

Pender County Planning and Community Development

Planning Division

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MINUTES

**Pender County Board of Adjustment Meeting
October 27, 2010 9:00 a.m.
Pender County Kitchen Meeting Room
805 S. Walker Street, Burgaw, North Carolina**

Call to Order: Chairman Kane called meeting to order 9:00am.

Prayer: Administered by Board member Pullen.

Swearing in of New Board Member (Terry Peters):

Trey Thurman, County Attorney was not present to perform swearing in of new board member.

Roll Call: Chairman Kane

Pender County Board of Adjustment Members:

Kane: Thompson: Ferrante: Loughlin: Pullen:

Alternates:

Luther: Peters:

Adoption of the Agenda: Motion to approve adoption of agenda made by Board member Pullen; seconded by Board member Luther. Vote unanimously passed.

- 1. Approval of Minutes (September 15, 2010):** Motion to approve minutes by Board member Pullen; seconded by Board member Loughlin. Vote unanimously passed.
- 2. Public Comment:** None

** Public Hearing**

- 3. Appeal of Administrative Decision:** John Sidbury, applicant, on behalf JoAnn Spencer, owner, is requesting an Appeal of Administrative Decision, as prescribed under Article 3.14 of the Pender County Unified Development Ordinance. The applicant is appealing the denial of a zoning approval for the placement of a Manufactured Home in the GB, General Business District. The property is located at 16345 US Highway 17 North, Hampstead, N.C., and may be identified as PIN 3293-43-8677-0000.

Swearing in of witnesses; Ashley Frank, Planner II, John and Brenda Sidbury, Applicants, and Janice Worrell, Pender County Tax Office, was performed by Kyle Breuer, Director of Planning and Community Development.

Planner, Ashley Frank presented case to Board for application number 10-10-20-03.

Board member Pullen questioned when the lot was established. Planner Frank answered in 1988 prior to zoning ordinance. Board member Pullen questioned how a septic and well permit was obtained on such a small lot. Planner Frank explained that with the GIS it is hard to determine the actual lot size and that the septic and well are from the previous home, if the applicants were granted a zoning permit for the placement of a manufactured home in the GB, General Business District they would have to seek approval from Environmental Health for the existing septic and well.

John Sidbury, applicant made no comments on his behalf. Brenda Sidbury, applicant asked for the board to please grant their appeal so that they may continue the process of moving their already purchased mobile home.

After reviewing the case and discussion by Board members, motion was made by Board member Ferrante to uphold the ruling (it is the Board's conclusion that the ruling was in harmony with the purpose and intent of this ordinance); seconded by Board member Pullen. Vote unanimously passed.

4. Discussion Items

- a. Planning Staff:** Board members Thompson, Ferrante, Loughlin, Pullen and Luther terms will expire January 4, 2011. All are eligible for reappointment for another 3 year term. If reappointed Board member Thompson would be serving his third consecutive term and therefore will not be eligible for another reappointment. After serving on the Board of Adjustment for 3 consecutive terms, members may become eligible to serve after completing a 3 year waiting period.
The swearing in of Board member Terry Peters will be placed on the Agenda for the next meeting. There will be no meeting in November and possibly December as well.
A copy of the UDO will be placed in all Board members' notebooks and a name plate for Terry Peters is needed.
- b. BOA Members:** Request other arrangements be made for notebooks in bad weather conditions. Board member Pullen suggested placing notebooks in plastic bags; Chairman Kane stated that he has asked for his notebook to be placed in his garage. Kyle Breuer, Director, asked that Board members advise staff of any special instructions regarding the delivery of notebooks.

- 5. Adjournment:** Motion to adjourn by Board member Pullen; seconded by Board member Loughlin
Meeting adjourned at 9:26 am.