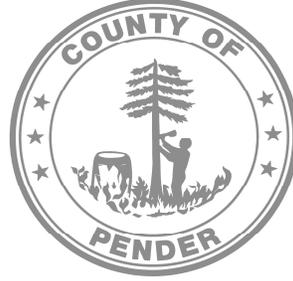


PENDER COUNTY BOARD OF ADJUSTMENT



Joey Raczkowski, Planning Director
 Walter Hansley, Chairman
 Jeremy Strong, Vice-Chairman
 Ken Just
 Larry Johansen
 Erwin Kane
 Horace Thompson
 Charles Wilson

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Minutes
 April 18, 2007

1. Call to Order by Vice-Chairman Jeremy Strong.
2. Prayer was rendered by Planning Board Member Charles Wilson.
3. Introduction of Board Members by Vice-Chairman Jeremy Strong.
4. Approval of the March 21, 2007 Board of Adjustment Minutes

Erwin Kane made the motion to approve the March 21, 2007 minutes; Charles Wilson seconded the motion. The vote was unanimous 5-0.

Member Name	Vote	Member Type	Member Name	Vote	Member Type
Walter Hansley	Absent	Regular	Horace Thompson	For	Regular
Jeremy Strong	For	Alternate	Ken Just	For	Regular
Larry Johansen	Absent	Alternate	Erwin Kane	For	Regular
			Charles Wilson	For	Regular

5. Public Hearing
 - A. **Swearing in of Witnesses Attorney Trey Thurman**

Vice-Chairman Jeremy Strong opened the public hearing by introducing the first case to the board and public.

Planning Director Joey Raczkowski presented the first case to the board and public.

- B. **Variance – Setback Requirements**– David Greer Construction, applicant and owner, is requesting the following variance:

- a. Variance of 10 ft from the 40 ft minimum front yard setback requirement.
 - b. Variance of 5 ft from 30 ft minimum rear yard setback requirement.

The property is zoned FA, Flood Hazard Area District, and is located at 599 Lewis Road in Hampstead, NC.

Joey stated that this variance was a little complicated because of the new flood maps that have been adopted. The zoning layer has not been updated to reflect the new flood hazard area. Mr. Greer has been removed from the Flood Hazard Area. The setbacks should no longer be applied but should apply to setbacks for the R20 area.

Ken Just asked if the requested setbacks are appropriate for R20C.

Charles Wilson made the motion to approve variances “a” and “b”; seconded by Horace Thompson. The vote was unanimous 5-0.

Member Name	Vote	Member Type	Member Name	Vote	Member Type
Walter Hansley	Absent	Regular	Horace Thompson	For	Regular
Jeremy Strong	For	Alternate	Ken Just	For	Regular
Larry Johansen	Absent	Alternate	Erwin Kane	For	Regular
			Charles Wilson	For	Regular

Vice-Chairman Strong introduced the second case.

Planning Director Joey Raczkowski presented the next variance to the board and public.

- C. **Variance – Height Requirements** – David Greer Construction, applicant and owner, is requesting the following variance:
 - a. Variance of 12 ft above the 35 ft maximum building height requirement.
 The property is zoned FA, Flood Hazard Area District, and is located at 599 Lewis Road in Hampstead, NC.

David Greer, applicant and owner did a slide presentation showing the properties. He also stated that most boats have t-tops and this adds to the height of the boat. In stacking two boats high the extra building height is needed. He needs the room to be able to pick the boats up and slide the boat into its storage spot.

Vice-Chairman Strong stated that he was familiar with the location of the property. He asked if there had been a sign posted and if there had been any objections. He stated that the property is zoned R20C but mostly everything surrounding this site is commercial.

The board explained to Mr. Greer that the variance given for a 50 height to another applicant was because it was located in a I2 Zoning District in an industrial park. The height had to accommodate the tank on the roof that was going to serve the sprinkler system.

Attorney Thurman stated that it was not his place to take a position; if the board decides to approve the request they really need to give something that gives it as a basic of a hardship. If someone else comes in and wants to build a 45’ house and the board says there is no hardship, it could be said that this applicant (David Greer) didn’t have a hardship and the board approved it.

The motion was made by Erwin Kane to table the case until the May meeting; seconded by Charles Wilson .The vote was unanimous 5-0.

Member Name	Vote	Member Type	Member Name	Vote	Member Type
Walter Hansley	Absent	Regular	Horace Thompson	For	Regular
Jeremy Strong	For	Alternate	Ken Just	For	Regular
Larry Johansen	Absent	Alternate	Erwin Kane	For	Regular
			Charles Wilson	For	Regular

Vice-Chairman Strong introduced the next case.

Planning Director Joey Raczkowski presented the case to board and public stating that this was a violation case.

- D. **Variance – Side Yard Setback Requirements** – Jesse Barbour, applicant and owner, is requesting the following variance:
 - a. Variance of 3 ft 4 in from the 10 ft minimum side yard setback requirement for an accessory structure less than 600 square feet in area.
 The property is zoned R-20, Residential District, and is located at 105 Pond View Circle in Hampstead, NC.

Ken Just asked the Planning Director if it were not true that there is a 10' sideyard setback for freestanding structures less than 600 sq. ft. The carport is less than 600 sq. ft. and attached to the house. If it is attached to the house it becomes a permanent structure and then the 10' sideyard setback would not apply but the 20' sideyard setback.

Ralph Kays stated that he had investigated the violation upon request from the inspector.

Director Raczkowski verified the fact that the sideyard setback request should be 13.4' instead of the 3.4'.

Mr. Barbour, applicant, stated that he did not realize he needed a permit. The trusses were up but he stopped work once he received the violation notice. He needed to protect the family car from weather and debris.

Planning Director Raczkowski stated that the case was in motion when he came to the county. He had a sidebar with Attorney Thurman and discovered there are some things in the ordinance that need to be addressed. He asked for the variance request to be tabled until the May meeting.

Horace Thompson made the motion to table seconded by Ken Just. The vote was unanimous 5-0.

Member Name	Vote	Member Type	Member Name	Vote	Member Type
Walter Hansley	Absent	Regular	Horace Thompson	For	Regular
Jeremy Strong	For	Alternate	Ken Just	For	Regular
Larry Johansen	Absent	Alternate	Erwin Kane	For	Regular
			Charles Wilson	For	Regular

Planning Director Joey Raczkowski presented the case by stating that the new flood maps have created a hardship for the applicant.

- E. Variance – Height Requirements** – Robert M. Fields, applicant and owner, is requesting the following variance:
 - a. Variance of 2 ft 3 ½ in above the 35 ft maximum building height requirement.
 The property is zoned FA, Flood Hazard Area District and R-20C, Residential Conventional Housing District, and is located at 1724 Corcus Ferry Road in Hampstead, NC.

Mr. Fields stated that with the change in the flood maps it change the status of his property so he would like to put his house on pilings and enclose the bottom which will not be used for living space; only for a garage

Chuck Wilson made the motion to approve the request due to the hardship of the flood map changes. Horace Thompson seconded the motion. The vote was unanimous 5-0.

Member Name	Vote	Member Type	Member Name	Vote	Member Type
Walter Hansley	Absent	Regular	Horace Thompson	For	Regular
Jeremy Strong	For	Alternate	Ken Just	For	Regular
Larry Johansen	Absent	Alternate	Erwin Kane	For	Regular
			Charles Wilson	For	Regular

G. No Items for Discussion

6. Adjournment