

Sept 3, 2023

Received  
9/6/23

To whom it may concern:

Complaint.

There is a trailer storage lot being operated at the corner of Spring St and Walnut St. I don't think this is allowed and would like the city to take steps to remedy,

Thank you.

The owner of this property resides at 404 Water Street



• Friendly City by the Sea •  
Established 1783

[www.swansboro-nc.org](http://www.swansboro-nc.org)

Board of Commissioners

John Davis  
*Mayor*

Frank Tursi  
*Mayor Pro Tem*

Patricia Turner  
*Commissioner*

Harry Pugliese  
*Commissioner*

Larry Philpott  
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Paula W. Webb, MMC-NCCMC  
[pwebb@ci.swansboro.nc.us](mailto:pwebb@ci.swansboro.nc.us)

Town Clerk

Alissa A. Fender, CMC  
[afender@ci.swansboro.nc.us](mailto:afender@ci.swansboro.nc.us)

*Copy*

September 18, 2023

**Notice of Violation**

Everette Kirby Lee Jr.  
974 Bellamy Lake Rd.  
Whitakers NC 27891

Re: Property being used as a boat storage yard located at the corner of Walnut Street and Spring Street further identified as tax pin number 536410369140.

The purpose of this letter is to document our phone discussion yesterday afternoon September 14, 2023, and to formally notify you of your violation. I received a complaint on September 6, 2023. Your vacant lot is intended for single family residential uses. Boat storage is allowed in a marina, on a dock, or as part of a storage facility.

- **Section 152.170 Establishment Of Zoning Districts, And The Purpose Thereof (D) R-6SF-Residential. The purpose of this district shall be that only single-family structures shall be permitted in this district.**
- **Section 152.179 Table of Permitted and Special Uses lists docks, (not commercially operated, with or without launching facilities) have a permitted use in R6-SF.**
- **Section 152.016 Definitions of Basic Terms defines Docks, Piers (not commercially operated, with or without launching facilities), A fixed or floating structure, including moorings, used for the purpose of berthing buoyant vessels and which does not produce income and does not serve as an inducement to renting, purchasing, or using accompanying facilities.**
- **Section 152.179 Table of Permitted and Special Uses lists marinas as not a permitted use in R6-SF single family zoning district.**
- **Section 152.016 Definitions of Basic Terms defines Marina, A facility for the docking, mooring, berthing, or storage of marine vessels that also include, but are not limited to, a wide variety of accessory uses such as boat fuel sales, sales of boating supplies and equipment, boating related services, laundries, boat repair and rental, storage racks and dry storage of boats.**

You have thirty days from receipt of this letter to move your boat trailers off this property.

You have thirty days to resolve this violation or to file an appeal of my decision to the Town Board of Adjustment.

Sincerely,

Andrea Correll, AICP  
Town Planner  
attachments

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Everette Kirby Lee Jr.  
974 Ballamy Lake Rd.  
Whitakers NC 27891



9590 9402 7469 2055 5644 41

2. Article Number (Transfer from service label)

7022 0410 0000 4762 6168

PS Form 3811, July 2009

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

*[Handwritten Signature]*

- Agent
- Addressee

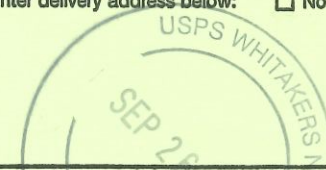
B. Received by (Printed Name)

Kirby Everette

C. Date of Delivery

9-26-23

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No



3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Mail Restricted Delivery
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

7022 0410 0000 4762 6168

**U.S. Postal Service™  
CERTIFIED MAIL® RECEIPT**  
Domestic Mail Only

For delivery information, visit our website at [www.usps.com](http://www.usps.com)®.

**OFFICIAL USE**

Certified Mail Fee

\$ 4.35

Extra Services & Fees (check box, add fee as appropriate)

- Return Receipt (hardcopy) \$ 3.55
- Return Receipt (electronic) \$
- Certified Mail Restricted Delivery \$
- Adult Signature Required \$
- Adult Signature Restricted Delivery \$

Postage

\$ .63

Total Postage and Fees

\$ 8.53

Sent To

Everette Kirby Lee Jr. 28584-0998

Street and Apt. No., or PO Box No.

974 Ballamy Lake Rd

City, State, ZIP+4®

Whitakers, NC 27891



PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

Return Receipt

**TOWN OF SWANSBORO**  
**FRIENDLY CITY BY THE SEA \* Established 1783**  
601 W. Corbett Avenue Swansboro, NC 28584 910-326-4428

STATE OF NORTH CAROLINA  
COUNTY OF ONSLOW  
TOWN OF SWANSBORO

APPLICATION # \_\_\_\_\_

BEFORE THE  
BOARD OF ADJUSTMENT

IN THE MATTER OF THE REQUEST FOR:

**APPEAL** \_\_\_\_\_

APPLICANT'S NAME \_\_\_\_\_

MAILING ADDRESS \_\_\_\_\_ Phone # \_\_\_\_\_

OWNER'S NAME \_\_\_\_\_

OWNER'S ADDRESS \_\_\_\_\_ Phone # \_\_\_\_\_

TAKE NOTICE THAT THE UNDERSIGNED HEREBY PETITIONS THE BOARD OF ADJUSTMENT OF THE TOWN OF SWANSBORO FOR AN APPEAL FROM THE ENFORCEMENT AND INTERPRETATION OF THIS ORDINANCE AN/OR APPEAL FOR A VARIANCE OR SPECIAL USE AS DESCRIBED BELOW:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ON THE PREMISES LOCATED AT: \_\_\_\_\_

\_\_\_\_\_ LOT \_\_\_\_\_ BLOCK \_\_\_\_\_ MAP \_\_\_\_\_

THE PROPERTY IS ZONED: \_\_\_\_\_

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_\_.

APPLICANT'S SIGNATURE \_\_\_\_\_

DATE FILED \_\_\_\_\_

RECIPIENT SIGNATURE \_\_\_\_\_

ZONING ADMINISTRATOR \_\_\_\_\_

**NOTE: APPLICANT OR APPLICANT REPRESENTATIVE MUST BY PRESENT FOR AN APPLICATION TO BE HEARD IF SOMEONE OTHER THAN THE APPLICANT WILL BE THE REPRESENTATIVE, A LETTER OF PERMISSION FROM THE APPLICANT IS REQUIRED.**



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[afender@ci.swansboro.nc.us](mailto:afender@ci.swansboro.nc.us)

November 20, 2023

I certify that on November 20, 2023, at 2:13 pm I posted the Appeal sign for the Board of Adjustment at the corner of Walnut and Spring St further identified as tax pin number 536410369140 for the December 13, 2023, Board of Adjustment Appeal Public Hearing. I then mailed the metered first-class letters that are required to be sent to the abutting and adjacent property owners as well as the property owners. They were dropped in the inside letter drop box at the Swansboro post office by my hand today.



Andrea Correll, Planner AICP  
Town of Swansboro





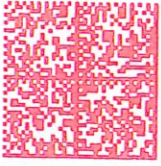
# Town of Swansboro

*Friendly City By the Sea • Established 1783*

601 W. Corbett Ave. • Swansboro, NC 28584

GALATI GREGORY & CAROLYN  
5944 ROUNDER LN  
HOLLY SPRINGS, NC 27540-9683

FIRST-CLASS



US POSTAGE IM PITNEY BOWES  
ZIP 28584 \$ 000.63<sup>0</sup>  
02 7H NOV 20 2023  
0006068812



# Town of Swansboro

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601 W. Corbett Ave. • Swansboro, NC 28584

ROGERS DOUG F & HOLLY M  
3801 ST MARK RD  
DURHAM, NC 27707

FIRST-CLASS



US POSTAGE IM PITNEY BOWES  
ZIP 28584 \$ 000.63<sup>0</sup>  
02 7H NOV 20 2023  
0006068812



# Town of Swansboro

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C & M JORDAN LLC  
306 SOUNDVIEW CT  
CAPE CARTERET, NC 28584-943

**US POSTAGE**™/PITNEY BOWES  
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0006068812  
NOV 20 2023  
**\$ 000.630**



FIRST-CLASS



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OGREN TIMOTHY JEROME &  
KENDALL SWAIN  
209 LINTON BANK PL  
CARY, NC 27513-2053

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ZIP 28584  
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0006068812  
NOV 20 2023  
**\$ 000.630**



FIRST-CLASS





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SCHNEIDER STEPHEN C  
PO BOX 1582  
SWANSBORO, NC 28584



FIRST-CLASS

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02 7H NOV 20 2023  
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**Town of Swansboro**  
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601 W. Corbett Ave. • Swansboro, NC 28584

EVERETTE KIRBY LEE JR  
974 BELLAMY LAKE RD  
WHITAKERS, NC 27891



FIRST-CLASS

US POSTAGE IMPITNEY BOWES  
ZIP 28584 \$ 000.630  
02 7H NOV 20 2023  
0006068812



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ROGERS DOUG F & HOLLY M  
406 ELM ST  
SWANSBORO, NC 28584

FIRST-CLASS



US POSTAGE PAID PITNEY BOWES  
ZIP 28584 \$ 000.63<sup>0</sup>  
02 7H NOV 20 2023  
0006068812



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OAKS SANDRA W  
310 S WALNUT ST  
SWANSBORO, NC 28584

FIRST-CLASS



US POSTAGE PAID PITNEY BOWES  
ZIP 28584 \$ 000.63<sup>0</sup>  
02 7H NOV 20 2023  
0006068812

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SWANSBORO, NC 28584

OGREN TIMOTHY JEROME &  
KENDALL SWAIN  
209 LINTON BANK PL  
CARY, NC 27513-2053

SCHNEIDER STEPHEN C  
PO BOX 1582  
SWANSBORO, NC 28584

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3801 ST MARK RD  
DURHAM, NC 27707

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HOLLY SPRINGS, NC 27540-9683

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306 SOUNDVIEW CT  
CAPE CARTERET, NC 28584-9743

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SWANSBORO, NC 28584

STAPLES®

*second copy of labels*

label size 1" x 2 5/8" compatible with Avery ©5160/8160  
Étiquette de format 25 mm x 67 mm compatible avec Avery ©5160/8160



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[afender@ci.swansboro.nc.us](mailto:afender@ci.swansboro.nc.us)

November 20, 2023

Galati Gregory & Carolyn  
5944 Rounder Ln.  
Holly Springs, NC 27540-9683

The Board of Adjustment will hold a special meeting and Public Hearing on Thursday – December 13, 2023, at 5:30 pm in the Community Room located at 601 W. Corbett Avenue regarding an appeal of an administrative decision that the property owner is in violation of the Unified Development Ordinance using the property as a boat storage yard. The property is located at intersection of Walnut and Spring St further identified as tax pin number 536410369140 in Swansboro.

If you have any questions, please contact me.

Sincerely,

Andrea Correll, Planner-AICP



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November 20, 2023

Rogers Doug F & Holly M  
406 Elm St.  
Swansboro, NC 28584

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November 20, 2023

Rogers Doug F & Holly M  
3801 ST Mark Rd.  
Durham, NC 27707

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November 20, 2023

C&M Jordan LLC  
306 Soundview Ct  
Cape Carteret, NC 28584-9743

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[afender@ci.swansboro.nc.us](mailto:afender@ci.swansboro.nc.us)

November 20, 2023

Ogren Timothy Jerome & Kendall Swain  
209 Linton Bank Pl.  
Cary, NC 27513-2053

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[afender@ci.swansboro.nc.us](mailto:afender@ci.swansboro.nc.us)

November 20, 2023

Oaks Sandra W.  
310 S Walnut St.  
Swansboro, NC 28584

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Schneider Stephen C.  
PO Box 1582  
Swansboro, NC 28584

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Parcel ID: 023700  
Luc: Residential

Map #: 1405-75  
Class: Vacant

Tax Year: 2023  
NBHD: EDGEWATER  
WALNUT ST

Parcel

Parcel 023700  
Tax Year 2023  
Property Address WALNUT ST  
Unit Desc  
Unit #  
NBHD 4350 - EDGEWATER  
Class Vacant  
Land Use Code 01 - Residential  
Living Units  
Mapping Acres .13  
CAMA Acres .13  
Location  
Fronting  
Zoning R-6 SF-R-6 SF  
Map # 1405-75  
PIN Number 536410369140  
Total Cards 0  
Record Type R

Legal

Legal Description L8 BF EDGEWATER  
Township 113 - SWANSBORO  
City Code 22 - SWANSBORO  
Jurisdiction 1322 - SWANSBORO CITY  
Plat Book-Page/Subd # 01-122  
Fire District SB - SWANSBORO

Public Comments

Line #	Dept	Comment
1	CONV	SIZE ADJ

Sales

Sale Date	Sale Price	Grantor	Grantee
14-FEB-12	80,000	BEST BEN & STEPHEN C SCHNEIDER	EVERETTE KIRBY LEE JR
29-OCT-10	68,000	WU MARY MARGARET	BEST BEN & STEPHEN C SCHNEIDER
15-MAY-03	0	LUCAS MARY MARGARET S	WU MARY MARGARET

Sale Details

1 of 3

Deed Date 14-FEB-12  
Book 3725  
Page 156  
LT #  
Instrument Type DEED  
Grantor BEST BEN & STEPHEN C SCHNEIDER  
Grantee EVERETTE KIRBY LEE JR  
Sale Date 14-FEB-12  
Sale Type  
Sale Validity 00-Valid Sale  
Sale Source 4-STAMPS  
Sale Price 80,000  
Adjustment Amount  
Adjusted Price 80,000  
Adjustment Reason  
Note 1  
Note 2

Land Summary

---

Line Number	Land Type	Land Code	Square Feet	Acres
1	G-Gross Value	01-RESIDENTIAL	5,663	0.13

Land

---

Line Number	1
Land Type	G-Gross Value
Land Code	01-RESIDENTIAL
Square Feet	5,663
Acres	0.13
Units	
Lot Front Footage	
Lot Depth	
Override Rate	
Base Size	
Base Rate	150000
Influence Code 1	
Influence Code 2	
Influence Factor	0
Zoning	
NBHD Model	4350
Land Value	150,000
Use Value Flag	N
Land Change Reason	
Note	
Note 2	

Legal Description

---

Township	113 - SWANSBORO
City Code	22 - SWANSBORO
Jurisdiction	1322 - SWANSBORO CITY
Property Address	WALNUT ST
Unit Desc	
Unit #	
Legal Desc 1	L8 BF EDGEWATER
Legal Desc 2	
Legal Desc 3	
Note 1	
Note 2	WALNUT ST
Fire District	SB
Deeded Acres	
Sq Ft	
Plat Book-Page/Subd #	01-122
Subdivision Name	EDGEWATER HEIGHTS
Subd Block	
Subd Lot	
Condo Bldg #	
Condo Unit #	
Subd Code	

Values

---

Spec Proc Flag	
Appraised Land	150,000
Appraised Building	0
Appraised Total	150,000
Cost Land Value	150,000
Cost Building Value	0
Cost Total Value	150,000
Market Value	
Income Value	0
GRM Value	0
Total Residential Living Area	

Total Commercial Living Area

Note 1

Note 2

Solid Waste Fee Units

Land Use Value

Land Deferred Value

Final Land Value

150,000

Final OBY Value

0

Final Building Value

0

Senior Exclusion

0

100% Exemption

0

Partial Exemption

0

VET Exclusion

0

=====

=====

Taxable Total

150,000



Sorry, no sketch available  
for this record

Item	Area



-----Original Message-----

From: Andrea Correll <[acorrell@ci.swansboro.nc.us](mailto:acorrell@ci.swansboro.nc.us)>

Sent: Wednesday, June 1, 2016 9:44 AM

To: Brittany Shipp <[bshipp@ci.swansboro.nc.us](mailto:bshipp@ci.swansboro.nc.us)>

Subject: Re: 6/1 - end of Walnut St

Well Brianna and I are working on the big boat.

Thanks

Andrea

> On Jun 1, 2016, at 9:41 AM, Brittany Shipp <[bshipp@ci.swansboro.nc.us](mailto:bshipp@ci.swansboro.nc.us)> wrote:

>

> And the whopper boat is still in the street as well. On Spring.

>

> Sent from my iPhone - please excuse typos.

>

>> On Jun 1, 2016, at 9:40 AM, Andrea Correll <[acorrell@ci.swansboro.nc.us](mailto:acorrell@ci.swansboro.nc.us)> wrote:

>>

>> I had this discussion with Chief Ken this week near the intersection of Spring and Chestnut.

>> I will discuss it with Scott when I get a chance. It is our property and we need to preserve it.

>> Thanks

>> Andrea

>>

>> -----Original Message-----

>> From: Brittany Shipp

>> Sent: Wednesday, June 01, 2016 9:37 AM

>> To: Andrea Correll <[acorrell@ci.swansboro.nc.us](mailto:acorrell@ci.swansboro.nc.us)>

>> Subject: 6/1 - end of Walnut St

>>

Kirby Everette  
974 Bellamy Lake Rd.  
Whitakers, NC 27891



**BOARD OF COMMISSIONERS**

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Jim Allen, Mayor Pro-Tem  
John Lister, Commissioner  
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**TOWN OF SWANSBORO**

*The Friendly City by the Sea • Established 1783*

February 16, 2017

Kirby Everette  
974 Bellamy Lake Rd.  
Whitakers, NC 27891

**Re: Resolution of violation**

Location: Intersection of Spring and Walnut.

The boat reference in the previous notices was not your boat but a neighbors. They have agreed to move the boat out of the public right of way.

I appreciated Ms. Brown's call on the notification, so I could contact the correct person.

Thank you for your assistance and cooperation.

Sincerely,

Andrea Correll  
Town of Swansboro  
Code Enforcement  
910-326-4428  
910-326-3101 fax  
[acorrell@ci.swansboro.nc.us](mailto:acorrell@ci.swansboro.nc.us)