



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 Planning Board Regular Meeting 6:00 PM Monday, March 16, 2020 - Train Depot, 614 Broad Street, Beaufort, NC 28516 Monthly Meeting

Call to Order

1. Pledge of Allegiance

Roll Call

Agenda Approval

Minutes Approval

1. Minutes from February 17, 2020

Administration of Oaths

1. Motion for Board Secretary
2. Swearing in of New Officer

Old Business

1. Case No. 20-01: Zoning Map Update & Request to Rezone 15 Parcels – Area 2

Public Hearing

1. Case 19-12 Text Amendment - Lower Live Oak Overlay District
2. Case 19-13 Lower Live Oak Corridor Overlay District

New Business

1. Final Plat – Gallants Point Subdivision

Public Comment

Commission / Board Comments

Staff Comments

Adjourn



Town of Beaufort, NC

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Town of Beaufort Planning Board Regular Meeting 6:00 PM Monday, February 17, 2020 - Train Depot, 614 Broad Street, Beaufort, NC 28516 Minutes

Call to Order

Chair Ryan Neve called the meeting to order and requested that everyone stand for the Pledge of Allegiance.

Roll Call

Secretary Winn called the roll and declared a quorum. Present for the meeting were Paula Gillikin, Diane Meelheim, Ralph Merrill, Ryan Neve and Jeff Vreugdenhill.

Also present from staff were, Kate Allen, Kyle Garner and Dee Winn.

Agenda Approval

Chair Neve asked if there were any alterations to the agenda as it was presented. No changes were made to the agenda as it was presented. Vice Chair Merrill made a motion to approve as presented, Board Member Meelheim made a second and the motion carried unanimously.

Minutes Approval

1. December 12, 2019 Minutes for Approval

Chair Neve asked if there were any changes that needed to be made to the minutes from December 12, 2019, no changes were requested. Vice Chair Merrill made a motion to approve the minutes as they were presented, Board Member Meelheim made a second and the motion carried unanimously.

Administration of Oaths

Chair Neve asked that since the new members were not present to be sworn in that the matter be tabled to later in the meeting to allow time for them to arrive. Board Member Vreugdenhill made a motion, Board Member Meelheim made a second and the motion carried unanimously.

Chair Neve also asked about waiting on the new members for the election of officers. Board Member Gillikin made the motion, Board Member Meelheim made a second and the motion carried unanimously.

1. Swearing In of New Members

After new business was heard, Chair Neve asked if any of the new members were present. Aaron came up at this time and was introduced by Mr. Garner. Mr. Garner stated that Mr. Willis is one of the other ETJ members. 1.

Secretary Winn gave the Oath of Office to Mr. Willis.

2. Election of Officers

Chair Neve called for the election of officers. He started with the board chair person. Vice Chair Merrill nominated Chair Neve, Board Member Vreugdenhill made a second and the vote carried unanimously.

Chair Neve asked for nominations for vice chair. Board Member Gillikin asked if anyone would like to be vice chair. Vice Chair Merrill stated that he would do it, Board Member Vreugdenhill nominated Vice Chair Merrill and Board Member Willis made a second, the vote carried unanimously.

New Business

Kate Allen, Town Planner, presented the staff report for Case #20-01, rezoning of 15 parcels. She stated that it had been modified to include a residence at the request of the homeowner. Ms. Allen stated that Public Notice was provided via an ad that was run in the Carteret County News Times on February 5, 2020 and February 12, 2020. Ms. Allen stated that signs were posted at the locations on February 7, 2020. Ms. Allen stated that this is a staff initiated request to update the Town's zoning map. The existing zoning map was adopted in 2013 and that there had been several changes over the last several years including R3307 and the Gallants Channel Bridge Project. Ms. Allen stated that she had broken the proposed zoning map out into five sections to make it a little easier to digest.

Area 1, is on West Beaufort Road and it is addressed as 419 and 423 West Beaufort Road. They were originally two separate parcels following DOT's right of way acquisition for the bridge project. The parcels have since been recombined which resulted in a split parcel. Staff is requesting that it be rezoned to R20. There was also a citizen request to include his property as well in this rezoning, that property is currently B1. Chair Neve asked for clarification on which property was in question. Vice Chair Merrill asked if the lots were conforming and about the square footage of the new lot. Ms. Allen stated that both would continue to be non-conforming, but that is what they are currently. Board Member Vreugdenhill asked about the properties being split into two categories and if staff was looking to changing to the less restrictive of the two. Ms. Allen answered yes.

Area 2, Courthouse Square, Ms. Allen stated that Mr. Foxworth was present to speak on behalf of Carteret County. Ms. Allen was explaining that there were several different zoning districts on this block with B1 transitional and R8 zoning throughout. Ms. Allen stated that the staff is aiming to have the entire block be transitional which is consistent with the Future Land Use map with the exception of the TCA zoning in the SE corner. Ms. Allen stated that there were some existing non-conformities that would remain that way and that this request was consistent with the future land use map.

Area 3, Beaufort Historical Association at 138 Turner Street is currently split zoned between Historic Business District and R8 residential. Staff requested that this area also be rezoned to transitional, which is consistent with the future land use map.

Area 4, is the Ann Street Methodist Church which is currently zoned as Historic Business and transitional. Staff would like to modify that to be all transitional, which is consistent with the future land use map.

Area 5, Rachel Carson Reserve. This area was recently annexed. Staff requested this area be considered open space, Ms. Allen stated that it is not inconsistent since it is not addressed.

Vice Chair Merrill requested to look back at Area 1 and wanted to know if this was consistent with the future area land use map and Ms. Allen stated that R20 would be consistent. Board Member Vreugdenhill clarification on non-conforming lots and setbacks. Ms. Allen stated that there is an area in the ordinance that addresses non-conforming lots of record and there being a slight reduction in setbacks.

Board Member Vreugdenhill asked if the board wanted to take on each area one at a time. Chair Neve stated that they would look at each area one at a time. Board Member Vreugdenhill stated that they should look at each area and decide one at a time as individual cases.

Area 1, Chair Neve asked for any public discussion, being none he closed the public discussion and moved to board discussion. Board comments. Board Member Vreugdenhill made a motion to approve this, Vice Chair Merrill made a second and the motion passed unanimously. 1.

Area 2, Chair Neve asked for any public discussion on the rezoning of the Courthouse block.

Wendy Davidson, 307 Turner Street asked if there was any possibility that the West side of the street could face rezoning because of this. Chair Neve stated that he didn't think so and stated that most of the changes would affect property on Broad, Cedar and Queen Streets. Ms. Davidson also asked if changing to TR would affect the buffering. Chair Neve explained that buffering is for connecting properties and that buffering is not required on the street side. Ms. Davidson also brought up about the potential for a parking deck that has been discussed in the past. Chair Neve stated that this area is in the Historical District so all of that would have to go before the HPC.

Gene Foxworth, representing Carteret County, stated that they had received the notice the week before and that he had a good conversation with Mr. Garner concerning this. He stated he applauded the Planning Department for cleaning up a lot of the rezoning in Town. He stated the County is looking to do several different things on the property such as the jail expansion was in the newspaper on that day. Mr. Foxworth asked that the Board look at the height limitations, due to the Courthouse and the attached buildings being exempt. He also asked that it be looked at from the historic point with the Courthouse possibly being one of the oldest continuous tenants in Beaufort. He stated with this, the nature of the district and the function of the buildings that the board also look at exempting them from the setback requirements. Mr. Foxworth stated with the rezoning it would change the setbacks and they could lose five feet which could make a significant difference for them. He asked that if they couldn't do that then to at least look at a reduced setback for them. Chair Neve asked by looking at that map, which would be the rear setback. Mr. Foxworth stated that it actually depends on how you look at it but to lose five foot on an already small footprint would change the nature of what the County is trying to do. Chair Neve posed the question concerning adjoining lots owned by the same person and setbacks. Ms. Allen stated that lots under single ownership are considered one lot. Board Member Vreugdenhill asked for clarification concerning the request to reduce the setbacks and the Planning Board not being able to do that and saying that would be for the Board of Adjustment. Mr. Foxworth stated he was not asking for a variance; he was asking for a consideration of the rezoning. There was discussion concerning the rezoning changing or reducing the setbacks and what would be the best option for the Courthouse area. Mr. Garner stated based on what the board has before them, that as part of their recommendation to the Board of Commissioners to look at this would be to have it looked at as a phased approach and that they would direct staff to look at the rear setbacks for the transitional district. That way Mr. Foxworth's comments are addressed and the Board of Commissioners can give staff direction on how to proceed. Vice Chair Merrill asked Mr. Foxworth if he wanted to keep the zoning as B1. Mr. Foxworth stated that yes to it on the street side potentially but with reduced setbacks even with that. Chair Neve stated that could bring up a whole other discussion on setbacks and asked for any further public comment.

Melton Lawrence Jr. of 114 Park Avenue, had a question concerning the green buffer on Hwy 101 and Hwy 70. Ms. Allen explained with the zoning map update the new 70 was not on the old map. She stated that the Statutes require that homeowners within 100 feet are required to be notified of a change. This area is just to identify where Hwy 70 is.

Chair Neve closed the public comment at this point on the discussion of Area 2 and opened board discussion. Board Member Vreugdenhill had questions concerning ownership of lots 6 and 7. Ms. Allen stated that 6 and 7 are owned by the County, but upon further talks, 7 is and 6 is not and stated that anything in orange is County owned. There was more discussion about the properties and what was on each property. There was discussion on B1 setback, which lot 6 is in, and that is 15 feet. Lot 7 is R8 and that set back is 25 feet. Chair Neve asked for a motion on this Area. Board Member Vreugdenhill made a recommendation that staff would regroup, as Mr. Foxworth says, to have everything parallel, and have staff come back and revisit what are determined to be the setback lines on lot 6, what is rear, what is side and let us reconvene and continue to another meeting, Vice Chair Merrill made a second to this motion and it carried unanimously that this matter was tabled to the next Planning Board meeting.

Area 3, Historic Grounds. Chair Neve asked for public comments, hearing none the public discussion was closed and moved to board discussion. Hearing none, Chair Neve asked for a motion. Board Member Gillikin made a

motion to approve the rezoning of Area 3 as presented, Board Member Vreugdenhill made a second and the motion carried unanimously. 1.

Area 4, Ann Street Methodist Church and School. Chair Neve asked for public comments and hearing none closed the public discussion. Chair Neve opened Board discussion and asked for approval. Board Member Vreugdenhill made a motion to approve as requested, Board member Gillikin made a second and the motion carried unanimously.

Area 5, Rachel Carson Reserve. Chair Neve stated he loved this area and Board Member Gillikin stated that she did also. Chair Neve opened the Board discussion about the rezoning of the Eastern part of the Rachel Carson reserve to open space. Chair Neve asked to be brought up to speed on this area. Board Member Gillikin stated that it had been part of the County along with Middle Marsh, but now the Eastern end is in the town limits, she continued to say that the rest of the Reserve had already been in. Mr. Garner stated that the Town is required by law to match the County zoning as closely as possible. Board Member Vreugdenhill asked about dredging or sand fill. Mr. Garner stated that there is a spoils site in that area that has a lease with the Army Corp of Engineers. Board Member Gillikin stated that the Army Corp's easement should trump the zoning but wondered if that should be looked into. Mr. Garner stated that Federal always trumps. Chair Neve asked for a motion, Vice Chair Merrill made a motion to rezone Area 5 as proposed, Board Member Vreugdenhill made a second and the motion passed unanimously.

Chair Neve asked for a motion on the overall proposal. Board Member Vreugdenhill made a motion that items 1, 3, 4 and 5 all meet the consistency statement for rezoning and are consistent with the CAMA Core Use Plan, Board Member Gillikin made a second and the motion passed unanimously.

Public Comment

There were no public comments.

Commission / Board Comments

Chair Neve opened Board Comments.

Board Member Gillikin, spoke on her concerns about buildings/structures going up in vulnerable places around town and the fact that they buildings/structures do not have much free-board. She stated that she knows that they are in complete compliance but she wants to look towards the future and what the big picture will look like. Board Member Vreugdenhill asked about the free-board requirements above flood. Board Member Gillikin stated it was one foot.

Vice Chair Merrill asked about the status of the flood maps. Ms. Allen stated that the last time she heard it was at least a year and a half and probably more like two years before getting new maps. Board Member Gillikin stated that is actually because Florence data is now being considered, so that new data needs to be integrated. Mr. Garner stated that didn't mean from the date accepted, so it will possibly be closer to three or three and a half years before that occurs, if there are no delays.

Board Member Meelheim, thanked staff for doing a great job.

Vice Chair Merrill, no comments.

Board Member Vreugdenhill, said that this was an excellent agenda package and he thanked Secretary Winn for getting it out early. He also stated that he knew that it was required to certify notice but unless the board needed it in print we could save a tree.

Board Member Willis, thanked staff for all of the hard work and stated he looked forward to working with everyone.

Chair Neve, stated the he echoed another very well put together packet and presentation and everything was very clear and it makes it very helpful and reduces the number of questions which makes the meetings go quicker. He stated he looks forward to another good year.

Staff Comments

1.

Chair Neve asked for planner comments.

Ms. Allen, stated her only comment is the CRS is coming up in June and to piggy back on Board Member Gillikin's comments, this is a good time to think about these things that we can potentially get additional credit for, as well as, protecting the buildings in the community.

Chair Neve stated that it would be interesting to see how long base flood has been one foot over and that maybe it is time for a bit more.

Mr. Garner, stated that he would follow on that one from Ms. Allen. He stated that they had discussed having an additional foot of free-board for some time. He stated the other item that they would be seeing from Ms. Allen soon is the text amendment dealing with how the height of a structure is measured. Ms. Allen has also been working on hazard mitigation, so all of this is working together. The free-board does apply to our Flood Damage Prevention Ordinance and in speaking with the Town Clerk, that is also part of the Town Code Ordinances, which is also due for an update soon.

Vice Chair Merrill questioned staff if they knew the free-board requirements in the surrounding communities and if the Town was in line with them. Ms. Allen stated that the County does not have a free-board requirement. Mr. Garner stated that is correct. There was more discussion concerning the free-board requirements and the upcoming CRS and how all of these work together for the rating system and discounts on homeowners insurance are affected based on the Town's rating. Vice Chair Merrill had questions about how that would affect people possibly putting on new additions if the free-board requirements changed. Mr. Garner explained to the members how that works and what is looked at for this process. Vice Chair Merrill requested a table that has data from the surrounding communities and what their free-board requirements are. Board Member Gillikin stated that Beaufort is actually leading the way in several different initiatives and communities are looking to Beaufort as a "shining star" to follow.

Mr. Garner had just a few other items. Mr. Garner also shared about the State Statutes changing for planning in North Carolina. He stated that the attorneys for the Town are working on putting a presentation together for the Planning Board, Board of Adjustment, Historic Preservation Commission, and Parks & Rec concerning these changes. Mr. Garner said the Town is mandated by law to have this accomplished by December 31, 2020. He said the fortunate thing for the Town is that a Comprehensive Plan is already in place as well as have the CAMA Land Use Plan. In the next year's budget the CAMA Land Use Plan could potentially be updated.

Mr. Garner asked Chair Neve to put on the agenda for next month to elect Dee Winn as secretary for the Board. Chair Neve stated that would be put on the agenda for next month.

Adjourn

Chair Neve asked for a motion to adjourn the meeting, Vice Chair Merrill made the motion, Board Member Vreugdenhill made the second and the motion carried unanimously.

Ryan Neve, Chair

Dee Winn, Secretary to the Board



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Town of Beaufort Planning Board Regular Meeting 6:00pm, March 16, 2020, Train Depot, 614 Broad Street, Beaufort, NC 28516

AGENDA CATEGORY: Old Business
SUBJECT: Case No. 20-01: Zoning Map Update & Request to Rezone
15 Parcels – Area 2

BRIEF SUMMARY:

The Planning Board considered Case No. 20-01 at the February 17, 2020 Regular Meeting where it recommended approval of Areas 1, 3, 4 and 5. The Board requested additional information regarding Area 2, Courthouse Square.

REQUESTED ACTION:

Make a recommendation to the Board of Commissioners to approve the request, deny the request, or recommend a more restrictive zoning district.

EXPECTED LENGTH OF PRESENTATION:

10 minutes

SUBMITTED BY:

Kate Allen

BUDGET AMENDMENT REQUIRED:

No



Staff Report

To: Planning Board

From: Kate Allen

Date: 1/31/2020

Meeting Date: 2/17/2020

Case Number 20-01

Summary of Request:

Zoning Map Update & Request to Rezone 15 Parcels

Background

Location(s) & PIN

1. 730617109293000, 500 Ann Street (Ann Street Methodist Church)
2. 730617203846000, 501 Broad Street
3. 730617204831000, 507 Broad Street
4. 730618215164000, 502 Cedar Street
5. 730618216055000, 508 Cedar Street
6. 730618217003000, 512 Cedar Street (Church)
7. 730617214176000, 314 Craven Street (Church)
8. 730618206936000, 313 Queen Street
9. 730618205985000, 311 Queen Street
10. 730618205869000, Queen Street (Carteret County)
11. 730618206910000, Queen Street (Carteret County)
12. 730617105358000, 138 Turner Street (Beaufort Historical Association)
13. 731500043525000, Rachel Carson Reserve (Recently Annexed Portion)
14. 730614334613000, 419/423 West Beaufort Road
15. 730617212200000, 300, 302, 303 Courthouse Square; 304, 306, 308, 310 Craven Street (Carteret County Courthouse)

Owner(s)

Ann Street Methodist Church
Beaufort Historical Association
Carteret County Courthouse
County of Carteret
Amy V. Johnson-Ferdinand
NC Department of Transportation
Nelson & Patricia Owens
St. Stephens Church of Christ
State of North Carolina
Thomas J Johnson, LLC

Applicant

Staff Initiated

Current Zoning

R-8 Residential Medium Density District
 R-20 Residential Single Family District
 TR Transitional District
 B-1 General Business District
 H-BD Historic Business District

Existing Land Use

See Current Land Use Maps

**CAMA Future Land Use Map
Amendment Required**

Public & Institutional; Low Density Residential
☒ No ☐ Yes

Adjoining Land Use & Zoning

See Current Land Use & Zoning Map

Additional Information

See Staff Comments

Requested Action

Provide a consistency statement to the Board of Commissioners addressing the requested zoning amendment and the future land use plan. (Draft motions attached)
 Provide recommendation to the Board of Commissioners to:

- Approve the request;
- Deny the request; or
- Recommend more restrictive zoning district

Staff Comments

This is a staff-initiated request to consider an official Zoning Map update to reflect the changes associated with the Gallants Channel Bridge and new US-70 (i.e. rights-of-way, shifts in parcel boundaries, etc.). This request also includes the rezoning of 14 parcels and the initial zoning of the portion of Rachel Carson Reserve included in the recent expansion of the corporate limits. The specific parcels with current and requested zoning districts are outlined in the table below.

Requested Rezoning - Subject Properties					
Address or PIN	Current Zoning	Requested Zoning	Address or PIN	Current Zoning	Requested Zoning
500 Ann St.	H-BD & TR	TR	311 Queen St.	R-8	TR
501 Broad St.	B-1	TR	PIN 730618205869000	B-1	TR
507 Broad St.	B-1	TR	PIN 730618206910000	R-8	TR
502 Cedar St.	B-1	TR	138 Turner St.	H-BD & R-8	TR
508 Cedar St.	B-1	TR	Rachel Carson Reserve	Unzoned	OS
512 Cedar St.	B-1	TR	419/423 West Beaufort Rd.	R-8 & R-20	R-20
314 Craven St.	B-1	TR	300, 302, 303 Courthouse Sq.	B-1 & TR	TR
313 Queen St.	R-8	TR	304, 306, 308, 310 Craven St.	B-1 & TR	TR

CAMA Core Land Use Plan – Future Land Use Classifications

Low Density Residential	Predominant Land Use	Single Family Dwellings
	Density	2 or Less Dwelling Units Per Acre
	Lot Sizes	15,000 – 20,000 Square Feet
Public & Institutional	Predominant Land Use	Government Facilities, Low Impact Offices, Public Education Facilities
	Density	Varies
	Lot Sizes	5,000 – 40,000
Conservation/Open Space	Predominant Land Use	Open Space; Land Not Suitable for Development

Consistency Statement & CAMA Core Land Use Plan Amendment

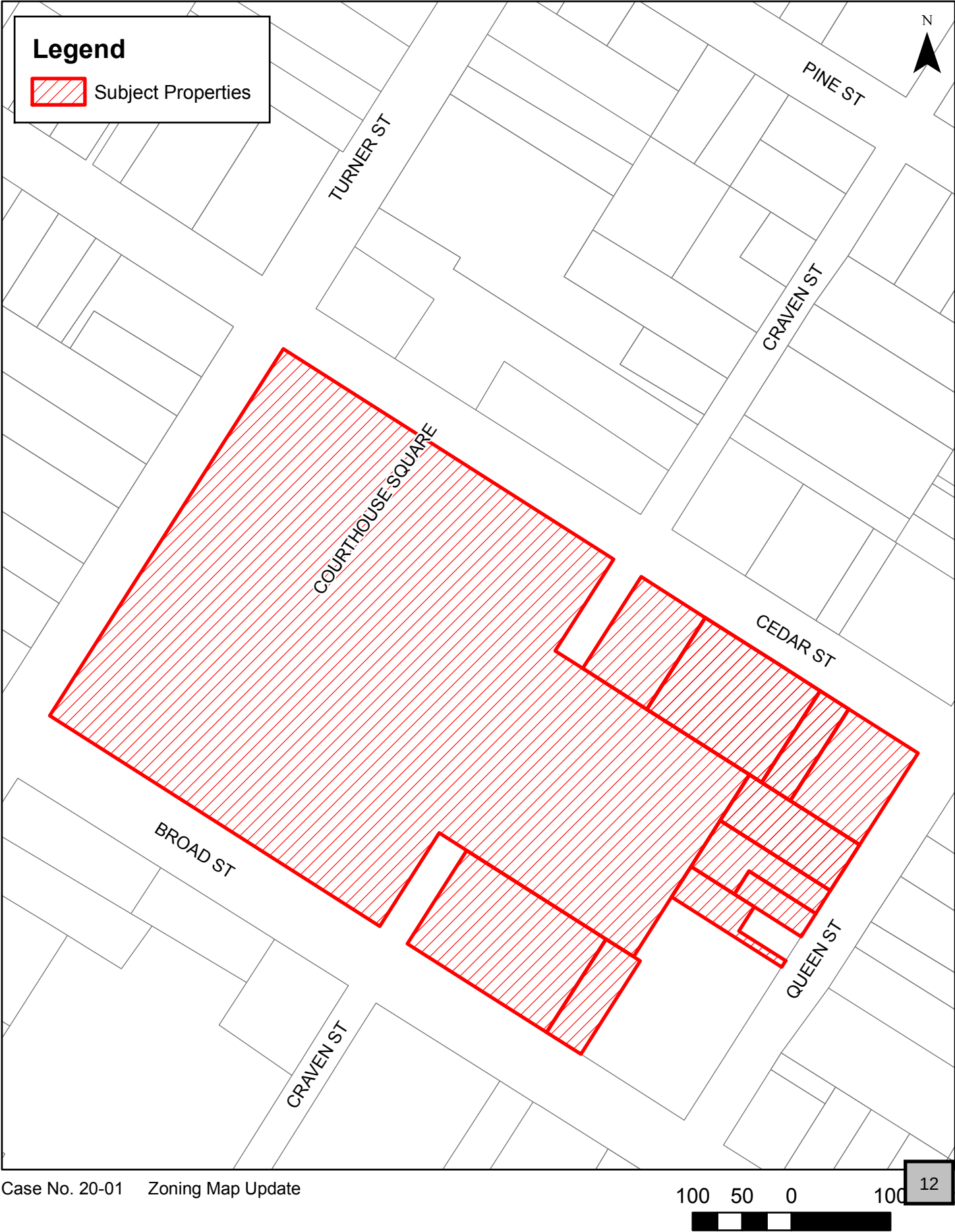
In accordance with **NCGS § 160A-383**, the consistency statement must include one of the following:

- A statement recommending approval of the zoning amendment and describing its consistency with the CAMA Core Land Use Plan
- A statement recommending denial of the zoning amendment and describing its inconsistency with the CAMA Core Land Use Plan
- A statement recommending approval of the zoning amendment containing the following:
 - Declaration that the approval is also deemed an amendment to the CAMA Core Land Use Plan
 - An explanation of the change in conditions the board took into consideration when recommending approval

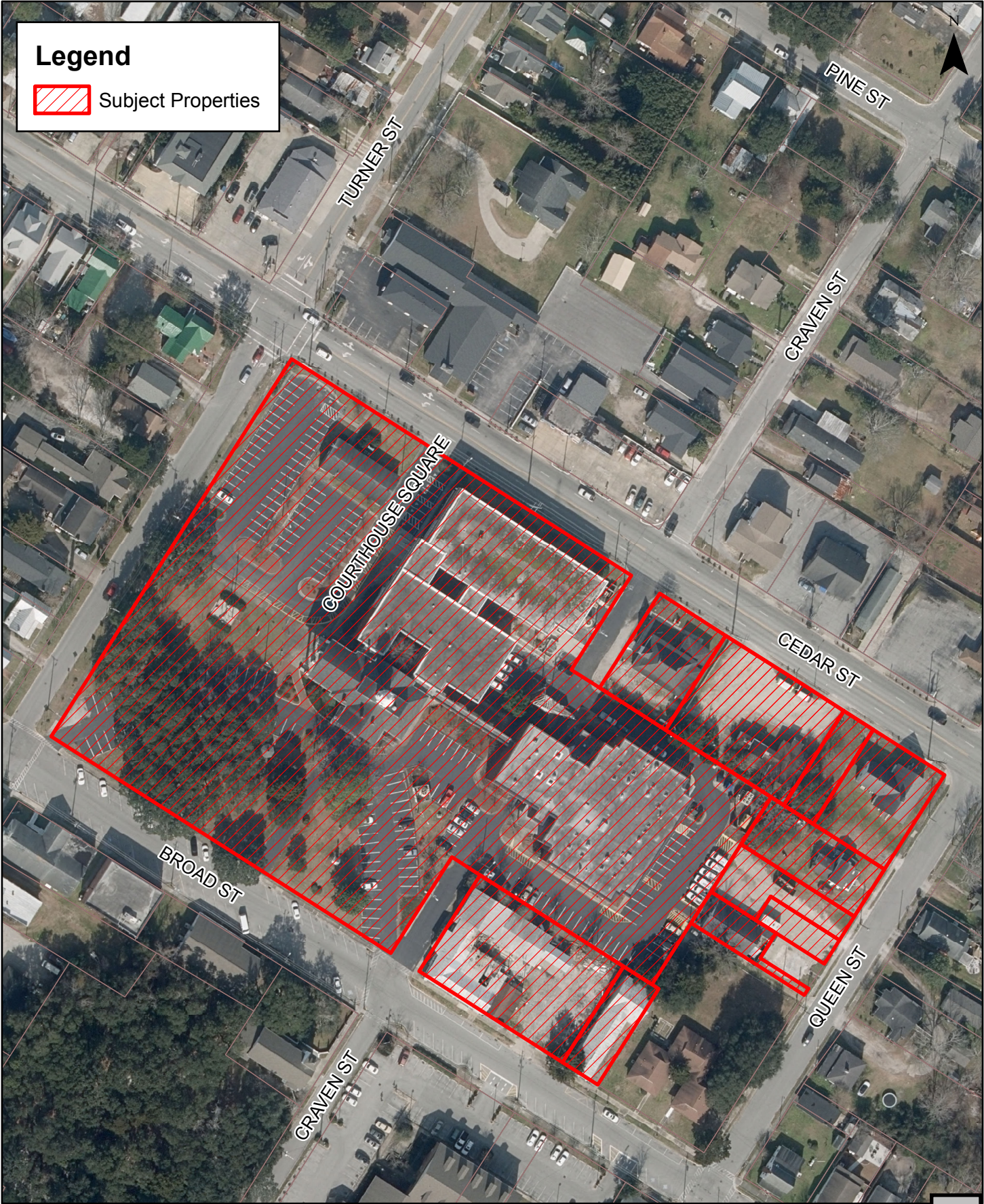
Attachments:

- Vicinity Map & Notice Letter Recipients
- Rezoning Request Area Map
 - RZ Area 1 Maps – West Beaufort Rd.
 - RZ Area 2 Maps – Courthouse Square
 - RZ Area 3 Maps – Beaufort Historical Association
 - RZ Area 4 Maps – Ann Street Methodist Church
 - RZ Area 5 Maps – Eastern Portion Rachel Carson Reserve
- Land Development Ordinance Excerpts
 - B-1 General Business District
 - H-BD Historic Business District
 - R-8 Residential Medium Density District
 - R-20 Residential Single-Family District
 - TR Transitional District
- Official Zoning Map (Subject to approval)
- Consistency Statement Resolution

Courthouse Square & Surrounding Properties Vicinity Map



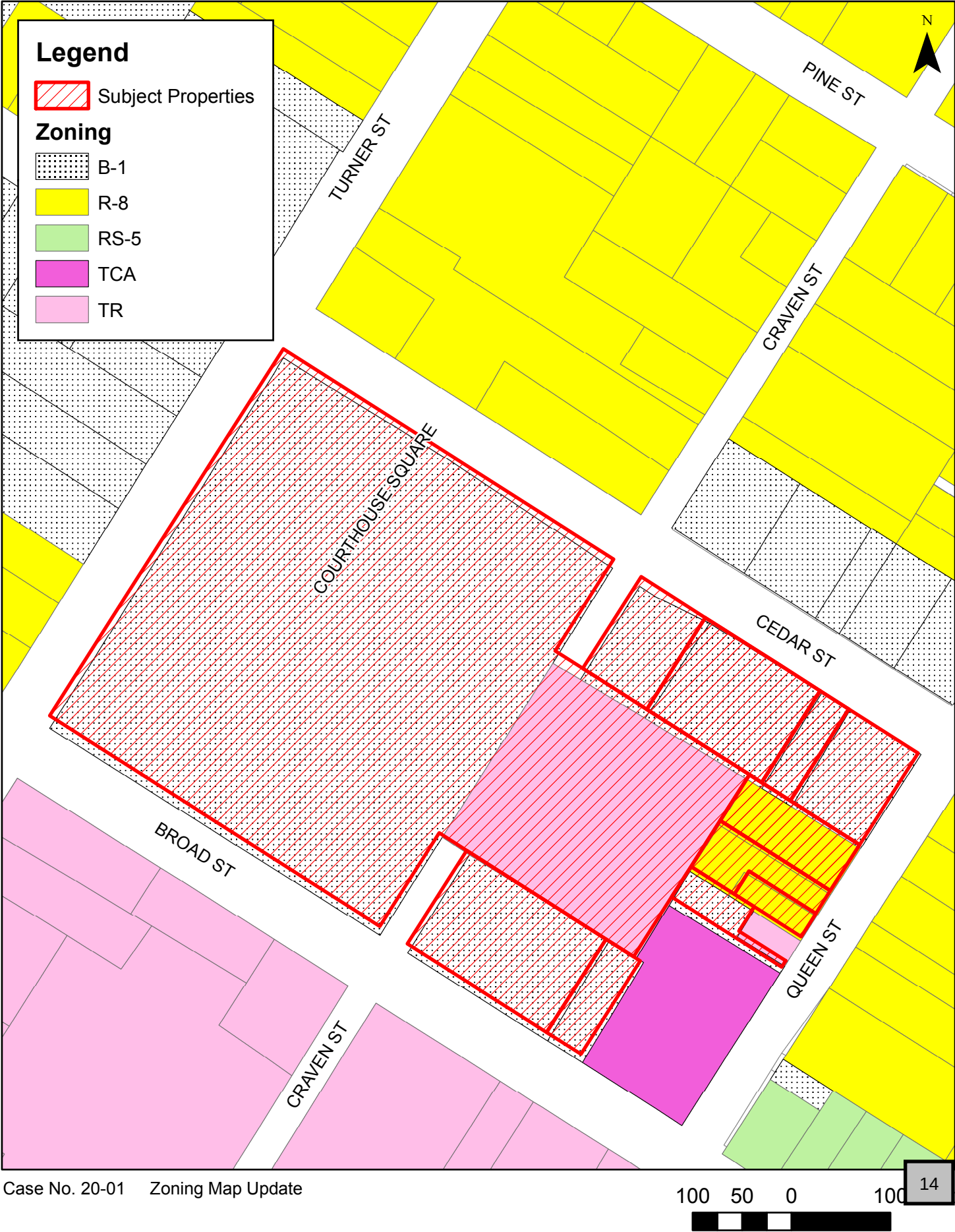
Courthouse Square & Surrounding Properties Aerial Map



Courthouse Square & Surrounding Properties

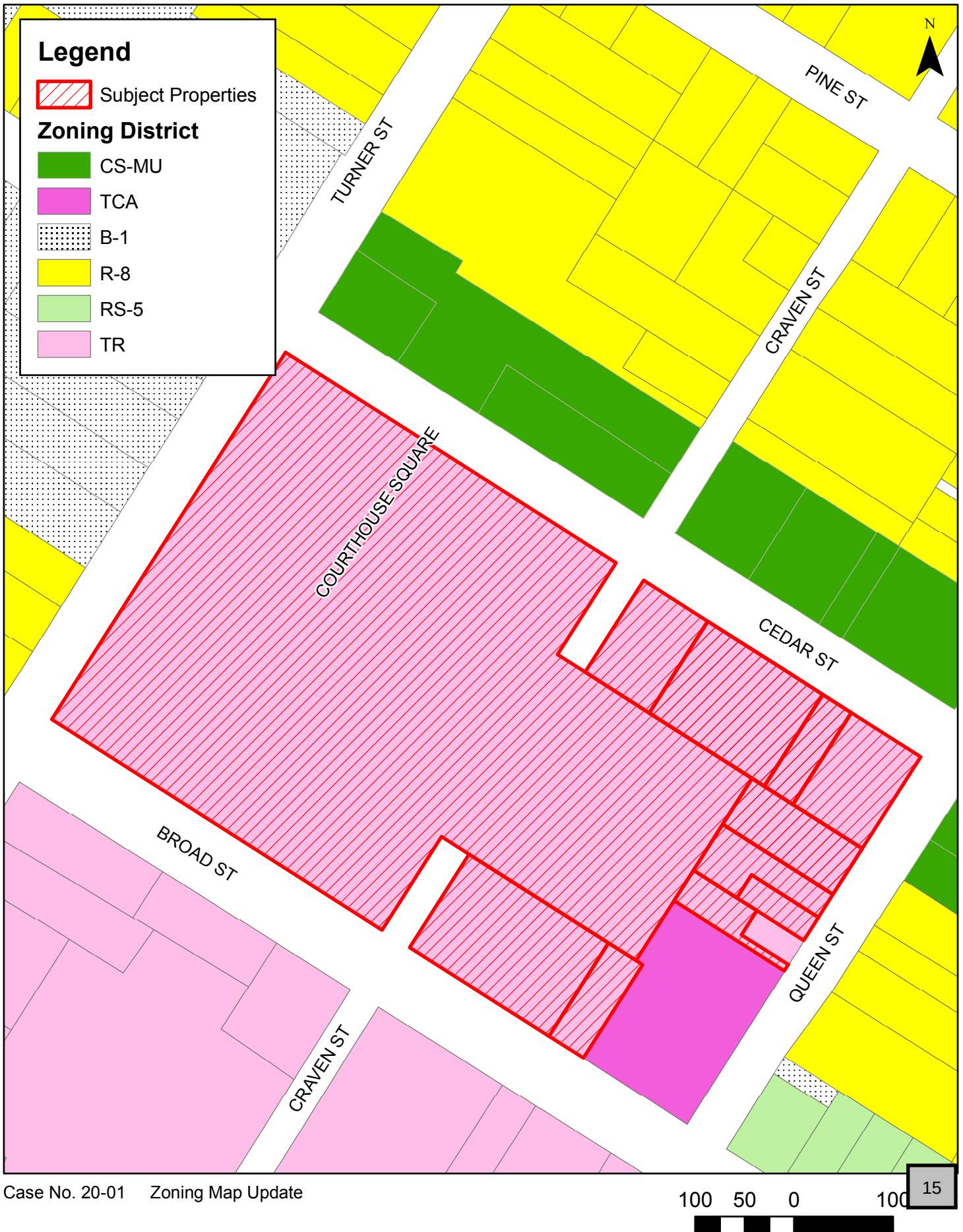
Current Zoning Map

1.



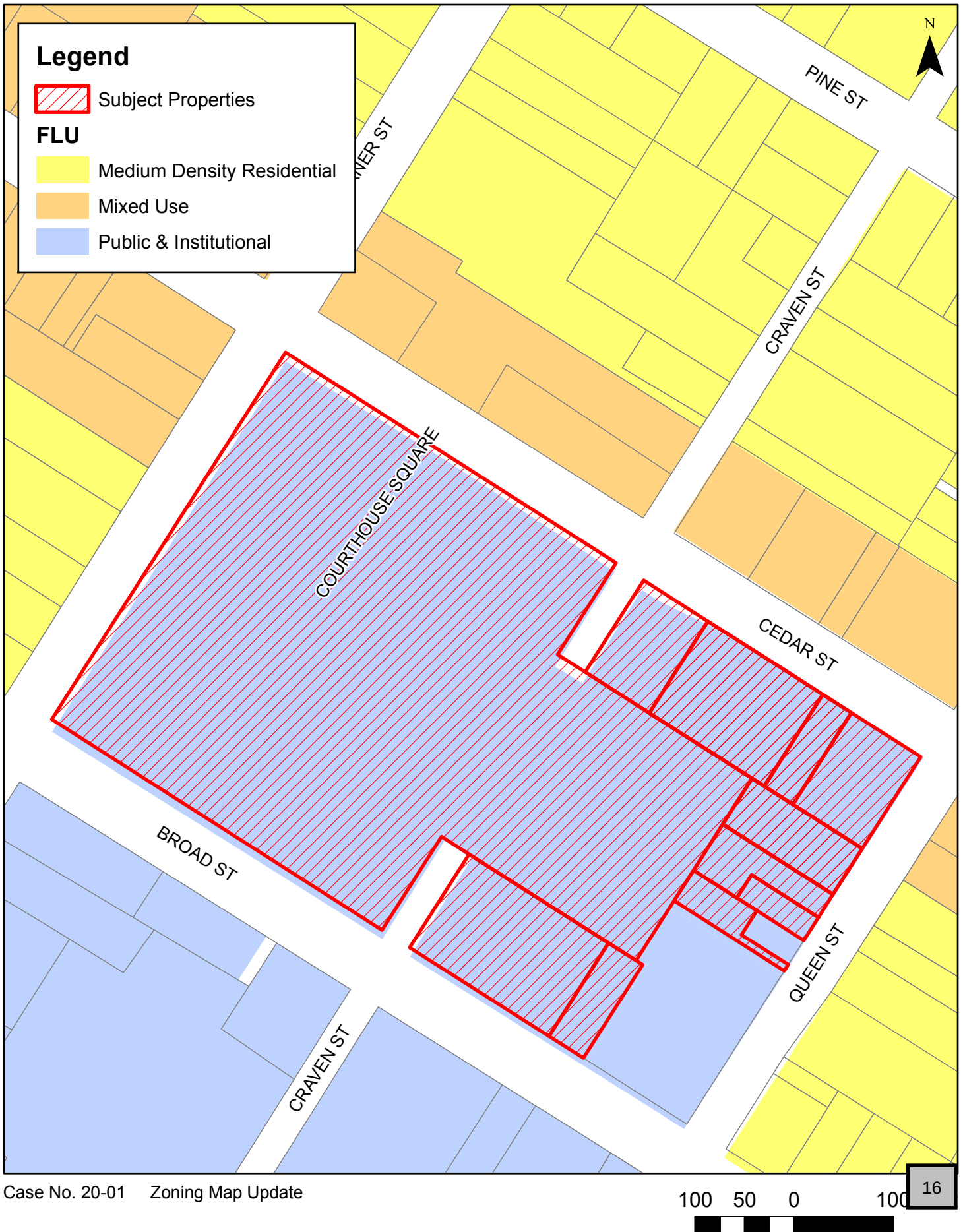
Courthouse Square & Surrounding Properties Proposed Zoning Map

1.



Courthouse Square & Surrounding Properties Future Land Use Map

1.



Case No. 20-01 Zoning Map Update

Additional Information

Setback Standards for Existing & Proposed Zoning Districts

Zoning District	Front	Rear	Side	Side (ROW)
B-1	30'	15'	15'	
TR	25'	25'	15'	
	25'	25'	8'	
R-8	25'	25'	8'	
R-8 Corner	25'	25'	8'	20'
R-8 Double Frontage	25'	15' (ROW)	8'	

Section 4: Definitions

Accessory Use. A use customarily incidental and subordinate to the principal use of the land or building located on the same lot with such principal use of the land or building.

Building, Principal. A building which is constructed for the principal use of the lot where the building is located. See *MAIN BUILDING*.

Building Setback Line, Front. A line establishing the minimum allowable distance between the nearest portion of any building and the street right-of-way line when measured perpendicularly thereto; or, on a flag lot, a line establishing the minimum allowable distance between the nearest portion of any building and the interior lot line most parallel to and nearest the street from which access is obtained.

Building Setback Line, Rear. A line establishing the minimum allowable distance between the nearest portion of any building and the rear boundary line of a lot when measured perpendicularly thereto.

Building Setback Line, Side. A line establishing the minimum allowable distance between the nearest portion of any building and the side boundary line of a lot when measured perpendicularly thereto.

Front. A building *Front* shall either be the side of the structure which runs parallel with the street right-of-way or the side of the structure on which the primary entrance is located. No structure may have more than one *Front*.

Lot. A distinct parcel of land with defined boundaries. For the purpose of this Ordinance, the word *Lot* shall be taken to mean any number of contiguous lots or portions thereof, upon which one or more main structures for a single use are erected.

- A. **Lot, Corner.** A lot abutting upon two or more streets at their intersection(s). The street line forming the least frontage shall be deemed the front of the lot except where the two street lines are equal in which case, the owner shall be required to specify which street is the front when requesting a building permit.
- B. **Lot, Double Frontage.** An interior lot with frontage on more than one street. A lot fronting on a street on one side and a private ingress-egress easement on the other side shall be considered a double frontage lot even if the lot does not have ingress-egress from the private easement.
- C. **Lot, Flag or Corridor.** An irregularly shaped lot where the buildable portion of the lot is connected to its street frontage by an access corridor of the lot which does not meet the minimum lot width and street frontage standards as specified in the zoning district in which the lot is located. As used in this Ordinance, the term “access corridor” in connection with a *Flag Lot* shall mean the portion of a *Flag Lot* between the street onto which the lot has access and the point where the lot dimension parallel to the street first equals or exceeds the minimum lot width specified by the zoning district regulations.
- D. **Lot, Front Footage.** The lot width measured on the street right-of way line.
- E. **Lot, Interior.** A lot bound by a street on only one side; any lot other than a corner lot.
- F. **Lot, Substandard.** A lot which met all minimum legal requirements for a lot when created but which, as a result of changes in law, no longer meets all such requirements.

Section 6: Height & Area Exceptions & Supplements

B) *Vacant Lot Exceptions.*

If a vacant lot is adjacent to an existing lot containing an existing dwelling on the lot, and such dwelling is situated less than the required front building setback line, the required minimum front building setback line for the vacant lot shall be a line projected along the front wall of the main building to the adjacent lot and across the vacant lot. In cases where existing dwellings are situated on both sides of the vacant lot and each exists less than the required minimum front building setback line, the required minimum front building setback line for the vacant lot shall not be less than the average of the two front building setbacks of the existing dwellings.

E) *Exemptions.*

In addition to those fixtures and architectural features allowed to extend above the maximum height limits provide in subsection D-2 of this section, the following are also exempted from the building height limit established in this Ordinance:

2) The Carteret County Courthouse

Section 11: Nonconformities
C) Continued Use of Nonconforming Property.

Nonconforming properties may be continued in use as set forth below:

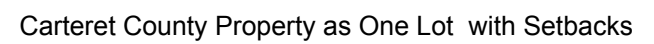
1) Nonconforming Lots of Record.

In any zoning district permitting residential dwellings by right, a residential dwelling and customary accessory building may be erected on any single nonconforming lot lawfully recorded before the adoption of this Ordinance or amendment hereto provided this single lot is not adjacent to another lot of record under the same ownership and, if combined, would allow for the meeting of all area and setback requirements established within this Ordinance. This provision shall apply if the single lot fails to meet the minimum lot size or width requirement of the zoning district. Yard space and other dimensional requirements of the zoning district shall continue to apply, however, variances of such requirements shall be obtained by action of the Board of Adjustment (BOA) except no petition for a variance is necessary if other yard spaces are met and the following setbacks are met:

Table 11-1 Minimum Nonconforming Lot Requirements Width – Lot of Record	Side Setback	Front Setback
30-49 feet	5 feet	15 feet
50-59 feet	6 feet	15 feet
60-69 feet	7 feet	20 feet

2) Adjoining Lots.

When two or more lots with continuous frontage are in single ownership at any time after the adoption of this Ordinance and such lots are individually less than the minimum area or width required in a district, such lots shall be considered as a single lot or several lots of required area and width (if sufficient land exists) and shall be combined to the extent necessary to achieve a lot or lots of the area and width required in the district. Such lots shall comply with all yard space and other dimensional requirements of the district.





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Town of Beaufort Planning Board Regular Meeting 6:00 PM Monday, March 16, 2020 – Train Depot, 614 Broad Street, Beaufort, NC

AGENDA CATEGORY: Public Hearing
SUBJECT: Case 19-12 Text Amendment - Lower Live Oak Overlay District

BRIEF SUMMARY:

This agenda item is a follow up to a previously held public hearing in which the Planning Board asked for some modifications to the number of properties and text in the potential creation of the overlay district.

REQUESTED ACTION:

Conduct Public Hearing on the proposed Text
Discussion on proposed text

EXPECTED LENGTH OF PRESENTATION:

30 Minutes

SUBMITTED BY:

Kyle Garner, AICP, Planning Director

BUDGET AMENDMENT REQUIRED:

N/A

STAFF REPORT

TO: Planning Board
FROM: Kyle Garner, Planning Director
DATE: March 6, 2020
RE: Case 19-11: LDO Text Amendment Modifying Section 10 Overlay/Conservation/Companion Zoning Districts by adding a new overlay district to be called the “Live Oak Street Corridor Overlay District”

Background

In the late summer of 2019 Staff proposed new overlay district standards aimed to facilitate the redevelopment of properties within the 400 & 500 block of Live Oak Street. During the discussion the Planning Board asked staff to include some properties on the west side of Live Oak even though they were not consistent with the CAMA Future Land Use Map and some other minor changes consistent with the Cedar Street Mixed Use District. Additionally, the Board requested Staff come back with a text amendment to the commercial zones adding exterior standards to these districts which is still being developed at this time.

Even though there are similarities between the Cedar Street Mixed Use District and this Overlay District both are different which is why different standards have been developed specifically for Live Oak. The Board may recall that the Small Area Plan did not include all of Live Oak however it did provide guidance as to how to address this vital commercial corridor. Again, much like the new Cedar Street District, Staff developed text to address design criteria for new commercial structures to include: exterior siding/façade materials, roof forms, and signage and exterior elevations to insure that designs fit the human scale of the neighborhood. Setbacks have also been relaxed to provide for a more pedestrian feel as well.

The development of text is the first step in the process and complements the second step which would be the actual application of this overlay district to actual properties on Live Oak Street. It should be noted that a portion of this new district is **not** in concert with the 2006 CAMA Land Use Plan and an amendment to the map would be needed as well as a statement of consistency as to why such an amendment is necessary. Also, signage amortization is included with an option of three or five years for a property owner to bring their freestanding signage into compliance. This is somewhat of a new concept for Beaufort and one that should be discussed thoroughly.

Action Needed: Recommendation to Board of Commissioners

Attachments: Proposed Text Amendment

Board Action: Motion by _____ 2nd by _____

Live Oak Street Corridor Overlay District**1) Purpose.**

The purpose of this overlay district is to protect, enhance and guide the development of the Live Oak Street commercial corridor by reducing visual clutter through the implementation of commercial design standards. These standards are designed to improve the aesthetics, traffic congestion and provide for a solid and vibrant tax base as well as promote the public health, safety and welfare of the town.

2) The Live Oak Street Corridor Overlay District for the Town of Beaufort, as set forth on a map so entitled and dated 00-00-0000, is hereby adopted by reference as an element of the *Land Development Ordinance* hereafter known as the *LDO*, and the Official Zoning Map of the Town of Beaufort.**3) Permitted Uses.**

The underlying uses, with the exception of single-family residential uses, located within the Live Oak Street Corridor Overlay District shall be subject to the Development Standards listed below.

4) Prohibited Uses.

Any use not listed in underlying zoning districts is prohibited.

5) Development Standards.**a) Design Criteria.**

The intent of the following design criteria is to maintain and strengthen the unique character of Beaufort's gateway corridors by insuring new development projects are architecturally compatible with the historic characteristics of the community. These characteristics include building forms, proportions, treatments, exterior materials, and architectural styles. It is intended for front elevations and overall massing of new structures shall be of human scale and related to the street.

It is not the intent for new structures to closely duplicate existing historic structures. The intent is for new structures to include elements in ways which achieve a design compatible with and complementary to the historic character of the Town.

b) Site Plan Submission.

A detailed site plan, meeting all N.C. State Building Codes and Town Ordinances, shall be required for all development within this overlay zone.

c) Signage.

- i) Only ground/monument type signs made of wood or substitute materials which have the appearance of wood are permitted. These signs shall also not exceed twenty-five square feet (25 ft²) in area or eight feet (8') in height.
- ii) The use of internally lit or flashing signs of any kind is prohibited. The use of ground-mounted spotlights concealed by landscaping to light signs during night hours is acceptable.

- iii) The total square footage of wall signage allowed shall not exceed seventy-five percent (75%) of the total lot frontage.
 - iv) All existing freestanding signage will have a period of three (3) or five (5) years to come into compliance with subsection i) of this section. At the end of the three (3) or five (5) year amortization period, the Town will follow code enforcement violation procedures that may include fines and the removal of signage by the Town.
- d) Landscaping.
A detailed landscape plan identifying all shrub and tree types as well as the number of such trees and shrubs shall be submitted for review and approval as per section 14 of the LDO. Additionally if developing adjacent to a different type of land use, a screening and buffering plan shall be required.
- e) Exterior Siding Materials.
The primary siding material constituting a minimum of eighty 80% of the exterior shall be one or a combination of two of the following materials:
- i) Brick;
 - ii) Stone: Natural, Limestone or Granite;
 - iii) Fiber Cement Siding; (Lap or Board & Batten Siding); and/or,
 - iv) Treated Wood excluding plywood (Bead Board & Batten or Clapboard Design only)
 - v) Cedar Shake
 - i) Other materials or combinations thereof can be submitted to the Planning Board and Board of Commissioners for consideration. Detailed elevation drawings and product specifications shall be required
- f) Outside Walls.
- i) The total area of glass, windows, and/or any similar transparent areas for any side of a commercial structure shall not exceed thirty-five (35%) of the surface area for such side of the building and must be positioned uniformly along the face of the structure. This percentage may be increased if it needs to meet the state fire code.
 - ii) Each exterior wall of a building viewable from any public or private right-of-way shall incorporate architectural design features to create a visual break at least every one hundred feet (100') along the exterior wall in order to avoid a box like appearance. All plans for exterior walls shall be approved by the Board of Commissioners as part of the site plan approval process.
- g) Roof Forms.
- i) Roof forms shall be similar to those used on historic structures. The dominant shape shall be gabled, hipped or parapet. If pitched the minimum pitch shall be five over twelve (5/12). Gable ends shall face the street.

- h) All roof top mounted equipment shall be fully screened from view and the method of screening shall be integrated into the overall building design, for example within or behind pitched roofs. Hipped or gabled roofs with a mechanical element will not be considered mansard roofs when the roof appears to be a true hipped or gabled roof design.
- i) Driveway Limitations.
- i) Two driveways entering the same street from a single lot shall only be permitted if the minimum distance between the closest edges of the driveways equals to or exceeds one hundred feet (100').
 - ii) In no case shall the total width of all driveways exceed fifty percent (50%) of the total property frontage.
 - iii) No driveway shall be located within ten feet (10') of an adjacent property except in the case of a shared driveway utilized by two or more lots.
 - iv) No driveway shall be located within a hundred feet (100') of an intersection except in cases where no other access to a public street is available.
- j) Parking.
Parking and vehicle accommodation areas (VAAs) shall meet the requirements set forth in section 15 of the *LDO*.
- k) Exterior Drawings.
Exterior elevation drawings shall be submitted in color to determine the visual break of exterior walls and the color palate chosen for the structure or structures.

Table 10-1 Corner Lot and Interior Lot Requirements for Commercial Use

<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>
	15 feet minimum	15 feet	15 feet	10 feet	40 feet
	20 feet maximum	15 feet	15 feet	10 feet	40 feet

NOTE: If this Zoning District is added to the Overlay/Conservation Zoning Districts Table of Uses (currently on page 127 of the *LDO*), that table will be relabeled to Table 10-3. This will likely happen after review by the BOC.



Town of Beaufort, NC

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Town of Beaufort Planning Board Regular Meeting 6:00 PM Monday, March 16, 2020 – Train Depot, 614 Broad Street, Beaufort, NC

AGENDA CATEGORY: Public Hearing
SUBJECT: Case 19-13 Lower Live Oak Corridor Overlay District

BRIEF SUMMARY:

The purpose of this overlay district is to protect, enhance and guide the development of the Live Oak Street commercial corridor by reducing visual clutter through the implementation of commercial design standards. These standards are designed to improve the aesthetics, traffic congestion and provide for a solid and vibrant tax base as well as promote the public health, safety and welfare of the town.

REQUESTED ACTION:

Conduct Public Hearing
Discussion on proposed Zoning Overlay
Recommendation to Board of Commissioners

EXPECTED LENGTH OF PRESENTATION:

15 Minutes

SUBMITTED BY:

Kyle Garner, AICP, Planning & Inspections Director

BUDGET AMENDMENT REQUIRED:

Enter Text Here



Staff Report

To: Planning Board
From: Kyle Garner, Planning Dir.

Date: 3/6/2020
Meeting Date: 3/16/2020

Case Number 19-12

Summary of Request: Rezone 6.43 acres along Live Oak to apply Live Oak Corridor Overlay.

Background

Location(s) & PIN Starts at the intersection of Cedar and Live Oak on the northeast side running north to the intersection of Live Oak and First Street (See Attached Map)

Owner Multiple (See Ownership Table)
Applicant Town of Beaufort – Staff Initiated

Current Zoning B-1 Zoning

Lot(s) Size & Conformity Status 6.43 Acres Total (based on GIS data)
 Conforming (1 Non-conforming – Lot Width)

Existing Land Use Commercial, Office & Governmental Uses & Undeveloped

CAMA Future Land Use Map General Commercial
 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 Provide a consistency statement to the Board of Commissioners addressing the requested zoning amendment and the future land use plan.
 Provide recommendation to the Board of Commissioners to:

- Approve the request;
- Deny the request; or
- Recommend more restrictive zoning district

Staff Comments

The purpose of this overlay district is to protect, enhance and guide the development of the Live Oak Street commercial corridor by reducing visual clutter through the implementation of commercial design standards. These standards are designed to improve the aesthetics, traffic congestion and provide for a solid and vibrant tax base as well as promote the public health, safety and welfare of the town.

Even though there are similarities between the Cedar Street Mixed Use Zone and this Overlay District both are very different which is why different standards have been developed specifically for Live Oak. The Board may recall that the development of the Small Area Plan did not include all of Live Oak however it did provide guidance as to how to address this vital commercial corridor. Again, much like the new Cedar Street District,

In accordance with **NCGS § 160A-383**, the consistency statement must include one of the following:

- A statement recommending approval of the zoning amendment and describing its consistency with the CAMA Core Land Use Plan
- A statement recommending denial of the zoning amendment and describing its inconsistency with the CAMA Core Land Use Plan
- A statement recommending approval of the zoning amendment containing the following:
 - Declaration that the approval is also deemed an amendment to the CAMA Core Land Use Plan
 - An explanation of the change in conditions the board took into consideration when recommending approval

CAMA Core Land Use Plan – Future Land Use Classifications

General Commercial Classification.

The General Commercial classification encompasses approximately 0.24 square miles (154 acres) or about 3.3 percent of the planning jurisdiction. The properties classified as General Commercial are located along the Town's major road corridor--US Highway 70.

The General Commercial classification is intended to delineate lands that can accommodate a wide range of retail, wholesale, office, business services, and personal services. Areas classified as General Commercial may also include some heavy commercial uses as well as intensive public and institutional land uses. Minimum lot sizes typically range from 5,000 to 8,000 square feet unless a larger minimum lot area is required by the health department for land uses utilizing septic systems. Maximum floor area ratios (the total building floor area divided by the total lot area) range from 0.57 to 0.83. Land uses within General Commercial-designated areas are generally compatible with the B-1, General Business; B-2, Highway Business; B-3, Marina Business; and the O & I, Office and Institutional zoning districts. Public water service is needed to support the land uses characteristic of this classification. Public sewer service is needed to support the most intensive commercial uses. Streets with the capacity to accommodate higher traffic volumes are necessary to support commercial development.

General Commercial-classified areas are anticipated to accommodate some of the most intensive land uses found in the Town's planning jurisdiction. The Town's goals and policies support the use of land in General Commercial-classified areas for a wide variety of retail and commercial services 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 commercial development are also encouraged.

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-10, One or Two-family Residential; R-10MH, Single-family Residential and Manufactured Home; 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.

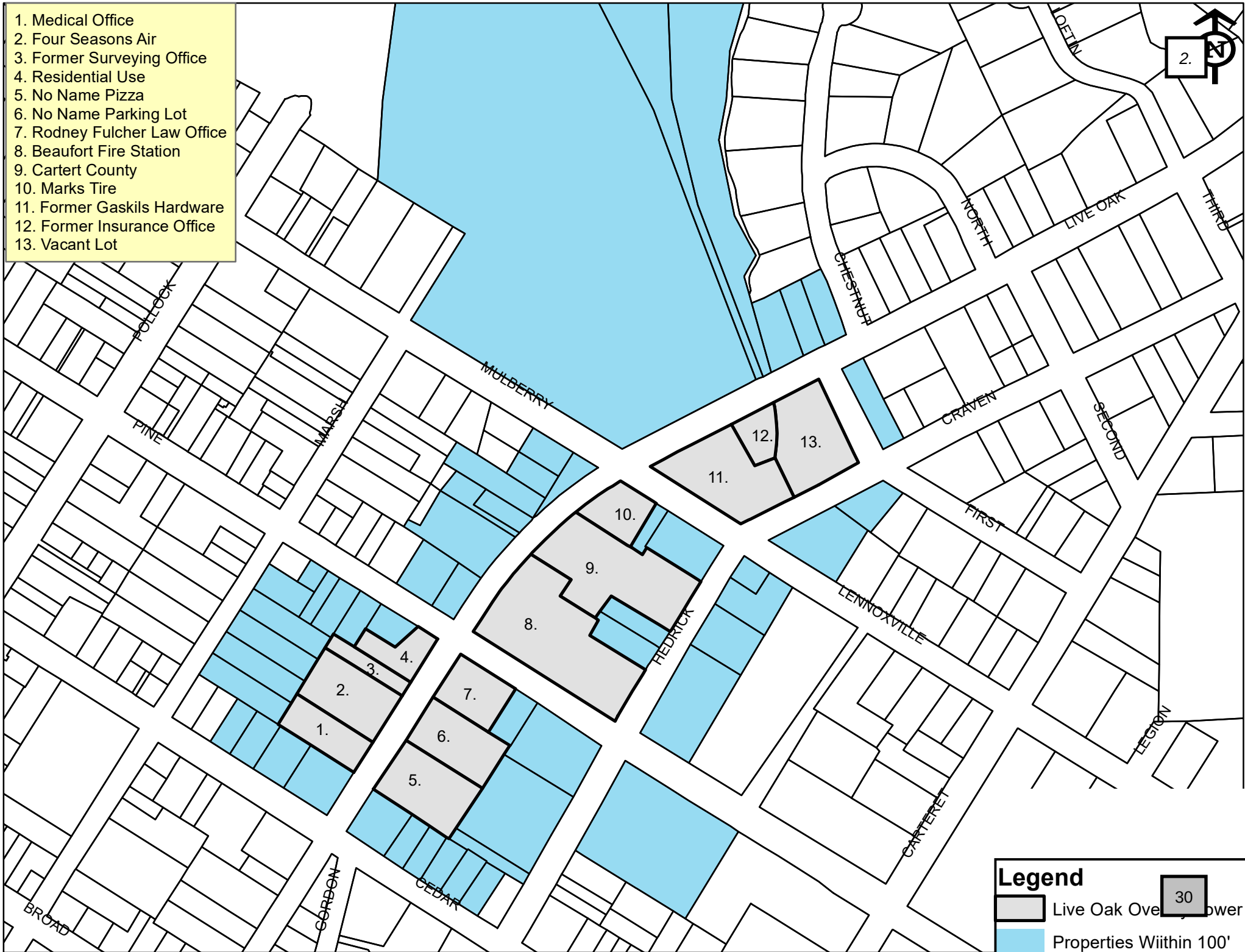
Attachments: Vicinity Map with 100 Foot Notification Boundary
 Zoning Map with 100 Foot Notification Boundary
 CAMA Future Land Use Map with 100 Foot Notification Boundary
 Information Table
 Figure 8 - CAMA Future Land Use
 Property Owners Within 100 Feet

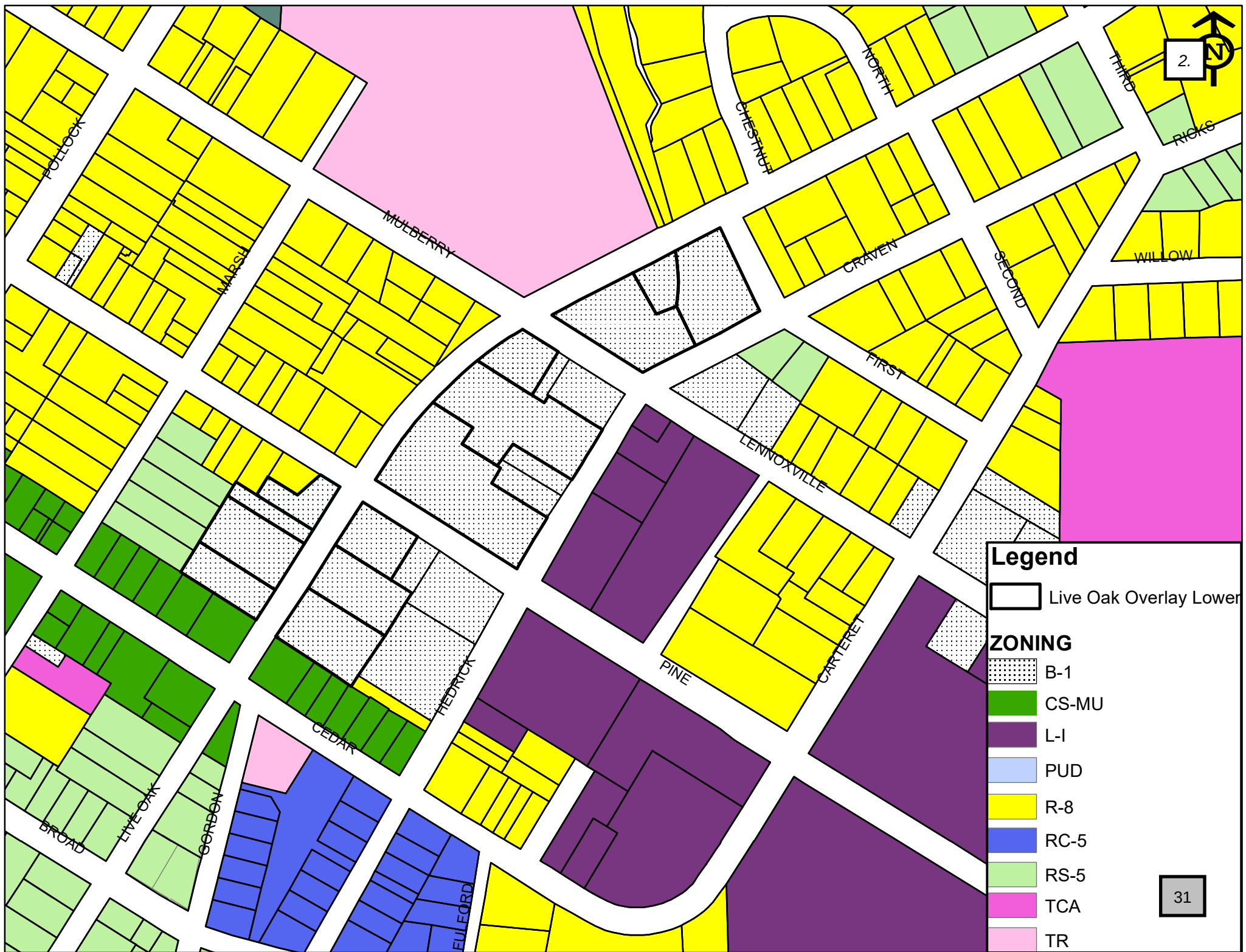
1. Medical Office
2. Four Seasons Air
3. Former Surveying Office
4. Residential Use
5. No Name Pizza
6. No Name Parking Lot
7. Rodney Fulcher Law Office
8. Beaufort Fire Station
9. Cartert County
10. Marks Tire
11. Former Gaskils Hardware
12. Former Insurance Office
13. Vacant Lot

2.

Legend

-  Live Oak Over 30' tower
-  Properties Wiithin 100'



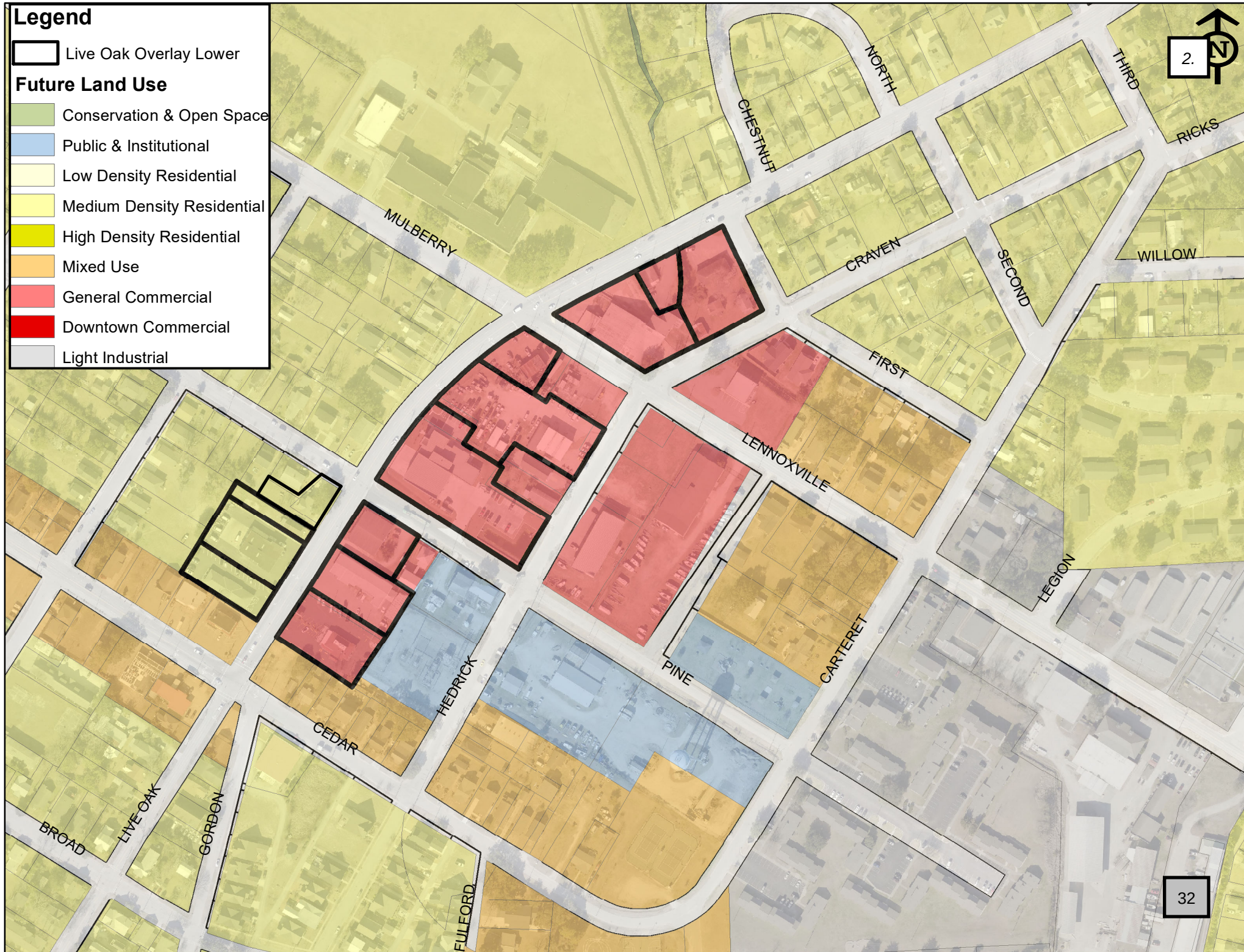


Legend

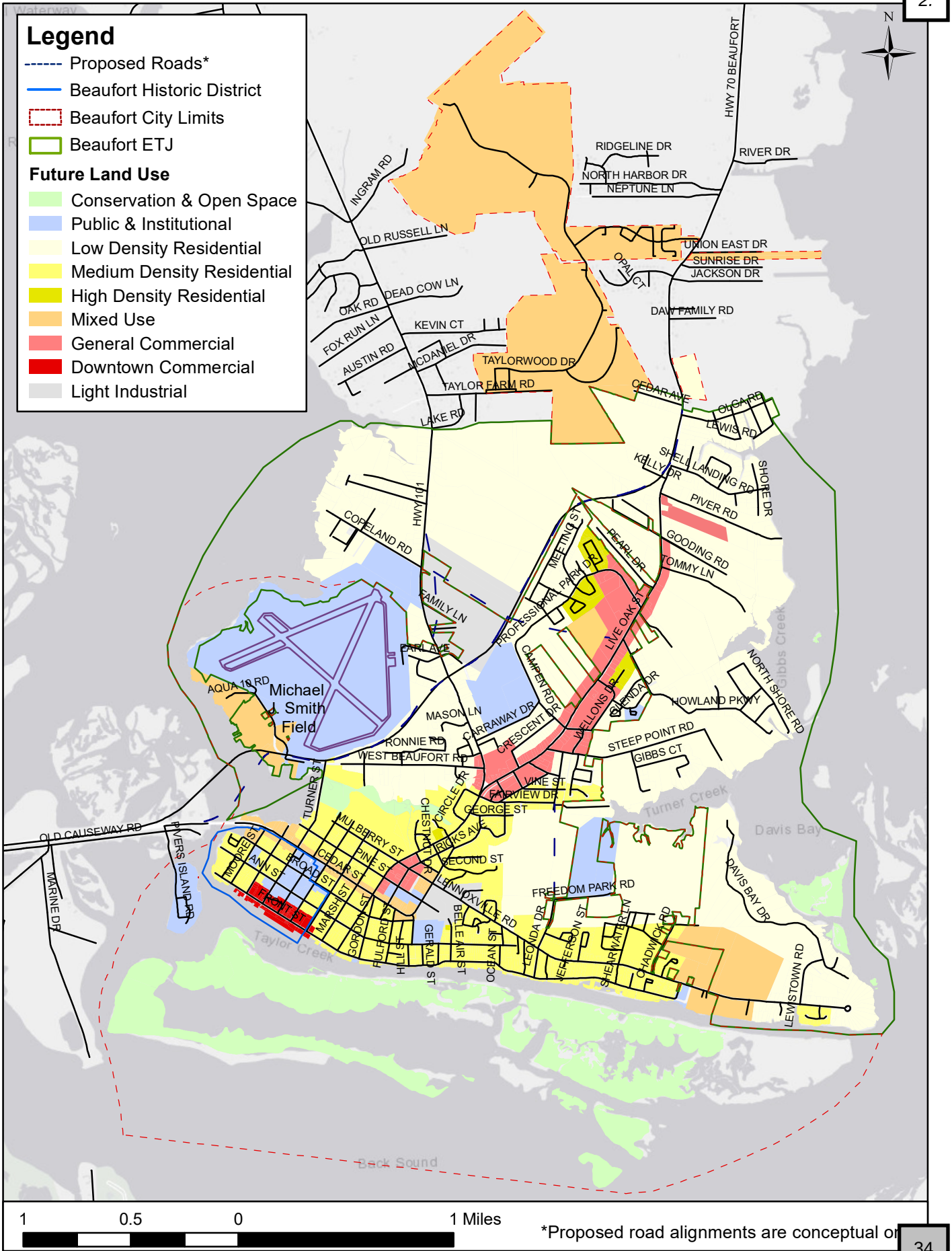
 Live Oak Overlay Lower

Future Land Use

-  Conservation & Open Space
-  Public & Institutional
-  Low Density Residential
-  Medium Density Residential
-  High Density Residential
-  Mixed Use
-  General Commercial
-  Downtown Commercial
-  Light Industrial



<u>ID #</u>	<u>PIN15</u>	<u>OWNER</u>	<u>CONFORMING USE</u>	<u>CONFORMING STRUCTURE</u>	<u>CONFORMING LOT</u>	<u>LOT AREA</u>	<u>COUNTY LISTED USE</u>
13	730618419159000	WILKO HOLDINGS LLC	Y	N - North Side Setback	Y	28961.2304307000000000	COMMERCIAL
12	730618418260000	BEAUFORT OFFICE BUILDING LLC	Y	N - Front and South Side Setback	Y	8370.5760002900000000	COMMERCIAL
11	730618418101000	900 LIVE OAK JV, LLC	Y	N - Both Side setbacks	Y	33043.9673933000000000	COMMERCIAL
10	730618415063000	WRIGHT,KENNETH W JR ETAL	Y	N - Rear Setback	Y	12843.8891030000000000	COMMERCIAL
9	730618405981000	CARTERET COUNTY	Y	Yes	Y	45692.7872587000000000	COUNTY GOVERN
8	730618403769000	TOWN OF BEAUFORT	Y	Yes	Y	58550.1232685000000000	MUNICIPAL EXEMP
7	730618402644000	BABCOCK,SHIRLEY J ETVIR RICHA	Y	N - Front and North Side Setback	Y	15571.9246960000000000	COMMERCIAL
6	730618402514000	MANOUSARIDIS,CHRISTOPHER	Y	Yes	Y	21538.0074575000000000	COMMERCIAL
5	730618401444000	MANOUSARIDIS,CHRISTOPHER	Y	N - Front and North Side Setback	Y	25206.7069659000000000	COMMERCIAL
2	730618309683000	GARNER,EUGENE M JR ETUX DIANNE	Y	Yes	Y	23035.5443810000000000	COMMERCIAL
1	730618309525000	GARNER,EUGENE M JR ETUX DIANNE	Y	N - South Side Setback	Y	14994.6575540000000000	COMMERCIAL
3	730618400720000	GILLIKIN,NELSON BRYAN II	Y	N - Front and North Side Setback	N - Lot Width 40'	6886.4976930000000000	COMMERCIAL
4	730618400793000	SADLER,GERRY	N - Residential	N - Front and Rear Setback	Y	10431.9631830000000000	RESIDENTIAL



<u>OWNER</u>	<u>MAIL HOUSE</u>	<u>MAIL ST</u>	<u>MAIL CITY</u>	<u>AIL ST</u>	<u>MAIL_ZI4</u>	<u>MAIL_ZI5</u>	<u>MAIL_ADD2</u>
ABBRUZZESE,WILLIAM C ETUX FRAN	4425	ARENDELL STREET #706	MOREHEAD CITY	NC		28557	
AMERICAN TOWERS LLC			ATLANTA	GA		31139	PO BOX 723597
BABCOCK,SHIRLEY J ETVIR RICHA	132	PLANTATION ST	BEAUFORT	NC		28516	
BEAUFORT TOWN CENTER LLC	2400	LENNOXVILLE ROAD	BEAUFORT	NC		28516	
BEAUFORT WOODSHOP LLC	1022	BROAD STREET	BEAUFORT	NC		28516	
BTRG INC	907	CEDAR STREET	BEAUFORT	NC		28516	
CARTERET COUNTY	302	COURTHOUSE SQUARE	BEAUFORT	NC		28516	SUITE 200
COPESE,ALICE H	517	LIVE OAK ST	BEAUFORT	NC		28516	
CRAIG,J KEVIN	129	POWELL LANE	CRAWFORDVILLE	FL		32327	
CREECH,SHERRY WILLIS	905	CEDAR ST	BEAUFORT	NC		28516	
DAILEY,MICHAEL P ETUX PAULA	905	LIVE OAK STREET	BEAUFORT	NC		28516	
DAVIS,CARLTON	3601	EAST HEDRICK DR	MOREHEAD CITY	NC		28557	
DAVIS,JAMES JR	511	1/2 LIVE OAK ST	BEAUFORT	NC		28516	
DAVIS,VENUS	513	LIVE OAK ST	BEAUFORT	NC		28516	
DUKE ENERGY PROGRESS INC	550	TRYON STREET	CHARLOTTE	NC		28202	TAX DEPT - DEC41B
ELLISON,ROY	130	BEAU-CLOS ROAD	LAKE CHARLES	LA		70607	
FLOWERS,JOHN ETUX KAREN	316	DOGWOOD LANE	HAMPSTEAD	NC		28443	
GARNER,EUGENE M JR ETUX DIANNE	173	JACKSON DRIVE	BEAUFORT	NC		28516	
GILLIKIN,NELSON BRYAN II			BEAUFORT	NC		28516	PO BOX 248
GODETTE,ARTIS	270	CANTON ST	NEWPORT	NC		28570	
GREER,ANNIE S L/T	130-25	232ND STREET	LAURELTON	NY		11413	
HELD,CHARLOTTE PAGE	106	CRAVEN AVENUE	BEAUFORT	NC		28516	
HI-SELL LLC	107	GALLANTS LANE	BEAUFORT	NC		28516	
HUNT,JASON MACDUFFY ETAL	118	BRIAR PATCH DRIVE	BEAUFORT	NC		28516	
JOHNS CANVAS LLC			BEAUFORT	NC		28516	PO BOX 466
JOHNSON,STEPHANIE COLLINS	507	HEDRICK ST	BEAUFORT	NC		28516	
LAND,LARRY MARTIN	700	LANDS POINTE ROAD	MOREHEAD CITY	NC	8946	28557	
MANOUSARIDIS,CHRISTOPHER	408	LIVE OAK STREET	BEAUFORT	NC		28516	
MANOUSARIDIS,ZACHARIAS	3511	COUNTRY CLUB ROAD	MOREHEAD CITY	NC		28557	
MEDLIN,JOE L ETUX JENNIFER	2265	MEDLIN RD	CLAYTON	NC		27520	
MIKELS,TERRY L	3901	BARRETT DRIVE #102	RALEIGH	NC		27609	
OLIVER,CHARLES II	2400	LENNOXVILLE ROAD	BEAUFORT	NC		28516	
SADLER,GERRY			BEAUFORT	NC		28516	PO BOX 245

SIMMONS,CHRISTOPHER C JR ETAL	414	FORBES AVENUE	NEW BERN	NC	28560	
SIMPSON,THOMAS D ETUX SARA	2715	COUNTRY CLUB ROAD	MOREHEAD CITY	NC	28557	
SOUND SHORE CONSTRUCTION INC	1913	FRONT STREET	BEAUFORT	NC	28516	
STATE OF NORTH CAROLINA	1321	MAIL SERVICE CENTER	RALEIGH	NC	1321	27699
TEEL,JAMES A ETAL TEEL	857	GREYSON RD	ROCKY MOUNT	NC		27804
TEEL,RAY ANTHONY D/B/A	813	CEDAR ST	BEAUFORT	NC		28516
THOMAS J JOHNSON LLC			MT PLEASANT	SC		29465 PO BOX 643
TOWN OF BEAUFORT			BEAUFORT	NC		28516 PO BOX 390
WILKO HOLDINGS LLC	801	PLAZA BOULEVARD	KINSTON	NC		28501
WRIGHT,DAVID WINSLOW ETAL	624	HIGHWAY 101	BEAUFORT	NC		28516
WRIGHT,MARY B			AHOSKIE	NC		27910 PO BOX 986
900 LIVE OAK JV, LLC	305	TRANSYLVANIA AVE	RALEIGH	NC	6951	27609



Town of Beaufort, NC

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Town of Beaufort Planning Board Regular Meeting 6:00 PM Monday, March 16, 2020 – 614 Broad Street (Train Depot)

AGENDA CATEGORY: New Business
SUBJECT: Final Plat – Gallants Point Subdivision

BRIEF SUMMARY:

Subdivide an 11.78 acre tract into 16 Single-Family Residential Lots for Gallants Point Subdivision formally Aqua 10 Subdivision. The applicant has also submitted a cost for incomplete infrastructure and will be required to pay recreation fees in the amount of \$1,800

REQUESTED ACTION:

Approve the Final Plat for Gallants Point Subdivision.

EXPECTED LENGTH OF PRESENTATION:

10 Minutes

SUBMITTED BY:

Kyle Garner, AICP
Planning & Inspections Director

BUDGET AMENDMENT REQUIRED:

N/A



STAFF REPORT



1.

To: Planning Board Members
From: Kyle Garner, AICP, Town Planner
Date: March 6, 2020
Case No. 20-05 Gallants Point – Final Plat (Formally Aqua 10 Subdivision)

THE QUESTION: Subdivide a 11.78 acre tract into 16 Single-Family Residential Lots

BACKGROUND: This site was originally approved in 2017 and in 2019 was given a one- year extension for infrastructure improvements and securing State permits.

Location: Gallants Channel & West Beaufort Road
Owners: Old Seaport Development, LLC
Requested Action: Subdivide a 11.78 Acre Tract into 16 Lots
Existing Zoning R-8
Size: 11.78 acres
Amount of Open Space: 4.94Acres
Existing Land Use: Undeveloped

SPECIAL INFORMATION: As part of the Final Plat process the infrastructure can be either installed or bonded through a financial guarantee process to ensure completion of the project. The applicant has chosen to request to bond the infrastructure improvement and has submitted cost estimates for the complete cost of improvements totaling \$126,062.50 (See estimated cost of improvement sheet from engineer). Also, recreation fees are applied in the amount of \$1,800.

Public Utilities:
Water: Town Of Beaufort
Sanitary Sewer: Town Of Beaufort

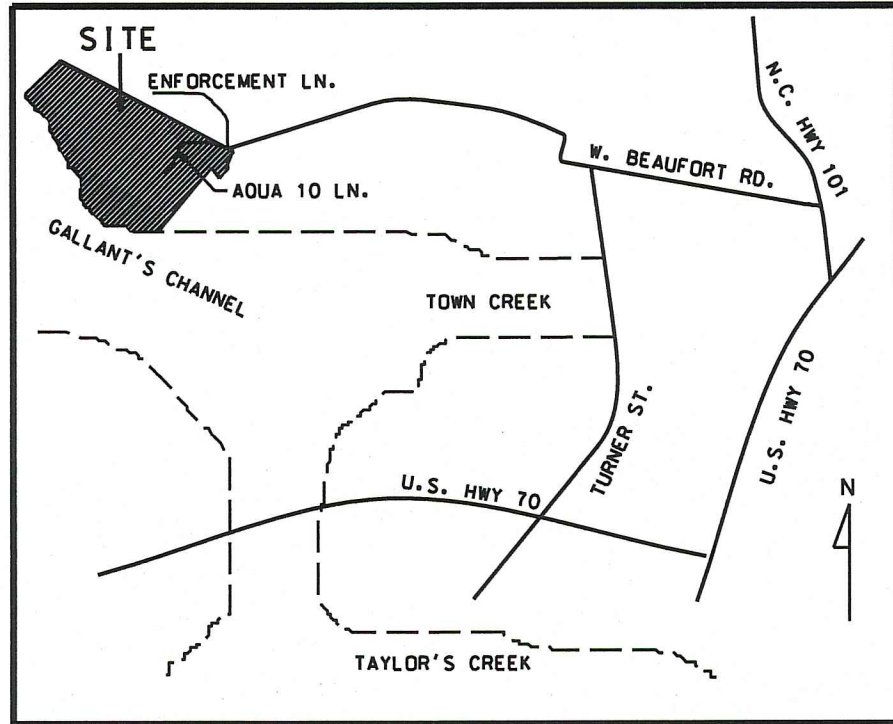
OPTIONS:
1. Approve the Final Plat for Gallants Point Subdivision.
2. Deny the request

Attachments:

- Vicinity & Parcel Map
- Final Plat for Gallants Point
- Bond Estimates

1.





VICINITY MAP (N.T.S.)

CERTIFICATION OF APPROVAL BY THE PLANNING BOARD

THE BEAUFORT PLANNING BOARD HEREBY APPROVES THIS FINAL PLAT FOR GALLANTS POINT SUBDIVISION, LOTS 1-16.

DATE

CHAIRMAN, BEAUFORT PLANNING BOARD

CERTIFICATE OF APPROVAL OF THE DESIGN AND INSTALLATION OF STREETS, UTILITIES, AND OTHER REQUIRED IMPROVEMENTS

I HEREBY CERTIFY THAT ALL STREETS, UTILITIES AND OTHER REQUIRED IMPROVEMENTS HAVE BEEN INSTALLED IN AN ACCEPTABLE MANNER AND ACCORDING TO THE TOWN OF BEAUFORTS SPECIFICATIONS AND STANDARDS FOR GALLANTS POINT LOTS 1-16. THAT GUARANTEES OF THE INSTALLATION OF THE REQUIRED IMPROVEMENTS IN AN AMOUNT AND MANNER SATISFACTORY TO THE TOWN OF BEAUFORT HAVE BEEN RECEIVED AND THAT THE FILING FEE FOR THIS PLAT IN THE AMOUNT OF \$_____ HAS BEEN PAID.

DATE

TOWN MANAGER

CERTIFICATE OF OWNERSHIP AND DEDICATION

I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON, WHICH IS LOCATED IN THE SUBDIVISION JURISDICTION OF THE TOWN OF BEAUFORT AND THAT I HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH MY FREE CONSENT, ESTABLISH MINIMUM BUILDING SETBACK LINES, AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS AND OTHER SITES AND EASEMENTS TO PUBLIC OR PRIVATE USE AS NOTED. FURTHERMORE, I HEREBY DEDICATE ALL SANITARY SEWER, STORM SEWER AND WATER LINES TO THE TOWN OF BEAUFORT.

DATE

OWNER

CERTIFICATE OF APPROVAL FOR RECORDING

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS AS PART OF GALLANTS POINT FOR BEAUFORT, NORTH CAROLINA, AND THAT THIS PLAT HAS BEEN APPROVED BY THE BOARD OF COMMISSIONERS FOR RECORDING IN THE OFFICE OF THE REGISTER OF DEEDS OF CARTERET COUNTY.

DATE

TOWN CLERK OF BEAUFORT

REVIEW OFFICER CERTIFICATION

STATE OF NORTH CAROLINA

CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

REVIEW OFFICER

DATE

REGISTER OF DEEDS CERTIFICATE

FILED FOR REGISTRATION AT _____ O'CLOCK ON THE _____ DAY OF _____, 2020.
RECORDED IN MAP BOOK _____ PAGE _____
KAREN S. HARDESTY, REGISTER OF DEEDS

BY: _____ ASSISTANT DEPUTY

SURVEYOR'S CERTIFICATE

I, E. GLENN CORBETT, CERTIFY THAT THIS PLAT WAS DRAWN BY ME FROM AN ACTUAL SURVEY MADE UNDER _____ (DEED DESCRIPTION RECORDED IN BOOKS REFERENCED) THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED BY DRAWN FROM INFORMATION FOUND IN BOOKS REFERENCED ON THE FACE OF THIS PLAT THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000+1 THAT THIS SURVEY WAS PREPARED IN ACCORDANCE WITH GS 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER, AND SEAL THIS 30TH DAY OF JANUARY A.D. 2020

PROFESSIONAL LAND SURVEYOR L-3407

SURVEYOR'S CERTIFICATE OF PURPOSE OF PLAT

I, E. GLENN CORBETT, CERTIFY THAT THIS PLAT CREATES A SUBDIVISION OF LAND WITHIN THE TOWN OF BEAUFORT AND THAT THE TOWN OF BEAUFORT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.

PROFESSIONAL LAND SURVEYOR
LICENSE NUMBER L-3407



SITE DATA

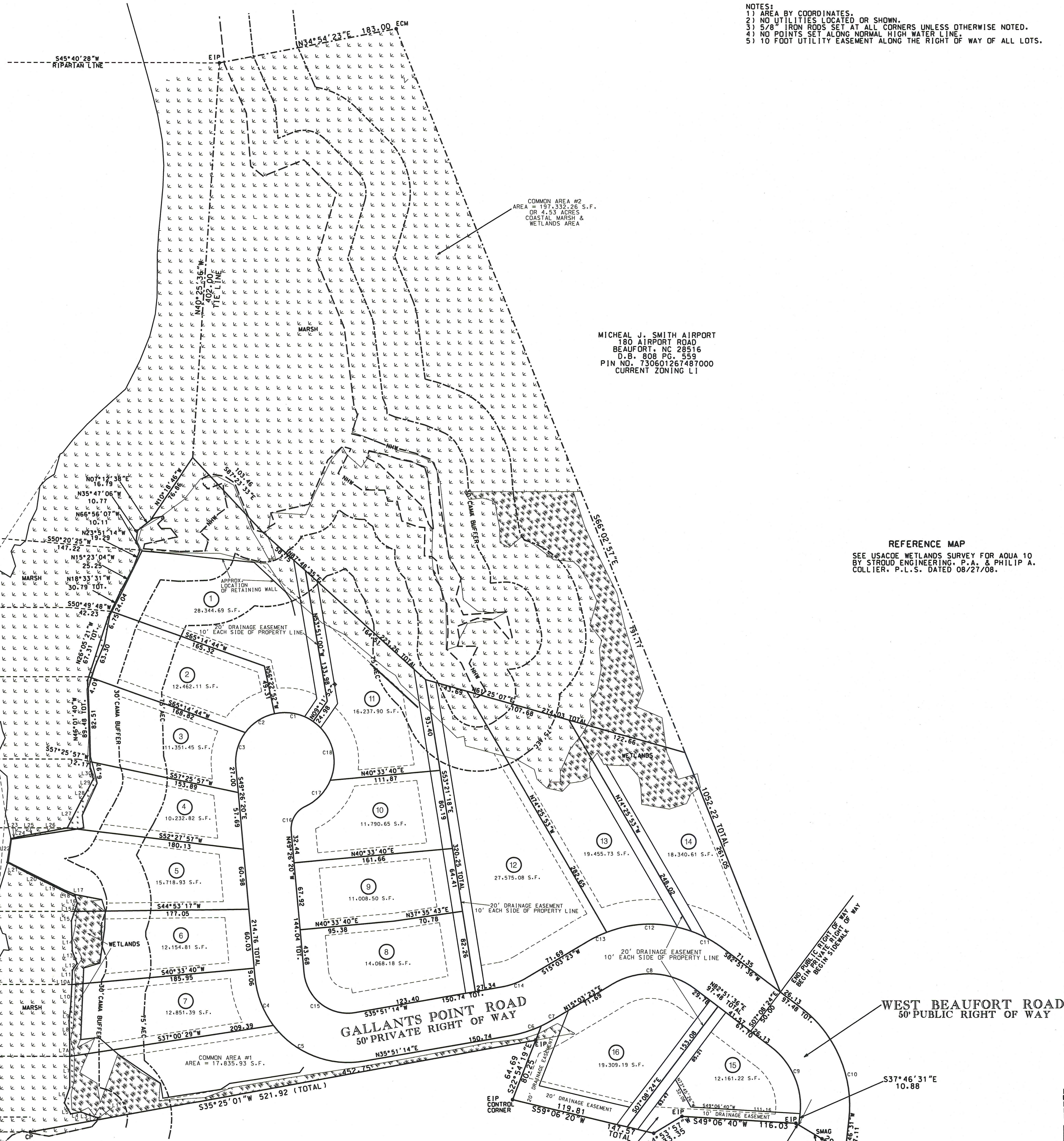
NUMBER OF LOTS = 16
SMALLEST LOT AREA = 10,232.82 S.F.
AVERAGE LOT AREA = 15,816.49 S.F.
TOTAL AREA OF LOTS 1-16 = 5.81 ACRES
COMMON AREA #1 AREA = 17,835.93 S.F. OR 0.41 ACRES
COMMON AREA #2 AREA = 19,332.26 S.F. OR 0.43 ACRES
AREA WITHIN PRIVATE RIGHT OF WAY = 44,909.54 S.F. OR 1.03 ACRES
TOTAL TRACT AREA = 11.78 ACRES.

60 30 0 60 120



SCALE: 1" = 60'

PROJECT No. PM1070-3



MICHEAL J. SMITH AIRPORT
180 AIRPORT ROAD
BEAUFORT, NC 28516
D.B. 808 PG. 559
PIN NO. 730601267487000
CURRENT ZONING L1

REFERENCE MAP

SEE USACE WETLANDS SURVEY FOR AQUA 10 BY STROUD ENGINEERING, P.A., & PHILIP A. COLLIER, P.L.S. DATED 08/27/08.

CURVE DATA

C#	CHORD BEARING & DISTANCE	LENGTH	RADIUS
1	S57°12'38"W 40.02	41.18	50.00
2	S12°53'34"W 35.38	36.16	50.00
3	S28°37'50"W 35.52	36.32	50.00
4	S55°22'31"W 52.17	52.85	95.00
5	N67°16'16"E 99.04	104.18	95.00
6	N28°15'14"E 33.06	33.16	125.00
7	N17°51'18"E 74.21	72.71	125.00
8	N48°57'29"W 83.67	88.76	75.00
9	N87°21'27"W 74.21	77.71	125.00
10	N67°27'28"W 123.80	129.51	125.00
11	S74°06'43"W 38.02	38.17	125.00
12	S45°10'43"W 86.27	88.08	125.00
13	S20°01'29"W 21.65	21.68	125.00
14	S63°21'29"W 27.08	27.22	75.00
15	S83°11'27"W 66.20	74.38	45.00
16	N14°10'28"W 28.87	30.77	25.00
17	N00°22'58"W 36.61	37.48	50.00
18	N60°51'36"W 62.48	67.49	50.00

LINE TABLE

L1	N29°39'56"W	2.24
L2	S65°52'40"W	8.09
L3	S35°48'58"W	10.77
L4	N47°08'54"W	12.89
L5	N25°02'25"W	16.30
L6	N44°14'31"W	31.80
L7	N44°14'31"W	17.36
L8	N46°25'26"W	18.50
L9	N37°48'51"W	12.74
L10	N40°55'13"W	5.38
L11	N43°02'15"W	8.08
L12	N09°33'17"W	8.43
L13	N65°52'16"W	30.61
L14	N25°41'05"W	10.19
L15	N25°41'05"W	10.19
L16	N63°22'23"W	8.27
L17	S33°07'05"W	14.30
L18	S71°17'05"W	19.84
L19	S71°33'54"W	17.39
L20	S72°18'55"W	19.94
L21	S75°28'00"W	23.16
L22	N35°00'55"W	24.22
L23	N32°37'09"W	7.42
L24	N33°44'31"W	6.12
L25	N35°54'31"W	11.59
L26	N35°17'29"W	33.17
L27	N17°20'55"W	31.08
L28	N13°17'27"W	28.87
L29	N17°14'03"W	12.83
L30	N61°12'45"W	11.07

SETBACKS

FRONT = 25'
SIDE = 8'
REAR = 25' WATERFRONT LOTS = 30'
CORNER SIDE = 20'

LEGEND

EIR	EXISTING IRON ROD
EIP	EXISTING IRON PIPE
EPK	EXISTING PK NAIL
ECM	EXISTING CONC. MON.
ERS	EXISTING R/S SPIKE
SIR	SET IRON ROD
CP	CALCULATED POINT
MHW	MEAN HIGH WATER
N/F	NOW OR FORMERLY
MB	MAP BOOK
DB	DEED BOOK
PP	PAGE
PP	POWER POLE
PP	LIGHT POLE
DE	OVERHEAD ELECTRIC
ELEC	ELECTRIC PEDESTAL
TRANS	ELEC. TRANSFORMER
TEL	TELEPHONE PEDESTAL
TV	CABLE TV PEDESTAL
WM	WATER METER
CD	CLEAN OUT

REVISIONS:

No.	BY	DATE	DESCRIPTION

REFERENCES:
OWNER: 172 OLD SEAPORT DEV., LLC
D.B. 1398 PG. 231
D.B. 1500 PG. 167000
NCPIN 730601053225000

FINAL PLAT

GALLANTS POINT

LOTS 1-16

BEAUFORT TOWNSHIP, CARTERET COUNTY, NORTH CAROLINA

CLIENT: OLD SEAPORT DEV., LLC
C/O DOUG BRADY

ADDRESS: 805 FRONT STREET
BEAUFORT, NC 28516

PHONE: (252) 726-3066

THE CULLIPHER GROUP P.A. C-4482
ENGINEERING & SURVEYING SERVICES

151-A NC HIGHWAY 24
MOREHEAD CITY, NC 28557
(252) 773-0090

E. GLENN CORBETT, P.L.S.

SURVEYED:

JH 01/30/20

DRAWN:

EGC

APPROVED:

EGC

DATE:

01/30/20

SCALE:

1" = 60'



GRID NORTH
SEE REFERENCE MAP

BOND ESTIMATE



Town of Beaufort
701 Front Street
Beaufort, NC 28516
(252) 728-2141
www.beaufortnc.org

PROJECT NAME:	GALLANTS POINT
OWNER:	OLD SEAPORT DEVELOPMENT, LLC
ENGINEER:	RONALD D. CULLIPHER, PE
ENGINEER PHONE NO.:	252-773-0090
ENGINEER EMAIL:	ron@tcgpa.com
DATE:	3/9/2020

UNLESS OTHERWISE SPECIFIED ALL BONDS ARE FOR THE BODY OF THE PLAT

SIGNATURE AND SEAL OF SUBMITTING ENGINEER



I, Ronald D. Cullipher a Registered Licensed Professional, do hereby verify that I have personally supervised the measurement thereof and that the quantities expressed herein represent an accurate measurement of the work to be completed on this project. This bond estimate covers all the infrastructure improvements on the project referenced above.

Please sign below

Ronald D. Cullipher 3/9/20

STREET PAVEMENT	Quantity	Unit	UNIT COST (Dollars/SY)	TOTAL:
Final Asphalt Surface Course	2600	sy	\$ 14.00	\$ 36,400.00
Initial Asphalt Surface Course				\$ -
Asphalt Intermediate Course				\$ -
Asphalt Base Course				\$ -
Aggregate Base Course	400	ton	\$ 36.75	\$ 14,700.00
				\$ -
				\$ -
			Subtotal	\$ 51,100.00

STREET INCIDENTALS	QUANTITY:	UNIT:	UNIT COST:	TOTAL:
Street Signs		Each		\$ -
Street Trees (40' O.C.)		Each		\$ -
Street Lights		Each		\$ -
Pavement Striping		LF		\$ -
				\$ -
				\$ -
			Subtotal	\$ -

CURBING & SIDEWALK:	QUANTITY:	UNIT:	UNIT COST:	TOTAL:
2'-6" Standard Curb		LF		\$ -
2'-6" Rolled curb		LF		\$ -
4' Wide Sidewalk	4850	SF	\$ 4.00	\$ 19,400.00
5' Wide Sidewalk		LF		\$ -
Driveway Aprons		Each		\$ -
Handicap Ramp	2	Each	\$ 400.00	\$ 800.00
				\$ -
				\$ -
			Subtotal	\$ 20,200.00

SANITARY SEWER	QUANTITY:	UNIT:	UNIT COST:	TOTAL:
8" PVC Gravity Sewer		LF		\$ -
8" DIP Gravity Sewer		LF		\$ -
10" PVC Gravity Sewer		LF		\$ -
10" DIP Gravity Sewer		LF		\$ -
12" PVC Gravity Sewer		LF		\$ -
12" DIP Gravity Sewer		LF		\$ -
15" PVC Gravity Sewer		LF		\$ -
15" DIP Gravity Sewer		LF		\$ -
3" PVC Force Main	800	LF	\$ 11.00	\$ 8,800.00
Driveway bores	120	LF	\$ 75.00	\$ 9,000.00
4" DIP Force Main		LF		\$ -
6" PVC Force Main		LF		\$ -
6" DIP Force Main		LF		\$ -
8" PVC Force Main		LF		\$ -
8" DIP Force Main		LF		\$ -
4'0" Dia. Manhole		LF		\$ -
5'0" Dia Manhole		LF		\$ -
Tie in at manhole	1	EA	\$ 550.00	\$ 550.00
Services	17	ea	\$ 200.00	\$ 3,400.00
				\$ -
				\$ -
				\$ -
			Subtotal	\$ 21,750.00

WATER	QUANTITY:	UNIT:	UNIT COST:	TOTAL:
2" PVC Water Main		LF		\$ -
4" PVC Water Main		LF		\$ -
4" DIP Water Main		LF		\$ -
6" PVC Water Main		LF		\$ -
6" DIP Water Main		LF		\$ -
8" PVC Water Main	850	LF	\$ 19.25	\$ 16,362.50
8" DIP Water Main		LF		\$ -
10" PVC Water Main		LF		\$ -
10" DIP Water Main		LF		\$ -
12" PVC Water Main		LF		\$ -
12" DIP Water Main		LF		\$ -
2" Valve (includes Curb Box)		Each		\$ -
4" Valve (includes Curb Box)		Each		\$ -
6" Valve (includes Curb Box)		Each		\$ -
8" Valve (includes Curb Box)	1	Each	\$ 2,000.00	\$ 2,000.00
10" Valve (includes Curb Box)		Each		\$ -
12" Valve (includes Curb Box)		Each		\$ -

Fire Hydrant (includes Hydrant Leg & Valve)		Each		\$ -
Vaults		Each		\$ -
8" tap	1	Each	\$ 3,000.00	\$ 3,000.00
Fittings	1	Lump Sum	\$ 6,000.00	\$ 6,000.00
Service Connections (includes Tap, Service Tubing, Meter Box and Meter Setter)	17	Each	\$ 250.00	\$ 4,250.00
				\$ -
				\$ -
				\$ -
			Subtotal	\$ 31,612.50

DRAINAGE	QUANTITY:	UNIT:	UNIT COST:	TOTAL:
15" RCP		LF		\$ -
15" Dual Wall HDPE		LF		\$ -
15" Dual Wall Polypropylene		LF		\$ -
18" RCP		LF		\$ -
18" Dual Wall HDPE		LF		\$ -
18" Dual Wall Polypropylene		LF		\$ -
24" RCP		LF		\$ -
24" Dual Wall HDPE		LF		\$ -
24" Dual Wall Polypropylene		LF		\$ -
30" RCP		LF		\$ -
30" Dual Wall HDPE		LF		\$ -
30" Dual Wall Polypropylene		LF		\$ -
36" RCP		LF		\$ -
36" Dual Wall HDPE		LF		\$ -
36" Dual Wall Polypropylene		LF		\$ -
42" RCP		LF		\$ -
42" Dual Wall HDPE		LF		\$ -
42" Dual Wall Polypropylene		LF		\$ -
48" RCP		LF		\$ -
48" Dual Wall HDPE		LF		\$ -
48" Dual Wall Polypropylene		LF		\$ -
15" FES		Each		\$ -
18" FES		Each		\$ -
24" FES		Each		\$ -
30" FES		Each		\$ -
36" FES		Each		\$ -
42" FES		Each		\$ -
48" FES		Each		\$ -
Curb Inlet		Each		\$ -
Yard Inlet		Each		\$ -
Vegitated Swale	700	lf	\$ 2.00	\$ 1,400.00
				\$ -
				\$ -
				\$ -
			Subtotal	\$ 1,400.00

TOTAL ESTIMATE $\Rightarrow$

\$126,062.50