



Town of Holden Beach  
Zoning Board of Adjustment  
Regular Meeting  
Monday, May 16, 2022

The Town of Holden Beach Board of Adjustment met for a regular meeting on Monday, May 16, 2022, at 3:00 PM in the Holden Beach Town Hall Public Assembly. Present were Chairperson Anne Arnold, Vice Chairperson Richard Griffin, Regular Members Phil Caldwell, Mary Lou Lahren, and Jack Lohman. Alternate members present were Aldo Rovito and Richard Roberts.

**CALL TO ORDER**

Chairperson Anne Arnold called the meeting to order.

**ROLL CALL**

CASE NO.04-22: To request an appeal from the enforcement and interpretation of Chapter 95 Section 95.05 (E) and Chapter 157 Section 157.060 (D) (7) (b) located at 901 Ocean Boulevard West, Holden Beach, North Carolina

Town staff was not present, so the meeting was postponed until May 25, 2022 at 1:00pm.

**RECESSED 3:05PM**





**Town of Holden Beach  
Zoning Board of Adjustment  
Regular Meeting  
Monday, May 25, 2022**

The Town of Holden Beach Board of Adjustment met for a recessed meeting on Monday, May 25, 2022, at 1:00 PM in the Holden Beach Town Hall Public Assembly. Present were Chairperson Anne Arnold, Regular Members Mary Lou Lahren, and Jack Lohman. Regular Members absent were Vice Chairperson Richard Griffin, Regular Member Phil Caldwell, and Alternate members absent were Aldo Rovito and Richard Roberts. Present town staff were Tim Evans and Rhonda Wooten.

**CALL TO ORDER**

Chairperson Anne Arnold called the meeting to order.

**ROLL CALL**

Arnold: We have emails from the person who brought this appeal to us from last meeting stating he canceled his request weeks ago to us. So, we are going to accept his request.

CASE NO.04-22: To request an appeal from the enforcement and interpretation of Chapter 95 Section 95.05 (E) and Chapter 157 Section 157.060 (D) (7) (b) located at 901 Ocean Boulevard West, Holden Beach, North Carolina.

Chairperson Anne Arnold swore in Tim Evans and Louis Galida.

Galida: Good afternoon, my wife and I own the home at 901 Ocean Blvd West, and I am here to appeal the decision that was made to require me to remove a driveway that I poured to replace a badly cracked driveway. On March 7<sup>th</sup> I hired someone to replace the driveway and on March 14<sup>th</sup> he poured a new driveway and on March 16<sup>th</sup> I received a letter stating I was in violation of Chapter 95. So, as I said, I am here to appeal that decision. I'm not disputing the regulation, I understand it, I understand the need for it. But I'm hoping there is a commonsense solution that will allow me to keep my newly poured driveway. If not, it will be a very expensive mistake for



me. I spent \$8500 to have the old driveway taken out and the new driveway poured then I will have to spend another \$4500 to have the new one taken up. So, if you will just give me a few minutes to explain how I ended up sitting here. My wife and I owned the house since 2013 and we came down in February to do our spring cleaning. That is when I said, "man Kathy, that driveway looks terrible, we're going to have to do something". I try to keep the property properly maintained and the cracks have become a problem, it was starting to sag in the center. When I got up the next morning and went for a run around the neighborhood, I looked up and down Ocean Boulevard to see what everyone had. Mostly everyone had stone, but some did have cement. I prefer the cement; the stone tends to get out into the street continually and be a problem. I called a handy man that I have been using since 2018, I thought he was a contractor but he's not. I texted him and said, "hey I need to do something with this driveway can you give me a price?" and he gave me the pricing. I asked him what he would recommend, and he said, "Well if you are going to sell it, I would go to gravel but if you are going to keep it, I would redo the cement". I obviously had no idea that there were regulations that if you replace a cement driveway you had to get a permit. I have been to the Holden Beach website, and it states on the home page that there is a permit required for building a structure, plumbing, electrical or heating and cooling but nothing about a driveway. So, unless I dug very deeply into the town's regulations, I wouldn't have found that. I am willing to put in any type of drainage that would possibly help. My house has rain gutters so the only rainwater that flows into the street is what hits directly on the street. I would also like you to consider that I did not install a new driveway, I just replaced an existing one. I also have a question, I don't know if the rules and regulations are different, I guess this would be for you Tim. I noticed that the Rivers Edge beach club which is next to the General Store which as recently built has a cement parking area, I don't know if the rules are different for businesses or not.

Evans: The right of way belongs to the DOT. You were never allowed to have anything in there regardless. You must decide if we have gone with 95.05 and whether it meets the criteria for a variance so that is where you are at now. We agree with him, he said that it's not allowed, and it is not allowed. Whether or not he is able to get a variance that is your decision based on the guidelines.

Arnold: We do not have a four or five vote here today. So, we can't rule you.

Evans: You could do the majority for the 95.05.



Arnold: Yes, we have discussed that, but we would have to table a decision.

Evans: As an Administrator Director I have ceased all fees and penalties. Our intentions are and have always been its our policy that once the board rules whether it's in his favor that if he acts within a certain period established by the department then we usually waive those fees. Now 95.05 regardless how you guys see that he is in the DOT ROW.

Arnold: Right, I understand that, and he does as well.

Galida: Actually, no I don't.

Evans: That portion of 95.05 is talking about that part in the ROW where we do not allow anything. The ROW belongs to the NC DOT. That means they have full control.

Galida: How far does the ROW extend?

Evans: Typically, I think it is 10 feet off the edge of the pavement. It is on your site plan; it shows where your property is really at.

Galida: So, what you said earlier is even if I were allowed to keep the cement, I would likely have to pull up what is on ROW?

Evans: Yes, you do not have a choice.

Lohman: So, you are saying the town has no control over that?

Evans: We can write rules for it but that is the DOT R.O.W. If the DOT comes through and decides they don't like anything you have put in that R.O.W it is their easement.

Lohman: So, ultimately it is the state's property?

Evans: Exactly.

Lahren: The bike path is going to be there; it is going to be 7 feet on that side of the road. So, if you have a road that's theoretically 60 feet across and then the R.O.W comes another 10 feet, so you are looking at you would have 40 feet from the center line of the road. Is that correct?

Evans: It depends, sometimes the road is not in the center of the R.O.W.

Galida: So, the 7 feet on the ocean side I read on the website and the 3 feet on the other side is just kind of a blanket?

Evans: No, it's right.

Lahren: I have a question for you, is the handyman that you chose, did he choose the concrete person? I would think if he did choose them, they would know the code and rules and should have told you.





Arnold: Let me read the regulation, all exist in concrete within the ROW that is removed for any reason cannot be replaced. There is only one way to interpret that. So, there is no question. What is the pleasure of the board?

Galida: May I say something?

Arnold: Yes.

Galida: I'm new to this process, I don't do this on a regular basis, but I had assumed that it was the role of the Board of Adjustment to interpret the ruling that was made and to try and understand extenuating circumstances and do what was in the best interest for the town and citizens.

Arnold: No, our opinions do not matter. We must rule on the facts and the facts are what are stated. Anyone else have anything they want to say? Obviously, we cannot rule on the variance because we do not have enough here but we are going to vote on the 95.05. The majority three of five are voting against your request.

Evans: That is only for 95.05.

Arnold: Yes, that is only for 95.05. Now as far as the request for a variance, I guess we have to table the request until we have more members.

Galida: I would like to request now that I have been here twice that I have in writing next meeting what the decision was because I will not be here to attend.

Arnold: Your comments are noted, and we have heard you.

#### **MOTION TO POSTPONE**

#### **OLD BUSINESS**

No old business.

#### **NEW BUSINESS**

No new business.

#### **RECESS 1:52**





Town of Holden Beach  
Zoning Board of Adjustment  
Regular Meeting  
Monday, June 20, 2022

The Town of Holden Beach Board of Adjustment met for a postponed meeting on Monday, June 20, 2022, at 3:00 PM in the Holden Beach Town Hall Public Assembly. Present were Chairperson Anne Arnold, Vice Chairperson Richard Griffin, Regular Members Phil Caldwell, Mary Lou Lahren, and Jack Lohman. Alternate members present were Aldo Rovito and Richard Roberts. Present town staff members were Tim Evans and Rhonda Wooten.

**CALL TO ORDER**

Chairperson Anne Arnold called the meeting to order.

**ROLL CALL**

CASE NO. 04-22: To request a variance of Chapter 157 Section 157.060 (D) (7) (b) located at 901 Ocean Boulevard West, Holden Beach, North Carolina

Chairperson Anne Arnold stated that Case 04-22 was unanimously voted against for the variance.

There was no new business.

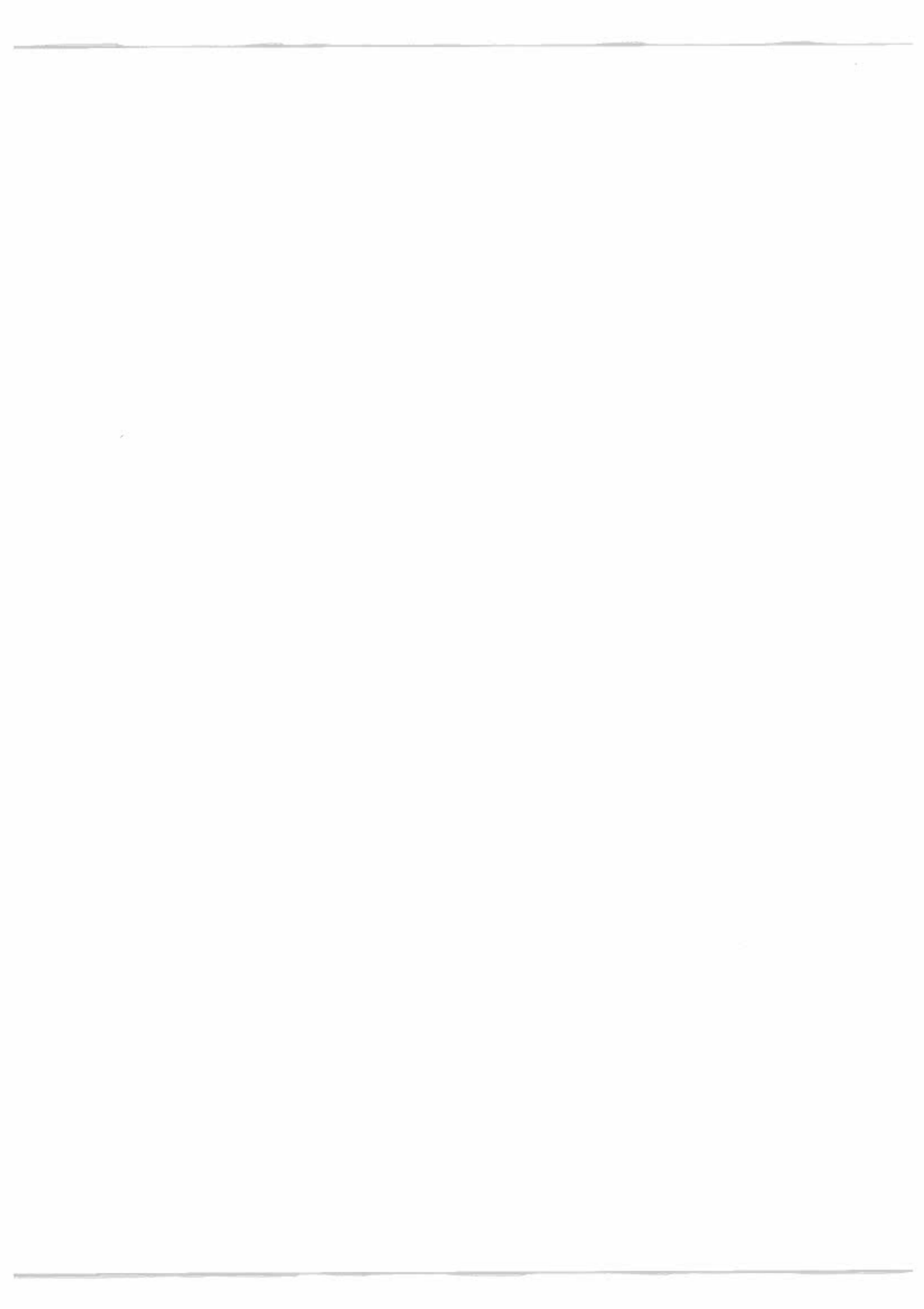
**ADJOURNMENT 3:08PM**





**TOWN OF HOLDEN BEACH  
BOARD OF ADJUSTMENT  
REGULAR MEETING  
TOWN HALL PUBLIC ASSEMBLY  
Monday, July 18, 2022  
3:00 PM**

1. Call to Order
2. Roll Call
3. CASE NO. 05-22: To request a variance from the Holden Beach Zoning Code of Ordinance Chapter 94, Section 94.03 (C)(6). The structure is being proposed south of the landward toe of the frontal dune. This request is for 1235 Ocean Boulevard West.
4. CASE NO. 06-22: To request a variance from the Holden Beach Zoning Code of Ordinance Chapter 157, Section 157.060 (D)(4). To encroach into the 5-foot side yard setback. This request is for 344 Marker Fifty-Five.
5. Old Business
6. New Business
7. Adjournment



TOWN OF HOLDEN BEACH

BOARD OF ADJUSTMENT

Application No. \_\_\_\_\_

Date June 10, 2022

Permit Fee 175.00

Receipt # \_\_\_\_\_

GENERAL APPLICATION FORM

Permit or Relief Requested: \_\_\_\_\_ Appeal ☒ Variance \_\_\_\_\_ Special Use Permit \_\_\_\_\_

Applicant Jeff Gadsden + Corie Garbat Owner Jeff Gadsden + Corie Garbat

HOME Address 211 Glen Haven Dr. PROPERTY Address 1235 Ocean Blvd West  
Chapel Hill, NC, 27516 Holden Beach, NC 28462

Telephone 917-207-1955 Telephone 917-207-1951

Legal relationship of applicant to property owner \_\_\_\_\_

Purpose of permit Build

Property location 1235 Ocean Blvd West, Holden Beach, NC

Tax map Holden Beach West (Street Address) Block \_\_\_\_\_ Lot 22

Lot size \_\_\_\_\_ square feet 49,696 Zoning District AE + X

No. of buildings to remain N/A Gross floor area to remain N/A

No. of buildings proposed 1 Gross floor area of proposed buildings 3288 sf

Total square footage of land to be disturbed 3288 sf square feet

Estimated cost of project \$ 800,000

The following documents are attached to and a part of this application: (Plot plan, building permit application, drawings, surveys, etc.)

Plot Plan, Application, Survey + Exhibit

Date June 10/22 Signature of Applicant [Signature]

Application No. \_\_\_\_\_

**TOWN OF HOLDEN BEACH  
APPLICATION FOR A VARIANCE**

Month June Day 10 Year 2022

**TO THE HOLDEN BEACH ZONING BOARD OF ADJUSTMENT:**

I, Jeff Gadsden + Corrie Garbati, hereby petition the Zoning Board of Adjustment for a VARIANCE from the literal provisions of the Holden Beach Code of Ordinances because, under the interpretation given to me by the Zoning Enforcement Officer, I am prohibited from using the parcel of land described in the attached form (General Application Form) in a manner shown by the plot plan attached to that form. I request a variance from the following provisions of the ordinance (cite paragraph numbers): Chapter 94  
Section 94.03 (C)(6)

so that the above-mentioned property can be used in a manner indicated by the plot plan attached to the General Application form or, if the plot plan does not adequately reveal the nature of the variance, as more fully described herein: (If a variance is requested for a limited time only, specify duration requested.)

**Factors Relevant to the Issuance of a Variance**

The Board of Adjustment does not have unlimited discretion in deciding whether to grant a variance. Under the state enabling act, the Board is required to reach three conclusions before it may issue a variance: (a) that there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of the ordinance; (b) that the variance is in harmony with the general purposes and intent of the ordinance and preserves its spirit; and (c) that in granting the variance, the public safety and welfare have been assured and substantial justice has been done. In the spaces provided below, indicate the facts that you intend to show and the arguments that you intend to make to convince the Board that it can properly reach these three required conclusions.

a. There are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of the ordinance. The courts have developed three rules to determine whether in a particular situation "practical difficulties or unnecessary hardships" exist. State facts and arguments in support of each of the following:

(1) If he complies with the provisions of the ordinance, the property owner can secure no reasonable return from, or make no reasonable use of, his property. (It is not sufficient that failure to grant the variance simply makes the property less valuable.)

See Attached Exhibit



(2) The hardship of which the applicant complains results from unique circumstances related to the applicant's land. (Note: Hardships suffered by the applicant in common with his neighbors do not justify a variance. Also, unique personal or family hardships are irrelevant, since a variance, if granted, runs with the land.)

See Attached Exhibit

(3) The hardship is not the result of the applicant's own actions.

See Attached Exhibit

b. the variance is in harmony with the general purpose and intent of the ordinance and preserves its spirit. (State facts and arguments to show that the variance requested represents the least possible deviation from the letter of the ordinance that will allow a reasonable use of the land and that the use of the property, if the variance is granted, will not substantially detract from the character of the neighborhood.)

See Attached Exhibit

c. The granting of the variance secures the public safety and welfare and does substantial justice. (State facts and arguments to show that, on balance, if the variance is denied, the benefit to the public will be substantially outweighed by the harm suffered by the applicant.)

See Attached Exhibit

I certify that all of the information presented by me in this application is accurate to the best of my knowledge, information and belief.

  
Signature

### Exhibit 1. Answers to Questions relating to 1235 OBW

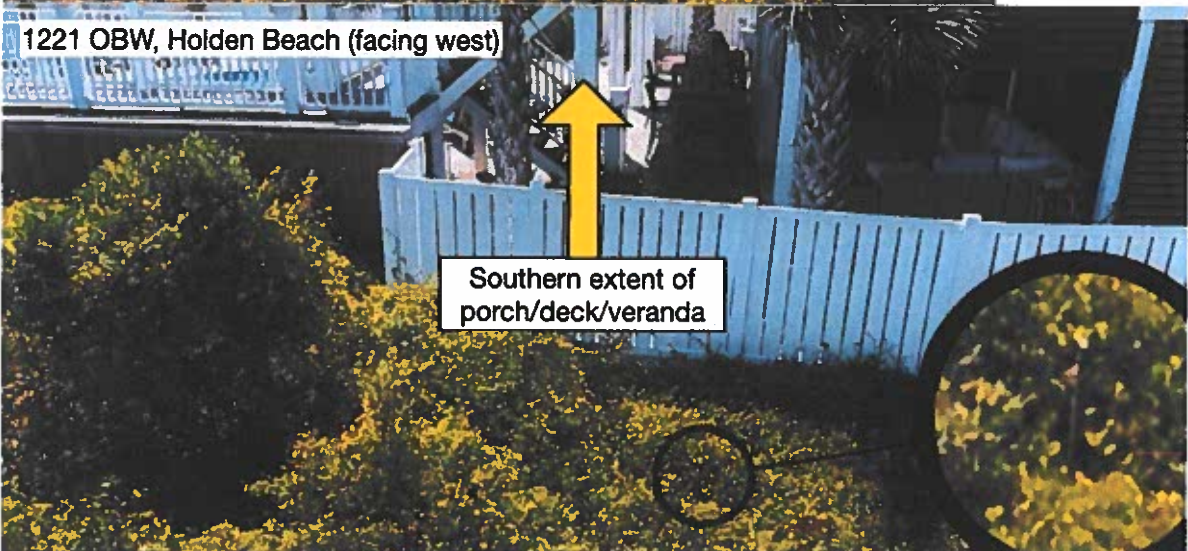
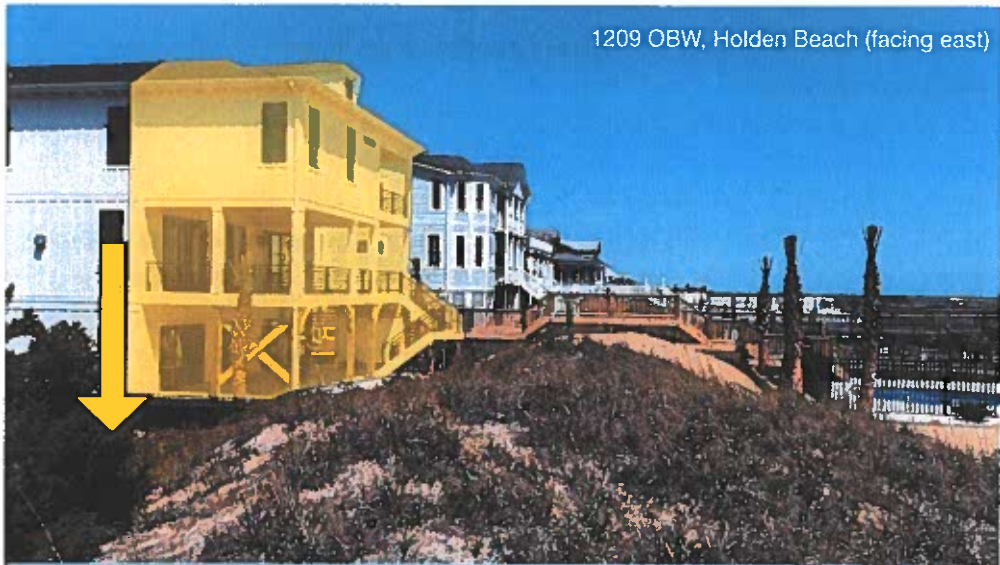
a.(1) We understand that the Town's position is that homes (including elements such as decks/porches) may not be built on the "town dune", and also understand that this principle exists to protect property, people and ecology of the dunes. This is certainly relevant in many parts of Holden Beach, where there is **ONLY** one dune between the dwelling and the water. We respectfully submit that because our proposed footprint is at least **500 feet** from the ocean (on a property of over one acre), and separated from that line by at least six (6) separate and substantial dunes per our survey, our proposal to build our house **in line with our neighbors** (not in front of our neighbors) is consistent with the spirit of both CAMA and Town dune regulations (i.e. our proposed footprint would not represent any conceivable threat to property, people or ecology).

More importantly, without a variance, we are being denied the same rights and privileges enjoyed by others in the same zoning district and vicinity. Specifically, there exist homes that were built recently in the 1200 block of OBW that have structural elements encroaching past the toe of the town dune, and therefore must have received a variance from the board of adjustments after denial of their respective plan submissions. We refer you to two such examples:

1. 1209 Ocean Blvd W. This home, built in 2018, has a porch/veranda and a third floor living space that extends beyond the toe of the dune. Clearly the town dune pictured below continues to decrease in elevation until approximately the yellow arrow (i.e. the toe of the dune). The portion of the dwelling shaded in yellow represents a substantial proportion of the overall home that has been built south/beachward of the toe of the dune.
2. 1221 Ocean Blvd. W. This home, built in 2020, enjoys a large outdoor living space, multi-story porch, a pool and an extensive pool deck that extend well past the toe of the dune. The town dune in this case appears to have been deliberately flattened and two retaining walls erected in order to prevent the elevated town dune exerting force on the pool fence. Note in the two pictures below the staked **top** of the dune (yellow circle) and the staked **toe** of the dune (black circle with zoomed inset).

We take no issue with these homeowners and their homes. It is clear to us that in the case of 1209 OBW, the deck/porch/3<sup>rd</sup> floor that extends partially past the toe of the dune represents no danger to property, people or ecology. Rather, it seems a reasonable use of that property. We do NOT want to flatten a dune. We do NOT want to build a house that would extend south/beachward of either of our adjacent neighbors. We propose to do effectively what the owners of 1209 OBW have done (please refer to our proposed plan) and have a portion of our deck/porch extend several feet past the staked toe of the dune, effectively bringing the beach façade of our house in line with our neighbors. We believe this is reasonable. Denial of this variance would be denying us the same rights and privileges that the board has apparently granted some of our neighbors, and thus represents a hardship.





A(2) Houses to the left and right were built over 20 years ago. Wind has blown through the middle (i.e. our empty lot) for decades.

A(3) See above.

B. We have over an acre of land, which includes at least six substantial dunes. We do not wish to damage the ecosystem or risk storm damage to our home or our neighbor's homes, nor cause any disharmony in our community. We do not wish to block sightlines of neighbors. We are asking for more or less having our deck encroach the interpreted "toe of the dune" demarcation of the TENTH dune from the ocean.

Prior to purchasing this land, we reviewed the governing documents of the Holden Beach West community. Item two of the Declarations states: "The maximum balance of view, privacy and breeze will be available to each building located within the development....". We are asking to uphold the spirit of the community with maximum adherence to applicable law, ordinances and regulations.

C. See above. The granting of this variance will not negatively affect the environment, the safety of our community or our neighbors.



## Applicat

### Section 1: Basic Data

Holden Beach Property Address: 1235 Obu Telephone #: 711-201-1431

Permanent Mailing Address (print same if local address above applies):

City/State/Zip Code: Chapel Hill, NC 27516

Contact Person: Gerald E. Baker Telephone: 910-846-3444

Address: 3077 McCall Street SW

**Type of Structure:**

Other: ☐

Single Family: ☒ Two Family: ☐ Apartment: ☐ Condominium: ☐ Townhouse: ☐

Other: ☐      Condominium: ☒ Townhouse: ☐

Total Gross Floor Area of Structure: 3,288 Per \_\_\_\_\_

Required Setbacks in Feet: 1,200

Front: 25' Rear: 20' Side: 12'

Platted Area in Square Feet: 49,696 Usable Area in Square Feet per Survey 49,696

Design Flood Elevation DFE: 13

Highest Point of Structure above Mean Sea Level: 47' 8"

Flood Zone (AE, VE, X): Base Flood: AE + X Elevation: 11

Type of Driveway Material: Gravel Driveway Area (in square feet): 1,150

Lowest Original Grade Elevation Below Building in Feet: 6.3

Proposed Finished Grade in Feet as Shown on Fill Plan if Fill is to be Placed on Lot 76

Is Fill Material Being Proposed on the Lot? Yes: ☒ No: ☐ If Yes, Depth of Fill: 1 ft

Proposed Concrete Slab Elevation as Shown on the Stormwater Plan: 8'

"I certify that any construction, alteration or replacement of building and/or use of land shall be carried out in accordance with the information and Zoning Permit criteria listed above."

April 21, 2022  
Date

CAMA Permit Required? Yes: ☒ No: ☐ Stormwater Permit Required? Yes: ☐ No: ☐

Zoning District Determination for Property: Residential District (R1 Zone)

Residential District (R2 Zone) ☐

This permit expires 1 Year from the date of issue if construction has not begun.

Denied 5/11/22  
94.03(c)(6) Rev.



# Town of Holden Beach

Denial

## PLANNING & INSPECTIONS DEPARTMENT

1, P.E.I., F.E.I., M.E.I.  
D. Evans, Director of  
P. & I. Inspections  
info@townhall.com

May 11, 2022

1, L.P.O., C.P.M.  
R. Wooten,  
Permit Services Officer  
info@townhall.com

Jerry Baker Builders  
3080 McCall Street  
Supply, NC 28462

SPECIALIST  
ing  
inspections@townhall.com

RE: 1235 Ocean Boulevard West

The Zoning Permit Application for the above address has been denied. Based on the submitted proposed site plan the structure (house) is being proposed south of the landward toe of the frontal dune. The landward toe the frontal dune was located on October 29, 2020, by the town's designee. Because the structure (house) is proposed on the frontal dune the proposed plan would not be in compliance with Chapter 94. Section 94.03 (C)(6) of Holden Beach Code of Ordinances and shall not be permitted.

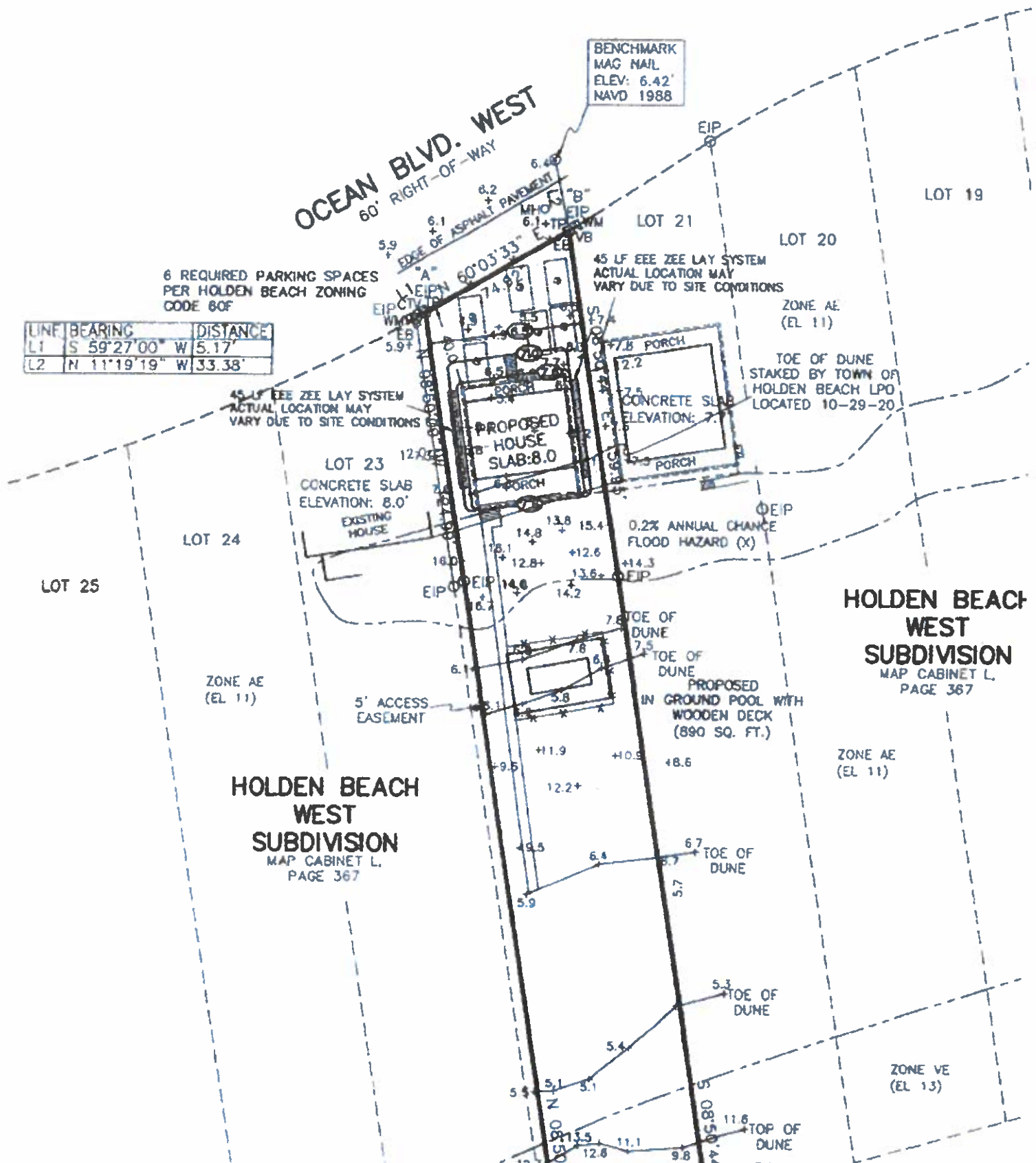
Sincerely,

*Rhonda Wooten*

Rhonda Wooten – CZO

Cc: Timothy Evans

JEFF GADSDEN & CORIE GAEBATI  
1235 OCEAN BLVD. WEST





[illegible]



TOWN OF HOLDEN BEACH

BOARD OF ADJUSTMENT

Application No. \_\_\_\_\_

Date \_\_\_\_\_

Permit Fee 175.00

Receipt # \_\_\_\_\_

GENERAL APPLICATION FORM

Permit or Relief Requested: \_\_\_\_\_ Appeal X Variance \_\_\_\_\_ Special Use Permit \_\_\_\_\_

Applicant SUSAN GIBBLE Owner TIMOTHY & SUSAN GIBBLE

Address 344 MARKER FIFTY FIVE DRIVE Address 344 MARKER FIFTY FIVE DRIVE

HB HB NC

Telephone 910 540 7268 (545M) Telephone 910 471-3332 (TIM)

Legal relationship of applicant to property owner OWNERS

Purpose of permit TO PLACE A CARGO LIFT TO OUR LOWER & UPPER DECKS

Property location 344 MARKER FIFTY FIVE DRIVE HB NC  
(Street Address)

Tax map \_\_\_\_\_ Block MARKER 95 Lot 3

Lot size 0.94 ACRES square feet \_\_\_\_\_ Zoning District \_\_\_\_\_

No. of buildings to remain \_\_\_\_\_ Gross floor area to remain \_\_\_\_\_

No. of buildings proposed \_\_\_\_\_ Gross floor area of proposed buildings \_\_\_\_\_

Total square footage of land to be disturbed 24 square feet

Estimated cost of project \$ 13,000

The following documents are attached to and a part of this application: (Plot plan, building permit application, drawings, surveys, etc.)

SURVEY & TOWN OF HOLDEN BEACH TIF RECORD

Date 6-2-2022 Signature of Applicant Susan Gible



Application No. \_\_\_\_\_

TOWN OF HOLDEN BEACH  
APPLICATION FOR A VARIANCE

Month 06 Day 02 Year 2022

TO THE HOLDEN BEACH ZONING BOARD OF ADJUSTMENT:

I, Susan Goble, hereby petition the Zoning Board of Adjustment for a VARIANCE from the literal provisions of the Holden Beach Code of Ordinances because, under the interpretation given to me by the Zoning Enforcement Officer, I am prohibited from using the parcel of land described in the attached form (General Application Form) in a manner shown by the plot plan attached to that form. I request a variance from the following provisions of the ordinance (cite paragraph numbers): BUILD A LIFT WHICH WILL BE WITHIN THE 5ft SIDEYARD SET BACK. so that the above-mentioned property can be used in a manner indicated by the plot plan attached to the General Application form or, if the plot plan does not adequately reveal the nature of the variance, as more fully described herein: (If a variance is requested for a limited time only, specify duration requested.)

Factors Relevant to the Issuance of a Variance

The Board of Adjustment does not have unlimited discretion in deciding whether to grant a variance. Under the state enabling act, the Board is required to reach three conclusions before it may issue a variance: (a) that there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of the ordinance; (b) that the variance is in harmony with the general purposes and intent of the ordinance and preserves its spirit; and (c) that in granting the variance, the public safety and welfare have been assured and substantial justice has been done. In the spaces provided below, indicate the facts that you intend to show and the arguments that you intend to make to convince the Board that it can properly reach these three required conclusions.

a. There are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of the ordinance. The courts have developed three rules to determine whether in a particular situation "practical difficulties or unnecessary hardships" exist. State facts and arguments in support of each of the following:

(1) If he complies with the provisions of the ordinance, the property owner can secure no reasonable return from, or make no reasonable use of, his property. (It is not sufficient that failure to grant the variance simply makes the property less valuable.)

THIS IS NOT APPLICABLE



(2) The hardship of which the applicant complains results from unique circumstances related to the applicant's land. (Note: Hardships suffered by the applicant in common with his neighbors do not justify a variance. Also, unique personal or family hardships are irrelevant, since a variance, if granted, runs with the land.)

THE LAND DOES NOT CATER A HARDSHIP BE- ME HOME ON PILING DOES.

WE WOULD LIKE A CRANE LIFT TO MOVE LARGE & HEAVY OBJECT UP TO OUR UPPER FLOORS, THIS HAS BECOME MORE DIFFICULT DUE TO OUR AGE.

(3) The hardship is not the result of the applicant's own actions.

NONE EXCEPT FOR AGING

b. the variance is in harmony with the general purpose and intent of the ordinance and preserves its spirit. (State facts and arguments to show that the variance requested represents the least possible deviation from the letter of the ordinance that will allow a reasonable use of the land and that the use of the property, if the variance is granted, will not substantially detract from the character of the neighborhood.)

THIS ORDINANCE IS TO MAKE SURE WE DO NOT IMPEDE ON OUR NEIGHBORS

YARD OR HOME. THIS WILL NOT IN ANYWAY AFFECT THEM. THEY HAVE OFFERED TO WRITE A LETTER STATING THAT.

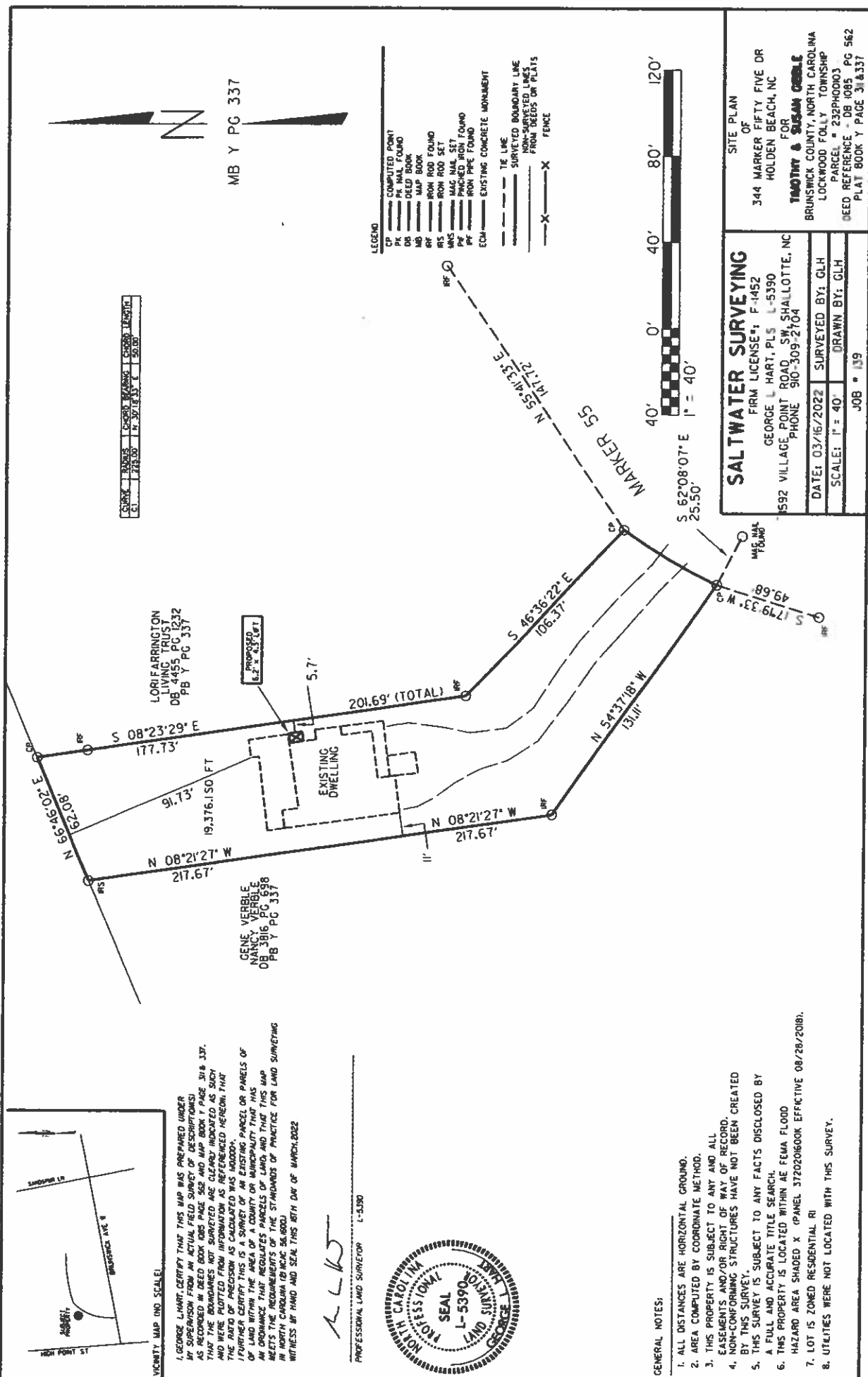
c. The granting of the variance secures the public safety and welfare and does substantial justice. (State facts and arguments to show that, on balance, if the variance is denied, the benefit to the public will be substantially outweighed by the harm suffered by the applicant.)

ALLOWING THE VARIANCE WILL NOT AFFECT THE PUBLICLY MUST IMPORTANTLY OUR NEIGHBOR. IF NOT ALLOWED IT MAY AFFECT OUR SAFETY.

I certify that all of the information presented by me in this application is accurate to the best of my knowledge, information and belief.

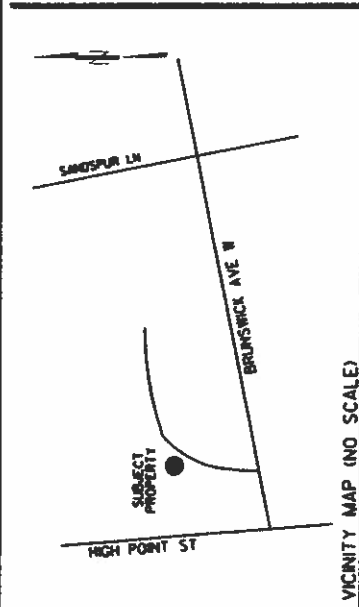
  
Signature











VICINITY MAP (NO SCALE)

I, GEORGE L. HART, CERTIFY THAT THIS MAP WAS PREPARED UNDER MY SUPERVISION FROM AN ACTUAL FIELD SURVEY OF DESCRIPTIONS AS RECORDED IN DEED BOOK 1085 PAGE 562 AND MAP BOOK Y PAGE 311 & 337. THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS SUCH AND WERE PLOTTED FROM INFORMATION AS REFERENCED HEREON; THAT THE RATIO OF PRECISION AS CALCULATED WAS 1/10000+.

I FURTHER CERTIFY THIS IS A SURVEY OF AN EXISTING PARCEL OR PARCELS OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND; AND THAT THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21 NCAC 56.1600).

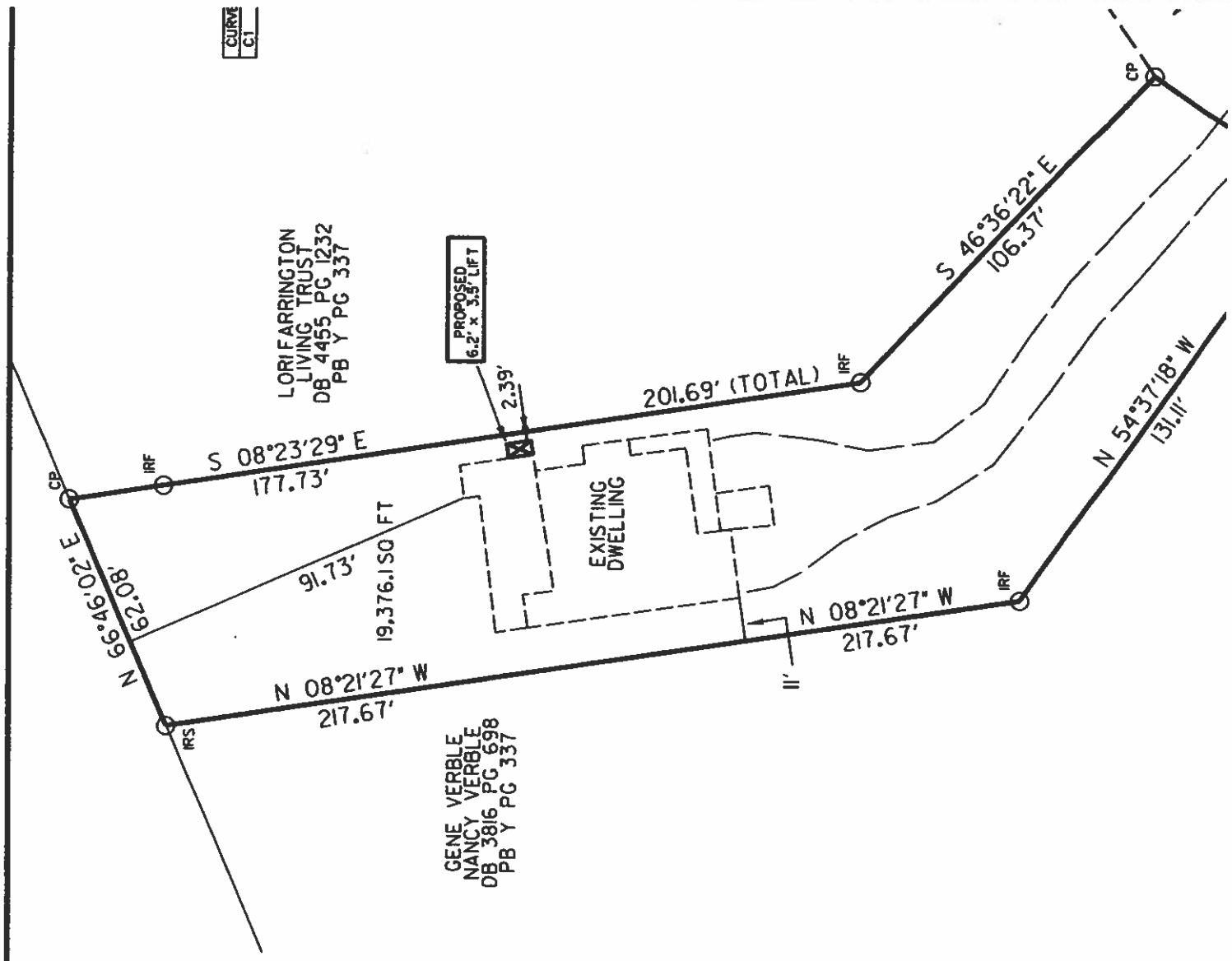
WITNESS MY HAND AND SEAL THIS 16TH DAY OF MARCH, 2022

*George L. Hart*

PROFESSIONAL LAND SURVEYOR L-5390



GENERAL NOTES:





# TOWN OF HOLDEN BEACH

110 ROTHSCHILD ST

HOLDEN BEACH, NC 28462-5037

## 2020 PROPERTY TAX NOTICE

GIBBLE TIMOTHY PIUS ET  
344 MARKER FIFTY FIVE DR  
HOLDEN BEACH, NC 28462

**RETURNED CHECKS** -- In accordance with N.C. General Statute 105-357 (2), there is a minimum penalty of \$25 or 10% of the amount of the check -- whichever is greater. Tax receipts are null & void if payment is made by a check that fails to clear the bank.

**COLLECTION PROCEDURES** -- Delinquent taxes will be collected through all remedies available under N.C. General Statutes. These methods include, but are not limited to, garnishment of wages, attachment of bank accounts, levy on personal property, and foreclosure on real property.

YEAR	BILL NUMBER	PARCEL NUMBER	ACCOUNT NUMBER
2020	1989	232PH00103	N/A

DESCRIPTION	MAP BLOCK LOT	ACRES	LOTS
L-3 MARKER FIFTY FIVE PLAT Y/3		0.00	1

REAL VALUE	PERSONAL VALUE	LESS AGE / DISABILITY/EXEMPTION	TOTAL VALUE
1,081,370	0	0.00	1,081,370

DESCRIPTION	TAX RATE	AMOUNT
TOWN TAX	0.2000	2,162.74
INTEREST/PENALTY		0.00
2020 SEWER CAPITAL FEE		369.64
<b>PROPERTY TAX DUE</b>		<b>\$2,532.38</b>
		<b>PAY THIS AMOUNT</b>

**TAX RELATED QUESTIONS:**  
COLLECTORS OFFICE (910) 842-6488

Interest begins January 6th at 2% and then interest is 3/4% per month.

PLEASE RETURN THIS PORTION WITH PAYMENT

BILL NUMBER	1989	PARCEL NUMBER	232PH00103	ACCOUNT NUMBER	N/A
YEAR	2020	MAP BLOCK LOT		AMOUNT	\$ 2,532.38

**TAX DUE**  
**PAY BY: 01-05-21**

MAKE CHECK PAYABLE & REMIT TO:

TOWN OF HOLDEN BEACH  
TAX COLLECTOR  
110 ROTHSCHILD ST  
HOLDEN BEACH, NC 28462-5037

GIBBLE TIMOTHY PIUS ET  
344 MARKER FIFTY FIVE DR  
HOLDEN BEACH, NC 28462

12/18-28



Name: Timothy Gible | DOB: 5/9/1953 | MRN: 12259391 | PCP: Darshan Dave, MD



## Letter Details



**Novant Health New Hanover Primary Care -  
Brunswick Forest**

1333 S. DICKINSON DRIVE  
UNIT 140  
LELAND NC 28451-6434  
Phone: 910-662-6600  
Fax: 910-332-0246

June 13, 2022

Patient: **Timothy Gible**  
Date of Birth: **5/9/1953**

To Whom It May Concern:

It is my medical opinion that Timothy Gible needs to have a lift installed in his home. His medical conditions and age make it difficult to carry heavy objects up two flights of steps. This hardship is affecting his activities of daily living.

If you have any questions or concerns, please don't hesitate to call.

Sincerely,

Darshan Dave, MD

*This letter was initially viewed by Timothy Gible at 6/15/2022 9:30 AM.*

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LEIGHTON ORTHOPAEDICS  
AND SPORTS MEDICINE, P.C.  
RICHARD M. LEIGHTON, D.O.  
20 MEDICAL CAMPUS DRIVE, SUITE 104  
SUPPLY, NC 28462-4094

(910) 575-5800

DEA # 8L 3304689  
LIC. # 96-00283

NAME Tina Gible DOB \_\_\_\_\_  
ADDRESS \_\_\_\_\_ DATE 6/13/22

TAMPER-RESISTANT SECURITY FEATURES LISTED ON BACK OF SCRIPT

**Rx**

Patient is unable to  
Carry or lift anything over  
10 lbs. He would  
Benefit From a  
Cargo lift

- ☐ 1-24  
☐ 25-49  
☐ 50-74  
☐ 75-100  
☐ 101-150  
☐ 151 and over  
Units

Refill NR 1 2 3 4 5

PRODUCT SELECTION PERMITTED

000668

DISPENSE AS WRITTEN

1A15GP1420129







# Town of Holden Beach

## **PLANNING & INSPECTIONS DEPARTMENT**

**BIII, EIII, PIII, FIII, MIII**  
Timothy D. Evans, Director of  
Planning & Inspections  
Inspector@hbtownhall.com

**CFM, CZO, LPO, CPM**  
Development Services Officer  
Rhonda Wooten  
rwooten@hbtownhall.com

**PERMIT SPECIALIST**  
Abbey Long  
PlanningInspections@hbtown  
hall.com

May 24, 2022

Ms. Susan Gible  
344 Marker Fifty Five Drive  
Holden Beach NC 28462

RE: 344 Marker Fifty Five Drive

Be advised that the Zoning Permit Application at the above address was denied on May 11, 2022 and contractor Mr. Smith was notified. The proposed structure (lift) is being proposed within the 5 foot side yard setback and does not meet the requirements of section 157.060 (D)(4) located in the Holden Beach Town Ordinance.

If you have any questions concerning this action, please contact me at 910-842-6080.

Sincerely,

*Rhonda Wooten*  
Rhonda Wooten

Cc: Kinlaw Construction Service

*VARIANCE*

