

# Pender County Planning and Community Development

## Planning Division

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## MINUTES

**Pender County Board of Adjustment Meeting  
February 16, 2011 9:00 a.m.  
Pender County Public Meeting Room  
805 S. Walker Street, Burgaw, North Carolina**

**Call to Order:** Chairman Kane called meeting to order at 9:05am.

**Prayer:** Administered by Chairman Kane.

**Swearing in of New Board Members (Terry Peters and Jacqueline Newton):**

Chairman Kane dismissed the swearing in of new Board members due to oaths of office being signed by each of the Board members.

**Roll Call:** Chairman Kane

Pender County Board of Adjustment Members:

Kane:  Thompson:  Ferrante:  Newton:  Pullen:

Alternates:

Luther:  Peters:

**Election of Officers:** Motion to maintain Mr. Kane as Chairman and Mr. Thompson as Vice-Chairman was made by Board member Thompson; Vote unanimously passed.

Alternate member Peters filled in as a full member due to absence of regular Board members.

**Adoption of the Agenda:** Motion to approve agenda made by Board member Peters; seconded by Board member Ferrante. Vote unanimously passed.

**1. Approval of Minutes (October 27, 2010):** Motion to approve minutes by Board member Ferrante; seconded by Board member Peters. Vote unanimously passed.

**2. Public Comment:** None

*\* Public Hearing\**

**3. Appeal of Administrative Decision:** The applicant is requesting an Appeal of Administrative Decision from a Written Interpretation issued November 18, 2010. The Administrator's interpretation of Article 9.5.1.A.1) of the Pender County Unified Development Ordinance (UDO) was issued by request of the applicant as a follow up to a Notice of Violation issued by the Pender County Code Enforcement Officer. Director Breuer requested that the applicant be allowed to address the Board before the case was presented. With the Board's approval, Attorney Gasparovic addressed the Board

on behalf of the applicant and asked for a thirty day continuance based on the applicant waiting for an outcome from the Planning Board regarding suggested Text Amendments to the Unified Development Ordinance that may resolve the case, therefore dismissing the need for a hearing. Chairman Kane asked the Board if anyone had questions for Attorney Gasparovic; Board member Peters asked if the sign issue from the initial complaint regarding to the sign's size, has been taken care of; Attorney Gasparovic responded that an arrow on one of the signs was removed to correct the sign's size but he was not sure of the other signs. Director Breuer addressed the Board to give background on the steps taken to resolve the complaint; Board member Ferrante interrupted Director Breuer and stated that he felt the Board needed to decide to hear the case or grant a continuance before hearing anything further about the case; Director Breuer agreed.

Motion to continue the case until next meeting was made by Board member Thompson; seconded by Board member Ferrante. Vote unanimously passed.

#### **4. Discussion Items**

**a. Planning Staff:** Director Breuer announced that the BOA training session would take place following the meeting and that staff had no discussion items.

**b. BOA Members:** None

**5. Adjournment:** Motion to adjourn by Board member Peters; seconded by Board member Ferrante Meeting adjourned at 9:15 am.