



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 Tuesday, January 19, 2021 - Held via Zoom due to the COVID-19 Pandemic Monthly Meeting

Call to Order

1. Call to Order

Roll Call

1. Roll Call

Agenda Approval

1. Agenda Approval

Minutes Approval

1. 1) Minutes Approval from the October 19, 2020 Meeting
2) Minutes Approval from the December 21, 2020 Meeting

New Business

1. Case No. 20-13. Request for Special Use Permit for Accessory Dwelling Unit at 102 Carteret Ave.
2. Case No. 20-14. Request to Rezone 129 Conway Road from R-20 Residential to R-8 Residential
3. Case #21-01 21-01 Rezoning from TR to CS-MU 508 & 510 Cedar Street

Public Comment

Commission / Board Comments

Staff Comments

Adjourn



Town of Beaufort, NC

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**Town of Beaufort Planning Board Regular Meeting
6:00 PM Monday, October 19, 2020 - Held via Zoom due to the COVID-19 Pandemic
Minutes**

Call to Order

Chair Neve called the meeting to order.

Roll Call

Present for the meeting were Ryan Neve, Ralph Merrill, Paula Gillikin, Diane Meelheim and Jeff Vreugdenhil. John LoPiccolo and Aaron Willis were not present.

Also present for the meeting were, Kyle Garner, Kate Allen, Greg Meshaw, Denice Winn, Commissioner Marianna Hollinshed and Commissioner John Hagel.

Agenda Approval

Chair Neve asked for a motion to approve the Agenda for the October 19, 2020 Meeting. Vice Chair Merrill made the motion to approve the Agenda as it was presented. Board Member Meelheim made the second. A roll call vote was conducted and the motion passed unanimously to approve the Agenda as it was presented.

Minutes Approval

Chair Neve asked for a motion to approve the Minutes from the August 17, 2020 meeting. Vice Chair Merrill made the motion to approve the Agenda as it was presented. Board Member Gillikin made the second. A roll call vote was conducted and the motion passed unanimously to approve the Minutes from the August 17, 2020 as they were presented.

Calendar

Chair Neve asked for a motion to approve the 2021 Meeting Calendar. Board Member Meelheim made the motion to approve the 2021 Meeting Calendar as it was presented. Board Member Gillikin made the second. A roll call vote was conducted and the motion passed unanimously to approve the 2021 Meeting Calendar as it was presented.

Presentations

- 6. Greg Meshaw - Sidewalk and Street Improvements

Greg Meshaw, Town Engineer, made a presentation on sidewalks and street improvements for where they are planning to put them and also make improvements. Mr. Meshaw shared a power point presentation showing the proposed sidewalks as well as the proposed cost for the project. Mr. Meshaw stated that the sidewalk project will start once the "streets" project is completed and that it should be sometime after the first of the year.

Vice Chair Merrill had a question concerning connecting to Foodlion. Mr. Meshaw stated that there is a sidewalk from Professional Park that has connectivity to Foodlion but he stated that there is nothing planned for the North side of Live Oak from the storage units to Foodlion.

Chair Neve had a question concerning putting sidewalks in front of undeveloped land and once it is developed the developer would have to reimburse the Town for the cost of the sidewalk. Mr. Garner stated that could be done under the right mechanisms and that he and Mr. Meshaw both worked in a community that had that in place and it was called "cost recovery."

Board Member Vreugdenhil asked Mr. Garner or Mr. Meshaw who was reviewing existing sidewalks for ADA compliance. Mr. Meshaw said that it was a joint effort with him and the Planning Department. Mr. Garner stated that in the past it was a joint effort between Planning and Public Works. Board Member Vreugdenhil stated that the Department of Transportation (DOT) has strict guidelines for this and he wanted to urge the Town to look at this for projects in the future. Mr. Meshaw stated that they have a detailed plan for ramps and it has been taken from the most recent DOT standard for ramps.

Chair Neve made a suggestion to consider sidewalks to connect Beaufort Elementary to Highway 101 and then to Eagle Bay Apartments.

Board Member Gillikin had a few questions for Mr. Meshaw and thanked him for the presentation. Her question was concerning the culverting in the Highland Park area and if the costs were included in the estimate and Mr. Meshaw stated that it was generally included. Board Member Gillikin also had a concern about the ditch on Carteret Avenue and storm water. Mr. Meshaw stated that they are waiting on the survey and then they are going to start looking at things in detail. Board Member Gillikin wanted to know if there are sidewalks that are a priority. Mr. Meshaw stated that they did not have any that are a priority but if they did the RJ Park would be done as soon as it could be. He stated they wanted to make it so it was a safe journey to the park and he stated that Campen Road was also a priority for them because of the kids and the school.

Board Member Meelheim stated she had one question and one request. She stated that the Realo Drug Store in front of Foodlion has signs that they are going to be opening up and there is coverage across the street but it may be something to look at sooner rather than later for sidewalks there so people can access it for the medical needs. Board Member Meelheim stated that her question was concerning sidewalks that are already installed that may have incursions on walking paths, downtown there are some beautification pots that stick out further than they should and only allow for one person to walk. She questioned whose responsibility it is to keep an eye on that and monitor it. Mr. Meshaw said that would be an enforcement issue. Mr. Garner said it was and asked Board Member Meelheim for a list of those and stated that there was a person who would take care of that.

Public Hearing

- 7. Case #20-11. Request to Rezone 1205 Lennoxville Road from B-1 to TCA

Kate Allen presented this on behalf of staff for the Town. Ms. Allen stated that the Legal Ad was run in the Carteret County News Times on October 7th and 14th, 2020. Letters were mailed to surrounding property owners on October 5, 2020. The sign for the rezoning was place on the property on October 9, 2020. She said the property is a 0.4186 acre or 18,234 square foot lot that has 112.71 feet of frontage on Lennoxville Road and 116.18 feet of frontage on Legion Drive. Ms. Allen stated that the use is an existing non-conforming use but the structure and the lot itself are both conforming. Ms. Allen said if this request is

approved it would require a change to the Future Land Use Map due to it currently being identified as light industrial and the request is to change it to mixed use. Also included in the presentation were an aerial photograph of the property, a map of the topography and the Consistency Statement that is required for the Board of Commissioners.

Vice Chair Merrill asked if this property joined an existing TCA property and Ms. Allen stated it did. Vice Chair Merrill stated on the map it looked like the zoning was B-1. Ms. Allen had confirmed the zoning is B-1 but the future land use was light industrial. Ms. Allen stated that on the Future Land Use Map it is identified as industrial and the request would be to change it to mixed use that would be acceptable with the TCA zoning district.

Chair Neve asked Ms. Allen if there would be a need for buffering requirements between a TCA and an existing B-1. Mr. Garner stated that it would require buffering and that it goes by use not zone. Chair Neve asked if Carteret Court Apartments are currently zoned light industrial and Ms. Allen stated they were.

Chair Neve stated that he felt this seems fine and asked for a motion. Vice Chair Merrill asked if any comments had been received from the neighbors. Ms. Allen stated that she had not receive any phone calls or emails. Ms. Allen said that Mr. Frank Eastman, with F and G Management, was present for the meeting. Chair Neve asked for public comment on this item and there was none.

Mr. Eastman stated that he had spoken with Mr. Ellison who lives at 1201 Lennoxville Road and he had a letter from Mr. Ellison stating his full support of the request. Vice Chair Merrill asked Mr. Eastman about vehicle access in and out of the proposed site. Mr. Eastman stated that they had looked at this and are leaning to the access being off of Legion Drive.

Vice Chair Merrill made a motion to approve the rezoning from B-1 to TCA. As far as the statement regarding the Land Use Plan, it will require an amendment to the existing Core Use Plan. The Board took into consideration the abutting TCA property and therefore it is appropriate. Board Member Meelheim made the second. A roll call vote was conducted and the motion passed unanimously to approve the rezoning from B-1 to TCA.

New Business

- 8. Case #20-12 Special Use Permit for a Kennel, Indoor/Outdoor Operation for 102 Professional Park Drive & 1975 Live Oak Street

Kyle Garner presented the request for a Special Use Permit for 102 Professional Park Drive, for a Kennel, with an Indoor/Outdoor Operation. The acreage is 1.90. Mr. Garner had a vicinity map showing the area of the request as well as a circled area on the map showing the 200 foot area of homeowners/property owners that would require notification before it goes to the Board of Commissioners. Mr. Garner also had a zoning map which showed that the property is zoned TR (transitional) which does allow for medical facilities but he stated that the Kennel would require a special use permit. Mr. Garner said that Sam Barnes, applicant, also submitted a plan of the building and a site plan. He said that the only part that would be new is the outdoor animal run that is projected to be 30' x 50'. Mr. Garner said that the required number of parking spaces is 31 and the site has 34. Mr. Garner said that the outdoor play area would only be used during normal working hours of 9:00am to 5:00pm.

Mr. Garner stated that Mr. Barnes was on the meeting but must have had some technical issues and that he would answer questions.

Board Member Gillikin wanted to know if anything had been put in place for noise abatement for dogs potentially barking during the night. Mr. Garner stated that is why the outside area would only be used during normal business hours. He stated that sound proofing or deadening had been suggested. Mr. Garner stated that this Board could make a recommendation to the Board of Commissioners that this would be a condition for the special use permit. Board Member Gillikin stated that she would not be willing to put this forward if there was not sound proofing. She did say she would be more comfortable with

some type of condition with noise proofing the walls with some type of appropriate, engineered material.

Vice Chair Merrill stated he was familiar with the Live Oak situation but he thought that they had outdoor cages. He asked if the Kennel would have cages that would have dogs board there or if it was going to be something else. Mr. Garner stated that they are not looking to house a lot as the main focus is the Clinic but they realize some of their clients may need this when they go out of town and that some of the animals may need an extended stay for recovery. Chair Neve stated that this was not an outdoor kennel but an indoor one with an outdoor dog run. Mr. Garner stated that was correct. Mr. Garner said that Mr. Sam Barnes was back on the call and stated that the Board could now ask him questions.

Vice Chair Merrill wanted to know if there were going to be any pens in the outdoor area or if it was just going to be a play area. Mr. Barnes stated that it was just going to be a play area and that the pens were in a build-out that is in the interior of the building and that was where the animals would be staying. Mr. Barnes stated that in the outdoor area the animals would only go out in sunny weather, would never be out there without staff and only during the hours of 9:00 to 5:00.

Board Member Gillikin stated that she wanted to know if there had been any conversations concerning the noise that could be generated by dogs barking at night. She stated that she would be concerned for the neighbors on Pearl Drive. Mr. Barnes said that the owners of the Clinic had hired one of the largest designers of veterinary hospitals from Rock Hill, South Carolina to work on the design. Mr. Barnes said there would be insulation and sound baffling but he couldn't speak to the commercial grade or materials. He did state that consideration of this had been given. Mr. Barnes stated further information for the Board would need to be gathered post this meeting. Mr. Garner told Mr. Barnes to gather that information.

Chair Neve stated that the dog run would be on 1975 Live Oak Street which is currently undeveloped property. Mr. Garner said yes and that since they were acquiring both properties it would become one. Chair Neve wanted to know if the property becoming one would trigger requirements for a buffer between the residential and commercial property and if it would require the sidewalk to extend on Live Oak Street. Mr. Garner stated that they would definitely look at the buffering and he said he would say yes that the sidewalk would need to be extended.

Vice Chair Merrill asked Mr. Garner if he had received any comments from neighbors. Mr. Garner stated that letters did not go out because this was not a public hearing but the letters were ready to go out for the Board of Commissioners November meeting that would be a Quasi-Judicial hearing.

Board Member Gillikin stated that she had a final comment about the buffering and if there could be a condition on buffering. She said there are certain types of trees and vegetation that are more effective at sound attenuation than others. She stated she felt that a requirement would be to use a consulting service to be used to find the right type of buffering. Mr. Garner asked her if she would like it to be an arborist and Board Member Gillikin said someone with expertise in this.

Board Member Vreugdenhill asked if the outside was for daytime use only and Mr. Barnes stated that was correct. Board Member Vreugdenhill stated that the building is engineered to with the animals being on the inside of a cement block building. Mr. Barnes stated that the building is made of steel, with several layers of insulation and also rated sheet rock. Mr. Barnes said they were going to do the necessary steps to make this work with regards to sound dampening with the features that were discussed. He said he wanted to make sure that he didn't give the impression that the animals would be outside unattended and that this was going to be a structured operation outside between the hours of 9:00 to 5:00.

Chair Neve asked if the hours of operation would be specified in the permit itself. Mr. Garner said yes based on the applicant submitting that. Mr. Garner stated the elements that and the elements that Board Member Gillikin brought out, which are the sound

dampening and the buffering, would be a condition that the Planning Board would recommend the Board of Commissioners consider in its decision.

Chair Neve asked for a motion. Board Member Vreugdenhill made a motion based on the fact, evidence and testimony provided to counsel that the adjacent property owners be notified, he would recommend that the request be passed to the Board of Commissioners with the conditions recommended by Board Member Gillikin of sound proofing and buffering. Board Member Gillikin made the second. A roll call vote was done and the decision was unanimous to pass this to the Board of Commissioners.

Public Comment

There were no public comments.

Commission / Board Comments

Chair Neve thanked staff for the presentations and also Commissioners Hollinshed and Hagle for joining the meeting.

Staff Comments

Mr. Garner asked the Board if they would like Mr. Meshaw to come back and give updates and they all stated that they would.

Ms. Allen stated that the CAMA Land Use Plan is dated and that Stewart will be updating that as approved by the Commissioners.

Adjourn

Chair Neve asked for a motion to adjourn the meeting. Vice Chair Merrill made the motion to adjourn the meeting. Board Member Meelheim made the second. A roll call vote was conducted and the motion passed unanimously to adjourn the meeting.

Ryan Neve, Chair

Denice Winn, Board Secretary



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**Town of Beaufort Planning Board Regular Meeting
6:00 PM Monday, December 21, 2020 - Held Via Zoom due to the COVID-19 Pandemic
Minutes**

Call to Order

Vice Chair Merrill called the meeting to order.

Roll Call

Members present for the meeting were Diane Meelheim, Paula Gillikin and Ralph Merrill. Secretary Winn declared there was not a quorum.

Staff present were, Kyle Garner, Kate Allen and Denice Winn.

The Vinson's were also present for this meeting.

Vice Chair Merrill apologized to the applicants and stated that this meeting would have to be moved to January 19, 2021. Kate Allen stated that with this new date it would not change the time that this would go before the Commissioners so it would not delay the applicants.

Vice Chair Merrill made a motion to move the meeting, Board Member Gillikin made the second. A roll call vote was conducted and Vice Chair Merrill, Board Member Gillikin and Board Member Meelheim voted yes to move the meeting to January 19, 2021.

Adjourn

Vice Chair Merrill adjourned the meeting.

Ralph Merrill, Vice Chair

Denice Winn, Board Secretary



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**Town of Beaufort Planning Board Regular Meeting
6:00 PM Tuesday, January 19, 2021 – Virtual Meeting via Zoom**

AGENDA CATEGORY: New Business
SUBJECT: Case No. 20-13. Request for Special Use Permit for Accessory Dwelling Unit at 102 Carteret Ave.

BRIEF SUMMARY:

William Bell, on behalf of property owner Steve Carroll, is requesting a Special Use Permit for an Accessory Dwelling Unit at 102 Carteret Ave.

REQUESTED ACTION:

Provide comments, concerns and suggestions to the Board of Commissioners. Provide consistency statement to the Board of Commissioners

EXPECTED LENGTH OF PRESENTATION:

10 Minutes

SUBMITTED BY:

Kate Allen, Town Planner

BUDGET AMENDMENT REQUIRED:

N/A



Staff Report

To: Planning Board
From: Kate Allen

Date: 12/10/2020
Meeting Date: 01/19/2021

Case Number 20-13

Summary of Request: Request for Special Use Permit for Accessory Dwelling Unit at 102 Carteret Ave.

Background

Location(s) & PIN 102 Carteret Ave. (PIN 730619504853000)

Owner Steve Carroll
Applicant William Bell

Current Zoning R-8 Residential

Lot(s) Size & Conformity Status 0.275 acres or 12,000 ft²
Conforming Lot of Record
Existing Nonconforming Structures
Road Frontage – Carteret Avenue 120.0’
Road Frontage – First Street 100.0’

Existing Land Use Residential

CAMA Future Land Use Map
Amendment Required Yes No Mixed Use

Adjoining Land Use & Zoning
North R-8; Residential
South B-1 & R-8; Residential
East B-1 & R-8; Residential
West R-8; Residential

Special Flood Hazard Area Yes No 0.2% Annual Chance & AE-6

Public Utilities
Water Available Not Available
Sewer Available Not Available

Additional Information See Staff Comments

Requested Action Provide Consistency Statement to the Board of Commissioners
Provide comments, concerns and suggestions to the Board of Commissioners

Staff Comments

The subject property is an existing conforming lot of record. There are two existing non-conforming structures on the property. The primary residence does not meet front or side (ROW) setback requirements. The existing garage is non-conforming due to the side (ROW) setback requirements. The proposed use, however, would not increase the amount of non-conformity on the subject property.

Additional Information

The current **R-8 Residential District Standards**

Minimum Lot Size	8,000 Square Feet	Setbacks
Minimum Lot Width	60 Feet	Front 25 Feet
Maximum Building Height	40 Feet	Rear 25 Feet
		Side 8 Feet
		Side (ROW) 20 Feet

Consistency Statement & CAMA Core Land Use Plan Amendment

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

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

CAMA Core Land Use Plan – Future Land Use Classifications

Current: Mixed Use

The anticipated residential density within this classification ranges from medium to high density. Multifamily densities are consistent with the current requirements of the Town’s zoning ordinance which allows a density range of up to 16 dwellings per acre for planned developments. Residential building types encouraged within this classification include single-family attached dwellings, condominiums, cluster developments, and multifamily dwellings. Commercial uses include a variety of retail, office, business services, and personal services. Minimum lot sizes are generally dependent upon the specific nature and characteristics of the land use but typically range from 2,750 to 20,000 square feet for residential land uses and 3,000 to 8,000 square feet for nonresidential land uses. Maximum floor area ratios for nonresidential land uses range from 0.57 to 2.13. Land uses within the Mixed Use-designated areas are generally compatible with B-1, General Business; B-W,

Business Waterfront; TR, Transitional; TCA, Townhomes, Condominiums, Apartments; and PUD, Planned Unit Development Zoning Districts. Public water and sewer service is needed to support the land uses characteristic of this classification. Streets with the capacity to accommodate higher traffic volume are necessary to support the intensity of development expected within the Mixed Use Classification.

Attachments:

- 1. Property Owners Within 200 Feet
- 2. Vicinity Map
- 3. Aerial Map
- 4. Current Zoning Map
- 5. Future Land Use Map
- 6. SFHA Map
- 7. LDO Excerpts – R-8 Residential District
- 8. LDO Excerpts – Special Use Permits
- 9. Application as Submitted

OWNER	MAILING ADDRESS	CITY STATE ZIP
DOTY,SUSAN G	100 NORTHBROOK DRIVE APT 304	RALEIGH NC 27609
ALPHIN,WILLIAM LEE ETUX JEAN C	501 FIRETOWER ROAD	LAGRANGE NC 28561
RAINS,NANCY ETAL ANN CULLEY	310 MOORE ST	BEAUFORT NC 28516
MULLINS,KIMBERLY A ETVIR C	9366 SKIPWITH ROAD	SKIPWITH VA 23968
PITTMAN,CLYDE D ETUX ANGELA J	210 FIRST STREET	BEAUFORT NC 28516
SPROWL,JONATHAN O ETUX ROBIN E	1412 LAKESTONE VILLAGE LN	FUQUAY VARINA NC 27526
PITTMAN,CLYDE D ETUX ANGELA J	210 FIRST STREET	BEAUFORT NC 28516
FOLLUM,CONNIE MARIE L/T	214 FIRST STREET	BEAUFORT NC 28516
CANOSA,CHRISTOPHER J ETUX K	2 ANTHONY DRIVE	NEW PALTZ NY 12561
MAGYAR,RODNEY P ETUX PATRICIA	203 FIRST ST	BEAUFORT NC 28516
POPE,DAVID W ETUX RENEE G	1305 FAYETTEVILLE STREET	KNIGHTDALE NC 27545
JONES,EARL B ETUX GLORIA	207 FIRST ST	BEAUFORT NC 28516
REECE,CLINTON B ETUX HOLLY H	4904 WILLOWTREE LANE	CLAYTON NC 27520
MANUEL,WILLIAM C ETUX ASHLEY S	109 CARTERET AVENUE	BEAUFORT NC 28516
MARSH STREET PROPERTIES LLC	PO BOX 643	MT PLEASANT SC 29465
CARROLL,STEVE RAYMOND TRUSTEE	700 SWORDFISH RD	FRIPP ISLAND SC 29920
CLARK,JOHN W	103 LENNOXVILLE POINT RD	BEAUFORT NC 28516
BONAVITO,JAMES ANDREW	1107 LENNOXVILLE ROAD	BEAUFORT NC 28516
YOU CAN FLY LLC	PO BOX 1839	NAGS HEAD NC 27959
WOODARD,ALAN	1600 BRICES CREEK ROAD	NEW BERN NC 28562
RAITER,PATRICK JACOBS	103 CARTERET AVENUE	BEAUFORT NC 28516
CARDINAL RULE HOLDINGS LLC	112 S PITT STREET	GREENVILLE NC 27834
ELLISON,WILLIAM L ETUX GRACE L	1201 LENNOXVILLE ROAD	BEAUFORT NC 28516
JAMES,BOOKER TOMMY SR HEIRS	PO BOX 52716	DURHAM NC 27717
FULFORD,MILTA DAVIS L/T	3812 WINDY TRAIL	NEW BERN NC 28560
F & G MANAGEMENT LLC	4044 ARENDELL STREET	MOREHEAD CITY NC 28557
BREUER,NELLIE ETAL CLOSE	1112 LENNOXVILLE RD	BEAUFORT NC 28516
MCCOLLUM,WARREN ETUX KITTY	10 TREADWAY COURT	HILLSBOROUGH NC 27278
CARTERET COURT LLC	PO BOX 25168	WINSTON-SALEM NC 27114

Vicinity Map 102 Carteret Ave.

1.




Vicinity Map 102 Carteret Ave.

1.

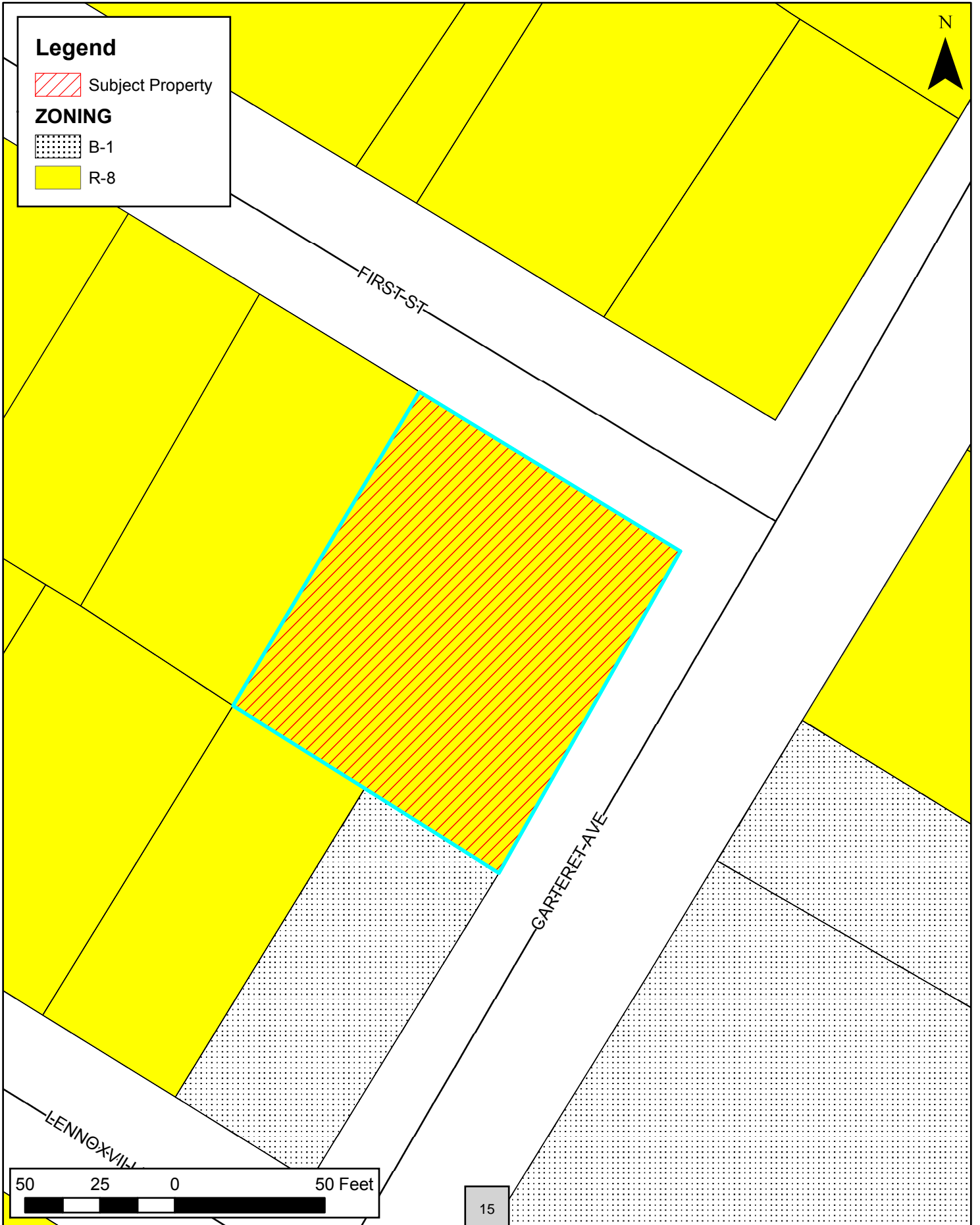


Legend

 Subject Property

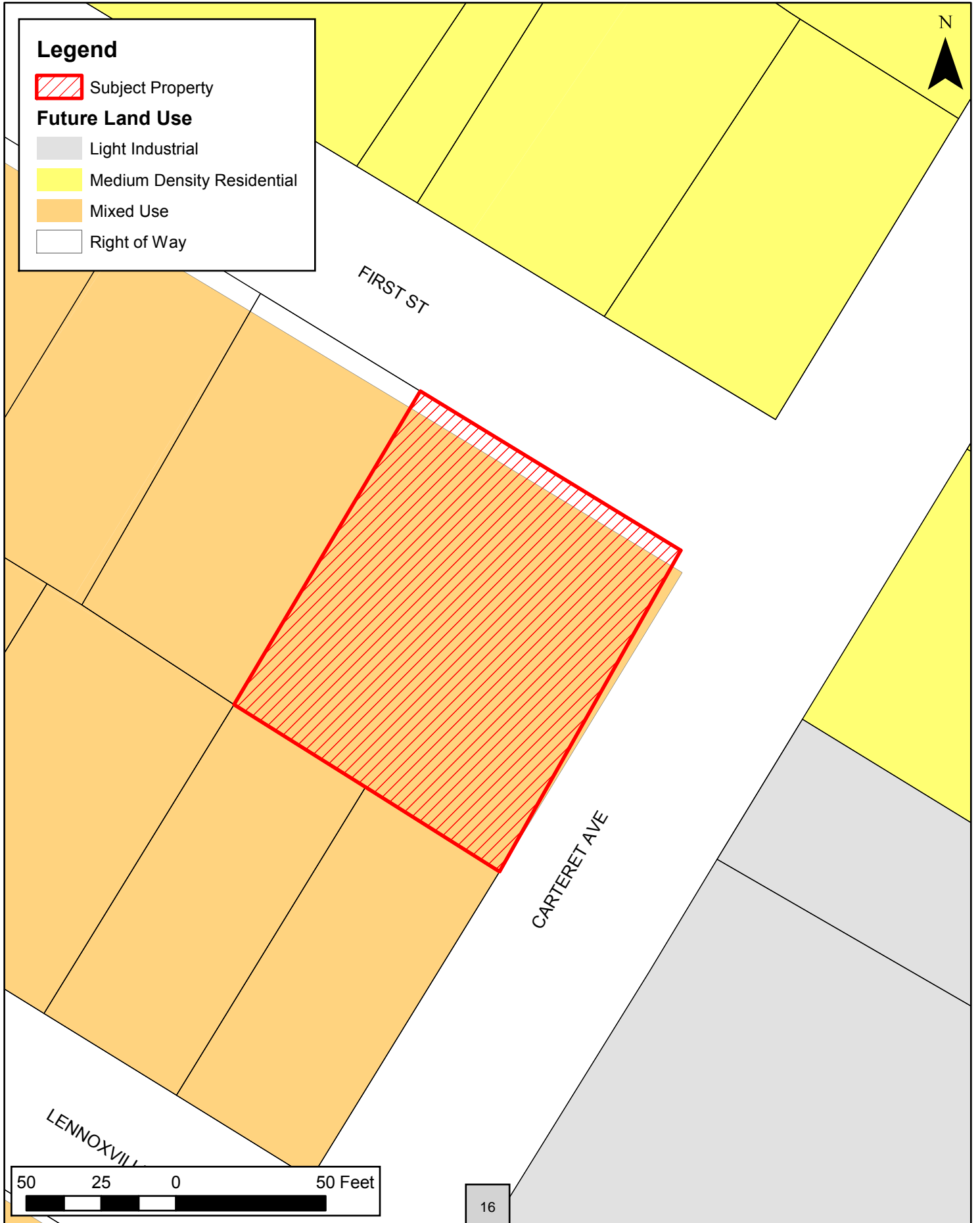
50 25 0 50 Feet

Current Zoning 102 Carteret Ave.



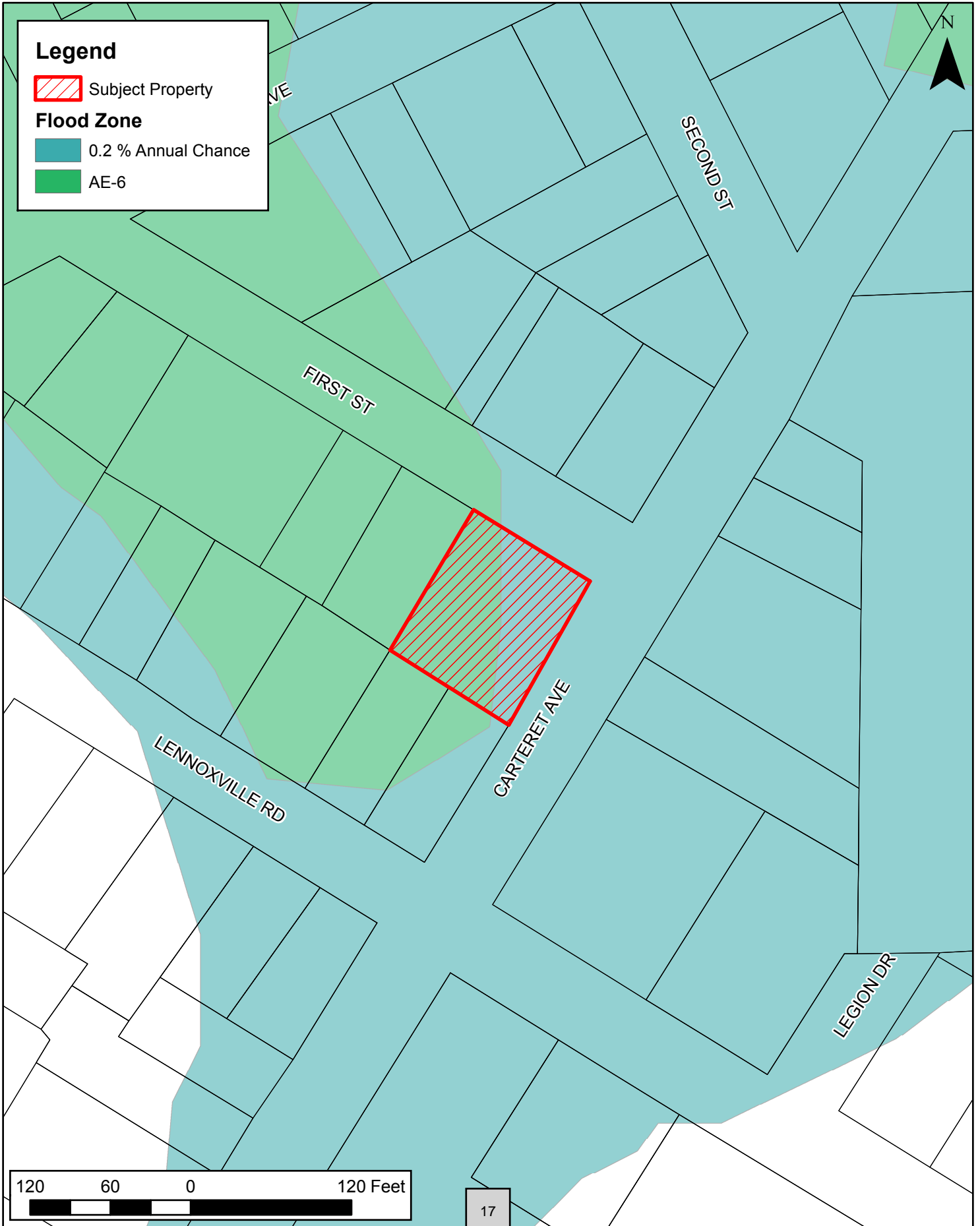
Future Land Use 102 Carteret Ave.

1.



Special Flood Hazard Areas 102 Carteret Ave.

1.



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 20 Special Use Permits

A) *General.*

Special uses are practices which are not permitted by right in any zoning district in the Town of Beaufort, but may only be granted after due consideration by the Board of Commissioners (BOC). The consideration of a special use application is a quasi-judicial function requiring evidentiary hearings and specific findings of fact. Special use permits may only be granted by the BOC following a recommendation by the planning board and the quasi-judicial review process as stipulated in this section.

B) *Special Use Permit Application Procedures.*

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

- c) Additionally, the BOC and town staff may require a professional rendering or any other graphic illustration of the proposed structure.
- 3) The application shall be reviewed by town staff and submitted with comments and recommendation to the planning board for review. After the planning board makes its recommendation, the application shall be forwarded to the BOC for consideration.

C) Public Hearing Notification Requirements.

The Town shall schedule a public hearing for the application and BOC consideration after reasonable opportunity for staff and planning board review by providing public notice no more than thirty days after receipt of the completed application. The notice of a public hearing shall be given using the standards set forth in section 3-E of this Ordinance with the exception of the following:

- 1) The notice shall be given once a week for two successive calendar weeks and published in a newspaper having general circulation within Town. The first publishing shall not be less than ten days or not more than twenty-five days before the date affixed for the hearing. In computing such period, the day of publication is not to be included but the day of the hearing shall be included as documented.
- 2) All property owners within two hundred feet (200') of the lot boundaries on all sides of the subject lot as listed in the county tax records shall be mailed by the Town a notice of the public hearing on the proposed special use application by first class mail at the address listed for such owners on the county tax abstracts. The notice shall identify the location and briefly describe the proposed special use. Section 3-E (2) of this Ordinance gives direction on when the notices shall be mailed.
- 3) The Town shall prominently post a sign giving notice of the public hearing on or immediately adjacent to the subject area reasonably calculated to give public notice of the proposed special use public hearing not more than ten days prior to the hearing date. The wording of such sign should be similar to what is in section 3-E (4) of this Ordinance.

D) Procedures on Special Use Applications.

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

- 1) The BOC shall hold the public hearing and consider relevant information regarding whether the required findings under subsection E of this section exist and whether the special use is appropriate in the proposed location. The BOC shall hear relevant information from the applicant, adjoining property owners, the Town Manager, the planning board, planning officials, and any interested or affected members of the public. Parties may appear in person, by designee, or by attorney to present information relevant to the requirements of the Ordinance.
- 2) The BOC shall consider whether the application complies with each individual required finding specified in subsection E of this section. The BOC need not make the required findings at the time of the hearing and may call for additional information if needed. If the special use permit application is approved, the BOC motion shall contain language showing all the required findings under subsection E of this section have been met, and in the absence of specific findings, it shall be conclusively presumed the application complies with all the findings in subsection E of this section.
- 3) The BOC shall render a decision within a reasonable period of time not to exceed ninety days after holding the public hearing for the proposed special use application. The BOC

Land Development Ordinance for the Town of Beaufort

need not issue a decision at the time of the hearing if additional information is needed and may continue said hearing until a later date.

- 4) If the application is found not to be in compliance with one or more of the required findings of subsection E of this section or any other applicable section of this Ordinance, the application shall be denied. Such motion shall specify the particular findings the application fails to meet. It shall be conclusively presumed the application complies with all requirements not noted by the BOC in their motion to deny the application.
- 5) Notwithstanding the specific requirements of this Ordinance, the BOC may impose additional conditions and reasonable requirements upon the requested special use permit in order to ensure the use is consistent with the required findings as specified under subsection E of this section. The BOC may place an expiration date on the special use permit if a building permit is not secured within a certain period of time. If the special use permit is not renewed periodically by the recipient of the permit, it will expire on the date given to the permit by the BOC.
- 6) After the BOC renders its decision on the special use permit application, the reasons for granting or denying the application shall be made in writing. A written copy of the conclusion(s) of the BOC about the facts of the case and the board’s corresponding decision shall be forwarded to the applicant within ten days.

E) Required Findings.

- 1) In addition to any other findings or requirements as specified by any other section of this Ordinance, before any application for a special use may be granted or denied, the BOC shall make each of the following findings:
 - a) The proposed use is an allowable special use in the zoning district it is being located within;
 - b) The application is complete;
 - c) The location and character of the use will be in conformity with the Town’s land use plan and other comprehensive planning elements;
 - d) Streets, driveways, parking lots, traffic control, and any other traffic circulation features shall be designed and provided in accordance with current traffic engineering standards and Town regulations and found to be adequate for the proposed special use;
 - e) The proposed special use will not substantially injure the value of adjoining or abutting properties;
 - f) The proposed special use will be compatible and in harmony with adjoining land uses and the development patterns of the immediate area; and,
 - g) The proposed use will not materially endanger the public health or safety of the community if located where proposed and developed according to the submitted and approved plan.
- 2) The BOC shall make its findings based on "competent evidence" as described in N.C.G.S. 160A-393 (k) and will be cognizant the statute provides in part “competent evidence "shall not be deemed to include the opinion testimony of lay witnesses as to any of the following:
 - a) The use of property in a particular way would affect the value of other property.
 - b) The increase in vehicular traffic resulting from a proposed development would pose a danger to the public safety.

- c) Matters about which only expert testimony would generally be admissible under the rules of evidence.
- 3) Compatibility Standards for Special Uses in Residential Zones:
 In deciding whether the architectural elements of the proposed special use in a residential zone will be compatible with the adjoining buildings, the BOC shall review said proposal in reference to the following architectural elements:
 - a) Size (footprint);
 - b) Height;
 - c) Proportion and scale;
 - d) Roof shape(s);
 - e) Setbacks;
 - f) Location, size, and number of openings (doors and windows);
 - g) Materials;
 - h) Color; and,
 - i) Texture.

F) **Special Use Guidelines.**

1) Adult Establishments.

- a) No building, structure, or any portion thereof nor any portion of a lot or parcel or property shall be used for an adult establishment at a location closer than one thousand feet (1000') from any other adult establishment; or closer than one thousand feet (1000') from any residentially zoned property, pre-school, child care, nursery school, day care, K-12 school, public playground, or church situated within the Town limits or the ETJ.
- b) Plans are required and must show:
 - i) Locations of buildings and signs and the size of the plan;
 - ii) Proposed points of access and egress and patterns of circulation;
 - iii) Layout of parking spaces;
 - iv) Lighting plan inclusive of wattage and illumination; and,
 - v) Landscape plan.

2) Day Care Centers (Including Kindergarten).

- a) One parking space shall be provided for each adult attendant and one parking space provided for every six children or fraction thereof.
- b) Section 19 of this Ordinance gives the screening/buffering and fencing guidelines required for this application.
- c) Plans are required and must show:
 - i) Location and approximate size of all existing and proposed structures and buildings within the site and on the lots adjacent thereto;
 - ii) Proposed points of access and egress and pattern of circulation;
 - iii) Layout of parking spaces;
 - iv) Location and extent of open play area(s);
 - v) Day care center shall provide one hundred square feet (100 ft²) of play area space per pupil.

Land Development Ordinance for the Town of Beaufort

- vi) Outdoor play area shall be enclosed by a solid or open fence or wall at least four feet (4') in height. Where the outdoor play area is directly adjacent to a residentially used or zoned lot, a solid fence or wall at least six feet (6') high or the maximum applicable fence or wall height limitation for the district or an open fence at least four feet high (4') and a screen planting designed to grow three feet (3') thick and six feet (6') high shall be created. The BOC may at its discretion, require additional screening/buffering and/or fencing elements to be located adjacent to abutting nonresidential land uses.
- vii) In residential districts, a day care center shall not be operated between the hours of 7:00 p.m. and 7:00 a.m. unless with written approval by the BOC.
- viii) Landscape plan.

3) Radio or Television Transmitter.

- a) Minimum lot area – at least three acres in area.
- b) One parking space is required at the site.
- c) Plans are required and must show:
 - i) Location and approximate size of all existing and proposed structures within the site and within one thousand linear feet in all directions;
 - ii) Proposed points of access and egress;
 - iii) Proposed off-street parking spaces; and,
 - iv) Protective fencing at least six feet (6') high with three stands of barbed wire turned out and ten feet (10') from the perimeter of the antenna base shall be established.

4) Telecommunication Tower.

- a) Guy-wire towers shall not be permitted.
- b) Co-location towers shall be permitted.
- c) Height of communication towers shall be regulated by the Federal Aviation Administration (FAA).
- d) Communication towers are prohibited in front yards and shall be in compliance with the Telecommunication Act of 1996.
- e) Local governments have no ability to prohibit towers on the basis of environmental or health issues according to the Federal Radio Frequency Emission Standards.
- f) The BOC may deny a permit based upon a tower's influence on property value or aesthetics.
- g) A minimum lot size of one-half acre per tower shall be met; however, the Telecommunication Tower shall be placed on a lot of sufficient size, and in a position on the lot, if the tower falls, no part of it will fall onto adjacent property. Variances shall not be allowed.
- h) Landscaping and screening/buffering are required as approved by the planning board and according to section 15 and section 19 of this Ordinance.
- i) A six-foot (6') high protective barrier shall be required around the base of the tower. The barrier shall be a masonry wall, chain link fence, solid wood fence, or opaque barrier as described in section 19 of this Ordinance.
- j) Setback requirements shall be according to the district in which the tower is located.
- k) Towers shall be lighted to satisfy the FAA requirements.

Land Development Ordinance for the Town of Beaufort

- l) Towers shall be removed within ninety days following abandonment of such towers.
- m) Towers shall be removed by the property owner within one hundred eighty days following damage or termination of operation resulting in inoperable towers or towers where the owner of the tower shows no intent to repair said tower. Blown over towers shall also be removed by the owner of such tower under this guideline.
- n) Any advertising signage is strictly prohibited on towers.
- o) Towers shall be painted blue or gray if not otherwise required by the FAA.
- p) The owner must provide adequate insurance coverage for any potential damage caused by or caused to the tower.
- q) For permitting purposes, site plans are required as defined in section 18 of this Ordinance and shall show all of the following additional features:
 - i) Identification of intended user of tower.
 - ii) Documentation by registered engineer shows tower has sufficient structural integrity to accommodate more than one user.
 - iii) Statement from owner indicating his intent to allow shared use of the tower and how others will be accommodated.
 - iv) Evidence the property owners of residentially zoned/used property within three hundred feet of the base of the proposed tower, would be notified prior to the special use application being heard by the BOC.
 - v) Documentation which shows towers over a certain height are absolutely necessary for the provision of service (i.e., a tower up to one hundred ninety-six feet (196') cannot provide a reasonable level of service).
- r) The BOC shall determine if a tower is in harmony with the area and compatible with adjacent properties and may consider the aesthetic effects of the tower as well as mitigating factors concerning aesthetics. The BOC may disapprove a tower based on the grounds the aesthetic effects are unacceptable and a new site should be proposed. The following factors shall be considered:
 - i) Protection of the view in scenic areas, unique natural features, scenic roadways, historic sites, etc.
 - ii) Prevention of a concentration of towers in one certain area; and,
 - iii) Height, design, placement, and other characteristics could be modified to have a less intrusive visual impact.

5) Marinas.

The requirements below are for marinas and for proper disposal of sewage from boats:

- a) All slips over thirty feet (30') shall provide a permanent pump-out connection so a hose of not more than thirty feet (30') can reach the mid-point of the slip.
- b) Any vessel with a permanently installed marine sanitation devise shall be located so the holding tank can be pumped-out using a hose not to exceed thirty feet (30').
- c) Mobile pump-out equipment may not be used to meet the requirements of subsections 5a) and 5b) of this section.
- d) A marina may not charge marina tenants an additional fee to pump-out their holding tanks.
- e) When a T-head of a dock is unoccupied during regular business hours, the marina shall provide public access to the pump-out facility for a nominal fee.

6) Office: Small Business.

Property owners may be granted a special use permit for an Office: Small Business in a Residential Zoning District if identified as a *Small Business* as defined in section 4 of this Ordinance.

- a) In addition to application requirements outlined in subsection B of this section, special use permit applications must include the following:
 - i) Detailed narrative describing the activities associated with the requested use;
 - ii) Number of employees requested to work on site;
 - iii) Requested business hours of operation;
 - iv) Estimated number of clients served on site per day; and,
 - v) Detailed drawing or photographs, including measurements, of signage if requested.
- b) Signage will be reviewed by the BOC at the time of the special use permit and will meet the following standards:
 - i) Not more than one sign is permitted;
 - ii) Sign will not exceed an area of two square feet (2 ft²);
 - iii) Colors will be compatible with those of the structure and will not detract from the residential characteristics of the structure;
 - iv) Sign will be affixed flatly against the building; and,
 - v) Directly lighted and/or neon signage is not permitted.
- c) Conditions: The BOC may impose reasonable conditions as it deems necessary for the protection of the public health, general welfare, and public interest regarding:
 - i) Compatibility. The compatibility of the proposal, regarding both use and appearance, with the surrounding neighborhood;
 - ii) Hours of Operation. The frequency and duration of indoor/outdoor activities and the impact of the surrounding area;
 - iii) Noise. The added noise level created by activities associated with the request;
 - iv) Parking. The request will not generate a need for additional parking; and,
 - v) Appearance. The general appearance will not be adversely affected by the location of the proposed use on the property.



APPLICATION FOR A SPECIAL USE PERMIT

Instructions:

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

APPLICANT INFORMATION

Applicant Name: William Bell

Applicant Address: 110 Sherwood Blvd, Beaufort, NC. 28516

Phone Number: 252-725-0556 Email: Williambell61065@gmail.com

Property Owner Name: Steve Carroll

Address of Property Owner: 700 Swordfish Rd., Fripp Island S.C. 29920

Phone Number: 404-915-1034 Email: Steve@jcomarketing.com

PROPERTY INFORMATION

Property Address: 102 Carteret Avenue, Beaufort, NC. 28516

15-Digit PIN: 730619504853000 Lot/Block #: 10+11, Block 4

Size of Property (in square feet or acres): 0.275 acre Current Zoning: _____

Current Use of Property: Garage Private Detached Requested Use: Accessory Dwelling Unit

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

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

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

William Bell
Applicant Signature

11/30/20
Date of Applicant's Signature

Steve Carroll
Property Owner Signature (if different than above)

11-30-2020
Date of Owner's Signature

OFFICE USE ONLY

Revised 8/2020

Date: _____

Reviewed for Completeness By: _____

Received by: _____

Date Deemed Complete and Accepted: _____

Narrative

We are buying this property for 2 main reasons. The first is to provide myself and my husband with a home of our own and the second is to provide a safe place for my parents to live. The purpose of the garage conversion is to provide a living space for my parents that allows them privacy within their own space yet is close enough so we may be of assistance if needed. As to the future use of the "cottage", it remains to be seen, but the current thinking is when my parents no longer need it we would rent it on a long term basis, or, possibly, my mother-in-law would move in. We have no intention of dividing the property, now or in the future.

As to the proposed changes to the existing garage, the exterior will remain the same material and the footprint of the building remains the same. Changes include the addition of windows, relocation of entrance and the enclosing of the large roll up door. All trim will be in keeping with the main house on the property. There will be a small screened porch attached to the north-west corner, again keeping the style compatible with the main residence. A screened in porch, 8' by 16' will be added to the north-west corner of the garage/cottage.

- This property is included in the Cama Corp Land Use plan.

Photograph Key and Explanation

Picture 1: This is the west facing façade. There will be the addition of a window with louvered shutters* into the kitchen area and a triangular fixed pane window* at the peak of the rood line for added light.

Picture 2: This is the north façade. The eastern most window* will be replaced with a larger version of the same style. The main entrance* will be relocated slightly east of the existing door and one window will be eliminated. There will be a basic covered entrance stoop*.

Picture 3: This is the south facing façade. The western most window* will remain the same. There will be a window* added, opening into the bath room, and the eastern most window* will be replaced with a larger version of the same style.

Picture 4: This is the eastern façade and the street view. The existing garage door will be removed and the space enclosed in keeping with the current siding color and style. There will be 2 windows* added, each opening into a bedroom. There will be a triangular, fixed pane window* added in the peak of the roof line to allow more light and to add balance to the overall aesthetic.

*All shutters, trim and color scheme will be in keeping with the neighborhood and will match the main residence on the property







3





Town of Beaufort, NC

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

**Town of Beaufort Planning Board Regular Meeting
6:00 PM Tuesday, January 19, 2021 – Virtual Meeting via Zoom**

AGENDA CATEGORY: New Business
SUBJECT: Case No. 20-14. Request to Rezone 129 Conway Road from R-20 Residential to R-8 Residential

BRIEF SUMMARY:

Property owner, Joseph Dixon, requested to rezone 129 Conway Road from R-20 Residential to R-8 Residential. Mr. Dixon has also applied for voluntary annexation.

REQUESTED ACTION:

Conduct Public Hearing
Provide consistency statement and recommendation to the Board of Commissioners

EXPECTED LENGTH OF PRESENTATION:

10 Minutes

SUBMITTED BY:

Kate Allen, Town Planner

BUDGET AMENDMENT REQUIRED:

N/A



Staff Report

To: Planning Board
From: Kate Allen

Date: 1/5/2021
Meeting Date: 1/19/2021

Case Number 20-14

Summary of Request: Request to Rezone 129 Conway Road from R-20 Residential to R-8 Residential

Background

Location(s) & PIN 129 Conway Road (PIN 731505194741000)

Owner Joseph Dixon
Applicant Joseph Dixon

Current Zoning R-20 Residential

Lot(s) Size & Conformity Status 0.66 acres or 28,903 ft²
Conforming Lot of Record
Existing Nonconforming Structure
Road Frontage – Conway Road 149.74’

Existing Land Use Residential

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

Adjoining Land Use & Zoning
North Residential; R-20 & PUD
South Residential; R-20 & I-W
East Residential; R-20 & PUD
West Residential; R-20 & PUD

Special Flood Hazard Area Yes No

Public Utilities
Water Available Not Available
Sewer Available Not Available

Additional Information See Staff Comments

Requested Action Provide Consistency Statement to the Board of Commissioners
Provide comments, concerns and recommendations to the Board of Commissioners

Staff Comments

The subject property is an existing conforming lot of record. The existing dwelling unit is an existing non-conforming structure as it does not meet the required front setbacks. If approved, the non-conforming structure would become conforming. The property owner has submitted a voluntary annexation request. Staff is requesting (if approved) that the rezoning become effective at the time of annexation.

Additional Information

The current **R-20 Residential District Standards**

Minimum Lot Size	20,000 Ft. ²	Setbacks
Minimum Lot Width	100 Feet	Front 30 Feet
Maximum Building Height	40 Feet	Rear 25 Feet
		Side 15 Feet

The requested **R-8 Residential District Standards**

Minimum Lot Size	8,000 Ft. ²	Setbacks
Minimum Lot Width	60 Feet	Front 25 Feet
Maximum Building Height	35 Feet	Rear 25 Feet
		Side 8 Feet

Consistency Statement & CAMA Core Land Use Plan Amendment

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

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

CAMA Core Land Use Plan – Future Land Use Classifications

Current: Low Density Residential

The Low Density Residential classification is intended to delineate lands where the predominant land use is low density detached residences. The residential density within this classification is

generally 2 or less dwelling units per acre. Minimum lot sizes vary from 15,000 to 20,000 square feet unless a larger minimum lot area is required by the health department for land uses utilizing septic systems. Single-family detached residences are the predominant types of dwellings within these areas. Manufactured homes on individual lots are also dwelling types found within this classification. Land uses within Low Density Residential-designated areas are generally compatible with the R-20 Single-Family Residential Zoning District. Public water service is widely available throughout the Low Density Residential-classified areas. Public sewer service is generally not available within this classification.

Requested: Medium Density Residential

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, R-8A Single-family Medium Density Residential Waterfront; R8-MH Residential Manufactured Home Park/Recreational Vehicle Park; and H-BD, Historic Business 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.

Attachments:

- 1. Property Owners Within 100 Feet
- 2. Vicinity Map
- 3. Aerial Map
- 4. Current Zoning Map
- 5. Future Land Use Map
- 6. LDO Excerpts – R-20 Residential District
- 7. LDO Excerpts – R-8 Residential District
- 8. Application as Submitted

CASE NO. 20-14- PROPERTY OWNERS WITHIN 100 FEET

PIN15	OWNER FIRST	OWNER LAST	MAIL ADDRESS	CITY STATE ZIP
731505194816000	AUNDREA EARL	O'NEAL	410 MALLARD COURT	BEAUFORT NC 28516
731505192870000	BENJAMIN BRIAN L/T	O'NEAL	204 CHADWICK ROAD	BEAUFORT NC 28516
731505194741000	DALE O ETAL DIXON	DIXON	174 HENDERSON RD	WALLACE NC 28466
731505195761000	TOBY C JR	ONEAL	135 CONWAY RD	BEAUFORT NC 28516
731505196710000	JOSEPH	BONAVENTURA	114 BROAD STREET	BEAUFORT NC 28516
731505192782000	HILDRED L JR ETUX VERON	CONWAY	115 CONWAY ROAD	BEAUFORT NC 28516
731505194523000	CATHY RENEE	WOOD	4909J NC HIGHWAY 50 N	BENSON NC 27504
731505195552000	LISA WOOD	CARLSON	136 CONWAY ROAD	BEAUFORT NC 28516
731517197843000	TOWN OF BEAUFORT		PO BOX 390	BEAUFORT NC 28516
731505191477000	BLUE TREASURE LLC		PO BOX 3557	CARY NC 27519

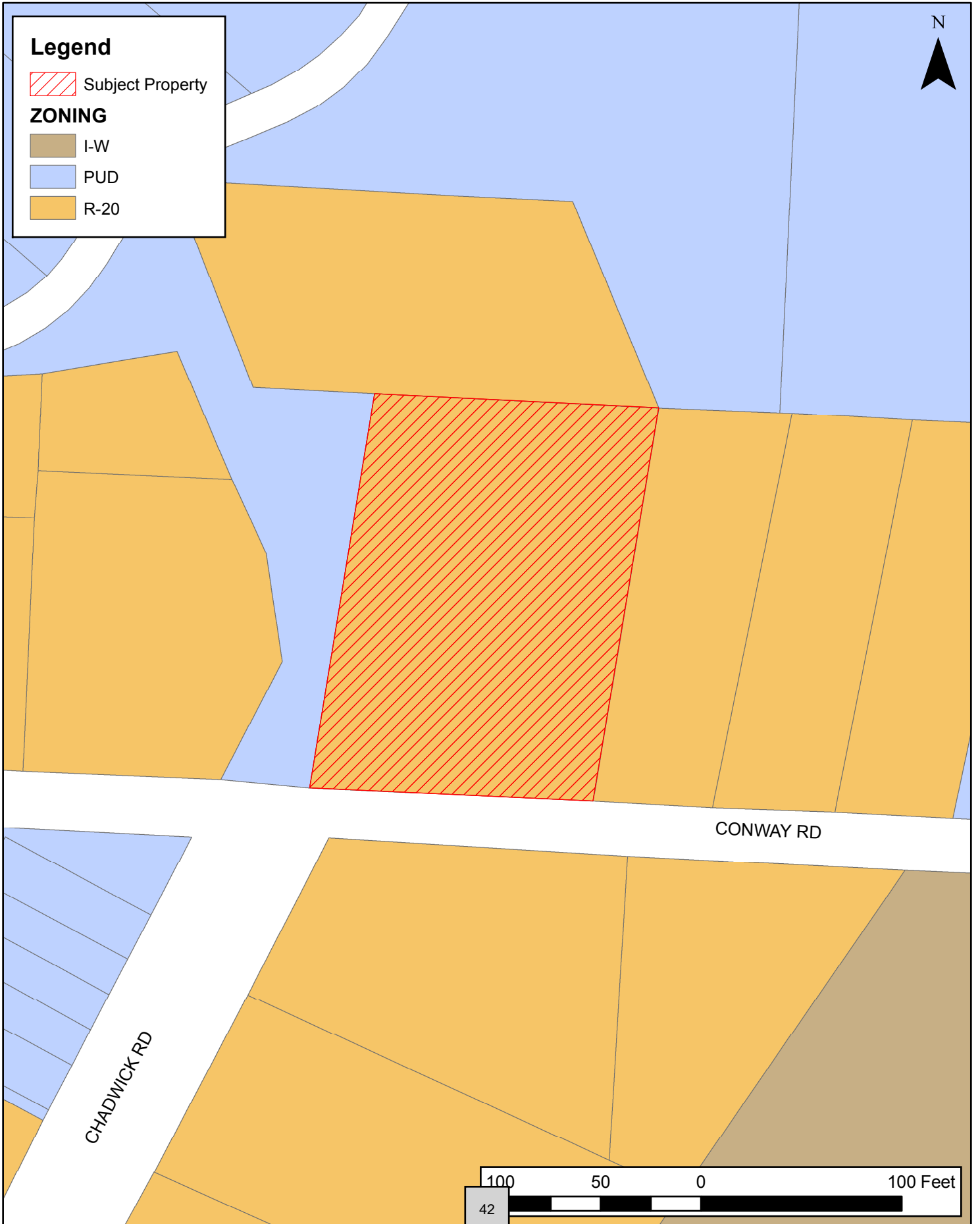
Vicinity Map 129 Conway Road



Aerial Map 129 Conway Road



Current Zoning 129 Conway Road



Future Land Use 129 Conway Road



SECTION 7 Residential Zoning Districts

A) R-20 Residential Single-Family District.

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

1) Minimum Lot Size.

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

2) Minimum Lot Width.

All lots in the R-20 district shall have a minimum lot width of one hundred feet (100') at the minimum building line.

3) Building Setback and Building Height Requirements and Limitations.

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

Table 7-1 Interior Lot Requirements

<i>District</i>	<i>Front Setback (Right-of-Way)</i>	<i>Rear Setback</i>	<i>Side Setback</i>	<i>Building Height Limitation</i>
R-20	30 feet	25 feet	15 feet	40 feet

Table 7-2 Corner Lot Requirements

<i>District</i>	<i>Designated Front (Right-of-Way) Setback</i>	<i>Designated Side (Right-of-Way) Setback</i>	<i>Rear Setback</i>	<i>Side Setback</i>	<i>Building Height Limitation</i>
R-20	30 feet	30 feet	25 feet	15 feet	40 feet

Table 7-3 Double Frontage Lot Requirements

<i>District</i>	<i>Designated Front (Right-of-Way) Setback</i>	<i>Designated Rear (Right-of-Way) Setback</i>	<i>Side Setback</i>	<i>Building Height Limitation</i>
R-20	30 feet	25 feet	15 feet	40 feet

4) Accessory Building Setback Requirements.

All accessory buildings 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.

Agritourism
Antenna Co-Location on Existing
Tower

Aquaculture
Assisted Living
Athletic Field, Public

Athletic Field, Private
 Carport
 Club, Lodge, or Hall
 Community Garden
 Dock
 Dwelling, Single-Family
 Farming, General
 Forestry
 Garage, Private Detached
 Government/Non-Profit Owned/
 Operated Facilities & Services
 Group Home
 Home Occupation
 Manufactured Home
 Neighborhood Recreation Center
 Indoor/Outdoor, Private

Neighborhood Recreation Center,
 Public
 Nursing Home
 Park, Public
 Produce Stand/Farmers' Market
 Public Utility Facility
 Religious Institution
 Resource Conservation Area
 Satellite Dish Antenna
 Shed
 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
 Bed & Breakfast
 Boat Sales/Rentals
 Cemetery/Graveyard
 Concealed (Stealth) Antennae &
 Towers
 Day Care/Child Care Home
 Dry Boat Storage
 Golf Course, Privately Owned
 Golf Driving Range
 Kennel, Indoor Operation Only

Kennel, Indoor /Outdoor Operation
 Marina
 Museum
 Office: Small Business
 Other Free Standing Towers
 Outdoor Amphitheater, Public
 Preschool
 Public Safety Station
 School, K-12
 School, Post-Secondary
 Utility Facility

C) 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
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: Joseph Dixon
Applicant Address: 201 George Street Beaufort NC 28516
Phone Number: 252-723-1736 Email: _____

Property Owner Name: Joseph Dixon
Address of Property Owner: 201 George Street Beaufort NC 28516
Phone Number: 252-723-1736 Email: KEISTEE@bluewaternc.com

PROPERTY INFORMATION

Property Address: 129 Conway Beaufort NC 28516
15-Digit PIN: 7315.0519.4741.000 Lot/Block Number: _____
Size of Property (in square feet or acres): .671
Current Zoning: R20 Requested Zoning: R8
Current Use of Property: Residential Vacant Commercial Other: _____

Joseph Dixon _____ 11/23/2020
Applicant Signature Date of Applicant's Signature
Joseph Dixon _____ 11/23/2020
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.

Please refer to the *Land Development Ordinance*, [Section 3](#) and all other pertinent sections for the information required to accompany this application.

**REQUIRED ATTACHMENTS FOR AN AMENDMENT TO THE
BEAUFORT ZONING MAP**

Please provide the following as attachments to the zoning map amendment form:

1. A statement as to whether or not the proposed zoning amendment is consistent with the Beaufort Land Use Plan.
2. A statement as to how the zoning amendment will promote the public health, safety or general welfare of the Town of Beaufort.
3. Proof of ownership (For example: a copy of the deed or city tax statement).

If a property is owned by more than one individual or if multiple properties under different ownership are applying under one request, attach a statement and signatures indicating that all owners have given consent to request the zoning change.

4. An area map of property to scale which includes:
 - North Arrow;
 - All Property lines and accurate property line dimensions;
 - Adjacent streets and names;
 - Location of all easements;
 - Location of all structures; *TO BE TORN DOWN*
 - Zoning classifications of all abutting properties. ✓
5. Please submit one digital/electronic copy of any drawings or plans associated with the amendment. At least one paper copy of the drawings or plans should also be submitted.
6. A TYPED list all property owners (with addresses) within 100 feet of the boundary lines of all properties requested to be rezoned (notification of adjacent property owners by the Town is required by North Carolina law).

**THE COMPLETE APPLICATION WITH SUPPORTING
DOCUMENTATION IS DUE TO TOWN STAFF AT LEAST 15 WORKING
DAYS PRIOR TO A SCHEDULED PLANNING BOARD MEETING.**

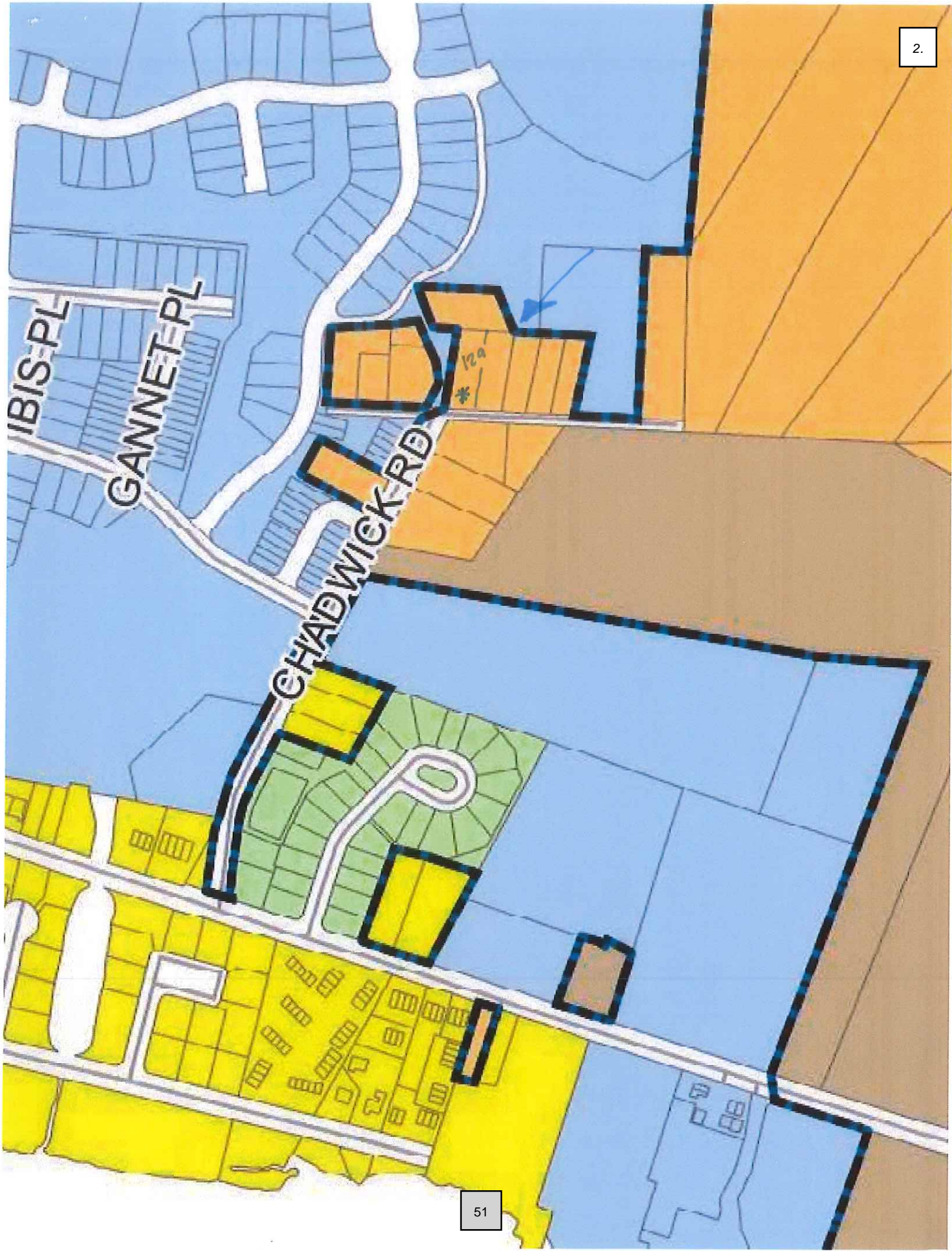
The Town’s website is www.beaufortnc.org.

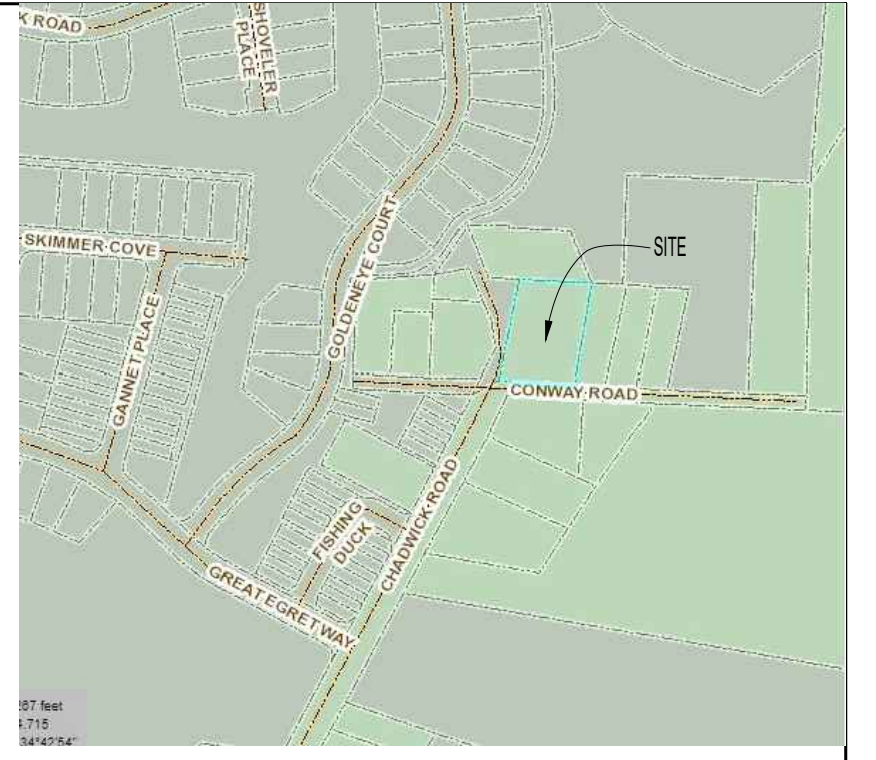
OFFICE USE ONLY Revised 08/2020

Received by: _____ Reviewed for Completeness By: _____
 Date: _____ Date Deemed Complete and Accepted: _____

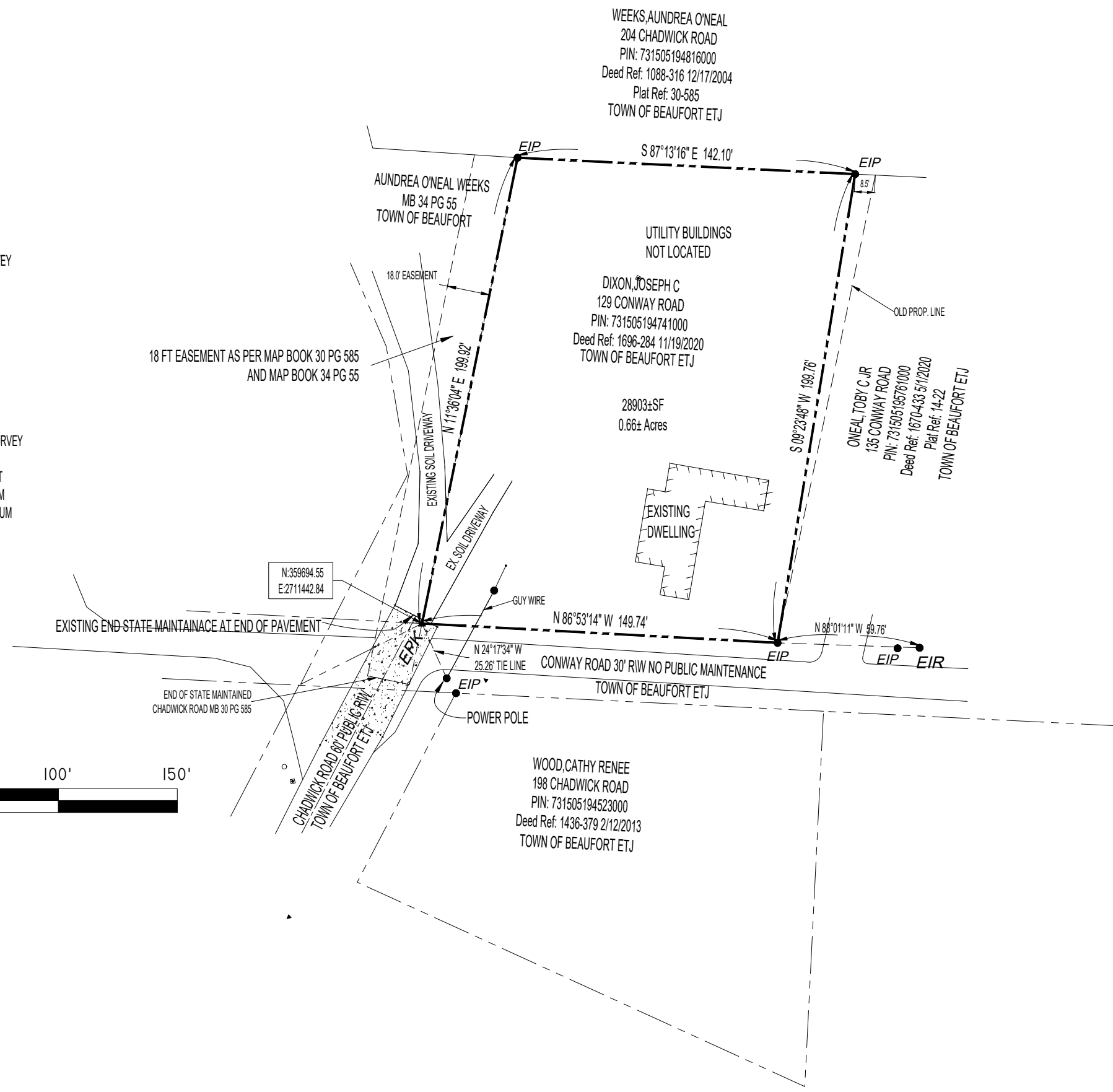
1. The proposed zoning amendment is currently not consistent with the Beaufort Land Use Plan and it would need to be revised from low density to medium density. However, R8 zoning a medium density zoning is consistent with several properties inside the corporate city limits and is not uncommon.

2. The removal of the dilapidated vacant home currently on 129 Conway will increase public safety. Amending the zoning of this property followed by subdividing the property into 2 lots will allow construction to begin creating awareness of any new up and coming communities adding aesthetic beauty and community satisfaction. These homes will increase value and marketability of adjoining properties. The intention is to build 1 single family residential home per lot.





- LEGEND
- EIP-EXISTING IRON PIPE
 - EIR-EXISTING IRON ROD
 - EA-EXISTING CONCRETE MONUMENT
 - EA-EXISTING AXLE
 - EN-EXISTING NAIL
 - EPK-EXISTING PK NAIL
 - POINT-NOTHING EXISTING OR SET
 - NGCS-NORTH CAROLINA GEODETIC SURVEY
 - NGS-NATIONAL GEODETIC SURVEY
 - R/W-MONUMENT MONUMENT
 - SIP-SET IRON PIPE
 - SIR-SET IRON PIPE
 - SCM-SET CONCRETE MONUMENT
 - EA-SET AXLE
 - SN-SET NAIL
 - SPK-SET PK NAIL
 - OP-OVERHEAD POWER
 - NOT HELD-NOT CONSIDERED PART OF SURVEY
 - NHWL-NORMAL HIGH WATER LINE
 - AEC-AREA OF ENVIRONMENTAL CONCERN
 - NAVD-NORTH AMERICAN VERTICAL DATUM
 - NAD-NORTH AMERICAN HORIZONTAL DATUM
 - PP-POWER POLE
 - UT-UNDERGROUND TELEPHONE
 - UP-UNDERGROUND POWER
 - UWL-UNDERGROUND WATER
 - DL-DRILL HOLE

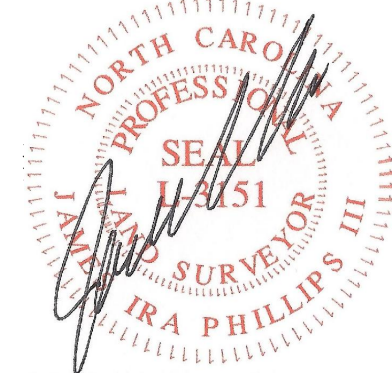


SURVEYORS CERTIFICATION

I, JAMES I. PHILLIPS III, PROFESSIONAL LAND SURVEYOR CERTIFY THAT THIS MAP WAS MADE BY ME FROM AN ACTUAL SURVEY PERFORMED BY ME FROM REFERENCES AS SHOWN HEREON. THAT PORTIONS OF THIS SURVEY WAS PERFORMED WITH GPS EQUIPMENT (TOPCON HIPER LITE + LOCAL BASE STATION AND TOPCON HIPER V-ROVER) MADE UNDER MY SUPERVISION AND THE FOLLOWING INFORMATION AND SPECIFICATIONS WERE USED TO PERFORM THE SURVEY. CLASS A. POSITIONAL ACCURACY: 95% TYPE OF GPS FIELD PROCEDURE: NCGS RTK NETWORK AND/OR LEAST SQUARES ADJUSTMENTS WITHIN SPECTRA PRECISION SURVEY PRO SOFTWARE. DATES OF SURVEY: DECEMBER 21, 2020. DATUM/EPOCH: NAD 1983(2011) EPOCH(2010) NAVD 1988. PUBLISHED/FIXED-CONTROL USE: NC CORS. GEOD MODEL: 12A(CONUS). COMBINED GRID FACTOR(S): 0.9999214. AND UNITS US SURVEY FEET. I FURTHER CERTIFY THAT OTHER PORTIONS OF THIS SURVEY WERE PERFORMED WITH CONVENTIONAL SURVEY METHODS AND THAT THE RATIO OF PRECISION AS CALCULATED BY THE COORDINATE METHOD IS 1:10,000+(CLASS A); THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER, AND SEA THIS 4TH DAY OF JANUARY, A.D. 2021.

- A. THAT THE SURVEY CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF THE COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCEL OF LAND;
- B. THAT THE SURVEY IS LOCATED IN SUCH PORTION OF A COUNTY OR MUNICIPALITY THAT IS UNREGULATED AS TO AN ORDINANCE THAT REGULATES PARCELS OF LAND;
- XX. C. THAT THE SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND;
- D. THAT THE SURVEY IS OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT-ORDERED SURVEY, OR OTHER EXCEPTION TO THE DEFINITION OF SUBDIVISION;
- E. THAT THE INFORMATION AVAILABLE TO THE SURVEYOR IS SUCH THAT THE SURVEYOR IS UNABLE TO MAKE A DETERMINATION TO THE BEST OF HIS OR HER PROFESSIONAL ABILITY AS TO PROVISIONS CONTAINED IN (A) THROUGH (D) ABOVE.

JAMES I. PHILLIPS III RLS NO. L-3151
SURVEYORS CERTIFICATION



STATE OF NORTH CAROLINA

I, _____ REVIEW OFFICER OF CARTERET COUNTY CERTIFY THAT THIS MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

REVIEW OFFICER

DATE: _____

REGISTER OF DEEDS

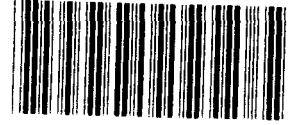
Filed for registration at _____ M on _____ day of _____, and record in Book _____, page _____ Office of the register of deeds, CARTERET County, North Carolina.

KAREN HARDESTY Register of Deeds

By _____
Assistant Deputy

<p>BOUNDARY SURVEY FOR JOSEPH C. DIXON 129 CONWAY ROAD TOWN OF BEAUFORT ETJ, BEAUFORT TOWNSHIP CARTERET COUNTY, N.C. SCALE 1"=50'</p>		<p>PRESENT OWNER-SAME</p> <p>DEED REF- BOOK PAGE 1696-284</p> <p>MAP REF- BOOK PAGE NONE</p> <p>TAX PIN: 731505194741000</p> <p>SHEET: 1 OF 1</p> <p>JOB # 20-185</p>	<p>REVISIONS</p>
		<p>DATE OF FIELD SURVEY: 12-21-2020</p> <p>DATE OF MAPPING: 1-4-2021</p>	<p>SURVEY BY: JIP</p> <p>DRAWN BY: JIP</p> <p>CHECKED BY: JIP</p>
<p>JAMES I. PHILLIPS LAND SURVEYING PO BOX 2103, 379 Arrington Rd., Beaufort, N.C. 28516 252-728-5848 phone jip3@coastalnet.com</p>			

FOR REGISTRATION REGISTER OF DEEDS
Karen S. Hardesty
Carteret County, NC
December 31, 2020 02:59:23 PM
IWW DEED 4 P
FEE: \$26.00
FILE # 1702283



FILE # 1702283

NORTH CAROLINA DEED OF CORRECTION

Excise Tax: \$0.00
Parcel Identifier No.: 7315.05.194741000

This instrument was prepared by: Casey S. Elliott
Casey Elliott, Attorney at Law, PLLC
P.O. Box 2301, Morehead City, NC 28557

Grantee's address (return to): JOSEPH C. DIXON
201 George Street, Beaufort, NC 28516

THIS CORRECTION DEED is made this 18th day of December, 2020, by and between:

GRANTOR	GRANTEE
DALE O. DIXON and wife, SHARON MOORE (1/3 undivided interest); and JERRY GLEN DIXON and wife, VIRGINIA DIXON (1/3 undivided interest) Forwarding Address: 174 Henderson Road Wallace, NC 28466	JOSEPH C. DIXON, unmarried (owned 1/3 undivided interest) Property Address: 129 Conway Rd. Beaufort, NC 28516

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.

THAT WHEREAS, said Grantors heretofore executed to Grantee a certain deed dated November 18, 2020 and recorded in Book 1696, Page, 284 county Registry; and whereas by mutual mistake said deed contained an error in the description of the land thereby intended to be conveyed in that a necessary part of the description was omitted; and whereas, said Grantee has requested said Grantors to correct said error and said Grantors have agreed so to do; and whereas, the correct description intended to be inserted in said former deed is that hereinafter set out;

NOW, THEREFORE, said Grantors, for the purpose of correcting said error and in consideration of the sum of One Dollar, to them in hand paid, have bargained and sold and by **these presence do grant,**

4

bargain, sell, and convey unto said Grantee, and his heirs, and assigns a certain tract or parcel of land lying and being in Carteret County, North Carolina, and more particularly described as follows:

Property description is contained in EXHIBIT "A" attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD said land, together with all privileges and appurtenances, thereunto belonging to him the said Grantee and his heirs and assigns in fee simple forever.

And said Grantors covenant that they are seized of said land in fee and have the right to convey in fee simple; that the same is free and clear of all encumbrances; and that they will warrant and defend the title herein conveyed against the lawful claims of all persons whomsoever.

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

Dale O. Dixon (SEAL)
Dale O. Dixon

Sharon Moore (SEAL)
Sharon Moore

STATE OF NORTH CAROLINA
COUNTY OF Duplin

I, Kelly Eves Smith a Notary Public of Duplin County and State of North Carolina, do hereby certify that **Dale O. Dixon**, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

WITNESS my hand and official stamp of seal, this the 17th day of December, 2020.

(Official Seal)

Kelly Eves Smith
Signature of Notary Public
My commission expires: 1-11-2024



STATE OF NORTH CAROLINA
COUNTY OF DUPLIN

I, Kelly Eves Smith a Notary Public of Duplin County and State of North Carolina, do hereby certify that **Sharon Moore**, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

WITNESS my hand and official stamp of seal, this the 17th day of December, 2020.

(Official Seal)

Kelly Eves Smith
Signature of Notary Public
My commission expires: 1-11-2024



Jerry Glen Dixon (SEAL)
Jerry Glen Dixon

Virginia Dixon (SEAL)
Virginia Dixon

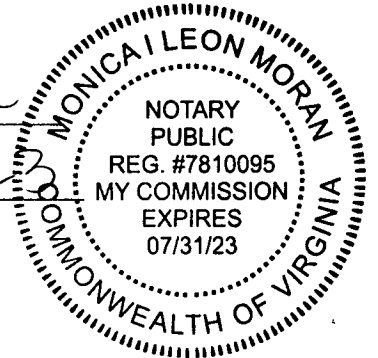
STATE OF VIRGINIA
COUNTY OF FAIRFAX

I, Monica Leon Moran, a Notary Public of Fairfax County and State of Virginia, do hereby certify that **Jerry Glen Dixon**, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

WITNESS my hand and official stamp of seal, this the 18 day of December, 2020.

(Official Seal)

Monica Leon Moran
Signature of Notary Public
My commission expires: 07/31/23



STATE OF VIRGINIA
COUNTY OF FAIRFAX

I, Monica Leon Moran ^{MUM}, a Notary Public of Fairfax County and State of Virginia, do hereby certify that **Virginia Dixon**, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

WITNESS my hand and official stamp of seal, this the 18 day of December, 2020.

(Official Seal)

Monica Leon Moran
Signature of Notary Public
My commission expires: 07/31/23

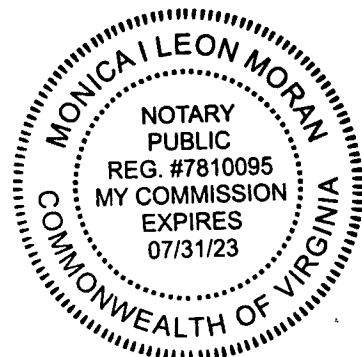


Exhibit "A"

The Grantors Dale O. Dixon, and wife, Sharon Moore hereby deeds a 1/3 undivided interest of the hereinbelow described property to the Grantee, Joseph Dixon.

The Grantors Jerry Glen Dixon, and wife, Virginia Dixon hereby deed a 1/3 undivided interest of the hereinbelow described property to the Grantee, Joseph Dixon.

Therefore, the Grantee, Joseph Dixon, will be the sole owner of the hereinbelow described property:

Bounded on the south by the old golf course, on the east by Mrs. Henry Davis Zucha, on the north by R W Chadwick, on the west by R W Chadwick.

Beginning at an iron pipe in the north right of way line of a 30' road, said iron pipe being N 18-15 E 30 feet from a concrete monument; running thence N 18-15 E 200 feet to an iron pipe; thence S 80-45 E 150 feet to an iron pipe, Mrs. Henry Davis Zucha's northwest corner; thence S 18-15 W 200 feet to the north line of a thirty (30') foot road; thence with said road line N 80-15 W 150 feet to the point of beginning. Excepting therefrom that 8.5' triangular strip on the eastern side conveyed to Robert Ackers and wife, Mary Ackers, in Deed Book 394, Page 148, Carteret County Registry.



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 Tuesday, January 19, 2021 – Virtual Meeting via Zoom**

AGENDA CATEGORY: New Business

SUBJECT: Case #21-01 21-01 Rezoning from TR to CS-MU 508 & 510
Cedar Street

BRIEF SUMMARY:

These two lots were not included in the initial rezoning in 2019 however of late there has been a number of inquiries regarding these properties and if there zoning was mixed use like others along this corridor. In an effort to encourage the redevelopment of these properties Staff has submitted them for rezoning to the CS-MU.

REQUESTED ACTION:

Recommendation to Board of Commissioners

EXPECTED LENGTH OF PRESENTATION:

20 Minutes

SUBMITTED BY:

Kyle Garner, AICP
Planning & Inspections Director

BUDGET AMENDMENT REQUIRED:

N/A



Staff Report

To: Planning Board
From: Kyle Garner, AICP

Date: 1/8/2021
Meeting Date: 1/19/2021

Case Number 21-01

Summary of Request: Rezone two lots totaling 12,906 sq. ft. along Cedar Street from TR to CS-MU.

Background

Location(s) & PIN 730618216055000, 730618217003000 – Southwest of the intersection of Queen & Cedar (See Attached Map)

Owners ST STEPHENS CHURCH OF CHRIST & NELSON OWENS)

Applicant Town of Beaufort – Staff Initiated

Current Zoning TR Zoning

Lot(s) Size & Conformity Status 12,906 Sq. ft. Total (based on GIS data)
Conforming & Non-conforming parcels

Existing Land Use Vacant & Institutional - Church

CAMA Future Land Use Map Amendment Required Public & Institutional
 Yes No

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

Special Flood Hazard Area Yes No

Public Utilities
Water Available Not Available
Sewer Available Not Available

Additional Information See Staff Comments

Requested Action Provide a consistency statement to the Board of Commissioners addressing the requested zoning amendment and the future land use plan.

Provide recommendation to the Board of Commissioners to:

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

Staff Comments

These two lots were not included in the initial rezoning in 2019 however of late there has been a number of inquiries regarding these properties and if there zoning was mixed use like others along this corridor. In an effort to encourage the redevelopment of these properties Staff has submitted them for rezoning to the CS-MU.

It should be noted that this rezoning is **consistent** (see info below) with the existing CAMA Land Use Plan and thus will not require an amendment.

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

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

CAMA Core Land Use Plan – Future Land Use Classifications

C. Mixed Use Classification

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

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

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

The anticipated residential density within this classification ranges from medium to high density. Multifamily densities are consistent with the current requirements of the Town’s zoning ordinance which allows a density range of up to 16 dwellings per acre for planned developments. Residential building types encouraged within this classification include single-family attached dwellings, condominiums, cluster developments, and multifamily dwellings. Commercial uses include a variety of retail, office, business services, and personal services. Minimum lot sizes are generally dependent upon the specific nature and characteristics of the land use but typically range from 2,750 to 20,000 square feet for residential land uses and 3,000 to 8,000 square feet for nonresidential land uses. Maximum floor

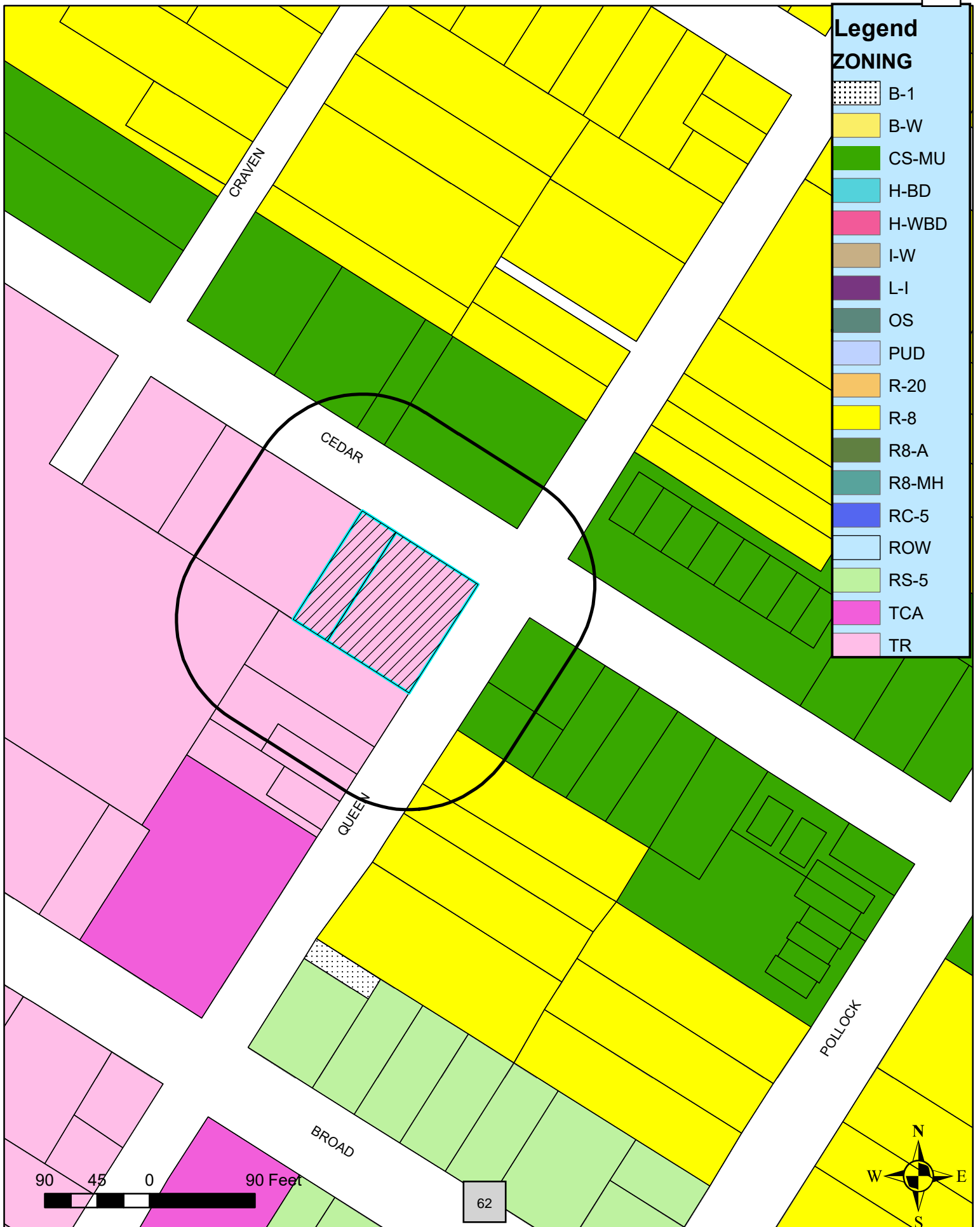
area ratios for nonresidential land uses range from 0.57 to 2.13. Land uses within the Mixed Use designated areas are generally compatible with B-1, General Business; B-3, Marina Business; O & I, Office and Institutional; RMF, Multifamily Residential; and PUD, Planned Unit Development Zoning Districts. Public water and sewer service is needed to support the land uses characteristic of this classification. Streets with the capacity to accommodate higher traffic volume are necessary to support the intensity of development expected within the Mixed Use Classification.

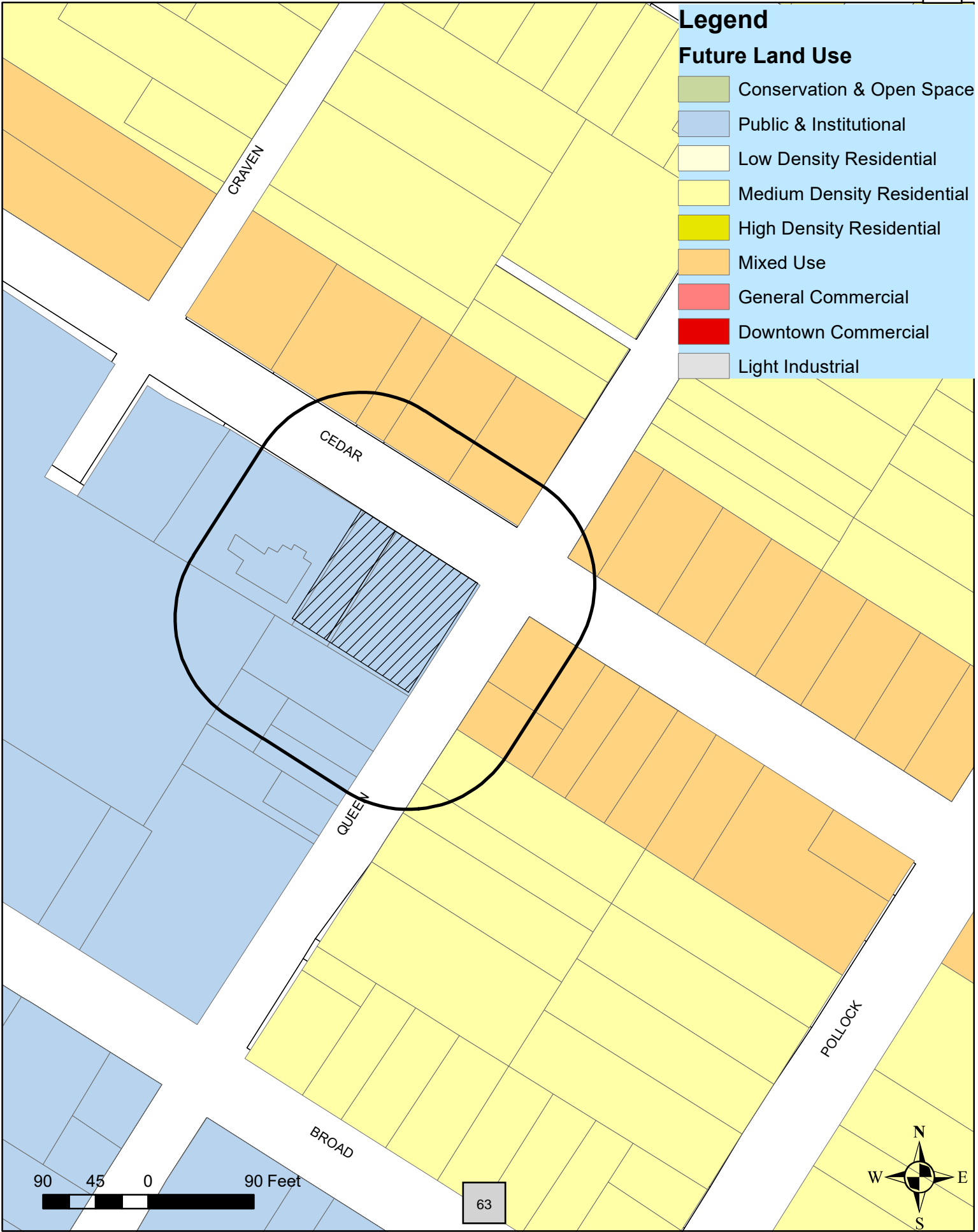
The Town’s goals and policies support the use of land in Mixed Use-classified areas for a range of uses where adequate public utilities and streets are available or can be upgraded to support the intensity of development encouraged in this classification. Public and institutional land uses that support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

While the Mixed Use areas are expected to accommodate future growth and development, they may or may not actually be developed during the planning period. Critical factors that will determine the development potential of these areas include market demand and the provision of the necessary support infrastructure (particularly public water and sewer utilities). Consequently, the development potential of the some of the lands within the Mixed Use areas may be more long-term than short-term. In order to permit the type of mixed use development envisioned in this classification, the Town of Beaufort may have to prepare amendments to its existing zoning ordinance and subdivision ordinance to establish specific conditions and standards for such mixed use development.

- Attachments:** Property Owners Within 100 Feet
Vicinity & Zoning Map with 100 Foot Notification Boundary
CAMA Future Land Use Map with 100 Foot Notification Boundary
TR & CS-MU Zone Information with Use Table
Consistency Statement “Draft”

<u>OWNER</u>	<u>MAIL_HOL</u>	<u>MAIL_ST</u>	<u>MAIL_CITY</u>	<u>IL_ST/MAIL_ZI/MAIL_ZI</u>	<u>MAIL_ADD2</u>
CARTERET COUNTY	302	COURTHOUSE SQUARE	BEAUFORT	NC	28516 SUITE 200
FIRST RUNG PROPERTIES LLC	304	ORANGE STREET	BEAUFORT	NC 1821	28516
JACOBS,MAROLINE	104	BRUGG COURT	NEW BERN	NC 8728	28562
JOHNSON,MARGARET L/T			MOUNT PLEASANT	SC	29465 PO BOX 643
JOHNSON-FERDINAND,AMY V	18	NYMPH RD	WEST ORANGE	NJ	07052
JONES,EDDIE M	9328	DANSFORESHIRE WAY	WAKE FOREST	NC 5040	27857
LOUDEN,FLORA LEA	101	STURBRIDGE ROAD	RALEIGH	NC 1551	27615 C/O JAMES W ANKENY
OWENS,NELSON N ETUX PATRICIA A	723	COMET DRIVE	BEAUFORT	NC	28516
QUEEN ANNE'S QUARTERS LLC	715	COMET DRIVE	BEAUFORT	NC	28516
QUEEN ST PROPERTIES OF BFT LLC			MT PLEASANT	SC	29465 PO BOX 643
ST STEPHENS CHURCH OF CHRIST	500	CEDAR STREET	BEAUFORT	NC	28516
WILLIS,MAURICE M			BEAUFORT	NC	28516 PO BOX 266
YOST,MARK S	2026	SAINT ANDREWS ROAD	GREENBORO	NC	27408





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, Single-Family |
| Athletic Field, Public | Garage, Private Detached |
| Bed & Breakfast | Government/Non-Profit Owned/
Operated Facilities & Services |
| Carport | Group Home |
| Club, Lodge, or Hall | Home Occupation |
| Commercial Indoor Recreational Facility | Library |
| Community Garden | Mixed Use |
| Dock | Mortuary/Funeral Home/
Crematorium |

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Neighborhood Recreation Center
 Indoor/Outdoor, Private
 Neighborhood Recreation Center,
 Public
 Nursing Home
 Office: Business, Professional, or
 Medical
 Park, Public
 Personal Service Establishment
 Public Safety Station

Public Utility Facility
 Religious Institution
 Resource Conservation Area
 Restaurant with Indoor Operation
 Shed
 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
 Aquaculture
 Financial Institution
 Cemetery/Graveyard
 Concealed (Stealth) Antennae &
 Towers
 Day Care Center
 Day Care/Child Care Home
 Dwelling, Duplex
 Golf Course, Privately Owned
 Golf Driving Range
 Hotel or Motel
 Kennel, Indoor/Outdoor Operation
 Marina

Museum
 Other Freestanding Towers
 Outdoor Amphitheater, Public
 Parking Lot
 Preschool
 Produce Stand/Farmers' Market
 Retail Store
 Satellite Dish Antenna
 School, K-12
 School, Post-Secondary
 Tavern/Bar/ Pub with Indoor
 Operation
 Utility Facility

D) Cedar Street Mixed-Use Zoning District (CS-MU)

1) Purpose.

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

2) Adoption.

The Cedar Street Mixed Use Zoning District (CS-MU) for the Town of Beaufort, as set forth on a map so entitled and dated 07/08/2019, is hereby adopted by reference as an element of the Land Development Ordinance hereafter known as the LDO, and the Official Zoning Map of the Town of Beaufort.

3) Permitted Uses.

The uses listed here, with the exception of single-family residential uses, shall be subject to the Development Standards listed below.

- | | |
|------------------------------------|----------------------------------|
| Convenience Store | Park, Public |
| Dwelling, Single-family | Personal Service Establishment |
| Dwelling, Multi-family | Produce Stand/Farmers' Market |
| Financial Institution | Public Utility Facility |
| Hotel or Motel | Religious Institution |
| Mixed Use | Restaurant with Indoor & Outdoor |
| Office, Business, Professional, or | Operations |
| Medical* | Retail Store |
| Outdoor Retail Display/Sales | Utility Minor |

*Includes Government Offices

4) Special Uses (Special Use Requirements may be found in Section 20 of the LDO).

Any commercial use which results in a structure or combination of structures with over 15,000 square feet.

- Microbrewery
- Tavern/Bar/Pub with Indoor Operation

5) Prohibited Uses.

Any use not listed in subsections 3 & 4 of this section is prohibited. Development Standards.

a) Design Criteria.

The intent of the following design criteria is to maintain and strengthen the unique character of Cedar Street by ensuring new development projects are architecturally compatible with the characteristics of the community. These characteristics include building forms, proportions, treatments, exterior materials, and architectural styles. It is intended that front elevations and overall massing of new structures shall be of human scale and related to the street. All design criteria will be reviewed and approved by Town Staff.

Land Development Ordinance for the Town of Beaufort

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

b) Site Plan Submission.

A detailed site plan, meeting all N.C. State Building Codes and Town Ordinances, shall be required for all commercial and mixed-use development within this zoning district.

c) Signage. Whenever the regulations made under the authority of this section are in conflict with any other provisions of this ordinance, the restrictions of this section shall supersede.

- i) Only attached wall or projecting type signs made of wood or substitute materials which have the appearance of wood are permitted.
- ii) The use of internally lit, flashing or free-standing signs of any kind is prohibited.
- iii) Subject to the provisions of this section, the maximum sign surface area permitted in this district shall not be more than 0.75 square feet per linear foot of total lot frontage.

d) Landscaping.

Any new commercial site plan with on-site parking shall provide a detailed landscape plan identifying all shrub and tree types as well as the number of such trees and shrubs as per section 14 and 19 of the *LDO*. Additionally if developing adjacent to a different type of land use, a screening and buffering plan shall also be required.

e) Exterior Siding Materials (Commercial & Mixed-Use Structures Only).

The primary siding material constituting a minimum of eighty percent (80%) of the exterior shall be one or a combination of two of the following materials:

- i) Brick;
- ii) Stone: Natural, Limestone or Granite;
- iii) Fiber Cement (Lap or Board & Batten Siding); and/or,
- iv) Treated Wood excluding plywood (Board & Batten or Clapboard Design only)
- v) Cedar Shake
- vi) Other materials or combinations thereof can be submitted to the Planning Board and Board of Commissioners for consideration. Detailed elevation drawings and product specifications shall be required.

f) Outside Walls (Commercial & Mixed-Use Structures Only).

- i) The total area of glass, windows, and/or any similar transparent areas for any side of a commercial structure shall not exceed thirty-five percent (35%) of the surface area for such side of the building, and must be positioned uniformly along the face of the structure. This percentage may be increased if it needs to meet the state fire code.

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- ii) Each exterior wall of a building viewable from any public or private right-of-way shall incorporate architectural design features to create a visual break at least every one hundred feet (100') along the exterior wall in order to avoid a box like appearance. All plans for exterior walls shall be approved by the Board of Commissioners as part of the site plan approval process.
- f) Roof Forms. (Commercial & Mixed-Use Structures Only)
 - i) The dominant shape of roof forms shall be gabled, hipped or parapet. If pitched, the minimum pitch shall be five over twelve (5/12).
 - ii) All roof top mounted equipment shall be fully screened from view and the method of screening shall be integrated into the overall building design, for example within or behind pitched roofs. Hipped or gabled roofs with a mechanical element will not be considered mansard roofs when the roof appears to be a true hipped or gabled roof design.
- g) Driveway Limitations. (Commercial & Mixed-Use Structures With Onsite Parking Only)
 - i) Two driveways entering the same street from a single lot shall only be permitted if the minimum distance between the closest edges of the driveways equals to or exceeds one hundred feet (100').
 - ii) In no case shall the total width of all driveways exceed fifty percent (50%) of the total property frontage.
 - iii) No driveway shall be located within a hundred feet (100') of an intersection except in cases where no other access to a public street is available.
- h) Parking Requirements.
 - i) Mixed use, multi-family and single-family lots shall provide 1.5 onsite parking spaces/unit;
 - ii) Commercial lots with an area less than 5000 ft² have no requirements for onsite parking; and,
 - iii) Commercial lots with an area more than 5000 ft² shall provide 1 onsite parking space for every 600 ft² of gross floor area.
- i) Exterior Elevation Drawings. (Commercial & Mixed-Use Structures Only)
Exterior elevation drawings shall be submitted to determine the visual break of exterior walls for the structure or structures.

6) Minimum Lot Size.

The Cedar Street Mixed-Use Zoning District will not have a minimum lot size.

7) Minimum Lot Width.

No minimum lot width is required in the Cedar Street Mixed-Use Zoning District at the minimum building line.

8) Building Setback and Building Height Requirements and Limitations.

Subject to the exemptions of this Ordinance, each structure on said lot in this zoning district shall be set back from the boundary line of the lot at least the distance provided in the tables set forth in this section. The building height limitation in this district is also provided in the tables of this section.

Table 8-6 Single Family Detached Setback Requirements

<i>District</i>	<i>Cedar Street Front Setback (Right-of-Way)</i>	<i>Rear Setback</i>	<i>Side Setback</i>	<i>Building Height Limitation</i>
	15 feet minimum	25 feet	8 feet	40 feet
	20 feet maximum	25 feet	8 feet	40 feet

Table 8-7 Corner Lot and Interior Lot Requirements for Commercial and Mixed Use

<i>District</i>	<i>Cedar Street Front Setback (Right-of-Way)</i>	<i>Designated Side (Right-of-Way) Setback</i>	<i>Rear Setback</i>	<i>Side Setback</i>	<i>Building Height Limitation</i>
	10 feet minimum	0 feet	20 feet	0 feet	40 feet
	20 feet maximum	0 feet	20 feet	0 feet	40 feet

Table 8-8 Transitional Zoning District Table of Uses

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	S	S	
	Dwelling, Multi-Family	P		S	P
	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

Permitted Use

Special Use

Land Development Ordinance for the Town of Beaufort

Table 8-8 Transitional Zoning District Table of Uses

Land Development Ordinance Uses		TCA	TR	PUD	CS-MU
Commercial Uses					
Animal Services	Kennel, Indoor Operation Only		S	S	
	Kennel, Indoor/Outdoor Operation			S	
Assembly	Club, Lodge, or Hall		P	S	
Financial Institutions	Financial Institution		S	S	P
Food and Beverage Services	Microbrewery			S	S
	Restaurant, with Drive-Thru Service	S		S	
	Restaurant, with Indoor Operation	S	P	S	P
	Restaurant, with Outdoor Operation	S		S	P
	Tavern/Bar/Pub with Indoor Operation	S	S	S	S
	Tavern/Bar/Pub with Outdoor Operation	S		S	
Offices	Office: Business, Professional, or Medical		P	S	P
	Office: Small Business				
Public Accommodations	Bed & Breakfast		P	S	
	Hotel or Motel	S	S	S	P
Indoor Recreation & Entertainment, Privately Owned	Adult Entertainment			S	
	Amusement Establishment			S	
	Commercial Indoor Recreation Facility		P	S	
	Neighborhood Recreation Center Indoor/ Outdoor, Private	P	P	S	
	Pool Hall or Billiard Hall			S	
	Theater, Large			S	
	Theater, Small	S		S	
Outdoor Recreation & Entertainment, Privately Owned	Athletic Field, Private			S	
	Commercial Outdoor Amphitheater			S	
	Commercial, Outdoor Recreation Facility			S	
	Golf Course, Privately-Owned		S	S	
	Golf Driving Range		S	S	
	Motor Vehicle Raceway			S	
Retail Sales and Services	Adult-Oriented Retail Establishment			S	
	Convenience Store			S	P
	Mortuary/Funeral Home/ Crematorium		P	S	
	Liquor Store			S	
	Personal Service Establishment	S	P	S	P
	Retail Store	S	S	S	P
Vehicle Storage Facilities	Dry Boat Storage			S	
	Marina	S	S	S	
	Parking Lot		S	S	
	Parking Structure			S	

Permitted Use

Special Use

Land Development Ordinance for the Town of Beaufort

Table 8-8 Transitional Zoning District Table of Uses

Land Development Ordinance Uses		TCA	TR	PUD	CS-MU
Vehicles and Equipment Facilities	Boat Sales/Rental			S	
	Car Wash			S	
	Gas/Service Station			S	
	Heavy Equipment Sales/Rental			S	
	Heavy Vehicle Repair			S	
	Moped/Golf Cart Sales/Rental			S	
	Motor Vehicle Sales/Rental			S	
	Towing & Vehicle Storage			S	
	Vehicle Service			S	
Industrial Uses					
Industrial Service Uses	General Industrial Service			S	
Manufacturing and Production Uses	Manufacturing, Heavy			S	
	Manufacturing, Light			S	
	Resource Extraction			S	
Telecommunications Facilities	Antenna Co-Location on Existing Tower	P	P	S	
	Concealed (Stealth) Antennae & Towers	P	S	S	
	Other Building-Mounted Antennae & Towers			S	
	Other Freestanding Towers		S	S	
Warehouse and Freight Movement Uses	Commercial Waterfront Facility			S	
	Hazardous Material Storage			S	
	Mini-Storage			S	
	Outdoor Storage			S	
	Warehousing and Distribution Establishment			S	
	Wholesale Establishment			S	
Waste-Related Uses	Recycling & Salvage Operation			S	
Accessory Uses and Structures					
Accessory Uses	Carport	P	P	S	
	Dock	P	P	S	
	Garage, Private Detached	P	P	S	
	Home Occupation	P	P	S	
	Outdoor Retail Display/Sales			S	P
	Satellite Dish Antenna		S	S	
	Shed	P	P	S	
	Signs, Commercial Free- Standing	P	P	S	
	Swimming Pool (Personal Use)		P	S	
	Temporary Construction Trailer	P	P	S	
	Vehicle Charging Station	P	P	S	

Permitted Use

Special Use



**TOWN OF BEAUFORT
PLANNING BOARD**

RZ21-01

**RESOLUTION ADVISING THAT PROPOSED AMENDMENTS
TO THE ZONING ORDINANCE AND COMPREHENSIVE FUTURE LAND USE PLAN
ARE IN ACCORDANCE WITH ALL OFFICIALLY ADOPTED PLANS; ARE
REASONABLE; AND ARE 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. §160A-383 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”) and Core Land Use Plan are consistent with all officially adopted plans;

WHEREAS, the 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 in accordance with all officially adopted Town plans for the reasons stated in the Staff Report for Rezoning Case 21-01 attached hereto and incorporated herein by reference, 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; and better clarify all the Ordinance regulations.

This Resolution is effective upon its adoption this 19th day of January, 2021.

**TOWN OF BEAUFORT
PLANNING BOARD**

_____, Chairman

ATTEST:

_____, Secretary

