



MINUTES
Board of Adjustment Meeting
Wednesday, August 17, 2022 Pender County Public Assembly Room 9:00 AM

MEMBERS PRESENT:

Max Kipfer
Kyle Breuer
Andrew Olsen
Jeffrey Snider
Brett Keeler

MEMBERS ABSENT:

OTHERS PRESENT:

Travis Henley, Planning Director
Trey Thurman, County Attorney
Donna Sayre, Administrative Assistant
Other Staff and Members of the Public.

1 CALL TO ORDER

Chairman called the meeting to order at 9:03 am

2 ROLL CALL

3 INVOCATION

4 ADOPTION OF AGENDA

a) Motion to adopt the agenda as is

Moved by Kyle Breuer, seconded by Andrew Olsen

Motion Approved

	For	Against	Abstained	Absent
Max Kipfer	x			
Kyle Breuer	x			
Andrew Olsen	x			
Jeffrey Snider	x			
Brett Keeler	x			

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CARRIED.

5 ADOPTION OF MINUTES

- a) Approve BOA Minutes 7-20-2022

Moved by Kyle Breuer, seconded by Jeffrey Snider

Motion to adopt minutes

	For	Against	Abstained	Absent
Max Kipfer	x			
Kyle Breuer	x			
Andrew Olsen	x			
Jeffrey Snider	x			
Brett Keeler	x			
	5	0	0	0

CARRIED.

6 PUBLIC COMMENT

There was not public comment.

7 VARIANCE

8 APPEAL

- a) APPEAL 2022-08 - Appeal of Administrative Decision - Planning Board Denial of Wyndwater Master Development Plan Revision (Case # MDP-R 2022-38)

Before the Appeal hearing, County Attorney Trey Thurman informed the Board that Topsail Green's HOA Attorney, with the Law Office of Jordan Price, emailed a request for a continuance due to being unable to attend. The email was sent on Tuesday afternoon around 4:00 p.m.

Mr. Henley read into the record the email that was received from The Law Office of Jordan Price. The email was submitted into record as **Exhibit A**.

Mr. Kipfer inquired as to how long of a time frame is being requested with this continuance. Mr.

Henley stated they did not give a time frame. Mr. Henley informed the Board that the next regular meeting will be held on September 21, 2022.

Applicant Attorney, Amy Schaeffer with the Law Firm of Lee Kaess, spoke to the Board about the applicant's desire to have the hearing take place today and requested that if the Board decides to not hear the Appeal today, to schedule a special hearing in two weeks.

Mr. Thurman stated that the continuance is at the Board's discretion as to approval and when the new hearing will take place.

Mr. Kipfer asked if the new hearing date would need to be re-advertised. Mr. Thurman stated that re-advertisement would not be necessary if a specific date and time is determined.

Mr. Breuer stated that he feels attorney representation is important and that their participation would be beneficial.

Mr. Olsen asked how many items were scheduled for the September 21st meeting. Mr. Henley stated that no items have been submitted for the September meeting.

Mr. Kipfer stated that he feels that hearing all the evidence at one time would be the best way to handle this Appeal.

Moved by Kyle Breuer, seconded by Jeffrey Snider

Motion to continue hearing to September 21, 2022, in the Hampstead Annex

	For	Against	Abstained	Absent
Max Kipfer	x			
Kyle Breuer	x			
Andrew Olsen	x			
Jeffrey Snider	x			
Brett Keeler	x			
	5	0	0	0

CARRIED.

9 DISCUSSION ITEMS

10 NEXT MEETING DATE

September 21, 2022
Hampstead Annex Building
15060 US Hwy. 17
Hampstead, NC 28443

11 ADJOURNMENT

a) Motion to Adjourn

Moved by Kyle Breuer, seconded by Andrew Olsen

Motion to adjourn

	For	Against	Abstained	Absent
Max Kipfer	x			
Kyle Breuer	x			
Andrew Olsen	x			
Jeffrey Snider	x			
Brett Keeler	x			
	5	0	0	0

CARRIED.