

TOWN OF EMERALD ISLE
BOARD OF ADJUSTMENT
REGULAR MEETING
WEDNESDAY, JUNE 11, 2008

The meeting was called to order at 9:00 AM by Chairman Mark Brennesholtz. Members present were: Mark Brennesholtz, Tom Kelly, Jerry Stockdale and Frank Powell. Also attending was Planning Director, Kevin Reed.

The first order of business was to consider approval of the minutes for the Board's May 14, 2008 meeting. A motion was made by Mr. Powell to approve the minutes as presented. The motion was seconded by Mr. Kelly and passed unanimously (4 to 0).

The first case on the agenda was #08-V-043 which is a request by Treve Lumsden, on behalf of Martha Howe and the W.B. McLean Residuary Trust, for a variance to Section 19-101, Paragraph (1) of the Town Code in order to allow for the construction of a dwelling on a lot that does not meet the minimum lot size requirement of 12,500 square feet. The property is located at 8630 Reed Drive. Those persons wishing to present evidence at the hearing were sworn in by Mr. Reed. Mr. Treve Lumsden made the presentation for the request to the Board. Mr. Lumsden indicated that he represented the heirs to the original developers of the property in question. He indicated that the lot for which they were requesting a variance was originally platted as a right-of-way (ROW) for Yaupon Drive that would extend from Reed Drive to Emerald Drive. Mr. Lumsden further indicated that since the ROW had never been developed by the Town for a street, that the owners withdrew their dedication sometime in 2005 or 2006. When the Town's Board of Commissioners approved the withdrawal of dedication, then the former ROW became a lot of record as of the time of withdrawal. However, at the time the ROW became a lot of record, it did not meet the minimum lot size requirement of 12,500 square feet; and therefore, the property cannot be developed unless a variance is granted by the Board of Adjustment. Mr. Lumsden indicated that while the lot is comparable in size to other existing lots in the neighborhood, because it contains only 9,848 square feet, then a variance of 2,652 square feet is needed in order to make it a buildable lot. Mr. Lumsden responded to several questions from the Board. After further discussion, a motion was made by Jerry Stockdale to grant the variance as requested. The motion was seconded by Tom Kelly and passed unanimously (4 to 0).

There being no further business to come before the Board, a motion to adjourn was made by Jerry Stockdale. The motion was seconded by Tom Kelly and passed unanimously (4 to 0). The meeting was adjourned at 9:40 AM.

Respectfully submitted by

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