

# CAROLINA BEACH

Board of Adjustment Meeting

Monday, March 17, 2025 – 6:00 PM

Council Chambers, 1121 N. Lake Park Boulevard, Carolina Beach, NC



---

## AGENDA

### CALL TO ORDER

### CONFLICT OF INTEREST

*Members of Board of Adjustment shall not vote on recommendations, permits, approvals, or other issues where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member or a member has a close familial, business, or other associational relationship. No member shall be excused from voting except upon those matters as noted, above, or upon those others involving the consideration of his own financial interest or official conduct. (160D-109)*

### PUBLIC HEARING

1. Variance to Section 3.13 Dimensional Requirements for Minimum Setbacks, Maximum Lot Coverage, and Maximum Impervious Coverage at 7 Sailfish Lane in the R-1 Zoning District.

Applicant: Eighteen Eleven Properties, LLC

### NON-AGENDA ITEMS

### ADJOURNMENT



## AGENDA ITEM COVERSHEET

**PREPARED BY:** Gloria Abbotts, Sr Planner

**DEPARTMENT:** Community  
Development

**MEETING:** Board of Adjustment – 3/17/25

**SUBJECT:** Variance to Section 3.13 Dimensional Requirements for Minimum Setbacks, Maximum Lot Coverage, and Maximum Impervious Coverage at 7 Sailfish Lane in the R-1 Zoning District.

Applicant: Eighteen Eleven Properties, LLC

### **BACKGROUND:**

The applicant is requesting a variance from Section 3.13 of the UDO that requires a 20' front yard setback, 7.5' side setback, 10' rear setback, 40% maximum lot coverage, and 65% maximum impervious coverage. The property is located at 7 Sailfish Lane and is in the R-1 zoning district. The property consists of a 1,400 square foot lot with an existing ground level one-story single-family home built in 1945. The existing structure and lot are both nonconforming to R-1 dimensional standards.

The existing structure is 4.9' from the front, 3.8' from the north side, 3.3' from the east side, and 5.3' from the rear property lines. The existing home does not meet current flood regulations. If the applicant wanted to renovate the home, they are limited to 49% of the value of the structure. New Hanover County Tax currently has the building valued at \$57,300. The 49% rule is calculated using only the building value, it does not include the land value.

If the applicant utilized the minimum setbacks to rebuild a new structure to meet the ordinance the maximum size of the structure would be 13'x20'. Meeting all setbacks would leave the applicant with a 260 square feet maximum footprint. 40% maximum lot coverage is 560 square feet, and 65% maximum impervious coverage is 910 square feet.

The applicant would like to utilize the existing footprint of the home to build a new structure that meets flood requirements, parking requirements, and building code requirements. A 3-bedroom 2-story home on pilings is proposed. The proposed structure would be 21' x 34'8". 3 parking spaces are required and will be provided underneath the home. The structure is within the AE11 flood zone. All living space in the new structure must be elevated 11+2'. The maximum height limit in R-1 is 50'. The proposed structure will be 36.25' tall.

To resolve the situation the applicant requests a 10.17' variance to the required 20' front yard setback, a 3.67' variance to the required north side setback, a 3.83' variance to the required east side setback and a 4.75' variance to the required rear setback. The applicant also requests up to a 3% increase in maximum impervious coverage and up to a 13% increase in maximum lot coverage.

#### **REQUIRED FINDINGS:**

When unnecessary hardships result from carrying out the strict letter of a zoning ordinance, the board of adjustment shall vary any of the provisions of the ordinance upon a showing of all the following:

1. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
2. The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.
3. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.
4. The requested variance is consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and substantial justice is achieved.

#### **CONDITIONS:**

In granting any variance, the Board may prescribe reasonable and appropriate conditions and safeguards, in conformity with this ordinance. Violation of any such conditions or safeguards, when made part of the terms under which the variance is granted, shall be deemed a violation of this ordinance and punishable under the UDO:

If the board supports the findings, staff recommends the below condition for the variance

The variance is granted for the proposed structure only and any new structures on the property shall conform to the setback requirements.

#### **ATTACHMENTS:**

1. Application
2. Site Plan
3. Plans
4. Photo of the existing home



Application for Variance
TOWN OF CAROLINA BEACH, N.C.

Permit Number: \_\_\_\_\_

Each application must be printed or typewritten and have all information answered. It is strongly recommended that the applicant set up a meeting with Planning Staff prior to the submission deadline to ensure the application is complete.

Fee: to be submitted with application in accordance with the Town's annually adopted Rates and Fee Schedule

This petition will be scheduled for the next possible regular Board of Adjustment meeting. The applicant or a representative should be present at the meeting to answer any questions the Board may have.

Applicant

Name: Eighteen Eleven Properties, LLC

Applicant Mailing Address:

1009 N. Lake Park Blvd. A-3 Carolina Beach, NC 28428
Street Address City State Zip

Applicant Phone Number: mobile/work/home (circle one): (910)458-4466 mobile/work/home (circle one): (910)540-5523

Applicant Email Address:

reception@nedbarnes.com

Property Owner Name: Eighteen Eleven Properties, LLC

Property Owner Mailing Address:

488 Jabbertown Rd. Southport, NC 28641
Street Address City State Zip

Property address of variance being requested:

7 Sailfish Ln. Carolina Beach, NC 28428

Property Size: 1400 sq. ft.

Zoning Designation: \_\_\_\_\_

Please give a brief description of requested action:

After inspection of the structure by a licensed contractor, the structural integrity  
of the home will require that it be demolished and a new structure shall be built  
and be two levels built on pilings.

Owner Signature: Ned M Barnes, Attorney  
Date: 2 / 11 / 25

Owner Printed Name: Ned M. Barnes, Attorney for Eighteen Eleven, LLC

**Variance Requirements**

- |   |
|---|
| 1. The Board of Adjustment conducts a quasi-judicial hearing. You may not contact the Board members once the application has been filed.  |
| 2. The Board of Adjustment is not empowered to modify zoning lines or grant a use variance.   |
| 3. The Board of Adjustment may attach conditions of approval to a variance to protect surrounding properties.   |
| 4. Town Staff will place a public hearing sign on the subject property. The sign must be prominently displayed on the property for at least ten days before the hearing. The property owner is responsible for maintaining the sign during this ten day period. |

### Variance Considerations

The Board of Adjustment will review all variance requests against the criteria below. In the spaces provided, please indicate the *facts* that you intend to show and the *arguments* that you intend to make to the Board.

1. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made from the property.

Applicant acquired property in 2020. Current structure was situated on the property. The structure as conveyed does not comply with current zoning set back requirements and lot size.

2. The hardship results from conditions that are peculiar to the property, such as location, size or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.

At the time of the construction of the current structure, it met with all applicable zoning requirements which were in place. Those zoning requirements have now changed.

3. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.

The property owners acquired the property exactly as it exists today; and accordingly, have done nothing to create the hardship.

4. The requested variance is consistent with the spirit, purpose and intent of the ordinance, such that public safety is secured and substantial justice is achieved.

As the property owners will be using the same foot print; it is consistent with the spirit and purpose of the ordinance. Raising the structure on pilings will improve public safety, as it will raise the structure above flood level and will allow for parking underneath, as opposed to the current on street parking, eliminating a safety hazard for pedestrians and motor vehicles. The new building materials will make the structure more resistant to forces of wind and fire.

### 2025 Submission Deadlines & Meeting Dates

Board of Adjustments	
Deadline	Meeting
Dec 26, 2024	Jan 21
Jan 23	Feb 18
Feb 20	Mar 17
Mar 27	Apr 21
Apr 24	May 19
May 22	June 16
June 26	July 21
July 24	Aug 18
Aug 21	Sept 15
Sept 25	Oct 20
Oct 23	Nov 17
Nov 20	Dec 15
Dec 23	Jan 2026





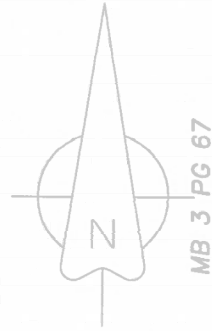
SURVEY OF

# 7 Sail Fish Lane

TOWN OF CAROLINA BEACH, NEW HANOVER COUNTY  
NORTH CAROLINA  
REFERENCE: BOOK 5337 PAGE 2089  
MAP BOOK 3 PAGE 67 (PART OF LOTS 6 & 20, BLOCK 10)  
DATE: APRIL 15, 2020

## LOCATION MAP

( NOT TO SCALE )



## SAIL FISH LANE

C/L 25' PUBLIC RIGHT OF WAY

N 70°30'00" W 63.00'  
TO THE EASTERN R/W  
OF CANAL DRIVE

CHRISTOPHER & REBECCA  
KELLY  
BK 6150 PG 912

CHARLES & JOAN  
DAVIS  
BK 1371 PG 1721

WHISTLER PROPERTIES  
BK 5716 PG 1638

DAVID & SUE  
RAYNOR  
BK 1688 PG 193

I CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION THAT THE BOUNDARIES NOT SURVEYED ARE INDICATED AS DRAWN FROM INFORMATION THAT THE RATIO OF PRECISION OR POSITIONAL ACCURACY IS 1:20,000; AND THAT THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21NCAC 56.1600).  
THIS 15<sup>th</sup> DAY OF April, 2020.

JONATHAN L. WAYNE PLS 3391

- NOTES:
1. AREA COMPUTED BY COORDINATE METHOD
  2. ALL DISTANCES ARE HORIZONTAL
  3. FOR REFERENCE SEE AS NOTED

LEGEND:  
E.C.M. = EXISTING CONCRETE MONUMENT  
E.I.P. = EXISTING IRON PIPE  
I.S. = IRON SET  
U.E. = UTILITY EASEMENT



SCALE IN FEET  
1 INCH = 10 FEET

THIS MAP IS NOT FOR RECORDATION

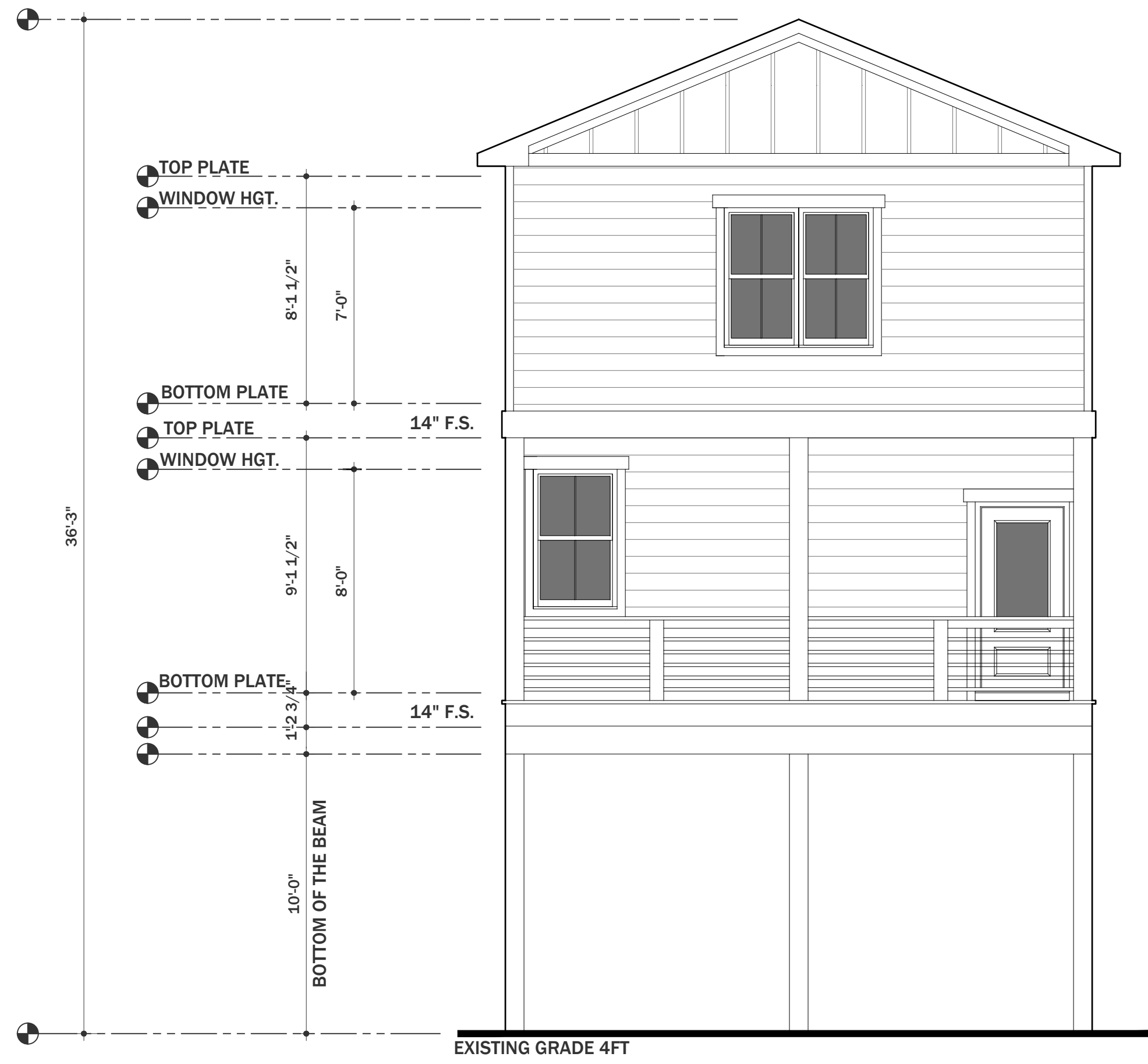
## HANOVER DESIGN SERVICES, P.A.

LAND SURVEYORS ENGINEERS & LAND PLANNERS

1123 FLORAL PARKWAY  
WILMINGTON, N.C. 28403  
PHONE: (910) 343-8002  
FAX: (910) 343-9941  
FIRM CERTIFICATE C-0597  
15256



# PLANS DESIGNED TO THE 2018 NORTH CAROLINA STATE RESIDENTIAL BUILDING CODE

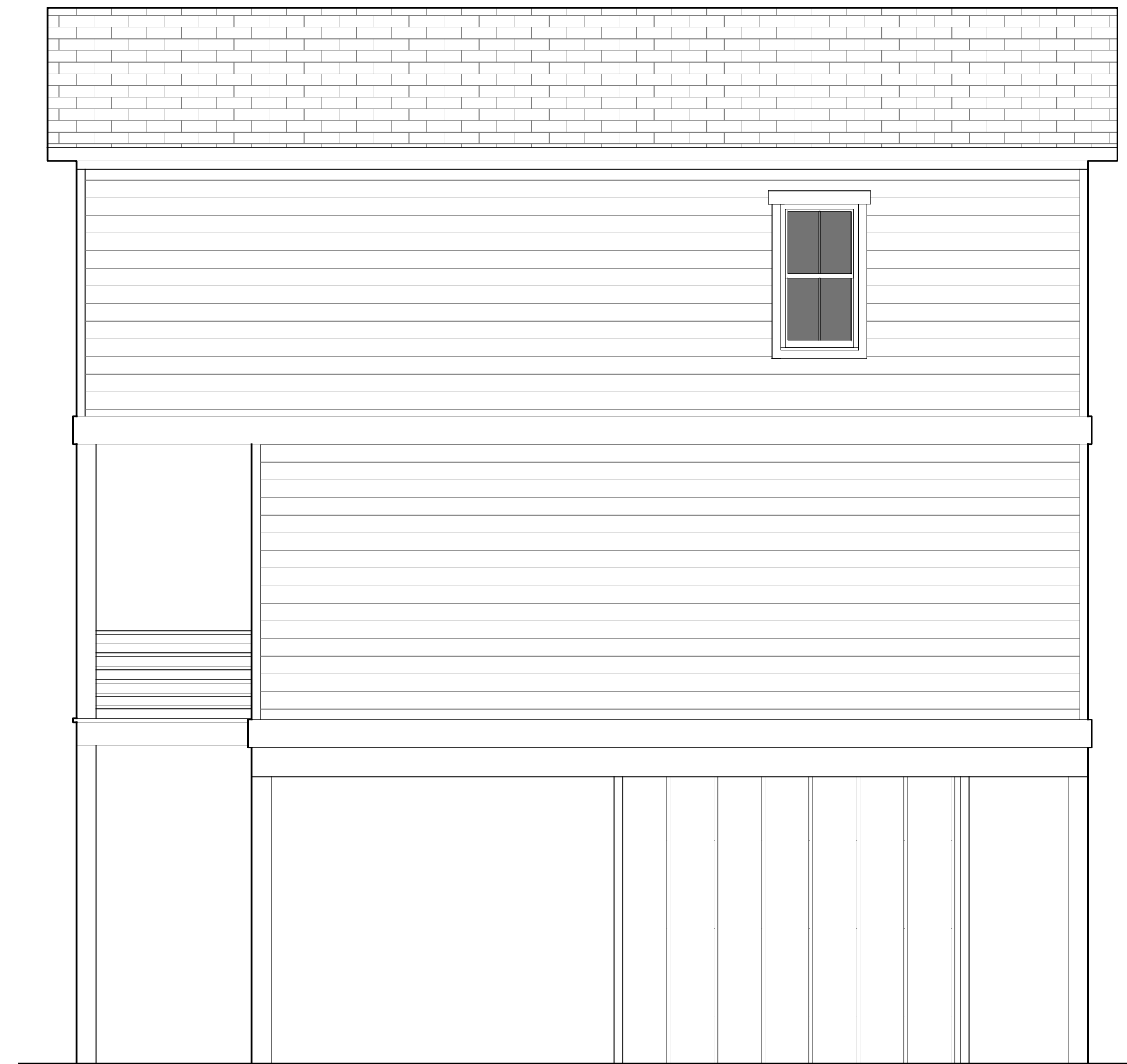


EXISTING GRADE 4FT

**1 / A1.0** ELEVATION: front

**GENERAL ELEVATION NOTES:**

1. ROOF OVERHANGS ARE 12" UNLESS NOTED OTHERWISE.
2. PROVIDE FOUNDATION AND ROOF VENTS AS REQUIRED BY STATE BUILDING CODE.
3. PROVIDE STEPS TO FINISH FLOOR LEVEL AS REQUIRED BY STATE BUILDING CODES.
4. SECOND FLOOR WINDOWS TO BE 24" ABOVE FINISH FLOOR.



**2 / A1.0** ELEVATION: right

**HIGH WIND ZONES**  
INFORMATION ON THIS PLAN IS FOR CONSTRUCTION IN 150 MPH WIND ZONE, SEE CHAPTER 45 NORTH CAROLINA RESIDENTIAL BUILDING CODE EDITION 2018

**PROJECT PROJECT**  
Project Address  
00/00/2023

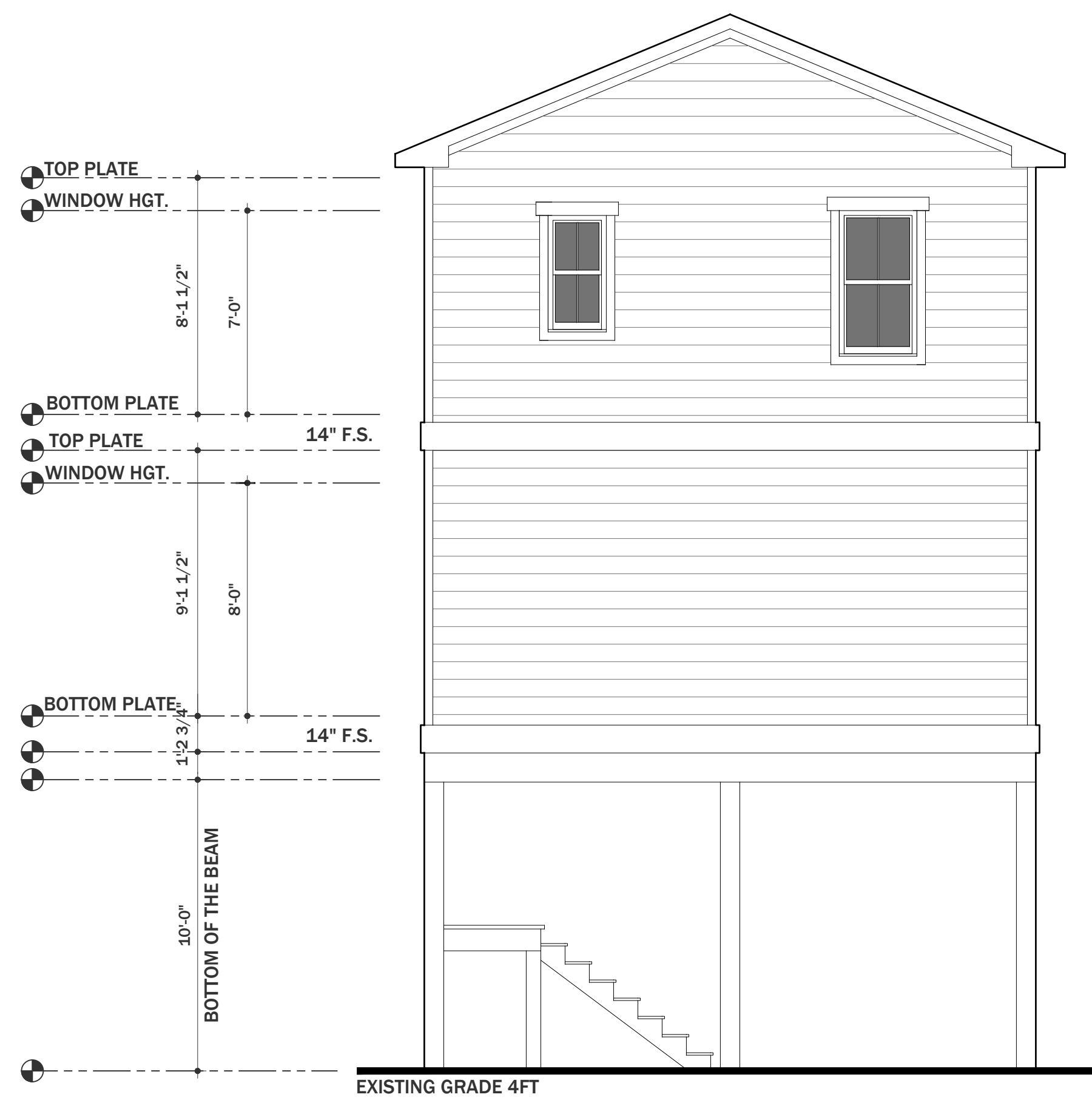
MEMBER  
**A I B D**  
AMERICAN INSTITUTE of BUILDING DESIGN

Revisions  
NOT FOR CONSTRUCTION

Project North

**Drawing Title**  
Elevation  
Scale -- 1/4" = 1'-0"

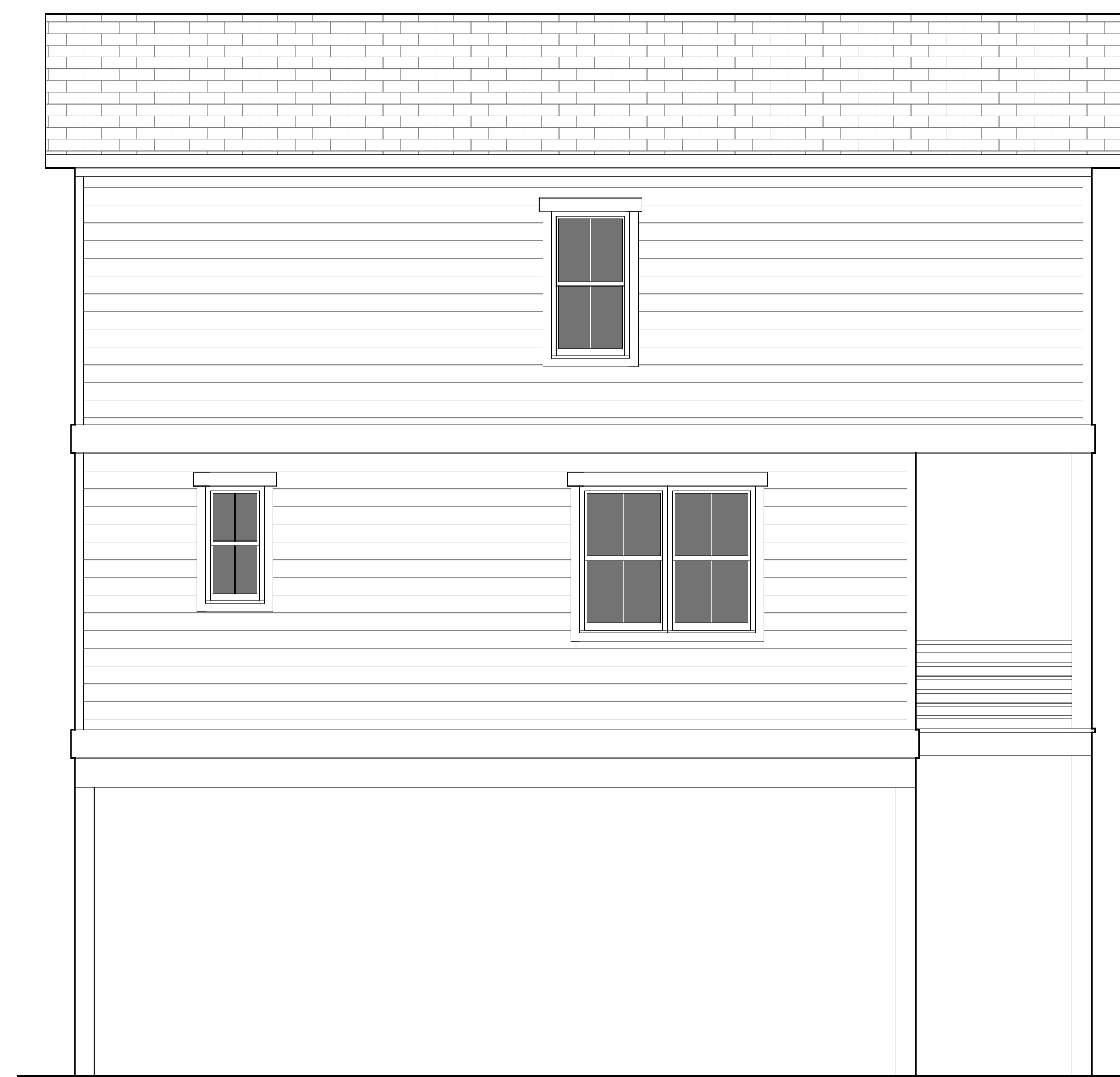
Sheet No.  
**A1.0**  
©SSDS,LLC 2021



1 / A2.0 ELEVATION: rear

GENERAL ELEVATION NOTES:

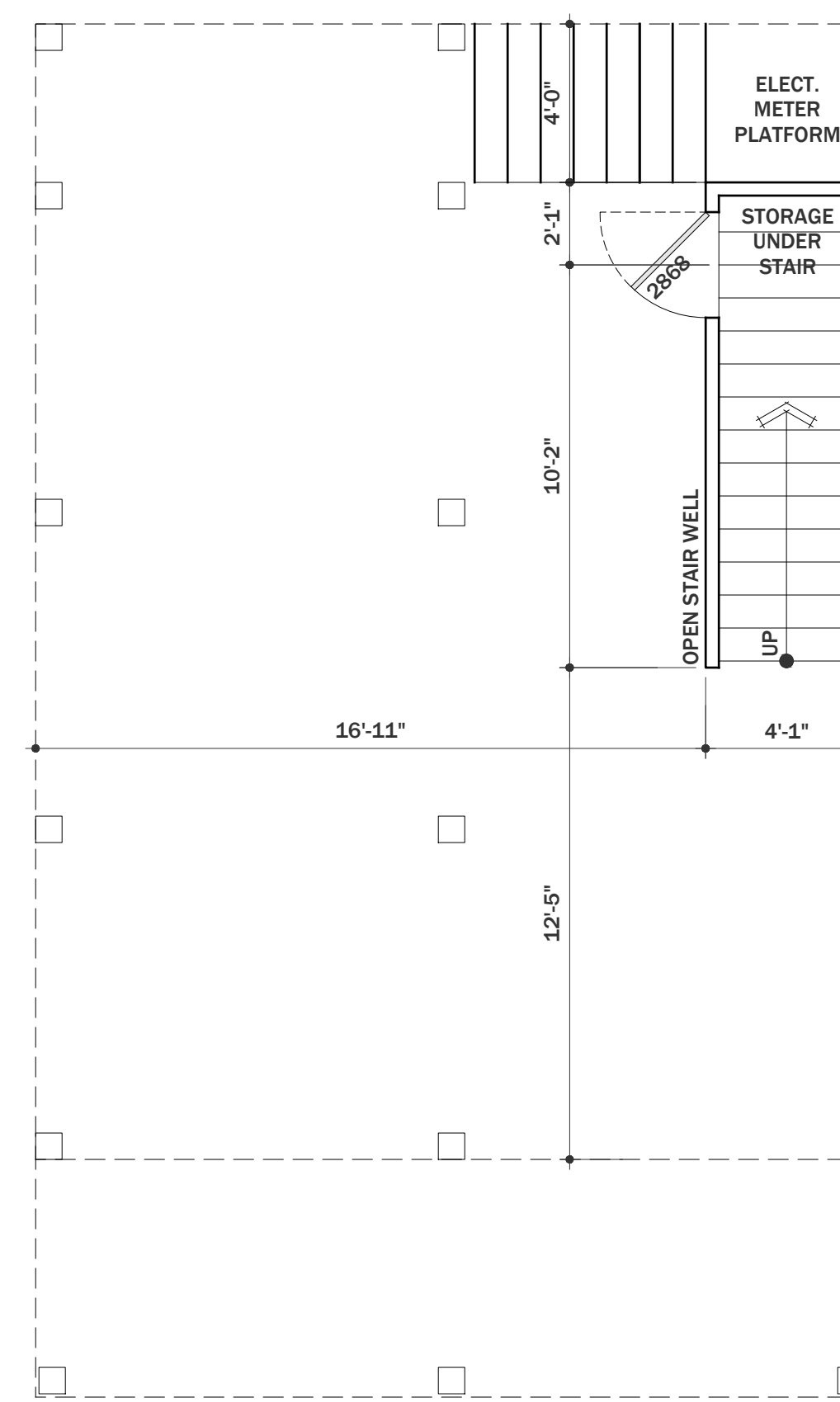
- 1. ROOF OVERHANGS ARE 12" UNLESS NOTED OTHERWISE.
- 2. PROVIDE FOUNDATION AND ROOF VENTS AS REQUIRED BY STATE BUILDING CODE.
- 3. PROVIDE STEPS TO FINISH FLOOR LEVEL AS REQUIRED BY STATE BUILDING CODES.
- 4. SECOND FLOOR WINDOWS TO BE 24" ABOVE FINISH FLOOR.



2 / A2.0 ELEVATION: left

Drawing Title  
 Elevation  
 Scale -- 1/4" = 1'-0"

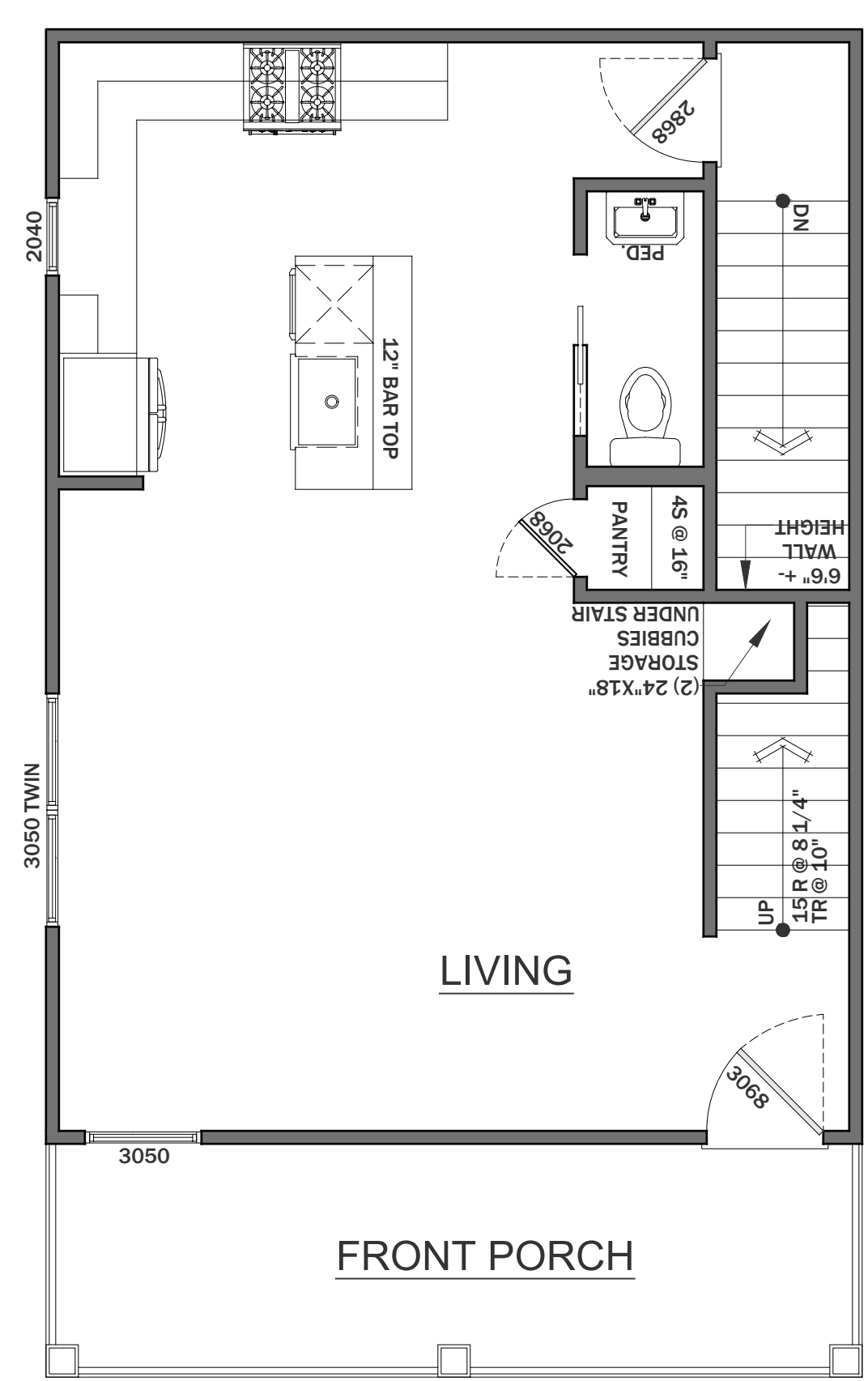
Sheet No.  
**A2.0**



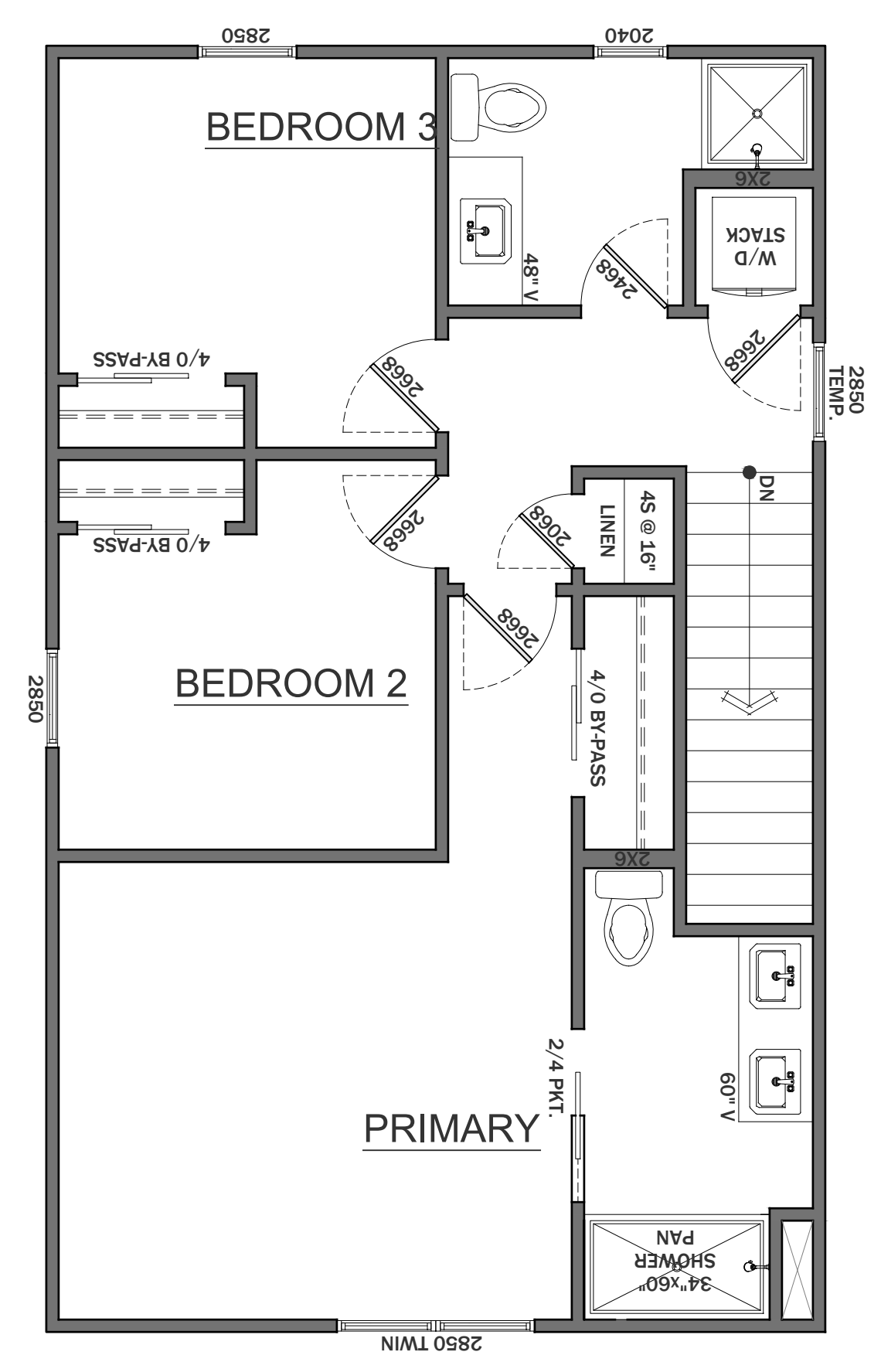
Drawing Title  
Foundation  
Scale -- 1/4" = 1'-0"

Sheet No.  
**A3.0**

© SBD, LLC 2021



1 / A4.0 PLAN: first floor  
548 HEATED SQUARE FEET



2 / A4.0 PLAN: second floor  
728 HEATED SQUARE FEET

Drawing Title  
Floor Plan  
Scale -- 1/4" = 1'-0"

Sheet No.  
**A4.0**

© 5805, LLC 2021



## Certification for Board of Adjustment

I, Andrea I. Deopp-Norris, certify that as required in the General Statutes of the State of North Carolina, that all required notification procedures have been met for the following BOA **Mtg**: 3.17.25

**Meeting Date: March 17, 2025**

Project	Address	Applicant	Notices	Sunny-point	Signs	Advertisements
			Date	Date	Date	Date
Variance to Section 3.13 Dimensional Requirements	7 Sailfish Lane	Eighteen Eleven Properties, LLC	3.7.25	NA	3.7.25	NA

TCB = Town of Carolina Beach      CUP MOD = Conditional Use Permit Modification  
 CUP = Conditional Use Permit      AZO = Amend Zoning Ordinance  
 ACO = Amend Code of Ordinances

*Andrea I. Deopp-Norris - 3.7.25*