

ONSLOW COUNTY BOARD OF ADJUSTMENT MEETING MINUTES

June 25, 2019

Onslow County Government Center

Commissioners' Chambers

234 NW Corridor Blvd., Jacksonville, NC 28540

BOARD MEMBERS WERE PRESENT:

Ms. Christina Asbury

Mr. Roger Brown

Mr. John Smith, Vice Chairman

Mr. Jerome Shaw, Chairman

PLANNING AND DEVELOPMENT DEPARTMENT MEMBERS PRESENT:

Jessica Rhue, Interim Director

Angie Manning, Land Use Administrator

Jennifer Ansell, Chief Zoning Officer

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. Asbury made the motion to approve the April 9, 2019 minutes. Mr. Smith seconded the motion. All members were in favor and the motion passed.

Ms. Asbury made the motion to approve the April 23, 2019 minutes. Mr. Brown seconded the motion. All members were in favor and the motion passed.

Ms. Asbury made the motion to approve the Board Decision: SUP-2018-00013. Mr. Smith seconded the motion. All members were in favor and the motion passed.

Mr. Smith made the motion to approve the Board Decision: SUP-2019-00005. 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-2019-00006. Ms. Asbury seconded the motion. All members were in favor and the motion passed.

Ms. Asbury made the motion to approve the Board Decision: SUP-2019-00007. Mr. Smith seconded the motion. All members were in favor and the motion passed.

Mr. Brown made the motion to approve the Board Decision: SUP-2019-00008. Mr. Smith seconded the motion. Ms. Asbury stated that the road maintenance agreement that is to be recorded with the Register of Deeds should provide language that it will be to the benefit of all property owners. Ms. Asbury made a motion to amend the original motion to add that the recorded road maintenance agreement will be to the benefit of all property owners. Mr. Smith seconded the motion. All members were in favor and the motion passed.

V. NEW BUSINESS

A. APPEAL-2019-00001— Ms. Cindy Garb is requesting an appeal from a determination of the front yard setback area as defined by the Zoning Ordinance located at 629 Queens Creek Road in Hubert, NC, Parcel ID 1314-54.2:

Ms. Ansell provided an overview of the application APPEAL-2019-00001.

Applicant: Cindy Garb

Summary of proposal: Ms. Cindy Garb is requesting an appeal from a determination made on May 17, 2019 concerning the front yard of her property located at 629 Queens Creek Road in Hubert, NC. The determination was made based on the Zoning Ordinance definition of "Setback Lines" which states that the measurement of the front setback should be taken from the right-of-way line to the principal structure. This property consists of 1.82 acres and is zoned Residential 8M (R-8M). Per Article X of the Zoning Ordinance, in residential zoned areas, accessory structures must be located in the side or rear yard. Ms. Garb would like to install a 40' x 60' (2,400 sq. ft.) accessory structure on the property forward of the home adjacent to the driveway.

Cindy Garb, 629 Queens Creek Road, Hubert, NC 28539.

Ms. Garb stated that the building she wants to construct is large because she plans to store her boats in it. She would like to construct the building in her side yard, but the building is so large, part of it will extend forward of the home. Ms. Garb stated that she has already purchased the building. When she came to get her building permit, she discovered the issue with the setbacks. She purchased this building to protect her boat because her last boat was damaged in the hurricane. Ms. Garb stated that she wants the building placed in the side yard because her back yard is low and has wetlands.

Mr. Smith asked where the building would be located on her property.

Ms. Garb showed the proposed location of the building on the map. She stated most of the building would be located in the side yard.

Ms. Asbury asked if the building was enclosed.

Ms. Garb stated it is an enclosed building and provided pictures of the building to the Board.

Mr. Smith asked if she will be able to maintain the setback from the property lines.

Ms. Garb confirmed that the setbacks from the property lines will be met.

Ms. Asbury made a motion to reverse the decision. Mr. Smith seconded the motion. Ms. Asbury stated that she feels as if the applicant has 146' from the front of her residence to the right-of-way, and if you deduct the 50' setback, she should still have 96' of yard available to use. Ms. Asbury stated that she understands the interpretation and the decision made by staff, but she feels this is not a logical interpretation for what this applicant wants to do. The motion passed by unanimous vote.

VI. COMMENTS:

There were no comments.

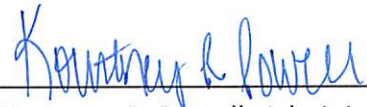
VII. ADJOURNMENT

There being no further discussion, the meeting was adjourned at 7:00 p.m.



Jerome Shaw, Chairman

ATTEST:



Kourtney R. Powell, Administrative Assistant