

TOWN OF EMERALD ISLE  
BOARD OF ADJUSTMENT  
REGULAR MEETING  
WEDNESDAY, NOVEMBER 19, 2008

The meeting was called to order at 9:00 AM by Chairman Mark Brennesholtz. Members present were: Mark Brennesholtz, Russell Adams, Sally Waters, Jerry Stockdale, Frank Powell and John Kilgore. Also attending was Planning Director, Kevin Reed. There were also a number of other persons in attendance in the audience.

The first order of business was to consider approval of the minutes for the Board's August 12, 2008 meeting. A motion was made by Mr. Stockdale to approve the minutes as presented. The motion was seconded by Mr. Adams and passed unanimously (5 to 0).

The first case on the agenda was #08-V-05 which is a request by Michael Shenigo, on behalf of the Shenigo Family Trust, for a variance to Chapter 5, Table 5.1 "Table of Dimensional Standards" of the Town's Unified Development Ordinance. The request is for a variance to the required minimum side yard setback of 15-feet in order to allow an addition that would extend 3.5 feet into the setback. The property is located at 9703 Dolphin Ridge Road. Mr. Shenigo presented his request and indicated that due to age and recent knee operations that he needs to make his home more handicap accessible. He indicated that the most cost efficient way for him to make the home accessible is to install an elevator that will serve to provide access from the ground floor to the first floor of the home. Mr. Shenigo further indicated that after looking at possible alternatives, that an elevator located on the west side of the structure appeared to offer the most practical alternative for making the home accessible. Mr. Frank Powell asked that Mr. Shenigo clarify that the elevator would only provide access from the ground floor to the first floor. Mr. Shenigo indicated to the Board that this was in fact the case. Mr. Bob Horner, representing the Dolphin Ridge Architectural Committee commented that an elevator could be installed on the south side of the home which would not require a variance. Mr. Shenigo indicated that this location was one of the alternatives they considered, but that they did not wish to do so for fear of impeding their view of the beach and ocean. Edwin and Carol Doty, who reside at 9705 Dolphin Ridge Road, indicated they had no objections to the variance request. There was further discussion by the Board and following that discussion, the Chairman called for vote on the request. The Board voted unanimously to deny the request. It was the consensus of the Board that there were alternative locations for the elevator that would not require a variance; therefore, the applicant had not shown a particular hardship in requesting the variance.

There being no further business to come before the Board, a motion to adjourn was made by Mr. Powell. The motion was seconded by Mr. Stockdale and passed unanimously (5 to 0). The meeting was adjourned at 9:33 AM.

Respectfully submitted by

Kevin B. Reed, Secretary  
Town of Emerald Isle Board of Adjustment