



**TOWN OF ATLANTIC BEACH  
BOARD OF ADJUSTMENT AGENDA**

**Monday, September 19, 2016  
7:00 pm**

- 1. Call to Order**
- 2. Oaths of Office**
- 3. Approval of June 20, 2016 Meeting Minutes**
- 4. Opening remarks and swearing in of witnesses**
- 5. CASE VAR-16-02 Orris T. Sloan**

*Orris T. Sloan has requested a variance from Section 5.6 of the UDO to reduce the front setback at 315 Ocean Ridge Drive.*

- A. Staff Presentation – Michelle Shreve
- B. Applicant Presentation – Eddie Cameron of Eddie Cameron Construction or Agent
- C. Public Hearing
- D. Board of Adjustment Discussion and Evaluation

- 6. Adjournment**

# VARIANCE CHECKLIST

- ☐ Proper notice was given to adjoining property owners of the holding of the public hearing to consider the variance.
- ☐ The variance does not result in the extension of a nonconforming situation in, or authorize the initiation of a nonconforming use of land.
- ☐ If the applicant complies strictly with the provisions of the Ordinance, he/she will suffer substantial hardship.
- ☐ The hardship relates to the applicant's land, rather than personal circumstances – such as shape, size, unusual characteristics, etc.
- ☐ The hardship of which the applicant complains or will suffer is one that is suffered only by the applicant rather than by all neighbors or the general public.
- ☐ The hardship is not a result of the applicant's own actions.
- ☐ 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.



## **TOWN OF ATLANTIC BEACH BOARD OF ADJUSTMENT**

### **NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that the Atlantic Beach Board of Adjustment will conduct a Public Hearing during the regularly scheduled meeting on Monday, September 19, 2016 at 7:00pm in the Boardroom located at 125 W Fort Macon Road on the following requests:

VAR-16-02, Orris T. Sloan

*Orris T. Sloan has requested a variance from Section 5.6 of the UDO to reduce the front setback at 315 Ocean Ridge Drive.*

The public is invited. For further information please contact the Planning Department at (252) 726-4456.

Michelle Shreve

Planning Director

Posted this 30<sup>th</sup> day of August, 2016.



**Town of Atlantic Beach Planning & Inspections Department**  
125 West Fort Macon Road \* Atlantic Beach \* NC \* 28512

Case Number:

**VARIANCE APPLICATION**

*A variance application will follow the development review process as outlined in Article 4 of the Unified Development Ordinance, adopted on August 24, 2009.*

Unified  
AUG 22 2016  
BY: CK 126201

**Date of Application:** 08/21/2016  
**Applicant's Name:** Eddie Cameron Construction  
**Applicant's Address:** PO BOX 1647 Morehead City NC 28557  
**Applicant's Telephone:** (252) 247-5087  
**Applicant's E-mail:** ecameron@eastnc.twcbc.com  
  
**Owner's Name:** Orris T Sloan  
**Owner's Address:** 315 Ocean Ridge Dr. Atlantic Beach NC  
**Owner's Telephone:** (919) 349-2730  
  
**Variance Address:** 315 Ocean Ridge Dr Atlantic Beach NC  
**PIN Number:** 637515529663000  
**Deed Book and Page:** 1530 380

**Please describe parcel:**

**Zoning District:**  
**Flood Zone:** VE 11  
**Minimum Lot Size:**  
**Lot Size (In square ft):** 14000  
**Through Lot:**  
**Corner Lot:**  
**Setbacks:** 60, 7,7, Average of neighbors  
**Existing Use:** Residential  
**Proposed Use:** Residential

**What section of the Unified Development Ordinance are you requesting a variance from?**  
(Staff will attach a copy for your review)

Section 5.6 note #4

**On a separate sheet, please provide a detailed description of what you are requesting.**

The Board of Adjustment will use the following answers to guide the evaluation of your proposed request. A variance may be granted by the Board of Adjustment if it concludes that, by granting the variance, the following findings are supported by the Board of Adjustment decision. Please answer with a yes or no and provide the facts you believe support your answer:

**If the applicant complies strictly with the provisions of the Ordinance, he/she can make no reasonable use of his property:**

The structure would be the caliber the owner desired.

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**The hardship of which the applicant complains is one suffered by the applicant rather than by neighbors or the general public:**

The existing septic field will force applicant to use additional area for new septic. The est neighbor is a structure built in 1950 era.

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**The hardship relates to the land, rather than personal circumstances:**

Septic related as well as older homes built in the 1940's and 50's.

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**The hardship is unique, or nearly so, rather than one shared by many surrounding properties:**

Unique to any rebuilt structure. As the houses on this street are updated, the increase in square footage used in new homes is hard to get into the foot print as described.

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**The hardship is not the result of the applicant's own actions:**

No

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**The variance will neither result in the extension of a nonconforming situation in violation of Article 8 nor authorize the initiation of a nonconforming use of land:**

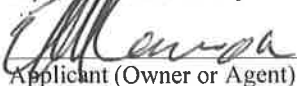
No only to be able to build closer to the roadside propert line.

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*I certify that the information provided in this Variance Application is true and accurate and if approved will be in conformance with the Town of Atlantic Beach Unified Development Ordinance and any additional conditions imposed by the Town of Atlantic Beach Board of Adjustment.*

  
Applicant (Owner or Agent)

08/21/2016

Date

Amount Paid: \_\_\_\_\_

\_\_\_\_\_

Atlantic  
Ocean



Re:

Orris T Sloan

315 Ocean Ridge Dr

Atlantic Beach NC

We are asking for a variance to build closer to the rear property line than the current ordinance allows.

Eddie Cameron Construction

<>>>>>> TOWN OF ATLANTIC BEACH <<<<<<<>

Misc Receipt

Batch No      Receipt No      Trans Date  
0000006356      0000133871      08/23/2016

Operator Code      Todays Date      Time  
CT1      08/22/2016      02:18:38 PM

Payor: EDDIE CAMERON  
Address: 00000

10-0500-311      Payment:      500.00  
PLANNING & ZONING FEES  
315 OCEAN RIDGE DR/VARIANCE

Total Due:      500.00  
Total Tendered:      500.00  
Change Returned:      0.00

Check Amount:      500.00

Paid By: Eddie Cameron  
Check No 126201      For      \$500.00

**EDDIE CAMERON CONSTRUCTION, INC.**

P. O. DRAWER 1647 252-247-5087  
112 B TURNERS DAIRY RD  
MOREHEAD CITY, NC 28557

FIRST CITIZENS BANK

126201

66-30/531  
137

PAY TO THE  
ORDER OF

*Town of Atlantic Beach*  
*Five hundred dollars & 00/100*

*8/21/16*  
\$ *500*

DOLLARS

MEMO

*315 O.R., A.B.*

*Eddie Cameron*  
AUTHORIZED SIGNATURE

126201





Town of Atlantic Beach Planning & Inspections Department  
125 West Fort Macon Road \* Atlantic Beach \* NC \* 28512

APPOINTMENT OF AGENCY LETTER

Date of Application: 8/22/16

Case Number: \_\_\_\_\_

Type of Request:    Map Amendment    Conditional Use    Variance    Other

I, O. Temple Sloan III, owner of property located in the Town of Atlantic Beach, at  
(name)  
315 Ocean Ridge Drive, Atlantic Beach, NC recorded in Carteret County Deed Book 1530,  
(street address)  
pages 380, and having parcel identification number (PIN#)

of 639575529663002, do hereby appoint as my representing

agent Eddie Cameron Const. to represent me in the application/petition indicated above  
(Agent's Name)

and authorize him/her to act as my agent in all matters formal and informal relating to the Town of Atlantic Beach procedures for such requested actions. I authorize him/her to receive and submit all official correspondence with the understanding, however, that as the owner of the property I must sign any and all affidavits and statements that may be required for approvals of the request.

Property Owner Information

Name: O. Temple Sloan III

Address: 3604 Williamsborough Court  
Raleigh, NC 27609

Telephone: 919-349-2730

O. T. Sloan III  
(Property Owner Signature)

Date: 8/23/16

Authorized Agent Information

Name: Eddie Cameron Construction

Address: PO Box 1647  
Morehead City NC 28557

Telephone: 252-247-5087

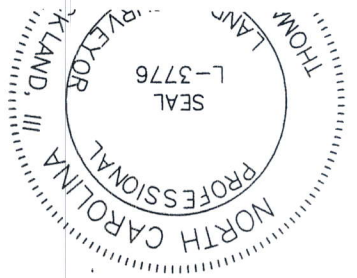
Eddie Cameron  
(Authorized Agent Signature)

Date: 8/23/16

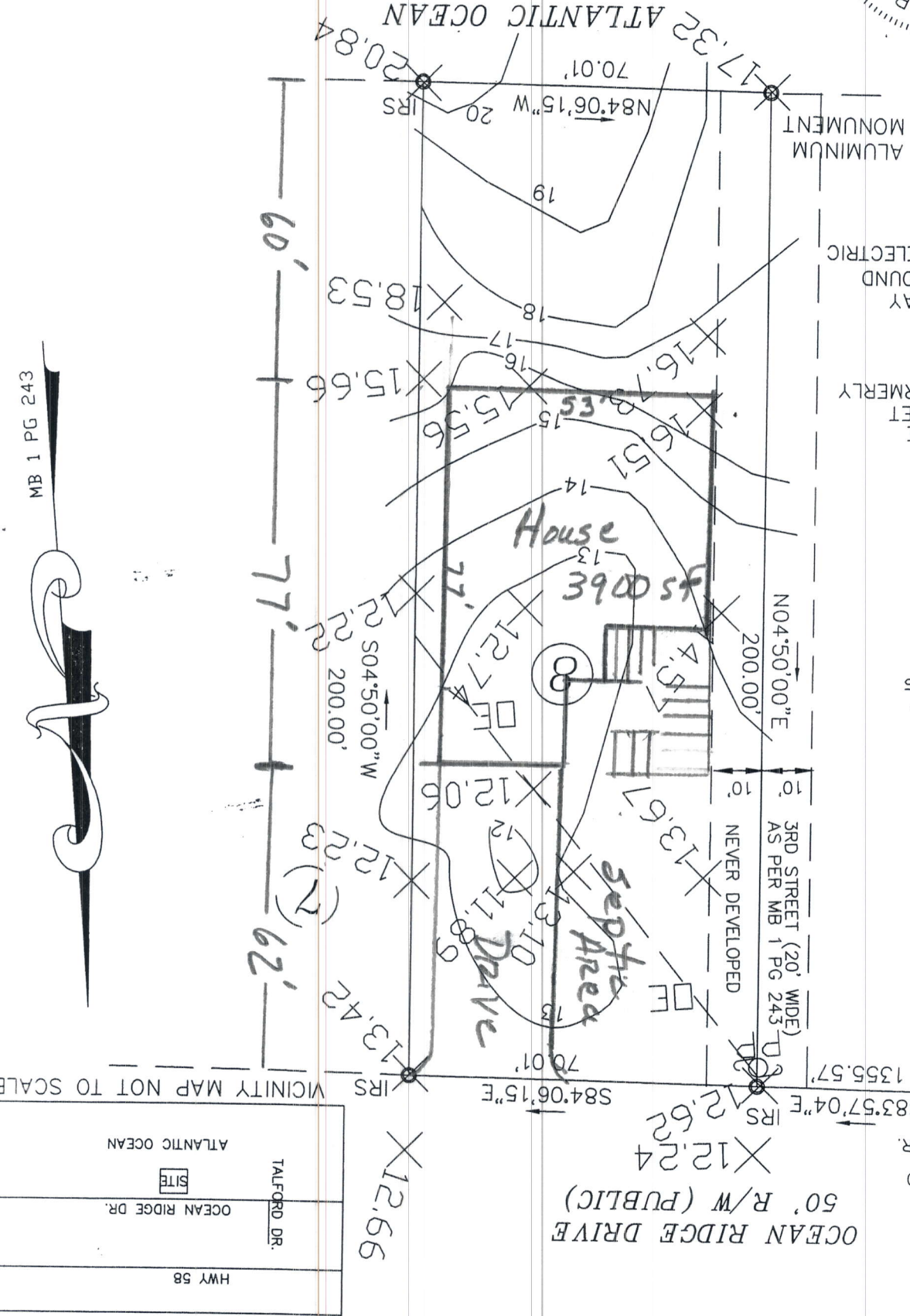
8-24-16  
Temple Sloan  
315 Ocean Ridge  
Atlantic Beach NC

Contractor ; Eddie Cameron Construction Inc

1) Heated sq. ft.	4116 sq. ft.
2) Footprint of house	4080 sq. ft.
3) Driveway	1240 sq. ft.
4) Total impervious	5321 sq. ft 38% coverage
5) Lot size	14,000 sq. ft.
6) Building height	41' from ground finish floor elevation



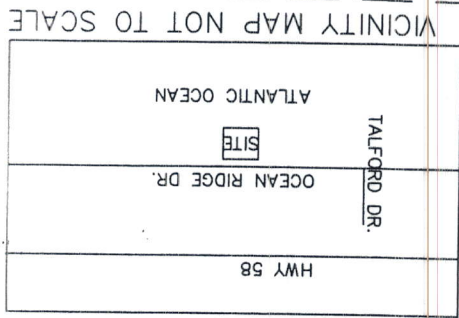
OWNER: SLOAN, ORRIS T III ETUX REBECCA  
PIN15: 637515529663000  
GRAPHIC SCALE



- LEGEND
- PP POWER POLE
  - IRS IRON ROD SET
  - N/F NOW OR FORMERLY
  - DB DEED BOOK
  - MB MAP BOOK
  - PG PAGE
  - R/W RIGHT OF WAY
  - IRF IRON ROD FOUND
  - OE OVERHEAD ELECTRIC

AREA= 14,000 sq.ft.  
By Coordinates

1



MB 1 PG 243

VICINITY MAP NOT TO SCALE

OCEAN RIDGE DRIVE  
50' R/W (PUBLIC)

MAGNAIL FOUND  
INTX TALFORD DR.

3RD STREET (20' WIDE)  
AS PER MB 1 PG 243  
NEVER DEVELOPED

House  
3900 sq. ft.

Septic Area

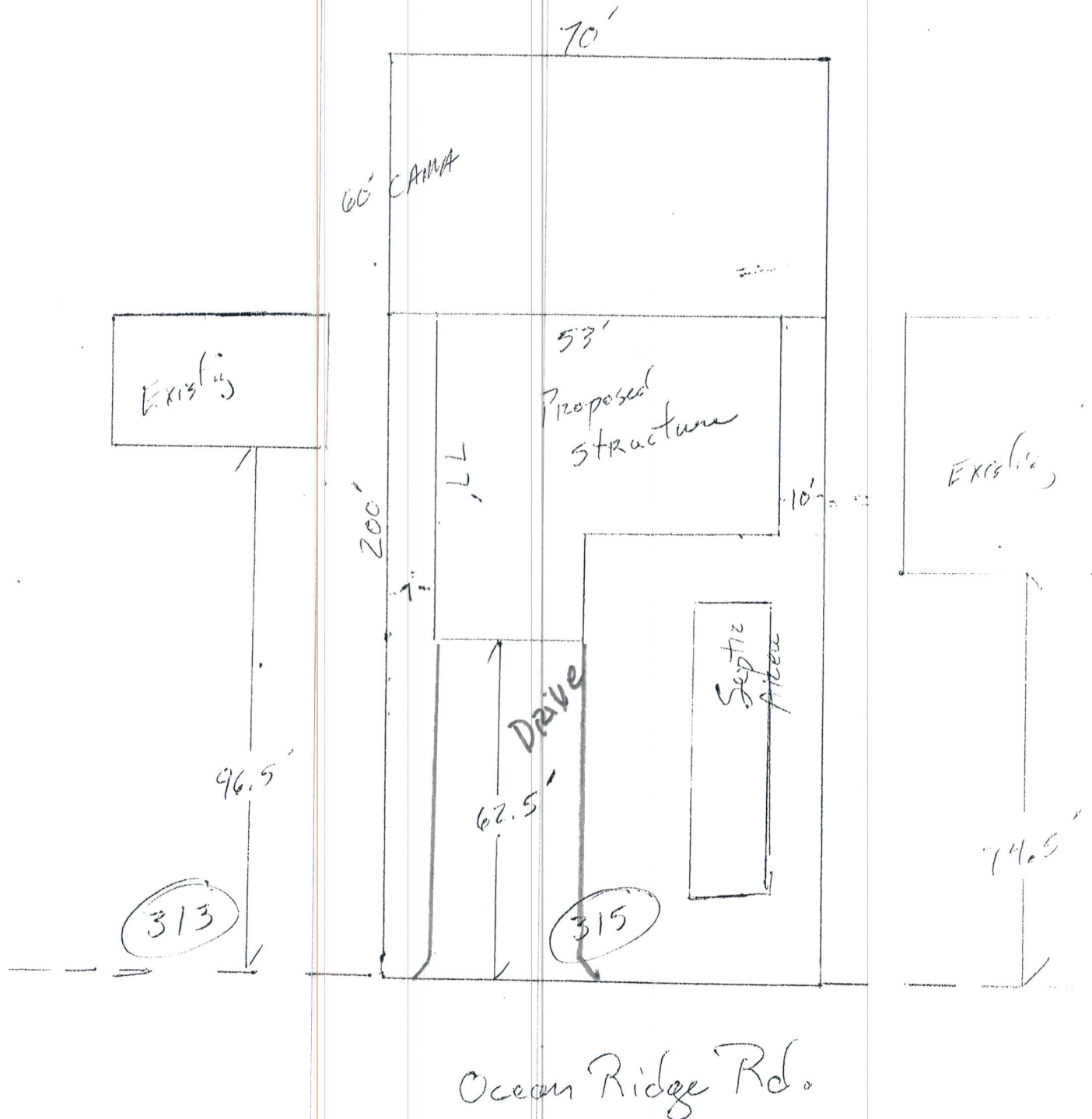
ATLANTIC OCEAN

ALUMINUM MONUMENT



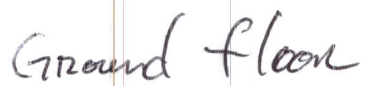
Temple  
Sloan  
315 Ocean Ridge Rd.  
Atlantic Beach, N.C.

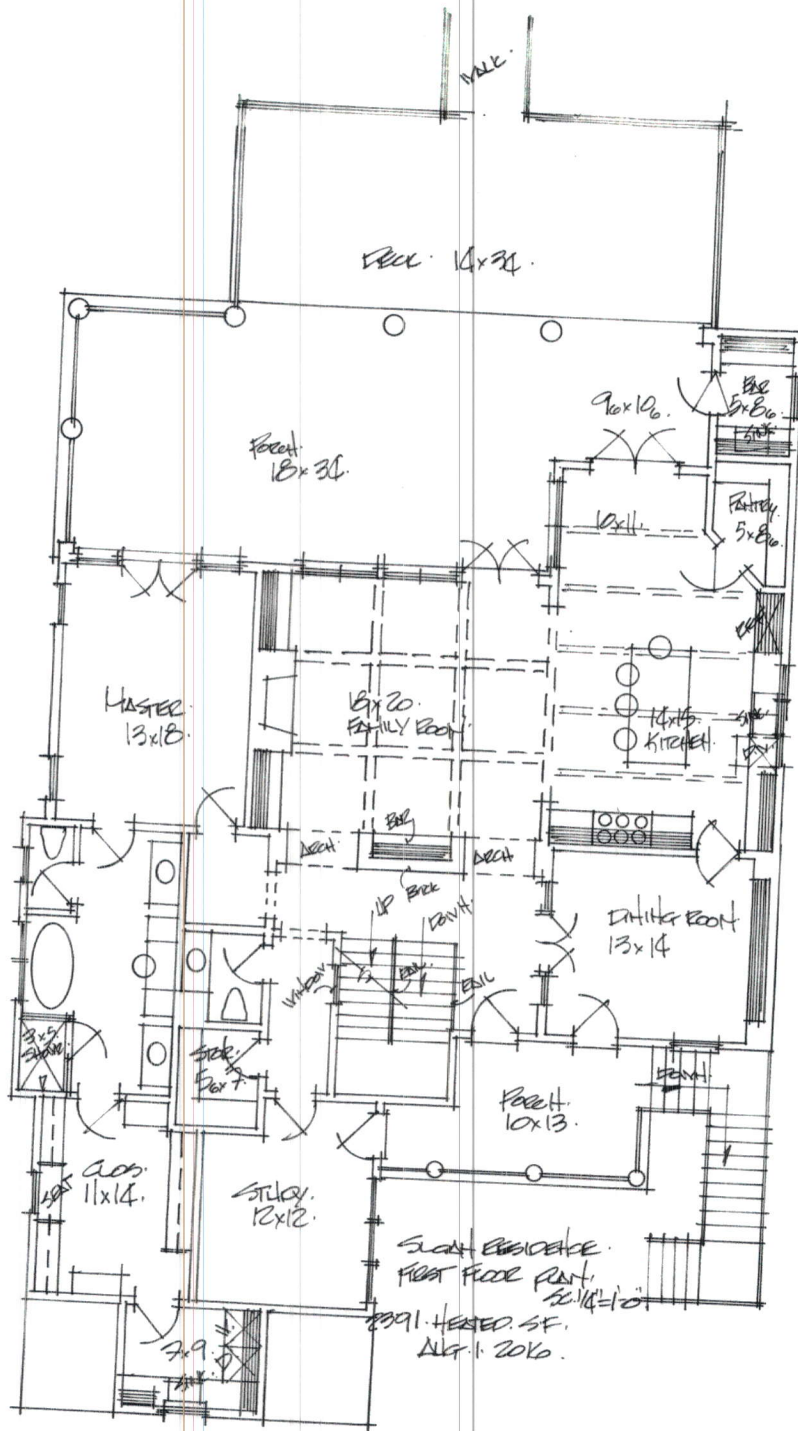
Atlantic  
Ocean



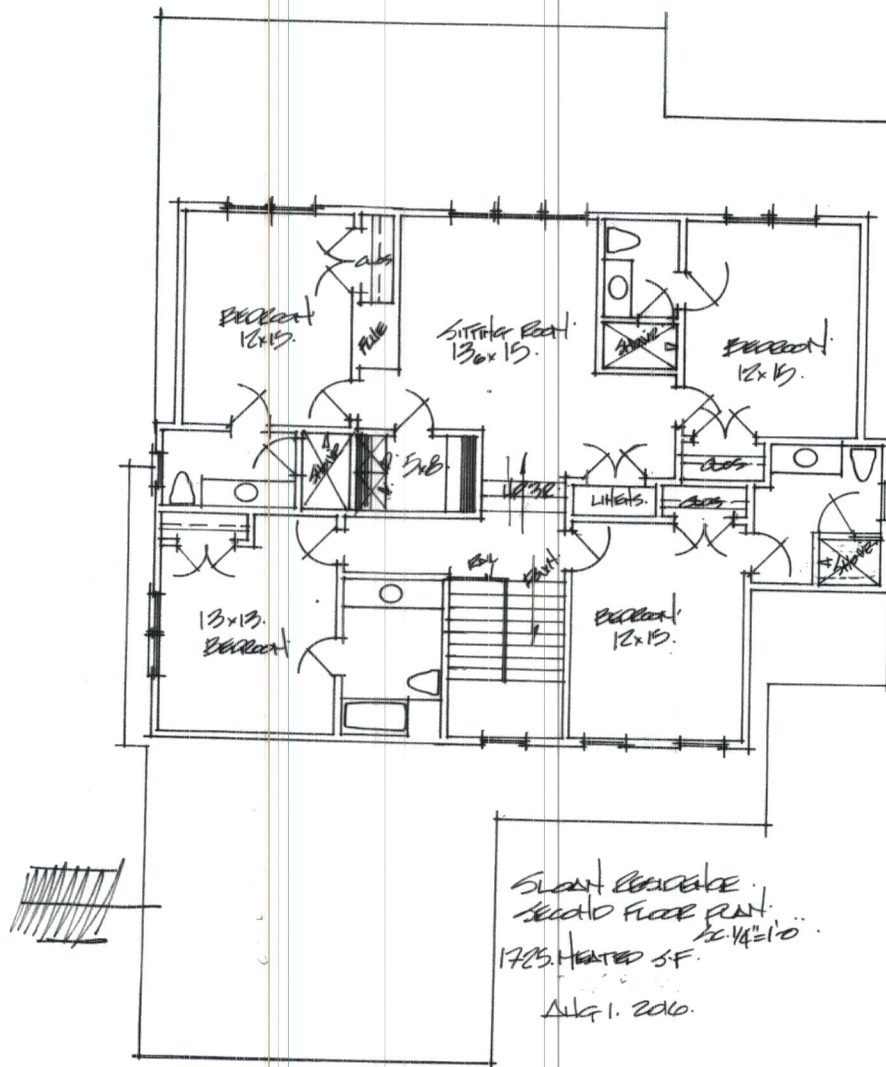


SIX IV

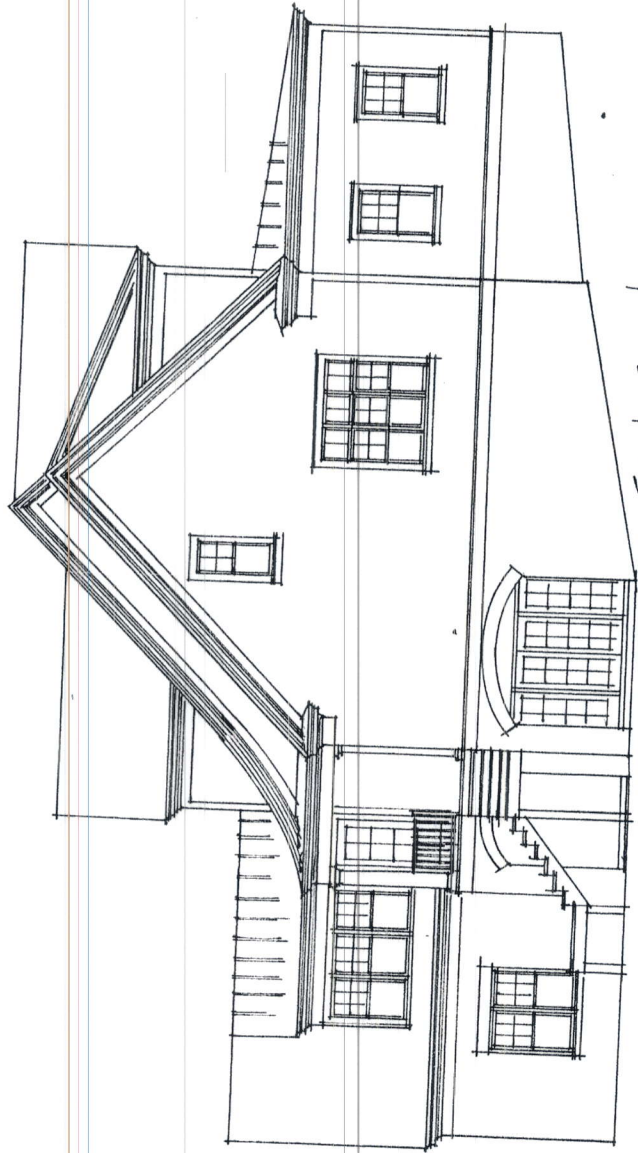




2<sup>nd</sup> Floor

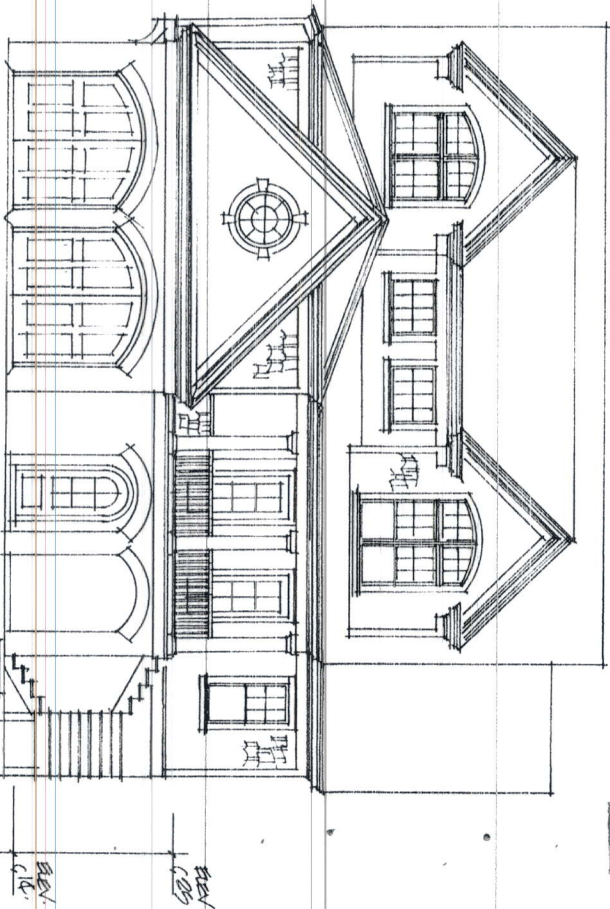
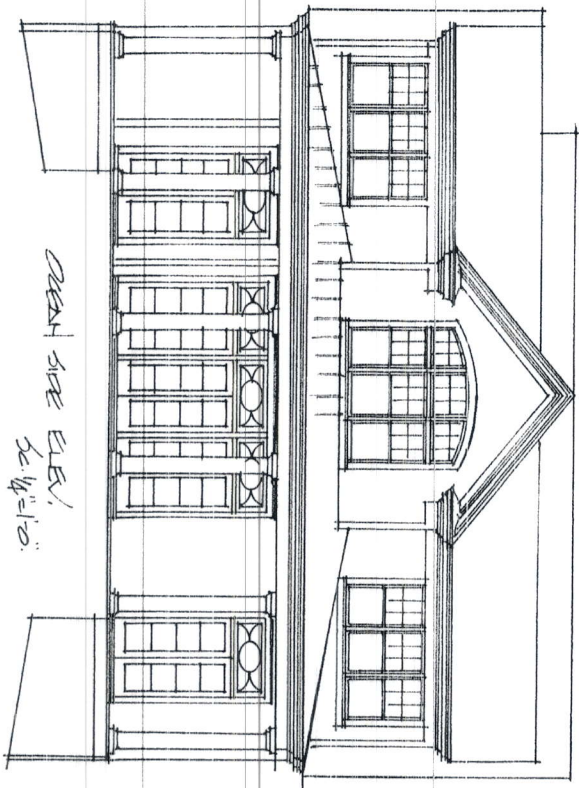


3<sup>rd</sup> floor



SLANT RESIDENCE  
RIGHT SIDE ELEVATION  
SC. 1/8"=1'-0"  
AUG. 3, 2012





FRONT ELEVATION  
Scale 1/8"=1'-0"



## PLANNING DEPARTMENT

P. O. Box 10, Atlantic Beach, NC 28512

Phone (252) 726-4456

Fax (252) 726-7043

Michelle Grace Shreve

[planner2@atlanticbeach-nc.com](mailto:planner2@atlanticbeach-nc.com)

(PROPERTY OWNER)

(STREET ADDRESS)

(CITY, STATE ZIP)

August 30, 2016

Dear Atlantic Beach Property Owner,

You are receiving this letter because according to the tax records of Carteret County you own property located within 150-feet of 315 Ocean Ridge Drive. Regulations set forth in the Town of Atlantic Beach Unified Development Ordinance Section 3.22 require you receive notification when a Variance hearing has been requested.

Attached you will find public notification for Variance Request 16-01.

The public hearing will take place at 7:00 on September 19, 2016 in the Boardroom at 125 West Fort Macon Road. The public is invited to attend.

For further information about this request please call the Planning Department (252) 726-4456.

Best regards,

Michelle Shreve

Director of Planning & Zoning

# VAR-16-02 Mailing List

PROPERTY OWNER	HOUSE NUMBER/PO BOX	STREET	CITY	STATE	ZIP
COLLINS,JEFFERY E ETUX ANN S	4201	CITY OF OAKS WYND	RALEIGH	NC	27612
ELMORE,ALLEN DALE ETUX KIMBRLY	2400	DIX STREET	RALEIGH	NC	27609
WILLIAMS FAMILY PROPERTIES LLC	PO BOX 2385		ATLANTIC BEACH	NC	28512
WOODARD,PAUL R ETUX TIFFANY Y	308	CLUB COLONY DRIVE	ATLANTIC BEACH	NC	28512
LOCKE,RONALD DAVIS SR ETAL	356	RANDOLPH PINES ROAD	ENFIELD	NC	27823
JOYNER,WALTON K JR	2728	WEBB ST	RALEIGH	NC	27609
EASTERN REALTY CO	904	RABBIT RUN	WILMINGTON	NC	28409
COXE,THOMAS C ETUX NANCY L	2901	KINGS FORK ROAD	SUFFOLK	VA	23434
SLOAN,ORRIS T III ETUX REBECCA	3604	WILLIAMSBOROUGH CT	RALEIGH	NC	27609
WILLIAMS,J CROSS	3111	GLENWOOD AVE	RALEIGH	NC	27612
JOYNER,WILLIAM T	PO BOX 640		PLEASANT GARDEN	NC	27313
HILLMANN,ROBERT D ETUX SUSAN L	3048	CONE MANOR LANE	RALEIGH	NC	27613
BURTON,JEFFREY H ETUX ETAL	PO BOX 17607		RALEIGH	NC	27609
HASTY,CHRISTOPHER ETUX FRANCES	506	CHESAPEAKE PLACE	GREENVILLE	NC	27858
FESTIVA DEVELOPMENT GROUP LLC	1	VANCE GAP ROAD	ASHEVILLE	NC	28805

**TOWN OF ATLANTIC BEACH**  
**PLANNING AND INSPECTIONS**  
**125 WEST FORT MACON ROAD**  
**ATLANTIC BEACH, NORTH CAROLINA**

**\*\*CERTIFICATION OF SIGN POSTING\*\***

Case Number: VAR-16-02

Owner's Name: Temple Sloan  
Owner's Address: 315 Ocean Ridge Drive Atlantic Beach, NC 28512  
Owner's Telephone: (919) 349-2730

Agent's Name: Eddie Cameron Construction  
Agent's Address: PO Box 1647 Morehead City, NC 28557  
Agent's Telephone: (252) 247-5087

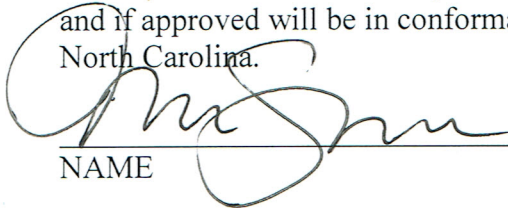
THIS IS TO CERTIFY THAT ON THIS DATE A SIGN SPECIFYING THE DATE, TIME, PLACE AND NATURE OF A PUBLIC HEARING TO BE CONDUCTED BY THE TOWN OF ATLANTIC BEACH BOARD OF ADJUSTMENT FOR THE TOWN OF ATLANTIC BEACH, NORTH CAROLINA HAS BEEN POSTED CONSPICUOUSLY ON THE PROPERTY DESCRIBED BELOW:

Requested Property Address: 315 Ocean Ridge Drive

Property Posted By: Michelle Shreve

Date: August 30, 2016

I certify that the information provided in this Certification of Sign Posting is true and accurate and if approved will be in conformance with the requirements of the Town of Atlantic Beach, North Carolina.

  
NAME

8/30/16  
Date

NOTE: SIGN MUST BE PLACED ON PROPERTY AT LEAST TEN (10) DAYS PRIOR TO THE SCHEDULED MEETING DATE PER SECTION 14.3.3 9B (2) OF THE TOWN OF ATLANTIC BEACH UNIFIED DEVELOPMENT ORDINANCE.



**VAR-16-02: Reduced Front Setback at 315 Ocean Ridge Drive  
Staff Report – Variance Application Information**

Date of Application:	August 22, 2016
Property Owner Name:	Orris T. Sloan
Applicant Name:	Eddie Cameron
Company Name:	Eddie Cameron Construction
Variance Address:	315 Ocean Ridge Drive
PIN Number:	637515529663000
Zoning District:	R-1(7)
Flood Zone:	VE11 (RFPE = 13 feet)
CAMA AEC:	Ocean Erodible Area
Current Minimum Lot Size:	5,000 square feet (50'x100')
Actual Lot Size/Status:	14,000 square feet (70'x200')
Coverage:	Seeking to cover 5321 square feet (38% impervious)



**Description of Variance Requested:**

The applicant is requesting a variance from setback requirements outlined in Section 5.6 of the UDO. The front setback is described in Note 4, "*Front Yard Setback*. The front yard setback for new construction shall be the average of the front yard setback for the existing principal structure(s) located on the nearest or adjacent developed R-1(C), R-1(5), R-1(7), R-1M, or R-2 zoned property located on either side of the lot on which the new construction is to be located." As many homes on Ocean Ridge Drive have large lots with large front setbacks (distance between street-side property line and the house or decks), this requires development to continue utilizing similarly large front setbacks despite the size of the lot or size of the home on it.

The property is currently vacant, as the original home was demolished earlier this year. The property owner wishes to redevelop the lot with a four-bedroom single-family residence and accompanying driveway, walkways, porches/decks, stormwater systems, and new septic system. The setbacks are seven feet from the side property lines (east and west); sixty feet from the static line on the oceanfront side (south) of the lot per CAMA; and the setback from the front property line (north) is the average of the adjacent two structures. In this case, the front setback would be 85.5 feet. This leaves a buildable area (part of the lot inside the setbacks) of approximately 4660 square feet.

The applicant is requesting a variance from the required front setback by 23.5 feet. If granted, this would increase their buildable area of the lot by approximately 1320 square feet, for a total buildable area of approximately 5980 square feet. Once notified of the Board of Adjustment's decision on whether to grant or deny the variance, the applicant will continue working to secure the permits required to begin construction, including a CAMA Minor Development permit (to develop on the oceanfront) and a Carteret County Health Department Authorization to Construct permit (to construct a new septic system).

**VAR-16-02: Reduced Front Setback at 315 Ocean Ridge Drive**  
**Staff Review – Board of Adjustment Variance Review Points**

- 1. Proper notice was given to adjoining property owners of the holding of the public hearing to consider the variance.**

Staff confirms that a notice of public hearing was sent to the 15 property owners within 150 feet of the subject property as listed in the Carteret County tax records on August 18, 2016. Letters containing the advertisement for the variance request were mailed on August 30, 2016 by the Planning and Zoning Department. This satisfies requirements in Section 3.23 B of the Town of Atlantic Beach Unified Development Ordinance. A copy of the aforementioned property owners has been included for review in your agenda packets, as well as the notification letter. A sign identifying the property variance request was posted on August 30, 2016 by the Planning and Zoning Department on the north side of the property.

- 2. The variance does not result in the extension of a nonconforming situation in, or authorize the initiation of a nonconforming use of land.**

Staff confirms that the reduction in front setback will result neither in the extension nor initiation of nonconformity.

- 3. If the applicant complies strictly with the provisions of the Ordinance, he/she will suffer substantial hardship.**

Staff confirms that the size of home desired by the property owner would not fit within the buildable area with the current front setback.

- 4. The hardship relates to the applicant's land, rather than personal circumstances – such as shape, size, unusual characteristics, etc.**

Staff confirms that while CAMA's 60' rear setback is the same for (nearly) every oceanfront property on Ocean Ridge Drive, the front setbacks vary depending on the adjacent structures. This creates a different front setback for nearly every oceanfront property, regardless of the consistent rear setback.

- 5. The hardship of which the applicant complains or will suffer is one that is suffered only by the applicant rather than by all neighbors or the general public.**

Staff confirms that the front setback requirement takes into account the front setbacks of the two adjacent structures. This property is adjacent to one of the oldest cottages on the street, which sits along the same rear CAMA setback, but due to the smaller size of the cottage, has an expansive front setback.

- 6. The hardship is not a result of the applicant's own actions.**

Staff is not aware of any action the applicant or property owner could have taken to create the hardship.

- 7. 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.**

Staff confirms that the granting of this variance would not adversely affect public safety and would be consistent with the spirit, purpose, and intent of the ordinance.

**Staff Recommendation:** Staff recommends granting this variance request with any conditions that the Board sees fit.

**Staff report completed by:** Michelle Grace Shreve, Director of Planning and Zoning

# Carteret County

## Property Data

Parcel Number: 637515529663000

Inquiry Date: 8/23/2016

DISCLAIMER: For confirmation of the number of buildings on each parcel, please contact the Carteret County Tax Office.

### Owner/Property Info

Parcel Number: 637515529663000

Owner: SLOAN,ORRIS T III ETUX REBECCA

Physical Address 0000315 OCEAN RIDGE DR  
ATLANTIC BEACH NC

Mailing Address: 3604 WILLIAMSBOROUGH CT  
RALEIGH NC 27609

Legal Description: L8 B3 PART 3RD ST OCEAN RIDGE

Deed Book: 1530

Deed Page: 380

Plat Book: 1

Plat Page: 243

Sale Date: 20160115

Sale Price: 1200000

Acreage: 0.322

Land Value: \$1,251,750.00

Building Value: \$0.00

Extra Feature Value: \$0.00

Parcel Value: \$1,251,750.00

### Building Info

Baths: 0

Bedrooms: 0

Condition:

Exterior Walls 1:

Exterior Walls 2:

Floor Finish 1:

Floor Finish 2:

Foundation 1:

Foundation 2:

Heat:

Roof Cover 1:

Roof Cover 2:

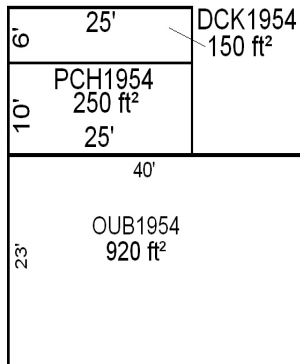
Roof Structure:

Square Footage: 0

Year Built: 0

[Click Here for Advanced Cards](#)

### Sketches



Sketch by OpenView™

### Photos







## Section 5.6 Table of Area, Yard, and Height Requirements

	MINIMUM LOT AREA PER UNIT				SETBACK STANDARDS (see Note 1)				
	Single Family Unit	Per Unit in Multi-Family Development (up to 4 units)*	Minimum Lot Width	Minimum Lot Depth	Front (see Note 2)	Side	Rear	Height Standards (see Note 3)	Maximum Impervious Surface Coverage (see Sec. 2.26)
R-1(C) Residential	6,000 sf	N/A	60'	100'	see Note 1&4	7'	20'	45'	40%
R-1(5) Residential	5,000 sf	N/A	50'	100'	see Note 1&4	5'	20'	45'	40%
R-1(7) Residential	6,000 sf	N/A	60'	100'	see Note 1&4	7'	20'	45'	40%
R-1M Residential	5,000 sf	N/A	50'	100'	see Note 1&4	7'	20'	45'	40%
R-2 Residential	5,000 sf	3,600 sf	50'	100'	see Note 1&4	5'	10'	45'	40%
R-3 Residential	5,000 sf	3,600 sf	50'	100'	10'	5'	10'	45'	40%
RMU Resort Mixed Use	5,000 sf	3,600 sf	50'	100'	see Note 1&4	5'	10'	45'	40%
RS Resort Service***	5,000 sf	3,600 sf	50'	100'	25'/10'	10'/5'	20'/10'	55'/45'	40%
CB Community Business	N/A	N/A	100'	100'	20'	10'	25'	55'	75%
GB General Business	6,000 sf	3,600 sf	60'	100'	10'	10'	0'	45'/55'/65'* *	75%
CDD Circle Development	REFER TO SECTION 6.8								

\*Multi-family developments greater than four (4) units must comply with Section 6.21, Multi-Family Housing Development Standards.

\*\*Residential building height shall not exceed 45 feet. Multi-family and non-residential development is permitted up to 55 feet and may be increased to 65 feet under conditions outlined for the Causeway Overlay district.

\*\*\*Single family homes and duplexes in the RS district are subject to the setback and height requirements listed second.

## ARTICLE 5. ZONING DISTRICTS

### *5.6.1 Notes to the Table of Area, Yard, and Height Requirements*

*Note 1.* Minimum yard setback requirements for one (1) and two (2) family dwelling structures. Three (3) or more units within a single building shall require double the minimum setback standards on the side and rear property lines within the residential zoning districts.

*Note 2.* For through lots, corner lots, and lots abutting more than one (1) street, a front yard setback shall be measured from each street. The remaining property lines shall be considered side lines except for lots adjoining Coastal Area Management Act AEC or Ocean Hazard areas upon which CAMA setback requirements shall apply.

*Note 3.* For the purposes of this article, height of a building shall be measured from the average finished grade elevation at the base of the structure to the highest point of the roof with the following exceptions:

- (A) For residential construction, spires, belfries, cupolas, domes, and chimneys, above the roof level for decorative purposes and not intended for human occupancy or general storage, shall be exempt from the measurement of height. However, in no case shall a listed or similar exception exceed the maximum height of a structure by more than five (5) feet. Belfries or steeples located above the roofline of churches, temples, or other similar religious buildings shall not be limited by the maximum height.
- (B) For commercial, institutional, or other non-residential uses, water tanks, ventilators, elevator housing, mechanical equipment or other structures placed above the roof level and not intended for human occupancy or general storage may exceed maximum height requirements, however, in no case shall a listed or similar

## ARTICLE 5. ZONING DISTRICTS

exception exceed the maximum height of a structure by more than ten (10) feet.

Belfries and steeples located above the roofline of churches, temples, or other similar religious buildings shall not be limited by the maximum height.



- (C) Height limitations of this article shall not apply to government buildings, schools, hospitals, water towers, public utilities, or similar structures provided such structures meet the required North Carolina Building Codes. Height limitations to cellular telecommunication towers shall comply to standards established in Section 6.36.

- (D) For building heights relating to hotels, motels, inns, and condotels, refer to Section 6.16.4.

*Note 4. Front Yard Setback.* The front yard setback for new construction shall be the average of the front yard setback for the existing principal structure(s) located on the nearest or adjacent developed R-1(C), R-1(5), R-1(7), R-1M, or R-2 zoned property located on either side of the lot on which the new construction is to be located.

### EXAMPLES:

Zoning:    R-1(C), R-1(5), R-1(7),      R-1(C), R-1(5), R-1(7),      R-1(C), R-1(5), R-  
                          R-1M, R-2                                      R-1M, R-2                                      1(7), R-1M, R-2



Existing Structure	New Construction	Existing Structure
		
10' Front Yard		5' Front Yard

STREET

## ARTICLE 5. ZONING DISTRICTS



Zoning: R-1(C), R-1(5), R-1(C), R-1(5), R- R-1(C), R-1(5), R- R-1(C), R-1(5), R-  
R-1(7), R-1M, R- 1(7), R-1M, R-2 1(7), R-1M, R-2 1(7), R-1M, R-2

2

Existing Structure	New Construction	Vacant	Existing Structure
			
10' Front Yard	7.5' Front Yard		5' Front Yard

STREET

Zoning:	R-1(C), R-1(5), R-1(7), R-1M, R-2	R-1(C), R-1(5), R- 1(7), R-1M, R-2	RS
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<p>Existing</p>  <p>10' Front Yard</p>	<p>New Construction</p>  <p>10' Front Yard</p>	<p>Setback does not apply to R-1(C), R-1(5), R-1(7), R-1M, R-2</p>
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STREET



**TOWN OF ATLANTIC BEACH  
PLANNING AND INSPECTIONS**

*125 West Fort Macon Road  
Atlantic Beach, NC 28512  
(252) 726-4456*

**ORDER GRANTING OR DENYING A VARIANCE  
Variance 16-02**

The Board of Adjustment for the Town of Atlantic Beach, North Carolina, having held a public hearing on Monday, September 19, 2016 at or near 7:00 PM, to consider Variance 16-02, being a request for a variance from Section 5.6 Area, Yard, and Height Requirements, by applicant Orris T. Sloan, to develop the property located at 315 Ocean Ridge Drive in Atlantic Beach in a manner not permissible under the literal terms of the Unified Development Ordinance; having heard all the evidence, testimony and arguments presented at the hearing; and in accordance with Article 3 and Article 4 of the Town of Atlantic Beach Unified Development Ordinance, the Board of Adjustment has by a unanimous vote, determined that the Variance should be, and by this order is, granted subject to the following conditions:

1. The home shall be constructed according to the site plan approved by the Board of Adjustment on Monday, September 19, 2016 at 315 Ocean Ridge Drive with a 62.5 foot front setback.
2. The applicant shall fully comply with all specific requirements stated in the Unified Development Ordinance for the proposed use.

This the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

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John Kurek  
Chairman, Town of Atlantic Beach Board of Adjustment

\_\_\_\_\_  
Katrina Tyer  
Secretary, Board of Adjustment

I, a Notary Public of Carteret County, North Carolina certify that John Kurek, Chairman of the Town of Atlantic Beach Board of Adjustment, and Katrina Tyer, Secretary to the Atlantic Beach Board of Adjustment, personally appeared before me this day and acknowledge the execution of the foregoing instrument.

Witness my hand and stamp or seal this \_\_\_\_ day of \_\_\_\_\_, 2016

My Commission expires: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_, Notary Public

If granted, date filed with the Carteret County Register of Deeds: \_\_\_\_\_

Case Number: **Variance 16-02** Date: \_\_\_\_\_