



Town of Beaufort, NC

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

Town of Beaufort Planning Board Regular Meeting 6:00 PM Monday, August 21, 2023 - Train Depot, 614 Broad Street, Beaufort, NC 28516 Monthly Meeting

Call to Order

Roll Call

Agenda Approval

Minutes Approval

- [1.](#) PB Draft Minutes 051523

Public Comment

Public Hearing

- [1.](#) Case # 23-05 - Zoning Text Amendment - Modifying Section 8A (TCA District) & Table 8-8 (Table of Uses) to allow a density of 14 Dwelling Units per acre as a Special Use
- [2.](#) Case # 23-06 - To recommend approval or denial to the Board of Commissioners for the rezoning of 1103 Lennoxville Road
- [3.](#) Case # 23-07 - To recommend approval or denial to the Board of Commissioners for the rezoning of three properties owned by the Beaufort Housing Authority from TR & R-8 to TCA

Commission / Board Comments

Staff Comments

Adjourn



Town of Beaufort, NC
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Town of Beaufort Planning Board Regular Meeting
6:00 PM Monday, May 15, 2023 - Train Depot
614 Broad Street, Beaufort, NC 28516
Minutes

Call to Order

Chair Merrill called the May 15, 2023 Planning Board meeting to order at 6:00 p.m.

Roll Call

Members Present: Chair Merrill, Vice Chair Meelheim, Member Bowler, Member Stanziale, Member Vreugdenhil

Members Absent: Member LoPiccolo, Member Willis

A quorum was declared with five members present.

Staff Present: Kyle Garner, Town Attorney Arey Grady, and Laurel Anderson

Agenda Approval

Chair Merrill asked if there were any changes to the Agenda and hearing none, he asked for a motion.

Vice-Chair Meelheim made the motion to approve the agenda as presented and Member Bowler made the second. Chair Merrill took a vote that was unanimously approved.

Voting yea: Chair Merrill, Vice-Chair Meelheim, Member Bowler, Member Stanziale, Member Vreugdenhil

Minutes Approval

1. PB Draft Minutes for 3.20.23

Chair Merrill asked if there were any changes to the Minutes from the March 20, 2023 meeting

Member Bowler made the motion to approve the minutes and Member Vreugdenhil made the second. Chair Merrill took a vote that was unanimously approved.

Voting yea: Chair Merrill, Vice-Chair Meelheim, Member Bowler, Member Stanziale, Member Vreugdenhil

Public Comment

Chair Merrill opened public comments and asked if anyone would like to speak. There were no public comments that did not pertain to the public hearing.

Public Hearing

- 1. Case #23-04, To recommend approval or denial to the Board of Commissioners for the rezoning of two parcels off Professional Park Drive from R-20 & B-1 to TCA.

Mr. Garner gave a presentation and explained the parcels are currently conforming lots of record and an approval of the request would require an amendment to the Future Use Land Map (FLUM) from Low Density Residential to High Density Residential, and based on the acreage a total of 54 multi-family units would be allowed if the property were rezoned. He explained that the Planning Board was requested to recommend approval of the request, stating that the request is consistent with surrounding land use patterns and zoning; recommend denial of the request, stating that the request is not consistent; and provide a Consistency Statement for the CAMA Map Amendment.

Chair Merrill asked if the Town Engineer looked at rezoning applications for density allocation, and Mr. Garner explained that he did not as there was a separate sewer allocation application to be reviewed after rezonings were approved. Member Stanziale asked if the intended use was multi family and Mr. Garner stated that it was.

Ron Cullipher, engineer with The Cullipher Group then spoke and explained that residential zoning for the property was more consistent with surrounding zoning and B-1 zoning contained many uses that were not consistent, and it was an opportunity to clean the properties up. He stated that pressure improvements were being looked at to improve stormwater issues in that area.

Vice-Chair Meelheim made the motion to open the Public Hearing and Member Stanziale made the second. Chair Merrill took a vote that was unanimously approved.

Voting yea: Chair Merrill, Vice-Chair Meelheim, Member Bowler, Member Stanziale, Member Vreugdenhil

Camden McCall, 630 Professional Park Dr, stated that he felt TCA was not the best zoning for that area and residential was preferred, and the stormwater issues already affected his property and the surrounding area.

As there was no further public comment Member Bowler made the motion to close the Public Hearing and Member Stanziale made the second. Chair Merrill took a vote that was unanimously approved.

Voting yea: Chair Merrill, Vice-Chair Meelheim, Member Bowler, Member Stanziale, Member Vreugdenhil

There was Board discussion regarding the potential allowed uses under TCA zoning, and Town Attorney Grady explained that all TCA permitted uses were all automatically allowed by right and others required applying for and approval of a special use permit. Chair Merrill pointed out that most uses under TCA were residential, though multi-family, and the current B-1 zoning allowed for other uses not consistent with surrounding residential zoning and possibly would create more traffic in that area. There was some concern noted that TCA zoning would increase the density and stormwater issues.

Member Vreugdenhil made the motion to recommend approval as presented and Member Bowler made the second. Member Vreugdenhil further clarified that the request is consistent with surrounding land use patterns and zoning and the stormwater system could potentially be improved. Chair Merrill took a vote that was unanimously approved.

Voting yea: Chair Merrill, Vice-Chair Meelheim, Member Bowler, Member Stanziale, Member Vreugdenhil

Mr. Garner explained to the audience that this was the first hearing and the Board of Commissioners would be hearing the rezoning on June 12th, 2023 and the adjoining homeowners would be receiving another notification of the meeting in the mail before then.

New Business

- 1. Case #23-03 Special Use Permit for an Accessory Dwelling Unit at 308 Moore Street

Mr. Garner introduced Case #23-03 and explained that the application is for a Special Use Permit for an Accessory Dwelling Unit per the R-8 Zoning District and in March 2023 the property had been issued a Certificate of Appropriateness (COA) from the Beaufort Historic Commission to construct a single-family dwelling with a detached garage. He stated that Accessory Dwelling Units are not uncommon in the historic district as there are several within two or three blocks of this property, and the request is consistent with the current Land Use Plan. He further explained the Required Findings a) through g) in Section 20 under Special Use Permit in the Town of Beaufort Land Development Ordinance were all answered by the applicant.

Mr. Garner requested if approved, the Planning Board provide a consistency statement and provide comments, concerns and suggestions to the Board of Commissioners.

Member Vreugdenhil made the motion to recommend approval of the Special Use Permit as presented and Member Stanziale made the second. Chair Merrill took a vote that was unanimously approved.

Voting yea: Chair Merrill, Vice-Chair Meelheim, Member Bowler, Member Stanziale, Member Vreugdenhil

Commission / Board Comments

The Board welcomed new member Mr. Stanziale and welcomed Member Meelheim back after her injury.

Staff Comments

Mr. Garner notified the Board that the Town Attorney would be presenting the NC General Statute Chapter 160D updates for the Land Development and Subdivision Ordinances at the next meeting. Chair Merrill asked what action the Planning Board would be requested to take, and Mr. Garner explained that updates would consist of text amendments.

Member Stanziale asked if the update would become a Unified Development Ordinance (UDO) and Mr. Garner stated that ultimately it would but the currently the focus was on bringing the separate ordinances into compliance with the Chapter 160D updates. Chair Merrill suggested that a presentation be given at the next meeting and then the Planning Board vote on the updates the month after that.

Mr. Garner also notified the board members that the NC School of Government would be offering training in the near future and the members would be updated when dates were solidified.

Adjourn

Member Vreugdenhil made the motion to adjourn and Member Bowler made the second. Chair Merrill took a vote that was unanimously approved.

Voting yea: Chair Merrill, Vice-Chair Meelheim, Member Bowler, Member LoPiccolo, Member Vreugdenhil

Chair Merrill then declared the meeting adjourned.

Ralph Merrill, Chair

Laurel Anderson, Board Secretary



Town of Beaufort, NC

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**Town of Beaufort Planning Board Regular Meeting
6:00 PM Monday, August 21, 2022 – 614 Broad Street**

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

BRIEF SUMMARY:

After reviewing a proposal for a new affordable housing district, the Board of Commissioners at their June workshop requested that staff move in another direction and instead requested that staff add language to the existing TCA district to allow a density of 14 units per acre as a Special Use Permit.

REQUESTED ACTION:

Conduct Public Hearing
Recommendation to Board of Commissioners

EXPECTED LENGTH OF PRESENTATION:

10 Minutes

SUBMITTED BY:

Kyle Garner, AICP
Planning & Inspections Director

BUDGET AMENDMENT REQUIRED:

N/A

PLANNING BOARD STAFF REPORT

BOARD ACTION REQUEST

Case No. : 23-05

TO: Planning Board
FROM: Kyle Garner, Planning Director
DATE: August 1, 2023
RE: LDO Text Amendment Modifying Section 8A (Townhomes, Condominiums, Apartments District) & Table 8-8 (Transitional Zoning Table of Uses) to allow a density of 14 Dwelling Units per acre as a Special Use

Background

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

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

Action Needed:

- Conduct a Public Hearing on the proposed text amendment.
- To make a recommendation to the Board of Commissioners to modify the Ordinance as requested; to change the modification to other language; or to deny changing the Ordinance.

Attachments:

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

Agenda Item Prepared By:
Kyle Garner, Planning Director

Board Action: Motion by _____ 2nd by _____

Section 8 Transitional Zoning Districts

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

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

- 1) Maximum Overall Density.
The TCA district shall have a maximum density of twelve units per acre without a Special Use permit and up to fourteen units per acre with a Special Use Permit.
- 2) Minimum Lot Size.
All lots in the TCA district shall be a minimum of two thousand, seven hundred, and fifty square feet (2,750 ft²) per dwelling unit.
- 3) Minimum Lot Width.
All lots in the TCA district shall have a minimum lot width of eighty feet (80') at the minimum building line.
- 4) Building Setback and Building Height Requirements and Limitations.
Subject to the exceptions allowed in this Ordinance, each structure on a lot in this zoning district shall be set back from the boundary lines of the lot at least the distances provided in the tables set forth in this section. The building height limitation in this district is provided in the tables set forth in this section.

Table 8-1 Interior Lot Requirements

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

Table 8-2 Corner Lot Requirements

<i>District</i>	<i>Designated Front (Right-of-Way) Setback</i>	<i>Designated Side (Right-of-Way) Setback</i>	<i>Rear Setback</i>	<i>Side Setback</i>	<i>Building Height Limitation</i>
TCA	25 feet	15 feet	30 feet	8 feet	35 feet

Table 8-3 Double Frontage Lot Requirements

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

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

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

1) Permitted Uses.

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

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

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

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

DRAFT ORDINANCE 23-0

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

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

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

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

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

The Town of Beaufort LDO is amended as follows:

Section 8 Transitional Zoning Districts

A) TCA Townhomes, Condominiums, Apartments District.

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

1) Maximum Overall Density.

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

2) Minimum Lot Size.

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

3) Minimum Lot Width.

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

4) Building Setback and Building Height Requirements and Limitations.

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

Table 8-1 Interior Lot Requirements

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

Table 8-2 Corner Lot Requirements

District	Designated Front (Right-of-Way) Setback	Designated Side (Right-of-Way) Setback	Rear Setback	Side Setback	Building Height Limitation
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Table 8-3 Double Frontage Lot Requirements

District	Designated Front (Right-of-Way) Setback	Designated Rear (Right-of-Way) Setback	Side Setbacks	Building Height Limitation
TCA	25 feet	15 feet	8 feet	10 feet

5) Accessory Building Setback Requirements.

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

6) Covenants.

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

7) Permitted Uses.

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

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

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

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

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

This, the _____th day of 2023.

TOWN OF BEAUFORT

By: _____
Mayor

Attest:

_____ Town Clerk

**TOWN OF BEAUFORT
PLANNING BOARD**

**A STATEMENT OF CONSISTENCY ADVISING THAT PROPOSED AMENDMENTS
TO THE LAND DEVELOPMENT ORDINANCE ARE IN ACCORDANCE WITH
ALL OFFICIALLY ADOPTED PLANS, INCLUDING THE
CORE LAND USE PLAN; ARE REASONABLE.
AND ARE IN PUBLIC INTEREST.**

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

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

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

NOW THEREFORE, BE IT HEREBY RESOLVED, that the Planning Board finds that the proposed amendments to the Ordinance are in accordance with all officially adopted Town plans, including sections 1.3.5 & 5.4.2-4 (Land Use Compatibility Implementation Actions) of the Core Land Use Plan, and therefore recommends adoption by the Board of Commissioners. Specifically the Planning Board finds that the proposed amendments are in furtherance of the Town plans, ordinances and regulations, including the comprehensive land use plan; and better clarify all the Ordinance regulations.

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

**TOWN OF BEAUFORT
PLANNING BOARD**

_____, Chairman

ATTEST:

_____, Secretary



Town of Beaufort, NC

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**Town of Beaufort Planning Board Regular Meeting
6:00 PM Monday, August 21, 2023 – Train Depot**

AGENDA CATEGORY: Public Hearing
SUBJECT: To recommend approval or denial to the Board of Commissioners for the rezoning of 1103 Lennoxville Road

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

REQUESTED ACTION:
Conduct Public Hearing
Recommendation on Proposed Rezoning

EXPECTED LENGTH OF PRESENTATION:
15 Minutes

SUBMITTED BY:
Michelle Eitner
Planner

BUDGET AMENDMENT REQUIRED:
N/A



Staff Report

To: Planning Board
From: Michelle Eitner, Planner

Date: 7/31/2023
Meeting Date: 8/21/2023

Case Number 23-06

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

Background

Location(s) & PIN 730619501868000

Owner Mary Frances Garvey
Applicant Same

Current Zoning R-8

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

Existing Land Use Former Commercial

CAMA Future Land Use Map Mixed Use
Amendment Required Yes No

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

Special Flood Hazard Area Yes No

Public Utilities
 Water Available Not Available
 Sewer Available Not Available

Additional Information See Staff Comments

Requested Action Conduct Public Hearing
Provide recommendation to the Board of Commissioners to:

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

Staff Comments

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

rezoned from a residential district to a commercial district to allow a new commercial use to be established.

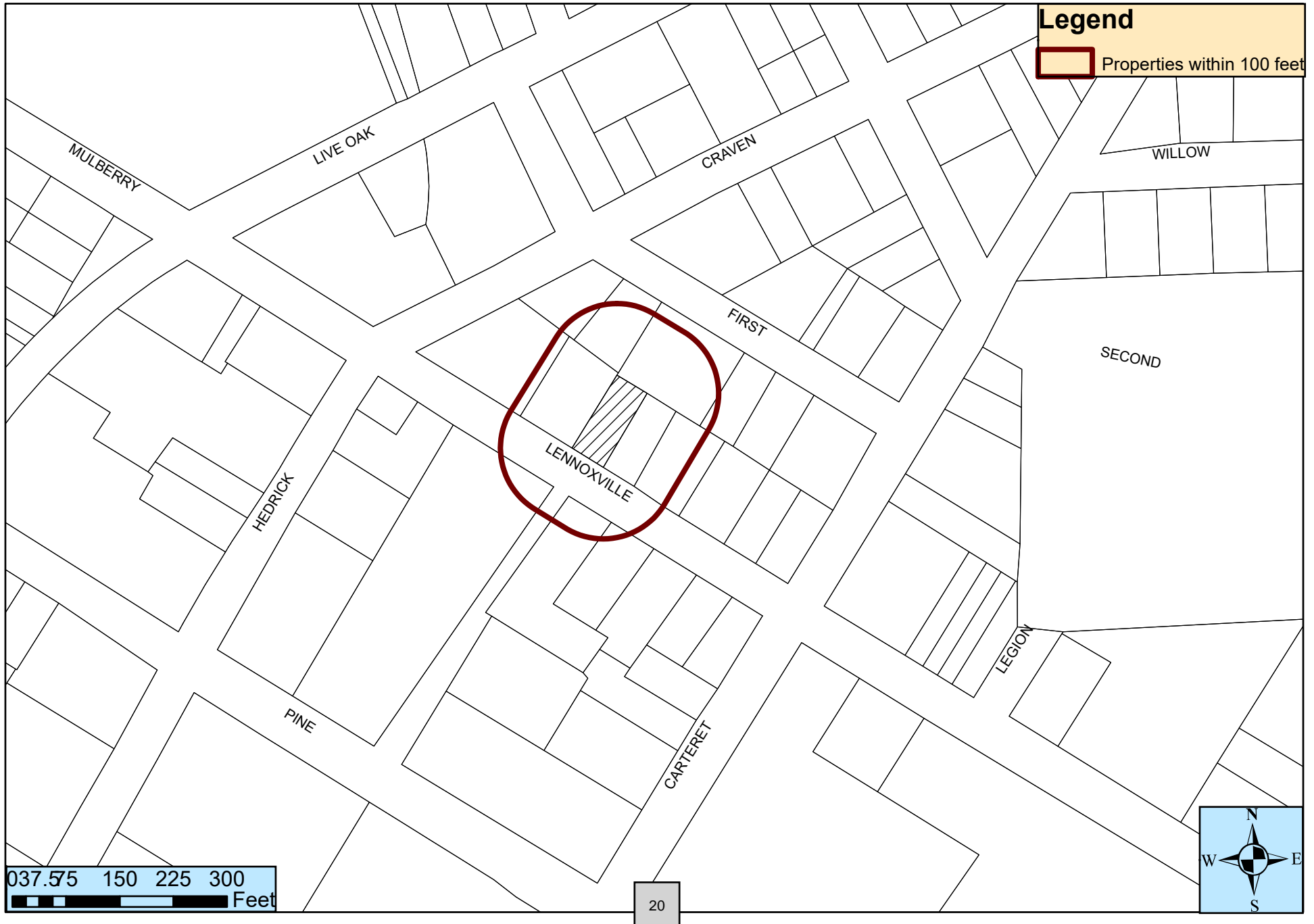
The Future Land Use Map of the current CAMA Core Land Use Plan classifies this property as “mixed use”, which is consistent with the requested zoning of B-1 General Business. No CAMA Plan amendment is required.

In accordance with **NCGS § 160D-604(d)**, when conducting a review of proposed zoning text or map amendments the Planning Board shall advise and comment on whether the proposed action is consistent with the Town of Beaufort Comprehensive and CAMA Land Use Plan that has been adopted and any other officially adopted plan that is applicable.

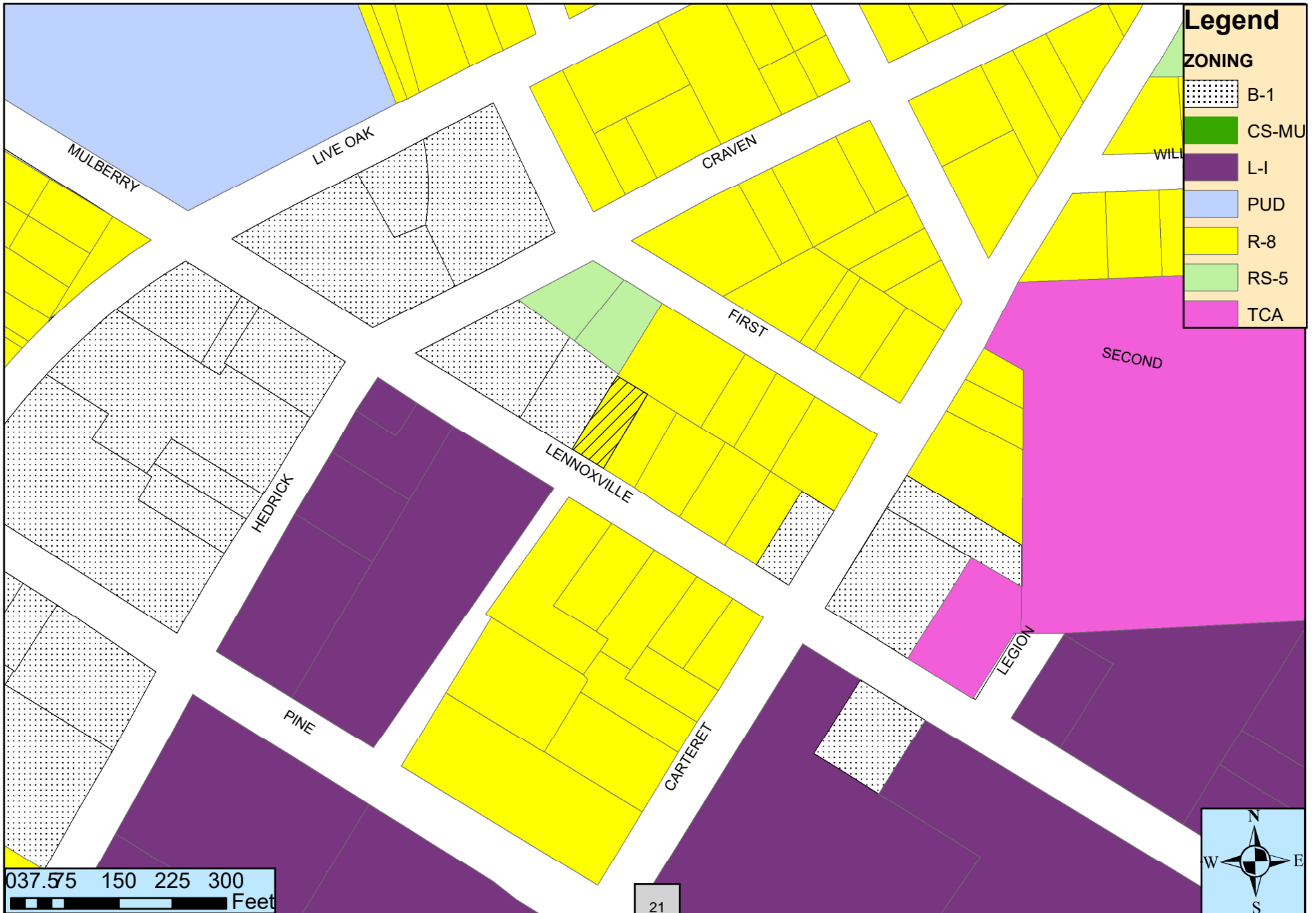
The Planning Board shall provide a written recommendation to the BOC that addresses plan consistency and other matters as deemed appropriate by the Planning Board, but a comment by the Planning Board that a proposed amendment is inconsistent with the Town of Beaufort Comprehensive and CAMA Land Use Plan shall not preclude consideration or approval of the proposed amendment by the BOC.

- Attachments:**
- Vicinity Map with 100 Foot Notification Boundary
 - Zoning Map
 - CAMA Future Land Use Map
 - Property Owners Within 100 Feet
 - Application Packet

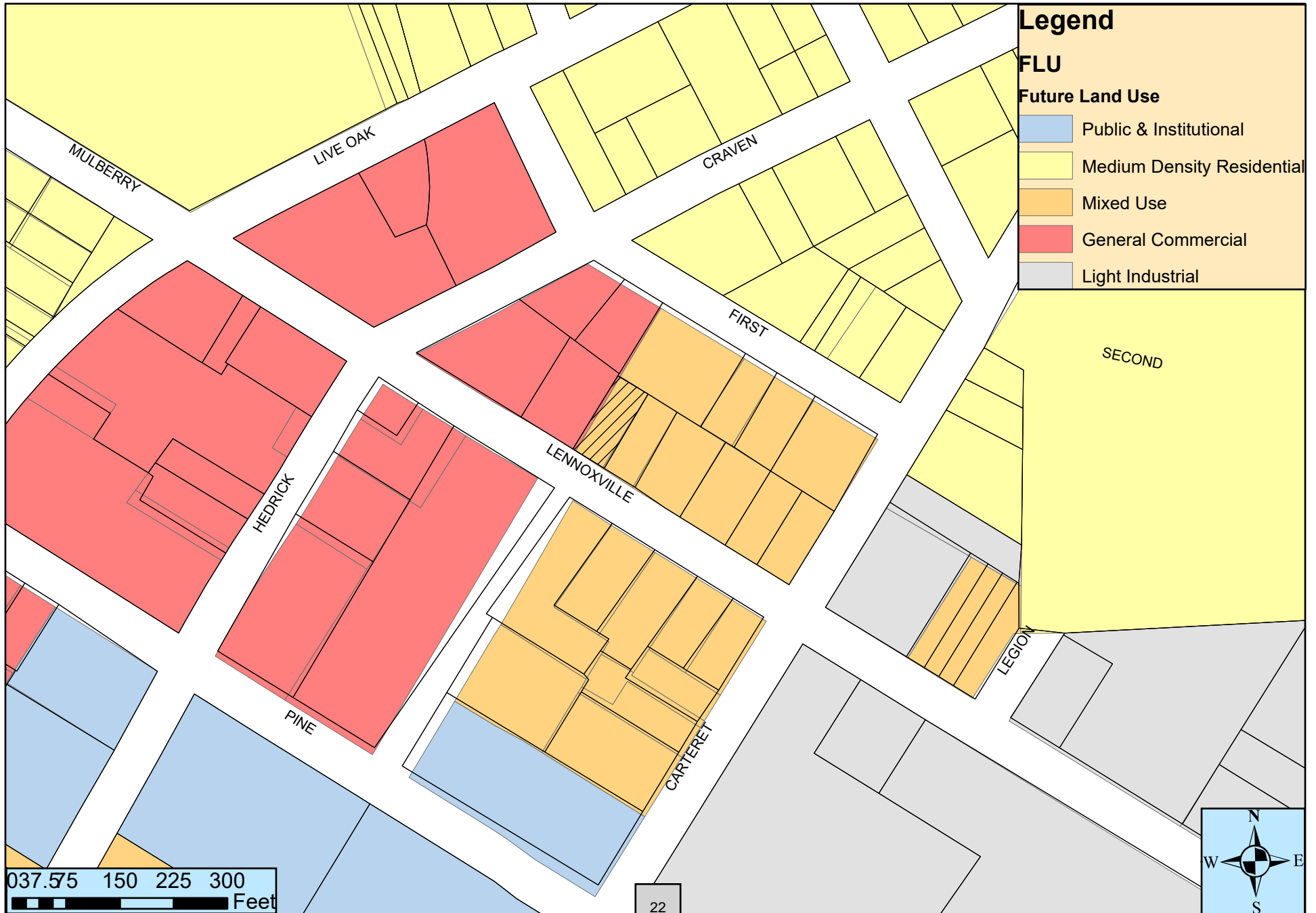
Vicinity Map - Case #23-06 1103 Lennoxville Road
Rezoning from R-8 to B-1



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



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



Case #23-06 Rezoning 1103 Lennoxville Road
 Property Owners within 100 feet

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



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

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

Instructions:

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

APPLICANT INFORMATION

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

PROPERTY INFORMATION

Property Address: 1103 Lennoxville Rd
15-Digit PIN: 730x195018x8000 Lot/Block Number: 116/B4
Size of Property (in square feet or acres): Assessed Acres: 0.123 / Calculated 0.138
Current Zoning: Residential (R-8?) Requested Zoning: ~~Municipal use~~ B-1
Current Use of Property: Residential Vacant Commercial Other: _____
Applicant Signature Mary Garvey Date of Applicant's Signature 7-21-2023
Property Owner Signature (if different than applicant) Same Date of Owner's Signature Same

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

July 20, 2023

Town of Beaufort
Planning + Inspections Department
Beaufort, NC 28516

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

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

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

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

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

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

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

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

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

Thanks,


Mary Frances Garvey

1001 Evans St
Morehead, NC 28557
336-314-7264

FOR REGISTRATION REGISTER OF DEEDS

Karen S. Hardesty
Carteret County, NC

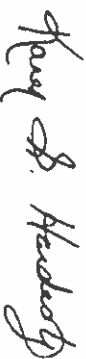
January 12, 2021 11:18:57 AM

DEED # Pages: 3

Fee: \$26.00

NC Revenue Stamp: \$280.00

FILE # 17033386



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

Parcel #: 7306.19.50.1868000
Stamps: \$280.00

NORTH CAROLINA GENERAL WARRANTY DEED

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

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

and

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

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

WITNESSETH:

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

(SEE ATTACHED "EXHIBIT A")

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

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

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

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

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

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

Ann H. Carter (SEAL)
Ann H. Carter

STATE OF *North Carolina*
COUNTY OF *Carteret*

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

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

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

Margaret M. Wesley
Notary Public
Print Name: *Margaret M. Wesley*



(SEAL)

EXHIBIT A

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

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

Carteret County

Property Data

Parcel Number: 730619501868000

Inquiry Date: 7/19/2023

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

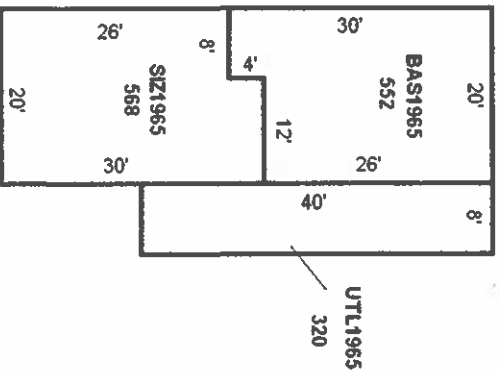
Property Info

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

Building Info

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

Sketches

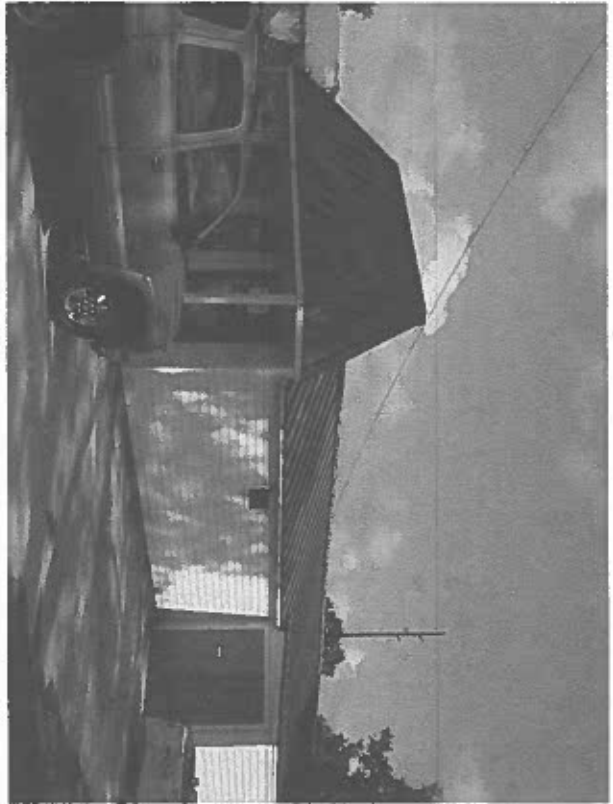


Sketch by Anne Pitt



Sketch by Anne Pitt

Photos



Carteret County, N.C.



July 19, 2023

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



Parcel Information:

Owner: GARVEY, MARY FRANCIS

Current PIN: 730619501868000

Site Address:
1103 LENNOXVILLE RD
BEAUFORT

Mailing Address:
1001 EVANS STREET

MOREHEAD CITY NC 28557

Legal Description:
L16 B4 HIGHLAND PARK

Prior PIN: 11007P0712

City Limits: BEAUFORT

Rescue District: BEAUFORT RESCUE

Fire District:

Tax District: 1159

Township: BEAUFORT

Use: COMMERCIAL

Land Value: NBHD: 590016

Bldg Value: Bldg Hid Sq Ft: 0

Other Value: Bldg Tot Sq Ft:

Total Value: Year Built: 1965

Sale Price: Noise Level:

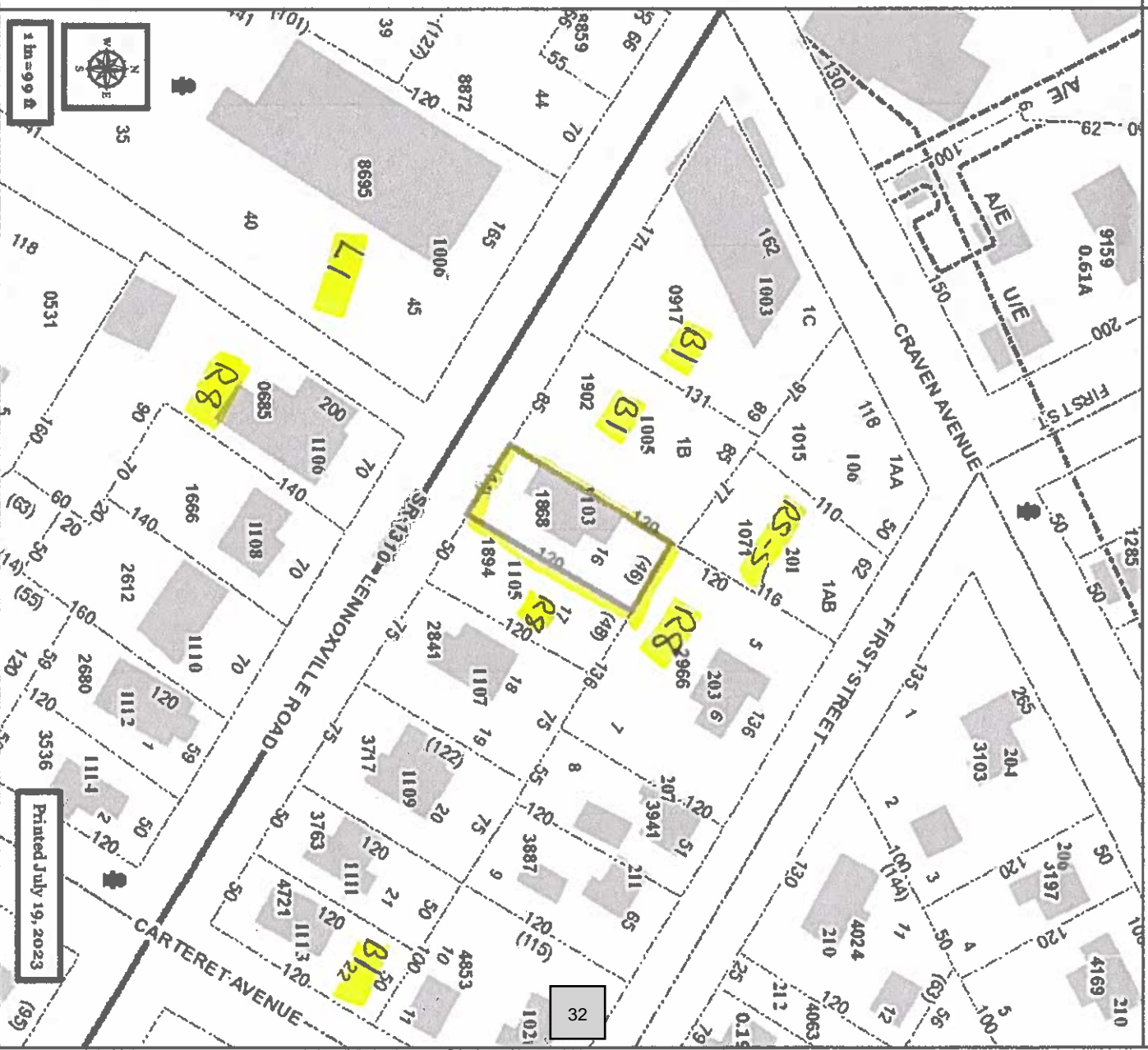
Taxed Acres: 0.123 GIS Acres: 0.139

Plat Ref: 1 / 99 Roll Type: R

Deed Ref: T703 / 386 Deed Date: 20210112

Bedrooms: 0 Bathrooms: 1

Carteret County, N.C.



Printed July 19, 2023

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

HI-Sell-LLC – 1005 Lennoxville Rd

Mailing address 107 Gallants Lane, Beaufort NC. 28516

Properties LLC – 1105 Lennoxville Rd

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

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

Mailing address – same

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

Mailing address - same

SOLD

**1103 Lennoxville Road
Beaufort, NC 28516**

630 sq ft

Commercial: Commercial - MLS# 100234248



Sold

Sold on Jan 14, 2021

Description

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

Features

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

Tax Book Number: 4

Tax Map Number: 730619501868000

Tax Year: 2020

Utilities: Municipal Sewer, Municipal Water

Water Heater: Electric

Water Provider: City of Beaufort

Courtesy of:



Eddy Myers

Owner/Broker/REALTOR®

eddy@eddymyers.com

252.728.1310

More info

Courtesy of Eddy Myers Real Estate



Listings by Email

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



**TOWN OF BEAUFORT
PLANNING BOARD**

RZ23-06

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

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

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

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

NOW THEREFORE, BE IT HEREBY RESOLVED, that the Planning Board finds that the proposed amendments to the Ordinance **are/are not** in accordance with all officially adopted Town plans for the reasons stated in the Staff Report for Rezoning Case 23-06 attached hereto and incorporated herein by reference, and therefore recommends **adoption/denial** by the Board of Commissioners. Specifically the Planning Board finds that the proposed amendments **are/are not** in furtherance of the Town plans, ordinances and regulations; and better clarify all the Ordinance regulations.

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

**TOWN OF BEAUFORT
PLANNING BOARD**

_____, Chairman

ATTEST:

_____, Secretary

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

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

1) Minimum Lot Size.

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

2) Minimum Lot Width.

All lots in the B-1 district shall have a minimum lot width of sixty feet (60') at the minimum building line.

3) Building Setback and Building Height Requirements and Limitations.

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

Table 9-5 Lot Requirements

<i>District</i>	<i>Front Setback (Right-of-Way)</i>	<i>Rear Setback</i>	<i>Side Setback</i>	<i>Building Height Limitation</i>
B-1	30 feet	15 feet	15 feet	40 feet

4) Accessory Building Setback Requirements.

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

5) Permitted Uses.

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

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

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

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

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

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

C) R-8 Residential Medium Density District.

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

1) Minimum Lot Size.

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

2) Minimum Lot Width.

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

3) Building Setback and Building Height Requirements and Limitations.

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

Table 7-9 Interior Lot Requirements

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

Table 7-10 Corner Lot Requirements

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

Table 7-11 Double Frontage Lot Requirements

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

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

4) Accessory Building Setback Requirements.

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

5) Permitted Uses.

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

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

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



Town of Beaufort, NC

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

**Town of Beaufort Planning Board Regular Meeting
6:00 PM Monday, August 21, 2023 – Train Depot**

AGENDA CATEGORY: Public Hearing
SUBJECT: To recommend approval or denial to the Board of Commissioners for the rezoning of three properties owned by the Beaufort Housing Authority from TR & R-8 to TCA

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

REQUESTED ACTION:
Conduct Public Hearing
Recommendation on Proposed Rezoning

EXPECTED LENGTH OF PRESENTATION:
15 Minutes

SUBMITTED BY:
Michelle Eitner
Planner

BUDGET AMENDMENT REQUIRED:
N/A



Staff Report

To: Planning Board
From: Michelle Eitner, Planner

Date: 7/31/2023
Meeting Date: 8/21/2023

Case Number 23-07

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

Background

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

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

Applicant
Beaufort Housing Authority

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

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

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

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

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

Special Flood Hazard Area Yes No

Public Utilities
Water Available Not Available
Sewer Available Not Available

Requested Action

Conduct Public Hearing

Provide recommendation to the Board of Commissioners to:

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

Staff Comments

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

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

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

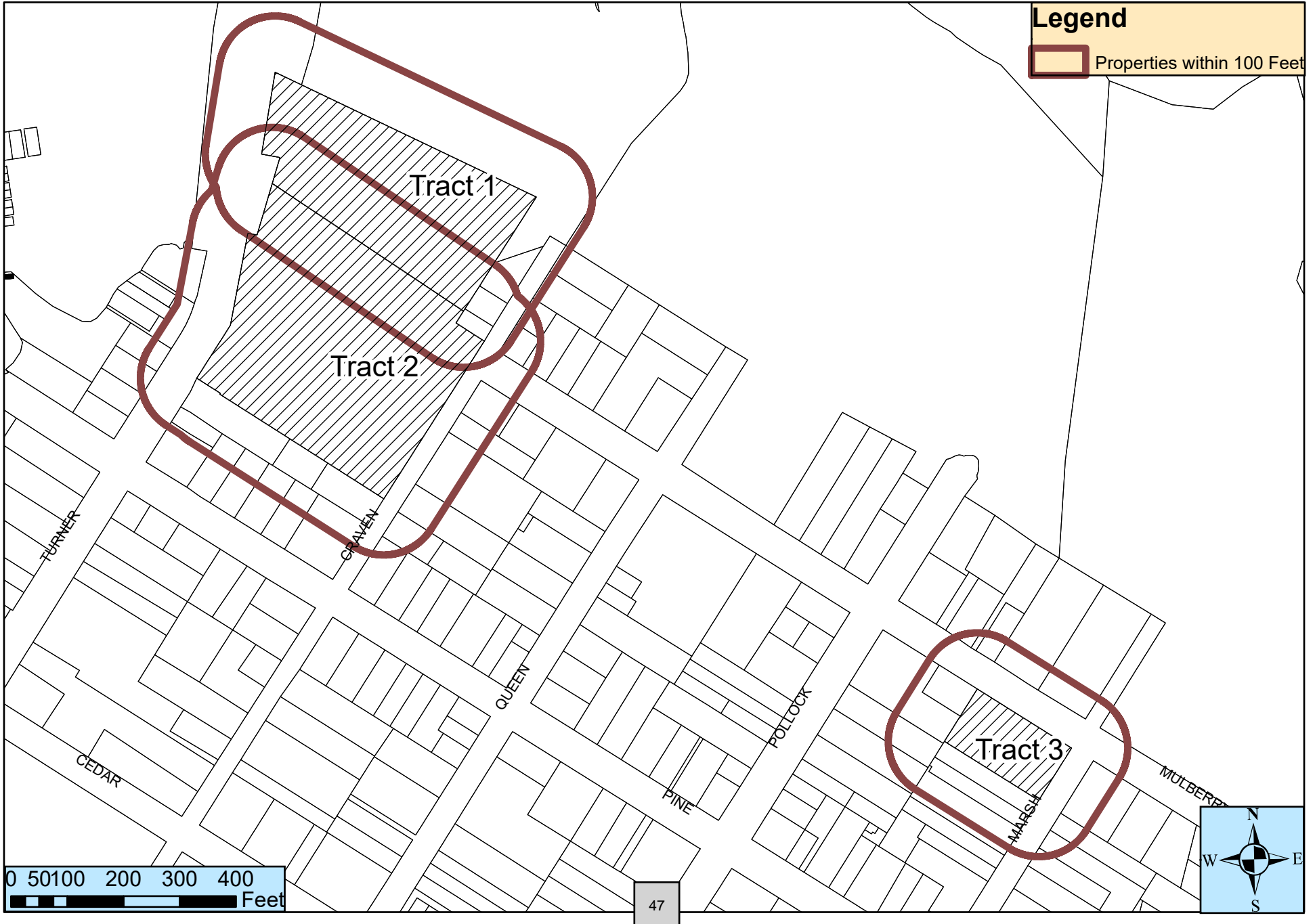
CAMA Core Land Use Plan – Future Land Use Classification

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

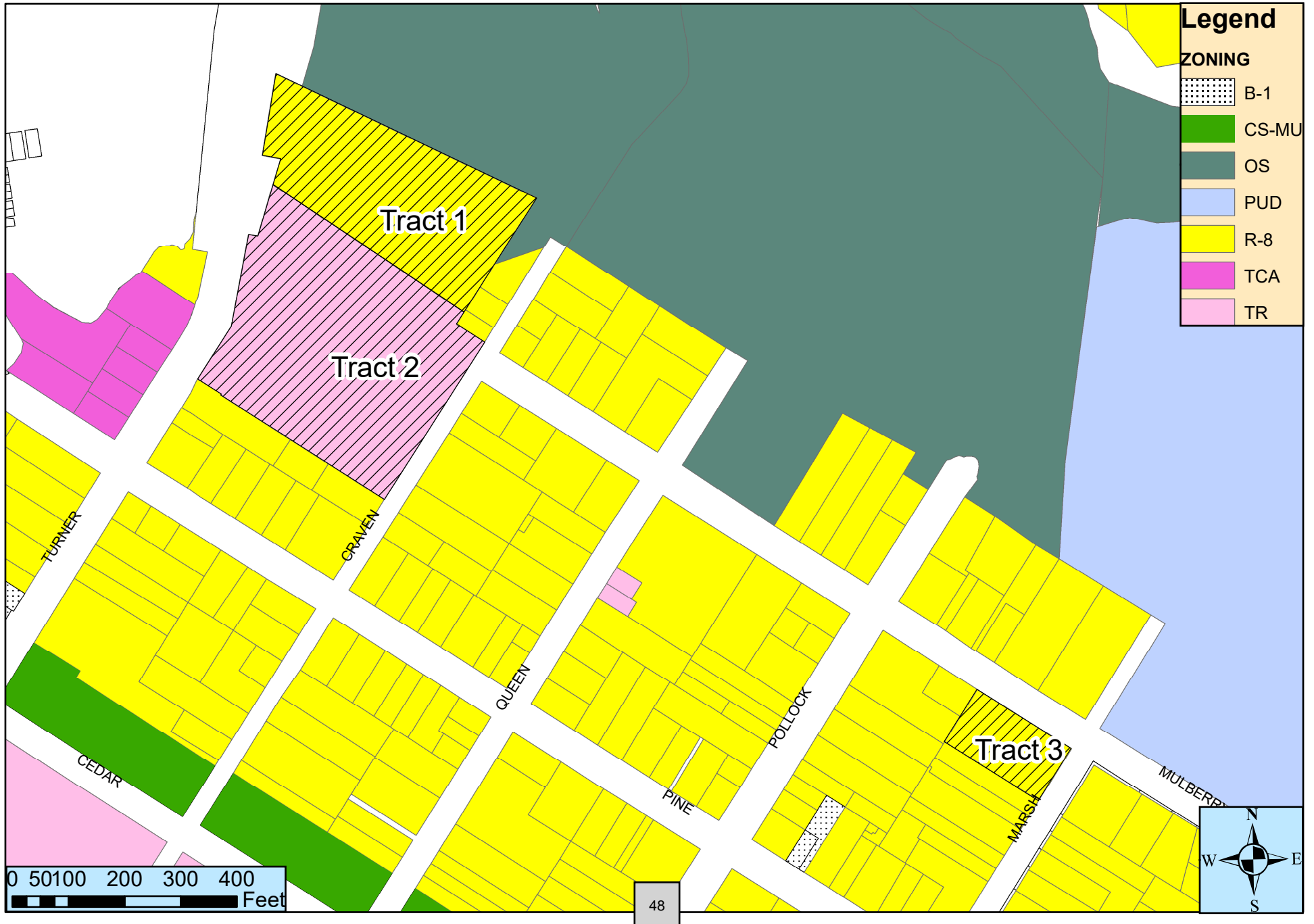
High Density Residential Classification. The High Density Residential classification encompasses approximately 0.05 square miles (32.6 acres) or about 0.7 percent of the total planning jurisdiction. The properties classified as High Density Residential are located in the northeastern portion of the Town’s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

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

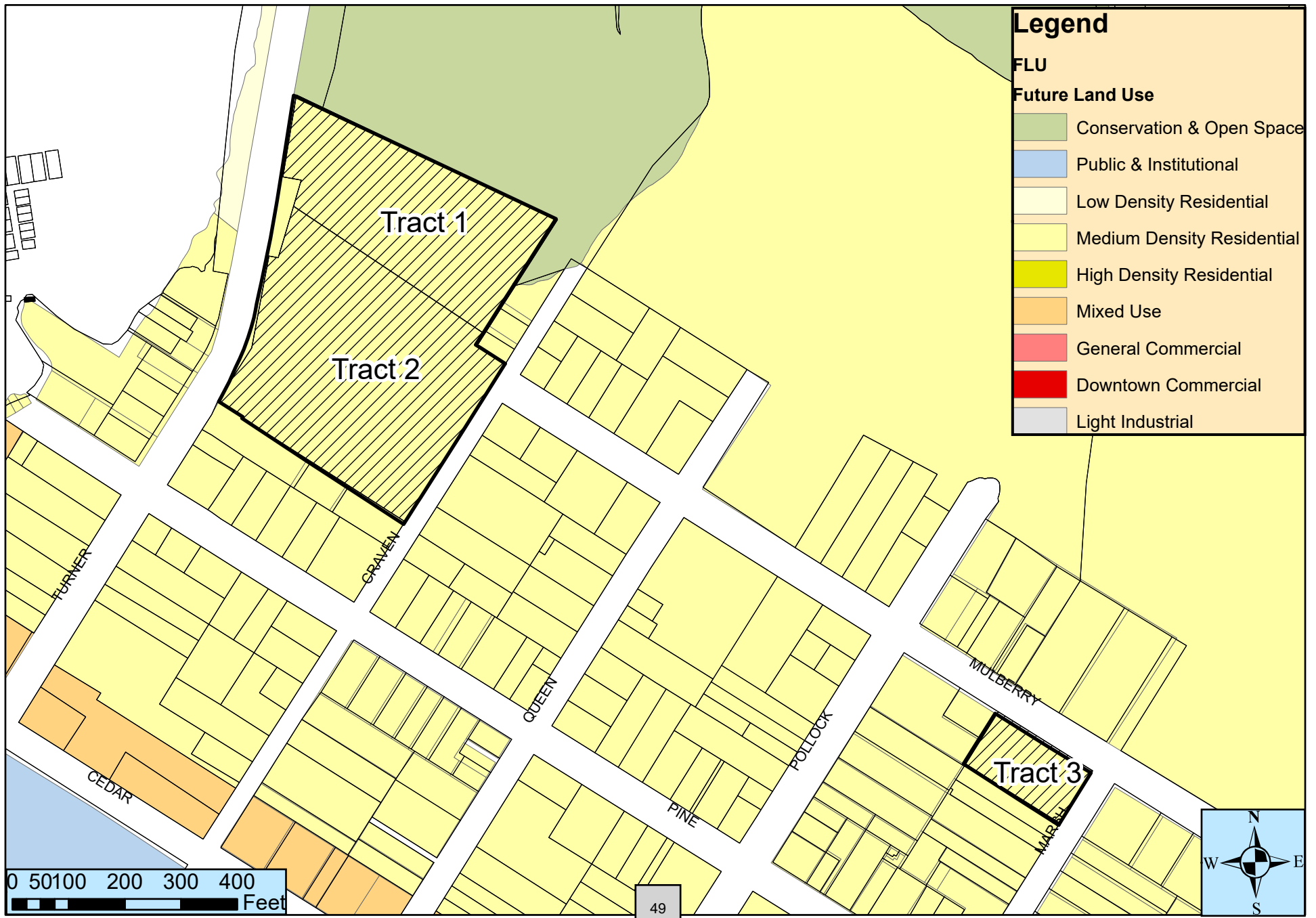
Vicinity Map - Case #23-07 Beaufort Housing Authority
Rezoning from R-8 & TR to TCA



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



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



Case #23-07 Beaufort Housing Authority
 Owners within 100ft of Tracts 1, 2, and 3

OWNER	MAIL_ADD	MAIL_CITY	MAIL_STATE	MAIL_ZI5
500 MARSH STREET LLC	PO BOX 643	MT PLEASANT	SC	29465
BALLOU-LEWIS PROPERTIES LLC	PO BOX 662	GREENVILLE	NC	27835
BELL SARAH	514 POLLOCK STREET	BEAUFORT	NC	28516
BISHOP STEPHEN F ETUX GAIL B	131 CRAVEN STREET	BEAUFORT	NC	28516
BONAVENTURA JOSEPH	114 BROAD STREET	BEAUFORT	NC	28516
BOYD SAMUEL GLEN	701 EVANS STREET	MOREHEAD CITY	NC	28557
BRYANT MAGALENE JAMES	515 MARSH STREET	BEAUFORT	NC	28516
BURBRIDGE ANNIE ETVIR WILLIAM	518 MARSH STREET	BEAUFORT	NC	28516
CARTER FRANCES W	6101 ROSENBLUM COURT APT 1A C/O ISSAC CARTERT	NORTH CHESTERFIELD	VA	23234
CHAPLAIN RICHARD M JR ETUX JAN	PO BOX 2304	BEAUFORT	NC	28516
COUNTY OF CARTERET	302 COURTHOUSE SQUARE SUITE 200	BEAUFORT	NC	28516
CRAVEN STREET PROPERTIES LLC	2393 CHURCH STREET C/O THOMAS J JOHNSON	CONWAY	SC	29526
ELLISON GEORGE C ETUX LAVERA	1106 LENNOXVILLE RD	BEAUFORT	NC	28516
GONZALEZ LUCILLE J	PO BOX 111	CARRBORO	NC	27510
GORUM CHARLIE STUX SARAH	604 CRAVEN STREET	BEAUFORT	NC	28516
HABER MARTIN JOSEPH	711 MULBERRY ST UNIT A	BEAUFORT	NC	28516
HAMILTON STEPHEN RAY	610 CRAVEN STREET	BEAUFORT	NC	28516
HARKER PERRY L	PO BOX 42	BEAUFORT	NC	28516
HENRY JULIANNA	515 1/2 MARSH ST	BEAUFORT	NC	28516
HENRY LUCY C	712 MULBERRY ST	BEAUFORT	NC	28516
HUGHES DEVELOPMENT LLC	901-F PAVERSTONE DRIVE	RALEIGH	NC	27615
JJL REAL ESTATE LLC	PO BOX 21793	CHARLESTON	SC	29413
KOTCH MARTIN JOEL ETUX INDA W	717 MULBERRY STREET	BEAUFORT	NC	28516
KUNST RICHARD ALAN ETAL MOORE	109 LARIAT LANE	CHAPEL HILL	NC	27517
LIVINGSTON CASEY PAUL	502 MULBERRY STREET	BEAUFORT	NC	28516
MCLAUGHLIN BARNEY ETUX MARTHA	11905 CENTRE STREET #109	CHESTER	VA	23831-1777
MULBERRY STREET PROPERTIES LLC	PO BOX 643	MT PLEASANT	SC	29465
NELSON RUSS BUTLER	407 PINE STREET	BEAUFORT	NC	28516
ODEN PEARLIE L	1100 PINE STREET #B	BEAUFORT	NC	28516-2036
PARKER ETHEL	2206 BRIDLE PATH DRIVE	WALDORF	MD	20601
SEIGLER JOSEPH D ETUX SHARON	8201 LIGON MILL RD	WAKE FOREST	NC	27587
SPRUILL JOSEPH ETAL MAR DILLON	594 MIMOSOSA SHORES ROAD	WASHINGTON	NC	27889-8599
STANLEY D	604 CRAVEN ST	BEAUFORT	NC	28516
STANLEY GEORGIA B	412 QUEEN STREET	BEAUFORT	NC	28516
STATE OF NORTH CAROLINA	1321 MAIL SERVICE CENTER	RALEIGH	NC	27699-1321
SUMMERS MARY HEIRS	604 CRAVEN ST	BEAUFORT	NC	28516
TAILLON TIMOTHY	601 CRAVEN STREET	BEAUFORT	NC	28516
THE HOUSING AUTHORITY TWN BFT	716 MULBERRY STREET	BEAUFORT	NC	28516
TURNER WESTWARD LLC	11905 CENTRE STREET #109 C/O BARNEY MCLAUGHLIN	CHESTER	VA	23831-1777
UNITED STATES OF AMERICA		WASHINGTON	DC	20240
VANN ROBERT E ETUX VERA	PO BOX 561	BEAUFORT	NC	28516
VINSON BRITT D ETUX TAMATHA L	920 STONE FALLS TRAIL	RALEIGH	NC	27614
WILLIAMS RALPH EMERSON JR	PO BOX 845	NEWPORT	NC	28570



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

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

Instructions:

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

APPLICANT INFORMATION

Applicant Name: Beaufort Housing Authority (BHA)

Applicant Address: 716 Mulberry St., Beaufort NC 28516

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

Property Owner Name: Beaufort Housing Authority (BHA)

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

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

PROPERTY INFORMATION

Property Address: See attached.

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

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

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

Current Use of Property: Residential Vacant Commercial Other: Office

[Signature]
Applicant Signature

7/31/23
Date of Applicant's Signature

Property Owner Signature (if different than applicant)

Date of Owner's Signature

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

Rezoning Consistency Statement

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

BUILDING CHARACTERISTICS for BldgSeq# 001 (Item# 002)

Code	Description	Code	Description	Code	Description	Code	Description	Code	Description
MODL	15 OF/MED/PUB	BVAL	150700 GOV BLDGS	ARCH	N/A	QUAL	02 LOW COST	STYS	1.0
SIZE	N/A								
FNDN	07 SLAB/GRADE	FRME	03 MASON/CC C	WND0	N/A	EXW1	09 FACE BRICK	EXW2	N/A
EXW2%									
HEAT	00 NO INFO	A/C	N/A	RSTR	03 GABLE/HIP	RCV1	03 COMP SHNGL	RCV2	N/A
RCV2%									
INT1	05 DRYWALL	INT2	N/A	INT2%		FLR1	03 CONC FIN	FLR2	N/A
FLR2%									
KTCH	N/A	DPRT	91	BATH	3.00	BDRM		ROOM	
SPCD	N/A								
HTFL	04 ELECTRIC	ELEC	N/A	HVAC	04 H/P SYSTEM	ELEV	N/A	SPKR	N/A
LCMU	JC JACKSONVLE								
UD-7	N/A	UD-8	N/A	FNSH	N/A	FNSH	N/A	UD-9%	
AYB	1971	EYB	1998						

AREA CALCULATION

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

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

CARD 001
 PID E 7306.18.22.7174000
 353,000 LAND 001

1,124,484 PY Val USE

716 MULBERRY STREET

DEF

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

BEAUFORT NC 28516

3.530 ACRES

TWP BEAUFORT CITY BEAUFORT FIRE RESCUE BEAUFORT RESCUE
 OTHER

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

7/19/2023 BY ALLENW

LEGAL: TRACT A BEAUFORT HOUSING AUTH.

BUILDING CHARACTERISTICS for BldgSeq# 001 (Item# 001)

Code	Description	Code	Description	Code	Description	Code	Description	Code	Description
MODL 02	DUPLEX	BVAL 00002C	DUPLEX	ARCH 01	MULT/COND	QUAL 0C	C GRADE	STYS	1.0
SIZE	N/A								
FNDN 05	SLAB	FRME	N/A	WND0	N/A	EXW1 20	FACE BRICK	EXW2	.
EXW2%									
HEAT 03	FAN DUCTED	A/C 01	NO A/C	RSTR 03	GABLE	RCV1 03	COMP SHNGL	RCV2	N/A
RCV2%									
INT1 05	DRYWALL	INT2	N/A	INT2%		FLR1 07	CORKVINYL	FLR2	N/A
FLR2%									
KTCH	N/A	DPRT 02		BATH	3.00	BDRM	8	ROOM	
SPCD	N/A								
+/-	N/A	FRPL	N/A	UD-3	N/A	UD-4	N/A	HTFL	04
ELECTRIC	HTF2	N/A							
COND 0A	AVERAGE	INSP	N/A	UD-9	N/A	UD-9	N/A	UD-9%	
AYB 1970		EYB 1989							

AREA CALCULATION

TRAVERSE

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

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

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



Zoning: OS

PIN: 730618228462000
Current Zoning: R8

Zoning: TCA

PIN: 730618227174000
Current Zoning: TR

Zoning: TR

Zoning: R-8

PIN: 730618319452000
Current Zoning: R8

Tax Parcel Information:

Owner: THE HOUSING AUTHORITY TWN BFT

Current PIN: 730618228462000

Site Address:

0

Mailing Address:

716 MULBERRY STREET

BEAUFORT NC 28516

Legal Description:

TRACT B BEAUFORT HOUSING AUTH.

Prior PIN:

City Limits: BEAUFORT

Rescue District: BEAUFORT RESCUE

Fire District:

Tax District: 1159

Township: BEAUFORT

Use: FEDERAL EXEMPT

Land Value: \$229,000

NBHD: 590017

Bldg Value: \$0

Bldg Htd Sq Ft:

Other Value: \$0

Base Area Sq Ft: 0

Total Value: \$229,000

Year Built:

Sale Price: \$0

Noise Level:

Taxed Acres: 2.29

AICUZ Zone:

GIS Acres: 2.229

Plat Ref: 31 / 527

Roll Type: E

Deed Ref: 1305 / 211

Deed Date: 0

Bedrooms:

Bathrooms:



Tax Parcel Information:

Owner: THE HOUSING AUTHORITY TWN BFT

Current PIN: 730618227174000

Site Address:

0

Mailing Address:

716 MULBERRY STREET

BEAUFORT NC 28516

Legal Description:

TRACT A BEAUFORT HOUSING AUTH.

Prior PIN:

City Limits: BEAUFORT

Rescue District: BEAUFORT RESCUE

Fire District:

Tax District: 1159

Township: BEAUFORT

Use: FEDERAL EXEMPT

Land Value: \$353,000

NBHD: 590017

Bldg Value: \$771,484

Bldg Htd Sq Ft: 2424

Other Value: \$0

Base Area Sq Ft: 2,644

Total Value: \$1,124,484

Year Built: 1970

Sale Price: \$0

Noise Level:

Taxed Acres: 3.53

AICUZ Zone:

GIS Acres: 3.485

Plat Ref: 31 / 527

Roll Type: E

Deed Ref: 301 / 276

Deed Date: 0

Bedrooms: 8

Bathrooms: 3



Tax Parcel Information:

Owner: UNITED STATES OF AMERICA

Current PIN: 730618319452000

Site Address:
716 MULBERRY ST
BEAUFORT

Mailing Address:

WASHINGTON DC 20240

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

Prior PIN: 11007N0627

City Limits: BEAUFORT

Rescue District: BEAUFORT RESCUE

Fire District:

Tax District: 1159

Township: BEAUFORT

Use: FEDERAL EXEMPT

Land Value: \$63,918

Bldg Value: \$203,388

Other Value: \$1,510

Total Value: \$268,816

Sale Price: \$0

Taxed Acres: 0.498

Plat Ref: /

Deed Ref: /

Bedrooms: 0

NBHD: 590017

Bldg Htd Sq Ft: 1690

Base Area Sq Ft: 2,520

Year Built: 1971

Noise Level:

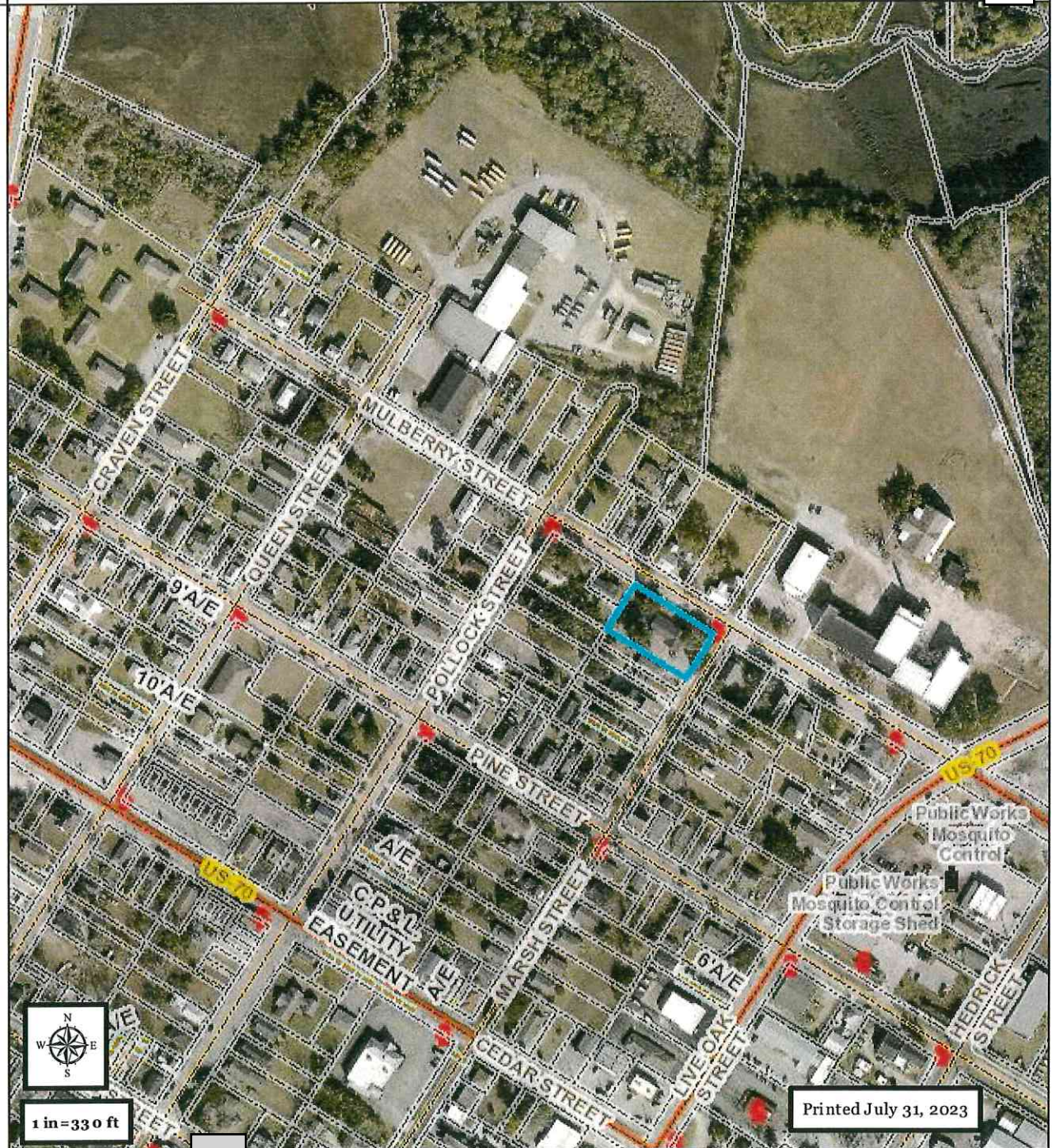
AICUZ Zone:

GIS Acres: 0.500

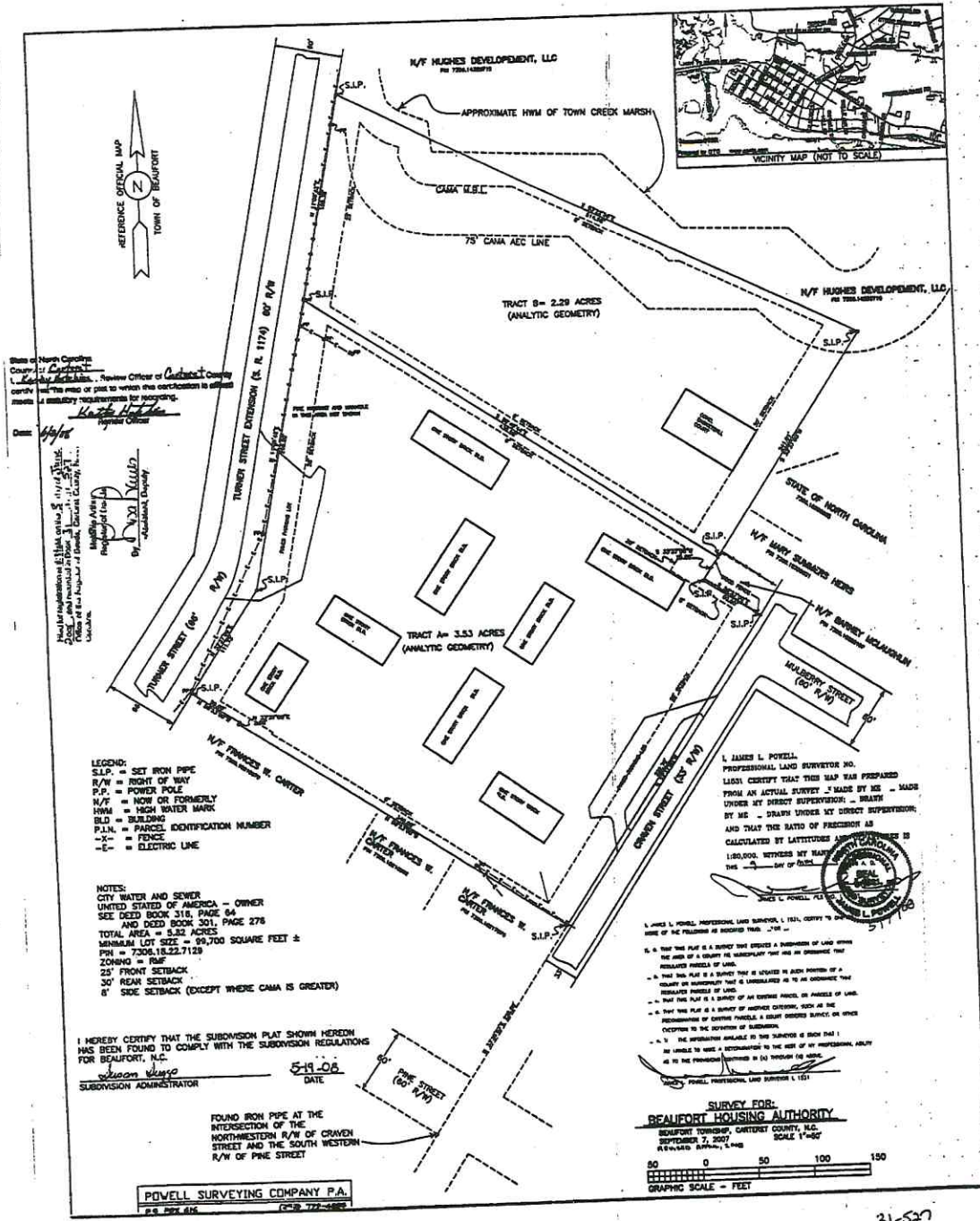
Roll Type: E

Deed Date: 0

Bathrooms: 3



Printed July 31, 2023



State of North Carolina
 County of Dare
 I, James L. Powell, Professional Land Surveyor No. 51178, do hereby certify that this map was prepared from an actual survey made by me or under my direct supervision and that the ratio of precision as calculated by latitudes and bearings is 1:80,000. Witness my hand and seal this 5th day of June, 2007.

By: James L. Powell
 Professional Land Surveyor No. 51178

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

NOTES:
 CITY WATER AND SEWER
 UNITED STATES OF AMERICA - OWNER
 SEE DEED BOOK 318, PAGE 84
 AND DEED BOOK 301, PAGE 278
 TOTAL AREA = 5.82 ACRES
 SUBDIVISION LOT SIZE = 90,700 SQUARE FEET ±
 P.I.N. = 7306.18.22.7129
 ZONING = R-1F
 25' FRONT SETBACK
 30' REAR SETBACK
 8' SIDE SETBACK (EXCEPT WHERE CANA IS GREATER)

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

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

POWELL SURVEYING COMPANY P.A.
 P.O. BOX 416 BEAUFORT, N.C. 28520-0416

JAMES L. POWELL
 PROFESSIONAL LAND SURVEYOR NO. 51178
 I CERTIFY THAT THIS MAP WAS PREPARED FROM AN ACTUAL SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION AND THAT THE RATIO OF PRECISION AS CALCULATED BY LATITUDES AND BEARINGS IS 1:80,000. WITNESS MY HAND AND SEAL THIS 5th DAY OF JUNE, 2007.

1. JAMES L. POWELL, PROFESSIONAL LAND SURVEYOR, I 181, CERTIFY TO THE BEST OF MY KNOWLEDGE AND BELIEF THAT:
 a. THAT THIS PLAT IS A SURVEY THAT SHOWS A BOUNDARY OF LAND WITH THE AREA OF A LOT OR LOTS AND NEARLY ALL THE CORNERS OF THE BOUNDARY ARE IDENTIFIED BY MARKERS.
 b. THAT THIS PLAT IS A SURVEY THAT IS ACCURATE TO THE AREA PORTION OF A COUNTY OR MUNICIPALITY THAT IS UNINCORPORATED AS TO AN ORDINANCE THAT REGULATES BOUNDARIES OF LAND.
 c. THAT THIS PLAT IS A SURVEY OF AN ESTATE, SUCH AS AN ESTATE OF LAND, THE PARTS OF WHICH ARE IDENTIFIED BY MARKERS OR BY OTHER MEANS.
 d. THAT THE INFORMATION AVAILABLE TO THE SURVEYOR IS SUCH THAT HE IS ABLE TO MAKE A DETERMINATION AS TO THE POSITION OF AN ESTATE AS TO THE PROPERTY BOUNDARIES AS TO THE PROPERTY BOUNDARIES.

SURVEYED FOR:
 BEAUFORT HOUSING AUTHORITY
 BEAUFORT TOWNSHIP, CURRITUCK COUNTY, N.C.
 BEFORESAID, 7, 2007
 SCALE 1"=50'
 GRAPHIC SCALE - FEET

31-527



GENERAL NOTES

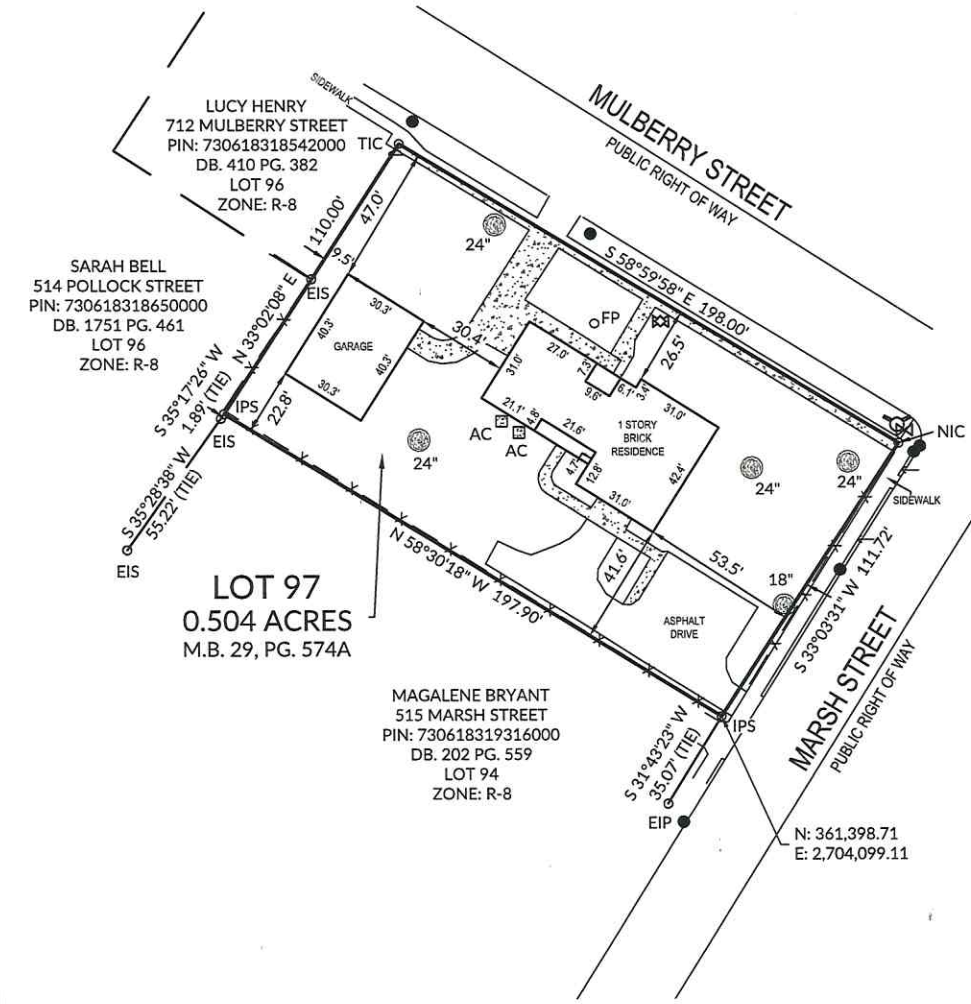
1. RAW ERROR OF CLOSURE WAS 10,000+, MISCLOSURE WAS DISTRIBUTED BY THE COMPASS METHOD. THE DISTANCES ON THIS MAP ARE ADJUSTED HORIZONTAL GROUND UNLESS NOTED OTHERWISE. ALL AREAS CALCULATED BY COORDINATE COMPUTATION.
2. SUBJECT PROPERTY IS NOT LOCATED WITHIN A FLOOD HAZARD AREA ACCORDING TO FLOOD INSURANCE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

LEGEND (UNLESS OTHERWISE NOTED)

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

N.C. GRID NORTH NAD 83 (2011)

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



SURVEYOR'S CERTIFICATE

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

THIS 26th DAY OF JULY 2023 A.D.

DocuSigned by:

 PROFESSIONAL LAND SURVEYOR
 LICENSE NUMBER L-3059
DFCE79C4D7E4B2...



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

0 25 50
 SCALE: 1 inch = 50 ft.

SHEET: 1 of 1

FINAL SURVEY OF
LOT 97 TOWN OF BEAUFORT

PREPARED FOR
THE UNITED STATES OF AMERICA

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



Turner St. Parcels

Parcel # 730618227174000 –

Addresses:

- 508 TURNER STREET
- 509 CRAVEN STREET
- 510 TURNER STREET
- 511 CRAVEN STREET
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- 520 TURNER STREET
- 521 CRAVEN STREET
- 522 TURNER STREET
- 523 CRAVEN STREET

Acreage – 3.53

Zoning – TR

Use - Residential

Parcel # 730618228462000 –

No address listed.

Acreage – 2.29

Zoning – R8

Use – Vacant

Mulberry St. Parcel

Parcel # 730618319452000

Address:

716 Mulberry St.

Lot 97

Acreage – 0.498

Zoning – R8

Use - Office

Mailing List for PIN 730618319452000

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

Mailing List for PIN 730618228462000

OWNER	MAIL_HOUSE	MAIL_ST	MAIL_CITY	MAIL_	MAIL_ZI5
THE HOUSING AUTHORITY TWN BFT		716 MULBERRY STREET	BEAUFORT	NC	28516
STATE OF NORTH CAROLINA		1321 MAIL SERVICE CENTER	RALEIGH	NC	27699
SUMMERS MARY HEIRS		604 CRAVEN ST	BEAUFORT	NC	28516
THE HOUSING AUTHORITY TWN BFT		716 MULBERRY STREET	BEAUFORT	NC	28516
HAMILTON STEPHEN RAY		610 CRAVEN STREET	BEAUFORT	NC	28516
ELLISON GEORGE C ETUX LAVERA		1106 LENNOXVILLE RD	BEAUFORT	NC	28516
GORUM CHARLIE STUX SARAH		604 CRAVEN STREET	BEAUFORT	NC	28516
TAILLON TIMOTHY		601 CRAVEN STREET	BEAUFORT	NC	28516
STANLEY D		604 CRAVEN ST	BEAUFORT	NC	28516
COUNTY OF CARTERET		302 COURTHOUSE SQUARE	BEAUFORT	NC	28516
HUGHES DEVELOPMENT LLC	901-F	PAVERSTONE DRIVE	RALEIGH	NC	27615

MAILING LIST: PIN 730618227174000

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



**TOWN OF BEAUFORT
PLANNING BOARD**

RZ23-07

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

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

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

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

NOW THEREFORE, BE IT HEREBY RESOLVED, that the Planning Board finds that the proposed amendments to the Ordinance **are/are not** in accordance with all officially adopted Town plans for the reasons stated in the Staff Report for Rezoning Case 23-07 attached hereto and incorporated herein by reference, and therefore recommends **adoption/denial** by the Board of Commissioners. Specifically the Planning Board finds that the proposed amendments **are/are not** in furtherance of the Town plans, ordinances and regulations; and better clarify all the Ordinance regulations.

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

**TOWN OF BEAUFORT
PLANNING BOARD**

_____, Chairman

ATTEST:

_____, Secretary

C) R-8 Residential Medium Density District.

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

1) Minimum Lot Size.

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

2) Minimum Lot Width.

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

3) Building Setback and Building Height Requirements and Limitations.

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

Table 7-9 Interior Lot Requirements

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

Table 7-10 Corner Lot Requirements

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

Table 7-11 Double Frontage Lot Requirements

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

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

4) Accessory Building Setback Requirements.

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

5) Permitted Uses.

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

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

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

SECTION 8 Transitional Zoning Districts

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

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

1) Maximum Overall Density.

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

2) Minimum Lot Size.

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

3) Minimum Lot Width.

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

4) Building Setback and Building Height Requirements and Limitations.

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

Table 8-1 Interior Lot Requirements

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

Table 8-2 Corner Lot Requirements

<i>District</i>	<i>Designated Front (Right-of-Way) Setback</i>	<i>Designated Side (Right-of-Way) Setback</i>	<i>Rear Setback</i>	<i>Side Setback</i>	<i>Building Height Limitation</i>
TCA	25 feet	15 feet	30 feet	8 feet	35 feet

Table 8-3 Double Frontage Lot Requirements

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

5) Accessory Building Setback Requirements.

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

6) Covenants.

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

7) Permitted Uses.

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

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

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

B) Transitional District (TR).

The intent of this district is to serve as a transition between residential and more intensive districts. This includes residential and commercial uses with a low noise and traffic impact which would generally be considered compatible with a residential area which may or may not have buffering requirements as documented in section 19 of this Ordinance. Uses in this district which require potable water or sanitary sewer must be connected to both municipal water and municipal sewer.

1) Minimum Lot Size.

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

2) Minimum Lot Width.

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

3) Building Setback and Building Height Requirements and Limitations.

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

Table 8-4 Lot Requirements

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

Table 8-5 Other Lot Requirements

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

4) Accessory Building Setback Requirements.

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

5) Permitted Uses.

- | | |
|---|--|
| Antenna Co-Location on Existing Tower | Dormitory |
| Assisted Living | Dwelling, Duplex |
| Athletic Field, Public | Dwelling, Single-Family |
| Bed & Breakfast | Garage, Private Detached |
| Carport | Government/Non-Profit Owned/
Operated Facilities & Services |
| Club, Lodge, or Hall | Group Home |
| Commercial Indoor Recreational Facility | Home Occupation |
| Community Garden | Library |
| Dock | Mixed Use |

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

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

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