



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, October 12, 2026
Train Depot, 614 Broad Street

Call to Order/Pledge of Allegiance

Roll Call

Agenda Approval

Items of Consent

- [1.](#) Meeting Minutes: September 14, 2026
- [2.](#) SUP Order: Case #26-22 Special Use Permit, 1323 Front Street ADU
- [3.](#) Board of Commissioners 2027 Meeting Schedule
- [4.](#) Special Event Permit Application- Rolling on Middle
- [5.](#) Special Event Permit Application- Wobble Down Front
- [6.](#) Special Event Permit Application- Pirate Invasion 2026
- [7.](#) Special Event Permit Application- Race to the North Pole 2026
- [8.](#) Authorization to Terminate Debris Agreement: Garner Debris Disposal Site
- [9.](#) Daily and Disaster Debris Disposal Site Agreements: Adam Willis
- [10.](#) Resolution: Speed Limit Reduction on Carraway Drive

Public Hearing

- | | |
|---|-----------|
| <u>1.</u> Case #26-24: LDO Amendment–
State Law Compliance for Off-Street Parking Minimums | M. Eitner |
| <u>2.</u> Voluntary Annexation Request: 374, 388, 404, and 550 Highway 101 | E. Lewis |
| <u>3.</u> Case #26-10: Rezoning Request, 374 Highway 101, from R-20 to B-1 | M. Eitner |
| <u>4.</u> Case #26-11: Rezoning Request, 404 Highway 101, from R-20 to B-1 | M. Eitner |
| <u>5.</u> Case #26-20: Rezoning Request, the RC-5 portion of 125 Bunch Road and
472 Highway 101, (R-20) to B-1 | M. Eitner |

Public Comment

New Business

- [1.](#) Parks and Recreation Advisory Board Appointments
- [2.](#) Carteret County Museum Donation Pieces

E. Lewis

M. Zapp

Manager Report

Mayor/Commissioner Comments

Adjourn



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Board of Commissioners
Regular Meeting
6:00 PM – Monday, October 12, 2026
Train Depot, 614 Broad Street
Beaufort, NC 28516

AGENDA CATEGORY: Items of Consent
SUBJECT: Meeting Minutes: September 14, 2026

REQUESTED ACTION:
Review and approve the attached draft minutes for the following BOC meeting:

- September 14, 2026, Regular Meeting

SUBMITTED BY:
Jennifer Welborn, Community Engagement Director/Deputy Town Clerk



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

DRAFT

Call To Order

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

Roll Call

Elizabeth Lewis, Town Clerk, called the roll.

PRESENT:

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

ABSENT: None

Agenda Approval

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

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

Items of Consent

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

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

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

Presentations

1. Beaufort Housing Authority- FY 2025 Audit Report

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

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

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

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

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

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

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

Public Hearing

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

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

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

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

Mayor Pro Tem Gillikin presided over the item.

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

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

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

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

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

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

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

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

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

Public Comments:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The applicant was present and did not provide additional comments.

Public Comments:

There were no public comments at this time.

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

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

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

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

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

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

Quasi-Judicial Proceedings

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

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

Commissioner Gillikin made a motion to open the evidentiary hearing.

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

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

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

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

Staff Presentation

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

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

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

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

Mayor Harker accepted the evidence as presented.

Questions from the Board to Staff

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

Applicant Presentation

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

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

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

Board Questions for Applicant

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

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

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

Additional Witness Testimony

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

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

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

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

Applicant's Response to Testimony

There was no applicant response testimony at this time.

Board Deliberation

There was no additional discussion at this time.

Conditions of Approval

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

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

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

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

Public Comment

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

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

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

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

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

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

Old Business

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

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

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

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

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

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

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

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

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

New Business

1. Crystal Coast Lady Dock Rebuild

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3. Consideration of Windsail/Shading at Commercial Docks

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

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

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

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

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

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

No formal action was taken.

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

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

Manager Report

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

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

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

Mayor/Commissioner Comments

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

Commissioner Cooper had no additional comments at this time.

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

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

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

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

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

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

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

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

Closed Session

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

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

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

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

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

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

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

Adjourn

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

Sharon E. Harker, Mayor

Jennifer L. Welborn, Deputy Town Clerk

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



STAFF REPORT



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

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

INFORMATION:

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

OPTIONS:

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

EXHIBITS:

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

STAFF COMMENTS:

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

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

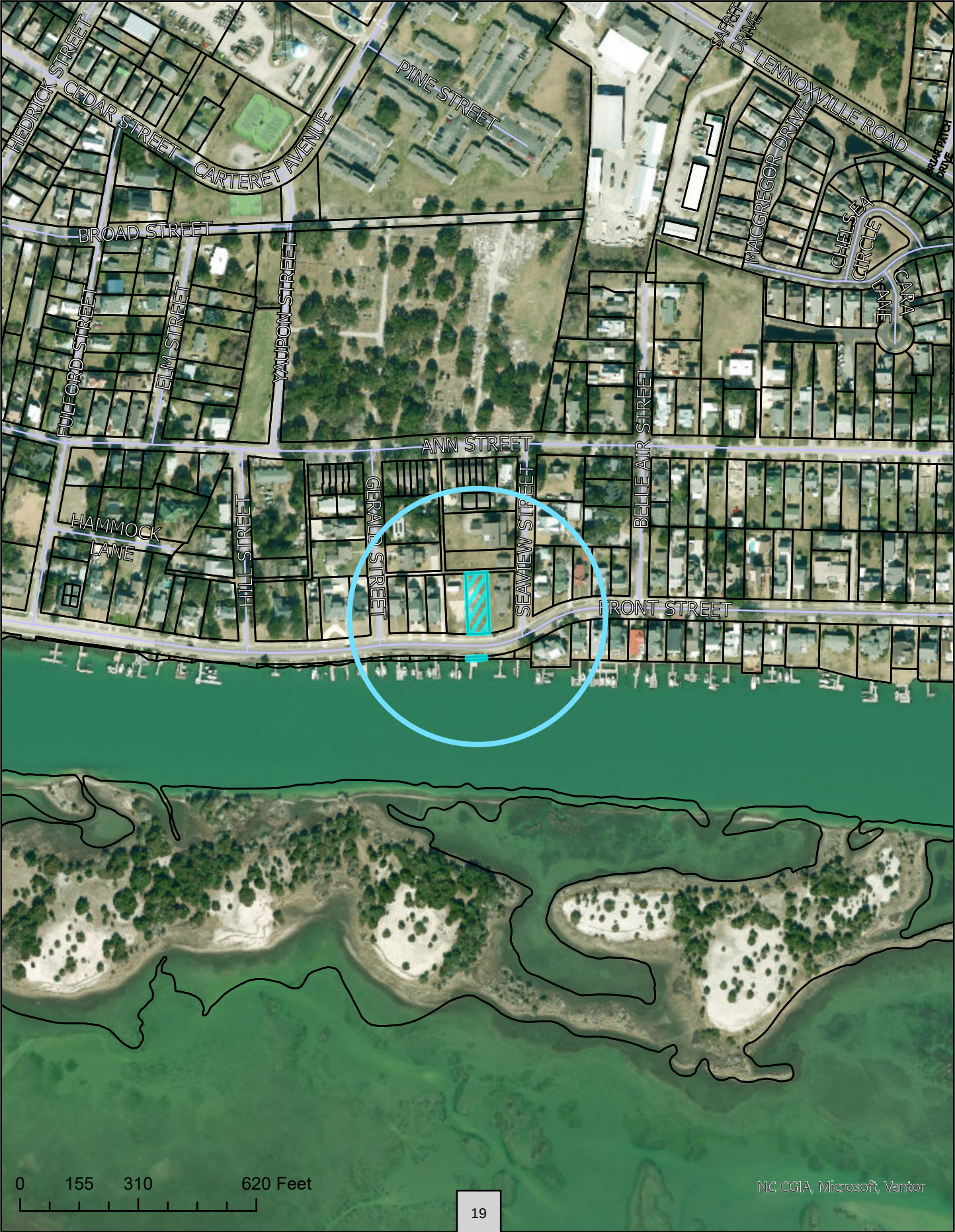
Rather than wait several months for SUP review and potential approval, staff recommended that the ADU could be removed from the building plans to proceed with construction of the single-family home while they seek a SUP for ADU. That anticipated area in the currently permitted plans is just a large room.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

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

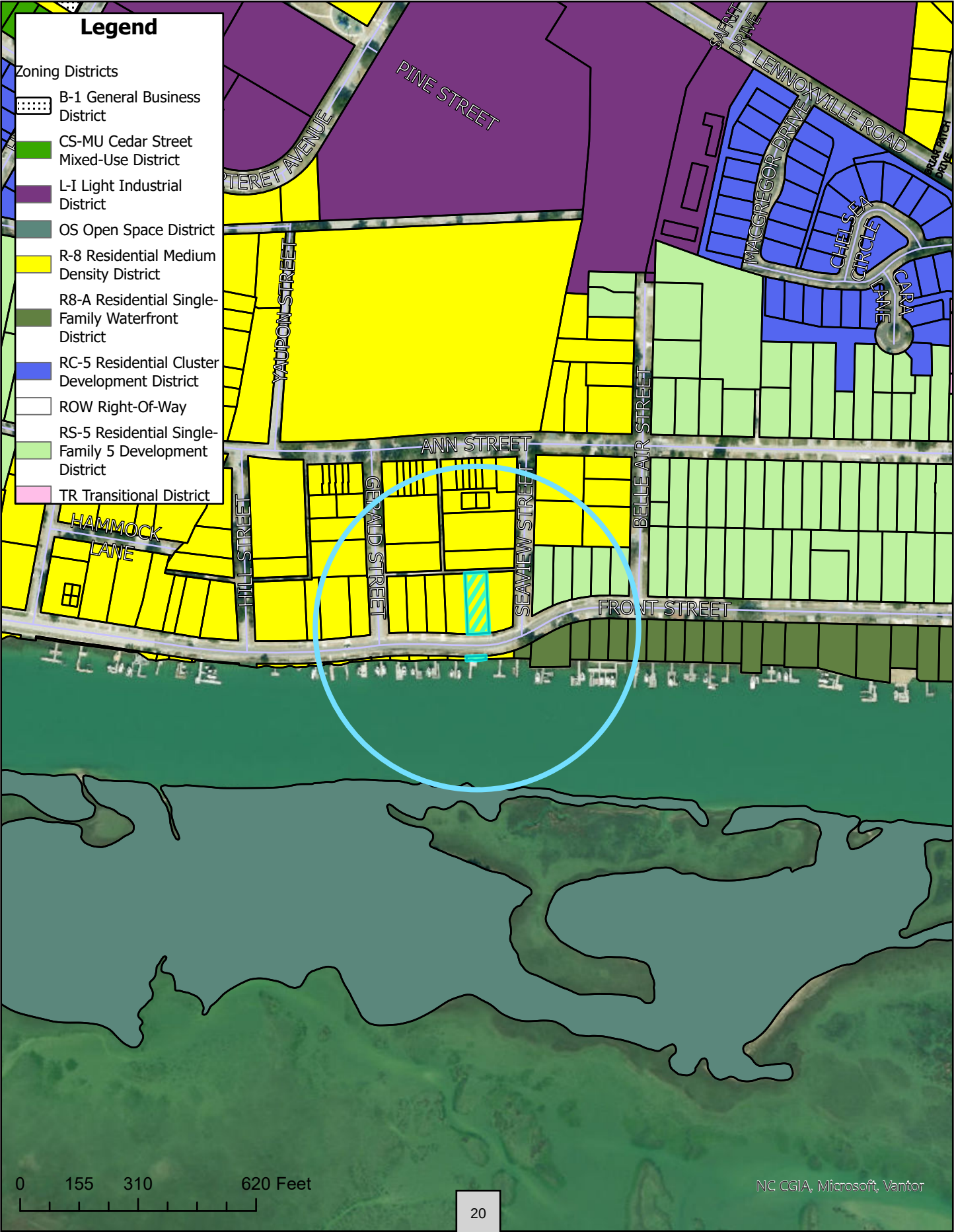
The Technical Review Committee (TRC) received this item for review digitally and all responded with no comments or issues.

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

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



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





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

APPLICATION FOR A SPECIAL USE PERMIT

Instructions:

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

APPLICANT INFORMATION

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

PROPERTY INFORMATION

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

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

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

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

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

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

OFFICE USE ONLY

Revised 8/2020

Date: _____

Reviewed for Completeness By: _____

Received by: _____

Date Deemed Complete and Accepted: _____

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

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

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

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

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

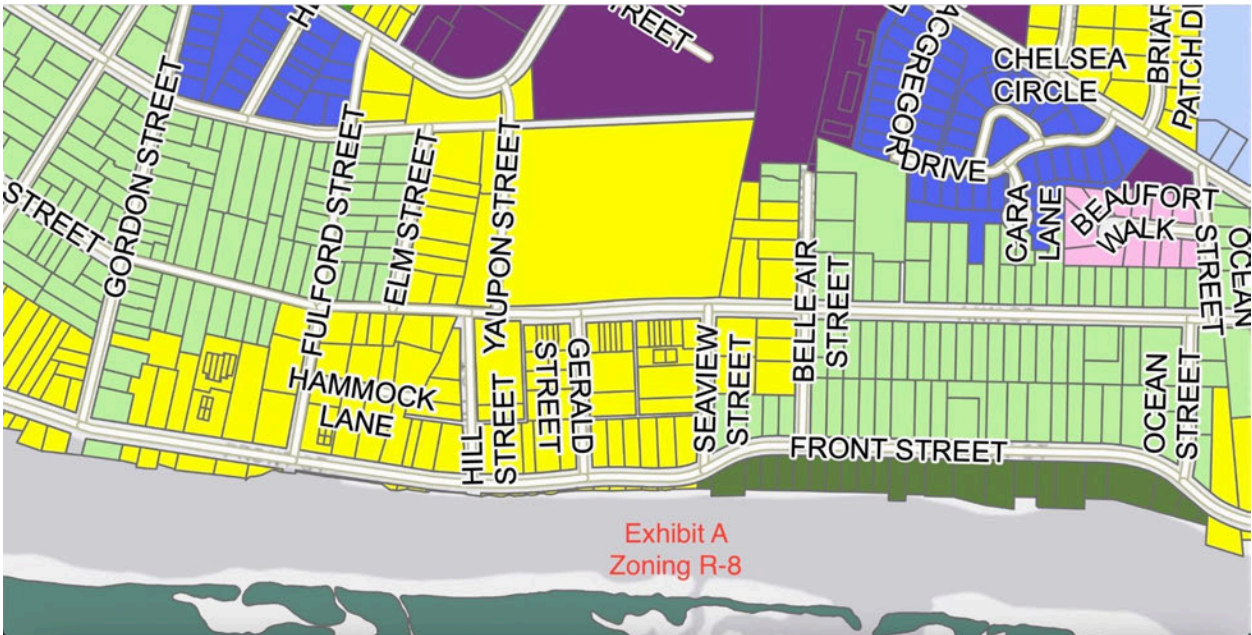
All construction authorized under the existing building permit complies with the applicable building code and zoning requirements. Approval of this request would change the residence from **five bedrooms and six-and-one-half bathrooms** to **six bedrooms and seven-and-one-half bathrooms**, with the addition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

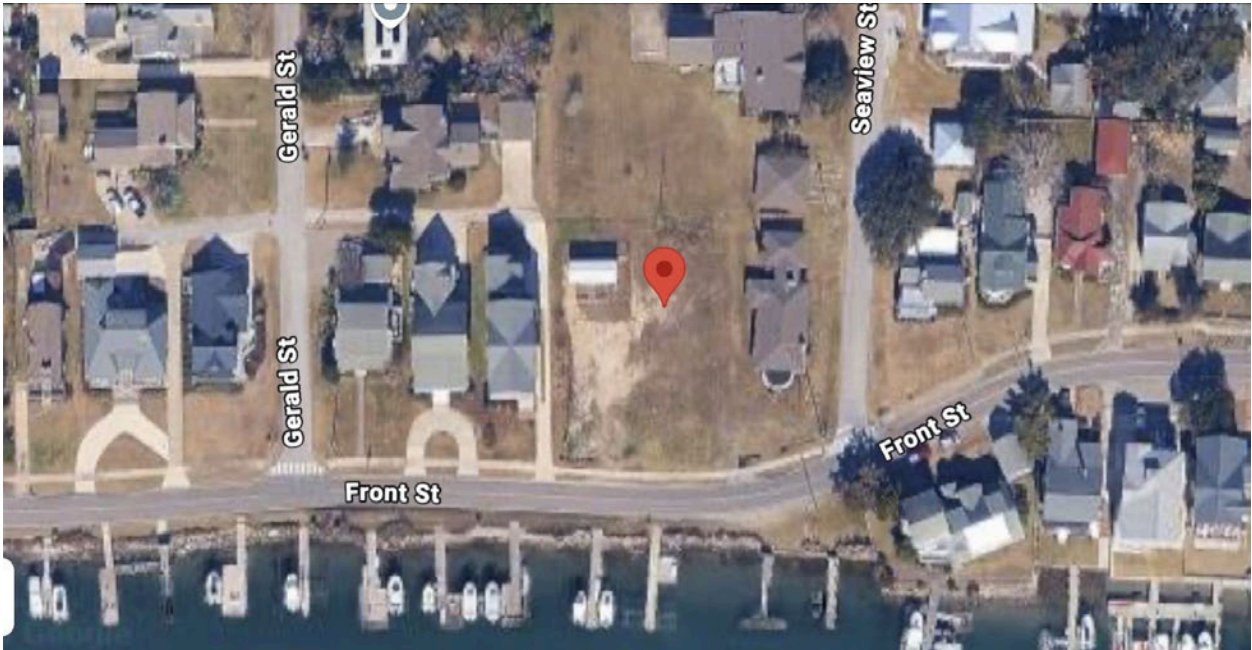
The proposed living space above the garage will remain physically connected to the primary residence through the enclosed skywalk, which provides direct access from the main living area as well as weather-protected access to the garage. The space is intended to function as part of the overall residence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

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

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

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





Town of Beaufort

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



TOWN of
BEAUFORT
NORTH CAROLINA

Permit Number: 20260426

Date Issued: 07/21/2026

New Single Family Dwelling Permit

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

Contractor

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

Permit Details

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

Zoning

Front Setback: 15
Sides Setback: 6
Rear Setback: 25

Easements:
Special Flood Hazard Area: AE8
Present Overlays:

Zoning Conditions:

Fees



PROJECT ADDRESS:
1333 FRONT ST
PORT, NC
28516

PAGE INFORMATION:
LEFT & RIGHT ELEVATIONS

PLANS FOR
BLUE GREEN CONSTRUCTION

CAROLINA
HOME CONCEPTS

DATE: 5/20/18
DRAWN BY: JLB
SCALE: 1/4" = 1'

SHEET: 4



PROJECT ADDRESS:
1333 FRONT ST
PORT, NC
28516

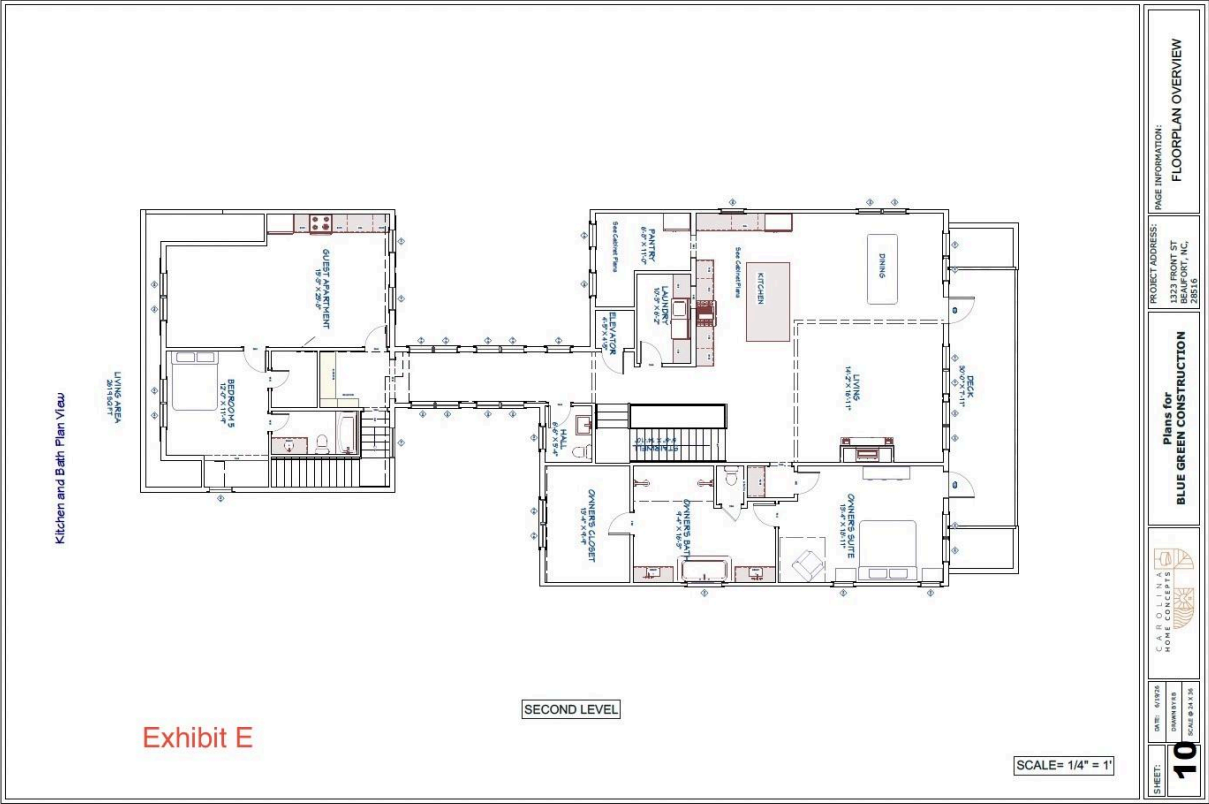
PAGE INFORMATION:
FRONT & REAR ELEVATIONS

PLANS FOR
BLUE GREEN CONSTRUCTION

CAROLINA
HOME CONCEPTS

DATE: 5/20/18
DRAWN BY: JLB
SCALE: 1/4" = 1'

SHEET: 3



Kitchen and Bath Plan View

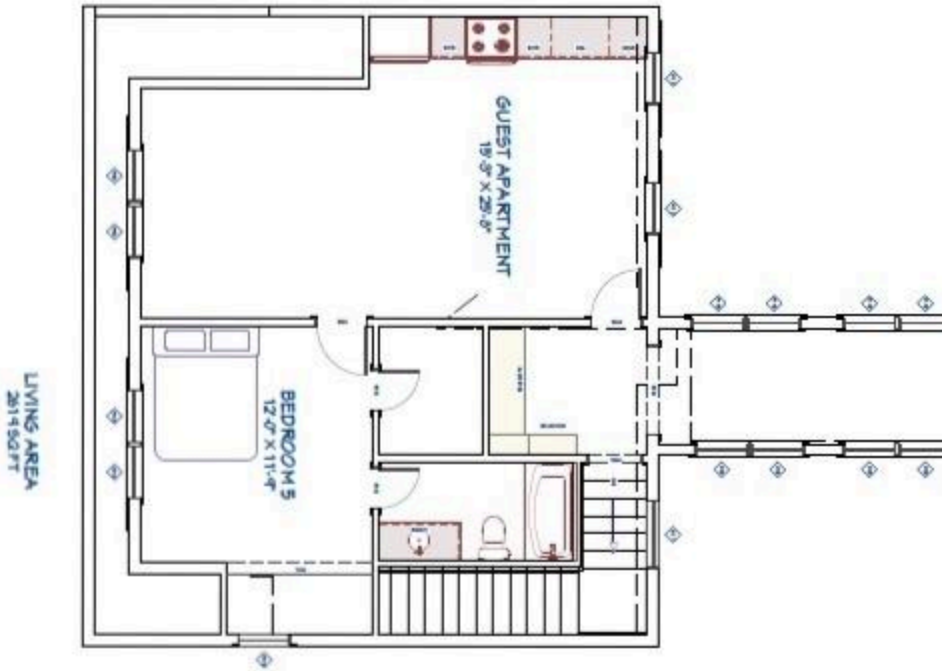


Exhibit F

SECTION 20 Special Use Permits

A) *General.*

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

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

B) *Special Use Permit Application Procedures.*

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

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

C) *Quasi-Judicial Proceeding Notification Requirements.*

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

D) *Procedures on Special Use Applications.*

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

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

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

E) Required Findings.

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

o) Management of the Recreational Vehicle Park.

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

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

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

1) Minimum Lot Size.

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

2) Minimum Lot Width.

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

3) Building Setback and Building Height Requirements and Limitations.

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

Table 7-9 Interior Lot Requirements

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

Table 7-10 Corner Lot Requirements

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

Table 7-11 Double Frontage Lot Requirements

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

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

4) Accessory Building Setback Requirements.

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

5) Permitted Uses.

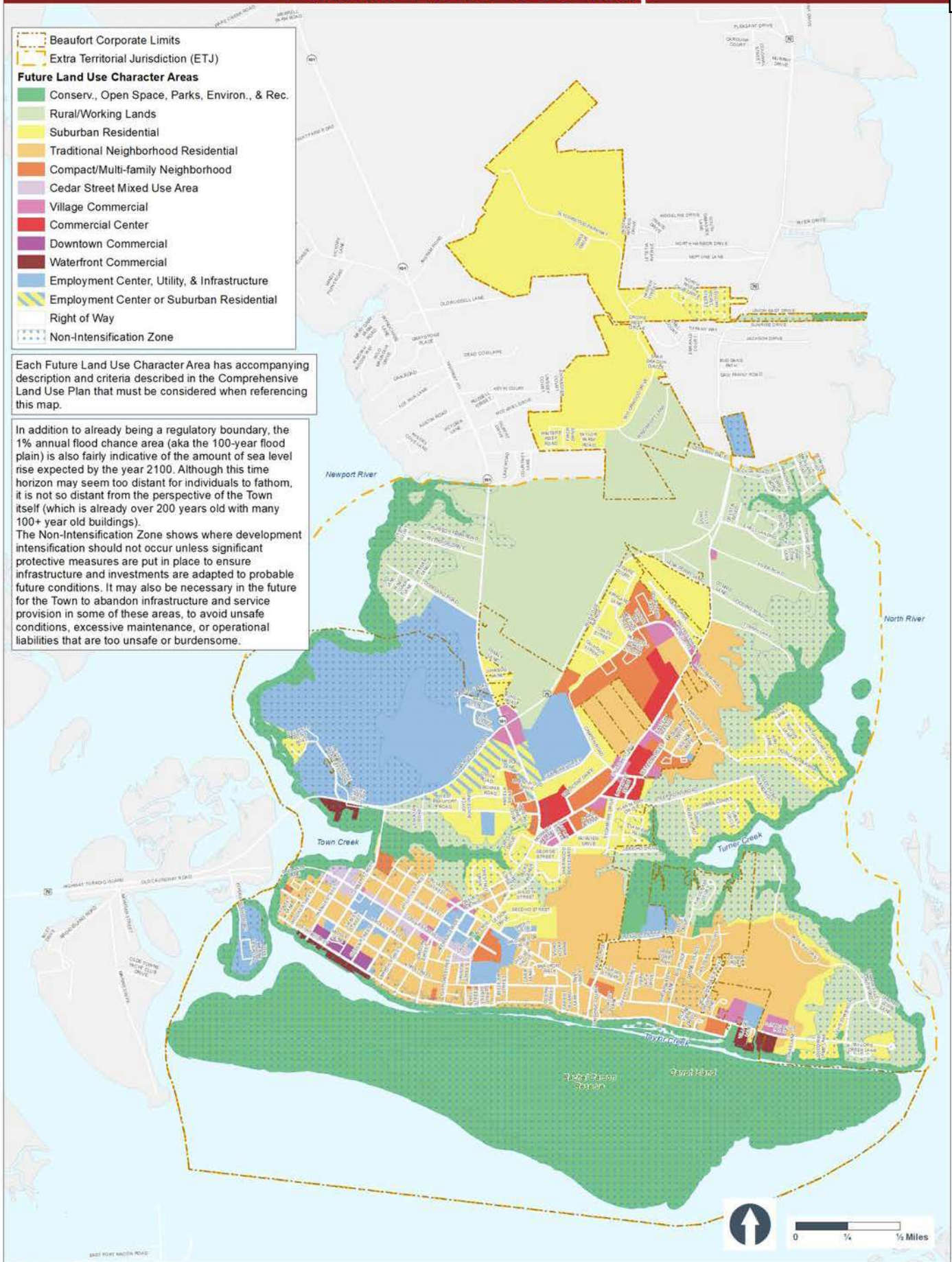
Antenna Co-Location on Existing Tower	Neighborhood Recreation Center, Indoor/Outdoor, Private
Athletic Field, Public	Neighborhood Recreation Center, Public
Carport	Park, Public
Community Garden	Public Utility Facility
Dock	Resource Conservation Area
Dwelling, Single-Family	Shed
Family Care Homes	Swimming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

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

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

Future Land Use Map

1.



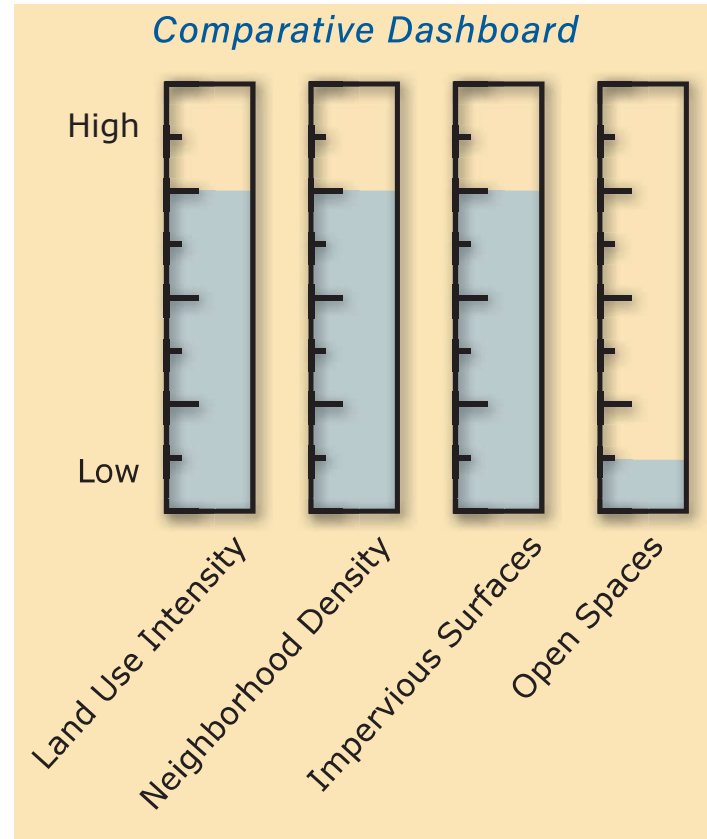
Traditional Neighborhood Residential

General Description:

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

Streets and Circulation:

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



EXAMPLE USES:

Typical Uses:

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

Traditional Neighborhood Residential

Other Concerns:

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



Examples of the traditional neighborhood development style.

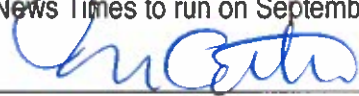


Town of Beaufort
701 Front St. • P.O. Box 390 • Beaufort, N.C. 28516
252-728-2142 • 252-728-3982 fax
www.beaufortnc.org

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

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

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



Signed



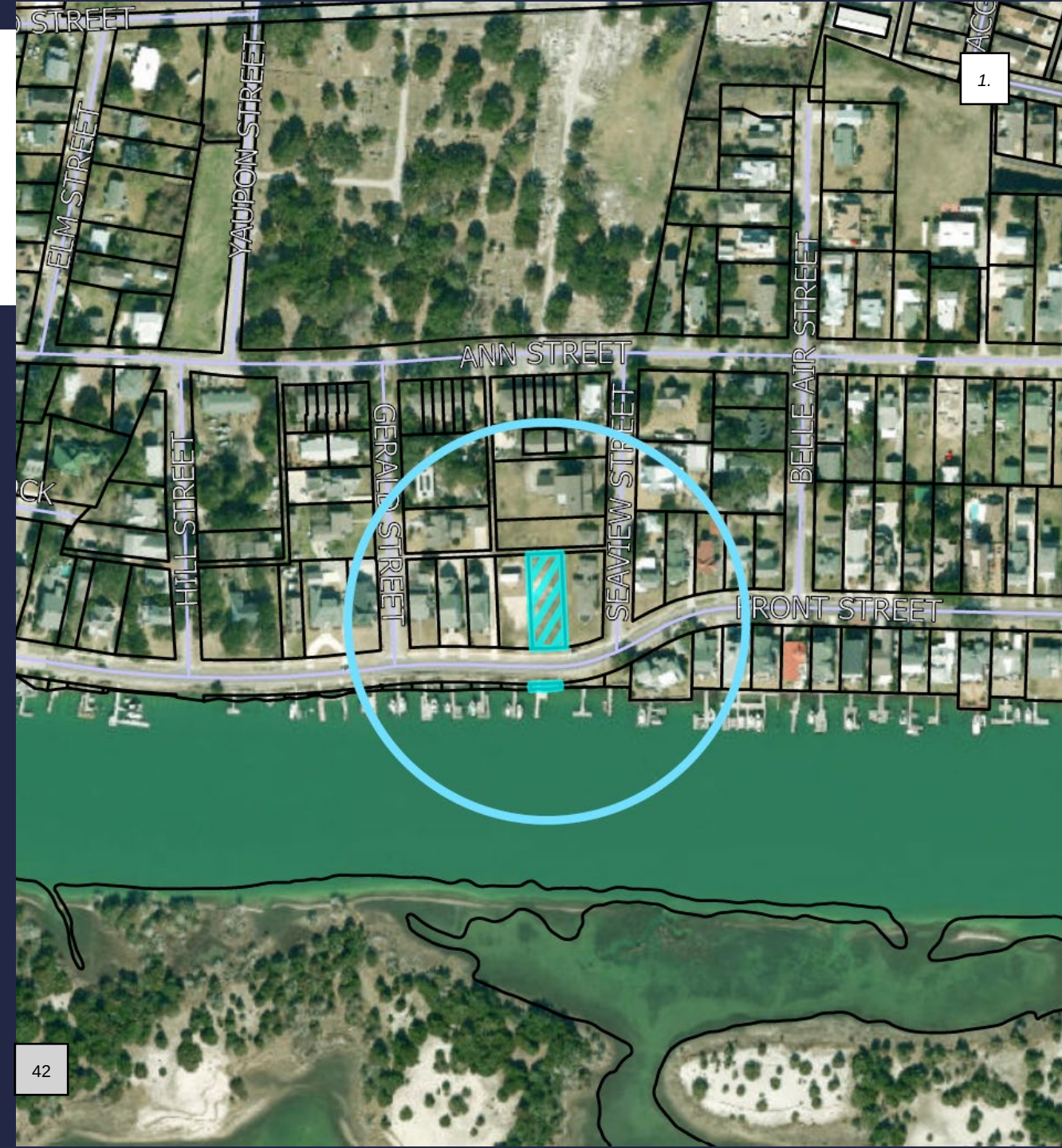
Date

CASE 26-22 SPECIAL USE PERMIT

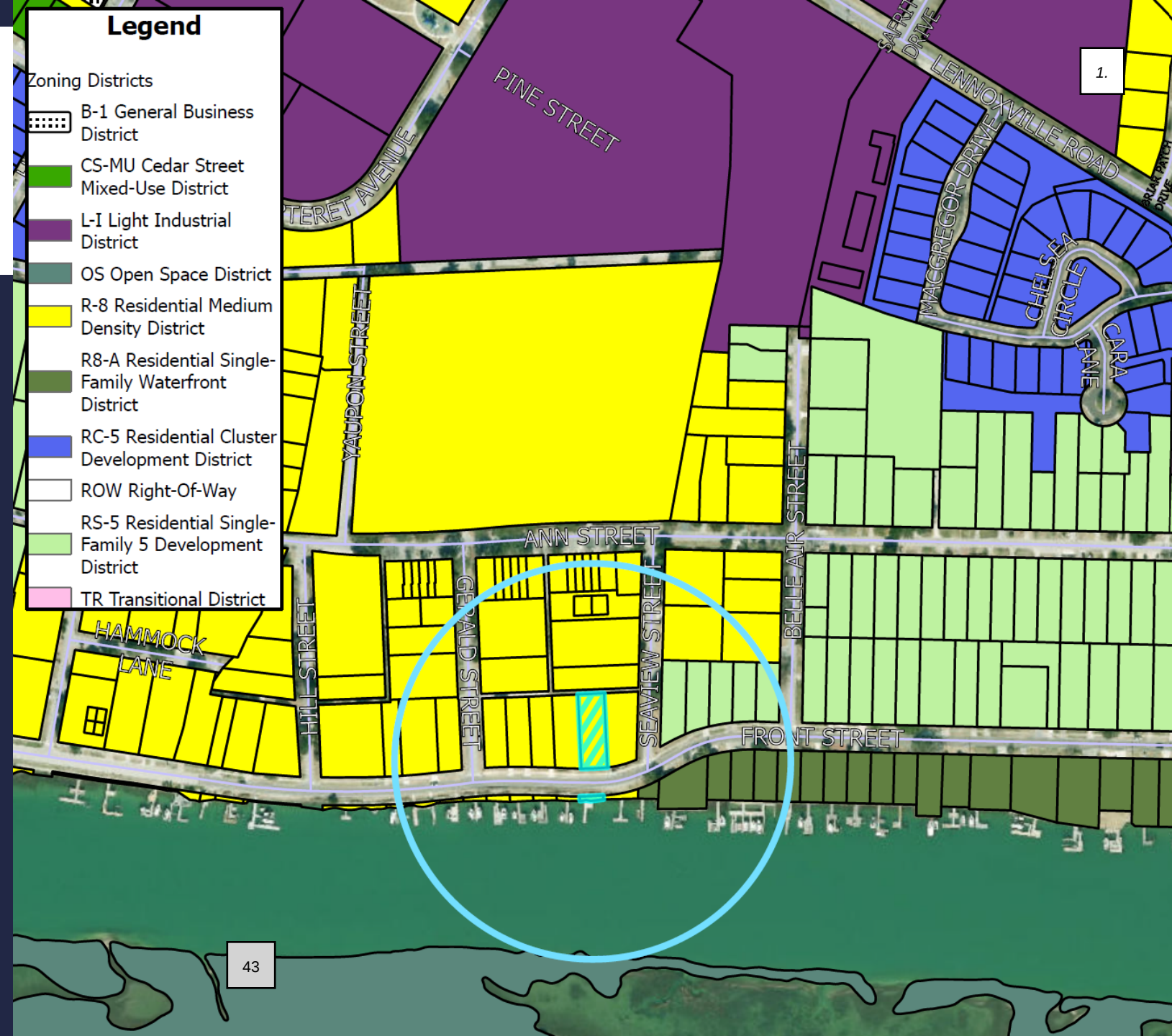
SUP Request for an Accessory Dwelling Unit (ADU)
at 1323 Front Street

CASE 26-22 SUP FOR ADU AT 1323 FRONT ST

<u>Location:</u>	1323 Front Street (PIN 730507585728000)
<u>Property Owner:</u>	AER Commercial Properties LLC (Adolfo Rosales, Manager)
<u>Applicant:</u>	Blue Green Construction (Bruce Brotzman, President)
<u>Zoning District:</u>	Residential Medium Density District (R-8)
<u>LUP Future Land Use:</u>	Traditional Neighborhood Residential
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<u>Size:</u>	0.21 acres/9,400 square feet
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<u>Utilities:</u>	Water and wastewater provided by Town



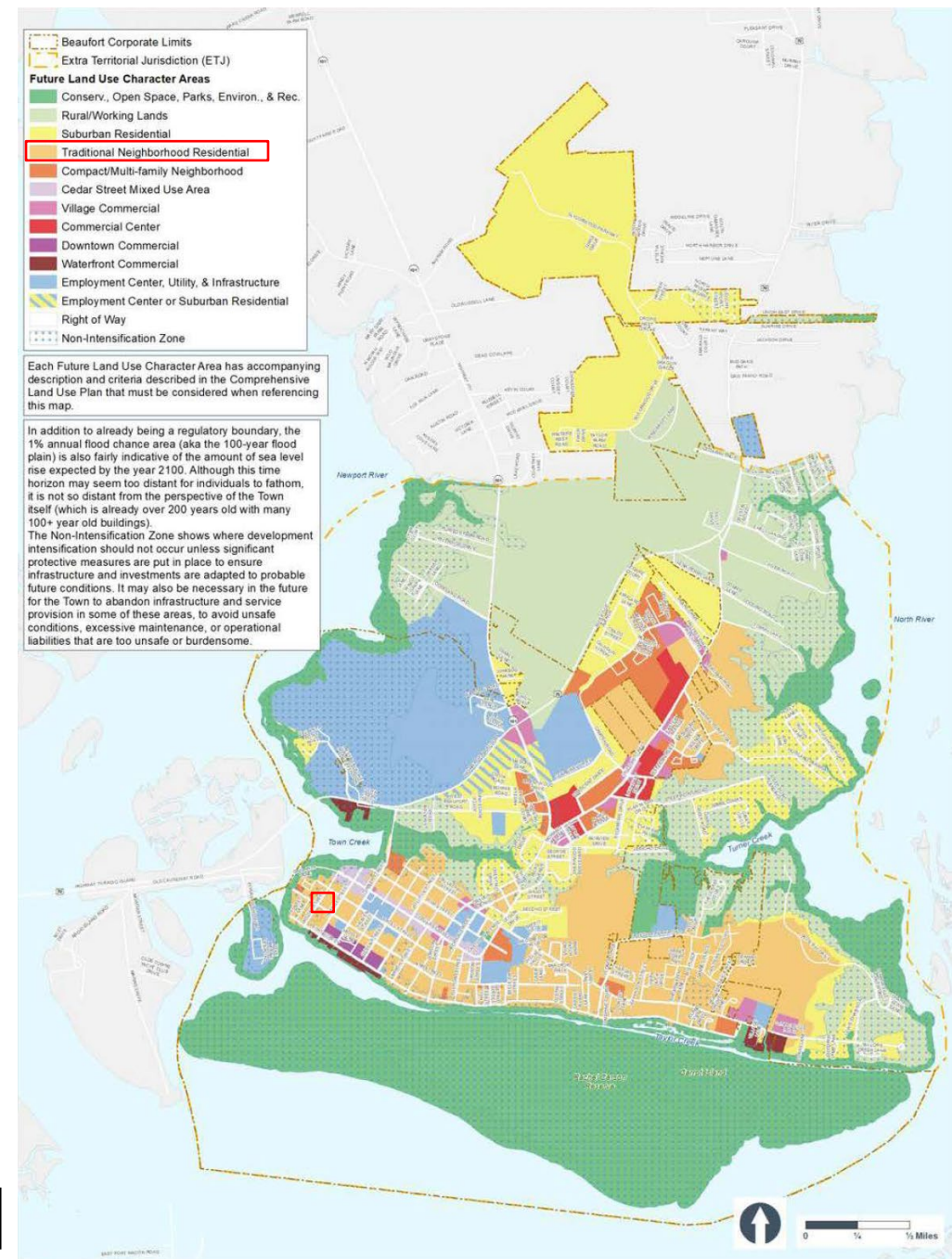
CASE 26-22 SUP FOR ADU AT 1323 FRONT ST



CASE 26-22 SUP FOR ADU AT 1323 FRONT ST

Comprehensive & CAMA Land Use Plan

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



CASE 26-22 SUP FOR ADU AT 1323 FRONT ST

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

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

CASE 26-22 SUP FOR ADU AT 1323 FRONT ST

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

E) *Required Findings.*

- 1) In addition to any other findings or requirements as specified by any other section of this Ordinance, before any application for a special use may be granted or denied, the BOC shall make each of the following findings:
 - a) The proposed use is an allowable special use in the zoning district it is being located within;
 - b) The application is complete;
 - c) The location and character of the use will be in conformity with the Town's Comprehensive and CAMA Land Use Plan and other comprehensive planning elements;
 - d) Streets, driveways, parking lots, traffic control, and any other traffic circulation features shall be designed and provided in accordance with current traffic engineering standards and Town regulations and found to be adequate for the proposed special use;
 - e) The proposed special use will not substantially injure the value of adjoining or abutting properties;
 - f) The proposed special use will be compatible and in harmony with adjoining land uses and the development patterns of the immediate area; and,
 - g) The proposed use will not materially endanger the public health or safety of the community if located where proposed and developed according to the submitted and approved plan.
- 2) The BOC shall make its findings based on "competent, material and substantial evidence" as described in N.C. Gen. Stat. §160D-406 in accordance with the procedures set forth in Section 32 herein.
- 3) Compatibility Standards for Special Uses in Residential Zones:
In deciding whether the architectural elements of the proposed special use in a residential zone will be compatible with the adjoining buildings, the BOC shall review said proposal in reference to the following architectural elements:
 - a) Size (footprint);
 - b) Height;
 - c) Proportion and scale;
 - d) Roof shape(s);
 - e) Setbacks;
 - f) Location, size, and number of openings (doors and windows);
 - g) Materials;
 - h) 47r; and,
 - i) Texture.

CASE 26-22 SUP FOR ADU AT 1323 FRONT ST

Options:

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



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, October 12, 2026

**AGENDA
CATEGORY:**

Items of Consent

SUBJECT:

SUP Order: Case #26-22 Special Use Permit–
1323 Front Street ADU

BRIEF SUMMARY:

At the Board's September 14, 2026, Regular Meeting, an evidentiary hearing was conducted, and a Special Use Permit was granted to establish an Accessory Dwelling Unit (ADU) at 1323 Front Street. The Board will need to review the order and agree to it before it is signed.

REQUESTED ACTION:

Approval of the proposed SUP order.

SUBMITTED BY:

Michelle Eitner
Town Planner

BUDGET AMENDMENT REQUIRED:

N/A



TOWN OF BEAUFORT
ORDER APPROVING A SPECIAL USE PERMIT

The Board of Commissioners for the Town of Beaufort, having held an evidentiary hearing on September 14, 2026, to consider Case # 26-22, a request from BlueGreen Construction, agent for property owner AER Commercial Properties LLC, for a Special Use Permit (SUP) to establish an Accessory Dwelling Unit (ADU) at 1323 Front Street, and having heard all of the evidence and arguments presented at the hearing, makes the following **FINDINGS OF FACT** and draws the following **CONCLUSIONS**:

In accordance with Section 20 of the Town’s Land Development Ordinance, the Board **FINDS** as follows:

a) The proposed use is an allowable special use in the zoning district it is being located within; b) The application is complete; c) the location and character of the use will be in conformity with the Town’s Comprehensive and CAMA Land Use Plan and other comprehensive planning elements; d) Streets, driveways, parking lots, traffic control, and any other traffic circulation features shall be designed and provided in accordance with current traffic engineering standards and Town regulations and found to be adequate for the proposed special use; e) The proposed special use will not substantially injure the value of adjoining or abutting properties; f) The proposed special use will be compatible and in harmony with adjoining land uses and the development patterns of the immediate area; and, g) The proposed use will not materially endanger the public health or safety of the community if located where proposed and developed according to the submitted and approved plan.

Therefore, on the basis of all the foregoing, **IT IS ORDERED** that the application for a **SPECIAL USE PERMIT** be **APPROVED TO ALLOW ESTABLISHMENT OF AN ACCESSORY DWELLING UNIT AT 1323 FRONT STREET**.

Ordered this ____ day of _____, 2026.

Sharon E. Harker, Mayor

Elizabeth Lewis,
Clerk to the Board



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, October 12, 2026
Train Depot, 614 Broad Street
Beaufort, NC 28516

AGENDA CATEGORY: Items of Consent

SUBJECT: Board of Commissioners 2027 Meeting Schedule

REQUESTED ACTION:

Approval of the proposed 2027 Board of Commissioners meeting schedule, including Regular Meetings, Work Sessions, and the annual Board Retreat.

SUBMITTED BY:

Elizabeth Lewis, Assistant Town Manager/Town Clerk

TOWN OF BEAUFORT
BOARD OF
COMMISSIONERS
2027 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 11, 2027	January 25, 2027
February 8, 2027	February 22, 2027
March 8, 2027	March 22, 2027
April 12, 2027	April 26, 2027
May 10, 2027	May 24, 2027
June 14, 2027	June 28, 2027
July 12, 2027	July 26, 2027
August 9, 2027	August 23, 2027
September 13, 2027	September 27, 2027
October 11, 2027	October 25, 2027
November 8, 2027	November 22, 2027
December 13, 2027	*December 20, 2027
	<i>*Moved due to holiday schedule</i>
Time: 6:00 pm	Time: 4:00 pm

Board of Commissioners Annual Retreat: January 28-29, 2027
Carteret Community College Hospitality & Culinary Arts Center
3915 US-70, Morehead City, NC 28557



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, October 12, 2026
614 Broad Street, Beaufort NC

AGENDA CATEGORY: Items of Consent
SUBJECT: Rolling on Middle 2026

BACKGROUND:

Becky Davis, owner of the periwinkle, has submitted a Special Event Permit application to host their annual Rolling on Middle event on Sunday, November 8, 2026. The request includes the closure of Middle Lane from 2-5 PM, an alcohol waiver along Middle Lane for the duration of the event, and additional police staffing for the road closure.

- Closure of Middle Lane for the duration of the event
- An alcohol waiver on Middle Lane for the duration of the event
- Additional PD staffing at the for-hire rate

The applicant has communicated with other business owners along Middle Lane and plans to provide additional notification prior to the event. It was also noted that many businesses along Middle Lane are closed on Sundays.

This request has been reviewed and approved by Town staff. No major issues/concerns have been identified.

REQUESTED ACTION: Approval as presented.

SUBMITTED BY: Jennifer Welborn, Community Engagement Director
Becky Davis, Owner of the periwinkle

BUDGET AMENDMENT REQUIRED:

No

Date Application Received:

4.

Permit Number:



APPLICATION FOR SPECIAL EVENT PERMIT

Please return completed application form with permit fee and paperwork to:

Town of Beaufort

701 Front Street

P.O. Box 390

Beaufort, NC 28516

Phone: (252) 728-2141 ext. 241 Email: [REDACTED]

Applications submitted late or incomplete may not receive approval and may not be issued a permit.

EVENT BASICS

Event Name: __ROLLING ON MIDDLE

Location of Event Site: __middle lane stretch from 110 middle to 127 middle lane ____ (If more than one site is being requested please be specific and list each one individually below) ____ repeat event / bried road closure on middle lane for a skateboarding and bike event on middle lane out front of the periwinkle. ____

Run by: ____the periwinkle

__ Applicant (Organizer) Name: ____beckie davis____ Contact # [REDACTED]

__ Day of Event Contact #: __same____ Email: [REDACTED]

__ Type of Event:

☐

☐ Festival

Parade

5K Race

10K Race

- Music Event
- Other __youth skate event_____

Actual Event Date(s): __Sunday November 8_ Time of Event: __2-5pm_____

Set-Up Date: _____same_____ Start Time: _____2pm_____

- Tear Down Date: _____same_____ End Time: _____5pm_____

Estimated Attendance: _____20-100ppl_____ Admission Fees:

_____free_____ Event Description: _____

- _Finch's Skate Shop Pop Up
- Skateboard Decks, Gear and Apparel Stalls with Backlog Revival
- Tech Deck Comp with Judges and Prizes 3pm
- OPEN SKATE on middle lane

_____event designed to bring _skating to kids in Beaufort, second year event_____

ORGANIZER/APPLICANT INFORMATION

Name of Organization: ____the periwinkle_____ Primary

Contact Person: ____beckie davis_____ Mailing Address:

____110 middle lane_____

Email: _____

Daytime Phone #: _____ Cell Phone #: _____

Alternate Contact Person: _____ Phone #: _____ Is

your group a non-profit organization? ____no ____ If yes, please provide documentation with your application.

SITE PLAN

Site Plan Attached

- Yes
- No

(If you need help, please set up a meeting with the Town of Beaufort's Events Coordinator)

sinclairs

middle lane

periwinkle

A detailed site plan must be included with your event application. The following, should they be relevant, must be included in your Site Plan.

- Location of all tents and temporary structures
- Location of requested barricades and road closures
- Emergency exits
- Fire extinguishers, propane storage
- Location of command post, medical & first aid station, emergency vehicle access points and all exits and entrances (both emergency and for the public)
- Fencing, staging, bleachers, stages, inflatables, etc.
- Food/refreshment tent vendors, refreshment tents
- Food Trucks
- Location of Restrooms
- 5K/10K race routes

If the Site Plan is not submitted with the event application, the deadline is 45 days before the event, otherwise a permit will not be issued.

PARKS & PARKING LOTS REQUESTED

Please mark all that apply:

- East Parking Lot
- West Parking Lot
- Craven Street Parking
- Middle Lane
- John Newton Park
- Lynn Eury Park
- Grayden Paul Park
- Topsail Marine Park
- Other Please list: _____

Specific Requirements: (Extra trash cans/recycling/electrical etc.) Please be specific and include each item on the Site Plan for the desired location. Please note extra charges may apply in accordance to the fee schedule. (Trash/Recycling Carts: \$10 each, Electricity: \$50)

OTHER EVENT DETAILS

4.

Please provide the name and contact information of all outside companies who are providing services during your event. IE: Tent Rentals, Inflatable Rentals, Port-A-Pottie Rentals, etc.

Will there be canon/re-enactment fire during your event? _____ If yes, please coordinate with the Beaufort Fire Department for safety procedures.

ALCOHOL

Alcohol at the event YES ____ NO ____ Attach all required paperwork. Applicant is responsible for obtaining applicable ABC License and Liquor Liability Insurance. Applicant must provide a clearly marked and contained area for alcohol consumption and hire two Town of Beaufort police officers at a rate of \$50 per hour for the duration. (The Police Chief will review the application for exceptions.) All local, state and Federal laws must be adhered to.

I/we have read, understand and will comply with the rules outlined by the Town of Beaufort in the Town Code of Ordinances as well as in the Event Procedures.

X _____ (Applicant's Signature)

ROAD CLOSURES

Does your event require a road closure? ___x___ YES _____ NO

Please provide specifics below:

Road	Set-Up Time	Event Start Time	Finish Time	Tear Down Time
middle lane	nov 8 2pm	nov 8 2pm	nov 8 5pm	nov 8 5pm

If a road closure has any impact on area businesses and/or residents, the applicant will be required to inform all residents and/or businesses in the area of the road closure, by letter or hand-delivered flyer at least 14 days in advance of the event, of the particulars of the approved temporary road closure and any detour route available.

Emergency Vehicle Access Requirements: A road may be closed to regular traffic during an event, but an unobstructed fire lane must be left open at all times for emergency vehicles.

PARKING/PARKING LOTS

4.

Parking lots required for Event set-up: (Please mark on the site map if applicable) (Please note charges may apply. The rate is \$18 per day per space in the East & West parking lots and \$9 per on street parking space per day for special event closure during Pay-To-Park season).

Please list all parking lots and spaces you are requesting. Spaces are numbered so please be specific. Also please note that parking space closures MUST be approved by the Board of Commissioners. Event organizers are not permitted to acquire additional spaces without Town permission prior to an event.

Please list off-site Parking Location for Vendors & Event Staff: A letter of permission is required for the use of private property per the event procedures. Please include this with your event application.

Bicycle Parking: Yes ___x___ No _____

Additional Handicap Parking: Yes _____ No _____ Location: _____

Event Parking: (Please outline your plan for day of parking for event attendees. Please include parking lot locations and the name/contact information for any shuttle/trolley service):

PARADE/WALK INFORMATION

Parade Assembly Area: _____ Time: _____

Parade Dismissal Area: _____ Time: _____

Parade Start Time: _____

EMERGENCY MANAGEMENT

Route Map Attached: _____ YES _____ NO (Please note a route map is required)

Designated Emergency personal/liaison (onsite): _____

Cell #: _____ Other Contact: _____

How will your event staff react to severe weather? _____ if rain or severe weather event cancelled _____

How will you alert visitors to the event to evacuate the site? (If multiple sites are being requested, a plan must be submitted for each location)

RISK ASSESSMENT

It is important for Event Organizers to identify risks and hazards associated with their event and know how to prevent these risks. Please identify possible risks for your event and list below (weather, food, fire, etc.) Please provide details.

What training will you provide to your volunteers/staff/participants regarding emergencies?

TENTS

Will you have tents at your event? _____ YES ___x___ NO

Please list the tent sizes: _____ If your event includes tents, you must make arrangements with the Beaufort Fire Department for a tent permit. There is a \$50 fee. Please contact (252) 728-4325 to make arrangements. The Tent Permit Application and a list of requirements are available online at www.beaufortnc.org.

FOOD

Will there be food served at your event? _____ YES ___x___ NO

If yes, please provide a detailed list of all food vendors.

If yes, have you contacted the Carteret County Health Department to set up inspections? _____ YES ___x___ NO

All food vendors must have proper licensing, inspections, etc.

VENDORS

Will there be vendors selling items at your event? _____ Yes ☒ No

Please note vendors are only permitted to sell during the event hours listed on this application. Any vendor selling before or after the listed hours is in violation and subject to being shut-down.

All vendors must have proper certifications and licenses. They must display the required state sales and use tax information and the event organizer must keep all of this information on file pursuant to North Carolina State laws.

CHECKLIST

Please submit the following documents with your event application. Once all forms (if applicable) are received and the event is approved an Event Permit will be issued.

- ☐ Tent Permit
- ☐ Detailed Site Plan
- ☐ Detailed Route Map (Parade/5K/10K)
- ☐ Map of Road Closures
- ☐ ABC Permit
- ☐ Health Inspection Documentation
- ☐ Insurance
- ☐ Non-profit documentation
- ☐ Private property parking permission letter
- ☐ List of food vendors
- ☐ List of vendors
- ☐ Application Fee
- ☐ Application Signature

I/We the event organizer beckie davis, on behalf of _____ the periwinkle _____, the party requesting the use of the Town of Beaufort facilities noted in the above application do hereby hold and save harmless and agree to indemnify the Town of Beaufort and its elected officials, directors, officers, employees, servants, agents, contractors and their respective heirs, executors, successors with respect to any and all liability, actions, debts, suits, demands, costs, damages and expenses whatsoever arising wither directly or indirectly as a result of the use of the Town of Beaufort's facilities, park, road or other and in accordance with the provisions contained in this policy. I/We have read and understand this application, the event procedures and the requirements placed upon this applicant and organization. I agree to abide by the Town of Beaufort rules, regulations and ordinances.

Applicant's Signature _____ Date 9/30/2026



Internal Use Only

Permission is granted to the applicant and/or sponsoring organization to use the streets/facilities/parks as listed in the application for the special event described.

Permit Issue Date: _____

Authorized Signature: _____

Insurance Certificate: Yes _____ No _____

Permit Fee: Yes _____ No _____

BOC Approval Date: _____

Police Chief Approval: _____

Fire Chief Approval: _____



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, October 12, 2026
614 Broad Street, Beaufort NC**

AGENDA CATEGORY: Items of Consent
SUBJECT: Wobble Down Front 2026

BACKGROUND:

Beaufort Elementary PTO has submitted a Special Event Permit application to host their annual Wobble Down Front 5K and 1 mile run/walk event on Thanksgiving morning, Thursday, November 26, 2026. The request includes set up beginning at 6:30 AM in John Newtown Park, an 8:00 AM event start time, a 10:30 AM tear down, additional police staffing, and a small road closure at the intersection of Craven and Front Streets for the duration of the event.

Town staff met with event organizers on September 28, 2026, to discuss and plan public safety measures. Due to the growth of this event over the years, and with an estimated 200-300 participants and viewers, event organizers agreed to hire additional police officer staff for this year. This application has been reviewed and approved by Town staff.

- Use of John Newton Park
- Craven/Front Street intersection area closure/barricades for the duration of the event
- 2 trash receptacles to be placed in John Newton Park
- Electricity in John Newton Park
- 2 police officers at the for-hire rate for 3 hours each, upon PD discretion
- Amplified sound
- This event will not include any food trucks this year

REQUESTED ACTION: Approval as presented.

SUBMITTED BY: Jennifer Welborn, Community Engagement Director
Brooke Cash, Beaufort Elementary PTO

BUDGET AMENDMENT REQUIRED:

No

Date Application Received:

5.

Permit Number:



TOWN of
BEAUFORT
NORTH CAROLINA

APPLICATION FOR SPECIAL EVENT PERMIT

Please return completed application form with permit fee and paperwork to:

Town of Beaufort

701 Front Street

P.O. Box 390

Beaufort, NC 28516

Phone: (252) 728-2141 ext. 241 Email: [REDACTED]

Applications submitted late or incomplete may not receive approval and may not be issued a permit.

EVENT BASICS

Event Name: Wobble Down Front 5K Race and Fun Run

Location of Event Site: John Newton Park + Front Street

(If more than one site is being requested please be specific and list each one individually below)

Run by: Beaufort Elementary PTO

Applicant (Organizer) Name: Brooke Cash

Contact # [REDACTED]

Day of Event Contact #: [REDACTED]

Email: [REDACTED]

Type of Event:

- ☐ Festival
- ☐ Parade
- ☒ 5K Race
- ☐ 10K Race

☐ Music Event

☐ Other _____

Actual Event Date(s): Nov. 26, 2026 Time of Event: 8:00-10:30 AM

Set-Up Date: Nov. 26, 2026 Start Time: ~~8:00~~ 6:30 AM

Tear Down Date: Nov. 26, 2026 End Time: 10:30 AM

Estimated Attendance: 200-300 Admission Fees: \$25

Event Description:

Wobble Down Front is a 5K Race + 1 mile fun run
benefitting Beaufort Elementary, Beaufort Middle School
and East Carteret HS. Run the East will be assisting
with the race.

ORGANIZER/APPLICANT INFORMATION

Name of Organization: Beaufort Elementary PTO

Primary Contact Person: Brooke Cash

Mailing Address: [REDACTED] BFT 28516

Email: [REDACTED]

Daytime Phone #: [REDACTED] Cell Phone #: same

Alternate Contact Person: Hilary Forsberg Phone #: [REDACTED]

Is your group a non-profit organization? yes If yes, please provide documentation with your application.

SITE PLAN

Site Plan Attached

☒ Yes

☐ No

(If you need help, please set up a meeting with the Town of Beaufort's Events Coordinator)

A detailed site plan must be included with your event application. The following, should they be relevant, must be included in your Site Plan.

- Location of all tents and temporary structures
- Location of requested barricades and road closures
- Emergency exits
- Fire extinguishers, propane storage
- Location of command post, medical & first aid station, emergency vehicle access points and all exits and entrances (both emergency and for the public)
- Fencing, staging, bleachers, stages, inflatables, etc.
- Food/refreshment tent vendors, refreshment tents
- Food Trucks
- Location of Restrooms
- 5K/10K race routes

If the Site Plan is not submitted with the event application, the deadline is 45 days before the event, otherwise a permit will not be issued.

PARKS & PARKING LOTS REQUESTED

Please mark all that apply:

- ☐ East Parking Lot
- ☐ West Parking Lot
- ☐ Craven Street Parking
- ☐ Middle Lane
- ☒ John Newton Park
- ☐ Lynn Eury Park
- ☐ Grayden Paul Park
- ☐ Topsail Marine Park
- ☐ Other Please list: _____

Specific Requirements: (Extra trash cans/recycling/electrical etc.) Please be specific and include each item on the Site Plan for the desired location. Please note extra charges may apply in accordance to the fee schedule.
(Trash/Recycling Carts: \$10 each, Electricity: \$50)

We would like to request electricity in John Newton Park. We would also like 2 additional trash cans for water stations.

OTHER EVENT DETAILS

Please provide the name and contact information of all outside companies who are providing services during your event. IE: Tent Rentals, Inflatable Rentals, Port-A-Pottie Rentals, etc.

Run the East

Will there be canon/re-enactment fire during your event? no If yes, please coordinate with the Beaufort Fire Department for safety procedures.

ALCOHOL

Alcohol at the event YES ☐ NO ☒ Attach all required paperwork. Applicant is responsible for obtaining applicable ABC License and Liquor Liability Insurance. Applicant must provide a clearly marked and contained area for alcohol consumption and hire two Town of Beaufort police officers at a rate of \$50 per hour for the duration. (The Police Chief will review the application for exceptions.) All local, state and Federal laws must be adhered to.
I/we have read, understand and will comply with the rules outlined by the Town of Beaufort in the Town Code of Ordinances as well as in the Event Procedures.

X _____ (Applicant's Signature)

ROAD CLOSURES

Does your event require a road closure? ☒ YES ☐ NO

Please provide specifics below:

intersection

Road	Set-Up Time	Event Start Time	Finish Time	Tear Down Time
Craven st	10:30 Am	8 Am	10 Am	10:30 Am
Front st	6:30 Am	8 Am	10 Am	10:30 Am

If a road closure has any impact on area businesses and/or residents, the applicant will be required to inform all residents and/or businesses in the area of the road closure, by letter or hand-delivered flyer at least 14 days in advance of the event, of the particulars of the approved temporary road closure and any detour route available.

Emergency Vehicle Access Requirements: A road may be closed to regular traffic during an event, but an unobstructed fire lane must be left open at all times for emergency vehicles.

PARKING/PARKING LOTS

Parking lots required for Event set-up: (Please mark on the site map if applicable) (Please note charges may apply. The rate is \$18 per day per space in the East & West parking lots and \$9 per on street parking space per day for special event closure during Pay-To-Park season).

Please list all parking lots and spaces you are requesting. Spaces are numbered so please be specific. Also please note that parking space closures MUST be approved by the Board of Commissioners. Event organizers are not permitted to acquire additional spaces without Town permission prior to an event.

Ø

Please list off-site Parking Location for Vendors & Event Staff: A letter of permission is required for the use of private property per the event procedures. Please include this with your event application.

Ø

Bicycle Parking: Yes _____ No Ø

Additional Handicap Parking: Yes _____ No Ø Location: _____

Event Parking: (Please outline your plan for day of parking for event attendees. Please include parking lot locations and the name/contact information for any shuttle/trolley service):

Participants will park in public spaces downtown.

PARADE/WALK INFORMATION

none

Parade Assembly Area: _____ Time: _____

Parade Dismissal Area: _____ Time: _____

Parade Start Time: _____

EMERGENCY MANAGEMENT

Route Map Attached: ✓ YES _____ NO (Please note a route map is required)

Designated Emergency personal/liaison (onsite): Brooke Cash

Cell # [REDACTED] Other Contact: Hilary Forsberg

How will your event staff react to severe weather?

If severe weather occurs that is a threat to safety, the event will be shut down.

How will you alert visitors to the event to evacuate the site? (If multiple sites are being requested, a plan must be submitted for each location)

We will have a sound system with microphone to alert participants to evacuate.

RISK ASSESSMENT

It is important for Event Organizers to identify risks and hazards associated with their event and know how to prevent these risks. Please identify possible risks for your event and list below (weather, food, fire, etc.) Please provide details.

We understand that typical running injuries can occur in a race environment. We plan to have a protocol for contacting emergency services in case of severe injury.

What training will you provide to your volunteers/staff/participants regarding emergencies?

All volunteers will have phones for communication purposes + will have the ability to call emergency services.

TENTS

Will you have tents at your event? _____ YES ☒ NO

Please list the tent sizes: _____

If your event includes tents, you must make arrangements with the Beaufort Fire Department for a tent permit. There is a \$50 fee. Please contact (252) 728-4325 to make arrangements. The Tent Permit Application and a list of requirements are available online at www.beaufortnc.org.

FOOD

Will there be food served at your event? _____ YES ☒ NO

If yes, please provide a detailed list of all food vendors.

If yes, have you contacted the Carteret County Health Department to set up inspections? _____ YES _____ NO

All food vendors must have proper licensing, inspections, etc.

VENDORS

Will there be vendors selling items at your event? _____ Yes ☒ No

Please note vendors are only permitted to sell during the event hours listed on this application. Any vendor selling before or after the listed hours is in violation and subject to being shut-down.

All vendors must have proper certifications and licenses. They must display the required state sales and use tax information and the event organizer must keep all of this information on file pursuant to North Carolina State laws.

CHECKLIST

Please submit the following documents with your event application. Once all forms (if applicable) are received and the event is approved an Event Permit will be issued.

- ☐ Tent Permit
- ☐ Detailed Site Plan
- ☐ Detailed Route Map (Parade/5K/10K)
- ☐ Map of Road Closures
- ☐ ABC Permit
- ☐ Health Inspection Documentation
- ☐ Insurance
- ☐ Non-profit documentation
- ☐ Private property parking permission letter
- ☐ List of food vendors
- ☐ List of vendors
- ☐ Application Fee
- ☐ Application Signature

I/We the event organizer Brooke Cash, on behalf of Beaufort Elementary PTO, the party requesting the use of the Town of Beaufort facilities noted in the above application do hereby hold and save harmless and agree to indemnify the Town of Beaufort and its elected officials, directors, officers, employees, servants, agents, contractors and their respective heirs, executors, successors with respect to any and all liability, actions, debts, suits, demands, costs, damages and expenses whatsoever arising wither directly or indirectly as a result of the use of the Town of Beaufort's facilities, park, road or other and in accordance with the provisions contained in this policy. I/We have read and understand this application, the event procedures and the requirements placed upon this applicant and organization. I agree to abide by the Town of Beaufort rules, regulations and ordinances.

Applicant's Signature Brooke J. Cash Date 9/22/20

Internal Use Only

Permission is granted to the applicant and/or sponsoring organization to use the streets/facilities/parks as listed in the application for the special event described.

Permit Issue Date: _____
Authorized Signature: _____

Insurance Certificate: Yes _____ No _____

Permit Fee: Yes _____ No _____

BOC Approval Date: _____

Police Chief Approval: _____

Fire Chief Approval: _____



Crystal Coast Run/Walk for Autism

John Newton Park, 500 Front Street
Beaufort, NC 28516

5K Course Map

SPLITS

Mile 1 - At 1506 Front St

Mile 2 - At 1531 Front St

Mile 3 - On Front St 50' East of Craven St

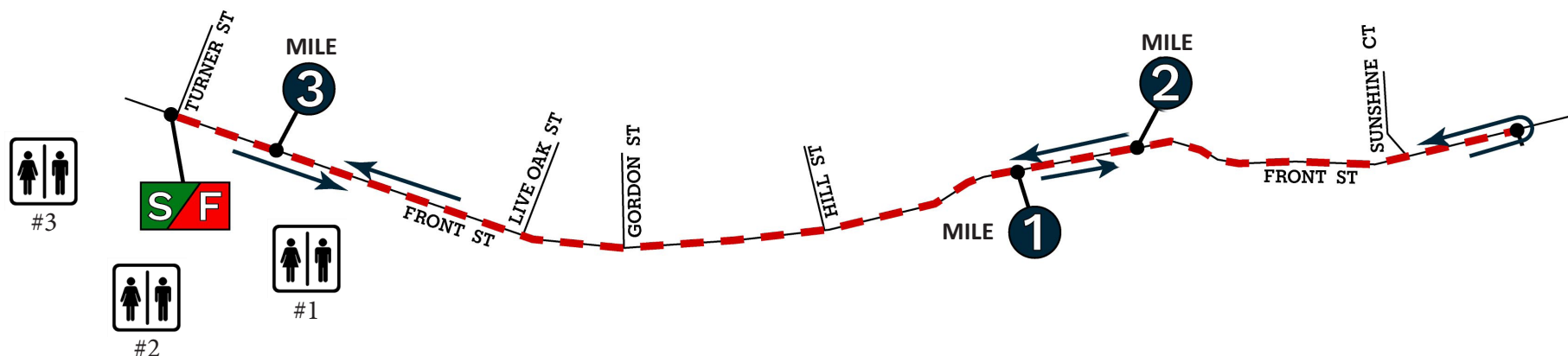
ROUTE

Start on Front St

Proceed East

Turn-Around on Front St

Finish on Front St



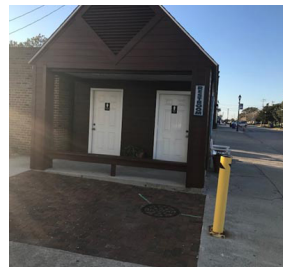
1. Public Restrooms in front of the Dock House, next to John Newton Park.
2. Public Restrooms on the corner of Front & Turner St, next to the starting line
3. Public Restrooms at the Harborside Park NC Maritime Museum, a block up from the starting line, two blocks up from John Newton Park

1.



70

2.



3.





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, October 12, 2026 614 Broad Street, Beaufort NC

AGENDA CATEGORY: Items of Consent
SUBJECT: Pirate Invasion 2026

BACKGROUND:

Beaufort Pirate Invasion has submitted a Special Event Permit application to host their annual Pirate Invasion event on Friday, November 13, 2026. This year, a majority of the event will be held at Gallants Channel, but a portion (Parlay in the Park) will still be hosted in downtown Beaufort.

November 13, 2026 (Friday)

- Use of Lynn Eury and Grayden Paul Parks from 4 – 5 PM, event at 4:30 PM
- The pirates will be boating up Taylor's Creek from Gallants Channel to Grayden Paul Park, where they will perform their drama
- Dinghy docks closed to the public for Pirate boat staging
- Staff will lower or relocate the police and fire boats
- There will be several cannon firings and amplified sound during this event
- On-duty Police staff to block off parking spaces in front of Lynn Eury and Grayden Paul Parks for additional space, but no official street closure needed
- This event will not include any food trucks, vendors, or encampments as in years past

November 14-15, 2026 (Saturday & Sunday)

- Various events at Gallant's Channel
- Town staff, PD, and Fire are aware that there will be increased traffic in this area

Town staff met with event organizers on September 14, 2026, to discuss and plan this event. This application has been reviewed and approved by Town staff. No major issues/concerns have been identified.

REQUESTED ACTION: Approval as presented.

SUBMITTED BY: Jennifer Welborn, Community Engagement Director
Captain Carl Cannon, Organizer, Beaufort Pirate Invasion

BUDGET AMENDMENT REQUIRED: No

Date Application Received:

Permit Number:



TOWN of
BEAUFORT
NORTH CAROLINA

APPLICATION FOR SPECIAL EVENT PERMIT

Please return completed application form with permit fee and paperwork to:

Town of Beaufort
701 Front Street
P.O. Box 390
Beaufort, NC 28516

Phone: (252) 728-2141 ext. 241 Email: [REDACTED]

Applications submitted late or incomplete may not receive approval and may not be issued a permit.

EVENT BASICS

Event Name: BEAUFORT PIRATE INVASION 2026

Location of Event Site: EURY + GRAYDON PAUL DOCK

(If more than one site is being requested please be specific and list each one individually below)

Run by: BEAUFORT PIRATE INVASION INC. (501 C-3)

Applicant (Organizer) Name: CAPT. CARL CANNON Contact # [REDACTED]

Day of Event Contact #: SAME Email: [REDACTED]

Type of Event:

- ☐ Festival
- ☐ Parade
- ☐ 5K Race
- ☐ 10K Race

☐ Music Event

☒ Other ANNUAL INVASION

Actual Event Date(s): 11-13-2026 Time of Event: 4:30 PM

Set-Up Date: 11-13-2026 Start Time: 4:00 PM

Tear Down Date: SAME End Time: 5:00 PM

Estimated Attendance: UNKNOWN Admission Fees: NONE

Event Description:

ANNUAL PIRATE INVASION LANDING AND ATTACK ON TOWN.
LOCAL MILITIA WILL REPEL PIRATES AS THEY COME ASHORE.
ALL ACTION WILL TAKE PLACE BEHIND FENCE IN EURY PARK.
SEA BATTLE WILL BE VISIBLE ALL ALONG FRONT STREET. MAIN
EVENT SATURDAY AND SUNDAY WILL BE AT GALLANTS CHANNEL
ANNEX.

ORGANIZER/APPLICANT INFORMATION

Name of Organization: BEAUFORT PIRATE INVASION INC.

Primary Contact Person: CAPT. CARL CANNON JR.

Mailing Address: [REDACTED] BEAUFORT NC 28516

Email: [REDACTED]

Daytime Phone #: [REDACTED] Cell Phone #: SAME

Alternate Contact Person: JO CANNON Phone #: [REDACTED]

Is your group a non-profit organization? YES If yes, please provide documentation with your application.

SITE PLAN

Site Plan Attached

☒ Yes

☐ No

(If you need help, please set up a meeting with the Town of Beaufort's Events Coordinator)

A detailed site plan must be included with your event application. The following, should they be relevant, must be included in your Site Plan.

- Location of all tents and temporary structures
- Location of requested barricades and road closures
- Emergency exits
- Fire extinguishers, propane storage
- Location of command post, medical & first aid station, emergency vehicle access points and all exits and entrances (both emergency and for the public)
- Fencing, staging, bleachers, stages, inflatables, etc.
- Food/refreshment tent vendors, refreshment tents
- Food Trucks
- Location of Restrooms
- 5K/10K race routes

If the Site Plan is not submitted with the event application, the deadline is 45 days before the event, otherwise a permit will not be issued.

PARKS & PARKING LOTS REQUESTED

Please mark all that apply:

- ☐ East Parking Lot
- ☐ West Parking Lot
- ☐ Craven Street Parking
- ☐ Middle Lane
- ☐ John Newton Park
- ☒ Lynn Eury Park
- ☒ Grayden Paul Park
- ☐ Topsail Marine Park
- ☐ Other Please list: _____

Specific Requirements: (Extra trash cans/recycling/electrical etc.) Please be specific and include each item on the Site Plan for the desired location. Please note extra charges may apply in accordance to the fee schedule.

(Trash/Recycling Carts: \$10 each, Electricity: \$50)

NO SPECIAL REQUIREMENTS EXCEPT AS
DISCUSSED WITH BEAUFORT P.O. CONCERNING
TRAFFIC SITUATIONS DURING EVENT

OTHER EVENT DETAILS

Please provide the name and contact information of all outside companies who are providing services during your event. IE: Tent Rentals, Inflatable Rentals, Port-A-Pottie Rentals, etc.

N/A

Will there be canon/re-enactment fire during your event? AYE! If yes, please coordinate with the Beaufort Fire Department for safety procedures.

ALCOHOL

Alcohol at the event YES ____ NO ☒ Attach all required paperwork. Applicant is responsible for obtaining applicable ABC License and Liquor Liability Insurance. Applicant must provide a clearly marked and contained area for alcohol consumption and hire two Town of Beaufort police officers at a rate of \$50 per hour for the duration. (The Police Chief will review the application for exceptions.) All local, state and Federal laws must be adhered to.

I/we have read, understand and will comply with the rules outlined by the Town of Beaufort in the Town Code of Ordinances as well as in the Event Procedures.

X N/A (Applicant's Signature)

ROAD CLOSURES

Does your event require a road closure? ☒ YES ____ NO

Please provide specifics below:

Road	Set-Up Time	Event Start Time	Finish Time	Tear Down Time
FRONT ST 700	—	4:30 PM	5:00 PM	—

If a road closure has any impact on area businesses and/or residents, the applicant will be required to inform all residents and/or businesses in the area of the road closure, by letter or hand-delivered flyer at least 14 days in advance of the event, of the particulars of the approved temporary road closure and any detour route available.

Emergency Vehicle Access Requirements: A road may be closed to regular traffic during an event, but an unobstructed fire lane must be left open at all times for emergency vehicles.

PARKING/PARKING LOTS

Parking lots required for Event set-up: (Please mark on the site map if applicable) (Please note charges may apply. The rate is \$18 per day per space in the East & West parking lots and \$9 per on street parking space per day for special event closure during Pay-To-Park season).

Please list all parking lots and spaces you are requesting. Spaces are numbered so please be specific. Also please note that parking space closures MUST be approved by the Board of Commissioners. Event organizers are not permitted to acquire additional spaces without Town permission prior to an event.

WE REFER TO P.D. SUGGESTION OF USING ALL SPACES IN FRONT OF PARK.

Please list off-site Parking Location for Vendors & Event Staff: A letter of permission is required for the use of private property per the event procedures. Please include this with your event application.

Bicycle Parking: Yes ☒ No ☐

Additional Handicap Parking: Yes ☐ No ☒ Location: _____

Event Parking: (Please outline your plan for day of parking for event attendees. Please include parking lot locations and the name/contact information for any shuttle/trolley service):

AVAILABLE PARKING SPACES

PARADE/WALK INFORMATION

Parade Assembly Area: _____ Time: _____

Parade Dismissal Area: _____ Time: _____

Parade Start Time: _____

EMERGENCY MANAGEMENT

Route Map Attached: ☒ YES ☐ NO (Please note a route map is required)

Designated Emergency personal/liaison (onsite): TBD

Cell #: _____ Other Contact: _____

How will your event staff react to severe weather?

CANCEL IF NECESSARY

How will you alert visitors to the event to evacuate the site? (If multiple sites are being requested, a plan must be submitted for each location)

LOUD SPEAKER

RISK ASSESSMENT

It is important for Event Organizers to identify risks and hazards associated with their event and know how to prevent these risks. Please identify possible risks for your event and list below (weather, food, fire, etc.) Please provide details.

NO RISKS ANTICIPATED

What training will you provide to your volunteers/staff/participants regarding emergencies?

ALL PERSONNEL ARE REGULAR PERFORMERS AND VOLUNTEERS.
WE WILL HAVE SAFETY MEETING PRIOR.

TENTS

Will you have tents at your event? ☐ YES ☒ NO

Please list the tent sizes: _____

If your event includes tents, you must make arrangements with the Beaufort Fire Department for a tent permit.

There is a \$50 fee. Please contact (252) 728-4325 to make arrangements. The Tent Permit Application and a list of requirements are available online at www.beaufortnc.org.

FOOD

Will there be food served at your event? ☐ YES ☒ NO

If yes, please provide a detailed list of all food vendors.

If yes, have you contacted the Carteret County Health Department to set up inspections? ☐ YES ☐ NO

All food vendors must have proper licensing, inspections, etc.

VENDORS

Will there be vendors selling items at your event? _____ Yes ☒ No

Please note vendors are only permitted to sell during the event hours listed on this application. Any vendor selling before or after the listed hours is in violation and subject to being shut-down.

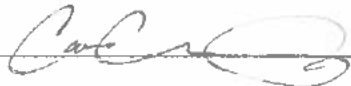
All vendors must have proper certifications and licenses. They must display the required state sales and use tax information and the event organizer must keep all of this information on file pursuant to North Carolina State laws.

CHECKLIST

Please submit the following documents with your event application. Once all forms (if applicable) are received and the event is approved an Event Permit will be issued.

- ☐ Tent Permit
- ☐ Detailed Site Plan
- ☐ Detailed Route Map (Parade/5K/10K)
- ☐ Map of Road Closures
- ☐ ABC Permit
- ☐ Health Inspection Documentation
- ☐ Insurance
- ☐ Non-profit documentation
- ☐ Private property parking permission letter
- ☐ List of food vendors
- ☐ List of vendors
- ☐ Application Fee
- ☐ Application Signature

I/We the event organizer Capt Carl Cannon Jr, on behalf of BEAUFORT PIRATE INVASION, the party requesting the use of the Town of Beaufort facilities noted in the above application do hereby hold and save harmless and agree to indemnify the Town of Beaufort and its elected officials, directors, officers, employees, servants, agents, contractors and their respective heirs, executors, successors with respect to any and all liability, actions, debts, suits, demands, costs, damages and expenses whatsoever arising wither directly or indirectly as a result of the use of the Town of Beaufort's facilities, park, road or other and in accordance with the provisions contained in this policy. I/We have read and understand this application, the event procedures and the requirements placed upon this applicant and organization. I agree to abide by the Town of Beaufort rules, regulations and ordinances.

Applicant's Signature  Date 9-24-2024

Internal Use Only

Permission is granted to the applicant and/or sponsoring organization to use the streets/facilities/parks as listed in the application for the special event described.

Permit Issue Date: _____
Authorized Signature: _____

Insurance Certificate: Yes _____ No _____
Permit Fee: Yes _____ No _____
BOC Approval Date: _____
Police Chief Approval: _____
Fire Chief Approval: _____

FRIDAY 13TH 4:30 TO 5:00PM
NOVEMBER 2020

TWO SHIPS ENTER AND
ATTACK WATER FRONT

DOCKS
FIGHTING

TAYLOR'S CREEK WATER

PIRATES AND MILITIA FIGHT HERE

FENCE

G.P. PARK

GUY PARK

SIDEWALK

ST. JAMES

ST. JAMES

ST. JAMES



MISSION STATEMENT OF THE BEAUFORT PIRATE INVASION INC.

OUR MISSION, PURPOSE, AND OBJECTIVES ARE AS FOLLOWS.

MISSION: TO CARRY ON THE LONGSTANDING TRADITION OF COMMEMORATING THE SPANISH ATTACK OF 1747, THE LEGACY OF EDWARD TEACH ALSO KNOWN AS BLACKBEARD, AND THE QUEEN ANNES REVENGE, WHICH LIES SUNK OFF BEAUFORT INLET BY ORGANIZING, FUNDING, AND HOSTING THE BEAUFORT PIRATE INVASION ANNUALLY.

PURPOSE: TO PRESERVE AND CELEBRATE OUR HISTORICAL CULTURAL HERITAGE FROM OUR COLONIAL ROOTS. TO EDUCATE AND ENTERTAIN BY REENACTMENT OF THOSE EVENTS. TO HELP BRING TOURISM TO OUR SHORES FOR THE BENEFIT OF OUR TOWN AND COUNTY.

OBJECTIVES: TO SUPPORT OTHERS WHO SHARE IN OUR MISSION. TO GO OUT AND FUNDRAISE TO SUPPORT OUR LOCAL EVENT. TO GIVE A CHARITABLE DONATION TO A WORTHY CAUSE FROM THE PROCEEDS OF OUR ANNUAL EVENT IN BEAUFORT. TO WORK AS A CREW MEMBER AT OTHER EVENTS, HOME AND ABROAD WHICH PROCEEDS GO TO BPI TO SUPPORT OUR MISSION.

P. O. BOX 2508
CINCINNATI, OH 45201

ORIGINAL

6.

Date: JUN 02 2017

BEAUFORT PIRATE INVASION INC
PO BOX 951
BEAUFORT, NC 28516-0000

Employer Identification Number:

DLN:

Contact Person:

CUSTOMER SERVICE

ID# 31954

Contact Telephone Number:

(877) 829-5500

Accounting Period Ending:

December 31

Public Charity Status:

509(a)(2)

Form 990/990-EZ/990-N Required:

Yes

Effective Date of Exemption:

May 23, 2017

Contribution Deductibility:

Yes

Addendum Applies:

No

Dear Applicant:

We're pleased to tell you we determined you're exempt from federal income tax under Internal Revenue Code (IRC) Section 501(c)(3). Donors can deduct contributions they make to you under IRC Section 170. You're also qualified to receive tax deductible bequests, devises, transfers or gifts under Section 2055, 2106, or 2522. This letter could help resolve questions on your exempt status. Please keep it for your records.

Organizations exempt under IRC Section 501(c)(3) are further classified as either public charities or private foundations. We determined you're a public charity under the IRC Section listed at the top of this letter.

If we indicated at the top of this letter that you're required to file Form 990/990-EZ/990-N, our records show you're required to file an annual information return (Form 990 or Form 990-EZ) or electronic notice (Form 990-N, the e-Postcard). If you don't file a required return or notice for three consecutive years, your exempt status will be automatically revoked.

If we indicated at the top of this letter that an addendum applies, the enclosed addendum is an integral part of this letter.

For important information about your responsibilities as a tax-exempt organization, go to www.irs.gov/charities. Enter "4221-PC" in the search bar to view Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, which describes your recordkeeping, reporting, and disclosure requirements.

Letter 947

-2-

BEAUFORT PIRATE INVASION INC

Sincerely,

*Stephen A. Martin*Director, Exempt Organizations
Rulings and Agreements

Letter 947



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, October 12, 2026
614 Broad Street, Beaufort NC

AGENDA CATEGORY: Items of Consent
SUBJECT: Race to the North Pole 2026

BACKGROUND:

The Holland Shepherd Group has submitted a Special Event Permit application to host their annual Race to the North Pole fundraising event on Saturday, December 12, 2026 in the Western Parking Lot in Downtown Beaufort. The request includes:

- Closure of the West Parking Lot from 7:00 AM – 1:00 PM
- Event from 10:00 – 11:00 AM
- No food, vendors, alcohol, tents, trash cans, electricity, or any other town needs
- Police Department to utilize on-duty police officers for this event

This longstanding event anticipates an estimated attendance of 100-150 people. The proposed event is from 10:00 – 11:00 AM with setup beginning at 7:00 AM and breakdown ending by 1:00 PM. During the event, local celebrities race tricycles in the parking lot and the community donates bicycles on behalf of the participants.

This application has been reviewed and approved by Town staff. No major issues/concerns have been identified.

REQUESTED ACTION: Approval as presented.

SUBMITTED BY: Jennifer Welborn, Community Engagement Director
Beth Holland, The Holland Shepard Group

BUDGET AMENDMENT REQUIRED:

No

Date Application Received:

Permit Number:



TOWN of
BEAUFORT
NORTH CAROLINA

2026

APPLICATION FOR SPECIAL EVENT PERMIT

Please return completed application form with permit fee and paperwork to:

Town of Beaufort
701 Front Street
P.O. Box 390
Beaufort, NC 28516

Phone: (252) 728-2141 ext. 241 Email: [REDACTED]

Applications submitted late or incomplete may not receive approval and may not be issued a permit.

EVENT BASICS

Event Name: Race to the North Pole

Location of Event Site: West Parking Lot

(If more than one site is being requested please be specific and list each one individually below)

Run by: Holland Shepard Group Real Estate

Applicant (Organizer) Name: Beth Shepard Contact # [REDACTED]

Day of Event Contact #: [REDACTED] Email: [REDACTED]

Type of Event:

- ☐ Festival
- ☐ Parade
- ☐ 5K Race
- ☐ 10K Race

☐ Music Event

☒ Other Tricycle Race / Fundraiser - Bike Drive for Toys for Tots

Actual Event Date(s): 12/12/26 Time of Event: 10-11 am

Set-Up Date: 12/12/26 Start Time: 7 am

Tear Down Date: 12/12/26 End Time: 1 pm

Estimated Attendance: 100-150 Admission Fees: None

Event Description:

Annual fundraiser event to collect bicycles for Toys for Tots. Local celebrities will race kid-sized tricycles in a series of heats. The heat winners will race to determine the over-all winner. This is the 13th year of the race to the North Pole. 287 bicycles were collected last year for Toys for Tots.

ORGANIZER/APPLICANT INFORMATION

Name of Organization: Holland Shepard Group Real Estate

Primary Contact Person: Beth Shepard

Mailing Address: [REDACTED] Beaufort NC 28516

Email: [REDACTED]

Daytime Phone #: [REDACTED] Cell Phone #: [REDACTED]

Alternate Contact Person: Micah Shepard Phone #: [REDACTED]

Is your group a non-profit organization? No If yes, please provide documentation with your application.

SITE PLAN

Site Plan Attached

☒ Yes

☐ No

(If you need help, please set up a meeting with the Town of Beaufort's Events Coordinator)

A detailed site plan must be included with your event application. The following, should they be relevant, must be included in your Site Plan.

- Location of all tents and temporary structures
- Location of requested barricades and road closures
- Emergency exits
- Fire extinguishers, propane storage
- Location of command post, medical & first aid station, emergency vehicle access points and all exits and entrances (both emergency and for the public)
- Fencing, staging, bleachers, stages, inflatables, etc.
- Food/refreshment tent vendors, refreshment tents
- Food Trucks
- Location of Restrooms
- 5K/10K race routes

If the Site Plan is not submitted with the event application, the deadline is 45 days before the event, otherwise a permit will not be issued.

PARKS & PARKING LOTS REQUESTED

Please mark all that apply:

- ☐ East Parking Lot
- ☒ West Parking Lot
- ☐ Craven Street Parking
- ☐ Middle Lane
- ☐ John Newton Park
- ☐ Lynn Eury Park
- ☐ Grayden Paul Park
- ☐ Topsail Marine Park
- ☐ Other Please list: _____

Specific Requirements: (Extra trash cans/recycling/electrical etc.) Please be specific and include each item on the Site Plan for the desired location. Please note extra charges may apply in accordance to the fee schedule. (Trash/Recycling Carts: \$10 each, Electricity: \$50)

OTHER EVENT DETAILS

Please provide the name and contact information of all outside companies who are providing services during your event. IE: Tent Rentals, Inflatable Rentals, Port-A-Pottie Rentals, etc.

N/A

Will there be canon/re-enactment fire during your event? No If yes, please coordinate with the Beaufort Fire Department for safety procedures.

ALCOHOL

Alcohol at the event YES ☐ NO ☒ Attach all required paperwork. Applicant is responsible for obtaining applicable ABC License and Liquor Liability Insurance. Applicant must provide a clearly marked and contained area for alcohol consumption and hire two Town of Beaufort police officers at a rate of \$50 per hour for the duration. (The Police Chief will review the application for exceptions.) All local, state and Federal laws must be adhered to.

I/we have read, understand and will comply with the rules outlined by the Town of Beaufort in the Town Code of Ordinances as well as in the Event Procedures.

x Beth Shepard (Applicant's Signature)

ROAD CLOSURES

Does your event require a road closure? ☐ YES ☒ NO

Please provide specifics below:

Road	Set-Up Time	Event Start Time	Finish Time	Tear Down Time

If a road closure has any impact on area businesses and/or residents, the applicant will be required to inform all residents and/or businesses in the area of the road closure, by letter or hand-delivered flyer at least 14 days in advance of the event, of the particulars of the approved temporary road closure and any detour route available.

Emergency Vehicle Access Requirements: A road may be closed to regular traffic during an event, but an unobstructed fire lane must be left open at all times for emergency vehicles.

PARKING/PARKING LOTS

Parking lots required for Event set-up: (Please mark on the site map if applicable) (Please note charges may apply. The rate is \$18 per day per space in the East & West parking lots and \$9 per on street parking space per day for special event closure during Pay-To-Park season).

Please list all parking lots and spaces you are requesting. Spaces are numbered so please be specific. Also please note that parking space closures MUST be approved by the Board of Commissioners. Event organizers are not permitted to acquire additional spaces without Town permission prior to an event.

West Parking Lot

Please list off-site Parking Location for Vendors & Event Staff: A letter of permission is required for the use of private property per the event procedures. Please include this with your event application.

N/A

Bicycle Parking: Yes _____ No ☒

Additional Handicap Parking: Yes _____ No ☒ Location: _____

Event Parking: (Please outline your plan for day of parking for event attendees. Please include parking lot locations and the name/contact information for any shuttle/trolley service):

PARADE/WALK INFORMATION

N/A

Parade Assembly Area: _____ Time: _____

Parade Dismissal Area: _____ Time: _____

Parade Start Time: _____

EMERGENCY MANAGEMENT

Route Map Attached: _____ YES _____ NO (Please note a route map is required)

Designated Emergency personal/liaison (onsite): _____

Cell #: _____ Other Contact: _____

How will your event staff react to severe weather?

in person event will be cancelled.

How will you alert visitors to the event to evacuate the site? (If multiple sites are being requested, a plan must be submitted for each location)

RISK ASSESSMENT

It is important for Event Organizers to identify risks and hazards associated with their event and know how to prevent these risks. Please identify possible risks for your event and list below (weather, food, fire, etc.) Please provide details.

What training will you provide to your volunteers/staff/participants regarding emergencies?

TENTS

Will you have tents at your event? _____ YES ☒ NO

Please list the tent sizes: _____

If your event includes tents, you must make arrangements with the Beaufort Fire Department for a tent permit. There is a \$50 fee. Please contact (252) 728-4325 to make arrangements. The Tent Permit Application and a list of requirements are available online at www.beaufortnc.org.

FOOD

Will there be food served at your event? _____ YES ☒ NO

If yes, please provide a detailed list of all food vendors.

If yes, have you contacted the Carteret County Health Department to set up inspections? _____ YES _____ NO

All food vendors must have proper licensing, inspections, etc.

VENDORS

Will there be vendors selling items at your event? _____ Yes ☒ No

Please note vendors are only permitted to sell during the event hours listed on this application. Any vendor selling before or after the listed hours is in violation and subject to being shut-down.

All vendors must have proper certifications and licenses. They must display the required state sales and use tax information and the event organizer must keep all of this information on file pursuant to North Carolina State laws.

CHECKLIST

Please submit the following documents with your event application. Once all forms (if applicable) are received and the event is approved an Event Permit will be issued.

- ☐ Tent Permit N/A
- ☒ Detailed Site Plan
- ☐ Detailed Route Map (Parade/5K/10K) N/A
- ☐ Map of Road Closures N/A
- ☐ ABC Permit N/A
- ☐ Health Inspection Documentation N/A
- ☒ Insurance
- ☐ Non-profit documentation N/A
- ☐ Private property parking permission letter N/A
- ☐ List of food vendors N/A
- ☐ List of vendors N/A
- ☒ Application Fee
- ☒ Application Signature

I/We the event organizer Beth Shepard, on behalf of Holland Shepard Group PA LLC the party requesting the use of the Town of Beaufort facilities noted in the above application do hereby hold and save harmless and agree to indemnify the Town of Beaufort and its elected officials, directors, officers, employees, servants, agents, contractors and their respective heirs, executors, successors with respect to any and all liability, actions, debts, suits, demands, costs, damages and expenses whatsoever arising wither directly or indirectly as a result of the use of the Town of Beaufort's facilities, park, road or other and in accordance with the provisions contained in this policy. I/We have read and understand this application, the event procedures and the requirements placed upon this applicant and organization. I agree to abide by the Town of Beaufort rules, regulations and ordinances.

Applicant's Signature Beth Shepard Date 9/24/26

Internal Use Only

Permission is granted to the applicant and/or sponsoring organization to use the streets/facilities/parks as listed in the application for the special event described.

Permit Issue Date: _____
Authorized Signature: _____

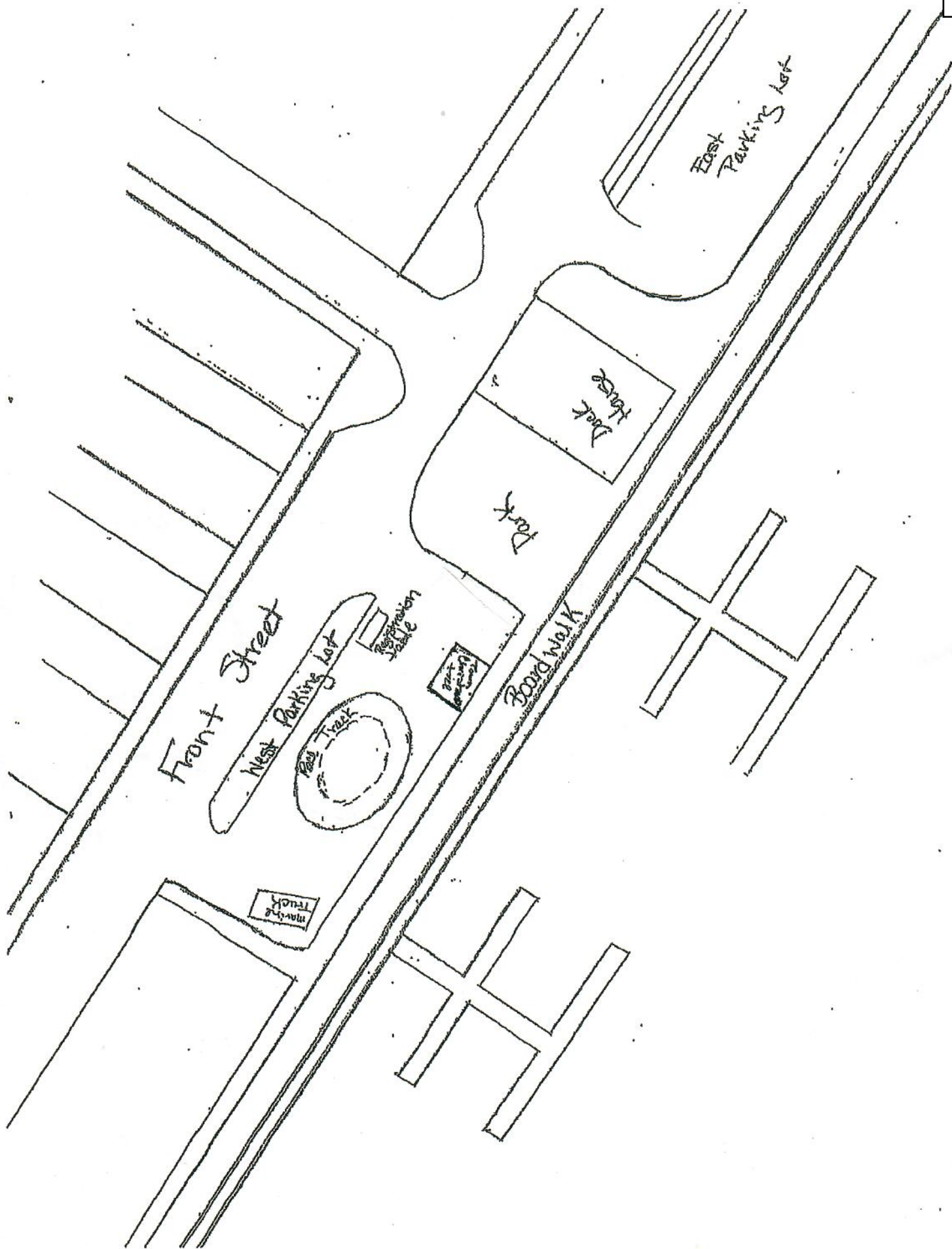
Insurance Certificate: Yes _____ No _____

Permit Fee: Yes _____ No _____

BOC Approval Date: _____

Police Chief Approval: _____

Fire Chief Approval: _____





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, October 12, 2026

AGENDA CATEGORY:

Items of Consent

SUBJECT:

Authorization to Terminate Debris Agreement: Garner
Debris Disposal Site

BRIEF SUMMARY:

The Town currently utilizes a privately owned site located at 2134 Live Oak Street for the disposal of yard debris and related materials.

Staff has reviewed the Town's continued use of the site and identified ongoing concerns related to site access and maintenance, disposal costs, and regulatory documentation. Based on these concerns, staff believes it is in the Town's best interest to discontinue use of the site and transition to an alternative location for yard debris disposal.

Staff has identified an alternative disposal option that can accommodate the Town's operational needs.

REQUESTED ACTION:

Authorize Town staff to terminate the Town's agreement with Dee Garner for use of the daily debris disposal site located at 2134 Live Oak Street and take the necessary steps to transition yard debris disposal operations to an alternative site.

SUBMITTED BY:

Mark Eakes, Public Works Director

BUDGET AMENDMENT REQUIRED: N/A



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, October 12, 2026

AGENDA Items of Consent
CATEGORY:
SUBJECT: Daily and Disaster Debris Disposal Site Agreements – Adam Willis

BRIEF SUMMARY:

Town staff has evaluated options for the disposal of daily yard debris and for maintaining an approved disaster debris disposal site. Staff recommends entering into agreements with Adam Willis for use of his property located at 300 Old Bridge Road, Newport, for both purposes.

The property is registered with the North Carolina Department of Environmental Quality (NCDEQ) as a daily debris site under Site No. YWN-16-011 and as a disaster debris site under Site No. DS-16-056.

Under the proposed Daily Debris Site Disposal Agreement, the Town would pay a monthly site fee of \$2,083.33 for unlimited use of the site for permitted materials. The property owner would be responsible for maintaining the roadway and access to the site, maintaining required regulatory paperwork and approvals, and providing monthly load counts for Town tracking purposes. No additional fees would be charged unless specifically agreed to in writing by the Town.

The proposed Disaster Debris Site Disposal Agreement would provide the Town with access to the same property following a named storm event. The site would be available 24 hours a day following a storm event, with disposal costs based on the applicable FEMA rates for the specific storm event.

Both agreements are proposed to begin November 1, 2026, and continue through June 30, 2027, with automatic annual renewal thereafter unless notice is provided in accordance with the agreements. Either party may terminate the agreements by providing 30 days' written notice.

Staff believes utilizing the Willis property will provide the Town with a dependable and properly registered location for both routine debris disposal and disaster debris

operations while establishing clear responsibilities for site access, maintenance, regulatory compliance, and recordkeeping.

The proposed agreements have been reviewed by the Town Attorney.

REQUESTED ACTION:

Authorize Town staff to execute the Daily Debris Site Disposal Agreement and Disaster Debris Site Disposal Agreement with Adam Willis for use of the property located at 300 Old Bridge Road, Newport.

SUBMITTED BY:

Mark Eakes, Public Works Director

BUDGET AMENDMENT REQUIRED: N/A

Daily Debris Site Disposal Agreement

Adam Willis

2103 NC Highway 101

Beaufort NC 28516

This Agreement is between the **Town of Beaufort and Adam Willis** for the use of the property located at: 300 Old Bridge Road, Newport NC 28570. This is a daily debris site registered with NCDEQ and assigned the number YWN-16-011.

The Owner agrees to provide the Town access to the above property for use as a daily debris disposal site under the following terms and conditions:

1. SITE USE

- Owner agrees to allow the Town of Beaufort to use the property as a daily debris disposal site.
- The site shall be used only for materials permitted by applicable federal, state, and local requirements.
- Town vehicles, equipment, employees, and authorized contractors may access the site for debris disposal operations.

2. HOURS OF ACCESS

- Owner shall make the site available to the Town:
 - Monday through Friday
 - 7:00 a.m. – 5:00 p.m.
- The site shall be open and accessible during these hours.
- Owner shall not lock, block, or otherwise restrict access during the agreed-upon operating hours.
- Any changes to normal access shall be communicated to the Town as soon as possible.

3. ROADWAY AND ACCESS MAINTENANCE – OWNER RESPONSIBILITY

- Owner is responsible for maintaining the roadway and access areas to the debris site.
- The roadway shall be maintained in a condition that allows Town vehicles and equipment to safely:
- Owner shall make reasonable repairs or improvements necessary to maintain access.
- If the roadway becomes temporarily impassable due to weather or other conditions, Owner shall notify the Town immediately.
- The Town may suspend use of the site if safe vehicle access is not reasonably available.

4. SITE AVAILABILITY

- Owner agrees to keep the site available to the Town for the duration of this Agreement.
- Owner shall notify the Town immediately of any:
 - Change in site availability
 - Change in site ownership
 - Access issues
 - Regulatory issue changes

5. LOAD COUNTS

- Owner shall maintain an accurate record of all loads delivered by the Town.
- Owner shall provide the Town with a **monthly load count**
- Monthly documentation shall include:
 - Billing month;
 - Total number of loads;
 - Dates of loads, when requested; and
- The monthly load count shall be provided with the Owner's monthly invoice.
- The Town may request supporting documentation if necessary to verify the number of loads.

6. BILLING

- Owner shall submit an invoice to the Town on a monthly basis.
- Each invoice shall include the applicable monthly load count.
- Agreed pricing shall be:

Monthly Site Fee: \$ 2,083.33

Number of Loads Included: unlimited

- No additional fees shall be charged unless specifically agreed to in writing by the Town.

7. NCDENR/NCDEQ REQUIREMENTS

- Owner shall be responsible for maintaining all required paperwork and approvals necessary for the property to operate as a Daily Debris Site.
- Owner shall maintain all required documentation with the North Carolina Department of Environmental Quality (NCDEQ)
- Owner shall ensure that the site remains properly registered and authorized throughout the term of this Agreement.
- Owner shall provide copies of applicable documentation to the Town upon request.
- Owner shall be responsible for keeping required registrations, notifications, certifications, permits, and other paperwork current.
- Owner shall immediately notify the Town if:
 - The site's authorization expires

- The site's registration changes
- A regulatory violation is issued
- The site is no longer authorized to accept debris
- Any other regulatory issue affects the Town's ability to use the site.

8. MATERIALS ACCEPTED

- Town shall only deliver materials that are permitted to be accepted at the site.
- Owner shall notify the Town if a material is believed to be prohibited or outside the site's approved use.
- Neither party shall knowingly accept or dispose of materials prohibited by applicable law or regulatory requirements.

12. TERM

- Beginning Date: 11-1-2026
- This agreement is in effect until June 30th of 2027 and will automatically renew thereafter each year on July 1 automatically unless notification from either party 30 days in advance.

13. TERMINATION

- Either party may terminate this Agreement by providing **30** days written notice.
- The Town may terminate or suspend the Agreement immediately if:
 - The site loses its required authorization;
 - Required paperwork is not maintained;
 - Reasonable access cannot be maintained;
 - The roadway is not maintained;
 - The site becomes unavailable; or
 - Continued use of the site is not permitted by applicable regulations.

14. AGREEMENT

By signing below, the Town and Owner acknowledge that they understand and agree to the responsibilities outlined in this Agreement.

TOWN OF BEAUFORT

Representative: _____

Title: _____

Signature: _____

Date: _____

PROPERTY OWNER

Name: _____

Signature: _____

Date: _____

Phone: _____

Email: _____

DEBRIS SITE ADDRESS:

Disaster Debris Site Disposal Agreement

Adam Willis

2103 NC Highway 101

Beaufort NC 28516

This Agreement is between the **Town of Beaufort and Adam Willis** for the use of the property located at: 300 Old Bridge Road, Newport NC 28570. This is a disaster debris site registered with NCDEQ and assigned the number DS-16-056

The Owner agrees to provide the Town access to the above property for use as a daily debris disposal site under the following terms and conditions:

1. SITE USE

- Owner agrees to allow the Town of Beaufort to use the property as a daily debris disposal site.
- The site shall be used only for materials permitted by applicable federal, state, and local requirements.
- Town vehicles, equipment, employees, and authorized contractors may access the site for debris disposal operations.

2. HOURS OF ACCESS

- Owner shall make the site available to the town anytime following a named storm event.
- The site shall be open and accessible 24/7 post storm.
- Owner shall not lock, block, or otherwise restrict access during the agreed-upon operating times.
- Any changes to normal access shall be communicated to the Town as soon as possible.

3. ROADWAY AND ACCESS MAINTENANCE – OWNER RESPONSIBILITY

- Owner is responsible for maintaining the roadway and access areas to the debris site.
- The roadway shall be maintained in a condition that allows Town vehicles and equipment to safely:
- Owner shall make reasonable repairs or improvements necessary to maintain access.
- If the roadway becomes temporarily impassable due to weather or other conditions, Owner shall notify the Town immediately.
- The Town may suspend use of the site if safe vehicle access is not reasonably available.

4. SITE AVAILABILITY

- Owner agrees to keep the site available to the Town for the duration of this Agreement.
- Owner shall notify the Town immediately of any:
 - Change in site availability
 - Change in site ownership
 - Access issues
 - Regulatory issue changes

6. BILLING

- Owner shall submit an invoice to the town following a storm event disposal.
- Invoice should have storm event load count
- Agreed pricing shall be based on the specific storm FEMA rates

Monthly Site Fee: \$ Fema Rates

Number of Loads Included: unlimited

- No additional fees shall be charged unless specifically agreed to in writing by the Town.

7. NCDENR/NCDEQ REQUIREMENTS

- Owner shall be responsible for maintaining all required paperwork and approvals necessary for the property to operate as a Daily Debris Site.
- Owner shall maintain all required documentation with the North Carolina Department of Environmental Quality (NCDEQ)
- Owner shall ensure that the site remains properly registered and authorized throughout the term of this Agreement.
- Owner shall provide copies of applicable documentation to the Town upon request.
- Owner shall be responsible for keeping required registrations, notifications, certifications, permits, and other paperwork current.
- Owner shall immediately notify the Town if:
 - The site's authorization expires
 - The site's registration changes
 - A regulatory violation is issued
 - The site is no longer authorized to accept debris
 - Any other regulatory issue affects the Town's ability to use the site.

8. MATERIALS ACCEPTED

- Town shall only deliver materials that are permitted to be accepted at the site.
- Owner shall notify the Town if a material is believed to be prohibited or outside the site's approved use.
- Neither party shall knowingly accept or dispose of materials prohibited by applicable law or regulatory requirements.

12. TERM

- Beginning Date: 11-1-2026
- This agreement is in effect until June 30th of 2027 and will automatically renew thereafter each year on July 1 automatically unless notification from either party 30 days in advance.

13. TERMINATION

- Either party may terminate this Agreement by providing **30** days written notice.
- The Town may terminate or suspend the Agreement immediately if:
 - The site loses its required authorization;
 - Required paperwork is not maintained;
 - Reasonable access cannot be maintained;
 - The roadway is not maintained;
 - The site becomes unavailable; or
 - Continued use of the site is not permitted by applicable regulations.

14. AGREEMENT

By signing below, the Town and Owner acknowledge that they understand and agree to the responsibilities outlined in this Agreement.

TOWN OF BEAUFORT

Representative: _____

Title: _____

Signature: _____

Date: _____

PROPERTY OWNER

Name: _____

Signature: _____

Date: _____

Phone: _____

Email: _____

DEBRIS SITE ADDRESS:



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, October 12, 2026

AGENDA CATEGORY:

Items of Consent

SUBJECT:

Resolution: Speed Limit Reduction on Carraway Drive

BRIEF SUMMARY:

Town staff continues to evaluate opportunities to improve traffic control and safety in the area surrounding Beaufort Elementary School and Beaufort Middle School. Carraway Drive is maintained by the North Carolina Department of Transportation (NCDOT) and currently has a posted speed limit of 35 MPH, with a reduced speed limit of 25 MPH during designated school periods.

As part of the Town's ongoing evaluation of traffic conditions in the area, the Police Chief recommends requesting that NCDOT reduce the posted speed limit on Carraway Drive to 25 MPH at all times. A consistent 25 MPH speed limit would help address safety concerns for students, teachers, residents, pedestrians, and motorists traveling through the area.

The attached resolution formally requests that NCDOT, Division 2, review the roadway and consider reducing the speed limit to 25 MPH at all times. The request also asks that appropriate speed limit signage be installed should the reduction be approved.

REQUESTED ACTION:

Adopt the attached resolution requesting that the North Carolina Department of Transportation reduce the posted speed limit on Carraway Drive to 25 MPH at all times.

SUBMITTED BY:

Elizabeth Lewis, Assistant Town Manager/Town Clerk



**A RESOLUTION REQUESTING REVIEW AND REDUCTION
OF THE SPEED LIMIT ON CARRAWAY DRIVE
RESOLUTION NO. 26- _____**

WHEREAS, Carraway Drive is a state-maintained roadway under the jurisdiction of the North Carolina Department of Transportation, Division 2; and

WHEREAS, the posted speed limit on Carraway Drive is currently 35 miles per hour (MPH), with a reduced speed limit of 25 MPH during designated school periods; and

WHEREAS, Beaufort Elementary School and Beaufort Middle School are both located along this segment of Carraway Drive, resulting in regular pedestrian and vehicular activity associated with students, teachers, staff, parents, residents, and other roadway users; and

WHEREAS, the Town of Beaufort Board of Commissioners finds that maintaining a consistent speed limit of 25 MPH at all times along Carraway Drive would enhance safety for students, teachers, residents, pedestrians, motorists, and others traveling within the area; and

WHEREAS, the establishment and modification of speed limits on state-maintained roadways are within the authority of the North Carolina Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED by the Town of Beaufort Board of Commissioners that:

1. The Board respectfully requests that the North Carolina Department of Transportation, Division 2, conduct a traffic engineering review of Carraway Drive for consideration of a permanent reduction in the posted speed limit from 35 miles per hour (MPH) to 25 MPH;
2. The Board recommends that, based upon such review and safety considerations, the posted speed limit on Carraway Drive be established at 25 MPH at all times; and
3. Should the requested speed limit reduction be approved, the Board further requests that the North Carolina Department of Transportation install appropriate signage along Carraway Drive to clearly identify the 25 MPH speed limit; and
4. The Town Clerk is directed to transmit a certified copy of this Resolution to the North Carolina Department of Transportation, Division 2, for consideration and appropriate action.

Adopted this ____ day of _____, 2026.

Elizabeth Lewis, Town Clerk

Sharon E. Harker, Mayor

[illegible]

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The information displayed by this website is prepared for the inventory of real property found within this jurisdiction and is compiled from records, 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.



Town of Beaufort, NC

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252-728-2141 - 252-728-3982 fax - www.beaufortnc.org

Board of Commissioners Regular Meeting 6:00 PM Monday, October 12, 2026

AGENDA CATEGORY: Public Hearing
SUBJECT: Case #26-24: LDO Amendment– State Law
Compliance for Off-Street Parking Minimums

BRIEF SUMMARY:

House Bill 162, enacted as Session Law 2026-39 this July, changes State law regarding minimum parking requirements. Beginning January 1, 2027, the Town may no longer require an off-street parking lot to meet a minimum number of parking spaces for certain historic properties, including properties within National Register or local historic districts and certain individually designated or listed historic properties.

Staff is proposing text amendments to LDO Section 13, Parking Requirements, to add the required exemptions while keeping the Town's existing parking requirements in place elsewhere. The proposed amendment identifies the historic properties where minimum parking requirements will no longer apply. The proposed amendment language was prepared by the Town Attorney and is intended to make the minimum changes necessary to bring the Town's parking regulations into compliance with the new State law while retaining existing parking requirements where permitted.

One implementation issue remains: State law refers specifically to an "off-street parking lot," while the Town's ordinance does not clearly distinguish between a parking lot, a residential driveway, or other small off-street parking areas. Staff reviewed this issue and the range of properties affected by the new law with the Planning Board on September 21. Following the review, the Planning Board unanimously recommended approval of the proposed amendments and adopted a Resolution of Plan Consistency.

This amendment is separate from the ongoing UDO Update Project and will be incorporated into the UDO when that project reaches the parking requirements section.

SUMMARY CONTINUED:

Attachments include:

- Session Law 2026-39 establishing new limitations on local parking requirements
- UNC School of Government *Coates' Canons* article, "Limits on Local Parking Minimums," providing additional explanation of the amended law and its effects on local governments
- State Historic Preservation Office map showing the historic districts and other affected historic properties
- Signed Planning Board Resolution of Plan Consistency recommending approval of the proposed text amendments
- Draft Ordinance to Amend Section 13, Parking Requirements

REQUESTED ACTION:

Discussion of proposed amendments

Conduct public hearing

Consider adoption of the ordinance amending Section 13, Parking Requirements

EXPECTED LENGTH OF PRESENTATION:

30 Minutes

SUBMITTED BY:

Michelle Eitner, Town Planner

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025**

**SESSION LAW 2026-39
HOUSE BILL 162**

AN ACT TO RESTRICT LOCAL GOVERNMENTS FROM REGULATING CERTAIN ASPECTS OF OFF-STREET PARKING SPACES AND TO MODIFY THE AUTHORITY OF CERTAIN LOCAL GOVERNMENTS TO REQUIRE STORMWATER CONTROL FOR REDEVELOPED PROPERTY.

The General Assembly of North Carolina enacts:

PART I. PROHIBITING CERTAIN ZONING AND DEVELOPMENT LIMITATIONS RELATED TO OFF-STREET PARKING

SECTION 1.(a) G.S. 160D-702 reads as rewritten:

"§ 160D-702. Grant of power.

...

- (c) A zoning or other development regulation shall not do any of the following:
- (1) Set a minimum square footage of any structures subject to regulation under the North Carolina Residential Code.
 - (2) Require ~~a~~an off-street parking space to be larger than 9 feet wide by 20 feet long unless the parking space is designated for handicap, parallel, or diagonal parking.
 - (2a) Require an off-street parking lot to meet a minimum number of parking spaces per development or structure, regardless of occupancy or use. The limitations of this subdivision shall not, however, apply to local governments located in the coastal area, as those terms are defined under G.S. 113A-103, except with respect to the following properties located in the coastal area:
 - a. Within the boundaries of a National Register Historic District or a local historic district.
 - b. That are either (i) individually listed in the National Register of Historic Places or (ii) individually designated as a local historic landmark.
 - c. Individual properties on the Study List for the National Register of Historic Places as maintained by the North Carolina State Historic Preservation Office or a national or State historic landmark, or properties located within a district on the Study List for the National Register of Historic Places as maintained by the North Carolina State Historic Preservation Office or a national or State historic landmark.
 - (3) Require additional fire apparatus access roads into developments of one- or two-family dwellings that are not in compliance with the required number of fire apparatus access roads into developments of one- or two-family dwellings set forth in the Fire Code of the North Carolina Residential Code for One- and Two-Family Dwellings.
 - (4) Establish or require pavement design standards for public roads or private roads that are more stringent than the minimum pavement design standards adopted by the Department of Transportation.



...."

SECTION 1.(b) This section becomes effective January 1, 2027.

PART II. MODIFY THE AUTHORITY OF CERTAIN LOCAL GOVERNMENTS TO REQUIRE STORMWATER CONTROL FOR REDEVELOPED PROPERTY

SECTION 2.(a) G.S. 143-214.7 reads as rewritten:

"§ 143-214.7. Stormwater runoff rules and programs.

...

(a1) Definitions. – The following definitions apply in this section:

(1) Built-upon area. – As defined in G.S. 143-214.7D.

(2) Development. – Any land-disturbing activity that increases the amount of built-upon area or that otherwise decreases the infiltration of precipitation into the subsoil. ~~When additional development occurs at a site that has existing development, the built-upon area of the existing development shall not be included in the density calculations for additional stormwater control requirements, and stormwater control requirements cannot be applied retroactively to existing development, unless otherwise required by federal law.~~

(2)(3) Redevelopment. – Any land-disturbing activity that does not result in a net increase in built-upon area and that provides greater or equal stormwater control to that of the previous development.

...

(b3) Stormwater runoff rules and programs shall not require private property owners to install new or increased stormwater controls for (i) ~~preexisting development~~ existing built-upon area or (ii) redevelopment activities that do not remove or decrease existing stormwater controls. ~~When a preexisting development is redeveloped, either in whole or in part, increased stormwater controls shall only be required for the amount of impervious surface being created that exceeds the amount of impervious surface that existed before the redevelopment, irrespective of whether the impervious surface that existed before the redevelopment is to be demolished or relocated during the development activity. When development or redevelopment occurs at a site that has existing built-upon area, (i) the existing built-upon area shall not be included in the density calculations for additional stormwater control requirements, irrespective of whether the existing built-upon area is to be demolished, relocated, replaced, or remains in place during development activity, (ii) the existing built-upon area at the site is not subject to additional stormwater control requirements under this section, regardless of whether the existing built-upon area is demolished, relocated, replaced, or remains in place during the development activity, (iii) for purposes of determining the size of the area for which stormwater control measures are required for a development or redevelopment, built-upon area that existed before the development or redevelopment shall be applied on a square-foot-for-square-foot basis to reduce the built-upon area for which stormwater control measures are required, and (iv) stormwater control requirements cannot be applied retroactively to existing built-upon area, unless otherwise required by federal law.~~ A property owner may elect to treat the stormwater resulting from the net increase in built-upon area above the ~~preexisting existing built-upon area~~ at the development or redevelopment for the purpose of exceeding allowable density under the applicable water supply watershed rules as provided in G.S. 143-214.5(d3). This subsection applies to all local governments regardless of the source of their regulatory authority. Local governments shall include the requirements of this subsection in their stormwater ordinances.

...

(b8) A local government may offer nonmandatory incentives that waive building, zoning, connection, or other regulations or fees; provide additional tax and financial benefits; or institute

other incentives for development or redevelopment that implements additional stormwater control measures beyond those required by this section and rules adopted thereunder.

...."

SECTION 2.(b) Each local government that implements a stormwater management program shall amend its stormwater ordinance to conform to G.S. 143-214.7(b3), as amended by subsection (a) of this section, within 12 months of the effective date of this section. Any local stormwater ordinance that is inconsistent with G.S. 143-214.7(b3), as amended by subsection (a) of this section, is void and unenforceable on and after that date. A local government may adopt, amend, or repeal ordinance provisions implementing G.S. 143-214.7(b8) at any time after the effective date of this section.

SECTION 2.(c) This section is effective when it becomes law and applies to stormwater rules and stormwater program amendments adopted on or after that date.

PART III. EFFECTIVE DATE

SECTION 3. Except as otherwise provided, this act is effective when it becomes law.

In the General Assembly read three times and ratified this the 1st day of July, 2026.

s/ Rachel Hunt
President of the Senate

s/ Destin Hall
Speaker of the House of Representatives

s/ Josh Stein
Governor

Approved 3:04 p.m. this 6th day of July, 2026

Coates' Canons

NORTH CAROLINA LOCAL GOVERNMENT LAW BLOG

September 18, 2026

Limits on Local Parking Minimums

Adam Lovelady

Local government development regulations commonly set minimum parking standards—*1 parking space per 500 square feet of retail or 2 parking spaces per dwelling unit*, for example. But North Carolina state law now limits local government authority for such requirements. **Session Law 2026-39 (H.B. 162)** amended **G.S. 160D-702(c)** to limit local government authority to require off-street parking spaces. The session law is effective on January 1, 2027.

This blog explores the meaning of the amended law and the impact on local government minimum parking standards.

The amendment to G.S. 160D-702 is a good reminder of related limits of local government authority (limits on requiring extra fire-access roads, limits on pavement design standards, and more). The blog outlines those related limitations as well.

General Limit

Under G.S. 160D-702(c), as amended, North Carolina local governments in noncoastal areas may not “[r]equire an off-street parking lot to meet a minimum number of parking spaces per development or structure, regardless of occupancy or use.” This seemingly simple phrase raises many questions about scope and implementation. Many of those questions are discussed below.

Carve-Out for Coastal Communities

This limitation does not apply to local governments in the coastal area as defined by G.S. 113A-103. That is the counties and municipalities subject to the Coastal Area Management Act (CAMA): Beaufort, Bertie, Brunswick, Camden, Carteret, Chowan, Craven, Currituck, Dare, Gates, Hertford, Hyde, New Hanover, Onslow, Pamlico, Pasquotank, Pender, Perquimans, Tyrrell, and Washington counties, and the municipalities within those counties. Those local governments may still require minimum off-street parking standards.

Notably, though, there is an exception to the exception. Those CAMA communities *cannot* impose minimum off-street parking standards for certain historic properties:

- a. Within the boundaries of a National Register Historic District or a local historic district.
- b. That are either (i) individually listed in the National Register of Historic Places or (ii) individually designated as a local historic landmark.
- c. Individual properties on the Study List for the National Register of Historic Places as maintained by the North Carolina State Historic Preservation Office or a national or State historic landmark, or properties located within a district on the Study List for the National Register of Historic Places as maintained by

the North Carolina State Historic Preservation Office or a national or State historic landmark.

Questions about Impacts on Typical Parking Standards

What is the limit?

It has been common (though not universal) for local governments in North Carolina to set minimum parking standards for new development. These rules have been one factor contributing to the large surface parking lots in front of new shopping centers and large parking decks adjacent to new apartments and office-buildings.

As amended, G.S. 160D-702 says that “[a] zoning or other development regulation shall not . . . [r]equire an off-street parking lot to meet a minimum number of parking spaces per development or structure, regardless of occupancy or use.” That is a prohibition on development regulations setting a minimum parking standard.

Does the law mean there will be no parking?

No. The law means that (outside of coastal areas) there will be no *public* regulation setting *off-street* parking *minimum* requirements. Developers and property owners will still make private decisions about parking. Customers and tenants commonly need parking. Lenders for development projects commonly require parking. Prospective buyers and investors also may expect parking. With all of those demands, developers and property owners likely will still provide some off-street parking, but the minimum number of spaces will be a private decision and not a public requirement.

Note that some local governments in North Carolina removed minimum parking standards before this legislative change.

Can a local government enforce a standard that is already on the books? What about existing parking lots built to old standards?

As of January 1, 2027, a non-coastal local government may not enforce a minimum off-street parking standard. This applies to existing minimum parking standards in addition to any proposed new parking standards.

A property owner with an existing off-street parking lot may have the option to develop space previously devoted to parking, pursuant to the local development regulations. If the development is subject to a special use permit or conditional zoning where approval was conditioned on a specific site plan, that property owner may need to amend the site plan to add new development.

Can a local government set a maximum number of off-street parking spaces?

Yes. The law does not say anything about parking maximums.

Can a local government require parking spaces that are *per square foot* or *per dwelling unit* (instead of *per development* or *per structure*)?

Probably not. The intent of the amended statute appears to be to preempt minimum off-street parking standards altogether. The statute explicitly states that the ordinance cannot set a “minimum number of parking spaces *per development or structure*.” While one could argue that a minimum parking standard “per square foot” or “per dwelling unit” is not preempted explicitly, the statutory language likely is broad enough to preempt such standards.

Many local government parking standards are based on square footage, dwelling units, or other sub-units of the overall development (*1 parking space per 500 square feet of gross floor area or 2 parking spaces per dwelling unit*, for example). Square footage is a fraction of the overall development or structure. Effectively, regulating per square foot is regulating per development or structure—just with an extra step of math. Similarly, a dwelling unit is a fraction of the overall development or structure. The same logic applies. With that, it seems reasonable to interpret the amended statute as prohibiting minimum parking standards based on square footage, dwelling unit, or other sub-units of the development or structure.

Can a local government use other regulations to set minimum parking standards? What about subdivision requirements?

G.S. 160D-702 states that “[a] zoning or other development regulation shall not . . .” set an off-street parking minimum. So, this is not just about zoning. This limit applies to *any* development regulation. G.S. 160D-102(14) defines development regulation to include zoning, subdivision, floodplain, stormwater, historic preservation, housing code, building code, and more. So, for instance, a local government could not use subdivision ordinance requirements to “[r]equire an off-street parking lot to meet a minimum number of parking spaces per development or structure, regardless of occupancy or use.” As discussed more below, there may be other vehicle-related development regulations that could still apply—such as driveway requirements—but those would have to be carefully crafted to avoid becoming a requirement for an off-street parking lot with a minimum number of parking spaces.

Can a local government regulate things like parking in the front yard? Commercial parking lots? Where parking is located?

Yes. Parking is a land use, and local governments still have the authority to regulate the land use. A local government can enforce rules to limit where parking is allowed on residential property. A local government can define commercial parking lot and regulate what zoning districts allow that land use. A local government can establish setbacks for parking uses (so that parking is at the rear of a property in downtown, for example). And, as noted above a local government can set parking maximums.

If a local government can't require a minimum number of parking spaces, can the local government still require an off-street parking lot? What about a minimum square footage for a parking lot? Can a local government require parking spaces that are not in a parking lot?

The answer to these questions requires us to balance between the apparent intent of the law and plain language of the statute as adopted. The purpose of the law seems to be to prohibit minimum parking standards in applicable areas. The plain language, though, prohibits requiring a minimum number of spaces; it does not prohibit requiring a lot. Carrying that thought forward, though, the local government would be requiring a parking lot but not requiring a minimum number of spaces. So, the property owner could provide a *de minimis* “parking lot” with zero spaces. That would be an absurd and impractical outcome.

If the local government required a parking lot to be a minimum *area* (not a minimum number of parking spaces), that may technically avoid the prohibition in the statute. But, if the area is based on the area of parking spaces—and it's just an effort to side-step the statutory preemption—that would be problematic.

What about requiring parking spaces that are not in a parking lot? This question turns on the definition of parking lot. Merriam-Webster defines parking lot broadly to be “an area used for the parking of motor vehicles.” If the requirement of parking spaces would, *de facto*, require what amounts to a parking lot, that would seem to run afoul of the law. What about one parking space? Is that a parking lot? That is not clear.

Questions about Related Vehicle and Development Standards

What about accessible parking spaces for individuals with disabilities?

To the extent that a property owner provides parking they must still comply with federal and state requirements for accessible parking spaces. Required accessible parking depends on the number of parking spaces in the lot.

The legal requirement to provide a certain number of accessible parking spaces arises from the Americans with Disabilities Act (ADA) and is detailed in Section 208 of the **2010 ADA Standards for Accessible Design**. Those requirements, in turn, are incorporated into the North Carolina State Building Code (Section 1106: Parking and Passenger Loading Facilities of the 2018 North Carolina State Building Code: Building Code)

The legal requirement begins with a notable, limiting phrase: “Where parking spaces are provided” From there, the regulations specify a certain number of accessible parking spaces based on the total number of parking spaces in the lot. So, the local government may not require a minimum number of parking spaces in the lot. But, to the extent that the owner chooses to provide parking spaces they must still comply with the standard requirements.

What about other parking space requirements (i.e., spaces for charging electric vehicles, etc.)?

The preemption law simply states that the local government cannot require a minimum number of off-street parking spaces in a parking lot. It seems that a local government could still make requirements *to the extent that parking is provided*. So, a local ordinance could require a certain number of car-charging spots, but only to the extent that parking is provided.

What about design standards for parking lots (surface requirements, trees and landscaping, etc.)?

A local government can set design standards for parking lots *to the extent that parking is provided*. These might include things like setbacks, required paving, parking arrangement, trees and landscaping, and screening.

What about other vehicle-oriented requirements? (Driveways, emergency access, dumpster access, drive-thru stacking requirements, etc.)

Again, the law simply states that the local government cannot require a minimum number of parking spaces in an off-street parking lot. It does not affect local government authority for driveway standards, emergency access, dumpster placement, loading zones, or drive-thru stacking standards. Still, a local government should be careful to ensure that those other vehicle-oriented requirements do not effectively require a number of parking spaces in a parking lot.

Note that other statutory requirements (discussed below) affect local government authority for things like driveway standards, parking space dimensions, curb-and-gutter requirements, and more.

What about on-street parking?

The law is specific to off-street parking. It does not change local government authority related to on-street parking.

So, how can the local government manage parking issues that may arise from insufficient parking?

While many new developments will still include sufficient parking on-site, the lack of parking minimum standards does increase the possibility of insufficient parking and spillover effects. As seen in many downtowns, if a popular spot lacks sufficient parking, cars may wind up parked on nearby streets and lots.

As discussed above, local governments can still regulate parking as a land use (prohibiting front yard parking and such). Additionally, under G.S. 160A-296, municipalities “have general have general authority and control over all public streets . . .” except for state roads. And, municipalities have specific authority to regulate on-street and off-street parking under G.S. 160A-301.

If a local government anticipates spillover effects from parking, it may consider revising its parking regulations and coordinating with code enforcement and local law enforcement.

Reminder About Other Limits of Local Regulations

This new limitation in G.S. 160D-702 is a good reminder of the other limitations the North Carolina General Assembly has added to that statute in recent years. In addition to parking limits added at sub-subsection (2a), G.S. 160D-702(c) states that:

(c) A zoning or other development regulation shall not do any of the following:

(1) Set a minimum square footage of any structures subject to regulation under the North Carolina Residential Code.

(2) Require an off-street parking space to be larger than 9 feet wide by 20 feet long unless the parking space is designated for handicap, parallel, or diagonal parking.

...

(3) Require additional fire apparatus access roads into developments of one- or two-family dwellings that are not in compliance with the required number of fire apparatus access roads into developments of one- or two-family dwellings set forth in the Fire Code of the North Carolina Residential Code for One- and Two-Family Dwellings.

(4) Establish or require pavement design standards for public roads or private roads that are more stringent than the minimum pavement design standards adopted by the Department of Transportation.

Additionally, G.S. 160D-804 provides the following:

(j) Private Driveway Pavement Design Standards. – The regulation shall not require pavement design standards for new private driveway construction that are more stringent than the minimum pavement design standards adopted by the North Carolina Department of Transportation. . . . This subsection applies to construction of new privately owned driveways, parking lots, and driving areas associated with parking lots within a new development or subdivision that the developer designates as private and that are intended to remain privately owned after construction.

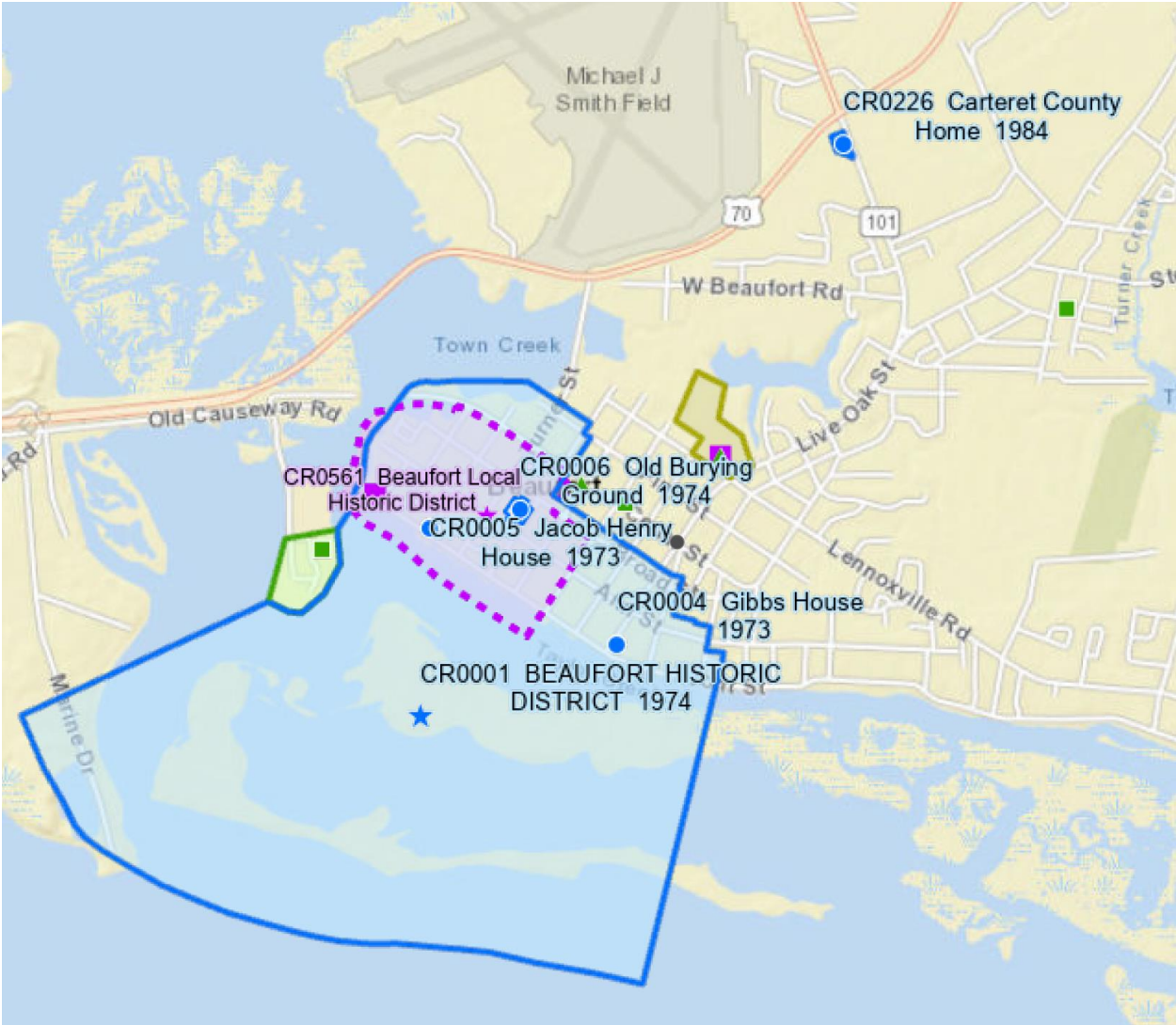
...

(k) Curb and Gutter Design Standards. – Notwithstanding G.S. 160A-307 and G.S. 160D-916, the regulation shall not limit, or prohibit the use of, curb and gutter design standards adopted by the North Carolina Department of Transportation for subdivision roads adjacent to, and serving, dwellings subject to the North Carolina Residential Code.

Local ordinances and permitting must adhere to these rules.

Historic Beaufort, North Carolina

Map by NC State Historic Preservation Office



- Local districts & boundaries
- Local individual resources & centerpoints
- Local Landmark
- Local HD Center Point
- SL districts & boundaries
- Study List Boundary
- Both SL and Determined Eligible Boundary

SL individual resources & centerpointsSL Individual EntrySL and DOE entryNR districts & boundariesNational Register BoundaryNR individual resources & centerpointsNR Individual Listing

Note: "Determined Eligible" (DOE) status alone is not identified as an affected historic-property category under G.S. 160D-702(c)(2a).



**TOWN OF BEAUFORT PLANNING BOARD
RESOLUTION OF PLAN CONSISTENCY**

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, and general welfare of its citizens; and

WHEREAS, N.C.G.S. §160D-604(d) requires the Town of Beaufort Planning Board to advise and comment on whether the proposed action is consistent with the Town of Beaufort Comprehensive and CAMA Land Use Plan and any other officially adopted plan that is applicable, and to 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, amendments to Section 13, Parking Requirements, of the Land Development Ordinance have been initiated to bring the Town's regulations into compliance with changes to State law enacted through Session Law 2026-39; and

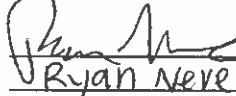
WHEREAS, the Planning Board has in fact met to consider and evaluate the proposed amendments during their regularly scheduled meeting on September 21, 2026; and

NOW THEREFORE, BE IT HEREBY RESOLVED, that the Planning Board finds that the proposed amendments to Section 13 of the Land Development Ordinance are consistent with the Beaufort Comprehensive and CAMA Land Use Plan and are reasonable and in the public interest because the amendments bring the Town's development regulations into compliance with State law while retaining existing parking requirements where permitted.

The Planning Board unanimously recommends approval of the proposed amendments.

This Resolution is effective upon its adoption this 21st day of September 2026.

TOWN OF BEAUFORT PLANNING BOARD


_____, Chairman

ATTEST:


_____, Secretary

**TOWN OF BEAUFORT BOARD OF COMMISSIONERS
AN ORDINANCE TO AMEND THE LAND DEVELOPMENT ORDINANCE
ORDINANCE NO. 26-__**

WHEREAS, Session Law 2026-39 amended N.C.G.S. § 160D-702 to prohibit local governments from requiring an off-street parking lot to meet a minimum number of parking spaces per development or structure, regardless of occupancy or use, with the prohibition applying in coastal communities to certain historic properties, including properties within National Register or local historic districts and certain individually listed, designated, or Study List properties, effective January 1, 2027; and

WHEREAS, in response to these changes in State law, Town staff initiated amendments to Section 13, Parking Requirements, of the Land Development Ordinance to establish the required exemptions for affected historic properties while retaining the Town's existing parking requirements where permitted; and

WHEREAS, the Beaufort Planning Board considered the proposed text amendments and adopted a consistency statement at its regular meeting on September 21, 2026, at which time the Planning Board unanimously recommended approval of the amendments to the Board of Commissioners; and

WHEREAS, notice of a public hearing to be held during the October 12, 2026 regular meeting of the Beaufort Board of Commissioners was published in the Carteret County News-Times on September 30 and October 7, 2026; and

WHEREAS, the Board of Commissioners considered the proposed text amendments and conducted a public hearing on October 12, 2026, at which time Town staff presented the amendments and members of the public were provided an opportunity to comment; and

WHEREAS, the Beaufort Board of Commissioners finds that the proposed amendments are consistent with the Beaufort Comprehensive and CAMA Land Use Plan, are consistent with applicable State law, are reasonable and in the public interest, and appropriately bring the Town's parking regulations into compliance with State law while retaining existing parking requirements where permitted;

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Town of Beaufort, North Carolina, that Section 13, Parking Requirements, of the Land Development Ordinance is hereby amended as shown below, with blue underlined text indicating additions and red strikethrough text indicating deletions, and that this ordinance shall be effective upon adoption.

SECTION 13 Parking Requirements

A) *Intent; Exemptions.*

1) Intent.

These regulations are intended to provide off-street parking, stacking, and loading facilities in proportion to the need created by each use. These regulations are intended to provide for accommodation vehicles in a functionally and aesthetically satisfactory manner and to minimize external effects on adjacent land uses.

2) Application; Exclusion as to Certain Districts.

These regulations apply to all zoning districts except the Historic Business District and the Historic Waterfront Business District.

3) Exemptions.

Pursuant to North Carolina General Statute § 160D-702(c)(2a), the regulations in this Section shall not be construed to require an off-street parking lot to meet a minimum number of parking spaces per development or structure, regardless of use, for any property

- a. which is located within the boundaries of a National Register Historic District;
- b. which is located within the boundaries of the Town's Local Historic District;
- c. which is individually listed in the National Register of Historic places;
- d. which is individually designated as a local historic landmark;
- e. which is on the Study List of the National Register of Historic places as maintained by the North Carolina State Historic Preservation Office or a national or State historic landmark; or
- f. which is within a district on the Study List for the National Register of Historic Places as maintained by the North Carolina State Historic Preservation Office or a national or State historic landmark.

B) *Number of Parking Spaces Required.*

1) Limitations.

~~All developments in all zoning districts other than the Historic Business District and the Historic Waterfront Business District (H-BD & H-WBD) shall provide a sufficient number of parking spaces to accommodate the number of vehicles which ordinarily are likely to be attracted to the development in question.~~ For any mixed-use development created after the adoption of this Ordinance which cannot meet the residential off-street parking requirement for their proposed development, the owner/developer shall be required to contribute \$10,000 per parking space needed into a parking fund which will be used by the Town to acquire property as it becomes available for off-street parking for these residential purposes.

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

Adopted this 12th day of October, 2026.

TOWN OF BEAUFORT

Sharon E. Harker, Mayor

Elizabeth Lewis, Assistant Town Manager & 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

Board of Commissioners Regular Meeting 6:00 PM Monday, October 12, 2026

AGENDA CATEGORY: Public Hearing
SUBJECT: Voluntary Annexation Request: 374, 388, 404, and Highway 101

BACKGROUND:

The Town received voluntary annexation petitions on or about June 29, 2026, requesting annexation of four parcels located at:

- 374 Highway 101
- 388 Highway 101
- 404 Highway 101
- 550 Highway 101

At its August 10, 2026, Regular Meeting, the Board of Commissioners adopted a Resolution Directing the Clerk to Investigate the Sufficiency of the petitions.

In accordance with that direction, the Town Clerk reviewed the petitions and presented a Certificate of Sufficiency to the Board of Commissioners at its September 14, 2026, Regular Meeting. The Board subsequently established October 12, 2026, as the date for a public hearing on the question of annexation.

Notice of the public hearing was published in the *Carteret County News-Times* on September 30 and October 7, 2026.

The October 12 public hearing provides an opportunity for persons residing or owning property within the areas proposed for annexation, as well as persons residing or owning property within the Town of Beaufort, to be heard on the question of annexation.

Following the public hearing, the Board may consider the attached Ordinance to Extend the Corporate Limits of the Town of Beaufort in Carteret County, North Carolina, which addresses the annexation of the four parcels.

REQUESTED ACTION:

Conduct the scheduled public hearing and render a decision on the question of annexation for the properties located at 374, 388, 404 and 550 Highway 101.

EXPECTED LENGTH OF PRESENTATION:

5 Minutes

SUBMITTED BY:

Elizabeth Lewis, Assistant Town Manager/Town Clerk



**AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF
BEAUFORT IN CARTERET COUNTY, NORTH CAROLINA
ORDINANCE NO. 26-_____**

WHEREAS, on or about June 29, 2026, the Town of Beaufort (hereinafter “Town”) received several petitions (hereinafter collectively “Petitions”) from Tidewater Associates Inc., requesting the Town to annex areas more fully described in the Petitions, such area generally known as “374 Highway 101, 388 Highway 101, 404 Highway 101, and 550 Highway 101”; and,

WHEREAS, the Board of Commissioners for Town directed the Town Clerk to investigate the sufficiency of the Petitions and to certify the result of the investigation to the Board of Commissioners for Town; and,

WHEREAS, at the September 14, 2026, meeting of the Town’s Board of Commissioners, the Town Clerk delivered her certification regarding the sufficiency of the Petitions; and,

WHEREAS, the Board of Commissioners of Town thereafter set a public hearing for October 12, 2026, on the question of annexation as requested in the Petitions and caused notice of the public hearing to be published on September 30, 2026, and October 7, 2026, in the Carteret County News-Times; and,

WHEREAS, the above-described public hearing was held on the date and at the time noticed, and during said public hearing persons resident or owning property in the area described in the Petitions and persons resident or owning property in the Town were given an opportunity to be heard; and,

WHEREAS, the Board of Commissioners of Town desires to annex the areas described in the Petitions and therefore adopts this Ordinance pursuant to the provisions of Part 1 of Article 4A of Chapter 160A of the North Carolina General Statutes.

NOW THEREFORE, be it resolved and ordained by the Board of Commissioners in and for the Town of Beaufort as follows:

1. The Petitions meet the requirements of Section 160A-31 of the North Carolina General Statutes.

2. The areas described in the Petitions and more particularly described in Exhibit A attached hereto and incorporated herein by reference are hereby annexed into and made a part of the Town of Beaufort.

3. The effectiveness of this Ordinance shall be conclusively demonstrated by the recordation of this Ordinance in the Office of the Register of Deeds of Carteret County, North Carolina.

4. The Mayor of Town, the Town Clerk and all other proper agents of the Town are hereby directed and authorized to take such further action as may be reasonably necessary to implement this ordinance and to comply with any requirements of statute or other law applicable to the subject matter hereof.

Adopted this 12th day of October, 2026.

TOWN OF BEAUFORT

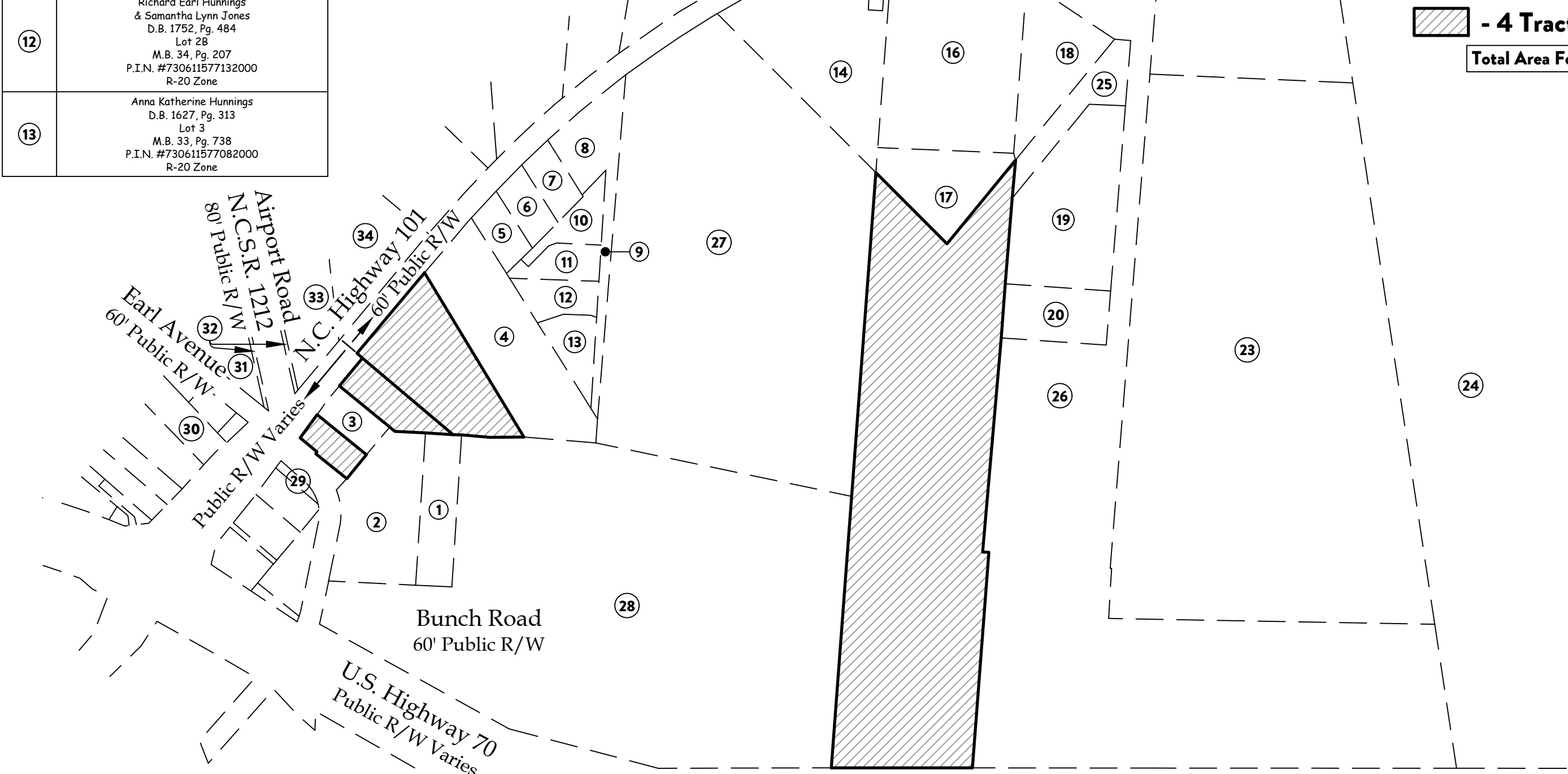
By: _____
SHARON E. HARKER, Mayor

(Town Seal)

ELIZABETH LEWIS, Town Clerk

Adjoiner Tract Data Table	
LABEL	ADJOINER DATA
①	Calvary Baptist Church D.B. 982, Pg. 335 P.I.N. #730611660429000 R-20 Zone
②	Calvary Baptist Church D.B. 369, Pg. 133 P.I.N. #730611569374000 R-20 Zone
③	Sycamore Creek, LLC D.B. 1520, Pg. 110 P.I.N. #730611566378000 B-1 Zone
④	Amanda June Woodring D.B. 1802, Pg. 19 P.I.N. #730611567902000 B-1 Zone
⑤	Edgar Earl Cole D.B. 271, Pg. 555 P.I.N. #730611574010000 R-20 Zone
⑥	Jeremy Scott Braddy & Taylor L. Williams D.B. 1591, Pg. 128 P.I.N. #730611573088000 R-20 Zone
⑦	Joseph Edward Brearey D.B. 1847, Pg. 95 P.I.N. #730611573149000 R-20 Zone
⑧	Joseph Edward Brearey D.B. 1847, Pg. 95 P.I.N. #730611573304000 R-20 Zone
⑨	Richard C. Hunnings D.B. 1591, Pg. 128 M.B. 33, Pg. 738 P.I.N. #730611575255000 R-20 Zone
⑩	John Melvin Eubanks D.B. 1627, Pg. 313 Lot 1 M.B. 33, Pg. 738 P.I.N. #730611574189000 R-20 Zone
⑪	Richard Earl Hunnings D.B. 1724, Pg. 58 Lot 2A M.B. 34, Pg. 207 P.I.N. #730611576007000 R-20 Zone
⑫	Richard Earl Hunnings & Samantha Lynn Jones D.B. 1752, Pg. 484 Lot 28 M.B. 34, Pg. 207 P.I.N. #730611577132000 R-20 Zone
⑬	Anna Katherine Hunnings D.B. 1627, Pg. 313 Lot 3 M.B. 33, Pg. 738 P.I.N. #730611577082000 R-20 Zone

LABEL	ADJOINER DATA
⑭	Carteret County-Beaufort Airport Authority D.B. 843, Pg. 362 P.I.N. #730607583035000 B-1 Zone
⑮	Carteret County-Beaufort Airport Authority D.B. 1196, Pg. 219 P.I.N. #730607582246000 R-20 Zone
⑯	Carteret County-Beaufort Airport Authority D.B. 1277, Pg. 301 P.I.N. #730607585375000 B-1 Zone
⑰	Carteret County-Beaufort Airport Authority D.B. 1277, Pg. 301 P.I.N. #730607585375000 B-1 Zone
⑱	Carteret County-Beaufort Airport Authority D.B. 812, Pg. 96 P.I.N. #730607586671000 B-1 Zone
⑲	PPJ Investments, Inc. D.B. 812, Pg. 96 M.B. 33, Pg. 155 P.I.N. #730607680472000 B-1 Zone
⑳	PPJ Investments, Inc. D.B. 1513, Pg. 299 M.B. 33, Pg. 155 P.I.N. #730607683215000 R-20 Zone
㉑	David W. Wright D.B. 468, Pg. 411 P.I.N. #730607593450000 R-20 Zone
㉒	David W. Wright D.B. 468, Pg. 412 Lot 1 M.B. 34, Pg. 863 P.I.N. #730607597292000 R-20 Zone
㉓	Carteret County-Beaufort Airport Authority D.B. 1277, Pg. 301 Lot 2 M.B. 34, Pg. 863 P.I.N. #730607685717000 R-20 Zone
㉔	Lucille Wright Bowen D.B. 1777, Pg. 11 P.I.N. #730607696632000 R-20 Zone



LABEL	ADJOINER DATA
㉕	R & L of Beaufort, LLC D.B. 1513, Pg. 300 M.B. 33, Pg. 155 P.I.N. #730607588546000 R-20 Zone
㉖	R & L of Beaufort, LLC D.B. 812, Pg. 96 M.B. 33, Pg. 155 P.I.N. #730607688246000 R-20 Zone
㉗	R & L of Beaufort, LLC D.B. 1509, Pg. 454 M.B. 33, Pg. 14 P.I.N. #730607578502000 R-20 Zone

LABEL	ADJOINER DATA
㉘	R & L of Beaufort, LLC D.B. 1513, Pg. 300 M.B. 33, Pg. 115 P.I.N. #730611664893000 RC-5 & B-1 Zones
㉙	Joseph Lee Rose D.B. 322, Pg. 315 M.B. 2, Pg. 136 P.I.N. #730611567147000 R-20 Zone
㉚	North Carolina Department of Transportation D.B. 1381, Pg. 289 P.I.N. #730611565180000 R-20 Zone

LABEL	ADJOINER DATA
㉛	Michael Robert Phillips D.B. 1836, Pg. 411 P.I.N. # B-1 Zone
㉜	Beaufort Morehead City Airport Authority D.B. 808, Pg. 559 P.I.N. #730601267487000 I-W Zone
㉝	Maranatha Pentecostal Holiness Church P.I.N. #730611563480000 R-8 Zone

LABEL	ADJOINER DATA
㉞	Faith Tabernacle of Praise, Inc. D.B. 742, Pg. 933 P.I.N. #730611562655000 R-20 Zone

Certificate for Approval for Annexation and Recording

I, _____, the Town Clerk of Beaufort, do certify that the Beaufort Town Council approved this map and the site has been approved for annexation and recording in the Office of the Register of Deeds.

Date: _____

Town Clerk: _____

I, Jonathan L. McDaniel, Professional Land Surveyor L-5682, certify to one of the following as indicated:

- ☐ a. That the survey creates a subdivision of land within the area of a county or municipality that has an ordinance that regulates parcels of land.
- ☐ b. That the survey is located in a portion of a county or municipality that is unregulated as to an ordinance that regulates parcels of land.
- ☐ c. Any one of the following:
 - That the survey is of an existing parcel or parcels of land or one or more existing easements and does not create a new street or change an existing street. For the purposes of this subsection, an "existing parcel" or "existing easement" is an area of land described in a single, legal description or legally recorded subdivision that has been or may be legally conveyed to a new owner by deed in its existing configuration.
 - That the survey is of an existing feature, such as a building or other structure, or natural feature, such as a watercourse.
 - That the survey is a control survey. For the purposes of this subsection, a "control survey" is a survey that provides horizontal or vertical position data for support or control of other surveys or for mapping. A control survey, by itself, cannot be used to define or convey rights or ownership.
 - That the survey is of a proposed easement for a public utility as defined in G.S. 62-3.
- ☒ d. That the survey is of another category, such as the recombination of existing parcels, a court-ordered survey, or other exemption or exception to the definition of subdivision.
- ☐ e. That the information available to the surveyor is such that the surveyor is unable to make a determination to the best of the surveyor's professional ability as to provisions contained in (a) through (d) above.

Jonathan L. McDaniel, P.L.S., L-5682

Legend:

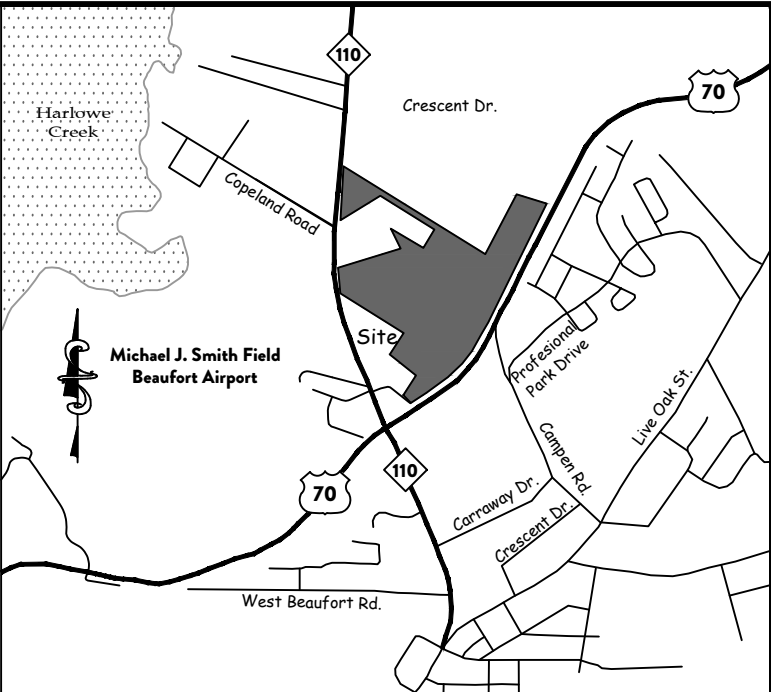
- Ac. - Acreage
- D.B. - Deed Book
- M.B. - Map Book
- Pg. - Page
- R/W - Right-of-way

⑰ - Adjoiner Data Label



- 4 Tracts To Be Annexed

Total Area For Annexation: 16.78 Ac.



I, Jonathan L. McDaniel, certify that this map was drawn under my supervision from an actual survey (Deed and Plat references as shown hereon), made under my supervision, completed on 5/29/2025, 06/04/2025, 06/05/2025, & 10/14/2025, that the average relative positional precision is .01', that the boundaries not surveyed are shown as broken lines drawn from sources noted, that this map was prepared in accordance with G.S. 47-30 as amended, this map was prepared for recording purposes.

Witness my original signature, license number and seal this _____ day of _____ in the year of our Lord 2025.

PRELIMINARY

Jonathan L. McDaniel, P.L.S., L-5682

NORTH CAROLINA.....CARTERET COUNTY

I, _____ Review Officer of Carteret County, certify that the map or plat to which this certification is affixed meets all statutory requirements for recording.

Review Officer _____ Date _____

NORTH CAROLINA.....CARTERET COUNTY

Filed for registration and recorded in Map Book _____, Page _____, this _____ day of _____, 2025, at _____ o'clock ____M.

Register of Deeds
By _____

Annexation Map Sheet 1 of 3 - Overall

TRACTS ON N.C. HIGHWAY 101 & U.S. HIGHWAY 70

Town of Beaufort, Carteret County, North Carolina

Owners:

R & L of Beaufort, LLC 5711 Six Forks Road, Suite 300 Raleigh, North Carolina 27609 & Beaufort Crossing, LLC 5711 Six Forks Road, Suite 300 Raleigh, North Carolina 27609 & Sycamore Creek, LLC 305 Transylvania Avenue Raleigh, North Carolina 27609

DATE: 06/29/2026

SCALE: 1"=300'



TIDEWATER ASSOCIATES, INC.

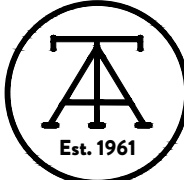
Engineers - Surveyors - Planners

Cedar Point, North Carolina

1069A Cedar Point Blvd.

Phone (252) 393-6101 - www.TidewaterENC.com

N.C. Firm License Number: F-0108



COGO: 22569.erd
Project: 22569
Filename: BeaufortCrossing-Annexation3.dwg
Drawn By: JJS
Job No.: 5220926-8211

Legend:
 Ac. - Acreage
 BREIP - Bent Base Existing Iron Pipe
 BREIR - Bent Base Existing Iron Rod
 C/L - Centerline
 CP - Computed Point
 D.B. - Deed Book
 eb - Electrical Box
 ECM - Existing Concrete Monument
 EIP - Existing Iron Pipe
 EIPPT - Existing Iron Pipe Pinched Top
 EIR - Existing Iron Rod
 ESN - Existing Spike Nail
 ex. - Existing
 M.B. - Map Book
 Pg. - Page
 R/W - Right-of-way
 S.F. - Square Feet
 SIR - Set Iron Rod

(17) - Adjoiner Data Label (See Sheet 1 for actual data)

- 4 Tracts To Be Annexed

Total Area For Annexation: 16.78 Ac.

Sheet 2 of 3

Town of Beaufort, Carteret County, North Carolina

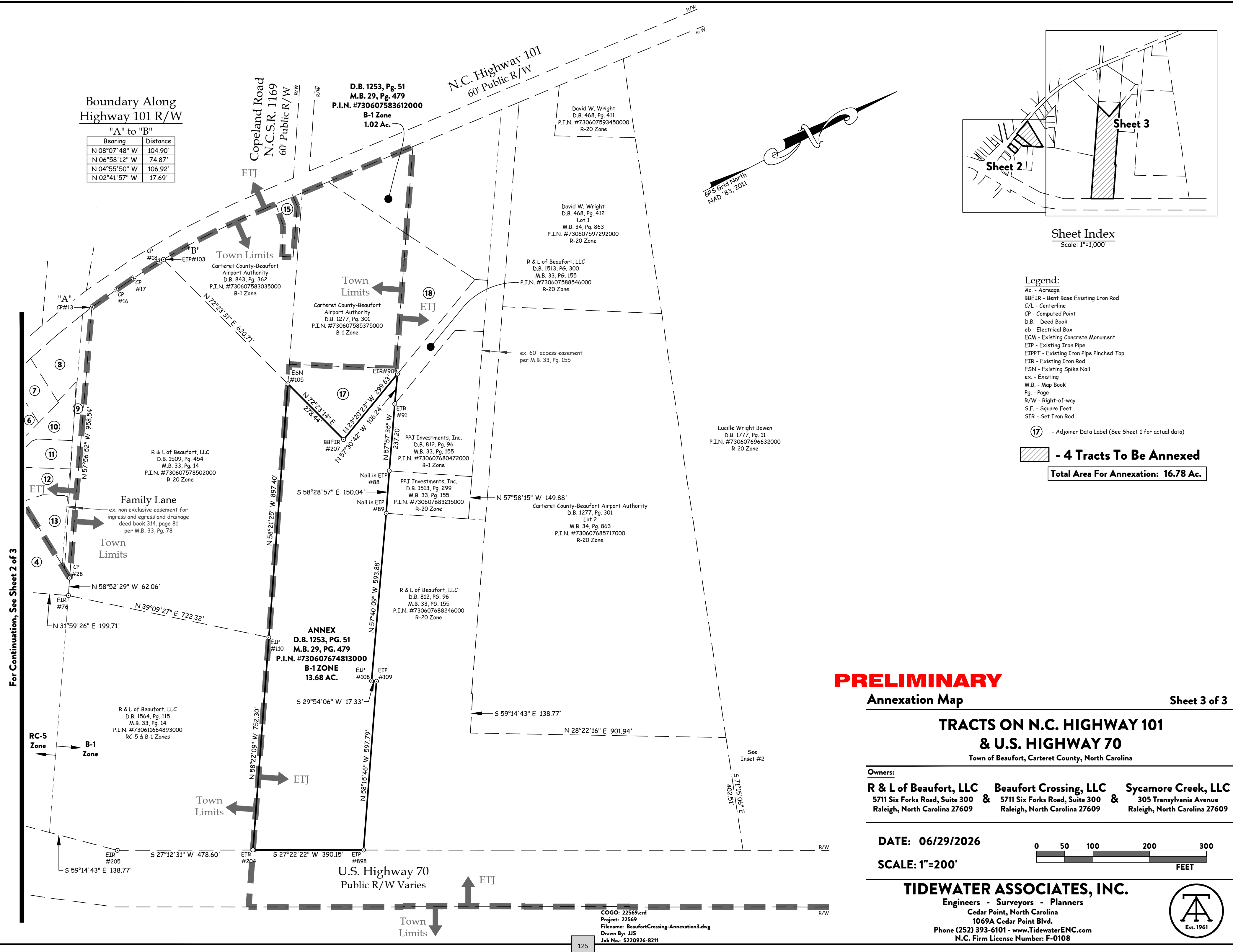
R & L of Beaufort, LLC **&** **Beaufort Crossing, LLC** **&** **Sycamore Creek, LLC**
5711 Six Forks Road, Suite 300 5711 Six Forks Road, Suite 300 305 Transylvania Avenue
Raleigh, North Carolina 27609 Raleigh, North Carolina 27609 Raleigh, North Carolina 27609

A horizontal bar divided into four equal segments. Above the bar, the numbers 0, 50, 100, 200, and 300 are marked at the segment boundaries. The word "FEET" is written below the bar.

**Cedar Point, North Carolina
1069A Cedar Point Blvd.**

Boundary Along Highway 101 R/W

Bearing	Distance
N 08°07'48" W	104.90'
N 06°58'12" W	74.87'
N 04°55'50" W	106.92'
N 02°41'57" W	17.69'





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, October 12, 2026

AGENDA CATEGORY: Public Hearing
SUBJECT: Case #26-10: Rezoning Request, 374 Highway 101,
from R-20 to B-1

BRIEF SUMMARY:

To consider a request to rezone 374 Highway 101 from R-20 Residential Single-Family District to B-1 General Business District and concurrently amend the Future Land Use Map of the Beaufort Comprehensive and CAMA Land Use Plan from Suburban Residential to Village Commercial.

The Planning Board considered the request on September 21, 2026, and recommended denial by a 4-2 vote. The Board of Commissioners will conduct a public hearing and consider the requested zoning map and Future Land Use Map amendments.

REQUESTED ACTION:

Receive staff and applicant presentations

Conduct the public hearing and discuss the request

Consider concurrent adoption of the zoning map ordinance and Land Use Plan amendment resolution, or deny or table the request

EXPECTED LENGTH OF PRESENTATION:

30 Minutes

SUBMITTED BY:

Michelle Eitner

Town Planner



STAFF REPORT



To: Board of Commissioners

From: Michelle Eitner, Town Planner

Date: October 12, 2026

Case No. 26-10 – Request to change the zoning district of 374 Highway 101 from R-20 to B-1 with Future Land Use Map classification change of Suburban Residential to Village Commercial

THE REQUEST:

To consider a request to rezone 374 Highway 101 from R-20 Residential Single-Family District to B-1 General Business District and concurrently amend the Future Land Use Map of the Beaufort Comprehensive and CAMA Land Use Plan from Suburban Residential to Village Commercial.

INFORMATION:

Location: 374 Highway 101 (PIN 730611567208000)

Applicant: Josh Edmondson, Tidewater Associates Inc.

Property Owner: R & L of Beaufort LLC (via Lyle Gardner, Manager)

Town Limits: Extraterritorial Jurisdiction (current annexation request pending)

Current Zoning District: R-20 Residential Single-Family District

Requested Zoning District: B-1 General Business District

Current Future Land Use: Suburban Residential (no NIZ)

Requested Future Land Use: Village Commercial

Flood Zone: X zone in effective & preliminary FIRMs (not Special Flood Hazard Area)

Size: 0.327 acres

Existing Land Use: Vacant

OPTIONS:

1. Approve the request by concurrent adoption of:
 - a. Ordinance to Amend the Town of Beaufort Zoning Map
 - b. Resolution Authorizing an Amendment to the Beaufort Comprehensive and CAMA Land Use Plan
2. Deny the request
3. Table consideration of the request pending additional information necessary to make a decision

ATTACHMENTS:

- Attachment A – Staff Report
- Attachment B – Vicinity Map
- Attachment C – Zoning Map
- Attachment D – Application Package
- Attachment E – LDO Section 7.A R-20 & Section 9.C B-1
- Attachment F – Comprehensive and CAMA Land Use Plan Future Land Use Map & Classifications
- Attachment G – Planning Board Resolution of Plan Consistency
- Attachment H – Notification Certification
- Attachment I – Draft Ordinance to Amend the Town of Beaufort Zoning Map
- Attachment J – Draft Resolution Authorizing an Amendment to the Beaufort Comprehensive and CAMA Land Use Plan

STAFF COMMENTS:

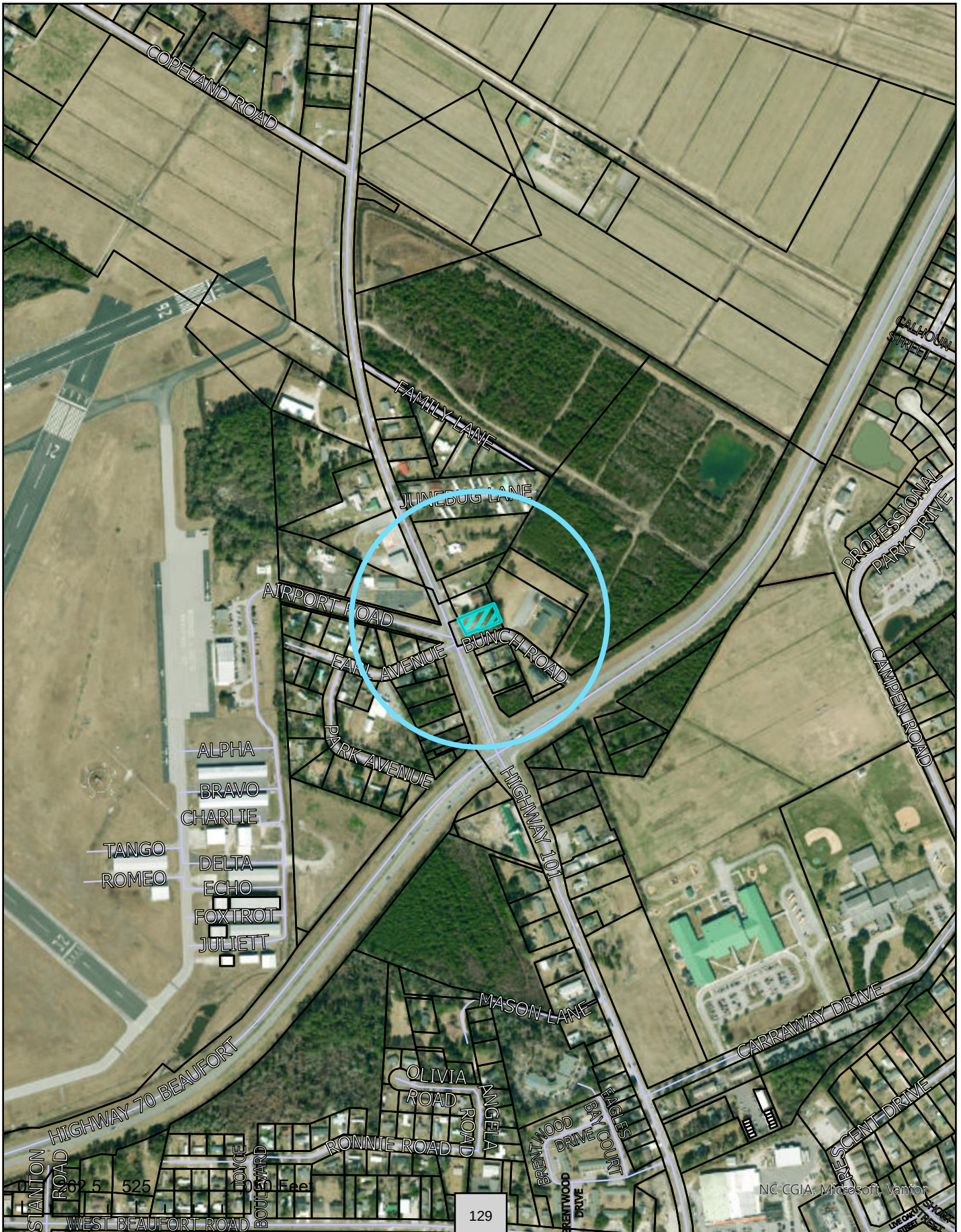
Josh Edmondson of Tidewater Associates, Inc., agent for property owner R & L of Beaufort, LLC, has requested a zoning map amendment for 374 Highway 101 from R-20 to B-1, with amendment to the Comprehensive and CAMA Land Use Plan Future Land Use Map (FLUM) classification from Suburban Residential to Village Commercial.

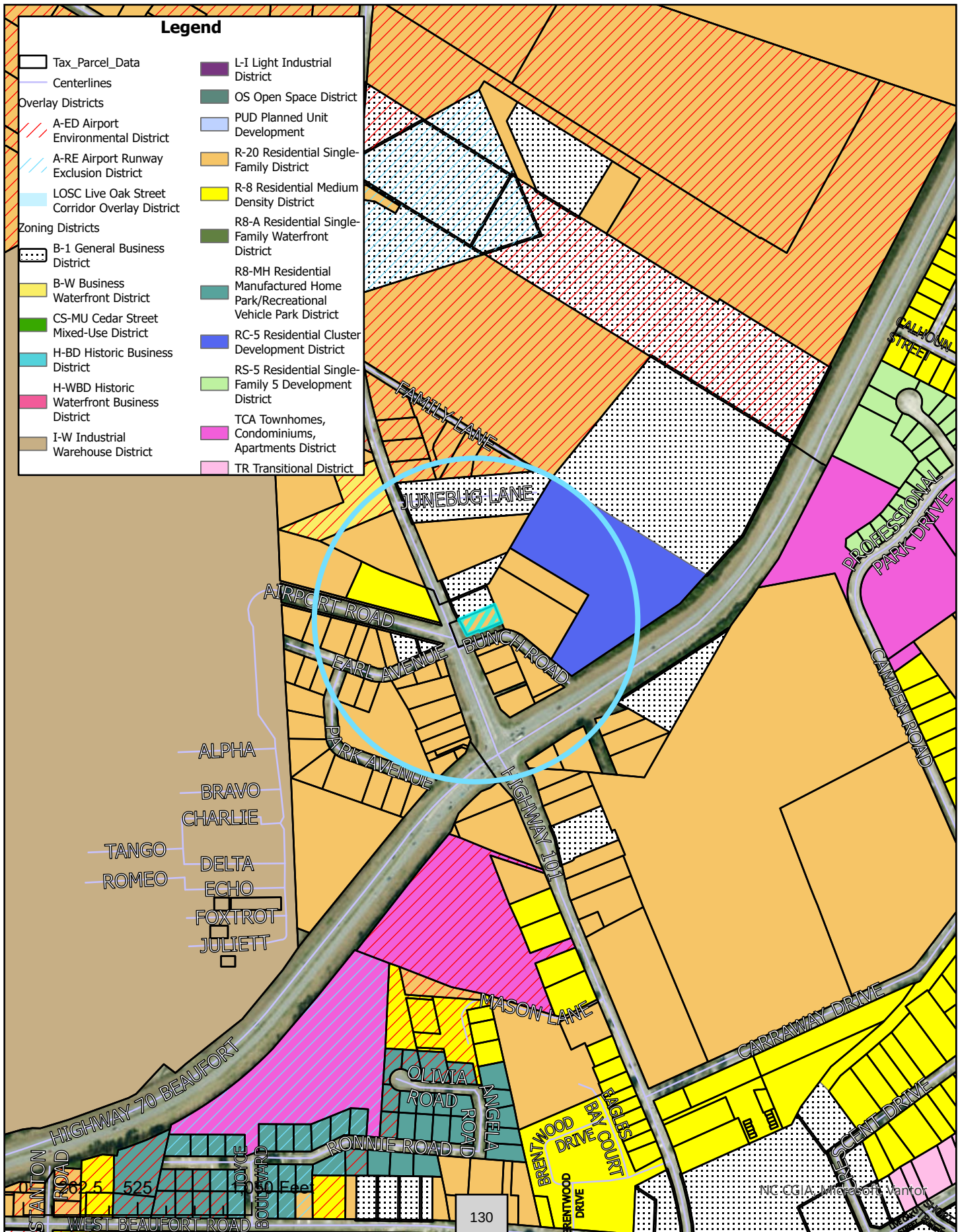
The Planning Board considered this request at its regularly scheduled meeting on September 21, 2026, and recommended denial by a 4-2 vote, finding that the proposed rezoning and Future Land Use Map amendment are not reasonable and are not in the public interest because they do not further objectives of the Beaufort Comprehensive and CAMA Land Use Plan related to beautification and preservation of community character, support for existing small businesses, housing diversity and affordability, reducing vulnerability through guidance provided by the Future Land Use Map, and respect for existing neighborhoods.

This is a general rezoning request and is not tied to a specific development proposal. In reviewing the request, the Board of Commissioners should consider whether the B-1 district and the range of uses allowed within that district are appropriate for the property and surrounding area. The Board should also consider the relationship of the proposed zoning to nearby zoning and development, and whether the requested Village Commercial Future Land Use Map classification is appropriate for the property.

If approved, the Future Land Use Map amendment will also be subject to the applicable State review and certification process for amendments to the Town's certified CAMA Land Use Plan.

Case 26-10 374 Highway 101 Rezoning R-20 to B-1
Vicinity Map







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: Tidewater Associates Inc.

Applicant Address: 1069A Cedar Point Blvd, Cedar Point NC 28584

Phone Number: 252-393-6101

Email: [REDACTED]

Property Owner Name: R & L Of Beaufort LLC

Address of Property Owner: 5711 Six Forks Rd, Suite 300, Raleigh, NC 27609

Phone Number: 919-422-1201

Email: [REDACTED]

PROPERTY INFORMATION

Property Address: 374 Highway 101

15-Digit PIN: 730611567208000

Lot/Block Number: Lot NC 101 Beaufort

Size of Property (in square feet or acres): .33 acres

Current Zoning: R-20

Requested Zoning: B-1

Current Use of Property: ☐ Residential ☒ Vacant ☐ Commercial ☐ Other: _____

Applicant Signature [Signature]

Date of Applicant's Signature 4-9-26

Property Owner Signature (if different than applicant) [Signature]

Date of Owner's Signature 4/10/26

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.



Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, Esri, NASA, NGA, USGS, NC CGIA, Microsoft, Vantor, Carteret County

374 HWY 101 Site Map

0 30 60 120 US Feet

Rezoning Justification

- 1. Will this proposal place all property similarly situated in the area in the same category, or in appropriate complementary categories?**

In review of the Town of Beaufort's Land Development Ordinance, the B-1 classification would be an appropriate and complementary category to those existing classifications in the area. The permitted uses are identical to those of the adjacently zoned B-1 property. Furthermore, the B-1 classification is established to provide for a variety of sales and service facilities to the general public. This is a benefit to those residentially zoned parcels in the area by providing access to goods and services.

Within this area there are various zoning classifications including R-20, R-8, RC-5 and B-1 that are situated in such a way to complement each other as existing development or future development.

- 2. Under this proposal, will all uses permitted under the proposed district classification be in the general public interest and not merely in the interest of an individual or small group?**

The uses permitted in the proposed zoning classification would allow commercial growth to serve the community by providing opportunity for additional retail, food and service industries to be established.

- 3. Are all uses permitted under the proposed new district classification appropriate for the area included in the proposed change?**

In reviewing the table of permitted uses and the existing B-1 district classifications of adjacent parcels, it can be found that uses are appropriate for the area. Those adjacent parcels with the identical classification allow the exact same uses. This is a benefit for the area that has residentially zoned properties.

- 4. Will the character of the neighborhood be materially or adversely affected by any use permitted in the proposed change?**

In review of the zoning classifications in this area of Beaufort and others similarly situated, it seems to be common for the B-1 district to be located adjacent to residentially zoned properties. As this development pattern is prevalent in Beaufort, there is precedence that the requested zoning change will not materially or adversely affect the character of the area. It seems to bolster these areas in a positive way.

- 5. Is the proposed change in accord with the Beaufort Comprehensive & CAMA Land Use Plan?**

According to the Beaufort Comprehensive & CAMA Land Use Plan, this area is designated as the Suburban Residential Future Land Use. The plan states “Typical uses, primarily single family detached residential, with an occasional mix of other highly compatible residential uses scattered throughout, including duplexes, accessory dwellings, and garage apartments. Sometimes, but more rarely, there may also be duplex neighborhoods.” The requested change in zoning to B-1 would not be consistent with this land use classification but the requested zoning change does appear to be consistent for this area. Therefore, a change to the Future Land Use classification is warranted.

The appropriate Future Land Use classification as supported by the goals, policies and actions stated in the Beaufort Comprehensive & CAMA Land Use Plan is Village Commercial. The plan states “Typical uses, smaller footprint, lower intensity, neighborhood serving commercial, retail, services, or offices. Pedestrian-serving uses (boutique shops or fitness studios, personal care, arts) are more appropriate than automobile-oriented uses (vehicle or machinery repair, rental and service, commercial nurseries or lumber yards, fast food restaurants, drive-thru banks, etc.) Upper story dwellings (aka live/work) are also appropriate. If context appropriate, institutional uses (churches, schools, hospitals, government buildings, etc.). On parcels directly adjacent to this area, multi-family residential may be appropriate, potentially providing customers for local businesses. Higher density residential development, whether as detached or low-impact attached residential is usually appropriate within a ¼ mile walking distance of these areas.”

This future land use category seems to support the change in zoning to B-1. The goals, policies and actions below support the change in future land use and zoning classifications:

Objective 2.1: Reduce vulnerability by utilizing guidance from the Future Land Use Map (FLUM) to focus growth and public infrastructure investments away from flood-prone areas toward higher ground.

Objective 3.1: Encourage efforts to make housing more diverse and affordable.

Action 3.1.2.2: Encourage or require multiple housing types within a single development.

Objective 3.3: Respect existing neighborhood fabric and encourage infill that fits its context.

Objective 3.4: Increase walkability in neighborhoods.

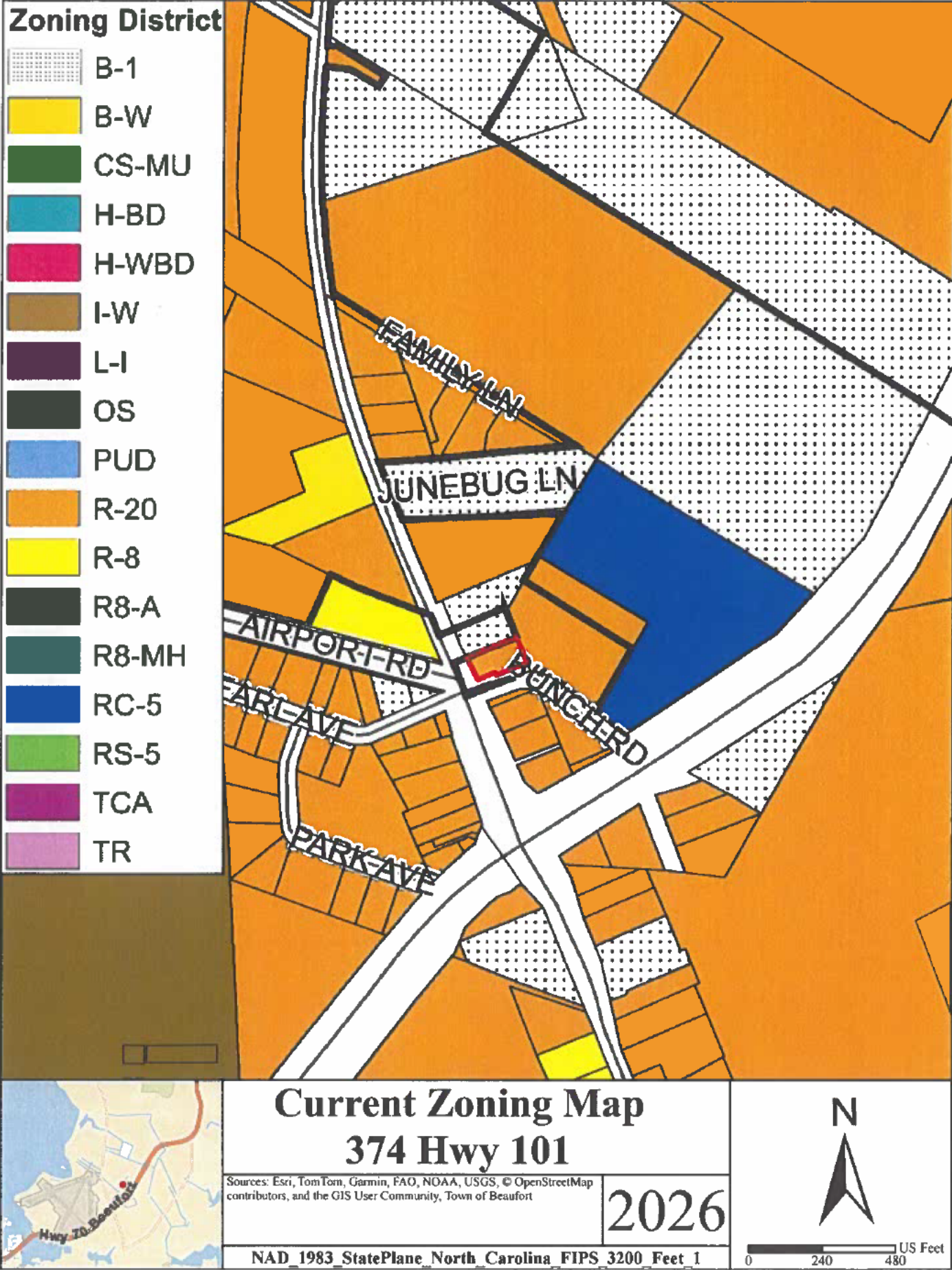
Objective 5.2: Continue to support existing small businesses and encourage new local businesses.

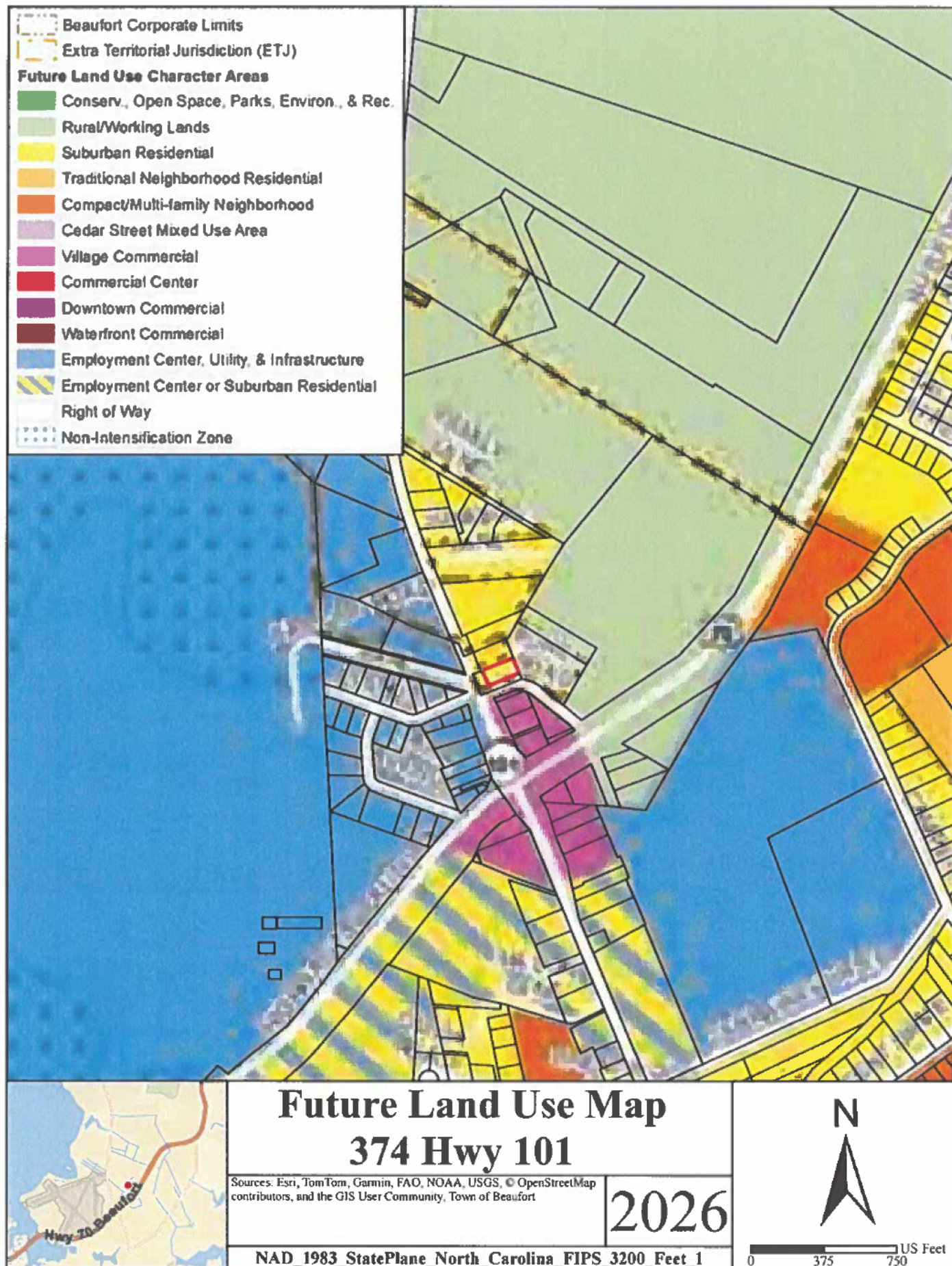
Objective 5.4: Continue to support the Michael J. Smith Airfield as an asset to Beaufort's economy.

Objective 5.7: Preserve spaces for commercial, retail, service and nonresidential businesses while also being responsive to the strong demand for conversion of these properties to residential use.

Objective 7.1: Preserve the character of Beaufort's built environment.

Objective 7.8: Continue to beautify Beaufort.







P/N15	OWNER	MAIL_ADD	MAIL_CITY	MAIL_STATE	MAIL_ZIP	PhysicalAd
730601267487000	MICHAEL J SMITH AIRPORT	180 AIRPORT ROAD	BEAUFORT	NC	28516	180 AIRPORT RD
730611563480000	MARANATHA PENTECOSTAL HOLINESS	130 AIRPORT ROAD	BEAUFORT	NC	28516	130 AIRPORT RD
730611567182000	ROSE,JOSEPH LEE	358 HWY 101	BEAUFORT	NC	28516	358 HWY 101
730611569374000	CALVARY BAPTIST CHURCH	119 BUNCH ROAD	BEAUFORT	NC	28516	119 BUNCH RD
730611567147000	ROSE,JOSEPH LEE	358 HWY 101	BEAUFORT	NC	28516	0
730611566378000	SYCAMORE CREEK LLC	305 PENNSYLVANIA AVENUE	RALEIGH	NC	27609	380 HWY 101

Adjacent Property Owner List for 374 Hwy 101



FILE # 1630132

FOR REGISTRATION REGISTER OF DEEDS
 Karen S. Hardesty
 Carteret County, NC
 February 19, 2019 10:30:48 AM
 MARY DEED 3 P
 FEE \$26.00
 NC REVENUE STAMP \$160.00
 FILE # 1630132

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: \$160.00

Parcel Identifier No. 730611567208000 Verified by _____ County on the _____ day of _____, 20____
 By: _____

✓ Mail/Box to: Richard L. Stanley, P.O. Box 150, Beaufort, NC 28516

This instrument was prepared by: Richard L. Stanley, 601 Cedar St., Ste F, Beaufort, NC 28516

Brief description for the Index: LOT lot east side Highway 101,

THIS DEED made this 8th day of February, 2019, by and between

GRANTOR

GRANTEE

Kenneth Wayne Willis and spouse,
 Deanna Willis
 298 Cape Lookout Drive
 Harkers Island, NC 28531
 subject to the life estate of Lydia Warren

R & L of Beaufort, LLC
 a North Carolina Limited Liability Company
 7706 Six Forks Road
 Raleigh, NC 27615

Enter in appropriate block for each Grantor and Grantee: name, mailing address, and, if appropriate, character of entity, e.g. corporation or partnership.

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 the Grantor, for a 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, parcel of land or condominium unit situated in the City of Beaufort Township, CARTERET County, North Carolina and more particularly described as follows:

EXHIBITA

The property hereinabove described was acquired by Grantor by instrument recorded in Book _____ page _____
 All or a portion of the property herein conveyed _____ includes or X does not include the primary residence of a Grantor.

A map showing the above described property is recorded in Plat Book _____ page _____.

Page 1 of 2

NC Bar Association Form No. 3 © 1976, Revised © 1977, 2002, 2013
 Printed by Agreement with the NC Bar Association - 1981

This standard form has been approved by:
 North Carolina Bar Association - NC Bar Form No. 3

3

1630132

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, other than the following exceptions:
Easements and restrictions of record.

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

By: _____ (Entity Name) Kenneth Wayne Willis (SEAL)
Print/Type Name: Kenneth Wayne Willis

By: _____ Deanna Willis (SEAL)
Print/Type Name & Title: _____
Print/Type Name: Deanna Willis

By: _____ (SEAL)
Print/Type Name & Title: _____
Print/Type Name: _____

By: _____ (SEAL)
Print/Type Name & Title: _____
Print/Type Name: _____

State of North Carolina - County or City of CARTERET

I, the undersigned Notary Public of the County or City of CARTERET and State aforesaid, certify that Kenneth Wayne Willis and spouse, Deanna Willis personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this 8th day of February, 2019.

My Commission Expires: 7-10-22
(Affix Seal)



Amanda Jones
Notary's Printed or Typed Name

State of _____ - County or City of _____
I, the undersigned Notary Public of the County or City of _____ and State aforesaid, certify that _____ personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this _____ day of _____, 20____.

My Commission Expires: _____
(Affix Seal)

Notary's Printed or Typed Name

State of _____ - County or City of _____
I, the undersigned Notary Public of the County or City of _____ and State aforesaid, certify that _____ personally came before me this day and acknowledged that _____ of _____, a North Carolina or _____ corporation/limited liability company/general partnership/limited partnership (strike through the inapplicable), and that by authority duly given and as the act of such entity, _____ he signed the foregoing instrument in its name on its behalf as its act and deed. Witness my hand and Notarial stamp or seal, this _____ day of _____, 20____.

My Commission Expires: _____
(Affix Seal)

Notary's Printed or Typed Name

1630132

ATTACHMENT

Beginning at a stake on the east side of Highway 101, the southwest corner of the land formerly owned by Allen Stanley Taylor (later Gordon Hardesty and R. Neal Campen); thence North 74 East 200 feet to an iron stake; thence S 15-35 East 85 feet to an iron stake, the north side of a right of way belonging to R. Neal Campen; thence S 74 W with the said right of way 200 feet to the east side of Highway 101; thence N 15-35 W 85 feet to the point of beginning, and being the property conveyed in Book 958, page 343, Carteret County Registry.

A portion of the above lot on the east line of NC Highway 101 has been conveyed to the NC Department of Transportation in Book 1370, page 124, and the tract so conveyed is excepted herewith.

This property is subject to the life estate conveyed to Lydia Warren in the deed recorded in Book 958, page 343, Carteret County Registry. This deed is further conveyed subject to the rights of heirs of Lydia Warren to remove a shed and items of personal property from the property within a period of 2 weeks following the death of Lydia Warren.

In the deed in Book 958, page 343, the property was conveyed to Morris Mitchell, Joyce Oglesby, Kenneth Willis and Iva Joyce Stuck with the right of survivorship among the remainder grantees. Morris C. Mitchell died December 23, 2003, Joyce Oglesby died 3/19/2005, and Iva Joyce Stuck died April 2, 2008, leaving Kenneth Willis as the surviving Grantee.

03-3685

374 Highway 101, Beaufort, NC 28516

SECTION 7 Residential Zoning Districts

A) *R-20 Residential Single-Family District.*

This residential district is intended to maintain a compatible mixture of single-family residential and bona fide farm uses with a density of two families per acre in accordance with the North Carolina State Board of Health recommendations for residential areas without public water and public sewer, and to prevent the development of blight and slum conditions.

1) Minimum Lot Size.

All lots in this district shall be a minimum of twenty thousand square feet (20,000 ft²).

2) Minimum Lot Width.

All lots in the R-20 district shall have a minimum lot width of one hundred feet (100') 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 7-1 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-20	30 feet	25 feet	15 feet	40 feet

Table 7-2 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>
R-20	30 feet	30 feet	25 feet	15 feet	40 feet

Table 7-3 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 Setback</i>	<i>Building Height Limitation</i>
R-20	30 feet	25 feet	15 feet	40 feet

4) Accessory Building Setback Requirements.

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

5) Permitted Uses.

Agritourism	Home Occupation
Antenna Co-Location on Existing Tower	Manufactured Home
Aquaculture	Neighborhood Recreation Center Indoor/Outdoor, Private
Assisted Living	Neighborhood Recreation Center, Public
Athletic Field, Public	Nursing Home
Athletic Field, Private	Park, Public
Carport	Produce Stand/Farmers' Market
Club, Lodge, or Hall	Public Utility Facility
Community Garden	Religious Institution
Dock	Resource Conservation Area
Dwelling, Single-Family	Satellite Dish Antenna
Family Care Homes	Shed
Farming, General	Swimming Pool (Personal Use)
Forestry	Temporary Construction Trailer
Garage, Private Detached	Utility Minor
Government/Non-Profit Owned/ Operated Facilities & Services	Vehicle Charging Station
Group Home	

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

Accessory Dwelling Unit
Bed & Breakfast
Boat Sales/Rentals
Cemetery/Graveyard
Concealed (Stealth) Antennae &
Towers
Day Care/Child Care Home
Dry Boat Storage
Golf Course, Privately Owned
Golf Driving Range
Kennel, Indoor Operation Only
Kennel, Indoor /Outdoor Operation
Marina
Museum
Office: Small Business
Other Free Standing Towers
Outdoor Amphitheater, Public
Preschool
Public Safety Station
School, K-12
School, Post-Secondary
Utility Facility

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

The General Business District is established as the zoning 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 and development regulation 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 shall comply with all setback provisions of this Ordinance, including but not limited to Section 2(F), Section 6 and Section 15 of this Ordinance.

5) Permitted Uses.

Amusement Establishment	Liquor Store
Antenna Co-Location on Existing Tower	Moped/Golf Cart Sales/Rentals
Aquaculture	Mortuary/Funeral Home/Crematorium
Assisted Living	Motor Vehicle Sales/Rentals
Athletic Field, Public	Museum
Bed & Breakfast	
Boat Sales/Rentals	Neighborhood Recreation Center,
Car Wash	Public
Club, Lodge, or Hall	Nursing Home
Commercial Indoor Recreation Facility	Office: Business, Professional, or Medical
Community Garden	Other Building-Mounted Antennae &
Concealed (Stealth) Antennae & Towers	Towers
Convenience Store	Outdoor Retail Display/Sales
Day Care Center	Park, Public
Dock	Parking Lot
Dry Boat Storage	Parking Structure
Financial Institution	Personal Service Establishment
Government/Non-Profit Owned/ Operated Facilities & Services	Pool Hall or Billiard Hall
Hospital	Produce Stand/Farmers' Market
Hotel or Motel	Public Safety Station
Kennel, Indoor Operation Only	Public Utility Facility
Library	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

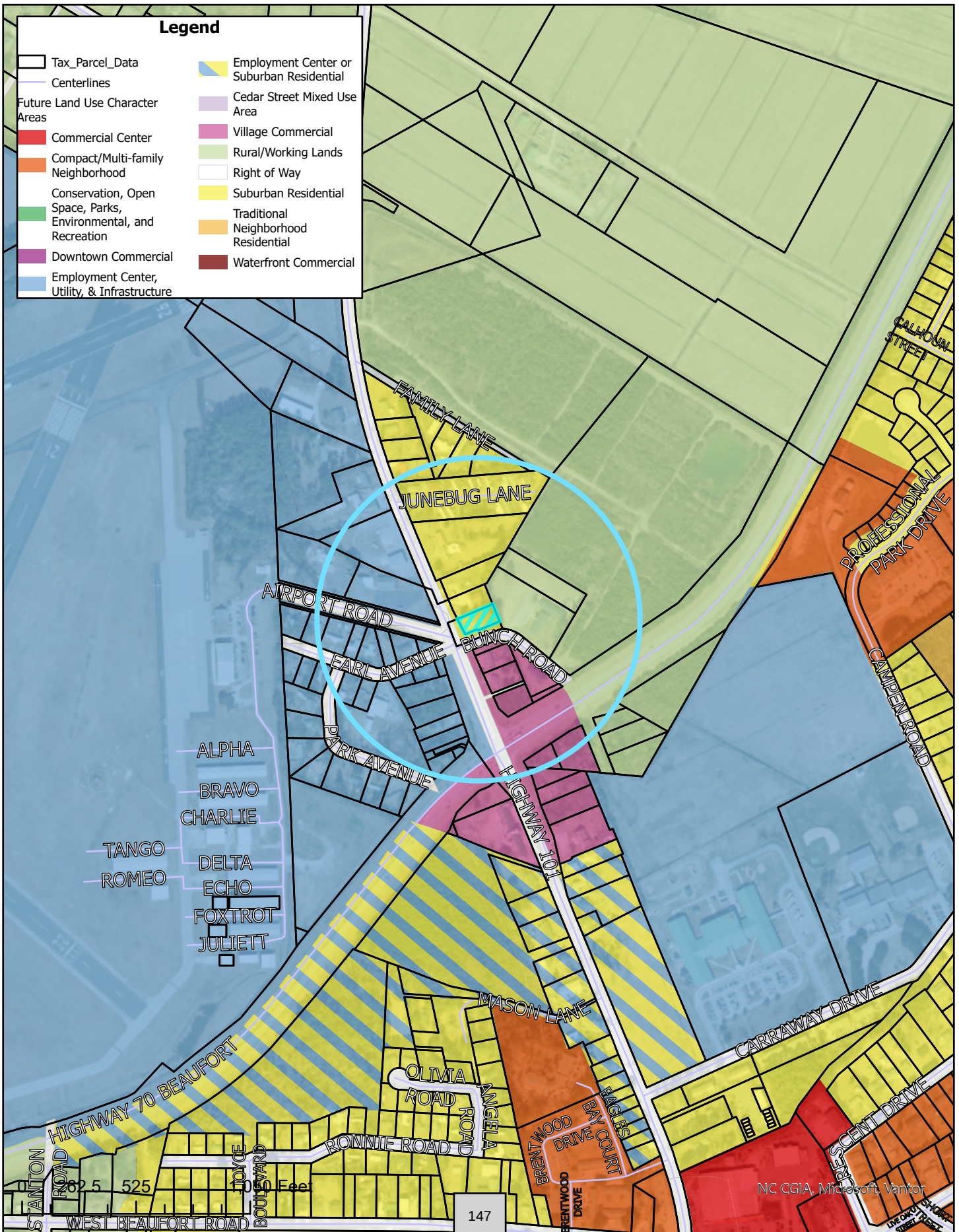
Temporary Construction Trailer
Theater, Small
Transportation Facility
Utility Minor
Vehicle Charging Station
Vehicle Service

6) Special Uses (*Special Uses* requirements 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

Case 26-10 374 Highway 101 Future Land Use Map Suburban Residential to Village Commercial



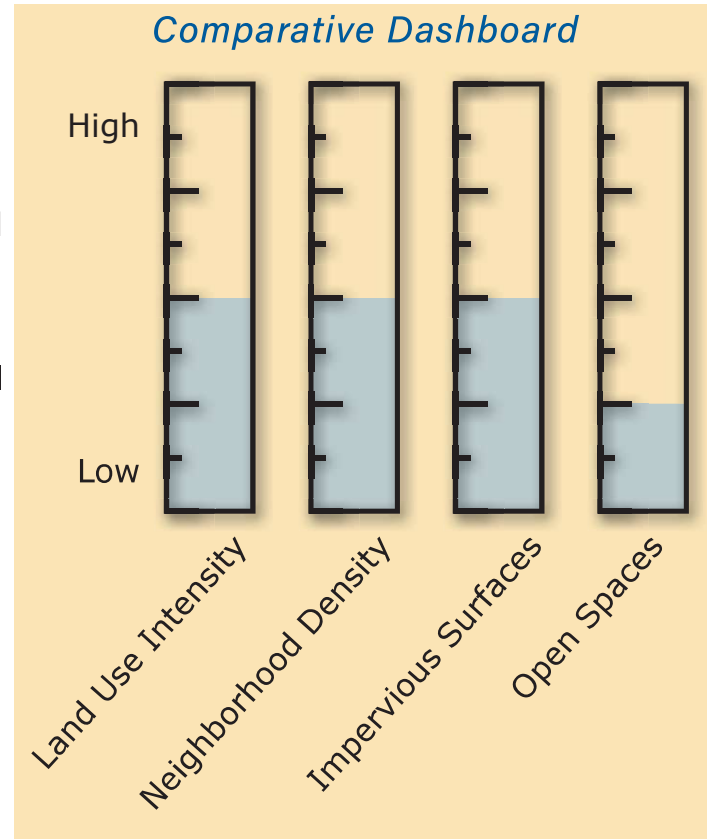
Suburban Residential

General Description:

These neighborhoods typically have larger lots or shared open spaces and common areas with a lower overall residential density than in the Traditional Neighborhood. The neighborhoods are still walkable from house to house, but most households probably depend primarily on automobiles for daily trips. Off-street parking is typical of a suburban residential neighborhood and various configurations exist. Residential densities typically range from around 1-3 dwellings per acre, although some developments will exceed that either in localized areas (especially if there are shared open spaces, amenities, or common areas) or overall. In neighborhoods with larger lots, open space is generally on private lots rather than communal.

Streets and Circulation:

These neighborhoods have medium levels of connectivity with low volume, low speed routes. Effort should be made to increase connectivity except in instances where it would excessively harm environmentally sensitive areas. Block lengths should not exceed 650' on a side unless absolutely unavoidable. Pedestrian facilities should be provided on at least one side of every street. Bicycles can share lanes on low volume streets, but on arterials dedicated (and preferably separated) facilities should be provided.



EXAMPLE USES:

Typical Uses

Primarily single family detached residential, with an occasional mix of other highly compatible residential uses scattered throughout, including duplexes, accessory dwellings, and garage apartments. Sometimes, but more rarely, there may also be duplex neighborhoods.

Uses if Context Appropriate

- » Institutional uses (churches, schools, hospital, government, etc)
- » Accessory dwellings
- » House-scale multi-family residential, patio homes, or small townhome developments - very occasionally.

Suburban Residential

Other Concerns:

Extending public facilities (water, sewer, etc.) to these areas may place an increased strain on maintenance budgets since the lower densities and lower taxable value per linear foot of public facilities may not cover the costs of maintenance. This land use type consumes land a greater rate and with fewer homes than the other residential future land use character areas.



Examples of Suburban Residential.

Village Commercial

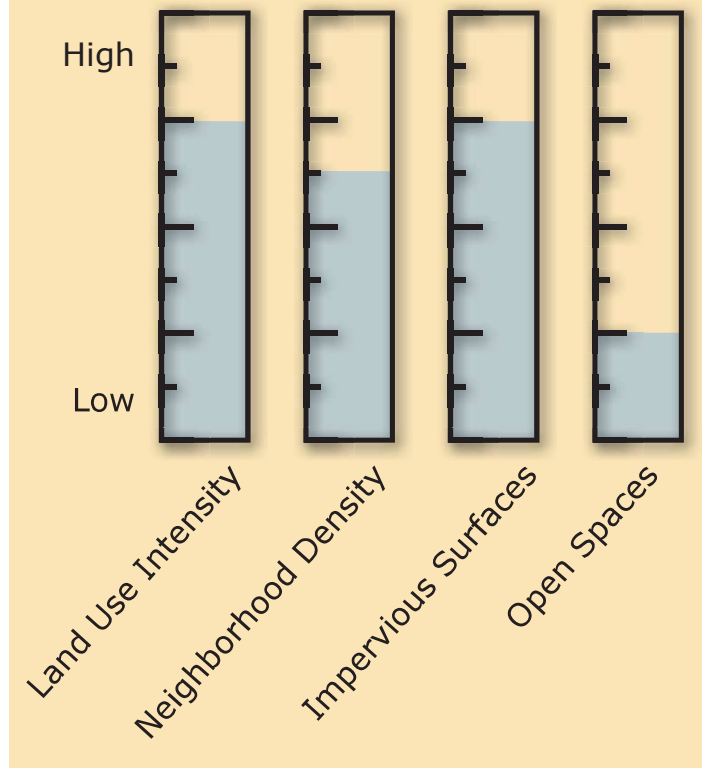
General Description:

These areas have small-scale non-residential uses that serve the neighborhood and sometimes even a greater region. Often it may only be three or four corners of an intersection or one large, multi-tenant compound, but sometimes larger geographic stretches may also be appropriate. Sites, structures, and streets are human-scaled. Buildings may be setback from the street, particularly if it is a previously residential structure that has been converted for a commercial use. It may also be appropriate to have buildings pulled up to the street, with parking in the rear, especially at busy intersections or in particularly active nodes.

Streets and Circulation:

Streets should have good pedestrian facilities to support walking from businesses-to-business or from home-to-business. Pedestrians are prioritized, but automobiles are accommodated, and

Comparative Dashboard



EXAMPLE USES:

Typical Uses:

Smaller footprint, lower intensity, neighborhood serving commercial, retail, services, or offices. Pedestrian-serving uses (boutique shops or fitness studios, personal care, arts) are more appropriate than automobile-oriented uses (vehicle or machinery repair, rental and service, commercial nurseries or lumber yards, fast food restaurants, drive-thru banks, etc.). Upper story dwellings (aka "live/work") are also appropriate.

If Context Appropriate:

- » Institutional uses (churches, schools, hospital, government buildings, etc.).
- » On parcels directly adjacent to this area, multi-family residential may be appropriate, potentially providing customers for local businesses.
- » Higher density residential development, whether as detached or low-impact attached residential is usually appropriate within a ¼ mile walking distance of these areas.

Village Commercial

might even have a transit stop nearby. Accommodating a mix of transportation options is important to being accessible to customers. Blocks should rarely, if ever, exceed 500 feet on a side so that they are walkable and might even be able to one day evolve into a condition similar to Downtown Commercial.

Other Concerns:

Depending on context, some of these places may evolve into higher activity Downtown Commercial areas some day in the distant future, and future infrastructure projects should support that.



Examples of Village Commercial



**TOWN OF BEAUFORT PLANNING BOARD
RESOLUTION OF PLAN CONSISTENCY**

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

WHEREAS, N.C.G.S. §160D-604(d) requires the Town of Beaufort Planning Board to advise and comment on whether the proposed action is consistent with the Town of Beaufort Comprehensive and CAMA Land Use Plan and any other officially adopted plan that is applicable, and to 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, a request has been made for the Town to amend the Town of Beaufort Zoning Map to reflect B-1 General Business District for 374 Highway 101 (PIN 730611567208000) instead of the current R-20 Residential Single-Family District, with associated amendment to the Comprehensive and CAMA Land Use Plan Future Land Use Map classification for the same property from Suburban Residential to Village Commercial; and

WHEREAS, the Planning Board has in fact met to consider and evaluate the proposed amendments at its regularly scheduled meeting on September 21, 2026; and

NOW THEREFORE, BE IT HEREBY RESOLVED, that the Planning Board finds that the proposed B-1 General Business District zoning IS NOT consistent with the property's current Suburban Residential Future Land Use Map classification. The Planning Board further finds that the proposed rezoning IS NOT reasonable and in the public interest because it does not further objectives of the Beaufort Comprehensive and CAMA Land Use Plan related to beautification and preservation of community character, support for existing small businesses, housing diversity and affordability, reducing vulnerability through guidance provided by the Future Land Use Map, and respect for existing neighborhoods. The Planning Board DOES NOT RECOMMEND approval of the requested zoning map amendment from R-20 Residential Single-Family District to B-1 General Business District. The Planning Board DOES NOT RECOMMEND amending the Future Land Use Map classification from Suburban Residential to Village Commercial in conjunction with the zoning map amendment.

This Resolution is effective upon its adoption this 21st day of September 2026.

TOWN OF BEAUFORT PLANNING BOARD



Ryan Neve, Chairman

ATTEST:



Laurel Anderson, Secretary



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

Notification Certification
Case #26-10 – 374 Highway 101
Subject Property and Abutting Property Owners
Zoning Map & FLUM Amendment Request

BEAUFORT MOREHEAD CITY AIRPORT AUTHORITY 180 AIRPORT ROAD BEAUFORT, NC 28516	CALVARY BAPTIST CHURCH 119 BUNCH RD BEAUFORT, NC 28516-8641
MARANATHA PENTECOSTAL HOLINESS CHURCH 130 AIRPORT ROAD BEAUFORT, NC 28516	NORTH CAROLINA DEPARTMENT OF TRANSPORTATION 1546 MAIL SERVICE CENTER RALEIGH, NC 27611
PHILLIPS MICHAEL ROBERT 125A OLD CAUSEWAY RD BEAUFORT, NC 28516-8603	R & L OF BEAUFORT LLC 5711 SIX FORKS RDSUITE 300 RALEIGH, NC 27609
ROSE JOSEPH LEE 358 HWY 101 BEAUFORT, NC 28516	SYCAMORE CREEK LLC C/O W TRENT RAGLAND III 305 TRANSYLVANIA AVENUE RALEIGH, NC 27609

I, Michelle Eitner, Town Planner for the Town of Beaufort, do hereby certify that the above-listed subject property owner and abutting property owners were notified that a request to rezone 374 Highway 101 from R-20 to B-1 and amend the Future Land Use Map designation from Suburban Residential to Village Commercial will be heard by the Board of Commissioners on October 12, 2026, at 6:00 p.m. at the Train Depot, 614 Broad Street, Beaufort, NC. Each of the above-listed property owners was mailed a letter and zoning and Future Land Use Map excerpts by first-class mail on September 23, 2026. A sign providing notice of the hearing was posted on the subject property on September 23, 2026. Public notice of the hearing was submitted to the Carteret County News-Times for publication on September 30 and October 7, 2026.

Signed

9.23.2026

Date

**TOWN OF BEAUFORT BOARD OF COMMISSIONERS
ORDINANCE TO AMEND THE TOWN OF BEAUFORT ZONING MAP
374 HIGHWAY 101 FROM R-20 TO B-1
ORDINANCE NO. 26-__**

Owner: R & L of Beaufort, LLC
Location & PIN: 374 Highway 101 (PIN 730611567208000)
Lot Size: 0.327 acres
Existing District: R-20 Residential Single-Family District
Requested District: B-1 General Business District

WHEREAS, Josh Edmondson of Tidewater Associates, Inc., agent for property owner R & L of Beaufort, LLC, has requested a zoning map amendment for 374 Highway 101 from R-20 to B-1; and

WHEREAS, the Town of Beaufort Planning Board convened to consider and prepare a recommendation and consistency statement on the request at its meeting on September 21, 2026, at which time the Planning Board recommended denial of the request; and

WHEREAS, notice of the public hearing to be held at the October 12, 2026 regular meeting of the Town of Beaufort Board of Commissioners was published in the Carteret County News-Times on September 30 and October 7, 2026; and

WHEREAS, the Board of Commissioners conducted a duly advertised public hearing on October 12, 2026, at which the applicant, Town staff, and members of the public were afforded an opportunity to comment on the request; and

WHEREAS, the Board of Commissioners has considered the recommendation of the Planning Board and the applicable provisions of the Beaufort Comprehensive and CAMA Land Use Plan; and

WHEREAS, the Board of Commissioners finds that the proposed rezoning is consistent with the Beaufort Comprehensive and CAMA Land Use Plan as concurrently amended to designate the property Village Commercial; and

WHEREAS, the Board of Commissioners finds that the proposed rezoning is reasonable and in the public interest because _____;

NOW, THEREFORE, IT IS HEREBY ORDAINED by the Board of Commissioners, based on the foregoing findings and conclusions, that the request to rezone 374 Highway 101 (PIN 730611567208000) from R-20 to B-1 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 12th day of October, 2026

TOWN OF BEAUFORT

Elizabeth Lewis, Assistant Town Manager & Town Clerk

Sharon E. Harker, Mayor



**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE TOWN OF BEAUFORT,
NORTH CAROLINA, AUTHORIZING AN AMENDMENT TO THE
BEAUFORT COMPREHENSIVE AND CAMA LAND USE PLAN**

WHEREAS, the Board of Commissioners of the Town of Beaufort desires to amend its Comprehensive and CAMA Land Use Plan, specifically the future land use classification of 374 Highway 101 (PIN 730611567208000) in the Future Land Use Map (p. 173); and

WHEREAS, the Comprehensive and CAMA Land Use Plan currently reflects this parcel as Suburban Residential future land use; and

WHEREAS, the Town of Beaufort desires to amend the Comprehensive and CAMA Land Use Plan to reflect this parcel as Village Commercial; and

WHEREAS, on September 21, 2026 the Planning Board recommended denial of the draft amendment to the Comprehensive and CAMA Land Use Plan; and

WHEREAS, the Town of Beaufort conducted a duly advertised public hearing on the draft amendment to the Comprehensive and CAMA Land Use Plan at the Regular Meeting of the Board of Commissioners on October 12, 2026; and

WHEREAS, at the Regular Meeting on October 12, 2026 the Board of Commissioners of the Town of Beaufort, North Carolina found the draft amendment to be consistent with the Town of Beaufort's 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 (p. 173) in the Comprehensive and CAMA Land Use Plan be amended to reflect that 374 Highway 101 (PIN 730611567208000) is now Village Commercial rather than Suburban Residential.

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 Comprehensive and CAMA Land Use Plan amendment to the State for certification as described above.

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

Adopted this 12th day of October, 2026.

TOWN OF BEAUFORT

Elizabeth Lewis, Assistant Town Manager & 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

Board of Commissioners Regular Meeting 6:00 PM Monday, October 12, 2026

AGENDA CATEGORY: Public Hearing
SUBJECT: Case #26-11: Rezoning Request, 404 Highway 101,
from R-20 to B-1

BRIEF SUMMARY:

To consider a request to rezone 404 Highway 101 from R-20 Residential Single-Family District to B-1 General Business District and concurrently amend the Future Land Use Map of the Beaufort Comprehensive and CAMA Land Use Plan from Suburban Residential to Village Commercial.

The Planning Board considered the request on September 21, 2026, and recommended denial by a 4-2 vote. The Board of Commissioners will conduct a public hearing and consider the requested zoning map and Future Land Use Map amendments.

REQUESTED ACTION:

Receive staff and applicant presentations

Conduct the public hearing and discuss the request

Consider concurrent adoption of the zoning map ordinance and Land Use Plan amendment resolution, or deny or table the request

EXPECTED LENGTH OF PRESENTATION:

30 Minutes

SUBMITTED BY:

Michelle Eitner

Town Planner



STAFF REPORT



To: Board of Commissioners

From: Michelle Eitner, Town Planner

Date: October 12, 2026

Case No. 26-11 – Request to change the zoning district of 404 Highway 101 from R-20 to B-1 with Future Land Use Map classification change of Suburban Residential to Village Commercial

THE REQUEST:

To consider a request to rezone 404 Highway 101 from R-20 Residential Single-Family District to B-1 General Business District and concurrently amend the Future Land Use Map of the Beaufort Comprehensive and CAMA Land Use Plan from Suburban Residential to Village Commercial.

INFORMATION:

Location: 404 Highway 101 (PIN 730611566676000)
Applicant: Josh Edmondson, Tidewater Associates Inc
Property Owner: Beaufort Crossing LLC (via Lyle Gardner, Manager)
Town Limits: Extraterritorial Jurisdiction (current annexation request pending)
Current Zoning District: R-20 Residential Single-Family District
Requested Zoning District: B-1 General Business District
Current Future Land Use: Suburban Residential (no NIZ)
Requested Future Land Use: Village Commercial
Flood Zone: Shaded X zone in effective FIRM & X zone in preliminary FIRM (not Special Flood Hazard Area)
Size: 2.207 acres
Existing Land Use: Vacant

OPTIONS:

1. Approve the request by concurrent adoption of:
 - a. Ordinance to Amend the Town of Beaufort Zoning Map
 - b. Resolution Authorizing an Amendment to the Beaufort Comprehensive and CAMA Land Use Plan
2. Deny the request
3. Table consideration of the request pending additional information necessary to make a decision

ATTACHMENTS:

- Attachment A – Staff Report
- Attachment B – Vicinity Map
- Attachment C – Zoning Map
- Attachment D – Application Package
- Attachment E – LDO Section 7.A R-20 & Section 9.C B-1
- Attachment F – Comprehensive and CAMA Land Use Plan Future Land Use Map & Classifications
- Attachment G – Planning Board Resolution of Plan Consistency
- Attachment H – Notification Certification
- Attachment I – Draft Ordinance to Amend the Town of Beaufort Zoning Map
- Attachment J – Draft Resolution Authorizing an Amendment to the Beaufort Comprehensive and CAMA Land Use Plan

STAFF COMMENTS:

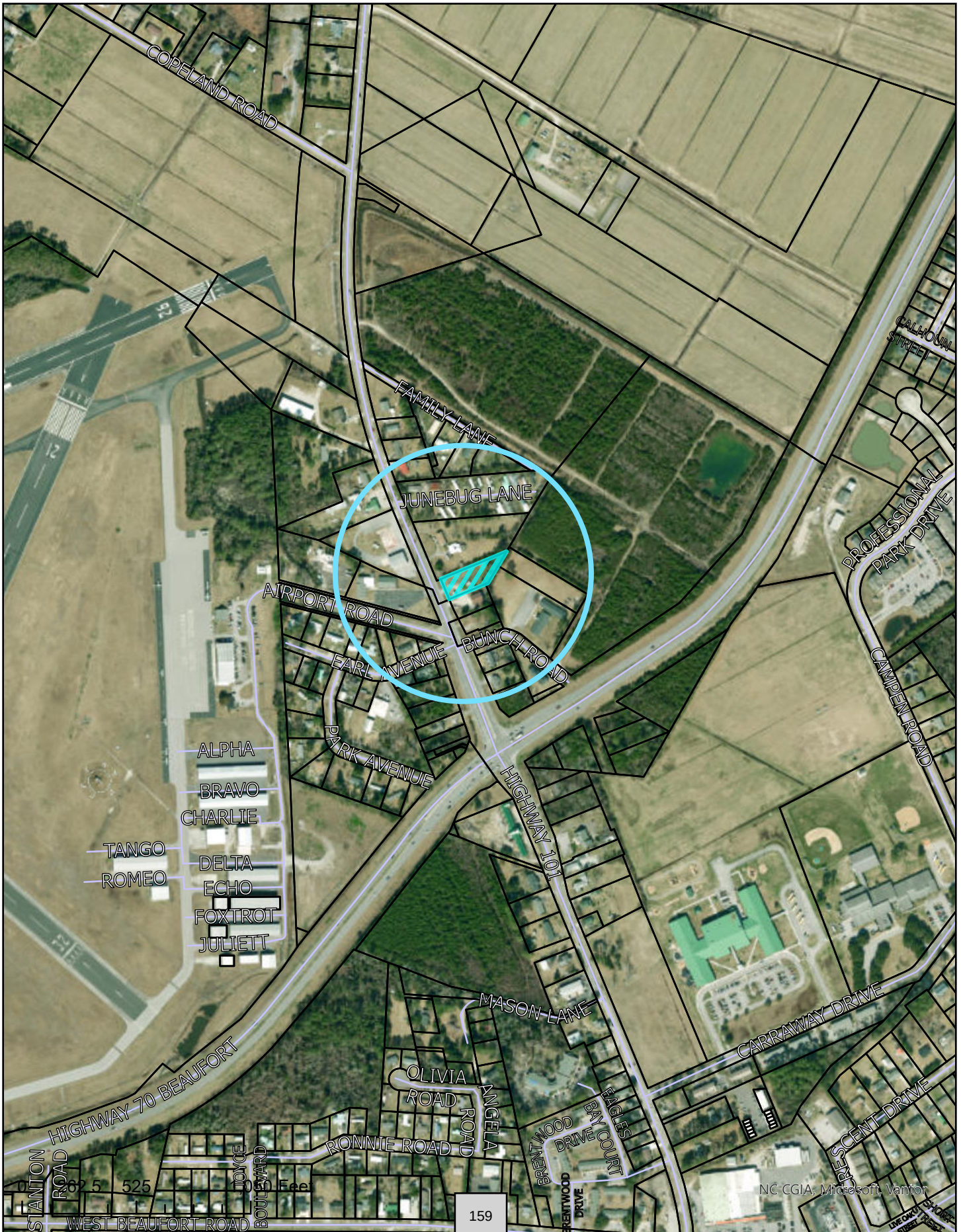
Josh Edmondson of Tidewater Associates, Inc., agent for property owner Beaufort Crossing, LLC, has requested a zoning map amendment for 404 Highway 101 from R-20 to B-1, with amendment to the Comprehensive and CAMA Land Use Plan Future Land Use Map (FLUM) classification from Suburban Residential to Village Commercial.

The Planning Board considered this request at its regularly scheduled meeting on September 21, 2026, and recommended denial by a 4-2 vote, finding that the proposed rezoning and Future Land Use Map amendment are not reasonable and are not in the public interest because they do not further objectives of the Beaufort Comprehensive and CAMA Land Use Plan related to beautification and preservation of community character, support for existing small businesses, housing diversity and affordability, reducing vulnerability through guidance provided by the Future Land Use Map, and respect for existing neighborhoods.

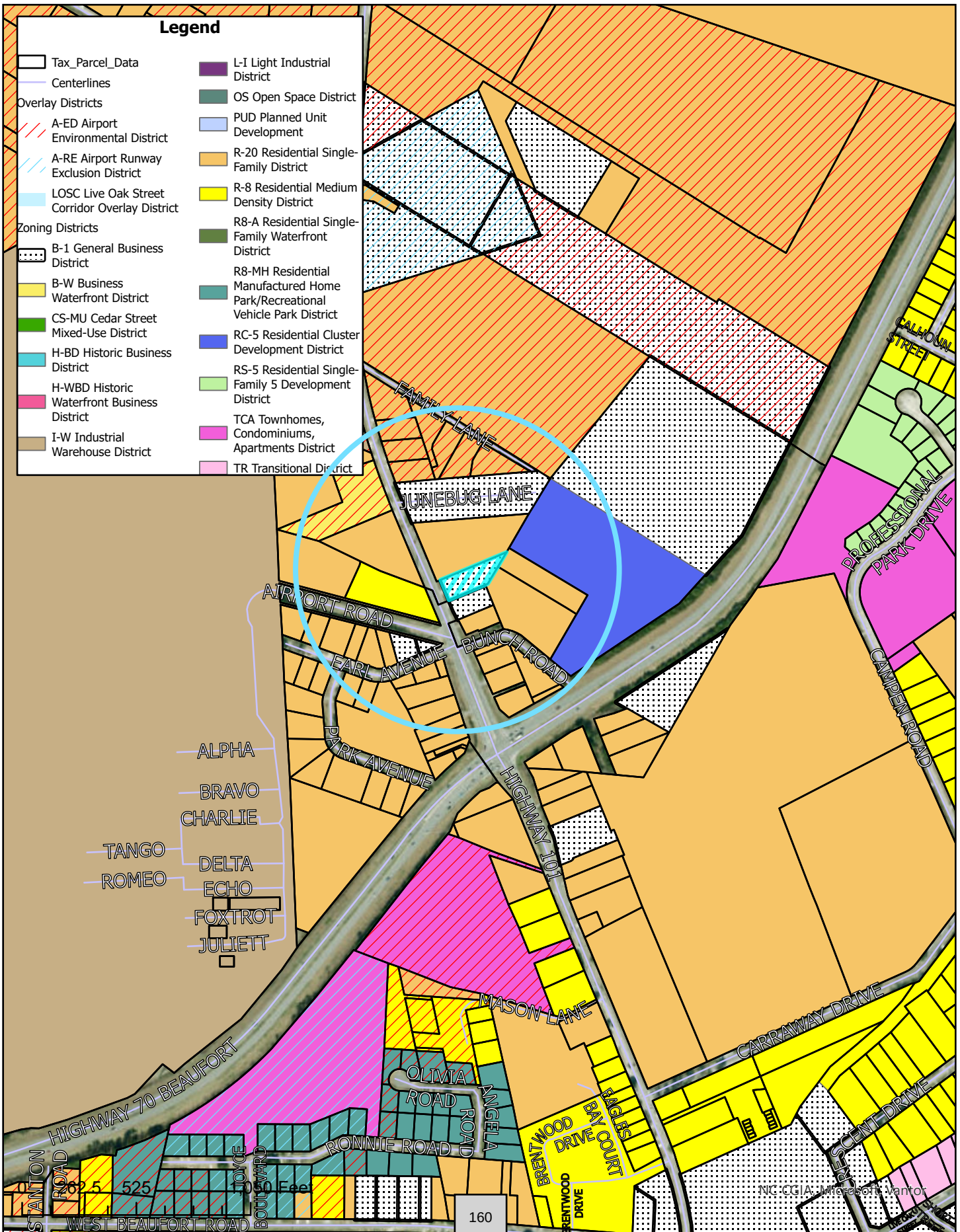
This is a general rezoning request and is not tied to a specific development proposal. In reviewing the request, the Board of Commissioners should consider whether the B-1 district and the range of uses allowed within that district are appropriate for the property and surrounding area. The Board should also consider the relationship of the proposed zoning to nearby zoning and development, and whether the requested Village Commercial Future Land Use Map classification is appropriate for the property.

If approved, the Future Land Use Map amendment will also be subject to the applicable State review and certification process for amendments to the Town's certified CAMA Land Use Plan.

Case 26-11 404 Highway 101 Rezoning R-20 to B-1 Vicinity Map



Case 26-11 404 Highway 101 Rezoning R-20 to B-1 Zoning Map





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: Tidewater Associates Inc.

Applicant Address: 1069A Cedar Point Blvd, Cedar Point NC 28584

Phone Number: 252-393-6101

Email: [REDACTED]

Property Owner Name: Beaufort Crossing LLC

Address of Property Owner: 5711 Six Forks Rd, Suite 300, Raleigh, NC 27609

Phone Number: 919-427-2283

Email: [REDACTED]

PROPERTY INFORMATION

Property Address: 404 Highway 101

15-Digit PIN: 730611566676000

Lot/Block Number: Lot NC 101 Beaufort

Size of Property (in square feet or acres): 2.21 acres

Current Zoning: R-20

Requested Zoning: B-1

Current Use of Property: ☐ Residential ☒ Vacant ☐ Commercial ☐ Other: _____

Applicant Signature [Signature]

Date of Applicant's Signature 4-9-26

Property Owner Signature (if different than applicant) [Signature]

Date of Owner's Signature 4/10/26

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.

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



Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, Esri, NASA, NGA, USGS, NC CGIA, Microsoft, Vantor, Carteret County

0 40 80 160
US Feet

404 HWY 101 Site Map

162

Rezoning Justification

- 1. Will this proposal place all property similarly situated in the area in the same category, or in appropriate complementary categories?**

In review of the Town of Beaufort's Land Development Ordinance, the B-1 classification would be an appropriate and complementary category to those existing classifications in the area. The permitted uses are identical to those of the adjacently zoned B-1 property. Furthermore, the B-1 classification is established to provide for a variety of sales and service facilities to the general public. This is a benefit to those residentially zoned parcels in the area by providing access to goods and services.

Within this area there are various zoning classifications including R-20, R-8, RC-5 and B-1 that are situated in such a way to complement each other as existing development or future development.

- 2. Under this proposal, will all uses permitted under the proposed district classification be in the general public interest and not merely in the interest of an individual or small group?**

The uses permitted in the proposed zoning classification would allow commercial growth to serve the community by providing opportunity for additional retail, food and service industries to be established.

- 3. Are all uses permitted under the proposed new district classification appropriate for the area included in the proposed change?**

In reviewing the table of permitted uses and the existing B-1 district classifications of adjacent parcels, it can be found that uses are appropriate for the area. Those adjacent parcels with the identical classification allow the exact same uses. This is a benefit for the area that has residentially zoned properties.

- 4. Will the character of the neighborhood be materially or adversely affected by any use permitted in the proposed change?**

In review of the zoning classifications in this area of Beaufort and others similarly situated, it seems to be common for the B-1 district to be located adjacent to residentially zoned properties. As this development pattern is prevalent in Beaufort, there is precedence that the requested zoning change will not materially or adversely affect the character of the area. It seems to bolster these areas in a positive way.

- 5. Is the proposed change in accord with the Beaufort Comprehensive & CAMA Land Use Plan?**

According to the Beaufort Comprehensive & CAMA Land Use Plan, this area is designated as the Suburban Residential Future Land Use. The plan states “Typical uses, primarily single family detached residential, with an occasional mix of other highly compatible residential uses scattered throughout, including duplexes, accessory dwellings, and garage apartments. Sometimes, but more rarely, there may also be duplex neighborhoods.” The requested change in zoning to B-1 would not be consistent with this land use classification but the requested zoning change does appear to be consistent for this area. Therefore, a change to the Future Land Use classification is warranted.

The appropriate Future Land Use classification as supported by the goals, policies and actions stated in the Beaufort Comprehensive & CAMA Land Use Plan is Village Commercial. The plan states “Typical uses, smaller footprint, lower intensity, neighborhood serving commercial, retail, services, or offices. Pedestrian-serving uses (boutique shops or fitness studios, personal care, arts) are more appropriate than automobile-oriented uses (vehicle or machinery repair, rental and service, commercial nurseries or lumber yards, fast food restaurants, drive-thru banks, etc.) Upper story dwellings (aka live/work) are also appropriate. If context appropriate, institutional uses (churches, schools, hospitals, government buildings, etc.). On parcels directly adjacent to this area, multi-family residential may be appropriate, potentially providing customers for local businesses. Higher density residential development, whether as detached or low-impact attached residential is usually appropriate within a ¼ mile walking distance of these areas.”

This future land use category seems to support the change in zoning to B-1. The goals, policies and actions below support the change in future land use and zoning classifications:

Objective 2.1: Reduce vulnerability by utilizing guidance from the Future Land Use Map (FLUM) to focus growth and public infrastructure investments away from flood-prone areas toward higher ground.

Objective 3.1: Encourage efforts to make housing more diverse and affordable.

Action 3.1.2.2: Encourage or require multiple housing types within a single development.

Objective 3.3: Respect existing neighborhood fabric and encourage infill that fits its context.

Objective 3.4: Increase walkability in neighborhoods.

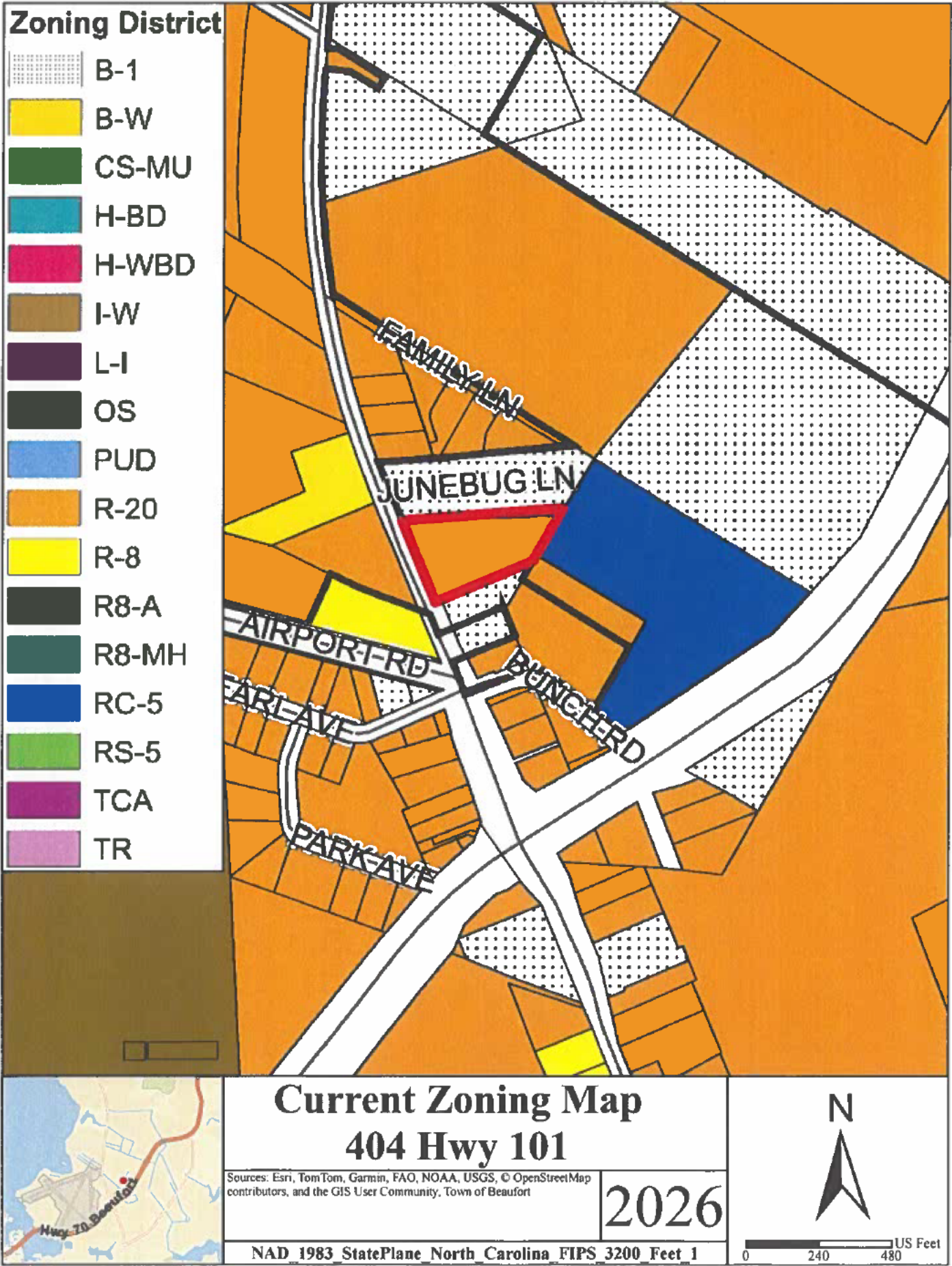
Objective 5.2: Continue to support existing small businesses and encourage new local businesses.

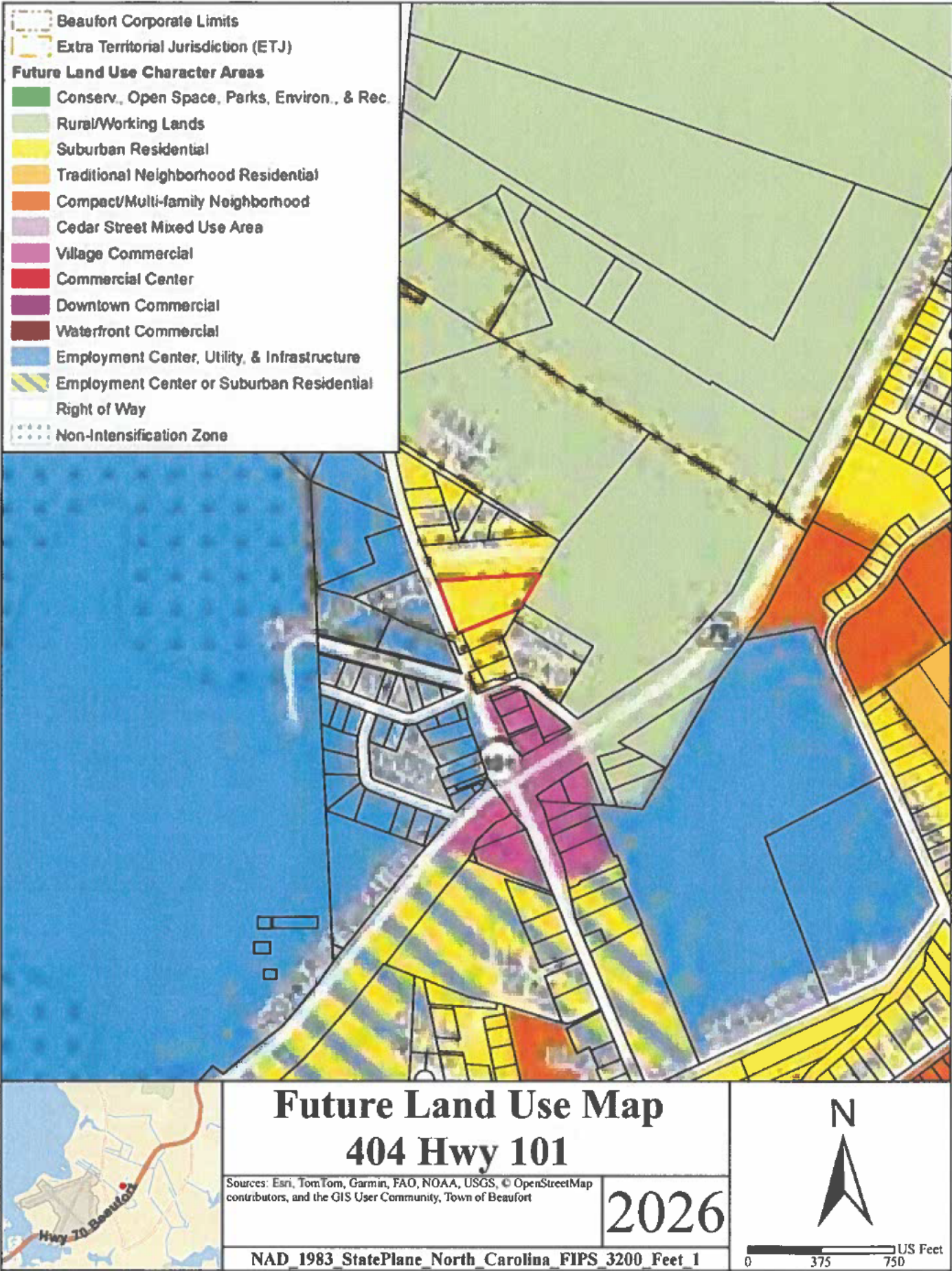
Objective 5.4: Continue to support the Michael J. Smith Airfield as an asset to Beaufort's economy.

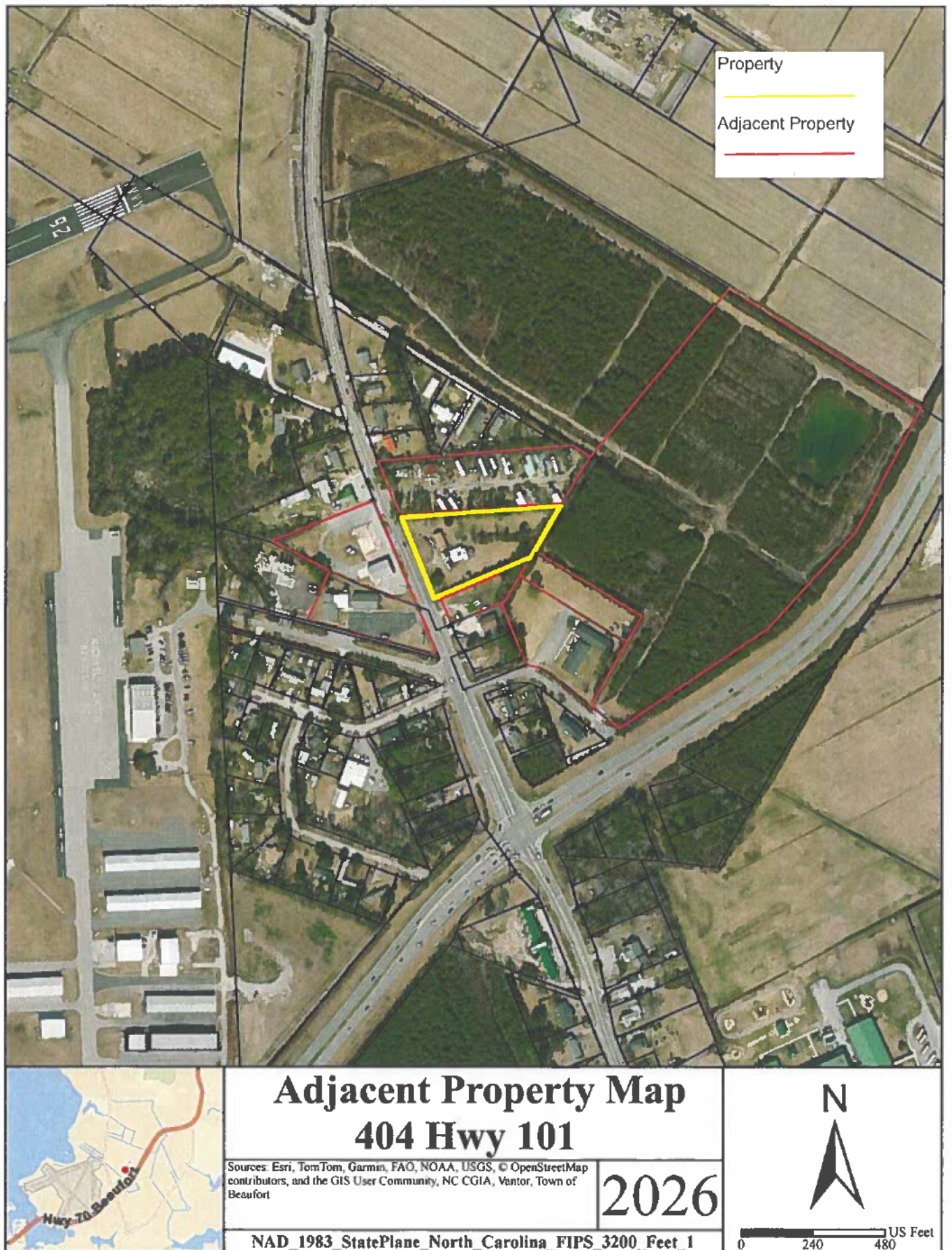
Objective 5.7: Preserve spaces for commercial, retail, service and nonresidential businesses while also being responsive to the strong demand for conversion of these properties to residential use.

Objective 7.1: Preserve the character of Beaufort's built environment.

Objective 7.8: Continue to beautify Beaufort.







PIN15	OWNER	MAIL_ADD	MAIL_CITY	MAIL_STATE	MAIL_ZIP	PhysicalAd
730611563480000	MARANATHA PENTECOSTAL HOLINESS	130 AIRPORT ROAD	BEAUFORT	NC	28516	130 AIRPORT RD
730611569374000	CALVARY BAPTIST CHURCH	119 BUNCH ROAD	BEAUFORT	NC	28516	119 BUNCH RD
730611562655000	FAITH TABERNACLE OF PRAISE INC	PO BOX 686	BEAUFORT	NC	28516	413 HWY 101
730611567902000	WOODRING,AMANDA JUNE	192 PIVER ROAD	BEAUFORT	NC	28516	107 JUNEBUG LN
730611664893000	R & L OF BEAUFORT LLC	7706 SIX FORKS ROAD	RALEIGH	NC	27615	125 BUNCH RD
730611660429000	CALVARY BAPTIST CHURCH	119 BUNCH RD	BEAUFORT	NC	28516	0
730611566479000	SYCAMORE CREEK LLC	305 TRANSYLVANIA AVENUE	RALEIGH	NC	27609	388 HWY 101

Adjacent Property Owner List for 404 Hwy 101

FOR REGISTRATION REGISTER OF DEEDS

Karen S. Hardesty

Carteret County, NC

June 14, 2024 9:47:07 AM

DEED # Pages: 5

Fee: \$26.00

NC Revenue Stamp: \$770.00

FILE # 1829276

*Karen S. Hardesty***NORTH CAROLINA GENERAL WARRANTY DEED****Excise Tax: \$770.00**Parcel Identifier No. 730611566676000 Verified by _____ County on the _____ day of _____, 20____
By: _____

Mail/Box to: Gwynn, Edwards & Getter, PA

This instrument was prepared by: Kirkman, Whitford, Brady, Berryman & Gordon, P. A. without examination of title

Notice per N.C.G.S. §105-317.2: The property herein is not the primary residence of the Grantor.

Brief description for the Index: Lot N.C. Highway 101 - Beaufort

THIS DEED made this 5 day of June, 2024, by and between**GRANTOR****Juliann Finch Castell, Executor of the
Estate of Graham Menzies Finch, deceased;****Juliann Finch Castell, unmarried****814 Ocean Avenue
New London, CT 06320****and****Mary Louise Finch, unmarried****7 Fontana St
Toms River, NJ 08757****GRANTEE****Beaufort Crossing LLC
a North Carolina limited liability company****5711 Six Forks Rd., Ste 300
Raleigh NC 27609**

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g. corporation or partnership.

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

WHEREAS, Graham Menzies Finch died a resident of Carteret County, North Carolina on March 13, 2024, and his estate is being probated with the Clerk of Superior Court in Carteret County Estate File # 24 E 223; and

WHEREAS, the following described real property was owned by the decedent at the time of his death; and

WHEREAS, following the probate of the Last Will and Testament of Graham Menzies Finch, Juliann Finch Castell qualified as Executor of the Estate of Graham Menzies Finch; and

submitted electronically by "Gwynn, Edwards & Getter, PA"
in compliance with North Carolina statutes governing recordable documents
and the terms of the submitter agreement with the Carteret County Register of Deeds.

1829276

WHEREAS, pursuant to the Last Will and Testament of Graham Menzies Finch, as filed for probate in Carteret County Estate File # 24 E 223, the decedent devised the below-described property to Juliann Finch Castell and Mary Louise Finch; and

WHEREAS, the Executor joins in this Deed in her official capacity to convey any interest of the Estate and to state that it is her opinion that there are presently sufficient assets in the Estate without the property herein conveyed; and

NOW THEREFORE, that the Grantor, for a 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 the City of _____, Beaufort Township, Carteret County, North Carolina and more particularly described as follows:

SEE ATTACHED EXHIBIT A

The property hereinabove described was acquired by Grantor by instrument recorded in Estate File # 24 E 223, Carteret County Clerk of Court, see also deed recorded in Book 566, Page 220.

A map showing the above described property is recorded in Map Book _____, Page _____.

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, other than the following exceptions:

2024 ad valorem taxes, utility easements and unviolated restrictions of record.

[SIGNATURE PAGES ATTACHED HERETO]

1829276

[SIGNATURE PAGE ATTACHED TO DEED FROM CASTELL, ET. AL. TO R & L OF BEAUFORT]

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

EXECUTOR OF ESTATE OF GRAHAM MENZIES FINCH

Juliann Finch Castell
 Juliann Finch Castell, Executor of the
 Estate of Graham Menzies Finch

Juliann Finch Castell
 Juliann Finch Castell

STATE OF Connecticut, CITY/COUNTY OF New London

I Yan Zhan, a Notary of the above state and county, certify that the following person(s) personally appeared before me on the 5th day of June, 2024 each acknowledging to me that he or she signed the foregoing document, in the capacity represented and identified therein (if any): Juliann Finch Castell as Executor and individually.

Affix Notary Seal/Stamp

Yan Zhan
 Notary Public (Official Signature)

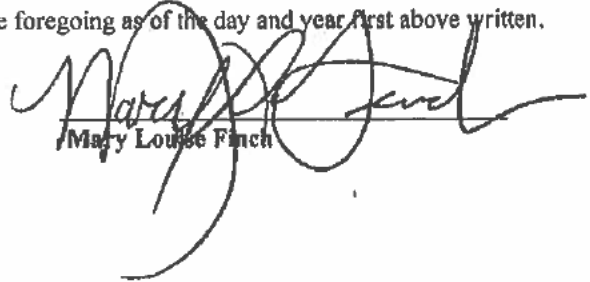
My commission expires: 02-28-2029

YAN ZHAN
 Notary Public, State of Connecticut
 My Commission Expires 02/28/2029

1829276

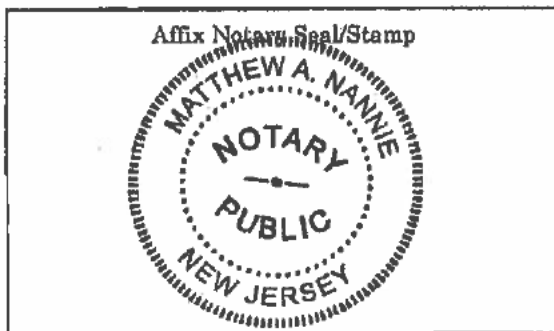
[SIGNATURE PAGE ATTACHED TO DEED FROM CASTELL, ET. AL. TO R & L OF BEAUFORT]

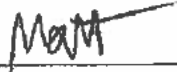
IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.


 Mary Louise Finch

STATE OF NJ, CITY/COUNTY OF Green

I Matthew A Nannie, a Notary of the above state and county, certify that the following person(s) personally appeared before me on the 6 day of June, 2024 each acknowledging to me that he or she signed the foregoing document, in the capacity represented and identified therein (if any): Mary Louise Finch.




 Notary Public (Official Signature)

My commission expires: MATTHEW A. NANNIE
NOTARY PUBLIC, NEW JERSEY
MY COMMISSION EXPIRES OCTOBER 13, 2025

EXHIBIT A

BEGINNING at an iron rod in the eastern right of way margin of N.C. Highway 101, said iron rod being located the following two (2) courses and distances from the intersection of the centerline of N.C. Highway 101 with the centerline of N.C.S.R. 1212: 1) N 15-35 W 286.0 feet and 2) N 74-00 E 30.0 feet to point of beginning. From said POINT AND PLACE OF BEGINNING, run thence with the eastern right of way margin of N.C. Highway 101, N 15-35 W 291.0 feet to an iron rod; thence S 87-00 E 540.4 feet to an iron rod; thence S 37-30 W 203.0 feet to an iron rod; thence S 74-00 W 351.0 feet an iron rod in the eastern right of way margin of N.C. Highway 101, the place of beginning less and except that property conveyed to the North Carolina Department of Transportation by deed recorded in Deed Book 1397, Page 460, Carteret County Registry.

The above being the same land property described in that Deed to Graham M. Finch and wife, Patricia B. Finch, recorded in Book 566, Page 220, Carteret County Registry. Patricia B. Finch died on June 24, 2023. Graham M. Finch died on March 13, 2024 – see Estate File# 24 E 223, Carteret County Clerk of Court.

SECTION 7 Residential Zoning Districts

A) *R-20 Residential Single-Family District.*

This residential district is intended to maintain a compatible mixture of single-family residential and bona fide farm uses with a density of two families per acre in accordance with the North Carolina State Board of Health recommendations for residential areas without public water and public sewer, and to prevent the development of blight and slum conditions.

1) Minimum Lot Size.

All lots in this district shall be a minimum of twenty thousand square feet (20,000 ft²).

2) Minimum Lot Width.

All lots in the R-20 district shall have a minimum lot width of one hundred feet (100') 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 7-1 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-20	30 feet	25 feet	15 feet	40 feet

Table 7-2 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>
R-20	30 feet	30 feet	25 feet	15 feet	40 feet

Table 7-3 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 Setback</i>	<i>Building Height Limitation</i>
R-20	30 feet	25 feet	15 feet	40 feet

4) Accessory Building Setback Requirements.

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

5) Permitted Uses.

Agritourism	Home Occupation
Antenna Co-Location on Existing Tower	Manufactured Home
Aquaculture	Neighborhood Recreation Center Indoor/Outdoor, Private
Assisted Living	Neighborhood Recreation Center, Public
Athletic Field, Public	Nursing Home
Athletic Field, Private	Park, Public
Carport	Produce Stand/Farmers' Market
Club, Lodge, or Hall	Public Utility Facility
Community Garden	Religious Institution
Dock	Resource Conservation Area
Dwelling, Single-Family	Satellite Dish Antenna
Family Care Homes	Shed
Farming, General	Swimming Pool (Personal Use)
Forestry	Temporary Construction Trailer
Garage, Private Detached	Utility Minor
Government/Non-Profit Owned/ Operated Facilities & Services	Vehicle Charging Station
Group Home	

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

Accessory Dwelling Unit
Bed & Breakfast
Boat Sales/Rentals
Cemetery/Graveyard
Concealed (Stealth) Antennae &
Towers
Day Care/Child Care Home
Dry Boat Storage
Golf Course, Privately Owned
Golf Driving Range
Kennel, Indoor Operation Only
Kennel, Indoor /Outdoor Operation
Marina
Museum
Office: Small Business
Other Free Standing Towers
Outdoor Amphitheater, Public
Preschool
Public Safety Station
School, K-12
School, Post-Secondary
Utility Facility

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

The General Business District is established as the zoning 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 and development regulation 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 shall comply with all setback provisions of this Ordinance, including but not limited to Section 2(F), Section 6 and Section 15 of this Ordinance.

5) Permitted Uses.

Amusement Establishment	Liquor Store
Antenna Co-Location on Existing Tower	Moped/Golf Cart Sales/Rentals
Aquaculture	Mortuary/Funeral Home/Crematorium
Assisted Living	Motor Vehicle Sales/Rentals
Athletic Field, Public	Museum
Bed & Breakfast	
Boat Sales/Rentals	Neighborhood Recreation Center,
Car Wash	Public
Club, Lodge, or Hall	Nursing Home
Commercial Indoor Recreation Facility	Office: Business, Professional, or Medical
Community Garden	Other Building-Mounted Antennae &
Concealed (Stealth) Antennae & Towers	Towers
Convenience Store	Outdoor Retail Display/Sales
Day Care Center	Park, Public
Dock	Parking Lot
Dry Boat Storage	Parking Structure
Financial Institution	Personal Service Establishment
Government/Non-Profit Owned/ Operated Facilities & Services	Pool Hall or Billiard Hall
Hospital	Produce Stand/Farmers' Market
Hotel or Motel	Public Safety Station
Kennel, Indoor Operation Only	Public Utility Facility
Library	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

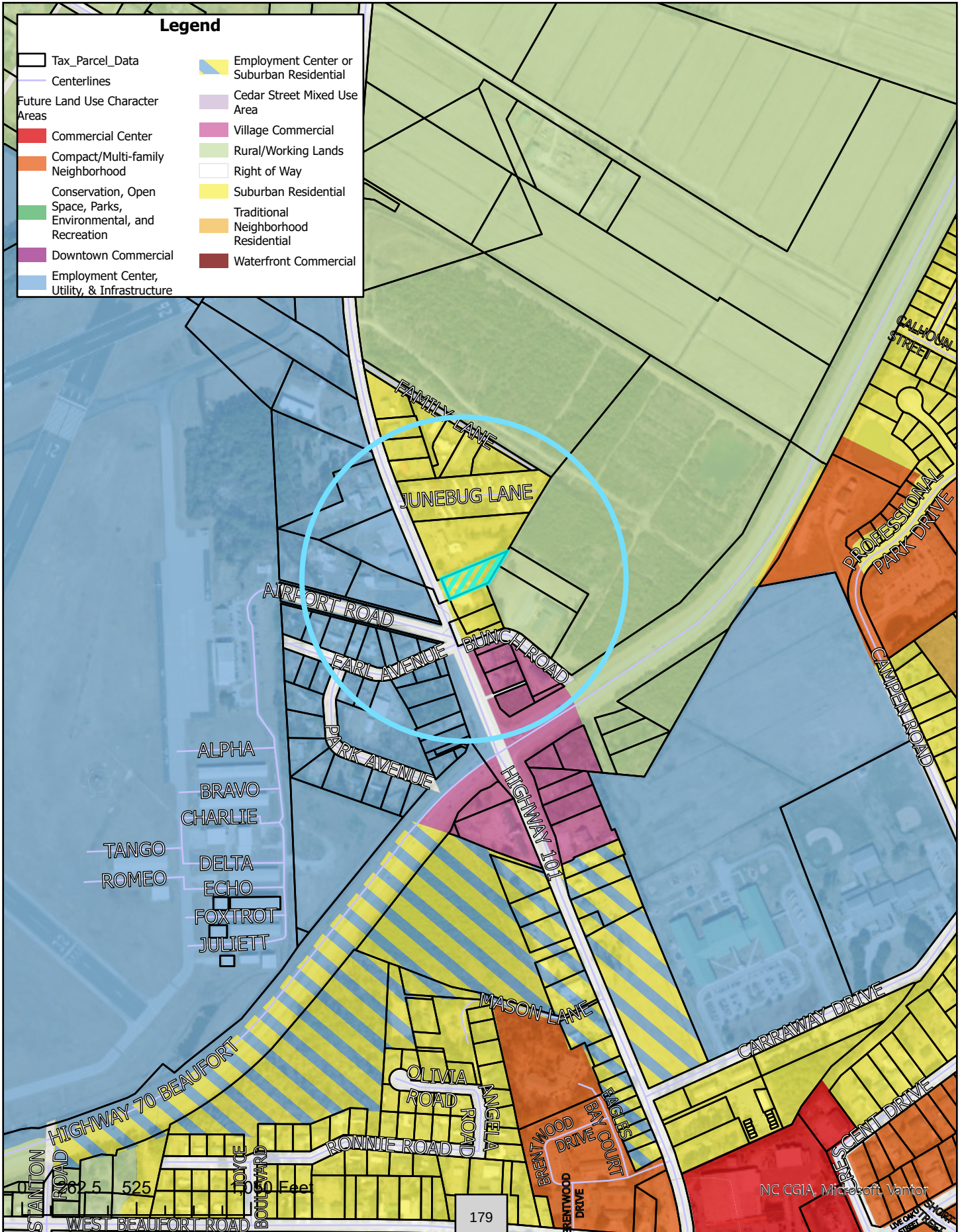
Temporary Construction Trailer
Theater, Small
Transportation Facility
Utility Minor
Vehicle Charging Station
Vehicle Service

6) Special Uses (*Special Uses* requirements 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

Case 26-11 404 Highway 101 Future Land Use Map Suburban Residential to Village Commercial



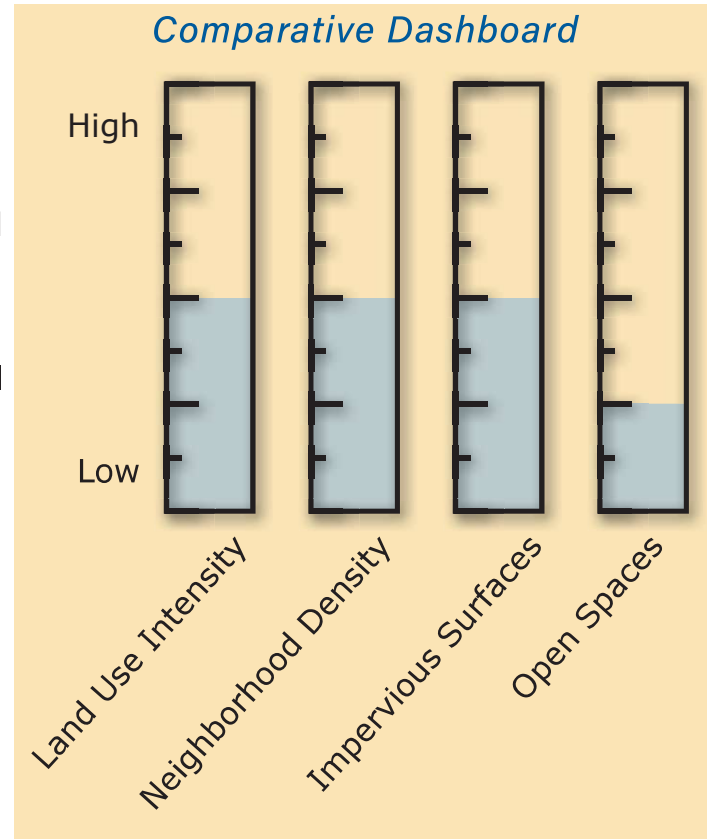
Suburban Residential

General Description:

These neighborhoods typically have larger lots or shared open spaces and common areas with a lower overall residential density than in the Traditional Neighborhood. The neighborhoods are still walkable from house to house, but most households probably depend primarily on automobiles for daily trips. Off-street parking is typical of a suburban residential neighborhood and various configurations exist. Residential densities typically range from around 1-3 dwellings per acre, although some developments will exceed that either in localized areas (especially if there are shared open spaces, amenities, or common areas) or overall. In neighborhoods with larger lots, open space is generally on private lots rather than communal.

Streets and Circulation:

These neighborhoods have medium levels of connectivity with low volume, low speed routes. Effort should be made to increase connectivity except in instances where it would excessively harm environmentally sensitive areas. Block lengths should not exceed 650' on a side unless absolutely unavoidable. Pedestrian facilities should be provided on at least one side of every street. Bicycles can share lanes on low volume streets, but on arterials dedicated (and preferably separated) facilities should be provided.



EXAMPLE USES:

Typical Uses

Primarily single family detached residential, with an occasional mix of other highly compatible residential uses scattered throughout, including duplexes, accessory dwellings, and garage apartments. Sometimes, but more rarely, there may also be duplex neighborhoods.

Uses if Context Appropriate

- » Institutional uses (churches, schools, hospital, government, etc)
- » Accessory dwellings
- » House-scale multi-family residential, patio homes, or small townhome developments - very occasionally.

Suburban Residential

Other Concerns:

Extending public facilities (water, sewer, etc.) to these areas may place an increased strain on maintenance budgets since the lower densities and lower taxable value per linear foot of public facilities may not cover the costs of maintenance. This land use type consumes land a greater rate and with fewer homes than the other residential future land use character areas.



Examples of Suburban Residential.

Village Commercial

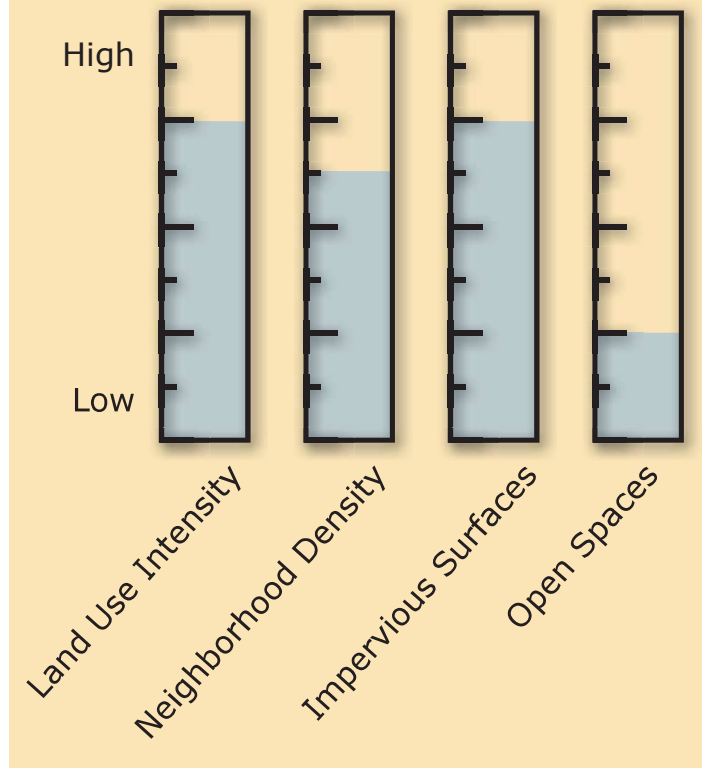
General Description:

These areas have small-scale non-residential uses that serve the neighborhood and sometimes even a greater region. Often it may only be three or four corners of an intersection or one large, multi-tenant compound, but sometimes larger geographic stretches may also be appropriate. Sites, structures, and streets are human-scaled. Buildings may be setback from the street, particularly if it is a previously residential structure that has been converted for a commercial use. It may also be appropriate to have buildings pulled up to the street, with parking in the rear, especially at busy intersections or in particularly active nodes.

Streets and Circulation:

Streets should have good pedestrian facilities to support walking from businesses-to-business or from home-to-business. Pedestrians are prioritized, but automobiles are accommodated, and

Comparative Dashboard



EXAMPLE USES:

Typical Uses:

Smaller footprint, lower intensity, neighborhood serving commercial, retail, services, or offices. Pedestrian-serving uses (boutique shops or fitness studios, personal care, arts) are more appropriate than automobile-oriented uses (vehicle or machinery repair, rental and service, commercial nurseries or lumber yards, fast food restaurants, drive-thru banks, etc.). Upper story dwellings (aka "live/work") are also appropriate.

If Context Appropriate:

- » Institutional uses (churches, schools, hospital, government buildings, etc.).
- » On parcels directly adjacent to this area, multi-family residential may be appropriate, potentially providing customers for local businesses.
- » Higher density residential development, whether as detached or low-impact attached residential is usually appropriate within a ¼ mile walking distance of these areas.

Village Commercial

might even have a transit stop nearby. Accommodating a mix of transportation options is important to being accessible to customers. Blocks should rarely, if ever, exceed 500 feet on a side so that they are walkable and might even be able to one day evolve into a condition similar to Downtown Commercial.

Other Concerns:

Depending on context, some of these places may evolve into higher activity Downtown Commercial areas some day in the distant future, and future infrastructure projects should support that.



Examples of Village Commercial



**TOWN OF BEAUFORT PLANNING BOARD
RESOLUTION OF PLAN CONSISTENCY**

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

WHEREAS, N.C.G.S. §160D-604(d) requires the Town of Beaufort Planning Board to advise and comment on whether the proposed action is consistent with the Town of Beaufort Comprehensive and CAMA Land Use Plan and any other officially adopted plan that is applicable, and to 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, a request has been made for the Town to amend the Town of Beaufort Zoning Map to reflect B-1 General Business District for 404 Highway 101 (PIN 730611566676000) instead of the current R-20 Residential Single-Family District, with associated amendment to the Comprehensive and CAMA Land Use Plan Future Land Use Map classification for the same property from Suburban Residential to Village Commercial; and

WHEREAS, the Planning Board has in fact met to consider and evaluate the proposed amendments at its regularly scheduled meeting on September 21, 2026; and

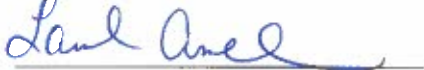
NOW THEREFORE, BE IT HEREBY RESOLVED, that the Planning Board finds that the proposed B-1 General Business District zoning IS NOT consistent with the property's current Suburban Residential Future Land Use Map classification. The Planning Board further finds that the proposed rezoning IS NOT reasonable and in the public interest because it does not further objectives of the Beaufort Comprehensive and CAMA Land Use Plan related to beautification and preservation of community character, support for existing small businesses, housing diversity and affordability, reducing vulnerability through guidance provided by the Future Land Use Map, and respect for existing neighborhoods. The Planning Board DOES NOT RECOMMEND approval of the requested zoning map amendment from R-20 Residential Single-Family District to B-1 General Business District. The Planning Board DOES NOT RECOMMEND amending the Future Land Use Map classification from Suburban Residential to Village Commercial in conjunction with the zoning map amendment.

This Resolution is effective upon its adoption this 21st day of September 2026.

TOWN OF BEAUFORT PLANNING BOARD


 Ryan Neve, Chairman

ATTEST:



Laurel Anderson, Secretary



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

Notification Certification
Case #26-11 – 404 Highway 101
Subject Property and Abutting Property Owners
Zoning Map & FLUM Amendment Request

BEAUFORT CROSSING LLC C/O JEFFREY W BARAN 5711 SIX FORKS RD STE 300 RALEIGH, NC 27609-3888	SYCAMORE CREEK LLC C/O W TRENT RAGLAND III 305 TRANSYLVANIA AVENUE RALEIGH, NC 27609
FAITH TABERNACLE OF PRAISE INC PO BOX 686 BEAUFORT, NC 28516	MARANATHA PENTECOSTAL HOLINESS CHURCH 130 AIRPORT ROAD BEAUFORT, NC 28516-
CALVARY BAPTIST CHURCH 119 BUNCH RD BEAUFORT, NC 28516-8641	

I, Michelle Eitner, Town Planner for the Town of Beaufort, do hereby certify that the above-listed subject property owner and abutting property owners were notified that a request to rezone 404 Highway 101 from R-20 to B-1 and amend the Future Land Use Map designation from Suburban Residential to Village Commercial will be heard by the Board of Commissioners on October 12, 2026, at 6:00 p.m. at the Train Depot, 614 Broad Street, Beaufort, NC. Each of the above-listed property owners was mailed a letter and zoning and Future Land Use Map excerpts by first-class mail on September 23, 2026. A sign providing notice of the hearing was posted on the subject property on September 23, 2026. Public notice of the hearing was submitted to the Carteret County News-Times for publication on September 30 and October 7, 2026.

Signed

Date

**TOWN OF BEAUFORT BOARD OF COMMISSIONERS
ORDINANCE TO AMEND THE TOWN OF BEAUFORT ZONING MAP
404 HIGHWAY 101 FROM R-20 TO B-1
ORDINANCE NO. 26-__**

Owner Beaufort Crossing, LLC
Location & PIN: 404 Highway 101 (PIN 730611566676000)
Lot Size: 2.207 acres
Existing District: R-20 Residential Single-Family District
Requested District: B-1 General Business District

WHEREAS, Josh Edmondson of Tidewater Associates, Inc., agent for property owner Beaufort Crossing, LLC, has requested a zoning map amendment for 404 Highway 101 from R-20 to B-1; and

WHEREAS, the Town of Beaufort Planning Board convened to consider and prepare a recommendation and consistency statement on the request at its meeting on September 21, 2026, at which time the Planning Board recommended denial of the request; and

WHEREAS, notice of the public hearing to be held at the October 12, 2026 regular meeting of the Town of Beaufort Board of Commissioners was published in the Carteret County News-Times on September 30 and October 7, 2026; and

WHEREAS, the Board of Commissioners conducted a duly advertised public hearing on October 12, 2026, at which the applicant, Town staff, and members of the public were afforded an opportunity to comment on the request; and

WHEREAS, the Board of Commissioners has considered the recommendation of the Planning Board and the applicable provisions of the Beaufort Comprehensive and CAMA Land Use Plan; and

WHEREAS, the Board of Commissioners finds that the proposed rezoning is consistent with the Beaufort Comprehensive and CAMA Land Use Plan as concurrently amended to designate the property Village Commercial; and

WHEREAS, the Board of Commissioners finds that the proposed rezoning is reasonable and in the public interest because _____;

NOW, THEREFORE, IT IS HEREBY ORDAINED by the Board of Commissioners, based on the foregoing findings and conclusions, that the request to rezone 404 Highway 101 (PIN 730611566676000) from R-20 to B-1 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 12th day of October, 2026

TOWN OF BEAUFORT

Elizabeth Lewis, Assistant Town Manager & Town Clerk

Sharon E. Harker, Mayor



**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE TOWN OF BEAUFORT,
NORTH CAROLINA, AUTHORIZING AN AMENDMENT TO THE
BEAUFORT COMPREHENSIVE AND CAMA LAND USE PLAN**

WHEREAS, the Board of Commissioners of the Town of Beaufort desires to amend its Comprehensive and CAMA Land Use Plan, specifically the future land use classification of 404 Highway 101 (PIN 730611566676000) in the Future Land Use Map (p. 173); and

WHEREAS, the Comprehensive and CAMA Land Use Plan currently reflects this parcel as Suburban Residential future land use; and

WHEREAS, the Town of Beaufort desires to amend the Comprehensive and CAMA Land Use Plan to reflect this parcel as Village Commercial; and

WHEREAS, on September 21, 2026 the Planning Board recommended denial of the draft amendment to the Comprehensive and CAMA Land Use Plan; and

WHEREAS, the Town of Beaufort conducted a duly advertised public hearing on the draft amendment to the Comprehensive and CAMA Land Use Plan at the Regular Meeting of the Board of Commissioners on October 12, 2026; and

WHEREAS, at the Regular Meeting on October 12, 2026 the Board of Commissioners of the Town of Beaufort, North Carolina found the draft amendment to be consistent with the Town of Beaufort's 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 (p. 173) in the Comprehensive and CAMA Land Use Plan be amended to reflect that 404 Highway 101 (PIN 730611566676000) is now Village Commercial rather than Suburban Residential.

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 Comprehensive and CAMA Land Use Plan amendment to the State for certification as described above.

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

Adopted this 12th day of October, 2026.

TOWN OF BEAUFORT

Elizabeth Lewis, Assistant Town Manager & 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

Board of Commissioners Regular Meeting 6:00 PM Monday, October 12, 2026

AGENDA CATEGORY: Public Hearing
SUBJECT: Case #26-20: Rezoning Request, the RC-5 portion of 125 Bunch Road and 472 Highway 101, (R-20) to B-1

BRIEF SUMMARY:

To consider a request to rezone the RC-5 Residential Cluster Development District portion of 125 Bunch Road to B-1 General Business District, rezone 472 Highway 101 from R-20 Residential Single-Family District to B-1 General Business District, and concurrently amend the Future Land Use Map of the Beaufort Comprehensive and CAMA Land Use Plan for both properties from Rural/Working Lands to Village Commercial.

The Planning Board considered the request on September 21, 2026, and recommended denial by a 4-2 vote. The Board of Commissioners will conduct a public hearing and consider the requested zoning map and Future Land Use Map amendments.

REQUESTED ACTION:

Receive staff and applicant presentations

Conduct the public hearing and discuss the request

Consider concurrent adoption of the zoning map ordinance and Land Use Plan amendment resolution, or deny or table the request

EXPECTED LENGTH OF PRESENTATION:

30 Minutes

SUBMITTED BY:

Michelle Eitner

Town Planner



STAFF REPORT



To: Board of Commissioners

From: Michelle Eitner, Town Planner

Date: October 12, 2026

Case No. 26-20 – Rezoning the RC-5 portion of 125 Bunch Road and 472 Highway 101 (R-20) to B-1, with LUP FLUM amendments from Rural/Working Lands to Village Commercial

THE REQUEST:

To consider a request to rezone the RC-5 Residential Cluster Development District portion of 125 Bunch Road to B-1 General Business District, rezone 472 Highway 101 from R-20 Residential Single-Family District to B-1 General Business District, and concurrently amend the Future Land Use Map of the Beaufort Comprehensive and CAMA Land Use Plan for both properties from Rural/Working Lands to Village Commercial.

INFORMATION:

<u>Location:</u>	125 Bunch Road (PIN 730611664893000)
<u>Applicant:</u>	Josh Edmondson of Tidewater Associates Inc
<u>Property Owner:</u>	R & L of Beaufort LLC (via Lyle Gardner, Manager)
<u>Town Limits:</u>	Within Beaufort
<u>Current Zoning District:</u>	RC-5 Residential Cluster Development District & B-1 General Business District
<u>Requested Zoning District:</u>	B-1 General Business District
<u>Current Future Land Use:</u>	Rural/Working Lands (no NIZ)
<u>Requested Future Land Use:</u>	Village Commercial
<u>Flood Zone:</u>	X zone in effective & preliminary FIRMs (not Special Flood Hazard Area)
<u>Size:</u>	21.802 acres total. Currently has split zoning consisting of approximately 8.23 acres of RC-5 and approximately 13.57 acres of B-1. The request is to rezone the RC-5 portion to B-1 so that the entire parcel is B-1.
<u>Existing Land Use:</u>	Vacant
 <u>Location:</u>	 472 Highway 101 (PIN 730607578502000)
<u>Applicant:</u>	Josh Edmondson of Tidewater Associates Inc
<u>Property Owner:</u>	R & L of Beaufort LLC (via Lyle Gardner, Manager)
<u>Town Limits:</u>	Within Beaufort
<u>Current Zoning District:</u>	R-20 Residential Single-Family District with A-ED Airport Environmental Overlay
<u>Requested Zoning District:</u>	B-1 General Business District with A-ED Airport Environmental Overlay
<u>Current Future Land Use:</u>	Rural/Working Lands (no NIZ)
<u>Requested Future Land Use:</u>	Village Commercial
<u>Flood Zone:</u>	X zone in effective & preliminary FIRMs (not Special Flood Hazard Area)
<u>Size:</u>	17.847 acres
<u>Existing Land Use:</u>	Vacant

OPTIONS:

1. Approve the request by concurrent adoption of:
 - a. Ordinance to Amend the Town of Beaufort Zoning Map
 - b. Resolution Authorizing an Amendment to the Beaufort Comprehensive and CAMA Land Use Plan
2. Deny the request
3. Table consideration of the request pending additional information necessary to make a decision

ATTACHMENTS:

- Attachment A – Staff Report
- Attachment B – Vicinity Map
- Attachment C – Zoning Map
- Attachment D – Application Package
- Attachment E – LDO Section 7.E RC-5 & Section 7.A R-20 & Section 9.C B-1
- Attachment F – Comprehensive and CAMA Land Use Plan Future Land Use Map & Classifications
- Attachment G – Planning Board Resolution of Plan Consistency
- Attachment H – Notification Certification
- Attachment I – Draft Ordinance to Amend the Town of Beaufort Zoning Map
- Attachment J – Draft Resolution Authorizing an Amendment to the Beaufort Comprehensive and CAMA Land Use Plan

STAFF COMMENTS:

Josh Edmondson of Tidewater Associates, Inc., agent for property owner R & L of Beaufort, LLC, has requested to rezone the RC-5 Residential Cluster Development District portion of 125 Bunch Road to B-1 General Business District, rezone 472 Highway 101 from R-20 Residential Single-Family District to B-1 General Business District, and concurrently amend the Future Land Use Map of the Beaufort Comprehensive and CAMA Land Use Plan for both properties from Rural/Working Lands to Village Commercial.

Staff notes that the applicant's rezoning justification references the Suburban Residential Future Land Use classification. The adopted Future Land Use Map identifies both subject properties as Rural/Working Lands, which is the classification used for staff review of this request.

The Planning Board considered this request at its regularly scheduled meeting on September 21, 2026, and recommended denial by a 4-2 vote, finding that the proposed rezonings and Future Land Use Map amendments are not reasonable and are not in the public interest because they do not further objectives of the Beaufort Comprehensive and CAMA Land Use Plan related to beautification and preservation of community character, support for existing small businesses, housing diversity and affordability, reducing vulnerability through guidance provided by the Future Land Use Map, and respect for existing neighborhoods.

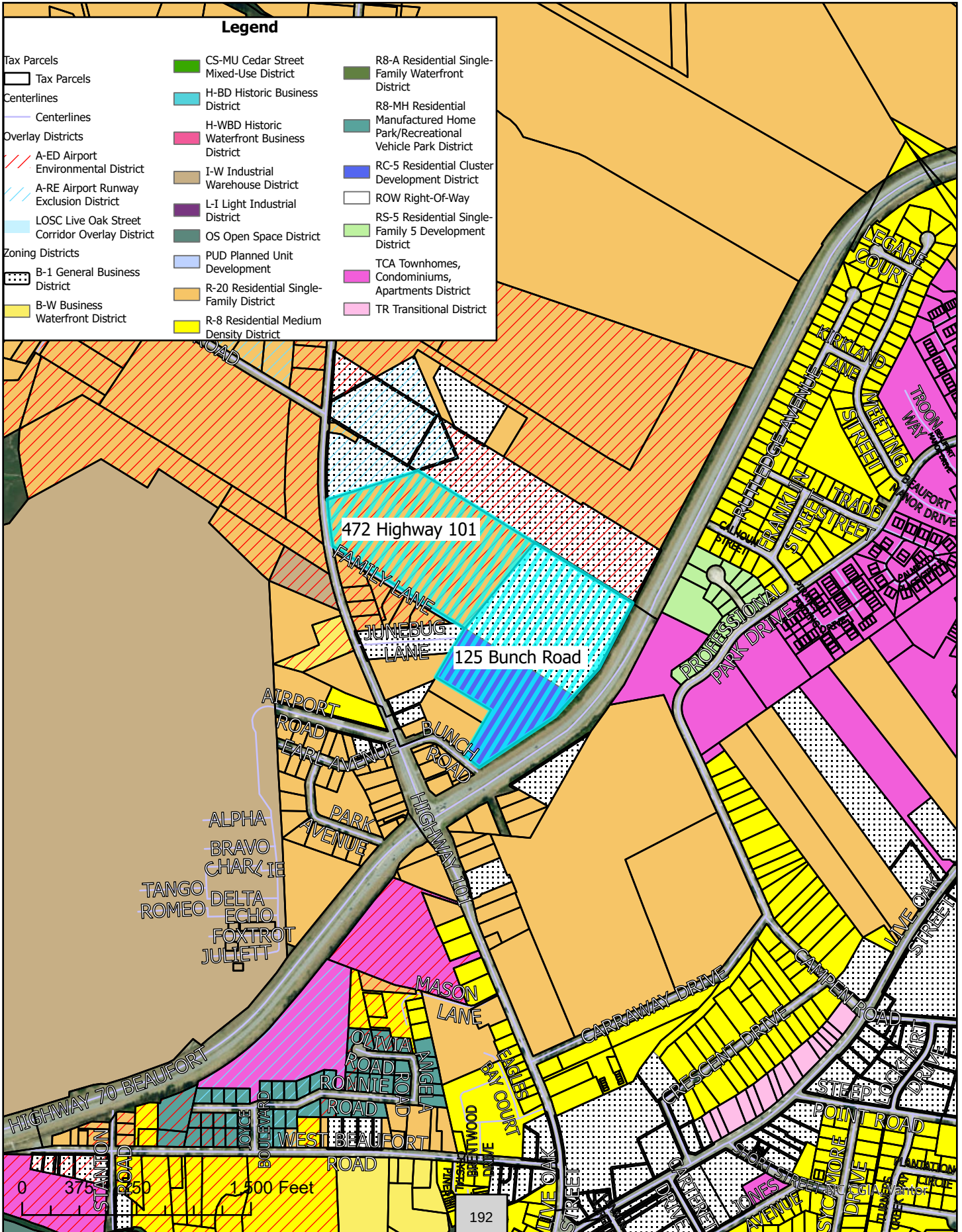
This is a general rezoning request and is not tied to a specific development proposal. In reviewing the request, the Board of Commissioners should consider whether the B-1 district and the range of uses allowed within that district are appropriate for the properties and surrounding areas. The Board should also consider the relationship of the proposed zoning to nearby zoning and development, and whether the requested Village Commercial Future Land Use Map classification is appropriate for the properties.

If approved, the Future Land Use Map amendments will also be subject to the applicable State review and certification process for amendments to the Town's certified CAMA Land Use Plan.



Case 26-20 Rezoning Zoning Map

125 Bunch Rd RC-5 to B-1 and 472 Highway 101 R-20 to B-1





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: Tidewater Associates Inc.

Applicant Address: 1069A Cedar Point Blvd, Cedar Point NC 28584

Phone Number: 252-393-6101

Email: [REDACTED]

Property Owner Name: R & L Of Beaufort LLC

Address of Property Owner: 5711 Six Forks Rd, Suite 300, Raleigh, NC 27609

Phone Number: 919-422-1201

Email: [REDACTED]

PROPERTY INFORMATION

Property Address: 125 Bunch Rd

15-Digit PIN: 730611664893000

Lot/Block Number: TRACT B

Size of Property (in square feet or acres): 21.8 acres total; 8.23 acres requested to B-1 from RC-5

Current Zoning: RC-5 & B-1

Requested Zoning: B-1

Current Use of Property: ☐ Residential ☒ Vacant ☐ Commercial ☐ Other: _____

Applicant Signature [Signature]

Date of Applicant's Signature 7/20/26

Property Owner Signature (if different than applicant) [Signature]

Date of Owner's Signature 7/20/26

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.



125 Bunch Rd Site Map



FILE # 1564115

NORTH CAROLINA, CARTERET COUNTY
This instrument and this certificate are duly filed at
the date and time and in the Book and Page shown
on the first page hereof.

Jerry T. Hardesty, Register of Deeds
By K. J. Davis
Asst. Deputy, Registrar of Deeds

FOR REGISTRATION REGISTER OF DEEDS
Jerry T. Hardesty
Carteret County, NC
January 09, 2017 04:27:54 PM
TRAVIS DEED 3 P
FEE: \$26.00
FILE # 1564115

NORTH CAROLINA SPECIAL WARRANTY DEED

Excise Tax: _____
Parcel Identifier No. _____ Verified by _____ County on the _____ day of _____, 20____
By: _____

✓ Mail/Box to: Richard L. Stanley, P.O. Box 150, Beaufort, NC 28516

This instrument was prepared by: Richard L. Stanley, 601-6 Cedar Street, Beaufort, NC 28516

Brief description for the Index: LOT 21.78 acres adj new US 70 corridor, _____

THIS DEED made this 28th day of December, 2016, by and between

GRANTOR	GRANTEE
Mercer Building & Design, Inc sucessor to Traditional Farms, LLC by merger 106 Professional Park Dr. Beaufort, NC 28516	R & L of Beaufort, LLC 7706 Six Forks Road Raleigh, NC 27615

Enter in appropriate block for each Grantor and Grantee: name, mailing address, and, if appropriate, character of entity, e.g. corporation or partnership.

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 the Grantor, for a 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, parcel of land or condominium unit situated in the City of Beaufort, Beaufort Township, CARTERET County, North Carolina and more particularly described as follows:

EXHIBIT A

The property hereinabove described was acquired by Grantor by instrument recorded in Book _____ page _____.
All or a portion of the property herein conveyed includes or ☒ does not include the primary residence of a Grantor.
A map showing the above described property is recorded in Plat Book _____ page _____.

BOOK 1564 PAGE 115

③

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 has done nothing to impair such title as Grantor received, and Grantor will warrant and defend the title against the lawful claims of all persons claiming by, under or through Grantor, other than the following exceptions:

Easements and restrictions of record.

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

Mercer Building & Design, Inc sucessor Traditional Farms, LLC (SEAL)
By: Gary A Mercer (Entity Name) Print/Type Name: _____
Print/Type Name & Title: Gary A. Mercer, President Print/Type Name: _____
By: _____ (SEAL)
Print/Type Name & Title: n/a Print/Type Name: _____
By: _____ (SEAL)
Print/Type Name & Title: _____ Print/Type Name: _____

State of _____ - County or City of _____
I, the undersigned Notary Public of the County or City of _____ and State aforesaid, certify that _____ personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this _____ day of _____, 20____.

My Commission Expires: _____ Notary Public
(Affix Seal) Notary's Printed or Typed Name _____

State of _____ - County or City of _____
I, the undersigned Notary Public of the County or City of _____ and State aforesaid, certify that _____ personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this _____ day of _____, 20____.

My Commission Expires: _____ Notary Public
(Affix Seal) Notary's Printed or Typed Name _____

State of North Carolina - County or City of CARTERET
I, the undersigned Notary Public of the County or City of CARTERET and State aforesaid, certify that Gary A. Mercer personally came before me this day and acknowledged that he is the President Mercer Building & Design, Inc sucessor, a North Carolina or _____ corporation/limited liability company/general partnership/limited partnership (strike through the inapplicable), and that by authority duly given and as the act of such entity, he signed the foregoing instrument in its name on its behalf as its act and deed. Witness my hand and Notarial stamp or seal, this 28th day of December, 2016.

My Commission Expires: 9/1/2019 Notary Public
(Affix Seal) Notary's Printed or Typed Name _____

BOOK 1564 PAGE 115

Being 21.78 acres adjoining the new US Highway 70 right of way, and bounded on the north by R & L of Beaufort, LLC, on the east by the new US Highway 70 corridor, on the south by Bunch Road and Calvary Baptist Church, and on the west by a 17.85 acre tract owned by Mercer Building and Design, Inc., said beginning point being located on the west line of the new US Highway 70 corridor right of way which point is located S 58-21-10 E 2325.68 feet from an existing iron stake located on the east line of NC Highway 101, which last mentioned iron stake is the northwest corner of the tract of land conveyed to the Beaufort Morehead Airport Authority by deed recorded in Book 1276, page 105, Carteret County Registry; running thence from the beginning point S 27-11-33 W 478.08 feet to an existing iron pipe; thence S 42-08-30 W 426.55 feet to an existing right of way disc; thence S 56-14-01 W 598.44 feet to an existing right of way disc; thence N 50-28-32 W 107.59 feet to a new iron rod; thence N 30-07-36 E 341.32 feet to an existing iron axle; thence N 59-01-19 W 420.93 feet to an existing iron rod; thence N 30-43-05 E 372.50 feet to a new iron rod; thence N 39-09-15 E 722.30 feet to a new iron rod; thence S 58-21-10 E 752.20 to the point of beginning; and being 21.78 acres shown on a Stroud Engineering plat dated June, 2014.

This deed is given to correct the deed recorded in Book 1482, page 457, Carteret County Registry, wherein the grantee was incorrectly identified as "R & L of Beaufort, LLC, instead of the correct name of "R & L of Beaufort, LLC".

BOOK 1564 PAGE 115

03-3054

21.78 acres adj new Highway 70, Beaufort, NC 28516



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: Tidewater Associates Inc.

Applicant Address: 1069A Cedar Point Blvd, Cedar Point NC 28584

Phone Number: 252-393-6101

Email: [REDACTED]

Property Owner Name: R & L Of Beaufort LLC

Address of Property Owner: 5711 Six Forks Rd, Suite 300, Raleigh, NC 27609

Phone Number: 919-422-1201

Email: [REDACTED]

PROPERTY INFORMATION

Property Address: 472 HIGHWAY 101

15-Digit PIN: 730607578502000

Lot/Block Number: TRACT A

Size of Property (in square feet or acres): 17.85 acres

Current Zoning: R-20

Requested Zoning: B-1

Current Use of Property: ☐ Residential ☒ Vacant ☐ Commercial ☐ Other: _____

Applicant Signature [Signature]

Date of Applicant's Signature 7/20/16

Property Owner Signature (if different than applicant) [Signature]

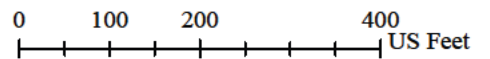
Date of Owner's Signature 7/20/16

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.



Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, Esri, NASA, NGA, USGS, NC CGIA, Vantor, Carteret County

472 HWY 101 Site Map





NORTH CAROLINA, CARTERET COUNTY
This instrument and this certificate are duly filed at
the date and time and in the Book and Page shown
on the first page hereof.

FILE # 1509454

Jerry T. Hardesty, Register of Deeds
By R. J. [Signature]
Deputy, Register of Deeds

FOR REGISTRATION REGISTER OF DEEDS
Jerry T. Hardesty
Carteret County, NC
May 29, 2015 04:46:20 PM
TRAVIS DEED 2 P
FEE: \$26.00
NC REVENUE STAMP: \$1,000.00
FILE # 1509454

Re: Stanley

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: \$ 1,000.00
Parcel Identifier No. 730607578502000 Verified by _____ County on the _____ day of _____, 20____
By: _____
Mail/Box to: Richard L. Stanley, P.O. Box 150, Beaufort, NC 28516
This instrument was prepared by: Richard L. Stanley, 613 Cedar Street, Beaufort, NC 28516
Brief description for the Index: _____
THIS DEED made this 15th day of May, 2015 by and between

GRANTOR	GRANTEE
Mercer Building & Design, Inc 106 C Professional Park Drive Beaufort, NC 28516	R & L of Beaufort, LLC 7706 Six Forks Road Raleigh, NC 27615

Enter in appropriate block for each Grantor and Grantee: name, mailing address, and, if appropriate, character of entity, e.g. corporation or partnership.
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 the Grantor, for a 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 the City of _____ Beaufort Township, CARTERET County, North Carolina and more particularly described as follows:
Lying and being in the Beaufort Township, Carteret County, North Carolina and being all of that tract or parcel of land designated Tract A on that survey entitled "Final Plat for Division of Property Traditional Farms LLC Property Tract A and Tract B", dated June 27, 2014, prepared by Stroud Engineering, PA, and recorded in Map Book 33, Page 14, Carteret County Registry.

The property hereinabove described was acquired by Grantor by instrument recorded in Book _____ page _____.
All or a portion of the property herein conveyed includes or ☒ does not include the primary residence of a Grantor.
A map showing the above described property is recorded in Plat Book 33 page 14.
NC Bar Association Form No. 3 © 1976, Revised © 1/1/2010
Printed by Agreement with the NC Bar Association

BOOK 1509 PAGE 454

2

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, other than the following exceptions: Easements and restrictions of record.

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

Mercer Building & Design, Inc (SEAL)
By: Gary A. Mercer (Entity Name) Print/Type Name: _____
Print/Type Name & Title: Gary A. Mercer, President Print/Type Name: _____ (SEAL)
By: _____ Print/Type Name: _____ (SEAL)
Print/Type Name & Title: _____ Print/Type Name: _____ (SEAL)
By: _____ Print/Type Name: _____ (SEAL)
Print/Type Name & Title: _____ Print/Type Name: _____

State of _____ - County or City of _____
I, the undersigned Notary Public of the County or City of _____ and State aforesaid, certify that _____ personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this _____ day of _____, 20____.

My Commission Expires: _____ Notary Public
(Affix Seal) Notary's Printed or Typed Name _____

State of North Carolina - County or City of CARTERET
I, the undersigned Notary Public of the County or City of CARTERET and State aforesaid, certify that _____ Gary A. Mercer personally came before me this day and acknowledged that he is the President of Mercer Building & Design, Inc, a North Carolina or _____ corporation/limited liability company/general partnership/limited partnership (strike through the inapplicable), and that by authority duly given and as the act of such entity, he signed the foregoing instrument in its name on its behalf as its act and deed. Witness my hand and Notarial stamp or seal this _____ day of _____, 2015.

My Commission Expires: 11/1/2015 Notary Public
(Affix Seal) Notary's Printed or Typed Name Stanley J. Carter

State of _____ - County or City of _____
I, the undersigned Notary Public of the County or City of _____ and State aforesaid, certify that _____
Witness my hand and Notarial stamp or seal, this _____ day of _____, 20____.

My Commission Expires: _____ Notary Public
(Affix Seal) Notary's Printed or Typed Name _____

Rezoning Justification

- 1. Will this proposal place all property similarly situated in the area in the same category, or in appropriate complementary categories?**

In review of the Town of Beaufort's Land Development Ordinance, the B-1 classification would be an appropriate and complementary category to those existing classifications in the area. The permitted uses are identical to those of the adjacently zoned B-1 property. Furthermore, the B-1 classification is established to provide for a variety of sales and service facilities to the general public. This is a benefit to those residentially zoned parcels in the area by providing access to goods and services.

Within this area there are various zoning classifications including R-20, R-8, RC-5 and B-1 that are situated in such a way to complement each other as existing development or future development.

- 2. Under this proposal, will all uses permitted under the proposed district classification be in the general public interest and not merely in the interest of an individual or small group?**

The uses permitted in the proposed zoning classification would allow commercial growth to serve the community by providing opportunity for additional retail, food and service industries to be established.

- 3. Are all uses permitted under the proposed new district classification appropriate for the area included in the proposed change?**

In reviewing the table of permitted uses and the existing B-1 district classifications of adjacent parcels, it can be found that uses are appropriate for the area. Those adjacent parcels with the identical classification allow the exact same uses. This is a benefit for the area that has residentially zoned properties.

- 4. Will the character of the neighborhood be materially or adversely affected by any use permitted in the proposed change?**

In review of the zoning classifications in this area of Beaufort and others similarly situated, it seems to be common for the B-1 district to be located adjacent to residentially zoned properties. As this development pattern is prevalent in Beaufort, there is precedence that the requested zoning change will not materially or adversely affect the character of the area. It seems to bolster these areas in a positive way.

- 5. Is the proposed change in accord with the Beaufort Comprehensive & CAMA Land Use Plan?**

According to the Beaufort Comprehensive & CAMA Land Use Plan, this area is designated as the Suburban Residential Future Land Use. The plan states “Typical uses, primarily single family detached residential, with an occasional mix of other highly compatible residential uses scattered throughout, including duplexes, accessory dwellings, and garage apartments. Sometimes, but more rarely, there may also be duplex neighborhoods.” The requested change in zoning to B-1 would not be consistent with this land use classification but the requested zoning change does appear to be consistent for this area. Therefore, a change to the Future Land Use classification is warranted.

The appropriate Future Land Use classification as supported by the goals, policies and actions stated in the Beaufort Comprehensive & CAMA Land Use Plan is Village Commercial. The plan states “Typical uses, smaller footprint, lower intensity, neighborhood serving commercial, retail, services, or offices. Pedestrian-serving uses (boutique shops or fitness studios, personal care, arts) are more appropriate than automobile-oriented uses (vehicle or machinery repair, rental and service, commercial nurseries or lumber yards, fast food restaurants, drive-thru banks, etc.) Upper story dwellings (aka live/work) are also appropriate. If context appropriate, institutional uses (churches, schools, hospitals, government buildings, etc.). On parcels directly adjacent to this area, multi-family residential may be appropriate, potentially providing customers for local businesses. Higher density residential development, whether as detached or low-impact attached residential is usually appropriate within a ¼ mile walking distance of these areas.”

This future land use category seems to support the change in zoning to B-1. The goals, policies and actions below support the change in future land use and zoning classifications:

Objective 2.1: Reduce vulnerability by utilizing guidance from the Future Land Use Map (FLUM) to focus growth and public infrastructure investments away from flood-prone areas toward higher ground.

Objective 3.1: Encourage efforts to make housing more diverse and affordable.

Action 3.1.2.2: Encourage or require multiple housing types within a single development.

Objective 3.3: Respect existing neighborhood fabric and encourage infill that fits its context.

Objective 3.4: Increase walkability in neighborhoods.

Objective 5.2: Continue to support existing small businesses and encourage new local businesses.

Objective 5.4: Continue to support the Michael J. Smith Airfield as an asset to Beaufort's economy.

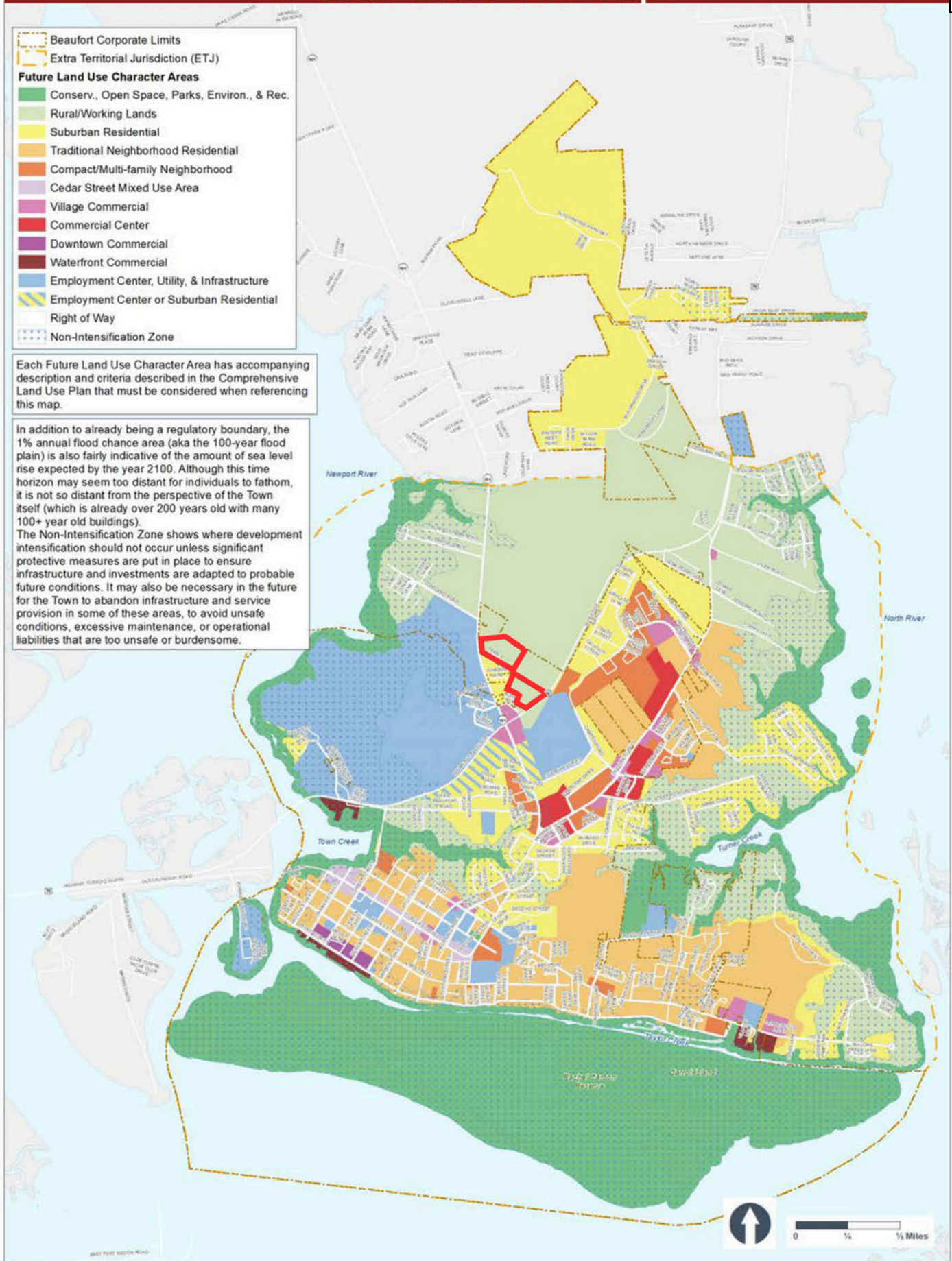
Objective 5.7: Preserve spaces for commercial, retail, service and nonresidential businesses while also being responsive to the strong demand for conversion of these properties to residential use.

Objective 7.1: Preserve the character of Beaufort's built environment.

Objective 7.8: Continue to beautify Beaufort.

Future Land Use Map

5.



PIN15	OWNER	MAIL_ADD	MAIL_CITY	MAIL_STATE	MAIL_ZI5	MAIL_ADD2	PhysicalAd	
730607583035000	BEAUFORT MHC AIRPORT AUTHORITY		BEAUFORT	NC	28516	PO BOX 875		0
730607674813000	R & L OF BEAUFORT LLC	7706 SIX FORKS ROAD	RALEIGH	NC	27615		550 HWY 101	
730611569374000	CALVARY BAPTIST CHURCH	119 BUNCH ROAD	BEAUFORT	NC	28516		119 BUNCH RD	
730611566676000	FINCH, GRAHAM M ETUX PATRICIA	404 HIGHWAY 101	BEAUFORT	NC	28516		404 HWY 101	
730611567902000	WOODRING, AMANDA JUNE	192 PIVER ROAD	BEAUFORT	NC	28516		107 JUNEBUG LN	
730611569086000	GILLIKIN, DEBORAH F ETVIR	134 BUNCH ROAD	BEAUFORT	NC	28516		134 BUNCH RD	
730611576007000	HUNNINGS, RICHARD EARL	142 FAMILY LN	BEAUFORT	NC	28516		142 FAMILY LN	
730611573304000	GILLIKIN, GLORIA B L/T	255 JOSEPHINE LANE	BEAUFORT	NC	28516		458 HWY 101	
730611577082000	HUNNINGS, ANNA KATHERINE	160 FAMILY LANE	BEAUFORT	NC	28516		160 FAMILY LN	
730611650973000	NC DEPT OF TRANSPORTATION	1546 MAIL SERVICE CENTER	RALEIGH	NC	27611		148 BUNCH RD	
730611574189000	EUBANKS, JOHN MELVIN	134 FAMILY LN	BEAUFORT	NC	28516		134 FAMILY LN	
730611575255000	HUNNINGS, RICHARD C ETAL	142 FAMILY LANE	BEAUFORT	NC	28516			0
730611577132000	HUNNINGS, RICHARD E ETAL JONES	148 FAMILY LANE	BEAUFORT	NC	28516		148 FAMILY LN	
730611660429000	CALVARY BAPTIST CHURCH	119 BUNCH RD	BEAUFORT	NC	28516			0
730611666002000	CARTERET COUNTY	302 COURTHOUSE SQUARE	BEAUFORT	NC	28516	SUITE 200	1234 HWY 70 BEAUFORT	
730612765951000	MERCER BUILDING & DESIGN INC	106D PROFESSIONAL PARK DR	BEAUFORT	NC	28516			0
730615649861000	COUNTY OF CARTERET	302 COURTHOUSE SQUARE	BEAUFORT	NC	28516	SUITE 200	110 CARRAWAY DR	
730607578502000	R & L OF BEAUFORT LLC	7706 SIX FORKS ROAD	RALEIGH	NC	27615		472 HWY 101	
730607588178000	BEAUFORT MHC AIRPORT AUTHORITY		BEAUFORT	NC	28516	PO BOX 875		0

E) ***Residential Cluster (RC-5) Development District.***

This zoning district is established as a medium to high density district encouraging the practice of residential cluster development designed to conserve land, create useable open space, reduce building and infrastructure costs, and provide for more attractive and functional communities. The regulations of this district are designed to provide greater open space and other amenities while relaxing minimum yard and similar regulations which would apply to a traditional 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 RC-5 district shall be a minimum of five thousand square feet (5,000 ft²). The overall density of each cluster development shall not exceed eight units per acre regardless of the minimum lot area required per dwelling or unit herein.

2) **Minimum Lot Width.**

All lots in the RC-5 district shall have a minimum lot width of fifty feet (50') 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 7-13 Interior Lot Requirements

<i>District</i>	<i>Front Setback (Right-of-Way) Setback</i>	<i>Rear Setback</i>	<i>Side Setback</i>	<i>Building Height Limitation</i>
RC-5	20 feet	30 feet	5 feet*	35 feet

Table 7-14 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>
RC-5	20 feet	10 feet	30 feet	5 feet*	35 feet

Table 7-15 Double Frontage Lot Requirements

<i>District</i>	<i>Front Setback (Right-of-Way) Setback</i>	<i>Rear Setback (Right-of-Way) Setback</i>	<i>Side Setback</i>	<i>Building Height Limitation</i>
RC-5	20 feet	30 feet	5 feet*	35 feet

*Zero lot line housing in the RC-5 district is permitted for one interior lot line provided each of the conditions below are met:

- The final subdivision plat designates placement of the dwelling unit on one of the side lot lines;
- No two detached single-family dwelling units shall utilize the zero-lot line provision on a common lot line;
- The remaining side yard shall not be less than the sum of the two side yard setbacks

- normally required; and,
- d) The dwelling unit wall abutting the zero lot line side yard shall be a solid structural and fire-rated wall with no windows, doors, or other openings.
 - e) A ten-foot (10') setback shall be required along all peripheral boundaries of a cluster development. A structure, whether it is the principal or accessory structure, shall not encroach upon this required setback distance. Within said setback, the Town may require as a part of its site plan review, the establishment of a reasonable buffer to protect and maintain the character of adjacent uses (see Section 10 of this Ordinance for more information).
 - f) A zero side yard setback may be permitted on one side of each lot subject to the following provisions:
 - i) The minimum building separation for the side yard opposite the zero lot line shall be either a separation of ten feet (10') from the side of the adjacent dwelling when constructed, or a minimum ten feet (10') setback line from the adjoining side lot line, whichever is greater;
 - ii) A five-foot (5') maintenance easement with a maximum eave encroachment easement of two feet (2') within the maintenance easement shall be established in the deed restrictions, recorded plat, and/or covenants of the adjoining lot and shall ensure ready access to the lot line wall at reasonable periods of the day for normal maintenance; and,
 - iii) Preliminary and final site development plans shall indicate the proposed envelope location of the dwellings, driveways, and parking arrangements for each lot. The final site development plans shall include a draft of the proposed encroachment and maintenance easements within the covenants or on the proposed final plat for review and approval by the Town.
 - iv) Upon the recording of the final plat in the Register of Deeds office, a copy of the completed covenants must be submitted with the final plat. A copy of the covenants and final recorded plat shall also be made available to the Town's Planning and Inspections Department.
- 4) Accessory Building Setback Requirements.
An unattached accessory structure may be located in a rear yard provided it is located at a distance not less than eight feet (8') from the principal structure and is not closer than three feet (3') from the rear yard line, and provided not more than twenty-five percent (25%) of the total lot area is covered by the accessory building. On a reversed corner lot or double frontage lot, no accessory building shall extend beyond the front yard line of the lot located to the rear of the lot on which the accessory building is being proposed.
- 5) Permitted Uses.
- | | |
|--|---|
| Antenna Co-Location on Existing Towers | Garage, Private Detached Government/Non-Profit Owned/Operated Facilities & Services |
| Athletic Field, Public | Home Occupation |
| Carport | Neighborhood Recreation Center, Indoor/Outdoor, Private |
| Community Garden | Neighborhood Recreation Center, Public |
| Dock | Park, Public |
| Dwelling, Duplex/Townhome | |
| Dwelling, Single-Family | |
| Family Care Homes | |

Public Safety Station
Public Utility Facility
Resource Conservation Area
Shed

Swimming Pool (Personal Use)
Temporary Construction Trailer
Utility Minor
Vehicle Charging Station

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

Athletic Field, Private
Bed & Breakfast
Concealed (Stealth) Antennae & Towers
Golf Course, Privately-Owned
Golf Driving Range
Marina
Outdoor Amphitheater, Public

Preschool
Religious Institution
Satellite Dish Antenna
School, Post-Secondary
Transportation Facility
Utility Facility

7) Owners Association Required.

The establishment of an owners association shall be mandatory for all residential cluster developments.

- a) The owners' association shall be organized and established as a legal entity prior to the conveyance of any lot or living unit in the residential cluster development.
- b) The owners' association membership shall be mandatory for each owner of a lot or living unit.
- c) The owners' association shall have the authority to assess its members to produce revenues to cover the expenses of the association and such assessments will be secured by a lien.
- d) The association shall be responsible for the payment of premiums for liability insurance, taxes, maintenance of recreational or other facilities located in common areas, payment of assessment for public and private capital improvements made to or for the benefit of the common areas, maintenance of any private street, and for such other purposes as the organizing documents provide.
- e) The residential cluster development will be subject to the North Carolina Planned Community Act regardless of the number of lots therein.

8) Common Walls.

Common walls between individual residences shall be party walls. Provisions for the maintenance and restoration of common walls, in the event of destruction or damages, shall be established.

9) Open Space.

- a) Open space shall be set aside for the use, benefit, and enjoyment of all residents of the cluster development and shall either be dedicated to the private use of the residents or conveyed to the owners' association for ownership, use, and management. Land which is restricted in any way so it may not be available for the use, benefit, and enjoyment of all residents of the cluster development at the time of lot sales or any time thereafter shall not qualify as open space.
- b) The open space in the cluster development shall be computed upon the following percentages of the overall area based upon the number of dwelling units per gross acre of cluster development as follows:

Table 7-16 Open Space Requirements

<i>Number of Dwelling Units Per Gross Acre</i>	<i>Required Percentage of Open Space</i>
3 units or less	20%
4-6 units	21-30%
7-8 units	31-45%

- c) To qualify as open space, land shall have a minimum width of five feet (5') excluding street rights-of-way, drives, parking areas, or structures other than recreational structures, and be one contiguous tract containing not less than ten thousand square feet (10,000 ft²) or four percent (4%) of the project area whichever is greater, exclusive of streets, parking areas, and utility easements. Street rights-of-way, drives, parking areas, buffer zones, and utility areas/easements may qualify as open space and be counted towards the percentage of open space required for each development provided the street rights-of-way, drives, parking areas, and utility areas/easements shall not compromise more than two-thirds of the required open space for each development unless the percentage is varied or waived by the BOC upon recommendation by the Planning Board in accordance with the variance standards set forth in Section 21(I) of this Ordinance. Such variances shall be freely allowed if any two or more of the following criteria are found to exist:
- i) To provide flexibility in design to take the greatest advantage of natural land, water, trees, environmental, and historical features;
 - ii) To provide for the creation of compatible arrangements which give the homebuyer greater choice in selecting his/her living environment;
 - iii) To provide sufficient freedom for the developer to submit plans which embody a creative approach to the use of lands and related physical development as well as utilize innovative techniques to enhance the visual character of the development;
 - iv) To provide for the efficient use of land which may result in smaller street and utility networks, better maintenance and upkeep of sewage disposal systems, and reduced development and maintenance costs;
 - v) To include compatible or associated uses which complement the residential area within the cluster development;
 - vi) To simplify the procedures for obtaining approval of proposed development through expeditious review of proposed land use, site layout, public needs, health and safety factors; and/or,
 - vii) To minimize expenditures of public funds for services and maintenance of streets, roads, central sewage systems and similar utilities, and to provide the efficient investment of community resources.

10) Preliminary and Final Review Procedures and Approvals.

The owner/developer of a new residential cluster development shall follow all requirements set forth in Section 18 of this Ordinance. However, before proceeding to the building phase of the development, the Town must issue to the owner/developer, a preliminary plat approval pursuant to Chapter 34, Subdivision Regulations.

11) Parking and Loading.

Two off-street parking spaces shall be provided per dwelling unit.

12) Signs.

The regulations for signs in an RC-5 district shall be as contained within Section 16 of this Ordinance.

SECTION 7 Residential Zoning Districts

A) *R-20 Residential Single-Family District.*

This residential district is intended to maintain a compatible mixture of single-family residential and bona fide farm uses with a density of two families per acre in accordance with the North Carolina State Board of Health recommendations for residential areas without public water and public sewer, and to prevent the development of blight and slum conditions.

1) Minimum Lot Size.

All lots in this district shall be a minimum of twenty thousand square feet (20,000 ft²).

2) Minimum Lot Width.

All lots in the R-20 district shall have a minimum lot width of one hundred feet (100') 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 7-1 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-20	30 feet	25 feet	15 feet	40 feet

Table 7-2 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>
R-20	30 feet	30 feet	25 feet	15 feet	40 feet

Table 7-3 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 Setback</i>	<i>Building Height Limitation</i>
R-20	30 feet	25 feet	15 feet	40 feet

4) Accessory Building Setback Requirements.

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

5) Permitted Uses.

Agritourism	Home Occupation
Antenna Co-Location on Existing Tower	Manufactured Home
Aquaculture	Neighborhood Recreation Center Indoor/Outdoor, Private
Assisted Living	Neighborhood Recreation Center, Public
Athletic Field, Public	Nursing Home
Athletic Field, Private	Park, Public
Carport	Produce Stand/Farmers' Market
Club, Lodge, or Hall	Public Utility Facility
Community Garden	Religious Institution
Dock	Resource Conservation Area
Dwelling, Single-Family	Satellite Dish Antenna
Family Care Homes	Shed
Farming, General	Swimming Pool (Personal Use)
Forestry	Temporary Construction Trailer
Garage, Private Detached	Utility Minor
Government/Non-Profit Owned/ Operated Facilities & Services	Vehicle Charging Station
Group Home	

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

Accessory Dwelling Unit
Bed & Breakfast
Boat Sales/Rentals
Cemetery/Graveyard
Concealed (Stealth) Antennae &
Towers
Day Care/Child Care Home
Dry Boat Storage
Golf Course, Privately Owned
Golf Driving Range
Kennel, Indoor Operation Only
Kennel, Indoor /Outdoor Operation
Marina
Museum
Office: Small Business
Other Free Standing Towers
Outdoor Amphitheater, Public
Preschool
Public Safety Station
School, K-12
School, Post-Secondary
Utility Facility

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

The General Business District is established as the zoning 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 and development regulation 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 shall comply with all setback provisions of this Ordinance, including but not limited to Section 2(F), Section 6 and Section 15 of this Ordinance.

5) Permitted Uses.

Amusement Establishment	Liquor Store
Antenna Co-Location on Existing Tower	Moped/Golf Cart Sales/Rentals
Aquaculture	Mortuary/Funeral Home/Crematorium
Assisted Living	Motor Vehicle Sales/Rentals
Athletic Field, Public	Museum
Bed & Breakfast	
Boat Sales/Rentals	Neighborhood Recreation Center,
Car Wash	Public
Club, Lodge, or Hall	Nursing Home
Commercial Indoor Recreation Facility	Office: Business, Professional, or Medical
Community Garden	Other Building-Mounted Antennae &
Concealed (Stealth) Antennae & Towers	Towers
Convenience Store	Outdoor Retail Display/Sales
Day Care Center	Park, Public
Dock	Parking Lot
Dry Boat Storage	Parking Structure
Financial Institution	Personal Service Establishment
Government/Non-Profit Owned/ Operated Facilities & Services	Pool Hall or Billiard Hall
Hospital	Produce Stand/Farmers' Market
Hotel or Motel	Public Safety Station
Kennel, Indoor Operation Only	Public Utility Facility
Library	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

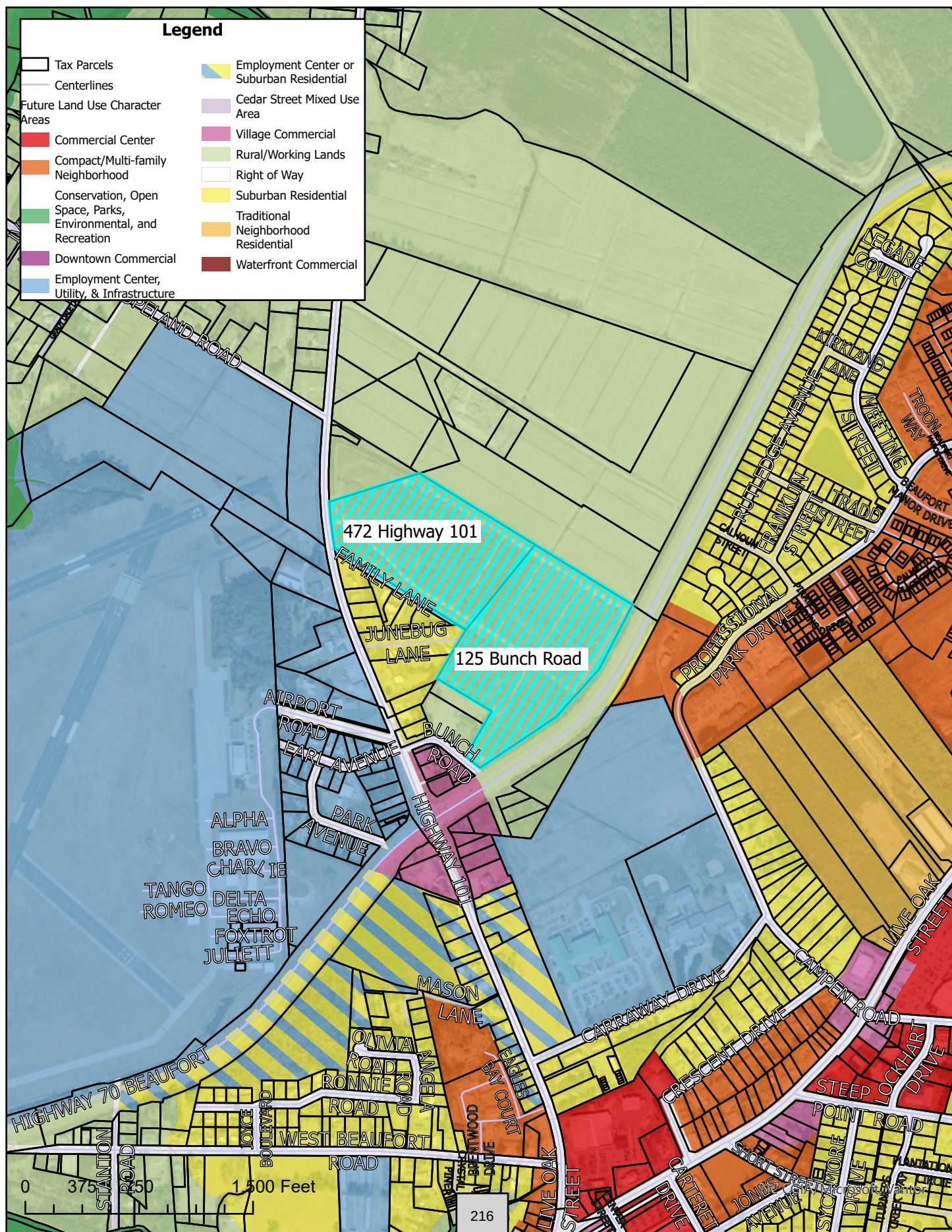
Temporary Construction Trailer
Theater, Small
Transportation Facility
Utility Minor
Vehicle Charging Station
Vehicle Service

6) Special Uses (*Special Uses* requirements 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

Case 26-20 125 Bunch Road and 472 Highway 101 Future Land Use Map Rural/Working Lands to Village Commercial



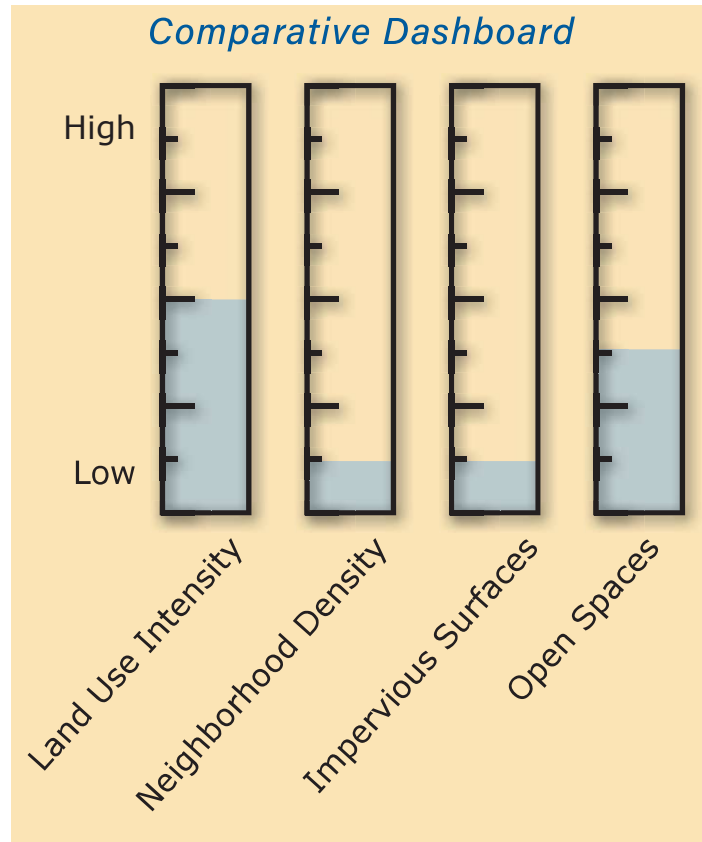
Rural/Working Lands

General Description:

Traditional Rural/Working lands (agriculture, silviculture, ranching and livestock, old farm fields, and homestead farms) predominate this character area. It also includes areas that are vacant or used for hunting or other non-residential, non-urban uses. These areas are generally not served by sewer service, although some suburban areas may be already. Due to typically poor septic infiltration potential for local soils, they are undesirable for residential or other types of development. If homes are present, they are often on very large lots or have been carved out of a larger tract of farmland. On-site septic treatment is one limiting factor to residential density, although the Town may also choose to restrict it further in the interest of maintaining rural character and/or maximizing use of public services (water, police, fire, emergency services, etc.).

This character area may also overlap with the Non-Intensification Zone in more urban or suburban contexts within Town. This indicates that although these areas may already have or be entitled for development, development denser than what is currently vested should be avoided and any public infrastructure in these areas should be minimized as it will be susceptible to coastal and climate hazards.

This character area encompasses the majority of the land between Hwy 101 and the new Hwy 70. It may be possible to serve this area effectively with sewer and it is generally some of the higher ground within the Town's jurisdiction. If sewer



EXAMPLE USES

Typical Uses:

Primarily silviculture, ranching and livestock, old farm fields, and other agricultural uses and supportive structures. Occasionally homestead farms or isolated large-lot single family detached residential. Schools, hospitals, and other

residential attractors should be discouraged and instead focused towards the Town, where services exist.

If Context Appropriate:

- » Small footprint institutional uses (churches, government buildings, etc.)

Rural/Working Lands

connections can be extended into these farmlands and development occurs, it should only be with an appropriate network of collector streets that will tie together the two main highways.

Streets and Circulation:

Streets in these areas are typically not curb-and-gutter (aka "ditch section"). There is typically not enough pedestrian activity to justify sidewalks, although if densities approach those of the Suburban Residential future land use character area, then they should be required in a similar amount. Blocks should not exceed twice the maximum length of the Traditional Neighborhood Residential character area. This is especially relevant when connecting to existing streets which are or will be thoroughfares or collectors of any sort, including residential collectors. The appropriate block length will allow these neighborhoods to evolve, redevelop, and become denser as the Town grows. So, while this connectivity may seem excessive in the present, it will preserve the ability for a more appropriate future condition to occur which is otherwise lost if block lengths are too long or streets too curvilinear. As always, streets should be on a grid and new neighborhoods should stub out to adjacent properties unless it would have an extremely negative impact on the environment.

Other Concerns:

Extension of public facilities (especially sewer service) to these areas for a single, remote development is generally not cost effective for service providers and can also create the incentive for further sprawl to develop along the extended public facilities. It can create a hodgepodge of development that is not conducive to focused activity centers. Significant consideration should be given to potential impacts before a decision of this type is made. If lower density residential development is allowed in these areas, it is important to ensure that appropriate street connections are made so that as public facilities are extended and the appropriate connectivity exists to serve higher density redevelopment and infill development as these places evolve. Where these areas overlap with the Non-Intensification Zone or other areas prone to inundation as seas rise, public infrastructure should not be extended.



Examples of Rural/Working Lands.

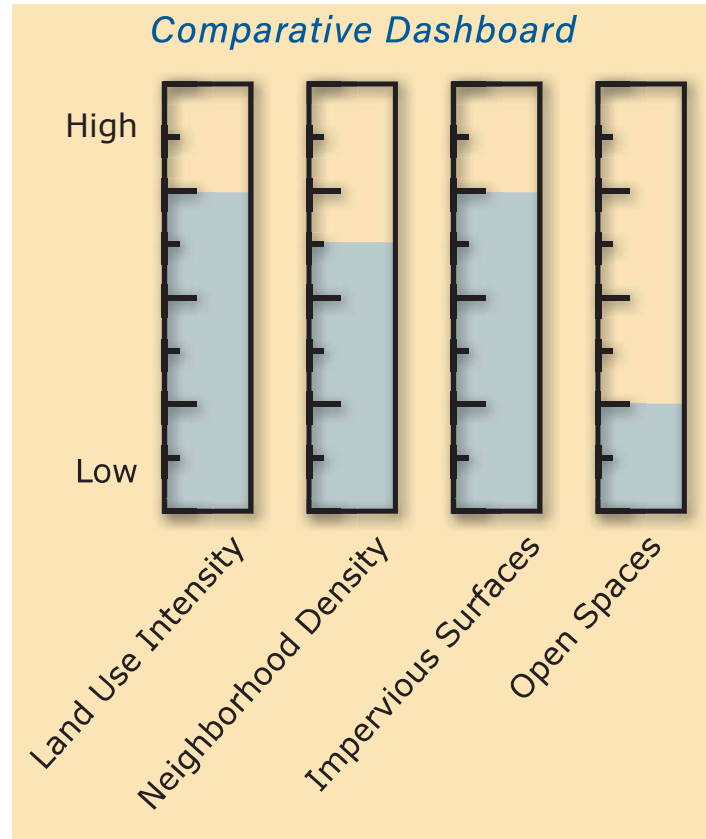
Village Commercial

General Description:

These areas have small-scale non-residential uses that serve the neighborhood and sometimes even a greater region. Often it may only be three or four corners of an intersection or one large, multi-tenant compound, but sometimes larger geographic stretches may also be appropriate. Sites, structures, and streets are human-scaled. Buildings may be setback from the street, particularly if it is a previously residential structure that has been converted for a commercial use. It may also be appropriate to have buildings pulled up to the street, with parking in the rear, especially at busy intersections or in particularly active nodes.

Streets and Circulation:

Streets should have good pedestrian facilities to support walking from businesses-to-business or from home-to-business. Pedestrians are prioritized, but automobiles are accommodated, and



EXAMPLE USES:

Typical Uses:

Smaller footprint, lower intensity, neighborhood serving commercial, retail, services, or offices. Pedestrian-serving uses (boutique shops or fitness studios, personal care, arts) are more appropriate than automobile-oriented uses (vehicle or machinery repair, rental and service, commercial nurseries or lumber yards, fast food restaurants, drive-thru banks, etc.). Upper story dwellings (aka "live/work") are also appropriate.

If Context Appropriate:

- » Institutional uses (churches, schools, hospital, government buildings, etc.).
- » On parcels directly adjacent to this area, multi-family residential may be appropriate, potentially providing customers for local businesses.
- » Higher density residential development, whether as detached or low-impact attached residential is usually appropriate within a ¼ mile walking distance of these areas.

Village Commercial

might even have a transit stop nearby. Accommodating a mix of transportation options is important to being accessible to customers. Blocks should rarely, if ever, exceed 500 feet on a side so that they are walkable and might even be able to one day evolve into a condition similar to Downtown Commercial.

Other Concerns:

Depending on context, some of these places may evolve into higher activity Downtown Commercial areas some day in the distant future, and future infrastructure projects should support that.



Examples of Village Commercial



**TOWN OF BEAUFORT PLANNING BOARD
RESOLUTION OF PLAN CONSISTENCY**

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

WHEREAS, N.C.G.S. §160D-604(d) requires the Town of Beaufort Planning Board to advise and comment on whether the proposed action is consistent with the Town of Beaufort Comprehensive and CAMA Land Use Plan and any other officially adopted plan that is applicable, and to 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, a request has been made for the Town to amend the Town of Beaufort Zoning Map to reflect B-1 General Business for 125 Bunch Road (PIN 730611664893000) instead of the current RC-5 Residential Cluster Development zoning on approximately 8.23 acres of the property, and 472 Highway 101 (PIN 730607578502000) instead of the current R-20 Residential Single-Family, with associated amendments to the Comprehensive and CAMA Land Use Plan Future Land Use Map classification for the same properties from Rural/Working Lands to Village Commercial; and

WHEREAS, the Planning Board has in fact met to consider and evaluate the proposed amendments at its regularly scheduled meeting on September 21, 2026; and

NOW THEREFORE, BE IT HEREBY RESOLVED, that the Planning Board finds that the proposed B-1 General Business zoning IS NOT consistent with the properties' current Rural/Working Lands Future Land Use Map classification. The Planning Board further finds that the proposed rezoning IS NOT reasonable and in the public interest because it does not further objectives of the Beaufort Comprehensive and CAMA Land Use Plan related to beautification and preservation of community character, support for existing small businesses, housing diversity and affordability, reducing vulnerability through guidance provided by the Future Land Use Map, and respect for existing neighborhoods. The Planning Board DOES NOT RECOMMEND approval of the requested zoning map amendments from RC-5 Residential Cluster Development District and R-20 Residential Single-Family District to B-1 General Business. The Planning Board DOES NOT RECOMMEND amending the Future Land Use Map classification from Rural/Working Lands to Village Commercial in conjunction with the zoning map amendments.

This Resolution is effective upon its adoption this 21st day of September 2026.

TOWN OF BEAUFORT PLANNING BOARD


 Ryan Neve, Chairman

ATTEST:



Laurel Anderson, Secretary



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

Notification Certification
Case #26-20 – 125 Bunch Road and 472 Highway 101
Subject Property and Abutting Property Owners
Zoning Map & FLUM Amendment Request

BEAUFORT CROSSING LLC C/O JEFFREY W BARAN 5711 SIX FORKS RD STE 300 RALEIGH, NC 27609-3888	CROATAN INVESTMENT CO LLC C/O WALTER D BRADY 805 FRONT STREET BEAUFORT, NC 28516
BEAUFORT MOREHEAD CITY AIRPORT AUTHORITY PO BOX 875 BEAUFORT, NC 28516-0875	CALVARY BAPTIST CHURCH 119 BUNCH RD BEAUFORT, NC 28516-8641
CARTERET COUNTY BOARD OF EDUCATION 107 SAFRIT DR BEAUFORT, NC 28516-9017	COUNTY OF CARTERET 302 COURT HOUSE SQ SUITE 200 BEAUFORT, NC 28516-6709
WOODRING AMANDA JUNE 192 PIVER ROAD BEAUFORT, NC 28516	GILLIKIN DEBORAH F ET VIR 134 BUNCH ROAD BEAUFORT, NC 28516
HUNNINGS RICHARD C ETAL 142 FAMILY LANE BEAUFORT, NC 28516	LEWIS PHILLIP A PO BOX 662 GREENVILLE, NC 27835-0662
NORTH CAROLINA DEPARTMENT OF TRANSPORTATION 1546 MAIL SERVICE CENTER RALEIGH, NC 27611	R & L OF BEAUFORT LLC 5711 SIX FORKS RD SUITE 300 RALEIGH, NC 27609

I, Michelle Eitner, Town Planner for the Town of Beaufort, do hereby certify that the above-listed owners of the subject properties and abutting property owners were notified that a request to rezone the RC-5 portion of 125 Bunch Road and all of 472 Highway 101 to B-1 and amend the Future Land Use Map designation for both properties from Rural/Working Lands to Village Commercial will be heard by the Board of Commissioners on October 12, 2026, at 6:00 p.m. at the Train Depot, 614 Broad Street, Beaufort, NC. Each of the above-listed property owners was mailed a letter and zoning and Future Land Use Map excerpts by first-class mail on September 23, 2026. Signs providing notice of the hearing were posted on the subject properties on September 23, 2026. Public notice of the hearing was submitted to the Carteret County News-Times for publication on September 30 and October 7, 2026.

Signed

Date

**TOWN OF BEAUFORT BOARD OF COMMISSIONERS
ORDINANCE TO AMEND THE TOWN OF BEAUFORT ZONING MAP
RC-5 PORTION OF 125 BUNCH ROAD
AND 472 HIGHWAY 101 (R-20) TO B-1
ORDINANCE NO. 26-__**

Owner	R & L of Beaufort, LLC
Location & PIN:	125 Bunch Road (PIN 730611664893000)
Lot Size:	21.802 acres total. Currently has split zoning consisting of approximately 8.23 acres of RC-5 and approximately 13.57 acres of B-1. The request is to rezone the RC-5 portion to B-1 so that the entire parcel is B-1.
Existing District:	RC-5 Residential Cluster Development District and B-1 General Business District
Requested District:	B-1 General Business District
Owner	R & L of Beaufort, LLC
Location & PIN:	472 Highway 101 (PIN 730607578502000)
Lot Size:	17.847 acres
Existing District:	R-20 Residential Single-Family District with A-ED Airport Environmental Overlay
Requested District:	B-1 General Business District with A-ED Airport Environmental Overlay

WHEREAS, Josh Edmondson of Tidewater Associates, Inc., agent for property owner R & L of Beaufort, LLC, has requested zoning map amendments to rezone the RC-5 Residential Cluster Development District portion of 125 Bunch Road to B-1 General Business District and to rezone 472 Highway 101 from R-20 Residential Single-Family District to B-1 General Business District; and

WHEREAS, the Town of Beaufort Planning Board convened to consider and prepare a recommendation and consistency statement on the request at its meeting on September 21, 2026, at which time the Planning Board recommended denial of the request; and

WHEREAS, notice of the public hearing to be held at the October 12, 2026 regular meeting of the Town of Beaufort Board of Commissioners was published in the Carteret County News-Times on September 30 and October 7, 2026; and

WHEREAS, the Board of Commissioners conducted a duly advertised public hearing on October 12, 2026, at which the applicant, Town staff, and members of the public were afforded an opportunity to comment on the request; and

WHEREAS, the Board of Commissioners has considered the recommendation of the Planning Board and the applicable provisions of the Beaufort Comprehensive and CAMA Land Use Plan; and

WHEREAS, the Board of Commissioners finds the proposed zoning map amendments are consistent with the Beaufort Comprehensive and CAMA Land Use Plan as concurrently amended to designate both properties Village Commercial; and

WHEREAS, the Board of Commissioners finds that the proposed zoning map amendments are reasonable and in the public interest because _____;

NOW, THEREFORE, IT IS HEREBY ORDAINED by the Board of Commissioners, based on the foregoing findings and conclusions, that the request to rezone the RC-5 Residential Cluster Development District portion of 125 Bunch Road (PIN 730611664893000) to B-1 General Business District and to rezone all of 472 Highway 101 (PIN 730607578502000) from R-20 Residential Single-Family District to B-1 General

Business District, with the A-ED Airport Environmental Overlay retained, 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 12th day of October, 2026

TOWN OF BEAUFORT

Elizabeth Lewis, Assistant Town Manager & Town Clerk

Sharon E. Harker, Mayor

DRAFT



**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE TOWN OF BEAUFORT,
NORTH CAROLINA, AUTHORIZING AMENDMENTS TO THE
BEAUFORT COMPREHENSIVE AND CAMA LAND USE PLAN**

WHEREAS, the Board of Commissioners of the Town of Beaufort desires to amend its Comprehensive and CAMA Land Use Plan, specifically the future land use classifications of 125 Bunch Road (PIN 730611664893000) and 472 Highway 101 (PIN 730607578502000) in the Future Land Use Map (p. 173); and

WHEREAS, the Comprehensive and CAMA Land Use Plan currently reflects these parcels as Rural/Working Lands future land use; and

WHEREAS, the Town of Beaufort desires to amend the Comprehensive and CAMA Land Use Plan to reflect these parcels as Village Commercial; and

WHEREAS, on September 21, 2026 the Planning Board recommended denial of the draft amendments to the Comprehensive and CAMA Land Use Plan; and

WHEREAS, the Town of Beaufort conducted a duly advertised public hearing on the draft amendments to the Comprehensive and CAMA Land Use Plan at the Regular Meeting of the Board of Commissioners on October 12, 2026; and

WHEREAS, at the Regular Meeting on October 12, 2026 the Board of Commissioners of the Town of Beaufort, North Carolina found the draft amendments to be consistent with the Town of Beaufort's desired vision for the future and approved to adopt the draft amendments; and

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

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Beaufort, North Carolina, that the Future Land Use Map (p. 173) in the Comprehensive and CAMA Land Use Plan be amended to reflect that 125 Bunch Road (PIN 730611664893000) and 472 Highway 101 (PIN 730607578502000) are now Village Commercial rather than Rural/Working Lands.

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

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

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

Adopted this 12th day of October, 2026.

TOWN OF BEAUFORT

Elizabeth Lewis, Assistant Town Manager & 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

Board of Commissioners**Regular Meeting**

6:00 PM – Monday, October 12, 2026

**Train Depot, 614 Broad Street
Beaufort, NC 28516**

AGENDA CATEGORY:

New Business

SUBJECT:

Parks and Recreation Advisory Board
Appointments

REQUESTED ACTION:

There are currently two positions available for volunteer service on the Parks and Recreation Advisory Board. Each appointment is for a three-year term.

The Town has received applications from the following individuals:

- Barry Evans
- Taylor Grigg
- Isabel Hernandez
- Kendra Johnson
- David Schafer
- Greg Stokes

Please appoint two individuals to the Parks and Recreation Advisory Board, each to serve a three-year term.

SUBMITTED BY:

Elizabeth Lewis, Assistant Town Manager/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

Board of Commissioners

Regular Meeting

6:00 PM – Monday, October 12, 2026

**Train Depot, 614 Broad Street
Beaufort, NC 28516**

AGENDA CATEGORY: New Business

SUBJECT: Carteret County Museum Donation Pieces

BACKGROUND:

The Carteret County History Museum recently contacted the Town regarding three historical items owned by the Town of Beaufort that have been on loan to the Museum since 2009. The Museum has requested that the Town consider converting the existing loans to permanent donations through a Deed of Gift. The Museum has indicated that formally adding the items to its collection will allow them to continue to be preserved and maintained as part of Carteret County's history and remain accessible for future generations. The following Town-owned items are currently on display at the Carteret County History Museum:

1. Aerial View of Beaufort Elementary School, ca. 1975
2. Portrait of Coach McQuaid, ca. 1964
3. Photograph of NASA Astronaut Michael J. Smith and the Space Shuttle Crew, ca. 1986

Please see the attached photographs and proposed Deed of Gift for additional information and reference.

REQUESTED ACTION:

Provide direction to Town staff regarding the Carteret County History Museum's request to permanently donate the three historical items currently on loan to the Museum. Should the Board wish to proceed with the donation, authorize Town staff to execute the associated Deed of Gift.

SUBMITTED BY:

Elizabeth Lewis, Assistant Town Manager/Town Clerk



Deed of Gift

Name Town of Beaufort Date 7/24/2024
Address 701 Front Street
City Beaufort State NC Zip 28516
Telephone 252 728-2141 Email _____

I hereby give, convey, and assign to the Carteret County Historical Society (the History Museum) all of my rights, title and interest in the property hereafter described, and give it as an outright and unconditional gift, free and clear of restrictions or agreements to be used or disposed of by the Society in its sole discretion. I hereby represent that the materials contained in this gift were to the best of my knowledge and belief, acquired legally and without encumbrances, and that I have the legal authority to transfer ownership to the Society by this deed of gift. It is clearly understood by me that it is my purpose and intention to vest any and all the incidents of absolute ownership, including but not limited to, all rights of copyright, of the property described below to the Carteret County Historical Society from the date of this document forward.

Description of Gifts:

1. Aerial view of Beaufort Elementary School, ca 1975
2. Portrait of Coach McQuaid, ca 1964
3. Photograph of NASA Astronaut Michael J. Smith and the Space Shuttle Crew, ca 1984

By my signature below I accept the foregoing conditions and acknowledge reading any attached information.

This gift is in memory /honor of: _____

Received from: _____

Print Name

Signature

Date

Received by: _____

Print Name /Title

Signature

Date

Carteret County Historical Society, 1008 Arendell St., Morehead City, NC 28557
252-247-7533 www.carterethistory.org







"His teams' winning streak of 91 straight games and three consecutive state titles were truly outstanding achievements along with his overall success. It is also important to note that his players achieved success as college graduates and as business and professional men."

Dean E. Smith, Head Coach- UNC

