



**ONLOW COUNTY BOARD OF ADJUSTMENT
MEETING MINUTES
July 25, 2023
Onslow County Government Center
Commissioners' Chambers
234 NW Corridor Blvd, Jacksonville, NC 28540**

BOARD MEMBERS PRESENT:

John Smith, Vice-Chairman
Christina Asbury
Cindy Edwards
Kyle Fountain

ONLOW COUNTY STAFF MEMBERS PRESENT:

Carter Metcalf, Planning Director
Kendrick Stanton, Zoning Administrator
Michael Montgomery, Administrative Assistant

I. MEETING CALLED TO ORDER

Mr. John Smith, Vice- Chairman, called the meeting to order at 6:30 p.m.

II. PLEDGE OF ALLEGIANCE

Ms. Cindy Edwards led all present in the Pledge of Allegiance.

III. APPROVAL OF MINUTES AND DECISIONS

Ms. Edwards made the motion to approve the June 27, 2023, minutes. Mr. Fountain seconded the motion. All members were in favor and the motion passed.

Mr. Fountain made a motion to approve the Board Decision: SUP-2023-00007. Ms. Edwards seconded the motion. All members were in favor and the motion passed.

Ms. Edwards made a motion to approve the Board Decision: SUP-2023-00008. Mr. Fountain seconded the motion. All members were in favor and the motion passed.

Ms. Asbury made a motion to approve the Board Decision: SUP-2023-00009. Ms. Edwards seconded the motion. All members were in favor and the motion passed.

Mr. Fountain made a motion to approve the Board Decision: SUP-2023-00010. Ms. Asbury seconded the motion. All members were in favor and the motion passed.

Ms. Asbury made a motion to approve the Board Decision: SUP-2023-00011. Ms. Edwards seconded the motion. All members were in favor and the motion passed.

IV. SPECIAL USE APPLICATION

SUP-2023-00013 — Tidewater Associates, Inc requested a Special Use Permit to establish a Motor Vehicle and/or Boat Storage on a 3.95-acre parcel at 1680 Old Folkstone Road, Stump Sound, NC known as Tax Parcel 772-128.

Applicant: Tidewater Associates, Inc

Owner: Curtis R. Trexel

Summary of proposal: To establish a Motor Vehicle and/or Boat Storage Yard.

Mr. Stanton provided an overview of the application SUP-2023-00013.

Lori Morris, 306 New Bridge Street, spoke on behalf of the application.

Mr. Stanton: Does the board have any questions? I'll take those at this time.

Mr. Fountain: Were there any outstanding TRC comments?

Mr. Stanton: No, sir. All TRC comments were addressed.

Mr. Smith: Does anybody here speak on behalf of the applicant?

Mr. Stanton: Would the applicant like to come up?

Lori Morris, 306 New Bridge Street, spoke on behalf of the application.

Ms. Morris: My name's Lori Morris. I work with Tidewater Associates. 306 Newbridge Street. Just a real quick synopsis. Pretty much what Kendrick's already told you, but we've met all the technical review comments. I believe the last few were with the fire department. We've satisfied all their concerns. We've got the required landscaping, fencing, lighting and a keypad entry into the site. Myself and the owners, owner, Mr. Trexel, are both here. If there are any questions that need to be answered, either one of us could answer them, of course.

Mr. Smith: Any questions?

Mr. Fountain: I have one. Is this going to be a subdivision of the lot or is this going to be keeping the existing house and the storage on

Ms. Morris: Keeping the existing. There is no subdivision. He, the owner, currently lives in that house and he will be watching, taking care of the whole place.

Mr. Smith: So, he lives on site?

Ms. Morris: Yes, sir.

Mr. Smith: Any more questions? Anybody wish to speak on this matter? Yes. Yes, sir. If you would come up and state your name and address.

Mr. Leviere: Good evening. My name's Thad. Livia, and I live at 304 Woody Way. I wouldn't say that I'm completely opposed, but there are some concerns from myself and a couple other neighbors. One of the main concerns it's a bit of a question is that it's both an automotive and boat storage and how much leeway is there for if approved that here's the plan but that once it's approved it can kind of form into anything.

Mr. Smith: Once it's approved, it will have to go by the actual plans we have.

Mr. Leviere: Got it. Another concern is that the property line is very close to some other houses, so it's roughly 125 feet. The property line and the property line is right about where the fence is going to be for the boat storage, which is approximately 125 feet from my house. And then actually, I wrote it down here, it's approximately 30 to 35 feet from another house, which is very close, where boats are going to be stored and where the fence is to other properties. And then lastly, that this is a rural agricultural zoning and there are commercial zones. And so that area there in southern Old Folkstone Road is much more residential and agricultural and not so much commercial. And I'd say those were my three concerns.

Mr. Smith: All right. Thank you, sir.

Mr. Leviere: Thank you.

Mr. Smith: Would you address some the...

Ms. Morris: I'm not really sure which one I should address. The plan does call for boat. It does call for boat and truck storage. It's not going to be a junkyard in any way. They will be spending; they will be paying good money to store a nice boat. They're not good money to store junk car there. The buffering that's on there, it's as required by the County Ordinance. They're not directly on the property line. It's I believe it's in the past, but I can't read it. Yeah, but I can't read the back. Can I zoom in?

Ms. Edwards: It says 12 foot.

Ms. Morris: Yeah. So, within that 12 foot is where all the buffering and the fence will be within that 12 foot. The storage of the trailers of course is after that. So, it's not like it's right on the property line. There will be some lighting, but the lighting will not be directed in the property zoning. The lighting within our property is not allowed to shine up or over in other people's properties. Did I answer all of them?

Mr. Smith: Yes ma'am. Anyone else have any questions? Anybody else wish to speak? Let's go to our worksheet. I guess all of all the members will be voting in my number one. That use will not materially endanger the public health or safety if located were proposed and developed according to the plan submitted and approved. Have a motion?

Ms. Edwards: Motion to approve.

Mr. Smith: Second?

Mr. Fountain: Second.

Mr. Smith: All in favor?

All members: Aye

Mr. Smith: All opposed?

Mr. Smith: That the use meets all required Special Use Permits. Motion?

Mr. Fountain: Motion to approve.

Mr. Smith: Second?

Ms. Edwards: Second.

Mr. Smith: All in favor say aye.

All members: Aye.

Mr. Smith The use will not substantially injure the value of adjoining or abutting property. Or that the public its use is a public necessity. I might need a motion.

Ms. Edwards: Motion to approve.

Mr. Smith: Second?

Ms. Asbury: I'll second.

Ms. Edwards: A value opinion report has been completed by Matthew Weinberg and is attached stating that it will not affect adjoining properties negatively.

Mr. Smith: All in favor?

All members: Aye.

Mr. Smith: That the location and character of the use if developed according to the plan is submitted, an approved will be in harmony with the area of which it is to be located in a general conformity with Onslow County Comprehensive Plan. Do I have a motion?

Ms. Asbury: Motion to deny

Mr. Smith Have a second?

Mr. Metcalf There can also be a counter motion by another board member.

Mr. Smith: Do I have another motion?

Ms. Asbury: I'll explain why if that would help. I feel like it's inconsistent with the current zoning. That property is currently zoned rural agricultural, which suggests that that area is intended for agricultural and rural uses. A boat or RV storage facility doesn't really align with the intended use of the land and granting approval can set a precedent for future developments that aren't compatible with that zoning for that type of use. It also contradicts the future land use map, which designates that property for medium density residential. That classification indicates a plan for residential development with moderate housing density and introducing a boat or RV storage or automobile storage facility could deviate from the envisioned residential character and negatively impact the aesthetics of the surrounding area. Also, the Sneads Ferry preferred land use strategy identifies that property falling in the traditional neighborhood category, which implies that the community wanted a focus on creating vibrant neighborhoods that blend residential recreational spaces. That type of facility has the potential to disrupt cohesive development patterns designed for those traditional neighborhoods.

Mr. Smith: With that explanation, do you have a second?

Ms. Edwards: I'll second so we can vote.

Mr. Smith: A motion and a second. All in favor, say aye.

Mr. Smith, Ms. Edwards and Ms. Asbury: Aye

Mr. Smith: All opposed?

Mr. Fountain: No.

Mr. Smith: Three- One. Motion carries. Your permit has been approved. I mean, denied. Your permit has been denied. I'm sorry. You'll need to talk with Mr. Stanton and see if we can adjust or make other arrangements.

Mr. Stanton: It may be something that we can address for tomorrow. But at this point, as the chairman or vice chairman is stating, it's been denied. I can definitely speak with you tomorrow sometime in the morning once we're back to work. As far as for close out, that would be that'll be it.

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. Edwards made a motion to approve the finding. Mr. Fountain seconded the motion. The motion passed by unanimous vote.

Second General Conclusion: That the use meets all special uses and specifications. Mr. Fountain made a motion to approve the finding. Ms. Edwards seconded the motion. 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. Edwards made a motion to approve the finding. Ms. Asbury seconded the motion. Ms. Edwards stated that based on the report provided by a licensed appraiser, the proposed structure will not substantially injure the value of the adjoining or abutting property. The motion passed by unanimous vote.

Fourth General Conclusion: That the location and character of the use, if developed according to 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. Edwards seconded the motion. Ms. Asbury stated that it appears to not be in harmony with the surrounding area and not in general conformity with the Onslow County Comprehensive Plan. The motion passed by 3-1 (Fountain) vote.

V. COMMENTS

A. PUBLIC

There were no comments from the public.

B. BOARD OF ADJUSTMENT MEMBERS

There were no comments from the Board.

C. PLANNING DEPARTMENT STAFF

There were no comments from staff.

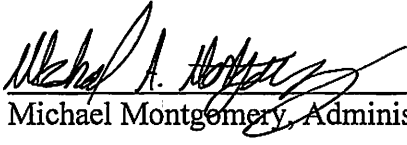
VI. ADJOURNMENT

There being no further business, the meeting was adjourned at 6:57 p.m.



Jerome Shaw, Chairman

ATTEST:

A handwritten signature in black ink, appearing to read "Michael A. Montgomery", written over a horizontal line.

Michael Montgomery, Administrative Assistant