

**TOWN OF DUCK
BOARD OF ADJUSTMENT MEETING
WEDNESDAY, SEPTEMBER 28, 2022
MINUTES**

The Board of Adjustment for the Town of Duck convened at the Paul F. Keller Meeting Hall at 2:00 p.m. on Wednesday, September 28, 2022.

BOARD OF ADJUSTMENT MEMBERS PRESENT: Chair Olin Finch, Tom O'Brien, Carol Powell, Ed Sadler, Robert Wetzel, Alternate David Flowers, and Alternate John Pucciano. Staff present: Attorney Ben Gallop, Director of Community Development Joe Heard, Board of Adjustment Clerk Sandy Cross, and Deputy Town Clerk Kay Nickens.

MEMBERS ABSENT: None.

OTHERS PRESENT: None.

CALL TO ORDER

Chair Finch called the meeting to order at 2:00 p.m.

ELECTION OF OFFICERS

Chair Finch called for elections for Chair and Vice Chair Member

Chair Finch called for elections for Chair and Vice Chair for another term on one year. Member Tom O'Brien nominated Olin Finch for Chair of the Board. Member Bob Wetzel seconded the motion. Member Wetzel seconded that nomination. Chair Finch moved to close nominations and called for a vote; all members voted in favor. Motion carried 7-0.

Member Powell nominated Member O'Brien for Vice Chair. Member Wetzel seconded the motion. With no other nominations, Chair Finch closed the nomination and called for a vote. All members voted in favor. Motion carried 7-0.

VARNELL LATE

Public hearing for the application submitted by Henry Blaha for an appeal is delayed due to Mr. Varnell not being present and stuck in traffic. In the essence of time, the panel agrees to rearrange the agenda.

TRAINING OPPORTUNITY

Sandy Cross called attention to the information in the packet from the UNC School of Government about two training opportunities coming in October 2022. She noted which members had responded and encouraged the others to take advantage of the opportunity. The packet included respective dates for which they would attend the training. Members of the Board provided guidance as to which training they would like to attend. Member Powell notes that she grateful for the training opportunity given the limited number of times they Board meets.

APPROVAL OF MINTUES

Member Powell moved the minutes from the April 4, 2022 meeting be accepted as presented. Member Wetzel seconded. Motion carried 7-0.

STAFF COMMENTS

Ms. Cross noted the Town Council Vision meeting on the 20th. The meeting will begin on the 19th and open to the public on the 20th, however public comments will not be taken during this meeting. The agenda was distributed to the Board.

BOARD COMMENTS

No members of the board had comments. Continue to wait for Varnell.

PUBLIC HEARING

Appeal BOA-2022-001: An application submitted by Henry Blaha, owner of the property at 121 Ocean Bay Boulevard, appealing the Zoning Administrator’s approval of a subdivision of property at 123 Ocean Bay Boulevard.

Mr. Varnell arrives and notes that his expert in the matter, George Wood, submitted by Henry Blaha is unable to attend meeting due to exposure to COVID-19. Mr. Varnell requests a continuance but would like the matter to be heard as soon as possible and are flexible with dates. Robert Hobbs, attorney for Town Staff comments that he nor staff have any objections to a continuance. Attorney Hornik, representing property owner of 123 Ocean Bay Blvd, David Liess, indicates that he and his client have no objection but would like to see this matter concluded as soon as practically possible.

Attorney Gallop, suggests if you set a date and time as of this meeting, you may continue this meeting without further advertising. Member Sadler made a motion to continue. Further discussion ensued as the suggestion of Attorney Hobbs to include the date and time at which the Board would reconvene.

Member Powell made a motion that the Board continue this meeting and reconvene on Thursday, October 12th at 3:00 pm. Member Sadler seconded the Motion. Motion carried 7-0.

ADJOURNMENT

Meeting was adjourned to October 12th at 3:00 p.m. The time was 2:18 p.m.

Approved: _____
/s/ Secretary