Minutes
Town of Atlantic Beach
Board of Adjustment Meeting
Town Boardroom
125 West Fort Macon Road
Monday, June 17, 2024

Members Present
Michael Bosse, Chair
Harrison Smith, Vice Chair
Tony Engrassia
Bradley Jones
Bonnie Pitts
Joyce Livengood, Alternate
Kathy McGehee, Alternate

Members Absent
Stephen Rea, Alternate
Shannon Vance, Alternate

Others Present
Jane Gordon, Town Attorney
Jonathan Eure, BOA Attorney
Katrina Tyer, Town Clerk
Jennifer Ansell, Planner
Elisabeth Webster, Planner
Matthew Van Horn, Attorney for Appellant Ocean Ridge Homeowners Association
John Harris, Attorney (and assistant Mansell Carloni) with White and Allen, for Property Owner Phil Lewis
Harry Archer, Councilmember

CALL TO ORDER AND ROLL CALL
Chairman Bosse noted that it was 6:00 p.m. but that he was going to hold off on opening the meeting so the attorneys could speak with their clients. The attorneys and clients met in separate conference rooms outside of the boardroom until 6:43 p.m. when everyone returned to the boardroom and Chairman Bosse called the meeting to order.

EXCUSE ABSENT BOARDMEMBER(S)/APPOINTMENT OF ALTERNATES
None.

APPEAL 24-1: 1015 OCEAN RIDGE DRIVE (Appeal of an administrative decision to issue a zoning permit for a wall at 1015 Ocean Ridge Drive)

Chairman Bosse confirmed with the board members that no one had a conflict, financial or personal interest, conversation, or special knowledge about the case. They confirmed they did not. Attorney Van Horn confirmed he had no objections to the board seated to hear the case.

As Chairman Bosse was beginning to start the case, asking if any witnesses needed to be sworn, Attorney Van Horn stood and stated that based on the discussions before the beginning of the meeting, the appellant Ocean Ridge Homeowners Association respectfully requests to continue the hearing for 30-60 days. There are a lot of important issues here, and this is the first time he has met the other counsel involved in the case.

Chairman Bosse asked if Attorney Harris had any objections. He introduced himself and his associate Mansell Carloni. They represent Phil Lewis, who was present and was introduced. He admits that he initially suggested to Attorney Van Horn that he might want to consider a continuance for various reasons. He continued talking to Mr. Lewis and several witnesses, he has five witnesses here tonight that he may want to call to testify. Some live as far away as Winston-Salem, who made a special trip tonight, so he would like to proceed tonight rather than have to come back. His position is to proceed.

Attorney Gordon stated the Town has no objection to a continuance.

Attorney Eure stated it is usually in the best interest of justice to proceed only when everyone is prepared and has their witnesses and evidence ready. It is in the board's discretion to entertain a motion.

Chairman Bosse asked for a motion to continue the case or proceed tonight as scheduled. Pitts made a motion *to continue* this case. Seconded by Engrassia. Vote was unanimous, 5-0. Motion carried.

Both attorneys spoke with the parties in the audience regarding their availability on July 15 or August 19 and decided on August 19.
Jones made a motion *to schedule* this hearing for Appeal 24-1: 1015 Ocean Ridge Drive on August 19, 2024 at 6:00pm in the Town Boardroom. Seconded by Smith. Vote was unanimous, 5-0. Motion carried.

Clerk's Note: Glenn Corbett, 675 Old Winberry Road, signed the Public Hearing Comment sheet, but did not speak due to not taking public comment.

BOARD/STAFF COMMENTS

No comments.

Engrassia made a motion *to adjourn*. Seconded by Jones. Vote was unanimous, 5-0. Motion carried.

There being no further business the meeting adjourned. The time was 6:54 p.m.

These minutes were approved at the September 16, 2024 meeting of the Atlantic Beach Board of Adjustment.

Approved by:

Mike Bosse, Chair

Katrina Tyer, Clerk