



Town of Sunset Beach  
Board of Adjustment

**Meeting Minutes of June 12, 2019**

**DRAFT**

**Members Present:** Chairperson Peter Scott, Larry Hershoff, Bruce Hovermale, Greg Jensen, Veronika White

**Members Absent:** None

**Staff Present:** Todd Rademacher; Planning Director, Cindy Nelson; Board of Adjustment Secretary,

Chairperson Peter Scott called the meeting to order at 9:00 AM and established that a quorum was present.

**Swearing of New Members:** Larry Hershoff and Greg Jensen were sworn in to serve for new terms.

**Amend or Approve Agenda:**

CHAIRPERSON PETER SCOTT ASKED FOR A MOTION TO AMEND OR APPROVE THE AGENDA. MOTION TO APPROVE AGENDA WAS MOVED BY LARRY HERSHOFF. SECOND MADE BY BRUCE HOVERMALE. MOTION CARRIED UNANIMOUSLY.

The Pledge of Allegiance was recited by all in attendance.

**Postponement or Withdrawal Requests:** None

**Consideration of Approval of Minutes:** Consideration of approval of minutes from the February 14, 2018 meeting.

There were a couple items noted for correction.

CHAIRPERSON SCOTT ASKED FOR A MOTION TO APPROVE THE MINUTES WITH NOTED CORRECTIONS. MOTION MOVED BY LARRY HERSHOFF. SECOND WAS MADE BY VERONIKA WHITE. MOTION CARRIED UNANIMOUSLY.

**Old Business:**

Discussion took place regarding the previous variance case:

The Board wanted to know if there has been any follow up with the prior case, which was a variance for the installation of a swimming pool. The Secretary explained that a permit was obtained, the permit expired, was renewed, and a pool bond inspection had been done.

Todd said that he would review the facts of the case and drive over to the permit holders house and inspect the progress so far.

**New Business:**

a. Meet the New Planning Officer, Todd Rademacher

Todd introduced himself and gave an overview of his career and back ground. He assured the Board that he is well versed with ordinances and enforcement.

Chairperson Scott asked Todd how busy Planning & Inspections was. Todd answered that it has been very busy and currently there are forty-four homes under construction-twenty-two on the mainland and twenty-two on the island.

Todd then informed the Board of the upcoming project for the proposed apartment complex; Artesa Village. Highlights of the discussion between Todd and the Board are as follows:

Todd gave an overview of the project:

This is a multi-family development project located in the Mixed Use District (MUD), the MUD allows multi-family development, so it is a use by right. The developer comes to the Town, the Technical Review Committee (TRC) gives comment on items to correct and change. Then, the site plan goes to the Planning Board for review and approval. With this particular project there was strong citizen turnout at the Planning Board meeting. The developer/applicant made a request of the Planning Board, to table the approval until all the questions and concerns are addressed. The Planning Board made the right decision to honor the request. One of the biggest issues with the public has been why there is no public hearing or Town Council involvement? This would be due to the fact that is a use by right. There are no special conditions or a need Board of Adjustment. If the Planning Board denies the project, the developer can go to a higher court and the state can issue the permits.

Is this development consistent with the character of that area and what was previously approved? The Master Association has already approved the project. Originally there was to be an additional fourteen condominium buildings. The current proposal meets all the rules and regulations. Discussion ensued on the density; i.e. how many people could reside in one apartment unit.

What about parking? All the ordinances and regulations are being met.

Is this considered “Low Income Housing”? No, but if it were, Sunset Beach would not be the choice of the developer for low income housing, nor would they go through the time and expense to put in a pool, clubhouse, and playground. Typically, you would not see those type of amenities for low income projects. The demographic for this development will most likely appeal to new retirees who want to affordably retire at the beach. People who have pensions and retirements, they can get good healthcare here, they want out of the city, they will most likely want to be a part of the community and get involved in local causes. This would not be a reason to approve or deny the decision to allow the project to move forward or deny the site plan. We cannot restrict building based on assumed demographics.

What were the TRC's findings? The Fire Department had some issues to correct and there were a few other minor changes requested. There is a concern about road access rights. That is not something the Town would have say in, or a right to be involved with.

The public has legitimate questions. Some of the comments and concerns being that are being made are unfounded. What it comes down to is that this development proposal is a use by right, it meets the criteria and he can build this development. Town Council does not have authority in reviewing and approving site plans, which has also been a question of the public.

Discussion moved to another topic. Chairperson Scott asked Todd if he was satisfied with the UDO? Todd answered that there are things in there that need to be changed. There are some areas that need improving and strengthening, such as landscaping. And in general, other sections that need improved upon to be more in line with other North Carolina towns. We can do better with our UDO. One section in particular is the MUD district, there are no definitions or guidelines.

Todd continued: Developers are going to come here and want to build. It is going to happen. The Town is going to grow. The ordinances can be tightened up to have nice projects come in. Projects that the Town can be proud of and excited about. Right now, the UDO is so restrictive that commercial development will not come here. It's going to take time and money for changes. Maybe next year the budget could include funds for a UDO re-write. Almost all the commercial area is owned by one entity, Carolina Dreams. The Town could meet with them and see how they would like to develop the corridor along Sunset Blvd. Lay out a vision for the Town. It could be developed to look very nice and upscale, like Hilton Head or Pawley's Island. There are so many nice things that can be done to make the Town look beautiful. Greg added that the Land Use Plan does promote commercial development.

Todd went on to offer that approximately 200 acres of Jaguars Liar is being sought to purchase by a developer. All the lots in Sea Walk have been bought and the developer is building those lots out. There have been several properties purchased on Peakwood and Ocean Harbour Golf Club Rd. The more the area grows the more services will be needed. Then there are unique challenges with growth such as; people to work in the businesses. There has to be affordable housing. Most people cannot afford to commute an hour, nor can they afford to live here.

Discussion then proceeded on how the area is changing with the demographics of today and what could be expected in the future.

### **Administrative Items:**

#### **a. Director and Staff Comments**

#### **b. Board Member Comments and Request for Future Agenda Items**

Todd said training opportunities are available for the Board of Adjustment if there was interest. The Board was unanimous in their desire to have in house training. They were also supportive of going off site for training, and attending any conferences where applicable.

The Board was also in favor of meeting on a more regular basis. This will ensure that minutes are approved in a timely manner. The Board can stay updated on UDO changes and happenings within the Town. The Board decided to meet every other month thru to the end of the year. The next meetings will be on August 14<sup>th</sup>, October 9<sup>th</sup>, and December 11<sup>th</sup>. These meeting dates are already approved on the Town's meeting schedule.

In closing; Todd said that his door is always open. Should anyone have any questions, call, come in or email.

**Adjournment:** 9:55 AM. CHAIRPERSON SCOTT ASKED FOR A MOTION TO ADJOURN. MOTION MOVED BY LARRY HERSHOFF. SECOND WAS MADE BY BRUCE HOVERMALE. MOTION CARRIED UNANIMOUSLY.

Town of Sunset Beach  
Board of Adjustment

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*Chairperson Peter Scott*

Submitted by:

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*Cynthia Nelson, Board of Adjustment Secretary*

Note: Minutes from the February 14, 2018 meeting were approved at the June 12, 2019 meeting.