



## **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](http://www.beaufortnc.org)

### **Town of Beaufort Planning Board Regular Meeting 6:00 PM Monday, June 15, 2020 - Train Depot, 614 Broad Street, Beaufort, NC 28516 - Held Virtually through Zoom Monthly Meeting**

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#### **Call to Order**

#### **Roll Call**

#### **Agenda Approval**

1. Agenda Approval for June 15, 2020

#### **Minutes Approval**

1. Minutes Approval from the May 18, 2020 Planning Board Meeting and Minutes Approval from the May 29, Special Meeting to vote on 20-02

#### **Administration of Oaths**

#### **Public Hearing**

1. Case No. 20-07 Text Amendment Modifying Section 4 Definitions - Building Height

#### **New Business**

1. Final Plat - Beau Coast Phase 2B
2. Case #20-08 513 Front Street - Micro Distillery/Restaurant

#### **Commission / Board Comments**

#### **Staff Comments**

#### **Adjourn**



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**Town of Beaufort Planning Board Regular Meeting  
6:00 PM Monday, May 18, 2020 - Train Depot, 614 Broad Street, Beaufort, NC 28516 Held  
Electronically through Zoom due to COVID-19 Pandemic  
Minutes**

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**Call to Order**

Chair Neve called the meeting to order and asked everyone who was not speaking to mute their mics until they were going to speak. He stated to the Board Members when voting to do a "thumbs up" or "thumbs down" to indicate their vote and hold it there until Secretary Winn got the full count. Chair Neve also stated that the attendees would not be able to speak but would be able to post questions under the "Q&A" section.

- 1. Pledge of Allegiance

The Pledge of Allegiance was not done due to the meeting being held via Zoom.

**Roll Call**

Chair Neve asked for Secretary Winn to call the roll. Present for the meeting were Paula Gillikin, Diane Meelheim, Ryan Neve, Ralph Merrill, Jeff Vreugdenhill, Aaron Willis and John LoPiccolo. Secretary Winn declared a quorum.

**Agenda Approval**

- 1. Approval of Agenda for May 18, 2020

Chair Neve asked if there were any changes to the Agenda for the nights meeting. Hearing no changes he asked for a motion. Board Member Meelheim made a motion to approve the agenda as presented, Vice Chair Merrill made a second and the motion carried unanimously.

**Minutes Approval**

- 1. Minutes from March 16, 2020

Chairman Neve asked if there were any changes to the Minutes from the March 16, 2020 Planning Board Meeting. Hearing no changes Chairman Neve asked for a motion to approve the minutes. Board Member Vreugdenhill made a motion to approve the minutes, Board Member Meelheim made a second and the motion carried unanimously.

**Public Hearing**

1. Modify/Revise the Existing Planned Unit Development (PUD) for Beau Coast Subdivision

Case Number 20-02 PUD Zoning Amendment:

The staff report was presented by Kyle Garner, Department Head for Planning and Inspections. The application was submitted by Whithers & Ravenel on behalf of Blue Treasure, LLC. Present for this case were Don Mizelle and Joe Boyd for Whithers and Ravenel as well as Greg Meshaw, Engineer for the Town of Beaufort.

There were three points of interest for this application: 1) Modifying Key Plan for Street Cross Sections; 2) Modify Key Plan for Lot Types; and 3) Modify PUD Mast Zoning Plan.

Mr. Garner stated that notice was completed by letters being mailed to 22 property owners within 100 feet, signs were posted on May 1, 2020 and a Legal Advertisement was run in the Carteret County News Times on May 3 and May 10, 2020. One home owner on Charles Street stated that they did not receive a letter and Mr. Garner stated that Staff would look into that.

Mr. Garner presented the staff report to the Board along with the PowerPoint presentation showing how the PUD would change based on the request of the applicant. Mr. Garner stated that the lots had not increased but were changing from multi-family homes to single family homes. Mr. Garner explained each of the three requests and what the changes were for the PUD Amendment.

Mr. Garner opened up for any questions. Board Member Willis asked if it was a net "0" on the number of lots and Mr. Garner stated that he believed so and that information is on the data sheet provided by Whithers and Ravenel.

Don Mizelle spoke on behalf of Whithers and Ravenel and stated that Mr. Garner did a great job of encapsulating the PUD Amendment. He stated that they came before the Planning Board last May with PUD Amendment for Lots 91 through 99 and that those lots are currently being developed. Mr. Mizelle explained, as well as showed using the map in the packet, what lots they were proposing to be changed. He stated that it is the exact thing that they asked for last year but that this is for Phase V.

There were concerns from the public as well as Board Members concerning the buffer and storm water run off into the Charles Street neighborhood and the impervious surface area. Joe Boyd for Whithers and Ravenel addressed these comments and questions. He stated that they have a "bank" of impervious surface area for these projects so that will not be affected because the only thing being changed is the lot type. Mr. Boyd further explained retention ponds and measures that will be taken for the storm water run off. Board Member Gillkin wanted to make sure that property owners know the proper steps to take if there is an issue on who to contact at the Town. Mr. Garner stated that the Town Engineer, Greg Meshaw, reviews everything prior to it coming to the Board and that the property owners could contact the Town, either Mr. Meshaw's department or Planning and Inspections.

Board Member Vreugdenhill had a question concerning the changing of the width of the road and how it will affect working on utilities. Mr. Meshaw explained that the sanitary/sewer is running directly down the center of the street and it is a good distance from the lots. Mr. Boyd stated where the water lines would be run in proximity to the sidewalks and right of way. He stated it would be a 2" water line or larger and that there would be a 7 1/2 foot easement off the back of the right of way. The questions on the buffer were whether the buffer was going to be the same or a vegetative buffer. Mr. Mizelle explained how about they would look more closely at the buffer and spend more time to make sure that everyone is on the same page for Phase V.

Chairman Neve closed the Public Hearing and asked if there were any further questions or comments from the Board. Hearing no further questions or comments Chairman Neve asked for a motion. 1.

Board Member Vreugdenhill made a motion that given the consistency of the Land Use Plan and the erection of a vegetative buffer on a berm protecting the adjacent properties from flood damage or storm water run off according to the design plan I recommend approval of the request. Vice Chair Merrill made a second and the motion carried unanimously.

## New Business

### 1. Preliminary Plat for Beau Coast Subdivision Phase V

Case Number 20-03, Preliminary Plat for Beau Coast Subdivision Phase V:

Kyle Garner, Department Head for the Planning and Inspections Department, presented the Staff Report to the Planning Board. Mr. Garner explained that this is a request to subdivide a 15.45 acre tract into 86 lots, consisting of 49 single family lots and 37 multi-family lots. There is .17 amount of wetlands and 6.49 acres of open space. Mr. Garner went over each of the slides in the Power Point presentation which included a site plan, zone plan, storm water plan and an open area for a dog park. At this point he turned it over to Don Mizelle so he could talk about the vegetative buffer.

Mr. Mizelle stated that they were showing the buffer as being a re-vegetative buffer and he explained that the plans were to grade it and preserve what they can. Mr. Mizelle stated that if there are places that can be saved it is much better to save than to replant. Mr. Garner stated that it would be good to take another look at this before it goes to the Board of Commissioners.

Board Member Vreugdenhill had a questions concerning access and egress to this subdivision. Mr. Garner stated that this is something that has been covered with Whithers and Ravenel and that is why in Phase V there are two access points off of Leonda Drive and then to the North we now have an access point off of Freedom Park Road and then to the far east in this subdivision we have Chadwick and then we have Lennoxville Road, so there are about 6 access points right now.

Chairman Neve asked if there were any further questions or discussion. Hearing none he asked for a motion. Board Member Willis made a motion to approve the request and push it to the Board of Commissioners, Board Member Gillikin made a second and the motion carried unanimously.

### 2. 511 & 513 Turner Street - Site Plan/Preliminary Plat

Case Number 20-04, 511 & 513 Turner Street - Site Plan/Preliminary Plat:

Kyle Garner, Department Head for Planning and Inspections, presented the staff report on Case Number 20-04. The applicant, Ron Cullipher Engineer on behalf of Taylors Creek Holdings, Inc., was present for the meeting.

Mr. Garner presented the staff report to the Board stating the request is to subdivide .27 acre tract into three multi-family residential lots. The total impervious area is 7,291.25 square feet. The PowerPoint presentation included a site plan and elevation drawing of the units, which Mr. Garner stated that it is more of a "tri-plex", the storm water piece and the utility plan for the water and sewer. Mr. Garner stated that Mr. Meshaw wanted to go over the storm water piece.

Greg Meshaw, Engineer for the Town of Beaufort, stated that this project has been permitted by the Division of Coastal Management and they have some requirements when it come to storm water themselves. Mr. Meshaw stated that they had held up the project a bit because of trying to locate sewers for the site. Mr. Meshaw stated at this time he feels that everything is in order.

Ron Cullipher, Engineer for the owners of the property, stated that he felt that they had met all of the requirements and he was requesting approval to move forward.

Vice Chair Merrill stated he had a comment concerning the location and the amount of impervio<sup>1.</sup> surface and it being about 2/3 of the whole lot. Vice Chair Merrill questioned how that satisfied the Town of Beaufort's requirements. He stated he understands that it has met the CAMA requirements but he feels it is in a critical resource area. Vice Chair Merrill felt that it is barely out of the 33 foot buffer area. Mr. Meshaw stated that when it comes to the Town's requirements it doesn't trip anything from the storm water point. He stated that the development of the property is going to result in roughly a quarter of an acre of disturbance and in a residential area the requirements are not tripped until it reaches one acre. Mr. Meshaw stated that he had asked for soils information and he received that from a scientist and that CAMA had permitted it and this is in the AEC. Mr. Meshaw stated that he felt that they had done what they needed to do. Anything over and addition of 30% impervious you have to provide storm water controls and the Division of Coastal Management accepted this type of device as an acceptable storm water control.

Ron Cullipher stated that what Mr. Meshaw had said was an accurate depiction. Mr. Cullipher addressed Vice Chair Merrill and stated that for the most part this is such a small project that it is below the trigger points, so the trigger point that was met for CAMA was the rain tanks that are proposed. If the project had been 800 square feet smaller it would not have triggered a Planning Board hearing.

Chairman Neve had a question for Mr. Meshaw concerning the project and whether it meets the elevation and free board requirements. Mr. Meshaw stated that it did.

Board Member Gillikin wanted to make a comment similar to one that she had made in the past. She stated that she appreciates staff diligence and take extra time to review this and to ask some more in depth questions to understand if it is consistent with the Town's rules and policies. Board Member Gillikin stated that she felt her concern is in a deeper issue of the laws perhaps not being strong enough. She stated to look at the other projects in the Town Creek water shed area. Board Member Gillikin asked for the Town to take a closer look at some planning that would better address the issues as they relate to water sheds. She stated that this project concerns her even if it is consistent.

Chairman Neve stated that he had a question concerning the parking. He stated he didn't think that there were standards for a parking lot layouts but he stated he couldn't figure out how to back out or turn around by looking at the plans. Mr. Cullipher stated that the parking met the requirements of DOT and that there was plenty of room to back out and that no one would have to back out onto Turner Street. He stated that DOT was adamant about one driveway. Chairman Neve asked about the two car garage on unit one. Mr. Cullipher stated that unit one did have a two car garage but there are spaces in front of the garage for parking that does not interfere with the driveway. Mr. Cullipher stated that there could be zero garage and the parking would still be in compliance of the two space per unit.

Chairman Neve asked for anymore questions and hearing none asked for a motion. Board Member Vreugdenhill made a motion as in so much as the staff has acknowledge it meets the Department requirements, without any guess, it does however meet the requirements of the ordinance with two parking spaces per unit and it is consistent with the master plan, the Land Use Plan per the Town, I would recommend approval. Chairman Neve, do I have a second, Board Member LoPiccolo made the second and the vote carried four for approval, Board Member Vreugdenhill, Chairman Neve, Board Member Gillikin and Board Member LoPiccolo and three against approval, Vice Chair Merrill, Board Member Meelheim and Board Member Willis.

## **Commission / Board Comments**

Chairman Neve opened for Board comments. Board Member Meelheim stated that it was a great meeting, you did a really good and staff did a good job getting materials out, thank you. Vice Chair Merrill had no comments. Board Member LoPiccolo stated that he agreed with Vice Chair Merrill on Case Number 20-04 based on the the size of the structure and the lot size. He stated that the Town needs to take a look at

that. Board Member LoPiccolo also requested that staff look into the multi-family zoning for that area. Board Member LoPiccolo requested that the Recreational Fee amount be looked in to because it seems quite low. Board Member Willis stated that he agrees with Vice Chair Merrill and Board Member LoPiccolo. He stated that he understands where it met all the parameters but he personally had issues with the location and what precedent it may be setting but that he could see both sides of it. He also agreed about the Recreational Fees and felt that \$860.00 does seem a little low. He thank everyone for pulling all the information together to make this meeting happen. Board Member Gillikin stated that she wanted to thank staff again for presenting easy to digest, comprehensive information on these cases. She stated she wanted to articulate a little more on what she had stated earlier and how it relates to voting. She stated that before each meeting she looks at the "charge" for the Planning Board and sometimes it is different than her personal opinion. She stated that she would like to reiterate that maybe we should be taking a look at some of the issues outside of this meeting in the more vulnerable areas that are still undeveloped. Board Member Vreugdenhill had no comments. Chairman Neve thanked everyone for participating in this. He stated that he wasn't sure how much longer that this would go on like this but each time these meetings get smoother. He stated that he agreed that this was a tough one and that he was appalled that it was zoned multi-family in the first place and he thought that this probably took the Town by surprise. He stated that he felt that this probably dated way back to some other things that were being done. He stated that the Planning Board has a duty to check all the boxes but he feels the Board of Commissioners has more leeway to decide whether something is right for the Town or not. He also stated that he would like staff to comment on something that he has been seeing on social media concerning a fence where the Spouter Inn was. Chairman Neve stated that he didn't think that zoning allows for fences in the front yard.

**Staff Comments**

Mr. Garner thanked everyone for being present and the Chairman for helping pull the meeting together. He thanked the Board for the 100% attendance and their decisions on the PUD Amendment, the Preliminary Plat and the last item presented. Mr. Garner stated that the zoning for the last item had been in place for the last 15 to 20 years and that there had been plans approved for that property before he began working for the Town. Mr. Garner did state that staff were a little shocked by the size of the project because staff was thinking one to two units at the most. Mr. Garner stated that staff would really look at this and some of the other issues that came up during this meeting. Mr. Garner stated that he was not sure if the Board would meet in person or virtually next month and he stated that he knew of at least one item and another that Staff Member Kate Allen was working on. Mr. Garner thanked Greg Meshaw, Town Engineer, for his help and input in the meeting.

**Adjourn**

Chair Neve asked for a motion to adjourn the meeting. Board Member LoPiccolo made a motion to adjourn, Board Member Meelheim made a second and the motion carried unanimously.

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Ryan Neve, Chairman

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Denice Winn, Secretary to the Board



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**Call to Order**

Chair Neve called the meeting to order.

**Roll Call**

Chair Neve asked for Secretary Winn to call the roll. Present for the meeting were Paula Gillikin, Diane Meelheim, Ryan Neve, Ralph Merrill, Jeff Vreugdenhill, and Aaron Willis. John LoPiccolo was not present for the meeting. Secretary Winn declared a quorum.

**Public Hearing Decision from May 18, 2020 for the PUD/Beau Coast Subdivision**

Jill Quattlebaum, Town Attorney, explained why the meeting had to be called. Ms. Quattlebaum explained that with a Public Hearing a 24 hour window is provided to allow anyone with a public comment to respond to the meeting. This is based on new legislation that came out due to the pandemic. The vote is to be held until after the 24 hour period has passed. Ms. Quattlebaum stated that the vote has to be a roll call vote.

Chair Neve stated all background has been heard at the previous meeting and opened the floor for questions from the board members to staff. Mr. Garner stated for the record we did not receive any additional comments in the 24 hour period. Chair Neve if there needed to be any official motions to open the meeting and Ms. Quattlebaum responded no, you can go immediately to a motion on the recommendation.

Chair Neve stated he would entertain a motion on the matter. Vice Chair Merrill asked for the motion to be re-read from last time. Chair Neve asked Secretary Winn if she or Mr. Garner had that. Secretary Winn stated that she did not have that information due to the minutes not being completed. Mr. Garner stated what he recalled, and he couldn't remember who made the motion to recommend approval of the modifications of the PUD to the BOC, or who made the second, but it was a unanimous decision. Board Member Vreugdenhill made a motion based on staffs review and concurrence of the Land Use Plan and consistency with it, I move that we approve the case as presented, Board Member Meelheim made the second. Chair Neve stated there is a motion and a second and asked if there was any further discussion. Hearing none Chair Neve moved to a vote and asked Secretary Winn to do a roll call for the vote. Secretary Winn addressed each member of the board: Ryan Neve, voted in favor, Paula Gillikin, voted in favor, Diane Meelheim, voted in favor, Ralph Merrill, voted in favor, Jeff Vreugdenhill, voted in favor, and Aaron Willis, voted in favor. Secretary Winn stated the decision was unanimous.

**Adjourn**

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

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Ryan Neve, Chairman

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Denice Winn, Secretary to the Board





# Staff Report

**To:** Planning Board  
**From:** Kate Allen

**Date:** 5/29/2020  
**Meeting Date:** 6/15/2020

## Case Number 20-07

### Summary of Request:

A staff initiated request to modify the definition of *building height*. Proposed amendment would change the way building height is measured in Special Flood Hazard Areas.

### Background

#### Applicant

Staff Initiated

#### Current Definition

The vertical distance measured from the naturally occurring grade adjacent to a structure to a level plane formed by the highest point (peak) of the structure. In cases where the natural grade varies at corners of a structure, the *Building Height* shall be determined by using the average natural grade at the corners of the structure. The highest point of the structure is generally the ridge of the roof for pitched roof structures and the top surface of a flat roof for flat roof structures but shall also include the highest surface of parapet walls and other structural features.

#### Proposed Definition

The vertical distance measured from the naturally occurring grade adjacent to a structure to a level plane formed by the highest point (peak) of the structure. If the subject property is located in a Special Flood Hazard Area, measurement will begin at the Regulatory Flood Protection Elevation to a level plane formed by the highest point (peak) of the structure. In cases where the natural grade varies at corners of a structure, the *Building Height* shall be determined by using the average natural grade at the corners of the structure. The highest point of the structure is generally the ridge of the roof for pitched roof structures and the top surface of a flat roof for flat roof structures but shall also include the highest surface of parapet walls and other structural features.

**CAMA Future Land Use Map  
Amendment Required**

N/A

No

Yes

**Additional Information**

See Staff Comments

**Requested Action**

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

Provide recommendation to the Board of Commissioners to:

- Approve the request;
- Deny the request; or
- Recommend approval with modifications

**Staff Comments**

This is a staff-initiated request to modify the definition of *building height*. Proposed amendment would change the way building height is measured in Special Flood Hazard Areas.

**Consistency Statement & CAMA Core Land Use Plan Amendment**

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

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

Attachments: LDO Section 4 – Draft Text Amendment  
Building Height Comparison Table  
Building Height Comparison Text

which sells to consumers at the *Brewery*, to wholesalers, to retailers, and to exporters, fewer than 310,000 gallons of malt beverages produced by the brewery per year.

**Buffer Yard.** A unit of required yard which is a combination of land and physical barriers such as fencing and plant materials which separate various land uses.

**Buildable Area.** The space remaining on a zoning lot after the minimum open-space requirements (coverage, yards, and setbacks) have been met.

**Building.** A structure or part thereof. See *STRUCTURE*.

**Building Coverage.** The amount of land covered or permitted to be covered by a building, usually measured in terms of percentage of a lot.

**Building, Detached.** A building having no party or common wall with another building except an accessory building.

**Building Height.** The vertical distance measured from the naturally occurring grade adjacent to a structure to a level plane formed by the highest point (peak) of the structure. If the subject property is located in a Special Flood Hazard Area, measurement will begin at the Regulatory Flood Protection Elevation to a level plane formed by the highest point (peak) of the structure. In cases where the natural grade varies at corners of a structure, the *Building Height* shall be determined by using the average natural grade at the corners of the structure. The highest point of the structure is generally the ridge of the roof for pitched roof structures and the top surface of a flat roof for flat roof structures but shall also include the highest surface of parapet walls and other structural features.

**Building Inspector/Inspector.** The individual appointed by the BOC to administer and enforce all sections of the North Carolina State Building Codes pertaining to plumbing, electrical systems, general building restrictions and regulations, heating and air conditioning, fire protection, and the construction of buildings.

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

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

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

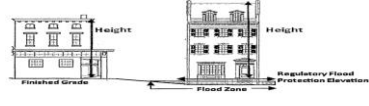
**Building Setback Line, Side.** A line establishing the minimum allowable distance between the nearest portion of any building and the side boundary line of a lot when measured perpendicularly thereto.



**Building Height Standards Discussion - November 2018**

	Measured From (Bottom)	Measured To (Height)	Exceptions/Exclusions/Provisions	Exemptions	Additional Regulations/Information
Beaufort, NC	Naturally Occurring Average Grade (corners of structure)	Highest Point of Structure	The highest point of the structure is generally the ridge of the roof for pitched roof structures and the top surface of a flat roof for flat roof structures but shall also include the highest surface of parapet walls and other structural features.	School gymnasiums, the Carteret County Courthouse, public utility poles and towers (except towers may be subject to other limits or procedures in this Ordinance), municipal and public water towers, permitted communication towers, bell towers, steeples, and spires on structures used for religious purposes, elevator shafts, chimneys, and similar structural appendages not intended for occupancy or storage; flagpoles.	Applications for a Special Use Permit for Telecommunication Towers require 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).
			Fixtures and architectural features which are not capable of occupation, such as chimneys, cupolas, domes, elevator shafts, heating and air conditioning equipment, solar collectors, and similar equipment, fixtures and devices and antennae, and which extend no more than ten feet (10') above the highest point on the structure, shall be allowed if the base of such architectural feature or fixture has a square footage which is ten percent (10%) or less than the square footage of the highest habitable floor on the structure.		
			Any nonconforming residential structure in a specific zoning district which exceeds the height limitation for its specific zoning district and is damaged or destroyed by fire, flood, wind, or act of God, may be rebuilt to the dimension of such building or structure as it existed prior to the damage or destruction and according to the North Carolina State Building Codes.		
			Any building or structure in existence on the effective date of this Ordinance may be raised the minimum amount necessary to bring the structure into compliance with the prescriptive minimum flood elevation as determined by the National Flood Insurance program regulations, notwithstanding raising such building or structure will increase its overall height above the building height limitations established herein.		
Atlantic Beach, NC	Existing Grade	Highest Point of the Roof	Residential - Spires, belfries, cupolas, domes and chimneys and similar features may exceed maximum height by no more than 5 feet	Height limitations are not applicable to government buildings, schools, hospitals, water towers, public utilities or similar structures provided such structures meet the NC State Building Code	
	Adjacent Street Level (CIR District)		Non-Residential: Water tanks, ventilators, elevator housing, mechanical equipment may exceed maximum height by no more than 10 feet		
	Base Flood Elevation (if above street level)		CIR District: B & C Sub-Area Zones, no more than 10 feet; A and A-1 Zones, no more than 20 feet		
Carteret County, NC	Lowest Adjacent Grade	Highest Point of the Building	Chimneys, antennas, and similar structures		
Emerald Isle, NC	Mean Grade/Grade Plane at Fronting Side	Mean Roof Height	Buildings with flat roofs and buildings with low slope roofs in the R2, RMF, MH and Eastern End Oceanfront Overlay Zoning Districts may have a roof parapet not exceeding 3 feet in height		One and two-family dwellings are limited to three stories plus an attic story as defined in the NC Building Code
			Buildings with flat roofs and buildings with low slope roofs in the B, C, G, VE, VW and MV Zoning Districts may have a roof parapet not exceeding 5 feet in height exclusive of elevator shafts, air conditioning and other necessary mechanical equipment, none of which shall exceed 10 additional feet in height, for a total of fifteen (15) feet. The additional 15 feet cannot be used for habitation.		
			Commercial buildings or mixed use structures with a roof pitch of 3/12 or less shall be measured from the lowest finish grade level immediately adjacent to the building or pilings to the exterior wall load-bearing top plate, with a maximum of 5 foot roof top parapet exclusive of elevator shafts, air conditioning and other necessary mechanical equipment, none of which shall exceed 10 additional feet in height, for a total of fifteen (15) feet.		
			Commercial buildings and mixed use structures with larger roof pitch shall be determined from the lowest finish grade level immediately adjacent to the building foundation or pilings, to the mean roof height of the highest roof ridge.		
Jacksonville, NC	Finished Grade (at corner of front of building)	Flat Roof: highest point of the roof			The ground floor of a mixed-use or nonresidential structure shall maintain a minimum clearance of 15 feet, as measured from the finished grade
		Mansard Roof: declivity			Height for Wireless Telecommunication Facilities or complexes shall mean the distance measured from the pre-existing grade level to the highest point on the Tower or support structure, even if said highest point is an Antenna or lightning protection device. As regards increasing the height of an existing structure, Height means the height as measured from ground level to the top of the structure prior to any work related to a wireless Facility.
		Gable, Hip, Cone, Gambrel or Shed Roof: mean height level between eaves and the ridge			
Morehead City, NC	Average Finished Grade	Highest Point of Building (including rooftop structures as defined in the NC Building Code)	Height limitations do not apply to: church spire, belfry, cupola, or dome; an ornamental tower not intended for human occupancy; a monument; a water tower; a transmission tower; a chimney or smokestack; a conveyor; a flag pole; a radio or television tower, mast, or aerial.	Community hospital, community college and institutions of higher learning with university affiliations because these uses are paramount to the public health, education and welfare of the town citizens and town visitors	

**Building Height Discussion**

	<b>Measured From (Bottom)</b>	<b>Measured To (Height)</b>	<b>Exceptions/Exclusions/Provisions</b>	<b>Exemptions</b>	<b>Additional Regulations/Information</b>		
<b>New Bern, NC</b>	Finished Grade at the addressed front entrance of the building	Highest Point of Building: top of any parapet wall or the highest point of the roof surface (whichever is greater)	Rooftop appurtenances, including but not limited to spires, cupolas, antennae, chimneys, trellises, and mechanical equipment shall not be included in the calculation of building height, and in no case shall extent beyond nine feet of the height of a building.		In the C-1 central business district and C-2 commercial waterfront district the finished grade is the elevation or surface of the earth after all earthwork has been completed consistent with approved design specifications and shall not exceed 2' above existing grade. ***Deviations in finished grade greater than 2' may be permitted where additional fill material is required to meet local, state, or federal permitting requirements. In such instances the applicant shall submit a letter to the Director of Development Services or their designee. The letter shall be signed by a professional engineer, licensed architect, or licensed landscape architect stating the reason for exceeding the standard and the extent to which the standard will be exceeded.		
	Buildings located in SFHA (excluding Waterfront Overlay District) vertical distance measured from the Regulatory Flood Protection Elevation				In all other zoning districts finished grade is the elevation or surface of the earth after all earthwork has been completed consistent with approved design specifications.		
					Maximum building height may be exceeded by stepping back a building from the outside edge of the uppermost floor. With the exception of appurtenances, the vertical height shall not exceed a 1:1 ratio, measured as the increased height of said point and its distance from the right of way. Step backs may only be used in the C-1 central business district and C-2 commercial waterfront district and will in no circumstance exceed 13 feet above maximum building height		Buildings and structures within the historic district shall observe the dimensional and other regulations of the city's zoning ordinances
	Buildings located in the New Bern Waterfront Overlay Districts: Mean Sea Level				Residential Waterfront Overlay District: 1. No building or structure shall exceed a height of 44 feet.  Commercial Waterfront Overlay District: 1. No building or structure shall exceed a height of 60 feet. Rooftop appurtenances shall not exceed a height of 75 feet above mean sea level, and shall not exceed 5 percent of the horizontal roof area measured at the cornice line or finished roof surface.	Waterfront Overlay District: No existing building or structure may be increased in height beyond the limitation hereby imposed, but the fact that an existing structure exceeds this height limitation shall not be construed to make said structure "nonconforming" as the term is used in this ordinance.	All residential or nonresidential buildings hereafter constructed on property in the city which adjoins the Neuse River, Trent River, or Lawson Creek, and is in the city commercial or residential waterfront overlay districts, shall be set back a minimum distance of 35 feet from the edge of the river or creek on which it fronts, measured at a time when the water is at its normal level. "Normal level" is considered "mean water level," as the same is defined in section .0700, Technical Appendix 1, "Definition for Public Trust Areas in the North Carolina Administrative Code
<b>Pine Knoll Shores, NC</b>	Average adjacent grade (natural or approved grade, at the exterior foundation walls, pilings or columns of the building)	Highest Point of Building	Chimneys extended less than six feet above the highest point of a building are excluded from the calculation of building height		Approved grade means any grade level of the surface of the land, other than natural, approved by the planning board for a specific lot or parcel of land as part of the major landscape permit process		
<b>Swansboro, NC</b>	Adjacent Grade	Flat Roof - Highest Finished Surface	The following are not included in the calculation of building heights: antennas (excluding television dishes), belfries, cupolas, chimneys, spires, ventilators, water tanks, or other architectural embellishments (intended for ornamental purposes only) that are normally placed above the roof line of a structure.		Structures allowed under the height exception require a special use permit issued by the Board of Commissioners and are permitted on the condition that they shall be available for inspection by the ordinance administrator or his/her designee at any reasonable time in order to confirm compliance with this ordinance.		
		All Other - To a point from the average grade around the building (five feet out) to the highest roof mean height	These height limit exceptions may include access and flooring only to the minimum extent necessary for safe maintenance and/or operation of the structure, may not be designed or used for human occupancy, for human habitation, or for storage, and may not contain furnishings.				

## Beaufort, NC – Land Development Ordinance

<http://www.beaufortnc.org/home/showdocument?id=6911>

**Building Height.** The vertical distance measured from the naturally occurring grade adjacent to a structure to a level plane formed by the highest point (peak) of the structure. In cases where the natural grade varies at corners of a structure, the Building Height shall be determined by using the average natural grade at the corners of the structure. The highest point of the structure is generally the ridge of the roof for pitched roof structures and the top surface of a flat roof for flat roof structures but shall also include the highest surface of parapet walls and other structural features.

**Freeboard.** The additional amount of height added to the base flood elevation to account for uncertainties such as waves, debris, miscalculations, or the lack of data, in the determination of flood elevations. The Town has adopted this to mean the base flood elevation plus one foot.

**Mean Elevation.** The average height to which something is elevated above sea level.

### Section 6: Height and Area Exceptions & Supplements

#### D) Height Restrictions.

- 1) Height restrictions will be determined by the specific zoning district whether inside the Town corporate limits or within the ETJ area.
- 2) Fixtures and architectural features which are not capable of occupation, such as chimneys, cupolas, domes, elevator shafts, heating and air conditioning equipment, solar collectors, and similar equipment, fixtures and devices and antennae, and which extend no more than ten feet (10') above the highest point on the structure, shall be allowed if the base of such architectural feature or fixture has a square footage which is ten percent (10%) or less than the square footage of the highest habitable floor on the structure.
- 3) Any nonconforming residential structure in a specific zoning district which exceeds the height limitation for its specific zoning district and is damaged or destroyed by fire, flood, wind, or act of God, may be rebuilt to the dimension of such building or structure as it existed prior to the damage or destruction and according to the North Carolina State Building Codes.
- 4) Any building or structure in existence on the effective date of this Ordinance may be raised the minimum amount necessary to bring the structure into compliance with the prescriptive minimum flood elevation as determined by the National Flood Insurance program regulations, notwithstanding raising such building or structure will increase its overall height above the building height limitations established herein.

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## Atlantic Beach, NC – Unified Development Ordinance

<http://atlanticbeach-nc.com/wp-content/uploads/2018/01/Unified-Development-Ordinance-with-errata-10.23.17.pdf>

**1. Measurement**

- a. Building height shall be measured from the existing grade elevation prior to any land disturbing activities.
- b. Within the CIR District, height shall be measured from the adjacent street level of the fronting street. In cases where the BFE is established at a height above street level, height may be measured from the BFE.

**2. Maximum Height**

Building height is calculated from the existing grade elevation to the highest point of the roof.

**3. Exceptions**

- a. Residential Construction  
Spires, belfries, cupolas, domes, and chimneys, and similar features located above the roof level for decorative purposes and not intended for human occupancy or general storage may exceed maximum height requirements by no more than five feet (see
- b. Non-residential Construction  
Water tanks, ventilators, elevator housing, mechanical equipment or other structures placed above the roof level and not intended for human occupancy or general storage may exceed maximum height requirements by no more than 10 feet.
- c. CIR District  
Spires, belfries, cupolas, chimneys, water tanks, ventilators, elevator housing, mechanical equipment, or other structures placed above the roof level and not intended for human occupancy or general storage may exceed the maximum height requirements by up to 10 feet in the B and C Sub-Area Zones, and up to 20 feet in the A and A-1 Sub-Area Zones.

**4. Story**

That portion of a building included between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, then the space between the floor and the ceiling next above it.

**5. Exemptions**

Height limitations of this article shall not apply to government buildings, schools, hospitals, water towers, public utilities, or similar structures provided such structures meet the required NC State Building Code.

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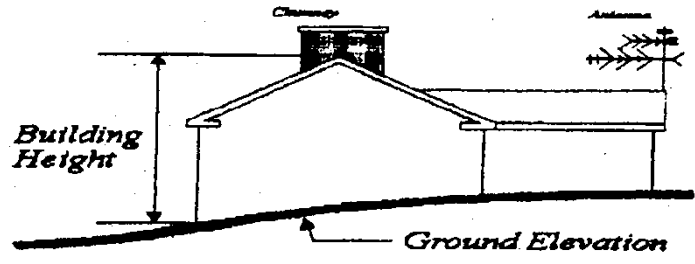
**Carteret County, NC – Zoning Ordinance**

**Building height.** The maximum height of a building permitted on a lot. Building height is determined from the vertical distance as measured from the lowest adjacent grade to the building to the highest point on the building, excluding chimneys, antennas and similar structures (see Section 1604. Structures Permitted above the Height Limit). See Figure below.

(Ord. of 1-10-00)

[https://library.municode.com/nc/carteret\\_county/codes/code\\_of\\_ordinances?nodeId=COOR APXCZ00R 1100 RUCODE 1102DE](https://library.municode.com/nc/carteret_county/codes/code_of_ordinances?nodeId=COOR_APXCZ00R_1100_RUCODE_1102DE)





**1604. - Structures permitted above the height limit.**

[https://library.municode.com/nc/carteret\\_county/codes/code\\_of\\_ordinances?nodeId=COOR APXCZOR 1600 SURE 1604STPEABHELI](https://library.municode.com/nc/carteret_county/codes/code_of_ordinances?nodeId=COOR APXCZOR 1600 SURE 1604STPEABHELI)

- 1604.1.** The following structures, features, or equipment are permitted above the height limit in any district: silos, skylights and roof structures for elevators, stairways, tanks, ventilating fans, air conditioning, or similar equipment for the operation or maintenance of the building and any device used for screening such structures and equipment.
- 1604.2.** The following structures are permitted above the height limit on lots in the business, church campus, and industrial districts which do not abut lots in any residential district: towers, steeples, flagpoles, chimneys, water tanks or similar structures. If this type of structure is on a lot which abuts a residential district, then the part of the structure above the height limit must be separated from any such abutting lot line by a distance equal to at least one-half of its height measured from the ground. Towers used to support electric power and other utility lines are exempt from this requirement.
- 1604.3.** The structures listed in section 1604.2 above are also permitted above the height limit in residential districts. However, any part of such a structure which extends above the height limit must be separated from any abutting property line by a distance equal to at least half of its height measured from the ground. Otherwise the structure will be subject to the usual requirements for the particular district. Towers used to support electric power and other utility lines are exempt from this requirement. Towers and other similar structures used solely for the purposes of amateur radio reception and transmission shall be exempt from this requirement.
- 1604.4.** Radio and television towers and similar structures are permitted above the height limit in any district. If such a structure is located on a lot in or abutting a residential district, it must be located at least 50 feet from all abutting residential property lines or at a distance equal to its height, whichever is greater.
- 1604.5.** The height of any structure shall be measured from its finished grade.

**Emerald Isle, NC**

[https://library.municode.com/nc/emerald\\_isle/codes/code\\_of\\_ordinances?nodeId=APXAUNDEOR](https://library.municode.com/nc/emerald_isle/codes/code_of_ordinances?nodeId=APXAUNDEOR)

**Height** The vertical distance from the mean grade elevation taken at the fronting street side of a structure and measured as described in the notes to Table 5.1. Towers, spires, steeples, and enclosed roof top mechanical equipment are not counted in height measurements. Exceptions to this definition are listed within this Ordinance.

### Jacksonville, NC

<https://jacksonvillenc.gov/DocumentCenter/View/850/UDO-POST-2016-SUMMER-Revisions?bidId=>

#### Height Measurement

- (a) Building height shall be the vertical distance measured from the finished grade (following grading, excavation, or other land-disturbing activity) at a front corner of the building to the highest point of the roof surface of a flat roof, to the deck line of a mansard roof, or to the mean height level between eaves and the ridge of a gable, hip, cone, gambrel, or shed roof.
- (b) The ground floor of a mixed-use or nonresidential structure shall maintain a minimum clearance of 15 feet, as measured from the finished grade (following grading, excavation, or other land-disturbing activity).
- (c) Sign height (including billboards) shall be measured vertically from the adjacent edge of pavement of the street from which the site derives its street address to the top portion of the sign.
- (d) Height for Wireless Telecommunication Facilities or complexes shall mean the distance measured from the pre-existing grade level to the highest point on the Tower or support structure, even if said highest point is an Antenna or lightening protection device. As regards increasing the height of an existing structure, Height means the height as measured from ground level to the top of the structure prior to any work related to a wireless Facility.

### Morehead City, NC

[https://library.municode.com/nc/morehead\\_city/codes/code\\_of\\_ordinances?nodeId=PTIVUNDEOR\\_ART14EXMOSPREECUS\\_14-2STEXHELI](https://library.municode.com/nc/morehead_city/codes/code_of_ordinances?nodeId=PTIVUNDEOR_ART14EXMOSPREECUS_14-2STEXHELI)

**Building height.** The vertical distance from the average finished grade of the building lot to the highest point of the building, including rooftop structures as defined in the North Carolina Building Code (i.e. stairwells, elevator shafts, etc.).

**14-2 - Structures Excluded From Height Limitations** The height limits of these regulations shall not apply to a church spire, belfry, cupola, or dome; an ornamental tower not intended for human occupancy; a monument; a water tower; a transmission tower; a chimney or smokestack; a conveyor; a flag pole; a radio or television tower, mast, or aerial. The height limits of these regulations shall not apply to the community hospital, community college and institutions of higher learning with university affiliations because these uses are paramount to the public health, education and welfare of the town citizens and town visitors; the public cost to relocate these uses would be prohibitive; and, the amount of land available for such uses is limited within existing boundaries.

(Ord. No. 2007-13, § 1, 3-13-2007)

**New Bern, NC**

**Code of Ordinances City of New Bern, North Carolina Appendix A – Land Use**

[https://library.municode.com/nc/new\\_bern/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_APXALAU](https://library.municode.com/nc/new_bern/codes/code_of_ordinances?nodeId=PTIICOOR_APXALAU)

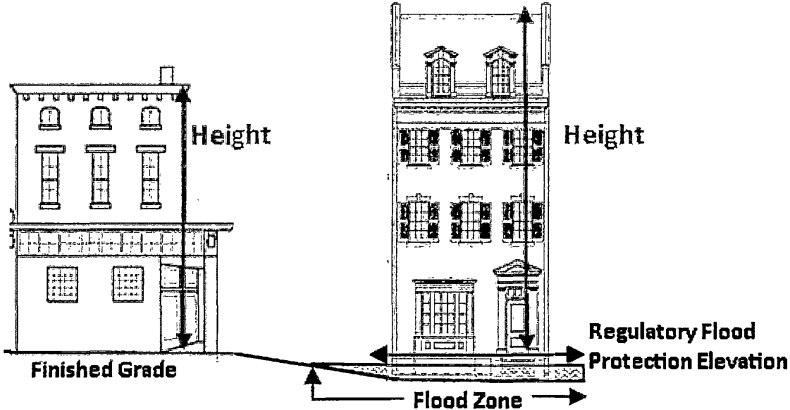
**Article XII. Density and Dimensional Regulations**

**Section 15-189. - Building height limitations.**

[https://library.municode.com/nc/new\\_bern/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_APXALAU\\_ARTXIIDEDIRE\\_S15-189BUHELI](https://library.municode.com/nc/new_bern/codes/code_of_ordinances?nodeId=PTIICOOR_APXALAU_ARTXIIDEDIRE_S15-189BUHELI)

(a) For purposes of this section:

(1) In all zoning districts, the height of a building shall be the vertical distance measured from the elevation of the finished grade at the addressed front entrance of the building to the highest point of the building, not to include chimneys, antennae, or other rooftop appurtenances, unless the building is located in a special flood hazard area as defined in article XVI. For buildings located in a special flood hazard area, excluding the Waterfront overlay districts, the height of a building shall be the vertical distance measured from the regulatory flood protection elevation as defined in article XVI to the highest point of the building, not to include chimneys, antennae, or other rooftop appurtenances.



(2) The highest point of a building shall be the top of any parapet wall or the highest point of the roofs surface, whichever is greater.

(3) In the C-1 central business district and C-2 commercial waterfront district the finished grade is the elevation or surface of the earth after all earthwork has been completed consistent with approved design specifications and shall not exceed 2' above existing grade.

(i) Deviations in finished grade greater than 2' may be permitted where additional fill material is required to meet local, state, or federal permitting requirements. In such instances the applicant shall submit a letter to the Director of Development Services or their designee. The letter shall be signed by a professional engineer, licensed architect, or licensed landscape architect

stating the reason for exceeding the standard and the extent to which the standard will be exceeded.

- (4) In all other zoning districts finished grade is the elevation or surface of the earth after all earthwork has been completed consistent with approved design specifications.
- (5) The addressed front entrance of a building is the centerline of primary entrance of a building, commonly referred to as the front door.
- (6) Rooftop appurtenances, including but not limited to spires, cupolas, antennae, chimneys, trellises, and mechanical equipment shall not be included in the calculation of building height, and in no case shall extent beyond nine feet of the height of a building.
- (7) Maximum building height may be exceeded by stepping back a building from the outside edge of the uppermost floor. With the exception of appurtenances, the vertical height shall not exceed a 1:1 ratio, measured as the increased height of said point and its distance from the right of way. Step backs may only be used in the C-1 central business district and C-2 commercial waterfront district and will in no circumstance exceed 13 feet above maximum building height

**Article XXI – New Bern Historic District**

**Section 15-416. - Required conformity to dimensional regulations; exceptions.**

[https://library.municode.com/nc/new\\_bern/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_A\\_PXALAU\\_ARTXXINEBEHIDI\\_S15-416RECODIREEX](https://library.municode.com/nc/new_bern/codes/code_of_ordinances?nodeId=PTIICOOR_A_PXALAU_ARTXXINEBEHIDI_S15-416RECODIREEX)

Buildings and structures within the historic district shall observe the dimensional and other regulations of the city's zoning ordinances, except as follows:

- (a) Front yard setbacks shall be within a zone established by the minimum and maximum setbacks of the existing contributing structures on the same side of the block under consideration as of the date of the application for a certificate of appropriateness. Where less than three contributing structures are situate on the same side of the block under construction, the applicable front setback shall be the zone established by the minimum and maximum setbacks of the existing contributing structures on the same side of the street of the nearest adjoining blocks within the same zoning district where three contributing structures are situate. If only one adjoining block lies within the same zoning district as the property under construction, or if only one adjoining block has three contributing structures, only such adjoining block shall be used to determine the minimum and maximum setbacks of the existing contributing structures. If there are no qualifying adjoining blocks, the front yard setbacks shall be within a zone established by the minimum and maximum setbacks of the existing contributing structures across the street of the block under construction as of the date of the application for a

certificate of appropriateness, and if there are less than three contributing structures across the street, then all structures across the street shall be considered.

- (b) The minimum side yard setback shall be:
  - (1) For residential uses, five feet, or less as provided in [section 15-123](#); or
  - (2) For all other uses, the applicable side yards shall be those prescribed by the city zoning ordinance for that particular zoning classification.
- (c) Rear yard. Rear yards will be the resultant ground remaining from setback, side yard, and lot coverage requirements, but shall be no less than six feet in depth.
- (d) Lot coverage. Lot coverage for residential uses shall not exceed 60 percent of the total lot area.
- (e) All setbacks, lot coverage ratios and other zoning requirements specific to an application for a certificate of appropriateness shall be determined by the zoning administrator or his designee, and provided to the commission prior to the consideration of a certificate of appropriateness as a written opinion of the zoning administrator.

**Article XXIII. New Bern Waterfront Overlay Districts**

**Section 15-474. - Required conformity to dimensional regulations.**

[https://library.municode.com/nc/new\\_bern/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_APX\\_ALAUS\\_ARTXXIIIINEBEWAOVDI\\_S15-474RECODIRE](https://library.municode.com/nc/new_bern/codes/code_of_ordinances?nodeId=PTIICOOR_APX_ALAUS_ARTXXIIIINEBEWAOVDI_S15-474RECODIRE)

- (a) Height shall be defined as the vertical distance between mean sea level and the highest point of a building.
- (b) Structures within the residential waterfront overlay district shall observe the dimensional and other regulations of the land use ordinance of the City of New Bern, except as follows:
  - (1) No building or structure shall exceed a height of 44 feet.
  - (2) No existing building or structure may be increased in height beyond the limitation hereby imposed, but the fact that an existing structure exceeds this height limitation shall not be construed to make said structure "nonconforming" as the term is used in this ordinance.
- (c) Structures within the commercial waterfront overlay district shall observe the dimensional and other regulations of the land use ordinance of the City of New Bern, except as follows:
  - (1) No building or structure shall exceed a height of 60 feet. In no event shall the top of any roof of a building or structure, excluding rooftop appurtenances not intended as places of occupancy or storage such as spires, cupolas, and towers, exceed a height of 66 feet above mean sea level. Rooftop appurtenances as described herein shall not exceed a height of 75 feet above mean sea level, and shall not exceed five

percent of the horizontal roof area measured at the cornice line or finished roof surface.

(2) No existing building or structure may be increased in height beyond the limitation hereby imposed, but the fact that an existing structure exceeds this height limitation shall not be construed to make said structure "nonconforming" as the term is used in this ordinance.

(c) All new buildings or structures, located in the commercial and residential waterfront overlay districts shall comply with the requirements of Article XXI.

(d) All residential or nonresidential buildings hereafter constructed on property in the city which adjoins the Neuse River, Trent River, or Lawson Creek, and is in the city commercial or residential waterfront overlay districts, shall be set back a minimum distance of 35 feet from the edge of the river or creek on which it fronts, measured at a time when the water is at its normal level. "Normal level" is considered "mean water level," as the same is defined in section .0700, Technical Appendix 1, "Definition for Public Trust Areas in the North Carolina Administrative Code," which states:

(1) In bodies of water having less than six inches lunar tidal influence, and excluding tropical storm and hurricane conditions, mean water level is the average height of all water levels.

(2) In the absence of more precise data, relatively close approximation of the mean water level may be assumed to be the physical water level on the site, provided:

a. The body of water is within its normally established banks or shoreline which may be determined by inspection of vegetative and soil character indicators.

b. No precipitation of one-inch or more has occurred upstream of the project site in the seven-day period preceding the determination.

c. No sustained winds in excess of 12 knots has occurred within a 50 mile radius of the project site in the three-day period preceding the determination.

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## Pine Knoll Shores, NC

[https://library.municode.com/nc/pine\\_knoll\\_shores/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_CH74ZO](https://library.municode.com/nc/pine_knoll_shores/codes/code_of_ordinances?nodeId=PTIICOOR_CH74ZO)

**Building, height of,** means the height of a building (or "building height") which is determined by establishing the highest and lowest points of proposed grade elevation, whether natural or approved grade, at the exterior foundation walls, pilings, or columns of the building as proposed and after construction, exclusive of decks, patios, etc. Using these two elevations, the average elevation shall be calculated. The resultant average elevation shall be the point from which the building height is measured in a vertical plumb line to the highest point of the building above the calculated average grade elevation. Chimneys extended less than six feet above the highest point of a building are excluded from

the calculation of building height (Chapter 74 §1-2 Code of Ordinances, Town of Pine Knoll Shores, North Carolina).

**Approved grade** means any grade level of the surface of the land, other than natural, approved by the planning board for a specific lot or parcel of land as part of the major landscape permit process as specified in subsection [74-85\(h\)](#) (Chapter 74 §1-2 Code of Ordinances, Town of Pine Knoll Shores, North Carolina)..

**Regulatory flood protection elevation** means the elevation to which all structures and other development located in the special flood areas must be elevated or floodproofed. Within areas where base flood elevations (BFEs) have been determined, this elevation shall be the BFE plus two feet of freeboard. In areas where no BFE has been established, all structures and other development must be elevated or floodproofed to two feet above the highest adjacent grade (Flood Damage Prevention Ordinance).

## Swansboro, NC

[https://swansboro-nc.org/vertical/sites/%7BC7A9863B-59C9-4406-A35B-64EF72677469%7D/uploads/Articles\\_1-8\\_\(8.28.2017\).pdf](https://swansboro-nc.org/vertical/sites/%7BC7A9863B-59C9-4406-A35B-64EF72677469%7D/uploads/Articles_1-8_(8.28.2017).pdf)

**Building, Height of.** The vertical distance from grade to the highest finished roof surface in the case of flat roofs or to a point from the average grade around the building (five feet out) to the highest roof mean height (Unified Development Ordinance).

**Note 4. Exception to Height Regulations.** The following are exceptions to the height limitations contained in the schedule of Dimensional Requirements:

1. The following are not included in the calculation of building heights: antennas (excluding television dishes), belfries, cupolas, chimneys, spires, ventilators, water tanks, or other architectural embellishments (intended for ornamental purposes only) that are normally placed above the roof line of a structure. These height limit exceptions may include access and flooring only to the minimum extent necessary for safe maintenance and/or operation of the structure, may not be designed or used for human occupancy, for human habitation, or for storage, and may not contain furnishings. Structures allowed under this height exception require a special use permit issued by the Board of Commissioners and are permitted on the condition that they shall be available for inspection by the ordinance administrator or his/her designee at any reasonable time in order to confirm compliance with this ordinance. Amended 08/17/2010, 11/16/2010,12/18/2012

**Regulatory Flood Protection Elevation.** The elevation, in relation to mean sea level, to which the reference level of all structures and other development located tithing Special Flood Hazard Ares must be protected. Where Base Flood Elevations (BFE’s) have been determined, this elevation shall be the BFE plus zero (0) feet of freeboard. Where no BFE has been established, this elevation shall be at least two (2) feet above the highest adjacent grade. (Flood Damage Prevention Ordinance).



**Town of Beaufort, NC**

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

**Town of Beaufort Planning Board Regular Meeting  
6:00 PM Monday, June 15, 2020 – Virtual Meeting via Zoom**

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**AGENDA CATEGORY:** New Business  
**SUBJECT:** Final Plat - Beau Coast Phase 2B

**BRIEF SUMMARY:**

The applicant wishes to subdivide a 27.498 acre tract into 49 Single-Family Residential Lots. In addition to Planning Staff the Town Engineer and applicants Engineer will also be available to answer questions regarding the proposed infrastructure.

**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 Members  
**From:** Kyle Garner, AICP, Town Planner  
**Date:** May 21, 2020  
**Case No.** 20-06 Beau Coast Phase 2B – Final Plat

**THE QUESTION:** Subdivide a 27.498 acre tract into 49 Single-Family Residential Lots

**BACKGROUND:** The preliminary plat for this area was approved in July 2019 for installation of infrastructure improvements.

Location: Beau Coast Subdivision  
 Owners: Blue Treasure, LLC  
 Requested Action: Subdivide a 27.498 Acre Tract into 49 Lots  
 Existing Zoning: PUD  
 Size: 27.498 acres  
 Amount of Open Space: 5.54Acres  
 Existing Land Use: Undeveloped

**SPECIAL INFORMATION:** As part of the Final Plat process the infrastructure can be either installed or bonded through a financial guarantee process to ensure completion of the project. The applicant has chosen to request to bond the infrastructure improvement and has submitted cost estimates for the complete cost of improvements totaling \$331,105 (See estimated cost of improvement sheet from engineer).

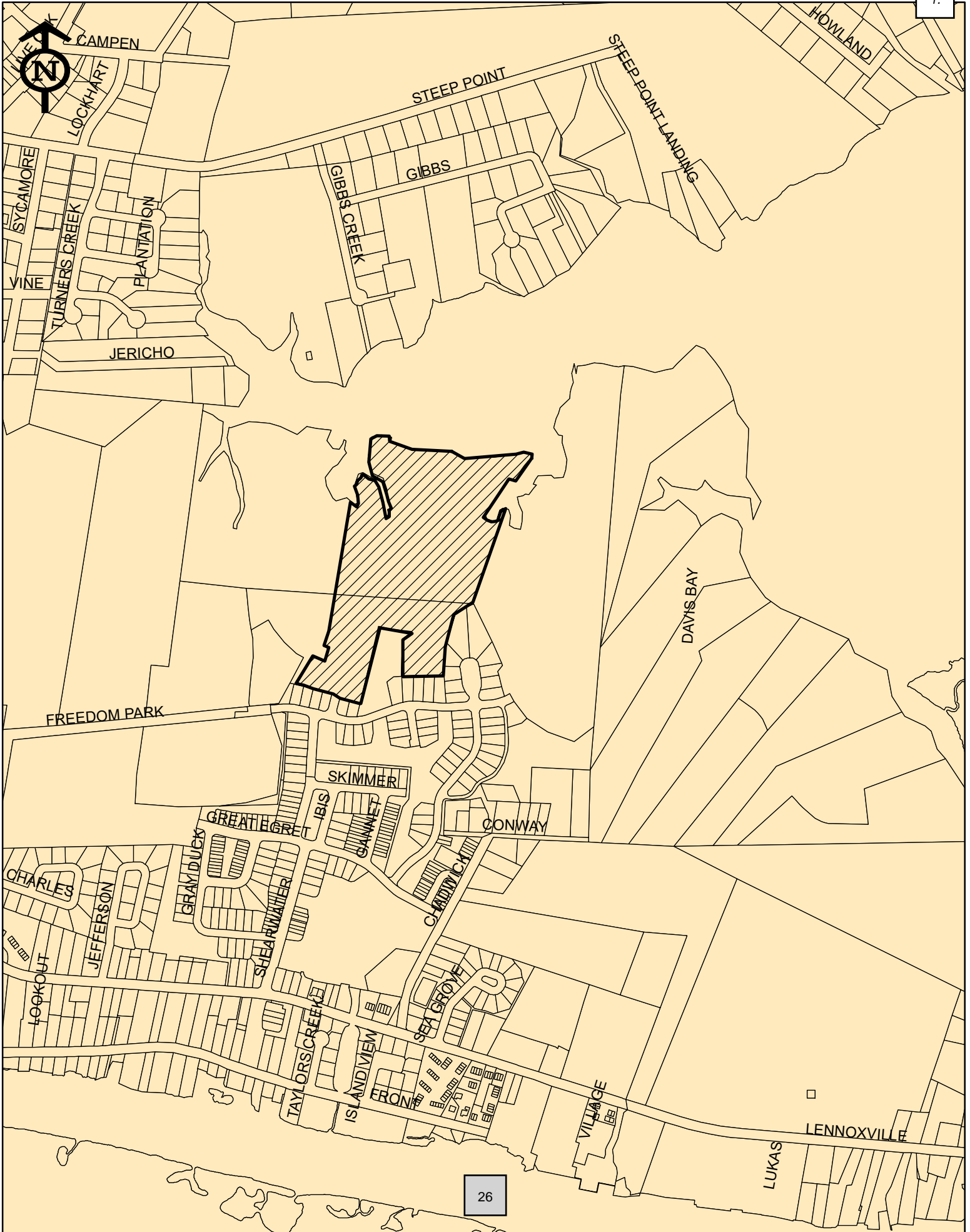
**Public Utilities:**  
 Water: Town Of Beaufort  
 Sanitary Sewer: Town Of Beaufort

- OPTIONS:**
1. Recommend approve the Final Plat for Beau Coast Phase 2B.
  2. Deny the request

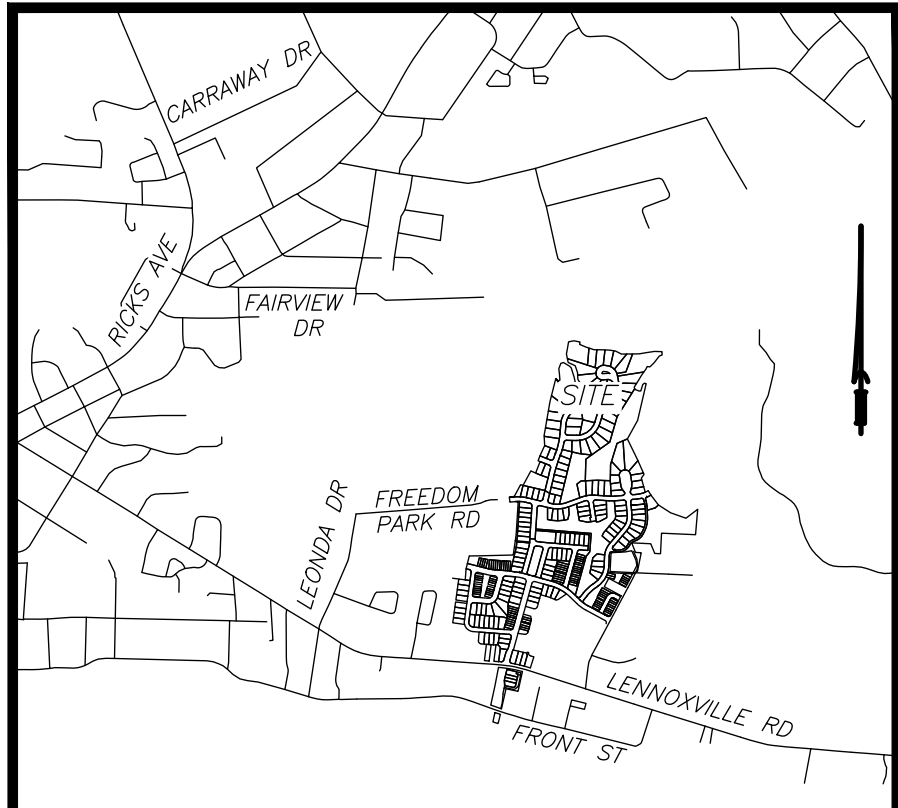
- Attachments:**
- Vicinity Map
  - Application
  - Final Plat for Gallants Point
  - Bond Letter
  - Bond Estimates

# Case 20-06 Vicinity Map - Final Plat - Beau Coast - Phase 2B

1.



BEAU COAST SUBDIVISION PHASE 2B



VICINITY MAP - NOT TO SCALE

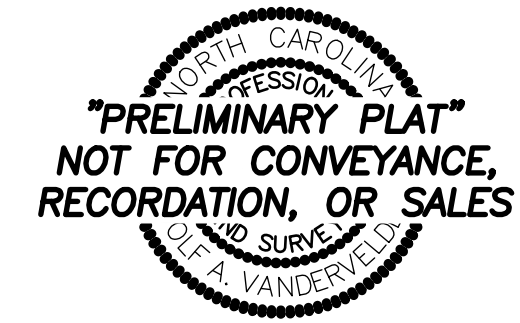
**SURVEY CERTIFICATE**

I, RUDOLF A. VANDERVELDE JR., PLS., CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK (SEE), PAGE (MAP)); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK (SEE), PAGE (MAP); THAT THE RATIO OF PRECISION AS CALCULATED IS 1: 75,000; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS XX DAY OF XXXXXX A.D., 2020.

I ALSO CERTIFY TO THIS MAP TO BE ONE OF THE FOLLOWING AS CHECKED BELOW:

A. CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.

RUDOLF A. VANDERVELDE JR  
L-5146



- NOTES**
- AREAS COMPUTED BY COORDINATE METHOD.
  - BASIS OF BEARING NAD 83(2011)
  - ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES.
  - IRON PIPES SET AT ALL CORNERS UNLESS OTHERWISE NOTED. IRONS NOT SET ALONG MEAN HIGH WATER LINE. OFFSETS TO BE SET ALONG MAIN PROPERTY LINES. (THE PLAN IS TO UPDATE THIS MAP WITH SAID OFFSETS).
  - CERTAIN PORTIONS (SEE MAP) OF THIS PHASE ARE LOCATED IN SPECIAL FLOOD HAZARD ZONES ACCORDING TO NORTH CAROLINA FLOOD INSURANCE RATE MAP #3720730600J, PANEL 7306, MAP #3720731500J, PANEL 7315 AND MAP #3720731600J, PANEL 7316 AS LAST PUBLISHED AND REVISED 7/16/03.
  - ALLEYS ARE PRIVATE BUT PUBLICLY AVAILABLE FOR POLICE, FIRE, TRASH, ETC. WITH NO LIABILITY TO THE TOWN OF BEAUFORT.
  - THE EXISTING ACCESS EASEMENT PER MB 33 PG 930 IS HEREBY SUPERCEDED BY DEDICATED R/W
  - CHADWICK FAMILY CEMETERY ACCESS EASEMENT IS ONLY TO BE USED BY FAMILY MEMBERS AND FRIENDS RELATED TO THE CHADWICK FAMILY CEMETERY. THE GENERAL PUBLIC, HOA AND ANY OTHER PARTIES ARE PROHIBITED FROM USING SAID ACCESS EASEMENT.



**BEAU COAST SUBDIVISION PHASE 2B SITE DATA**

TOTAL RESIDENTIAL LOTS:	49
TOTAL LOT ACREAGE:	18.547 ACRES
AVERAGE LOT SIZE:	16,488 SQ FT
DENSITY:	2.64 UNITS/ACRE
OPEN SPACE ACREAGE:	5.554 ACRES
DEDICATED RIGHT OF WAY:	3.397 ACRES
TOTAL PHASE 2B ACREAGE:	27.498 ACRES

**CERTIFICATE OF OWNERSHIP AND DEDICATION**

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

**BLUE TREASURE LLC**

BY: \_\_\_\_\_

NAME: \_\_\_\_\_ DATE \_\_\_\_\_

TITLE: MANAGER

**CERTIFICATE OF APPROVAL BY THE PLANNING BOARD**

THE BEAUFORT PLANNING BOARD HEREBY APPROVES THE FINAL PLAT FOR THE \_\_\_\_\_ SUBDIVISION.

CHAIRMAN, BEAUFORT PLANNING BOARD \_\_\_\_\_ DATE \_\_\_\_\_

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

I HEREBY CERTIFY THAT ALL STREETS, UTILITIES AND OTHER REQUIRED IMPROVEMENTS HAVE BEEN INSTALLED IN AN ACCEPTABLE MANNER AND ACCORDING TO THE TOWN OF BEAUFORT SPECIFICATIONS AND STANDARDS IN THE \_\_\_\_\_ SUBDIVISION OR THAT GUARANTEES OF THE INSTALLATION OF THE REQUIRED IMPROVEMENTS IN AN AMOUNT AND MANNER SATISFACTORY TO THE TOWN OF BEAUFORT HAVE BEEN RECEIVED AND THAT FILING FEE FOR THIS PLAT, IN THE AMOUNT OF \$ \_\_\_\_\_ HAS BEEN PAID.

TOWN MANAGER \_\_\_\_\_ DATE \_\_\_\_\_

**REGISTER OF DEEDS**

FILED FOR REGISTRATION AT \_\_\_\_\_ O'CLOCK ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 2020

RECORDED IN MAP BOOK \_\_\_\_\_ PAGE \_\_\_\_\_

REGISTER OF DEEDS CARTERET COUNTY \_\_\_\_\_ DATE \_\_\_\_\_

**CERTIFICATE OF APPROVAL FOR RECORDING**

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

DATE \_\_\_\_\_ TOWN CLERK, BEAUFORT \_\_\_\_\_

**REVIEW OFFICER CERTIFICATE**

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 \_\_\_\_\_

NORTH CAROLINA  
CARTERET COUNTY

REVISIONS:	DATE: 5-4-20	SUBDIVISION MAP OF <b>BEAU COAST PHASE 2B</b> PROPERTY OF <b>BLUE TREASURE LLC</b>	
	SURVEYED BY: RJ	TOWNSHIP: BEAUFORT	COUNTY: CARTERET
	DRAWN BY: RAV	ZONE: PUD	STATE: NORTH CAROLINA
	CHECK & CLOSURE BY: RAV	PIN: 731617005991000 & 731605005458000	
	CAD FILE: BEAU COAST PH 2B.DWG	SHEET 1 OF 3	
	PROJECT NO: 02080976.00		

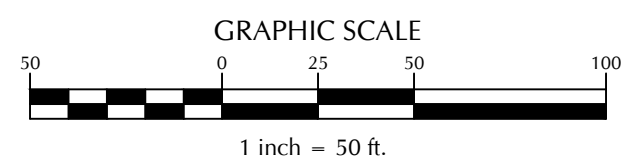


LINE	BEARING	DISTANCE	CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
L1	N 58°09'02" W	57.90	C1	1796.50	19.93	19.93	N 135°22'22" E
L2	N 44°13'09" W	22.23	C2	1796.50	68.74	68.74	N 141°27'31" E
L3	N 10°37'27" W	54.45	C3	1796.50	69.36	69.36	N 17°34'20" E
L4	N 10°37'27" W	10.96	C4	1796.50	70.91	70.91	N 19°48'32" E
L5	N 83°51'36" W	26.73	C5	813.69	0.80	0.80	N 20°56'42" E
L6	S 02°09'14" W	2.94	C6	813.69	66.71	66.71	N 01°59'44" E
L7	N 86°38'56" E	47.65	C7	813.69	78.08	78.08	N 13°26'13" E
L8	N 86°38'56" E	0.82	C8	25.00	35.05	35.05	N 50°51'12" E
L9	S 44°13'09" W	22.23	C9	253.50	36.48	36.48	N 46°33'59" E
L10	N 37°02'53" W	54.71	C10	253.50	62.00	61.85	N 75°46'13" E
L11	S 37°02'53" W	53.23	C11	253.50	63.49	63.32	N 61°35'21" E
L12	N 83°51'36" E	26.73	C12	253.50	63.53	63.37	N 47°14'05" E
L13	N 80°49'14" W	69.18	C13	253.50	72.86	72.61	N 11°49'10" E
L14	N 02°09'14" W	2.94	C14	253.50	28.83	28.81	N 20°19'42" E
L15	N 28°57'42" E	54.35	C15	231.50	83.07	82.63	N 27°21'02" E
L16	N 47°02'08" E	37.51	C16	231.50	28.62	28.60	N 40°53'42" E
L17	N 58°31'11" W	18.89	C17	253.50	8.74	8.71	N 43°17'06" E
L18	N 05°02'22" W	68.72	C18	253.50	70.55	70.32	N 34°22'41" E
L19	N 06°04'31" W	51.78	C19	253.50	70.85	70.62	N 18°23'54" E
L20	N 20°41'09" E	69.18	C20	253.50	75.32	75.05	N 01°59'44" E
L21	N 73°52'24" E	28.39	C21	253.50	17.66	17.65	N 08°37'43" W
L22	S 59°27'35" E	74.06	C22	123.50	29.44	29.37	N 17°27'09" W
L23	S 43°36'02" E	26.99	C23	123.50	41.08	40.89	N 33°44'32" W
L24	S 14°41'40" E	60.03	C24	123.50	51.88	51.87	N 59°19'54" W
L25	S 18°06'09" E	35.78	C25	123.50	35.35	35.23	N 75°19'35" W
L26	S 12°33'17" E	81.46	C26	81.50	14.80	14.78	N 89°43'44" W
L27	S 12°33'17" E	37.51	C27	81.50	19.55	19.52	N 87°52'27" W
L28	N 70°10'03" E	16.20	C28	81.50	55.18	54.13	S 17°43'50" W
L29	N 11°14'07" W	33.66	C29	81.50	0.70	0.70	S 01°54'34" E
L30	N 69°37'09" E	3.21	C30	88.50	42.70	42.01	S 20°00'42" E
L31	N 69°37'09" E	29.24	C31	88.50	23.89	23.87	S 50°13'11" E
L32	N 33°38'43" W	45.32	C32	68.50	16.85	16.81	S 86°18'18" E
L33	N 03°21'07" W	45.15	C33	61.50	98.84	88.54	S 47°18'31" E
L34	N 03°21'07" W	26.85	C34	198.50	133.78	131.26	S 16°05'26" W
L35	N 7°55'20" W	78.85	C35	198.50	91.81	91.79	S 40°41'01" W
L36	N 65°06'36" W	82.35	C36	286.50	24.01	24.00	S 41°49'07" W
L37	N 10°42'27" E	69.65	C37	286.50	88.15	87.80	S 30°36'15" W
L38	N 09°56'08" E	69.65	C38	286.50	23.59	23.58	S 19°25'47" W
L39	N 78°48'03" E	59.22	C39	198.50	7.74	7.74	S 18°11'23" W
L40	S 77°14'19" E	63.65	C40	198.50	214.79	204.46	N 50°18'22" E
L41	S 10°11'33" W	24.27	C41	198.50	33.65	33.61	N 86°09'40" W
L42	S 69°50'26" E	72.81	C42	28.00	40.83	36.81	N 42°04'41" W
L43	S 71°40'39" E	33.20	C43	176.50	65.40	65.03	N 15°26'26" E
L44	S 71°40'39" E	55.82	C44	176.50	33.86	33.81	N 31°33'08" E
L45	S 89°44'38" E	29.61	C45	25.00	21.57	21.50	N 61°52'47" W
L46	S 89°44'38" E	58.27	C46	57.50	141.31	108.34	N 16°18'29" E
L47	S 87°11'09" E	27.60	C47	57.50	62.12	59.14	N 85°02'39" W
L48	S 87°11'09" E	48.53	C48	57.50	78.52	72.56	N 24°53'06" W
L49	S 81°43'24" E	18.08	C49	231.50	22.38	21.84	N 11°24'20" W
L50	S 81°43'24" E	18.08	C50	231.50	13.62	13.62	S 35°21'42" W
L51	S 62°32'52" E	70.50	C51	231.50	93.23	92.60	S 22°08'26" W
L52	S 89°44'38" E	29.61	C52	231.50	23.57	23.34	S 07°42'50" W
L53	N 89°18'57" E	59.54	C53	758.69	48.97	48.96	S 06°40'25" W
L54	N 88°59'04" E	7.42	C54	758.69	124.06	123.92	S 13°12'25" W
L55	N 88°59'04" E	22.16	C55	758.69	40.36	40.36	S 19°24'56" W
L56	N 81°14'57" E	24.61	C56	1851.50	65.11	65.11	S 20°03'15" W
L57	N 81°14'57" E	86.44	C57	25.00	40.34	36.10	S 65°27'18" W
L58	S 87°40'49" E	78.41	C58	25.00	36.80	33.57	S 26°09'08" E
L59	S 07°17'13" W	49.27	C59	1851.50	76.98	76.95	S 14°49'45" W
L60	S 68°48'03" E	30.96	C60	16.50	28.80	29.02	S 20°43'55" W
L61	S 37°55'35" W	39.05	C61	58.50	42.14	41.23	S 62°53'22" E
L62	S 37°58'02" W	40.92	C62	126.50	29.56	29.49	N 86°39'27" W
L63	S 47°43'18" W	28.52	C63	3.50	5.57	5.00	N 47°43'09" W
L64	S 45°58'46" W	42.26	C64	198.50	10.96	10.96	N 68°16'02" E
L65	N 84°51'02" W	29.40	C65	198.50	19.92	19.91	N 72°43'27" E
L66	S 26°06'23" W	27.42	C66	198.50	19.77	19.78	N 78°27'06" E
L67	S 34°41'43" W	44.17	C67	37.50	15.44	15.40	N 40°10'02" W
L68	S 31°58'25" W	64.52	C68	57.50	20.12	20.02	N 64°07'10" W
L69	S 31°58'18" W	34.91	C69	169.00	49.81	49.63	S 13°16'05" W
L70	S 31°58'18" W	48.21	C70	57.50	12.04	12.02	N 80°16'44" E
L71	S 23°03'56" E	16.41	C71	57.50	51.73	51.33	N 58°42'05" E
L72	S 23°03'56" E	10.10	C72	286.50	11.94	11.94	S 22°59'01" W
L73	S 23°03'56" E	10.10	C73	286.50	8.66	8.66	S 20°55'28" W
L74	S 68°29'21" E	43.70	C74	286.50	14.93	14.93	S 18°33'56" E
L75	N 86°44'21" E	16.83	C75	198.50	66.48	66.17	S 28°54'08" W
L76	N 16°27'54" E	70.54	C76	198.50	15.91	15.90	S 40°47'33" W
L77	N 53°55'22" E	23.27	C77	198.50	81.75	81.75	S 54°53'17" W
L78	N 74°30'51" E	18.30	C78	198.50	60.70	60.71	N 11°49'26" E
L79	N 33°12'55" E	81.89	C79	198.50	43.08	42.99	N 31°07'51" E
L80	N 74°02'28" E	47.60	C80	253.50	21.06	21.06	N 78°33'57" E
L81	S 01°33'39" W	60.86	C81	253.50	37.26	37.23	N 72°58'28" E
L82	N 33°34'30" E	74.66					
L83	S 33°34'30" E	34.40					
L84	N 17°51'42" E	20.00					
L85	N 41°11'08" E	13.47					
L86	N 20°08'11" E	24.79					
L87	N 17°15'03" E	42.76					
L88	S 78°18'42" E	37.10					
L89	N 55°54'58" E	18.42					
L90	N 44°34'18" E	31.82					
L91	N 45°27'46" E	26.57					
L92	N 29°19'55" E	9.04					
L93	N 01°18'28" E	22.19					
L94	N 88°15'48" W	24.78					
L95	N 01°18'28" E	46.28					
L96	S 87°30'51" E	34.78					
L97	S 01°18'28" E	46.06					
L98	S 01°18'28" E	24.61					
L99	S 29°19'55" E	12.90					
L100	S 45°27'46" E	23.39					
L101	S 44°34'18" E	32.73					
L102	S 55°54'58" E	23.68					
L103	N 78°18'42" E	34.29					
L104	S 17°15'03" E	34.79					
L105	S 29°08'11" E	26.90					
L106	S 41°14'08" E	18.14					
L107	S 61°43'52" E	18.30					

LINE	BEARING	DISTANCE
L108	N 81°28'39" W	150.78'
L109	N 81°28'39" W	150.78'
L110	N 81°28'39" W	150.78'
L111	N 81°28'39" W	150.78'
L112	N 81°28'39" W	150.78'
L113	N 81°28'39" W	150.78'
L114	N 81°28'39" W	150.78'
L115	N 81°28'39" W	150.78'
L116	N 81°28'39" W	150.78'
L117	N 81°28'39" W	150.78'
L118	N 81°28'39" W	150.78'
L119	N 81°28'39" W	150.78'
L120	N 81°28'39" W	150.78'
L121	N 81°28'39" W	150.78'
L122	N 81°28'39" W	150.78'
L123	N 81°28'39" W	150.78'
L124	N 81°28'39" W	150.78'
L125	N 81°28'39" W	150.78'
L126	N 81°28'39" W	150.78'
L127	N 81°28'39" W	150.78'
L128	N 81°28'39" W	150.78'
L129	N 81°28'39" W	150.78'
L130	N 81°28'39" W	150.78'
L131	N 81°28'39" W	150.78'
L132	N 81°28'39" W	150.78'
L133	N 81°28'39" W	150.78'
L134	N 81°28'39" W	150.78'
L135	N 81°28'39" W	150.78'
L136	N 81°28'39" W	150.78'
L137	N 81°28'39" W	150.78'
L138	N 81°28'39" W	150.78'
L139	N 81°28'39" W	150.78'
L140	N 81°28'39" W	150.78'
L141	N 81°28'39" W	150.78'
L142	N 81°28'39" W	150.78'
L143	N 81°28'39" W	150.78'
L144	N 81°28'39" W	150.78'
L145	N 81°28'39" W	150.78'
L146	N 81°28'39" W	150.78'
L147	N 81°28'39" W	150.78'
L148	N 81°28'39" W	150.78'
L149	N 81°28'39" W	150.78'
L150	N 81°28'39" W	150.78'
L151	N 81°28'39" W	150.78'
L152	N 81°28'39" W	150.78'
L153	N 81°28'39" W	150.78'
L154	N 81°28'39" W	150.78'
L155	N 81°28'39" W	150.78'
L156	N 81°28'39" W	150.78'
L157	N 81°28'39" W	150.78'
L158	N 81°28'39" W	150.78'
L159	N 81°28'39" W	150.78'
L160	N 81°28'39" W	150.78'
L161	N 81°28'39" W	150.78'
L162	N 81°28'39" W	150.78'
L163	N 81°28'39" W	150.78'
L164	N 81°28'39" W	150.78'
L165	N 81°28'39" W	150.78'
L166	N 81°28'39" W	150.78'
L167	N 81°28'39" W	150.78'
L168	N 81°28'39" W	150.78'
L169	N 81°28'39" W	150.78'
L170	N 81°28'39" W	150.78'
L171	N 81°28'39" W	150.78'
L172	N 81°28'39" W	150.78'
L173	N 81°28'39" W	150.78'
L174	N 81°28'39" W	150.78'
L175	N 81°28'39" W	150.78'
L176	N 81°28'39" W	150.78'
L177	N 81°28'39" W	150.78'
L178	N 81°28'39" W	150.78'
L179	N 81°28'39" W	150.78'
L180	N 81°28'39" W	150.78'
L181	N 81°28'39" W	150.78'
L182	N 81°28'39" W	150.78'
L183	N 81°28'39" W	150.78'
L184	N 81°28'39" W	150.78'
L185	N 81°28'39" W	150.78'
L186	N 81°28'39" W	150.78'
L187	N 81°28'39" W	150.78'
L188	N 81°28'39" W	

LINE TABLE		CURVE TABLE					
LINE	BEARING	DISTANCE	CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
L1	N 89°09'02" W	57.90	C1	1796.50	19.93	19.93	N 13°57'22" E
L2	N 44°13'09" W	72.23	C2	1796.50	68.74	68.74	N 15°22'52" E
L3	N 10°37'27" W	54.45	C3	1796.50	69.36	69.36	N 17°34'00" E
L4	N 10°37'27" W	10.96	C4	1796.50	70.91	70.91	N 19°48'32" E
L5	N 83°31'36" W	26.73	C5	813.69	0.80	0.80	N 20°54'42" E
L6	S 02°09'14" E	2.54	C6	813.69	66.71	66.69	N 18°32'05" E
L7	N 86°38'56" E	47.65	C7	813.69	78.08	78.05	N 13°26'13" E
L8	N 86°38'56" E	0.82	C8	26.00	35.05	32.25	N 50°51'12" E
L9	S 44°13'09" W	72.23	C9	253.50	36.46	36.43	N 86°53'52" E
L10	N 37°02'53" W	54.21	C10	253.50	62.00	61.65	N 75°48'13" E
L11	S 37°02'53" W	53.23	C11	253.50	63.49	63.32	N 61°35'21" E
L12	S 83°31'36" E	26.73	C12	253.50	63.53	63.37	N 47°14'05" E
L13	S 86°38'56" W	48.46	C13	253.50	72.86	72.61	N 31°48'17" E
L14	N 02°09'14" W	2.54	C14	253.50	28.83	28.81	N 20°19'49" E
L15	N 28°57'42" E	54.35	C15	231.50	83.07	82.63	N 27°21'07" E
L16	S 47°32'08" E	37.51	C16	231.50	26.62	26.60	N 40°55'52" E
L17	N 88°51'11" E	18.69	C17	231.50	8.27	8.27	N 43°17'06" E
L18	N 05°02'22" W	68.72	C18	253.50	70.55	70.32	N 34°22'41" E
L19	N 06°04'31" W	51.78	C19	253.50	70.85	70.62	N 18°23'54" E
L20	N 20°41'09" E	60.18	C20	253.50	75.32	75.05	N 01°52'44" E
L21	N 73°52'04" E	29.59	C21	253.50	17.65	17.65	N 08°37'43" W
L22	S 59°27'35" E	74.06	C22	123.50	29.44	29.37	N 17°27'09" W
L23	S 43°36'02" E	26.98	C23	123.50	41.09	40.89	N 33°48'32" W
L24	S 17°09'30" E	60.23	C24	123.50	51.28	50.91	N 58°33'54" W
L25	S 18°06'09" E	35.78	C25	123.50	35.35	35.23	N 75°19'35" W
L26	S 12°33'17" E	81.46	C26	81.50	14.80	14.78	N 88°43'44" W
L27	S 19°55'29" E	37.96	C27	81.50	69.62	67.52	N 61°35'50" W
L28	N 70°10'03" E	16.20	C28	81.50	55.18	54.13	N 75°48'13" E
L29	N 11°14'07" W	33.66	C29	81.50	0.70	0.70	S 01°54'34" E
L30	N 69°37'09" E	3.21	C30	68.50	42.70	42.01	S 20°00'42" E
L31	N 69°37'09" E	25.54	C31	68.50	49.48	48.41	S 19°47'01" W
L32	N 33°38'43" W	45.32	C32	68.50	16.25	16.21	S 86°18'18" E
L33	N 03°21'01" W	45.15	C33	61.50	98.84	88.54	S 47°18'31" E
L34	N 03°21'01" W	25.85	C34	198.50	133.78	131.26	S 18°02'28" W
L35	N 17°55'03" W	59.60	C35	198.50	151.28	148.41	S 19°25'52" W
L36	N 65°06'36" W	82.35	C36	286.50	24.01	24.00	S 41°49'07" W
L37	N 10°42'27" E	69.65	C37	286.50	88.15	87.80	S 30°36'15" W
L38	N 09°56'05" W	59.60	C38	286.50	23.58	23.58	S 19°25'52" W
L39	N 78°48'04" E	29.52	C39	198.50	7.74	7.74	S 18°11'03" W
L40	S 77°14'19" E	63.65	C40	198.50	214.79	204.46	N 50°18'22" E
L41	S 10°11'35" W	24.27	C41	198.50	33.65	33.61	S 86°09'42" W
L42	S 68°50'26" E	78.81	C42	25.00	40.93	36.51	N 42°04'41" W
L43	S 71°40'39" E	33.20	C43	176.50	65.40	65.03	N 15°26'26" E
L44	S 71°40'39" E	55.82	C44	176.50	33.86	33.81	N 31°33'08" E
L45	S 89°44'38" E	29.67	C45	25.00	21.67	21.00	N 61°52'47" E
L46	S 89°44'38" E	29.67	C46	59.50	141.33	108.34	N 16°18'29" E
L47	S 87°11'09" E	27.60	C47	57.50	62.12	59.14	N 85°02'39" W
L48	S 87°11'09" E	48.53	C48	57.50	78.52	72.56	S 24°53'06" W
L49	S 81°43'24" E	18.08	C49	23.00	22.38	21.64	S 11°24'20" W
L50	S 81°43'24" E	18.08	C50	231.50	13.62	13.62	S 35°21'47" W
L51	S 82°32'52" E	70.50	C51	231.50	93.23	92.60	S 22°08'26" W
L52	N 89°18'57" E	57.05	C52	231.50	23.35	23.34	S 07°42'50" W
L53	N 89°18'57" E	57.05	C53	758.69	48.97	48.66	S 06°40'25" W
L54	N 88°59'04" E	72.16	C54	758.69	124.08	123.92	S 13°12'25" W
L55	N 88°59'04" E	72.16	C55	758.69	40.36	40.36	S 19°24'56" W
L56	N 80°14'28" E	74.21	C56	1851.50	55.11	55.11	S 20°55'13" W
L57	N 81°23'57" E	66.44	C57	25.00	40.34	36.10	S 69°54'18" E
L58	S 87°40'49" E	78.47	C58	25.00	36.80	33.57	S 26°09'08" E
L59	S 01°18'19" E	34.51	C59	1851.50	76.96	76.95	S 14°49'45" W
L60	S 68°50'26" E	78.81	C60	16.50	28.40	25.02	N 47°29'35" E
L61	S 37°55'35" W	39.05	C61	58.50	42.14	41.23	S 62°53'27" E
L62	S 37°55'35" W	40.92	C62	126.50	29.56	29.49	N 86°39'27" W
L63	S 41°54'50" W	28.25	C63	3.50	5.57	5.00	N 47°45'09" W
L64	S 45°58'46" W	42.88	C64	198.50	10.96	10.96	N 68°10'02" E
L65	N 84°51'02" W	29.40	C65	198.50	19.92	19.91	N 72°43'27" E
L66	S 26°06'23" W	27.42	C66	198.50	19.77	19.76	N 78°27'06" E
L67	S 34°11'43" W	44.17	C67	57.50	15.44	15.40	N 48°24'02" W
L68	S 31°58'25" W	64.52	C68	57.50	20.12	20.02	N 64°07'10" W
L69	S 31°58'25" W	34.91	C69	169.00	49.81	49.63	S 13°16'05" W
L70	S 31°58'25" W	46.21	C70	57.50	12.24	12.22	N 80°36'43" E
L71	S 23°03'56" E	10.10	C71	57.50	31.73	31.33	N 58°42'05" E
L72	S 23°03'56" E	10.10	C72	286.50	11.94	11.94	S 22°59'01" W
L73	S 88°29'21" E	43.70	C73	286.50	8.66	8.66	S 20°55'28" W
L74	N 86°48'21" E	18.95	C74	286.50	14.93	14.93	S 18°33'56" W
L75	N 86°48'21" E	18.95	C75	198.50	66.48	66.48	S 28°54'08" W
L76	N 83°55'22" E	23.27	C76	198.50	15.91	15.90	S 40°47'33" W
L77	S 74°30'51" E	18.30	C77	198.50	81.75	81.17	S 54°53'11" W
L78	N 31°23'55" W	61.92	C78	198.50	30.70	30.70	N 11°49'26" E
L79	N 74°02'28" E	47.60	C79	198.50	43.08	42.99	N 31°07'51" E
L80	S 01°33'39" W	60.86	C80	253.50	21.06	21.06	N 79°33'57" E
L81	S 33°34'30" W	74.66	C81	253.50	37.26	37.23	N 72°58'28" E
L82	S 33°34'30" W	34.40					
L83	N 17°51'42" E	20.00					
L84	N 41°14'08" E	13.47					
L85	N 29°08'11" E	24.79					
L86	N 17°15'03" E	42.76					
L87	N 78°18'42" E	37.10					
L88	N 55°54'58" E	18.47					
L89	N 44°34'18" W	31.82					
L90	N 45°27'46" E	26.57					
L91	N 29°19'55" E	9.04					
L92	N 01°18'28" E	46.28					
L93	N 01°18'28" E	24.78					
L94	N 01°18'28" E	46.28					
L95	S 87°33'40" E	34.78					
L96	S 01°18'28" W	46.28					
L97	S 01°18'28" W	24.67					
L98	S 29°19'55" W	12.95					
L99	S 55°27'46" W	23.39					
L100	S 44°34'18" W	32.73					
L101	S 55°54'58" W	23.68					
L102	N 78°18'42" W	32.25					
L103	S 17°13'03" W	34.74					
L104	S 29°08'11" W	26.90					
L105	S 41°14'08" W	18.14					
L106	S 61°45'52" E	18.30					
L107	S 61°45'52" E	18.30					

**"PRELIMINARY PLAT"  
NOT FOR CONVEYANCE,  
RECORDATION, OR SALES**



**LEGEND (UNLESS OTHERWISE NOTED)**

- IPF - IRON PIPE FOUND
- R/W - RIGHT OF WAY
- REF - REBAR FOUND
- CAMA - COASTAL AREA MANAGEMENT ACT
- AEC - AREAS OF ENVIRONMENTAL CONCERN
- ADJOINER
- BOUNDARY
- EASEMENT
- PUBLIC UTILITY EASEMENT
- OLD BOUNDARY
- EXISTING R/W
- ACCESS EASEMENT
- 404 WETLANDS LINE
- 1% CHANCE FLOOD
- 30' CAMA SETBACK
- CAMA 75' AEC
- CAMA WETLAND LINE

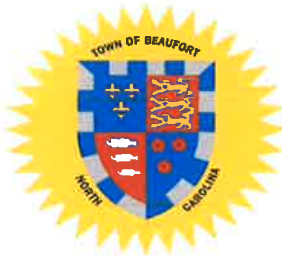
FUTURE DEVELOPMENT  
BLUE TREASURE LLC  
DB 1256 PG 198  
MB 33 PG 930

FUTURE DEVELOPMENT  
BLUE TREASURE LLC  
DB 1256 PG 198  
MB 33 PG 930

REVISIONS:	DATE: 5-4-20
	SCALE: 1"=50'
	SURVEYED BY: RJ
	DRAWN BY: RAV
	CHECK & CLOSE BY: RAV
	CAD FILE: BEAU COAST PH 2B.DWG
	PROJECT NO: 02080976.00

SUBDIVISION MAP OF <b>BEAU COAST PHASE 2B</b> PROPERTY OF <b>BLUE TREASURE LLC</b>		
TOWNSHIP: BEAUFORT	COUNTY: CARTERET	STATE: NORTH CAROLINA
ZONE: PUD	PIN: 731617005991000 & 731600500458000	SHEET 3 OF 3

**WithersRavenel**  
Engineers | Planners | Surveyors  
115 Macken Drive | Cary, NC 27511 | t: 919.469.3340 | license #: C-0832 | www.withersravenel.com



### APPLICATION FOR A FINAL SUBDIVISION PLAT

#### Instructions:

Please complete the form below and include all required attachments, including the **\$200.00 application fee** 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 but **will be** returned to the applicant. Please contact Town Hall at 252-728-2141 if there are any questions.

#### APPLICANT INFORMATION

Applicant Name: WithersRavenel  
Applicant Address: 219 Station Road, Suite 101, Wilmington, NC 28405  
Phone Number: 910-256-9277 Email: jboyd@withersravenel.com  
Property Owner Name: Blue Treasure, LLC  
Address of Property Owner: 105 Weston Estates Way, Cary NC 27513  
Phone Number: 919-481-3000 Email: karl@prestondev.com

#### PROPERTY INFORMATION

Property Address: 0 Freedom Park Road (Beau Coast Phase 2B)  
15-Digit PIN: 731605005458000 Lot/Block Number: N/A  
Size of Property (in square feet or acres): 30.325 Current Zoning: PUD

Karl D. Blackley - Agent for Blue Treasure LLC May 5, 2020  
Applicant Signature Date of Applicant's Signature  
nm Smith Manager May 5, 2020  
Property Owner Signature (if different than applicant) Date of Owner's Signature

An application fee of \$200, 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 business days prior to a Planning Board scheduled [meeting date](#).

Please refer to the Town's **Subdivision Ordinance, Article VII, Section 4** and all other pertinent sections in the Ordinance for the information required to accompany this application. We require an electronic/digital copy and one printed copy of any plans submitted for the final plat.  
The Town's website address is [www.beaufortnc.org](http://www.beaufortnc.org).

#### OFFICE USE ONLY

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

May 5, 2020

Mr. Kyle Garner, AICP  
Planning & Inspections Director  
Town of Beaufort  
701 Front Street  
Beaufort, NC 28516

**RE: Beau Coast Phase 2B – Completion Bond Estimate  
WR Project No. 02080976.30**

Dear Mr. Garner:

On behalf of Blue Treasure, LLC, we are preparing this letter stating that as of April 29, 2020, the following public improvements need to be bonded to allow for plat recordation in Beau Coast Phase 2B. A completion bond/letter of credit will be provided to the Town of Beaufort for the remaining improvements in the amount of 100% of the estimated construction costs. Our estimate of the remaining improvements is attached.

In total our estimate comes to a total of \$331,105 for the remaining improvements.

Please advise if this amount is satisfactory to the Town and the Owner will post the required financial guarantee. Please let us know if you need any additional information regarding this matter and thanks for your continued assistance on this project.

Sincerely,  
WithersRavenel



Joe Boyd, PE  
Project Manager

CC: Greg Meshaw, PE – Town of Beaufort  
Karl Blackley – Blue Treasure, LLC  
Don Mizelle – WithersRavenel, Inc.

# BOND ESTIMATE

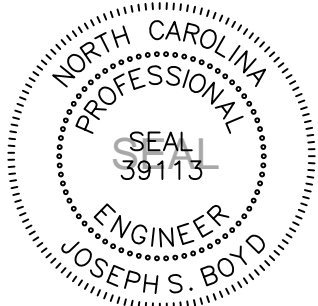


Town of Beaufort  
701 Front Street  
Beaufort, NC 28516  
(252) 728-2141  
www.beafortnc.org

PROJECT NAME:	Beau Coast Phase 2B
OWNER:	Blue Treasure, LLC
ENGINEER:	Joe Boyd, PE
ENGINEER PHONE NO.:	910-256-9277
ENGINEER EMAIL:	jboyd@withersravenel.com
DATE:	4/29/2020

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

## SIGNATURE AND SEAL OF SUBMITTING ENGINEER



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

*Please sign below*

STREET PAVEMENT	LINEAR FEET:	WIDTH:	UNIT COST (Dollars/SY)	TOTAL:
Final Asphalt Surface Course	3325	20	\$ 10.50	\$ 77,583.33
Initial Asphalt Surface Course	3325	20	\$ 10.30	\$ 76,105.56
Asphalt Intermediate Course				\$ -
Asphalt Base Course				\$ -
Aggregate Base Course	3325	20	\$ 17.00	\$ 125,611.11
Fine Grading	3325	20	\$ 0.90	\$ 6,650.00
				\$ -
			<b>Subtotal</b>	<b>\$ 285,950.00</b>

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





Fire Hydrant (includes Hydrant Leg & Valve)		Each		\$ -
Vaults		Each		\$ -
Manholes		Each		\$ -
Fittings		Lump Sum		\$ -
Service Connections (includes Tap, Service Tubing, Meter Box and Meter Setter)	14	Each	\$ 525.00	\$ 7,350.00
				\$ -
				\$ -
				\$ -
			<b>Subtotal</b>	<b>\$ 22,430.00</b>

DRAINAGE	QUANTITY:	UNIT:	UNIT COST:	TOTAL:
15" RCP	65	LF	\$ 45.00	\$ 2,925.00
15" Dual Wall HDPE		LF		\$ -
15" Dual Wall Polypropylene		LF		\$ -
18" RCP	18	LF	\$ 75.00	\$ 1,350.00
18" Dual Wall HDPE		LF		\$ -
18" Dual Wall Polypropylene		LF		\$ -
24" RCP		LF		\$ -
24" Dual Wall HDPE		LF		\$ -
24" Dual Wall Polypropylene		LF		\$ -
30" RCP		LF		\$ -
30" Dual Wall HDPE		LF		\$ -
30" Dual Wall Polypropylene		LF		\$ -
36" RCP		LF		\$ -
36" Dual Wall HDPE		LF		\$ -
36" Dual Wall Polypropylene		LF		\$ -
42" RCP		LF		\$ -
42" Dual Wall HDPE		LF		\$ -
42" Dual Wall Polypropylene		LF		\$ -
48" RCP		LF		\$ -
48" Dual Wall HDPE		LF		\$ -
48" Dual Wall Polypropylene		LF		\$ -
15" FES		Each		\$ -
18" FES		Each		\$ -
24" FES		Each		\$ -
30" FES		Each		\$ -
36" FES		Each		\$ -
42" FES		Each		\$ -
48" FES		Each		\$ -
Curb Inlet		Each		\$ -
Yard Inlet		Each		\$ -
Manhole (0'-6' Deep)		Each		\$ -
				\$ -
				\$ -
				\$ -
			<b>Subtotal</b>	<b>\$ 4,275.00</b>

**TOTAL ESTIMATE ⇒ \$331,105.00**



**Town of Beaufort, NC**

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

**Town of Beaufort Planning Board Regular Meeting  
6:00 PM Monday, June 15, 2020 – Virtual Meeting via Zoom**

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**AGENDA CATEGORY:** New Business  
**SUBJECT:** Case #20-08 513 Front Street - Micro Distillery/Restaurant

**BRIEF SUMMARY:**

The applicant, Mr. Nelson Owens, wishes to for a Special Use Permit for Micro distillery, Microbrewery, Restaurant with Outdoor Operation & Tavern/Bar/Pub with Outdoor Operation for 513Front Street.

**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

# PLANNING BOARD STAFF REPORT

**To:** Planning Board Members  
**From:** Kyle Garner, AICP, Planning Director  
**Date:** June 3, 2020  
**Case No.:** 20-08

**THE REQUEST:** Special Use Permit for Micro distillery, Microbrewery, Restaurant with Outdoor Operation & Tavern/Bar/Pub with Outdoor Operation for 513Front Street

**BACKGROUND:**

Location: 513 Front Street  
Owner: Nelson Owens  
Applicant: Nelson Owens  
Requested Action: Provide Recommendation to Board of Commissioners  
CAMA Land Use: Downtown Commercial  
PINs: 730505198922000  
Size: 13,725 sq. feet  
Existing Land Use: Former Single Family Dwelling/Antique Gallery  
Adjoining Land Use & Zoning: North – Ann Street United Methodist Church; Zoned TR  
South – Across Front Street by East Parking Lot (TOB)  
East – By the General Store & Queen St. Parking Lot Zoned H-BD  
West – Retail Shops and Multi-family Residential; Zoned HB-D

**SPECIAL INFORMATION:** In November of 2019 the Board of Commissioners approved the text amendment to allow Micro Distilleries in the H-BD Zone as Special Uses.

**Public Utilities:** Water Existing Service  
Sanitary Sewer Existing Service

**ACTION:**  
1. Provide consistency statement to the Board of Commissioners; and  
2. Provide comments, concerns and suggestions to the Board of Commissioners

**Exhibit - A**



**STAFF COMMENTS:**

The applicant as will have to submit any new construction or changes to the exterior of the property (including landscaping and off street parking) to the Historic Commission for approval through the Certificate of Appropriateness process. That process requires quasi-judicial hearing and specific findings of fact for approval of development within the local Historic District.

Section 20-B - Special Use Permits (Special Use Permit Application Procedures) requires a complete application to include a site plan.

Section 20 E – Special Use Permits – Required Findings

A written narrative has also been submitted by the applicant as to how the required findings of the special use permit subsection E1.

**SECTION 20 Special Use Permit (*Town of Beaufort Land Development Ordinance*)**

**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.



### ***CAMA Core Land Use Plan***

Generally, growth and land development is anticipated to occur in all future land use categories except for the Conservation/Open Space classification. The type and density/intensity of projected development varies within each Future Land Use Map classification. Future Land Use projections are delineated in Figure 8, Future Land Use Map. The Future Land Use Map classifications are considered part of the Land Use Plan’s policy.

#### **Future Land Use Map Classifications**

##### **Downtown Commercial Classification**

- The Downtown Commercial classification encompasses approximately 0.03 square miles (18 acres) or about 0.4 percent of the planning jurisdiction. The properties classified as Downtown Commercial are located in the Front Street commercial district and the downtown waterfront area. The core of the Downtown Commercial area is generally bounded by Taylor’s Creek on the south, Orange Street on the west, and Pollock Street on the east.
- The Downtown Commercial classification is intended to delineate properties that can accommodate a variety of retail, office, business services, and personal services. Areas classified as Downtown Commercial may also include some public and institutional land uses. The Downtown Mixed Use classification specifically includes waterfront tourist-oriented land uses. The minimum lot size is 3,000 square feet unless a larger minimum lot area is required by the health department for land uses utilizing septic systems. Maximum floor area ratios range from 1.73 to 2.13. Land uses within the Downtown Commercial-designated areas are generally compatible with the C-D, Central Downtown Business and the W-C, Waterfront Commercial 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 volumes are also necessary to support the intensive land uses within this classification.
- The Town’s goals and policies support the use of land in Downtown Commercial-classified areas for a wide variety of retail and commercial services uses where adequate public utilities and streets are available or can be upgraded to support the intensity of development encouraged in this classification. Redevelopment of the downtown waterfront area for tourist-oriented mixed uses consisting of retail shops, places of entertainment, restaurants, boating services, and overnight lodging is promoted by the Town’s goals and policies.

##### **Use of the Future Land Use Plan Map to Guide Development**

In preparing the Future Land Use Map, consideration was given to land development objectives and policies, land suitability, and the ability to provide the infrastructure to support growth and development. The Future Land Use Map depicts the general location of projected patterns of future land uses. The Future Land Use Map is a plan or guideline for the future.

The ultimate use and development of a particular parcel of land will be determined by property owners’ desires, overall market conditions, implementation tools employed by the Town to regulate land use and development (such as the Town’s zoning ordinance, subdivision regulations, flood hazard regulations), the absence of specific natural constraints to development, and the availability of the necessary infrastructure (water, sewer, roads, etc.) to support development.



Consequently, even though the Future Land Use Map may indicate a specific projected use in a particular location, many factors come into play to determine if the projected use is appropriate and the land can be developed as projected. Also, formal amendments to the zoning ordinance and subdivision ordinance will be required to specifically authorize the type of mixed use development envisioned in this Land Use Plan.

Achieving the projected patterns of land use indicated by the Future Land Use Map will be greatly impacted by timing. Much of the projected land use indicated on the Future Land Use Map will not come to fruition without market demand. Therefore, market and economic conditions must be conducive for growth and development. While the Land Use Plan attempts to provide a general expectation of growth based upon projected population change, it simply cannot predict the economic future. The demand for houses, businesses, industries, etc. will fluctuate widely with economic conditions.

The timing of the provision of infrastructure improvements, particularly water and sewer services and roads, will also have a tremendous impact on growth and development. Development will occur where infrastructure is available or can be made available to sustain that development. Consequently, achieving the Future Land Use Map land use projections will depend in large part upon if and when infrastructure is provided. The provision of public infrastructure depends upon the capability to provide the service and demand for the service. Economic climate will be a major factor in both the capability to make infrastructure available and the level of service demand (*Core Land Use Plan*, Section IV: Plan for the Future, pg. 100).

### **Guide for Land Use Decision Making**

The Land Use Plan, as adopted by the elected officials of the Town of Beaufort and as may be amended from time to time, will serve as the primary guide upon which to make land use policy decisions. Every land use policy decision, such as a rezoning request or approval of a conditional or special use permit, will be measured for consistency with the goals, policies, and recommendations of the Plan. The elected officials, Planning Board, Board of Adjustment, and Town staff should utilize the Land Use Plan as the basic policy guide in the administration of the zoning ordinance, subdivision regulations, and other land development regulatory tools. Persons involved in the land development business as well as the general public can also utilize the Land Use Plan to guide private decisions regarding land use and land development.

The policy statements and recommendations of the Land Use Plan can also be of assistance to the elected officials in making long-range decisions regarding such matters as the provision of municipal services, thoroughfare planning, stormwater planning and management, implementation of economic development strategies, recreational facility planning, and preparation of capital and operating budgets.

It should be noted, however, that the Land Use Plan is one of a variety of guides in making a public policy decision. The Plan should be viewed as a tool to aid in decision making and not as the final decision (*Core Land Use Plan*, Section V: Tools for Managing Development, pg. 102).



**Exhibits:**

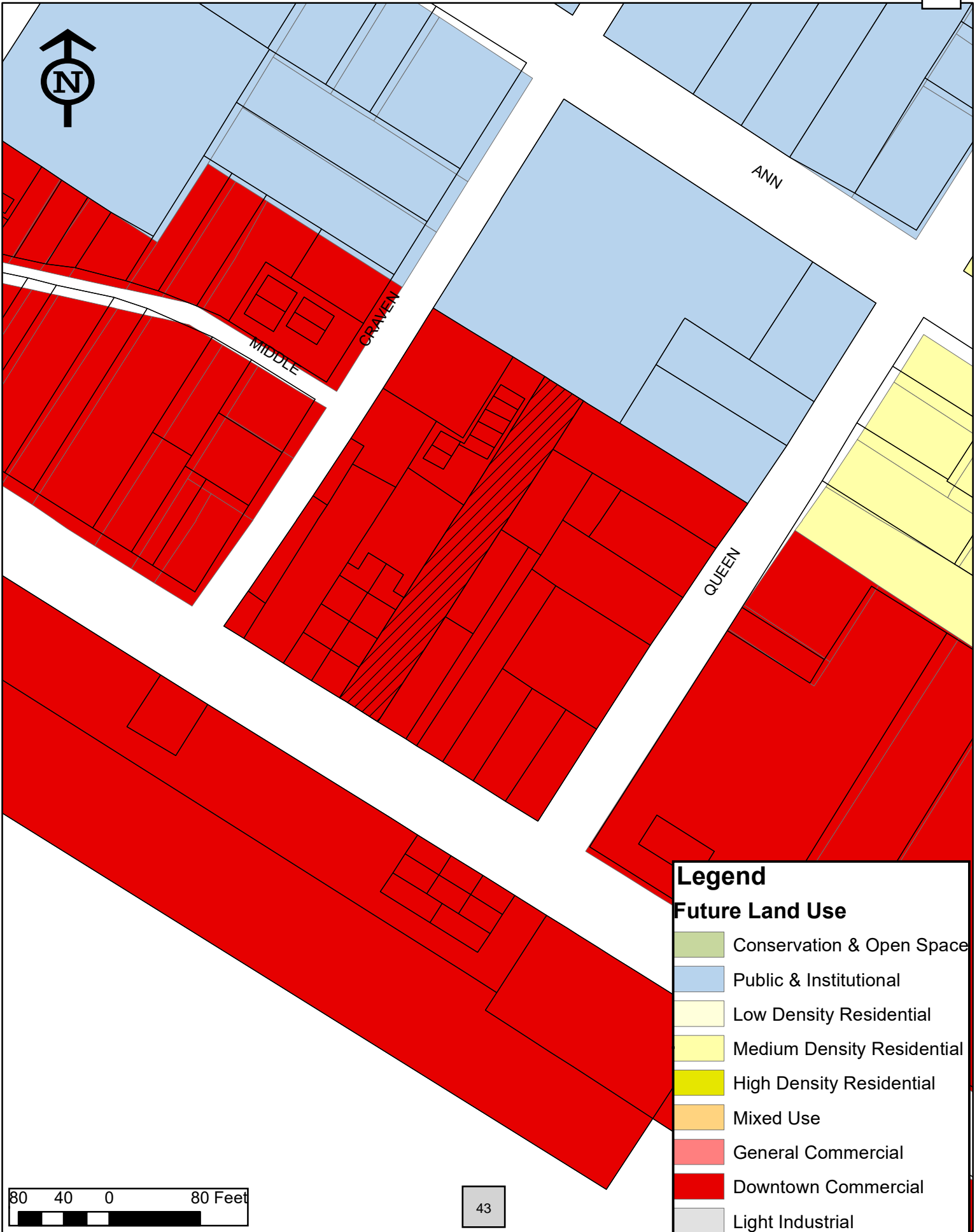
- Vicinity Map
- Zoning Map
- CAMA Land Use Map
- Application
- Site Plan
- List of Property Owners within 200 feet

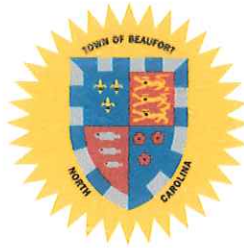
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## APPLICATION FOR A SPECIAL USE PERMIT

### **Instructions:**

Please complete the form below including all required attachments, a **\$200.00 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 Town Hall at (252) 728-2141 if there are any questions.

### **APPLICANT INFORMATION**

Applicant Name: Nelson Owens

Applicant Address: 723 Comet Drive, Beaufort, NC, 28516

Phone Number: (252) 342-1427 Email: nelson.n.owens@gmail.com

Property Owner Name: Same

Address of Property Owner: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

### **PROPERTY INFORMATION**

Property Address: 513 Front Street, Beaufort, NC, 28516

15-Digit PIN: 730505198922000 Lot/Block #: PART L10 11 TOWN OF BEAUFORT

Size of Property (in square feet or acres): 13,725 sq ft Current Zoning: H-BD

Current Use of Property: Commercial Historic Restoration Requested Use: Micro distillery Micro Brewery  
Restaurant with outdoor operation  
Tavern Pub Bar with outdoor operation

An application fee of **\$200.00**, 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](http://www.beaufortnc.org).

[Signature]  
Applicant Signature

5/25/2020  
Date of Applicant's Signature

Property Owner Signature (if different than above)

Date of Owner's Signature

#### OFFICE USE ONLY

Date: \_\_\_\_\_

Reviewed for Completeness By: \_\_\_\_\_

Received by: \_\_\_\_\_

Date Deemed Complete and Accepted: \_\_\_\_\_

Application for Special Use Addendum

513 Front Street

Section 20, B), 1), b) Requested Uses:

Microdistillery

Microbrewery

Restaurant With Outdoor Operation

Tavern/Bar/Pub with Outdoor Operation

Section 20, B), 1), b) Information supporting the existence of the required findings

- Section 20, E), 1), a) The proposed uses are allowable in H-BD
- Section 20, E), 1), b) I believe the application is complete
- Section 20, E), 1), c) I believe the location and character of use conforms with the town's land use plan and other planning elements including the strategic priorities for economic development:
  - *Increase our tax revenue base and improve citizen employment opportunities by encouraging private enterprise through retention, support of expansion, and recruitment.*
  - *Continue to embrace tourism as our primary economic driver and work to increase visitation by promoting Beaufort as a destination and working to maximize the visitor experience.*
- Section 20, E), 1), d) Streets, driveways, parking lots, traffic control, and traffic circulation will not be affected by this special use change
- Section 20, E), 1), e) The proposed special use will not injure the value of adjoining properties. In fact the total renovation of this historic property and increased tourism draw from this venue will enhance the value of the whole historic district.
- Section 20, E), 1), f) The proposed use is compatible with the adjoining land uses in the H-BD district
- Section 20, E), 1), g) The proposed use will not materially endanger the public health or safety of the community

*[Handwritten Signature]*  
 5/25/2020



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Applicant Signature

5/25/2020  
Date of Applicant's Signature

Property Owner Signature (if different than above)

Date of Owner's Signature

#### OFFICE USE ONLY

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Application for Special Use Addendum

513 Front Street

Section 20, B), 1), b) Requested Uses:

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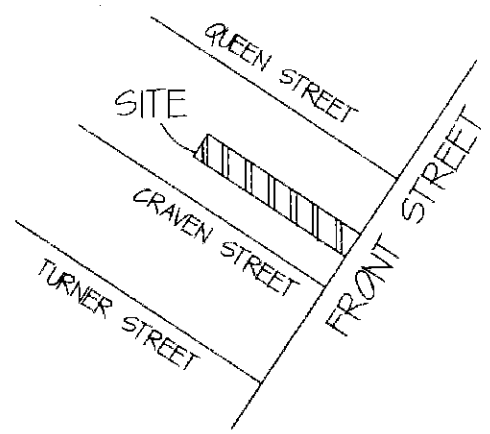
Restaurant With Outdoor Operation

Tavern/Bar/Pub with Outdoor Operation

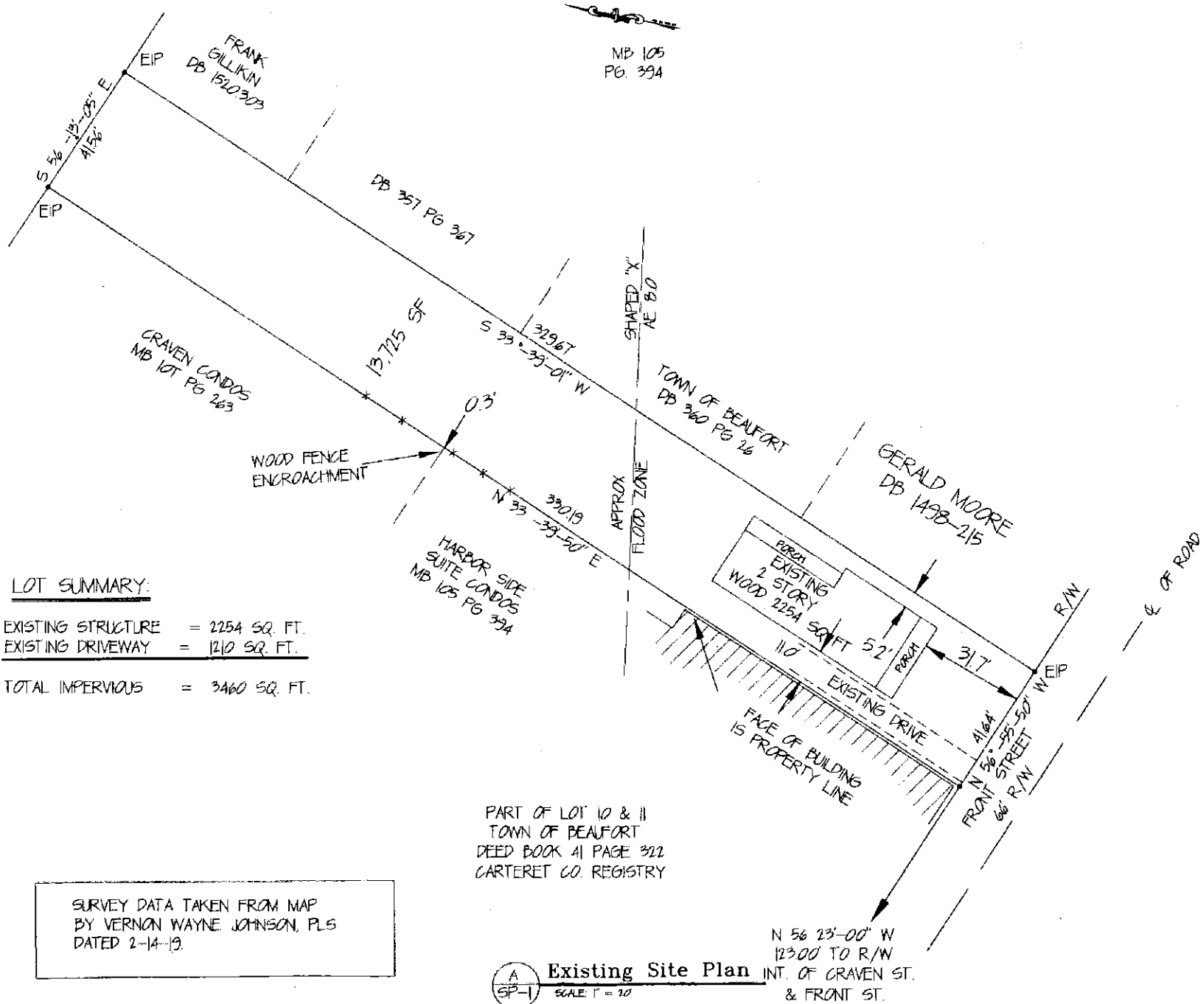
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*[Handwritten Signature]*  
 5/25/2020



VICINITY MAP NTS



**LOT SUMMARY:**  
 EXISTING STRUCTURE = 2254 SQ. FT.  
 EXISTING DRIVEWAY = 1212 SQ. FT.  
 TOTAL IMPERVIOUS = 3460 SQ. FT.

SURVEY DATA TAKEN FROM MAP  
 BY VERNON WAYNE JOHNSON, PLS  
 DATED 2-14-19.

PART OF LOT 10 & 11  
 TOWN OF BEAUFORT  
 DEED BOOK 41 PAGE 322  
 CARTERET CO. REGISTRY

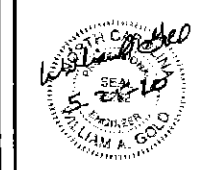
**Existing Site Plan**  
 SCALE 1" = 10'

REVISIONS	
DATE	DESCRIPTION

**Existing Site Plan**

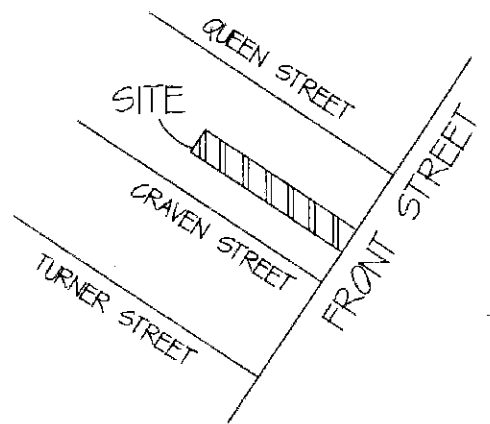
**Nelson A. Owens & Patricia A. Owens**  
 513 Front Street  
 Beaufort, N. C. 28516

**CONSULTING ENGINEER**  
 Meridian Engineering, P.A.  
 P.O. Box 1291, Kinston, N.C. 28503  
 809 Rhem Street, Kinston, N.C. 28501  
 Phone 1 - 252 - 522 - 2587  
 Fax 1 - 252 - 522 - 2501

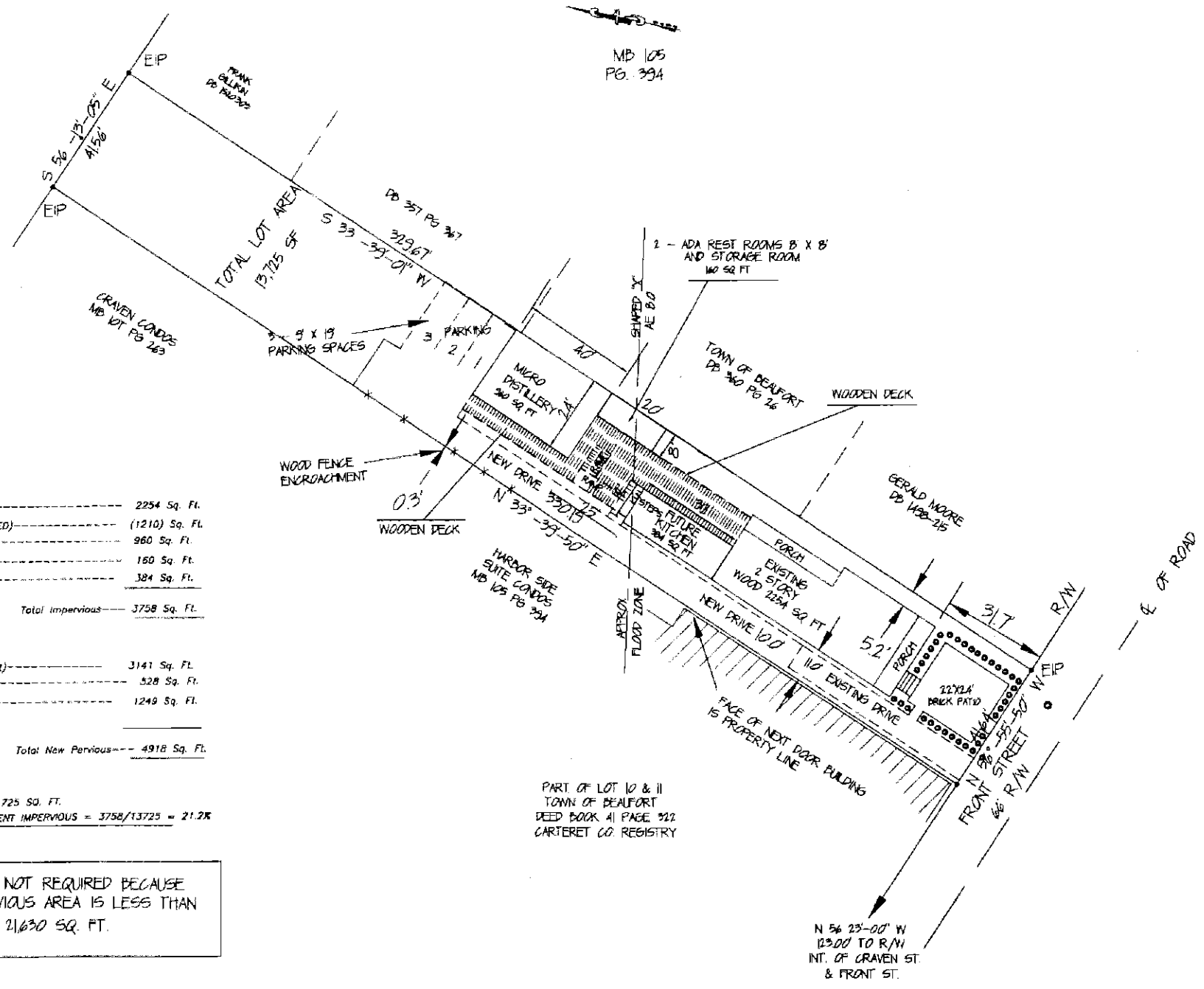


DRAWN BY	VPJ	SCALE
FILE	RELAYING	AS NOTED
APP'D. BY	WAG	DATE
DATE	5-26-20	
DRAWING NUMBER		
SP - 1		
2		





VICINITY MAP NTS



**LOT SUMMARY:**

IMPERVIOUS AREA	
Existing Dwelling (Two Stories)	2254 Sq. Ft.
Existing Driveway (TO BE REMOVED)	(1210) Sq. Ft.
New Distillery Bld	960 Sq. Ft.
New Rest Rooms/Storage	160 Sq. Ft.
New Storage @ House	384 Sq. Ft.
<b>Total Impervious</b>	<b>3758 Sq. Ft.</b>

PERVIOUS AREA	
New Driveway (Pervious Pavement)	3141 Sq. Ft.
Front Pervious Brick Patio	528 Sq. Ft.
Wooden Decks (Pervious)	1249 Sq. Ft.
<b>Total New Pervious</b>	<b>4918 Sq. Ft.</b>

LOT AREA = 13,725 SQ. FT.  
 NEW TOTAL PER CENT IMPERVIOUS = 3758/13725 = 27.4%

STORMWATER NOT REQUIRED BECAUSE TOTAL IMPERVIOUS AREA IS LESS THAN 1/2 ACRE OR 21,630 SQ. FT.

SURVEY DATA TAKEN FROM MAP BY VERNON WAYNE JOHNSON, PLS DATED 2-14-19

**Proposed Site Plan**  
 SCALE: 1" = 20'

REVISIONS		
NO.	DATE	DESCRIPTION

**Proposed Site Plan**  
**Nelson A. Owens & Patricia A. Owens**  
 513 Front Street  
 Beaufort, N. C. 28516

**CONSULTING ENGINEER**  
**Meridian Engineering, P.A.**  
 P.O. Box 1291, Kinston, N.C. 28503  
 809 Rham Street, Kinston, N.C. 28501  
 Phone 1 - 252 - 522 - 2587  
 Fax 1 - 252 - 522 - 2501



DRAWN BY	VPJ	SCALE
FILE	INCORPORATED	IN
APPRD. BY	WAG	NOTED
DATE	5-26-20	
DRAWING NUMBER		
SP - 2		
2		

Properties within 200 feet of 513 Front Street

**PARCEL NUMBER:** 730617108077006

**OWNER:** BEAUFORT FLATS LLC

**PHYSICAL ADDRESS** 118 6 CRAVEN ST  
BEAUFORT

**MAILING ADDRESS:** PO BOX 1143  
BEAUFORT NC 1143 28516

**PARCEL NUMBER:** 730505197913000

**OWNER:** HARPER, THOMAS J ETUX SANDRA

**PHYSICAL ADDRESS** 505 FRONT ST  
BEAUFORT

**MAILING ADDRESS:** PO BOX 1031  
BURLINGTON NC 27216

**PARCEL NUMBER:** 73050519795100D

**OWNER:** HINES, LAURA MATHEWS BREGLER

**PHYSICAL ADDRESS** 509 FRONT ST  
BEAUFORT

**MAILING ADDRESS:** 6518 ZACK ROAD  
OAK RIDGE NC 27310

**PARCEL NUMBER:** 73050519795100E

**OWNER:** HILTON, PETER V ETUX TAMMERA K

**PHYSICAL ADDRESS** 509 FRONT ST  
BEAUFORT

**MAILING ADDRESS:** 103 SYCAMORE DRIVE  
PINE KNOLL SHORES NC 28512

**PARCEL NUMBER:** 73050519795100B

**OWNER:** OWENS, ELBERT WEST JR

**PHYSICAL ADDRESS** 509 FRONT ST  
BEAUFORT

**MAILING ADDRESS:** 120 GOODWIN LAMP ROAD  
BEAUFORT NC 7803 28516

**PARCEL NUMBER:** 73050519795100H

**OWNER:** THREE L'S LLC

**PHYSICAL ADDRESS** 509 FRONT ST  
BEAUFORT

**MAILING ADDRESS:** PO BOX 407  
BEAUFORT NC 28516

**PARCEL NUMBER:** 73050519795100A  
**OWNER:** WILLIAMS INVEST PROPERTIES LLC  
**PHYSICAL ADDRESS** 509 FRONT ST  
BEAUFORT  
**MAILING ADDRESS:** 205 PLAZA DRIVE STE #A  
GREENVILLE NC 27858

**PARCEL NUMBER:** 73050519795100G  
**OWNER:** JARRETT BAY GROUP LLC  
**PHYSICAL ADDRESS** 507 FRONT ST  
BEAUFORT  
**MAILING ADDRESS:** 530 SENSATION WEIGH  
BEAUFORT NC 7764 28516

**PARCEL NUMBER:** 730617108143000  
**OWNER:** GREENBERG,BRENT ETUX SINDEE  
**PHYSICAL ADDRESS** 122 CRAVEN ST  
BEAUFORT  
**MAILING ADDRESS:** PO BOX 27  
BEAUFORT NC 28516

**PARCEL NUMBER:** 730505198836000  
**OWNER:** MOORE,GERALD O ETUX RUTH B  
**PHYSICAL ADDRESS** 515 FRONT ST  
BEAUFORT  
5113 HOLLY LANE  
**MAILING ADDRESS:** MOREHEAD CITY NC 28557

**PARCEL NUMBER:** 730505198869000  
**OWNER:** SOUTHERN FROCK LLC  
**PHYSICAL ADDRESS** 517 FRONT ST  
BEAUFORT  
**MAILING ADDRESS:** 360 STEEP POINT ROAD  
BEAUFORT NC 28516

**PARCEL NUMBER:** 730505198877000  
**OWNER:** SMITH,ANNE HILL ETAL GORDON  
**PHYSICAL ADDRESS** 519 FRONT ST  
BEAUFORT  
**MAILING ADDRESS:** 1205 FRONT STREET  
BEAUFORT NC 28516

**PARCEL NUMBER:** 730505198871000

**OWNER:** PLAZA MEXICO BAR & GRILL INC

**PHYSICAL ADDRESS** 521 FRONT ST  
BEAUFORT

**MAILING ADDRESS:** 5167 HIGHWAY 70 WEST #60  
MOREHEAD CITY NC 28557

**PARCEL NUMBER:** 730505199800000

**OWNER:** COYNER, BARBARA BLACKWELL TRU

**PHYSICAL ADDRESS** 523 FRONT ST  
BEAUFORT

**MAILING ADDRESS:** 3101 DURALEIGH RD APT 328  
RALEIGH NC 4194 27612

**PARCEL NUMBER:** 730505199728000

**OWNER:** BLUE TREASURE LLC

**PHYSICAL ADDRESS** 525 FRONT ST  
BEAUFORT

**MAILING ADDRESS:** PO BOX 3557  
CARY NC 27519

**PARCEL NUMBER:** 730505290927000

**OWNER:** ALL PARK CORPORATION D/B/A

**PHYSICAL ADDRESS** 115 QUEEN ST  
BEAUFORT

**MAILING ADDRESS:** 117 QUEEN ST  
BEAUFORT NC 28516

**PARCEL NUMBER:** 730617200033000

**OWNER:** GILLIKIN, FRANK S JR ETAL BEN

**PHYSICAL ADDRESS** 117 QUEEN ST  
BEAUFORT

**MAILING ADDRESS:** 2756 RENAISSANCE WAY  
VIRGINIA BEACH VA 23456

**PARCEL NUMBER:** 730617200087000

**OWNER:** SWAIN, ROBERT KYLE ETUX LINDA

**PHYSICAL ADDRESS** 119 QUEEN ST  
BEAUFORT

**MAILING ADDRESS:** 107 NORTH SHORE  
BEAUFORT NC 28516

**PARCEL NUMBER:** 730617201111000

**OWNER:** HAWKES,ELIZABETH K

**PHYSICAL ADDRESS** 121 QUEEN ST  
BEAUFORT

**MAILING ADDRESS:** 121 QUEEN ST  
BEAUFORT NC 28516

**PARCEL NUMBER:** 730617201177000

**OWNER:** GECI,JACKIE B ETVIR HERMAN SR

**PHYSICAL ADDRESS** 512 ANN ST  
BEAUFORT

**MAILING ADDRESS:** 119 SHADY HOLLOW LANE  
GARNER NC 27529

**PARCEL NUMBER:** 730617109293000

**OWNER:** ANN STREET METHODIST CHURCH

**PHYSICAL ADDRESS** 500 ANN ST  
BEAUFORT

**MAILING ADDRESS:** 417 ANN STREET  
BEAUFORT NC 28516

**PARCEL NUMBER:** 730505196802000

**OWNER:** LOW VALLEY LLC

**PHYSICAL ADDRESS** 500 FRONT ST  
BEAUFORT

**MAILING ADDRESS:** 500 FRONT STREET  
BEAUFORT NC 28516

**PARCEL NUMBER:** 730505196928000

**OWNER:** STRICKLAND,DORIS O ETAL

**PHYSICAL ADDRESS** 435 FRONT ST  
BEAUFORT

**MAILING ADDRESS:** 519 E HILL ST  
WARSAW NC 28358

**PARCEL NUMBER:** 730617107116000

**OWNER:** IRA SERVICES TRUST COMPANY

**PHYSICAL ADDRESS** 121 CRAVEN ST  
BEAUFORT

**MAILING ADDRESS:** 104 TAYLORS CREEK LN  
BEAUFORT NC 28516

**PARCEL NUMBER:** 730617107250000

**OWNER:** BEAUFORT LINEN INTERIORS LLC

**PHYSICAL ADDRESS** 125 CRAVEN ST  
BEAUFORT

**MAILING ADDRESS:** 125 CRAVEN STREET  
BEAUFORT NC 28516

**PARCEL NUMBER:** 730617107248000

**OWNER:** BISHOP,STEPHEN FEREBEE

**PHYSICAL ADDRESS** 129 CRAVEN ST  
BEAUFORT

**MAILING ADDRESS:** 131 CRAVEN STREET  
BEAUFORT NC 28516

<u>OWNER</u>	<u>MAIL HO</u>	<u>MAIL ST</u>	<u>MAIL CITY</u>	<u>M/ MAIL</u>	<u>Z MAIL</u>	<u>MAIL_ADD2</u>
ADAMS,JEFFREY SMITH	510	FRONT STREET UNIT 21	BEAUFORT	NC	28516	
ALL PARK CORPORATION D/B/A	117	QUEEN ST	BEAUFORT	NC	28516	
ANN STREET METHODIST CHURCH	417	ANN STREET	BEAUFORT	NC	28516	
BEAUFORT FLATS LLC			BEAUFORT	NC 1143	28516	PO BOX 1143
BEAUFORT HOUSE LLC	510	FRONT STREET #21	BEAUFORT	NC	28516	
BEAUFORT LINEN INTERIORS LLC	125	CRAVEN STREET	BEAUFORT	NC	28516	
BISHOP,STEPHEN F ETUX GAIL B	131	CRAVEN STREET	BEAUFORT	NC	28516	
BISHOP,STEPHEN FEREBEE	131	CRAVEN STREET	BEAUFORT	NC	28516	
BLUE TREASURE LLC			CARY	NC	27519	PO BOX 3557
CHANDLER,KRISTIN	2813	MARKET BRIDGE LANE	RALEIGH	NC 1240	27608	UNIT #202
COYNER,BARBARA BLACKWELL TRU	3101	DURALEIGH RD APT 328	RALEIGH	NC 4194	27612	
CRAVEN 118 CONDO OWN ASSOC INC	608	ANN STREET	BEAUFORT	NC	28516	
DUNCUN HOUSE LLC	115	MOORE STREET	BEAUFORT	NC	28516	
GECI,JACKIE B ETVIR HERMAN SR	119	SHADY HOLLOW LANE	GARNER	NC	27529	
GILLIKIN,FRANK S JR ETAL BEN	2756	RENAISSANCE WAY	VIRGINIA BEACH	VA	23456	
GREENBERG,BRENT ETUX SINDEE			BEAUFORT	NC	28516	PO BOX 27
HARDY,CAROLYN DAY	157	PINE CONE DRIVE	OXFORD	NC	27565	
HARPER,THOMAS J ETUX SANDRA			BURLINGTON	NC	27216	PO BOX 1031
HAWKES,ELIZABETH K	121	QUEEN ST	BEAUFORT	NC	28516	
HILTON,PETER V ETUX TAMMERA K	103	SYCAMORE DRIVE	PINE KNOLL SHORES	NC	28512	
HINES,LAURA MATHEWS BREGLER	6518	ZACK ROAD	OAK RIDGE	NC	27310	
HISTORIC HOLDINGS LP			CHARLESTON	SC	29417	PO BOX 31457
IRA SERVICES TRUST COMPANY	104	TAYLORS CREEK LN	BEAUFORT	NC	28516	
JARRETT BAY GROUP LLC	530	SENSATION WEIGH	BEAUFORT	NC 7764	28516	
LOW VALLEY LLC	500	FRONT STREET	BEAUFORT	NC	28516	
MOORE,GERALD O ETUX RUTH B	5113	HOLLY LANE	MOREHEAD CITY	NC	28557	
OWENS,ELBERT WEST JR	120	GOODWIN LAMP ROAD	BEAUFORT	NC 7803	28516	
OWENS,NELSON N ETUX PATRICIA A	723	COMET DRIVE	BEAUFORT	NC	28516	
PLAZA MEXICO BAR & GRILL INC	5167	HIGHWAY 70 WEST #60	MOREHEAD CITY	NC	28557	
SANDERS,SUSAN RAY			BEAUFORT	NC 0565	28516	PO BOX 565
SANTORO,DINA CHARLENE TRUSTEE	120	CRAVEN STREET	BEAUFORT	NC	28516	
SMITH,ANNE HILL ETAL GORDON	1205	FRONT STREET	BEAUFORT	NC	28516	
SOUTHERN FROCK LLC	360	STEEP POINT ROAD	BEAUFORT	NC	28516	

STRICKLAND,DORIS O ETAL	519	E HILL ST	WARSAW	NC	28358
SWAIN,ROBERT KYLE ETUX LINDA	107	NORTH SHORE	BEAUFORT	NC	28516
THREE L'S LLC			BEAUFORT	NC	28516 PO BOX 407
WILLIAMS INVEST PROPERTIES LLC	205	PLAZA DRIVE STE #A	GREENVILLE	NC	27858