

**ONSLow COUNTY BOARD OF ADJUSTMENT MEETING MINUTES**

**February 25, 2020**

**Onslow County Government Center**

**Commissioners' Chambers**

**234 NW Corridor Blvd, Jacksonville, NC 28540**

**BOARD MEMBERS WERE PRESENT:**

Mr. Jerome Shaw, Chairman

Mr. John Smith

Ms. Christina Asbury

Mr. Jeff Brown

Ms. Marilyn Bunce

**PLANNING AND DEVELOPMENT DEPARTMENT MEMBERS PRESENT:**

Jessica Rhue, Planning and Development Director

Charles Davis, Planning and Development Deputy Director

Angie Manning, Land Use Administrator

Matthew Stuart, Planner

Kourtney Powell, Administrative Assistant

**I. MEETING CALLED TO ORDER**

Mr. Jerome Shaw, Chairman, called the meeting to order at 6:30 p.m.

**II. INVOCATION**

Mr. Jerome Shaw pronounced the invocation.

**III. PLEDGE OF ALLEGIANCE**

Mr. Smith led all present in the Pledge of Allegiance.

**IV. APPROVAL OF MINUTES AND DECISIONS**

Ms. Bunce made the motion to approve the January 28, 2020 minutes. Mr. Smith seconded the motion. All members were in favor and the motion passed.

Ms. Asbury made the motion to approve the Board Decision: SUP-2019-00027. Mr. Brown seconded the motion. All members were in favor and the motion passed.

Mr. Brown made the motion to approve the Board Decision: SUP-2019-00028. Ms. Asbury seconded the motion. All members were in favor and the motion passed.

Mr. Smith made the motion to approve the Board Decision: SUP-2019-00025. Mr. Brown seconded the motion. All members were in favor and the motion passed.

## V. OLD BUSINESS

### A. SUP-2019-00026— Charleston White is requesting to install an underground wire and power pole to connect a recreational vehicle (RV) on property in Sneads Ferry, NC, Parcel ID 1000-59:

Mr. Stuart provided an overview of the application SUP-2019-00026. The Board continued this item during the last meeting so the owner could be present to answer questions and to allow time for recommended revisions to the site plan.

**Applicant:** Charleston White

**Summary of proposal:** Mr. White is requesting a Special Use Permit to install an underground wire and power pole in order to connect a recreational vehicle on property located in Sneads Ferry. The parcel is located at 107 Everett Lane and is owned by Charles and Alma Woodard. The property is within the Residential 8M (R-8M) zoning district and designated as Community Growth Activity Center on the Future Land Use Map. The Sneads Ferry Community Plan shows the property as lying within a Waterfront Living Area. The entire property is located within the X flood zone, which is a flood safe zone. The preliminary flood maps show the front portion of the property, where the RV is proposed to be located, within the AE flood zone. A TRC meeting was conducted on December 10, 2019 and all comments appear to have been addressed.

Ms. Asbury made a motion to re-open the hearing. Mr. Smith seconded the motion. All members were in favor and the motion passed.

Charleston White, 1650 Woodard Road, Princeton, NC 27569 stated that the property is owned by his family. He would like to set-up the RV to allow a place for him, his wife and children to stay when they visit.

Ms. Bunce asked if the RV would be set-up permanently and if the sewage would be contained.

Mr. Woodard stated that it would not be permanent. He would like power to allow him to plug in the RV when he and his family visit and he confirmed the sewage would be contained or disposed into an existing septic system on the property.

**First General Conclusion:** That the Special Use, if approved, will not materially endanger the public health or safety, if located where proposed according to the plan submitted and approved. Mr. Brown made a motion to approve the finding. Ms. Bunce seconded the motion. Mr. Brown stated that it appears that it will not materially endanger the public health or safety. The motion passed by unanimous vote.

**Second General Conclusion:** That the use meets all special uses and specifications. Mr. Smith made a motion to approve the finding. Mr. Brown seconded the motion. Mr. Smith stated that it appears to be compliant with the standards set forth in the zoning ordinance. The motion passed by unanimous vote.

**Third General Conclusion:** That the use would not substantially injure the value of the adjoining or abutting property, or that the use is a public necessity. Ms. Asbury made a motion to approve the finding. Mr. Brown seconded the motion. Ms. Asbury stated that there is no evidence that the use will injure the value of the adjoining or abutting properties based upon the appraiser's report provided with the application. The motion passed by unanimous vote.

**Fourth General Conclusion:** That the location and character of the use, if developed according with the plan as submitted and approved, will be in harmony with the area in which it was to be located and in general conformity with the Onslow County Comprehensive Plan and other Onslow County Ordinances. Mr. Brown made a motion to approve the finding. Mr. Smith seconded the motion. Mr. Brown stated that it appears to be in general conformity with the Onslow County Comprehensive Plan. The motion passed by unanimous vote.

## **VI. NEW BUSINESS**

### **A. SUP-2020-00004— Benny Thomas Pollard is requesting to establish "A World Apart" Bed and Breakfast on property in Jacksonville, NC, Parcel ID 331-32.1:**

Mr. Davis provided an overview of the application SUP-2020-00004.

**Applicant:** Benny Thomas Pollard

**Summary of proposal:** Mr. Pollard is requesting a Special Use Permit to establish a Bed and Breakfast at his home located at 1 Tranquility Lane in Jacksonville, NC. The property owners are Benny Thomas Pollard and Rebecca Pollard. The property is within the Residential 15 (R-15) zoning district. The Future Land Use Map shows this property within High-Density Residential and Conservation land use categories. The twelve-unit Bed and Breakfast will be an addition to the existing structure. A TRC meeting was conducted on January 21, 2020, and there were several comments received. The staff report lists several recommended conditions. These include a new septic permit for a system sufficient for the four existing bedrooms and the twelve proposed bedrooms, a food and lodging permit, a note about the preliminary flood maps, an NCDOT driveway permit, a note that a six-inch ONWASA waterline is available for connection, and a note about garbage collection. Additionally, the plan should be amended to show twelve bed and breakfast units (this has been done), what is included in each of the phases, and buffering around the parking area.

Rebecca Pollard, 320 Willbarry Road, Jacksonville, NC 28540 stated that due to Mr. Thomas Pollard having laryngitis, she would be speaking on his behalf. Mrs. Pollard read a statement provided by Mr. Pollard.

She stated that Mr. Pollard was thankful for the opportunity to address the Board concerning a proposed project on the beautiful New River that is located, if approved, at 1 Tranquility Lane, Jacksonville, NC 28540 in the Southwest area of Onslow County. The project name is "A World Apart", a 12-unit Bed and Breakfast Inn. She stated that she would like to take a moment to thank Angie Manning and Chad Davis for helping shepherd this project along to this point and to those in attendance who live in the area, she expressed that they look forward to hearing their comments. She explained that their existing home is positioned on a cliff 30 feet above the scenic New River and is next to the Onslow County walking park off Willbarry Road. It is quiet and a peaceful place of relaxation and meditation that allows people to forget about their worldly cares. The present home is a 5,000 square feet earth home with a beautiful view of the New River that is 20 feet underground on three sides, constructed of steel, concrete and glass with the New River totally exposed with glass from the floor to the ceiling and an indoor swimming pool with a sliding floor. She stated that they have seating for twenty-six people for breakfast and furnishing and artifacts from fifteen different countries in their home. This 4-bedroom earth home is occupied by Tommy and Becky Pollard and will accommodate over a hundred people with comfort, with 18-foot ceilings in the main part of the house, which is underground. The 12 new suites will be above ground, sitting on 3.5 acres and with the present house there will be a total of over 12,000 square feet of living space. This will be built in phases. The first phase will be eight suites that transverse the existing 5,000 square feet home, with 60 foot steel beams and metal bar joist supported by cement pilings. Each of the eight suites will be decorated with furnishings and artifacts from eight different countries. These suites will be over 400 square feet each, but with no cooking facility. Construction of the first phase will begin in June 2020 and hopefully be completed within 12-18 months. The second phase will be a 4,800 square feet 4-bedroom structure to be built if the demand is there within two years with no cooking facility. This will be one of the most unique "inns" in America offering a beautiful setting free of stress and worldly issues. She stated that Mr. Pollard and she will continue to live in the existing 5,000 square feet house, but it will also serve as a dining area for their overnight guests, business meetings, etc. All the activities will be totally underground and out of sight of any neighbor. There will be a 4-story elevator coming from the bottom floor of the existing home, which is two stories underground, coming up to the fourth story, which will accommodate the new suites and the 4,800 square feet 4-bedroom home when built. The outside construction will consist of Italian Tuscan architecture, terracotta roofs, arches, natural stone, and stucco with wood accents. She stated that they presently have one neighbor that will be within sight of this awesome "inn", Col. Gerald Hurst, retired, who she hopes will speak in support of this project later in the meeting. She stated that she would also like to introduce the President of the Jacksonville-Onslow Chamber of Commerce, Laurette Leagon, for her remarks later, to share with everyone her opinion as to how the "inn" would affect tourism in Onslow County. Mrs. Pollard stated that they anticipate that most of their guests will probably be retired people from all over the world and this will expose many people to the wonderful people and places in Onslow County. They will be able to view the fish, turtles, otters, alligators, and all the wildlife that reside in the forest close by, which include deer, squirrels, birds, bears and many other local species. She expressed that they fully expect this to be Onslow County's crown jewel that will attract many people to Onslow County. Even though Onslow County is not considered a destination area, it sits between the historic towns of New Bern and Wilmington and is just a few minutes away from beautiful beaches. She stated that it has been Mr. Pollard's dream for many years to share this

exquisite and beautiful property with others. With twelve different countries represented in the "inn", Mr. Pollard believes that they will truly be able to welcome people to Onslow County to see the world. Mrs. Pollard stated that they are fully aware of the challenges that they will face finding craftsmen to construct this most unique and beautiful property. This will be constructed under the supervision of Weston Lyall Engineering, assuring the utmost safety and comfort for the guests. She stated that they are also fully aware that finding the right staff to accommodate their guests will take some effort as well. There will be canoes, paddle boards and kayaks that will allow their guests to enjoy the natural beauty of the New River. Mrs. Pollard stated that they do not believe this project will have any negative affect on Oakhurst Estate residents but will be a huge positive for the citizens of Onslow County.

Chris Wilk, 104 Marina Court, Jacksonville, NC 28540 spoke against the proposed Bed and Breakfast. He stated that it saddens him to be against this. He expressed that he has known Mr. Pollard for years and that Mr. Pollard's property is a beautiful place. He stated that it would be alright if the proposed bed and breakfast was somewhere else in Onslow County, but this location is one mile within the neighborhood. He also expressed that he is not sure of where the parking or septic would be located on the property and the impact it would have on the neighbors whose properties abut to this property. In looking at the Special Use Permit conclusions that must be made by the Board, Mr. Wilks stated that this is certainly not a public necessity for the neighborhood. He expressed his concerns about the size of the proposed Bed and Breakfast and the parking to accommodate that many people. There is a canoe ramp and a trail located in this area, but they both have little impact on the neighborhood. He expressed his concern about strangers coming through the neighborhood to this bed and breakfast and how he would be less inclined to allow his grandchildren to walk or play on the trail if this Bed and Breakfast was constructed. Mr. Wilks stated that this use would not be in harmony with the surrounding area. He stated that the proposed size seems more like an inn than a Bed and Breakfast.

Brenda Amor, 127 Hac Street, Jacksonville, NC 28540 stated that she uses the trail that is next to this property approximately three to four times a week. She stated that she does not have a strong opinion of whether a Bed and Breakfast is constructed next door if it does not affect the integrity of the nature trail. She expressed her concerns about noise disturbance, but with everything being underground, she stated that she does not believe it will affect it.

Ms. Asbury asked where the runners or bikers park when they use the trail.

Ms. Amor stated that she parks where the asphalt ends. There is approximately 20 feet to park and a handicap space next to it.

Laurette Leagon, 169 Backfield Place, Jacksonville, NC 28540 was in support of the Bed and Breakfast. Ms. Leagon is the President of the Jacksonville-Onslow Chamber of Commerce and Onslow County Tourism is located within their office as well. She was invited by Mr. and Mrs. Pollard to attend a focus group about this project. She stated that this Bed and Breakfast will be something that Jacksonville and Onslow County has never seen before. It will be a destination and something that Onslow County Tourism can market to

bring in a higher-end clientele. These rooms will not be the cost of a local motel. She stated that it will bring in a higher caliber of visitors to the area, which is the value that she sees in the project. She explained that when people visit the area, they do not only spend money where they stay, which benefits others in the community. Ms. Leagon stated that she would like for the Board to approve this Special Use Permit. She believes that it would be great for the community and would be something Onslow County could be proud of.

Lisa Wilk, 109 Genora Place, Jacksonville, NC 28540 spoke against the proposed Special Use Permit. She stated that at first, she thought it would be something small but after reading more of the letter, she is opposed to the idea of a twelve-unit Bed and Breakfast. She explained that this area is a quiet and peaceful neighborhood so this use would not be in harmony with the area. She stated that she does not want her neighborhood to be a destination for people to visit. She expressed her concerns of this Bed and Breakfast being a venue based on Mrs. Pollard's comment of it accommodating up to 100 people and her concerns include a parking lot being constructed and the affects it would have on the trail. She stated that she would be fine with a two-bedroom Airbnb, but not a twelve-unit Bed and Breakfast.

Ms. Asbury asked if Ms. Wilk would feel differently if six of her neighbors rented two of their bedrooms as an Airbnb.

Ms. Wilks answered that she felt like that would be different because it is not one locale.

George Smith, 206 Crooked Creek Road, Jacksonville, NC 28540 spoke against the proposed Bed and Breakfast. He stated that he liked this idea for someone who has money, but this community is not about money. Mr. Smith explained that he was in the military, which has caused security issues in his life. He briefly described a time when he lived in Italy and Germany and explained that he and his wife had searched for an area to retire and live permanently. They came across property in this area that they purchased to make their permanent home. He explained that he and his wife met their neighbors and enjoy the community. He stated that he is saddened and blindsided by this Special Use request. Mr. Smith stated that he received the letter for this public hearing the week prior and after researching online he concluded that this request was about money. He stated that he does not understand why something like this would be constructed in a neighborhood with no parking. Mr. Smith explained that this Bed and Breakfast would only be affordable to wealthy people or international people. He expressed that he did not believe this Bed and Breakfast would bring a better quality of people to the area because money does not dictate the quality of individuals; people with money can be just as greedy and shady as people with no money. He stated that he is afraid that his neighborhood will be crowded with international people if this Bed and Breakfast is approved. Mr. Smith asked the Board how they would feel if something like this was proposed to be constructed in their neighborhood. He stated that the Bed and Breakfast may increase the property value, but it does not convince him that it would be safe. Mr. Smith stated that he knows this request is going to be approved and that he felt like the Board was just having to go through the required procedure. He stated that if the use is going to be approved, he would like to be convinced that it is going to be safe and he will not have to use his second amendment right to protect himself. Mr. Smith

stated that he is only one voice in the neighborhood, and he feels like there were others that did not come because they felt like it was already approved. He expressed that it is all about who knows who in this town.

Ms. Bunce stated that the criteria that the Board votes on is subjective and that the Board could certainly question the applicant about the measures they plan to take concerning the safety of the neighborhood.

Denise LaFave, 110 Deerfield Road, Jacksonville, NC 285450 spoke against the Special Use Permit. She stated that she is representing her father, Bernard LaClair. Her father walks on Willbarry Road often. Ms. LaFave asked for clarification on the High-Density Residential category of the Future Land Use Map.

Mr. Charles Davis showed Ms. LaFave on the map that the existing neighborhood is High Density Residential.

Ms. LaFave expressed her concerns about increased traffic in the neighborhood and explained that there is only one way in and out of the neighborhood. She asked if this property is located within Oakhurst Estates and if it is covered by the covenants of the neighborhood.

Mr. Davis stated that is a question for the owner.

Ms. LaFave asked how much septic line would be required for a twelve-unit Bed and Breakfast and if there is a setback required for septic tanks on waterfront property. Ms. LaFave asked how deep the lot is at 1 Tranquility Lane.

Ms. Asbury answered that it is 453 feet from the right-hand property boundary and that there was previously a septic tank approved on this property for a 10-bedroom system.

Ms. LaFave asked if this use is approved, what will prevent other individuals with waterfront property in this subdivision from requesting the same thing. She stated that there are other areas within the County that would be a better location for this type of use. She does not feel that this is an appropriate location for a twelve-unit Bed and Breakfast. Ms. LaFave expressed that this use would materially endanger the public health and safety due to the traffic increase and the building trucks entering in and out to begin the construction process. She stated this may be a public necessity but not in this subdivision. She does not support a Bed and Breakfast being located within a residential area.

Terry Hinson, 200 Willbarry Road, Jacksonville, NC 28540 spoke against the Special Use request. He stated that he lives in the center of this street and they already experience some traffic issues. He expressed that this is going to be a tremendous safety issue. There are no sidewalks within this neighborhood and there are multiple individuals who walk up and down this street. He stated that he does not let his grandchildren play close to the street due to cars speeding on Willbarry Road. He suggested that if this Special Use Permit is approved that some safety upgrades be made within the neighborhood. There are no speed limit signs

posted and the street lighting is not good. Mr. Hinson stated that he is not completely opposed to the Bed and Breakfast but he is against it with the topography that is currently there.

Chuck Conard, 205 Crooked Creek Road, Jacksonville, NC 28540 spoke against the proposed Bed and Breakfast. Mr. Conard stated that it seems as if there has been a lot of time, energy and resources invested into looking at this property and determining the benefits of the property and he questioned if the same time and thought process had been invested into the subdivision with the increased traffic flow that a Bed and Breakfast would bring to the neighborhood. It is not an easy neighborhood to navigate in and out of because there is only one way in and out. He stated that he has lived in this neighborhood for approximately ten years and he and his wife plan to make this their forever home. He asked if there would be any benefits of this Bed and Breakfast to the residents who live in that neighborhood. Mr. Conard stated that he felt like if he was going to develop something that impacted many his neighbors, he would have introduced the idea to them much sooner and not rely on the public hearing notice. He was very disappointed to hear of this for the first time through a letter. He asked if there were other properties that could be developed that could bring tourism and the same kind of economic impact as this one. Mr. Conard suggested a few waterfront properties on the New River that he thought would be a better fit for a bed and breakfast in the area. He stated that he thought that property would be more conducive to accept that type of tourism. He stated that he does not believe that the current subdivision roads and infrastructure can support the additional volume that a Bed and Breakfast may bring. Mr. Conard asked where the individuals that would work and help maintain the Bed and Breakfast would reside. He also asked if there would be a vote made on this special use at this meeting tonight or in the future. He expressed that he would like to learn a little more about the proposal. He stated that the proposal looks great, but he is not 100% convinced that it is what is best for the subdivision. With his traffic and safety concerns. he stated that he would like to know if there has been a detailed traffic study of the area surrounding the property.

Mr. Davis stated that NCDOT does not do traffic counts within this neighborhood. The nearest traffic count is on Richlands Highway. Staff was unable to do an analysis of how much traffic is there versus the capacity of the road because they do not have that data.

Mr. Conard asked if there is any speculation on the impact the proposed Bed and Breakfast will have on the subdivision from a traffic standpoint.

Mr. Davis stated without having a traffic count and the capacity of the road he is unable to answer that question. Mr. Davis confirmed that the proposed Bed and Breakfast would add vehicle trips on the subdivision roads.

Mr. Shaw stated that the Board plans to vote on this item tonight.

Mr. Conard asked if it would be appropriate to ask for a continuance so the neighbors could learn more about the proposal.

Mr. Shaw stated that he would not be comfortable with giving a continuance at this point, but there may be a time when that might be appropriate. He stated that the Board would like to continue hearing testimonies from the public.

There was a second comment provided by Chris Wilk, 104 Marina Court, Jacksonville, NC 28540. He stated that he wanted to emphasize that this structure is on a narrow road, one mile into the heart of a neighborhood. He explained that if this Bed and Breakfast is approved, he is concerned that there will be others in this area approved in the future.

Evelyn Ellzey, 207 Willbarry Road, Jacksonville, NC 28540 spoke against the proposed Special Use Permit. She stated that Willbarry Road is the main road that individuals travel to get to their homes within the subdivision. She expressed that she has the same concerns as her neighbors, specifically the safety of people on Willbarry Road. She stated that a Bed and Breakfast would be alright, but not a Bed and Breakfast of this scale. She stated that Mr. Pollard's dream is beautiful, but she does not feel that this location is appropriate.

Gerald Hurst, 1 Amelia Lane, Jacksonville, NC 28540 stated that he is the developer of Oakhurst River Estates, which is the community that surrounds this property. Mr. Hurst wrote the covenants and they do not allow for any business use in the neighborhood; however, Mr. Pollard's property was purchased 45 years ago and is not part of the Oakhurst community. Mr. Hurst shares a property line with the Pollards. Mr. Pollard approached Mr. Hurst with the idea of a Bed and Breakfast many years ago but has just recently started planning for construction. Mr. Hurst stated that he cannot make a judgement of the direct impact a Bed and Breakfast would have on the neighborhood. Mr. Hurst expressed that he was in a difficult situation because Mr. Pollard is his neighbor and has a dream and Mr. Hurst believes that you should be able to do what you want with your own property; however, there are other considerations that the Board would need to weigh in their decision. Mr. Hurst explained that he has four acres around his house that he is in the process of developing into a five-lot mini subdivision and it will have the same covenants as the rest of the subdivision including any business.

Mr. Shaw asked if the streets in the subdivision are state-maintained.

Mr. Hurst answered that Willbarry Road, portions of Crooked Creek Road, portions of Riverbend Road, all of Deerfield Road, and Ridge Road are all state-maintained roads.

Rebecca Pollard, 320 Willbarry Road, Jacksonville, NC 28540 came forth to address the questions and concerns of the public. She stated that there are two other roads that access Crooked Creek Road and the rest of the neighborhood. She stated that she comes home from work each day around 5:15pm and she may pass one car on Willbarry Road. She expressed that she has walked on the trail next to their property multiple times alone and has only been afraid once, when there were two young guys that she suspects were on drugs walking on the trail. She stated that they were afraid that the park was going to bring

homeless people, drugs, multiple cars, etc., but they have not seen that. She expressed that there have been people to travel down their driveway by mistake thinking it was the park. Mrs. Pollard stated that they have had three weddings at their house and have never heard a complaint from their neighbors. Their house is located 700 feet from the road. Mr. Hurst is their only neighbor. She stated that Mr. Hurst has never complained about any parties they have had inside their house. The house is beneath ground and the noise does not carry. She stated that she has complaints about teenage drivers driving too fast down the subdivision roads and not yielding on Crooked Creek Road. Mrs. Pollard explained that they would like a 12-unit Bed and Breakfast and questioned if the public thought each room would be rented every single night. She stated that she stayed at a Bed and Breakfast in Asheville that was directly beside a residential home and there were no complaints. She expressed that there will be no issues with parking; they have 3.5 acres with plenty of room for parking. Mr. Pollard has a wastewater treatment plant and there is an approved 10-bedroom septic system for this property. Mrs. Pollard stated that the wastewater treatment plant is only a mile away and they can run a line from it to their house for sewage if they need to. She expressed that they own this beautiful place on the water, and they would like to share it with others. Mrs. Pollard asked if the traffic situation is any different if her neighbors have a family reunion, or people travel from outside the subdivision to use the park. She does not see a difference. She stated that they have their own parking, no one will be parking on the street, and she highly doubts that the rooms will be filled every night. There will be times that they are on vacation and the Bed and Breakfast will be closed. She stated it is a beautiful place and it is a shame not to be able to share it. There will be no loud parties or music. The Pollards envision more of a nature setting rather than a party setting.

There was a second comment provided by George Smith, 206 Crooked Creek Road, Jacksonville, NC 28540. Mr. Smith stated that Mrs. Pollard's projection of how the neighborhood will be with this Bed and Breakfast is a nice dream, but not accurate. He stated that just because the Bed and Breakfast may not be full of people does not mean that it will be safe. Mr. Smith stated that he is disappointed because he feels as if the decision has already been made. He expressed that he felt the special use is going to be approved because it is based on money. He questioned why he came to the meeting to provide his comments if the decision has already been made. He stated that they were not told about this proposed Bed and Breakfast before because the Pollards would not want the backlash and resistance from the neighbors.

Mr. Shaw stated that he is disappointed that Mr. Smith would say the Board has already made their decision because the Board has not voted. The Board makes the decision after they hear the testimonies and comments from both the applicant and the public.

Mr. Smith stated that he could understand Mr. Shaw's frustration and challenged the Board to prove him wrong.

A second comment was provided by Brenda Amor, 127 Hac Street, Jacksonville, NC 28540. Ms. Amor stated that she runs the trail without headphones and rarely hears cars traveling through. She stated that she does not live in the neighborhood, but she is not aware of the traffic the neighbors are referring to. She stated she is unsure if that is being exaggerated. She also shared that she is a young female and runs

the trail in the late evening with no fears. She expressed that after this meeting, she does not feel welcome to use this trail and park. She stated that she felt like the meeting and comments from the neighbors were hostile. She expressed that she does not feel that was their intention, but she now feels like she will be stared at when driving down Willbarry Road to the park to run on the trail.

A second comment was provided by Lisa Wilk, 109 Genora Place, Jacksonville, NC 28540. She stated that there is are no issues with anyone using the park. This meeting is about bringing a business into the neighborhood.

There was a second comment also provided by Terry Hinson, 200 Willbarry Road, Jacksonville, NC 28540. Mr. Hinson stated that if the Board approves this Special Use Permit, he would humbly ask for them to consider the upgrades that need to be done on Ridge Road and Willbarry Road to reduce the speed.

A second comment was provided by Denise LaFave, 110 Deerfield Road, Jacksonville, NC 28545. Ms. LaFave stated that this is a residential subdivision not a commercial area. She agreed with the statement from a previous neighbor that if one is allowed then others will eventually be allowed. She shared that there are no sidewalks, drainage issues and bad lighting within the subdivision. Ms. LaFave stated that she is surprised that Onslow County Tourism would support this project without knowing if it is approved.

Mrs. Pollard stated that she agrees there is a speed issue in the neighborhood.

Mr. Jeff Brown asked if there was fire hydrant close by.

Mr. Charles Davis answered that there is a fire hydrant located at the end of the driveway across Willbarry Road which is served by a 6-inch waterline.

Mr. Shaw stated that if there were no more questions or comments, the Board would begin going through their worksheets and voting.

**First General Conclusion:** That the Special Use, if approved, will not materially endanger the public health or safety, if located where proposed according to the plan submitted and approved. Ms. Asbury made a motion to deny the finding. Ms. Bunce seconded the motion. Ms. Asbury stated that NCDEQ and Coastal Resources Commission designates areas as Areas of Environmental Concern to protect them from uncontrolled development, which may cause irreversible damage to property, public health or the environment, thereby diminishing their value to the entire State. Public Trust Areas include, but are not limited to, navigable natural water bodies and the lands underneath. Lands and water of estuarine systems are home to fish nursery areas, spawning areas, shellfish beds and other habitats that are essential to North Carolina's commercial and recreational fishing industries. More than 90% of our state's commercial and recreational seafoods species such as shrimp, flounder and crabs depend on these protected habitats and nutrients found there. Plants in estuarine areas trap debris and excess nutrients to help regulate the flow of freshwater maintaining the ecosystem's balance. Estuarine waters and Public

Trust Areas are important to tourism because they support commercial and recreational fishing, boating, swimming and other activities. Ms. Asbury stated considering two-thirds of this proposed project falls within the Area of Environmental Concern, she cannot support it. Mr. Brown stated that this Board is not responsible for making a decision based upon NCDEQ standards, that would be a separate review and permit. Ms. Asbury stated the property neighbors a conservation area, county park and public property, and as a realtor, she cannot support that type of development in that Area of Environmental Concern. It is too important to the habitat and the ecosystem up the river and everything down the river. Ms. Bunce stated that she seconded the motion based on the testimony that was heard from the public. She stated that in her opinion, the neighbors feel it will endanger their public health and safety based on the traffic, the current road conditions and the strangers that will be coming in and out of the neighborhood. Ms. Bunce shared that she used to live in this neighborhood, and she understands the neighbors' concerns of the streets and the safety. Based on the criteria that the Board is given, Ms. Bunce stated that she cannot support this project. Mr. Brown stated that the property of the proposed Bed and Breakfast is not located within the subdivision and was constructed many years before the subdivision was created. The motion to deny passed by a vote of three to two (Brown and Shaw).

**Second General Conclusion:** That the use meets all special uses and specifications. Mr. Brown made a motion to approve the finding. Mr. Smith seconded the motion. Mr. Brown stated that it appears to be compliant with the standards set forth in the zoning ordinance. The motion passed by unanimous vote.

**Third General Conclusion:** That the use would not substantially injure the value of the adjoining or abutting property, or that the use is a public necessity. Mr. Brown made a motion to approve the finding. Mr. Smith seconded the motion. Mr. Brown stated that there is no evidence that it will injure the value of adjoining properties and an appraisal report was provided by a NC licensed appraiser. The motion passed by unanimous vote.

**Fourth General Conclusion:** That the location and character of the use, if developed according with the plan as submitted and approved, will be in harmony with the area in which it was to be located and in general conformity with the Onslow County Comprehensive Plan and other Onslow County Ordinances. Ms. Asbury made a motion to deny the finding. Ms. Bunce seconded the motion. Ms. Asbury stated that regardless if this parcel was established prior to the residential subdivision, it is still accessed through the subdivision and based upon the public safety, pedestrian and traffic considerations, she does not feel that the use will be in harmony with the area. Also, the County Land Use Plan shows the existing structure in the conservation area and an Area of Environmental Concern. The motion to deny passed by a vote of three to two (Brown and Shaw).

Mr. Shaw stated the Special Use Permit had been denied. The order will be signed at the next monthly meeting on March 24, 2020. After the order is signed, the applicant will have 30 days to appeal the decision.

**B. SUP-2020-00003— East Coast Consolidated, LLC/Eric Corbett is requesting to establish a Truck/Freight Terminal on property in Sneads Ferry, NC, Parcel ID 772-201:**

Ms. Manning provided an overview of the application SUP-2020-00003.

**Applicant:** East Coast Consolidated, LLC/Eric Corbett

**Summary of proposal:** Mr. Corbett is requesting a Special Use Permit to establish a Truck/Freight Terminal to operate his trash collection and landscaping business. The property owner is East Coast Consolidated, LLC and the operator is Eric Corbett. The property is within the Rural Agricultural (RA) zoning district. The Future Land Use Map shows this property within High-Density Residential, Medium-Density Residential and Community Growth Activity Center land use categories. The Sneads Ferry Community Plan places this parcel into the classification of Traditional Neighborhood. Mr. Corbett currently runs his trash collection and landscaping business on this property without structures and is now interested in building structures. TRC meeting was conducted on January 21, 2020 and all comments have been addressed.

Eric Corbett, 100 Oyster Catcher Way, Sneads Ferry, NC 28460 stated that he and his wife purchased this property years ago to store materials for their company. They are proposing to build a 10,000 square feet facility to secure their equipment and clean up the site.

Grover Spicer, 186 Country Club Road, Sneads Ferry, NC 28460 expressed his concerns about the potholes that are already existing in the road and the added traffic that this will bring. He also stated that he does not want this to turn into a landfill.

Ms. Bunce asked if there are any flood areas on this property.

Ms. Manning answered that there are no flood areas.

Shalena Sidbury, William Sidbury Tract 4 Heirs property on Country Club Road, stated that in the future her family would like to develop houses in this area, and she asked if this would depreciate the value of those homes. She also asked if there would be any chemicals or smells.

Christine Johnson, 2182 Highway 172, Sneads Ferry, NC 28460 stated that the road is already very busy with a lot of trucks and there are currently multiple potholes on the road. Because Highway 172 is being worked on, a lot of the traffic is diverted to Country Club Road. Ms. Johnson stated that she does not agree with this project.

Ms. Asbury shared information about reporting potholes to NCDOT on their website.

Ms. Bunce asked if the applicant was purchasing more trucks and expanding the business.

Mr. Corbett answered that if the business is there then he may expand. He stated that they need a building before they do anything. Once the building is built, they will put up a fence and plant vegetation for a buffer.

Ms. Bunce stated that she wanted to ensure that the traffic will not double from his business.

Mr. Corbett stated that the trucks are stored on the property overnight and that they leave in the morning for their daily routes. They only operate during daylight hours.

Walter Jones, 186 Country Club Road, Sneads Ferry, NC 28460 stated that he is next door to this property. He explained his concerns about it developing into a landfill. He stated that they already have issues with debris being burned on this property. Mr. Jones stated that the property should be covered so the equipment cannot be seen. He also expressed his concerns about his property value.

**First General Conclusion:** That the Special Use, if approved, will not materially endanger the public health or safety, if located where proposed according to the plan submitted and approved. Mr. Brown made a motion to approve the finding. Mr. Smith seconded the motion. Mr. Brown stated that it appears that it will not materially endanger the public health or safety. The motion passed by unanimous vote.

**Second General Conclusion:** That the use meets all special uses and specifications. Mr. Smith made a motion to approve the finding. Mr. Brown seconded the motion. Mr. Smith stated that it appears to be compliant with the standards set forth in the zoning ordinance. The motion passed by unanimous vote.

**Third General Conclusion:** That the use would not substantially injure the value of the adjoining or abutting property, or that the use is a public necessity. Ms. Asbury made a motion to approve the finding. Ms. Bunce seconded the motion. Ms. Asbury stated that there is no evidence that the use will injure the value of the adjoining or abutting properties from the appraiser's report provided with the application. The motion passed by unanimous vote.

**Fourth General Conclusion:** That the location and character of the use, if developed according with the plan as submitted and approved, will be in harmony with the area in which it was to be located and in general conformity with the Onslow County Comprehensive Plan and other Onslow County Ordinances. Ms. Asbury made a motion to approve the finding. Mr. Smith seconded the motion. Ms. Asbury stated that the Future Land Use classifies this property as High-Density Residential, Medium-Density Residential and a very small portion of it as being within the Community Growth Activity Center. The Sneads Ferry Plan places this parcel into the Traditional Neighborhood classification, which allow business that provide good and services. Ms. Asbury stated she would consider this a service to residential customers. The motion passed by unanimous vote.

**C. SUP-2020-00001— Racheal Distin is requesting to set-up a single RV on property in Maysville, NC, Parcel ID 1132-27.1:**

Ms. Manning provided an overview of the application SUP-2020-00001.

**Applicant:** Racheal Leigh Distin

**Summary of proposal:** Ms. Distin is requesting a Special Use Permit to set-up a single RV at 122 Chariot Lane in Maysville, NC. The property owner is Racheal Distin. The property is within the Rural Agricultural (RA) zoning district. The Future Land Use Map shows this property within Medium-Density Residential and Conservation land use categories. A TRC meeting was conducted on January 21, 2020 and it was recommended that a valid septic permit be obtained from Onslow County Environmental Health since there is no septic permit on record with the county.

Racheal Distin, 102 Chariot Lane, Maysville, NC 28555 stated that they plan to eventually build a house on this property. They would like to set-up an RV to live in temporarily until they build.

Ms. Asbury asked how long they would need the RV.

Ms. Distin stated that she was hoping to begin construction this year. If they cannot begin construction this year, then it would be next year.

Strone Corbett, 102 Chariot Lane, Maysville, NC 28555 stated that a flood destroyed the existing house on the property and it had to be demolished. All amenities were destroyed except for the septic system. He stated that they would like to set-up an RV and eventually upgrade to a mobile home or build.

**First General Conclusion:** That the special use, if approved, will not materially endanger the public health or safety, if located where proposed according to the plan submitted and approved. Mr. Brown made a motion to approve the finding. Ms. Bunce seconded the motion. Mr. Brown stated that it appears that it will not materially endanger the public health or safety. The motion passed by unanimous vote.

**Second General Conclusion:** That the use meets all special uses and specifications. Mr. Smith made a motion to approve the finding. Mr. Brown seconded the motion. Ms. Bunce asked where they would place the condition that a septic permit be obtained from Onslow County Environmental Health. Ms. Manning stated that they have already paid for that evaluation to be done by Onslow County Environmental Health. The motion passed by unanimous vote.

**Third General Conclusion:** That the use would not substantially injure the value of the adjoining or abutting property, or that the use is a public necessity. Ms. Bunce made a motion to approve the finding. Ms. Asbury seconded the motion. Ms. Bunce stated that there is no evidence that the use will injure the value of the adjoining or abutting properties. The motion passed by unanimous vote.

**Fourth General Conclusion:** That the location and character of the use, if developed according with the plan as submitted and approved, will be in harmony with the area in which it was to be located and in general conformity with the Onslow County Comprehensive Plan and other Onslow County Ordinances. Ms. Asbury made a motion to approve the finding with a 24-month timeline condition. Ms. Bunce seconded the motion.

**VI. COMMENTS**

**A. PUBLIC**

There were no comments from the public.

**B. BOARD OF ADJUSTMENT MEMBERS**

There were no comments from the Board of Adjustment.

**C. PLANNING DEPARTMENT STAFF**

There were no comments from the Planning Department staff.

**VII. ADJOURNMENT**

There being no further discussion, the meeting was adjourned at 8:47 p.m.

  
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Jerome Shaw, Chairman

ATTEST:

  
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Kourtney R. Powell, Administrative Assistant