



# Board of Adjustment Meeting Agenda Item Submittal

---

Item To Be Considered: **Appeal of an Administrative Decision**

Board Meeting Date: **April 17, 2024**

Prepared By: **Andrea Correll, Planner-AICP**

---

**Overview:** John P. Swart, attorney for the appellant, Kirby Lee Everette, Jr. filed an appeal from the enforcement and interpretation set forth in the violation notice that the property located at the corner of Walnut Street and Spring Street further identified as tax pin number 536410369140 was being used as a boat storage yard.

An anonymous complaint was received on September 6, 2023, in regard to boat and trailer storage at the corner of Walnut Street and Spring Street. Mr. Everette was notified by phone on September 17, 2023, to discuss the violation and mailed a notice of violation on September 18, 2023, and it was received and signed for on September 26, 2023.

**Background Attachment(s):**

1. Applicable sections of the UDO and NCGS 160D
2. Violation file
3. Section 152.212 Use Standards (V) Use-Storage of the UDO
4. Appeal documents
5. Pictures of the site

**Recommended Action:** In accordance with section 152.045 Appeals. (F): The Board of Adjustment may reverse or affirm (wholly or partly) or may modify the order, requirement, decision, or determination appealed from and shall make any order, requirement, decision, or determination that in its opinion ought to be made in the case before it. To this end, the board shall have all the powers of the officer from whom the appeal is taken.

---

**Action:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_