 5-0.**

### **A. Rules of Procedure**

Planning Director Hill introduced the Rules of Procedure and requested feedback from the Zoning Board of Adjustment.

Ms. Meyer asked how a vote shall be recorded in Rule 29, regarding the unexcused failure to vote by a member who is physically present in the meeting room, or who has withdrawn without being excused by a mandatory vote of the remaining members present.

Attorney Ferguson stated the vote would be recorded in the affirmative.

Ms. Meyer suggested changing Rule 21 for a motion to require a second.

There was discussion.

**Ms. Meyer made a motion to accept the rules with modifications. Mr. Stahr seconded the motion. The motion passed unanimously, 5-0.**

Attorney Ferguson introduced Attorney Beth Faleris who the Board of Aldermen approved to represent the Zoning Board of Adjustment with administrative appeals in the future.

Chair Malcolm thanked and welcomed Attorney Faleris.

Attorney Faleris provided a brief synopsis of her law practice for the Board.

## **VI. ADJOURNMENT**

**Ms. Meyer made a motion to adjourn. Ms. Kozlowski seconded the motion. The motion passed unanimously, 5-0.**

The Zoning Board of Adjustment meeting adjourned at 6:23 p.m.