



## **Town of Beaufort, NC**

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### **Town of Beaufort Historic Preservation Regular Meeting 6:00 PM Tuesday, June 6, 2023 - Train Depot, 614 Broad Street, Beaufort, NC 28516 Minutes**

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#### **Call to Order**

Chair McCune called the June 6, 2023 Beaufort Historic Preservation Commission regular meeting to order at 6:00 pm.

#### **Roll Call**

Members Present: Chair McCune, Vice-Chair John Flowers, Bradley Cummins, Bradley Hedrick, and Ian Huckabee. Tammy Hunsucker arrived after the Items of Consent were approved.

A quorum was declared with five members present.

Staff Present: Kyle Garner, Town Attorney Jill Quattlebaum, and Laurel Anderson.

#### **Agenda Approval**

*Vice-Chair Flowers made the motion to approve the Agenda and Member Hedrick made the second. Chair McCune took a vote that was unanimously approved.*

*Voting yea: Chair McCune, Vice-Chair John Flowers, Bradley Cummins, Bradley Hedrick, and Ian Huckabee*

#### **Minutes Approval**

*Member Huckabee made the motion to approve the April 4, 2023 Minutes and Vice-Chair Flowers made the second. Chair McCune took a vote that was unanimously approved.*

*Voting yea: Chair McCune, Vice-Chair John Flowers, Bradley Cummins, Bradley Hedrick, and Ian Huckabee*

*Member Hedrick made the motion to approve the May 5, 2023 Minutes and Member Cummins made the second. Chair McCune took a vote that was unanimously approved.*

*Voting yea: Chair McCune, Vice-Chair John Flowers, Bradley Cummins, Bradley Hedrick, and Ian Huckabee*

#### **Administration of Oaths**

Chair McCune gave the Quasi-Judicial Statement and Secretary Anderson administered the Oath to Kyle Garner.

#### **Items of Consent**

*Vice-Chair Flowers made the motion to approve the Orders for Case # 23-13 201 Front Street, Case #23-14 229 Front Street, Case #23-15 406 Ann Street and Member Hedrick made the second. Chair McCune took a vote that was unanimously approved.*

*Voting yea: Chair McCune, Vice-Chair John Flowers, Bradley Cummins, Bradley Hedrick, and Ian Huckabee*

## **Old Business**

### 1. Case #23-05; 131 Craven Street – Remove Front Chimney

Chair McCune introduced Case #23-05 and asked if any members needed to recuse and hearing none, she asked Mr. Garner for the Staff Report. Mr. Garner explained that the applicant wishes to remove the front chimney above the roof and install an identical “faux” chimney. He had originally requested totally removing the exterior chimney which had been denied. Secretary Anderson administered the Oath to the applicant, Steve Bishop.

Mr. Bishop explained that the interior chimney was structurally unsound and would be removed. He proposed removing the exterior chimney and adding a faux chimney to be made of Durock cement board and he brought a sample of the material to be used.

Member Cummins asked if a simulated stucco finish would be added to the faux chimney and Mr. Bishop stated that it would. Member Cummins asked if faux chimneys were a common practice in Beaufort and two members stated that they had faux chimneys on their houses.

Member Hedrick pointed out the chimney could not be seen from the street and had no special design elements and expressed concern that requiring a faux chimney could result in water leak damage to a historic structure.

*Hearing no further questions Chair McCune asked for a motion for a Finding of Fact for Case #23-05 and Member Hedrick made the following motion: Having reviewed the record and having considered all evidence submitted and oral testimony for case #23-05, move that the Commission conclude that the pending application meets the following design standards under the Design Guidelines for the Beaufort Historic District and Landmarks: 6.3.1, 6.3.2, and 6.3.8.*

*Vice-Chair Flowers made the second. Chair McCune took a vote that was unanimously approved.*

*Voting yea: Chair McCune, Vice-Chair John Flowers, Bradley Cummins, Bradley Hedrick, Ian Huckabee, and Tammy Hunsucker*

Chair McCune then asked for a motion for a Certificate of Appropriateness for Case #23-05.

*Vice-Chair Flowers made a motion to approve the Certificate of Appropriateness based on the following: Based upon the foregoing Findings of Fact, I move that the proposed project is not incongruous with the special character of the historic district as a whole and that a Certificate of Appropriateness for Case #23-05 be issued for the proposed work.*

*Member Hedrick made the second. Chair McCune took a vote that was unanimously approved.*

*Voting yea: Chair McCune, Vice-Chair John Flowers, Bradley Cummins, Bradley Hedrick, Ian Huckabee, and Tammy Hunsucker*

Chair McCune then declared Case #23-05 closed, noting that the official Orders would be signed at the next meeting.

### 2. Case #23-09; 330 Front Street – Signage

Chair McCune introduced Case #23-09 and asked if any members needed to recuse and hearing none, she asked Mr. Garner for the Staff Report. Mr. Garner gave an overview of the application to change the exterior color of existing attached signage to black & gray and stated that there was no change to the size, shape, or location of

the sign. In April the Commission informed the owner that they would need to submit a request for a change in color for the existing signage.

Secretary Anderson administered the Oath to the applicant, Webb Geer, who stated that the sign had been painted with previously approved colors.

*Hearing no further questions Chair McCune asked for a motion for a Finding of Fact for Case #23-09 and Vice-Chair Flowers made the following motion: Having reviewed the record and having considered all evidence submitted and oral testimony for Case #23-09, move that the Commission conclude that the pending application meets the following design standards under the Design Guidelines for the Beaufort Historic District and Landmarks: Signs Guidelines 8.6.5*

*Member Huckabee made the second. Chair McCune took a vote that was unanimously approved.*

*Voting yea: Chair McCune, Vice-Chair John Flowers, Bradley Cummins, Bradley Hedrick, Ian Huckabee, and Tammy Hunsucker*

Chair McCune then asked for a motion for a Certificate of Appropriateness for Case #23-09.

*Member Cummins made a motion to approve the Certificate of Appropriateness based on the following: Based upon the foregoing Findings of Fact, I move that the proposed project is not incongruous with the special character of the historic district as a whole and that a Certificate of Appropriateness for Case #23-09 be issued for the proposed work.*

*Member Hedrick made the second. Chair McCune took a vote that was unanimously approved.*

*Voting yea: Chair McCune, Vice-Chair John Flowers, Bradley Cummins, Bradley Hedrick, Ian Huckabee, and Tammy Hunsucker*

Chair McCune then declared Case #23-09 closed and informed Mr. Geer that the official Orders would be signed at the next meeting.

### 3. Case #23-16; 101 Ann Street – Demolition

Chair McCune introduced Case #23-16 and asked if any members needed to be recused and hearing none, she asked Mr. Garner for the Staff Report. Mr. Garner stated that the owners of 101 Ann Street are proposing the demolition of the structure better known as the “Beaufort Inn”. Built in the 1980’s, the structure may not be considered as a contributing structure since it is only around 30 years old. At the time of agenda preparation staff were awaiting an email from John Wood of SHPO supporting the thought as a noncontributing structure however, one was not submitted prior to the packet going out to the public but the State’s position is that the structure is non-contributing. Mr. Garner stated that no plans had been submitted for any project after the structure is demolished and by law the applicant was not required to do so. He noted that the property owners had applied to the Town for a portion of Ann Street to be abandoned but it had not been approved by the Board of Commissioners, explaining that the Beaufort Inn had leased that portion for a parking lot. Mr. Garner submitted photos, drawings, and a report regarding the existing structure into evidence and noted that the owners had tried to renovate the structure. He reiterated that the owners had requested the State Historic Preservation office’s opinion on whether the structure was contributing or non-contributing.

Secretary Anderson administered the Oath to the applicant, Jay Horton of Filter Design. Mr. Horton stated that the renovation cost would have been more than 50% of the structure value and as the structure is in an AE6 flood zone it would also have to be elevated.

Member Huckabee asked if the mature trees on the south side would be preserved and Mr. Horton stated that they would. He also asked about the parking lots and Mr. Horton said that they would be used for staging areas for the demolition.

Vice-Chair Flowers asked if any architectural features had been found which were worth preserving and Mr. Horton stated that nothing had been found. Chair McCune asked if the adjoining property owners would have access to their property and Mr. Horton stated that their property would not be affected. Mr. Garner further asked if adjoining docks could be accessed and Mr. Horton stated that they could be accessed.

Secretary Anderson administered the Oath to Gene Ostrow, 106 Ann St, who stated he had a deeded slip accessed by a sidewalk adjoining the Beaufort Inn property and requested that the access be left open during demolition. Mr. Horton explained that a safety fence could be installed to ensure accessibility and the demolition should not obstruct public access.

*Hearing no further questions Chair McCune asked for a motion for a Finding of Fact for Case #23-16 and Vice-Chair Flowers made the following motion: Having reviewed the record and having considered all evidence submitted and oral testimony for case #23-16, move that the Commission conclude that the pending application meets the following design standards under the Design Guidelines for the Beaufort Historic District and Landmarks: Demolition of Buildings Guidelines 10.1.2, 10.1.3, 10.1.4, 10.1.5, 10.1.6 and further move that the Commission find that the property is not a contributing structure and the Planning and Inspections Director is excused from filing with the State Historic Preservation Office and Design Standard 10.1.1 is not applicable to this property.*

*Member Huckabee made the second. Chair McCune took a vote that was unanimously approved.*

*Voting yea: Chair McCune, Vice-Chair John Flowers, Bradley Cummins, Bradley Hedrick, Ian Huckabee, and Tammy Hunsucker*

Chair McCune then asked for a motion for a Certificate of Appropriateness for Case #23-16.

*Member Huckabee made a motion to approve the Certificate of Appropriateness based on the following: Based upon the foregoing Findings of Fact, I move that the proposed project is not incongruous with the special character of the historic district as a whole and that a Certificate of Appropriateness for Case #23-16 be issued for the proposed work.*

*Member Cummins made the second. Chair McCune took a vote that was unanimously approved.*

*Voting yea: Chair McCune, Vice-Chair John Flowers, Bradley Cummins, Bradley Hedrick, Ian Huckabee, and Tammy Hunsucker*

Chair McCune then declared Case #23-16 closed and notified Mr. Horton that the Minutes and Findings of Fact would be adopted at the next meeting and the COA would then be issued.

#### 4. Case #23-17; 115 Front Street – Fencing

Chair McCune introduced Case #23-17 and asked if any members needed to be rescued and hearing none, she asked Mr. Garner for the Staff Report. Mr. Garner explained that the applicant wishes to install a 40” Beaufort style fence along the riparian property of 115 Front Street per the application, which included samples of the proposed fence and white paint color samples.

Secretary Anderson administered the Oath to the applicant, Dillon Rose, who explained the location of the fence and added that the proposed fence would be a continuation of and match the existing fence. Member Huckabee clarified that the fence would be 2” x 2” spaced picket fence and Mr. Rose agreed and also stated that an existing tree would not be disturbed.

*Hearing no further questions Chair McCune asked for a motion for a Finding of Fact for Case #23-7 and Vice-Chair Flowers made the following motion: Having reviewed the record and having considered all evidence submitted and oral testimony for case #23-7, move that the Commission conclude that the pending application meets the following design standards under the Design Guidelines for the Beaufort Historic District and*

*Landmarks: Fences and Walls Guidelines 8.2.2, 8.2.3*

*Member Hedrick made the second. Chair McCune took a vote that was unanimously approved.*

*Voting yea: Chair McCune, Vice-Chair John Flowers, Bradley Cummins, Bradley Hedrick, Ian Huckabee, and Tammy Hunsucker*

*Member Hedrick made a motion to approve the Certificate of Appropriateness based on the following: Based upon the foregoing Findings of Fact, I move that the proposed project is not incongruous with the special character of the historic district as a whole and that a Certificate of Appropriateness for Case #23-17 be issued for the proposed work.*

*Member Hedrick made the second. Chair McCune took a vote that was unanimously approved.*

*Voting yea: Chair McCune, Vice-Chair John Flowers, Bradley Cummins, Bradley Hedrick, Ian Huckabee, and Tammy Hunsucker*

Chair McCune then declared Case #23-17 closed, noting that the official Orders would be signed at the next meeting.

#### 5. Case #23-18; 201 Front Street – Dock Railings

Chair McCune introduced Case #23-18 and asked if any members needed to be rescued and hearing none, she asked Mr. Garner for the Staff Report. Mr. Garner noted the recusal statement and asked the board members if they had been contacted by town staff regarding the application, also noting for the record that there had been no communication about that item. He explained that the current request was to add railings to the dock at 201 Front Street and stated that at the May 2023 HPC meeting the commission had approved a covered area over a dock and requested the applicant to submit information regarding their proposed railing. The applicant's contractor had supplied materials including a section of piling with the proposed railing which had been available at Town Hall for board members to look at.

Member Cummins asked if the railings were required as a safety requirement and Mr. Garner answered that Town building inspector Jeremy Ganey had stated that they were, and Member Hedrick asked if the proposed railings fit that requirement. Mr. Garner explained that he could not answer that question but building permit approval would be required which would ensure compliance.

Secretary Anderson administered the Oath to the applicant's contractor, Kim O'Hara of Bogue Banks Marine Construction, who then testified that residential docks were not required to have a railing at all, therefore they did not submit that information on building permits. She further stated that the walkway and the waterside entrance would not have railings.

*Hearing no further questions Chair McCune asked for a motion for a Finding of Fact for Case #23-18 and Vice-Chair Flowers made the following motion: Having reviewed the record and having considered all evidence submitted and oral testimony for case #23-18, move that the Commission conclude that the pending application meets the following design standards under the Design Guidelines for the Beaufort Historic District and Landmarks: Docks, Piers, and Boardwalks Guidelines 8.7.1, amended to include railings are a matter of safety issues as per the building code.*

*Member Huckabee made the second. Chair McCune took a vote that was unanimously approved.*

*Voting yea: Chair McCune, Vice-Chair John Flowers, Bradley Cummins, Bradley Hedrick, Ian Huckabee, and Tammy Hunsucker*

*Member Hedrick made a motion to approve the Certificate of Appropriateness based on the following: Based*

*upon the foregoing Findings of Fact, I move that the proposed project is not incongruous with the special character of the historic district as a whole and that a Certificate of Appropriateness for Case #23-18 be issued for the proposed work.*

*Member Cummins made the second. Chair McCune took a vote that was unanimously approved.*

*Voting yea: Chair McCune, Vice-Chair John Flowers, Bradley Cummins, Bradley Hedrick, Ian Huckabee, and Tammy Hunsucker*

Chair McCune then declared Case #23-18 closed, noting that the official Orders would be signed at the next meeting. Mr. Garner requested that Ms. O'Hara notify Town building inspector Jeremy Ganey before installing the approved railing.

#### 6. Case #23-19; 215 Turner Street – New Dwelling

Chair McCune introduced Case #23-19 and asked if any members needed to be rescued and hearing none, she asked Mr. Garner for the Staff Report. He stated that the applicant wishes to construct a dwelling on a vacant parcel at 215 Turner Street. In January of 2019, the Historic Commission approved a COA for the demolition of the structure at 215 Turner Street. The property has remained vacant/undeveloped. This property is also not in a Special Flood Hazard Area, so it does not have a freeboard requirement for the foundation. Mr. Garner noted that per the request of an HPC member, a set of full-size plans for the proposed house be available and the applicant had FedExed them and provided a tracking number, but as of the meeting the plans had not arrived. He also submitted for the record there were two PDF's and recommended the second PDF be referred to as the dimensions were more clear, and the application had provided complete information including pitches, paint samples, date brick location, windows, doors, lighting fixtures, and landscaping plans.

Secretary Anderson administered the Oath to the applicant, John Griffin. Member Huckabee stated that the application was very complete and asked about the two paint color sets for window trim that had been submitted. Mr. Griffin said that they had submitted two sets in case one was not approved, and his preference was Sandstone with darker gutters in the Terra Bronze color. Member Huckabee then asked about the guest house elevation and where the garage door would be located, and Mr. Griffin explained the garage was side loading and the windows would be located at the front.

Vice-Chair Flowers stated that he could not read the plans on the computer and asked about the height of the garage and Mr. Griffin stated that the height was less than 16 feet. Vice-Chair Flowers then asked about the two sets of paint colors submitted, and Mr. Garner explained that two color palettes had been submitted to be approved as sets and noted that a North Carolina Supreme Court case had found that multiple options could be submitted and the HPC could choose one option. He clarified that the Board needed to choose one option.

Chair McCune then asked if any parties would like to comment and Secretary Anderson administered the Oath to Isaac Adams, 211 Turner St, who stated that there was a concern with the scale and impermeable surface. He stated that the neighbors have stormwater runoff issues and requested that Mr. Griffin direct stormwater runoff to Turner Street. Chair McCune asked if that issue could be included as part of the conditions and Mr. Garner replied that he thought it could be. Mr. Griffin said he would consider it and Mr. Garner stated that the R-8 zoning district did not require pervious surface restrictions. Chair McCune then asked if the driveway would be concrete strips with green grass in between and Mr. Griffin agreed.

Secretary Anderson then administered the Oath to Charles Kralik, 312 Broad St, who stated that driveways in that area are made of other materials rather than concrete and suggested a more permeable surface especially on the parking pad at the back.

Chair McCune stated that she had observed a majority of white window trim in Beaufort and she would be more comfortable approving the white paint palette. There was Board discussion regarding the stormwater runoff and Member Cummins stated that the Board was charged with aesthetics and not stormwater management. Mr. Garner

explained that after HPC approval, a building permit was applied for and after approval and building starts, fill is brought in to the site and good development practices require keeping it at a level so as not to create runoff issues. He further stated that stormwater runoff could be a legitimate COA requirement but stated that more fill at the rear of the property may be required to engineer runoff toward Turner Street, which could potentially create runoff onto other properties.

Member Cummins noted the proposed impervious surface on the parking pad and asked if pervious materials had been considered, and Mr. Griffin stated that he was mindful of the drainage issues and wanted to be a good neighbor and would give every consideration to drainage.

*Vice-Chair Flowers made a motion to table Case #23-19 until a full set of drawings and details regarding pervious surfaces in the driveway were submitted and Member Hunsucker made the second. Member Cummins noted that the applicant had made every effort to provide the physical plans and that the Board was becoming involved with items outside the Guidelines. Member Huckabee agreed and said that stormwater was not an HPC responsibility and the pertinent items had been submitted and discussed.*

*Chair McCune took a vote that was not approved.*

*Voting yea: Vice-Chair John Flowers, Tammy Hunsucker*

*Voting nay: Chair McCune, Bradley Cummins, Bradley Hedrick, Ian Huckabee*

*Member Huckabee made a motion for a Finding of Fact for Case #23-19: Having reviewed the record and having considered all evidence submitted and oral testimony for case #23-19, move that the Commission conclude that the pending application meets the following design standards under the Design Guidelines for the Beaufort Historic District and Landmarks: Building Placement 7.1.1, 7.1.2, 7.1.3, 7.1.4; Building Height/Scale 7.2.1, 7.2.2, 7.2.3, 7.2.4, 7.2.5; Materials 7.3.1, 7.3.2, 7.3.3; Details 7.4.1, 7.4.2; Texture and Color 7.5.1; Form and Rhythm 7.6.1, 7.6.2, 7.6.3; Landscaping 7.7.1; Outside Utilities Guidelines 8.3.1, 8.3.6; Exterior Lighting Guidelines 8.4.1, 8.4.2, 8.4.3; Landscaping Guidelines 8.1.2, 8.1.5, 8.1.7, 8.1.8, 8.1.12, 8.1.13; with Off-Street Parking Guidelines 8.5.1, 8.5.2, 8.5.3, 8.5.4, 8.5.6, 8.5.7 tabled and the condition that the Board has approved the lighter color palette to include white for windows and white for gutters, and a further condition that the applicant submit a pervious driveway solution.*

*Member Cummins made the second. Chair McCune took a vote that was approved.*

*Voting yea: Chair McCune, Bradley Cummins, Bradley Hedrick, Ian Huckabee*

*Voting nay: Vice-Chair John Flowers, Tammy Hunsucker*

*Member Cummins made a motion to approve the Certificate of Appropriateness based on the following: Based upon the foregoing Findings of Fact, I move that the proposed project is not incongruous with the special character of the historic district as a whole and that a Certificate of Appropriateness for Case #23-19 be issued for the proposed work to include with Off-Street Parking Guidelines 8.5.1, 8.5.2, 8.5.3, 8.5.4, 8.5.6, 8.5.7 tabled and the condition that the Board has approved the lighter color palette to include white for windows and white for gutters, and a further condition that the applicant submit a pervious driveway solution.*

*Member Huckabee made the second. Chair McCune took a vote that was approved.*

*Voting yea: Chair McCune, Bradley Cummins, Bradley Hedrick, Ian Huckabee*

*Voting nay: Vice-Chair John Flowers, Tammy Hunsucker*

Chair McCune then declared Case #23-19 closed, noting that the official Orders would be signed at the next meeting and that the driveway portion of the COA had been tabled until more information was received.

## Commission / Board Comments

- a. Member Huckabee expressed concern regarding the Board discussing stormwater issues.
- b. Member Hunsucker noted her concerns with the new text amendment allowing dock gazebos and going against the HPC guidelines.
- c. Chair McCune notified the board of an email from Becky Oxholm of 615 Ann Street, who needed to install a gutter over the low border wall which had been approved in January 2023, and was requesting a waiver of the \$250.00 application fee. After discussion the board agreed that the application would be new and would require the \$250.00 fee.

## Staff Comments

- a. Mr. Garner reiterated that the text amendment had not been staff-initiated and he had shown the Board of Commissioners a map clearly showing the historic district as part of the text amendment.
- b. Mr. Garner said that he and Secretary Anderson would be working on planning a series of workshops, including metal roofs, windows, etc. to be open regionally and videotaped for the Town website.

## Adjourn

*Member Huckabee made the motion to adjourn and Member Cummins made the second. Chair McCune took a vote that was unanimously approved.*

*Voting yea: Chair McCune, Vice-Chair John Flowers, Bradley Cummins, Bradley Hedrick, Ian Huckabee, and Tammy Hunsucker*

Chair McCune reminded the board that the next meeting would be on Wednesday, July 5th because of the July 4<sup>th</sup> holiday and declared the June 6, 2023 meeting adjourned.

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Chair, Joyce McCune

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Board Secretary, Laurel Anderson