



Town of Beaufort, NC
701 Front St. - P.O. Box 390 - Beaufort, N.C. 28516
252-728-2141 - 252-728-3982 fax - www.beaufortnc.org

Board of Commissioners
Regular Meeting
6:00 PM Monday, September 11, 2023
Train Depot, 614 Broad Street, Beaufort, NC 28516

Call to Order/Pledge of Allegiance

Patriot Day Proclamation

- [1.](#) Patriot Day Proclamation

Roll Call

Agenda Approval

Public Comment

Items of Consent

- [1.](#) Meeting Minutes- August 14th and August 28th
- [2.](#) 2024 Board of Commissioners Meeting Schedule

Items for Discussion and Consideration

- [1.](#) Consideration of a Resolution Exempting the Town of Beaufort from NCGS §14-234
- [2.](#) Site Plan - Compass Hotel - 18 month Extension Request

Public Hearing

- [1.](#) Case # 23-05 - Zoning Text Amendment - 14 Dwelling Units Per Acre as Special Use in TCA Zone
- [2.](#) Case # 23-06 - Rezoning 1103 Lennoxville Rd R-8 to B-1
- [3.](#) Case # 23-07 - BHA Parcels Rezoning TR and R-8 to TCA

Manager Report

Mayor/Commissioner Comments

Closed Session

- [1.](#) Pursuant to NCGS §143-318.11 (a) (3)

Adjourn



PROCLAMATION

Declaring September 11, 2023 as Stop & Remember 9/11 National Moment of Remembrance

WHEREAS, September 11, 2023 marks the 22nd anniversary of the ruthless terrorist attacks on our country; and

WHEREAS, Beaufort remembers those who lost their lives at the Pentagon, the World Trade Center and in a field in southwest Pennsylvania.

WHEREAS, the entire nation witnessed and shared in the tragedy, but were united under a remarkable spirit of service and compassion that inspired and helped heal the nation.

WHEREAS, in 2009 Congress passed the Edward M. Kennedy Serve America Act which included the authorization and federal recognition of September 11th as a “National Day of Service and Remembrance;” and

WHEREAS, we, as a community wish to honor the heroic service, actions, and sacrifices of first responders, law enforcement personnel, fire fighters, local officials, volunteers, and countless others who aided the innocent victims of those attacks, risking and often sacrificing their own lives; and

WHEREAS, the Town of Beaufort Mayor and Board of Commissioners wish to recognize the brave service and sacrifice given each day by members of our armed forces, intelligence agencies, diplomatic services, homeland security, and Beaufort public safety departments to support the cause of freedom and defend the security of our nation;

NOW, THEREFORE, I Sharon Harker by virtue of the authority vested in me as Mayor of the Town of Beaufort do hereby proclaim Monday, September 11, 2023, as: Stop & Remember – 9/11 National Moment of Remembrance in Beaufort, NC.

And encourage everyone to observe one Moment of Remembrance on Thursday, September 11, 2023 to unite, reflect, remember and never forget on this 22nd Anniversary and day of remembrance in the Town of Beaufort.

Duly adopted this 11th day of September 2023.

Sharon E. Harker, Mayor



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Board of Commissioners
Regular Meeting
6:00 PM Monday, August 14, 2023
Train Depot, 614 Broad Street
Beaufort, NC 28516

Call to Order/Pledge of Allegiance

Mayor Harker called the meeting to order at 6:00 p.m. and invited all to join in reciting the Pledge of Allegiance.

Roll Call

Elizabeth Lewis, Town Clerk, called the roll.

PRESENT:

- Mayor Harker
- Mayor Pro Tem Hagle
- Commissioner Oliver
- Commissioner Cooper
- Commissioner Terwilliger
- Commissioner Hollinshed

Agenda Approval

Commissioner Hagle made a motion to approve the agenda as presented.

The motion carried unanimously.

Public Comment

There was none.

Items of Consent

1. Meeting Minutes
2. FY 2024 Budget Amendment #1
3. Event Application: Rotary 10K

Commissioner Cooper made a motion to approve the items of consent.
The motion carried unanimously.

Presentations

1.

1. Waterfront Improvement Project Update

Todd Clark, Town Manager, introduced Doug Townsend and explained that the Board had directed him to explore the potential market for a private public partnership to run the Town docks.

Mr. Townsend recapped also noting his prior directive was to definitively determine a market of private and publicly funded companies exist with a strategic mandate to do the following: Invest capital to revitalize aging dock infrastructure; Manage ongoing dock operations; Enter into a non-recourse, long-term lease with Towns as the means to generate payback on investment; and have a geographic strategic interest in Beaufort.

He explained his market assessment approach, noting the following:

- Internet Research of Any Company Owning/Operating Multiple Marinas;
- Reviewed Operations with Eastern Seaboard Locations;
- Reviewed Management Teams;
- Reviewed Ownership Structures (with Information Available);
- Research Yielded List of 11 Companies Fitting Criteria;
- Set of Initial Qualifying Questions Drafted;
- Telephone Interviews Were Initial Points of Contact;
- Subsequent Site Visits by Many of the Contacted Companies.

In conclusion, Mr. Townsend shared there exists an active market of companies very interested in pursuing a Concessionaire's Lease Agreement with the Town. He described such companies to have the below characteristics.

1. Companies very well capitalized closing deals with average investment sizes of \$25-35 million;
2. Seasoned management teams running these companies with dock operations significantly larger and more complex than Beaufort Docks;
3. Multiple precedent transactions reported very similar to what Town will be asking in its Request for Proposal;
4. Number of the interested parties have investments in the Crystal Coast, North Carolina or with a 250–300-mile radius of Beaufort.

Greg Meshaw, Town Engineer, also discussed the Waterfront Improvement Project and shared the RFQ-SOQ process from the perspective of Town Staff. He explained the methodology of proposed improvements to the docks, bulkhead, boardwalk, and fuel storage areas. He shared the difference between the water-based improvements and the land based improvements, and provided the status for each area in terms of the request for qualification statements, the selection process, and future steps of the project.

Commissioner Oliver asked what the estimated time frame was for the completed design build on the fuel system.

Mr. Meshaw said he expected it would be at least 18 months.

Commissioner Terwilliger asked for the status of the bulkhead inspection.

Mr. Meshaw shared the inspection had been completed and he was awaiting a report.

Commissioner Hollinshed asked if they should be concerned about local companies competing against themselves for a market in Beaufort.

Mr. Meshaw shared if it is an entity that is operating somewhere else along our coast, coming to Beaufort would only help them, as they provide continued services.

Items for Discussion and Consideration

1. Capital Project Budget Ordinance for Waterfront Improvement Project

Mr. Clark shared the proposed budget ordinance would move \$600,000 out of the Capital Reserve Fund into a working Capital Budget. He explained the ordinance establishes a project fund for the Waterfront improvement Project and requests the transfer of funds from the Capital Reserve Fund to the Capital Project Fund for Waterfront Improvements. These funds will allow working Capital for the Waterfront Improvements. He noted the funds would be used for costs associated with engineer/design, permitting, and construction. He explained the amount would be used for initial cost related to the project, noting it would only fund a portion of it.

Commissioner Hagle made a motion to approve a Capital Project Waterfront Improvement Budget Ordinance and Capital Reserve Fund Amendment #17.

The motion carried unanimously.

2. Consideration for Real Property Purchase, Real Property Exchange, and Budget Amendment #2

Mr. Clark shared the Board had expressed interest in the purchase of real property for the purpose of future planning and construction of modern municipal facilities to serve the citizens of the Town. Although there is no established timeline for construction of such facilities, the decision to move forward with the purchase of property follows a space needs study presented to the Board earlier in the year. The study demonstrated that several Town facilities are functionally outdated and no longer meet the needs of the public or the Town staff. Consequently, the Board directed the Town Manager to facilitate the purchase of three parcels of land located within the corporate limits of Beaufort. The parcels are located near the vicinity of Live Oak Street and Campen Road. They are also identified on the Carteret County GIS system by the following parcel identification numbers: PIN #730612854774000; PIN #730612852598000; PIN #730612766174000.

Mr. Clark shared the purchase price of the two parcels owned by the Gibbs family as \$1,400,000. He shared the purchase price of the parcel owned by Mercer Building & Design as \$85,000. He explained in addition to the purchase of those parcels, the Board directed him to facilitate the exchange of property as permitted by North Carolina General Statute 160A-271; a description of the properties to be exchanged is included in the meeting packet and referenced as Resolution No. 23-12, a Resolution Authorizing Exchange of Real Property. Mr. Clark noted there were no expenses related to the exchange of those parcels.

Mayor Harker asked for more clarity on the Steep Point Road property exchange, specifically what portion the Town would be giving up.

Mr. Clark explained that it was about 150 feet and there would be a survey done before the deal was finalized.

Arey Grady, Town Attorney, noted the tax value of what the Town was receiving greatly exceeds the tax value of the portion being exchanged.

Mr. Meshaw gave a summary of the site evaluation report completed for the Gibbs tract. He noted from an environmental standpoint, nothing unusual was found, sharing an old septic tank and several wells were discovered. He explained the report indicated about seven tenths of an acre of contiguous wetlands was found. He discussed soil types on the site and how certain areas would need to be preloaded before large facilities are built. He also shared information regarding potential stormwater ponds on the site. He discussed the chance of those ponds being required to discharge to SA waters as an item to consider. He noted none of the property was in the 100-year floodplain.

Commissioner Cooper asked what the estimated cost to prep the site would be.

Mr. Meshaw explained the report predicted about \$120,000 per acre, totaling over \$1.9 million for all services.

Commissioner Oliver noted these were the type of costs associated with developing land in Carteret County. He asked if the engineer believed the property to be conditional for a well site.

Mr. Meshaw said it was.

Commissioner Oliver commented on the wetland area found and the past agricultural use of the property. He also questioned if the site would meet the elevation requirements for emergency service facilities in the future.

Mr. Meshaw said it would.

Commissioner Oliver noted the survey reflected a total of 16.33 acres, a little different than what GIS shows.

Commissioner Hagle commented on the soil type, noting it was typical of any property in the area. He also discussed future possibilities regarding the construction of Town facilities on the site.

Commissioner Terwilliger said he believed the property was a good option for the Town, as there were limited parcels available, and the Town continues to grow.

Commissioner Hollinshed asked if the Mercer property would be suitable for large trucks to use as a driveway.

Mr. Meshaw noted it was a small area, but staff believed it would suffice.

Commissioner Hollinshed asked if there was a possibility to combine stormwater ponds with adjacent properties, such as those located behind the ABC Store and mini storage lots.

Mr. Meshaw explained he had no way of knowing at this point, but it would be something the Town could pursue at the appropriate time.

Commissioner Oliver shared that he believed the wetlands area found would have less of an impact than it seemed. He also noted that he thought the Gibbs family and other parties involved had been extremely fair with the Town, and they deserve an attribute from the Board.

Commissioner Hagle made a motion for approval of the Real Estate Purchase Contract between Town of Beaufort and Gibbs, as referenced in Addendum #1 of the meeting packet.

The motion carried unanimously.

Commissioner Hagle made a motion for approval of the Real Estate Purchase between Town of Beaufort and Mercer, as referenced in Addendum #2 of the meeting packet.

The motion carried unanimously.

Commissioner Hagle made a motion to approve Resolution #23-12, Authorizing Exchange of Real Property.

The motion carried unanimously.

Commissioner Hollinshed made a motion to approve FY 2024 Budget Amendment #2.

The motion carried unanimously.

3. Resolution Declaring Intent to Reimburse for Capital Expenditures- USDA-Funded Utilities Project

Commissioner Terwilliger made a motion to approve Resolution #23-13, declaring the intent of the Town of Beaufort to reimburse itself for capital expenditures from the proceeds of certain tax-exempt obligations associated with the USDA-Funded Utilities Project.

The motion carried unanimously.

4. Event Application: Day of the Dead Festival

Rachel Johnson, Events Coordinator, shared the Beaufort Picture Show submitted an event application to host a Day of the Dead event on Thursday November 2, 2023, in downtown Beaufort. She noted the coordinators for the event are Liz Koft and Billy Kane. She discussed details of the event application and noted the request of the Town as follows: closure of Middle Lane from 6 a.m.-11 p.m. on November 2, 2023; an alcohol waiver for Middle Lane; and shared the applicants are aware that they will be required to hire a minimum of two off duty officers for the duration of the vent at the for hire rate. She noted the Town's Emergency Services Departments have reviewed the application and there were no issues.

Commissioner Hagle made a motion to approve the event application as presented.

The motion carried unanimously.

5. Event Application: All Things Bicycle

Ms. Johnson shared the owners of Periwinkle submitted an event application for a first-time event called, All Things Bicycle. She discussed the details of the event, noting the event requests the closure of Cedar Street from the corner of Cedar and Live Oak Streets to the intersection of Cedar and Hedrick Streets. She explained the closure would be from 4:30-6:30 p.m. during the race day, October 21, 2023. She added that Public Safety has reviewed the application and do not have any issues.

Commissioner Cooper made a motion to approve the event application as presented.

The motion carried unanimously.

Manager Report

Mr. Clark provided a monthly Manager's Report. The full detailed report can be viewed at: <https://www.beaufortnc.org/boardofcommissioners/page/managers-report>

Mayor/Commissioner Comments

Commissioner Cooper shared that public school would be starting soon and reminded others to be cautious of the buses. He noted the newly painted mural from Arts in Beaufort looked good.

Commissioner Oliver commended the Town Manager on the positive job he was doing for Beaufort.

Commissioner Hagle commented on the many projects going on around Town. He provided a safety message to the residents.

Commissioner Terwilliger spoke on the Waterfront Project and thanked those involved in the process thus far.

Commissioner Hollinshed thanked the Town staff for facilitating meetings that ran smoothly.

Mayor Harker also praised the Town staff for their daily efforts to make Beaufort a great place.

Adjourn

Commissioner Hagle made a motion to adjourn the meeting at 7:40 p.m.

The motion carried unanimously.

Mayor, Sharon E. Harker

Town Clerk, Elizabeth Lewis



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Board of Commissioners
Work Session Meeting
4:00 PM Monday, August 28, 2023
Train Depot, 614 Broad Street
Beaufort, NC 28516

Call To Order

Mayor Harker called the meeting to order at 4:00 p.m.

Roll Call

Elizabeth Lewis, Town Clerk, called the roll.

PRESENT:

- Mayor Harker
- Mayor Pro Tem Hagle
- Commissioner Oliver
- Commissioner Cooper
- Commissioner Terwilliger
- Commissioner Hollinshed

Agenda Approval

Commissioner Hagle made a motion to approve the agenda.

The motion carried unanimously.

Items for Discussion and Consideration

1. Review of Grant Writing Services- Margaret Shields

Todd Clark, Town Manager, explained during the budget process, the Board expressed an interest in hiring a grant writer and authorized \$25,000 for those services. He introduced Margaret Shields and shared several key areas where grant funding would be most useful for the Town. Those areas were noted as replacement of water treatment plant; parks and recreation projects; signal lights and audible crosswalk improvements; street/sidewalk construction; stormwater controls; historic property improvements; and construction of municipal facilities.

Ms. Shields provided a summary related to her grant writing services, experiences, and past achievements as President and Principal Grant Writer at Fund Development, LLC. She shared her company is based out of New Bern, North Carolina; they are a small team that provides grant writing services for municipalities, museums, colleges, health care and

human service organizations. She discussed her services and what she intends to accomplish for the Town, noting she has a good feel for the Beaufort community and the Crystal Coast.

Mr. Clark noted his intention was to finalize the draft contract with Margaret Shields.

The Board had no objections to the Town Manager moving forward to securing Ms. Shields' grant writing services.

2. National Park Service (NPS)

Mr. Clark shared the National Park Service (NPS) entered into a lease agreement with the Town of Beaufort in 2013. The lease agreement specifically allocates space inside the Beaufort Town Hall as a visitor's center, provides dock space to operate a ferry service, and creates space at Grayden Paul Park for interpretive displays. In accordance with the lease agreement, the Town has provided these spaces free of charge. Additionally, the Town has provided in-kind services for all associated utilities. He noted that while the initial lease is set to expire January 1, 2024, the NPS has a non-revocable option to extend the lease an additional three years with the term expiring on January 1, 2027. The NPS has indicated, however, that they intend to close the Visitor's Center at the end of December 2023 if a 10-year lease extension cannot be negotiated. The Park Service has indicated that the extension is necessary to continue operating the visitors center concurrently with the lease agreement the NPS has for concessionaire services associated with the ferry service to Cape Lookout and Shackleford Banks. He also made note that the Town of Beaufort is uniquely poised to undertake significant rehabilitation investments to the waterfront area. While designs and plans have yet to be determined, the rehabilitation efforts may include the reconfiguration of the east end of the boardwalk and dock facilities. This could have an impact on the ferry service and is something to be considered by the Board.

The Mayor provided Jeff West, Cape Lookout National Seashore Superintendent, the opportunity to address the Board.

Mr. West discussed the current lease agreement between the Town and the NPS, noting the excellent provisions within the agreement and the positive relationship with the Town. He shared over the years, there had been sizeable growth in the number of visitors in the area. He suggested the economic benefits the Town has received from the partnership with the NPS, out weights the cost factor. Mr. West explained he would love to extend the lease agreement with the Town of Beaufort. He noted the NPS will be facing budget cuts in the upcoming year and there would not be funds to rent the space that is currently being utilized for free. He explained the space being used by the NPS at Town Hall could be turned back over to the Town, and suggested the bigger issue was a contract crunch. He explained if the NPS did not have an agreement in place requiring the ferry concessionaire operate out of Beaufort, whoever is selected as the concessionaire for the next ten years could move their services to another location.

Commissioner Hagle asked if the NPS did not have an agreement for usage of the Town facilities, would the ferry concessionaire be required to operate out of Beaufort.

Mr. West said if the Town needed the space at Town Hall, the NPS would walk away from it, as long as they could keep the ferry service agreement.

Commissioner Hollinshed noted when the original contract was put into place in 2013, Beaufort needed an economic boost. She discussed the pros and cons of the relationship with the NPS over the years and pointed out the space needs at Town Hall. She expressed her concern with the ferry concessionaire interfering with the waterfront rehabilitation project.

Commissioner Oliver suggested the real issue was the Town owned docks, not the Town Hall building. He shared he believed the Town should receive payment of some sort for

usage, whether that be a fair market rate based off an appraisal, or another negotiated price. He suggested the next step would be determining the value of the areas in question, noting the NPS would not find free space anywhere else.

Commissioner Cooper commented on the jobs that would be affected if the ferry concessionaire was not in Beaufort and the visitors the service brings to Town.

Commissioner Terwilliger pointed out there were three parties involved in the agreement, the NPS, the Town of Beaufort, and the ferry concessionaire. He noted the Town was the only party that was not receiving any financial gain. He suggested they needed to find a way that all three parties would be financially compensated. He recommended the concessionaire pay the Town for the use of the docks. He noted the Town is responsible for the maintenance of the docks and discussed the money spent reconditioning the docks in the past few years.

3. Paid Parking

Mr. Clark explained the Board has expressed a desire to discuss the Paid Parking Program. He shared there had been several ideas regarding the modification of the program. These ideas include transitioning to a 12-month program, upgrading parking kiosks, utilizing new wireless technologies for payments, increasing hourly parking rates, and evaluation of tiered hourly parking rates based on location. He suggested another option the staff discussed would be to evaluate the services of a private parking company to manage the program. He also shared the Beaufort Business Association (BBA) is currently working to complete a parking survey.

Lieutenant David Halsey, Beaufort Police Department, shared the challenges faced during the current parking season. He expressed the need to replace outdated kiosks if the Board desired to continue using those in the future. He shared the machines were frequently out of service and it caused frustration and complaints from residents and visitors.

Commissioner Hagle suggested the Town request input from merchants on the advantages and disadvantages of paid parking, as well as the time period they believe to be most appropriate. He questioned if the Beaufort Businesses could manage the parking, versus the Town.

Commissioner Hollinshed agreed input from the merchants would be key to any decisions made regarding the future. She also suggested the purpose of the funds collected might need to be reevaluated.

Commissioner Oliver suggested the Board and staff find a way to process the different areas associated with paid parking. He agreed that input from the BBA was important, as well as other paid parking operations in Town, such as the church lot. He noted that speaking with a representative from the BBA and the church lot to gain their input on paid parking would be essential. He recommended forming a committee that would discuss and make specific recommendations to improve the paid parking program.

Commissioner Terwilliger noted a key revenue source for the Town was paid parking. He recommended because the kiosks were not functioning well, an alternative should be discussed regarding collection of the parking fees. He said there was no reason not to go to year-round parking, especially in certain areas.

Commissioner Hagle made a motion to form a Paid Parking Committee that would include Commissioner Oliver, Commissioner Cooper, Todd Clark, a representative from the BBA, Lieutenant David Halsey, and Parking Manager Cherelle Sharpe.

The motion carried unanimously.

4. Short Term Rentals

Mr. Clark explained the issue of short-term residential rentals was a topic of discussion for the Board of Commissioners beginning in 2016, with the last conversation taking place in September of 2020. Although the issue of regulating short-term rentals continues to be a topic of discussion across the State of North Carolina, the Town chose not to pursue any form of regulation in prior years for a couple of reasons. First, the Board recognized there were legal uncertainties which could lead to possible litigation if an ordinance were to be enacted. Additionally, the process of determining what and how to regulate such uses created great uncertainty. He explained the Board expressed an interest in revisiting this discussion and requested that this item be placed on the work session agenda. He shared that attached in the agenda packet was data specific to rentals in Beaufort. The data was collected from AirDNA, a company who tracks the performance of Airbnb and Vrbo vacation rentals across the United States.

Mr. Clark shared information on a case that involved short term rentals, Schroder vs. the City of Wilmington. He made note of proposed legislation regarding the regulation of short term rentals, outlined in Senate Bill 667. He suggested if the Board wanted to consider any policies related to the regulation of short term rentals, they would need to strongly consider what is outlined in Senate Bill 667. He also recommended the Board have a conversation with the Town Attorney regarding the legalities of adopting an ordinance that would regulate short term rentals.

Commissioner Hagle commented on the proposed legislation, Senate Bill 667, covers many aspects of the debated topic. He suggested it would be beneficial to wait for the outcome of the proposed legislation, rather than acting now. He shared in past years, there were many complaints about short term rentals, but that did not seem to be the case at this point. He also noted the rentals seem to be scattered throughout Town, not specific to one area.

Commissioner Hollinshed added that she had not received any complaints about short term rentals. She commented on the potential zoning issues that could arise. She discussed the need for property managers to be in Town to manage the rental and resolve any problems. She questioned who would oversee regulations on short term rentals if the Town put restrictions in place. She noted the need for legal direction.

Commissioner Oliver agreed, it was largely a matter of legal limitations. He noted one of the responsibilities of the Board was to consider the health, safety, and welfare of others. He suggested the Board direct the Town Attorney to provide a list of specific recommendations that could be put in place through a Town Ordinance, noting his legal opinion on the matter was essential.

Commissioner Cooper discussed the importance of residents and occupants' health, safety, and welfare. He questioned inspections on short term rentals, as well as garbage pickup.

Commissioner Terwilliger said the Board needs to find a way to regulate short term rentals but noted it would not fix the affordable housing issues in the area. He suggested tracking complaints on short term rentals. He recommended ways to inventory the properties would be helpful, such as having them register their short term rental with the Town.

The Mayor deemed a Board consensus to direct the Town Attorney to provide further guidance on the topic, per Commissioner Oliver's recommendations above.

5. ARPA Grant Funding Acceptance Resolution Professional Park Drive Area Stormwater Inventory & Flood Study

Greg Meshaw, Town Engineer, shared the Town received a letter from the Division of Water Infrastructure dated August 10, 2023, requesting that the Board of Commissioners adopt a resolution that accepts the funding and commits the Town to adhere to the

conditions of the “Funding Offer and Acceptance,” a copy of which is provided in the meeting packet. He explained staff was requesting that the Board of Commissioners consider adopting the attached resolution, which accepts the \$394,815 grant funding and commits the Town to adhere to the conditions of the Funding Offer and Acceptance.

Commissioner Terwilliger made a motion to approve the Resolution Accepting American Rescue Plan Funding for the Professional Park Drive Area Stormwater Inventory and Flood Study.

The motion carried unanimously.

6. Unified Development Ordinance (UDO)- NCGS 160D Update

Kyle Garner, Planning and Inspections Director, shared the status of the NCGS 160D updates. He reported staff had finished the last draft review with the Town Attorneys. He noted it will be an item for the Planning Board to review at their September meeting, with a public hearing to follow in October. He shared the goal to have it in front of the Board of Commissioners at their November Regular Meeting. He also provided some information on the CAMA Plan, sharing it is conceivable that formal adoption of the plan could take place in October, which will also require a public hearing.

7. USDA Project Update

Mr. Meshaw provided an update on the USDA-Funded Utilities Project; a copy of the presentation is located on the Town's website. He discussed the water and waste disposal loan and grant program, funding specific to Beaufort, loan terms and offers, and shared a map of the streets that would be affected during the project. He also discussed the involvement of the Local Government Commission (LGC), and next steps in the process.

Commissioner Hollinshed asked about the interest rate market.

Mr. Meshaw said he believed they would receive proposals but could not predict interest rates.

Commissioner Oliver asked who could better answer the question regarding future interest rates.

Mr. Meshaw suggested the LGC would have a better idea.

Commissioner Oliver requested Mr. Meshaw reach out to the LGC for those numbers. He noted in his opinion, stormwater fees would probably need to be increased.

Commissioner Terwilliger asked if they would be waiting to start paving the streets until after all the work was completed.

Mr. Meshaw explained it was best to pave the streets after the project is accepted, which could possibly be done in phases. He noted there would be patch work in the streets, with ABC stone and asphalt, a substantial structure being put back down until the final paving was complete.

Commissioner Terwilliger expressed the need to make residents aware of the upcoming project sooner rather than later.

8. FY 2024 Budget Amendment #3

Christi Wood, Finance Director, explained the amendment requests the appropriation of Fund Balance for purchases and professional services budgeted in FY 23 but not completed prior to June 30, 2023. She noted the purchases and services include:

General Fund: \$339,334

- Finance- Budget Software; \$4,350
- Police- Vehicles, Forms, and Equipment; \$186,440

- Fire- Safety Equipment and Radio Repairs; \$33,854
- Planning- Permitting Software; \$20,000
- Public Works- Vehicle; \$53,317
- Non-Departmental- Site Work; \$41,373

Utility Fund \$321,977

- Sewer- SCADA, HRIB permitting, and Engineer Work for Pump Station Improvements; \$246,479
- Water- Water Meters, Water Softener Maintenance and Valve Replacement; \$75,498

Commissioner Hagle made a motion to approve FY 2024 Budget Amendment #3

The motion carried unanimously.

9. FY 2024 Budget Amendment #4

Ms. Wood explained the amendment requests the appropriation of additional revenue from Carteret County. The revenue is a distribution from the Town's Fire Tax reserve account held by the County. The funds, \$25,000, will be used to purchase a generator for station #2.

Commissioner Terwilliger made a motion to approve FY 2024 Budget Amendment #4.

The motion carried unanimously.

10. July Financial Report

Ms. Wood provided a financial report for July 2023. She discussed property tax settlements for Ad Valorem Taxes, distributions from the county, the general fund unrestricted fund balance, the utility fund unrestricted net position, and current capital reserve balances.

Adjourn

Commissioner Hagle made a motion to adjourn the meeting at 6:15 p.m.

The motion carried unanimously.

Mayor, Sharon E. Harker

Town Clerk, Elizabeth Lewis

TOWN OF BEAUFORT
BOARD OF COMMISSIONERS
2024 MEETING DATES

Location: Beaufort Train Depot- 614 Broad Street, Beaufort, NC 28516

Regular Meeting
2nd Monday, unless otherwise
noted

Work Session
4th Monday, unless otherwise
noted

January 8, 2024

January 22, 2024

February 12, 2024

February 26, 2024

March 11, 2024

March 25, 2024

April 8, 2024

April 22, 2024

May 13, 2024

*May 28, 2024

June 10, 2024

June 24, 2024

July 8, 2024

July 22, 2024

August 12, 2024

August 26, 2024

September 9, 2024

September 23, 2024

October 14, 2024

October 28, 2024

*November 12, 2024

November 25, 2024

December 9, 2024

*December 16, 2024

Time: 6:00 pm

Time: 4:00 pm

**Moved due to holiday schedule*



Town of Beaufort, NC

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**Board of Commissioners
Regular Meeting
6:00 PM Monday, September 11, 2023**

AGENDA CATEGORY: Items for Discussion and Consideration
SUBJECT: Consideration of a Resolution Exempting the Town of Beaufort from NCGS §14-234

BRIEF SUMMARY:

The Town Board of Commissioners plan to hold their 2024 Board Retreat on January 30-31, 2024. The proposed venue for the Annual Retreat is the Beaufort Hotel.

In consideration of Commissioner Oliver’s financial interest in the Hotel, the Town Staff want to ensure compliance with North Carolina General Statute 14-234, titled “*Public officers or employees benefiting from public contracts, exceptions*”.

NCGS §14-234 (a)(1)

“No public officer or employee who is involved in making or administering a contract on behalf of a public agency may derive a direct benefit from the contract except as provided in this section, or as otherwise allowed by law”.

In accordance with NCGS § 14-234 (d1)(i), towns having a population of no more than 20,000 according to the most recent official federal census may be exempted from Subdivision (a)(1) of NCGS 14-234 if the following actions are taken:

- 1) The proposed contract(s) between the town and one of its officials must be approved by a specific resolution of the governing body adopted in an open and public meeting and the action must be recorded in the town’s board minutes;
- 2) The amount does not exceed sixty thousand (\$60,000) for goods and services within a 12-month period;
- 3) The official entering into the contract with the unit or agency cannot participate in any way or vote;
- 4) The total amount of the contract(s) with each official is specifically noted in the audited annual financial statement of the town, and
- 5) The town must post in a conspicuous place in Town Hall a list of officials with whom contracts have been made, briefly describes the subject matter of the contracts, and shows the total contract amounts within the preceding 12 months; all of which must be updated on a quarterly basis.

REQUESTED ACTION:

Staff recommends that the Board of Commissioners adopt the attached Resolution exempting the Town of Beaufort from North Carolina General Statute § 14-234.

EXPECTED LENGTH OF PRESENTATION:

5 minutes

SUBMITTED BY:

Todd Clark, Town Manager

BUDGET AMENDMENT REQUIRED:

No



A RESOLUTION EXEMPTING THE TOWN OF BEAUFORT FROM NORTH CAROLINA GENERAL STATUTE § 14-234 RESOLUTION NO. 23-15

WHEREAS, North Carolina General Statute § 14-234 (a) (1) sets forth that no public officer or employee who is involved in making or administering a contract on behalf of a public agency may derive a direct benefit from the contract except as provided in NCGS § 14-234, or otherwise allowed by law; and

WHEREAS, North Carolina General Statute § 14-234 (a1) (1) defines a “public officer” as an individual who is elected or appointed to serve or represent a public agency, other than an employee or independent contractor of a public agency; and

WHEREAS, Towns having a population of no more than 20,000 according to the most recent official federal census may be exempted in accordance with (d1) Subdivision (a) (1) of NCGS § 14-234 if the following actions are taken:

- 1) The proposed contract(s) between the town and one of its officials must be approved by a specific resolution of the governing body adopted in an open and public meeting and the action must be recorded in the town’s board minutes;
- 2) The amount does not exceed sixty thousand (\$60,000) for goods and services within a 12-month period;
- 3) The official entering into the contract with the unit or agency cannot participate in any way or vote;
- 4) The total amount of the contract(s) with each official is specifically noted in the audited annual financial statement of the town; and
- 5) The town must post in a conspicuous place in Town Hall a list of officials with whom contracts have been made, briefly describes the subject matter of the contracts, and shows the total contract amounts within the preceding 12 months; all of which must be updated on a quarterly basis.

WHEREAS, the Town of Beaufort proposes to rent a facility from a Town of Beaufort Board of Commissioner for a public purpose.

NOW THEREFORE, BE IT RESOLVED, that the Town of Beaufort Board of Commissioners adopt this resolution with the intent of renting the Beaufort Hotel, partly owned, and operated by Town of Beaufort Commissioner Charles Oliver II, for the purpose of hosting a two-day board retreat on the dates of January 30-31, 2024.

Adopted this the 11th day of September 2023

Elizabeth Lewis, Town Clerk

Sharon E. Harker, Mayor



Town of Beaufort, NC

701 Front St. - P.O. Box 390 - Beaufort, N.C. 28516
252-728-2141 - 252-728-3982 fax - www.beaufortnc.org

**Town of Beaufort Board of Commissioners Meeting
6:00 PM Monday, September 11, 2023 – 614 Broad Street – Train Depot**

AGENDA CATEGORY: Items for Discussion & Consideration
SUBJECT: Compass Hotel - 18 Month extension request
BRIEF SUMMARY:

The Compass Hotel site plan was re-approved on May 9, 2022, by the Board of Commissioners with conditions and is set to expire in November 2023 due to half of the improvements not being completed. There have been no changes to the previously approved plans.

Section 18 (Site Plans) I-2 of the LDO allows for the Board of Commissioners, following a recommendation from the Town Manager to grant an extension of the approval if; the applicant submits a request to the Town manager prior to the 18 month expiration date (which the applicant has per the attached letter); and if the plans still meet Town Standards (The Plans still meet Town Standards and all environmental development permits are current and have not expired).

REQUESTED ACTION:
Decision on the Proposed Site Plan Extension for 18 Months

EXPECTED LENGTH OF PRESENTATION:
10 Minutes

SUBMITTED BY:
Kyle Garner, AICP
Planning & Inspections Director

BUDGET AMENDMENT REQUIRED:
N/A

BEAUFORT PARTNERS, LLC

Real Estate Development

P.O. Box 14165 • New Bern, North Carolina 28561
Telephone: (252) 635-7476 • Fax: (252)637-7985
Email: joe@thomasdev.com

August 29, 2023

Mr. Todd Clark, Manager
Town of Beaufort, North Carolina
701 Front Street
Beaufort, North Carolina 28516

RE: Proposed Compass Hotel – 103, 113, 115, & 208 Cedar Street – Site Plan Approval

Dear Mr. Clark:

In May of 2022, the Beaufort Board of Commissioners approved the site plan for the above referenced property. To date we have complied with all of the conditions set forth in the approval letter, including obtaining the required Certificate of Appropriateness granted by the Beaufort Historic Preservation Commission on April 4, 2023. Further, we recently received the “DETERMINATION OF NO HAZARD TO AIR NAVIGATION” letter from the Federal Aviation Administration, copy attached. We have satisfied all of the Town of Beaufort’s planning and engineering requirements, and have obtained the building permit issued by the planning office.

We have approval for our financing but with the completion of all of the documentation required by the lender for funding the construction phase of the hotel and with the mobilization of our contractor, Hudson Brothers Construction Company, we may not meet the 18 month requirement for completion of ½ of the site improvements by the end of November 2023. Therefore, we respectfully request an extension of the site improvements deadline in order to avoid any interruption in our development process.

Thank you for your consideration and attention to this matter.

Respectfully submitted,

Beaufort Partners, LLC
Joseph E. Thomas, Manager
F. Bruce Sauter, Manager
William S. Corbitt, Manager

cc: J. Troy Smith, Esquire



Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 10101 Hillwood Parkway
 Fort Worth, TX 76177

Aeronautical Study No.
 2023-ASO-6749-OE
 Prior Study No.
 2019-ASO-26596-OE

COPY

Issued Date: 08/21/2023

Mr. Joseph Thomas
 Beaufort Partners, LLC
 P.O. Box 14165
 New Bern, NC 28561

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Building Compass Margaritaville Hotels & Resorts
 Location: Beaufort, NC
 Latitude: 34-43-20.00N NAD 83
 Longitude: 76-39-50.00W
 Heights: 10 feet site elevation (SE)
 40 feet above ground level (AGL)
 50 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 M.

This determination expires on 02/21/2025 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

This determination cancels and supersedes prior determinations issued for this structure.

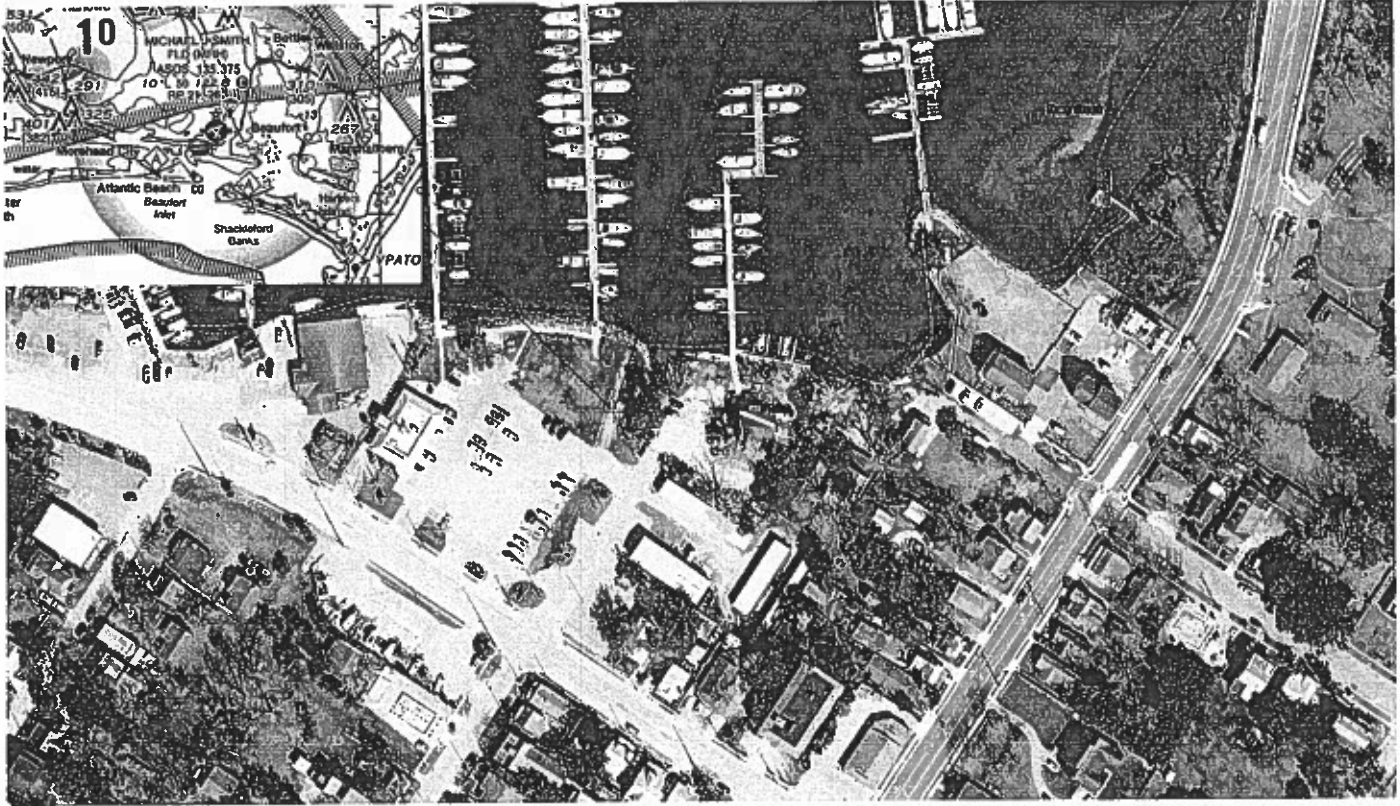
If we can be of further assistance, please contact our office at (817) 222-5915, or Rodney.H-CTR.Love@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2023-ASO-6749-OE.

Signature Control No: 573564572-597082141
Rodney Love
Technician

(DNE)

Attachment(s)
Map(s)

2.





Town of Beaufort, NC

701 Front St. - P.O. Box 390 - Beaufort, N.C. 28516
252-728-2141 - 252-728-3982 fax - www.beaufortnc.org

**Town of Beaufort Board of Commissioners Regular Meeting
6:00 PM Monday, September 11, 2023 – 614 Broad Street**

AGENDA CATEGORY: Public Hearing
SUBJECT: Zoning Text Amendment - Modifying Section 8A (TCA District) & Table 8-8 (Table of Uses) to allow a density of 14 Dwelling Units per acre as a Special Use

BRIEF SUMMARY:

After reviewing a proposal for a new affordable housing district, the Planning Board, after their August public hearing, recommended that the text amendment be denied, and that the TCA density stay at 12 dwelling units per acre instead of the proposed density of 14 units per acre as a Special Use Permit.

REQUESTED ACTION:

Conduct Public Hearing
Decision on Zoning Text Amendment

EXPECTED LENGTH OF PRESENTATION:

10 Minutes

SUBMITTED BY:

Kyle Garner, AICP
Planning & Inspections Director

BUDGET AMENDMENT REQUIRED:

N/A

PLANNING BOARD STAFF REPORT

BOARD ACTION REQUEST

Case No.: 23-05

TO: Planning Board
FROM: Kyle Garner, Planning Director
DATE: August 29, 2023
RE: LDO Text Amendment Modifying Section 8A (Townhomes, Condominiums, Apartments District) & Table 8-8 (Transitional Zoning Table of Uses) to allow a density of 14 Dwelling Units per acre as a Special Use

Background

After reviewing a proposal for a new affordable housing district, the Board of Commissioners at their June workshop requested that staff move in another direction and instead add language to the existing TCA district to allow a density of 14 units per acre as a Special Use Permit. By making this amendment it opens the opportunity for the density bonus to a much larger group than focusing on just one.

At their August 21st meeting the planning board conducted a public hearing and after such voted 4 to 1 to recommend denial of the proposed amendment as they believe the existing density of 12 units per acre does not need to be amended.

Staff has included “Draft” text language which shows text to be added as **bold highlighted**.

Action Needed:

- Conduct a Public Hearing on the proposed text amendment.
- A decision to modify the Ordinance as requested; to change the modification to other language; or to deny changing the Ordinance.

Attachments:

- Section 8A & Table 8-8 of the LDO
- Draft Ordinance
- Planning Board Consistency Statement

Agenda Item Prepared By:
Kyle Garner, Planning Director

Board Action: Motion by _____ 2nd by _____

Section 8 Transitional Zoning Districts

A) TCA Townhomes, Condominiums, Apartments District.

This district is established to provide a high-density district in which the primary uses are multi-family residences and duplexes. Uses in this district which require potable water or sanitary sewer must be connected to both municipal water and municipal sewer.

- 1) Maximum Overall Density.
The TCA district shall have a maximum density of twelve units per acre **without a Special Use permit and up to fourteen units per acre with a Special Use Permit.**
- 2) Minimum Lot Size.
All lots in the TCA district shall be a minimum of two thousand, seven hundred, and fifty square feet (2,750 ft²) per dwelling unit.
- 3) Minimum Lot Width.
All lots in the TCA district shall have a minimum lot width of eighty feet (80') at the minimum building line.
- 4) 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 8-1 Interior Lot Requirements

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

Table 8-2 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>
TCA	25 feet	15 feet	30 feet	8 feet	35 feet

Table 8-3 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 Setbacks</i>	<i>Building Height Limitation</i>
TCA	25 feet	15 feet	8 feet	35 feet

- 5) Accessory Building Setback Requirements.

All accessory buildings must comply with the lot setback requirements as set forth in section 2-F, section 6, section 15, and all other sections of this Ordinance.

6) Covenants.

In any development proposing common areas, jointly used structures, or private streets, restrictive and protective covenants which provide for party wall rights, harmony of external design, continuing maintenance of building exteriors, grounds, or other general use improvements and similar matters, shall be submitted to the Town and approved by the BOC. Condominium development must submit evidence of compliance with the North Carolina Condominium Act.

1) Permitted Uses.

Antenna Co-Location on Existing Tower	Home Occupation
Assisted Living	Neighborhood Recreation Center Indoor/Outdoor, Private
Athletic Field, Public	Neighborhood Recreation Center, Public
Carport	Nursing Home
Community Garden	Park, Public
Concealed (Stealth) Antennae & Towers	Public Safety Station
Dock	Public Utility Facility
Dormitory	Resource Conservation Area
Dwelling, Duplex/Townhome	Shed
Dwelling, Multi-Family	Signs, Commercial Free-Standing
Garage, Private Detached	Temporary Construction Trailer
Government/Non-Profit Owned/ Operated Facilities & Services	Utility Minor
Group Home	Vehicle Charging Station

7) Special Uses (*Special Uses* text may be found in section 20 of this Ordinance).

Athletic Field, Private	Restaurant with Indoor Operation
Dwelling, Single-Family	Restaurant with Outdoor Operation
Dwelling, Multi-Family up to 14 Units Per Acre	Retail Store
Golf Course, Privately-Owned	Satellite Dish Antennas
Golf Driving Range	School, Post-Secondary
Hotel or Motel	Tavern/Bar/ Pub with Indoor Operation
Marina	Tavern/Bar/ Pub with Outdoor Operation
Mixed Use	Theater, Small
Outdoor Amphitheater, Public	Transportation Facility
Personal Service Establishment	Utility Facility
Preschool	
Religious Institution	
Restaurant with Drive-Thru Service	

Land Development Ordinance Uses		TCA	TR	PUD	CS-MU
Residential Uses					
Group Living	Assisted Living	P	P	S	
	Dormitory	P	P	S	
	Group Home	P	P	S	
	Nursing Home	P	P	S	
Household Living	Accessory Dwelling Unit		S	S	
	Dwelling, Duplex/Townhome	P	P	S	
	Dwelling, Multi-Family	P		S	P
	Dwelling, Multi-Family – up to 14 Units Per Acre	S			
	Dwelling, Single-Family	S	P	S	P
	Manufactured Home			S	
	Manufactured Home Park			S	
Recreational Vehicle Park			S		
Mixed Uses					
	Mixed Use	S	P	S	P
Public/Institutional Uses					
Aviation	Airport/Landing Strip			S	
Cemeteries/ Graveyards	Cemetery/Graveyard		S	S	
Cultural Facilities	Library		P	S	
	Museum		S	S	
Day Care	Day Care Center		S	S	
	Day Care/Child Care Home		S	S	
Government Services	Government/Non-Profit Owned/ Operated Facilities & Services	P	P	S	
	Public Safety Station	P	P	S	
	Public Utility Facility	P	P	S	P
Hospitals	Hospital			S	
Park and Athletic Fields, Public Use	Athletic Field, Public			S	
	Community Garden	P	P	S	
	Neighborhood Recreation Center, Public	P	P	S	
	Outdoor Amphitheater, Public	S	S	S	
	Park, Public	P	P	S	P
	Resource Conservation Area	P	P	S	
Religious Uses	Religious Institution	S	P	S	P
Educational Uses	Preschool	S	S	S	
	School, K-12		S	S	
	School, Post-Secondary	S	S	S	
Non-Governmental Facilities	Transportation Facility	S		S	
	Utility Facility	S	S	S	P
	Utility Minor	P	P	S	P
Agricultural Uses	Agritourism			S	
	Aquaculture		S	S	
	Farming, General			S	

Forestry			S	
Produce Stand/Farmers' Market		S	S	P

DRAFT ORDINANCE 23-0

AN ORDINANCE TO MODIFY THE Town of Beaufort *Land Development Ordinance (LDO)*, specifically Section 8A (Townhomes, Condominiums, Apartments District) & Table 8-8 (Transitional Zoning Table of Uses)

WHEREAS the Beaufort Land Development Ordinance contains regulations which establish the development of land within the Town of Beaufort and its Extraterritorial Jurisdiction; and

WHEREAS, the Beaufort Planning Board has reviewed these ordinance text amendments and unanimously recommended its adoption; and

WHEREAS the Board of Commissioners determines that the public interest will be served by adopting the following text amendments to modify text as it relates to these items.

NOW THEREFORE be it ordained by the Board of Commissioners of the Town of Beaufort as follows:

The Town of Beaufort LDO is amended as follows:

Section 8 Transitional Zoning Districts

A) TCA Townhomes, Condominiums, Apartments District.

This district is established to provide a high-density district in which the primary uses are multi-family residences and duplexes. Uses in this district which require potable water or sanitary sewer must be connected to both municipal water and municipal sewer.

1) Maximum Overall Density.

The TCA district shall have a maximum density of twelve units per acre without a Special Use permit and up to fourteen units per acre with a Special Use Permit.

2) Minimum Lot Size.

All lots in the TCA district shall be a minimum of two thousand, seven hundred, and fifty square feet (2,750 ft²) per dwelling unit.

3) Minimum Lot Width.

All lots in the TCA district shall have a minimum lot width of eighty feet (80') at the minimum building line.

4) 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 8-1 Interior Lot Requirements

<i>District</i>	<i>Front Setback (Right-of-Way)</i>	<i>Rear Setback</i>	<i>Side Setbacks</i>	<i>Building Height Limitation</i>
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All accessory buildings must comply with the lot setback requirements as set forth in section 2-F, section 6, section 15, and all other sections of this Ordinance.

6) Covenants.

In any development proposing common areas, jointly used structures, or private streets, restrictive and protective covenants which provide for party wall rights, harmony of external design, continuing maintenance of building exteriors, grounds, or other general use improvements and similar matters, shall be submitted to the Town and approved by the BOC. Condominium development must submit evidence of compliance with the North Carolina Condominium Act.

7) Permitted Uses.

Antenna Co-Location on Existing Tower	Home Occupation
Assisted Living	Neighborhood Recreation Center Indoor/Outdoor, Private
Athletic Field, Public	Neighborhood Recreation Center, Public
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Community Garden	Park, Public
Concealed (Stealth) Antennae & Towers	Public Safety Station
Dock	Public Utility Facility
Dormitory	Resource Conservation Area
Dwelling, Duplex/Townhome	Shed
Dwelling, Multi-Family	Signs, Commercial Free-Standing
Garage, Private Detached	Temporary Construction Trailer
Government/Non-Profit Owned/ Operated Facilities & Services	Utility Minor
Group Home	Vehicle Charging Station

8) Special Uses (*Special Uses* text may be found in section 20 of this Ordinance).

Athletic Field, Private	
Dwelling, Single-Family	
Dwelling, Multi-Family up to 14 Units Per Acre	Restaurant with Indoor Operation
Golf Course, Privately-Owned	Restaurant with Outdoor Operation
Golf Driving Range	Retail Store
Hotel or Motel	Satellite Dish Antennas
Marina	School, Post-Secondary
Mixed Use	Tavern/Bar/ Pub with Indoor Operation
Outdoor Amphitheater, Public	Tavern/Bar/ Pub with Outdoor Operation
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Land Development Ordinance Uses		TCA	TR	PUD	CS-MU
Residential Uses					
Group Living	Assisted Living	P	P	S	
	Dormitory	P	P	S	
	Group Home	P	P	S	
	Nursing Home	P	P	S	
Household Living	Accessory Dwelling Unit		S	S	
	Dwelling, Duplex/Townhome	P	P	S	
	Dwelling, Multi-Family	P		S	P
	Dwelling, Multi-Family – up to 14 Units Per Acre	S			
	Dwelling, Single-Family	S	P	S	P
	Manufactured Home			S	
	Manufactured Home Park			S	
Recreational Vehicle Park			S		
Mixed Uses					
	Mixed Use	S	P	S	P
Public/Institutional Uses					
Aviation	Airport/Landing Strip			S	
Cemeteries/ Graveyards	Cemetery/Graveyard		S	S	
Cultural Facilities	Library		P	S	
	Museum		S	S	
Day Care	Day Care Center		S	S	
	Day Care/Child Care Home		S	S	
Government Services	Government/Non-Profit Owned/ Operated Facilities & Services	P	P	S	
	Public Safety Station	P	P	S	
	Public Utility Facility	P	P	S	P
Hospitals	Hospital			S	
Park and Athletic Fields, Public Use	Athletic Field, Public			S	
	Community Garden	P	P	S	
	Neighborhood Recreation Center, Public	P	P	S	
	Outdoor Amphitheater, Public	S	S	S	
	Park, Public	P	P	S	P
	Resource Conservation Area	P	P	S	
Religious Uses	Religious Institution	S	P	S	P
Educational Uses	Preschool	S	S	S	
	School, K-12		S	S	
	School, Post-Secondary	S	S	S	
Non-Governmental Facilities	Transportation Facility	S		S	
	Utility Facility	S	S	S	P
	Utility Minor	P	P	S	P
Agricultural Uses	Agritourism			S	
	Aquaculture		S	S	
	Farming, General			S	
	Forestry			S	
	Produce Stand/Farmers' Market		S	S	P

Enacted on motion of Commissioner ---- and carried on a vote of in favor and 0 against.

This, the th day of 2023.

TOWN OF BEAUFORT

By: _____
Mayor

Attest:

_____ Town Clerk

**TOWN OF BEAUFORT
PLANNING BOARD**

A STATEMENT OF CONSISTENCY ADVISING THAT PROPOSED AMENDMENTS TO THE LAND DEVELOPMENT ORDINANCE ARE NOT IN ACCORDANCE WITH ALL OFFICIALLY ADOPTED PLANS, INCLUDING THE CORE LAND USE PLAN; ARE NOT REASONABLE. AND ARE NOT IN PUBLIC INTEREST.

WHEREAS, the North Carolina General Assembly has given the Town of Beaufort (“Town”) the authority to adopt and amend zoning and development regulation ordinances for the purpose of promoting the health, safety, morals, and general welfare of its citizens.

WHEREAS N.C.G.S. §160D-604(d) requires the Town of Beaufort Planning Board (“Board”) to advise the Town of Beaufort Board of Commissioners by written statement describing whether the proposed amendments to the Town’s Land Development Ordinance (“Ordinance”) are consistent with all officially adopted plans, including the comprehensive land use plan.

WHEREAS, the Board has in fact met to consider and evaluate the proposed amendments to the Ordinance.

NOW THEREFORE, BE IT HEREBY RESOLVED, that the Planning Board finds that the proposed amendments to the Ordinance are **NOT** in accordance with all officially adopted Town plans, including sections 1.3.5 & 5.4.2-4 (Land Use Compatibility Implementation Actions) of the Core Land Use Plan, and therefore recommends **Denial** to the Board of Commissioners. Specifically, the Planning Board finds that the proposed amendment is **not necessary, and that the existing density of 12 units per acre in the TCA zone is fine in its current form.**

This Resolution is effective upon its adoption this 21st day of August, 2023.

**TOWN OF BEAUFORT
PLANNING BOARD**

Ralph Merrill, Chairman

ATTEST:

Laurel Anderson, Secretary



Town of Beaufort, NC

701 Front St. - P.O. Box 390 - Beaufort, N.C. 28516
252-728-2141 - 252-728-3982 fax - www.beaufortnc.org

**Beaufort Board of Commissioners Regular Meeting
6:00 PM Monday, September 11, 2023 – Train Depot**

AGENDA CATEGORY: Public Hearing
SUBJECT: To approve or deny the rezoning of 1103 Lennoxville Road from R-8 to B-1

BRIEF SUMMARY:
Rezone 1103 Lennoxville Road from R-8 to B-1.

REQUESTED ACTION:
Conduct Public Hearing
Recommendation on Proposed Rezoning

EXPECTED LENGTH OF PRESENTATION:
15 Minutes

SUBMITTED BY:
Michelle Eitner
Planner

BUDGET AMENDMENT REQUIRED:
N/A



Staff Report

To: Board of Commissioners
From: Michelle Eitner, Planner

Date: 8/22/2023
Meeting Date: 9/11/2023

Case Number 23-06

Summary of Request: Rezone 1103 Lennoxville Road from R-8 to B-1.

Background

Location(s) & PIN 730619501868000

Owner Mary Frances Garvey
Applicant Same

Current Zoning R-8

Lot(s) Size & Conformity Status 0.139 acres (based on GIS calculated acreage data)

Existing Land Use Former Commercial

CAMA Future Land Use Map Mixed Use
Amendment Required Yes No

Adjoining Land Use & Zoning
North See Attached Zoning Map of Area
South See Attached Zoning Map of Area
East See Attached Zoning Map of Area
West See Attached Zoning Map of Area

Special Flood Hazard Area Yes No

Public Utilities
 Water Available Not Available
 Sewer Available Not Available

Additional Information See Staff Comments

Requested Action Conduct Public Hearing
 • Approve the request or • Deny the request

Planning Board Comments

At their August 21st meeting the Planning Board conducted a Public Hearing and unanimously recommended that the rezoning request be approved.

Staff Comments

This approximately 6,000sf property on the north side of Lennoxville Road is currently zoned R-8 (Residential Medium Density). The commercial building on the property was built in 1965 and until recently hosted the Carter Tile Company. This nonconforming use continued for decades. Upon discontinuation of the nonconforming commercial use for more than 180 days, all subsequent uses are required to conform to the zoning district (LDO Section 11.E.3). This property is proposed to be rezoned from a residential district to a commercial district to allow a new commercial use to be established.

No CAMA Plan amendment is required. The Future Land Use Map of the current CAMA Core Land Use Plan classifies this property as “mixed use”, which is consistent with the requested zoning of B-1 General Business.

CAMA Core Land Use Plan – Future Land Use Classification

C. Mixed Use Classification

The Mixed Use classification encompasses approximately 1.3 square miles (826 acres) or 17.4 percent of the total land area. The properties classified as Mixed Use are located adjacent to Town Creek (2 sites), at the former Beaufort Elementary School site, adjacent to the Cedar Street-Carteret Avenue area, and along Lennoxville Road at the site of the Atlantic Veneer Corporation and Beaufort Fisheries Industries.

The Mixed Use classification is intended to delineate areas where there is potential to redevelop the existing properties and adjoining vacant land, particularly for multiple land uses. The North Carolina Maritime Museum has proposed expanding the Maritime Museum to a portion of the Mixed Use-designated area located on the north side of Town Creek. An associated maritime village has also been proposed for this site. Mixed residential and commercial uses, including marine uses along waterfront areas, have potential at the other Mixed Use-designated sites.

The Cedar Street corridor is anticipated, with the proposed relocation of US Highway 70, to redevelop from a general commercial area into more of an office, light retail, professional services, institutional, and residential area.

The anticipated residential density within this classification ranges from medium to high density. Multifamily densities are consistent with the current requirements of the Town’s zoning ordinance which allows a density range of up to 16 dwellings per acre for planned developments. Residential building types encouraged within this classification include single-family attached dwellings, condominiums, cluster developments, and multifamily dwellings. Commercial uses include a variety of retail, office, business services, and personal services. Minimum lot sizes are generally dependent upon the specific nature and characteristics of the land use but typically range from 2,750 to 20,000 square feet for residential land uses and 3,000 to 8,000 square feet for nonresidential land uses. Maximum floor area ratios for nonresidential land uses range from 0.57 to 2.13. Land uses within the Mixed Use designated areas are generally compatible with B-1, General Business; B-3, Marina Business; O & I, Office and Institutional; RMF, Multi-family Residential; and PUD, Planned Unit Development zoning districts. Public water and sewer service is needed to support the land uses characteristic of this classification. Streets with the capacity to accommodate higher traffic volume are necessary to support the intensity of development expected within the Mixed Use Classification.

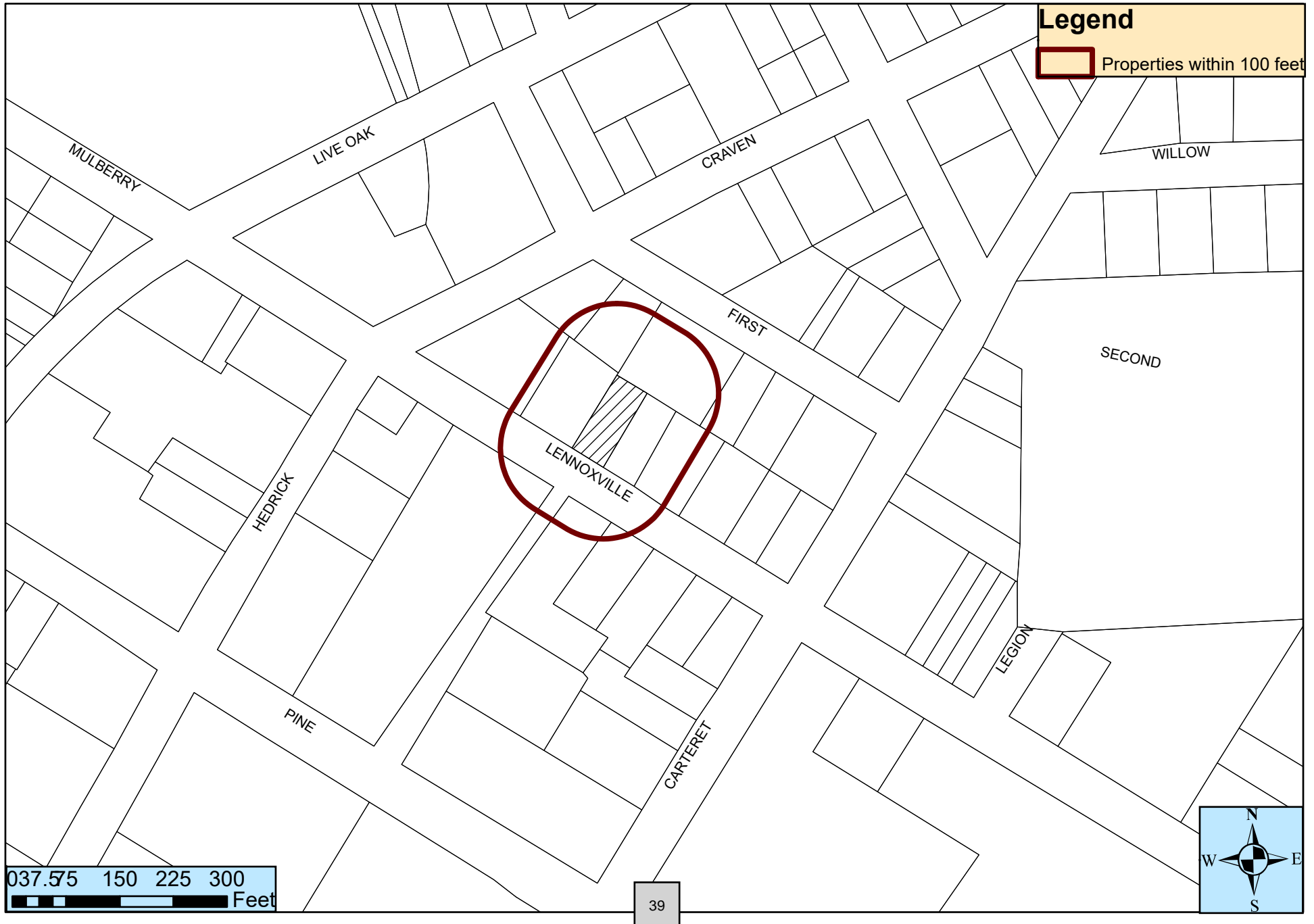
The Town’s goals and policies support the use of land in Mixed Use-classified areas for a range of uses where adequate public utilities and streets are available or can be upgraded to support the intensity of development encouraged in this classification. Public and institutional land uses that support and that are compatible with this type of mixed development are also encouraged.

While the Mixed Use areas are expected to accommodate future growth and development, they may or may not actually be developed during the planning period. Critical factors that will determine the development potential of these areas include market demand and the provision of the necessary support infrastructure (particularly public water and sewer utilities). Consequently, the development potential of the some of the lands within the Mixed Use areas may be more long-term than short term.

In order to permit the type of mixed use development envisioned in this classification, the Town of Beaufort may have to prepare amendments to its existing zoning ordinance and subdivision ordinance to establish specific conditions and standards for such mixed use development.

- Attachments:**
- Attachment B - Vicinity Map with 100 Foot Notification Boundary
 - Attachment C - Zoning Map
 - Attachment D - CAMA Future Land Use Map
 - Attachment E - Property Owners Within 100 Feet
 - Attachment F - Application Packet
 - Attachment G - Planning Board’s Consistency Statement
 - Attachment H - LDO Sections (B-1 & R-8)
 - Attachment I – Draft Ordinance for Rezoning

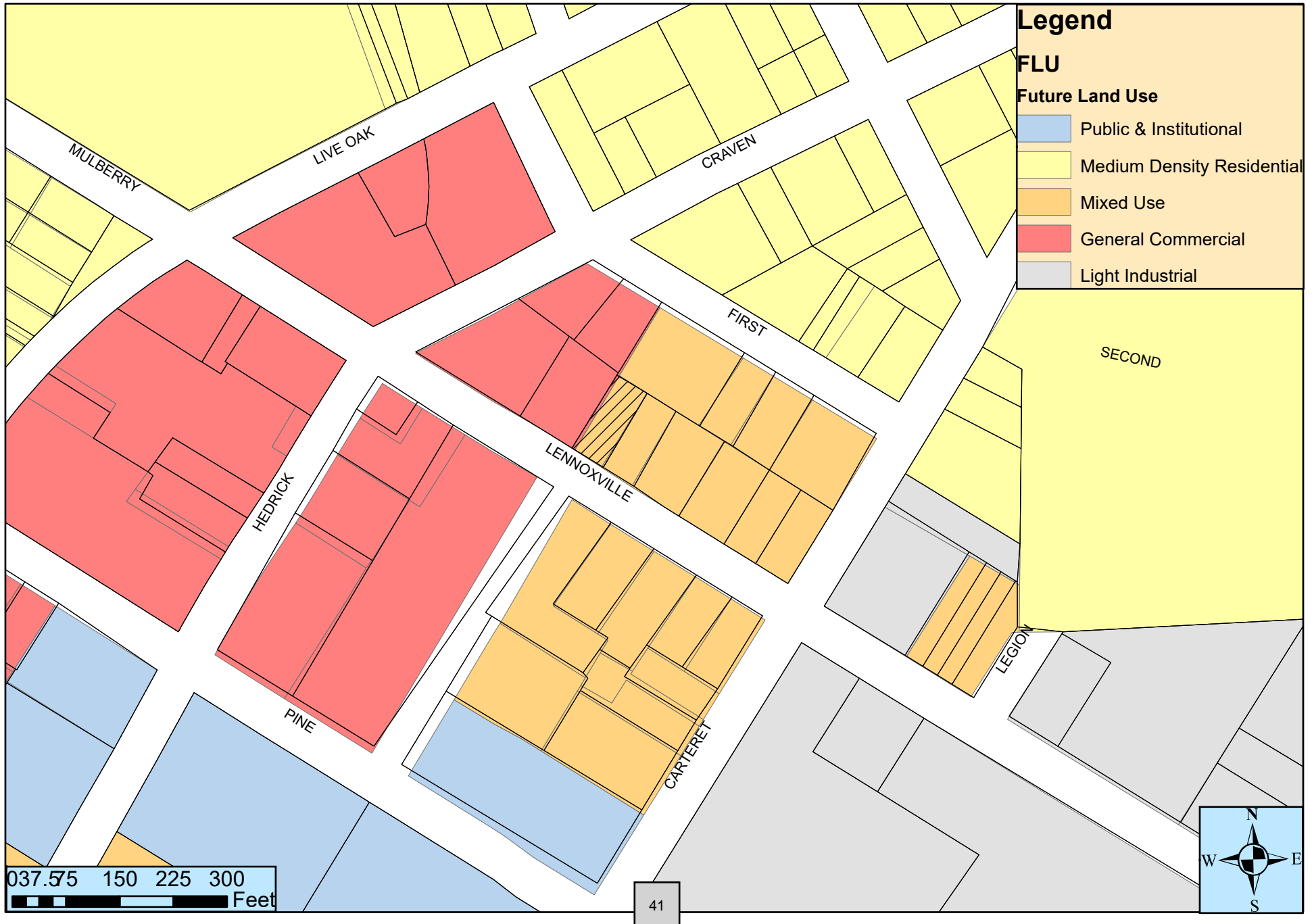
Vicinity Map - Case #23-06 1103 Lennoxville Road
Rezoning from R-8 to B-1



Zoning Map - Case #23-06 1103 Lennoxville Road
Rezoning from R-8 to B-1



CAMA Future Land Use Map - Case #23-06 1103 Lennoxville Road Rezoning from R-8 to B-1



Case # 23-06 - Rezoning 1103 Lennoxville Rd R-8 to B-1
Property Owners within 100 feet

2.

OWNER	PhysicalAddress	MAIL_ADD	MAIL_CITY	MAIL_STATE	MAIL_ZI5
JAMES BOOKER TOMMY SR HEIRS	1108 LENNOXVILLE RD	PO BOX 52716	DURHAM	NC	27717
ELLISON GEORGE C ETUX LAVERA	1106 LENNOXVILLE RD	1106 LENNOXVILLE RD	BEAUFORT	NC	28516
HI-SELL LLC	1005 LENNOXVILLE RD	107 GALLANTS LANE	BEAUFORT	NC	28516
STEWART LILLIAN GODETTE	201 FIRST ST	201 FIRST STREET	BEAUFORT	NC	28516
JONES EARL B ETUX GLORIA	207 FIRST ST	207 FIRST ST	BEAUFORT	NC	28516
BONAVITO JAMES ANDREW	1107 LENNOXVILLE RD	1107 LENNOXVILLE ROAD	BEAUFORT	NC	28516
MAGYAR RODNEY P ETUX PATRICIA	203 FIRST ST	203 FIRST ST	BEAUFORT	NC	28516
HI-SELL LLC	1003 LENNOXVILLE RD	107 GALLANTS LANE	BEAUFORT	NC	28516
MARSH STREET PROPERTIES LLC	1105 LENNOXVILLE RD	PO BOX 643	MT PLEASANT	SC	29465
HELD CHARLOTTE PAGE	106 CRAVEN AVE	106 CRAVEN AVENUE	BEAUFORT	NC	28516
HARMELINK DALE A ETUX JUDITH	1006 LENNOXVILLE RD	1703-A FRONT STREET	BEAUFORT	NC	28516-9307
GARVEY MARY FRANCIS	1103 LENNOXVILLE RD	1001 EVANS STREET	MOREHEAD CITY	NC	28557-4134



Town of Beaufort
701 Front St. • P.O. Box 390 • Beaufort, N.C. 28516
252-728-2141 • 252-728-3982 fax
www.beaufortnc.org

**APPLICATION FOR AN AMENDMENT TO THE
BEAUFORT ZONING MAP**

Instructions:

Please complete the application below, include all the required attachments and the **\$300.00** for **Rezoning request with no Land Use Plan Change** or **\$400.00** for **Rezoning Request with Land Use Plan Change** and return to the Beaufort Town Hall, 701 Front Street or P.O. Box 390, Beaufort, N.C., 28516. Incomplete applications will not be processed and **will be** returned to the applicant. Please contact Planning and Inspections at 252-728-2142 if there are any questions.

APPLICANT INFORMATION

Applicant Name: Mary Garvey
Applicant Address: 1001 Evans St, MHC, NC, 28557
Phone Number: 336-314-7264 Email: ~~336~~ 1122marycontrary@gmail.com
Property Owner Name: Mary Garvey
Address of Property Owner: 1001 Evans St
Phone Number: Same as above Email: Same as above

PROPERTY INFORMATION

Property Address: 1103 Lennoxville Rd
15-Digit PIN: 730019501868000 Lot/Block Number: 116/B4
Size of Property (in square feet or acres): Assessed Acres: 0.123 / Calculated 0.138
Current Zoning: Residential (R-8?) Requested Zoning: ~~Municipal use~~ B-1
Current Use of Property: Residential Vacant Commercial Other: _____
Applicant Signature Mary Garvey Date of Applicant's Signature 7-21-2023
Property Owner Signature (if different than applicant) Same Date of Owner's Signature Same

An application fee of **\$300.00** for **Rezoning request with no Land Use Plan Change** or **\$400.00** for **Rezoning Request with Land Use Plan Change**, either in cash, money order, or check made payable to the "Town of Beaufort," should accompany this application. Payments can be made in person on the day of submittal and at such time, a credit card can be used to make the payment. Credit card payments are subject to a 3% extra fee.

July 20, 2023

Town of Beaufort
Planning + Inspections Department
Beaufort, NC 28516

RE: Re-zoning application for 1103 Lennoxville Rd. to B-1

I'm submitting my application to restore my property located at 1103 Lennoxville Rd. to B-1 zoning.

I purchased the commercial property known as Carter Tile from Ann Carter in January 2021. I bought it with the understanding it was "grandfathered" for commercial use. The attached commercial real estate listing as well as a conversation with the town planning department confirmed the "grandfathered" status before purchasing. Tax Parcel Information is also attached and reflects use as commercial.

I purchased the commercial property to open my retail shop but was delayed due to Covid restrictions. Unfortunately, to my surprise, I found out this year that the zoning reflected single family status when following up on a business license.

The building was built in 1965 for industrial retail space and operated for years as Carter Tile. The building was not designed for a single-family residence.

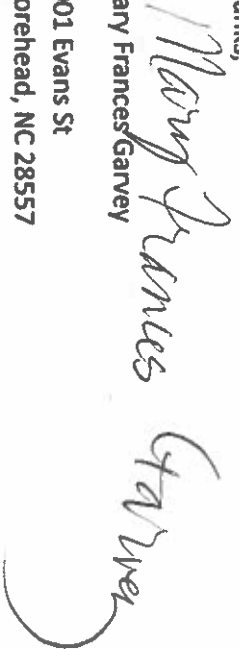
My property is consistent with the Beaufort Land Use Plan. My shop, which is focused on resale items consisting of women's clothing, jewelry and household goods are desirable by many in the community at affordable prices.

There are adjoining properties with B-1 and L-1 zoning codes which my building compares with.

I've attached copies of my deed, GIS maps marked with zoning types of adjoining properties as well as adjoining properties with contact details listed in the GIS database.

I appreciate all consideration in restoring my property to B-1 zoning as this property was not built as a single-family home but for commercial use.

Thanks,


Mary Frances Garvey
1001 Evans St
Morehead, NC 28557
336-314-7264

FOR REGISTRATION REGISTER OF DEEDS

Karen S. Hardesty

Carteret County, NC

January 12, 2021 11:18:57 AM

DEED # Pages: 3

Fee: \$26.00

NC Revenue Stamp: \$280.00

FILE # 17033386

Karen S. Hardesty

Prepared by: Debra Whaley, Attorney at Law 301 Commerce Avenue, Ste. 102, Morehead City, NC 28557
Return to: Debra Whaley, Attorney at Law

Parcel #: 7306.19.50.1868000
Stamps: \$280.00

NORTH CAROLINA GENERAL WARRANTY DEED

This Deed made this the 11 day of JAN, 2021, by and between:

Ann H. Carter single
113 Front St., Beaufort, NC 28514
(hereinafter referred to as Grantor);

and

Mary Frances Garvey
1001 Evans St., Morehead City, NC 28557
(hereinafter referred to as Grantee).

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine, or neuter as required by context.

WITNESSETH:

That Grantor, for valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in Carteret County, North Carolina, and more particularly described as:

(SEE ATTACHED "EXHIBIT A")

BEING the same property previously conveyed in Deeds recorded in Book 723, Page 44.

This conveyance ___ is or ___ is not the primary residence of the Grantors.

Submitted electronically by "Debra Whaley, Attorney at Law" in compliance with North Carolina statutes governing recordable documents and the terms of the submitter agreement with the Carteret County Register of Deeds.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

AND the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated: 2021 ad valorem taxes: utility easements and unviolated restrictions.

IN WITNESS WHEREOF, the Grantor has caused this instrument to be signed in their names, the day and year first above written.

Ann H. Carter (SEAL)
Ann H. Carter

STATE OF *North Carolina*
COUNTY OF *Carteret*

I, *Margaret M. Wesley*, a Notary Public of the aforesaid County and State do hereby certify that Ann H. Carter personally came before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

Witness my hand and seal this *11* day of *January* 2021.

My Commission Expires *June 5, 2022*
My Commission Expires



Margaret M. Wesley
Notary Public
Print Name: *Margaret M. Wesley*
(SEAL)

EXHIBIT A

All that certain lot or parcel of land situated in Carteret County, North Carolina and being more particularly described as follows:

Being all of Lot 16 in Block of Square 4, Highland Park Subdivision as shown on Plat recorded in Map Book 1, Page 99, Carteret County Registry.

Carteret County

Property Data

Parcel Number: 730619501868000

Inquiry Date: 7/19/2023

DISCLAIMER: For confirmation of the number of buildings on each parcel, please contact the Carteret County Tax Office.

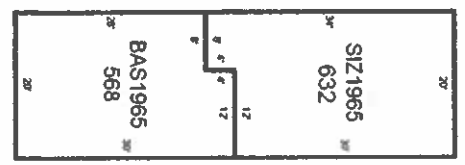
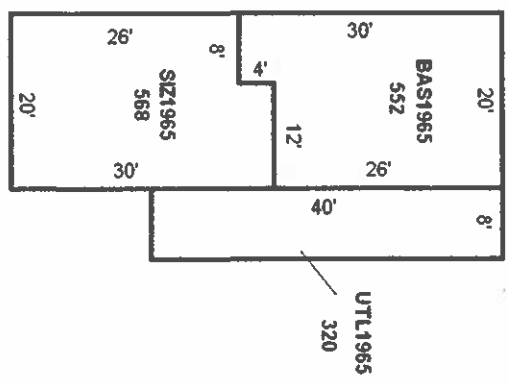
Property Info

PARCEL NUMBER: 730619501868000
OWNER: GARVEY, MARY FRANCIS
PHYSICAL ADDRESS: 1103 LENNOXVILLE RD
 BEAUFORT
MALING ADDRESS: 1001 EVANS STREET
 MOREHEAD CITY NC 4134 28557
LEGAL DESCRIPTION: L16 B4 HIGHLAND PARK
DEED REF: 1703-386
PLAT REFERENCE: 1-99
NEIGHBORHOOD: 590016
SALE DATE: 01/12/2021
SALE PRICE: \$140,000
ACREAGE: 0.123
LAND VALUE: \$56,970
EXTRA FEATURE VALUE: \$0

Building Info

BATHS: 1
BEDROOMS: 0
CONDITION: N/A
EXTERIOR WALLS: 06 VINYL LAP
 N/A
FLOOR FINISH: 03 CONC FINSH
 N/A
FOUNDATION: 07 SLAB/GRADE
HEAT: 03 FORCED AIR
ROOF COVER: 01 MINIMUM
 N/A
ROOF STRUCTURE: 03 GABLE/HIP
SQUARE FOOTAGE: 1440
YEAR BUILT: 1965
BUILDING VALUE: \$28,481
PARCEL VALUE: \$85,451

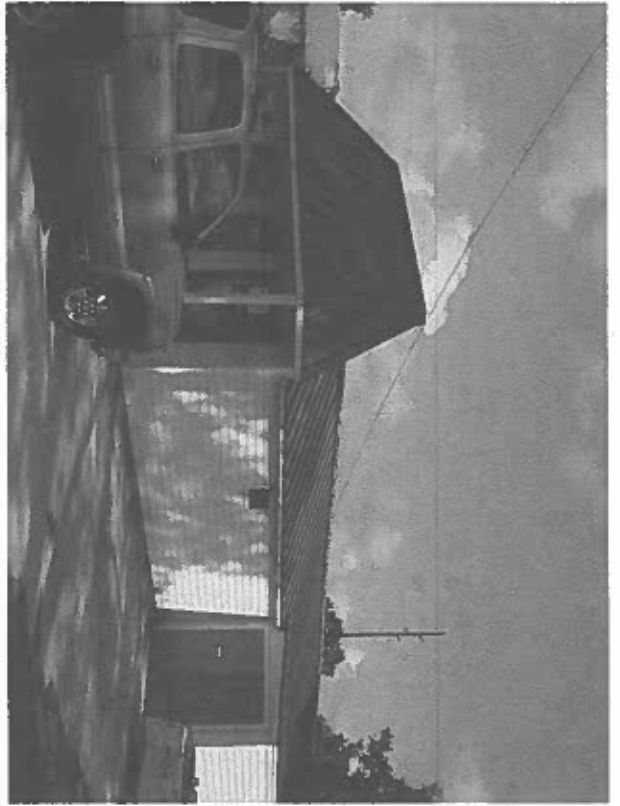
Sketches



Sketch by Anne Pitt

Sketch by Anne Pitt

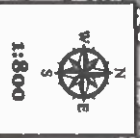
Photos



Carteret County, N.C.



50



July 19, 2023

The information displayed by this website is prepared for the inventory of real property found within this jurisdiction and is compiled from recorded deeds, plats, and other public records and data. Users of this information are hereby notified that the aforementioned public primary information sources should be consulted for verification of the information contained on this site. Carteret County assumes no legal responsibility for the information contained on this site. Carteret County does not guarantee that the data and map services will be available to users without interruption or error. Furthermore, Carteret County may modify or remove map services and access methods at will.

Parcel Information:

Carteret County, N.C.



Owner: GARVEY, MARY FRANCIS

Current PIN: 730619501868000

Site Address:

1103 LENNOXVILLE RD
BEAUFORT

BEAUFORT

Mailing Address:

1001 EVANS STREET

MOREHEAD CITY NC 28557

Legal Description:

L16 B4 HIGHLAND PARK

Prior PIN: 11007P0712

City Limits: BEAUFORT

Rescue District: BEAUFORT RESCUE

Fire District:

Tax District: 1159

Township: BEAUFORT

Use: COMMERCIAL

Land Value:

Bldg Value:

Other Value:

Total Value:

Sale Price:

Taxed Acres: 0.123

Plat Ref: 1 / 99

Deed Ref: T703 / 386

Bedrooms: 0

NBHD: 590016

Bldg Hid Sq Ft: 0

Bldg Tot Sq Ft:

Year Built: 1965

Noise Level:

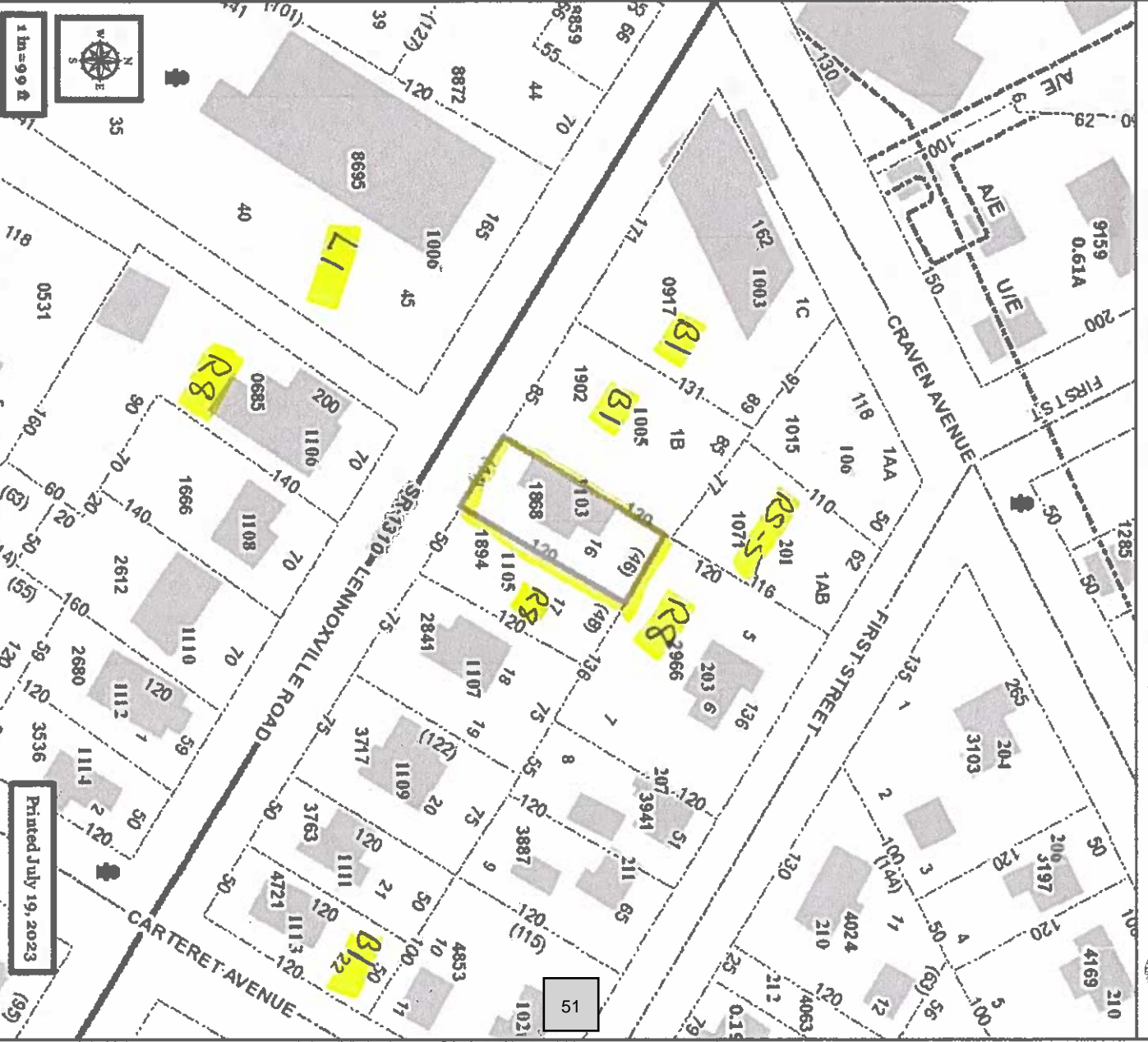
AICUZ Zone:

GIS Acres: 0.139

Roll Type: R

Deed Date: 20210112

Bathrooms: 1



Printed July 19, 2023

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Adjoining properties to 1103 Lennoxville Rd Contacts for re-zoning application.

HI-Sell-LLC – 1005 Lennoxville Rd

Mailing address 107 Gallants Lane, Beaufort NC. 28516

Properties LLC – 1105 Lennoxville Rd

Mailing address PO Box 643, Mt. Pleasant, SC 29465

Mr./Ms. Magyar – 203 First Street, Beaufort, NC 28516

Mailing address – same

Ms. Lillian Stewart – 201 First Street, Beaufort, NC 28516

Mailing address - same

SOLD

**1103 Lennoxville Road
Beaufort, NC 28516**

630 sq ft

Commercial: Commercial - MLS# 100234248



Sold

Sold on Jan 14, 2021

Description

Versatile Beaufort property with potential for commercial and/or residential use! Grandfathered" for commercial use, currently zoned R8. CAMA Land Use Plan is mixed use. Excellent Beaufort location on Lennoxville Road, one block from Live Oak Street.

Features

Property Type: Commercial
Sub Type: Commercial
Listing Status: Closed
Listing Price: \$179,000
County/Area: Carteret County
Zip Code: 28516
Year Built: 1965
Subdivision/Neighborhood: Highland Park
Sq.Ft.: 630 sq ft
Zoning: R8
Directions: Cedar Street To Lennoxville Rd, Property 2 blocks on the left. (no sign)
Electric Provider: Duke Energy
Flooring: Tile
Foundation: Slab
Foundation Details: Slab
Heating: Heat Pump
Location: Freestanding
Main Type: Comm Sale or Lease
Selling Office: Keller Williams Crystal Coast
Sewer Provider: City of Beaufort
Structure Type: Wood Frame
Tax Annual Amount: 789.33
Tax Assessed Value: 85451
Tax Block: 3

Tax Book Number: 4

Tax Map Number: 730619501868000

Tax Year: 2020

Utilities: Municipal Sewer, Municipal Water

Water Heater: Electric

Water Provider: City of Beaufort

Courtesy of:



Eddy Myers

Owner/Broker/REALTOR®

eddy@eddymyers.com

252.728.1310

More info

Courtesy of Eddy Myers Real Estate



Listings by Email

Be the first to see new listings as soon as they hit the market!



**TOWN OF BEAUFORT
PLANNING BOARD**

RZ23-06

**RESOLUTION ADVISING THAT PROPOSED AMENDMENT
TO THE ZONING ORDINANCE IS IN ACCORDANCE
WITH ALL OFFICIALLY ADOPTED PLANS;
IS REASONABLE; AND IS IN THE PUBLIC INTEREST.**

WHEREAS, the North Carolina General Assembly has given the Town of Beaufort (“Town”) the authority to adopt and amend zoning and development regulation ordinances for the purpose of promoting the health, safety, morals, and general welfare of its citizens;

WHEREAS, N.C.G.S. §160D-604(d) requires the Town of Beaufort Planning Board shall advise and comment on whether the proposed action is consistent with the Town of Beaufort CAMA Core Land Use Plan that has been adopted and any other officially adopted plan that is applicable, and provide a written recommendation to the Board of Commissioners that addresses plan consistency and other matters as deemed appropriate by the Planning Board; and

WHEREAS, the Planning Board has in fact met to consider and evaluate the proposed amendments to the Ordinance; and

NOW THEREFORE, BE IT HEREBY RESOLVED, that the Planning Board finds that the proposed amendment to the Ordinance is in accordance with all officially adopted Town plans for the reasons stated in the Staff Report for Rezoning Case 23-06 attached hereto and incorporated herein by reference, and therefore recommends adoption by the Board of Commissioners. Specifically the Planning Board finds that the proposed amendment reasonable and in the public interest because it allows the continuation of the commercial use that has been in place for forty years, is compatible with adjacent land uses, is consistent with the Future Land Use Map of the CAMA Core Land Use Plan, and is in furtherance of the Town plans, ordinances and regulations.

This Resolution is effective upon its adoption this 21st day of August 2023.

**TOWN OF BEAUFORT
PLANNING BOARD**

Ralph Merrill, Chairman

ATTEST:

Laurel Anderson, Secretary

C) ***B-1 General Business District.***

The General Business District is established as the district in which a wide variety of sales and service facilities may be provided to the general public. This district will be located throughout the Town's planning jurisdiction.

1) Minimum Lot Size.

All lots in the B-1 district shall be a minimum of five thousand square feet (5,000 ft²).

2) Minimum Lot Width.

All lots in the B-1 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 9-5 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>
B-1	30 feet	15 feet	15 feet	40 feet

4) Accessory Building Setback Requirements.

All accessory buildings must comply with the setback requirements as set forth in section 2-F of this Ordinance, section 6 of this Ordinance, section 15 of this Ordinance, and all sections of this Ordinance.

5) Permitted Uses.

- | | |
|---------------------------------------|--|
| Amusement Establishment | Dry Boat Storage |
| Antenna Co-Location on Existing Tower | Financial Institution |
| Aquaculture | Government/Non-Profit Owned/Operated Facilities & Services |
| Assisted Living | Hospital |
| Athletic Field, Public | Hotel or Motel |
| Bed & Breakfast | Kennel, Indoor Operation Only |
| Boat Sales/Rentals | Library |
| Car Wash | Liquor Store |
| Club, Lodge, or Hall | Moped/Golf Cart Sales/Rentals |
| Commercial Indoor Recreation Facility | Mortuary/Funeral Home/Crematorium |
| Community Garden | Motor Vehicle Sales/Rentals |
| Concealed (Stealth) Antennae & Towers | Museum |
| Convenience Store | Neighborhood Recreation Center, Public |
| Day Care Center | Nursing Home |
| Dock | Office: Business, Professional, or Medical |

Other Building-Mounted Antennae &
Towers
Outdoor Retail Display/Sales
Park, Public
Parking Lot
Parking Structure
Personal Service Establishment
Pool Hall or Billiard Hall
Produce Stand/Farmers' Market
Public Safety Station
Public Utility Facility
Religious Institution
Resource Conservation Area

Restaurant with Drive-Thru Service
Restaurant with Indoor Operation
Retail Store
Satellite Dish Antenna
Signs, Commercial Free-Standing
Tavern/Bar/Pub with Indoor Operation
Temporary Construction Trailer
Theater, Small
Transportation Facility
Utility Minor
Vehicle Charging Station
Vehicle Service

6) Special Uses (*Special Uses* text may be found in section 20 of this Ordinance).

Adult-Oriented Retail Establishment
Commercial Outdoor Amphitheater
Commercial Outdoor Recreation
Facility
Commercial Waterfront Facility
Gas/Service Station
Golf Driving Range
Hazardous Material Storage
Kennel, Indoor/Outdoor Operation
Manufacturing, Light
Marina
Microbrewery
Microdistillery

Mini-Storage
Mixed Use
Outdoor Amphitheater, Public
Outdoor Storage
Preschool
Restaurant with Outdoor Operation
School, K-12
School, Post-Secondary
Tavern/Bar/Pub with Outdoor Operation
Theater, Large
Utility Facility
Wholesale Establishment

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

This residential district is established as a medium density district in which the principle use of the land is for single-family dwelling units. The regulations of this 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 must comply with the setback requirements as set forth in section 2-F of this Ordinance, section 6 of this Ordinance, section 15 of this Ordinance, and all sections 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
Garage, Private Detached	Swimming Pool (Personal Use)
Government/Non-Profit Owned/ Operated Facilities & Services	Temporary Construction Trailer
Group Home	Utility Minor
Home Occupation	Vehicle Charging Station

6) Special Uses (*Special Uses* text 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



**BEAUFORT BOARD OF COMMISSIONERS
AN ORDINANCE TO REZONE
1103 LENNOXVILLE ROAD FROM R-8 TO B-1
ORDINANCE NO. 23-__**

Applicant: Mary Frances Garvey
Location: 1103 Lennoxville Road
Parcel ID: 730619501868000
Lot Size: 0.139 acres
Existing District: R-8 Medium Density Residential
Meeting Date: September 11, 2023
Requested District: B-1 General Commercial

WHEREAS, Mary Frances Garvey has submitted a request to rezone 1103 Lennoxville Road from R-8 to B-1; and

WHEREAS, the Beaufort Planning Board has convened to consider and prepare a recommendation and consistency statement on the request at its meeting on August 21, 2023, at which time the Planning Board recommended approval of the request; and

WHEREAS, the Beaufort Board of Commissioners conducted a public hearing on September 11, 2023, at which time the applicant and/or applicant’s representative was given the opportunity to present arguments, and Town staff was given the opportunity to comment on the application; and

WHEREAS, the Town Board of Commissioners has made the following findings and conclusions:

1. The request is consistent with surrounding land use patterns and zoning in the area.
2. The proposed zoning of B-1 is consistent with the CAMA Core Land Use Plan Future Land Use Map classification of Mixed Use.

NOW, THEREFORE, IT IS HEREBY ORDAINED by the Board of Commissioners on the basis of the foregoing findings and conclusions that the request to rezone 1103 Lennoxville Road (PIN 730619501868000) is approved and the Town’s Zoning Map is amended accordingly.

Enacted on motion of Commissioner _____ and carried on a vote of ___ in favor and ___ against.

This, the 11th day of September 2023

TOWN OF BEAUFORT

Sharon Harker, Mayor

Elizabeth Lewis, Town Clerk



Town of Beaufort, NC

701 Front St. - P.O. Box 390 - Beaufort, N.C. 28516
252-728-2141 - 252-728-3982 fax - www.beaufortnc.org

**Beaufort Board of Commissioners Regular Meeting
6:00 PM Monday, September 11, 2023 – Train Depot**

AGENDA CATEGORY: Public Hearing
SUBJECT: To approve or deny the rezoning of three properties owned by the Beaufort Housing Authority from TR & R-8 to TCA

BRIEF SUMMARY:

- Rezone three parcels (See Attached Map) from TR & R-8 to TCA.

REQUESTED ACTION:

Conduct Public Hearing
Recommendation on Proposed Rezoning

EXPECTED LENGTH OF PRESENTATION:

15 Minutes

SUBMITTED BY:

Michelle Eitner
Planner

BUDGET AMENDMENT REQUIRED:

N/A



Staff Report

To: Planning Board
From: Michelle Eitner, Planner

Date: 8/22/2023
Meeting Date: 9/11/2023

Case Number 23-07

Summary of Request: Rezone three parcels (See Attached Map) from TR & R-8 to TCA.

Background

Location(s) & PIN
Tract 1 – PIN 730618228462000 – Turner Street
Tract 2 – PIN 730618227174000 – Turner/Craven Street
Tract 3 – PIN 730618319452000 – 716 Mulberry Street
See attached map with information.

Owner
Tract 1 – Beaufort Housing Authority
Tract 2 – Beaufort Housing Authority
Tract 3 – Federal Government

Applicant
Beaufort Housing Authority

Current Zoning
Tract 1 – R-8
Tract 2 – TR
Tract 3 – R-8

Lot(s) Size & Conformity Status
Tract 1 – 2.23 acres
Tract 2 – 3.49 acres
Tract 3 – 0.5 acres
6.22 Acres Total (based on GIS calculated acreage data)
Conforming parcels

Existing Land Use
Tract 1 – Undeveloped
Tract 2 – Multi-family housing
Tract 3 – Office

CAMA Future Land Use Map
Amendment Required
Medium Density Residential
 Yes No

Adjoining Land Use & Zoning
North See Attached Zoning Map of Area
South See Attached Zoning Map of Area
East See Attached Zoning Map of Area
West See Attached Zoning Map of Area

Special Flood Hazard Area Yes No

Public Utilities
Water Available Not Available
Sewer Available Not Available

Requested Action

Conduct Public Hearing

- Approve the request or
- Deny the request

Planning Board Comments

At their August 21st meeting the Planning Board conducted a Public Hearing and unanimously recommended that the rezoning request be denied.

Staff Comments

Historically, Tracts 1 and 2 were zoned Residential Multi-Family (RMF) and Tract 3 was R-8. In establishment of the Land Development Ordinance in 2013, Tract 2 was zoned TCA and Tracts 1 and 3 were zoned R-8. An updated zoning map adopted in 2020 rezoned Tract 2 from TCA to TR. The proposed rezoning would revert Tract 2 from TR back to TCA (as established in 2013) and change Tracts 1 and 3 from R-8 to TCA.

The proposed rezonings are not consistent with the CAMA Land Use Plan’s Future Land Use Map and as such will require amendments to the FLUM. Staff identifies, however, that the proposed zoning district and land use classifications are consistent with the existing land uses of subject and surrounding parcels.

In accordance with **NCGS § 160D-604(d)**, when conducting a review of proposed zoning text or map amendments the Planning Board shall advise and comment on whether the proposed action is consistent with the Town of Beaufort Comprehensive and CAMA Land Use Plan that has been adopted and any other officially adopted plan that is applicable. The Planning Board shall provide a written recommendation to the BOC that addresses plan consistency and other matters as deemed appropriate by the Planning Board, but a comment by the Planning Board that a proposed amendment is inconsistent with the Town of Beaufort Comprehensive and CAMA Land Use Plan shall not preclude consideration or approval of the proposed amendment by the BOC.

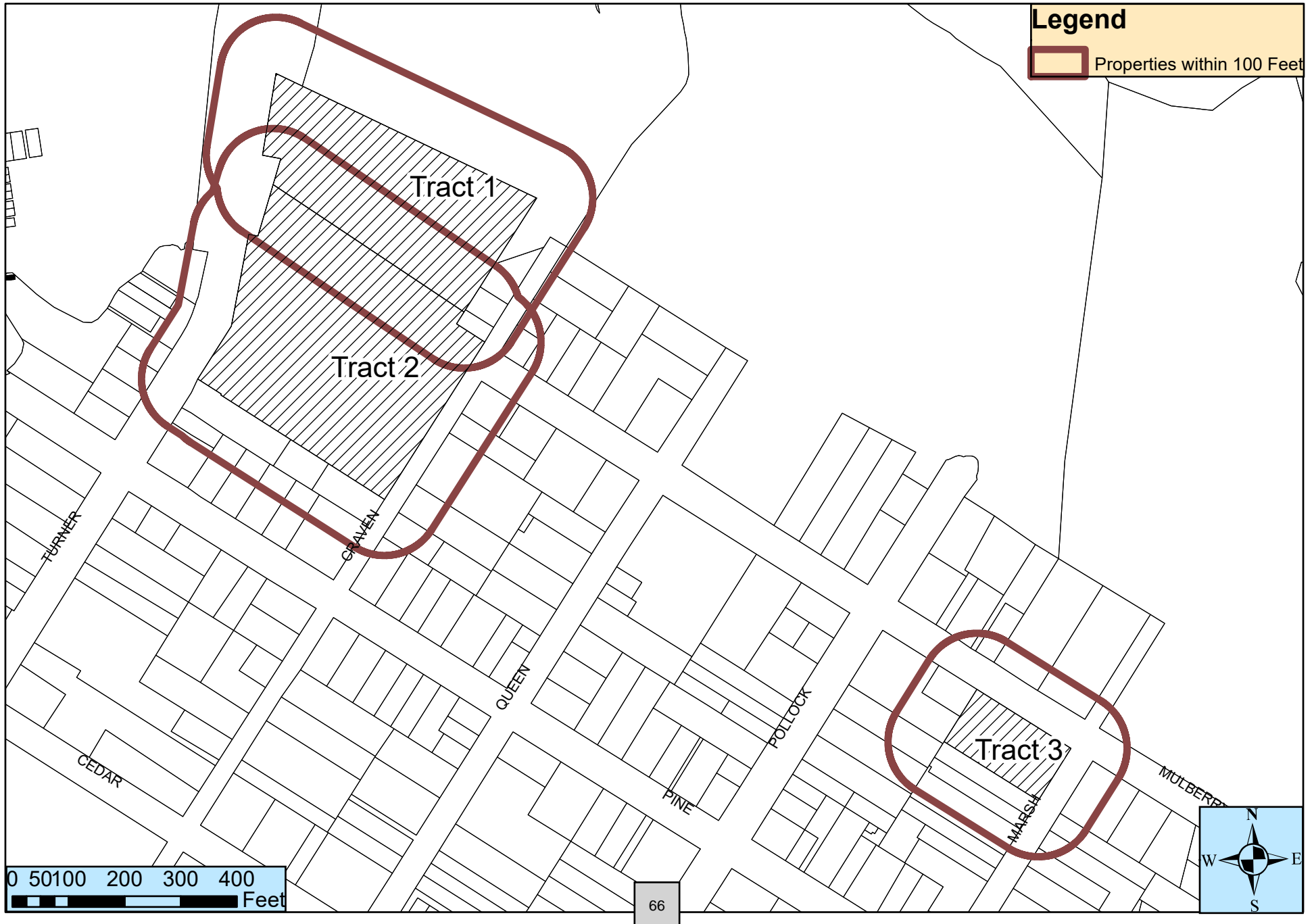
CAMA Core Land Use Plan – Future Land Use Classification

Medium Density Residential Classification. The Medium/High Density Residential classification encompasses approximately 0.8 square miles (483 acres) or about 10 percent of the total planning jurisdiction. The majority of the properties classified as Medium Density Residential are generally located immediately surrounding the Beaufort downtown area as well as north and east of the downtown area. The Medium Density Residential classification is intended to delineate lands where the predominant land use is higher density single-family residential developments and/or two-family developments. The residential density within this classification is generally 3 to 5 dwelling units per acre. Minimum lot sizes vary from 8,000 to 10,000 square feet unless a larger minimum lot area is required by the health department for land uses utilizing septic systems. Land uses within Medium Density Residential designated areas are generally compatible with the R-8, Medium Density Residential; and R-8A Single-family Medium Density Residential zoning districts. Public water is widely available and sewer service is required to support the higher residential densities in this classification. Streets with the capacity to accommodate higher traffic volumes are also necessary to support Medium Density Residential development. The Town’s goals and policies support the use of land in Medium Density-classified areas for single-family and two-family dwellings where adequate public utilities and streets are available or can be upgraded to support the higher residential densities encouraged in this classification.

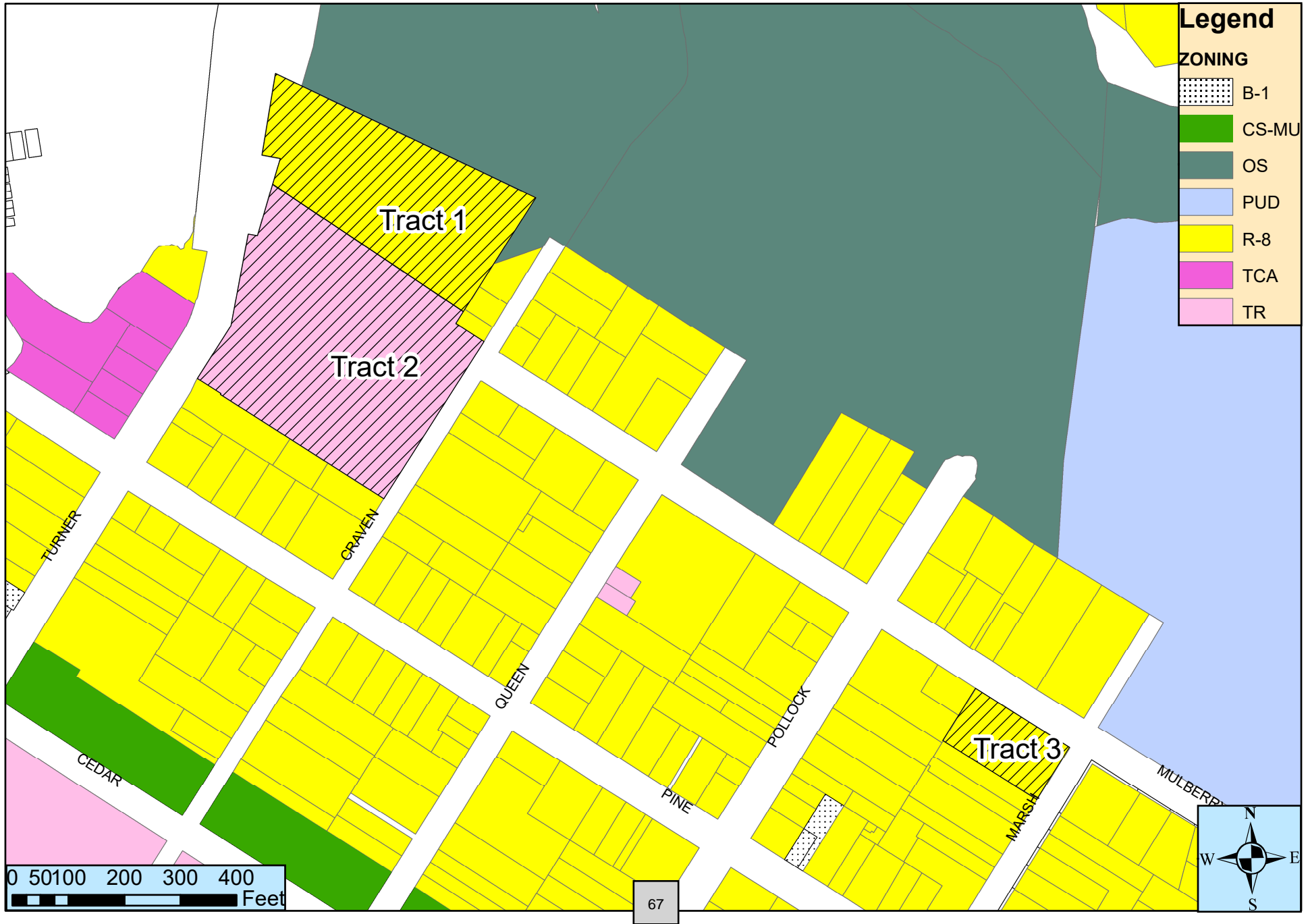
High Density Residential Classification. The High Density Residential classification encompasses approximately 0.05 square miles (32.6 acres) or about 0.7 percent of the total planning jurisdiction. The properties classified as High Density Residential are located in the northeastern portion of the Town’s planning jurisdiction along the US Highway 70 North corridor. The High Density Residential classification is intended to delineate lands where the predominant land use is higher density single-family residential developments and/or multifamily developments. The residential density within this classification is generally 6 to 16 dwelling units per acre. The minimum lot size is 2,750 square feet per unit unless a larger minimum lot area is required by the health department for land uses utilizing septic systems. Land uses within High Density Residential designated areas are generally compatible with the RMF, Multi-Family High Density Residential and the R-5, Residential Cluster zoning classifications. Public water and sewer service is required to support the residential densities in this classification. Streets with the capacity to accommodate higher traffic volumes are also necessary to support High Density Residential development. The Town’s goals and policies support the use of land in High Density-classified areas for single-family and multifamily dwellings where adequate public utilities and streets are available or can be upgraded to support the higher residential densities encouraged in this classification. The higher density residential developments anticipated to occur during the planning period are encouraged within the High Density-classified areas.

- Attachments:**
- Attachment B - Vicinity Map with 100 Foot Notification Boundary
 - Attachment C - Zoning Map
 - Attachment D - CAMA Future Land Use Map
 - Attachment E - Property Owners Within 100 Feet
 - Attachment F - Application Packet
 - Attachment G – Planning Board’s Consistency Statement
 - Attachment H - LDO Sections (R-8, TCA, & TR)

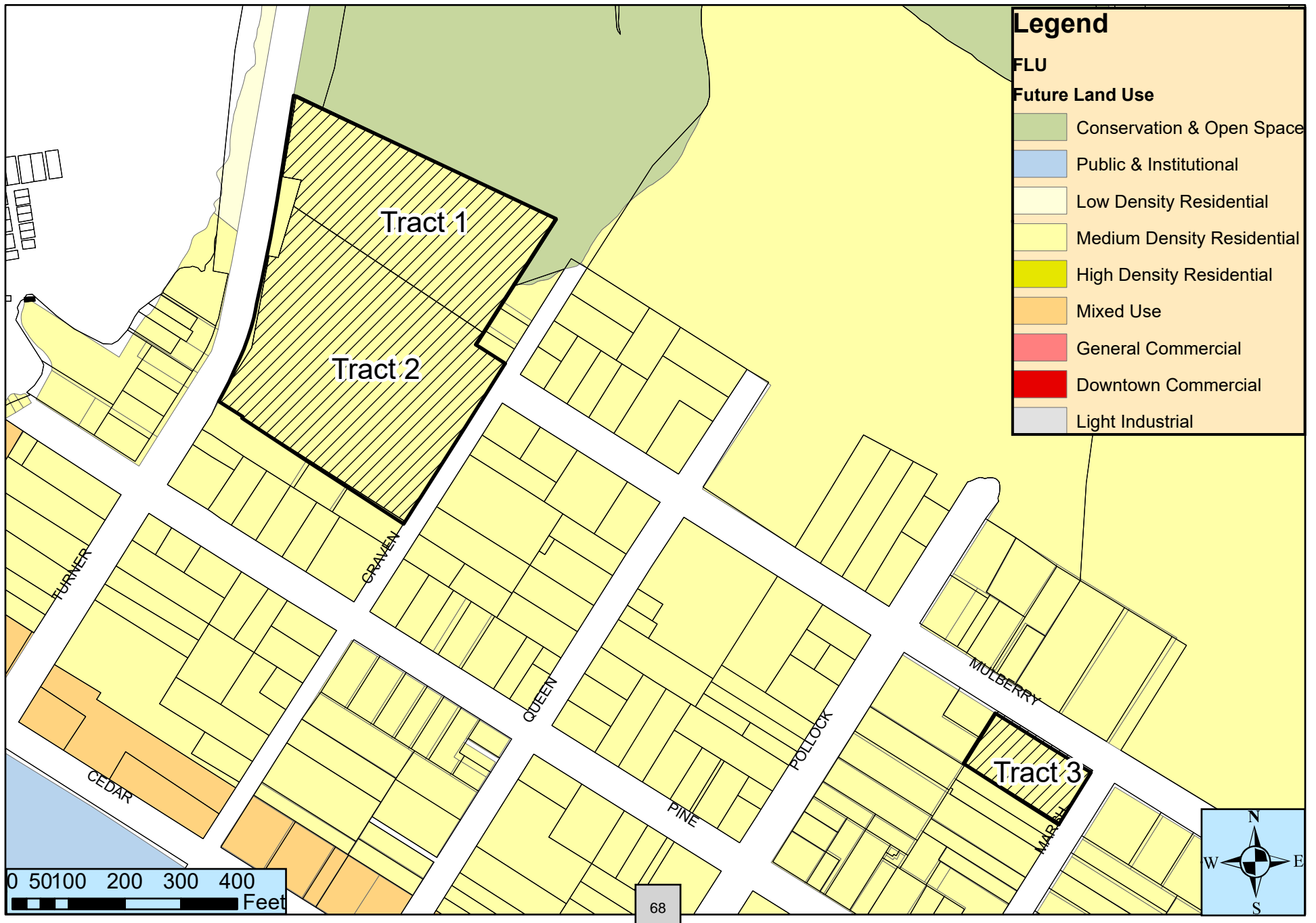
Vicinity Map - Case #23-07 Beaufort Housing Authority
Rezoning from R-8 & TR to TCA



Zoning Map - Case #23-07 Beaufort Housing Authority Rezoning from R-8 & TR to TCA



CAMA Map - Case #23-07 Beaufort Housing Authority Rezoning from R-8 & TR to TCA



Case # 23-07 - BHA Parcels Rezoning TR and R-8 to TCA
Property Owners within 100 feet

OWNER	MAIL_ADD	MAIL_CITY	MAIL_STATE	MAIL_Z15
500 MARSH STREET LLC	PO BOX 643	MT PLEASANT	SC	29465
BALLOU-LEWIS PROPERTIES LLC	PO BOX 662	GREENVILLE	NC	27835
BELL SARAH	514 POLLOCK STREET	BEAUFORT	NC	28516
BISHOP STEPHEN F ETUX GAIL B	131 CRAVEN STREET	BEAUFORT	NC	28516
BONAVENTURA JOSEPH	114 BROAD STREET	BEAUFORT	NC	28516
BOYD SAMUEL GLEN	701 EVANS STREET	MOREHEAD CITY	NC	28557
BRYANT MAGALENE JAMES	515 MARSH STREET	BEAUFORT	NC	28516
BURBRIDGE ANNIE ETVIR WILLIAM	518 MARSH STREET	BEAUFORT	NC	28516
CARTER FRANCES W C/O ISSAC CARTERT	6101 ROSENBLUM COURT APT 1A	NORTH CHESTERFIELD	VA	23234
CHAPLAIN RICHARD M JR ETUX JAN	PO BOX 2304	BEAUFORT	NC	28516
COUNTY OF CARTERET	302 COURTHOUSE SQUARE SUITE 200	BEAUFORT	NC	28516
CRAVEN STREET PROPERTIES LLC C/O THOMAS J JOHNSON	2393 CHURCH STREET	CONWAY	SC	29526
ELLISON GEORGE C ETUX LAVERA	1106 LENNOXVILLE RD	BEAUFORT	NC	28516
GONZALEZ LUCILLE J	PO BOX 111	CARRBORO	NC	27510
GORUM CHARLIE STUX SARAH	604 CRAVEN STREET	BEAUFORT	NC	28516
HABER MARTIN JOSEPH	711 MULBERRY ST UNIT A	BEAUFORT	NC	28516-1921
HAMILTON STEPHEN RAY	610 CRAVEN STREET	BEAUFORT	NC	28516
HARKER PERRY L	512 POLLOCK STREET	BEAUFORT	NC	28516
HENRY JULIANNA	515 1/2 MARSH ST	BEAUFORT	NC	28516-1917
HENRY LUCY C	712 MULBERRY ST	BEAUFORT	NC	28516
HUGHES DEVELOPMENT LLC	901-F PAVERSTONE DRIVE	RALEIGH	NC	27615
JJL REAL ESTATE LLC	PO BOX 21793	CHARLESTON	SC	29413
KOTCH MARTIN JOEL ETUX INDA W	717 MULBERRY STREET	BEAUFORT	NC	28516
KUNST RICHARD ALAN ETAL MOORE	109 LARIAT LANE	CHAPEL HILL	NC	27517
LIVINGSTON CASEY PAUL	502 MULBERRY STREET	BEAUFORT	NC	28516
MCLAUGHLIN BARNEY ETUX MARTHA	11905 CENTRE STREET #109	CHESTER	VA	23831-1777
MULBERRY STREET PROPERTIES LLC	PO BOX 643	MT PLEASANT	SC	29465
NELSON RUSS BUTLER	407 PINE STREET	BEAUFORT	NC	28516
ODEN PEARLIE L	1100 PINE STREET #B	BEAUFORT	NC	28516-2036
PARKER ETHEL ETAL	1101 SAINT PAUL ST UNIT 501	BALTIMORE	MD	21202
SEIGLER JOSEPH D ETUX SHARON	8201 LIGON MILL RD	WAKE FOREST	NC	27587
SPRUILL JOSEPH ETAL MAR DILLON	594 MIMOSOSA SHORES ROAD	WASHINGTON	NC	27889-8599
STANLEY D	604 CRAVEN ST	BEAUFORT	NC	28516
STANLEY GEORGIA B	412 QUEEN STREET	BEAUFORT	NC	28516
STATE OF NORTH CAROLINA	1321 MAIL SERVICE CENTER	RALEIGH	NC	27699-1321
SUMMERS MARY HEIRS	604 CRAVEN ST	BEAUFORT	NC	28516
TAILLON TIMOTHY	601 CRAVEN STREET	BEAUFORT	NC	28516
THE HOUSING AUTHORITY TWN BFT	716 MULBERRY STREET	BEAUFORT	NC	28516
UNITED STATES OF AMERICA		WASHINGTON	DC	20240
VANN ROBERT E ETUX VERA	PO BOX 561	BEAUFORT	NC	28516
VINSON BRITT D ETUX TAMATHA L	920 STONE FALLS TRAIL	RALEIGH	NC	27614
WILLIAMS RALPH EMERSON JR	PO BOX 845	NEWPORT	NC	28570



Town of Beaufort
701 Front St. • P.O. Box 390 • Beaufort, N.C. 28516
252-728-2141 • 252-728-3982 fax
www.beaufortnc.org

**APPLICATION FOR AN AMENDMENT TO THE
BEAUFORT ZONING MAP**

Instructions:

Please complete the application below, include all the required attachments and the **\$300.00 for Rezoning request with no Land Use Plan Change** or **\$400.00 for Rezoning Request with Land Use Plan Change** and return to the Beaufort Town Hall, 701 Front Street or P.O. Box 390, Beaufort, N.C., 28516. Incomplete applications will not be processed and **will be** returned to the applicant. Please contact Planning and Inspections at 252-728-2142 if there are any questions.

APPLICANT INFORMATION

Applicant Name: Beaufort Housing Authority (BHA)

Applicant Address: 716 Mulberry St., Beaufort NC 28516

Phone Number: (252) 728-3226 Email: redebutsjr@gmail.com

Property Owner Name: Beaufort Housing Authority (BHA)

Address of Property Owner: 716 Mulberry St., Beaufort NC 28516

Phone Number: (252) 728-3226 Email: redebutsjr@gmail.com

PROPERTY INFORMATION

Property Address: See attached.

15-Digit PIN: See attached. Lot/Block Number: See attached.

Size of Property (in square feet or acres): See attached.

Current Zoning: R8 (730618228462000, 730618319452000) & TR (730618227174000) Requested Zoning: TCA

Current Use of Property: Residential Vacant Commercial Other: Office

[Signature]
Applicant Signature

7/31/23
Date of Applicant's Signature

Property Owner Signature (if different than applicant)

Date of Owner's Signature

An application fee of **\$300.00 for Rezoning request with no Land Use Plan Change** or **\$400.00 for Rezoning Request with Land Use Plan Change**, either in cash, money order, or check made payable to the "Town of Beaufort," should accompany this application. Payments can be made in person on the day of submittal and at such time, a credit card can be used to make the payment. Credit card payments are subject to a 3% extra fee.

Rezoning Consistency Statement

While the proposed zoning map amendment is inconsistent with the Future Land Use Map designation for the three subject properties as shown in the 2006 Beaufort CAMA Land Use Plan, the request is consistent with the following two goals:

Infrastructure Carrying Capacity: Promote land use and public infrastructure development that is compatible with land suitability as well as capabilities to provide requisite public services.

Areas of Local Concern: Provide a variety of housing opportunities.

The request is consistent with the abovementioned goals outlined in the Beaufort Land Use Plan because it has the potential to provide compatible development with a variety of housing types in an area served by adequate utilities.

The proposed Townhomes, Condominiums, Apartments District (TCA) would allow for compatible residential land uses, which the current land use plan emphasizes as an important factor in future land use decisions.

Furthermore, the requested rezoning to Townhomes, Condominiums, Apartments District (TCA) is in keeping with the Land Development Ordinance of the Town of Beaufort for the redevelopment of the BHA sites.

- Section 5.G establishes the district for the purpose of higher density residential that must be connected to municipal water and sewer. The redevelopment of the site will meet that purpose.
- Section 8.A establishes density, minimum lot size per unit, minimum lot width, and dimensional standards to provide a development consistent with the adjacent properties. Further, permitted uses are limited to those that will be in keeping with a district established for residential development.
- Section 19.D furthers the compatibility of TCA uses by requiring screening/buffering between adjacent land uses. A Type A or Type B buffer will be required adjacent to Residential and Nonresidential uses that are not in a TCA district.

Promotion of Public Health, Safety or Welfare of the Town of Beaufort

The requested rezoning to Townhomes, Condominiums, Apartments District (TCA) will promote the public health, safety or general welfare of the Town of Beaufort. The redevelopment of the current BHA sites will provide for new, adequate, and safe housing for residents of the Town.

The redevelopment of the BHA sites will be subject to the Land Development Ordinance(s) that regulate development in the Town of Beaufort. The development regulations are intended to promote the health, safety, and general welfare of the citizens of the Town of Beaufort (Sec. 1.A.2).

Further, any new construction is subject to the Building and Fire Codes adopted and enforced by the Town, thereby providing housing that is safe and in the best interest of those who reside in it.

With housing affordability challenges facing the community, the addition of housing under the TCA will promote the public health, safety or general welfare of residents who are in need of housing provided by the BHA.

RT 590017.531.000 UNITED STATES OF AMERICA 2023 268,816 MKT
 CARD 001
 PID E 7306.18.31.9452000 FEDERAL EXEMPTION 268,816 PY Val USE
 63,918 LAND 001

203,388 BLDG 001
 LISTER 7/19/2017 SWG WASHINGTON DC 20240 .498 ACRES
 1,510 XFOB 001

TWP BEAUFORT CITY BEAUFORT FIRE RESCUE BEAUFORT RESCUE
 OTHER
 LOT 97 BLK PL BK/PG PLAT ADDRESS 0000716
 MULBERRY ST BEAUFORT 28516
 NBHD 59001700 USE 002000 FEDERAL EXEMPT DEED AICUZ PRINTED
 7/19/2023 BY ALLENW
 LEGAL: LOT 97, NEW TOWN BEAUFORT BEAUFORT HOUSING AUTHORITY OFFICE

BUILDING CHARACTERISTICS for BldgSeq# 001 (Item# 002)

Code	Description	Code	Description	Code	Description	Code	Description	Code	Description
MODL 15	OF/MED/PUB SIZE N/A	BVAL 150700	GOV BLDGS	ARCH	N/A	QUAL 02	LOW COST	STYS	1.0
FNDN 07	SLAB/GRADE EXW2%	FRME 03	MASON/CC C	WND0	N/A	EXW1 09	FACE BRICK	EXW2	N/A
HEAT 00	NO INFO RCV2%	A/C	N/A	RSTR 03	GABLE/HIP	RCV1 03	COMP SHNGL	RCV2	N/A
INT1 05	DRYWALL FLR2%	INT2	N/A	INT2%		FLR1 03	CONC FIN	FLR2	N/A
KTCH	N/A	DPRT 91		BATH	3.00	BDRM		ROOM	
HTFL 04	ELECTRIC	ELEC	N/A	HVAC 04	H/P SYSTEM	ELEV	N/A	SPKR	N/A
UD-7	N/A	UD-8	N/A	FNSH	N/A	FNSH	N/A	UD-9%	

AREA CALCULATION

Subarea	Actual	Adj	Heated	Prime	Rate	Value	%Good	RCNLD	TRVERSE
0000080\$		FGR1971=0000750\$.						BAS1971=0001690\$	PCH1971=
BASE AR	1690	1690	1690	1690	142.90	241508	68.00	164,226	
PORCH	80	28			50.03	4002	68.00	2,721	
FIN GAR	750	375			71.45	53590	68.00	36,441	
TOTAL	2520		1690		176.98		68.00		
TOTAL		2093		1690		299100		203,388	

THE HOUSING AUTHORITY TWN BFT 2023 1,124,484 MKT

CARD 001
PID E 7306.18.22.7174000
353,000 LAND 001

1,124,484 PY Val USE

716 MULBERRY STREET

DEF

771,484 BLDG 008
LISTER 3/19/2013 VWD
XFOB 000

BEAUFORT NC 28516

3.530 ACRES

TWP BEAUFORT CITY BEAUFORT FIRE RESCUE BEAUFORT RESCUE
OTHER

LOT BLK PL BK/PG 31 527 PLAT ADDRESS 0000000
NBHD 59001700 USE 002000 FEDERAL EXEMPT DEED 301 276 AICUZ PRINTED

7/19/2023 BY ALLENW

LEGAL: TRACT A BEAUFORT HOUSING AUTH.

BUILDING CHARACTERISTICS for BldgSeq# 001 (Item# 001)

Code	Description	Code	Description	Code	Description	Code	Description	Code	Description
MODL 02	DUPLEX	BVAL 00002C	DUPLEX	ARCH 01	MULT/COND	QUAL 0C	C GRADE	STYS	1.0
SIZE	N/A								
FNDN 05	SLAB	FRME	N/A	WNDO	N/A	EXW1 20	FACE BRICK	EXW2	.
EXW2%									
HEAT 03	FAN DUCTED	A/C 01	NO A/C	RSTR 03	GABLE	RCV1 03	COMP SHNGL	RCV2	N/A
RCV2%									
INT1 05	DRYWALL	INT2	N/A	INT2%		FLR1 07	CORKVINYL	FLR2	N/A
FLR2%									
KTCH	N/A	DPRT 02		BATH	3.00	BDRM	8	ROOM	
SPCD	N/A								
+/-	N/A	FRPL	N/A	UD-3	N/A	UD-4	N/A	HTFL	04
ELECTRIC	HTF2	N/A							
COND 0A	AVERAGE	INSP	N/A	UD-9	N/A	UD-9	N/A	UD-9%	
AYB 1970		EYB 1989							

AREA CALCULATION

TRAVERSE

Subarea	Actual	Adj	Heated	Prime	Rate	Value	%Good	RCNLD ONE1970=0002424\$	PCH1970=
0000180\$	PCH1971=0000020\$								
ONE STO	2424	2424	2424	2424	75.26	182420	53.00	96,682	PCH1972=0000020\$.
PORCH	180	63			26.34	4741	53.00	2,513	
PORCH	20	7			26.35	527	53.00	279	
PORCH	20	7			26.35	527	53.00	279	
LUMP						6600	53.00	3,498	
TOTAL	2644		2424		80.36		53.00		
TOTAL		2501		2424		194815		103,251	

CARD 001 THE HOUSING AUTHORITY TWN BFT 2023 229,000 MKT
 PID E 7306.18.22.8462000 229,000 PY Val USE
 229,000 LAND 001
 716 MULBERRY STREET DEF
 BLDG 000
 LISTER 3/19/2013 VWD BEAUFORT NC 28516 2.290 ACRES
 XFOB 000
 TWP BEAUFORT CITY BEAUFORT FIRE RESCUE BEAUFORT RESCUE
 OTHER
 LOT BLK PL BK/PG 31 527 PLAT ADDRESS 0000000
 NBHD 59001700 USE 002000 FEDERAL EXEMPT DEED 1305 211 AICUZ PRINTED
 7/19/2023 BY ALLENW
 LEGAL: TRACT B BEAUFORT HOUSING AUTH.

Seq	Zone	Code	Use	Description	LAND								Nbhd
Adj	Front	Depth	Back	FT	#Units	UT	UTPrice	Adj1	Adj2	Adj3	Adj4	Fadj	Dadj
1	Eff	Rate	Value										
1		591743		EXEMPT	2.290	AC	100,000.000	1.00	1.00	1.00	1.00	1.00	1.00
1.000	100,000.000		229,000										



Zoning: OS

PIN: 730618228462000
Current Zoning: R8

Zoning: TCA

PIN: 730618227174000
Current Zoning: TR

Zoning: TR

Zoning: R-8

PIN: 730618319452000
Current Zoning: R8

Tax Parcel Information:

Owner: THE HOUSING AUTHORITY TWN BFT

Current PIN: 730618228462000

Site Address:

0

Mailing Address:
716 MULBERRY STREET

BEAUFORT NC 28516

Legal Description:
TRACT B BEAUFORT HOUSING AUTH.

Prior PIN:

City Limits: BEAUFORT

Rescue District: BEAUFORT RESCUE

Fire District:

Tax District: 1159

Township: BEAUFORT

Use: FEDERAL EXEMPT

Land Value: \$229,000 **NBHD:** 590017

Bldg Value: \$0 **Bldg Htd Sq Ft:**

Other Value: \$0 **Base Area Sq Ft:** 0

Total Value: \$229,000 **Year Built:**

Sale Price: \$0 **Noise Level:**

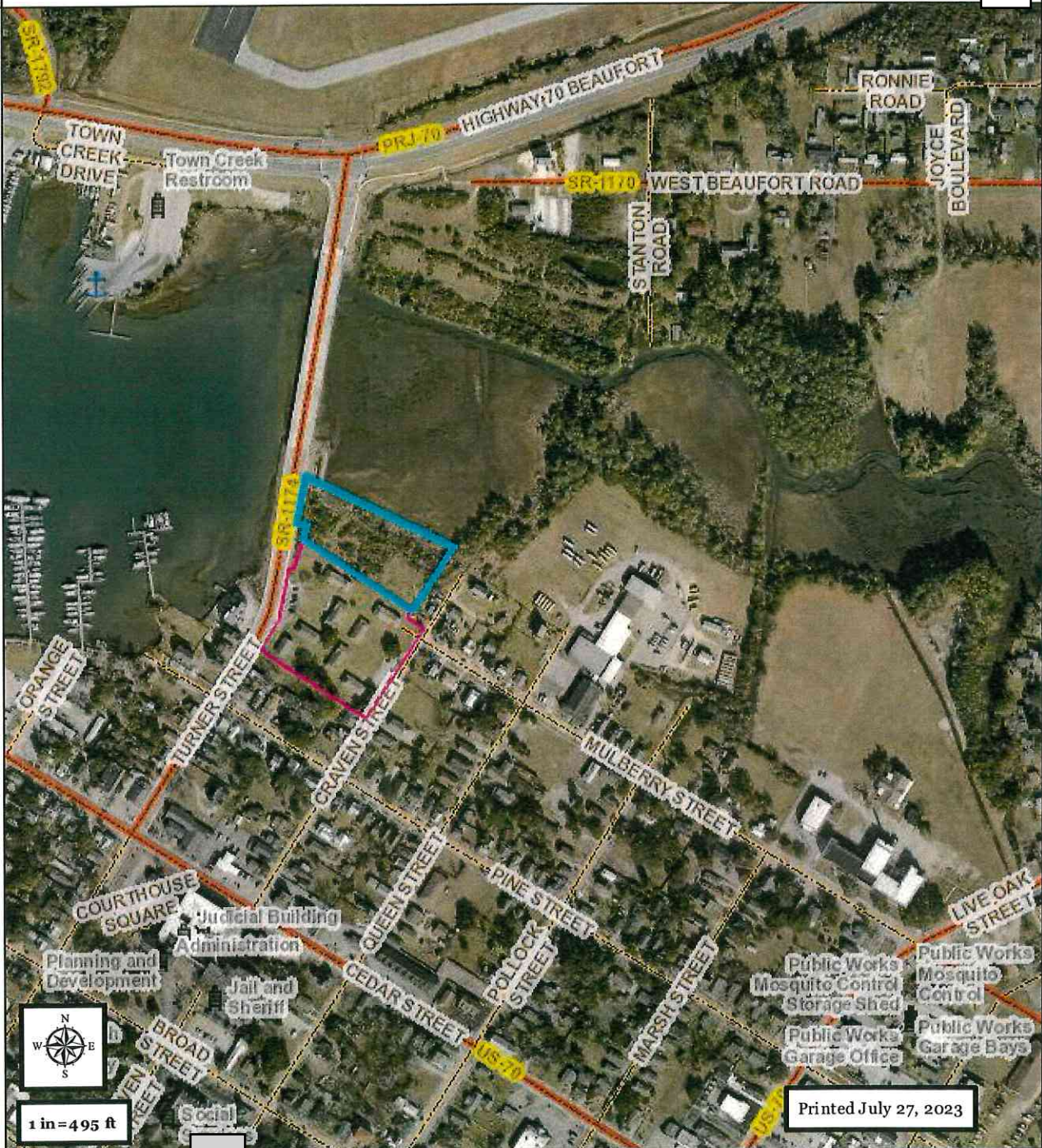
Taxed Acres: 2.29 **AICUZ Zone:**

Plat Ref: 31 / 527 **GIS Acres:** 2.229

Deed Ref: 1305 / 211 **Roll Type:** E

Bedrooms: **Deed Date:** 0

Bathrooms:



Tax Parcel Information:

Owner: THE HOUSING AUTHORITY TWN BFT

Current PIN: 730618227174000

Site Address:

0

Mailing Address:

716 MULBERRY STREET

BEAUFORT NC 28516

Legal Description:

TRACT A BEAUFORT HOUSING AUTH.

Prior PIN:

City Limits: BEAUFORT

Rescue District: BEAUFORT RESCUE

Fire District:

Tax District: 1159

Township: BEAUFORT

Use: FEDERAL EXEMPT

Land Value: \$353,000

NBHD: 590017

Bldg Value: \$771,484

Bldg Htd Sq Ft: 2424

Other Value: \$0

Base Area Sq Ft: 2,644

Total Value: \$1,124,484

Year Built: 1970

Sale Price: \$0

Noise Level:

Taxed Acres: 3.53

AICUZ Zone:

GIS Acres: 3.485

Plat Ref: 31 / 527

Roll Type: E

Deed Ref: 301 / 276

Deed Date: 0

Bedrooms: 8

Bathrooms: 3



Printed July 31, 2023

Tax Parcel Information:

Owner: UNITED STATES OF AMERICA

Current PIN: 730618319452000

Site Address:
716 MULBERRY ST
BEAUFORT

Mailing Address:

WASHINGTON DC 20240

Legal Description:
LOT 97, NEW TOWN BEAUFORT BEAUFORT HOUSING
AUTHORITY OFFICE

Prior PIN: 11007N0627

City Limits: BEAUFORT

Rescue District: BEAUFORT RESCUE

Fire District:

Tax District: 1159

Township: BEAUFORT

Use: FEDERAL EXEMPT

Land Value: \$63,918

Bldg Value: \$203,388

Other Value: \$1,510

Total Value: \$268,816

Sale Price: \$0

Taxed Acres: 0.498

Plat Ref: /

Deed Ref: /

Bedrooms: 0

NBHD: 590017

Bldg Htd Sq Ft: 1690

Base Area Sq Ft: 2,520

Year Built: 1971

Noise Level:

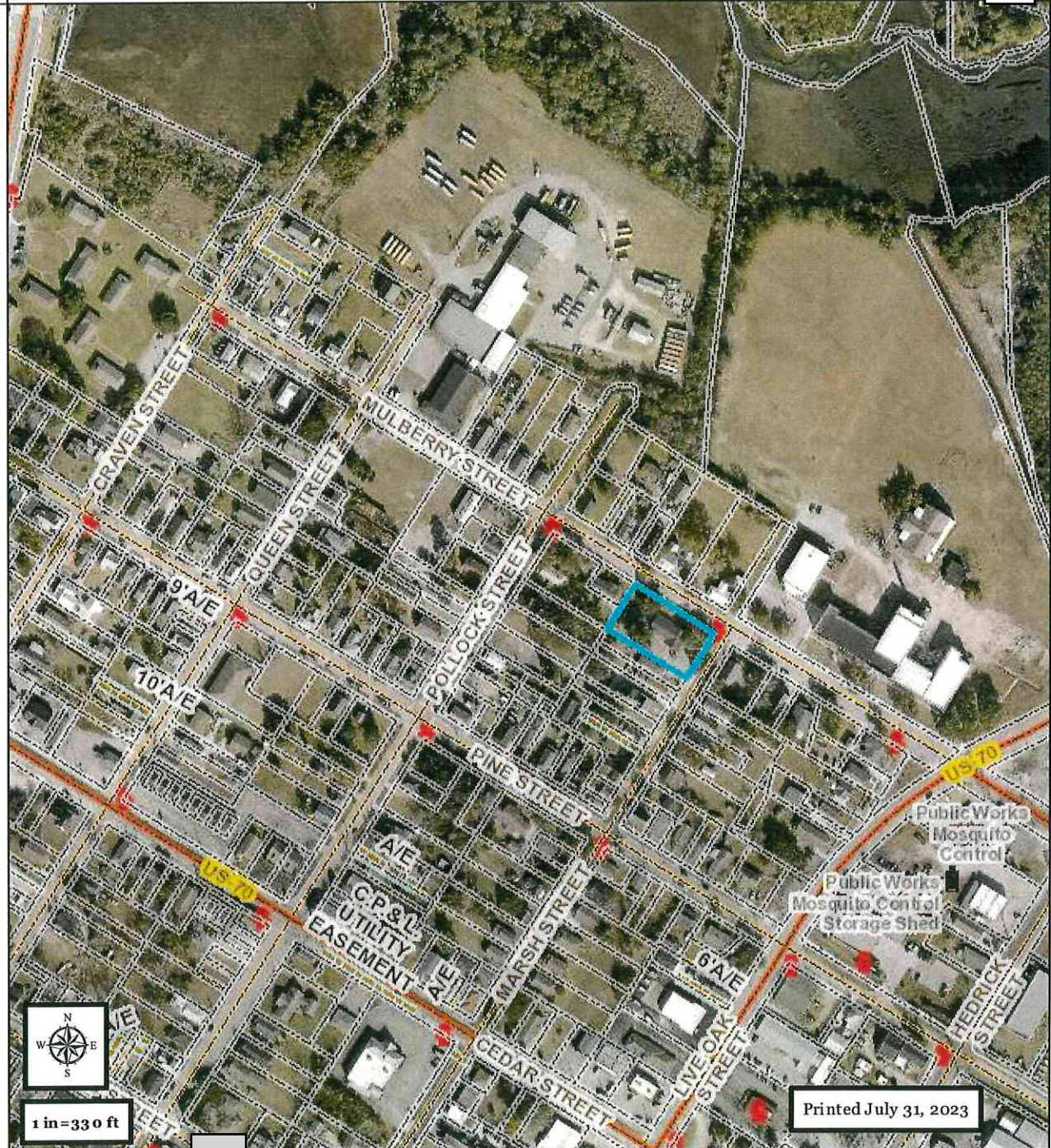
AICUZ Zone:

GIS Acres: 0.500

Roll Type: E

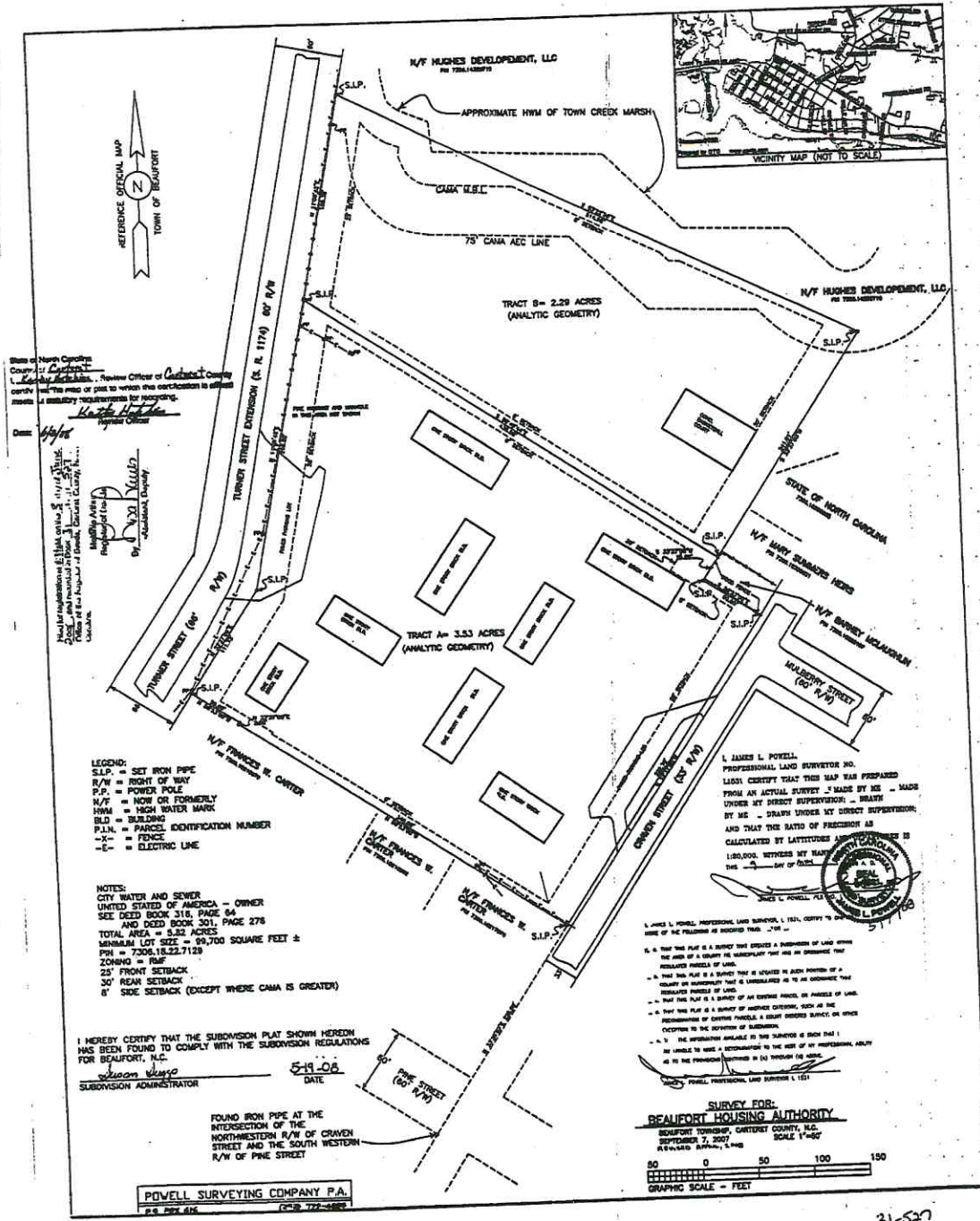
Deed Date: 0

Bathrooms: 3



1 in = 330 ft

Printed July 31, 2023



State of North Carolina
 County of Dare
 I, James L. Powell, Professional Land Surveyor No. 51178, do hereby certify that this map was prepared from an actual survey made by me or under my direct supervision and that the ratio of precision as calculated by latitudes and bearings is 1:50,000. Witness my hand and seal this 5th day of July, 2007.

LEGEND:
 S.L.P. = SET IRON PIPE
 R/W = RIGHT OF WAY
 P.P. = POWER POLE
 N/F = NOW OR FORMERLY
 H.W.M. = HIGH WATER MARK
 BLD = BUILDING
 P.I.N. = PARCEL IDENTIFICATION NUMBER
 -X- = FENCE
 -E- = ELECTRIC LINE

NOTES:
 CITY WATER AND SEWER
 UNITED STATES OF AMERICA - OWNER
 SEE DEED BOOK 318, PAGE 84
 AND DEED BOOK 301, PAGE 278
 TOTAL AREA = 5.82 ACRES
 SUBDIVISION LOT SIZE = 90,700 SQUARE FEET ±
 P.I.N. = 7306.18.22.7129
 ZONING = R/FW
 25' FRONT SETBACK
 30' REAR SETBACK
 8' SIDE SETBACK (EXCEPT WHERE CANA IS GREATER)

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS FOR BEAUFORT, N.C.
William Vance 5-19-08
 SUBDIVISION ADMINISTRATOR DATE

FOUND IRON PIPE AT THE INTERSECTION OF THE NORTHWESTERN R/W OF CRAVEN STREET AND THE SOUTH WESTERN R/W OF PINE STREET

POWELL SURVEYING COMPANY P.A.
 P.O. BOX 416 (252) 722-1889

JAMES L. POWELL
 PROFESSIONAL LAND SURVEYOR NO. 51178
 I DO HEREBY CERTIFY THAT THIS MAP WAS PREPARED FROM AN ACTUAL SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION AND THAT THE RATIO OF PRECISION AS CALCULATED BY LATITUDES AND BEARINGS IS 1:50,000. WITNESS MY HAND AND SEAL THIS 5th DAY OF JULY, 2007.

1. JAMES L. POWELL, PROFESSIONAL LAND SURVEYOR, I 181, CERTIFY TO THE BEST OF MY KNOWLEDGE AND BELIEF THAT:
 a. THAT THIS PLAT IS A SURVEY THAT SHOWS A DIVISION OF LAND INTO THE LOTS OF A SUBDIVISION AS SHOWN ON THIS PLAT;
 b. THAT THIS PLAT IS A SURVEY THAT IS ACCURATE TO THE DEGREE OF PRECISION THAT IS REQUIRED BY LAW;
 c. THAT THIS PLAT IS A SURVEY THAT IS ACCURATE TO THE DEGREE OF PRECISION THAT IS REQUIRED BY LAW;
 d. THAT THIS PLAT IS A SURVEY OF AN ESTATE, SUCH AS THE PARTS OF AN ESTATE, AND THAT THE PARTS OF AN ESTATE ARE SHOWN ON THIS PLAT;
 e. THAT THE INFORMATION AVAILABLE TO THE SURVEYOR IS SUCH THAT HE IS ABLE TO MAKE A DETERMINATION TO THE BEST OF HIS PROFESSIONAL JUDGMENT AS TO THE PRECISION OF HIS SURVEYING DATA.

SURVEY EDR.
BEAUFORT HOUSING AUTHORITY
 BEAUFORT TOWNSHIP, CURRITUCK COUNTY, N.C.
 SEPTEMBER 7, 2007
 SCALE 1"=50'
 AS SHOWN APPROX. 1:400
 GRAPHIC SCALE - FEET

31-527



GENERAL NOTES

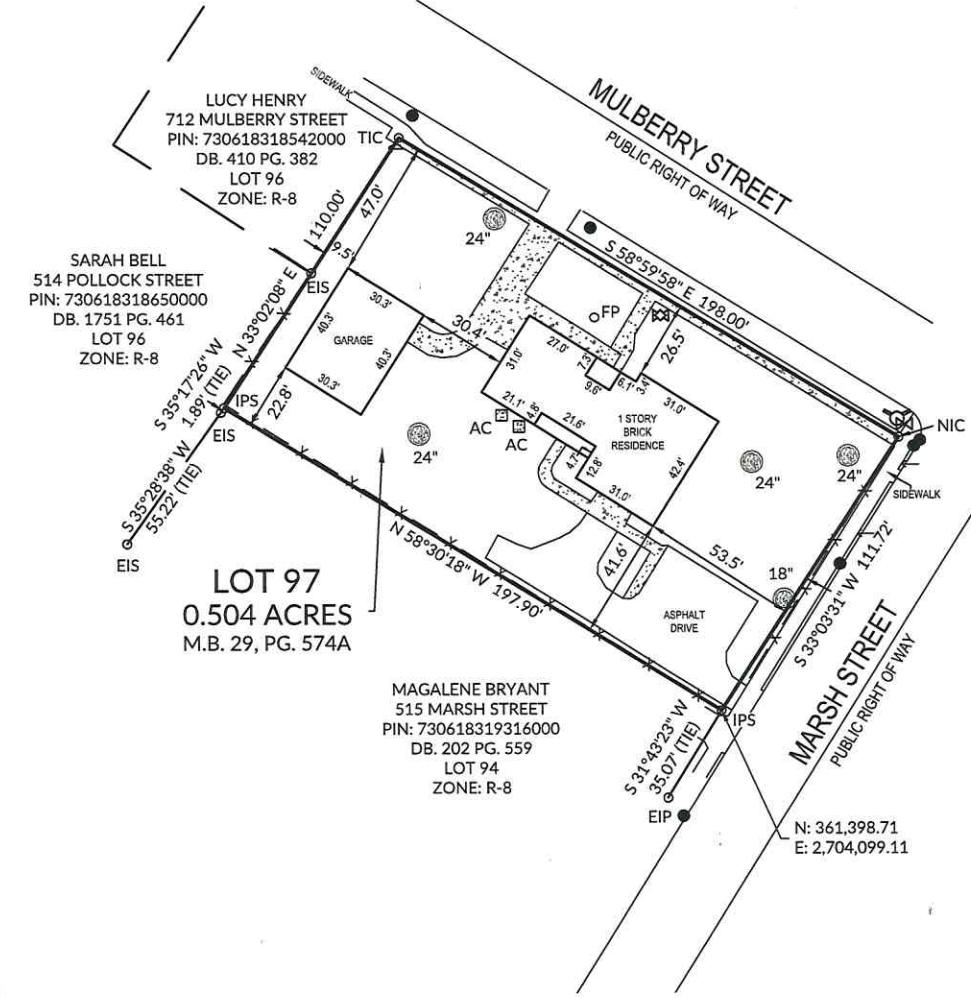
1. RAW ERROR OF CLOSURE WAS 10,000+, MISCLOSURE WAS DISTRIBUTED BY THE COMPASS METHOD. THE DISTANCES ON THIS MAP ARE ADJUSTED HORIZONTAL GROUND UNLESS NOTED OTHERWISE. ALL AREAS CALCULATED BY COORDINATE COMPUTATION.
2. SUBJECT PROPERTY IS NOT LOCATED WITHIN A FLOOD HAZARD AREA ACCORDING TO FLOOD INSURANCE RATE MAP 3720730600J, PANEL NO. 7306, DATED JULY 16, 2003.
3. ALL LOT LINES SHALL HAVE A 10 FOOT DRAINAGE, MAINTENANCE & ACCESS EASEMENT CENTERED ON EACH LOT 5 FOOT OF SAID LOT LINE.
4. PROPERTY MAY BE SUBJECT TO ADDITIONAL EASEMENTS, UTILITIES, RIGHTS-OF-WAY, COVENANTS, OR RESTRICTIONS, THAT MAY BE OF RECORD.

LEGEND (UNLESS OTHERWISE NOTED)

BOUNDARY	—————
BUILDING	—————
CONCRETE	—————
FENCE (CHAINLINK)	— X — X — X —
RIGHT OF WAY	— — — — —
FIRE HYDRANT	⊕
FLAG POLE	⊕
GUY WIRE	⊕
UTILITY POLE	⊕
WATER METER	⊕
WATER VALVE	⊕
EXISTING IRON PIPE	⊕
EXISTING IRON STAKE	⊕
IRON PIPE SET	⊕
NAIL SET IN CONCRETE	⊕
MARK IN CONCRETE	⊕
OAK TREE	⊕

N.C. GRID NORTH NAD 83 (2011)

W:\2202-1440\21442-Beaufort Housing Authority - Re-Div\GIS\Survey\Res-Com\Drawings\716 Mulberry.dwg - Wednesday, July 26, 2023 11:45:56 AM - ANDREWS, TREY



SURVEYOR'S CERTIFICATE

I CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK 29 PAGE 574A) THAT THE BOUNDARIES NOT SURVEYED ARE INDICATED AS DRAWN FROM INFORMATION IN BOOK PAGE THAT THE RATIO OF PRECISION OR POSITIONAL ACCURACY IS 1: 10,000 AND THAT THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21 NCAC 56.1600).

THIS 26th DAY OF JULY A.D. 2023

DocuSigned by:
Stephen B Mullins
PROFESSIONAL LAND SURVEYOR
LICENSE NUMBER L-3059
DFCE79C4D7E4B2...



WR Job No.: 3221442
DATE: 7/20/2023
SURVEYED BY: WR
DRAWN BY: TA
CHECK & CLOSURE BY: BURB

0 25 50
SCALE: 1 inch = 50 ft.

SHEET: 1 of 1

FINAL SURVEY OF
LOT 97 TOWN OF BEAUFORT

PREPARED FOR
THE UNITED STATES OF AMERICA

716 EAST MULBERRY STREET
BEAUFORT TOWNSHIP | CARTERET COUNTY | NORTH CAROLINA
P.I.N. 730618319452000
ZONING



Turner St. Parcels

Parcel # 730618227174000 –

Addresses:

- 508 TURNER STREET
- 509 CRAVEN STREET
- 510 TURNER STREET
- 511 CRAVEN STREET
- 512 TURNER STREET
- 513 CRAVEN STREET
- 514 TURNER STREET
- 515 CRAVEN STREET
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- 518 TURNER STREET
- 519 CRAVEN STREET
- 520 TURNER STREET
- 521 CRAVEN STREET
- 522 TURNER STREET
- 523 CRAVEN STREET

Acreage – 3.53

Zoning – TR

Use - Residential

Parcel # 730618228462000 –

No address listed.

Acreage – 2.29

Zoning – R8

Use – Vacant

Mulberry St. Parcel

Parcel # 730618319452000

Address:

716 Mulberry St.

Lot 97

Acreage – 0.498

Zoning – R8

Use - Office

Mailing List for PIN 730618319452000

OWNER	MAIL_HI	MAIL_ST	MAIL_CITY	MAIL_STA	MAIL_ZI5
MULBERRY STREET PROPERTIES LLC		PO BOX 643	MT PLEASANT	SC	29465
GONZALEZ LUCILLE J		PO BOX 111	CARRBORO	NC	27510
CHAPLAIN RICHARD M JR ETUX JAN		PO BOX 2304	BEAUFORT	NC	28516
500 MARSH STREET LLC		PO BOX 643	MT PLEASANT	SC	29465
500 MARSH STREET LLC		PO BOX 643	MT PLEASANT	SC	29465
BURBRIDGE ANNIE ETVIR WILLIAM		518 MARSH STREET	BEAUFORT	NC	28516
PARKER ETHEL		2206 BRIDLE PATH DRIVE	WALDORF	MD	20601
HENRY LUCY C		712 MULBERRY ST	BEAUFORT	NC	28516
KOTCH MARTIN JOEL ETUX INDA W		717 MULBERRY STREET	BEAUFORT	NC	28516
BALLOU-LEWIS PROPERTIES LLC		PO BOX 662	GREENVILLE	NC	27835
HENRY JULIANNA	515 1/2	MARSH ST	BEAUFORT	NC	28516
HABER MARTIN JOSEPH		711 MULBERRY ST UNIT A	BEAUFORT	NC	28516
BISHOP STEPHEN F ETUX GAIL B		131 CRAVEN STREET	BEAUFORT	NC	28516
MULBERRY STREET PROPERTIES LLC		PO BOX 643	MT PLEASANT	SC	29465
BRYANT MAGALENE JAMES		515 MARSH STREET	BEAUFORT	NC	28516
UNITED STATES OF AMERICA			WASHINGTON	DC	20240
HARKER PERRY L		PO BOX 42	BEAUFORT	NC	28516
BELL SARAH		514 POLLOCK STREET	BEAUFORT	NC	28516

Mailing List for PIN 730618228462000

OWNER	MAIL_HOUSE	MAIL_ST	MAIL_CITY	MAIL_MAIL_ZI5
THE HOUSING AUTHORITY TWN BFT		716 MULBERRY STREET	BEAUFORT	NC 28516
STATE OF NORTH CAROLINA		1321 MAIL SERVICE CENTER	RALEIGH	NC 27699
SUMMERS MARY HEIRS		604 CRAVEN ST	BEAUFORT	NC 28516
THE HOUSING AUTHORITY TWN BFT		716 MULBERRY STREET	BEAUFORT	NC 28516
HAMILTON STEPHEN RAY		610 CRAVEN STREET	BEAUFORT	NC 28516
ELLISON GEORGE C ETUX LAVERA		1106 LENNOXVILLE RD	BEAUFORT	NC 28516
GORUM CHARLIE STUX SARAH		604 CRAVEN STREET	BEAUFORT	NC 28516
TAILLON TIMOTHY		601 CRAVEN STREET	BEAUFORT	NC 28516
STANLEY D		604 CRAVEN ST	BEAUFORT	NC 28516
COUNTY OF CARTERET		302 COURTHOUSE SQUARE	BEAUFORT	NC 28516
HUGHES DEVELOPMENT LLC	901-F	PAVERSTONE DRIVE	RALEIGH	NC 27615

MAILING LIST: PIN 730618227174000

OWNER	MAIL_HC MAIL_ST	MAIL_CITY	MAIL_STA	MAIL_ZI5
THE HOUSING AUTHORITY TWN BFT	716 MULBERRY STREET	BEAUFORT	NC	28516
STATE OF NORTH CAROLINA	1321 MAIL SERVICE CENTER	RALEIGH	NC	27699
BONAVENTURA JOSEPH	114 BROAD STREET	BEAUFORT	NC	28516
SUMMERS MARY HEIRS	604 CRAVEN ST	BEAUFORT	NC	28516
NELSON RUSS BUTLER	407 PINE STREET	BEAUFORT	NC	28516
JJL REAL ESTATE LLC	PO BOX 21793	CHARLESTON	SC	29413
SPRUILL JOSEPH ETAL MAR DILLON	594 MIMOSOSA SHORES ROAD	WASHINGTON	NC	27889
WILLIAMS RALPH EMERSON JR	PO BOX 845	NEWPORT	NC	28570
STANLEY GEORGIA B	412 QUEEN STREET	BEAUFORT	NC	28516
THE HOUSING AUTHORITY TWN BFT	716 MULBERRY STREET	BEAUFORT	NC	28516
CARTER FRANCES W	6101 ROSENBLUM COURT	NORTH CHESTERFIELD	VA	23234
SEIGLER JOSEPH D ETUX SHARON	8201 LIGON MILL RD	WAKE FOREST	NC	27587
STANLEY GEORGIA B	412 QUEEN STREET	BEAUFORT	NC	28516
CARTER FRANCES W	6101 ROSENBLUM COURT	NORTH CHESTERFIELD	VA	23234
NELSON RUSS BUTLER	407 PINE STREET	BEAUFORT	NC	28516
CRAVEN STREET PROPERTIES LLC	2393 CHURCH STREET	CONWAY	SC	29526
VANN ROBERT E ETUX VERA	PO BOX 561	BEAUFORT	NC	28516
LIVINGSTON CASEY PAUL	502 MULBERRY STREET	BEAUFORT	NC	28516
VINSON BRITT D ETUX TAMATHA L	920 STONE FALLS TRAIL	RALEIGH	NC	27614
MCLAUGHLIN BARNEY ETUX MARTHA	11905 CENTRE STREET #109	CHESTER	VA	23831
GORUM CHARLIE STUX SARAH	604 CRAVEN STREET	BEAUFORT	NC	28516
TAILLON TIMOTHY	601 CRAVEN STREET	BEAUFORT	NC	28516
ODEN PEARLIE L	1100 PINE STREET #B	BEAUFORT	NC	28516
BOYD SAMUEL GLEN	701 EVANS STREET	MOREHEAD CITY	NC	28557
KUNST RICHARD ALAN ETAL MOORE	109 LARIAT LANE	CHAPEL HILL	NC	27517
STANLEY D	604 CRAVEN ST	BEAUFORT	NC	28516
TURNER WESTWARD LLC	11905 CENTRE STREET #109	CHESTER	VA	23831
CARTER FRANCES W	6101 ROSENBLUM COURT	NORTH CHESTERFIELD	VA	23234



**TOWN OF BEAUFORT
PLANNING BOARD**

RZ23-07

**RESOLUTION ADVISING THAT PROPOSED AMENDMENTS
TO THE ZONING ORDINANCE AND CAMA CORE LAND USE PLAN
ARE IN ACCORDANCE WITH ALL OFFICIALLY ADOPTED PLANS; ARE NOT
REASONABLE; AND ARE NOT IN THE PUBLIC INTEREST.**

WHEREAS, the North Carolina General Assembly has given the Town of Beaufort (“Town”) the authority to adopt and amend zoning and development regulation ordinances for the purpose of promoting the health, safety, morals, and general welfare of its citizens;

WHEREAS, N.C.G.S. §160D-604(d) requires the Town of Beaufort Planning Board shall advise and comment on whether the proposed action is consistent with the Town of Beaufort Comprehensive and CAMA Land Use Plan that has been adopted and any other officially adopted plan that is applicable, and provide a written recommendation to the Board of Commissioners that addresses plan consistency and other matters as deemed appropriate by the Planning Board; and

WHEREAS, the Planning Board has in fact met to consider and evaluate the proposed amendments to the Ordinance; and

NOW THEREFORE, BE IT HEREBY RESOLVED, that the Planning Board finds that the proposed amendments to the Ordinance **are not** in accordance with all officially adopted Town plans and therefore recommends denial by the Board of Commissioners. The Planning Board expressed concerns with the environmental sensitivity of Tract 1, the increased density from duplex development to multi-family on Tract 2, and possible spot zoning of Tract 3.

This Resolution is effective upon its adoption this 21st day of August 2023.

**TOWN OF BEAUFORT
PLANNING BOARD**

Ralph Merrill
_____, Chairman

ATTEST:

Laurel Anderson
_____, Secretary

C) R-8 Residential Medium Density District.

This residential district is established as a medium density district in which the principle use of the land is for single-family dwelling units. The regulations of this 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 must comply with the setback requirements as set forth in section 2-F of this Ordinance, section 6 of this Ordinance, section 15 of this Ordinance, and all sections 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
Garage, Private Detached	Swimming Pool (Personal Use)
Government/Non-Profit Owned/ Operated Facilities & Services	Temporary Construction Trailer
Group Home	Utility Minor
Home Occupation	Vehicle Charging Station

6) Special Uses (*Special Uses* text 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

B) Transitional District (TR).

The intent of this district is to serve as a transition between residential and more intensive districts. This includes residential and commercial uses with a low noise and traffic impact which would generally be considered compatible with a residential area which may or may not have buffering requirements as documented in section 19 of this Ordinance. 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 TR district shall be a minimum of eight thousand square feet (8,000 ft²).

2) Minimum Lot Width.

All lots in the TR 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 8-4 Lot Requirements

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

Table 8-5 Other Lot Requirements

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

4) Accessory Building Setback Requirements.

All accessory buildings must comply with the lot setback requirements as set forth in section 2-F, section 6, section 15, and all other sections of this Ordinance.

5) Permitted Uses.

- | | |
|---|---|
| <ul style="list-style-type: none"> Antenna Co-Location on Existing Tower Assisted Living Athletic Field, Public Bed & Breakfast Carport Club, Lodge, or Hall Commercial Indoor Recreational Facility Community Garden Dock | <ul style="list-style-type: none"> Dormitory Dwelling, Duplex Dwelling, Single-Family Garage, Private Detached Government/Non-Profit Owned/Operated Facilities & Services Group Home Home Occupation Library Mixed Use |
|---|---|

Mortuary/Funeral Home/ Crematorium	Public Safety Station
Neighborhood Recreation Center Indoor/Outdoor, Private	Public Utility Facility
Neighborhood Recreation Center, Public	Religious Institution
Nursing Home	Resource Conservation Area
Office: Business, Professional, or Medical	Restaurant with Indoor Operation
Park, Public	Shed
Personal Service Establishment	Signs, Commercial Free-Standing
	Swimming Pool (Personal Use)
	Temporary Construction Trailer
	Utility Minor
	Vehicle Charging Station

6) Special Uses (*Special Uses* text may be found in section 20 of this Ordinance).

Accessory Dwelling Unit	Museum
Aquaculture	Other Freestanding Towers
Financial Institution	Outdoor Amphitheater, Public
Cemetery/Graveyard	Parking Lot
Concealed (Stealth) Antennae & Towers	Preschool
Day Care Center	Produce Stand/Farmers' Market
Day Care/Child Care Home	Retail Store
Golf Course, Privately Owned	Satellite Dish Antenna
Golf Driving Range	School, K-12
Hotel or Motel	School, Post-Secondary
Kennel, Indoor/Outdoor Operation	Tavern/Bar/ Pub with Indoor Operation
Marina	Utility Facility

SECTION 8 Transitional Zoning Districts

A) ***TCA Townhomes, Condominiums, Apartments District.***

This district is established to provide a high density district in which the primary uses are multi-family residences and duplexes. Uses in this district which require potable water or sanitary sewer must be connected to both municipal water and municipal sewer.

1) **Maximum Overall Density.**

The TCA district shall have a maximum density of twelve units per acre.

2) **Minimum Lot Size.**

All lots in the TCA district shall be a minimum of two thousand, seven hundred, and fifty square feet (2,750 ft²) per dwelling unit.

3) **Minimum Lot Width.**

All lots in the TCA district shall have a minimum lot width of eighty feet (80') at the minimum building line.

4) **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 8-1 Interior Lot Requirements

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

Table 8-2 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>
TCA	25 feet	15 feet	30 feet	8 feet	35 feet

Table 8-3 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 Setbacks</i>	<i>Building Height Limitation</i>
TCA	25 feet	15 feet	8 feet	35 feet

5) **Accessory Building Setback Requirements.**

All accessory buildings must comply with the lot setback requirements as set forth in section 2-F, section 6, section 15, and all the other sections of this Ordinance.

6) Covenants.

In any development proposing common areas, jointly-used structures, or private streets, restrictive and protective covenants which provide for party wall rights, harmony of external design, continuing maintenance of building exteriors, grounds, or other general use improvements and similar matters, shall be submitted to the Town and approved by the BOC. Condominium development must submit evidence of compliance with the North Carolina Condominium Act.

7) Permitted Uses.

Antenna Co-Location on Existing Tower	Home Occupation
Assisted Living	Neighborhood Recreation Center Indoor/Outdoor, Private
Athletic Field, Public	Neighborhood Recreation Center, Public
Carport	Nursing Home
Community Garden	Park, Public
Concealed (Stealth) Antennae & Towers	Public Safety Station
Dock	Public Utility Facility
Dormitory	Resource Conservation Area
Dwelling, Duplex/Townhome	Shed
Dwelling, Multi-Family	Signs, Commercial Free-Standing
Garage, Private Detached	Temporary Construction Trailer
Government/Non-Profit Owned/ Operated Facilities & Services	Utility Minor
Group Home	Vehicle Charging Station

8) Special Uses (*Special Uses* text may be found in section 20 of this Ordinance).

Athletic Field, Private	Restaurant with Indoor Operation
Dwelling, Single-Family	Restaurant with Outdoor Operation
Golf Course, Privately-Owned	Retail Store
Golf Driving Range	Satellite Dish Antennas
Hotel or Motel	School, Post-Secondary
Marina	Tavern/Bar/ Pub with Indoor Operation
Mixed Use	Tavern/Bar/ Pub with Outdoor Operation
Outdoor Amphitheater, Public	Theater, Small
Personal Service Establishment	Transportation Facility
Preschool	Utility Facility
Religious Institution	
Restaurant with Drive-Thru Service	

**BEAUFORT BOARD OF COMMISSIONERS
AN ORDINANCE TO REZONE
THREE PARCELS FROM TR AND R-8 TO TCA
ORDINANCE NO. 23-__**

Applicant: Beaufort Housing Authority
Location & PIN: Tract 1 – PIN 730618228462000 – Turner Street
Tract 2 – PIN 730618227174000 – Turner/Craven Street
Tract 3 – PIN 730618319452000 – 716 Mulberry Street
Lot Size: Tract 1 – 2.23 acres
Tract 2 – 3.49 acres
Tract 3 – 0.5 acres
6.22 Acres Total (based on GIS calculated acreage data)
Existing District: Tract 1 – R-8
Tract 2 – TR
Tract 3 – R-8
Meeting Date: September 11, 2023
Requested District: TCA (Townhouse, Condominium & Apartments)

WHEREAS, the Beaufort Housing Authority has submitted a request to rezone the above referenced properties to TCA; and

WHEREAS, the Beaufort Planning Board has convened to consider and prepare a recommendation and consistency statement on the request at its meeting on August 21, 2023, at which time the Planning Board recommended denial of the request; and

WHEREAS, the Beaufort Board of Commissioners conducted a public hearing on September 11, 2023, at which time the applicant and/or applicant’s representative was given the opportunity to present arguments, and Town staff was given the opportunity to comment on the application; and

WHEREAS, the Town Board of Commissioners has made the following findings and conclusions:

1. The request is consistent with surrounding land use patterns and zoning in the area.
2. The proposed zoning of TCA is inconsistent with the CAMA Core Land Use Plan; however, the Board finds the requested TCA District is consistent with the spirit and intent of the ordinance.

NOW, THEREFORE, IT IS HEREBY ORDAINED by the Board of Commissioners on the basis of the foregoing findings and conclusions that the request to rezone the three aforementioned parcels (PINs 730618228462000, 730618227174000, & 730618319452000) is approved and the Town’s Zoning Map is amended accordingly.

Enacted on motion of Commissioner _____ and carried on a vote of ___ in favor and ___ against.

This, the 11th day of September 2023
TOWN OF BEAUFORT

Elizabeth Lewis, Town Clerk

Sharon Harker, Mayor



**RESOLUTION OF THE BEAUFORT BOARD OF COMMISSIONERS
AUTHORIZING AN AMENDMENT TO THE CORE LAND USE PLAN
RESOLUTION NO. 23-__**

WHEREAS, the Town of Beaufort desires to amend its CAMA Land Use Plan, specifically the Future Land Use Map related to the future land use classification of three tracts of land (PINs 730618228462000, 730618227174000, and 730618319452000), and

WHEREAS, the CAMA Land Use Plan currently shows these three tracts as Medium Density Residential; and

WHEREAS, the Town of Beaufort desires to amend the CAMA Land Use Plan to classify these three tracts as High Density Residential as concurrent with rezonings to the Townhomes, Condominiums, and Apartments District (TCA); and

WHEREAS, on August 21, 2023 the Planning Board recommended denial of the draft amendment to the CAMA Land Use Plan; and

WHEREAS, the Town of Beaufort conducted a duly advertised public hearing on the draft amendment to the CAMA Land Use Plan at the Regular Meeting of the Board of Commissioners on September 11, 2023; and

WHEREAS, at the Regular Meeting on September 11, 2023 the Board of Commissioners of the Town of Beaufort, North Carolina found the draft amendment to be consistent with the Town of Beaufort desired vision for the future and approved to adopt the draft amendment; and

WHEREAS, the locally adopted amendment will be submitted as required by State law to the District Planner for the Division of Coastal Management under the North Carolina Department of Environmental Quality and forwarded to the Division Director; and

WHEREAS, a review of the locally adopted amendment by the Coastal Resources Commission will be scheduled; and the CRC will then decide on certification of the amendment;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Beaufort, North Carolina, that the Future Land Use Map in the CAMA Land Use Plan be amended as follows:

Tract 1 – PIN 730618228462000 – High Density Residential future land use classification

Tract 2 – PIN 730618227174000 – High Density Residential future land use classification

Tract 3 – PIN 730618319452000 – High Density Residential future land use classification

BE IT FURTHER RESOLVED that the Board of Commissioners of the Town of Beaufort, North Carolina, has adopted the draft amendment; and

BE IT FURTHER RESOLVED that the Town Manager of the Town of Beaufort is hereby authorized to submit the adopted CAMA Land Use Plan amendment to the State for certification as described above.

Adopted this 11th day of September 2023.

Sharon Harker, Mayor

Elizabeth Lewis, Town Clerk



Town of Beaufort, NC

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**Board of Commissioners
Regular Meeting
6:00 PM Monday, September 11, 2023
Train Depot, 614 Broad Street
Beaufort, NC 28516**

AGENDA CATEGORY: Closed Session
SUBJECT: Pursuant to NCGS 143-318.11 (a) (3)

REQUESTED ACTION:

Motion to enter closed session pursuant to NCGS 143-318.11 (a) (3) to allow the Board of Commissioners to consult with Town Attorney.

SUBMITTED BY:

Todd Clark, Town Manager

BUDGET AMENDMENT REQUIRED:

No