



Town of Beaufort, NC

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**Board of Commissioners Regular Meeting
6:00 PM Monday, September 14, 2026
Train Depot, 614 Broad Street**

Call To Order

Mayor Harker called the meeting to order at 6:00 PM and led the Pledge of Allegiance.

Roll Call

Elizabeth Lewis, Town Clerk, called the roll.

PRESENT:

Mayor Harker
Mayor Pro Tem Gillikin
Commissioner Cooper
Commissioner LoPiccolo
Commissioner Matthews
Commissioner Spiegler

ABSENT: None

Agenda Approval

Mayor Harker amended the agenda to remove the second quasi-judicial proceeding, Case #26-23 Special Use Permit: 102 Beaufort Walk Accessory Dwelling Unit, due to an applicant request to move the item to the Board's November 9, 2026, agenda. Mayor Harker asked for approval of the agenda as amended.

Commissioner Gillikin made a motion to approve the agenda as amended. The motion carried unanimously with a (5-0) vote.

Items of Consent

1. Meeting Minutes: August 10 & 24, 2026
2. Carteret County Special Response Team Mutual Aid Agreement
3. Special Event Permit Application- ECHS Homecoming Parade 2026

4. Special Event Permit Application- Dia De Los Muertos (Day of the Dead) Festival 2026
5. Special Event Permit Application- Loaves & Fishes Run for Recovery 2026
6. Special Event Permit Application- Santa's House 2026
7. Special Event Permit Application- Christmas Parade 2026
8. Volunteer Board Appointment Schedule- Proposed Standardization
9. Amendment to Installment Financing Contract- Beaufort Town Docks Fuel Tanks

Commissioner Gillikin made a motion to approve all Items of Consent. The motion carried unanimously with a (5-0) vote.

Presentations

1. Beaufort Housing Authority- FY 2025 Audit Report

Zeb Hough, Executive Director of the Beaufort Housing Authority, presented the Authority's audit for the fiscal year ending September 30, 2025, and provided an update on operational, financial, and housing initiatives.

Hough reported that the Authority's total net position increased by approximately \$45,000 during the fiscal year, ending at just under \$2 million. He also reviewed corrective actions and operational changes implemented since he joined the Authority in November 2025. These included resolving a fidelity bond deficiency, improving budget monitoring, restructuring staff responsibilities, completing agency-wide physical and financial assessments, rewriting governing and financial policies, and establishing the Authority's first resident council. He noted that physical assessments identified approximately ten years of deferred capital improvements and that the Authority is working to address current maintenance needs while continuing long-term planning for the Rental Assistance Demonstration, or RAD, conversion.

Hough reviewed the Authority's strategy for improving its housing portfolio, including recurring housekeeping inspections, more comprehensive unit turns, infrastructure upgrades, and proactive capital planning. He noted that the average unit turnaround time was approximately 53 days compared with a 14-day public housing standard because many units require substantial rehabilitation rather than routine patching and painting. He emphasized that the Authority is continuing to improve existing units while pursuing long-term redevelopment opportunities and state and federal funding.

Commissioner Cooper asked about occupancy restrictions for individuals recently released from incarceration. Hough explained that the current policy generally prohibits individuals with a violent felony from residing in Authority properties for three years, while allowing administrative discretion in certain mitigating circumstances.

Commissioner Matthews inquired about financing for future renovations and redevelopment. Hough said a final financing plan had not yet been established and that the Authority was actively pursuing state and federal funding while negotiations with development partners continued. Commissioner Matthews also confirmed that property values shown in the audit were based on a 2018 appraisal.

Commissioner Gillikin asked whether the existing 100 housing units remained the priority, and Hough confirmed that they did.

Mayor Harker thanked Hough for the update and recognized the Authority's efforts to address the audit findings, improve existing units, and strengthen governance.

Public Hearing

1. Case #26-15: Rezoning- 309 Pollock Street R-8 to TCA

Mayor Harker explained that she had a direct financial interest in 309 Pollock Street and requested to be recused from discussion and action on the item.

Commissioner Cooper made a motion to recuse Mayor Harker from the meeting.

The motion carried unanimously with a (5-0) vote.

Mayor Pro Tem Gillikin presided over the item.

Commissioner LoPiccolo made a motion to open the public hearing at 6:23 PM.

The motion carried unanimously with a (5-0) vote.

Senior Planner, Charlie Rocci, presented Case #26-15, including public notices, staff comments, similar cases, Future Land Use Plan consistencies, details of the rezoning, and Planning Board recommendations. He explained that the vacant 0.25-acre parcel at 309 Pollock Street is currently zoned R-8 and is classified as Traditional Neighborhood Residential on the CAMA Future Land Use Map. The parcel is approximately 55 feet wide and is nonconforming with the R-8 minimum lot width requirement. The requested TCA zoning would allow higher-density residential uses and would require a corresponding Future Land Use Map amendment to Compact/Multi-Family Neighborhood. Rocci reviewed surrounding zoning and land uses, including nearby TCA and Cedar Street Mixed Use properties, and noted that 312 Pollock Street had been rezoned from R-8 to TCA in 2022. He also reported that the Planning Board voted 2-2 on the request, resulting in no formal recommendation to the Board of Commissioners.

The Board discussed the relationship between the requested rezoning and the Future Land Use Map, the character of Pollock Street, nearby higher-density zoning, and the broader implications of rezoning individual parcels.

Commissioner Cooper expressed concern that allowing townhomes or condominiums on the parcel could alter the existing residential character and lead to additional similar requests.

Commissioner Spiegler also expressed concern about changing zoning one parcel at a time rather than through a broader review of the Future Land Use Plan.

Commissioners Gillikin, LoPiccolo, and Matthews discussed the property's proximity to the Cedar Street Mixed Use District and other higher-density zoning and noted that the area already reflects a transition between zoning districts.

The Board also discussed public notice requirements. Rocci confirmed that notice letters were mailed twice to property owners within 100 feet of the parcel because the item had previously been tabled, a sign was posted on the property, and notice was published twice in the Carteret County News-Times.

The applicant, Jack Taylor, was present but the Board did not have questions for him.

Public Comments:

Kathy Meredith: 315 Pollock Street, Beaufort, NC, spoke in support of the request. She described nearby vacant and rental properties and said she believed development of the parcel could improve the appearance and cohesiveness of the area.

Commissioner Cooper stated that not all the houses on the street are rental properties and there was brief discussion regarding the status of renovations or potential demolition of nearby structures.

Commissioner LoPiccolo motioned to close the public hearing at 6:53 PM.

The motion carried unanimously with a (5-0) vote.

Following the public hearing, the Board continued its discussion of neighborhood character, density, walkability, and the role of the Future Land Use Plan. Town Attorney Arey Grady advised that the Board could first act on the Future Land Use Map amendment and then consider the rezoning and required plan-consistency statement.

Commissioner LoPiccolo made a motion to reclassify 309 Pollock Street on the Future Land Use Map from Traditional Neighborhood Residential to Compact/Multi-Family Neighborhood.

The motion carried with a (3-2) vote with Commissioners Cooper and Spiegler opposed.

Commissioner LoPiccolo then made a motion to adopt the required plan-consistency statement, finding that the rezoning of 309 Pollock Street from R-8 to TCA was consistent with the Town of Beaufort Comprehensive and CAMA Land Use Plan as amended, and to approve the rezoning.

The motion carried with a (3-2) vote with Commissioners Cooper and Spiegler opposed.

Commissioner Cooper made a motion for Mayor Harker to return to the meeting.

The motion carried unanimously with a (5-0) vote.

2. Case #26-21: Rezoning- 214 Elm Street from R-8 to RS-5

Commissioner Gillikin motioned to open the public hearing at 7:02 PM.

The motion carried unanimously with a (5-0) vote.

Town Planner Michelle Eitner reviewed details about Case #26-21 rezoning, including public notices, staff comments, and Planning Board recommendations. She explained that the property at 214 Elm Street is currently zoned R-8 and the applicant requested rezoning to RS-5. The property and surrounding area are classified as Traditional Neighborhood Residential on the Future Land Use Map, so no land use map amendment was required. Eitner reviewed the dimensional standards and permitted uses for both districts and noted that RS-5 allows shorter setbacks, requires a 50 percent impervious coverage limit, and allows fewer permitted and special uses. A potential three-lot subdivision concept was included for reference, but Eitner explained that the rezoning itself would not approve a subdivision or future development plan. The Planning Board's recommendation was clarified during the meeting as a 4-2 vote in favor of the rezoning.

The applicant was present and did not provide additional comments.

Public Comments:

There were no public comments at this time.

*Commissioner Gillikin made a motion to close the public hearing at 7:06 PM.
The motion carried unanimously with a (5-0) vote.*

During deliberation, Commissioner Gillikin discussed the size of the potential lots compared with surrounding properties and stated that the resulting lot sizes would generally fit the neighborhood.

Commissioner Spiegler and Commissioner Cooper expressed concern about changing zoning on individual parcels and the precedent created by repeated parcel-by-parcel rezoning requests.

Commissioner LoPiccolo and Commissioner Gillikin noted that RS-5 development could remain similar in character to the surrounding single-family neighborhood.

Commissioner LoPiccolo made a motion to adopt the zoning map amendment as presented and rezone 214 Elm Street from R-8 to RS-5.

The motion carried with a (3-2) vote with Commissioners Cooper and Spiegler opposed.

Quasi-Judicial Proceedings

1. Case #26-22 Special Use Permit: 1323 Front Street Accessory Dwelling Unit

Mayor Harker asked for a motion to open the evidentiary hearing for Case #26-22.

Commissioner Gillikin made a motion to open the evidentiary hearing.

The motion carried unanimously with a (5-0) vote.

Mayor Harker reviewed the procedures governing quasi-judicial hearings and advised that the Board's decision must be based upon competent, material, and substantial evidence presented during the hearing and contained within the record. She explained that the Board was acting in a quasi-judicial capacity and that testimony would be taken under oath. Mayor Harker further advised that the hearing would be conducted in accordance with applicable provisions of North Carolina General Statutes, including N.C.G.S. §160D-406 and §160D-1402, and that testimony should focus on factual evidence and applicable ordinance standards rather than personal preferences or opinions.

Town Clerk Elizabeth Lewis administered the oath to all individuals intending to provide testimony during the hearing, including Michelle Eitner, Town Planner; Bruce Brotzman, BlueGreen Construction; David Selleck, BlueGreen Construction; John Way, attorney representing 1325 Front Street property owners; and Blake Flowers. Mayor Harker invited any additional witnesses not called by staff or the applicant to come forward and be sworn in. No additional witnesses came forward at that time, and no parties with standing requested qualification.

Mayor Harker asked all Board members to disclose any *ex parte* communications, conflicts of interest, or other reasons that would prevent them from providing fair and impartial consideration of the application. None were disclosed.

Staff Presentation

Town Planner, Michelle Eitner, presented the request for a Special Use Permit for an accessory dwelling unit at 1323 Front Street.

The property is located in the R-8 zoning district and within the AE8 Special Flood Hazard Area. A single-family residence is currently under construction on the property. Eitner explained that the contractor originally proposed an accessory dwelling unit during building permit review. To allow construction of the primary residence to proceed while the Special Use Permit was considered, the area above the attached garage was permitted as a bonus room. Approval of the Special Use Permit would allow the applicant to modify the building permit and complete that space as an accessory dwelling unit.

Eitner reviewed public notice requirements, the Planning Board's recommendation for approval, and the applicable Special Use Permit findings and residential compatibility standards.

She requested that Exhibits A through H and her presentation be entered into the record.

Mayor Harker accepted the evidence as presented.

Questions from the Board to Staff

The Board did not have any questions for staff at this time.

Applicant Presentation

Bruce Brotzman, President of BlueGreen Construction, appeared on behalf of the property owner and requested approval of the Special Use Permit. Brotzman explained that the request would not increase the approved building footprint, setbacks, height, or alter the exterior architectural design.

The area above the garage was currently designated as storage or bonus space and, if approved, would be finished with a bedroom, three-piece bathroom, and kitchenette.

Brotzman addressed the required findings for approval and stated that the accessory dwelling unit would remain subordinate to the principal residence, would use existing access and circulation, would be compatible with the surrounding residential area, and would comply with applicable building and safety requirements.

Board Questions for Applicant

Commissioner Matthews and Commissioner LoPiccolo asked about rear access to the garage and accessory dwelling unit through the alley behind the property. Commissioner Spiegler asked about access from Sea View.

Testimony from David Selleck, who was also with BlueGreen Construction, established that the alley is Town-owned but not Town-maintained and extends on the Town's records from Gerald Street toward Seaview Street.

Eitner stated that the application had been reviewed by the Town's Technical Review Committee, including the Fire Chief and Fire Marshal, and no concerns were submitted regarding emergency access.

Additional Witness Testimony

Blake Flowers, 1315 Front Street, testified as a witness regarding the alley and stated that he and neighboring property owners would prefer for the alley to extend fully from Gerald Street to Seaview Street. He described existing obstructions that currently limit through access.

Mayor Harker and Town Attorney Grady advised that the broader alley concern was separate from the Special Use Permit before the Board and could be addressed with Town staff outside the proceeding.

John Way, 1325 Front Street, testified as an adjoining property owner. He stated that he and his brother, Brady, had no objection to the proposed accessory dwelling unit and asked that applicable setbacks and building height requirements be verified.

Commissioner Gillikin made a motion to close the evidentiary hearing for Case #26-22. The motion carried unanimously with a (5-0) vote.

Applicant's Response to Testimony

There was no applicant response testimony at this time.

Board Deliberation

There was no additional discussion at this time.

Conditions of Approval

Commissioner LoPiccolo made a motion to approve the required Findings of Fact A through G, and to approve the Special Use Permit for Case #26-22 as presented.

The motion carried unanimously with a (5-0) vote.

~~2. Case #26-23 Special Use Permit: 102 Beaufort Walk Accessory Dwelling Unit~~

This item was tabled to the November 9, 2026, agenda at the adoption of the meeting agenda.

Public Comment

Robert Harper: 111 Fulford Street, Beaufort, NC, had signed up to speak but was not in attendance when called.

Suzanne Lea: 206 Ocean Street, Beaufort, NC, commented on the recent joint Board of Commissioners and Planning Board Unified Development Ordinance (UDO) work session. She discussed Senate Bill 382 and restrictions related to downzoning and expressed concern about the relationship between future development standards, impervious surfaces, groundwater, and the Town's drinking water supply. Mayor Harker responded that protection of the Town's drinking water supply remains a priority consideration as the UDO process continues.

Bucky Oliver: 2401 Front Street, Beaufort, NC, stated that he was strongly in favor of planning and would even say he was generationally so, and therefore, was very much in favor of the UDO project. However, he said he deeply respected the difficulty the Commissioners now have in assuring that no "taking" occurs, especially through subtle or perhaps unnoticed ordinances

affecting less wealthy, whose principal asset is their generational home. He explained that this was why he was taking the rare opportunity to speak that evening.

He stated that he had deep concerns with the consultants delivering a draft filled with easily discovered internal contradictions and recommendations that continue to violate the state law referenced by the previous speaker [SB 382]. Oliver went on to say that he was not confident that Articles V and VI, as drafted, could survive review or rewrite, especially by the original authors. He noted that he was aware of a number of preliminary reviews, including his own, which he was willing to provide, that identified those internal contradictions, referenced violations of existing state law prohibiting downzoning, included potential takings, and left many matters to the discretion of the Commissioners, which he believed was unsupported by Chapter 160D (of the North Carolina General Statutes).

Oliver stated that he was at a loss to explain the consultant's submittal, especially its quality considering the fees paid. He then challenged the Board to two things: First, to identify provisions that not only violate state law, including Senate Bill 382, but also constitute "takings" in violation of Federal and North Carolina law and affect the basic property rights of perhaps a thousand Beaufort property owners. Second, he asked the Board to assess the financial impact of property value demotion, including the resulting impact on future Town and County revenues. He concluded by noting that, failing such reflection, legal and other challenges had been threatened and that he had heard of them, and thanked the Board for their courtesy.

Old Business

1. Petition for Annexation- Beaufort Crossing; Certificate of Sufficiency

Assistant Town Manager and Town Clerk, Elizabeth Lewis, presented the results of her investigation of four petitions for voluntary annexation for properties located at 374, 388, 404, and 550 Highway 101. She emphasized that consideration of the petitions did not constitute approval of rezoning, a development project, water or sewer capacity, or any future development permit. The four parcels total approximately 16.78 acres and are contiguous to the Town's existing primary corporate limits.

Lewis reported that the petitions contained adequate boundary descriptions, the required owner signatures and ownership information, and met the statutory requirements for sufficiency. She also provided preliminary information indicating approximately \$1,693.93 in annual Town property tax revenue based on the properties as they currently exist. The applicant estimated potential future water and sewer demand at approximately 24,750 gallons per day for the four parcels, although no formal water and sewer allocation request had been submitted. Ms. Lewis recommended scheduling the required public hearing for October 12, 2026.

Commissioner Cooper and Commissioner Spiegler asked about available water and wastewater capacity. Town Engineer Sam Bell explained that the estimated wastewater demand for the four parcels represented approximately 1.65 percent of the wastewater treatment plant's total capacity, increasing estimated usage from approximately 61.2 percent to 62.9 percent.

Commissioner LoPiccolo inquired about Pump Station No. 9, which Bell explained had been operating with reduced capacity while repairs were underway. Bell reported that a replacement pump had arrived and was expected to improve available capacity once repairs were complete.

Mayor Harker clarified that the capacity discussion related only to the four parcels proposed for annexation and not to a larger future development concept.

Commissioner Gillikin made a motion to schedule the public hearing on the voluntary annexation petitions associated with 374, 388, 404, and 550 Highway 101 for their October 12, 2026, regular meeting.

The motion carried unanimously with a (5-0) vote.

Mayor Harker, Town Manager Zapp, and the Board thanked Town Engineer Sam Bell for his service to the Town and community and wished him and his family well as he prepared to leave his position with the Town of Beaufort.

New Business

1. Crystal Coast Lady Dock Rebuild

Public Works Director Mark Eakes requested direction from the Board regarding the railing design for the Crystal Coast Lady dock so staff could proceed with the remaining construction. Staff had previously planned to install the same two-rail design used along the commercial dock area, which meets applicable code requirements. Construction of the dock itself was underway, but railing materials had not been ordered while staff sought final direction from the Board.

Commissioner Spiegler summarized concerns raised by Crystal Coast Lady operator George Aswad regarding the open spacing in a two-rail system on a dock that extends directly over the water. She supported adding another 1-2 horizontal railings so the openings would be no greater than approximately six to eight inches.

Commissioner Cooper also supported an additional rail based on the dock's proximity to the water.

Commissioner LoPiccolo emphasized the importance of the Board acting collectively and following established processes when revisiting prior decisions. He expressed concern about individual Board members potentially redirecting staff after the Board had already taken action and stressed that any changes should come back before the full Board in a public meeting. He also asked whether any specific safety concerns had been identified with the previously approved dock railing design. Town Manager Zapp reviewed the history of the emergency repair and explained that the two-rail design met code, but staff had paused the railing work while additional feedback was gathered so the work could be completed correctly the first time.

Eakes estimated that one additional horizontal railing would cost approximately \$750 and would result in gaps of approximately seven inches between the rails. He advised that staff would verify the final spacing with the Building Inspector before proceeding.

The Board also discussed the prior use of safety netting, potential entanglement concerns associated with the netting, and whether the vertical support posts should extend above the top rail to remain consistent with the existing commercial dock railing design.

Commissioner Spiegler made a motion to add one additional horizontal railing at the Crystal Coast Lady dock so that the openings between rails would be approximately six to eight inches or less, with the vertical support posts raised in a manner similar to the existing commercial dock railing design, subject to staff verification of applicable code and safety requirements.

The motion carried unanimously with a (5-0) vote.

2. Additional Entrance at the Commercial Docks (east end)

Public Works Director Mark Eakes requested clarity regarding an additional opening in the recently installed railing near Perry Barrow's kiosk at the east end of the commercial docks. Town Manager Zapp explained that staff had coordinated with the commercial dock operators before the improvements were installed and had received concurrence with the original design. Following installation, Mr. Barrow requested that an additional entrance be restored based on how pedestrian traffic was functioning in the area. Staff advised that the railing could be reconfigured and the concrete modified to create an ADA-compliant entrance at least 48 inches wide with a code-compliant transition from the sidewalk to the dock.

The Board discussed the requested opening, pedestrian circulation, safety, the cost of modifying recently completed work, and the precedent created when individual operators request changes to Town-owned facilities. Other commercial operators had also expressed concerns about pedestrian flow in the area. Eakes estimated approximately \$500 in materials plus in-house labor to complete the modification.

Commissioners Matthews and LoPiccolo expressed concern about making changes shortly after construction and emphasized the need to address dock improvements through a comprehensive capital planning process and a consistent policy for operator-requested modifications.

Commissioners Spiegler and Gillikin emphasized that actual pedestrian patterns had differed from expectations and that an additional entrance could improve circulation and provide another means of access.

Town Manager Zapp noted that keeping the existing passageway clear was the immediate safety priority and that Town and Docks staff were continuing to address broader consistency and operational issues, including dock boxes, tents, tables, and shared space.

Commissioner Spiegler made a motion to add an additional entrance near Perry Barrow's kiosk at the commercial operators' dock in accordance with the specifications presented by staff and applicable Town requirements.

The motion carried with a (3-2) vote with Commissioners Matthews and LoPiccolo opposed.

3. Consideration of Windsail/Shading at Commercial Docks

Town Manager Zapp and Public Works Director Mark Eakes presented the Board with a concept for providing shade at the commercial docks. They explained that shade had been provided in the previous dock configuration using wooden posts and shade material, but that the prior design could not simply be reinstalled under current code requirements. Public Works developed a removable post and bracket system that could attach to the existing railing. Zapp explained that the concept had been reviewed with engineering and inspections staff and was designed to meet applicable wind requirements while allowing the posts to be removed during severe weather or outside of the summer season. Although the immediate request involved the east end of the commercial dock area, staff noted that any approved system could eventually be expanded and standardized throughout the commercial docks area.

The Board discussed the need for shade, visitor and employee comfort, consistency of appearance, applicable code and permitting requirements, and whether the project should be

incorporated into the Town's capital improvement and budgeting process before installation. It was noted that a CAMA permit may be required. Commissioners also discussed the work already underway through a small group of the Beaufort Waterfront Operations and Finance Committee to research shade, signage, and other standardized commercial dock improvements.

Commissioner Spiegler supported allowing the BWOFF committee to continue its research and return with recommendations, especially since it was towards the end of the summer season.

Commissioner LoPiccolo emphasized that he was not opposed to shade but did not support committing funds or proceeding with installation without cost information and appropriate capital improvement budget planning.

Commissioner Gillikin emphasized that the research should begin with the engineered concept developed by Public Works rather than starting over with a different design.

No formal action was taken.

The Board supported allowing BWOFF to continue researching the item, including costs, permitting requirements, standardization, and capital planning considerations, using the Public Works engineered concept as a starting point.

The item will return to the Board for a final decision after additional information is collected.

Manager Report

Town Manager Matt Zapp referred the Board to the written Manager Report and highlighted several current projects and community initiatives. He reported that the Campen Road widening project had been completed, thermoplastic striping had been installed, and the project finished under budget. Two digital speed feedback signs had also been ordered for the area. Zapp then provided an update on NCDOT's Highway 101 and Live Oak Street Roundabout project. He reported that the next phase of construction began that day and would create traffic impacts through approximately mid-November. Then the following phase was expected from mid-November through approximately late May 2027. Staff was coordinating with NCDOT and preparing social media, website, signage, news media, and direct-mail communications for residents and property owners likely to be affected by detours or increased traffic.

Zapp thanked staff for the successful summer Rock the Docks concert series and the first Rock the Docks First Friday event, noting additional sponsorship revenue and recognizing the Public Works team for modifications to the mobile stage that created additional sponsorship opportunities. He also highlighted a new F3 Marina navigation video for boaters entering the Beaufort Town Docks, employee spotlights recognizing Police Lieutenants Halsey and Bedsole, Parks and Recreation Advisory Board applications being accepted through September 18, and the recent September 11 remembrance ceremony. Zapp recognized the popularity of the Mayor's Porch Talks and the Beaufort Minute video series and reported that the Town's communications efforts were reaching approximately one million people per month. Looking ahead, he noted continued work on the USDA infrastructure and paving work expected to continue through mid-December, the Beaufort Waterfront Operations and Finance Committee, parks and recreation initiatives, and the Town's growing special event schedule.

Zapp also recognized Town Engineer Sam Bell's service and noted that the Town was actively recruiting for the Engineer position and other vacancies.

Mayor/Commissioner Comments

Commissioner LoPiccolo thanked Town staff for their work and recognized Town Engineer Sam Bell and recently retired Planning Director Kyle Garner, whom he noted as helpful during LoPiccolo's previous tenure on the Planning Board, for their service. He also clarified his comments regarding the Town Docks, stating that he wants the marina to succeed but believes capital improvements should be identified and considered through the budget and capital improvement process rather than through individual, piecemeal decisions. He requested development of capital improvements and deferred maintenance and repair lists for the Town Docks so priorities and costs could be weighed together. He also suggested developing a formal policy for commercial operator requests involving modifications to Town-owned dock infrastructure.

Commissioner Cooper had no additional comments at this time.

Commissioner Gillikin recognized the recent passing of Sunny Newton, mother of former Mayor Rhett Newton, and Cheryl Young, and extended condolences to their families.

Commissioner Spiegler thanked those who attended and participated in the meeting.

Commissioner Matthews echoed Commissioner LoPiccolo's comments regarding the Town Docks and discussed the future role of the Beaufort Waterfront Operations and Finance Committee now that F3 Marina is established as the marina operator. He recognized the committee's work during the transition and suggested that the Town clarify the respective roles of BWOF, F3 Marina, the Town Manager, and the Board of Commissioners in future waterfront operations and decision-making. He noted that the committee had previously been expected to transition to a smaller group and encouraged a future agenda discussion regarding the most strategic and efficient structure moving forward.

Mayor Harker thanked everyone in attendance and noted that the Beaufort Waterfront Operations and Finance Committee was established by the Mayor rather than through formal action of the Board of Commissioners. She recognized the committee's work and agreed that the time was approaching to discuss its transition or sunset, while noting that some work remained. Mayor Harker stated that she would have that conversation with the committee in the near future. She also noted that the North Carolina Mayors Association would be in Beaufort that week and thanked the Beaufort Garden Club for its continued beautification efforts throughout the community.

The Board discussed their scheduled September 28, 2026, work session and the limited number of items anticipated for that agenda.

Commissioner LoPiccolo made a motion to cancel the September 28, 2026, Work Session.

The motion carried unanimously in a (5-0) vote.

The Board's next regular meeting was confirmed for October 12, 2026.

Closed Session

1. Pursuant to N.C.G.S. §143-318.11 (a) (3)

Commissioner Cooper made a motion to enter into a closed session pursuant to N.C.G.S. §143-318.11(a)(3) to consult with the Town Attorney regarding matters protected by the attorney-client privilege at approximately 9:04 PM. The motion carried unanimously with a (5-0) vote.

Town Attorney Grady clarified that the motion should identify the specific legal case being discussed.

Commissioner Cooper made a motion to amend his previous motion to enter into closed session pursuant to N.C.G.S. §143-318.11(a)(3) to consult with the Town Attorney regarding matters protected by the attorney-client privilege, including Laura Holland and Southgate Management versus the Town of Beaufort and Kyle McLaughlin.

The motion carried unanimously with a (5-0) vote.

The Mayor, Commissioners, Town Attorney, Town Manager, and Assistant Town Manager/Town Clerk entered into a closed session from approximately 9:04 to 9:38 PM.

(Closed Session minutes are Sealed & Confidential under N.C.G.S. §143-318.10(e) until further notice.)

Adjourn

Following the conclusion of the closed session, Commissioner Spiegler made a motion to adjourn the meeting. The motion carried unanimously with a (5-0) vote and the meeting adjourned at approximately 9:38 PM.

Sharon E. Harker, Mayor

Jennifer L. Welborn, Deputy Town Clerk

All exhibits, documents, presentations, and other materials admitted into the record during the quasi-judicial proceedings are attached hereto and incorporated by reference as part of the official record of the proceedings.



STAFF REPORT



To: Mayor and Board of Commissioners
From: Michelle Eitner, Town Planner
Date: September 14, 2026
Case No. 26-22 Special Use Permit – 1323 Front Street Accessory Dwelling Unit

THE REQUEST: Grant or deny the requested Special Use Permit (SUP) for an Accessory Dwelling Unit (ADU) at 1323 Front Street.

INFORMATION:

Location: 1323 Front Street (PIN 730507585728000)
Property Owner: AER Commercial Properties LLC (Adolfo Rosales, Manager)
Applicant: Blue Green Construction (Bruce Brotzman, President)
Zoning District: Residential Medium Density District (R-8)
LUP Future Land Use: Traditional Neighborhood Residential
Flood Zone: AE8 Special Flood Hazard Area (on effective and preliminary FIRMs)
Size: 0.21 acres/9,400 square feet
Existing Land Use: Single-Family Residence under construction
Proposed Land Use: Single-Family Residence with Accessory Dwelling Unit (ADU)
Adjoining Uses/Zoning: North: Single-Family Residential (R-8) and Alleyway
West and East: Single-Family Residential (R-8)
South: portion of lot south of Ann Street with docks (R-8)
Utilities: Water and wastewater provided by Town

OPTIONS:

1. Grant the special use permit as presented
2. Grant the special use permit with conditions to bring the proposal into compliance with the Required Findings
3. Deny the special use permit based on specific failures to meet requirements
4. Table the recommendation pending additional information necessary to make a decision

EXHIBITS:

- Exhibit A – Staff Report
- Exhibit B – Vicinity Map
- Exhibit C – Zoning Map
- Exhibit D – Application Package
- Exhibit E – LDO Section 20 Special Use Permits (Especially Section 20.E.1 Required Findings)
- Exhibit F – LDO Section 7.C Residential Medium Density District (R-8)
- Exhibit G – Comprehensive and CAMA Land Use Plan Future Land Use Map & Classification
- Exhibit H – Notification Certification

STAFF COMMENTS:

BlueGreen Construction, agent for property owner AER Commercial Properties LLC, has applied for a Special Use Permit (SUP) to establish an Accessory Dwelling Unit (ADU) at 1323 Front Street.

The contractor initially proposed a single-family home with ADU through submission of building permit application. Staff advised that a SUP is required to establish the ADU, defined in the LDO as, “*Accessory Dwelling Units/Structures* are commonly understood to be a separate additional living unit or structure, including kitchen, sleeping, and bathroom facilities, attached to or detached from the primary residential unit, on a single-family lot. They shall be subordinate in size, location, and appearance to the primary residential unit and may or may not have separate means of ingress or egress.”

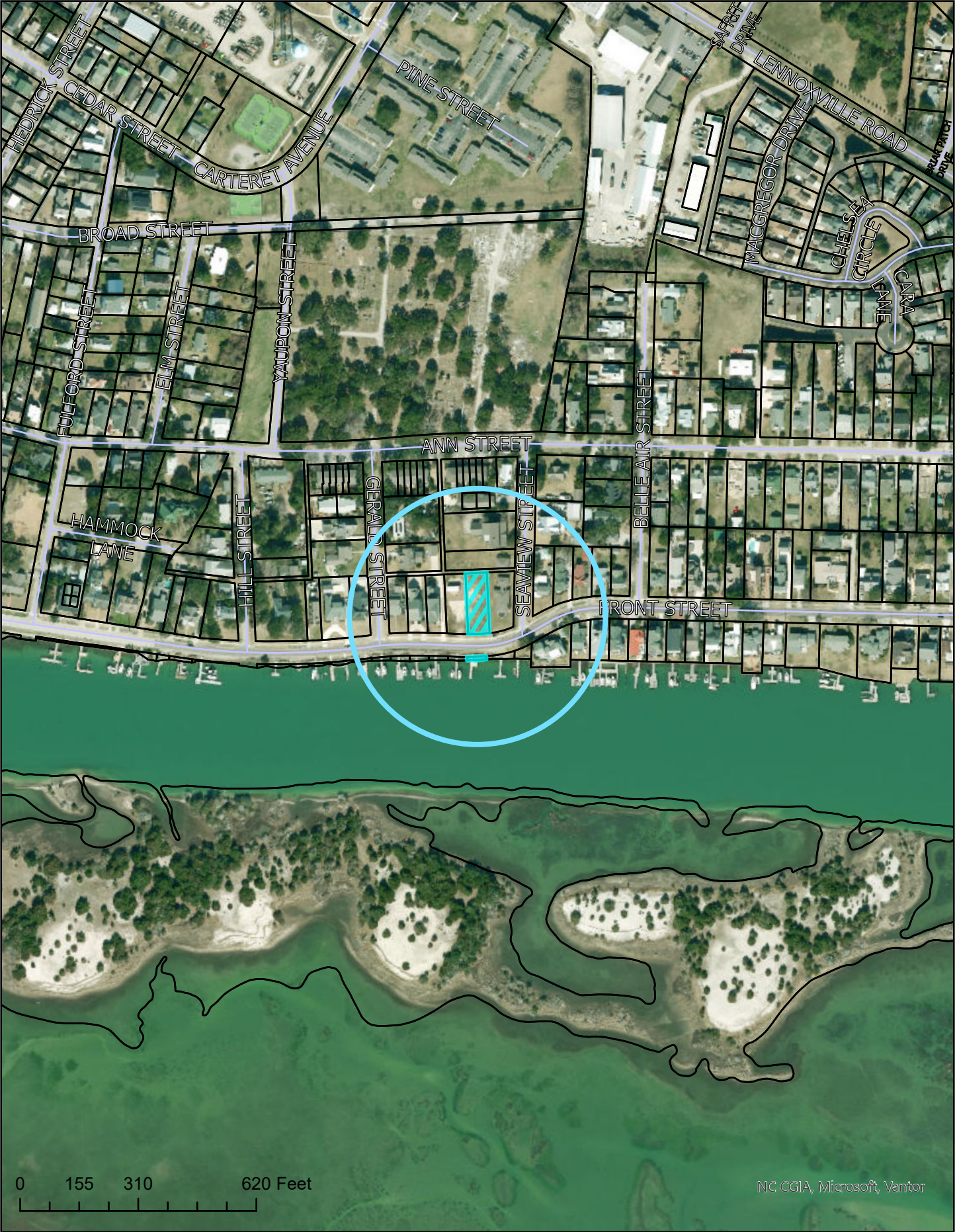
Rather than wait several months for SUP review and potential approval, staff recommended that the ADU could be removed from the building plans to proceed with construction of the single-family home while they seek a SUP for ADU. That anticipated area in the currently permitted plans is just a large room. If the SUP is granted, they would be able to modify the building permit to add that additional scope in that area within the structure.

The location of this request within a residential zone requires review of compatibility with adjoining buildings. The application provides information in accordance with Section 20.E.3.

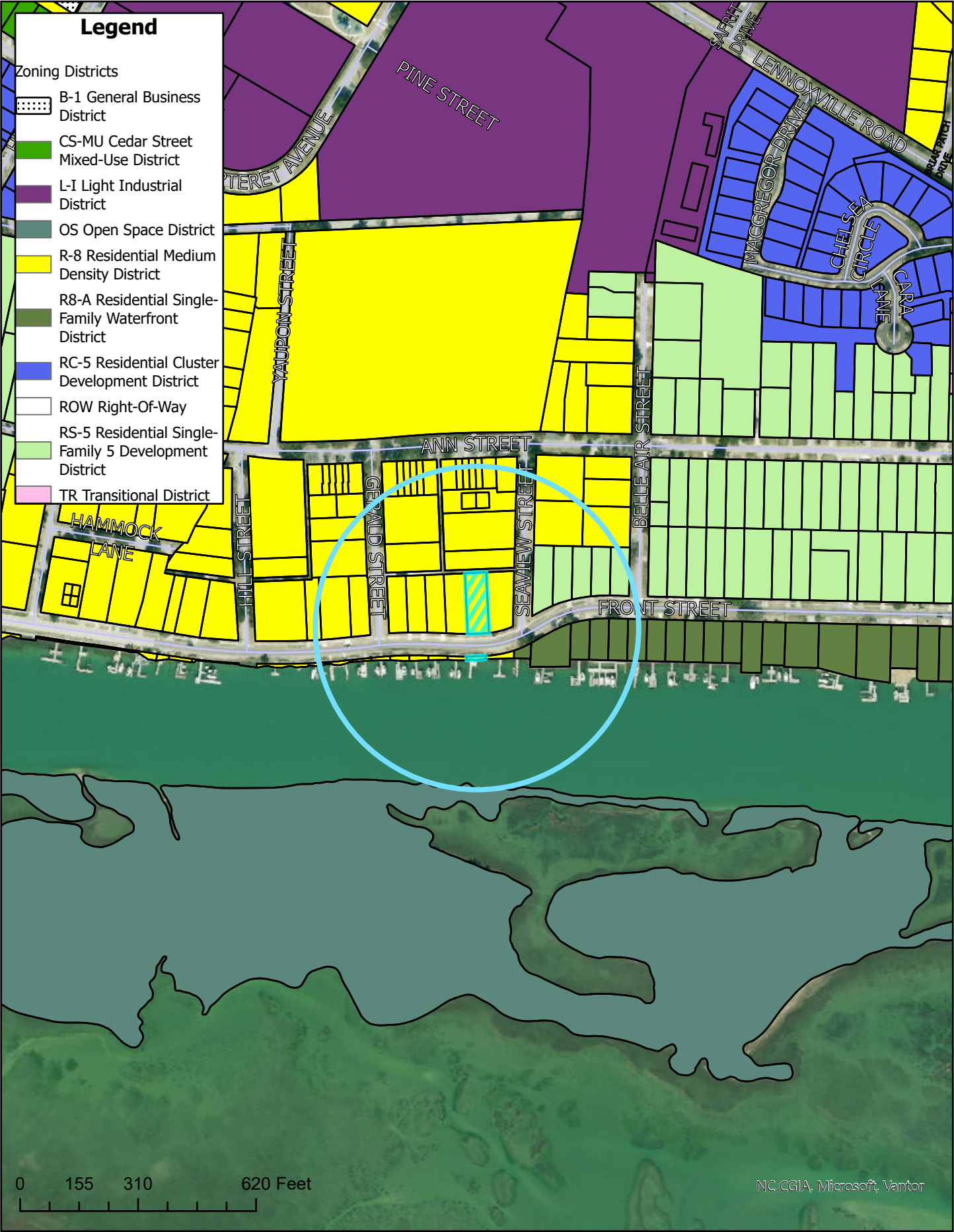
The Technical Review Committee (TRC) received this item for review digitally and all responded with no comments or issues.

The Planning Board reviewed this request during their August 17th meeting and recommended approval of the special use permit as presented.

Case 26-22 Special Use Permit Request - ADU at 1323 Front Street
Vicinity Map



Case 26-22 Special Use Permit Request - ADU at 1323 Front Street
Zoning Map





Please be advised that email addresses have been removed by staff from this application & attachments to protect the applicant from AI spam emails.

APPLICATION FOR A SPECIAL USE PERMIT

Instructions:

Please complete the form below including all required attachments, a **\$400.00 application fee**, and return to the Beaufort Town Hall; 701 Front Street; P.O. Box 390; Beaufort, N.C.; 28516. Incomplete applications will not be processed but will be returned to the applicant. Please call Planning and Inspections at (252) 728-2142 if there are any questions.

APPLICANT INFORMATION

Applicant Name: Blue Green Construction Co
Applicant Address: 613B Atlantic Beach Causeway, Atlantic Beach, NC 28512
Phone Number: 252.646.1015 Email: _____
Property Owner Name: AER Commercial Properties LLC
Address of Property Owner: Same
Phone Number: Same Email: [REDACTED]

PROPERTY INFORMATION

Property Address: 1323 Front Street
15-Digit PIN: 730507585728000 Lot/Block #: _____
Size of Property (in square feet or acres): 9,400 s.f. Current Zoning: R-8
Current Use of Property: Single Family Requested Use: same

An application fee of **\$400.00**, either in cash, money order, or check made payable to the "Town of Beaufort" must accompany this application (a credit card payment can be made in person at Town Hall). The complete application, payment, and supporting materials must be received by Town Staff at least 15 working days prior to a regularly scheduled Planning Board meeting date.

Please refer to the Town's **Land Development Ordinance**, Sections 20 & 27, and all other pertinent sections of the Ordinance for information required to accompany this application. Any plans or documents submitted should be submitted in an electronic or digital format and one printed color copy of such documents submitted with the application.

The town's website address is www.beaufortnc.org.

[Signature]
Applicant Signature
[Signature]
Property Owner Signature (if different than above)

7/27/26
Date of Applicant's Signature
7-27-26
Date of Owner's Signature

OFFICE USE ONLY

Revised 8/2020

Date: _____

Reviewed for Completeness By: _____

Received by: _____

Date Deemed Complete and Accepted: _____

**Special Use Application
Documentation and Support**
1323 Front Street
Beaufort, NC 28516

We are requesting approval of a Special Use Permit to allow an **Accessory Dwelling Unit (ADU)** as part of the new residential construction at **1323 Front Street**. The property is zoned **R-8 Residential** and is **not located within the Beaufort Historic District**.

The property consists of a **9,400-square-foot vacant lot** for which a valid building permit has already been issued for construction of a new single-family residence. This Special Use Permit request does **not** seek any modification to the approved building permit with respect to the building footprint, total square footage, height, setbacks, exterior appearance, or site layout.

The only change addressed by this application is the proposed finish of the second floor above the detached garage to include a bedroom, full bathroom, and kitchenette. Because these improvements meet the Town's definition of an Accessory Dwelling Unit, approval of a Special Use Permit is required.

The approved plans include a **1,877-square-foot, 2½-story primary residence** together with an **887-square-foot, two-story, three-car garage**. The garage is connected to the residence by an enclosed elevated skywalk.

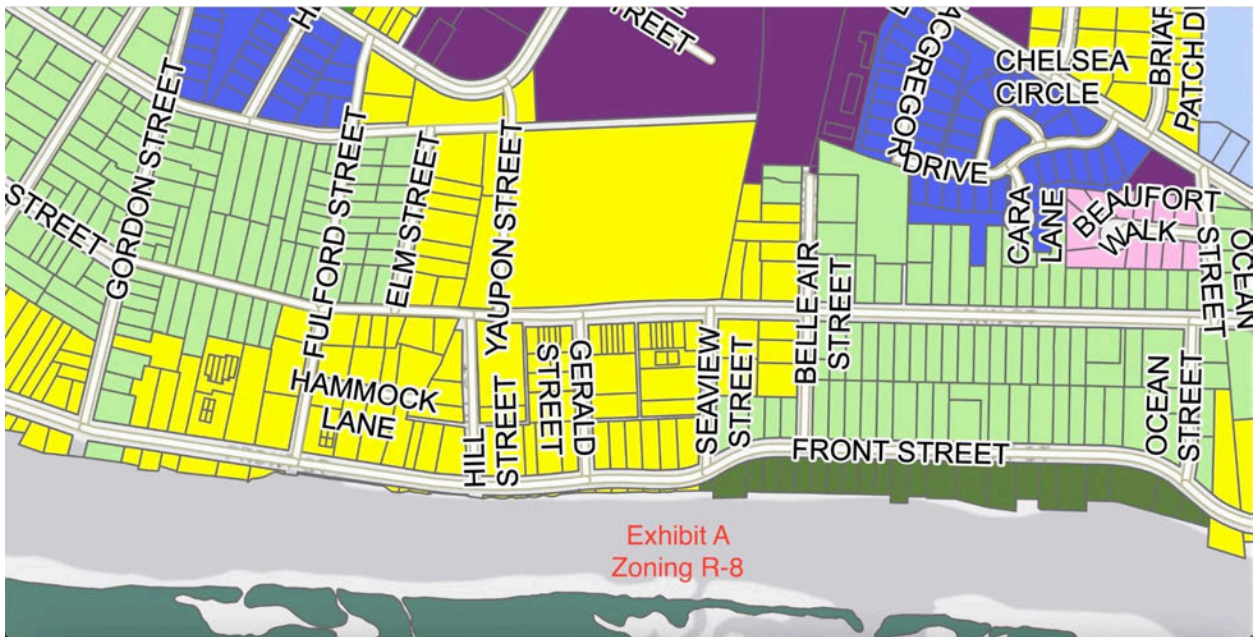
All construction authorized under the existing building permit complies with the applicable building code and zoning requirements. Approval of this request would change the residence from **five bedrooms and six-and-one-half bathrooms** to **six bedrooms and seven-and-one-half bathrooms**, with the addition of a kitchenette within the second-floor living area above the garage. No other aspects of the approved plans would change.

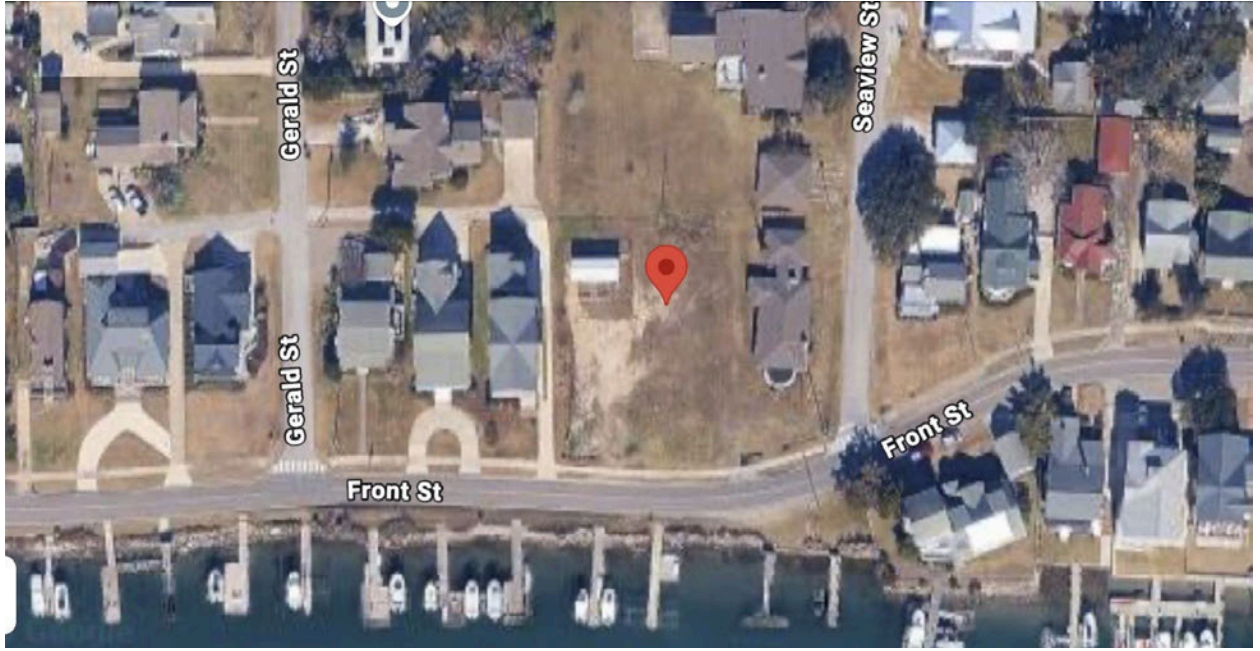
The proposed living space above the garage will remain physically connected to the primary residence through the enclosed skywalk, which provides direct access from the main living area as well as weather-protected access to the garage. The space is intended to function as part of the overall residence and will not be separated from the principal dwelling.

Access to the garage and the second-floor living area is provided by an existing alley extending from Gerald Street, allowing direct access for residents and emergency services if needed.

Architecturally, the garage and accessory living space are designed to match the principal residence in materials, rooflines, and exterior detailing. The accessory structure is fully integrated into the overall design of the home and represents approximately **42 percent of the square footage of the principal residence.**

In summary, this application requests approval only for the addition of an Accessory Dwelling Unit within a residential project that has otherwise been approved. The proposal does not alter the approved site plan, building footprint, setbacks, height, exterior design, or overall character of the development. We respectfully request approval of this Special Use Permit.





Town of Beaufort

Planning and Inspections Department
701 Front Street
Beaufort, NC 28516
Phone (252) 728-2142



TOWN of
BEAUFORT
NORTH CAROLINA

Permit Number: 20260426**Date Issued:** 07/21/2026

New Single Family Dwelling Permit

Site Address: 1323 FRONT STREET**Owner Name:** AER COMMERCIAL PROPERTIES LLC**Tax Map ID:** 730507585728000**Construction Cost:** \$1,300,000.00**Report Code:** 100 - New Single Family Dwelling**Flood Zone:** AE8 / Shaded X**Description:** 2.5 Story, 5BR, 6.5 Bath, 4398sf single-family with attached Garage

Contractor

Financial: David Selleck | Blue Green Construction, Inc. | 613B Atlantic Beach Causeway Atlantic Beach NC 28512 | 252-646-10**Project Manager:** David Selleck | Blue Green Construction, Inc. | 613B Atlantic Beach Causeway, Atlantic Beach, NC 28512 | 25**Applicant:** David Selleck | Blue Green Construction, Inc. | 613B Atlantic Beach Causeway, Atlantic Beach, NC 28512 | 252-646-1**Plumbing:** Michael Wilson | Carteret Plumbing | 1882 NC Hwy 101, Beaufort, NC 28516 | 252-499-9266**Mechanical:** John White, Jr. | Carteret Heating & Cooling, Inc. | 151 Cedar Point Blvd, Swansboro, NC 28584 | 910-326-1335**Electrical:** Roger Corbett | Corbett's Electrical Service | 200 Cherry Lane, Newport, NC 28570 | 252-223-5907**Fuel Gas:** Harley Mudge | Dean's Gas Company, Inc. | 1416 B Live Oak St, Beaufort, NC 28516 | 252-728-2182**Other:** Elite Spray Foam | Elite Spray Foam Systems, LLC | 215 Clayton Dr, Newport, NC 28570 | 252-725-7054**General:** Peter Brotzman | Blue Green Construction, Inc. | 613 B Atlantic Beach Causeway, Atlantic Beach, NC 28512 | 608-921

Permit Details

Heated Sq Ft	4,398	Foundation Type	Raised Slab	Water Source	Town of Beaufort
Unheated Sq Ft	1,350	Fire Resist Rating Ext. (hrs)	1	Waste Treatment	Town of Beaufort
1st Floor Sq Ft	1,880	Fire Resist Method	Per Code	Electrical Utility	Duke Progress Energy
2nd Floor Sq Ft	1,880	Amperage	400	Gas Utility	
3rd Floor Sq Ft	672	Water Heater Fuel	Electric		
No. Stories	3	HVAC Type	Package Unit		
Bldg. Height (ft)	35	HVAC Fuel Src	Electric		
# Bedrooms	5	Gas Piping	NO		
# Baths	7				

Zoning

Front Setback: 15**Sides Setback:** 6**Rear Setback:** 25**Zoning Conditions:****Easements:****Special Flood Hazard Area:** AE8**Present Overlays:**

Fees

SURVEYORS DECLARATION TO WHOM IT MAY CONCERN: It is the responsibility of the present owner(s) or future owner(s) of the property shown hereon to check for any wetlands, high water table, buffers or other water conditions which may cause a portion of this property to be unusable for certain uses. No responsibility of any nature is assumed by the surveyor for any conditions which may presently exist on the property shown hereon but are unknown to the surveyor such as: Cemeteries, Family Burying Grounds, Toxic or Hazardous Waste Materials, Underground Utilities, Existing or Proposed easements or right-of-ways, etc. not shown hereon. Any utilities or features and any easements, right-of-ways or buffers associated with said utilities or features shown hereon are shown according only to what was known or visible at the time of this survey by the surveyor. This property may be subject to additional easements or right-of-ways unknown to the surveyor at this time that a complete title examination may reveal. There shall not be any construction in the area of any utilities, easements or right-of-ways without a complete title examination and additional surveying to identify the accurate widths and correct locations of record of any easements or right-of-ways. The surveyor is NOT an Attorney at Law and it is advised that the owner of this property consult with a Licensed Attorney at Law to perform a complete title examination to confirm all known encumbrances and reveal any potential encumbrances or title issues associated with this property. This survey was performed without the benefit of a title commitment report. The surveyor does not claim that all matters of record which may or may not affect this property are shown hereon.

NOTE: THIS LOT IS SUBJECT TO ANY AND ALL ADDITIONAL RESTRICTIONS SHOWN ON RECORDED PLATS AND RESTRICTIVE COVENANTS AND ANY RESTRICTIONS APPLIED BY ANY LOCAL, STATE OR FEDERAL LAWS OR RULES.

NOTE: PIN NUMBERS SHOWN ARE CURRENT AS OF THE DATE OF THIS SURVEY AND ARE SUBJECT TO CHANGE IN THE FUTURE.

NOTE: THE HIGH WATER MARK SHOWN HEREON IS APPROXIMATE ONLY AND SHOULD BE VERIFIED BY CAMA.

NOTE: THE POINTS ALONG TAYLOR'S CREEK ARE COMPUTED POINTS UNLESS OTHERWISE NOTED.

NOTE: THE FLOOD LINES SHOWN ARE APPROXIMATE LOCATIONS ONLY FROM THE REFERENCED FIRM AND CARTERET COUNTY GIS.

NOTE: A PORTION OF THIS LOT IS LOCATED IN FLOOD ZONE AE 8 AS SHOWN PER F.I.R.M. 3720730500 J EFFECTIVE DATE: 7-16-2003

LEGEND	
---	LINE(S) SURVEYED (SUBJECT PROPERTY)
---	LINE(S) NOT SURVEYED
- - - -	RIGHT-OF-WAY LINE
---	CENTERLINE OF ROAD
EIP	EXISTING IRON PIPE FOUND
WM	EXISTING WATER METER
CC	CONTROL CORNER
EIS	EXISTING IRON STAKE FOUND
NIS	NEW IRON STAKE SET
R/W	RIGHT-OF-WAY
DB	DEED BOOK
PG	PAGE
WM	EXISTING WATER METER
PP	EXISTING POWER POLE
OHEL	EXISTING OVERHEAD ELECTRICAL LINE
CP	COMPUTED POINT
MAG	NEW MAG NAIL SET
EPK	EXISTING PK NAIL FOUND
EX. MAG	EXISTING MAG NAIL FOUND
A. G.	ABOVE GROUND
U. G.	UNDERGROUND
MB	MAP BOOK
MSL	MINIMUM BUILDING SETBACK LINE
HWM	HIGH WATER MARK
ECM	EXISTING CONCRETE MONUMENT FOUND

THE FOLLOWING INFORMATION WAS USED TO PERFORM A GNSS GRID TIE.
Class of Survey: Class A
Positional Accuracy: 0.05 feet
Type of GPS field procedure: RTK VRS
Dates of survey: 2-10-2026
Datum/Epoch: NAD83(2011)/ Epoch 2010.0000
Published/Fixed-control used: NC GNSS RTN
Geoid model: GEOID18
Combined grid factor: 0.99992229 & 0.99992201
Units: US SURVEY FEET

I, LINWOOD E. BYRD, JR., CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DB 1875, PG 442; MB 34, PG 258); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND AS REFERENCED ON THIS PLAT; THAT THE RATIO OF PRECISION OR POSITIONAL ACCURACY IS 1: 10,000+; THAT THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21 NCAC 56.1600)

THIS THE 24th DAY OF JUNE, 2026

FINAL DRAWING
FOR REVIEW PURPOSES ONLY

PROFESSIONAL LAND SURVEYOR
LICENSE NUMBER L-4662

NOTE: THE CHANGES TO NEW OR EXISTING PARCELS SHOWN HEREON ARE PROPOSED CHANGES. THE CHANGES SHOWN DO NOT TAKE EFFECT UNTIL THE PROPER APPROVALS HAVE BEEN OBTAINED AND THE PROPER DEEDS OR OTHER LEGAL DOCUMENTS ARE FILED WITH THE APPROPRIATE COUNTY REGISTER OF DEEDS OFFICE BY AN ATTORNEY.

NOTE: THE PARCEL OR PARCELS OF LAND SHOWN HEREON HAVE NOT BEEN CHECKED FOR WETLANDS OR FLOOD HAZARD SOILS UNLESS OTHERWISE CERTIFIED OR SHOWN HEREON. THIS PARCEL IS SUBJECT TO ALL NC DEPARTMENT OF ENVIRONMENT, HEALTH AND NATURAL RESOURCES, DIVISION OF WATER QUALITY REGULATIONS AND ANY OTHER FEDERAL, STATE OR LOCAL REGULATION OF ANY NATURE. PORTIONS OF THIS PARCEL MAY CONTAIN WETLANDS.

NOTE: THE SURVEYOR DOES NOT TAKE ANY RESPONSIBILITY FOR ANY UNDERGROUND UTILITIES NOT SHOWN HEREON. 811 SHOULD BE CONTACTED TO LOCATE THE UTILITIES ON THIS PROPERTY. ALL UTILITY LOCATIONS SHOULD BE VERIFIED PRIOR TO ANY CONSTRUCTION.

NOTE: THIS PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS, RIGHT-OF-WAYS OR AGREEMENTS OF RECORD.

NOTE: NO TITLE SEARCH, OPINION OR COMMITMENT WAS PROVIDED TO THE SURVEYOR, NOR WAS ANY TITLE SEARCH PERFORMED BY THE SURVEYOR AT THE TIME OF THIS SURVEY. AN ATTORNEY SHOULD BE CONSULTED TO CONDUCT AN OFFICIAL TITLE SEARCH. THIS SURVEY WAS PERFORMED USING THE DEED AND MAP INFORMATION SHOWN HEREON.

FRONT STREET - SR 1312
60' PUBLIC/PAVED R/W
(MB 30, PG 571)

NOTE: TOWN OF BEAUFORT PLANNING SHOULD BE CONTACTED TO DETERMINE BUILDING SETBACKS AND ANY OTHER DEVELOPMENT RESTRICTIONS.

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"THIS MAP IS NOT FOR RECORDING"

ACREAGE COMPUTED BY COORDINATE METHOD
NOTE: ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES IN US SURVEY FEET UNLESS OTHERWISE NOTED



NOTE: TOWN OF BEAUFORT PLANNING SHOULD BE CONTACTED TO DETERMINE BUILDING SETBACKS AND ANY OTHER DEVELOPMENT RESTRICTIONS.

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ACREAGE COMPUTED BY COORDINATE METHOD
NOTE: ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES IN US SURVEY FEET UNLESS OTHERWISE NOTED



PROJECT ADDRESS:
1333 FRONT ST
PORT, NC
28516

PAGE INFORMATION:
LEFT & RIGHT ELEVATIONS

Plans for
BLUE GREEN CONSTRUCTION

DATE: 5/24/24
DRAWN BY: BA
SCALE: 1/4" = 1'

SHEET: 4



PROJECT ADDRESS:
1333 FRONT ST
PORT, NC
28516

PAGE INFORMATION:
FRONT & REAR ELEVATIONS

Plans for
BLUE GREEN CONSTRUCTION

DATE: 5/24/24
DRAWN BY: BA
SCALE: 1/4" = 1'

SHEET: 3

Kitchen and Bath Plan View

Living Area



Exhibit E

SECOND LEVEL

SCALE= 1/4" = 1'

PROJECT ADDRESS:
1123 FRONT ST
SEAFORT, NC
28585

Plans for
BLUE GREEN CONSTRUCTION

CAROLINA
HOME CONCEPTS

SHEET: 10
DATE: 6/10/2018
DRAWN BY: J. B. BROWN
SCALE: 1/4" = 1'

Kitchen and Bath Plan View

Exhibit F

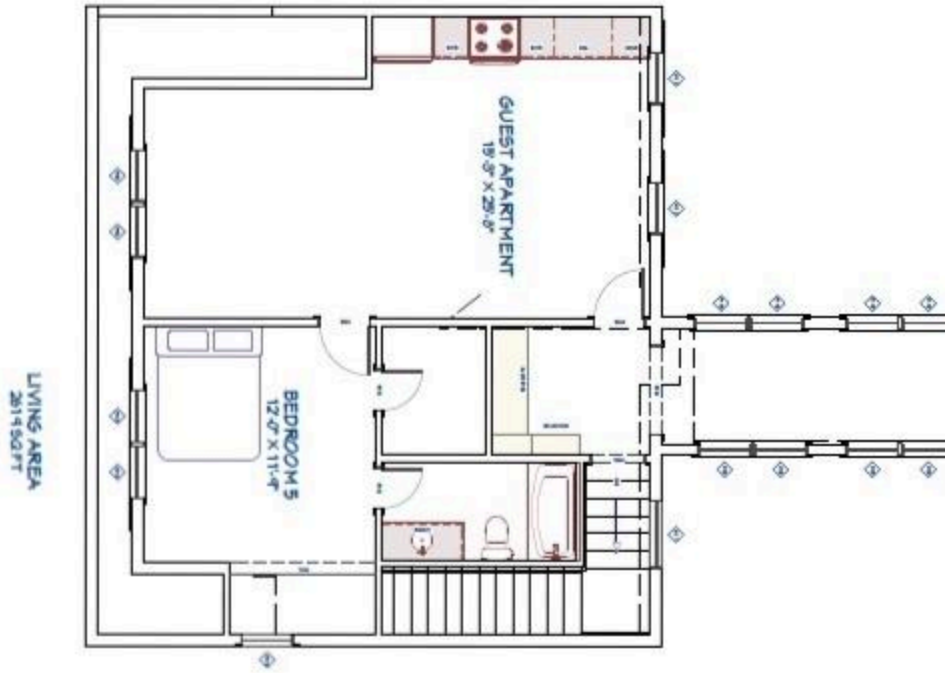


TABLE OF CONTENTS:

- 2 SITE PLAN
- 3-4 ELEVATIONS
- 5-7 FLOOR PLAN
DIMENSIONED
- 8 ROOF PLAN
- 9-11 FLOORPLAN
OVERVIEW
- 12 WINDOW & DOOR
SCHEDULE



GENERAL NOTES & DISCLAIMERS:

BUILDING CONTRACTOR/HOME OWNER TO REVIEW AND VERIFY ALL DIMENSIONS, SPECS, AND CONNECTIONS BEFORE CONSTRUCTION BEGINS. THE BUILDER SHALL VERIFY THAT SITE CONDITIONS ARE CONSISTENT WITH THESE PLANS BEFORE STARTING WORK. WORK NOT SPECIFICALLY DETAILED SHALL BE CONSTRUCTED TO THE SAME QUALITY AS SIMILAR WORK THAT IS DETAILED. ALL WORK SHALL BE DONE IN ACCORDANCE WITH INTERNATIONAL BUILDING CODES AND LOCAL CODES.

WRITTEN DIMENSIONS AND SPECIFIC NOTES SHALL TAKE PRECEDENCE OVER SCALED DIMENSIONS AND GENERAL NOTES. THE ENGINEER/DESIGNER SHALL BE CONSULTED FOR CLARIFICATION IF SITE CONDITIONS ARE ENCOUNTERED THAT ARE DIFFERENT THAN SHOWN, IF DISCREPANCIES ARE FOUND IN THE PLANS OR NOTES, OR IF A QUESTION ARISES OVER THE INTENT OF THE PLANS OR NOTES. CONTRACTOR SHALL VERIFY AND IS RESPONSIBLE FOR ALL DIMENSIONS (INCLUDING ROUGH OPENINGS).

PROJECT: NEW CONSTRUCTION
ADDRESS: 1323 FRONT ST
BEAUFORT, NC, 28516
DESIGNER: REGAN BURNS, CAROLINA HOME CONCEPTS
BUILDER: BLUE GREEN CONSTRUCTION
6 bed 7 1/2 Bath
5137 Heat & Cooled SF
9400 SF Lot

Exhibit G

PAGE INFORMATION:
HOME PAGE

PROJECT ADDRESS:
1323 FRONT ST
BEAUFORT, NC,
28516

Plans for
BLUE GREEN CONSTRUCTION



DATE: 05/25/24
DRAWN BY: RB
SCALE: 1/8" = 1'-0"

SHEET:
1

SECTION 20 Special Use Permits

A) *General.*

Special uses are practices which are not permitted by right in any zoning district in the Town but may only be granted after due consideration by the BOC. The consideration of a special use application is a quasi-judicial function to be conducted in accordance with the procedure set forth in Section 32, Quasi-Judicial Procedure. Special use permits may only be granted by the BOC following a recommendation by the Planning Board and the completion of the quasi-judicial review process by the BOC as outlined in Section 32.

A Special Use Permit is a permit issued to authorize development or land uses in a particular zoning district upon presentation of competent, material, and substantial evidence establishing compliance with one or more general standards requiring that judgment and discretion be exercised as well as compliance with specific standards.

B) *Special Use Permit Application Procedures.*

- 1) A written application for a special use permit in all zones shall be submitted to the Town's Planning and Inspections Department in accordance with the requirements of Section 1 and Section 31 of this Ordinance and all applicable administrative regulations. The application shall include:
 - a) A proposed use site plan which contains information documented in Section 18(C) of this Ordinance and the specific information below:
 - i) A vicinity map and survey of the parcel which shall include the zoning and use of all adjacent properties;
 - ii) A legend identifying all symbols on the map;
 - iii) A North arrow and a scale;
 - iv) A preliminary design of the proposed use which shows all existing and proposed structures, parking layouts, driveways, buffering, landscaping, points of ingress and egress, easements, minimum building lines, and street rights-of-way;
 - v) A site data block of features which includes the proposed use(s), square footage of the proposed and existing structure(s), site zoning, total acreage, number of lots, minimum lot size, and average lot size;
 - vi) The map book, page number, and deed book information;
 - vii) A note stating whether any portion of the property is included in any adopted Town plan; and,
 - viii) Any other related information requested by Town staff, the Planning Board, or the BOC.
 - ix) All required environmental permit improvements needed for the property.
 - b) The special use permit sought; and,
 - c) Information supporting the existence of the required findings, and providing such plans or other relevant data as may be required by the Town.

- 2) Whenever an application is submitted for a special use permit in a residential zone, the applicant shall also include:
 - a) A narrative which illustrates the appropriateness of the proposed use in a residential zone. This narrative shall also describe all the architectural design features which make the proposed use and associated building compatible with the urban character of the residential neighborhood;
 - b) The submitted site plan shall also include all street front architectural elevation drawings to ensure the compatibility of the building(s) with the surrounding residential structures; and,
 - c) Additionally, the BOC and Town staff may require a professional rendering or any other graphic illustration of the proposed structure.
- 3) The application shall be reviewed by Town staff and submitted with comments and recommendation to the Planning Board for review. The Planning Board shall review the application for a special use permit and make a recommendation as to whether it should be approved or denied. After the Planning Board makes its recommendation, the application shall be forwarded to the BOC for consideration.

C) *Quasi-Judicial Proceeding Notification Requirements.*

The Planning Board will review and make recommendations regarding all applications for a special use permit. The BOC shall schedule a quasi-judicial proceeding for the application and BOC consideration after reasonable opportunity for staff and Planning Board review. In considering the application, the BOC shall follow the procedures set forth in Section 32, Quasi-Judicial Procedure.

D) *Procedures on Special Use Applications.*

In considering whether to approve an application for a special use permit, the BOC shall proceed as follows:

- 1) The BOC shall conduct an evidentiary hearing in accordance with the provisions of Section 32, Quasi-Judicial Procedure, herein. And consider relevant information regarding whether the required findings under Section 20(E) exist and whether the special use is appropriate in the proposed location.
- 2) The BOC shall consider whether the application complies with each individual required finding specified in Section 20(E). The BOC need not make the required findings at the time of the hearing and may vote to table the matter and request information if needed. If the special use permit application is approved, the BOC motion shall contain language showing all the required findings under Section 20(E) have been met, and in the absence of specific findings, it shall be conclusively presumed the application complies with all the findings in Section 20(E).
- 3) The BOC shall render a decision within a reasonable period of time not to exceed ninety days after holding the evidentiary hearing for the proposed special use application. The BOC need not issue a decision at the time of the hearing if additional information is needed and may table the matter until a later date.
- 4) If the application is found not to be in compliance with one or more of the required findings of Section 20(E) or any other applicable section of this Ordinance, the application shall be denied. Such motion shall specify the particular findings the application fails to meet.

- 5) Notwithstanding the specific requirements of this Ordinance, the BOC may impose additional conditions and reasonable requirements upon the requested special use permit in order to ensure the use is consistent with the required findings as specified under Section 20(E).
- 6) The BOC shall render its decision on the special use permit application, in writing, in accordance with the provisions of Section 32 herein.

E) *Required Findings.*

- 1) In addition to any other findings or requirements as specified by any other section of this Ordinance, before any application for a special use may be granted or denied, the BOC shall make each of the following findings:
 - a) The proposed use is an allowable special use in the zoning district it is being located within;
 - b) The application is complete;
 - c) The location and character of the use will be in conformity with the Town's Comprehensive and CAMA Land Use Plan and other comprehensive planning elements;
 - d) Streets, driveways, parking lots, traffic control, and any other traffic circulation features shall be designed and provided in accordance with current traffic engineering standards and Town regulations and found to be adequate for the proposed special use;
 - e) The proposed special use will not substantially injure the value of adjoining or abutting properties;
 - f) The proposed special use will be compatible and in harmony with adjoining land uses and the development patterns of the immediate area; and,
 - g) The proposed use will not materially endanger the public health or safety of the community if located where proposed and developed according to the submitted and approved plan.
- 2) The BOC shall make its findings based on "competent, material and substantial evidence" as described in N.C. Gen. Stat. §160D-406 in accordance with the procedures set forth in Section 32 herein.
- 3) Compatibility Standards for Special Uses in Residential Zones:
In deciding whether the architectural elements of the proposed special use in a residential zone will be compatible with the adjoining buildings, the BOC shall review said proposal in reference to the following architectural elements:
 - a) Size (footprint);
 - b) Height;
 - c) Proportion and scale;
 - d) Roof shape(s);
 - e) Setbacks;
 - f) Location, size, and number of openings (doors and windows);
 - g) Materials;
 - h) Color; and,
 - i) Texture.

o) Management of the Recreational Vehicle Park.

- i) It shall be unlawful for a person to park or store a manufactured home in a recreational vehicle park for longer than seven days. However, one manufactured home may be allowed within an RV park to be used as an office and/or residence of the persons responsible for the operation and maintenance of the park.
- ii) It shall be the duty of the operator of an RV park to keep an accurate ledger containing a record of all occupants of the RV park. The operator shall keep the ledger available at all times for inspection by law enforcement officials, public health officials, and other officials whose duties necessitate acquisition of the information contained in the ledger.
- iii) The ledger shall contain the following information:
 - Name and permanent address of the occupants of each space;
 - Dates entering and exiting the park; and,
 - The vehicle license plate number with the state of issuance for the license plate, make, and type of vehicle for each car, truck, camping vehicle, etc. staying within the RV park.

C) ***R-8 Residential Medium Density District.***

This residential zoning district is established as a medium density zoning district in which the principle use of the land is for single-family dwelling units. The regulations of this zoning district are intended to provide areas of the community for those persons desiring residences in relatively medium density areas. No buildings, houses, or structures, excepting noncommercial docks or piers as specified in Section 2(H) of this Ordinance, will be erected on the south side of Front Street in this district. Uses in this district which require potable water or sanitary sewer must be connected to both municipal water and municipal sewer.

1) Minimum Lot Size.

All lots in the R-8 district shall be a minimum of eight thousand square feet (8,000 ft²).

2) Minimum Lot Width.

All lots in the R-8 district shall have a minimum lot width of sixty feet (60') at the minimum building line.

3) Building Setback and Building Height Requirements and Limitations.

Subject to the exceptions allowed in this Ordinance, each structure on a lot in this zoning district shall be set back from the boundary lines of the lot at least the distances provided in the tables set forth in this section. The building height limitation in this district is provided in the tables set forth in this section.

Table 7-9 Interior Lot Requirements

<i>District</i>	<i>Front Setback (Right-of-Way)</i>	<i>Rear Setback</i>	<i>Side Setback</i>	<i>Building Height Limitation</i>
R-8	25 feet	25 feet	8 feet	35 feet

Table 7-10 Corner Lot Requirements

<i>District</i>	<i>Designated Front (Right-of-Way) Setback</i>	<i>Designated Side (Right-of-Way) Setback</i>	<i>Rear Setback</i>	<i>Side Setback</i>	<i>Building Height Limitation</i>
R-8	25 feet	20 feet	25 feet	8 feet	35 feet

Table 7-11 Double Frontage Lot Requirements

<i>District</i>	<i>Designated Front (Right-of-Way) Setback</i>	<i>Designated Rear (Right-of-Way) Setback</i>	<i>Side Setback</i>	<i>Building Height Limitation</i>
R-8	25 feet	15 feet	8 feet	35 feet

Where a lot extends across Front Street, the above setbacks shall apply to the portion of the lot north of Front Street. The docks or piers permitted on the south side of Front Street will be subject to an eight feet (8') side setback, or any more restrictive setback required by CAMA or the regulations promulgated thereunder.

4) Accessory Building Setback Requirements.

All accessory buildings shall comply with all setback provisions of this Ordinance, including but not limited to Section 2(F), Section 6 and Section 15 of this Ordinance.

5) Permitted Uses.

Antenna Co-Location on Existing Tower	Neighborhood Recreation Center, Indoor/Outdoor, Private
Athletic Field, Public	Neighborhood Recreation Center, Public
Carport	Park, Public
Community Garden	Public Utility Facility
Dock	Resource Conservation Area
Dwelling, Single-Family	Shed
Family Care Homes	Swimming Pool (Personal Use)
Garage, Private Detached	Temporary Construction Trailer
Government/Non-Profit Owned/Operated Facilities & Services	Utility Minor
Group Home	Vehicle Charging Station
Home Occupation	

6) Special Uses (*Special Uses* requirements may be found in Section 20 of this Ordinance).

Accessory Dwelling Unit	Marina
Athletic Field, Private	Outdoor Amphitheater, Public
Bed & Breakfast	Preschool
Cemetery/Graveyard	Produce Stand/Farmers' Market
Club, Lodge, or Hall	Public Safety Station
Concealed (Stealth) Antennae & Towers	Religious Institution
Day Care/Child Care Home	Satellite Dish Antenna
Golf Course, Privately-Owned	School, Post-Secondary
Golf Driving Range	Utility Facility

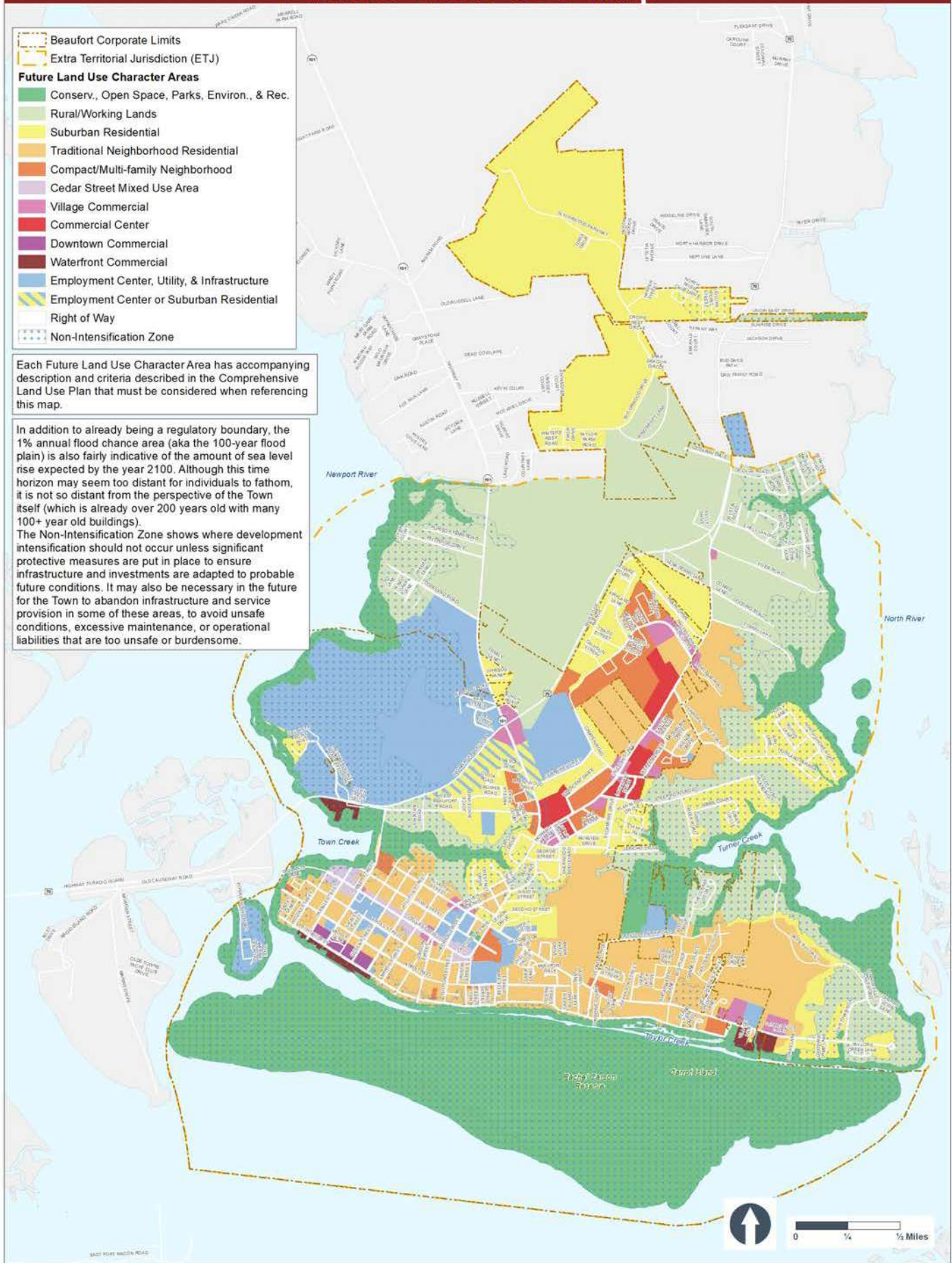
Future Land Use Map



Each Future Land Use Character Area has accompanying description and criteria described in the Comprehensive Land Use Plan that must be considered when referencing this map.

In addition to already being a regulatory boundary, the 1% annual flood chance area (aka the 100-year flood plain) is also fairly indicative of the amount of sea level rise expected by the year 2100. Although this time horizon may seem too distant for individuals to fathom, it is not so distant from the perspective of the Town itself (which is already over 200 years old with many 100+ year old buildings).

The Non-Intensification Zone shows where development intensification should not occur unless significant protective measures are put in place to ensure infrastructure and investments are adapted to probable future conditions. It may also be necessary in the future for the Town to abandon infrastructure and service provision in some of these areas, to avoid unsafe conditions, excessive maintenance, or operational liabilities that are too unsafe or burdensome.



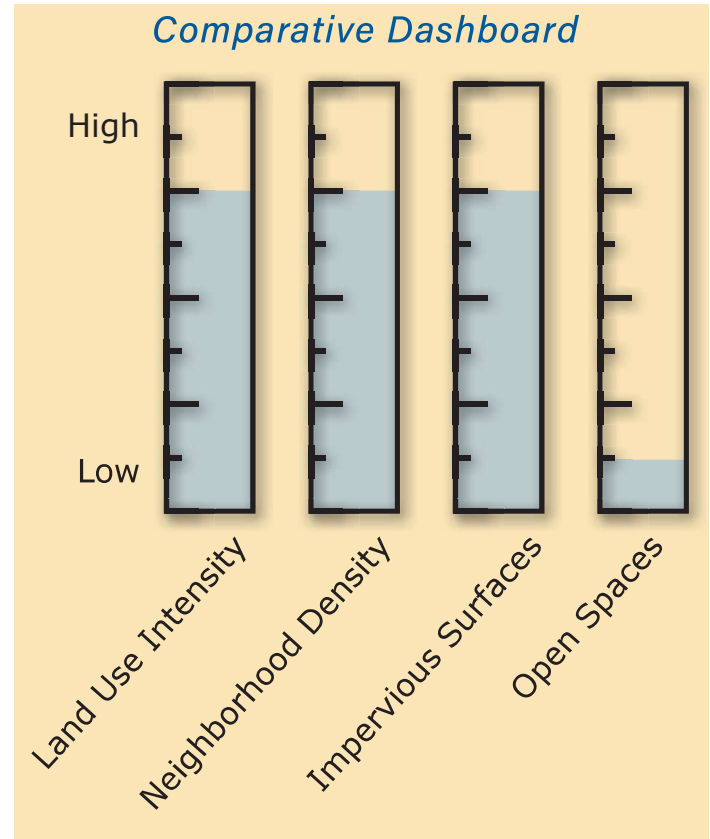
Traditional Neighborhood Residential

General Description:

These neighborhoods are walkable with structures situated close to each other. The residential areas exemplify the character found in the historic district and closer to downtown. Lots are typically smaller and closely packed with residential densities generally around 3 to 5 dwelling units per acre, although some areas may approach 7 dwelling units per acre. The historic development pattern prioritizes people and accommodates cars. Off-street parking is often to the side or around back, with homes pulled up close enough to the street to allow neighbors to engage with people on the sidewalk.

Streets and Circulation:

Streets are typically low volume and prioritize pedestrians, with sidewalks on both sides and street trees whenever possible. Connectivity is high because blocks are generally 500' or less. On-street parking is either formal or informal, depending on context. Low speed limits allow bicycles to share the travel lanes.



EXAMPLE USES:

Typical Uses:

Primarily single family detached residential, with a mix of other highly compatible residential uses scattered throughout, including duplexes, accessory dwellings, garage apartments, and occasionally even larger homes that have been converted to discrete multi-family structures or even small bed-n-breakfast businesses.

Traditional Neighborhood Residential

Other Concerns:

In the historic district, these neighborhoods have significant restrictions that preserve their quaint appearance and character. Although there may not be full support to extend all of these requirements to other areas, it may be possible to extract some of the more defining characteristics (buildings close to the street, parking in the rear, street trees, narrow streets, etc.) and bring those design elements to other neighborhoods.



Examples of the traditional neighborhood development style.

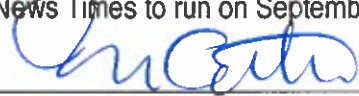


Town of Beaufort
701 Front St. • P.O. Box 390 • Beaufort, N.C. 28516
252-728-2142 • 252-728-3982 fax
www.beaufortnc.org

Notification Certification
Case #26-22 1323 Front Street Abutting Neighbors
Special Use Permit Request

FLOWERS W C ETUX GRACE L/T C/O WILLIAM BLAKE FLOWERS 1716 OLDE FARM RD MOREHEAD CITY, NC 28557-3921	WAY JOHN E C/O JOHN EDWARD WAY JR PO BOX 188 MOREHEAD CITY, NC 28557-0188
AER COMMERCIAL PROPERTIES LLC 3016 TOOTLE RD MOREHEAD CITY, NC 28557-4970	

I, *Michelle Eitner*, Town Planner for the Town of Beaufort do hereby certify the above subject property owners and adjacent property owners were notified that a special use permit request will be heard at the September 14, 2026 Board of Commissioners meeting at 6:00 pm in the Train Depot, 614 Broad Street, Beaufort, NC. Each of the above property owners was mailed a letter and vicinity map on August 28, 2026, regarding a request for a special use permit at 1323 Front Street. A sign was posted on the subject property on August 28, 2026 regarding the same. A public notice advertising the hearing was submitted to the Carteret County News Times to run on September 2 and 9.



Signed



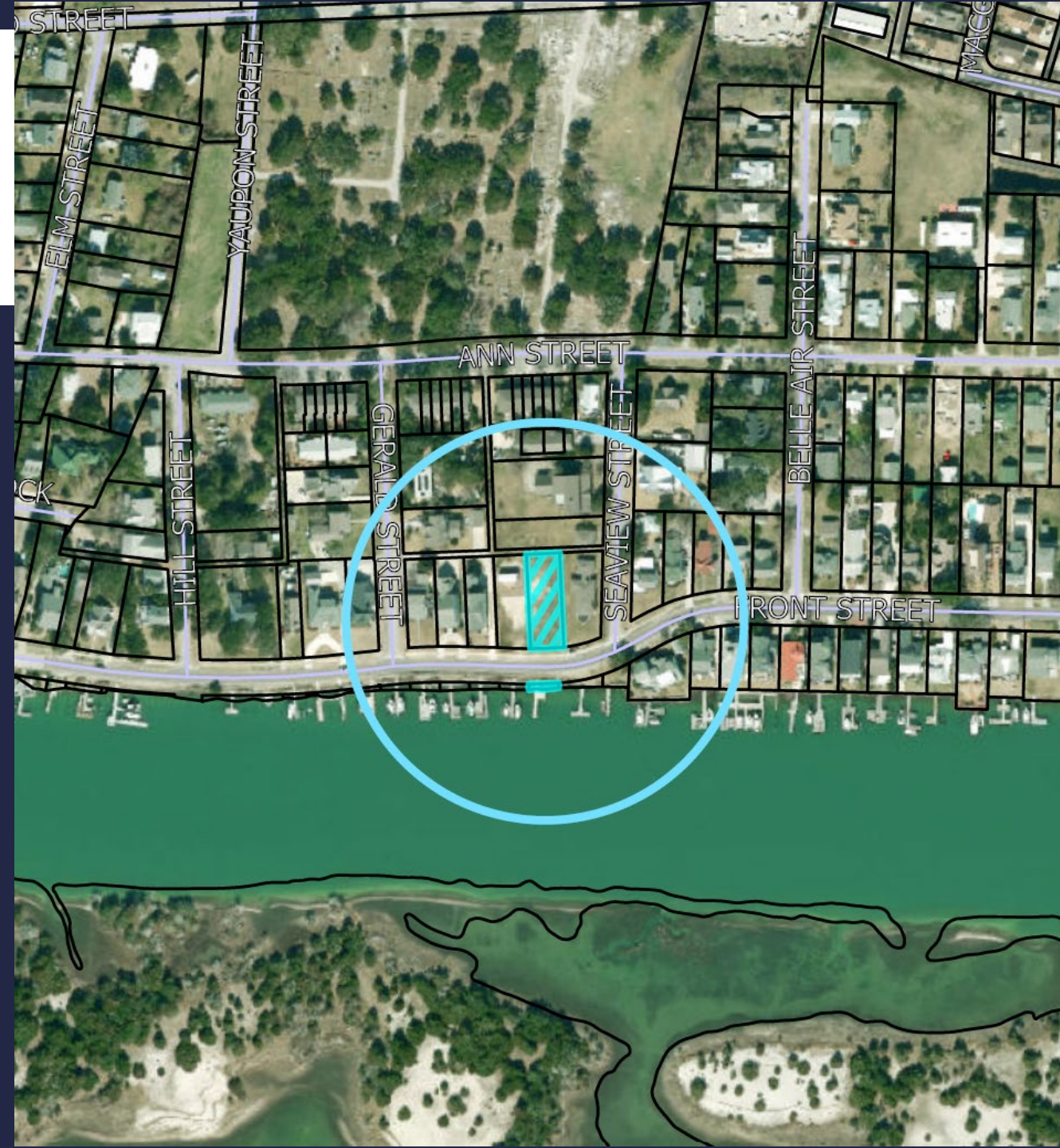
Date

CASE 26-22 SPECIAL USE PERMIT

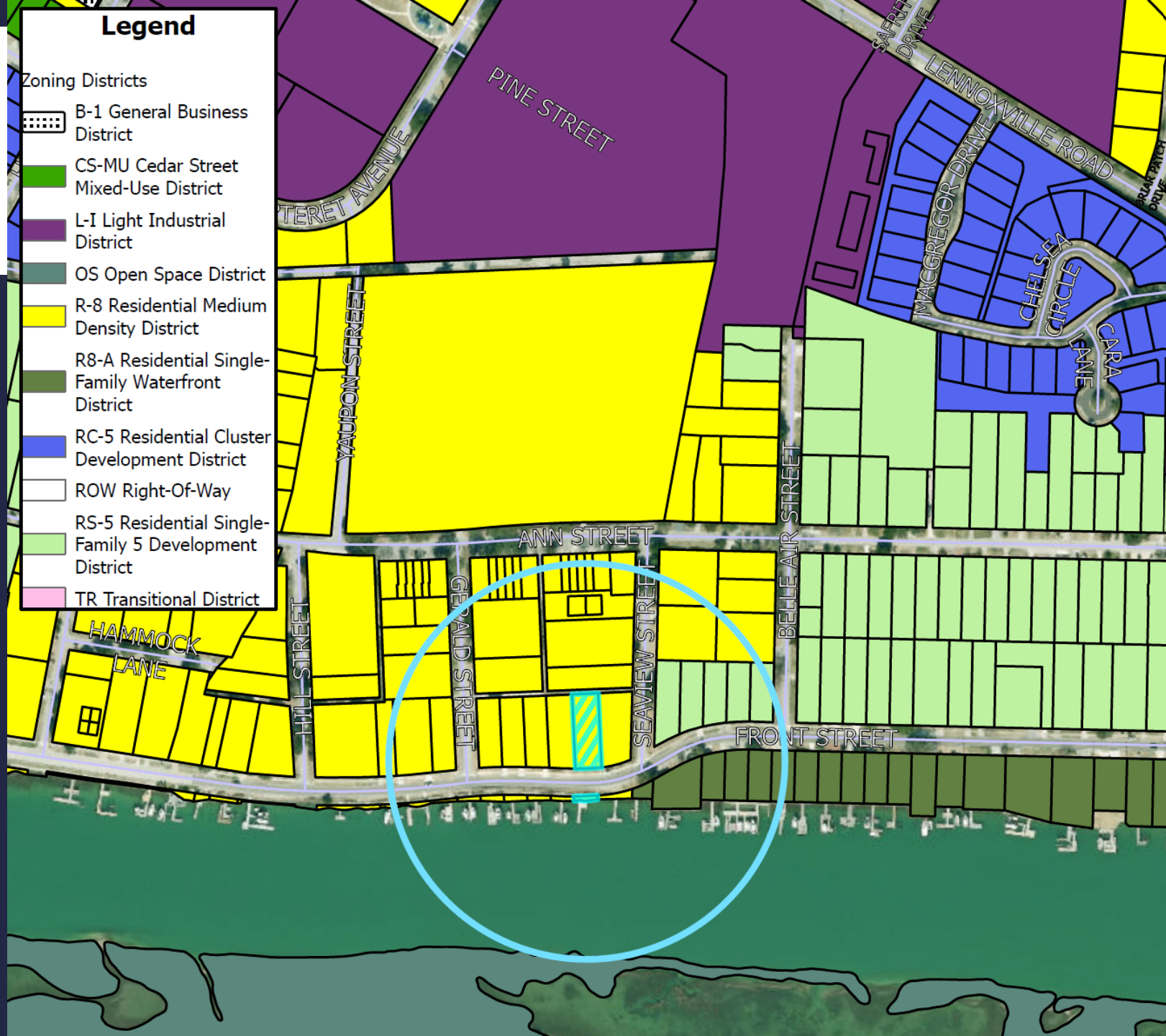
SUP Request for an Accessory Dwelling Unit (ADU)
at 1323 Front Street

CASE 26-22 SUP FOR ADU AT 1323 FRONT ST

<u>Location:</u>	1323 Front Street (PIN 730507585728000)
<u>Property Owner:</u>	AER Commercial Properties LLC (Adolfo Rosales, Manager)
<u>Applicant:</u>	Blue Green Construction (Bruce Brotzman, President)
<u>Zoning District:</u>	Residential Medium Density District (R-8)
<u>LUP Future Land Use:</u>	Traditional Neighborhood Residential
<u>Flood Zone:</u>	AE8 Special Flood Hazard Area (on effective & preliminary FIRMs)
<u>Size:</u>	0.21 acres/9,400 square feet
<u>Existing Land Use:</u>	Single-Family Residence under construction
<u>Proposed Land Use:</u>	Single-Family Residence with Accessory Dwelling Unit (ADU)
<u>Adjoining Uses/Zoning:</u>	North: Single-Family Residential (R-8) and Alleyway West and East: Single-Family Residential (R-8) South: portion of lot south of Ann Street with docks (R-8)
<u>Utilities:</u>	Water and wastewater provided by Town



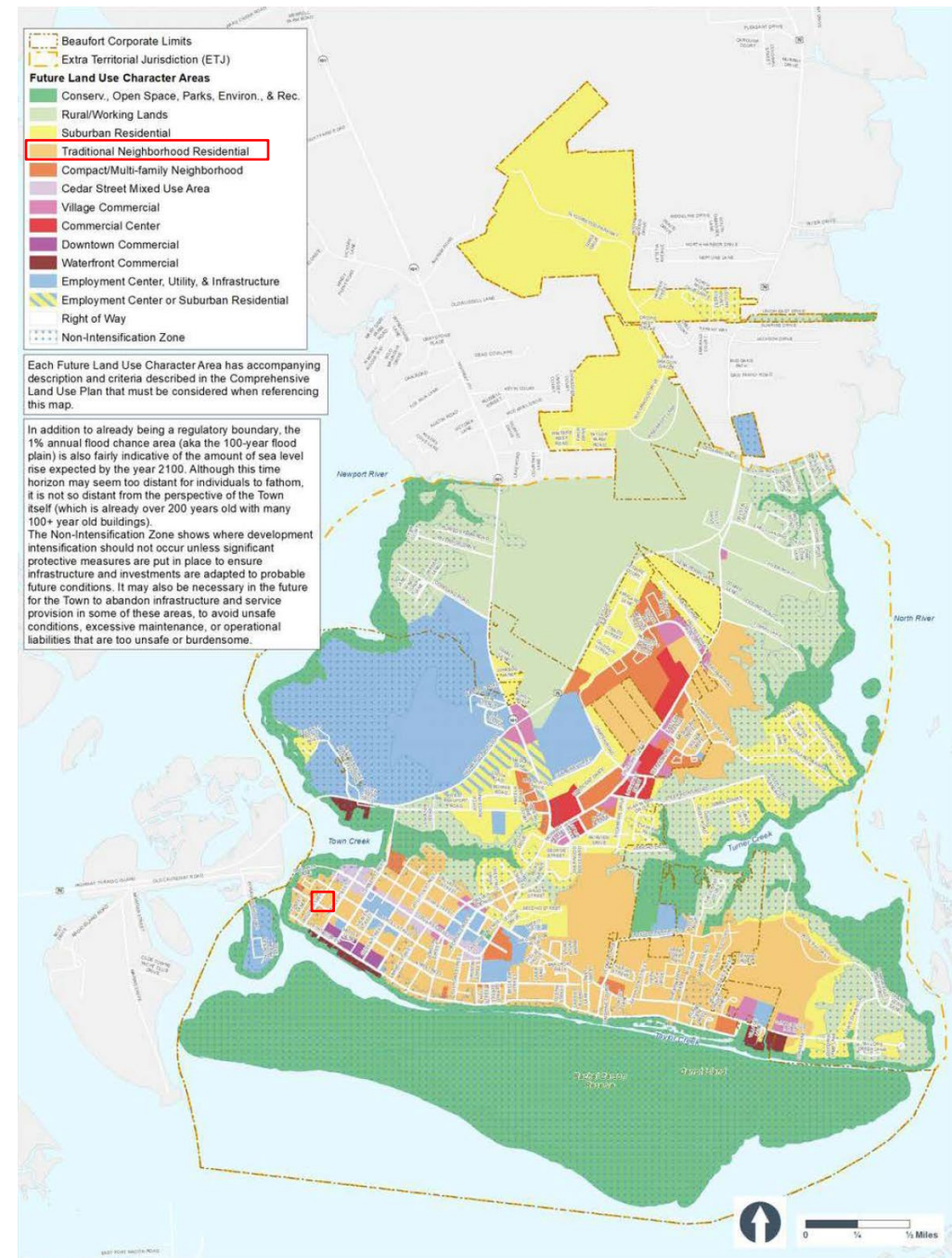
CASE 26-22 SUP FOR ADU AT 1323 FRONT ST



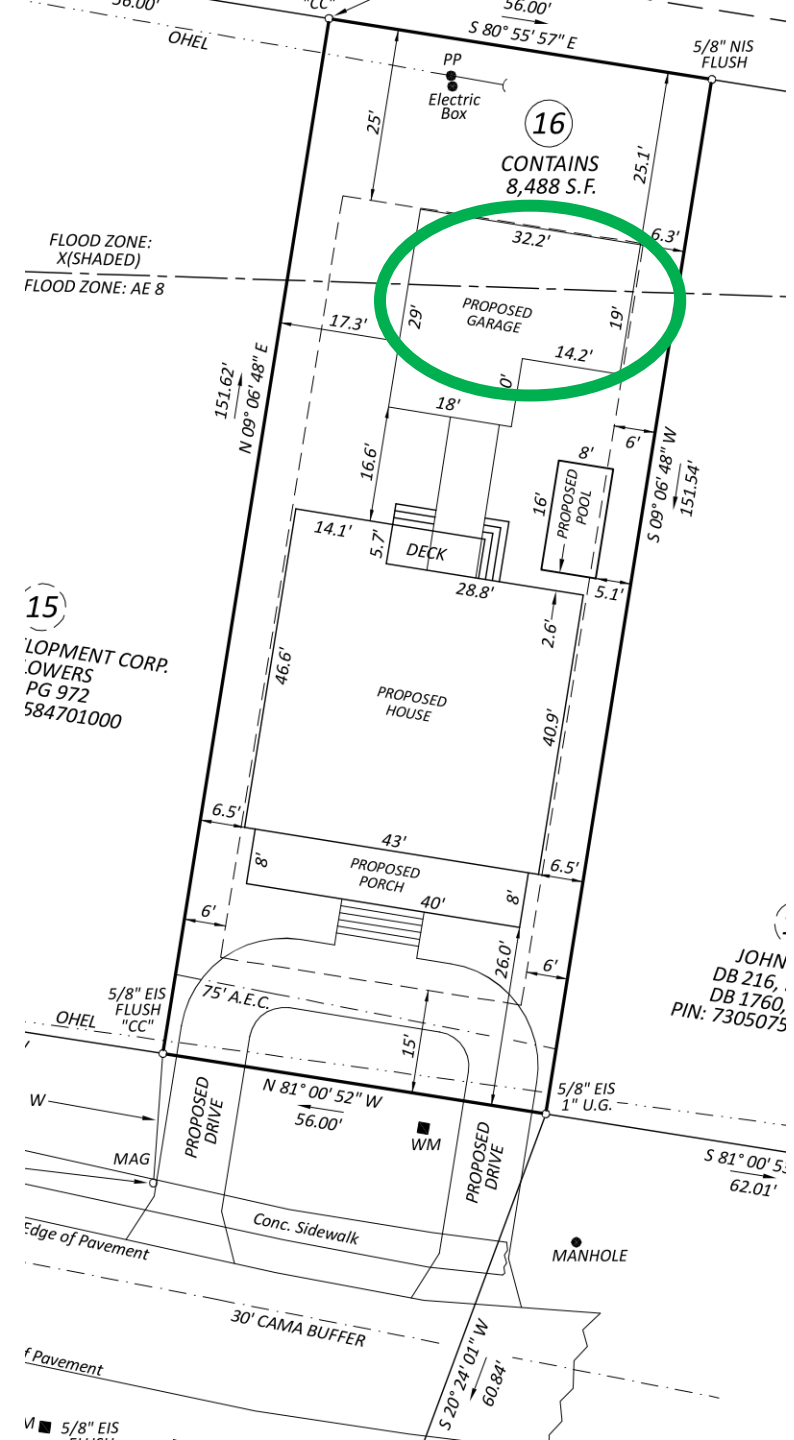
CASE 26-22 SUP FOR ADU AT 1323 FRONT ST

Comprehensive & CAMA Land Use Plan

- Traditional Neighborhood Residential future land use classification notes:
 - “These neighborhoods are walkable with structures situated close to each other. The residential areas exemplify the character found in the historic district and closer to downtown.
 - “Typical Uses: Primarily single family detached residential, with a mix of other highly compatible residential uses scattered throughout, including duplexes, accessory dwellings, garage apartments, and occasionally even larger homes that have been converted to discrete multi-family structures or even small bed-n-breakfast businesses.”



CASE 26-22 SUP FOR ADU AT 1323 FRONT ST



CASE 26-22 SUP FOR ADU AT 1323 FRONT ST

The Planning Board reviewed this request during their August 17th meeting and recommended approval of the special use permit as presented.

Evidentiary hearing notice letters were sent and sign posted 17 days in advance of tonight's meeting.

CASE 26-22 SUP FOR ADU AT 1323 FRONT ST

Section 20 requires that for a SUP to be approved, all LDO standards must be met as well as the Required Findings.

E) *Required Findings.*

- 1) In addition to any other findings or requirements as specified by any other section of this Ordinance, before any application for a special use may be granted or denied, the BOC shall make each of the following findings:
 - a) The proposed use is an allowable special use in the zoning district it is being located within;
 - b) The application is complete;
 - c) The location and character of the use will be in conformity with the Town's Comprehensive and CAMA Land Use Plan and other comprehensive planning elements;
 - d) Streets, driveways, parking lots, traffic control, and any other traffic circulation features shall be designed and provided in accordance with current traffic engineering standards and Town regulations and found to be adequate for the proposed special use;
 - e) The proposed special use will not substantially injure the value of adjoining or abutting properties;
 - f) The proposed special use will be compatible and in harmony with adjoining land uses and the development patterns of the immediate area; and,
 - g) The proposed use will not materially endanger the public health or safety of the community if located where proposed and developed according to the submitted and approved plan.
- 2) The BOC shall make its findings based on "competent, material and substantial evidence" as described in N.C. Gen. Stat. §160D-406 in accordance with the procedures set forth in Section 32 herein.
- 3) Compatibility Standards for Special Uses in Residential Zones:
In deciding whether the architectural elements of the proposed special use in a residential zone will be compatible with the adjoining buildings, the BOC shall review said proposal in reference to the following architectural elements:
 - a) Size (footprint);
 - b) Height;
 - c) Proportion and scale;
 - d) Roof shape(s);
 - e) Setbacks;
 - f) Location, size, and number of openings (doors and windows);
 - g) Materials;
 - h) Color; and,
 - i) Texture.

CASE 26-22 SUP FOR ADU AT 1323 FRONT ST

Options:

1. Grant the special use permit as presented
 - A. Make required findings Section 20.E.1.a through g and 20.E.3 compatibility standards
 - B. Approve the special use permit
2. Grant the special use permit with conditions to bring the proposal into compliance with the Required Findings
 - A. Make required findings Section 20.E.1.a through g and 20.E.3 compatibility standards
 - B. Identify conditions
 - C. Approve the special use permit
3. Deny the special use permit based on specific failures to meet requirements
 - A. Identify required findings not met
 - B. Deny the special use permit
4. Table the decision pending additional information necessary
 - A. Identify additional information needed
 - B. Recess the evidentiary hearing until next meeting