



**BOARD OF ADJUSTMENT
REGULAR MEETING AGENDA
APRIL 22, 2025
113 W MOORE ST
SOUTHPORT NC 28461**

ETHICS STATEMENT:

“If any members know of any conflict of interest or the appearance of a conflict of interest concerning matters on the agenda, please so state at this time.”

- A. Call to Order**
- B. Pledge of Allegiance**
- C. Approval of Agenda**
- D. Approval of Minutes**
 - 1. March 25, 2025 Board of Adjustment Meeting Minutes
- E. Explanation of Quasi-Judicial Process**
- F. New Business**
 - 1. SUP-25-02: Special Use Permit Application for 204 North Rhett Street – Wendell Biddle
 - 2. SUP-25-03: Special Use Permit Application for 217 Stuart Avenue - Wendell Biddle
- G. Other Business**
 - 1. Board of Adjustment Quasi-Judicial Training - Brady Herman
- H. Adjourn**



**CITY OF SOUTHPORT
ZONING BOARD OF ADJUSTMENT
REGULAR MEETING MINUTES
113 W. MOORE STREET
March 25, 2025
4:30 PM**

Members Present: Chair Pete Haislip, Vice Chair Jason Robbins, Steve Doshier, Rodney Ross, Tuck Masker, John Allen, Chris Eckert

Absent Members: Harley Lemons

Staff Present: Maureen Meehan, Planning Services Director
Wendell Biddle, City Planner
Tori Deviney, Deputy City Clerk
Ray DiGuiseppe, Board of Adjustment Attorney

A. Chair Haislip called the meeting to order at 4:00 PM

B. Chair Haislip led everyone in the Pledge of Allegiance

C. Approval of Agenda

A Motion was made to move agenda item G.1 to above item E by Mr. Robbins which was seconded by Mr. Allen. **Unanimous vote, motion carried.**

Mr. Steve Doshier was brought into the meeting as a voting member.

D. Approval of Minutes

A Motion to approve the January 28, 2025 and February 25, 2025 Board of Adjustment meeting minutes was made by Mr. Allen and seconded by Mr. Masker. **Unanimous vote, motion carried.**

1. January 28, 2025 Board of Adjustment Meeting Minutes

2. February 25, 2025 Board of Adjustment Meeting Minutes

E. Explanation of Quasi-Judicial Process

Chair Haislip provided an overview of the quasi-judicial process for the public.

F. New Business

1. Special Use Permit - 218 W St George St - [Wendell Biddle]

City Planner Wendell Biddle presented the application for Special Use Permit SUP-25-01, submitted by Mr. Kelly Byerley, who is both the applicant and property owner. The request is for the development of an accessory dwelling unit (ADU) to be located at 218 West St. George Street, approximately 3,000 feet south of City Hall at the corner of West St. George Street and North Caswell Avenue.

Mr. Biddle explained that the ADU would be positioned to the rear of the lot, while the principal single-family residence would face West St. George Street. The lot is currently undeveloped and is zoned Residential (R-10), surrounded by similarly zoned single-family residential parcels. He noted the site area is approximately 0.25 acres and clarified that the proposal requires a Special Use Permit under the City's Unified Development Ordinance (UDO) per Table 3.1 and associated specific use standards.

Mr. Biddle confirmed that the proposed ADU is indicated in green on the site plan and would be situated next to a pool, which is not part of this review. The single-family home would be to the left of the ADU.

Mr. Robbins asked whether the lot was currently vacant. Mr. Allen clarified that an ADU could be applied for prior to construction of the principal structure, provided it is contingent upon the structure being built. Mr. Biddle added that the applicants were completing their due diligence to avoid delays in construction.

Mr. Robbins inquired further about neighboring properties visible in the aerial photo. Mr. Biddle confirmed that the structure seen beyond the lot is a neighboring residence and the rear of a nearby church.

Mr. Biddle reviewed the layout of the property, confirming that the ADU will meet all required setbacks—20 feet from the front, 10 feet from the rear, and 5 feet from the side. Mr. Masker brought up a question about the location of a driveway determining the address of the property. Mr. Biddle stated that the principal residence would face West St. George Street, and although the driveway cut is on North Caswell Avenue, it does not determine the address.

Mr. Biddle then reviewed all 8 specific standards in the UDO regarding ADUs, noting that the application complies fully with each. The ADU will be a detached structure located above a garage, not exceed 800 square feet (measuring 481 sq ft), share the same ownership and driveway as the main residence, and meet all parking, footprint, and setback requirements. The proposed garage is under the 530 sq ft threshold and is located behind the principal structure as required.

Planning staff found the application complete and compliant with all relevant standards. Mr. Biddle concluded his remarks and noted the applicant was present and available for questions.

Mr. Masker raised concerns about a large tree on the lot, specifically its potential impact and protection under the UDO's tree preservation standards. Mr. Biddle confirmed that while the ADU would not affect the tree, the principal residence likely would. He noted that the UDO includes allowances for the removal of trees when necessary to permit construction, though mitigation would be required if feasible. Chair Haislip and Mr. Masker discussed the applicability of the drip line for determining tree protection zones under the

UDO. Mr. Biddle affirmed that protection applies from the drip line inward.

Mr. Kelly Byerley, the homeowner and applicant, was sworn in.

Mr. Byerley confirmed that he and his wife are actively working to preserve the trees. He identified himself as a retired certified arborist and stated that they are building around the trees as carefully as possible. Mr. Masker asked where the driveway would go if the ADU were not approved. Mr. Byerley confirmed that it would remain in the same location regardless.

With no additional questions or speakers in support or opposition, Chair Haislip closed the public hearing and moved to the findings and motions required for Special Use Permit consideration.

MOTION 1:

Mr. Robbins motioned that the use will not materially endanger the public health, safety, or general welfare if located where proposed and developed according to the plan as submitted and approved. He noted that there had been no objections raised, and the application meets all requirements.

Motion was seconded by Mr. Eckert. The motion was put to a vote and with all in favor, it passed unanimously.

MOTION 2:

Mr. Allen motioned that the use meets all required conditions and specifications, citing that it meets all eight UDO standards.

Motion was seconded by Mr. Eckert. The motion was put to a vote and with all in favor, it passed unanimously.

MOTION 3:

Mr. Allen motioned that the use will not adversely affect the use or physical attributes of adjoining or abutting property, or that the use is a public necessity. He cited compliance with all setback requirements.

Motion was seconded by Mr. Ross. The motion was put to a vote and with all in favor, it passed unanimously.

MOTION 4:

Mr. Robbins motioned that the location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and in general conformity with the City of Southport Comprehensive Plan. He provided a finding of fact that the application meets all applicable design standards and no objections had been raised.

Motion was seconded by Mr. Ross. The motion was put to a vote and with all in favor, it passed unanimously.

MOTION FIVE:

Mr. Allen motioned to approve the Special Use Permit application with the condition that the ADU must be constructed in conjunction with the principal structure. Discussion followed regarding whether additional conditions could be added limiting the ADU from being used as a rental or short-term rental.

Mr. DiGuseppe advised that the Board could condition the permit on compliance with all applicable code requirements, and not specifically require concurrent construction as a

restriction, although it was noted the applicant had already submitted permit applications for both structures and intended to build simultaneously.

Deputy Clerk Deviney restated the proposed condition: that the ADU must be constructed in compliance with all applicable code requirements, and that it may not be rented separately from the main structure. After further discussion, the Board acknowledged prior practice and affirmed the condition.

Motion was seconded by Mr. Robbins. The motion was put to a vote and with all in favor, it passed unanimously.

Chair Haislip informed the applicant that a formal letter of approval would be issued within a few weeks.

2. **Variance - Home2 Suites Hotel - [Wendell Biddle]**

City Planner Wendell Biddle introduced the variance request submitted by Mr. Lowell Larson on behalf of Meridian Southport Series III, LLC. The applicant is seeking to develop a Homes2 Suites hotel on Eason Street, a secondary roadway zoned Highway Commercial (HC). The subject parcels, identified as 2210000207 and 2210000208, are located at the roundabout on Eason Street within the Dutchman Village development, approximately 1.6 miles north of City Hall. The combined lot size is approximately 2.5 acres.

Mr. Biddle presented an aerial view of the parcels, showing their proximity to Rivermist to the north and Highway 211 to the south. A preliminary site plan was also presented, depicting a 103-room hotel with a proposed maximum height of 50 feet, 6 inches. Mr. Biddle noted that although the lots comply with certain standards—such as minimum lot size and distance from residential zoning—three issues necessitate variances: (1) lack of direct ingress/egress on a major thoroughfare, (2) insufficient frontage on a major thoroughfare, and (3) exceeding the 40-foot maximum building height permitted in the Highway Commercial (HC) district.

He emphasized that while Eason Street is classified as a secondary roadway, it functions as a commercial corridor designed to accommodate commercial uses. The applicant believes that this commercial context helps meet the intent of the ordinance. Mr. Biddle also noted that Fire Chief Drew had confirmed the increased building height would not impede the Fire Department's ability to serve the site, and a copy of the chief's email was included in the meeting packet.

Mr. Biddle further explained that if the variance is granted, the project would still be subject to a formal Technical Review Committee (TRC) process before proceeding to Major Site Plan Review by the Planning Board.

Mr. Tuck Masker asked whether the applicant needed to recombine the lots. Mr. Biddle responded that recombination was not required, as both lots independently meet the minimum size requirement, though he would encourage recombination during the TRC review. Mr. Jason Robbins inquired whether the hotel building would straddle the property line. Mr. Biddle stated that the structure would mostly sit on one parcel but acknowledged that a small portion might extend over the line, particularly the parking area.

When Chair Haislip asked whether this was a concern, Mr. Biddle explained that he intended to discuss it further with the applicant during the TRC process. At Mr. Robbins' request, Mr. Biddle clarified that TRC stands for Technical Review Committee—a group of department representatives (e.g., Planning, Fire, Stormwater, Environmental Health) who

collectively review site plans for ordinance compliance. Addressing the three variances requested, Mr. Biddle explained each in detail:

1. **Ingress/Egress on a Major Thoroughfare:** The subject site currently accesses Eason Street, which connects to J. Swain Boulevard—a designated major thoroughfare under the Brunswick County Comprehensive Transportation Plan. However, the site does not directly access J. Swain, which constitutes a variance need.
2. **Frontage on a Major Thoroughfare:** The parcels do not have the required 200 feet of frontage on a major thoroughfare, as they front only Eason Street.
3. **Building Height:** The proposed structure exceeds the 40-foot height limit by 10 feet, six inches, reaching a total height of 50 feet, six inches to accommodate an elevator penthouse.

Mr. Robbins questioned the intent behind requiring proximity and frontage on major thoroughfares. Mr. Biddle explained that such provisions are intended to minimize traffic congestion on minor roads and promote safe and efficient site access. He also noted that Eason Street is currently developed exclusively with commercial uses.

Mr. Robbins sought a comparison between the proposed hotel and the existing Fairfield Inn nearby but Mr. Biddle did not have those figures available. Mr. Robbins and Director Meehan discussed a nearby planned office building on the corner of Eason and J. Swain, which was initially proposed at 40 feet but will now be closer to 35 feet in height.

Mr. DiGuseppe raised a question about subsection 5(b) of the UDO's use standards, which addresses proportional setback increases with building height. Mr. Biddle stated that this provision was not applicable to the current proposal, as the building setback would still allow for sufficient buffering.

Mr. Biddle clarified that projects over 10,000 square feet are subject to Major Site Plan Review by the Planning Board. However, variances must first be granted before a complete application can be submitted to the Planning Board. Mr. Robbins questioned the process due to past complications when a variance was granted without prior Planning Board involvement, prompting public criticism of the Board of Adjustment. Mr. Biddle emphasized that staff are working to avoid repeating that situation by ensuring a more complete application before submitting to the Planning Board.

Chair Haislip expressed concern that Planning Board members had not attended the hearing despite their previous objections and the subsequent media attention. Mr. Robbins and Mr. DiGuseppe shared similar concerns and discussed the “chicken or egg” dilemma between variance approval and Planning Board review. Mr. DiGuseppe explained that under the current Unified Development Ordinance (UDO), the Planning Board lacks quasi-judicial authority to overturn or contradict decisions made by the Board of Adjustment, which has sole jurisdiction over variance approvals. He suggested that potential future UDO amendments could allow the Planning Board to play a more substantial role earlier in the process, but such changes had not yet been made.

Director Meehan was sworn in.

Director Meehan addressed the board and reminded them that it is the applicant's responsibility to demonstrate how the proposal does or does not meet the required

findings for a variance and that staff's role is to provide factual information rather than determine compliance with the intent of the ordinance.

Mr. Robbins noted that it would be helpful for the Board to receive information comparing the requested relief against the bulk requirements outlined in the UDO. Mr. Masker requested to see site plans and elevations showing where the proposal is deficient. Mr. Biddle showed the site plan and pointed to the areas lacking frontage on a major thoroughfare and the building height exceeding the permitted limit. He confirmed that the structure would be approximately 200 feet from J. Swain Boulevard but reiterated that neither the ingress/egress nor the frontage standards were met. He explained that the elevator penthouse and roof features would exceed the height limit of 40 feet by 10 feet, six inches.

The Chair recognized the applicants and invited them to speak on the request.

Lowell Larson- 819 Pinedale Rd Fort Walton Beach, FL 32547 - Applicant

Mel Miller- 819 Pinedale Rd Fort Walton Beach, FL 32547 - Architect

Patrick Jehle- McKim and Creed, 1301 N Palafox St Suite 200, Pensacola FL 32501 - Civil Engineer

Mr. Lowell Larson, applicant, explained his extensive background in residential and hotel development and shared his company's goal of constructing high-quality, long-term hotel investments across the Southeast. He described Southport as a community with a character reminiscent of Bar Harbor, Maine, and expressed his belief that the subject site was ideally suited for a hotel due to its commercial surroundings and quiet cul-de-sac location. He confirmed that the proposed Homes2 Suites by Hilton would feature concrete construction and high-quality design, consistent with brand standards and resilient enough to serve as an emergency shelter if needed.

Mr. Larson introduced Ms. Mel Miller, the project's architect, and Mr. Patrick Jehle of McKim & Creed, the civil engineer, who were also present to assist in addressing the variance criteria.

Ms. Miller provided a visual walkthrough of the project, including renderings of a typical Homes2 Suites property, elevations, and contextual overlays showing the hotel's relationship to nearby commercial and residential areas. She emphasized that the hotel would include large, multi-use meeting rooms to encourage community use for events such as baby showers, retirements, and weddings. Ms. Miller explained that the rooftop penthouse was strictly for elevator equipment and mechanical screening, and that the structure was set well back from residential areas. She also confirmed that the hotel's appearance was modern and sleek, and efforts were made to blend it with the surrounding landscape.

Mr. Larson clarified that the only structure approaching the property line was the pool deck and not the hotel itself. He also confirmed that the hotel had received required approvals from the Dutchman Village Homeowners Association (HOA) and the seller, as stipulated in the purchase contract. When Chair Haislip asked which HOA this was, Director Meehan clarified that it was the commercial HOA for Dutchman Village, not any residential association.

Mr. Robbins asked if the land sale was finalized. Mr. Larson explained that the purchase

remained contingent on receiving approvals for the hotel use.

Ms. Miller elaborated on the building elevations, noting that the main parapet wall would be at 41 feet and that all rooftop equipment, including the elevator penthouse, would be set back and screened to limit visual impact. She indicated the elevator bulkhead may come down once actual specifications are provided but had been illustrated at maximum height to account for worst-case conditions.

Mr. Jehle then led the discussion of how the variance request met the four required hardship criteria:

1. **Unnecessary Hardship from Strict Application of the Ordinance:** Mr. Jehle argued that without relief from frontage and access requirements, the applicant could not construct a hotel on the site despite it being a permitted use in the HC zoning district. The hardship, he stated, was regulatory rather than physical, as Eason Street—though functionally suitable for commercial use—was not designated a “major thoroughfare.” As a result, the ordinance imposed an undue restriction relative to similarly zoned parcels with direct Highway 211 frontage.
2. **Hardship Due to Conditions Peculiar to the Property:** The site is located within Dutchman Village, a commercial subdivision established prior to the current UDO. While surrounded by other HC-zoned parcels, the property lacks direct access to a designated major thoroughfare. Mr. Jehle emphasized this disconnect between zoning and thoroughfare classification, noting the hardship is not common to all HC parcels in the area.
3. **Hardship Not Self-Created:** Mr. Jehle and Ms. Miller clarified that the site’s configuration, road designations, and development conditions were all inherited and not created by the applicant. Mr. Larson is seeking to develop a use consistent with the existing zoning and is not requesting a rezoning or speculative relief.
4. **Consistency with Spirit, Purpose, and Intent of the Ordinance:** Mr. Jehle stated that the project aligns with the intent of the HC district, which is to serve transient users. The hotel would promote commercial activity, provide adequate buffering and access, and undergo a complete technical review to ensure compliance with safety, stormwater, and infrastructure standards.

Mr. Robbins raised concerns regarding traffic impacts, particularly since the hotel would share ingress and egress with Rivermist, a nearby subdivision. He emphasized that safety concerns relating to traffic should be addressed at the variance stage, as findings made here could not be revisited later. Mr. DiGuiseppe agreed, cautioning that deferring discussion of traffic impacts to later phases—such as Planning Board review—would create the same procedural conflict encountered in a prior case. He noted that, legally, the Board must base its quasi-judicial findings on evidence presented during the variance hearing.

Director Meehan informed the Board that staff had reached out to NCDOT, sending the site plan to Division Engineer Ben Hughes. He responded with no comments or objections regarding access or anticipated use.

Mr. Larson responded to traffic concerns, stating that hotel traffic would be light and mostly confined to afternoon and early evening check-ins and morning check-outs. He described the site as having good visibility and easy access via four-lane roads leading to Highway 211. Director Meehan further explained that if the project generates more than

500 daily trips, a formal Traffic Impact Analysis (TIA) will be required and reviewed by both the City and NCDOT prior to Planning Board consideration.

The Board then heard public comment from Shelle Facchina, a resident of RiverMist, who expressed concern over traffic and access limitations. She described J. Swain Boulevard as a dead-end street and emphasized that there is only one way in and out of her neighborhood. She raised safety concerns about increasing traffic in this area and expressed skepticism about whether adequate parking and access were feasible for a 103-room hotel. Chair Haislip reminded Ms. Facchina that comments should relate to facts pertinent to the case, but acknowledged her concerns as a resident.

Mr. DiGuiseppe advised that if the Board wished to approve the variance, it could include conditions to ensure that (1) the variances apply only to the hotel project as proposed, and (2) that the required TIA be completed and accepted before the project moves forward. This would make the Board's findings contingent upon subsequent demonstration of safety compliance.

Mr. Robbins suggested limiting the variance specifically to the proposed hotel project, expressing concern about issuing variances that would remain in effect regardless of changes to the development. Mr. DiGuiseppe agreed, recommending language that would tie the variance to the specific use and approved site plan, while still allowing the variance to remain valid if the property were sold to a different owner who pursued the same project.

Ms. Miller explained that although the total height was proposed at 50 feet, the elevator bulkhead and screening structures were exempt per Section 3.9(C) of the UDO, which allows for architectural features and mechanical screening to exceed height limits by five feet. Director Meehan confirmed that the policy disallows elevator cars from exceeding height limits, but mechanical rooms and screening structures are permissible.

As the meeting neared its conclusion, Mr. DiGuiseppe advised the Board that they could simplify the decision-making process by grouping the two road-related variances (major thoroughfare frontage and access) into one set of motions and treating the height variance separately. He reiterated that while the variances were interrelated, individual findings of fact and conditions should still be clearly articulated in the record.

Mr. Masker expressed comfort with the project's location and setbacks from the major thoroughfare. He noted that Fire and Police had reviewed the site and raised no objections. He was particularly reassured that Fire Department officials had no concerns about fire truck access via the cul-de-sac. Mr. Masker and Mr. Robbins emphasized that traffic concerns should be defined through Level of Service (LOS) analysis and addressed in the required TIA.

Chair Haislip confirmed that the public hearing was now closed.

Motion 1 – Unnecessary Hardship

Motion by: Mr. Robbins

Second by: Mr. Masker

Vote: Unanimous, all ayes. Motion Carried.

1. "I move unnecessary hardship **would** result from a strict application of the ordinance addressing the variance first variance request for UDO Section 3.8(R) Subsection (2) in regards to ingress and egress.
Finding of fact that the applicant has demonstrated that ingress and egress appear to be adequate subject further review by the Technical Review Committee and the Planning Board and satisfying their requirements."
2. "I move that unnecessary hardship **would** result from a strict application of the ordinance, specifically 3.8(R) Subsection (3), as regards to the component of the variance request regarding the 200 feet of frontage requirement.
Finding of fact that the applicant has demonstrated that ingress and egress appear to be adequate subject further review by the Technical Review Committee and the Planning Board and satisfying their requirements."
3. "I move that unnecessary hardship **would** result from a strict application of the ordinance, specifically UDO Section 3.8(R) Subsection (5), as regards the height proposed in the project, defining the fact that the applicant has articulated that the and staff is — city staff have concurred — that the excessive height above the UDO required limit is in line with the exceptions provided, typically. And the Fire Chief has concurred that the Southport Fire Chief can provide adequate fire protection.
Finding of fact that the applicant has demonstrated that ingress and egress appear to be adequate subject further review by the Technical Review Committee and the Planning Board and satisfying their requirements."

Motion 2 – Hardship Due to Peculiar Conditions

Motion by: Mr. Robbins

Second by: Mr. Allen

Vote: Unanimous, all ayes. Motion Carried.

1. "I move that the hardship results from conditions that are peculiar to the property, such as location, size or topography, and that we grant variance to set the UDO Section 3.8(R) Subsection (2), as regards to ingress and egress, with the finding of fact that this lot was is platted prior to the current version of the UDO and has always been designated Highway Commercial (HC), and that the use conforms with the spirit of that."
2. "I move that the hardship results from conditions that are peculiar to the property in regard to the 200 feet of frontage variance requested under UDO Section 3.8(R) Subsection (3), same finding of fact."
3. "I move that the hardship results from conditions that are peculiar to the property, and that we approve variances Section 3.8(R) Subsection (5) as addresses the height limitations, same finding of fact."

Motion 3 – Not Self-Created Hardship

Motion by: Mr. Robbins

Second by: Mr. Allen

Vote: Unanimous, all ayes. Motion Carried.

1. "I move that the hardship did not result from actions taken by the applicant or property owner, and that this is not a self-created hardship, and that we should grant variance to UDO Section 3.8(R) Subsection (2), that is, addresses the ingress/egress. This is an approved plat with commercial intent — would be the

finding of fact — and that in light of the unique circumstances and conditions of the lot this makes sense.”

2. “The hardship does not result from actions taken by the applicant or property owner and are not self-created — the hardship — as regards to the variance requested to UDO Section 3.8(R) Subsection (3), specifically, the 200 feet of frontage requirement on the main road, with finding of fact that the applicant, with factual reinforcement from the City’s presentation, demonstrated that the effective location satisfy the spirit of the requirement.”
3. “I move that the hardship did not result from actions taken by the applicant or property owner, and that it is not a self-created hardship to the — and the agreement — grant of the variance requested under 3.8(R) Subsection (5), specifically the height limitations. With the same finding of fact.”

Motion 4 – Consistency with Spirit, Purpose, and Intent of Ordinance

Motion by: Mr. Robbins

Second by: Mr. Ross

Vote: Unanimous, all ayes. Motion Carried.

“I move that the requested variance is consistent with the spirit, purpose and intent of the ordinance, such that public safety is secured and substantial justice achieved.

The finding of fact that the presentations and representations submitted to the board today do appear to meet that requirement. And note that with the Board noting that the further review will be occurring on many of those areas. And this would apply to the variances requested under UDO Section 3.8(R) Subsections (2), (3), and (5).”

When asked by Mr. DiGuiseppe whether the motion applied to all three variance requests, Mr. Robbins confirmed that it did. He specified that the motion applies collectively to the variances requested under **UDO Section 3.8(R), Subsections (2), (3), and (5)**, which address primary access, frontage, and height.

Motion 5 – Approval of the Variance Application with Conditions

Motion by: Mr. Robbins

Second by: Mr. Allen

Vote: Unanimous, all ayes. Motion Carried.

“I move that we approve the variance application with the following conditions:

1. That the variance be predicated on the satisfactory completion of the Technical Review Committee (TRC) review, particularly as concerns traffic and safety, but not limited to those issues.
2. The variance shall be expressly tied to the use as presented — as a major site plan specifically for the purpose of hotel/motel/inn and presented in the specifications and plans.”

G. Other Business

1. Adopting the Written Order for 406 Brunswick St - Floodplain Appeal

Mr. DiGuiseppe provided background regarding the preparation of the order related to the Board’s prior decision. He stated that he and Mr. Herman, the City’s attorney for the Board of Aldermen, had worked extensively with the applicant’s attorney, Mr. Coggins, and his

colleague, Jamie Fisher, to create an order that memorialized the Board's findings in a clear and legally sound manner. He noted that while the Board could have finalized the order during the meeting without a draft, a proposed version had been circulated in advance to streamline the process.

Mr. DiGuseppe clarified that the version of the order initially included in the public agenda packet was not the final version. Additional revisions, as suggested by Mr. Herman, were made and shared with all parties. These revisions primarily involved the addition of four introductory paragraphs that provided statutory context and background—specifically addressing the “Substantially Improved Rule” (S.I.R.) as the central issue adjudicated by the Board. The remainder of the document remained consistent with what had been previously circulated and discussed.

He emphasized that the revised order was not materially different in substance from what the Board had already decided. The added content simply offered legal background to better frame the Board’s prior findings. Mr. DiGuseppe explained that the Board could approve the version as presented, or suggest non-substantive changes, such as edits to terminology or preferred wording, which could be noted by interlineation and reflected in the final signed copy.

Mr. Robbins asked for clarification regarding the nature of the Board's action—whether it was simply to approve the order as written and authorize the Chair to sign it. Mr. DiGuseppe confirmed that was correct, and that the document served as a formal memorialization of what had already been decided.

Chair Haislip noted that, although he could have signed the order administratively, he preferred to bring it before the full Board for transparency and inclusivity. He expressed that the document accurately reflected the Board’s discussions and final decision from the previous meeting. He then opened the floor for questions or comments.

Mr. Masker asked for confirmation that cost details and supporting documentation from the record were still preserved and did not need to be included directly in the order. Mr. DiGuseppe confirmed that all such materials remained part of the record and were adequately referenced by the language in the order’s preamble.

Upon hearing no further questions or comments, Chair Haislip called for a motion. **A motion to approve the finalized order and authorize the Chair to sign was made by Mr. Eckert and seconded by Mr. Robbins. The motion passed unanimously.**

H. Adjourn

A motion to adjourn was made by Mr. Allen and seconded by Mr. Robbins.

The meeting adjourned at 6:50 p.m.

**STAFF REPORT FOR
SPECIAL USE APPLICATION – ACCESSORY DWELLING UNIT**

APPLICATION SUMMARY	
Hearing Date	April 22, 2025 Board of Adjustment
Applicant	Eric Gibbel
Property Owner	August Adams
Property Address	204 N. Rhett Street
Parcel ID:	238HG01101
Parcel Acreage	.27 acres approximately 11,700 SF
Zoning District	R-10

SPECIAL USE PROPOSAL

Eric Gibbel, applicant on behalf of the property owner, August Adams, is requesting a Special Use Permit to construct an Accessory Dwelling Unit (ADU).

PROPERTY LOCATION AND DESCRIPTION

The subject property is located at 204 N. Rhett Street and can be further identified by Brunswick County Parcel ID 238HG01101. This is a .27-acre site located within a residential, R-10, district in the City of Southport.



Aerial Image of Subject Property and Surrounding Community

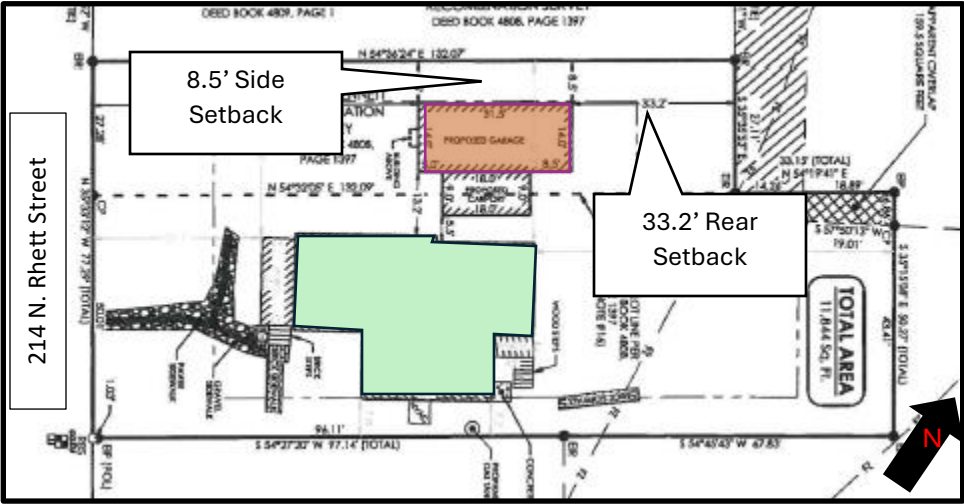


Zoning Image of Parcel and Adjacent Lots

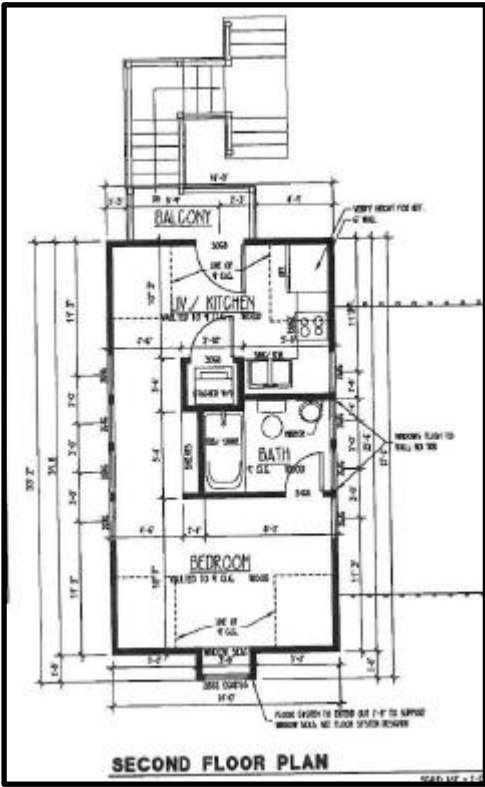
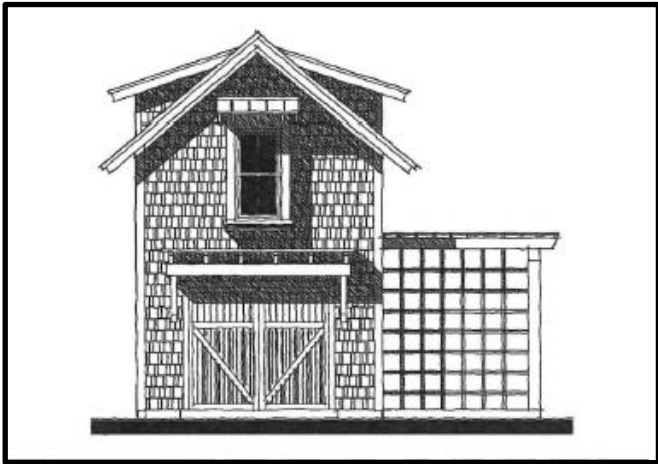


Google Street View of 204 N. Rhett Street

SPECIAL USE DESCRIPTION



Proposed ADU



Proposed ADU Site Plan

The proposed accessory dwelling unit (ADU) will be the upper level of a newly constructed detached garage. With an 8.5' side and a 33.2' rear setback, the ADU meets the accessory structure minimum setbacks established in UDO Section 3.6.A.C.8. The total square footage is 464 square feet. The unit, as designed, will include a living area, bedroom, kitchenette, private

sanitary facilities, and recreation room. Parking will be provided on the driveway. Below are the supplemental standards for accessory dwelling units found in Section 3.6.C of the UDO, with narrative showing how the proposal is compliant.

Where permitted, the following shall apply:

1. An accessory dwelling may be within, attached, or separate from the principal residential structure.

The proposed dwelling unit will be detached from the principal residential structure by way of the garage.

2. The principal use of the lot shall be a detached single-family dwelling built to the North Carolina State Building Code standards.

The principal use of the lot is for a single-family dwelling unit. The primary structure is an existing single-family residence on Rhett Street.

3. No more than one (1) accessory dwelling shall be permitted on a single deeded lot in conjunction with the principal residential structure.

There are no other accessory dwelling units on the property.

4. The accessory dwelling unit shall be owned by the same person as the principal residential structure.

The accessory dwelling will be owned by the same person as the primary structure.

5. The accessory dwelling shall not be served by a driveway separate from that serving the principal residential structure.

There is only one driveway on the property that will serve the residents of the primary structure and the accessory dwelling unit.

6. There shall be a separate parking space for the accessory dwelling unit subject to the off-street parking requirements of Section 3.14.

There is parking available on the driveway.

7. The accessory dwelling shall not exceed 800 SF.

The proposed accessory dwelling is 464 SF.

8. Detached garages with a second-floor accessory residential dwelling may not exceed a ground-level building footprint area of 530 square feet and shall be constructed behind the front building line, except as allowed for riverfront lots, provided they are located no closer than five (5) feet to any adjoining property line.

The detached garage first floor is 464 square feet (31'.5"x14').

The application, survey, and building drawings are attached to this report.

STAFF SUMMARY

The applicant requests a special use permit for a 464 SF accessory dwelling unit in a residential, R-10, zoning district.

Staff find that the application is complete, and the applicant meets all the residential accessory dwelling unit standards in the UDO.

SPECIAL USE PROCESS

The special use permit request you will be hearing is a quasi-judicial decision, so it must be conducted in a way that ensures procedural and substantive due process. Anyone wanting to provide testimony must be sworn in. As a quasi-judicial hearing, the decision makers must be fair and impartial, and you must base your decision only on the competent evidence you receive. If anyone has a direct or potential financial interest in this proposed project, they should recuse themselves. A majority vote is required for a special use permit. Conditions can be applied that will ensure that the use in its proposed location will be harmonious with the area in which it is proposed and with the spirit of the UDO. All specific conditions shall run with the land and shall be binding on the original applicant for the special use permit, the heirs, successors, and assigns. Each case is decided on a case-by-case basis. The decision must be based on the specific site and not the owner or other locations they may own. The Board of Adjustment is to look at the circumstances of the property, not the circumstances of the property owner.

BOARD OF ADJUSTMENT: FINDING OF FACTS

The Board of Adjustment shall approve, modify, or deny the application for a special use permit. In approving a special use permit, the Board of Adjustment, with due regard to the nature and state of all adjacent structures and uses in the district, shall make written findings that the following motions will be fulfilled.

The Chairman will now guide the Board through the following motions, which have been distributed in advance of the hearing:

Motion 1:

_____ The use **will** materially endanger the public health, safety, or general welfare if located where proposed and developed according to the plan as submitted and approved;

_____ The use **will not** materially endanger the public health, safety, or general welfare if located where proposed and developed according to the plan as submitted and approved;

[The Board should have some factual explanation for its decision on this motion.]

Finding of Fact: _____

Motion 2:

_____ The use **meets** all required conditions and specifications;

_____ The use **does not meet** all required conditions and specifications;

[Note: It must be denied if the application does not meet conditions and specifications.]

Finding of Fact: _____

Motion 3:

_____ The use **will** adversely affect the use or any physical attribute of adjoining or abutting property or that the use is a public necessity;

_____ The use **will not** adversely affect the use or any physical attribute of adjoining or abutting property or that the use is a public necessity;

[The Board should have some factual explanation for its decision on this motion.]

Finding of Fact: _____

Motion 4:

_____ The location and character of the use, if developed according to the plan as submitted and approved, **will** be in harmony with the area in which it is to be located and in general conformity with the City of Southport Comprehensive Plan;

_____ The location and character of the use, if developed according to the plan as submitted and approved **will not** be in harmony with the area in which it is to be located and in general conformity with the City of Southport Comprehensive Plan;

[The Board should have some factual explanation for its decision on this motion.]

Finding of Fact: _____

Motion 5: Based on the findings of fact and the evidence presented, the Board of Adjustment:

Recommends **denial** of the special use application based on the following:

Recommends **approval** of the special use application with conditions, including the following:

Recommends approval of the special use application with no conditions.

The final decision of the Board will be reduced to writing. A copy will be recorded with the Register of Deeds for Brunswick County.

Attachments:

Application

Survey

Building Drawings

**STAFF REPORT FOR
SPECIAL USE APPLICATION – ACCESSORY DWELLING UNIT**

APPLICATION SUMMARY	
Hearing Date	April 22, 2025 Board of Adjustment
Applicant	Stephen Carr
Property Owner	Julie Sylvestre
Property Address	217 Stuart Avenue
Parcel ID:	237DB020
Parcel Acreage	.39 acres approximately 17,000 SF
Zoning District	R-10

SPECIAL USE PROPOSAL

Stephen Carr, applicant on behalf of the property owner, Julie A Sylvestre, is requesting a Special Use Permit to construct an Accessory Dwelling Unit (ADU).

PROPERTY LOCATION AND DESCRIPTION

The subject property is located at 217 Stuart Avenue and can be further identified by Brunswick County Parcel ID 237DB020. This is a .39-acre site located within a residential, R-10, district in the City of Southport.



Aerial Image of Subject Property and Surrounding Community

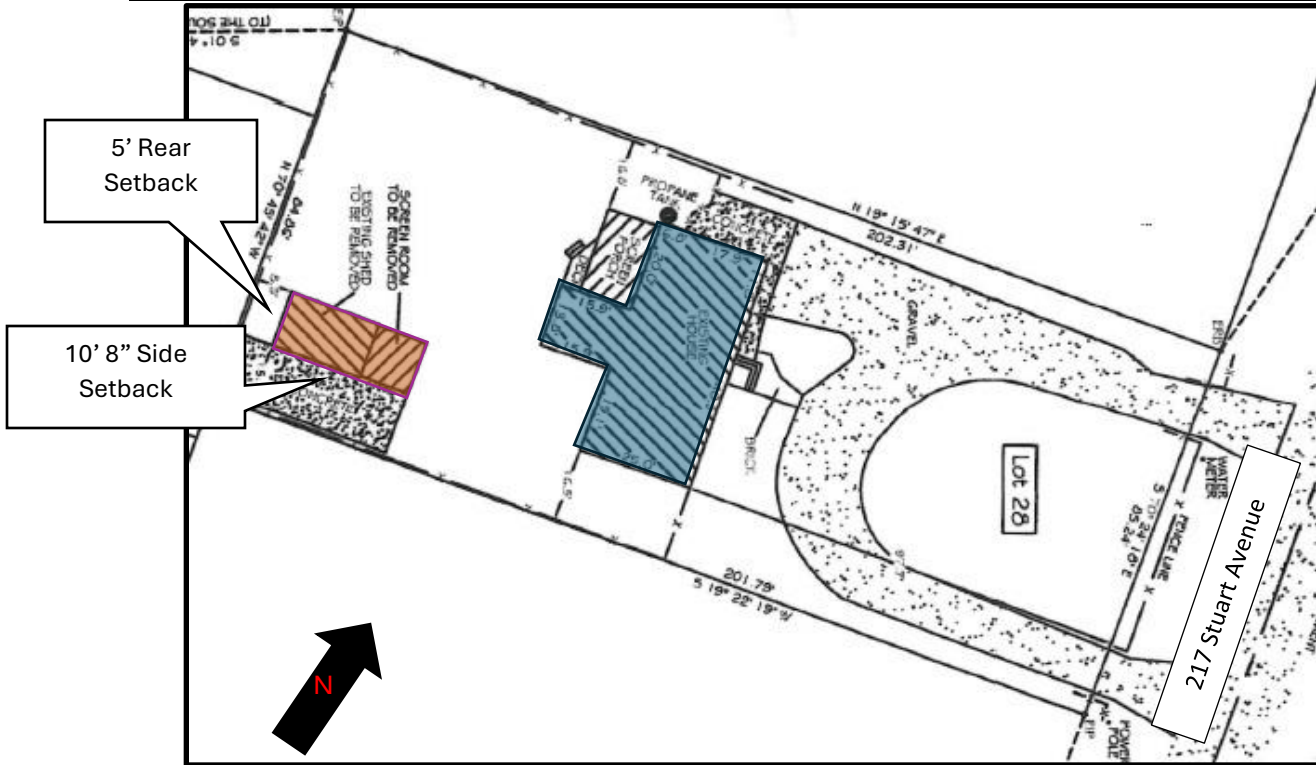


Zoning Image of Parcel and Adjacent Lots

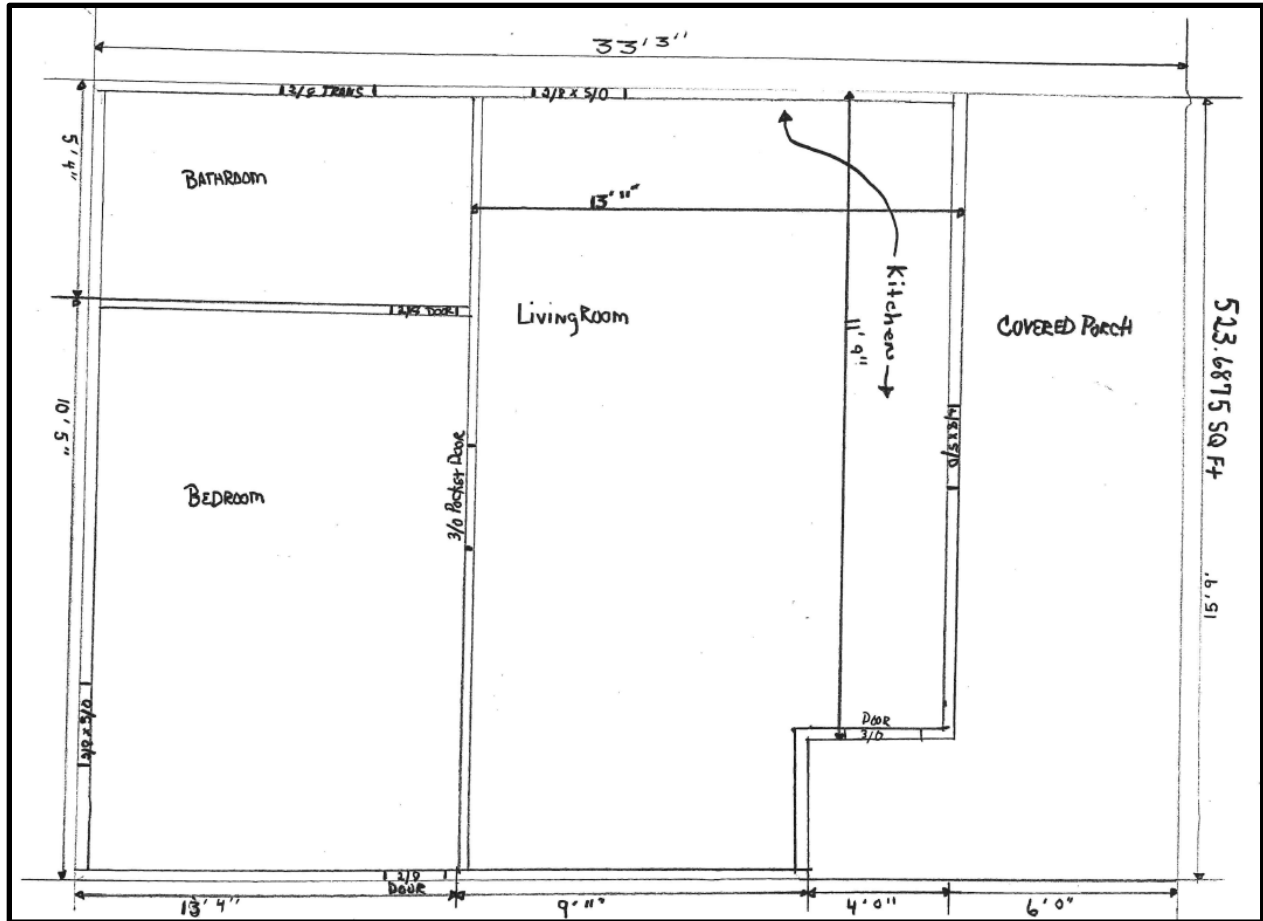


217 Stuart Avenue Google Street View

SPECIAL USE DESCRIPTION



Proposed ADU



Proposed ADU Site Plan

The proposed accessory dwelling unit (ADU) will be a detached 524 square foot structure (33'3"x15'9") with full living capabilities that include a bedroom, bathroom, kitchen, and living space. With a 10' side and a 5' foot rear setback, the ADU meets the accessory structure minimum setbacks established in UDO Section 3.6.C.8. Parking will be provided on the driveway. Below are the supplemental standards for accessory dwelling units found in Section 3.6.C of the UDO, with narrative showing how the proposal is compliant.

Where permitted, the following shall apply:

1. An accessory dwelling may be within, attached, or separate from the principal residential structure.

The proposed dwelling unit will be detached from the principal residential structure.

2. The principal use of the lot shall be a detached single-family dwelling built to the North Carolina State Building Code standards.

The principal use of the lot is for a single-family dwelling unit. The primary structure is an existing single-family residence on Stuart Avenue.

3. No more than one (1) accessory dwelling shall be permitted on a single deeded lot in conjunction with the principal residential structure.

There are no other accessory dwelling units on the property.

4. The accessory dwelling unit shall be owned by the same person as the principal residential structure.

The accessory dwelling will be owned by the same person as the primary structure.

5. The accessory dwelling shall not be served by a driveway separate from that serving the principal residential structure.

There is only one driveway on the property that will serve the residents of the primary structure and the accessory dwelling unit.

6. There shall be a separate parking space for the accessory dwelling unit subject to the off-street parking requirements of Section 3.14.

There is parking available on the driveway.

7. The accessory dwelling shall not exceed 800 SF.

The proposed accessory dwelling is 524 SF.

8. Detached garages with a second-floor accessory residential dwelling may not exceed a ground-level building footprint area of 530 square feet and shall be constructed behind the front building line, except as allowed for riverfront lots, provided they are located no closer than five (5) feet to any adjoining property line.

The accessory dwelling unit meets this standard.

The application, survey, and building drawings are attached to this report.

STAFF SUMMARY

The applicant requests a special use permit for a 524 SF accessory dwelling unit in a residential, R-10, zoning district.

Staff find that the application is complete, and the applicant meets all the residential accessory dwelling unit standards in the UDO.

SPECIAL USE PROCESS

The special use permit request you will be hearing is a quasi-judicial decision, so it must be conducted in a way that ensures procedural and substantive due process. Anyone wanting to provide testimony must be sworn in. As a quasi-judicial hearing, the decision makers must be fair and impartial, and you must base your decision only on the competent evidence you receive. If anyone has a direct or potential financial interest in this proposed project, they should recuse

themselves. A majority vote is required for a special use permit. Conditions can be applied that will ensure that the use in its proposed location will be harmonious with the area in which it is proposed and with the spirit of the UDO. All specific conditions shall run with the land and shall be binding on the original applicant for the special use permit, the heirs, successors, and assigns. Each case is decided on a case-by-case basis. The decision must be based on the specific site and not the owner or other locations they may own. The Board of Adjustment is to look at the circumstances of the property, not the circumstances of the property owner.

BOARD OF ADJUSTMENT: FINDING OF FACTS

The Board of Adjustment shall approve, modify, or deny the application for a special use permit. In approving a special use permit, the Board of Adjustment, with due regard to the nature and state of all adjacent structures and uses in the district, shall make written findings that the following motions will be fulfilled.

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[The Board should have some factual explanation for its decision on this motion.]

Finding of Fact: _____

Motion 2:

_____ The use ***meets*** all required conditions and specifications;

_____ The use ***does not meet*** all required conditions and specifications;

[Note: It must be denied if the application does not meet conditions and specifications.]

Finding of Fact: _____

Motion 3:

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_____ The use ***will not*** adversely affect the use or any physical attribute of adjoining or abutting property or that the use is a public necessity;

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Finding of Fact: _____

Motion 4:

_____ The location and character of the use, if developed according to the plan as submitted and approved, **will** be in harmony with the area in which it is to be located and in general conformity with the City of Southport Comprehensive Plan;

_____ The location and character of the use, if developed according to the plan as submitted and approved **will not** be in harmony with the area in which it is to be located and in general conformity with the City of Southport Comprehensive Plan;

[The Board should have some factual explanation for its decision on this motion.]

Finding of Fact: _____

Motion 5: Based on the findings of fact and the evidence presented, the Board of Adjustment:

Recommends **denial** of the special use application based on the following:

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Attachments:

Application

Survey

Building Drawings



Quasi-Judicial Procedure Training

April 22, 2025
Brady Herman, City Attorney





Types of Local Government Land Use Decisions

1. Legislative
2. Quasi-Judicial
3. Administrative
4. Advisory



Legislative Decisions

- This type of decision generally involves broad policy decisions.
- The BOC has broad discretion to approve or deny legislative requests.
- Includes zoning map amendments (i.e. general and conditional rezonings) and zoning ordinance text amendments.



Quasi-Judicial Decisions

- These decisions are made by applying the City's zoning ordinance standards to unique facts and involve some discretion by the decision maker.
- Includes variances, appeals of staff decisions, and special use permits.
- Subdivision plat approvals may be administrative decisions or quasi-judicial decisions.



Administrative

- These are sometimes called ministerial decisions.
- Local government staff or planning Board makes these decisions.
- There is little discretion to approve or deny.
- Includes zoning compliance permits, building permits, and others such as subdivision plats and major site plans.



Advisory Decisions and Nonbinding Resolutions

- These decisions are nonbinding.
- An advisory opinion is any recommendation given by a local government advisory board,
 - e.g., a zoning recommendation given by the Planning Board.
- The governing board can also adopt nonbinding resolutions.



Overview--Quasi-Judicial Decisions

- Types for Southport Board of Adjustment:
 - Variances
 - Appeals of staff decisions or interpretations
 - Special Use Permits
- Quasi- Judicial hearings are like miniature court hearings where the Board is the decision maker applying facts to a standard of law.



Who May Appear at the Hearing?

- Individual applicants, for themselves or through an attorney.
- Those opposed to an application, for themselves or through an attorney.
 - Must demonstrate they have standing to participate as a party.
- Other witnesses may present testimony or evidence that is not repetitive at the discretion of the Board.
 - This occurs in situations where an individual does not otherwise have standing to participate as a party.



Standing

- An individual must have standing to:
 - Act as a party appealing a staff decision,
 - Cross-examine adverse witnesses,
 - Make legal arguments, motions or objections to testimony or evidence,
 - Challenge the impartiality of a decision-maker, and
 - Appeal quasi-judicial decisions to superior court

The Board is not required to allow individuals who do not have standing to participate as a party but may allow them to provide evidence and testimony on the matter, so long as its not repetitive.



How Formal Does the Hearing have to be?

- Due process protections must be observed, including the right to present evidence and to test evidence through cross examination.
- The formal rules of evidence do not apply (although they are a good reference).
- Staff may transmit written documents and other exhibits to the BOA prior to the hearing (i.e. staff report) but must also distribute to the applicant as well.
- Typically, the majority of the evidence is submitted during the hearing.



Responsibilities of the Chair

- The Chair presides over the hearing and recognizes speakers and members of the Board before they may be heard.
- The Chair rules on objections or requests.
 - Timeliness of appeal or whether a party has standing.
- The Chair may also place reasonable limitations on the presentation of evidence and arguments. But the applicant must be given sufficient opportunity to present the evidence needed to support the application.



Responsibilities of the Board

- Board members carry the high burden being the decision-makers so they must conduct themselves fairly and with impartiality.
- Should not conduct independent factual research or investigate into the request under consideration.
- Must disclose relevant information including,
 - *Ex parte* communications;
 - Site visits;
 - Personal knowledge or professional expertise relative to the case
 - Possible conflicts of interest
- Any disclosures or potential COI should be done at the start of the public hearing on the record before evidence is presented.

When should a Board Member be conflicted out of the hearing and Recuse themselves?

- Bias--having a fixed opinion prior to the hearing that is not susceptible to change.
- Conflict of Interest:
 - A close familial, business, or other associational relationship with an affected person, or
 - A financial interest in the outcome of the matter.
- The Issue of whether a Board member is impartial can be raised during the hearing by a party or other Board members.
- If an objection is raised and that Board member does not recuse themselves, Board shall rule on the objection by majority vote



The Hearing



General Standard and Burden of Proof

The **applicant** has the burden of proving compliance with the UDO or that the standards for approval will be met.

- Variance– burden present sufficient evidence to establish practical difficulties or undue hardships.
- Appeals of Staff Decisions– burden producing evidence to show an error was made.
- Special Use Permit– burden that the application meets the four standards for approval in the UDO.



Evidence and Testimony

- All witnesses and presenting staff must be sworn in.
- Decisions must be based on substantial, competent and material evidence in the record.
- The parties can direct examine and cross-examine witnesses.
- After the public hearing has been closed, no new evidence may be introduced, but Board members may ask clarifying questions.



Competent, Material, and Substantial Evidence

- **Competent Evidence:** Evidence given by someone qualified to provide. Especially important for expert testimony.
 - *See*, N.C. Gen. Stat. § 160D-1402(j)(3).
- **Material Evidence:** Evidence that is relevant to question before the Board.
- **Substantial Evidence:** “That which a reasonable mind would regard as sufficiently supporting a specific result.”




Rebuttal Evidence

- If the applicant meets their burden of production, the **burden shifts** to opponents to present substantial, competent and material evidence to the contrary.
- The opponents can direct examine and cross-examine witnesses (so long as they have standing).
- The rights of cross-examination and presentation of rebuttal evidence are deemed waived if not raised at the hearing.



Building the Record

- NC law requires every quasi-judicial decision to be based on evidence in the record.
- Documents and physical evidence such as maps, drawings, reports, models, charts, or photographs should be retained and made part of the record.
- While not as strict as the formal rules of evidence, BOA needs assurance the evidence is reliable.



You don't have to be a Lawyer to Cross-Examine Someone....

- The Board can only base its decision on what is in the record.
- Board cannot consider any evidence or information that is not properly included in the hearing record or presented after the hearing is closed
- If you, as a Board member, think evidence is missing on a key point, you should ask as many questions as necessary to get evidence in the record on that issue.

Variance UDO § 2.7(D) and GS 160D-705(d)

Burden is on the Applicant to produce substantial, competent and material evidence to show that:

- 1. Unnecessary hardship would result from the strict application of the UDO.
- 2. The hardship results from conditions that are peculiar to the property, such as location, size, or topography.
- 3. The hardship did not result from actions taken by the applicant or the property owner.
- 4. The requested variance is consistent with the spirit, purpose, and intent of UDO, such that public safety is secured, and substantial justice is achieved.
- The board may impose reasonable conditions to a variance approval so long as reasonably related to the variance
 - Variance can be issued for an indefinite period or for a specified duration.



Things to keep in mind with Variances

- Unnecessary Hardship---Must show more than an inconvenience to property owner but doesn't have to prove no reasonable use of the property w/out variance.
- Peculiar to Property---Cannot be a hardship shared by the neighborhood or community.
- Hardship not self created
 - The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.
- Public Safety and “Substantial Justice Achieved”– Board may consider impacts variance will have on the community and the potential harms it may create.
- Variances that change the use of property that is otherwise not permitted by ordinance are illegal in N.C.

Appeals of Staff Decisions-- UDO § 2.7(E)

Appealable

- Any zoning staff decisions that are administrative may be appealed.
 - G.S. 160D-405
 - Only have 30 days to appeal from written notice of decision
- Examples
 - notice of violation,
 - formal interpretation of the UDO,
 - denial or revocation of zoning permit,

Not Appealable

- Letter stating basic zoning requirements of a property
- Verbal opinion about how an ordinance might be interpreted
- Inaction by a staff
 - But party may seek a court order to require staff action that is not discretionary.



Appeals of Staff Decisions- Cont'd

- Staff person who made the decision is required to compile the record and send to the BOA and appealing party in advance of hearing.
- Staff person who made the decision must appear as a witness at the hearing.
- Board should not consider any constitutional arguments by the applicant as to the validity of the zoning ordinance.
- The BOA may reverse or affirm (wholly or partly) or may modify the decision appealed from.
- The BOA shall have all the powers that the official who made the decision.

Special Use Permits- UDO § 2.7(C) and 160D-705(c)

- BOA must make written findings on the four standards below, burden on the Applicant that the project:
 1. Will not materially endanger the public health or safety, and
 2. The use meets all required conditions and specifications in the UDO, and
 3. Will not adversely affect the use or any physical attribute of adjoining property (or is a public necessity), and
 4. Will be in harmony with the area in which it is to be located, and general conformity with the City Land Use Plan
- Can impose conditions for approval but must be consented to in writing by applicant.



Lay Versus Expert Testimony

- General Rule: Anyone with material knowledge can provide factual information, but only experts can provide opinion testimony.
- Lay witnesses can provide opinion testimony, but this testimony is generally incompetent unless it is corroborated by competent evidence.



Lay Versus Expert Testimony, Continued

Per G.S. § 160D-1402(j)(3) expert testimony is required for the following subjects:

- Testimony regarding how the use of property in a particular way would affect the value of other property;
- Testimony regarding how the increase in vehicular traffic resulting from a proposed development would affect public safety; and
- Other matters about which only expert testimony would generally be admissible under the rules of evidence.



Deliberation and Motions



Deliberation

- Once all evidence is presented the Board Chair must close the public hearing for deliberation amongst the Board members to render a decision.
 - Once closed no new evidence may be presented by the Board can still ask clarifying questions.
 - If more evidence is needed, the Board must re-open the public hearing
- ** Important- the Board's decision cannot be based on personal preference or based on facts or evidence outside of the record from the hearing.
- Board members should reference the applicable standards and evidence from the hearing in their deliberation.



Motions

- After deliberation, a motion needs to be made that reflects the following:
 - 1. Outcome---to approve (approve with conditions) or deny the application; AND
 - 2. must clearly indicate why it concluded that the UDO standards were or were not met.
- This is important b/c if the decision is ever appealed, the reviewing court needs to understand why the board decided as it did.
- If a motion is made at the beginning of the deliberation before discussion, that is okay and the Board can proceed to deliberate on that motion.
- However common practice is to deliberate and discuss before a member makes a motion on how to decide the case.



Motions for Variances

- For variances, the law requires a supermajority of 4/5 of the Board for approval.
- Thus, it is not necessary to make an additional motion to deny a variance if the motion to approve fails to get the required 4/5 majority.
- Alternatively, a motion to deny a variance only needs a simple majority.




Voting

- All members are entitled to vote, unless disqualified or recused.
 - i.e. conflict of interest
- All decisions require a majority vote, except for variance
- For variances, members who are absent count towards the total members of the Board, however recused/disqualified members or vacant positions do not count.
 - If one member absent and no alternate, would need all 4 members to vote in favor of variance (instead of 4 out of the 5).



Rendering a Decision

- Must make **findings of fact and conclusions of law as to each standard** for approvals. The better practice is to do the same for denials.
- Key factual findings cannot be based solely on nonexpert opinion evidence and/or unsupported allegations.
- Final decisions must be made in writing, be signed by the Chair or other duly authorized Board member and delivered to all relevant parties.
- Decisions become final when filed with the Clerk to the Board.
- *Res Judicata* applies. In other words, a denial may be reconsidered only if there is a material change in the applicable standards or conditions



Need More Information? Have Questions?

- Contact the City Attorney and/or your Planning Department staff.
- An excellent resource is *The Quasi-Judicial Handbook* (2024) by David Owens and Adam Lovelady and available from the UNC-School of Government.
- Other resources by UNC SOG- Coates Cannons Blog Posts