



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

Board of Commissioners
Regular Meeting
6:00 PM Monday, August 10, 2026
Train Depot, 614 Broad Street

Call to Order/Pledge of Allegiance

Roll Call

Agenda Approval

Items of Consent

1. Meeting Minutes: July 13 & 27, 2026
2. Ann Street Closure Request: Halloween 2026
3. SUP Order: Case #26-12 Special Use Permit (1507 Live Oak Street)
4. SUP Order: Case #26-18 Special Use Permit (1527 Front Street)
5. Arts in Beaufort "Menhaden Tales" Statue MOU

Public Hearing

- | | |
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| <u>1.</u> Case #26-15: 309 Pollock Street Rezoning R-8 to TCA | K. Garner |
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Public Comment

Old Business

- | | |
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| <u>1.</u> Voluntary Annexation Applications/Resolution: Beaufort Crossing | E. Lewis |
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New Business

- | | |
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| <u>1.</u> USDA Related Asphalt Paving Award | M. Zapp |
| <u>2.</u> Queen Street Stormwater Repairs & Resurfacing Recommendation | M. Zapp |
| <u>3.</u> FY 2027 Budget Amendment #2 | M. Zapp |
| <u>4.</u> Case # 26-19 Final Plat - Enclave at Beaufort Club | K. Garner |
| <u>5.</u> Rock the Docks First Fridays - Fall and Spring Events | J. Welborn |
| <u>6.</u> Proposed Fence/Wall at Randolph Johnson Park | J. Welborn |
| <u>7.</u> Carteret County- Beaufort Airport Authority Appointment | E. Lewis |

Manager Report

Mayor/Commissioner Comments

Closed Session

1. Pursuant to NCGS 143-318.11 (a) (3)

Adjourn

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Board of Commissioners**Regular Meeting**

6:00 PM – Monday, August 10, 2026

**Train Depot, 614 Broad Street
Beaufort, NC 28516**

AGENDA CATEGORY: Items of Consent

SUBJECT: Meeting Minutes: July 13 & 27, 2026

REQUESTED ACTION:

Review and approve the attached draft minutes for the following BOC meetings:

- July 13, 2026, Regular Meeting
- July 27, 2026, Work Session

SUBMITTED BY:

Elizabeth Lewis, Assistant Town Manager/Town Clerk



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Board of Commissioners
Regular Meeting
6:00 PM Monday, July 13, 2026
Train Depot, 614 Broad Street
DRAFT

Call To Order/Pledge of Allegiance

Mayor Harker called the meeting to order at 6:00 PM.

Roll Call

Jennifer Welborn, Deputy Town Clerk, called the roll.

PRESENT:

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

ABSENT: Commissioner Spiegler

Commissioner Gillikin made a motion to excuse Commissioner Spiegler from the meeting. The motion carried unanimously with a (4-0) vote.

Agenda Approval

Prior to calling for a motion, Mayor Harker announced a change to the agenda. She explained that the purpose of amending the agenda was to remove the Closed Session Pursuant to N.C.G.S. § 143-318.11 (a)(6) and move it to the July 27, 2026, Work Session agenda.

Commissioner Gillikin made a motion to approve the agenda as amended.

The motion carried unanimously with a (4-0) vote.

Items of Consent

1. Meeting Minutes: June 8 & 22, 2026
2. SUP Order: Case #26-14 Special Use Permit, 217 Turner Street ADU

3. Personnel Policy Amendment; Article V: Section 14- Technology/Social Media Policy/Media
4. Adoption: Town of Beaufort FY27 Priorities Matrix
5. Resolution Requesting Review and Reduction of the Speed Limit on the State-Maintained Portion of Front Street

Mayor Harker listed the Items of Consent #1-5 and asked for a motion. Commissioner Gillikin made a motion to approve items #1-5 on the Items of Consent. The motion carried unanimously with a (4-0) vote.

6. Resolution Approving the 2025 Local Water Supply Plan

After noticing the omission of item #6 on the consent agenda, Mayor Harker asked for an additional motion to approve it. Commissioner Gillikin made a motion to approve the Items of Consent, with the addition of item #6. The motion carried unanimously with a (4-0) vote.

Quasi-Judicial Proceeding

1. Case #26-18 Special Use Permit: Amendment to Remove a Condition from 1527 Front Street Accessory Dwelling Units SUP

Mayor Harker asked for a motion to open the evidentiary hearing for Case #26-18.

Commissioner Gillikin made a motion to open the evidentiary hearing.

The motion carried unanimously with a (4-0) vote.

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

Deputy Town Clerk Jennifer Welborn administered the oath to all individuals intending to provide testimony during the hearing, including Kyle Garner, Planning Director, and Delbert Heick, the applicant and owner of 1527 Front Street. Mayor Harker invited any additional witnesses not called by staff or the applicant to come forward and be sworn in. No such witnesses came forward at that time. No parties with standing came forward to be qualified.

Mayor Harker then asked all Board members to disclose any *ex parte* communications, conflicts of interest, or bias. None were disclosed.

Staff Presentation

Planning Director Kyle Garner requested that the staff report and all exhibits included in the agenda packet, as well as the PowerPoint presentation, be entered into the evidentiary record.

The staff report, all exhibits, and the PowerPoint presentation were accepted into the evidentiary record.

Director Garner explained that Case #26-18 was a request to amend the existing Special Use Permit for two accessory dwelling units located at 1527 Front Street by modifying an occupancy condition contained in the original approval.

Director Garner stated that the subject property is located at 1527 Front Street and is zoned RS-5, Residential Single-Family. He explained that the RS-5 district permits single-family dwellings on lots having a minimum area of 5,000 square feet and establishes applicable impervious-surface requirements.

Director Garner stated that the accessory dwelling use was consistent with the Town's current CAMA Land Use Plan. He noted that the CAMA Land Use Plan in effect when the original Special Use Permit was approved did not specifically address accessory dwelling units, while the current plan contains additional guidance concerning that use.

Director Garner presented a survey identifying the primary dwelling and two existing accessory dwelling units on the property. He explained that a previous Board of Commissioners had approved a Special Use Permit authorizing the two accessory dwelling units, subject to a condition that the units be occupied exclusively by members of the property owner's family.

Excerpts from the original Board proceeding were included in the agenda packet for historical reference. Director Garner noted that Mayor Harker had served on the Board at the time of the original proceeding and had personal recollection of that matter.

Director Garner explained that Town staff received reports that the rear accessory dwelling units were being advertised and used as short-term rentals contrary to the family-use condition contained in the original Special Use Permit.

The Town's Code Enforcement Officer, Brad Falkler, investigated the reports and located advertisements for the property on Zillow and other online platforms. Town staff then initiated code enforcement proceedings and contacted the property owners.

Director Garner stated that the property owners elected to apply for an amendment to the original Special Use Permit. He emphasized that the Town's primary objective in the code enforcement process was to obtain compliance with the approved permit rather than impose punishment.

Director Garner stated that the applicant originally requested removal of the family-use restriction from both accessory dwelling units, which would have allowed both rear units to be rented.

The Planning Board considered the application during its June 15, 2026, meeting. Rather than recommending approval of the application as originally submitted, the Planning Board unanimously recommended that:

- The smaller accessory dwelling unit remain restricted to family use only.
- The larger accessory dwelling unit be permitted to be rented, including use as a short-term rental.

Director Garner stated that the applicant agreed to the modified condition during the Planning Board meeting. He explained that the applicant's agreement was necessary because a condition attached to a Special Use Permit could not be modified without the consent of the applicant or property owner.

Director Garner further confirmed that notice of the hearing was published in the newspaper, adjacent property owners were notified, and a sign identifying the date and time of the hearing was posted on the property.

Questions from the Board to Staff

Commissioner Cooper stated that he had experienced difficulty reviewing the application materials and asked Director Garner to clarify the applicant's original request.

Director Garner explained that the original application sought permission to rent both accessory dwelling units. The Planning Board did not recommend approval of that request in its entirety. Instead, it recommended that only the larger rear accessory dwelling unit be permitted for rental use, while the smaller rear accessory dwelling unit would remain restricted to family use.

Commissioner LoPiccolo asked whether the presence of three dwelling units on the property, consisting of the primary dwelling and two accessory dwelling units, created a nonconforming use and whether the Land Development Ordinance typically permitted only one accessory dwelling unit per property.

Director Garner described the property as somewhat unique. He stated that Town staff believed at least a few other properties contained more than one accessory dwelling unit. He further explained that the two accessory dwelling units at 1527 Front Street had been expressly authorized through the previously approved Special Use Permit and therefore had formal approval from the Board of Commissioners.

Commissioner LoPiccolo asked whether the requested amendment triggered a new review of lot coverage or impervious surface requirements.

Director Garner stated that the property was close to the applicable impervious-surface limit but appeared to comply based upon the calculations available to staff. He noted that an updated survey or as-built drawing had not been submitted, but the property contained a significant area of pervious front yard.

Commissioner LoPiccolo asked whether the primary dwelling at the front of the property would also be permitted to be rented. Director Garner stated that the applicant was better positioned to clarify the intended use of the primary dwelling. He explained that the application before the Board specifically concerned the conditions imposed upon the two rear accessory dwelling units.

Commissioner LoPiccolo also asked what had prompted the application. Director Garner reiterated that Town staff had received reports that the rear units were being used as short-term rentals in violation of the original permit and that the subsequent code enforcement investigation identified online rental listings.

Commissioner Gillikin asked whether the other properties in Town believed to contain more than one accessory dwelling unit were subject to similar family-use restrictions. Director Garner stated that they were not.

Commissioner Gillikin also questioned language in the agenda materials suggesting that the front dwelling might be considered for rental with restrictions. She stated that the wording was unclear and requested clarification from the applicant.

Commissioner LoPiccolo asked whether adequate parking existed to serve the property and the proposed rental use.

Director Garner explained that parking requirements were based in part upon the number of bedrooms. He stated that the Planning Board had reviewed the property's access and parking arrangement and determined that adequate parking was available to serve the dwelling units.

Applicant Presentation

Delbert Heick, the applicant and owner of 1527 Front Street, came forward and confirmed that he had previously been sworn.

Mr. Heick clarified that the applicant agreed that the primary dwelling located at the front of the property would not be rented and would remain available for family use. He further agreed that the smaller of the two rear accessory dwelling units would remain restricted to family use.

Mr. Heick stated that only the larger rear accessory dwelling unit would be rented or operated as a short-term rental. He confirmed that the applicant had no objection to incorporating those restrictions as express conditions of the amended Special Use Permit.

Commissioner Cooper asked whether anyone currently resided in the primary dwelling.

Mr. Heick stated that no one lived in the dwelling permanently. He described it as a vacation home that was used occasionally by family members.

Commissioner Matthews asked Mr. Heick to confirm his understanding that the primary dwelling and the smaller rear accessory dwelling unit would be restricted to family use, while the larger rear accessory dwelling unit could be rented. Mr. Heick confirmed that the understanding was correct.

Commissioner Gillikin requested additional clarification regarding the language in the agenda packet suggesting that the primary dwelling might be considered a residence with rental restrictions.

Mr. Heick stated that the primary dwelling would not be rented. He reiterated that the parties had agreed during the Planning Board meeting that only one of the rear structures, specifically the larger accessory dwelling unit, would be permitted for rental use.

Town Attorney Arey Grady clarified that the final Special Use Permit order would specifically identify which structures were eligible for rental use and which structures were restricted to family use, consistent with Director Garner's presentation and Mr. Heick's sworn testimony.

Commissioner Cooper asked Mr. Heick to provide assurance on the record that the primary dwelling would remain restricted to family use, noting that a report to the Town had led to the original code enforcement investigation.

Mr. Heick stated that he did not know who had contacted the Town and that he believed the property owners had maintained a positive relationship with the neighbors. He again confirmed that the applicant had no objection to the conditions as described.

Commissioner Matthews stated that Mr. Heick's acceptance of the proposed conditions under oath would be formalized in the approval order and would therefore be enforceable as part of the Special Use Permit.

There were no additional testimonies.

Board Deliberation

Mayor Harker asked the Board to deliberate and consider the seven required findings of fact. Commissioner LoPiccolo requested that the findings of fact be displayed on screen. Mayor Harker read the seven findings into the record:

- A. The proposed use is allowable as a special use in the RS-5 zoning district.
- B. We have submitted a complete package of a special use application.
- C. The location and character of the use will be in conformity with the Town's comprehensive and CAMA land use plan and other comprehensive planning elements.
- D. The proposed use would be in better keeping with regards to minimal impacts on the surrounding area. Use of the back buildings vs. the front home would take pressure off of Front Street parking by requiring tenants to use parking in the back which incorporated additional parking and buffering into the lot development and use.
- E. Since there will still be no structural changes and design modifications to the subject property, the site-level appearance of 1527 Front Street from the perspective of any adjoining or abutting properties will be unchanged. We submit that the proposed use/change will even have less impact on neighbors and commuters vs using the front home as rental property.
- F. As many of the homes on Front Street commonly are used for summertime vacationers, its not uncommon to find numerous cars parked in the front of the house on Front Street for short periods of time. This proposed use would be more compatible and in harmony with surrounding residential land use by using the proposed back parking in conjunction with the back properties.
- G. The proposed change and use will not materially endanger the public health or safety of the community if the back buildings are used as proposed.

Commissioner LoPiccolo made a motion to approve the findings of fact A through G and to approve the Special Use Permit for Case #26-18, amended with the following conditions: (1) the main dwelling and the smaller rear accessory dwelling unit shall be reserved for family use only; and (2) the larger rear accessory dwelling unit may be rented out to persons other than family members.

The motion carried unanimously with a (4-0) vote.

Town Attorney Grady confirmed that the motion as stated encompassed both the findings of fact and the permit approval itself, and that no separate motion on the permit was required.

Commissioner Gillikin made a motion to close the public hearing for Case #26-18. The motion carried unanimously with a (4-0) vote.

2. Case #26-12 Special Use Permit: 1507 Live Oak Street Gas Station

Mayor Harker asked for a motion to open the evidentiary hearing for Case #26-12.

Commissioner Gillikin made a motion to open the evidentiary hearing.

The motion carried unanimously with a (4-0) vote.

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

Deputy Town Clerk Jennifer Welborn administered the oath to all individuals intending to provide testimony during the hearing, including Kyle Garner, Planning Director; Eva Grimm, Chief Executive Officer of Jim Dandy Stores; Tommy Simpson, property owner and representative of Simcoe LLC and Beaufort Hardware & Paint; Ronald D. Cullipher, P.E., consulting professional engineer with The Cullipher Group; Christopher Mashburn, MAI, AI-GRS, ASA, North Carolina Certified General Real Estate Appraiser; James Davis, Jr., President of Jim Dandy Stores and representative of JM Davis Industries; and Bryce Pike, attorney with the Pike Law Firm in Morehead City and counsel for the applicant. Mayor Harker invited any additional witnesses not called by staff or the applicant to come forward and be sworn in. No additional witnesses came forward at that time, and no parties with standing requested qualification.

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

Staff Presentation

Director Garner requested that the staff report, all exhibits in the agenda packet, and the evening's PowerPoint presentation be entered into the evidentiary record.

The staff report, all exhibits, and the PowerPoint presentation were accepted into the evidentiary record.

Director Garner presented the following:

The subject property is located at 1507 Live Oak Street, near the confluence of Highway 101 and Live Oak Street and near the former location of a BP gas station. The property is zoned B-1, Business 1, which permits a gas station as a special use requiring approval of a Special Use Permit. Surrounding zoning includes R-8, Residential 8, to the north and a mixture of R-8 and B-1 zoning to the west across Highway 101.

Director Garner stated that the adopted CAMA Land Use Plan identifies the area for larger-scale commercial uses and that the proposed gas station use, subject to approval of a Special Use Permit, is consistent with that designation.

Director Garner reviewed the site plan, including the proposed fuel pump and tank locations, parking, landscaping, and the convenience store component. The convenience store would be

located within the existing building previously occupied by Redneck Barbecue and Rollins Barbecue. No new principal structure was proposed for the convenience store use.

Director Garner emphasized that the elevations and other illustrations submitted with the application were conceptual and were intended to depict the general appearance of the proposed improvements rather than final construction details.

Director Garner explained that the existing property was almost entirely impervious. The applicant was not proposing to add impervious surface and would instead reduce the amount of impervious coverage by installing landscaped areas, trees, and shrubbery.

Because the project would not add impervious surface, the Land Development Ordinance did not independently trigger a full landscaping requirement for the property. Director Garner explained that the landscaping shown on the submitted plan was voluntarily proposed by the applicant and exceeded the minimum landscaping that would otherwise be required.

A photometric plan was submitted with the application. Director Garner stated that he was not a photometric expert but that the plan appeared to provide downward-directed, dark-sky lighting consistent with standards emphasized by the Board during prior development reviews. The applicant later testified that the lighting plan complied with applicable ordinance standards and was designed to minimize impacts on adjoining property owners.

Director Garner reported that the Planning Board initially reviewed the application on May 18, 2026. The Planning Board asked the applicant to consider revisions related to landscaping and other site-design concerns. The applicant returned with modifications on June 15, 2026, at which time the Planning Board unanimously recommended approval subject to the following conditions:

1. The submitted landscaping plan shall be implemented with the additional modification that two or more shade trees be installed within the planting island to the east of the fuel pumps.
2. A pedestrian pathway shall be provided connecting the Highway 101 sidewalk to the entrance of the convenience store.

The Planning Board also forwarded concerns to the Board of Commissioners regarding the proposed above-ground fuel tanks within a gateway corridor, the visibility of conduit, meters, electrical panels, and other fixtures on the west side of the existing building, and the adequacy of landscaping at the southwest corner of the property.

Director Garner spoke to the findings of fact. He stated that the proposed use satisfied Finding A because a gas station is an allowable special use within the B-1 zoning district. He stated that Finding B was satisfied because the application was complete and that Finding C was satisfied because the proposal was consistent with the adopted CAMA Land Use Plan.

Regarding Findings D through G, Director Garner clarified that staff had not received information demonstrating that the application failed to comply with those standards. He explained that the evidentiary hearing provided the opportunity for the applicant and other sworn witnesses to present competent evidence addressing traffic circulation, property values, compatibility with surrounding uses, and public health and safety.

Questions from the Board to Staff

Commissioner Matthews asked whether Director Garner's assessment of Findings D through G assumed that the Planning Board's two recommended conditions would be implemented. Director Garner clarified that staff had not received contrary evidence concerning Findings D through G and confirmed that his assessment of compliance contemplated approval with the Planning Board's recommended conditions.

Commissioner Cooper asked where the proposed trees and screening would be located. Director Garner identified the planting island east of the fuel pumps and explained that the additional shade trees would help provide a visual buffer between the fuel pump area and the adjoining commercial property.

Commissioner Cooper also asked about the location of the proposed pedestrian pathway. Director Garner explained that a sidewalk was planned along Highway 101 and that the proposed pathway would extend perpendicular to that sidewalk, across the site, to provide a designated connection to the front of the convenience store and the businesses within the shopping center.

Commissioner Cooper asked whether a traffic impact analysis had been completed. Director Garner stated that a formal traffic impact analysis had not been requested by the Town and had not been submitted to staff. He noted that the applicant's engineer could provide additional testimony regarding the proposed traffic circulation.

Commissioner Gillikin asked whether the eight-foot "voluntary lawn space" shown on the site plan would become binding if the application were approved. Director Garner reiterated that the proposed landscaped areas were not required by the ordinance because the applicant was reducing impervious surface. He explained that the Board could incorporate the submitted plan and its proposed improvements into the approval.

Commissioner LoPiccolo asked about the proposed above-ground storage tanks, including the containment berm, vehicle-impact protection, and the applicability of fire and building code requirements. Director Garner stated that the installation would be required to comply with applicable state fire and building codes but deferred detailed technical questions to the applicant's representatives and design professionals.

Commissioner Matthews stated that he anticipated the applicant had an expert available to address Spill Prevention, Control, and Countermeasure requirements for above-ground storage tanks.

Commissioner Gillikin asked whether the vegetation and fencing surrounding the proposed tanks would be as tall as the tanks. Director Garner estimated that the tanks would extend somewhat higher than the proposed eight-foot screening and deferred to the applicant for more precise measurements.

Applicant Presentation

The applicant's team came forward. Director Garner confirmed they had been previously sworn in.

Eva Grimm, Chief Executive Officer of Jim Dandy Stores, introduced the applicant's team and explained the business relationship underlying the proposal. The property owner and applicant

was Tommy Simpson through Simcoe LLC, associated with Beaufort Hardware & Paint. The proposed operator of the gas station and convenience store was JM Davis Industries, doing business as Jim Dandy Stores.

Ms. Grimm provided background on the two local businesses. Thomas Simpson Construction Company was formed in 1984, and Simcoe LLC purchased Huntley Plaza in 1998 and completed exterior and interior renovations before opening Beaufort Ace Hardware. She stated that Beaufort Hardware & Paint had received the 2026 Retail Beacon of the Year award from Hardware Connections.

Ms. Grimm described JM Davis Industries as a third-generation Carteret County business founded in 1939 on the Beaufort waterfront. The company operates Davis Fuels and Jim Dandy Stores and has seven convenience store locations and a self-service fuel location in Atlantic serving the Down East community.

Ms. Grimm emphasized the company's local ownership and community-focused operating model. She stated that Jim Dandy Stores sought to provide services and products tailored to each community rather than constructing a standardized chain-store location. She described the proposed project as a Beaufort beautification effort and stated that company leadership had searched for an appropriate Beaufort location for several years.

Ms. Grimm testified that the property's multiple existing points of entry and exit made it particularly suitable for the proposed use. She stated that the site had five points of exit and four points of entry without requiring the creation of new access points.

In response to Commissioner Cooper's earlier traffic questions, Ms. Grimm explained that the proposed pump arrangement was designed to accommodate vehicles pulling boat trailers. She stated that the spacing and circulation pattern would allow longer vehicles to enter, maneuver between the pumps, and leave the property without blocking adjacent fueling positions.

Attorney Bryce Pike of the Pike Law Firm in Morehead City appeared on behalf of Simcoe LLC. He distributed updated conceptual photographs and documents to the Board.

Attorney Pike stated that Findings of Fact A, B, and C had been addressed through the staff presentation. He organized the applicant's remaining evidence around Findings D through G and advised that the applicant would present expert testimony and documentary evidence addressing traffic circulation, property values, compatibility with adjoining land uses, and public health and safety.

Finding of Fact D: Traffic Circulation

Expert Testimony – Ron Cullipher, P.E.

Attorney Pike called Ron Cullipher, P.E., of The Cullipher Group in Morehead City. Mr. Cullipher stated that he had been licensed as a professional engineer since 1980. He described his firm as a civil engineering and surveying firm providing services related to site planning, subdivisions, water and sewer infrastructure, surveying, and environmental permitting. Mr. Cullipher confirmed that his firm prepared the site plan for the proposed development.

Attorney Pike tendered Mr. Cullipher as an expert in civil engineering and site planning. The Board accepted Mr. Cullipher as an expert witness in those fields.

Mr. Cullipher reviewed the proposed traffic and parking arrangement and testified as follows:

- A full-access, two-way driveway exists on the southern portion of the subject property along Highway 101.
- An exit-only driveway was proposed on the northern portion of the property to allow vehicles to enter from the south and circulate northward through the site.
- Parking adjacent to the convenience store would consist of angled spaces with one-way circulation.
- The applicant's engineering team had communicated with NCDOT regarding the proposed exit-only driveway, and Mr. Cullipher anticipated that the driveway modification would receive approval.
- The parking spaces and drive aisles satisfied the dimensional requirements contained in Section 13 of the Town's Land Development Ordinance.
- The parking table accounted for approximately 50,000 square feet of existing building area and demonstrated excess parking capacity that could accommodate possible future tenant changes.
- The existing access points serving the larger shopping center would remain available.

Mr. Cullipher offered his professional opinion that the streets, driveways, parking areas, traffic controls, and circulation features were designed in accordance with current traffic engineering standards and Town regulations and were adequate for the proposed special use.

Board Questions for Mr. Cullipher:

Commissioner Gillikin asked how site traffic would interact with the Highway 101 roundabout being constructed south of the property. Mr. Cullipher explained that the roundabout would be located south of the primary entrance and would function in relation to the property like other driveways along Highway 101 and Live Oak Street. He stated that the existing full-movement southern entrance would remain and that the exit-only northern driveway would provide an additional circulation option.

Commissioner Gillikin asked how vehicles pulling boat trailers would leave the fuel pumps and travel toward the roundabout. Mr. Cullipher stated that such vehicles could travel north through the site, use the proposed exit-only driveway, turn onto Highway 101, and proceed through the roundabout in the desired direction.

Commissioner Cooper asked where customers who were not purchasing fuel would park. Mr. Cullipher stated that customer parking would be located north of the fuel pumps, adjacent to the convenience store. He clarified that the conceptual rendering was intended primarily to illustrate screening and building improvements and was not a precise depiction of every parking space.

Commissioner Cooper asked about references to the former gas station. Mr. Cullipher clarified that the former station was located on a separate property south of the subject site and was referenced only as a geographic landmark.

Commissioner Matthews asked whether the applicant agreed to install the screening shown in the materials distributed to the Board. Attorney Pike confirmed that the applicant accepted the screening and landscaping proposals and intended to implement them as part of the project.

Commissioner LoPiccolo asked whether the applicant also accepted the Planning Board's tree condition. Attorney Pike confirmed that it did.

Commissioner LoPiccolo asked whether the existing speed-control devices within the shopping center would be retained. Mr. Cullipher stated that speed-mitigation measures were appropriate for a retail center and that the concept would remain, although the exact locations of existing devices had not been surveyed.

Mayor Harker asked whether the southern entrance provided an adequate turning radius for vehicles entering from Highway 101. Mr. Cullipher stated that the entrance and canopy area provided approximately 67 feet of width and sufficient room for vehicles to turn into the property.

Commissioner Gillikin asked whether a vehicle pulling a boat trailer could use another existing internal drive and exit through Live Oak Street rather than using the proposed northern exit. Mr. Cullipher confirmed that the shopping center's other existing access points would remain and that sufficient room existed for that circulation route.

Finding of Fact E: Effect on Adjoining and Abutting Property Values

Expert Testimony – Christopher Mashburn

Attorney Pike called Christopher Mashburn as an expert witness in real property valuation. Mr. Mashburn stated that he had been a Certified General Real Estate Appraiser since approximately 2015 and began his appraisal training in 2011. He held the MAI designation from the Appraisal Institute, the AI-GRS appraisal-review designation, and the ASA designation from the American Society of Appraisers.

Attorney Pike tendered Mr. Mashburn as an expert in real property valuation. The Board accepted him as an expert witness.

Mr. Mashburn stated that he had prepared a market study and appraisal addressing the adjoining and abutting properties. He explained that his analysis began with an examination of the immediate neighborhood, surrounding land uses, and each adjoining or abutting property.

He then identified comparable locations within the broader market containing gas stations and above-ground fuel tanks. He examined sales and land values near those uses and compared them with transactions involving similar properties located farther from fuel stations but within the same general market area.

Mr. Mashburn stated that he relied upon deeds, court records, GIS information, Multiple Listing Service data, CoStar, CREXi, and other real estate databases. He also verified whether the transactions were arm's-length sales occurring at market rates.

Mr. Mashburn concluded that the available market evidence did not indicate that proximity to gas stations or above-ground fuel storage tanks caused a reduction in the value of adjacent or abutting properties. He offered his professional opinion that the proposed special use would not substantially injure the value of adjoining or abutting properties.

Attorney Pike moved to enter Mr. Mashburn's appraisal report into evidence. The report was accepted into the evidentiary record.

Board Questions for Mr. Mashburn:

Commissioner Gillikin asked whether Mr. Mashburn had found no impact at all or had merely concluded that any impact was not substantial. Mr. Mashburn stated that he had not identified an impact on property values.

Commissioner Matthews asked whether Mr. Mashburn's opinion assumed installation of the visual barriers, landscaping, and screening depicted in the submitted plans. Mr. Mashburn confirmed that his analysis relied, in part, upon the extraordinary assumption that the visual barriers shown on the site plan would be installed.

Commissioner Cooper asked whether Mr. Mashburn had considered commercial and residential properties in the immediate area, including residences along Highway 101. Mr. Mashburn stated that he examined commercial and residential transactions and compared properties adjacent to existing fuel stations with similar properties located elsewhere within the same market. He reiterated that the data did not indicate an adverse effect on the value of adjacent and abutting properties.

Finding of Fact F: Compatibility and Harmony with Adjoining Land Uses

Photographic Evidence and Applicant Testimony

Attorney Pike offered photographs depicting above-ground fuel tank installations within Beaufort and the existing conditions surrounding the subject property.

Tommy Simpson authenticated a photograph he had taken of an above-ground fuel tank installation at Town Creek Marina near the west end of Cedar Street.

Eva Grimm authenticated additional photographs depicting above-ground fuel tanks and the existing landscaping and exterior conditions of nearby commercial properties.

Attorney Pike moved to enter the photographs into evidence. The photographs were accepted into the evidentiary record.

Attorney Pike stated that the photographs demonstrated that above-ground tanks existed at other commercial and marina properties within Beaufort. He further stated that the submitted landscaping, screening, and site improvements would exceed the existing landscaping conditions at several adjoining commercial properties.

Commissioner Cooper expressed concern about using the limited landscaping on nearby properties as the standard for evaluating compatibility. Attorney Pike acknowledged the concern but explained that the applicable ordinance finding required the Board to determine whether the proposed use would be compatible and in harmony with existing adjoining land uses and development patterns. He maintained that the evidence demonstrated compatibility and that the proposed improvements would enhance the appearance of the immediate area.

Finding of Fact G: Public Health and Safety

Letter from Timothy Laughlin, P.E.

Attorney Pike read into the record a letter from Timothy Laughlin, P.E., Technical Affairs Director for the North Carolina Petroleum and Convenience Marketers Association.

The letter identified Mr. Laughlin as a professional engineer holding a Bachelor of Science degree in Petroleum Engineering from Oklahoma State University and having approximately 35 years of experience with fire and environmental codes and regulations applicable to above-ground storage tanks.

The letter stated that self-service automotive above-ground fuel storage tanks must comply with applicable requirements, including:

- Chapters 23, 50, and 57 of the North Carolina Fire Code.
- NFPA 30, Flammable and Combustible Liquids Code.
- NFPA 30A, Code for Motor Fuel Dispensing Facilities and Repair Garages.
- NFPA 70, National Electrical Code.
- The United States Environmental Protection Agency's Spill Prevention, Control, and Countermeasure requirements under 40 C.F.R. Part 112.

Mr. Laughlin stated that he had reviewed the June 12, 2026, site plan prepared by The Cullipher Group and offered his professional opinion that above-ground fuel storage tanks could be safely installed and operated at the proposed location in compliance with the identified codes and regulations.

Attorney Pike moved to enter Mr. Laughlin's letter into evidence. The letter was accepted into the evidentiary record.

Additional Testimony – Ron Cullipher, P.E.

Attorney Pike recalled Mr. Cullipher to address the proposed tanks and containment measures.

Mr. Cullipher stated that he was not an underground storage tank specialist but had reviewed specifications for the proposed UL 2085-listed protected tanks. He described testing requirements associated with the UL listing, including exposure to a high-temperature fire test, a ballistic-resistance test, and a hose-stream test.

Mr. Cullipher stated that the proposed tanks carried applicable UL approvals. He further testified that his firm had reviewed setback guidance from the North Carolina Petroleum and Convenience Marketers Association and that the site plan complied with the recommended setbacks from buildings and property lines.

Mr. Cullipher stated that the proposed tanks would be double-wall units with integrated secondary containment. He further testified that the applicant agreed to construct a concrete containment berm around the tank area as an additional protective measure, although he understood that the additional berm was not required by the applicable tank code because the tanks already provided secondary containment.

Board Questions for Mr. Cullipher (Finding G):

Commissioner Matthews asked whether the proposed Fireguard tank specifications and the additional concrete berm would exceed Spill Prevention, Control, and Countermeasure requirements. Mr. Cullipher stated that he could not specifically opine that the tank itself exceeded every SPCC requirement, but confirmed that the double-wall tank system combined with the additional concrete containment berm would provide more protection than the tank system alone.

Commissioner LoPiccolo asked about the height of the tanks and the containment berm. Mr. Cullipher stated that each tank was approximately eight feet, six inches in diameter and would be elevated approximately 30 to 36 inches above the ground, placing the top of the tank approximately 11 to 12 feet above grade, with some mechanical piping extending higher.

Mr. Cullipher explained that the proposed fence was primarily intended to provide visual screening. The concrete berm would serve as the structural containment feature and would also provide a degree of physical separation from vehicular traffic.

Commissioner Cooper asked about lighting beneath the fuel canopy. Attorney Pike stated that the submitted lighting plan provided dark-sky, downward-directed lighting designed to comply with Town requirements and reduce impacts on nearby properties.

Mr. Cullipher offered his professional opinion that the proposed use would not materially endanger the public health or safety of the community if developed in accordance with the submitted and approved plans.

Attorney Pike concluded the applicant's initial presentation by stating that the applicant had submitted evidence supporting Findings of Fact A through G and requested approval of the Special Use Permit.

Additional Witness Testimony – Joyce McCune

After the applicant concluded its presentation, Joyce McCune indicated that she wished to testify. Ms. McCune had not come forward when Mayor Harker initially called for witnesses not being called by staff or the applicant.

Mayor Harker noted that the procedural script had included an earlier opportunity for additional witnesses to come forward. After discussion, Mayor Harker permitted Ms. McCune to be sworn and testify.

Attorney Pike entered a continuing objection to the admission of non-expert opinion testimony concerning matters for which expert testimony had already been presented, including property valuation and technical tank-safety requirements.

Attorney Pike's objection was noted for the record.

Deputy Town Clerk Jennifer Welborn administered the oath to Ms. McCune.

Ms. McCune stated that she was a neighbor of the property and a longtime friend of the Davis and Simpson families. She clarified that she was not opposed to the proposed gas station and believed the applicants would operate the business responsibly.

Ms. McCune testified that her concern related specifically to the proposed above-ground fuel tanks. She stated that she had reviewed HUD Handbook 4000.1 and understood it to provide that a residential property located within 300 feet of an above-ground stationary storage tank containing 1,000 gallons or more of flammable or explosive material would be ineligible for FHA mortgage insurance.

Ms. McCune stated that several residences appeared to be located within 300 feet of the proposed tanks, including her property, properties across Highway 101, properties extending

toward Caraway Drive, and potentially nearby condominiums. She asked that the applicant construct the gas station with underground rather than above-ground fuel tanks.

Applicant's Response and Additional Testimony

Response by Attorney Pike

Attorney Pike stated that the Town's zoning and development ordinances did not require the applicant to satisfy FHA mortgage-insurance eligibility criteria. He stated that the applicant would comply with all Town requirements and all applicable regulations governing fuel storage tanks. Attorney Pike further stated that installing underground tanks was not financially feasible for the proposed project and that the project would not proceed if underground tanks were required.

Additional Testimony of Christopher Mashburn

At the applicant's request, Mr. Mashburn returned to address the distinction between FHA financing requirements and property value.

Mr. Mashburn stated that FHA insurance represented one specific financing product and that the availability of an FHA loan did not determine the market value of a property. He explained that purchasers may obtain other forms of financing, including conventional loans, loans retained by local financial institutions, VA loans, or USDA loans, each of which may have different underwriting and appraisal requirements.

Mr. Mashburn testified that the potential unavailability of a particular loan product did not, in his professional opinion, establish that the market value of adjoining or abutting property would be substantially injured.

Commissioner Cooper distinguished between property value and a prospective purchaser's ability to obtain FHA financing. He expressed concern that the restriction described by Ms. McCune could limit financing options for some purchasers, particularly younger families or first-time homebuyers. He clarified that he was not opposed to the proposed gas station and raised the issue because of its potential effect on housing access within the community.

Commissioner Gillikin stated that she understood and was sympathetic to the FHA-financing concern but questioned whether it could legally support a determination that the proposed use would substantially injure the value of adjoining or abutting properties under the Land Development Ordinance.

Town Attorney Arey Grady advised that the applicable standard under Finding E concerned substantial injury to property value. He noted that the expert valuation testimony in the record concluded that the proposed use would not substantially injure adjoining or abutting property values. He further explained that the availability of a particular financing program was not itself competent evidence of substantial injury to property value.

Commissioner LoPiccolo agreed that the FHA concern was understandable but stated that it did not provide a sufficient basis to find that the application failed to satisfy Finding E.

Commissioner Cooper reiterated that he was not relying upon the FHA concern as a basis to oppose the application but wanted his concern regarding possible effects on future housing access reflected in the record.

Board Deliberation

Commissioner Matthews asked how the improvements and mitigation measures discussed during the hearing would be incorporated into the Special Use Permit.

Town Attorney Grady explained that items shown or represented within the submitted application materials, including the site plan, landscaping, lighting, screening, fence, and containment berm, would be incorporated into the approval because the project would be required to develop in accordance with the submitted and approved plans.

Attorney Grady explained that the two conditions recommended by the Planning Board were not fully depicted within the submitted application and therefore should be stated expressly in the Board's approval:

1. The addition of two or more shade trees within the planting island to the east of the fuel pumps.
2. The construction of a pedestrian pathway connecting the Highway 101 sidewalk to the entrance of the convenience store.

Commissioner Gillikin asked whether the proposed beautification treatment on the west side of the building should also be stated as a condition. The conceptual materials presented during the hearing depicted treatment intended to screen conduit, electrical panels, meters, and other fixtures visible from Highway 101.

Attorney Grady explained that the applicant had presented several conceptual options rather than one finalized design. He recommended that, if the Board wished to require the improvement, the condition should describe the intended result and authorize Town staff to approve the final treatment during the permitting process.

Attorney Pike confirmed that the applicant intended to implement, at minimum, improvements substantially similar to those presented and would work with Town staff to select and approve an appropriate design. He stated that the applicant intended to screen the conduit and other fixtures on the west side of the building.

Commissioner LoPiccolo stated that the primary concern was adequate screening of the visible conduit, utility equipment, and fixtures rather than dictating a specific artistic or architectural design.

Commissioner Gillikin proposed requiring a beautification project on the west side of the building that adequately screened the conduit and fixtures, subject to approval by Town staff during the permitting process. Attorney Grady confirmed that the proposed language appropriately described the intended condition.

Conditions of Approval

Commissioner LoPiccolo made a motion to approve the findings of fact A through G, as set forth in the agenda packet. The motion carried unanimously with a (4-0) vote.

Commissioner Gillikin made a motion to approve the Special Use Permit for Case #26-12 (1507 Live Oak Street Gas Station) subject to the following conditions: (1) the two Planning Board conditions as set forth on page 3 of the case packet — specifically, the addition of two or more

shade trees in the planting island to the east of the fuel pumps, and the provision of a pedestrian pathway from the Highway 101 sidewalk to the convenience store entrance; and (2) a beautification project on the west side of the building that adequately screens the conduit and fixtures, as approved by town staff as part of the permitting process. The motion carried unanimously with a (4-0) vote.

Commissioner Cooper made a motion to close the public hearing for Case #26-12. The motion carried unanimously with a (4-0) vote.

Public Comment

No one had signed up for public comment prior to the close of the evidentiary hearings. One member of the public, Ms. Patricia Bentley, came forward after the hearings to sign up. Mayor Harker accepted her comment.

Patricia Bentley, 168 Hwy 101, Beaufort, addressed concerns regarding the recently approved Case #26-12 Special Use Permit for the gas station at 1507 Live Oak Street. After explaining why she did not come forward for testimony during the case's public hearing, Ms. Bentley stated that she supports the addition of the gas station and looks forward to being able to walk to it, but remains concerned about how the above-ground fuel tanks may impact her adjacent property. Specifically, she expressed concerns about the lighting, height, and visibility of the tanks, and increased traffic in the area. Ms. Bentley asked that these issues be considered as the project moves forward. She concluded, "I love where I live, and I just want to keep loving it."

New Business

1. Case #26-17 Subdivision: 2220 Live Oak Street Preliminary & Final Plat

Planning Director Kyle Garner presented Case #26-17, a request for combined preliminary and final plat approval for a two-lot subdivision at 2220 Live Oak Street. He provided the following information:

The subject property is located near the intersection of Live Oak Street and the new US 70 bypass. The total property is 2.52 acres and has a dogleg shape, with frontage on both Live Oak Street and Shell Landing Road. The property is zoned R20 (Residential, 20,000 sq. ft. minimum). The proposed subdivision would create two lots: Lot 1 at 1.67 acres with Live Oak Street frontage, and Lot 2 at 0.85 acres with Shell Landing Road frontage. No development is currently proposed. The property is located within the Town's Extraterritorial Jurisdiction (ETJ) and would be served by county well and septic systems.

Garner explained that this item came before the full Board because the Town does not yet have a minor subdivision procedure in its current subdivision ordinance, otherwise, a straightforward two-lot split of this nature in the ETJ with no significant impacts would have been handled administratively. The Planning Board reviewed the application and unanimously recommended approval in a review that Director Garner described as taking "less than about two minutes."

Commissioner Cooper asked about language in the presentation indicating that the item could be tabled pending additional information. Garner clarified that tabling was one of the options available to the Board and was not the action taken by the Planning Board.

Commissioner Matthews asked whether the Carteret County Health Department had reviewed the property to confirm that both lots could be served by well and septic systems. Garner

explained that applicants are required to obtain the necessary approvals before subdivision approval to ensure the resulting lots are buildable. He confirmed that the applicant had obtained the required permits.

Commissioner Matthews made a motion to approve the preliminary and final plat for Case #26-17 Subdivision: 2220 Live Oak Street as presented.

The motion carried unanimously with a (4-0) vote.

2. Extension of Wooden Railing System in Commercial Dock Area

Zapp noted that, due to timing, the Board could either discuss the item or defer it to a future work session. The Board expressed consensus to proceed.

Town Manager Matt Zapp explained that the existing wooden railing system along the commercial dock area at the Beaufort Town Docks had been well-received, and staff was seeking Board authorization to extend it from the current terminus to the “Crystal Coast Lady” (East) dock. The extension would bring greater consistency and improve safety along that stretch of retaining wall, a section where, as confirmed during discussion, people and dogs have fallen into the marsh.

Commissioner Matthews expressed support, framing it as a safety issue. He noted an appreciation that town staff would manage the construction to keep costs low and suggested that dock-related expenditures should ultimately be viewed holistically rather than approved piecemeal. He then indicated that he was comfortable proceeding with this specific item.

Commissioner Gillikin asked whether the commercial vendors in the “East Basin” had been consulted and whether the extension construction would affect their access in any way. Zapp confirmed that there would be no impact to commercial vendors' access in this particular segment. He further clarified that while a CAMA permit was in-process or in-hand, the project would be executed by the town's Public Works staff as resources and time allow, and other higher-priority projects would be addressed first.

Commissioner Cooper made a motion to approve the extension of the wooden railing system in the commercial dock area as presented.

The motion carried unanimously with a (4-0) vote.

Mayor Harker called for a brief recess of the meeting at 8:29 PM.

The meeting was reconvened at 8:40 PM.

Manager Report

Town Manager Matt Zapp provided several updates, noting that a full monthly report had been distributed electronically and printed copies were available.

Zapp stated that work associated with the USDA water project was progressing at a faster pace with TA Loving in position. He advised that residents should continue to anticipate construction-related delays and temporary road closures. Information regarding immediate closures and affected work zones would continue to be shared through the Town's social media channels. Zapp encouraged residents in impacted areas to follow the Town's social media accounts and consult the news section of the Town's website for updates. He recognized the work of the Town's

communications team and reported that the Town's social media content had collectively reached more than one million people during the previous 30 days.

Zapp reported that staff was continuing to work through the Campen Road improvements and was coordinating with the selected vendor to determine whether the contract could be executed in accordance with the direction provided by the Board at its previous meeting.

He also reported that Duke Energy's transmission infrastructure improvements near Highway 101 and the former Redneck Barbecue location had been delayed that day. Temporary road closures were possible the following day and into Wednesday while transmission lines were replaced, weather permitting. He noted that the work was difficult to complete during rainy conditions and could experience further delays.

Zapp thanked Town staff, team members, volunteers, sponsors, and the Beaufort Business Association for their efforts in making the Independence Day celebration successful. He noted that the weather was favorable, downtown Beaufort was heavily attended, and the fireworks display at Gallants Channel concluded without incident.

Zapp also reported that the Rock the Docks concert series had experienced favorable weather throughout the season. He reminded everyone that the remaining concerts would continue on Thursdays from 5:00 p.m. until 8:00 p.m., with the final concert currently scheduled for August 6, 2026.

Zapp concluded with several grant-related updates and publicly thanked Planning Director Kyle Garner for his assistance. He reported that Bulkhead Channel had recently been dredged in coordination with the U.S. Army Corps of Engineers. Based on the information available at that time, the project was expected to be fully federally funded. This would allow the Town to retain funds that had been reserved for a local contribution of up to approximately 25 percent. Zapp also recognized Garner's assistance in preparing the project and having the work completed ahead of schedule.

Zapp stated that Garner was also assisting with implementation of the grant for the Ann Street Waterfront Park project. The Town's goal was to complete the project by January 2027, provided that weather conditions and contractor schedules remained on track.

Finally, Zapp reported that Town staff was scheduled to participate in a preliminary Boating Infrastructure Grant kickoff meeting from 3:00 p.m. until 5:00 p.m. on July 15, 2026. Staff would use the meeting to learn more about the grant requirements and identify eligible projects for the next application cycle. The Town would work in partnership with F3 Marina and the Beaufort team to determine the most appropriate project to pursue before the August 28, 2026, application deadline.

Mayor/Commissioner Comments

Commissioner LoPiccolo thanked the Planning Board for the time and effort devoted to reviewing the Special Use Permit applications. He praised the collaboration among the Planning Board, applicants, and community members and described the approved gas station project as a positive investment that would improve and beautify a previously underdeveloped area. He specifically thanked Jim Davis and Tommy Simpson for their commitment to the project and for voluntarily incorporating landscaping and other site improvements.

Commissioner Cooper commended the Beaufort Business Association and Town staff for their work on the July Fourth parade. He stated that the event appeared to be growing, was well attended, and included strong participation from both parade entrants and spectators. He also thanked the staff members who worked during the event and those who handled preparations beforehand. Cooper thanked Town Manager Matt Zapp for consistently keeping the Board and community informed. He requested that, when possible, supplemental information and materials be provided to Commissioners before the day of a meeting so they have adequate time to review and consider them.

Commissioner Gillikin thanked Jim Davis and others who had worked for several years to establish a gas station in Beaufort. She recognized the time and expense involved in evaluating sites, preparing concept plans, and continuing the project after prior proposals did not move forward. She also expressed appreciation for the July Fourth parade and discussed Beaufort's Revolutionary War history. Gillikin described the 1782 British attack on Beaufort and recognized Colonel John Easton and the local militia members who responded. She suggested that additional research, potentially including ground-penetrating radar, might help locate Easton's burial place and further document the history of his former plantation near the Gibbs Creek community.

Commissioner Matthews used his comments as a point of personal privilege to announce the birth of his youngest daughter's baby the previous evening. He reported that the baby weighed eight pounds, three ounces and that both the mother and child were doing well.

Commissioner Cooper briefly added congratulations to Mayor Harker on the recent birth of her grandchild. He also thanked Town Attorney Arey Grady for guiding the Board through the evening's proceedings and recognized Grady's law firm for hosting an annual event attended by members of the Board and staff.

Mayor Harker thanked Town staff for their work and described the extensive responsibilities they manage daily for the benefit of Beaufort. She also thanked Town Manager Matt Zapp and Town Attorney Arey Grady for their assistance, particularly with meeting procedures and quasi-judicial matters. Harker announced that she had recently become a grandmother and shared that her grandson, Callum Christopher McMichael, was six weeks old. She then requested that future meetings include a visible reminder on the screen advising attendees that they may sign up for public comment. She explained that the Town should more clearly distinguish between public comment and evidentiary or public hearings so that residents do not feel they have missed an opportunity to participate.

Closed Session

~~1. Pursuant to N.C.G.S. § 143-318.11 (a)(6)~~

NOTE: This item was moved to the July 27, 2026, Board of Commissioner Work Session, as amended during agenda approval.

Adjourn

Commissioner Cooper made a motion to adjourn the meeting at approximately 9:04 PM.

The motion carried unanimously with a (4-0) vote.

Sharon E. Harker, Mayor

Jennifer L. Welborn, Deputy Town Clerk

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



STAFF REPORT



To: Planning Board Members

From: Michelle Eitner, Town Planner

Date: June 15, 2026

Case No. 26-18 Special Use Permit – Amendment to remove condition from 1527 Front St Accessory Dwelling Units SUP

THE REQUEST: To recommend to the Board of Commissioners approval or denial of the requested amendment to remove condition from the Special Use Permit (SUP) for Accessory Dwelling Units (ADU) at 1527 Front Street

INFORMATION:

Location: 1527 Front Street (north side of Front between Belle Air and Ocean)

Property Owner: Southern Living Homes LLC (via Delbert Heick, Manager)

Zoning District: Residential Single-Family 5 Development District (RS-5)

Flood Zone: X and Shaded X (not in Special Flood Hazard Area/“100yr floodplain”)

LUP Future Land Use: Traditional Neighborhood Residential (no NIZ)

Size: 0.268 acres / 5,955sf

Existing Land Use: Single-Family Residence with shed

Proposed Land Use: Single-Family Residence with Accessory Dwelling Unit (ADU)

Adjoining Uses/Zoning: North, West, and East: Single-Family Residential (RS-5)
South: Single-Family Residential (R8-A)

Utilities: Existing, water and wastewater provided by Town

OPTIONS:

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

ATTACHMENTS:

- Attachment A – Staff Report
- Attachment B – Vicinity Map
- Attachment C – Zoning Map
- Attachment D – Application Package (including 2021 Special Use Permit Order)
- Attachment E – LDO Section 20 Special Use Permits (Especially Section 20.E.1 Required Findings)
- Attachment F – LDO Section 7.F Residential Single-Family 5 Development District (RS-5)
- Attachment G – Comprehensive and CAMA Land Use Plan Future Land Use Map & Classification

STAFF COMMENTS:

Delbert Heick, Manager for property owner Southern Living Homes LLC of 1527 Front Street, has requested an amendment to the 2021 Special Use Permit to remove a condition that requires that the Accessory Dwelling Units are only used by family members.

The SUP was granted in January 2019 pursuant to the condition that the ADUs (one garage unit and one cottage unit) would only be used by family, as indicated by testimony and the applicant's narrative. The SUP was not executed until March 2021.

The Planning Department received a code enforcement complaint in March claiming that the ADUs were being rented to the public and not just used for family as required by the SUP. Research into the alleged violation resulted in finding the garage apartment listed on two real estate websites. Following consultation with the Town Attorney, a Notice of Violation was sent via certified/return receipt mail on March 25th to Southern Living Homes LLC. Staff received a call from tenant Romelda Barnes on April 10th regarding the NOV she received and discussed methods of compliance with her. Subsequent discussions between staff and Ms Barnes and property owner Delbert Heick worked towards an application to amend the SUP to remove the family-only condition. The online rental listings were removed in the meantime.

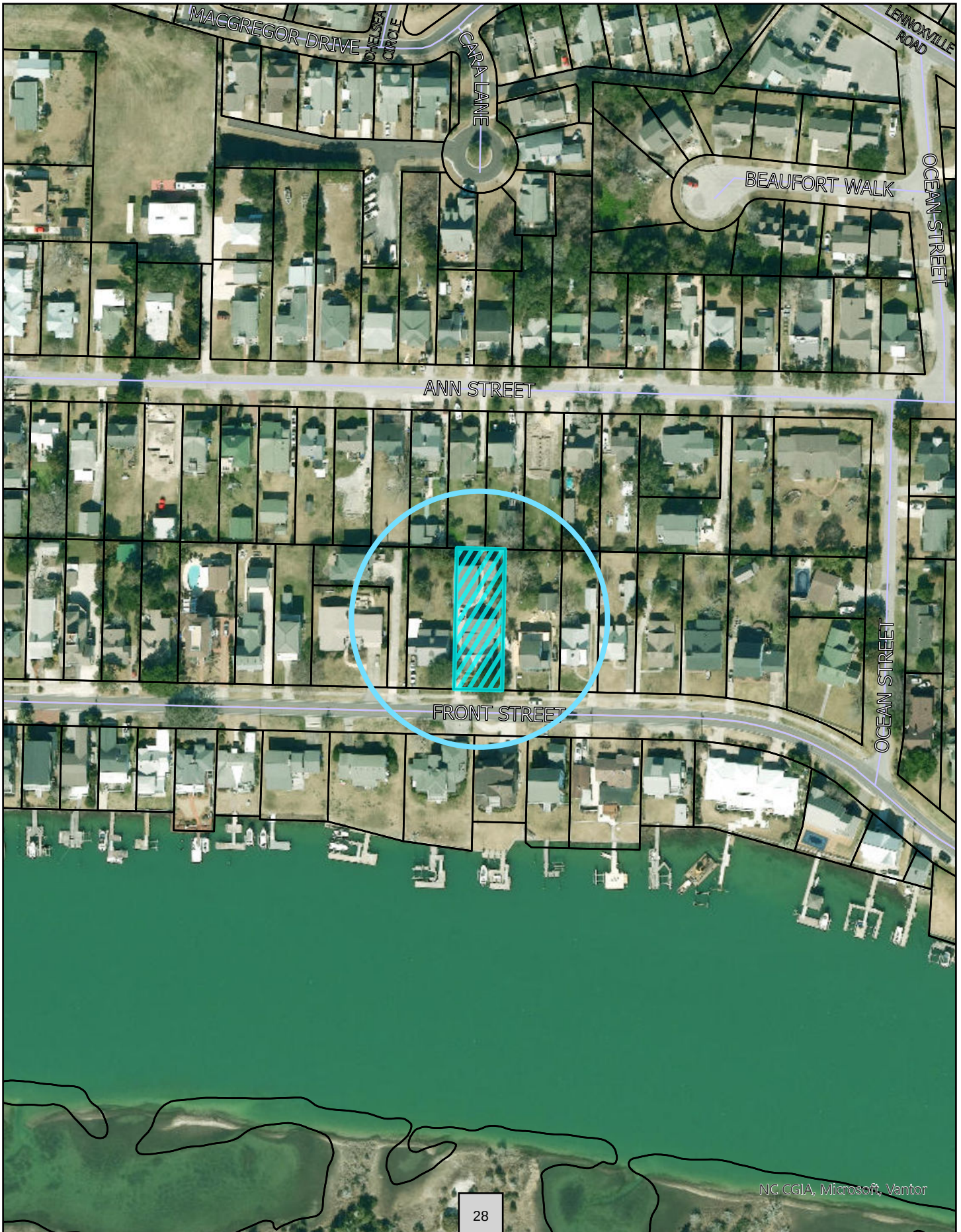
The same quasi-judicial procedures generally apply to the approval, amendment, or rescission of a Special Use Permit. Because this request is limited to the removal of a specific condition, the focus of the discussion is the proposed amendment rather than a reconsideration of the entire permit approval. The Board of Commissioners must determine whether the Special Use Permit, as amended by the removal of the condition, continues to satisfy the applicable findings and standards required by the ordinance and North Carolina law. Accordingly, the Planning Board's review and recommendation should be limited to the requested amendment and whether the Special Use Permit, as amended, continues to meet the applicable standards and findings required for approval.

The location of this request within a residential zone does require review of compatibility with adjoining buildings listed in Section 20.E.3, but no changes to the buildings are proposed as part of this SUP amendment. Staff recommends that compliance with the compatibility standards would have been part of the 2019/2021 SUP and that the requested amendment to remove the condition does not call these additional standards into question.

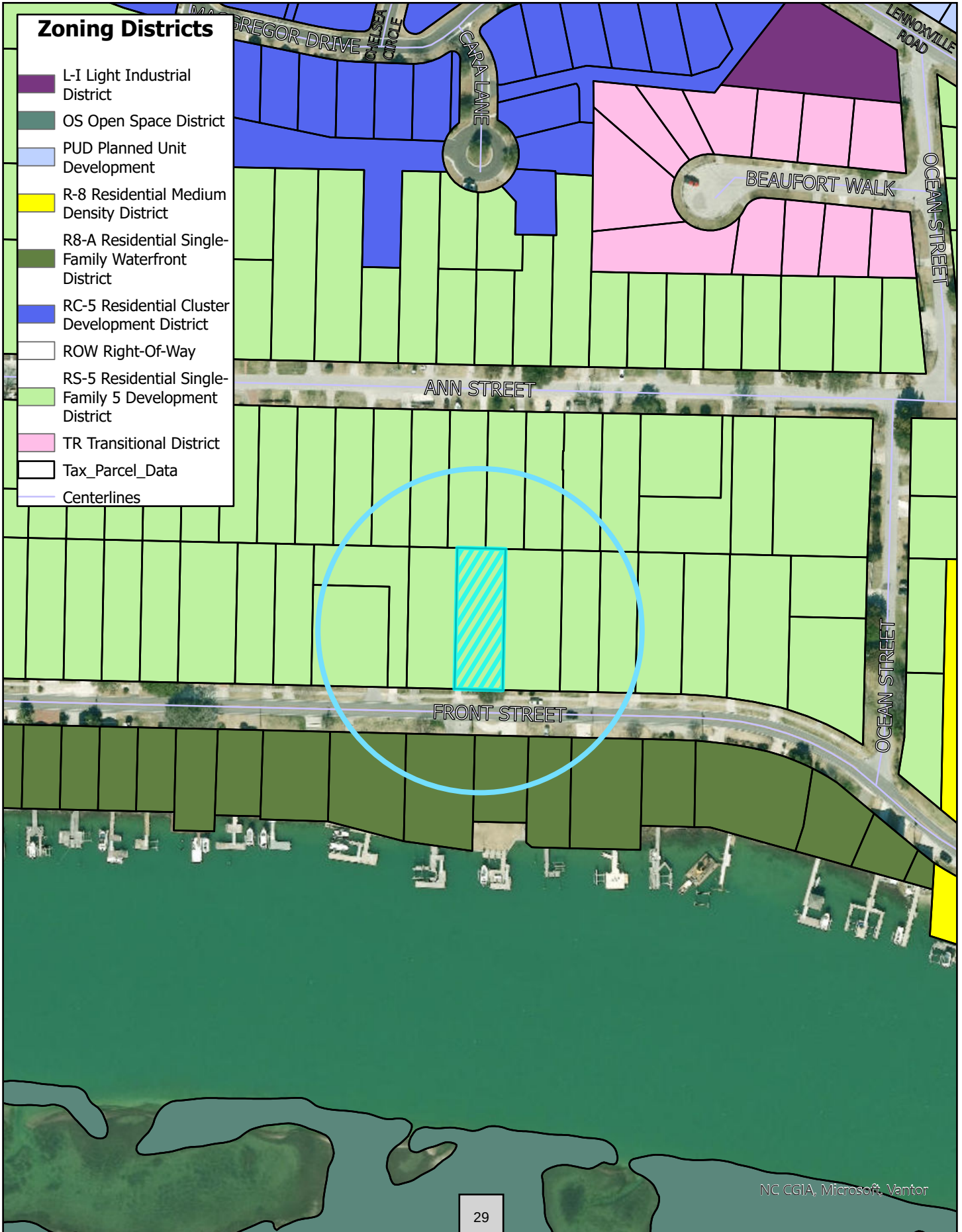
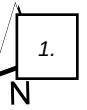
The Technical Review Committee (TRC) received this item for review digitally and all responded with no comments or issues.

Following discussion during their June 15th meeting, the Planning Board unanimously moved, "...that we not approve the application as submitted, but instead approve the application with the condition that the main dwelling and the smaller accessory dwelling in the back be reserved only for family use, and the larger accessory dwelling unit in the back may be rented out to other than family, as suggested by the applicant."

Case 26-18 1527 Front Street ADU SUP Amendment Vicinity Map



Case 26-18 1527 Front Street ADU SUP Amendment Zoning Map





APPLICATION FOR A SPECIAL USE PERMIT

Instructions:

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

APPLICANT INFORMATION

Applicant Name: Southern Living Homes, LLC

Applicant Address: PO Box 433, Kittrell, NC 27544

Phone Number: (252) 883-6036 Email: [REDACTED]

Property Owner Name: Southern Living Homes

Address of Property Owner: PO Box 433, Kittrell, NC 27544

Phone Number: (252) 883-6036 Email: [REDACTED]

PROPERTY INFORMATION

Property Address: 1527 Front Street

15-Digit PIN: 730507685821000 Lot/Block #: LOT 34 Part L35

Size of Property (in square feet or acres): 11540 / 1.268 Current Zoning: RS-5

Current Use of Property: Residential Requested Use: Back structure to lease

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

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

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

Robert D. Hendrix, Jr.
Applicant Signature

5/20/26
Date of Applicant's Signature

Property Owner Signature (if different than above)

5/20/26
Date of Owner's Signature

OFFICE USE ONLY

Revised 8/2020

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

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

Introduction and summary of proposed use for 1527 Front St.

We are respectfully requesting a new/ revised special use permit to allow short and or long-term rentals of the back two buildings at 1527 Front street. This request seeks to amend the special use permit previously required by the city limiting use to only family members.

The home was purchased May 17, 2011 from William E Fallon. This home which is directly off Front street was being used as a bed and breakfast style home allowing up to 5 different parties at one time. It was modified and had 5 separate rooms which were secured by padlocks at each bedroom to ensure a secure accommodation for tenants. Obviously, this created some traffic issues if in fact all 5 rooms were rented to 5 separate parties at the same time.

When the property was purchased in 2011, its intended use was for the owner to use it as vacation home. In 2019 it was decided to tear down an old garage in the back of the main residence and add two new structures for family members to use. Part of the approval process resulted in a special use permit allowing only family member to use the back two buildings and did not include or effect the original main structure. On 6/24/21 a permit for the project was issued and the final CO issued on 7/19/23.

Since then the new structures have been used only 2-3 times by family members. In mid July 2025 it was decided that consideration be given on how to best use the property. Currently we could rent the main structure much like the prior owner did converting it to a bed and breakfast style allowing up to 5 separate parties to use the accommodations ultimately creating parking issues on the main street. It was decided that the best use of the property was to rent the back two structures which would have parking off the main street and minimal influence in traffic along Front Street. ***Intended use is to make it short or long term use with a primary market to older couples, not large parties of people.***

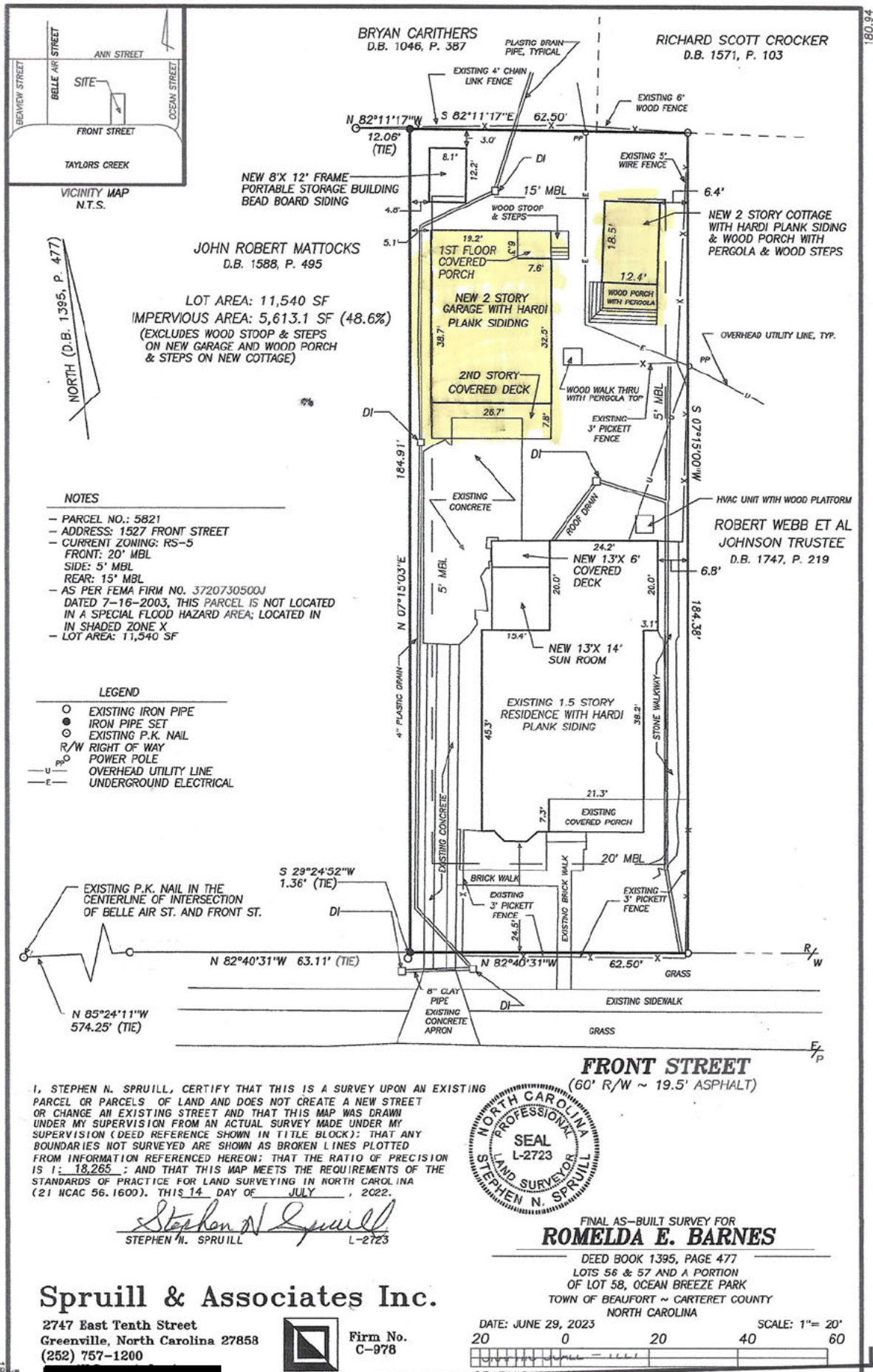
The seven required findings under LDO Section 20(E)(1)

- A. The proposed use is allowed as a special use in the RS-5 zoning district.
- B. We have submitted a complete package of a special use application.
- C. The location and character of the use will be in conformity with the towns comprehensive and CAMA land use plan and other comprehensive planning elements.

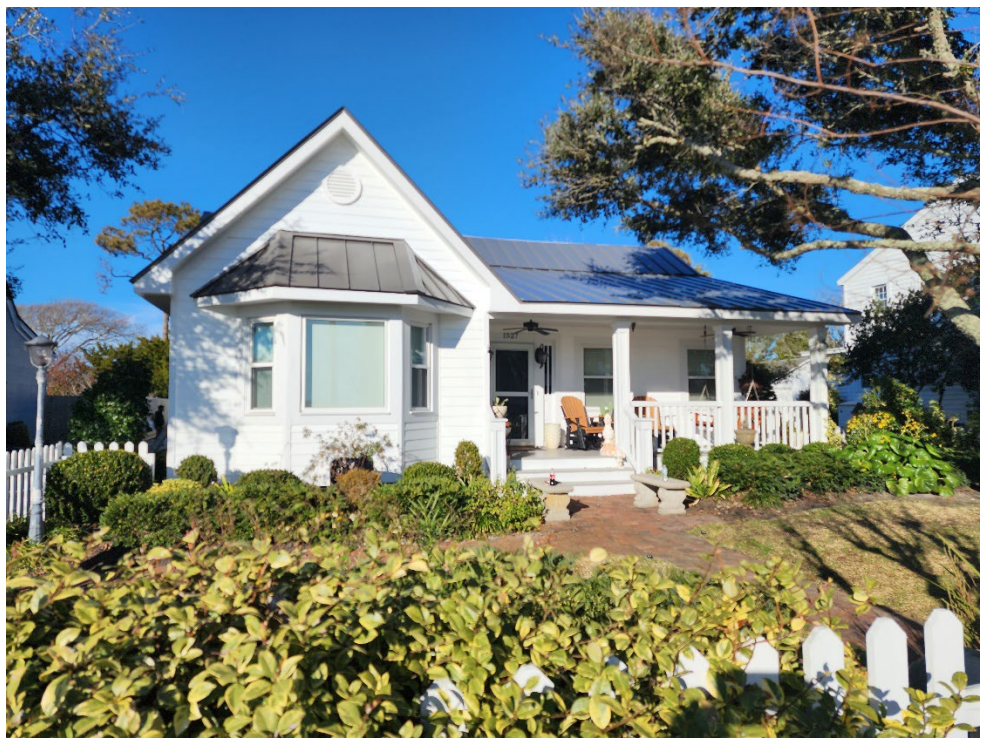
- D. The proposed use would be in better keeping with regards to minimal impacts on the surrounding area. Use of the back buildings vs. the front home would take pressure off of Front Street parking by requiring tenants to use parking in the back which incorporated additional parking and buffering into the lot development and use.
- E. Since there will be no structural changes and design modifications to the subject property, the site-level appearance of 1527 Front Street from the perspective of any adjoining or abutting properties will be unchanged. We submit that the proposed use/change will even have less impact on neighbors and commuters vs using the front home as rental property.
- F. As many of the homes on Front Street commonly are used for summertime vacationers, its not uncommon to find numerous cars parked in the front of the house on Front Street for short periods of time. This proposed use would be more compatible and in harmony with surrounding residential land use by using the proposed back parking in conjunction with the back properties.
- G. The proposed change and use will not materially endanger the public health or safety of the community if the back buildings are used as proposed.

In conclusion, It is because of our good neighbors on both sides of us as well as the potential traffic issues in front of the property that we are requesting an approval to use the back two structures for short and or long term stays.

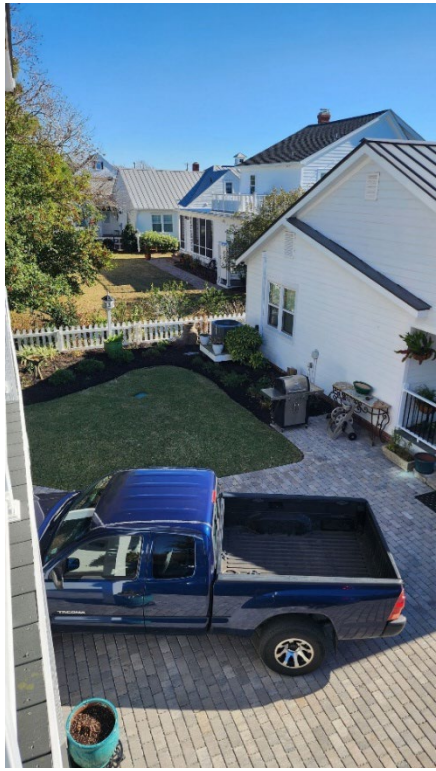
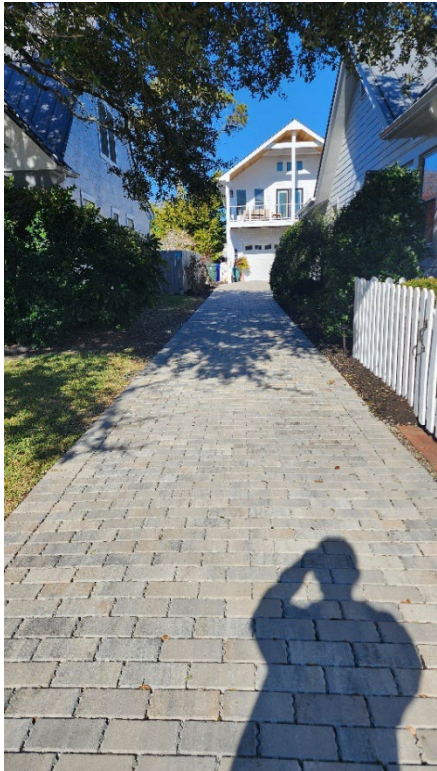
If this change is approved, we would consider as part of a special use permit, that the front home be considered a residence with restrictions for rental purposes.



Special Use Structures



Elevations of original structure 1527 Front Street



Photos for rear parking back structures 1527 Front St.



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

TOWN OF BEAUFORT, NC ORDER GRANTING A SPECIAL USE PERMIT

The Board of Commissioners for the Town of Beaufort, NC having held a public hearing on January 14, 2019 to consider application number 18-15, submitted by Romelda E. Barnes of Southern Living Homes, LLC, a request for 1527 Front Street (PIN 730507685821000) for a Special Use Permit for an Accessory Dwelling Unit in the RS-5 Residential Zoning District where such use is not allowed, and having heard all of the evidence and arguments presented at the hearing, makes the following FINDINGS OF FACT and draws the following CONCLUSIONS:

1. It is the Board's CONCLUSION that the Applicant complies with the literal terms of the *Land Development Ordinance* (or LDO from this point forward), specifically that the use is allowed as a special use in the RS-5 Zoning District as stated in the LDO. **This conclusion is based on evidence and testimony given by the Town Planner.**
2. It is the Board's CONCLUSION that the application submitted is complete. **This conclusion is based on the technical review of the application and testimony given by the Town Planner**
3. It is the Board's CONCLUSION that the location and character of the use will be in conformity with the Town's CAMA Land Use Plan and other comprehensive planning elements. **This conclusion is supported by the consistency statement provided by the Planning Board.**
4. It is the Board's CONCLUSION that the streets, driveways, parking lots, traffic control, and current traffic engineering standards and Town regulations are found to be adequate for the proposed special use and the use will not require any off-street parking. **The proposed use will have minimal impacts on the surrounding area. The use is consistent with that of a single family dwelling, with no need for additional parking or buffering. This conclusion is based on the technical review of the application and testimony given by the Town Planner**
5. It is the Board's CONCLUSION that the proposed special use will not substantially injure the value of adjoining or abutting properties. **There was no substantial evidence presented during the hearing which would indicate the proposed use will injure the value of adjoining or abutting properties.**
6. It is the Board's CONCLUSION that the use will be compatible and in harmony with the adjoining land uses and the development patterns of the immediate area. **The proposed use is compatible and in harmony with the surrounding residential land use and development patterns of the immediate area.**
7. It is the Board's CONCLUSION that the proposed use will not materially endanger the public health or safety of the community if located where proposed and developed. **There was no substantial evidence presented during the hearing which would indicate the proposed use will endanger the public health or safety of the community if located where proposed.**

THEREFORE, on the basis of all of the foregoing findings, IT IS ORDERED that the application for a SPECIAL USE PERMIT for 1527 Front Street is **GRANTED with the following CONDITION:**

1. The accessory dwelling unit(s) will be used only by family members as noted in the narrative included in the record and entered into evidence.

Ordered this 15th day of March, 2021

CARTERET COUNTY
NORTH CAROLINA

IN WITNESS WHEREOF, the Town of Beaufort has caused this instrument to be executed in its name as evidence of the grant of said Special Use Permit, and the undersigned being all of the property owners of the property described above, have executed this instrument in evidence of their acceptance of said Special Use Permit as covenant running with the land.


Kate Allen, Town Planner

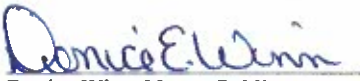
ATTEST

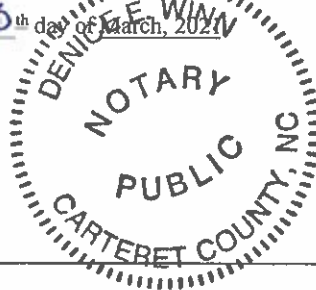

Allen Coleman, Town Clerk

CARTERET COUNTY
NORTH CAROLINA

I, Denice Winn, a Notary Public, do hereby certify that Allen Coleman personally appeared before me this day and acknowledged that he is the Town Clerk for the Town of Beaufort and that by authority duly given and as the act of the Town, the foregoing instrument was signed in its name by Kate Allen, Town Planner and Allen Coleman, Town Clerk

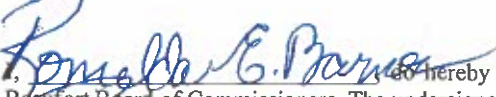
Witness my hand and notarial seal this 15th day of March, 2021


Denice Winn, Notary Public



My Commission Expires: 4/20/2023

ACCEPTANCE


I, Romeida E. Barnes, do hereby acknowledge receipt of this Special Use Permit approved by the Town of Beaufort Board of Commissioners. The undersigned does hereby acknowledge that no work may be done pursuant to this permit except in accordance with all of its conditions and requirements and that this restriction shall be binding on them and their successors in interest.


Applicant Signature

3-15-21
Date

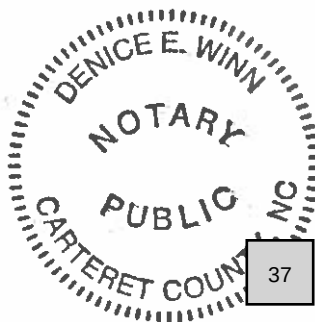
NORTH CAROLINA

I certify that the following person(s) appeared before me this day, each acknowledging to me that he or she signed the foregoing document:

Romeida E Barnes
Name(s) of Principal(s)

Date: 3/15/2021

(Official Seal)




Official Signature of Notary

Denice E. Winn, Notary Public
My commission expires: 4/20/2023

SECTION 20 Special Use Permits

A) *General.*

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

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

B) *Special Use Permit Application Procedures.*

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

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

C) *Quasi-Judicial Proceeding Notification Requirements.*

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

D) *Procedures on Special Use Applications.*

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

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

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

E) Required Findings.

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

F) RS-5 Residential Single-Family 5 Development District.

This residential district classification is intended for existing or older neighborhoods characterized by single-family residences on relatively smaller lots and provides reduced setback requirements and a defined street orientation. The purpose of this district is to provide relief to existing lots of record which make them difficult to be developed as single-family residences. The RS-5 district has a fifty percent (50%) lot coverage restriction which must be maintained. No buildings, houses, or structures, excepting noncommercial docks or piers as specified in Section 2(H) of this Ordinance, will be erected on the south side of Front Street in this district. Uses in this district which require potable water or sanitary sewer must be connected to both municipal water and municipal sewer.

1) Minimum Lot Size.

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

2) Residential Density.

- a) All lots in the RS-5 district shall be limited to one single-family detached dwelling per lot.
- b) All lots in the RS-5 district shall not exceed an impervious surface area requirement of fifty percent (50%).

3) Minimum Lot Width.

All lots in the RS-5 district shall have a minimum lot width of fifty feet (50') at the minimum building line.

4) Building Setback and Building Height Requirements and Limitations.

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

Table 7-17 Interior Lot Requirements

<i>District</i>	<i>Front Setback (Right-of-Way)</i>	<i>Rear Setback</i>	<i>Side Setback</i>	<i>Building Height Limitation</i>
RS-5	20 feet	15 feet	5 feet	35 feet

Table 7-18 Corner Lot Requirements

<i>District</i>	<i>Designated Front (Right-of-Way) Setback</i>	<i>Designated Side (Right-of-Way) Setback</i>	<i>Rear Setback</i>	<i>Side Setback</i>	<i>Building Height Limitation</i>
RS-5	20 feet	10 feet	15 feet	5 feet	35 feet

Table 7-19 Double Frontage Lot Requirements

<i>District</i>	<i>Designated Front (Right-of-Way) Setback</i>	<i>Designated Rear (Right-of-Way) Setback</i>	<i>Side Setback</i>	<i>Building Height Limitation</i>
RS-5	20 feet	20 feet	5 feet	35 feet

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

5) Accessory Building Setback Requirements.

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

6) Permitted Uses.

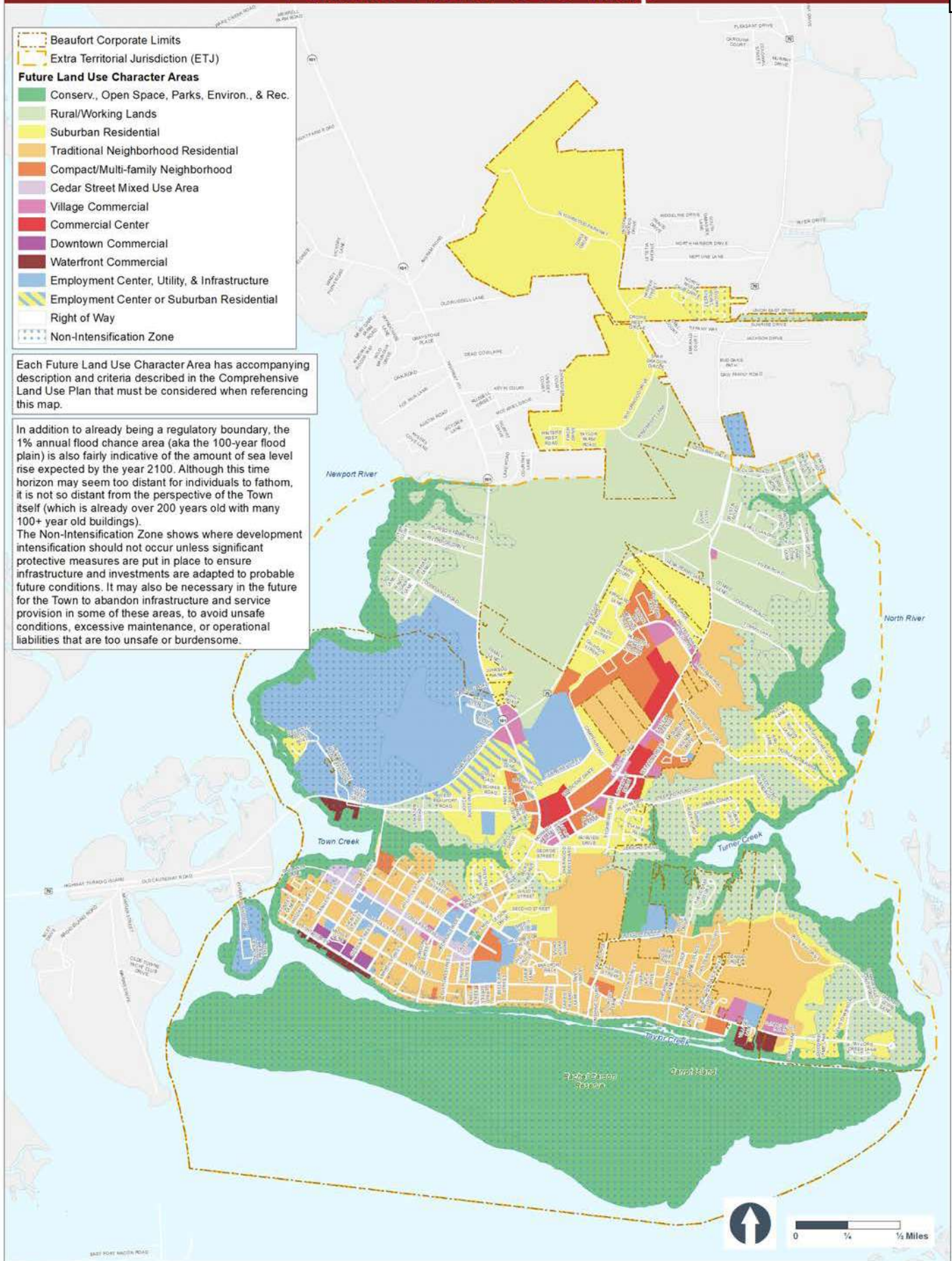
Antenna Co-Location on Existing Towers	Indoor/Outdoor, Private Neighborhood Recreation Center, Public
Athletic Field, Public	Park, Public
Carport	Public Safety Station
Community Garden	Public Utility Facility
Dock	Resource Conservation Area
Dwelling, Single-Family	Shed
Family Care Homes	Swimming Pool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

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

Accessory Dwelling Unit	Marina
Athletic Field, Private	Outdoor Amphitheater, Public
Bed & Breakfast	Preschool
Cemetery/Graveyard	Religious Institution
Club, Lodge, or Hall	Satellite Dish Antenna
Concealed (Stealth) Antennae & Towers	School, Post-Secondary
Golf Course, Privately Owned	Transportation Facility
Golf Driving Range	

Future Land Use Map

1.



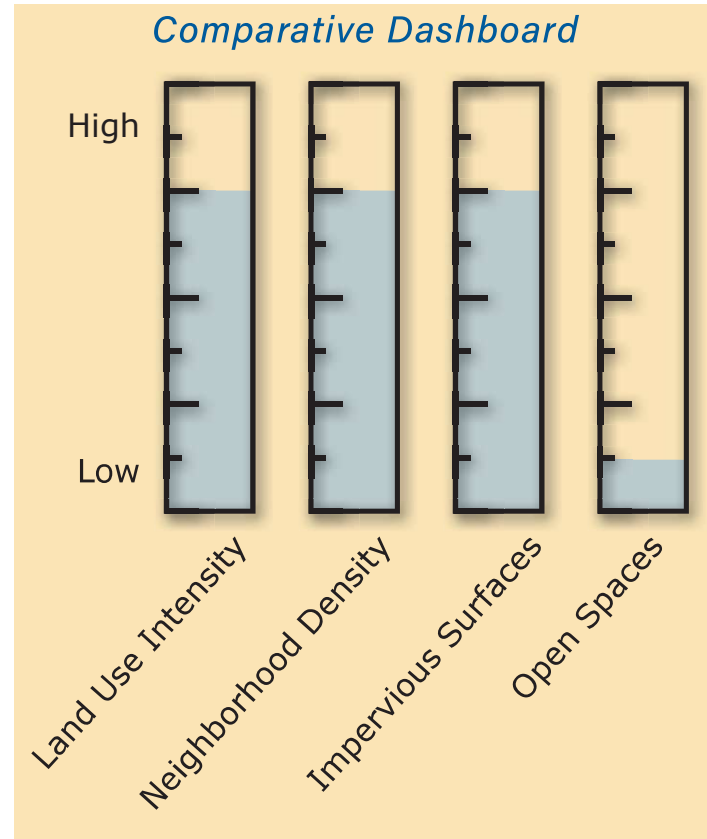
Traditional Neighborhood Residential

General Description:

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

Streets and Circulation:

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



EXAMPLE USES:

Typical Uses:

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

Traditional Neighborhood Residential

Other Concerns:

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



Examples of the traditional neighborhood development style.



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

Notification Certification
Case #26-18 1527 Front Street Abutting Neighbors
Special Use Permit Amendment Request

SOUTHERN LIVING HOMES LLC PO BOX 433 KITTRELL, NC 27544	CROCKER RICHARD SCOTT 227 NORTWICK ROAD ROLESVILLE, NC 27571
MARLOW DEVELOPMENT PARTNERS LLC 3700 COMPUTER DR STE 280 RALEIGH, NC 27609 -6531	MATTOCKS JOHN R ETUX SUSAN A G 5303 TRENT WOODS DRIVE NEW BERN, NC 28562
WEBB ROBERT ETAL LISE JOHNSON TRUSTEE 2111 WOODLAND AVE RALEIGH, NC 27608	MARLOWE WILLIAM A III 3700 COMPUTER DRIVE #280 RALEIGH, NC 27609
ELLIOTT JAMES ANDREW LITTLE REBECCA MARIE 210 CARY ST SMITHFIELD, VA 23430 -1104	

I, *Michelle Eitner*, Town Planner for the Town of Beaufort do hereby certify the above subject property owners and adjacent property owners were notified that a special use permit request will be heard at the July 13, 2026 Board of Commissioners meeting at the Train Depot, 614 Broad Street, Beaufort, NC, at 6:00 p.m. Each of the above property owners was mailed a letter and vicinity map on June 19, 2026, regarding a request for a special use permit at 1507 Live Oak Street. A sign was posted on the subject property on June 19, 2026 regarding the same. A public notice advertising the hearing was submitted to the Carteret County News Times to run on July 1 and 8.

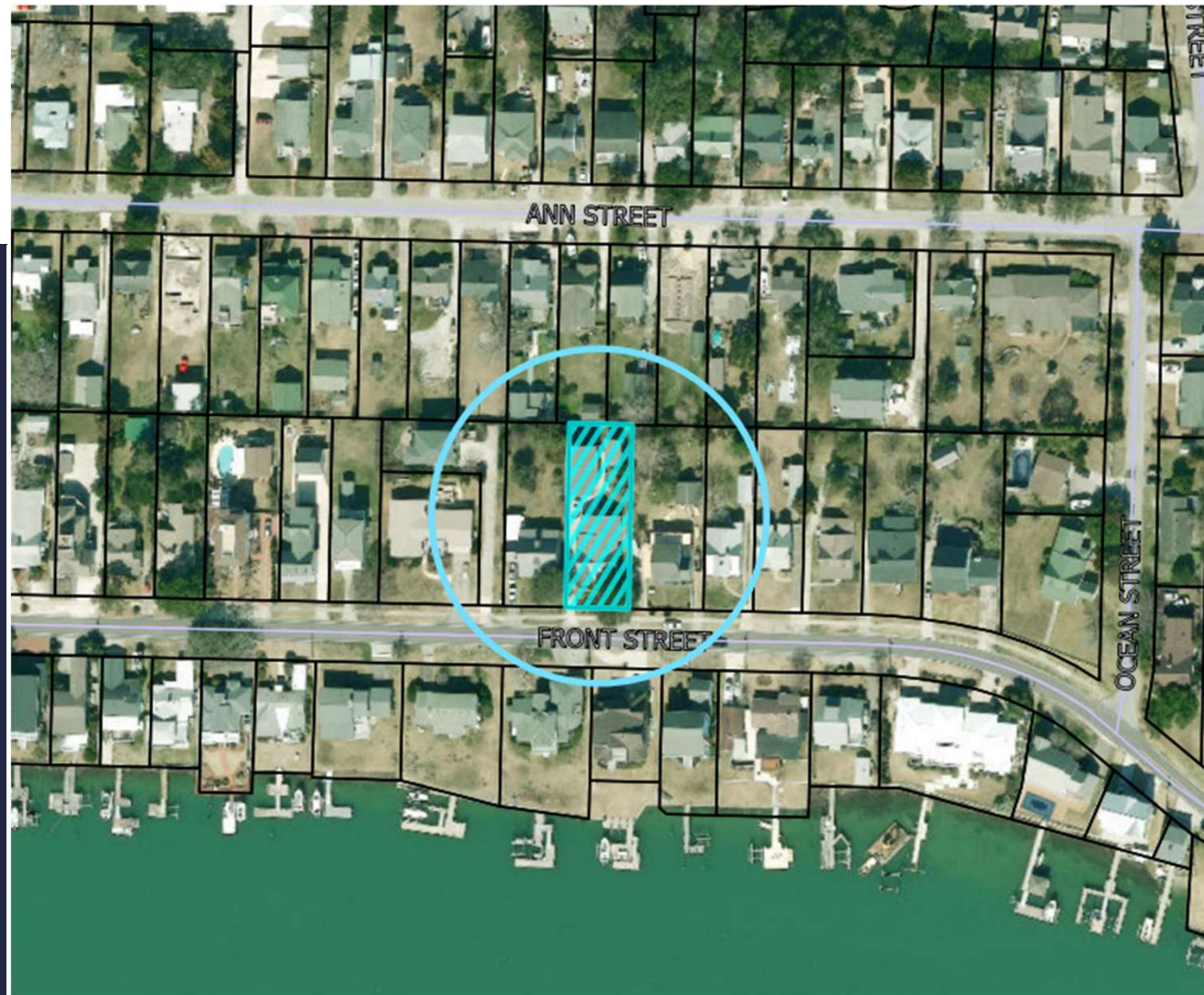
Signed

Date

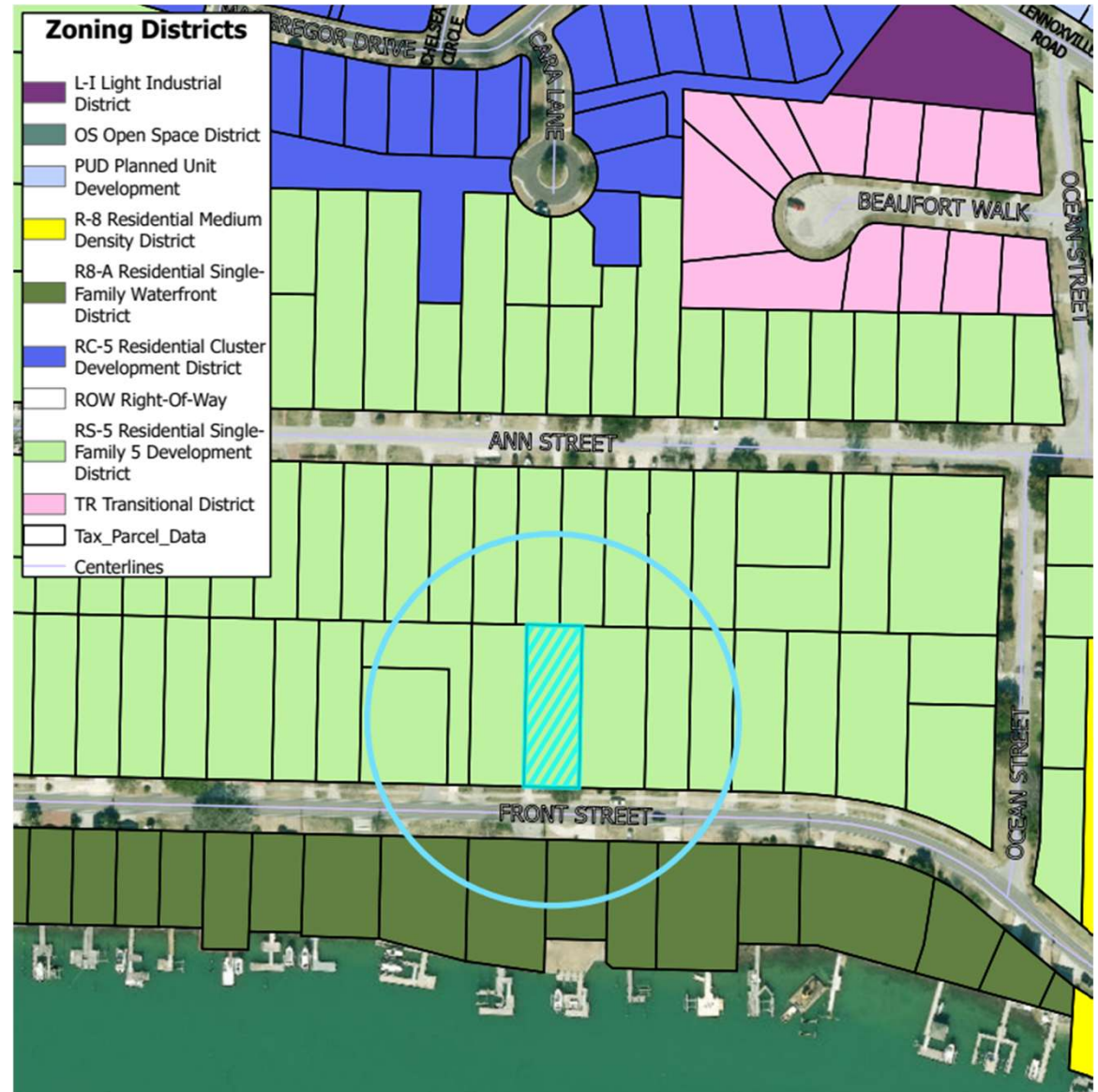
CASE 26-18 SPECIAL USE PERMIT

Request for Amendment to remove condition
from 1527 Front St Accessory Dwelling Units SUP

CASE 26-18 REQUEST
FOR AMENDMENT TO
REMOVE CONDITION
FROM 1527 FRONT ST
ADU SUP



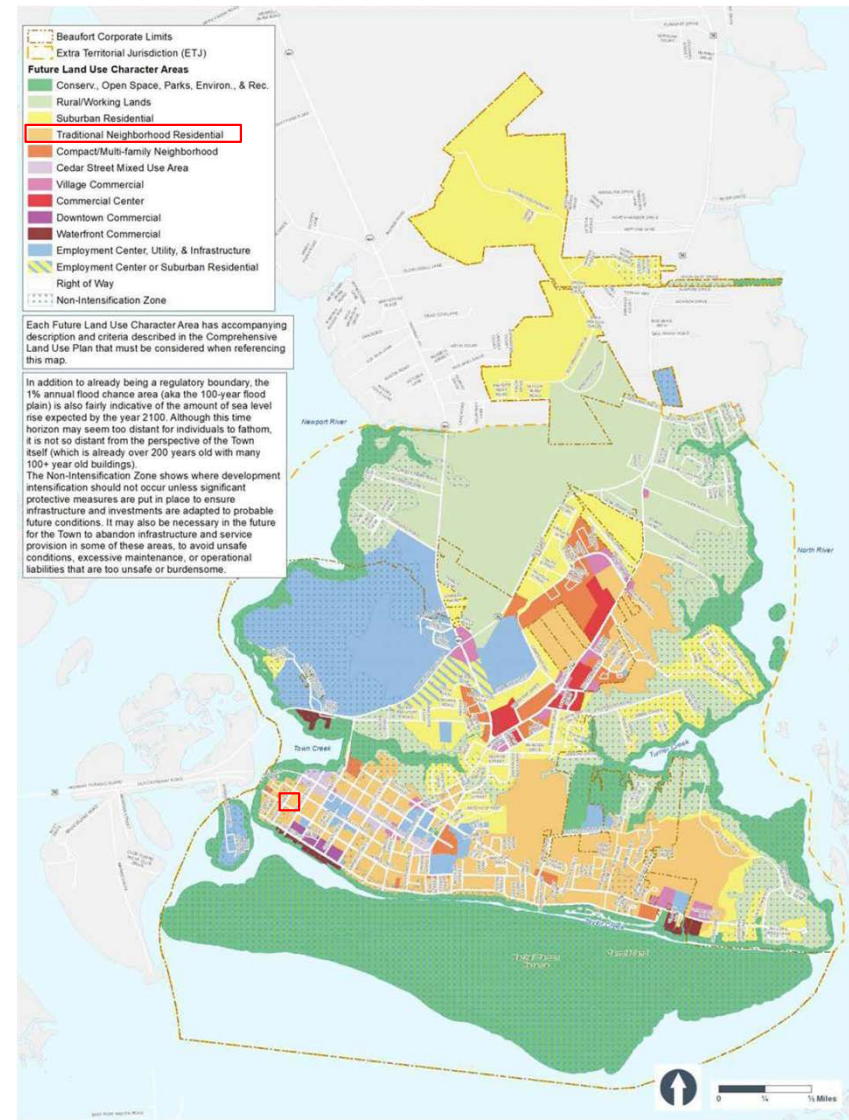
CASE 26-18 REQUEST FOR AMENDMENT TO REMOVE CONDITION FROM 1527 FRONT ST ADU SUP



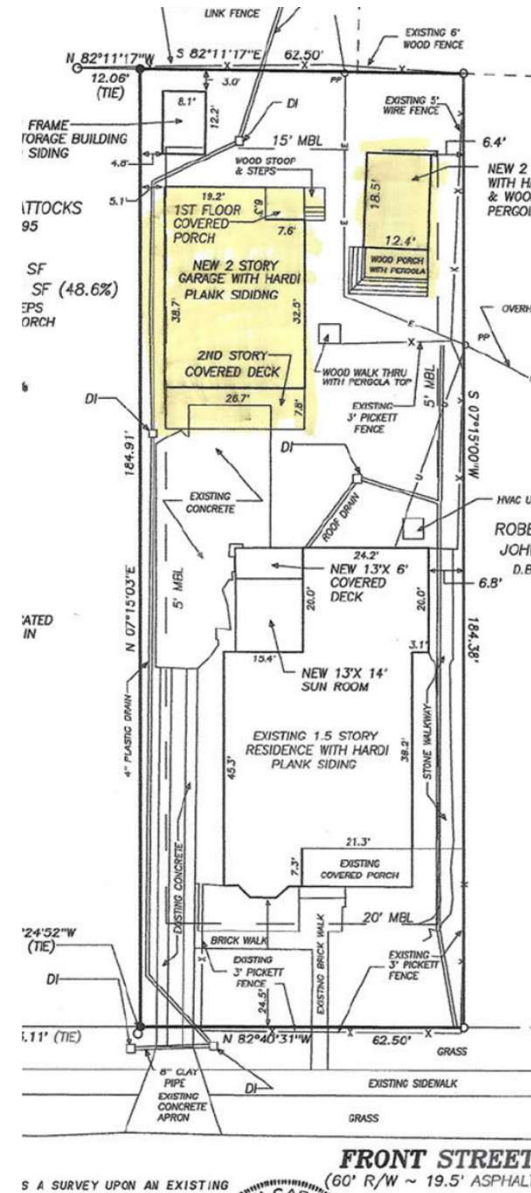
CASE 26-18 REQUEST FOR AMENDMENT TO REMOVE CONDITION FROM 1527 FRONT ST ADU SUP

Comprehensive & CAMA Land Use Plan

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



- Existing 1950 single-family home with two accessory dwelling units
- Special Use Permit carries the condition: “The accessory dwelling unit(s) will be used only by family members as noted in the narrative included in the record and entered into evidence.”
- Current application requests removal of that condition to be able to rent these out to the public.



CASE 26-18 REQUEST FOR AMENDMENT TO REMOVE CONDITION FROM 1527 FRONT ST ADU SUP

7. Public Hearing

A. Case No. 18-15: Special Use Permit Application - Accessory Dwelling Unit

Commissioner Hollinshead made a motion to open the public hearing.

Mayor Newton read the following statement regarding the Special Use Permit Public Hearing process.

"This hearing is a quasi-judicial evidentiary hearing. That means it is like a court hearing. State law sets specific procedures and rules concerning how this board must make its decision. These rules are different from other types of land use decisions like rezoning cases. The board's discretion is limited. The board must base its decision upon competent, relevant and substantial evidence in the record. A quasi-judicial decision is not a popularity contest. It is a decision constrained by the standards in the ordinance and based on the facts presented. If you will be speaking as a witness, please focus on the facts and standards, not personal preference or opinion. Participation is limited. This meeting is open to the public. Everyone is welcome to watch. Parties with standing have rights to participate fully. Parties may present evidence, call witnesses and make legal arguments. Parties are limited to the applicant, the local government and individuals who can show they will suffer special damages. Other individuals may serve as witnesses when called by the board. For certain topics, this board needs to hear opinion testimony from expert witnesses. These topics include projections about impacts on property values and projections about impacts of increase traffic. Individuals providing expert opinion must be qualified as experts and provide the factual evidence upon which they base their expert opinion. Witnesses must swear or affirm their testimony. At this time, we will administer the oath for all individuals who intend to provide witness testimony.

Town Clerk Davis asked all those planning on providing testimony to please rise and raise their right hand to swear their testimony. Town Planner Kate Allen was administered the oath.

Mayor Newton asked if there needed to be any disclosure of ex-parte communication by the board members. No disclosures were made.

Town Planner Kate Allen provided the staff report and requested it be accepted as evidence. Commissioner Hagle made a motion to accept the staff report as evidence. The vote was 4 to 0 in favor.

Town Attorney Arey Grady asked the applicant for clarification that she did not wish to provide any testimony regarding her request. She confirmed she did not want to provide any testimony.

Mayor Newton asked if any of the commissioners had any questions for Ms. Allen. Commissioner Carter indicated she believed the request for three separate living areas was not in keeping with the surrounding land use. Ms. Allen reported since all of the structures would be connected, then it would qualify as one structure and be a permitted use.

In reference to a question from Commissioner Hollinshead regarding placing conditions on use, Town Attorney Grady indicated conditional uses could be placed and they would become part of the property and its uses for the future. Commissioner Hollinshead indicated she felt a condition should be placed to incorporate the property structures could only be used for private use as single family residential. Commissioner Carter was in agreement with the statement to place the condition for single family use only.

Town Planner Allen indicated the staff report and the narrative provided by the applicant indicated the property would only be for use by her private family. Ms. Allen indicated the condition would be placed and recorded at the Register of Deeds and it would go in perpetuity with the property.

Town Attorney Grady did ask Ms. Allen to confirm the narrative was included in the staff report in the packet. Ms. Allen confirmed the statement for Attorney Grady.

Being no further questions or comments from the board members, Commissioner Hollinshead made a motion to close the public hearing. The vote was 4 to 0 in favor.

Mayor Newton asked if the board members were ready to make findings of fact. He suggested they vote on each finding of fact individually.

Commissioner Hagle made a finding of fact the Special Use Permit is approved and allowed in the zoned district in which it is located. The vote was 4 to 0 in favor.

Commissioner Harker made a motion that the application was complete based on the technical review and testimony as provided by the town staff. The vote was 4 to 0 in favor.

Commissioner Hagle made a motion the location and character of the use will be in conformity with the town's land use plan as stated and reviewed by the staff. Commissioner Carter indicated she felt it was increasing the density. The vote was 3 to 1 with Commissioner Carter being in opposition.

Commissioner Hollinshead made a motion that the streets, driveways, parking lots, traffic control, and other traffic circulation features are in accordance with current traffic

engineering standards and Town regulations and found to be adequate for the proposed special use based on the technical review and evidence as submit by town staff. The vote was 4 to 0 in favor of the motion.

Commissioner Hagle made a motion the proposed use would not injure the value of adjoining properties since no evidence has been presented to show injury. The vote was 4 to 0 in favor.

Commissioner Harker made a motion the use was compatible and in harmony with the adjoining land uses and development patterns of the immediate area since no evidence had been submitted to the contrary. Commissioner Carter indicated she contested the statement. The vote was 3 to 1 with Commissioner Carter being in opposition.

Commissioner Harker made a motion the proposed use would not endanger the public health or safety of the community if located where proposed and developed according to the submitted approved since a review had been completed for architectural elements such as size, height, proportion and scale, setback, openings, materials, color and texture with the surrounding structures. The vote was 4 to 0 in favor.

Town Attorney Grady indicated a final motion was needed to approve the Special Use Permit subject to any conditions.

Commissioner Hagle made a motion for approval of the Special Use Permit as presented with the condition it will only be used for private use and the condition will remain in perpetuity with the property. Town Manager Day asked Attorney Grady if private needed to be defined. Attorney Grady indicated the testimony and narrative indicated it was for family use only. The vote was 3 to 1 with Commissioner Carter being in opposition.

Special Use Permit Narrative for an Accessory Dwelling Unit for:

Romelda E. Barnes
Southern Living Homes, LLC
1527 Front St.
Beaufort, NC 28516

ID: 730507685621000
Lot 56, 57 & Part of 58
Ocean Breeze Park
Zone RS-5

I am applying for a Special Use Permit for an Accessory Dwelling. My proposed plan is to remove the existing garage, replace it with another garage with a small living space and to also add another small cottage on my property. These buildings will be for my private use and my desire is that my family will enjoy them as peaceful retreats when they come to visit.

The proposed plan adheres to the land use specifications in regards to impervious/pervious percentages and site coverage percentages. The architectural design has been developed to compliment my existing house and the surrounding neighborhood.

The garage will feature a standing seam metal A-roof and two standing seam metal shed roof dormers. The A-roof covered upper deck will feature exposed rafters and ends, exposed beams and brackets. The windows will be double hung. There will be parking for two cars underneath and three more outside. It will have two sleeping areas, two bathrooms and a kitchenette/lounge area.

The cottage will also feature a standing seam metal A-roof and two standing seam metal shed roof dormers. The open loft design has a sleeping area, a bathroom and a small kitchenette/lounge area.

Connecting the garage and cottage will be a concrete pad with an open beam pergola and a four foot concrete walkway connecting them both to the main house. The concrete area left uncovered by the removal of the existing garage will be cut out and replaced with turf stone.

10-1-18
Date


Romelda E. Barnes

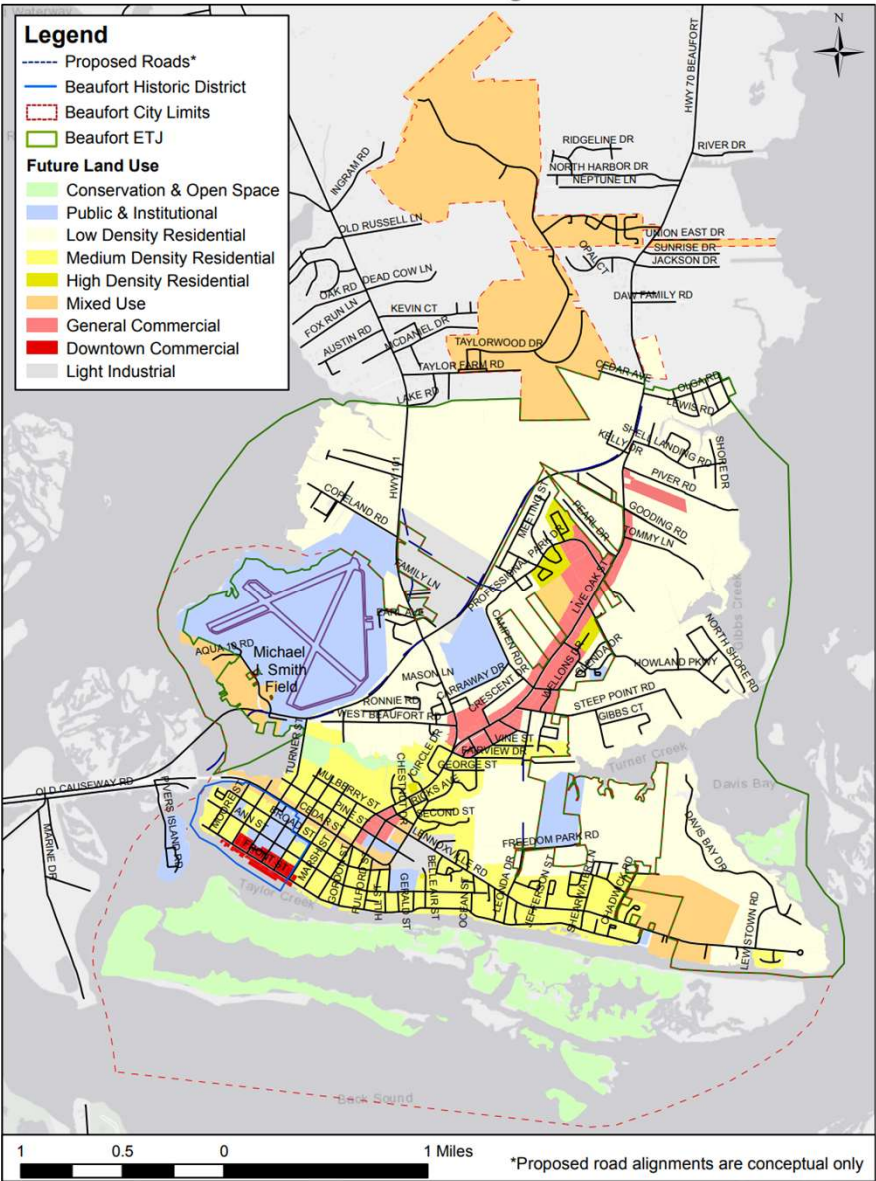
CASE 26-18 REQUEST FOR AMENDMENT TO REMOVE CONDITION FROM 1527 FRONT ST ADU SUP

OLD LAND USE PLAN:

“Medium Density Residential Classification. The Medium/High Density Residential classification encompasses approximately 0.8 square miles (483 acres) or about 10 percent of the total planning jurisdiction. The majority of the properties classified as Medium Density Residential are generally located immediately surrounding the Beaufort downtown area as well as north and east of the downtown area.

The Medium Density Residential classification is intended to delineate lands where the predominant land use is higher density single-family residential developments and/or two-family developments. The residential density within this classification is generally 3 to 5 dwelling units per acre. Minimum lot sizes vary from 8,000 to 10,000 square feet unless a larger minimum lot area is required by the health department for land uses utilizing septic systems. Land uses within Medium Density Residential designated areas are generally compatible with the R-10, One or Two-family Residential; R-10MH, Single-family Residential and Manufactured Home; R-8, Medium Density Residential; and R-8A Single-family Medium Density Residential zoning districts. Public water is widely available and sewer service is required to support the higher residential densities in this classification. Streets with the capacity to accommodate higher traffic volumes are also necessary to support Medium Density Residential development.

The Town’s goals and policies support the use of land in Medium Density-classified areas for single-family and two-family dwellings where adequate public utilities and streets are available or can be upgraded to support the higher residential densities encouraged in this classification.”



CASE 26-18 REQUEST FOR AMENDMENT TO REMOVE CONDITION FROM 1527 FRONT ST ADU SUP

Following discussion during their June 15th meeting, the Planning Board unanimously moved, "...that we not approve the application as submitted, but instead approve the application with the condition that the main dwelling and the smaller accessory dwelling in the back be reserved only for family use, and the larger accessory dwelling unit in the back may be rented out to other than family, as suggested by the applicant."

CASE 26-18 REQUEST FOR AMENDMENT TO REMOVE CONDITION FROM 1527 FRONT ST ADU SUP

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

That is to say, if the condition is removed as requested, will the special use still meet these requirements?

E) *Required Findings.*

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

CASE 26-18 REQUEST FOR AMENDMENT TO REMOVE CONDITION FROM 1527 FRONT ST ADU SUP

Options:

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



STAFF REPORT



To: Board of Commissioners
From: Michelle Eitner, Town Planner
Date: July 13, 2026
Case No. 26-12 Special Use Permit – 1507 Live Oak St Gas Station

THE REQUEST: Approve or deny the proposed Special Use Permit (SUP) for a gas station at 1507 Live Oak Street

INFORMATION:

Location: 1507 Live Oak Street (former Rolands BBQ unit)
Property Owner: Thomas Simpson with SimMun LLC
Applicant: Chase Cullipher with The Cullipher Group PA
Zoning District: B-1 General Business District
Flood Zone: AE6 (AE7 in preliminary FIRM)
LUP Future Land Use: Commercial Center (with Non-Intensification Zone Overlay)
Size: 7.74 acres
Existing Land Use: Huntley Plaza: An established mixed-use commercial center with a hardware store, pharmacy, nail salon, office space, and a restaurant.
Proposed Land Use: Gas station (convenience store with fuel sales and a quick-service restaurant)
Adjoining Uses/Zoning: North: single-family home (R-8)
 West (across Hwy 101): Glazed Donuts food truck (B-1), Owens Construction office (B-1), single-family home (R-8)
 South: Undeveloped (B-1) & First Bank (B-1)
 East: First Citizens Bank (B-1) & Burger King (B-1)
Utilities: Water and wastewater provided by Town

OPTIONS:

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

ATTACHMENTS:

- Exhibit A – Staff Report
- Exhibit B – Vicinity Map
- Exhibit C – Zoning Map
- Exhibit D – Application Package with additional information
- Exhibit E – LDO Section 20 Special Use Permits (Especially Section 20.E.1 Required Findings)
- Exhibit F – LDO Section 9.C. B-1 General Business District
- Exhibit G – Comprehensive and CAMA Land Use Plan Future Land Use Map & Classification
- Exhibit H – Email from Fire Marshal
- Exhibit I – Notification Certification

STAFF COMMENTS:

Chase Cullipher with The Cullipher Group PA, on behalf of property owner Thomas Simpson of SimMun LLC, has applied for a Special Use Permit to establish a gas station with convenience store and quick-service restaurant at 1507 Live Oak Street in the existing Huntley Plaza shopping center. Following request for additional information at the May 18th Planning Board meeting, the applicant has provided several components and a revised site plan for review.

The subject property, “Huntley Plaza”, is located between Highway 101 and Live Oak Street. The main building, built in 1958, has hosted several uses over the years. Beaufort Hardware (formerly ACE) is the anchor store in this shopping center currently, with several smaller tenants. Rolands BBQ served Beaufort for over thirty years and closed in 2024. After a short occupation by Redneck BBQ Lab, the end unit is now proposed for a new use – gas station convenience store. While convenience stores and restaurants are permitted by-right in the B-1 zoning district, the gas station requires a special use permit in any zoning district in Beaufort.

Within an existing structure and commercial center, far less site adjustments and external permits are necessary for the special use permit request than is required for brand new development. The renovation of the former restaurant space to a convenience store (with quick-service restaurant) and installation of fueling system and canopy are the main structural components of the project. Elevations have been provided for review.

This project does not meet either of the applicability requirements in LDO Section 15.C.2 to have to provide a landscaping plan as part of this application and is furthermore exempt given Section 15.C.3.c. The applicant voluntarily provides landscaping in addition to what is on the property currently and has updated it to align with Planning Board’s comments. The voluntary landscaping along Highway 101 meets requirements for street tree plantings, but are on the subject property (street trees are within ROW). A Type-A buffer is provided around three sides of the above-ground fuel tanks. A parking lot landscaping island separates the fuel canopy structure from parking spaces.

The applicant has been working with NCDOT on the design of the project, which has dictated the exit-only access point at the northern connection to Highway 101. The other four points of ingress/egress to this shopping center and circulation patterns will remain other than the adjusted exit-only change. Sidewalks are proposed that connects the existing sidewalk at the north to the roundabout project at the south.

No stormwater or erosion control/sedimentation permits are required to complete this project, as the proposed land disturbance does not trigger Town or State permitting/review, and the project proposes to reduce the total impervious surface area on the site by approximately 2700sf.

The Future Land Use Map of the LUP identifies this location as Commercial Center, which is described as “These areas have large-scale non-residential uses that serve the entire community and larger region.” An additional gas station in would serve the entire community and larger region, especially in emergency situations such as hurricanes when fuel is scarce. The use is also proposed to be served by a backup generator.

The Technical Review Committee met on March 27th to review the project. Comments and requests for clarifications or revisions were provided by Planning, Public Works, Utilities, and Engineering. These items were addressed in revised submissions received the following week and approved by those that had the comments/requests. The plan appeared to be compliant with applicable regulations at that time.

STAFF COMMENTS CONTINUED:

The Planning Board met on May 18th and discussed this application at length. The following list shows requested additional information with applicant's provided information:

- Secondary concrete retention/containment under/around tanks suitable to contain fuel
 - Staff provided an email from the Fire Marshal regarding review of these proposed components at the time of building permit application, not site plan review
 - Additional components shown on site plan (but not reviewed by Fire Marshal until building permit application per provided email)
- 8ft fence in type-a landscaping buffer on three sides around tanks
 - The 8' fence is noted in the "landscape data table"
- Provide elevations of building and fuel canopy with redacted branding
 - Elevations are provided
- Lighting plan provided with fixtures and footcandles
 - Lighting plan and fixtures are provided
- Landscaping plan that meets current ordinance requirements for landscaping for parking lot buffering along highway 101 and within parking lot interior, including large shade trees in parking lot interior, to maximum extent practicable
 - Landscape plan has been updated. See landscape data table for further details. All planting to comply with TOB approved list located in the ordinance.

Staff confirms that the requested application meets or exceeds applicable regulations.

During their June 15th meeting, the Planning Board discussed this request at length. Staff has provided these near verbatim motions in **bold font** below - repetitions/filler words removed, later modifications included (i.e. west corrected to east), and some motions pieced together.

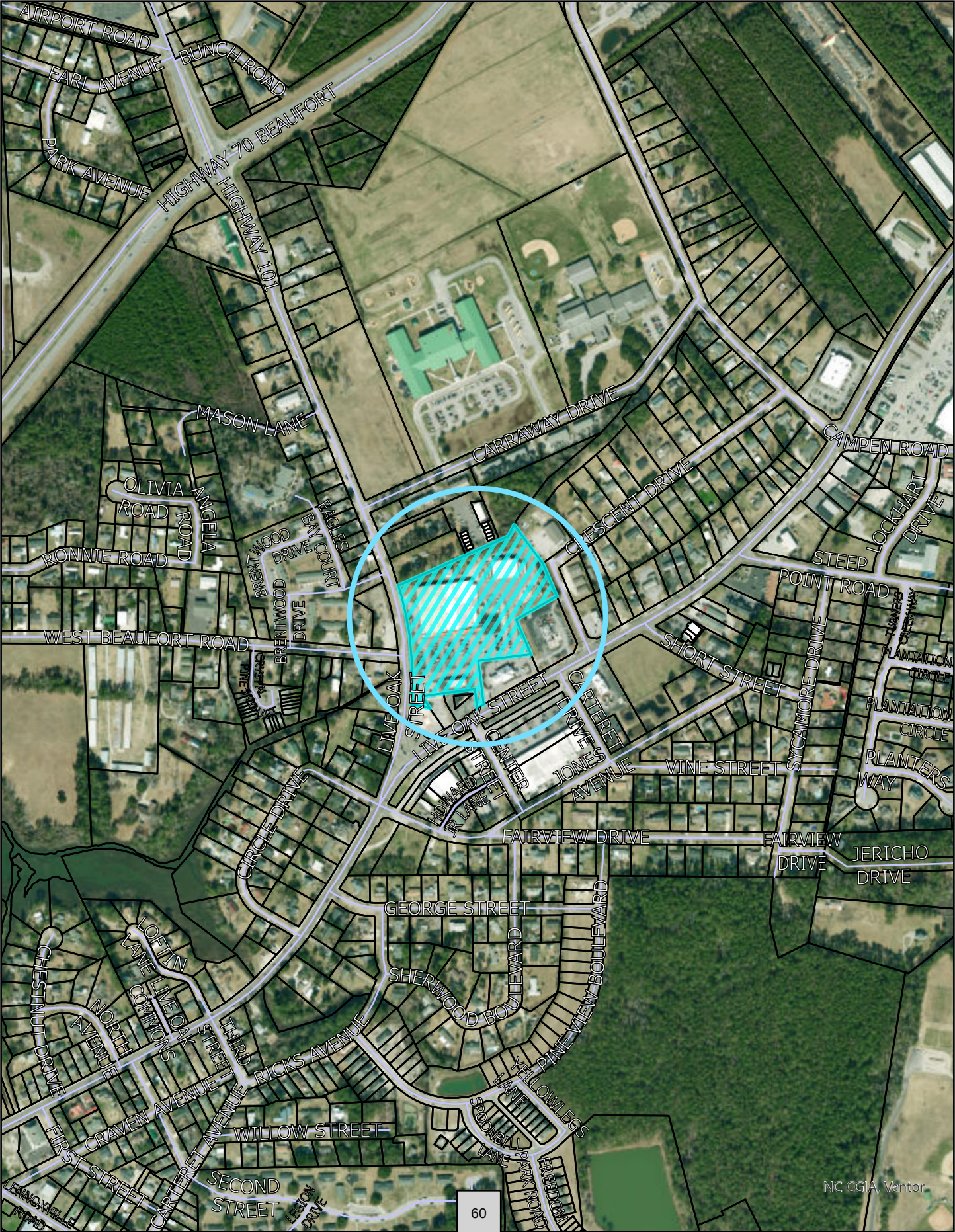
Unanimous recommendation of approval with the following two conditions:

- **Upon implementing the provided landscape plan with the additional modification that the planting island to the east of the fuel pumps be modified to incorporate two or more large shade trees in order to be compatible and in harmony with the adjoining land uses and development patterns, and**
- **In the interests of the public safety that a pedestrian path be provided from the shown sidewalk to the businesses in Huntley Plaza.**

Additionally, the Planning Board unanimously voted to include advisory concerns to make sure the Commissioners consider:

- **Number one, because this is an identified entry corridor into the town of Beaufort as noted in the adopted gateway master plan, we have concerns over the proposal of above ground fuel tanks in this corridor.**
- **Number two, we have concerns related the screening of the side of the existing building. The entire side of the existing building that contains electrical panels, meters and so forth, that has not been screened from 101 and will not be screened architecturally or by the landscaping that is proposed along 101.**
- **Number three, we have concerns about the inadequacy of the landscaping in the southwest corner of the property due to its prominent location.**

Case 26-12 SUP 1507 Live Oak Street Gas Station
Vicinity Map



1.



Town of Beaufort, NC

Request for Special Use Permit

Parcel ID Number: 730615730628000

1507 Live Oak St.
Beaufort, NC 28516

The Cullipher Group Inc. requests approval of a Special Use Permit from the Town of Beaufort to establish a convenience store with fuel sales and a quick-service restaurant at Huntly Plaza (1507 Live Oak St., Beaufort, NC 28516).

Project summary

- **Proposed use:** Convenience store with fuel sales and a quick-service restaurant.
- **Site:** Huntly Plaza, 1507 Live Oak St.; a 7.74-acre parcel zoned B-1.
- **Existing development:** An established mixed-use commercial center with a hardware store, pharmacy, nail salon, office space, and a restaurant.
- **Applicant:** SimMun LLC

We respectfully submit this application and accompanying materials and acknowledge the importance of the expert testimony anticipated during the quasi-judicial proceedings.

- a) The proposed use is an allowable special use in the zoning district it is being located within;
Huntly Plaza (1507 Live Oak St.) is zoned B-1. In this district, a convenience store and a restaurant are permitted. The addition of fuel sales is permitted with approval of a Special Use Permit.
- b) The application is complete;
The application has been reviewed by Town Staff and is believed to be complete
- c) The location and character of the use will be in conformity with the Town's Comprehensive and CAMA Land Use Plan and other comprehensive planning elements;
The proposed convenience store with fuel sales and quick service restaurant is consistent with the Town of Beaufort's Comprehensive Plan and CAMA Land Use Plan. The property is zoned B-1, is already developed with multiple commercial tenants, and is designated as a "Commercial Center" in the Future CAMA Land

Use Plan—an automobile-oriented area intended for clustered, multi-tenant commercial uses.

- 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;

Traffic circulation and access (existing conditions and planned improvements):

- *The site includes an existing parking lot with five points of egress.*
- *Internal circulation will generally follow established traffic patterns in the existing parking lot. Based on NCDOT comments, the northern Hwy 101 driveway will be changed to an exit only driveway.*
- *Updated signage and pavement markings will be installed to help minimize conflicts related to the new use.*
- *The Cullipher Group has consulted with NCDOT and will incorporate applicable NCDOT requirements into the final design.*

- e) The proposed special use will not substantially injure the value of adjoining or abutting properties;

Impact on adjoining or abutting property values:

- *The proposed convenience store with fuel sales and quick service restaurant at the existing Huntly Plaza is not expected to substantially injure the value of adjoining or abutting properties.*
- *The addition will help meet community needs by providing an additional in-town fuel option.*
- *Beaufort currently has one gas station within the Town limits, and fuel supplies can become strained during inclement weather or other emergency conditions.*

- f) The proposed special use will be compatible and in harmony with adjoining land uses and the development patterns of the immediate area; and,

The convenience store with fuel sales and quick service restaurant will be integrated into the existing Huntly Plaza building, with fuel dispensers and canopy placed in the current parking lot. The improvements are allowed in the B-1 district and are consistent with the Town of Beaufort's Comprehensive Plan and CAMA Land Use Plan. Nearby properties are largely zoned B-1, supporting compatibility with the surrounding development pattern.

- 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.

The proposed convenience store with fuel sales and quick service restaurant at Huntly Plaza will be accessible to emergency responders and served by five existing egress points. All fuel-dispensing equipment will be new and subject to required regulation and inspections. The uses are permitted in the B-1 district (with Special Use Permit approval as applicable) and align with the Town of Beaufort's Comprehensive Plan and CAMA Land Use Plan; NCDOT site-plan coordination is addressed in subsection (d).

PROPERTY OWNER: SIM-MUN, LLC
PIN: 730615730628000
DEED REFERENCE: DIEDBOOK 637, PAGE 140
MAP FOR RECORD: MAP BOOK 34, PAGE 272
TOWN ZONING: ZONE: B-1
TRACT AREA: 7.74 ACRES
APPLICANT: MARIAN COMMERCIAL BUSINESSES (HARDWARE, NAIL SALON, PHARMACY, ETC.)
PROPOSED USE: CONVERT EXISTING RESTAURANT AND PARKING AREA INTO GAS STATION AND EXISTING STORE
BUILDING SETBACKS: FRONT = 30'
SIDE = 15'
REAR = 15'
BUILDING HEIGHT: 40' MAXIMUM

EXISTING USE TYPE	AREA PER USE (SF)	PARKING REQUIRED PER AREA	PARKING REQUIRED
HARDWARE STORE	21,800	1 SPACE PER 600 SF	36 SPACES
OFFICE SPACE	8,500	1 SPACE PER 250 SF	34 SPACES
NAIL SALON	360	1 SPACE PER 300 SF	1 SPACE
STORAGE (WAREHOUSE)	10,200	1 SPACE PER 1,000 SF	10 SPACES
PHARMACY	2,380	1 SPACE PER 300 SF	8 SPACES
PROPOSED USE TYPE	AREA PER USE(SF)	PARKING REQUIRED PER AREA	PARKING REQUIRED
GAS/SERVICE STATION	5,500	1 SPACE PER 250 SF	22 SPACES
SUBTOTAL PARKING REQUIRED =			113 SPACES
* TOTAL PARKING PROVIDED =			91 SPACES
TOTAL PARKING PROVIDED =			124 SPACES

IMPERVIOUS AREA TO BE ADDED ALONG WEST SIDE OF FUEL CANOPY =	1,458.88 SF
IMPERVIOUS AREA TO BE ADDED AT NORTHERN EXIT ONTO HWY 101 =	548.60 SF
IMPERVIOUS AREA TO BE REMOVED AT 3' LANDSCAPE ISLAND =	-619.31 SF
IMPERVIOUS AREA TO BE REMOVED FOR SOUTHWEST LANDSCAPING =	-3,116.85 SF
NET DECREASE OF IMPERVIOUS AREA =	-2,728.68 SF

TANK TYPE:	CYLINDRICAL ABOVE GROUND STORAGE TANKS	
TANK SIZE:	12,000 GALLONS EACH	
NO. OF TANKS:	TWO	
TANK DIMENSIONS:	32'-7" LONG X 8'-6" DIAMETER	
FIRE CODE SEPARATIONS	MINIMUM REQUIRED (LF)	DISTANCE PROVIDED (LF)
BETWEEN TANKS	3.0'	3.0'
NEAREST BUILDING	15.0'	19.9'
NEAREST PROPERTY LINE	15.0'	30.3'

PER TABLE 15-1 OF THE TOWN OF BEAUFORT LDO, THIS SITE IS EXEMPT DUE TO THE EXPANSION OF THE IMPERVIOUS SURFACE INTENSITY RATIO (ISR) BEING LESS THAN 15%.

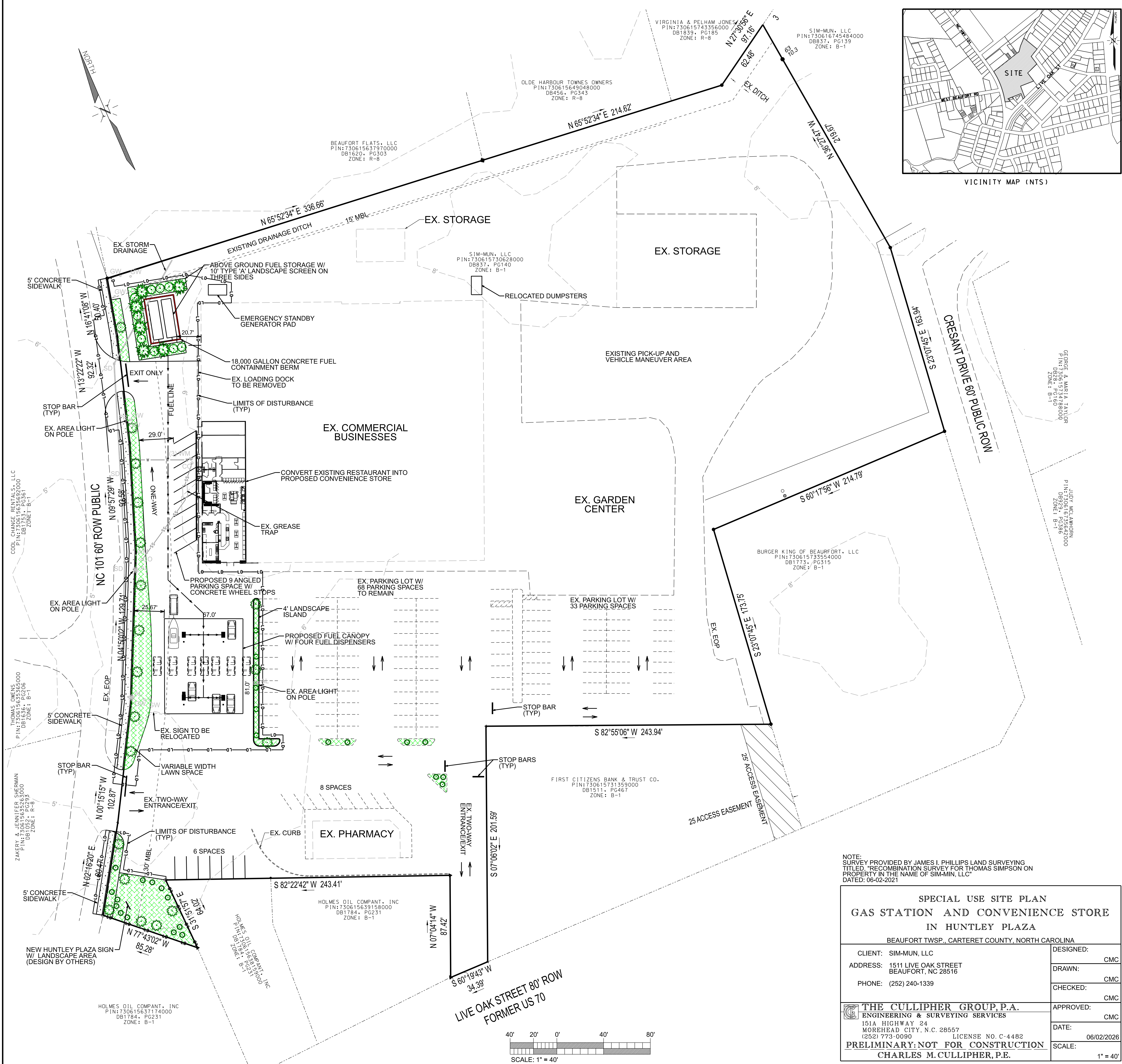
VOLUNTARY LANDSCAPE AND BUFFER INFORMATION:
AN 8' LAWN SPACE IS PROPOSED ALONG THE NC HWY 101 FRONTAGE ADJACENT TO THE PROPOSED CONVENIENCE STORE & FUEL CANOPY W/ SMALL STREET TREES PLANTED AT 30' O.C. IN ACCORDANCE WITH TABLE 14-1 (SPACING OF STREET TREES)

150 LF. 10' WIDE TYPE 'A' LANDSCAPE SCREEN IS PROPOSED ON THREE SIDES OF FUEL STORAGE W/ AN 8' TALL OPAQUE FENCE, (6) LARGE EVERGREENS AND (9) SMALL EVER GREENS.

4' WIDE LANDSCAPE PLANTER SEPARATING FUEL PUMP AREA FROM GENERAL PARKING W/ (3) SMALL TREES AND (5) SHRUBS

CANOPY DIMENSIONS: 67' WIDE x 81' LONG
CANOPY HEIGHT: 20'
NEAREST CORNER TO PROPERTY LINE: 19.92'
INTERIOR WIDTH BETWEEN DISPENSERS: 30.57'
DISTANCE FROM EX. BUILDING: 40.05'
NOTE: SAFETY LIGHTING SHALL BE ADDED ON/UNDERNEATH CANOPY IN COMPLIANCE WITH TOWN STANDARDS

EIP	EXISTING IRON PIPE
EX	EXISTING IRON ROD
ECMT	EXISTING CONCRETE MONUMENT
EN	EXISTING NAIL
EPK	EXISTING PK NAIL
NCGS	NORTH CAROLINA GEODETIC SURVEY
NGS	NATIONAL GEODETIC SURVEY
RWM MON	NCDOT MONUMENT
SIP	SET IRON PIPE
SIR	SET IRON PIPE
SCM	SET CONCRETE MONUMENT
SE	SET NAIL
OP	OVERHEAD POWER
PP	POWER POLE
UT	UNDERGROUND TELEPHONE
UP	UNDERGROUND POWER
UWL	UNDERGROUND WATER
MBL	MINIMUM BUILDING LINE
PP	POWER POLE
GW	GUY WIRE
WM	WATER METER
CO	SEWER CLEAN OUT
SD	STORM DRAIN
— 6' —	EXISTING CONTOURS
— LD —	FUEL SUPPLY LINE
SS	LIMITS OF DISTURBANCE
W	EX. SEWER SERVICE
AL	EX. WATER SERVICE
	EX. AREA LIGHT
	NATIVE N.C. TREE
	(WAX MYRTLE)
	NATIVE N.C. SHRUB
	SMALL EVERGREEN
	LARGE EVERGREEN
	CONCRETE AREA
	LANDSCAPE AREA
	LANDSCAPE IMPROVEMENT AREA







New Jim Dandy Location



Printed 3M Vinyl Stripe on all four sides.
(4) Printed 3M Vinyl logos right justified on all sides

Canopy Colors:

■ PMS 539C
■ C:13, M:13, Y:18, K:0

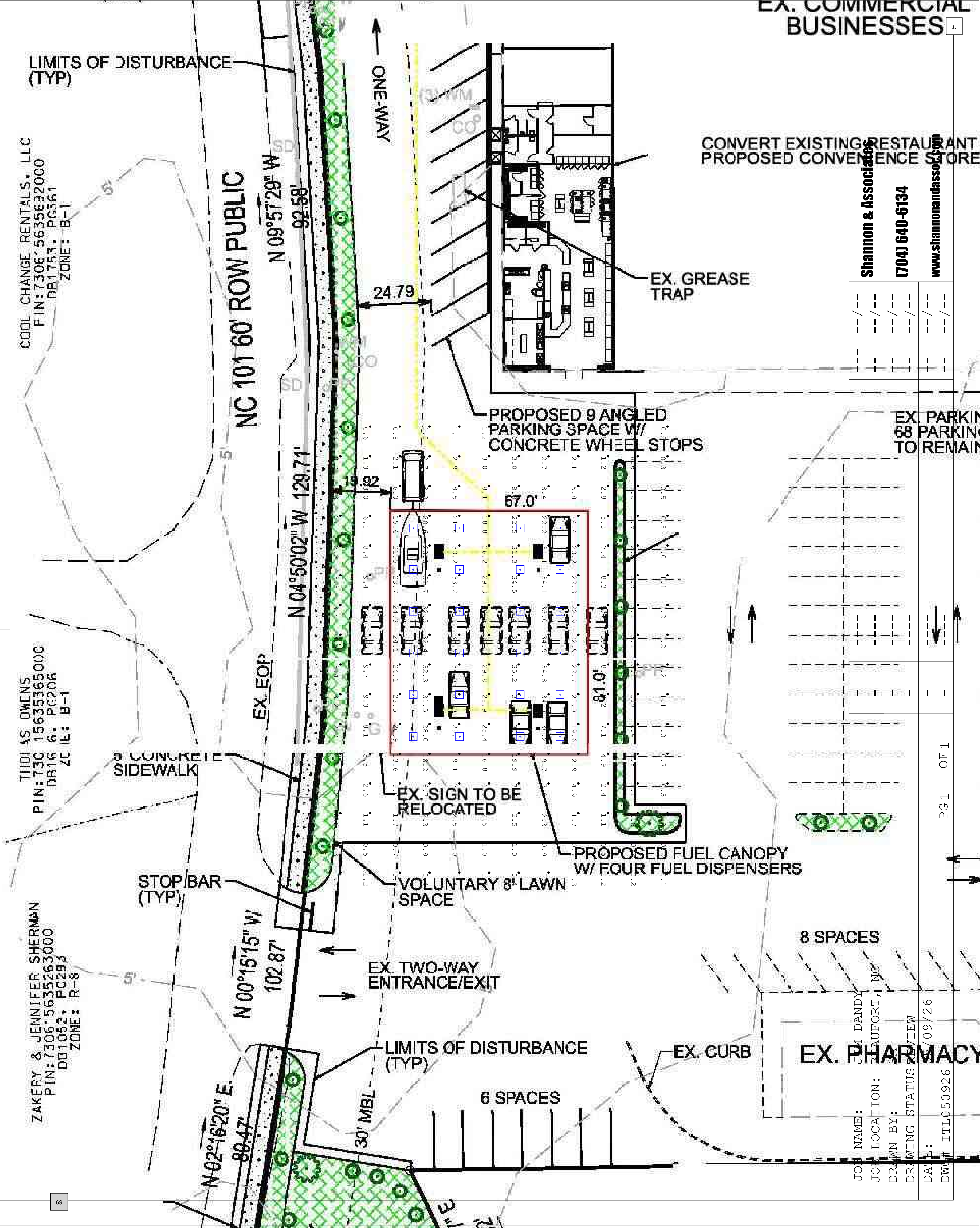
Product Colors:

■ PMS 539C
■ PMS 100C
■ PMS 7465C



Luminaire Schedule								
Symbol	Qty	Label	Arrangement	Description	LLF	Luminaire Lumens	Luminaire Watts	Total Watts
	24	A	Single	CRUS-SC-VLW-4000K, RECESSED MOUNTED	1.000	9008	60	1440

Calculation Summary							
Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
CalcPts_1	Illuminance	Fc	10.76	35.4	0.1	107.60	354.00
Under Canopy	Illuminance	Fc	26.75	35.4	12.9	2.07	2.74





Scottsdale® Legacy (CRUS)

LED Canopy Luminaire



IP66



OVERVIEW

Lumen Package (lm)	5,000 - 22,000
Wattage Range (W)	38 - 152
Efficacy Range (LPW)	114 -156
Weight lbs (kg)	23 (10.4)

QUICK LINKS

[Ordering Guide](#)[Performance](#)[Photometrics](#)[Dimensions](#)

FEATURES & SPECIFICATIONS

Construction

- Features a ultra-slim 11/16" profile die-cast housing, with flat clear or diffused tempered glass lens. Unit is water-resistant, sealed and IP66 rated. Integral designed heat sink does not trap dirt and grime, ensuring cool running performance over the life of the fixture.
- Standard color is white and is finished with LSI's DuraGrip® polyester powder coat process. DuraGrip withstands extreme weather changes without cracking or peeling.
- Luminaire assembly incorporates a pressure stabilizing vent breather to prevent seal fatigue and failure.

Optical System

- Features an array of select, mid-power, high brightness, high efficiency LED; 3000K, 4000K, 5000K color temperature, 80 CRI (nominal).
- Choice of Symmetric or Asymmetric distribution. Asymmetric provides a wider distribution pattern. Optional symmetric with diffused lens also available.
- Forward Throw distribution provides an industry leading unique distribution pattern that illuminates the area under the gas canopy and beyond. The forward through optic directs the light to the forecourt from the gas canopy eliminating the need for supplemental floodlights and extensive perimeter lighting.
- Diffuse lens available as an option to soften brightness of the luminaire.
- Six Lumen Packages: 5,000, 9,000, 10,000, 13,000, 18,000 and 22,000 Lumens.

Electrical

- High performance factory programmable driver features over-voltage, under voltage, short-circuit and over temperature protection with integral 6kV surge protection that meets IEEE C62.41.2 and ANSI C82.77-5 Location Category C Low standards. Additional field replaceable 10kV surge protection device meets a minimum Category C Low operation (per ANSI/IEEE C62.41.2). Custom lumen and wattage packages available.
- Driver components are fully encased in potting for moisture resistance. Complies with IEC and FCC standards. 0-10 V dimming supplied standard with all drive currents.
- Die-cast aluminum, wet location rated driver/electrical enclosure is elevated above canopy deck to prevent water entry, provide easy "knock-out" connection of primary wiring and acts as the primary heatsink ensuring cool operation of internal components for longer life. Seals to optical housing via one-piece molded silicone gasket.
- Universal voltage power supply, 120-277 VAC, 50/60 HZ and 347-480 VAC, 50/60 HZ input.
- -40°C to 55°C (-40°F to 131°F) ambient operating temperature. (Varies based on lumen package and mounting style see performance data for specifics.)
- Minimum 60,000 to 100,000 hours depending upon the ambient temperature of the installation location (see performance data for specifics.)

Hazardous Location

- Designed for lighter than air fuel applications. Product is suitable for Class 1 Divisions 2 only when properly installed per LSI installation instructions. See lsicorp.com for specific guidance. Not available on SLW.

Installation

- One-person installation.
- Installs in a 12" or 16" deck pan. Deck penetration consists of a 4" hole, simplifying installation and water sealing. Unit is designed to quickly retrofit into existing Scottsdale (4") hole as well as openings for Encore and Encore Top Access and to reconnect wiring for the SC/ECTA without having to relocate the conduit.
- Retro panels are available for existing Encores as well as kits for recessed and 2x2 installations (see separate spec sheets). Support brackets are provided standard, to prevent sagging of deck.

Warranty

- LSI luminaires carry a 5-year limited warranty. Refer to <https://www.lsicorp.com/resources/terms-conditions-warranty/> for more information.

Listings

- UL and ETL listed to UL 1598, UL 8750 and other U.S. and International safety standards. Suitable for wet locations.
- DesignLights Consortium® (DLC) Premium qualified product. Not all versions of this product may be DLC Premium qualified. Please check the DLC Qualified Products List at www.designlights.org/QPL to confirm which versions are qualified.
- Meets Buy American Act requirements.
- IDA compliant with 3000K or lower color temperature.



Scottsdale® Legacy (CRUS) LED Canopy Luminaire

 Have questions? Call us at (800) 436-7800

Type :

1.

ORDERING GUIDE

[Back to Quick Links](#)

TYPICAL ORDER EXAMPLE: CRUS SCFT LED VHO 50 UE WHT DFL							
Prefix	Distribution	Light Source	Driver	Color Temperature	Input Voltage	Finish	Options ⁴
CRUS - LED Canopy Luminaire	SC - Symmetric AC ¹ - Asymmetric	LED	SLW - 5,000 Lumens VLW - 9,000 Lumens LW - 11,000 Lumens SS - 13,000 Lumens HO - 19,000 Lumens VHO - 22,000 Lumens ²	30 - 3000K 40 - 4000K 50 - 5000K	UE - Universal Voltage (120 - 277V) HV - High Voltage (347 - 480V)	WHT - White BRZ - Bronze BLK - Black	HL ⁵ - Hazardous Location DFL - Diffuse Lens
	SCFT ² - Combination Standard Symmetric and Forward Throw		Custom Lumen Packages ³ VHO - 22,000 Lumens				



Need more information?
[Click here for our glossary](#)

Have additional questions?
Call us at (800) 436-7800



ACCESSORY ORDERING INFORMATION (Accessories are field installed)

Order Number	Description
525946	Retrofit Panels - EC / ECTA / SCF to CRUS, for 16" Deck Panel
530281	Retrofit Panels - ECTA / SCF to CRUS, for 12" Deck Panel
357282	Retrofit 2x2 Cover Panel Blank (no holes)

Order Number	Description
354702	Retrofit RIC Cover Panel Blank (no holes)
1320540	Kit - Hole Plugs and Silicone (enough for 25 retrofits)*

*Consists of (25) 7/8" hole plugs, (100) 5/16" hole plugs and (1) tube of RTV

1 AC distribution utilizes a reflector which alters the look from a standard SC distribution.
2 FT distribution option only available with VHO 22,000 lumen package.
3 Custom lumen and wattage packages available consult factory Values are within industry standard tolerances but not DLC listed.
4 Not available with SCFT.
5 Not available on SLW.

Scottsdale® Legacy (CRUS) LED Canopy Luminaire

Have questions? Call us at (800) 436-7800

Type : 1.

PERFORMANCE

Delivered Lumens											
Lumen Package	Distribution	3000K CCT			4000K CCT			5000K CCT			Wattage
		Delivered Lumens	Efficacy	BUG Rating	Delivered Lumens	Efficacy	BUG Rating	Delivered Lumens	Efficacy	BUG Rating	
VHO	SC	21,301	140	B4-U0-G2	21,835	144	B4-U0-G2	22,697	150	B4-U0-G2	152
	AC	17,355	114	B3-U0-G3	17,799	117	B3-U0-G3	18,502	122	B3-U0-G3	
	SCFT	22,192	146	B3-U0-G3	22,598	149	B3-U0-G3	23,269	153	B3-U0-G3	
HO	SC	17,889	143	B3-U0-G1	18,346	146	B3-U0-G2	19,071	152	B4-U0-G2	125
	AC	14,582	116	B3-U0-G2	14,955	119	B3-U0-G2	15,546	124	B3-U0-G2	
SS	SC	13,113	141	B3-U0-G1	13,449	144	B3-U0-G1	13,980	150	B3-U0-G1	93
	AC	11,468	123	B3-U0-G2	11,761	126	B3-U0-G2	12,226	131	B3-U0-G2	
LW	SC	10,457	144	B3-U0-G1	10,724	148	B3-U0-G1	11,148	154	B3-U0-G1	73
	AC	9,145	126	B2-U0-G2	9,379	129	B2-U0-G2	9,749	134	B2-U0-G2	
VLW	SC	8,783	146	B3-U0-G1	9,008	149	B3-U0-G1	9,364	155	B3-U0-G1	60
	AC	7,681	127	B2-U0-G1	7,878	131	B2-U0-G1	8,189	136	B2-U0-G1	
SLW	SC	5,585	146	B2-U0-G1	5,728	150	B2-U0-G1	5,954	156	B2-U0-G1	38
	AC	4,884	128	B1-U0-G1	5,009	131	B1-U0-G1	5,207	136	B1-U0-G1	

*LEDs are frequently updated therefore values are nominal.

Electrical Data (AMPS)							
Lumen Package	Wattage	120V	208V	240V	277V	347V	480V
VHO	152	1.27	0.73	0.64	0.55	0.44	0.32
HO	124	1.03	0.6	0.52	0.45	0.36	0.26
SS	92	0.77	0.44	0.38	0.33	0.27	0.19
LW	72	0.6	0.35	0.3	0.26	0.21	0.15
VLW	60	0.5	0.29	0.25	0.22	0.17	0.13
SLW	38	0.32	0.18	0.16	0.14	0.11	0.08

*Electrical data at 25C (77F). Actual wattage may differ by +/-10%.

Recommended Lumen Maintenance ¹ CRUS VHO					
Ambient Temperature °C	Initial ²	25k hr ²	50k hr ²	75k hr ³	100k hr ³
0 C	102%	97%	92%	88%	84%
10 C	102%	97%	92%	88%	84%
20 C	102%	97%	92%	88%	84%
25 C	102%	97%	92%	88%	84%
30 C	102%	97%	92%	88%	84%
40 C	101%	95%	90%	85%	80%
50 C	101%	94%	89%	83%	78%

OPERATING TEMPERATURE		
Lumen Package	Mounting	Max
VHO	Metal/Wood Canopy	45 C
HO	Metal/Wood Canopy	45 C
SS	Metal/Wood Canopy	55 C

Recommended Lumen Maintenance ¹ CRUS SS					
Ambient Temperature °C	Initial ²	25k hr ²	50k hr ²	75k hr ³	100k hr ³
0	102%	97%	92%	88%	84%
10	102%	97%	92%	88%	84%
20	102%	97%	92%	88%	84%
25	102%	97%	92%	88%	84%
30	102%	97%	92%	88%	84%
40	102%	97%	92%	88%	84%
50	101%	95%	91%	86%	82%

1 Lumen maintenance values at 25 °C are calculated per TM-21 based on LM-80 data and in-situ luminaire testing.
2 In accordance with IESNA TM-21-11, Projected Values represent interpolated value based on time durations that are within six times (6X) the IESNA LM-80-08 total test duration (in hours) for the device under testing (DUT) i.e. the packaged LED).
3 In accordance with IESNA TM-21-11, Calculated Values represent time durations that exceed six times NA LM-80-08 total test duration (in hours) for the device under testing (DUT) i.e. the packaged LED).

Scottsdale® Legacy (CRUS) LED Canopy Luminaire

Have questions? Call us at (800) 436-7800

Type : 1.

PHOTOMETRICS

Luminaire photometry has been conducted by a NVLAP accredited testing laboratory in accordance with IESNA LM-79-08. As specified by IESNA LM-79-08 the entire luminaire is tested as the source resulting in a luminaire efficiency of 100%.

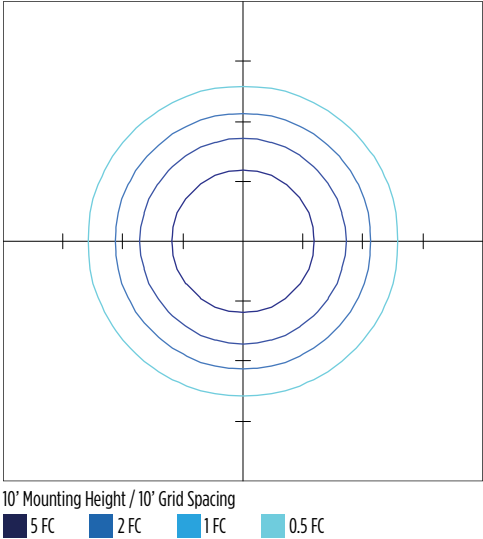
See the individual product page on <https://www.lsicorp.com/> for detailed photometric data.

CRUS-SC-SS-50

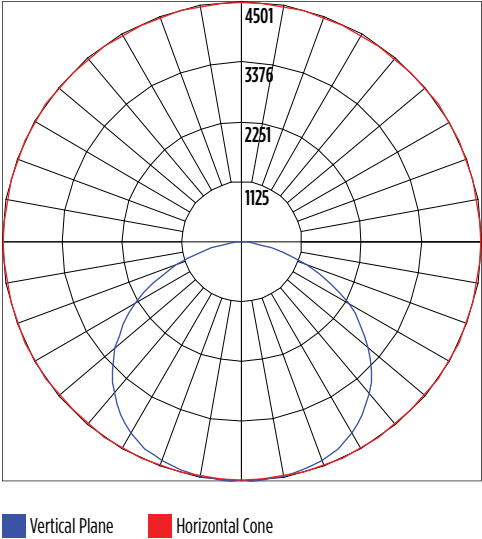
Luminaire Data	
Type 5 Distribution	
Description	5000 Kelvin, 80 CRI
Delivered Lumens	13,980
Watts	93
Efficacy	150
IES Type	Type VS - Very Short
BUG Rating	B3-U0-G1

Zonal Lumen Summary		
Zone	Lumens	% Luminaire
Low (0-30°)	3,479.6	26.7%
Medium (30-60°)	7,109.8	54.5%
High (60-80°)	2,334.8	17.9%
Very High (80-90°)	114.4	0.9%
Uplight (90-180°)	0.0	0.0%
Total Flux	13,038.6	100%

ISO Footcandle



Polar Curve

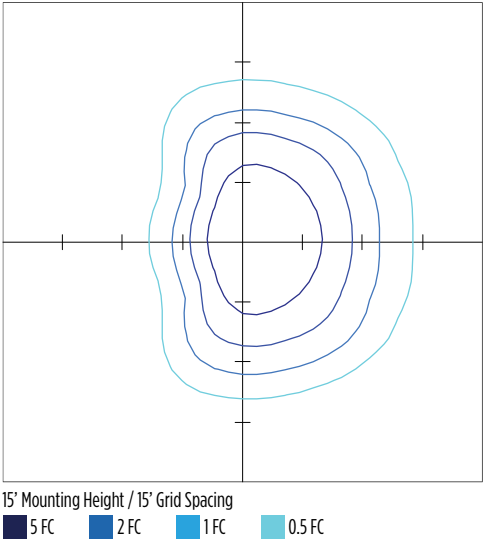


CRUS-AC-SS-50

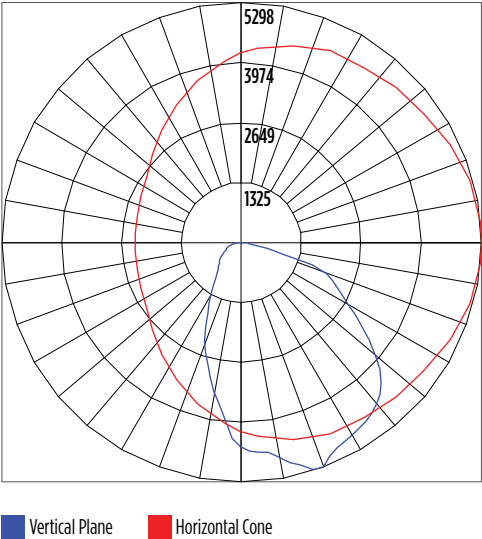
Luminaire Data	
Type 3 Distribution	
Description	5000 Kelvin, 80 CRI
Delivered Lumens	12,226
Watts	93
Efficacy	131
IES Type	Type III, Very Short
BUG Rating	B3-U0-G2

Zonal Lumen Summary		
Zone	Lumens	% Luminaire
Low (0-30°)	3,240.3	27%
Medium (30-60°)	6,245.5	51%
High (60-80°)	2,594.6	21%
Very High (80-90°)	146.1	1%
Uplight (90-180°)	0	0%
Total Flux	12,227	100%

ISO Footcandle



Polar Curve



Scottsdale® Legacy (CRUS) LED Canopy Luminaire

Have questions? Call us at (800) 436-7800

PHOTOMETRICS

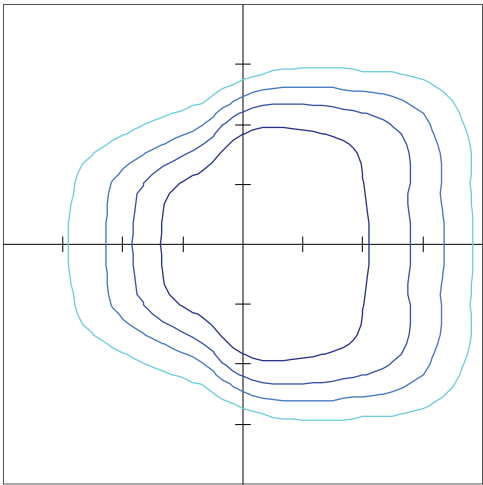
[Back to Quick Links](#)

CRUS-SCFT-SS-50

Luminaire Data	
Type 5 Distribution	
Description	5000 Kelvin, 80 CRI
Delivered Lumens	13,980
Watts	93
Efficacy	150
IES Type	Type VS - Very Short
BUG Rating	B3-U0-G3

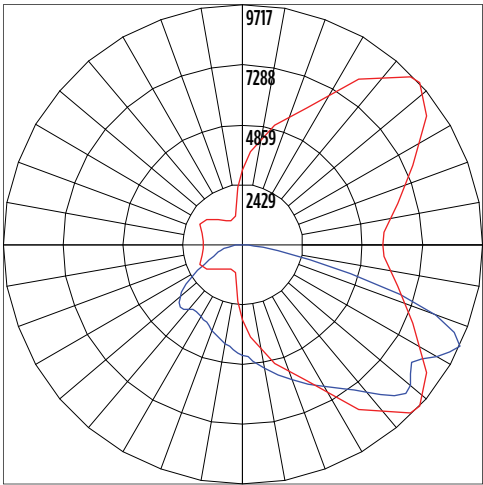
Zonal Lumen Summary		
Zone	Lumens	% Luminaire
Low (0-30°)	2,397.7	10.30%
Medium (30-60°)	8,658.8	37.20%
High (60-80°)	4,914.2	21.10%
Very High (80-90°)	225.7	1.00%
Uplight (90-180°)	0	0%
Total Flux	23,269.3	100%

ISO Footcandle



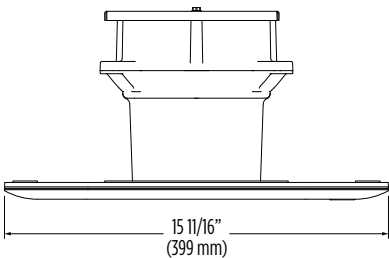
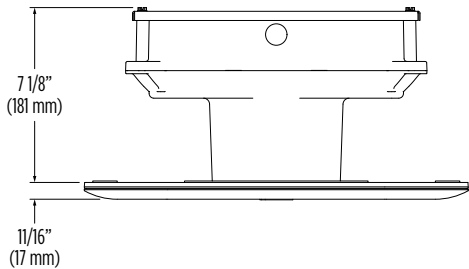
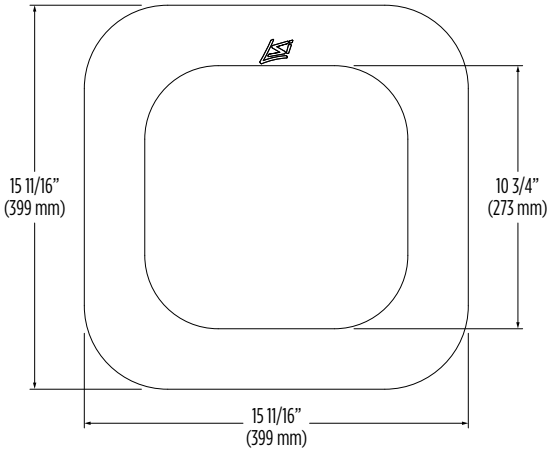
10' Mounting Height / 10' Grid Spacing
5 FC 2 FC 1 FC 0.5 FC

Polar Curve



Vertical Plane Horizontal Cone

PRODUCT DIMENSIONS



SECTION 20 Special Use Permits

A) *General.*

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

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

B) *Special Use Permit Application Procedures.*

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

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

C) *Quasi-Judicial Proceeding Notification Requirements.*

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

D) *Procedures on Special Use Applications.*

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

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

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

E) Required Findings.

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

C) B-1 General Business District.

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

1) Minimum Lot Size.

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

2) Minimum Lot Width.

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

3) Building Setback and Building Height Requirements and Limitations.

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

Table 9-5 Lot Requirements

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

4) Accessory Building Setback Requirements.

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

5) Permitted Uses.

Amusement Establishment
Antenna Co-Location on Existing Tower
Aquaculture
Assisted Living
Athletic Field, Public
Bed & Breakfast
Boat Sales/Rentals
Car Wash
Club, Lodge, or Hall
Commercial Indoor Recreation Facility
Community Garden
Concealed (Stealth) Antennae & Towers
Convenience Store
Day Care Center
Dock
Dry Boat Storage
Financial Institution
Government/Non-Profit Owned/
Operated Facilities & Services
Hospital
Hotel or Motel
Kennel, Indoor Operation Only
Library

Liquor Store
Moped/Golf Cart Sales/Rentals
Mortuary/Funeral Home/Crematorium
Motor Vehicle Sales/Rentals
Museum

Neighborhood Recreation Center,
Public
Nursing Home
Office: Business, Professional, or Medical
Other Building-Mounted Antennae &
Towers
Outdoor Retail Display/Sales
Park, Public
Parking Lot
Parking Structure
Personal Service Establishment
Pool Hall or Billiard Hall
Produce Stand/Farmers' Market
Public Safety Station
Public Utility Facility
Religious Institution
Resource Conservation Area

Restaurant with Drive-Thru Service
 Restaurant with Indoor Operation
 Retail Store
 Satellite Dish Antenna
 Signs, Commercial Free-Standing
 Tavern/Bar/Pub with Indoor Operation

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

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

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

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

Future Land Use Map

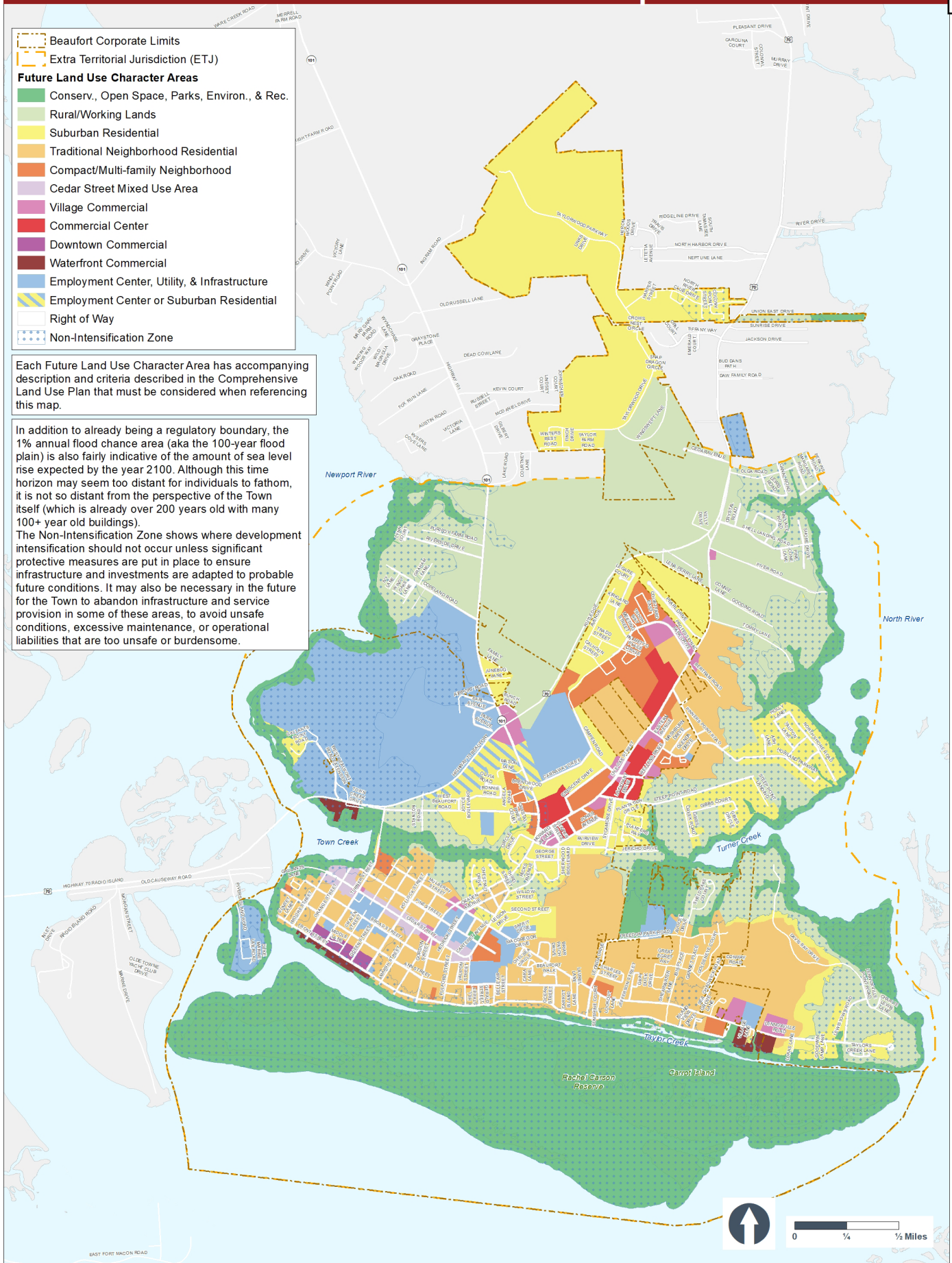
1.



Each Future Land Use Character Area has accompanying description and criteria described in the Comprehensive Land Use Plan that must be considered when referencing this map.

In addition to already being a regulatory boundary, the 1% annual flood chance area (aka the 100-year flood plain) is also fairly indicative of the amount of sea level rise expected by the year 2100. Although this time horizon may seem too distant for individuals to fathom, it is not so distant from the perspective of the Town itself (which is already over 200 years old with many 100+ year old buildings).

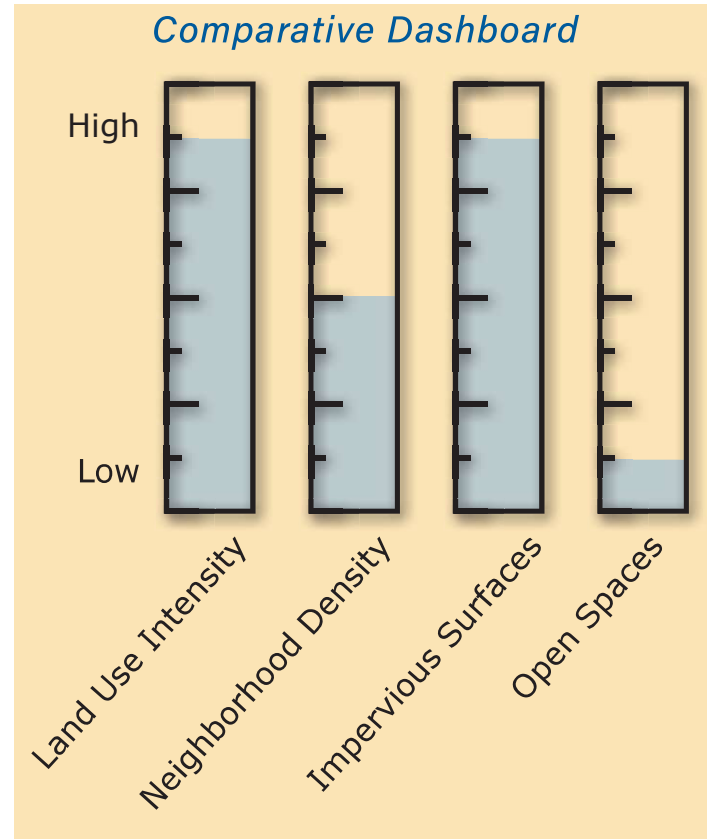
The Non-Intensification Zone shows where development intensification should not occur unless significant protective measures are put in place to ensure infrastructure and investments are adapted to probable future conditions. It may also be necessary in the future for the Town to abandon infrastructure and service provision in some of these areas, to avoid unsafe conditions, excessive maintenance, or operational liabilities that are too unsafe or burdensome.



Commercial Center

General Description:

These areas have large-scale non-residential uses that serve the entire community and larger region. These sites are often occupied or anchored by a large tenant ("big box") and the development may span the entire block. Often it is a multi-tenant development with outparcels and large swaths of shared parking, but it can have other, more pedestrian-friendly configurations, as well. Buildings are generally set back from the public street and often front on individual or shared parking lots. Some developments may have buildings pulled up to the street, with parking in the rear, especially at busy intersections or in particularly active nodes that are accessible by nearby residents via walking. However, these places are typically automobile-oriented, generate large volumes of traffic, and are not particularly walkable.



EXAMPLE USES:

Typical Uses:

Large footprint, higher intensity, regional commercial, retail, services, or offices, including less pedestrian friendly uses such as vehicle and machinery repair, sales, and rental, lumber yards, commercial nurseries, fast food restaurants, etc. Hotels are also appropriate. Automobile-dependent businesses predominate.

If Context Appropriate:

- Institutional uses (churches, primary or secondary schools, hospital,

government buildings, etc.), provided they do not detract from the overall commercial nature of an area.

- On parcels directly adjacent to this character area, multi-family residential is often appropriate, particularly if it is walkable to nearby businesses. Higher density residential development, whether as detached or attached residential, is usually appropriate within a ¼ mile network walking distance of these areas.
- Upper story dwellings (aka "live/work") may be appropriate in extremely limited instances.

Commercial Center

Streets and Circulation:

Streets should be (or have easy access to) higher volume streets or highways. Business frontages should have pedestrian connections to each other and to the surrounding sidewalk network, even if walking is not as convenient because of the longer distances. Automobiles are usually prioritized, but pedestrians should not be forgotten. If developments use extensive private drives or have adjacent parking areas, cross-access (automobile and pedestrian) should be required to adjacent non-residential or multi-family residential uses, in order to reduce traffic congestion on the main roads. Due to the high attraction of these centers, there might even be a transit stop nearby one day. Blocks should not exceed 700' feet on a side. If they do, the site may need to be redesigned to accommodate the public street network. Landscaping and proper stormwater management are key to ensuring attractive parking areas that do not contribute to excessive runoff.

Other Concerns:

Maintaining connectivity through these developments and to surrounding and adjacent neighborhoods and parcels is important. Allowing these developments to connect only to the main thoroughfare will contribute to additional traffic congestion as neighboring developments will have to travel the major thoroughfare to enter through the front, instead of having access from the sides and/or rear of the parcel. The connectivity, longevity, and public utility of the public street network must be a top consideration during the development process. Commercial areas are developed and redeveloped, but the right-of-way network established at the subdivision or site plan stage of development defines the built environment into the foreseeable future and beyond.



Examples of Commercial Centers

Michelle Eitner

From: John Pinder
Sent: Tuesday, June 2, 2026 11:04 AM
To: Michelle Eitner
Subject: Re: Planning Board Recommendation on Fire Code Requirement

Michelle,

In reference to the proposed gas station at 1507 Live Oak Street, all applicable fire code requirements will be addressed during the building permit review process. The Fire Marshal's Office primarily reviews the site plan during the initial stages of development to ensure compliance with fire apparatus access requirements and other site-related fire and life safety considerations. Additional fire code requirements will be evaluated as part of the building permit and construction review process.

Thanks

John Pinder
Fire Marshal, NC CFI
Town Of Beaufort Fire Dept.
506 Live Oak Street
Beaufort, NC 28516
252-292-1882





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

Notification Certification
Case #26-12 1507 Live Oak Street Abutting Neighbors
Special Use Permit Request

FIRST CITIZENS BANK & TRUST CO 4300 SIX FORKS RD FCC52 RALEIGH NC 27609	OWENS THOMAS 109 SHERWOOD BLVD BEAUFORT NC 28516
SIM MUN LLC 2715 COUNTRY CLUB ROAD MOREHEAD CITY NC 28557	OLDE HARBOUR TOWNES OWNERS 1669 ROBERTS RD NEWPORT NC 28570
BK OF BEAUFORT LLC ATTN: JOE LUCANIA 91 CROFT LN SMITHTOWN NY 11787	BEAUFORT FLATS LLC C/O FREDERICK MCCUNE 608 ANN ST BEAUFORT NC 28516
TAYLOR GEORGE A ETUX MARIA L/T 238 JONAQUINS DRIVE BEAUFORT NC 28516	HOLMES OIL COMPANY INC 110 EUROPA DRIVE STE 550 CHAPEL HILL NC 27517
JONES VIRGINIA G & JONES PELHAM T JR PO BOX 219 MARSHALLBERG NC 28553	COOL CHANGE RENTALS LLC 2210 E MILLBROOK RD RALEIGH NC 27604
MCLAWHORN JUDY W 4897 REEDY BRANCH RD WINTERVILLE NC 28590	JONES VILLAGE EAT LLC C/O HOLMES OIL COMPANY INC 100 EUROPA DR STE 550 CHAPEL HILL NC 27517
SHERMAN ZAKERY T ETUX JENNIFER 1729 W AUDUBON BLVD LANCASTER OH 43130	

I, *Michelle Eitner*, Town Planner for the Town of Beaufort do hereby certify the above subject property owners and adjacent property owners were notified that a special use permit request will be heard at the July 13, 2026 Board of Commissioners meeting at the Train Depot, 614 Broad Street, Beaufort, NC, at 6:00 p.m. Each of the above property owners was mailed a letter and vicinity map on June 19, 2026, regarding a request for a special use permit at 1507 Live Oak Street. A sign was posted on the subject property on June 19, 2026 regarding the same. A public notice advertising the hearing was submitted to the Carteret County News Times to run on July 1 and 8.

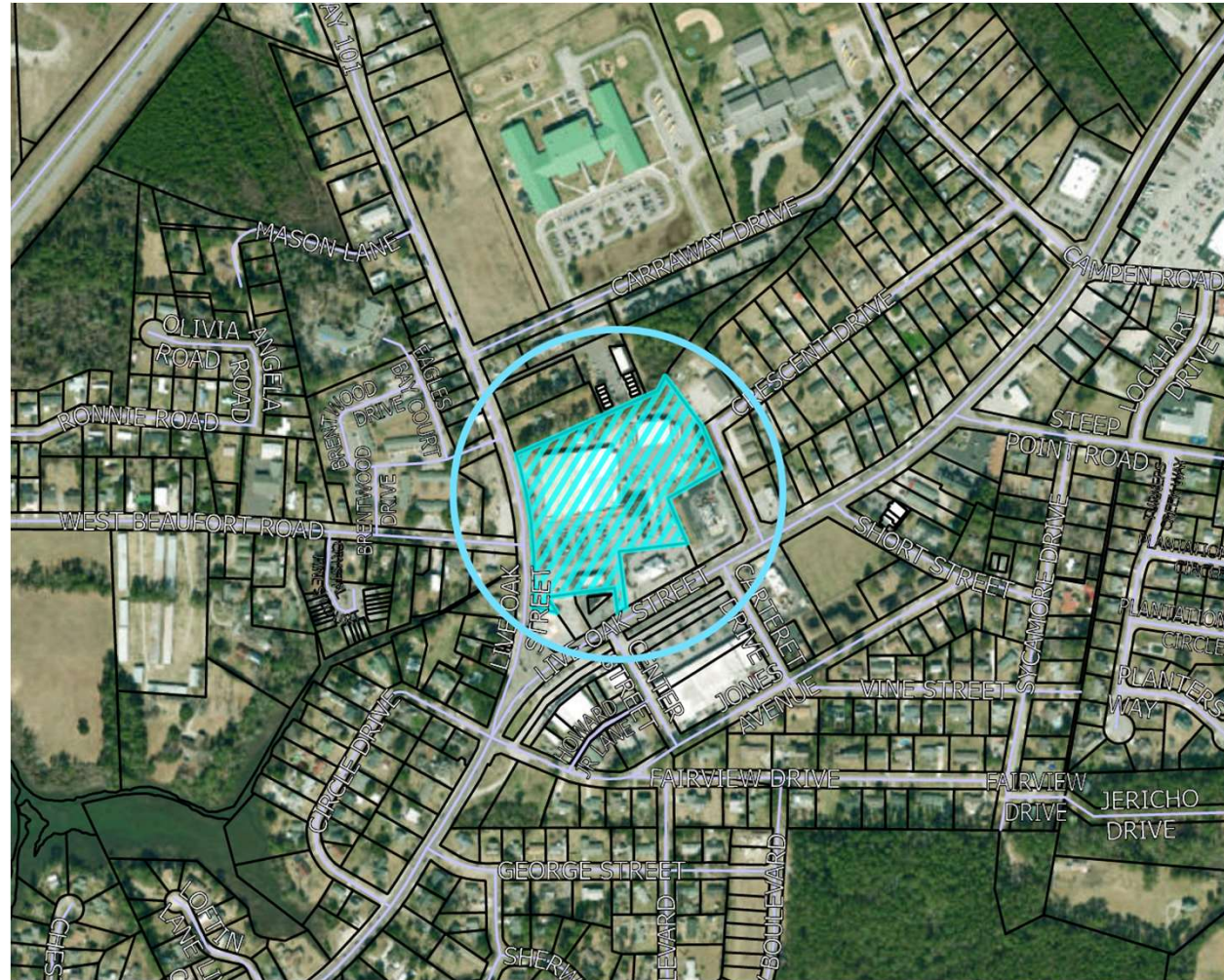
Signed

Date

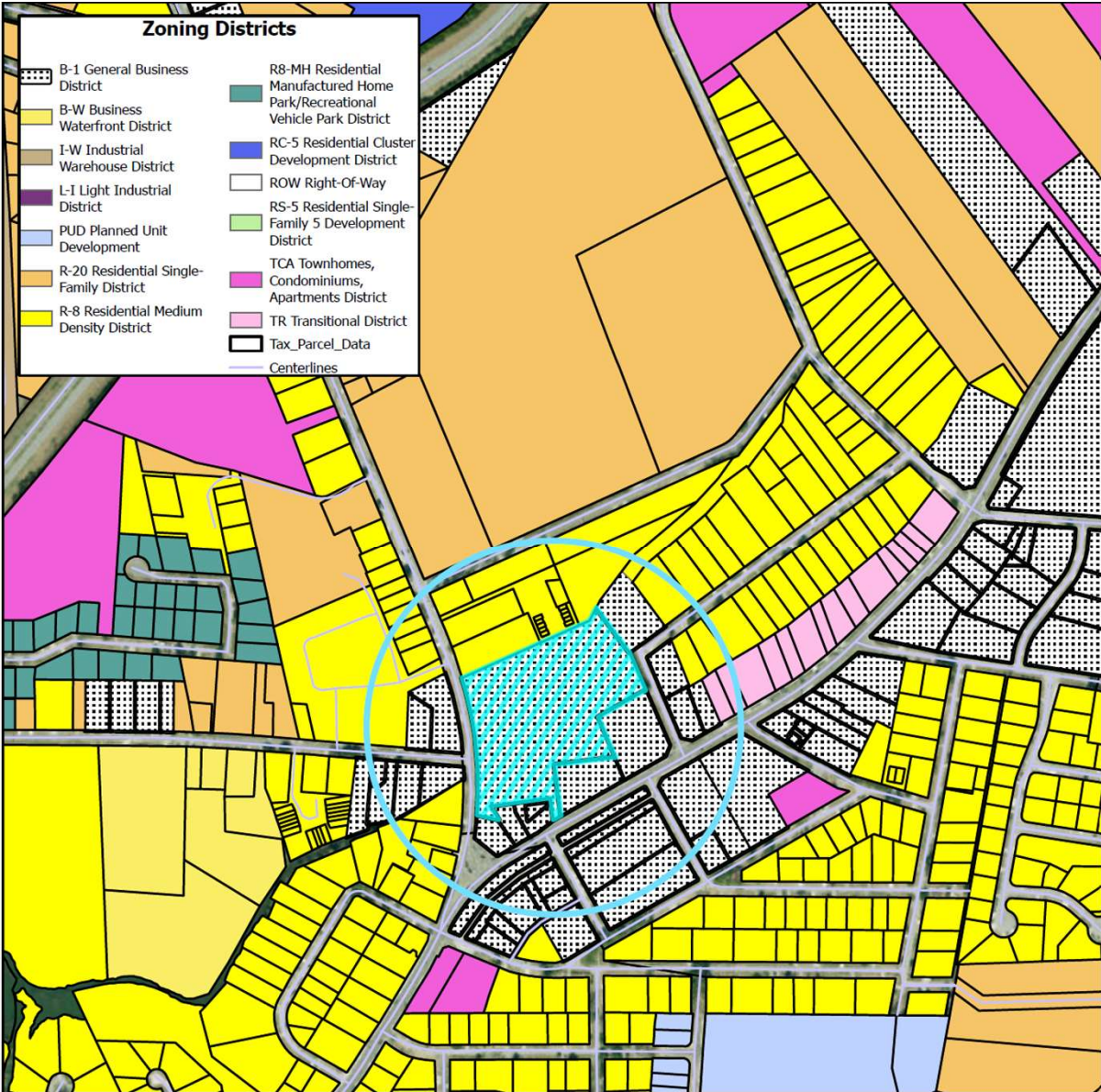
CASE 26-12 SPECIAL USE PERMIT

SUP REQUEST FOR A GAS STATION
AT 1507 LIVE OAK STREET

26-12 SUP FOR
GAS STATION
AT 1507 LIVE OAK ST



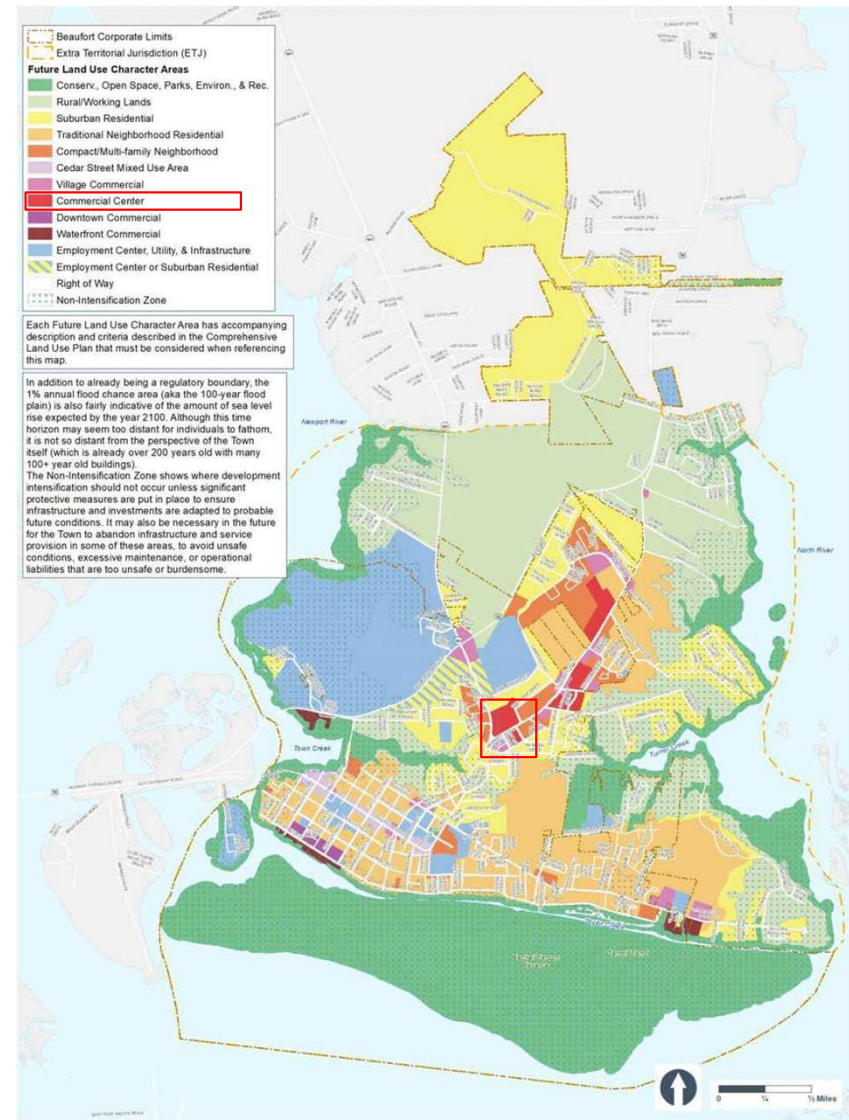
26-12 SUP FOR
GAS STATION
AT 1507 LIVE OAK ST



26-12 SUP FOR GAS STATION AT 1507 LIVE OAK ST

Comprehensive & CAMA Land Use Plan

- Commercial Center future land use classification notes:
 - “These areas have large-scale non-residential uses that serve the entire community and larger region.”
 - “Typical Uses: Large footprint, higher intensity, regional commercial, retail, services, or offices, including less pedestrian friendly uses such as vehicle and machinery repair, sales, and rental, lumber yards, commercial nurseries, fast food restaurants, etc. Hotels are also appropriate. Automobile-dependent businesses predominate.”



26-12 SUP FOR
GAS STATION
AT 1507 LIVE OAK ST

[illegible]

26-12 SUP FOR GAS STATION AT 1507 LIVE OAK ST



26-12 SUP FOR GAS STATION AT 1507 LIVE OAK ST

J. M. Davis Industries, Jim Dandy 1507 Live Oak St, Beaufort, NC 28516

New Jim Dandy Location



Printed 3M Vinyl Stripe on all four sides.
(4) Printed 3M Vinyl logos right justified on all sides

Canopy Colors:

- PMS 539C
- C:13, M:13, Y:18, K:0

Product Colors:

- PMS 539C
- PMS 100C
- PMS 7465C



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ALL INTERNAL COMPONENTS, I.E. BALLASTS, LAMPS, ETC. WILL BE U.L.
APPROVED. ISO 9001 IS A U.L. APPROVED COMPANY AND ALL OF OUR
PRODUCTS BEAR THEIR SEAL.

DESIGNER: EG
DATE: 04/

26-12 SUP FOR GAS STATION AT 1507 LIVE OAK ST

Scottsdale® Legacy (CRUS)

LED Canopy Luminaire



OVERVIEW

Lumen Package (lm)	5,000 - 22,000
Wattage Range (W)	38 - 152
Efficacy Range (LPW)	114 - 156
Weight lbs (kg)	23 (10.4)

QUICK LINKS

[Ordering Guide](#)[Performance](#)[Photometrics](#)[Dimensions](#)



Symbol	Qty	Label	Arrangement	Description	LLF	Luminaire Lumens	Luminaire Watts	Total Watts
	24	A	Single	CRUS-SC-VLN-4000K, RECESSED MOUNTED	1.000	9008	60	1440

Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
CalcPts_1	Illuminance	Fc	10.76	35.4	0.1	107.60	354.00
Under Canopy	Illuminance	Fc	26.75	35.4	12.9	2.07	2.74

92

26-12 SUP FOR GAS STATION AT 1507 LIVE OAK ST



26-12 SUP FOR GAS STATION AT 1507 LIVE OAK ST



26-12 SUP FOR GAS STATION AT 1507 LIVE OAK ST



26-12 SUP FOR GAS STATION AT 1507 LIVE OAK ST



26-12 SUP FOR GAS STATION AT 1507 LIVE OAK ST



26-12 SUP FOR GAS STATION AT 1507 LIVE OAK ST



26-12 SUP FOR GAS STATION AT 1507 LIVE OAK ST

Following review at the May 18th and June 15th Planning Board meetings, the recommendations were:

Unanimous recommendation of approval with the following two conditions:

- Upon implementing the provided landscape plan with the additional modification that the planting island to the east of the fuel pumps be modified to incorporate two or more large shade trees in order to be compatible and in harmony with the adjoining land uses and development patterns, and
- In the interests of the public safety that a pedestrian path be provided from the shown sidewalk to the businesses in Huntley Plaza.

Additionally, the Planning Board unanimously voted to include advisory concerns to make sure the Commissioners consider:

- Number one, because this is an identified entry corridor into the town of Beaufort as noted in the adopted gateway master plan, we have concerns over the proposal of above ground fuel tanks in this corridor.
- Number two, we have concerns related the screening of the side of the existing building. The entire side of the existing building that contains electrical panels, meters and so forth, that has not been screened from 101 and will not be screened architecturally or by the landscaping that is proposed along 101.
- Number three, we have concerns about the inadequacy of the landscaping in the southwest corner of the property due to its prominent location.

26-12 SUP FOR GAS STATION AT 1507 LIVE OAK ST

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

E) *Required Findings.*

- 1) In addition to any other findings or requirements as specified by any other section of this Ordinance, before any application for a special use may be granted or denied, the BOC shall make each of the following findings:
 - a) The proposed use is an allowable special use in the zoning district it is being located within;
 - b) The application is complete;
 - c) The location and character of the use will be in conformity with the Town's Comprehensive and CAMA Land Use Plan and other comprehensive planning elements;
 - d) Streets, driveways, parking lots, traffic control, and any other traffic circulation features shall be designed and provided in accordance with current traffic engineering standards and Town regulations and found to be adequate for the proposed special use;
 - e) The proposed special use will not substantially injure the value of adjoining or abutting properties;
 - f) The proposed special use will be compatible and in harmony with adjoining land uses and the development patterns of the immediate area; and,
 - g) The proposed use will not materially endanger the public health or safety of the community if located where proposed and developed according to the submitted and approved plan.
- 2) The BOC shall make its findings based on "competent, material and substantial evidence" as described in N.C. Gen. Stat. §160D-406 in accordance with the procedures set forth in Section 32 herein.

26-12 SUP FOR GAS STATION AT 1507 LIVE OAK ST

Options:

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

APPLICANT'S PRESENTATION



SimMun LLC:

Mr. Tommy Simpson

Owner of Beaufort Hardware
and Paint Company



JIM DANDY



HAVELOCK



DAVIS



NEWPORT

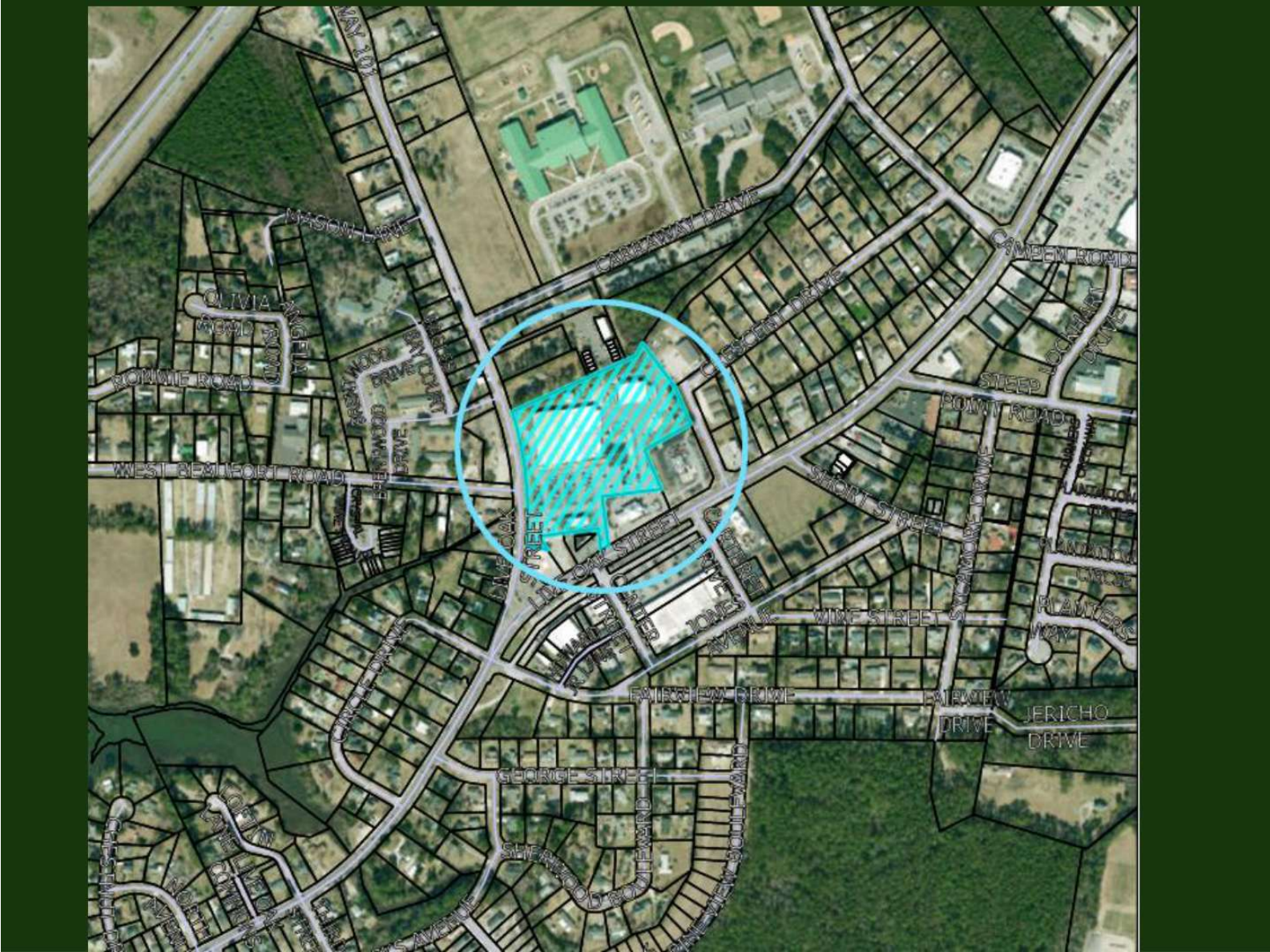


MOREHEAD CITY

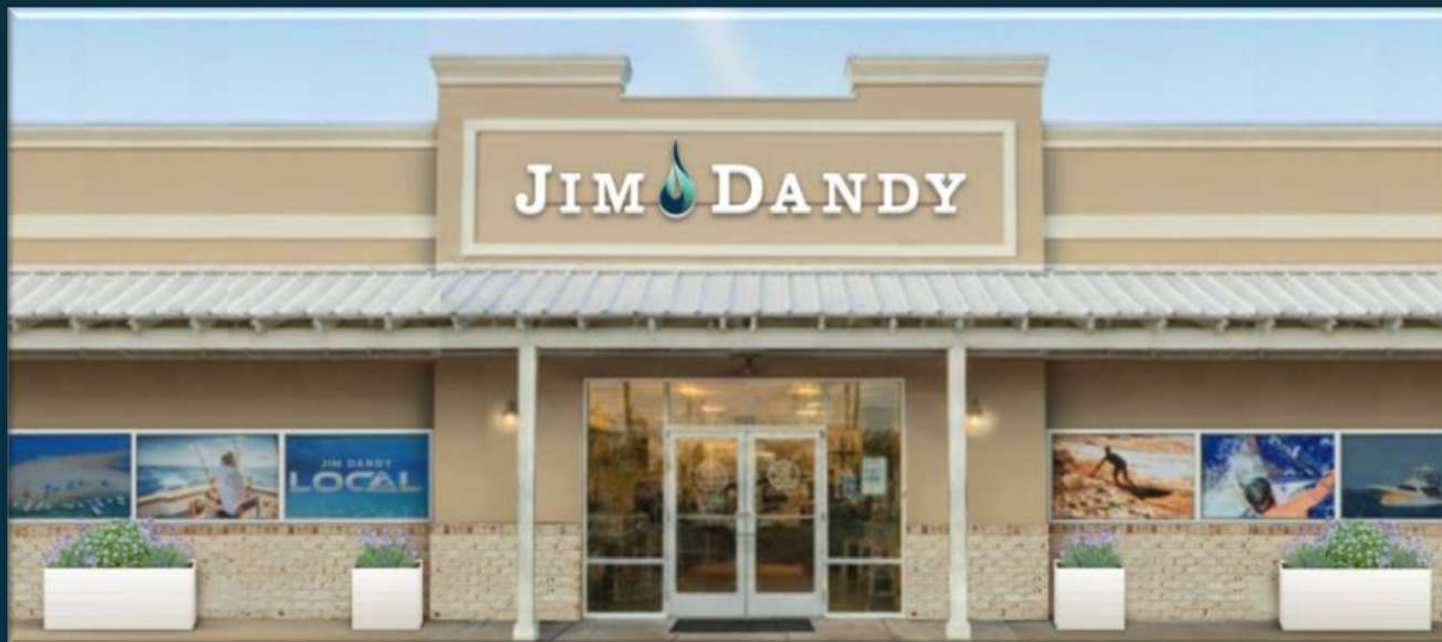


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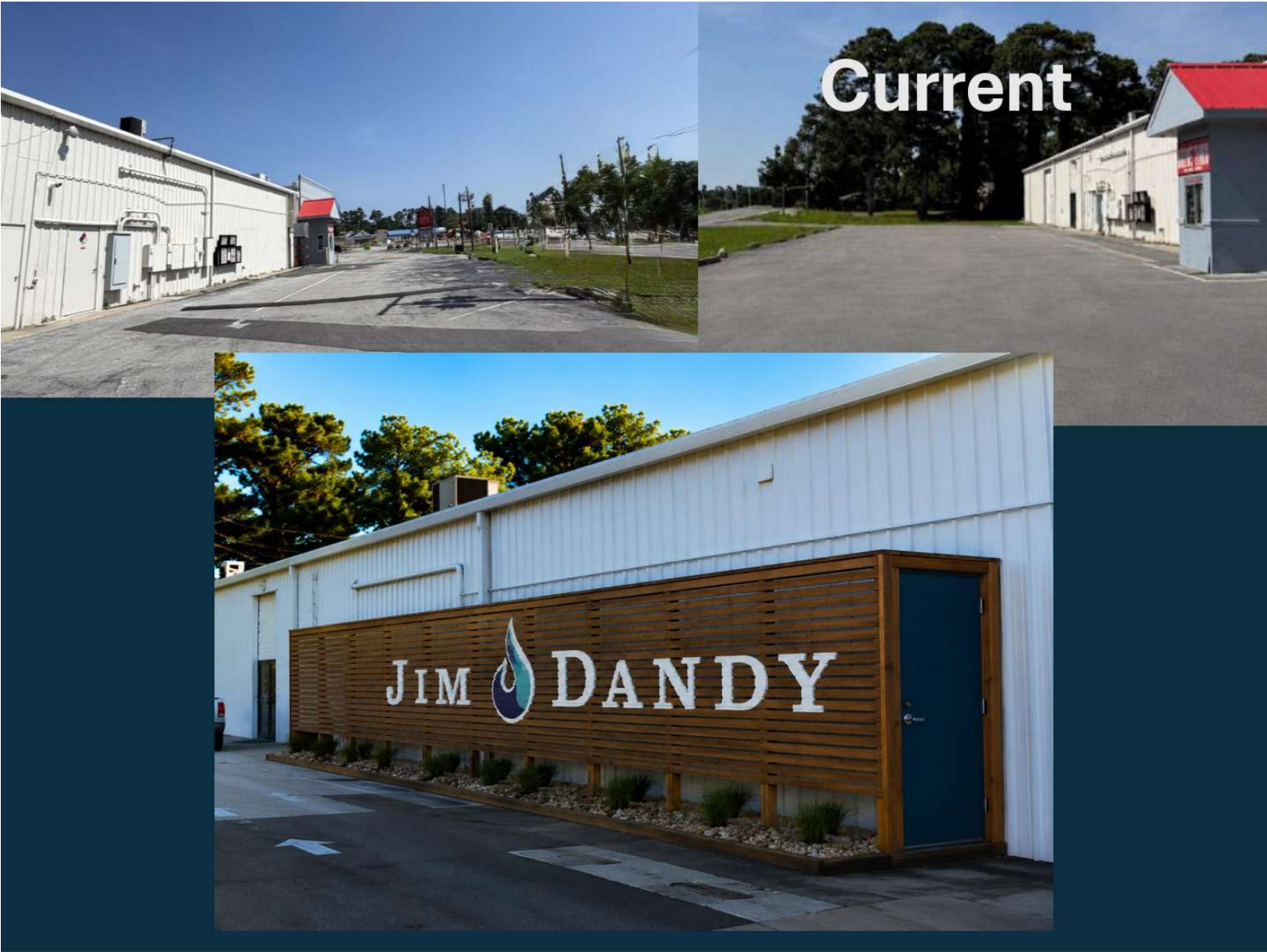
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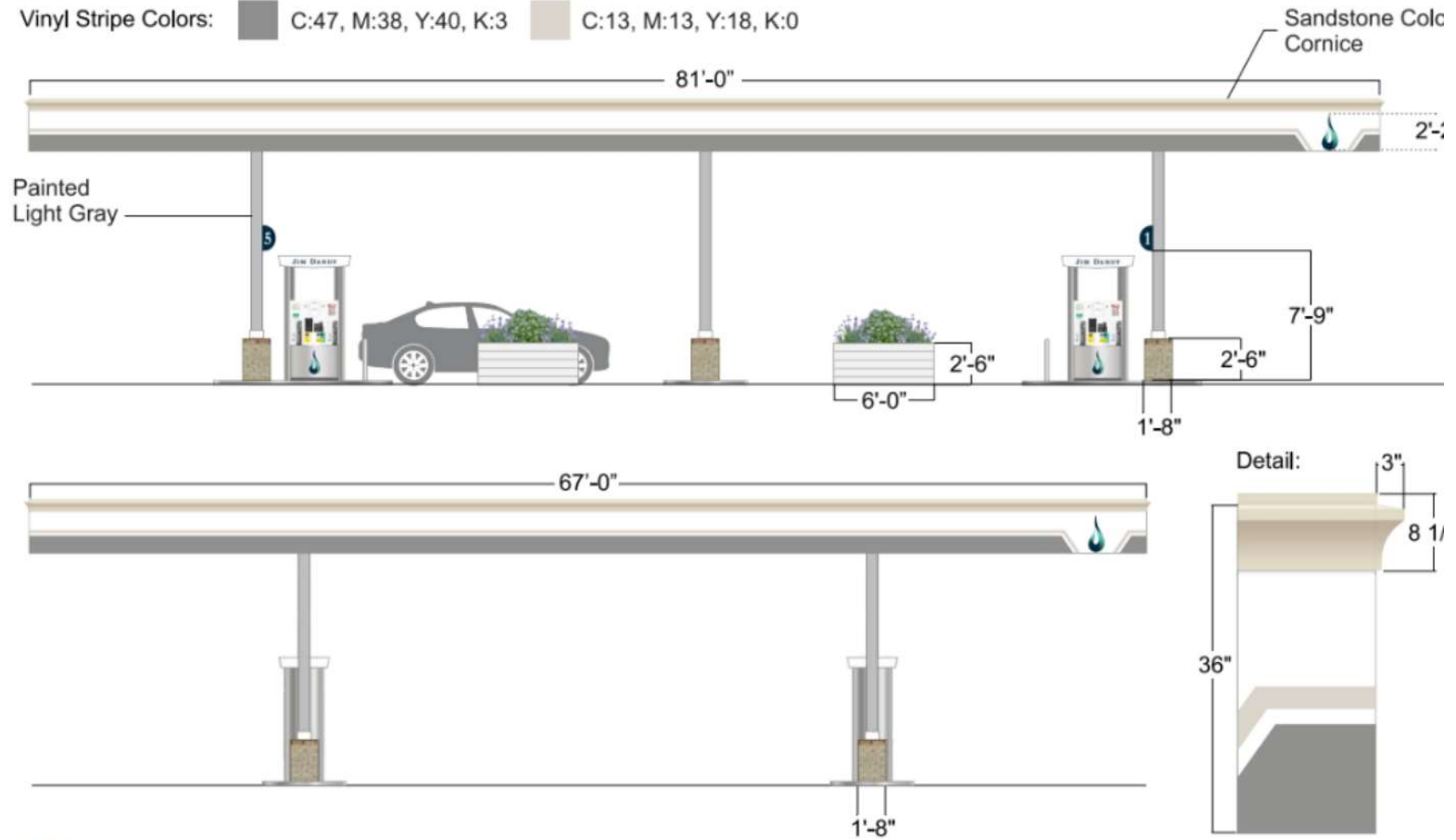


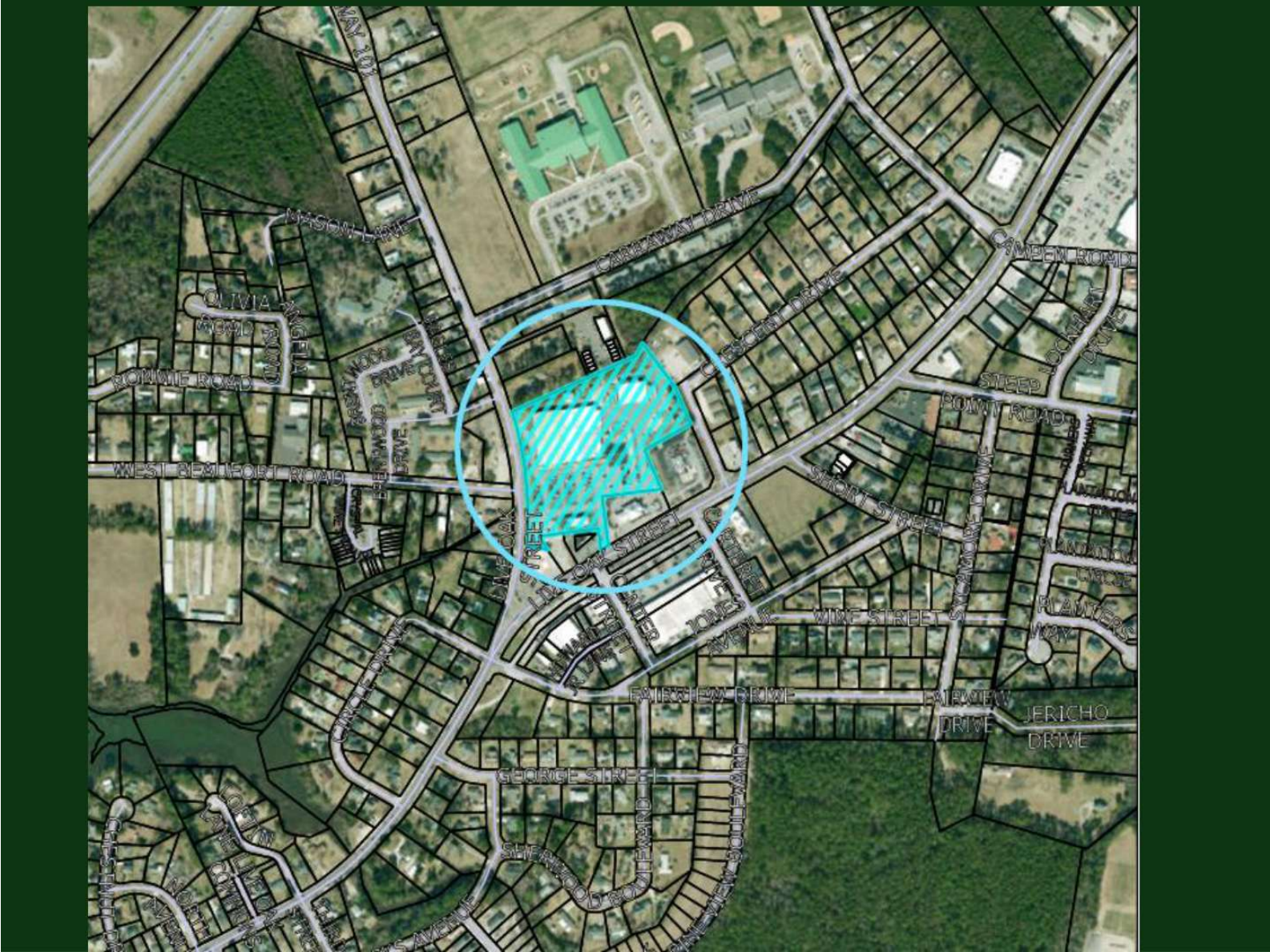


Canopy Specifications: 81' Long by 67' Wide with 36" Fascia

Printed 3M Vinyl Stripe on all four sides with (4) Printed 3M Vinyl logos right justified on all sides.

Vinyl Stripe Colors:  C:47, M:38, Y:40, K:3  C:13, M:13, Y:18, K:0





Current Above Ground Tanks in Beaufort



1. Homer Smith Marina
2. East Carteret Corner
3. BP on 101
4. Beaufort Airport
5. Town Creek Marina
6. Dean's Gas

Photos taken by TS and IG July 2026

Current landscaping in surrounding areas



1. New storage units behind the express gas station
2. Shopping center on the Beaufort town side of proposed round-about
3. Shopping center directly adjacent to proposed round-about

Photos taken by IG July 2026



- 1. Piggly Wiggly
- 2. Corner adjacent to proposed round-about
- 3. Dean's Gas

Photos taken by IG July 2026



**Applicants
Property**



Current



Current



Current





Town of Beaufort, NC

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

Board of Commissioners Work Session

4:00 PM Monday, July 27, 2026

Train Depot, 614 Broad Street

DRAFT

Call To Order

Mayor Harker called the meeting to order at 4:00 PM.

Roll Call

Elizabeth Lewis, Town Clerk, called the roll.

PRESENT:

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

ABSENT: NONE

Agenda Approval

Commissioner Gillikin made a motion to approve the agenda as presented.

Commissioner Cooper requested to amend the agenda to move Item #4 Voluntary Annexation Applications/Resolution: Beaufort Crossing to the August 10, 2026, regular meeting to allow for more time for information review.

Mayor Harker explained that the purpose of this item on this agenda was to gather more information.

Commissioner Spiegler asked if the Board was required to vote on this item today to which Mayor Harker indicated that it wasn't required.

Commissioner Matthews said that he didn't see any reason not to move forward tonight.

Mayor Harker called for the vote.

The motion carried unanimously with a (4-1) vote, with Commissioner Cooper opposed.

Presentations

1. Duke Engage: Public Spaces, Transportation, & Community Events

Dr. Liz DeMattia, a professor at the Duke University Marine Lab and coordinator of the DukeEngage program, explained that she was presenting on behalf of the DukeEngage students, who were unable to attend because their summer program had already concluded. She provided background on what she described as a year-long study conducted in partnership with the Town of Beaufort, which grew out of an idea about "third spaces" that Commissioner Spiegler and Commissioner Cooper had brought back from a Main Street Conference roughly a year and a half prior.

Dr. DeMattia explained that the first group of students conducted research into the social and economic benefits of green infrastructure, focusing on John Newton Park. Their work included a preliminary observational study of the park and a robust survey methodology. Key observational findings from Fall 2025 included that most people used the park to pass through, sit, or "hang out," with a strong preference for shaded areas even in autumn months. The parking occupancy data collected at that time revealed that the only periods of near-full occupancy were Friday nights and Saturdays. Survey results showed that respondents expressed interest in more green space downtown. Qualitative responses highlighted desires for expanded seating, children's amenities, more greenery and less pavement, free parking for residents, and a possible shuttle service.

The Summer 2026 students were tasked with a broader question posed by Town Manager Matt Zapp and the commissioners: What role do Beaufort's public transportation systems and community events play in driving downtown economic activity, and how can the town make data-informed decisions? The students created a comprehensive parking survey covering transportation mode, difficulty finding parking, length of stay, resident status, and asked respondents about two specific policy options: (1) expanding John Newton Park by removing approximately 30 parking spaces from the adjacent premium West Lot and (2) satisfaction with the town's parking permit system.

Dr. DeMattia highlighted that the majority of out-of-state visitors and Beaufort residents found parking to be easy or neutral in difficulty. Carteret County non-Beaufort residents expressed the greatest dissatisfaction. She noted that while there were "some really loud voices" asserting that parking was a major problem, the survey data did not broadly support that characterization. She concluded that the issue was primarily a matter of perception and awareness rather than actual capacity. Most respondents were either somewhat satisfied, very satisfied, or neutral regarding the parking permit system. The qualitative nuances that emerged included comments about good walkability reducing the need for permits, a desire for more household permits, and the concern that a three-hour limit was insufficient for employees. Using parking pivot data, students found that the premium lots were at or near capacity primarily on Saturdays, while other lots across town were significantly underutilized. Dr. DeMattia pointed out that the county courthouse parking lot and the lot across from the DSS office are free and open to the public on weekends and evenings, just two to three blocks away, and suggested that better signage and awareness could alleviate much of the perceived parking pressure.

The proposal to remove 30 parking spaces from the premium West Lot to expand John Newton Park, visitors were very supportive, Carteret County residents were the most opposed, and Town

of Beaufort residents were more than 50 percent either strongly in support or neutral, with only approximately 26-28 percent strongly opposed.

The Summer 2026 students recorded 5,000 visitors, 1,700 minutes, and 178 hours of observational data around John Newton Park. Groups were typically found passing through, resting in shade, and approximately 20 percent carried purchased items. The evening hours saw the highest use of the park. Of particular significance, the weekly Rock the Docks event brought 2.8 times more people into the area than any other night and 2.7 times more groups carrying purchased items. Dr. DeMattia used this data to directly counter the argument that converting parking to public space would decrease economic vitality.

Dr. DeMattia then summarized the student research findings as:

1. Downtown activity grows at night.
2. Visitors increase on evenings and weekends.
3. Parking availability remains sufficient and the issue is awareness rather than capacity.
4. Public spaces drive economic activity.
5. There is measurable public support to create more green space, specifically at John Newton Park.

She closed by acknowledging the full list of student contributors: Conner Ennis, Gianna Rodriguez, Tori Newton, Alice Daeschler, Meredith Langmuir, Mason Ibrahim, Jeremy Sabol, Anna Marie Hunt, Allison Cato, Jackson Kitts, Charlie Ratterree, and Dylan Wang.

At the conclusion of the presentation, the audience responded with applause.

Commissioner Spiegler offered an extended statement of thanks to Dr. DeMattia and the students, noting the tremendous amount of work that had gone into the year-long project. She reflected on how the data confirmed that more people want green space downtown and gravitate toward shaded, unpaved areas even during events like Rock the Docks. She expressed her strong support for beginning a formal planning process with the Parks and Recreation Advisory Board to pursue conversion of the parking lot area adjacent to John Newton Park into a third-space green area. She also highlighted the importance of awareness efforts regarding the county's free parking availability, adding a personal note that even she, as a former downtown employee of nearly ten years, had not been aware that the county lot was available to her on weekends, stating that that would have made a difference to her as an employee.

Commissioner Matthews thanked Dr. DeMattia for a presentation consistent with what he had heard anecdotally about parking availability. He asked whether the survey had addressed the availability of handicapped parking or parking for individuals with mobility challenges. Dr. DeMattia acknowledged that this was not specifically addressed in the survey, and that no free responses mentioned a lack of accessible parking, though she noted the absence of data on the topic did necessarily not mean that it was not an issue.

Commissioner LoPiccolo thanked the presenters and expressed that he had long felt the downtown space next to John Newton Park was "meant to be open, free public space," noting a missed opportunity after fuel tanks were previously placed and the lot repaved. He asked about surge parking conditions and whether any data addressed specific hours of peak demand, noting that it was those concentrated periods that most affected visitors' perceptions. He also asked about public openness to shuttle services or off-site parking alternatives. Dr. DeMattia noted that some survey respondents had requested shuttle service, and that walking and biking had emerged as common transportation modes in the survey data. She further observed that the

visitor profile for Beaufort had shifted with the addition of two hotels, resulting in more year-round foot traffic from walkable and bikeable distances, a change that had likely contributed to increased dissatisfaction among longtime Carteret County visitors accustomed to easier parking access. Commissioner LoPiccolo agreed, emphasizing the importance of open public spaces in downtown areas and expressing appreciation for the data supporting that concept.

Commissioner Cooper commended the students' work, having attended their presentation at the Duke Marine Lab earlier in the month. He raised the question of whether workers from downtown restaurants had been surveyed or engaged. Dr. DeMattia stated that they had not been specifically targeted due to the students' time limitations, though a draft business survey had been prepared for potential future use. Commissioner Cooper shared that a constituent had contacted him about employee parking and reiterated the importance of finding solutions for it.

Commissioner Gillikin asked whether the data addressed the perception, held by some downtown businesses, that ferry riders exit straight to their cars after disembarking from the ferries, instead of spending time in the downtown area. Dr. DeMattia explained that obtaining survey data on purchases was challenging, as the students sought to avoid making assumptions in their research. Instead, they relied on direct observations, reporting that 21% of individuals observed downtown were carrying visible purchases, and this included ferry passengers.

Mayor Harker thanked DeMattia, as well as the DukeEngage students, and commented on the importance of children's activities, families, and a diverse community. She expressed that the data would be tremendously helpful for future planning. Dr. DeMattia stated that she had been on the Beaufort Parks & Recreation Advisory Board in the past and had helped design John Newton Park into the well-utilized space it is today.

Commissioner Spiegler asked whether the upcoming fall semester class might be engaged to continue working with the town, and Dr. DeMattia indicated that was a possibility, suggesting they speak further about scope and timing.

There was no formal action taken on this item.

2. Arts in Beaufort "Menhaden Tales" Statue Placement

Jennifer Welborn, Community Engagement Director, introduced a proposed gift to the Town from Arts in Beaufort, a local nonprofit, which included a sculpture, accompanying bench, and audio narrative which could be accessed via Quick Response (QR) code. The gift aimed to highlight Beaufort's historical menhaden fishing industry, "Fishtowne" nickname, and African American contributions, while providing a unique photo opportunity to the public. Welborn stated that this item was presented by Arts in Beaufort at the June 17, 2026, Parks & Recreation Advisory Board meeting, where the board voted unanimously (6-0) to recommend the Board of Commissioner's acceptance of the gift and its placement in John Newton Park at "Position 1" as referenced in the subsequent presentation. She then invited the Arts in Beaufort representatives in attendance to address the Board.

Vic Fasolino, representing the board of the local nonprofit Arts in Beaufort, presented alongside President BJ Vincent to propose donating a bronze sculpture to the Town of Beaufort for placement in John Newton Park. Fasolino described the sculpture as a figure of a fisherman seated on a bench, whom Arts in Beaufort named "Samuel." The sculpture is already in their possession, having been cast. Its dual purposes are to provide an interactive photo opportunity for visitors and to educate the public on the cultural and historical contributions of African

Americans to Beaufort's menhaden fishing industry. A QR code accompanying the sculpture would link users to an audio recording in which the character of Samuel (voiced by Wardell Johnson, a former local fisherman and choir member) narrates the story of Beaufort as "Fishtowne" and the role of Black workers in the menhaden industry.

Fasolino explained that the script was developed with historical accuracy as a priority. Local historian Steve Goodwin, who has written extensively on the menhaden fishing industry, verified all factual content. Local anthropologist Barbara Garrity-Blake also reviewed the script. Mayor Harker was noted to have provided additional input and guidance during the revision process as well.

A brief excerpt of the audio was played for the board. Fasolino noted the full recording runs approximately seven minutes and covers Black culture and community leadership in Beaufort.

Commissioner LoPiccolo asked for a full account of how the sculpture was created for the public record. Fasolino explained that the original concept was to photograph a local fisherman named George, take the images to a sculptor, and have the figure cast in bronze using the traditional lost-wax process. However, the first sculptor found that George was not dressed in period-appropriate clothing, and an early mock-up was unsatisfactory. After setting the project aside briefly, Fasolino discovered a foundry in Florida that could create bronze sculptures from photographs using computer animation and 3D wax printing, the same technology used for video game character creation. The team sent the foundry photographs of George alongside circled details from multiple historic photographs showing period clothing, boots, hats, overalls, and other aspects. Afterwards, the final 3D image was printed in wax and cast in bronze.

Fasolino presented two candidate locations within John Newton Park. Location 1, unanimously recommended by both Arts in Beaufort and the Parks and Recreation Advisory Board, is the mulched area where the current picnic table sits. The advantage of this location is that a photograph taken there would capture the waterfront and live oak trees as a backdrop. Location 2 was near the area formerly occupied by an ice machine during Big Rock week. Both locations offer a strong visual background, but Location 1 was preferred for its shade. Fasolino noted that a key criterion for placement was that visitors needed to feel comfortable sitting for seven minutes to listen to the full recording, which made a shaded location preferable.

Arts in Beaufort formally requested acceptance of the sculpture donation, confirmation of "Location 1" in John Newton Park, a Memorandum of Understanding (MOU) agreement with the Town, and coordination with the Town's Public Works Department for placement details.

Commissioner Cooper expressed genuine appreciation, emphasizing the importance of formally recognizing the contributions of Black fishermen to Beaufort's heritage.

Commissioner Gillikin said the presentation "made her heart flutter," and asked whether the sculpture and script had been shared with African American families whose relatives had worked in the menhaden industry and who still had relatives living in Beaufort. Fasolino confirmed that Wardell Johnson, the narrator, had personal experience as a former local fisherman and fully supports the project, but acknowledged that the broader community of menhaden fishing families had not been formally engaged. Gillikin also asked whether "Samuel" was based on a specific historical person. Fasolino clarified that the visual form was drawn from historic photographs of menhaden fishermen generally, and that the narrative content was drawn from Steve Goodwin's historical research, but that "Samuel" is a composite, not a specific individual.

Commissioner Spiegler asked about the accessibility of the QR code and noted that visitors could continue listening to the recording on their personal devices after leaving the bench, making the experience flexible for users who did not have time to remain seated for the entire recording.

Commissioner LoPiccolo asked whether the town had a formal agreement process for accepting donated artwork, potential future relocation of the sculpture, ownership of intellectual property rights, the ability of Arts in Beaufort to reproduce images of the sculpture, and other details. Town Attorney Arey Grady advised that an MOU would be the appropriate vehicle to address issues such as intellectual property rights, the digital data file, and reproduction rights. BJ Vincent stated that Arts in Beaufort would like to retain the ability to reproduce images of the sculpture for their five-dollar postcard fundraisers.

Commissioner Matthews expressed support for the project, recognizing the historical importance of Beaufort's menhaden fishing industry and the contributions of African American workers. He also noted the cultural significance of the traditional fishing chanties, to which Fasolino responded that the audio narrative includes a portion of one of those songs.

Commissioner LoPiccolo also thanked Arts in Beaufort for their broader beautification work across the community.

Mayor Harker offered personal remarks, recalling having spoken to two of the last surviving Chanteymen and hearing them sing the chanties firsthand. She noted the spiritual dimension of those songs, which had been sung in churches, recorded, and even performed at Carnegie Hall. She noted that the sculpture highlights the people behind Beaufort's menhaden fishing industry, by emphasizing the men, women, and families, and preserves an important part of the Town's cultural history.

Commissioner Cooper made a motion to accept the sculpture, confirm the location, and to allow Arts in Beaufort (AIB) to coordinate with the Public Works department for placement details.

Mayor Harker explained that the Board hadn't yet determined the location for the statue.

Town Attorney Grady advised that the motion should include authorization for Town staff to negotiate the terms of an appropriate MOU with Arts in Beaufort.

Mayor Harker raised concerns over the statue's empty cup, asking if it had drainage and speculating if people would put trash in it. Fasolino explained that the statue included an authentic rendition of a metal Stanley cup, which had a with hole in the bottom of it to allow for drainage, but admitted that members of the public may be inclined to place items in it.

The Board came to a The Board reached consensus in support of "Location 1" in John Newton Park.

Commissioner Cooper restated his motion to accept the sculpture, confirm "Location 1," and to allow Arts in Beaufort (AIB) to coordinate with the Public Works department for placement details pending an MOU agreement with Town staff.

Commissioner Spiegler clarified for the record that she supported either proposed location in John Newton Park, noting that because the QR code allowed visitors to listen to the audio recording on their phones without sitting on the bench, she did not believe that the bench needed to be placed in a shaded area.

Mayor Harker stated that the motion was for “Location 1” and called for the vote.

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

Vincent added that the audio narrative was currently available for listening on the Arts in Beaufort website, www.artsinbeaufortnc.org.

Items for Discussion and Consideration

1. UDO Module 1: Resilient Coastal Communities Program (RCCP) Grant Closeout

Town Planner Michelle Eitner clarified that this item was not a request to approve or adopt any ordinance language. Rather, she was seeking board direction on whether to proceed with the closeout of the Resilient Coastal Communities Program (RCCP) grant, which had supported the first module of the town's Unified Development Ordinance (UDO) update.

Eitner then provided a detailed history: At its October 27, 2025 work session, the Board of Commissioners reviewed the completed draft Coastal Resilience Overlay District developed through Module One of the Unified Development Ordinance Update Project. Following discussion of the draft, applicable state legislation, potential impacts on affected properties, and the need for additional public outreach and revision, the Board unanimously directed staff to request a twelve-month extension of the \$100,000 Resilient Coastal Communities Program Phase 3 grant. The extension was subsequently granted until November 18, 2026, and further consideration of Module One was deferred while work continued on the remaining UDO modules.

On April 20, 2026, Division of Coastal Management staff advised the Town that the completed planning process and draft ordinance technically satisfy the grant's scope of work. DCM explained that formal adoption is not required for grant closeout because adoption of a draft ordinance cannot be guaranteed, provided the Town remains committed to advancing resilience-related changes. To date, \$86,638 of the \$100,000 grant has been received, with the remaining \$13,362 (\$10,000 contingency plus other remaining balance) still owed.

Because the Board previously directed staff to seek the grant extension and has been closely involved in consideration of Module One, staff is returning to the Board for direction before taking final action. Closing out the grant would conclude the grant requirements but would not approve or adopt the draft Coastal Resilience Overlay District or commit the Board to its specific provisions. Attached you will find supporting documents.

Commissioner Spiegler offered warm thanks to the Division of Coastal Management (DCM) for their flexibility and extended a particular acknowledgment to Michelle Eitner for her extensive work leading the effort over more than a year, responding patiently to questions and providing detailed feedback throughout. She also thanked Commissioners Gillikin and LoPiccolo for their service on the UDO Subcommittee. Spiegler stated that she thought the timing was appropriate for closeout, given that the remaining UDO work would continue for another year or two.

Commissioner Gillikin similarly praised Eitner and expressed gratitude for the grantor's flexibility in allowing the town to pivot when the statutory 160D issues arose.

Commissioner Matthews sought clarification that the remaining \$13,362 would be forthcoming from the state upon closeout. Eitner confirmed this.

Commissioner LoPiccolo asked whether there was urgency to close out the grant at this meeting or whether it could be deferred until the fall. Eitner confirmed that waiting was feasible but noted the matter had been brought forward as soon as the spring guidance from DCM was received. LoPiccolo also asked whether closing out the grant would result in forfeiture of the remaining funds. Eitner confirmed the town would receive the remaining balance upon closeout. He additionally confirmed there was no clawback provision related to non-adoption of the draft ordinance. Eitner explained that DCM understood the town could not move Module 1 forward due to statutory concerns, and that resilience work was already being incorporated through other sections of the UDO, including subdivision regulations and the flood damage prevention ordinance.

Commissioner Spiegler made a motion to close out the Resilient Coastal Communities Program (RCCP) Grant with the Division of Coastal Management (DCM).

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

2. Beaufort Town Docks Financial Report: June 2026

Lori Meehan, General Manager of F3 Marina, presented the June financial report and fiscal year-end summary for the Town Docks. She began by sharing photographs documenting the municipal marina transition, including the fuel tank installation, the official fuel service ribbon cutting, the Big Rock Tournament, and recent improvements to the marina. Meehan also introduced Sara Bell, who assumed the role of Administrative Manager on July 1, 2026, and Dock Master Jacob Naegelen, noting that the leadership structure provides complementary skill sets and management redundancy.

Meehan reviewed budgeted versus actual revenue for July. Sara Bell presented month-to-date financial results. Actual revenues exceeded budget projections across multiple categories, including slip rentals, fuel sales, electric charges, and credit card surcharge fees, resulting in a gross profit well above budget expectations. Meehan also reported that fuel sales surpassed projected volumes and commended the marina staff for consistently exceeding operational goals while completing additional capital improvements, including fuel carts and commercial dock enhancements, within the fiscal year. She concluded by reporting that fiscal year-end revenue and net operating income both exceeded budget projections.

Jacob Naegelen provided an operational update, reporting strong transient occupancy throughout July, a notoriously slow month for transient boaters, and noting that several visiting boaters extended their stays to monthly rentals. Pulling from his more than eight years of experience at the docks, he attributed the increased activity to improved marketing efforts, enhanced customer service, and ongoing improvements to the marina experience.

Commissioner Cooper thanked the Beaufort Town Docks team for the comprehensive report and asked questions regarding credit card fees and a marketing expense from Beaufort Grocery. Meehan explained that credit card fees are paid by customers who choose to use credit cards and that purchases from Beaufort Grocery were part of the marina's welcome bag program, which provides arriving boaters with locally made items as a way to promote local Beaufort businesses. Commissioner Cooper commended the F3 team for its work and the marina's performance.

Commissioner LoPiccolo inquired about commercial slip occupancy and the process for transferring marina revenues to the Town. Meehan explained that the budget assumed full occupancy and noted that there were currently three commercial slips available. She also described the monthly financial review and fund transfer process, with Finance Director Christi

Wood confirming that monthly transfers to the Town are underway. Wood further reported that sufficient cash is available to cover upcoming insurance and debt service obligations in September.

Commissioners Spiegler and Gillikin welcomed Sara Bell and Jacob Naegelen to their leadership roles and commended the F3 Marina team for its strong financial and operational performance. Commissioner Spiegler noted that July is typically a slower month for transient boating traffic and expressed encouragement that the marina's success demonstrates its ability to attract visitors during the summer season.

Commissioner Gillikin also recognized the marina's successful transition to Town management and thanked the F3 Marina team, Beaufort Waterfront Operations & Finance Committee (BWOF) members, and Town staff for their contributions. She acknowledged recent criticisms about the marina's management transition but stated that the strong financial performance demonstrated the success of the operation.

Following Commissioner Gillikin's statement, the audience responded with applause.

Commissioner Spiegler also thanked the Beaufort Waterfront Operations & Finance (BWOF) committee members, some of whom were in the audience.

There was no formal action taken on this item.

3. FY 2027 Budget Amendment #1

Finance Director Christi Wood presented FY 2027 Budget Amendment #1, describing it as a standard roll-forward amendment to reappropriate funds for goods or services that were ordered or contracted in FY 2026 but not received or completed by June 30th.

The budget amendment totaled \$184,216 in the General Fund and \$301,626 in the Utility Fund. General Fund appropriations included engineering services for Fire Station No. 2, the purchase of a generator for the Police Department, and funding for the Campen Road widening project, which had been previously approved by the Board of Commissioners.

Utility Fund appropriations included funding for generators, pumps and pump repairs associated with previously authorized emergency repairs, and contracted services for sewer point repairs and a valve repair at Lift Station No. 9. Staff noted that these projects were either underway or nearing completion.

There were no questions or comments from the Board at this time.

Commissioner Gillikin made a motion to approve FY 2027 Budget Amendment #1 as presented. The motion carried unanimously with a (5-0) vote.

4. Voluntary Annexation Applications/Resolution: Beaufort Crossing

Town Clerk Elizabeth Lewis explained that, following the presentation by Mr. Jeff Baren during the Board of Commissioners' June 22 Work Session regarding the proposed Beaufort Crossing development, the associated property owners had submitted voluntary annexation petitions for the four parcels associated with the proposed project. The parcels included 404 Highway 101, 550 Highway 101, 374 Highway 101, and 388 Highway 101, approximately 16.78 acres combined.

The voluntary annexation petitions, maps, and supporting documentation submitted by the applicants were included in the agenda packet for the Board's review.

Lewis emphasized that the Board was not being asked to consider the annexation itself at this time, but only to take the first procedural step in the voluntary annexation process pursuant to N.C.G.S. § 160A-31, which directs the Town Clerk to investigate the sufficiency of the petitions and report findings back to the Board. Following the Clerk's investigation, the Board could then choose to proceed with scheduling a public hearing to consider the proposed annexation. Lewis requested direction from the Board on how to proceed.

Commissioner Cooper asked Lewis to restate the parcels included in the voluntary annexation petitions, which she did, and requested additional clarification on the annexation process.

Commissioner LoPiccolo noted a minor acreage discrepancy between the town's GIS figure of 16.78 acres and the county's figure of 16.79 acres. Lewis clarified that the metes-and-bounds survey from the engineer would govern and the GIS figure was preliminary. He also noted that a preliminary map referenced the "Beaufort Town Council" rather than the "Board of Commissioners." Town Attorney Grady confirmed this would not be significant at this stage.

Commissioner Gillikin asked when adjacent property owners and the public would have an opportunity to provide input. Lewis explained that public participation would occur during the public hearing, should the Board ultimately choose to schedule one following the Clerk's investigation. Gillikin stated that she had received several comments from citizens requesting that the Board delay directing the Clerk to begin the investigation until a regular meeting.

Commissioner Cooper commented that he had received similar feedback from members of the public. Lewis explained that delaying the item would not result in any additional information being available at the next meeting unless the Clerk was authorized to begin the investigation.

Commissioner Spiegler stated that she would support moving the item to the next regular meeting because it would allow for a public comment opportunity, even though the information presented would be the same.

Commissioner Cooper made a motion to table the item to the August 10, 2026 regular meeting.

Commissioner Matthews expressed support for proceeding with the resolution, stating that authorizing the Clerk's investigation would provide the Board with additional information prior to the public hearing without eliminating future opportunities for public input.

Commissioner LoPiccolo agreed, noting the parcels were relatively small, that the item had already come before the Board, and citing future opportunities for public comment later in the process.

Commissioner Cooper reiterated the importance of receiving public input before taking any action, referencing the recent Jim Dandy Gas Station development proposal in which comments from the public had provided additional information about FHA loan requirements for the Board's consideration.

Mayor Harker clarified that moving the item to the August meeting would allow for public input prior to the vote, but that the information presented to the Board would be no different. She called for the vote on Commissioner Cooper's motion.

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

Staff Comments

Town Manager Matt Zapp provided an update on the Campen Road widening project, advising that due to the contractor's existing workload, construction is not expected to be completed before the start of the school year. He noted that the contractor intends to expedite the project by reallocating crews and, if necessary and authorized, working weekends. The Board discussed the anticipated four- to five-day construction timeline and the importance of minimizing traffic impacts during school operations.

Zapp then presented a proposed stormwater infrastructure repair project for the 100 block of Queen Street, explaining that recent inspections identified a failed and blocked stormwater pipe, effects of which could be seen at the street surface level. Staff recommended a targeted repair, including replacement of the failed section, slip-lining of the remaining pipe, and full roadway resurfacing. He reported that competitive bids had been received and that funding was available through existing stormwater and roadway reserves without dipping into general fund resources. Board members discussed the project's scope, long-term durability, and potential impacts to existing utilities and trees. Zapp asked that the item be placed on the August 10th Board of Commissioners meeting agenda for formal action.

The board reached unanimous consensus and agreed to place this item on the August 10, 2026, meeting agenda.

Zapp informed the Board that the History Museum of Carteret County had requested that three Town-owned artifacts currently on long-term loan be permanently donated to the museum. He stated that staff had inspected the items and suggested the Board consider donating them to the museum in perpetuity, given the museum's curatorial capacity and its public accessibility. He indicated a formal transfer of ownership form was included in a prior email to the Board and asked for general direction. Board members discussed the proposal, including long-term ownership considerations.

No formal action was taken. The Board directed staff to continue evaluating the request for future Board consideration.

Zapp delivered what he described as extremely positive news on the USDA water, sewer, and stormwater infrastructure project, reporting that bids had been received for comprehensive roadway resurfacing. He explained that, rather than completing only patch repairs following the utility work, the Town pursued a strategy of combining available USDA patching funds with the Town's asphalt reserve funds to maximize roadway improvements. Five bids were received, with the apparent low bid coming in significantly below the engineer's estimate. Staff was reviewing the bids to verify quantities and compliance details before presenting a recommendation to the Board.

Manager Zapp stated that, if the bid is awarded, paving work could begin as early as September, with the majority of resurfacing anticipated to be completed by the end of the year and the remaining work, primarily in areas still impacted by ongoing utility construction, expected by spring 2027. He also reported that the USDA utility project, subcontracted to TA Loving Company, continues to progress ahead of schedule. He then sincerely thanked all residents and visitors for their patience with this extensive and necessary project, noting a "light at the end of the tunnel."

The audience responded with applause.

Commissioner LoPiccolo acknowledged that the board had collectively chosen to delay interim patching through the project and emphasized the importance of fiscal responsibility and long-term planning when allocating Town funds.

Commissioner Matthews expressed appreciation for Zapp's diligence in reviewing the low bid versus the clustered higher bids.

Commissioner Cooper asked about Rivers & Associates review process, and Zapp confirmed all five bids were being reviewed for completeness and accuracy, indicating that they would be ready for Board review at the August 10, 2026, meeting.

Mayor Harker celebrated the news with enthusiasm, noting that residents, particularly those on Broad Street with perpetually dusty vehicles, had been extraordinarily patient. Zapp reviewed the potential timeline of bids and contract execution. He indicated that by Spring 2027, Beaufort's roadways should be substantially improved, especially in the downtown area.

No formal action was taken. The Queen Street project and USDA paving contract authorization were confirmed for the August 10th Board of Commissioners meeting agenda.

Closed Session

1. Pursuant to N.C.G.S. § 143-318.11 (a) (6)

Commissioner Cooper made a motion to enter into a closed session pursuant to N.C.G.S. § 143-318.11 (a) (6) at approximately 5:55 PM. The motion carried unanimously with a (5-0) vote.

Adjourn

The meeting returned to an open session at approximately 7:25 PM.

Once in open session, Commissioner Cooper raised the issue of another setting for workshop meetings, particularly the use of the east side of the Train Depot. The Board discussed previous attempts to hold meetings in that room, noting that the arrangement was not practical due to the lack of audio and video capabilities required for live streaming.

Commissioner Cooper made a motion to adjourn the meeting. The motion carried unanimously with a (5-0) vote and the meeting adjourned at approximately 7:29 PM.

Sharon E. Harker, Mayor

Jennifer L. Welborn, Deputy Town Clerk



Town of Beaufort, NC

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

Board of Commissioners Regular Meeting 6:00 PM - Monday, August 10, 2026 614 Broad Street, Beaufort NC

AGENDA CATEGORY: Items of Consent
SUBJECT: Road Closure – Halloween on Ann Street

BACKGROUND:

Community members and the Beaufort Police Department have expressed interest in closing Ann Street again this year for Halloween to help accommodate the large number of trick-or-treaters and enhance crowd control and public safety.

Request details:

- **Saturday, October 31, 2026, from 4:00 – 9:00 PM**
- Road closure on Ann Street from east of the DSS back parking lot (507 Ann St) and Ann Street United Methodist Church parking lot (500 Ann St) entrances, running east to Live Oak Street. Access to these parking lots will remain available during this closure.
- Road closed to all vehicular traffic, including golf carts
- Beaufort Police Department to deploy their vehicle barrier system
- Police Department to utilize additional officers as needed for the duration of this event
- Message board to be placed and flyers distributed to affected residents

This request has been reviewed and approved by Town staff.

REQUESTED ACTION:

Approval as presented

SUBMITTED BY:

Jennifer Welborn, Community Engagement Director

BUDGET AMENDMENT REQUIRED:

No



Town of Beaufort, NC

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

Board of Commissioners Regular Meeting 6:00 PM Monday, August 10, 2026

AGENDA Items of Consent

CATEGORY:

SUBJECT: SUP Order: Case #26-12 Special Use Permit (1507 Live Oak Street)

BRIEF SUMMARY:

At the Board's July 13, 2026, Regular Meeting, an evidentiary hearing was conducted and a Special Use Permit was granted with conditions to establish a gas station at 1507 Live Oak Street. The Board will need to review the order and agree to it before it is signed.

REQUESTED ACTION:

Approval of the proposed SUP order.

EXPECTED LENGTH OF PRESENTATION: N/A

SUBMITTED BY:

Michelle Eitner
Town Planner

BUDGET AMENDMENT REQUIRED:

N/A



TOWN OF BEAUFORT ORDER APPROVING A SPECIAL USE PERMIT

The Board of Commissioners for the Town of Beaufort, having held an evidentiary hearing on July 13, 2026, to consider Case # 26-12, a request from Chase Cullipher with the Cullipher Group on behalf of property owner Thomas Simpson/SimMum LLC for a Special Use Permit to establish a gas station (convenience store with fuel sales and a quick-service restaurant) at 1507 Live Oak Street (Huntley Plaza), and having heard all of the evidence and arguments presented at the hearing, makes the following **FINDINGS OF FACT** and draws the following **CONCLUSIONS**:

In accordance with Section 20 of the Town's Land Development Ordinance and by virtue of the applicant's agreement with the conditions set forth below, the Board **FINDS** as follows: a) The proposed use is an allowable special use in the zoning district it is being located within; b) The application is complete; c) the location and character of the use will be in conformity with the Town's Comprehensive and CAMA Land Use Plan and other comprehensive planning elements; d) Streets, driveways, parking lots, traffic control, and any other traffic circulation features shall be designed and provided in accordance with current traffic engineering standards and Town regulations and found to be adequate for the proposed special use; e) The proposed special use will not substantially injure the value of adjoining or abutting properties; f) The proposed special use will be compatible and in harmony with adjoining land uses and the development patterns of the immediate area; and, g) The proposed use will not materially endanger the public health or safety of the community if located where proposed and developed according to the submitted and approved plan.

Therefore, on the basis of all the foregoing, **IT IS ORDERED** that the application for a **SPECIAL USE PERMIT** be **APPROVED TO ALLOW ESTABLISHMENT OF A GAS STATION AT 1507 LIVE OAK STREET, WITH THE FOLLOWING CONDITIONS**:

1. The two Planning Board conditions as set forth on page 3 of the case packet — specifically:
 - a. the addition of two or more shade trees in the planting island to the east of the fuel pumps, and
 - b. the provision of a pedestrian pathway from the Highway 101 sidewalk to the convenience store entrance; and
2. A beautification project on the west side of the building that adequately screens the conduit and fixtures, as approved by town staff as part of the permitting process.

Ordered this ____ day of _____, 2026.

Sharon E. Harker, Mayor

Elizabeth Lewis,
Clerk to the Board



Town of Beaufort, NC

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

Board of Commissioners Regular Meeting 6:00 PM Monday, August 10, 2026

**AGENDA
CATEGORY:**

Items of Consent

SUBJECT:

SUP Order: Case #26-18 Special Use Permit (1527 Front Street)

BRIEF SUMMARY:

At the Board's July 13, 2026, Regular Meeting, an evidentiary hearing was conducted and a Special Use Permit was granted with conditions for an Accessory Dwelling Unit (ADU) at 1527 Front Street. The Board will need to review the order and agree to it before it is signed.

REQUESTED ACTION:

Approval of the proposed SUP order.

EXPECTED LENGTH OF PRESENTATION: N/A

SUBMITTED BY:

Michelle Eitner
Town Planner

BUDGET AMENDMENT REQUIRED:

N/A



TOWN OF BEAUFORT ORDER APPROVING A SPECIAL USE PERMIT

The Board of Commissioners for the Town of Beaufort, having held an evidentiary hearing on July 13, 2026, to consider Case # 26-18, a request from Delbert Heick, Manager for property owner Southern Living Homes LLC of 1527 Front Street, to amend that property's 2021 Special Use Permit to remove a condition, and having heard all of the evidence and arguments presented at the hearing, makes the following **FINDINGS OF FACT** and draws the following **CONCLUSIONS**:

In accordance with Section 20 of the Town's Land Development Ordinance and by virtue of the applicant's agreement with the conditions set forth below, the Board **FINDS** as follows: a) The proposed use is an allowable special use in the zoning district it is being located within; b) The application is complete; c) the location and character of the use will be in conformity with the Town's Comprehensive and CAMA Land Use Plan and other comprehensive planning elements; d) Streets, driveways, parking lots, traffic control, and any other traffic circulation features shall be designed and provided in accordance with current traffic engineering standards and Town regulations and found to be adequate for the proposed special use; e) The proposed special use will not substantially injure the value of adjoining or abutting properties; f) The proposed special use will be compatible and in harmony with adjoining land uses and the development patterns of the immediate area; and, g) The proposed use will not materially endanger the public health or safety of the community if located where proposed and developed according to the submitted and approved plan.

Therefore, on the basis of all the foregoing, **IT IS ORDERED** that the application for an **AMENDMENT** to **SPECIAL USE PERMIT** be **APPROVED TO MODIFY the SPECIAL USE PERMIT AT 1527 FRONT STREET**, as follows:

1. **The main dwelling and smaller rear accessory dwelling unit shall be reserved for family use only and may not be rented out to persons other than family members; and**
2. **The larger rear accessory dwelling unit may be rented out to persons other than family members.**

Ordered this ____ day of _____, 2026.

Sharon E. Harker, Mayor

Elizabeth Lewis,
Clerk to the Board



Town of Beaufort, NC

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Board of Commissioners

Regular Meeting

6:00 PM – Monday, August 10, 2026

**Train Depot, 614 Broad Street
Beaufort, NC 28516**

AGENDA CATEGORY:

Items of Consent

SUBJECT:

Arts in Beaufort “Menhaden Tales” Statue MOU

REQUESTED ACTION:

The Board is requested to review and consider approval of the attached Memorandum of Understanding (MOU) with Arts in Beaufort regarding the *Menhaden Tales* statue. The Board previously received a presentation from representatives of Arts in Beaufort outlining the proposed project. Following that presentation, the Board reached consensus to accept the donation of the statue and authorize its placement in John Newton Park.

SUBMITTED BY:

Jen Welborn, Community Engagement Director/Deputy Town Clerk

Memorandum of Understanding (MOU)

Between: Arts in Beaufort (Donor)

And

The Town of Beaufort, NC (Donee)

Date: _____, 2026

Purpose: This MOU outlines the terms and conditions of the donation of a public art sculpture by the Donor to Donee.

Description of the Donation: The donation consists of those items described during the July 27, 2026 Board of Commissioners meeting of the Town of Beaufort as “Menhaden Tales,” including but not limited to a bronze casting of a fisherman sitting on a park bench, a QR code which provides a link to an audio recording that narrates the sculpture’s theme, said audio recording and all related electronic files and all associated copyright and intellectual property rights pertaining thereto (as set forth in a Copyright Assignment Letter dated July 31, 2026 from American Bronze Foundry, Inc. to Donor) The sculpture and associated rights above-described are collectively referred to herein as the “Donation.” Donor represents to Donee that it is the owner of the Donation and that Donor has the legal authority to convey the Donation to Donee.

Location: Donor and Donee agree that the sculpture will be installed in John Newton Park because it has high public access to the photographic and educational aspects that are important features of the project. Donee does reserve the right to relocate the sculpture in the future if it determines that a better location fulfils the aspects stated above. All costs of installation shall be the responsibility of Donee.

Ownership and Rights: Donor does hereby transfer, convey and assign to Donee all right, title and interest in the Donation. The Donor does retain the right to use photographic images of the sculpture for its own promotional purposes.

Maintenance: Donee will be responsible for maintenance and upkeep of the sculpture and all aspects of the Donation, and Donee shall maintain the audio recording in an operational condition while the sculpture exists. Donee shall have the right in Donee’s sole discretion to modify or otherwise make changes to any aspect of the Donation.

Timeline: Donor and Donee shall work jointly in the installation of the sculpture in John Newton Park and it is agreed that the installation of the sculpture and the implementation of all items associated with the Donation shall be completed by Sept 1, 2026.

Town of Beaufort:

Matt Zapp

Beaufort Town Manager

Arts In Beaufort

B.J. Vincent
President



Town of Beaufort, NC

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

Board of Commissioners Regular Meeting 6:00 PM Monday, August 10, 2026 614 Broad Street- Train Depot

AGENDA CATEGORY: Public Hearing
SUBJECT: Case #26-15 - 309 Pollock Street Rezoning R-8 to TCA

BRIEF SUMMARY:

The applicant wishes to rezone 309 Pollock Street which is currently zoned R-8 and contains 0.25 acres to TCA as well as a CAMA Future Land Use Map amendment to Compact/Multi-Family Neighborhood.

REQUESTED ACTION:

Discussion
Decision on Proposed Rezoning

EXPECTED LENGTH OF PRESENTATION:

20 Minutes

SUBMITTED BY:

Kyle Garner, AICP
Planning & Inspections Director

BUDGET AMENDMENT REQUIRED:

N/A



Attachment - A

Staff Report

To: Board of Commissioners
From: Kyle Garner, AICP

Date: 7/31/2026
Meeting Date: 8/10/2026

Case Number 26-15

Summary of Request:

Rezone 309 Pollock Street from R-8 to TCA

Background

Location(s) & PIN

309 Pollock Street (Pin # 730618209740000)

Owners Applicant

Perry & Sharon Harker
 James Taylor

Current Zoning

R-8

Lot(s) Size & Conformity Status

.25 Acres (10,890 sq. ft. approx.) Conforming

Existing Land Use

Vacant Lot

Adjoining Land Use & Zoning

North Vacant Lot – Zoned CS-MU
South Single Family - Zoned R- 8
East Single Family – Zoned R-8
West Single Family – Zoned R-8

Special Flood Hazard Area

☐ Yes ☒ No

Public Utilities

Water

☒ Available ☐ Not Available

Sewer

☒ Available ☐ Not Available

Additional Information

See Staff Comments

Requested Action

Discussion.

Provide recommendation to the Board of Commissioners to:

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

Staff Comments

- The lot is vacant.
- In August of 2022, 312 Pollock Street was rezoned from R-8 to TCA.
- A rezoning and future land use plan map amendment to Compact/Multi-Family Neighborhood could be consistent with the adjacent zoning and the existing land use pattern.
- At their July 20th meeting the Planning Board had a split vote of 2 (for) & 2 (against) the rezoning request.

CAMA Land Use Plan – Future Land Use Classifications

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

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

The CAMA Land Use Plan identifies this property as **Traditional Neighborhood Residential**. A Future Land Use Map amendment to Compact/Multi-Family Neighborhood would be needed to match the proposed zoning. (See Land Use Map & Attached Land Use Description)

Attachments:

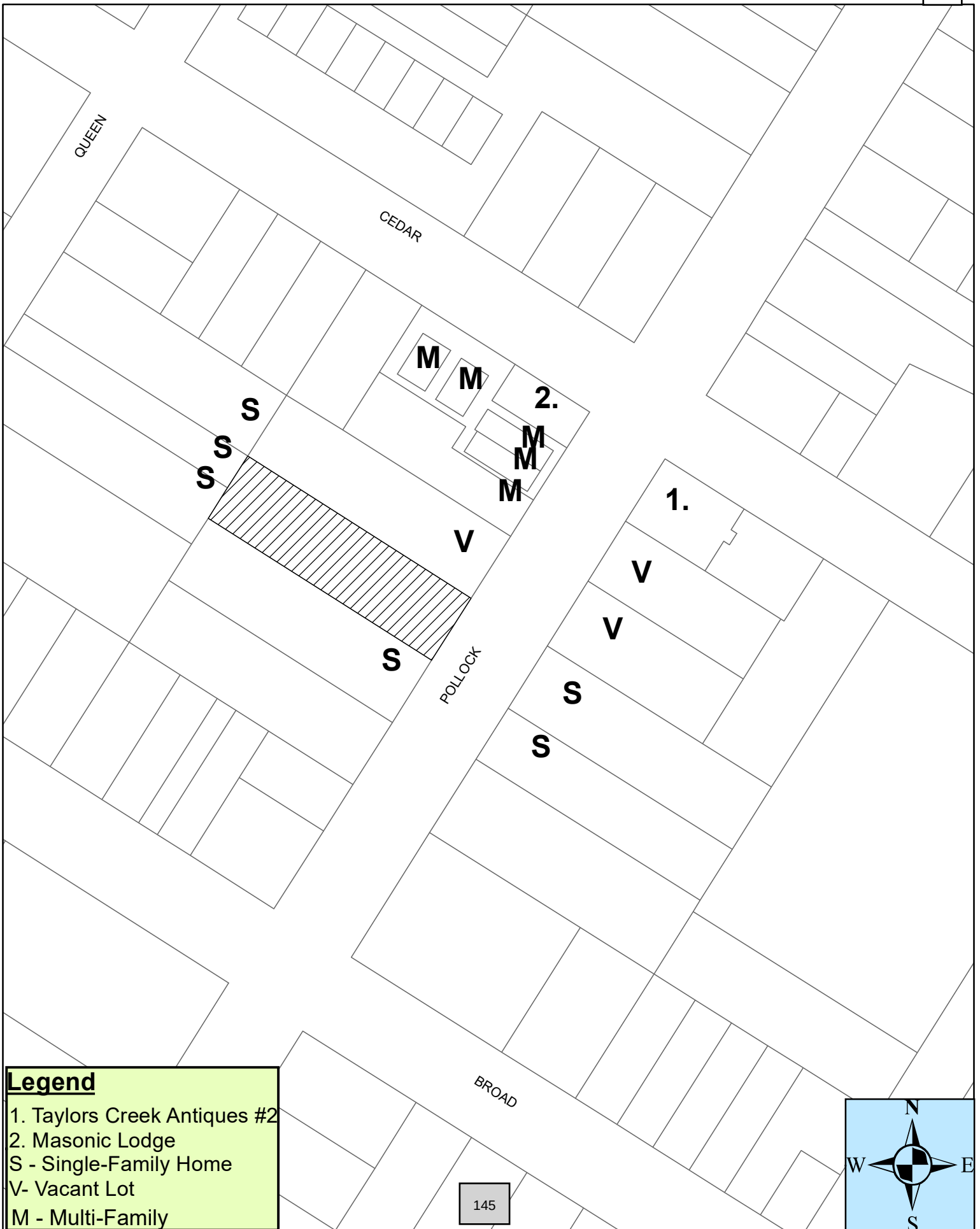
Attachment B - Vicinity Map
 Attachment C - Zoning Map
 Attachment D - CAMA Map
 Attachment E – CAMA Description
 Attachment F - Application Package
 Attachment G - CAMA Consistency Statement
 Attachment H - LDO Sections (R-8 & CS-MU)
 Attachment I - Abutting Property Owners
 Attachment J – Property Survey
 Attachment K - CAMA Resolution
 Attachment L - Rezoning Ordinance

**Comparison of Zoning Standards
Existing R-8 to Proposed TCA**

Item	Existing (R-8)	Proposed (TCA)
Minimum Lot Size	8,000 sq. ft.	2,750 sq. ft. per dwelling unit
Lot Width	60’ Minimum	80’ Minimum
Front Setback	25 feet	25 feet
Side Setback	8 feet	8 feet
Rear Setback	25 feet	25 feet
Building Height	35 Feet	35 Feet

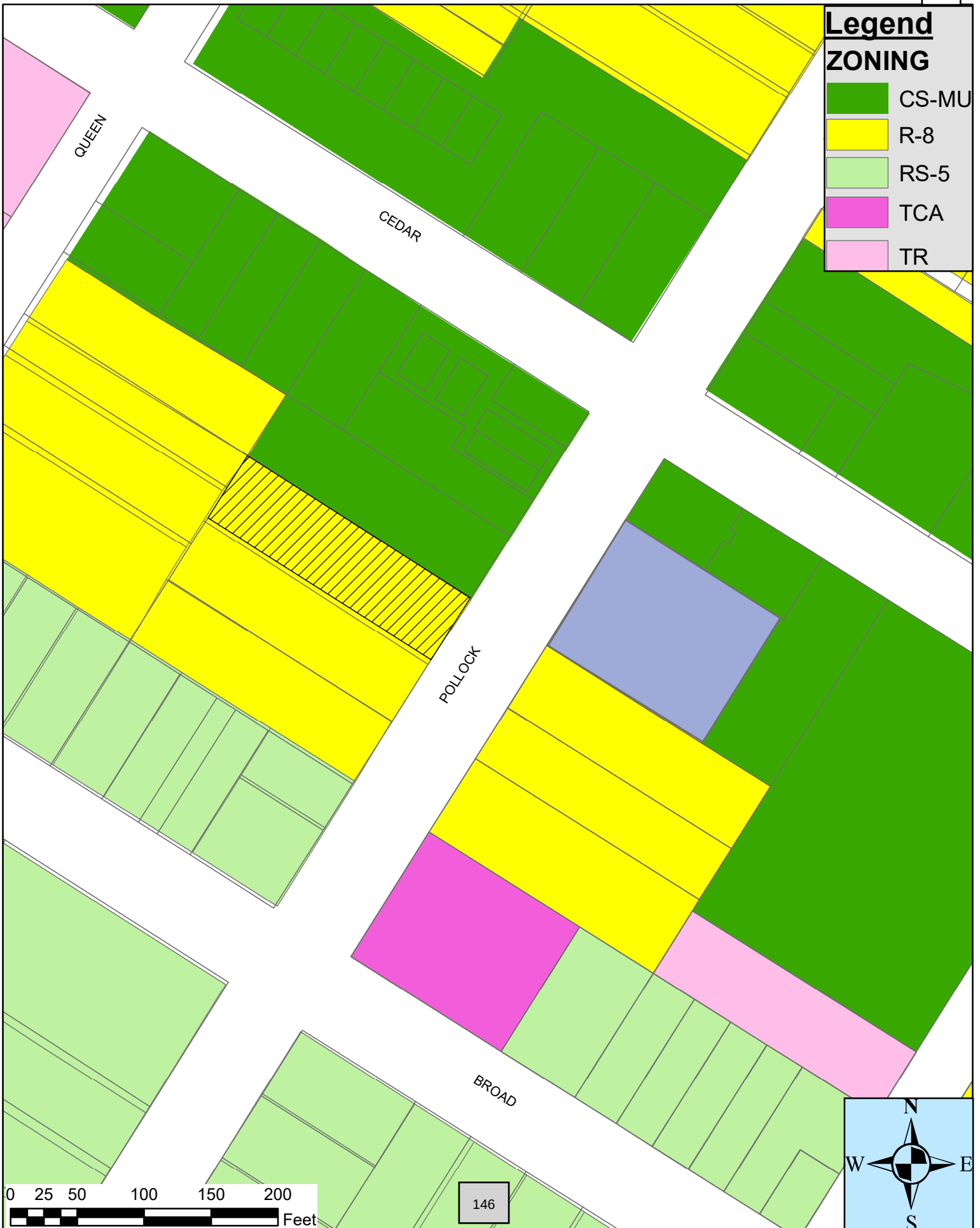
Attachment B - Vicinity Map

1.



Attachment C - Zoning Map

1.



Attachment D - CAMA Map

1.



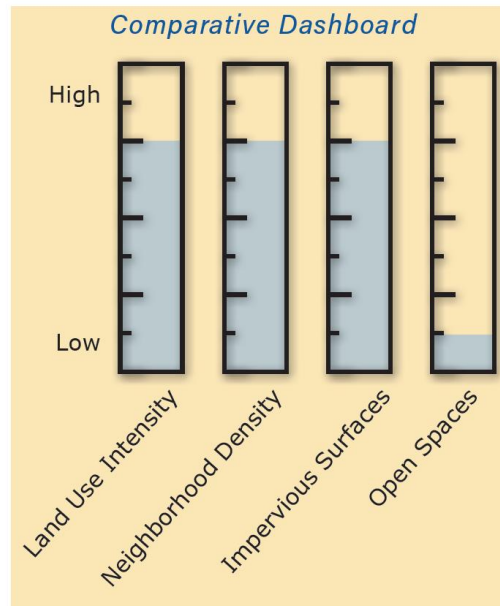
Traditional Neighborhood Residential

General Description:

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

Streets and Circulation:

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



EXAMPLE USES:

Typical Uses:

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

Traditional Neighborhood Residential

Other Concerns:

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

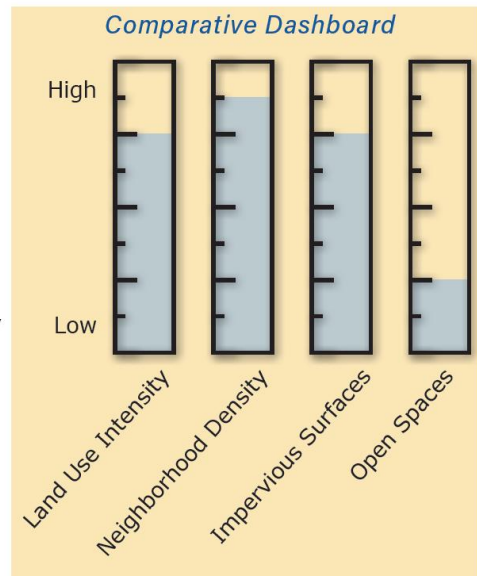


Examples of the traditional neighborhood development style.

Compact/Multi-Family Neighborhood

General Description:

These higher density areas are appropriate for multi-family residential dwellings such as apartments, condominiums, townhomes, duplexes or other attached residential. Densities should be higher than all other residential districts and as such will require less land to accommodate more households. Where waterfront adjacent, buildings are likely to be oriented to the water with their backs turned to the street. In all other locations, structures should be pulled up to and oriented to the street (e.g. – individual entrances for ground floor units, stoops or porches, living areas located on the street side of the unit, etc.) with parking in the rear or internal to the development and not visible from the street. Balconies, porches, and decks should also be provided to encourage interaction with neighbors. When these higher density neighborhoods are designed in this way, it enhances public safety by providing a sense of “eyes on the street” while also encouraging the sense of community that residents value so much. These neighborhoods should also have adequate pedestrian facilities and convenient access to public, semi-public, or private open spaces and recreational facilities. Location adjacent to commercial centers is a win-win because



EXAMPLE USES:

Typical Uses:

Primarily higher density (relatively speaking) attached residential uses (apartments, condominiums, townhomes, patio homes, etc.) with duplexes also appropriate as long as they can be provided at high enough densities to be context appropriate. Single family residential and other low density uses should be discouraged as it does not create the density of households to support adjacent commercial areas.

If Context Appropriate:

- » Institutional uses (churches, primary or secondary schools, hospital, government buildings, etc.)
- » Hotels
- » House-scale multi-family residential and duplexes, if higher density
- » Low-intensity neighborhoods serving commercial uses on the corners of higher activity intersections

Compact / Multi-Family Neighborhood



Examples of Compact/Multi-Family Neighborhoods.

it promotes walkability and creates easy access for businesses to the customers that support them. Public sewer is a requirement, but long extensions to distant properties should be avoided unless higher density uses are specifically desired, planned for, and immediately anticipated to fill in the stretch between activity nodes.

Streets and Circulation:

Streets are typically low volume and prioritize pedestrians through the provision of wider sidewalks on both sides. Street trees soften the streetscape and further enhance pedestrian comfort. Street trees may be in tree grates where sidewalks are paved up to the curb – occurs when adjacent to on-street parking. Because of the high density of pedestrians and proximity to commercial centers, connectivity should be high, utilizing a grid network which very rarely has blocks longer than 500’-600’ on a side. On-street parking should be formalized (striping, landscaped tree islands every so often, etc.) and will typically serve visitors. Bicycles should have dedicated facilities but may share the vehicular travel lanes where speed limits and traffic volumes are low enough to accommodate them safely. Eventually, some of these areas may incorporate transit service. In the interim, it is important to consider centralized school bus stop locations.

Other Concerns:

In Beaufort, these higher density areas are often limited by density caps as well as minimum parking requirements and restrictions on structure height. Parking decks are typically not viable in the current market. These density-limiting factors reduce the potential for these areas to provide their maximum value in terms of maximizing public infrastructure investments (water, sewer, sidewalks, etc.), and being a potentially more affordable option for residents (less density means higher cost per dwelling because land costs are fixed). Clustering these higher density land uses directly adjacent to commercial nodes and public parks can maximize walkability and livability.



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

APPLICATION FOR AN AMENDMENT TO THE BEAUFORT ZONING MAP

Instructions:

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

APPLICANT INFORMATION

Applicant Name: James Taylor
 Applicant Address: 308 Steep Point Road
 Phone Number: 252 723 9210 Email: ~~old@james.taylor@gmail.com~~
 Property Owner Name: Perry and Sharon Harker
 Address of Property Owner: 309 Pollock Street
 Phone Number: _____ Email: _____

PROPERTY INFORMATION

Property Address: 309 Pollock Street
 15-Digit PIN: 73061820974000 Lot/Block Number: 1425/0047
 Size of Property (in square feet or acres): 0.25ac
 Current Zoning: R-8 Requested Zoning: TCA
 Current Use of Property: ☒ Residential ☐ Vacant ☐ Commercial ☐ Other: _____

Applicant Signature: James Taylor Date of Applicant's Signature: 6/23/2026
 Date of Applicant's Signature: _____
 Date of Owner's Signature: _____
 Date of Owner's Signature: _____

Perry Harker dotloop verified
 06/24/26 6:11 PM EDT
 DDV-DJRS-CHKF-6UCC
Sharon Harker dotloop verified
 06/24/26 6:12 PM EDT
 UD3X-VN8K-57BW-HQYD

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

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

REQUIRED ATTACHMENTS FOR AN AMENDMENT TO THE BEAUFORT ZONING MAP

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

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

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

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

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

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

OFFICE USE ONLY

Revised 08/2020

Received by: _____

Reviewed for Completeness By: _____

Date: _____

Date Deemed Complete and Accepted: _____

Adjoining Addresses

HARKER PERRY
 LASENE
 HARKER SHARON

Addresses:

309 POLLOCK
 STREET

100 feet

PARCEL: 730618209625000 POLLOCK STREET PROPERTIES LLC
 C/O THOMAS J JOHNSON
 171 CHURCH ST STE 220 CHARLESTON, SC 29401-3137
 307 POLLOCK ST BEAUFORT NC 28516

PARCEL: 730618208691000 PARKER PHYLLIS
 305 POLLOCK STREET BEAUFORT, NC 28516

PARCEL: 730618207732000 LEWS PROPERTIES III LLC
 C/O LEON E SHARPE PA
 10671 SW 137TH ST
 MIAMI, FL 33176-6628
 306 QUEEN ST BEAUFORT NC 28516

PARCEL: 730618207778000 JOHNSON THOMAS J TRUSTEE
 2393 CHURCH STREET CONWAY, SC 29526
 308 QUEEN ST BEAUFORT NC 28516

PARCEL: 730618207891000 JOHNSON THOMAS J TRUSTEE
 2393 CHURCH STREET CONWAY, SC 29526
 310 QUEEN ST BEAUFORT NC 28516

PARCEL: 730618208815000 QUEEN ST PROPERTIES OF BFT LLC
 C/O THOMAS J JOHNSON 171 CHURCH ST STE 220
 CHARLESTON, SC 29401-3137
 312 QUEEN ST BEAUFORT NC 28516

PARCEL: 730618209818000 OWENS NELSON N ETUX PATRICIA A
 23 COMET DR BEAUFORT, NC 28516-979
 610 CEDAR ST BEAUFORT NC 28516

PARCEL: 730618208991000 MCDONALD PHEON ROYCELLA MCDONALD CHARLES STEVEN JR
 306 FALKIRK CT FREDERICKSBRG, VA 22406-6402
 608 CEDAR ST BEAUFORT NC 28516

PARCEL: 730618209866000 CEDAR STREET PROPERTIES LLC
 C/O THOMAS J JOHNSON

171 CHURCH ST STE 220 CHARLESTON, SC 29401-3137
612 CEDAR ST BEAUFORT NC 28516

PARCEL: 730618300703000 THOMAS DIMITRI M THOMAS SHERRIE W
4414 HUNTER OAKS CT HIGH POINT, NC 27265-8501
311 POLLOCK ST BEAUFORT NC 28516

PARCEL: 730618209787000 BEAUFORT TRACE HOMEOWNERS ASSOC INC
614 E FORT MACON RD ATLANTIC BCH, NC 28512-5422

PARCEL: 730618300749000 MEREDITH KATHLEEN FARLEY
315 POLLOCK ST UNIT 2 BEAUFORT, NC 28516-1946

PARCEL: 730618300850000 PERRY SAMANTHA
127 SPRUNT ST CHAPEL HILL, NC 27517-78
315 POLLOCK ST BEAUFORT NC 28516

PARCEL: 730618300853000
HUGHES DEVELOPMENT LLC
901-F PAVERSTONE DRIVE
RALEIGH, NC 27615

PARCEL: 730618301600000 POLLOCK ST INVESTMENT PARTNERSHIP
C/O DOUG BRADY
805 FRONT ST BEAUFORT, NC 28516-2230
312 POLLOCK ST BEAUFORT NC 28516

PARCEL: 730618301576000 MARKUNAS KIMBERLY A MARKUNAS MATTHEW G
4006 SMOKETOWN ROAD LEWISBURG, PA 17837
310 POLLOCK ST BEAUFORT NC 28516

PARCEL: 730618301542000
O'CONNELL STEPHEN O'CONNELL INGRID 2
114 WHITE OAK RD RALEIGH, NC 27608-1452
308 POLLOCK ST BEAUFORT NC 28516

PARCEL: 730618301417000 BEAUFORT FLATS LLC
608 ANN ST
C/O FREDERICK MCCUNE BEAUFORT, NC 28516-2204
306 POLLOCK ST BEAUFORT NC 28516

Statement of Proposed Rezoning 309 Pollock St from R8 to TCA

The lot is located in the Transitional Neighborhood Neighborhood Residential Future Land Use Character Areas but adjoins the Cedar Street Mixed Use Area.. The parcels adjacent to the include a mix of CSMU which is adjacent, TCA across the street as well as on the corner of Pollock and Broad St and R 8 which is adjacent to the parcel on the South side.

Below is a description generated by Google search . The specific page from the Land Use Plan is also attached.

Key characteristics of a Transitional Neighborhood generally include:

Primarily residential development.

Moderate residential densities, higher than traditional large-lot suburban neighborhoods but lower than downtown or mixed-use districts.

A mix of housing types may be encouraged, including single-family homes, duplexes, townhomes, and small-scale multifamily housing.

It is unclear if a change in the Land Use plan is needed for this rezoning. If so, one is requested.

Rezoning the property to TCA will provide additional opportunities allowed in the TCA versus the R 8 zone where many of the existing lots in this area do not meet requirements for construction in the R 8 zones. TCA zoning is more compatible with the adjacent CSMU zoning and TCA and RS 5 constitutes the majority of the zoning uses in the immediate area. These are all more dense than R 8.



**TOWN OF BEAUFORT
PLANNING BOARD**

**RESOLUTION ADVISING THAT PROPOSED AMENDMENT
TO THE TOWN OF BEAUFORT ZONING MAP IS IN ACCORDANCE
WITH ALL OFFICIALLY ADOPTED PLANS;
IS REASONABLE; AND IS IN THE PUBLIC INTEREST.**

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

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

WHEREAS, the Planning Board has in fact met to consider and evaluate the proposed zoning map amendment; and

NOW THEREFORE, BE IT HEREBY RESOLVED, that the Planning Board finds that the proposed amendment to the zoning map and the Future Land Use Map is in accordance with all officially adopted Town plans for the reasons stated in the Staff Report for Case 26-15 and therefore recommends adoption by the Board of Commissioners. The Planning Board finds that the proposed amendment reasonable and in the public interest and is in furtherance of the Town plans, ordinances and regulations.

This Resolution is effective upon its adoption this 20th day of July 2026.

**TOWN OF BEAUFORT
PLANNING BOARD**

_____, Chairman

ATTEST:

_____, Secretary

o) Management of the Recreational Vehicle Park.

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

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

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

1) Minimum Lot Size.

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

2) Minimum Lot Width.

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

3) Building Setback and Building Height Requirements and Limitations.

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

Table 7-9 Interior Lot Requirements

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

Table 7-10 Corner Lot Requirements

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

Table 7-11 Double Frontage Lot Requirements

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

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

- 4) Accessory Building Setback Requirements.
All accessory buildings shall comply with all setback provisions of this Ordinance, including but not limited to Section 2(F), Section 6 and Section 15 of this Ordinance.
- 5) Permitted Uses.

Antenna Co-Location on Existing Tower
Athletic Field, Public
Carport
Community Garden
Dock
Dwelling, Single-Family
Family Care Homes
Garage, Private Detached
Government/Non-Profit Owned/
Operated Facilities & Services
Group Home
Home Occupation

Neighborhood Recreation Center,
Indoor/Outdoor, Private
Neighborhood Recreation Center,
Public
Park, Public
Public Utility Facility
Resource Conservation Area
Shed
Swimming Pool (Personal Use)
Temporary Construction Trailer
Utility Minor
Vehicle Charging Station
- 6) Special Uses (*Special Uses* requirements may be found in Section 20 of this Ordinance).

Accessory Dwelling Unit
Athletic Field, Private
Bed & Breakfast
Cemetery/Graveyard
Club, Lodge, or Hall
Concealed (Stealth) Antennae & Towers
Day Care/Child Care Home
Golf Course, Privately-Owned
Golf Driving Range

Marina
Outdoor Amphitheater, Public
Preschool
Produce Stand/Farmers' Market
Public Safety Station
Religious Institution
Satellite Dish Antenna
School, Post-Secondary
Utility Facility

SECTION 8 Transitional Zoning Districts

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

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

1) Maximum Overall Density.

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

2) Minimum Lot Size.

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

3) Minimum Lot Width.

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

4) Building Setback and Building Height Requirements and Limitations.

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

Table 8-1 Interior Lot Requirements

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

Table 8-2 Corner Lot Requirements

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

Table 8-3 Double Frontage Lot Requirements

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

5) Accessory Building Setback Requirements.

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

6) Covenants.

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

7) Permitted Uses.

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

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

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



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

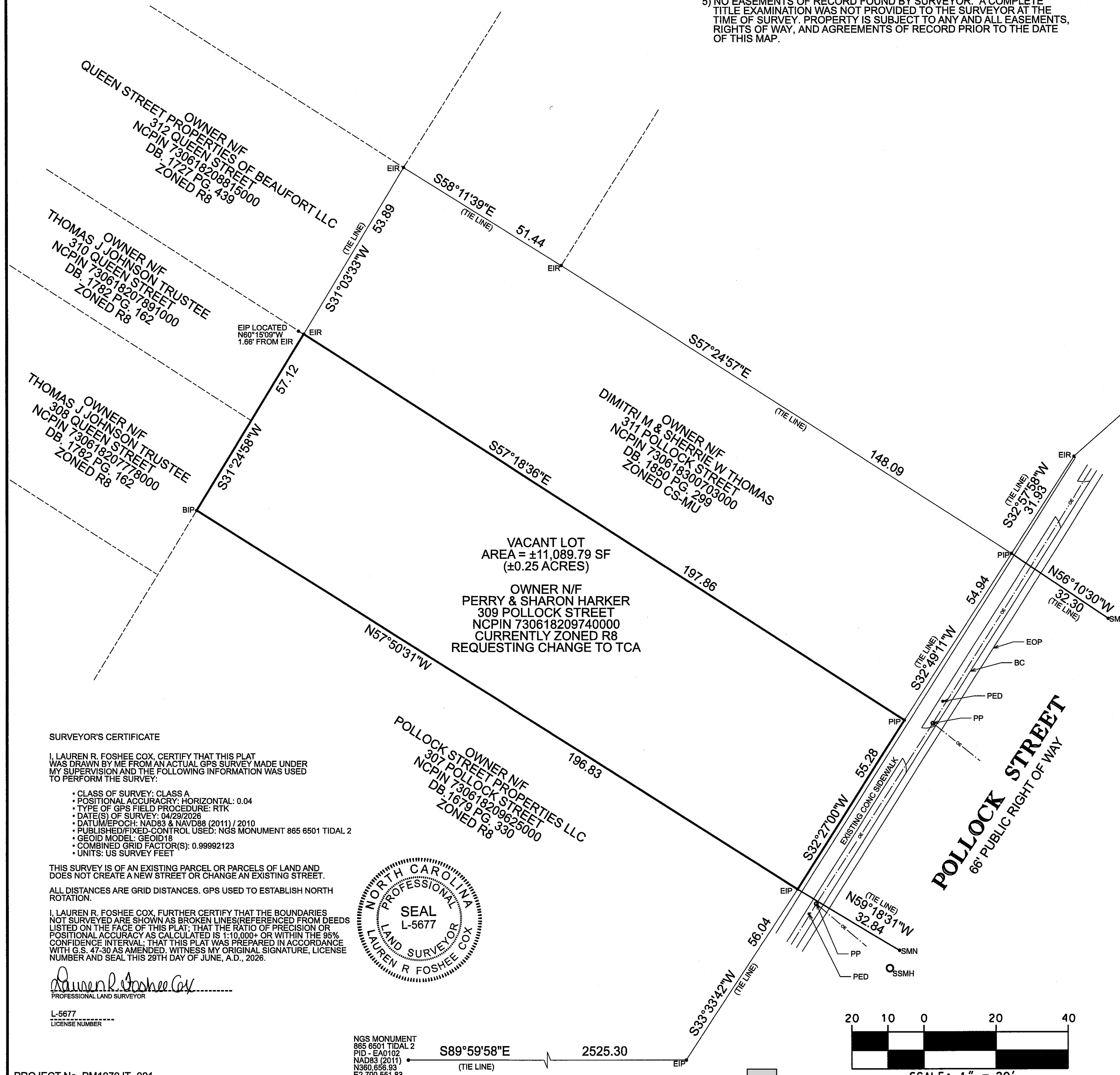
Case 26-15 - 309 Pollock Street Rezoning R-8 to TCA – Abutting Neighbors

PERRY & SHARON HARKER 512 POLLOCK STREET BEAUFORT, NC 28516	THOMAS J. JOHNSON TRUSTEE 2393 CHURCH STREET CONWAY, SC 29526
KIMBERLY MARKUNAS 4006 SMOKETOWN ROAD LEWISBURG, PA 17837	STEPHEN O'CONNELL 2114 WHITE OAK ROAD RALEIGH, NC 27608
POLLOCK ST. INVESTMENT PARTNERSHIP C/O DOUG BRADY 805 FRONT STREET BEAUFORT, NC 28516	DIMITRI THOMAS 4414 HUNTER OAKS COURT HIGH POINT, NC 27265

NOTES:
1) AREA BY COORDINATES.
2) TRACT IS VACANT.
3) FLOOD ZONE SHADED X.
4) UTILITIES LOCATED AS NOTED, OTHERWISE NOT LOCATED. NO ATTEMPT WAS MADE TO LOCATE ANY UNDERGROUND UTILITIES. ALL UTILITY LOCATIONS SHOULD BE VERIFIED PRIOR TO ANY CONSTRUCTION.
5) NO EASEMENTS OF RECORD FOUND BY SURVEYOR. A COMPLETE TITLE EXAMINATION WAS NOT PROVIDED TO THE SURVEYOR AT THE TIME OF SURVEY. PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS, RIGHTS OF WAY, AND AGREEMENTS OF RECORD PRIOR TO THE DATE OF THIS MAP.



VICINITY MAP NTS



LEGEND

EIR	EXISTING IRON ROD
EIP	EXISTING IRON PIPE
SIR	SET IRON ROD
PIP	PINCHED IRON PIPE
BIP	BENT IRON PIPE
SMN	SET MAG NAIL
EMN	EXISTING MAG NAIL
CP	COMPUTED POINT
PP	POWER POLE
LP	LIGHT POLE
SSMH	SANITARY SEWER MANHOLE
CD	SANITARY SEWER CLEAN OUT
EX	EXISTING
WM	WATER METER
WV	WATER VALVE
TE	TELEPHONE PEDESTAL
DB	DEED BOOK
MB	MAP BOOK
PG	PAGE
CONC	CONCRETE
ECM	EXISTING CONCRETE MONUMENT
OE	OVERHEAD ELECTRIC
N/F	NOW OR FORMERLY
FOWP	FIBER OPTIC WARNING POST
RCP	REINFORCED CONCRETE POST
EDP	EDGE OF PAVEMENT
BC	BACK OF CURB
TV	CABLE TELEVISION PEDESTAL
FH	FIRE HYDRANT
NTS	NOT TO SCALE
TBR	TO BE REMOVED

REVISIONS:

No.	BY	DATE	DESCRIPTION
1	LFC	6/29/26	UPDATE REZONING REQUEST FROM CS-MU TO TCA

REFERENCES:
OWNER: N/F PERRY L HARKER
& SHARON HARKER
D.B. 1425 PG. 47
M.B. 35 PG. 16
NCPIN 730618209740000

BOUNDARY SURVEY FOR REZONING: R8 TO TCA

309 POLLOCK STREET

BEAUFORT TOWNSHIP, CARTERET COUNTY, NORTH CAROLINA

CLIENT: CROATAN INVESTMENTS
C/O JAMES TAYLOR

ADDRESS: 308 STEEP POINT ROAD
BEAUFORT, NC 28516

PHONE: 252-723-9210

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

151A HIGHWAY 24
MOREHEAD CITY, N.C. 28557
(252) 773-0090

LAUREN R. FOSHEE COX, P.L.S.

SURVEYED:

TP 04/28/26

DRAWN:

LFC

APPROVED:

LFC

DATE:

04/29/26

SCALE:

1" = 20'

SURVEYOR'S CERTIFICATE

I, LAUREN R. FOSHEE COX, CERTIFY THAT THIS PLAT WAS DRAWN BY ME FROM AN ACTUAL GPS SURVEY MADE UNDER MY SUPERVISION AND THE FOLLOWING INFORMATION WAS USED TO PERFORM THE SURVEY:

- CLASS OF SURVEY: CLASS A
- POSITIONAL ACCURACY: HORIZONTAL: 0.04
- TYPE OF GPS FIELD PROCEDURE: RTK
- DATE(S) OF SURVEY: 04/29/2026
- DATUM/EPOCH: NAD83 & NAVD88 (2011) / 2010
- PUBLISHED/FIXED-CONTROL USED: NGS MONUMENT 865 6501 TIDAL 2
- GEOID MODEL: GEOID18
- COMBINED GRID FACTOR(S): 0.99992123
- UNITS: US SURVEY FEET

THIS SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET.

ALL DISTANCES ARE GRID DISTANCES. GPS USED TO ESTABLISH NORTH ROTATION.

I, LAUREN R. FOSHEE COX, FURTHER CERTIFY THAT THE BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES (REFERENCED FROM DEEDS LISTED ON THE FACE OF THIS PLAT); THAT THE RATIO OF PRECISION OR POSITIONAL ACCURACY AS CALCULATED IS 1:10,000+ OR WITHIN THE 95% CONFIDENCE INTERVAL; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED; WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL THIS 29TH DAY OF JUNE, A.D., 2026.

Lauren R. Foshee Cox
PROFESSIONAL LAND SURVEYOR

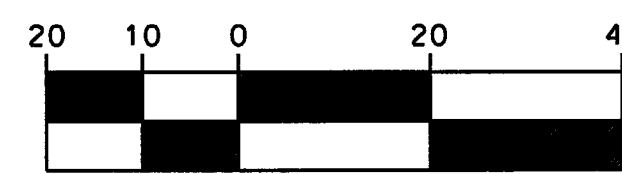
L-5677
LICENSE NUMBER



NGS MONUMENT
865 6501 TIDAL 2
PID - EA0102
NAD83 (2011)
N360.856.93
E2,700,551.83

S89°59'58"E
(TIE LINE)

2525.30





**RESOLUTION OF THE BEAUFORT BOARD OF COMMISSIONERS
AUTHORIZING AN AMENDMENT TO THE CORE LAND USE PLAN
RESOLUTION NO. 26-__**

WHEREAS, the Town of Beaufort desires to amend its CAMA Land Use Plan, specifically the Future Land Use Map related to the future land use classification of two tracts of land (PINs 730618209740000), and

WHEREAS, the CAMA Land Use Plan currently shows this parcel as Traditional Neighborhood Residential; and

WHEREAS, the Town of Beaufort desires to amend the CAMA Land Use Plan to classify this parcel as Compact/Multi-Family Neighborhood as concurrent with rezonings to the Townhomes, Condominiums, and Apartments District (TCA); and

WHEREAS, on July 20, 2026, the Planning Board had a split vote of 2 (for) and 2 (against) the draft amendment to the CAMA Land Use Plan; and

WHEREAS, the Town of Beaufort conducted a duly advertised public hearing on the draft amendment to the CAMA Land Use Plan at the Regular Meeting of the Board of Commissioners on July 29th and August 5th, 2026; and

WHEREAS, at the Regular Meeting on August 10, 2026, the Board of Commissioners of the Town of Beaufort, North Carolina found the draft amendment to be consistent with the Town of Beaufort desired vision for the future and approved to adopt the draft amendment; and

WHEREAS, the locally adopted amendment will be submitted as required by State law to the District Planner for the Division of Coastal Management under the North Carolina Department of Environmental Quality and forwarded to the Division Director; and

WHEREAS, a review of the locally adopted amendment by the Coastal Resources Commission will be scheduled; and the CRC will then decide on certification of the amendment;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Beaufort, North Carolina, that the Future Land Use Map in the CAMA Land Use Plan be amended as follows:

Tract 1 – PIN 730618209740000 – Compact/Multi-Family Neighborhood

BE IT FURTHER RESOLVED that the Board of Commissioners of the Town of Beaufort, North Carolina, has adopted the draft amendment; and

BE IT FURTHER RESOLVED that the Town Manager of the Town of Beaufort is hereby authorized to submit the adopted CAMA Land Use Plan amendment to the State for certification as described above.

Adopted this 10th day of August, 2026.

Sharon E. Harker, Mayor

Elizabeth Lewis, Assistant Town Manager & Town Clerk

**BEAUFORT BOARD OF COMMISSIONERS
AN ORDINANCE TO REZONE
309 POLLOCK STREET FROM R-8 TO TCA
ORDINANCE NO. 26-__**

Owner Perry & Sharon Harker
Location & PIN: 309 Pollock Street (Pin # 730618209740000)
Lot Size: 0.25 acres
Existing District: R-8 (Single-Family – Residential)
Requested District: TCA (Townhome, Condominium & Apartment District)
Meeting Date: August 10, 2026

WHEREAS, on behalf of the property owner, Jack Taylor, has submitted a request to rezone 309 Pollock Street from R-8 to TCA; and

WHEREAS, the Beaufort Planning Board has convened to consider and prepare a recommendation and consistency statement on the request at its meeting on July 20, 2026, at which time the Planning Board had a split vote of 2 (in favor) and 2 (against) approval of the request; and

WHEREAS, a notice of a public hearing to be held during the August 10, 2026, Beaufort Board of Commissioners regular meeting was published in the Carteret County News-Times on July 29th, 2026, and August 5, 2026; and

WHEREAS, the Beaufort Board of Commissioners conducted a public hearing on August 10, 2026, at which time the applicant and/or applicant’s representative was given the opportunity to present arguments, and Town staff were given the opportunity to comment on the application; and

WHEREAS, the Town Board of Commissioners has made the following findings and conclusions:

- The proposed zoning of TCA, at 309 Pollock Street, is consistent with surrounding land use patterns and zoning in the area.
- The proposed TCA zoning at 309 Pollock Street is reasonable and in public interest.

NOW, THEREFORE, IT IS HEREBY ORDAINED by the Board of Commissioners based on the foregoing findings and conclusions that the request to rezone 309 Pollock Street (Pin # 730618209740000) is approved and the Town’s Zoning Map is amended accordingly.

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

This, the 10th day of August 2026

TOWN OF BEAUFORT

Elizabeth Lewis, Assistant Town Manager & Town Clerk

Sharon E. Harker, Mayor



Town of Beaufort, NC

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

Board of Commissioners

Work Session

6:00 PM – Monday, August 10, 2026

AGENDA CATEGORY: Old Business

SUBJECT: Voluntary Annexation Applications/Resolution: Beaufort Crossing

SUMMARY:

Following the presentation by Mr. Jeff Baren during the Board of Commissioners' June 22nd Work Session regarding the proposed Beaufort Crossing development, the associated property owners have submitted voluntary annexation petitions for four parcels associated with the proposed project. The parcels included in the request are:

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

As depicted on the map, the four parcels comprise approximately **16.78 acres**.

Attached for the Board's review and consideration are the voluntary annexation petitions, maps, and supporting documentation submitted by the applicants.

As the first step in the voluntary annexation process pursuant to N.C.G.S. § 160A-31, the Board is requested to consider the attached resolution directing the Town Clerk to investigate the sufficiency of the petitions and report the findings to the Board. Following the Clerk's investigation, the Board may proceed with scheduling a public hearing to consider the proposed annexation.

REQUESTED ACTION:

Adopt/deny the attached resolution directing the Town Clerk to investigate the voluntary annexation petitions in accordance with N.C.G.S. § 160A-31.

EXPECTED LENGTH OF PRESENTATION:

10 minutes

SUBMITTED BY:

Elizabeth Lewis, Assistant Town Manager/Town Clerk



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

APPLICATION FOR VOLUNTARY ANNEXATION REQUEST

Instructions: Please complete the form below and include all required attachments, including the **\$350 application fee (to The Town of Beaufort)** and return to the Planning Department, Town Hall, 701 Front St., PO Box 390, Beaufort, NC, 28516. Incomplete applications will not be processed and returned to the applicant. Please contact Town Hall at (252) 728-2141 with any questions.

Applicant Name: TIDEWATER ASSOCIATES INC

Applicant Address: 1069A CEDAR POINT BLVD., CEDAR POINT, NC 28584

Phone Number: 252-393-6101

Email: JEDMONDSON@TIDEWATERENC.COM

Property Owner Name: BEAUFORT CROSSING LLC

Address of Property: 5711 SIX FORKS RD, STE 300, RALEIGH NC 27609

Phone Number: 919-427-2283

Email: JEFF@BARANPROPERTIES.COM

PROPERTY INFORMATION

Property Address: 404 HIGHWAY 101

Current Zoning: R-20

15 Digit Pin: 730611566676000

Size of Property (Square Feet or Acres): 2.22 ACRES

Is the property Contiguous to the City Limits: ☒ Yes ☐ No;

If Not Contiguous please indicate how many miles it is to the City Limits: NA

Current Use of Property:

- ☐ Residential
☐ Commercial

- ☒ Vacant
☐ Other: _____

Jeff W. Baran
Applicant Signature

Date: 6/27/26

OFFICE USE ONLY

Revised 7/22

Received by: _____

Reviewed for Completeness By: _____

Date: _____

Date Deemed Complete and Accepted: _____

N/A

Property Owner Signature (if different than above) _____ Date: _____

A fee of \$350 to the Town of Beaufort must accompany this application.

REQUIRED ATTACHMENTS FOR A VOLUNTARY ANNEXATION REQUEST

Please provide the following as attachments to the voluntary annexation request form:

1. Copy of the Annexation Survey (suitable for recording)
2. Copy of all the deeds for the area to be annexed to verify ownership
3. A TYPED list of adjoining property owners
4. Carteret County Tax Parcel Card (Included should be parcel number and tax value)
5. Anticipated impact to city services including estimated gallons of water/sewer per day

Revised 03/16

Karen S. Hardesty

Carteret County, NC

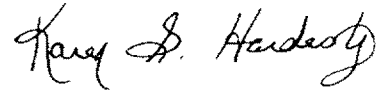
June 14, 2024 9:47:07 AM

DEED # Pages: 5

Fee: \$26.00

NC Revenue Stamp: \$770.00

FILE # 1829276

**NORTH CAROLINA GENERAL WARRANTY DEED**

Excise Tax: \$770.00

Parcel Identifier No. 730611566676000 Verified by _____ County on the ____ day of _____, 20____
By: _____

Mail/Box to: Gwynn, Edwards & Getter, PA

This instrument was prepared by: Kirkman, Whitford, Brady, Berryman & Gordon, P. A. without examination of title

Notice per N.C.G.S. §105-317.2: The property herein is not the primary residence of the Grantor.

Brief description for the Index: Lot N.C. Highway 101 - Beaufort

THIS DEED made this 5 day of June, 2024, by and between**GRANTOR****Juliann Finch Castell, Executor of the
Estate of Graham Menzies Finch, deceased;****Juliann Finch Castell, unmarried****814 Ocean Avenue
New London, CT 06320****and****Mary Louise Finch, unmarried****7 Fontana St
Toms River, NJ 08757****GRANTEE****Beaufort Crossing LLC
a North Carolina limited liability company****5711 Six Forks Rd., Ste 300
Raleigh NC 27609**

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

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

WITNESSETH

WHEREAS, Graham Menzies Finch died a resident of Carteret County, North Carolina on March 13, 2024, and his estate is being probated with the Clerk of Superior Court in Carteret County Estate File # 24 E 223; and

WHEREAS, the following described real property was owned by the decedent at the time of his death; and

WHEREAS, following the probate of the Last Will and Testament of Graham Menzies Finch, Juliann Finch Castell qualified as Executor of the Estate of Graham Menzies Finch; and

Submitted electronically by "Gwynn, Edwards & Getter, PA"
in compliance with North Carolina statute governing recordable documents
and the terms of the submitter agreement the Carteret County Register of Deeds.

WHEREAS, pursuant to the Last Will and Testament of Graham Menzies Finch, as filed for probate in Carteret County Estate File # 24 E 223, the decedent devised the below-described property to Juliann Finch Castell and Mary Louise Finch; and

WHEREAS, the Executor joins in this Deed in her official capacity to convey any interest of the Estate and to state that it is her opinion that there are presently sufficient assets in the Estate without the property herein conveyed; and

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

SEE ATTACHED EXHIBIT A

The property hereinabove described was acquired by Grantor by instrument recorded in **Estate File # 24 E 223, Carteret County Clerk of Court, see also deed recorded in Book 566, Page 220.**

A map showing the above described property is recorded in **Map Book _____, Page _____.**

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

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions:

2024 ad valorem taxes, utility easements and unviolated restrictions of record.

[SIGNATURE PAGES ATTACHED HERETO]

[SIGNATURE PAGE ATTACHED TO DEED FROM CASTELL, ET. AL. TO R & L OF BEAUFORT]

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

EXECUTOR OF ESTATE OF GRAHAM MENZIES FINCH
Juliann Finch Castell
 Juliann Finch Castell, Executor of the
 Estate of Graham Menzies Finch
Juliann Finch Castell
 Juliann Finch Castell

STATE OF Connecticut, CITY/COUNTY OF New London

I Yan Zhan, a Notary of the above state and county, certify that the following person(s) personally appeared before me on the 5th day of June, 2024 each acknowledging to me that he or she signed the foregoing document, in the capacity represented and identified therein (if any): Juliann Finch Castell as Executor and individually.

Affix Notary Seal/Stamp

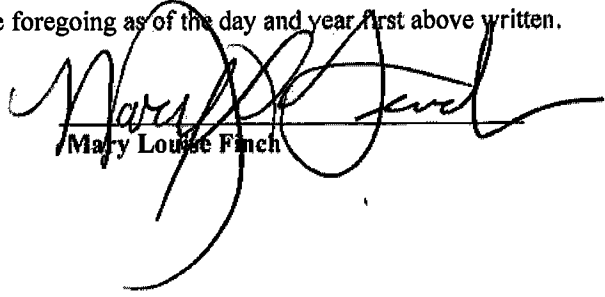
Yan Zhan
 Notary Public (Official Signature)

My commission expires: 02-28-2029

YAN ZHAN
 Notary Public, State of Connecticut
 My Commission Expires 02/28/2029

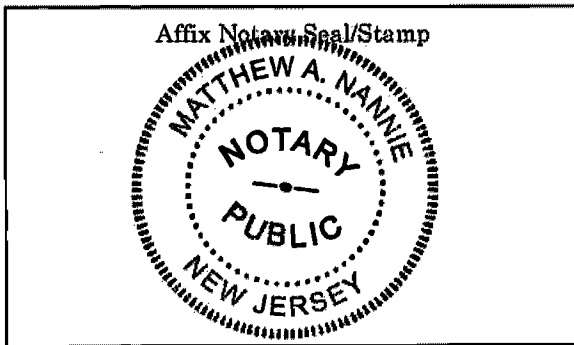
[SIGNATURE PAGE ATTACHED TO DEED FROM CASTELL, ET. AL. TO R & L OF BEAUFORT]

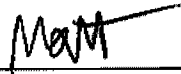
IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.


Mary Louise Finch

STATE OF NJ, CITY/COUNTY OF Glenn

I Matthew A Nannie, a Notary of the above state and county, certify that the following person(s) personally appeared before me on the 6 day of June, 2024 each acknowledging to me that he or she signed the foregoing document, in the capacity represented and identified therein (if any): Mary Louise Finch.




Notary Public (Official Signature)

My commission expires: MATTHEW A. NANNIE
NOTARY PUBLIC, NEW JERSEY
MY COMMISSION EXPIRES OCTOBER 13, 2025

EXHIBIT A

BEGINNING at an iron rod in the eastern right of way margin of N.C. Highway 101, said iron rod being located the following two (2) courses and distances from the intersection of the centerline of N.C. Highway 101 with the centerline of N.C.S.R. 1212: 1) N 15-35 W 286.0 feet and 2) N 74-00 E 30.0 feet to point of beginning. From said POINT AND PLACE OF BEGINNING, run thence with the eastern right of way margin of N.C. Highway 101, N 15-35 W 291.0 feet to an iron rod; thence S 87-00 E 540.4 feet to an iron rod; thence S 37-30 W 203.0 feet to an iron rod; thence S 74-00 W 351.0 feet an iron rod in the eastern right of way margin of N.C. Highway 101, the place of beginning less and except that property conveyed to the North Carolina Department of Transportation by deed recorded in Deed Book 1397, Page 460, Carteret County Registry.

The above being the same land property described in that Deed to Graham M. Finch and wife, Patricia B. Finch, recorded in Book 566, Page 220, Carteret County Registry. Patricia B. Finch died on June 24, 2023. Graham M. Finch died on March 13, 2024 – see Estate File# 24 E 223, Carteret County Clerk of Court.

PARCEL: 730611566676000
BEAUFORT CROSSING LLC
C/O JEFFREY W BARAN
5711 SIX FORKS RD STE 300
RALEIGH, NC 27609-3888
ACCOUNT NUMBER: 71488

Carteret County, North Carolina

Route Number:

Appraiser 1. :

Tax Year:2026 Reval Year:2025

Visited By: LZARATE

Information Source: OWN

Tax Districts

01 County, Beaufort Water, 42 Beaufort Fire, 46 Beaufort Rescue, 60 Annual Availability

Fee (1)

Jurisdiction:1175 - 1175 BFT WATER/FIRE/RESC

PARCEL INFORMATION		PROPERTY DESCRIPTION				VALUE SUMMARY					
ADDRESS:	404 HWY 101 BEAUFORT NC 28516	LOT NC 101 NC 101 BEAUFORT 2.2200 AC				LAND VALUE: 29,902					
NBHD:	1110005.00-Beaufort E of 70 S of OBX Scenic					BUILDING VALUE: 199,107					
TOWNSHIP:	11 - BEAUFORT					OBXF VALUE: 28,060					
MAP #:	7306					APPRAISED VALUE: 257,069					
						DEFERRED VALUE: 0					
							ASSESSED VALUE: 257,069				
NOTES		PERMIT INFORMATION				SALES INFORMATION					
		Date	Status	Amount	CO Date	Date	Price	V/I	S	Book/Page	Valid Code
						6/14/2024	385,000	I		1829/0276	N
							0	V		566/220	N

LAND DATA - MARKET VALUE

L#	CODE	DESCRIPTION	SIZE	TYPE	BASE RATE	ADJUSTMENTS	ADJUSTED UNIT PRICE	VALUE
1	RL	RESIDUAL ACRES	1.19960	AC	9,200	7-TRAFF:-25 6-COMME:-15 20-LOCAT:-15	5,500	6,600
2	RP	RESIDENTIAL PRIMARY	1.00000	AC	43,000	7-TRAFF:-25 6-COMME:-15 20-LOCAT:-15	23,302	23,302
		Total Market Land	2.19960					29,902

OUTBUILDING DATA

[illegible]

PRINTED: 8/29/2025 10:52:23 AM PRID:3424262 GROUP:0

Page 4 of 2

LAST UPDATED 12/16/2024 1:08:46 PM BY BBrotzman

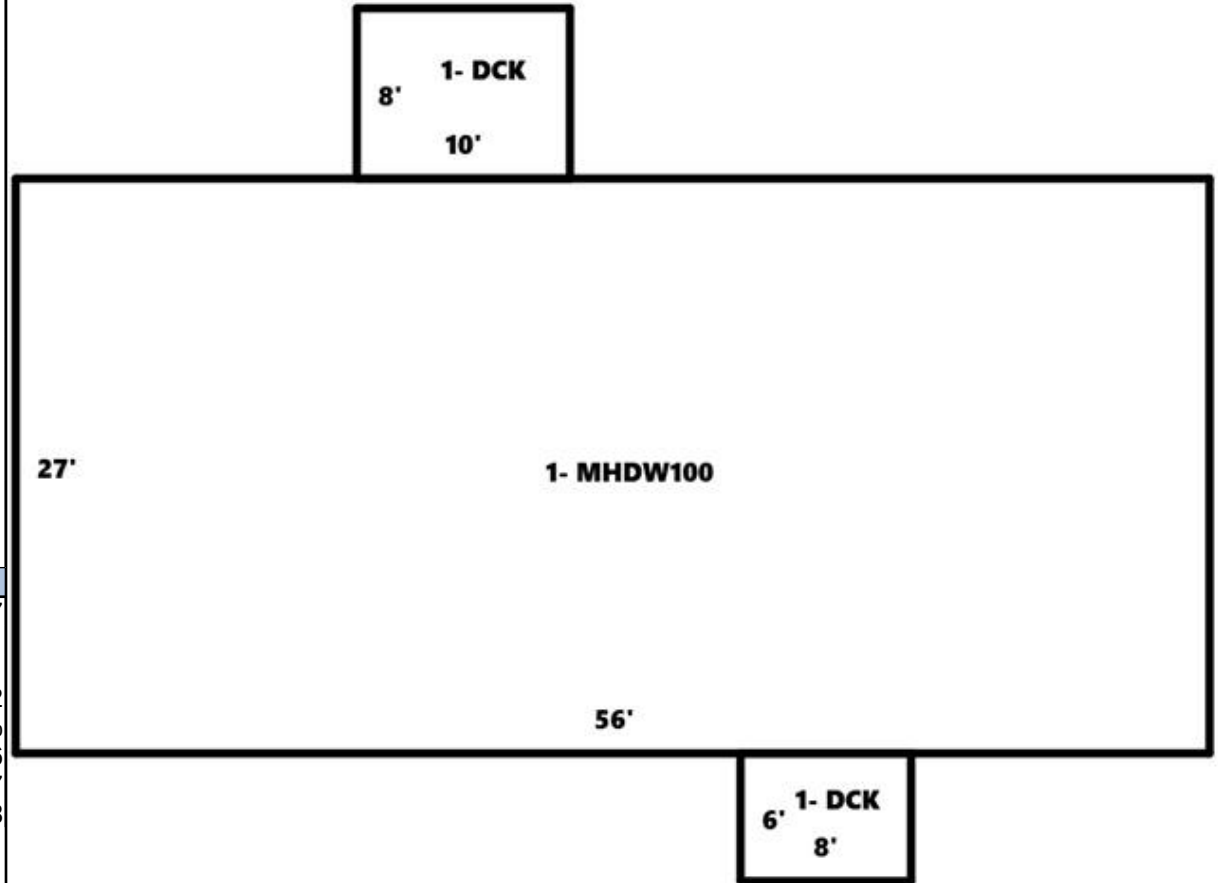
BUILDING DESCRIPTION BUILDING 1 of 1

ACTUAL YR BLT:	2004
BATHS FULL/HALF:	2/
BEDROOMS:	3
CONDITION:	Average
CONDO VIEW:	
ELEVATOR:	
ELEVATORS:	
EXTERIOR WALL:	26 Vinyl/Alum
FIREPLACE:	Prefab
FIREPLACES:	1
FOUNDATION:	04 Pier
GRADE:	C+
HEATING SYSTEM:	11 Central Heat/AC
IMPROVEMENT TYPE:	MHDW - Manufactured Double Wide
MODEL:	RES
PERCENT COMPLETE:	
ROOF STRUCTURE:	02 Gable
ROOFING COVER:	06 Comp Shingle
STYLE:	17 Man. Double Wide
UNIT LOCATION:	

BUILDING COMPUTATION

BUILDING VALUE:	199,107
ECONOMIC OBSOLESCENCE:	
FUNCTIONAL OBSOLESCENCE:	
HEATED AREA:	1,512
PHYSICAL DEPRECIATION:	20%
REPLACEMENT COST NEW LESS DEPR:	181,006
REPLACEMENT COST NEW:	226,257
VALUE PER SQUARE FOOT HEATED:	131.68

BUILDING SKETCH



BUILDING SECTIONS

[illegible]

[VIEW PHOTO](#)

CA202511800843



LIMITED LIABILITY COMPANY ANNUAL REPORT

SOSID: 2851707

Date Filed: 6/6/2025

Elaine F. Marshall

North Carolina Secretary of State

CA2025 118 00843

1.

NAME OF LIMITED LIABILITY COMPANY: BEAUFORT CROSSING LLCSECRETARY OF STATE ID NUMBER: 2851707 STATE OF FORMATION: NCREPORT FOR THE CALENDAR YEAR: 2025

SECTION A: REGISTERED AGENT'S INFORMATION

1. NAME OF REGISTERED AGENT: Lyle D Gardner

2. SIGNATURE OF THE NEW REGISTERED AGENT:

SIGNATURE CONSTITUTES CONSENT TO THE APPOINTMENT

3. REGISTERED AGENT OFFICE STREET ADDRESS & COUNTY 4. REGISTERED AGENT OFFICE MAILING ADDRESS

5711 Six Forks Rd, Suite 3005711 Six Forks Rd, Suite 300Raleigh, NC 27609 WakeRaleigh, NC 27609 Wake☐ Changes

SECTION B: PRINCIPAL OFFICE INFORMATION

1. DESCRIPTION OF NATURE OF BUSINESS: REAL ESTATE2. PRINCIPAL OFFICE PHONE NUMBER: (919) 422-1201

3. PRINCIPAL OFFICE EMAIL:

Privacy Redaction

4. PRINCIPAL OFFICE STREET ADDRESS

5. PRINCIPAL OFFICE MAILING ADDRESS:

5711 Six Forks Rd, Suite 3005711 Six Forks Rd, Suite 300Raleigh, NC 27609 WakeRaleigh, NC 27609 Wake

6. Select one of the following if applicable. (Optional see instructions)

☐

The company is a veteran-owned small business

☐

The company is a service-disabled veteran-owned small business

SECTION C: COMPANY OFFICIALS (Enter additional company officials in Section E.)

NAME: Jeffrey W. BaranNAME: Lyle D Gardner

NAME:

TITLE: MemberTITLE: Member

TITLE:

ADDRESS:

ADDRESS:

ADDRESS:

809 Arendell St5711 Six Forks Rd suite 300Morrishead City, NC 28557 CarteretRaleigh, NC 27609 Wake

SECTION D: CERTIFICATION OF ANNUAL REPORT. Section D must be completed in its entirety by a person/business entity.

Lyle D Gardner

SIGNATURE

6/4/25

DATE

Form must be signed by a Company Official listed under Section C of this form.

member

Lyle D Gardner

Print or Type Name of Company Official

Print or Type Title of Company Official

SUBMIT THIS ANNUAL REPORT WITH THE REQUIRED FILING FEE OF \$20

MAIL TO: Secretary of State, Business Registration Division, Post Office Box 30626, Raleigh, NC 27626-0626



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

APPLICATION FOR VOLUNTARY ANNEXATION REQUEST

Instructions: Please complete the form below and include all required attachments, including the **\$350 application fee (to The Town of Beaufort)** and return to the Planning Department, Town Hall, 701 Front St., PO Box 390, Beaufort, NC, 28516. Incomplete applications will not be processed and returned to the applicant. Please contact Town Hall at (252) 728-2141 with any questions.

Applicant Name: TIDEWATER ASSOCIATES INC

Applicant Address: 1069A CEDAR POINT BLVD, CEDAR POINT, NC 28584

Phone Number: 252-393-6101 Email: JEDMONDSON@TIDEWATERENC.COM

Property Owner Name: R & L OF BEAUFORT LLC

Address of Property: 5711 SIXS FORKS RD, STE 300, RALEIGH, NC 27609

Phone Number: 919-422-1201 Email: LYLEDGARDNER8@GMAIL.COM

PROPERTY INFORMATION

Property Address: 550 HIGHWAY 101 Current Zoning: B-1

15 Digit Pin: 730607874813000 Size of Property (Square Feet or Acres): 13.62 AC

Is the property Contiguous to the City Limits: ☒ Yes ☐ No;

If Not Contiguous please indicate how many miles it is to the City Limits: NA

Current Use of Property:

☐ Residential

☐ Commercial

☒ Vacant

☐ Other: _____

[Signature] Date: 6/25/24
 Applicant Signature

OFFICE USE ONLY

Revised 7/22

Received by: _____

Reviewed for Completeness By: _____

Date: _____

Date Deemed Complete and Accepted: _____

Date: _____

Property Owner Signature (if different than above) _____

A fee of \$350 to the Town of Beaufort must accompany this application.**REQUIRED ATTACHMENTS FOR A VOLUNTARY ANNEXATION REQUEST****Please provide the following as attachments to the voluntary annexation request form:**

1. Copy of the Annexation Survey (suitable for recording)
2. Copy of all the deeds for the area to be annexed to verify ownership
3. A TYPED list of adjoining property owners
4. Carteret County Tax Parcel Card (Included should be parcel number and tax value)
5. Anticipated impact to city services including estimated gallons of water/sewer per day



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

APPLICATION FOR VOLUNTARY ANNEXATION REQUEST

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Phone Number: 252-393-6101 Email: JEDMONDSON@TIDEWATERENC.COM

Property Owner Name: R & L OF BEAUFORT LLC

Address of Property: 5711 SIXS FORKS RD, STE 300, RALEIGH, NC 27609

Phone Number: 919-422-1201 Email: LYLEDGARDNER8@GMAIL.COM

PROPERTY INFORMATION

Property Address: 374 HIGHWAY 101 Current Zoning: B-1

15 Digit Pin: 730611567208000 Size of Property (Square Feet or Acres): .38

Is the property Contiguous to the City Limits: ☒ Yes ☐ No;

If Not Contiguous please indicate how many miles it is to the City Limits: NA

Current Use of Property:

☐ Residential
☐ Commercial

☒ Vacant
☐ Other: _____

[Signature] Date: 6/25/26
 Applicant Signature

OFFICE USE ONLY

Revised 7/22

Received by: _____

Reviewed for Completeness By: _____

Date: _____

Date Deemed Complete and Accepted: _____

Date: _____

Property Owner Signature (if different than above) _____

A fee of \$350 to the Town of Beaufort must accompany this application.**REQUIRED ATTACHMENTS FOR A VOLUNTARY ANNEXATION REQUEST****Please provide the following as attachments to the voluntary annexation request form:**

1. Copy of the Annexation Survey (suitable for recording)
2. Copy of all the deeds for the area to be annexed to verify ownership
3. A TYPED list of adjoining property owners
4. Carteret County Tax Parcel Card (Included should be parcel number and tax value)
5. Anticipated impact to city services including estimated gallons of water/sewer per day

03-240,

Melanie Arthur 3P
CARTERET COUNTY
LDL Date 01/03/2008 Time 11:33:00
GR 1253051 Page 1 of 3

CARTERET COUNTY
33769
01/03/2008
\$1,230.00
Real Estate
Excise Tax



NORTH CAROLINA, CARTERET COUNTY
This instrument and this certificate are duly filed at the date and time and in the Book and Page shown on the first page hereof.

Melanie Arthur, Register of Deeds
By Barbara Cohen
Asst. Deputy, Register of Deeds

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: \$ 1,230.00
Parcel Identifier No. 730607589059, 5316 Verified by _____ County on the _____ day of _____, 20____
By: _____

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

This instrument was prepared by: Richard L. Stanley, 613 Cedar Street, Beaufort, NC 28516

Brief description for the Index: LT 22.71 ACRES,

THIS DEED made this 7th day of January, 2008, by and between

GRANTOR	GRANTEE
Pier 7, LLC 405 Arendell Street Morehead City, NC 28557	R & L of Beaufort, LLC 10501 Charm Ford Way Raleigh, NC 27615

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

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

The property hereinabove described was acquired by Grantor by instrument recorded in Book _____ page _____.

A map showing the above described property is recorded in Plat Book 29 page 479.

NC Bar Association Form No. L-3 © 1976, Revised © 1977, 2002
Printed by Agreement with the NC Bar Association – 1981 SoftPro Corporation, 333 E. Six Forks Rd., Raleigh, NC 27609

BOOK 1253 PAGE 51 (3)

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

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions: Easements and restrictions of record.

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

Pier 7, LLC
(Entity Name)
By: Dean W. Worthington (SEAL)
Title: Member/Manager (SEAL)
By: _____ (SEAL)
Title: _____
By: _____ (SEAL)
Title: _____

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

My Commission Expires: _____
Notary Public

State of North Carolina - County of CARTERET
I, the undersigned Notary Public of the County and State aforesaid, certify that Dean W. Worthington Member/Manager of Pier 7, LLC, a North Carolina or _____ corporation/limited liability company/general partnership/limited partnership (strike through the inapplicable), and that by authority duly given and as the act of such entity, he signed the foregoing instrument in its name on its behalf as its act and deed. Witness my hand and Notarial stamp or seal, this 2nd day of January, 2008

My Commission Expires: 11/27/2012
DAPHNE BULLUCK Daphne D Bulluck
NOTARY PUBLIC Notary Public
State of North Carolina - County of CARTERET COUNTY, NC
I, the undersigned Notary Public of the County and State aforesaid, certify that _____

Witness my hand and Notarial stamp or seal, this _____ day of _____, 20__.
My Commission Expires: _____
Notary Public

The foregoing Certificate(s) of _____ is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

Register of Deeds for _____ County
By: _____ Deputy/Assistant - Register of Deeds
NC Bar Association Form No. L-3 © 1976, Revised © 1977, 2002
Printed by Agreement with the NC Bar Association - 1981 SoftPro Corporation, 333 E. Six Forks Rd., Raleigh, NC 27609

BOOK 1253 PAGE 51

ATTACHMENT

Being a tract of land containing 22.71 acres more or less as located on the east side of NC Highway 101, Beaufort, NC, as shown on a plat recorded in Map Book 29, page 479, Carteret County Registry, as conveyed in Book 1099, page 267, Carteret County Registry.

There is excepted herewith the 200 foot tract located at the eastern end of the subject property as conveyed to NCDOT in Book 1189, page 485, for the proposed right of way for the relocation of US Highway 70. This conveyance is further subject to the right of way for electrical lines condemned and taken by Carteret County through a Memorandum of Taking for the airport recorded in Book 1089, page 205, Carteret County Registry, existing rights of way, the rights of others as to the use of ditches, and matters shown on the recorded plat.

03-2401

Hwy 101, Beaufort, NC 28516

BOOK 1253 PAGE 51



FILE # 1630132

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

1.

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: \$ 160.00

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

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

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

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

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

GRANTOR

GRANTEE

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

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

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

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

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot, parcel of land or condominium unit situated in the City of Beaufort, _____ Township, CARTERET County, North Carolina and more particularly described as follows:

EXHIBIT A

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

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

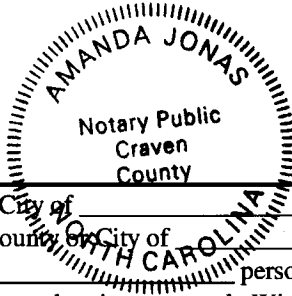
3

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

_____	<u>Kenneth Wayne Willis</u> (SEAL)
(Entity Name)	Print/Type Name: <u>Kenneth Wayne Willis</u>
By: _____	<u>Deanna Willis</u> (SEAL)
Print/Type Name & Title: _____	Print/Type Name: <u>Deanna Willis</u>
By: _____	_____ (SEAL)
Print/Type Name & Title: _____	Print/Type Name: _____
By: _____	_____ (SEAL)
Print/Type Name & Title: _____	Print/Type Name: _____

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

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



Amanda Jones
Amanda Jones Notary Public
Notary's Printed or Typed Name

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

My Commission Expires: _____
(Affix Seal)

Notary's Printed or Typed Name

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

My Commission Expires: _____
(Affix Seal)

Notary's Printed or Typed Name

ATTACHMENT

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

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

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

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

03-3685
374 Highway 101, Beaufort, NC 28516

PARCEL INFORMATION		PROPERTY DESCRIPTION	VALUE SUMMARY
ADDRESS:	550 HWY 101 BEAUFORT NC 28516	PART BUDD FARM 13.6200 AC	LAND VALUE: 510,516
NBHD:	1110005.00-Beaufort E of 70 S of OBX Scenic		BUILDING VALUE: 0
TOWNSHIP:	11 - BEAUFORT		OBXF VALUE: 0
MAP #:	7306		APPRAISED VALUE: 510,516
			DEFERRED VALUE: 494,172
			ASSESSED VALUE: 16,344

NOTES	PERMIT INFORMATION				SALES INFORMATION			
	Date	Status	Amount	CO Date	Date	Price	V/I S	Book/Page Valid Code
						0 V	1253/51	N
						0 V	1099/267	N

LAND DATA - MARKET VALUE								
L#	CODE	DESCRIPTION	SIZE	TYPE	BASE RATE	ADJUSTMENTS	ADJUSTED UNIT PRICE	VALUE
1	RA	RESIDENTIAL AGRICULTURE FRONTAGE	2.00000	AC	40,000		40,000	80,000
2	TL	TILLABLE	11.62020	AC	44,000		37,049.57	430,516
		Total Market Land	13.62020					510,516

LAND DATA - PRESENT USE VALUE								
L#	CODE	DESCRIPTION	SIZE	TYPE	BASE RATE	ADJUSTMENTS	ADJUSTED UNIT PRICE	VALUE
3	AGB1	Agriculture Class 1	13.62000	AC	1,200		1,200	16,344
		Total Present Use Value Land						16,344

OUTBUILDING DATA											
CODE	DESCRIPTION	UNITS	LENGTH	WIDTH	AREA	GRADE	CONDITION	AYB	% COMPLETE	RATE	VALUE

BUILDING DESCRIPTION	BUILDING SKETCH
MODEL: ARCHITECTURE: IMPROVEMENT TYPE: QUAL: STORY HEIGHT: PLUS/MINUS: CONDITION: FOUNDATION: FRAME: A/C: EXTERIOR WALL: ROOF STRUCTURE: HEATING SYSTEM: ROOFING COVER: INTERIOR WALL: INTERIOR FLOOR: BEDROOMS: BATHS FULL/HALF: / FIREPLACE: HEATING FUEL TYPE: SPECIAL CONDITION: ACTUAL YR BLT: EFFECTIVE YR BLT: INFO SOURCE:	

BUILDING SECTIONS								VIEW PHOTO
DESCRIPTION	ACTUAL	ADJUSTED	HEATED	RATE	VALUE	% GOOD	RCNLD	

R & L OF BEAUFORT LLC
WARREN LYDIA L/T
5711 SIX FORKS RD
SUITE 300
RALEIGH, NC 27609

Tax Districts

01 County, Beaufort Water, 42 Beaufort Fire, 46 Beaufort Rescue, 60 Annual Availability Fee (1)
Jurisdiction:1175 - 1175 BFT WATER/FIRE/RESC

Appraiser 1. :

Visited By: FHERNANDEZ

Information Source: NOH

NOTES	PERMIT INFORMATION				SALES INFORMATION					
	Date	Status	Amount	CO Date	Date	Price	V/I	S	Book/Page	Valid Code
					2/19/2019	80,000	V		1630/0132	N
						0	V		204/42	N

L#	CODE	DESCRIPTION	SIZE	TYPE	BASE RATE	ADJUSTMENTS	ADJUSTED UNIT PRICE	VALUE
1	RP	RESIDENTIAL PRIMARY	0.33670	AC	43,000	7-TRAFF:-25 20-LOCAT:-15	67,798.22	22,848
		Total Market Land	0.33670					22,848

[illegible]

LAST UPDATED 3/19/2025 2:55:21 PM BY BBrotzman

Parcel: **730611567208000**
R & L OF BEAUFORT LLC

Carteret County, North Carolina

Tax Year	2026
Reval Year	1. 5

BUILDING DESCRIPTION		BUILDING SKETCH	
MODEL: ARCHITECTURE: IMPROVEMENT TYPE: QUAL: STORY HEIGHT: PLUS/MINUS: CONDITION: FOUNDATION: FRAME: A/C: EXTERIOR WALL: ROOF STRUCTURE: HEATING SYSTEM: ROOFING COVER: INTERIOR WALL: INTERIOR FLOOR: BEDROOMS: BATHS FULL/HALF: / FIREPLACE: HEATING FUEL TYPE: SPECIAL CONDITION: ACTUAL YR BLT: EFFECTIVE YR BLT: INFO SOURCE:			

[illegible]

PRINTED: 9/3/2025 10:54:41 AM PRID:3439441-0 GROUP:0

Page 2

LAST UPDATED 3/19/2025 2:55:21 PM BY BBrotzman



LIMITED LIABILITY COMPANY ANNUAL REPORT

1/6/2022

NAME OF LIMITED LIABILITY COMPANY: R & L of Beaufort, LLCSOSID: 1013475
Date Filed: 4/28/2025Elaine F. Marshall
North Carolina Secretary of State
CA2025 118 00844

1.

SECRETARY OF STATE ID NUMBER: 1013475 STATE OF FORMATION: NCREPORT FOR THE CALENDAR YEAR: 2025

Filing Office Use Only

☐ Changes**SECTION A: REGISTERED AGENT'S INFORMATION**1. NAME OF REGISTERED AGENT: Lyle D Gardner

2. SIGNATURE OF THE NEW REGISTERED AGENT: _____

SIGNATURE CONSTITUTES CONSENT TO THE APPOINTMENT

3. REGISTERED AGENT OFFICE STREET ADDRESS & COUNTY 4. REGISTERED AGENT OFFICE MAILING ADDRESS

5711 Six Forks Rd, Suite 3005711 Six Forks Rd, Suite 300Raleigh, NC 24609 WakeRaleigh, NC 24609 Wake**SECTION B: PRINCIPAL OFFICE INFORMATION**1. DESCRIPTION OF NATURE OF BUSINESS: Land Investment2. PRINCIPAL OFFICE PHONE NUMBER: (919) 848-2041

3. PRINCIPAL OFFICE EMAIL: _____

Privacy Redaction

4. PRINCIPAL OFFICE STREET ADDRESS

5. PRINCIPAL OFFICE MAILING ADDRESS

5711 Six Forks Rd, Suite 3005711 Six Forks Rd, Suite 300Raleigh, NC 24609 WakeRaleigh, NC 24609 Wake

6. Select one of the following if applicable. (Optional see instructions)

☐

The company is a veteran-owned small business

☐

The company is a service-disabled veteran-owned small business

SECTION C: COMPANY OFFICIALS (Enter additional company officials in Section E.)NAME: Lyle D GardnerNAME: Lyle D GardnerNAME: Rhonda M GardnerTITLE: ManagerTITLE: MemberTITLE: Member

ADDRESS: _____

ADDRESS: _____

ADDRESS: _____

10501 Charmford Way10501 Charmford Way10501 Charmford WayRaleigh, NC 27615 WakeRaleigh, NC 27615 WakeRaleigh, NC 27615 Wake**SECTION D: CERTIFICATION OF ANNUAL REPORT.** Section D must be completed in its entirety by a person/business entity.

SIGNATURE

DATE

Form must be signed by a Company Official listed under Section C of This form.

Print or Type Name of Company Official

Print or Type Title of Company Official

SUBMIT THIS ANNUAL REPORT WITH THE REQUIRED FILING FEE OF \$20

MAIL TO: Secretary of State, Business Registration Division, Post Office Box 189, Raleigh, NC 27626-0525



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

APPLICATION FOR VOLUNTARY ANNEXATION REQUEST

Instructions: Please complete the form below and include all required attachments, including the **\$350 application fee (to The Town of Beaufort)** and return to the Planning Department, Town Hall, 701 Front St., PO Box 390, Beaufort, NC, 28516. Incomplete applications will not be processed and returned to the applicant. Please contact Town Hall at (252) 728-2141 with any questions.

Applicant Name: TIDEWATER ASSOCIATES INC

Applicant Address: 1069A CEDAR POINT BLVD, CEDAR POINT, NC 28584

Phone Number: 252-393-6101 Email: JEDMONDSON@TIDEWATERENC.COM

Property Owner Name: SYCAMORE CREEK LLC

Address of Property: 305 TRANSYLVANIA AVE, RALEIGH, NC 27609

Phone Number: 919-815-9694 Email: trent@raglandpropertiesinc.com

PROPERTY INFORMATION

Property Address: 388 HIGHWAY 101 Current Zoning: B-1

15 Digit Pin: 730611566479000 Size of Property (Square Feet or Acres): .619 AC

Is the property Contiguous to the City Limits: ☒ Yes ☐ No;

If Not Contiguous please indicate how many miles it is to the City Limits: NA

Current Use of Property:

☒ Residential
☐ Commercial

☒ Vacant
☐ Other: _____

Trent Ragland
 Applicant Signature

Date: 6/24/26

OFFICE USE ONLY

Revised 7/22

Received by: _____

Reviewed for Completeness By: _____

Date: _____

Date Deemed Complete and Accepted: _____

Property Owner Signature (if different than above) Date: _____

A fee of \$350 to the Town of Beaufort must accompany this application.

REQUIRED ATTACHMENTS FOR A VOLUNTARY ANNEXATION REQUEST

Please provide the following as attachments to the voluntary annexation request form:

1. Copy of the Annexation Survey (suitable for recording)
2. Copy of all the deeds for the area to be annexed to verify ownership
3. A TYPED list of adjoining property owners
4. Carteret County Tax Parcel Card (Included should be parcel number and tax value)
5. Anticipated impact to city services including estimated gallons of water/sewer per day

J R. Wheathy

Melanie Arthur 2P
CARTERET COUNTY
BWC Date 12/18/2008 Time 16:09:00
GR 1293274 Page 1 of 2

CARTERET COUNTY
36802 12/18/2008
\$600.00
STATE OF NORTH CAROLINA
Real Estate
Excise Tax

NORTH CAROLINA, CARTERET COUNTY
This instrument and this certificate are duly filed at the date and time and in the Book and Page shown on the first page hereof.

Melanie Arthur, Register of Deeds
By Brahman
Asst. Deputy, Register of Deeds

Prepared by: The Harris Law Firm, PLLC
304 North 35th Street
Morehead City, NC 28557

Parcel# See Below Excise Tax \$600.00

NORTH CAROLINA GENERAL WARRANTY DEED

This DEED made this the 18th day of December, 2008, by and between CONSCIENCE BAY, LLC, hereinafter referred to as "Grantor" and HASSINGER PROPERTIES, LLC, hereinafter "Grantee", whose address is 518 Island Drive, Beaufort, NC 28516, hereinafter "Grantee". The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH:

That the Grantors, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, have and by these presents do grant, bargain, sell and convey unto the Grantee in fee simple, all of their interest in those certain lots or parcels of lands in Beaufort Township, Carteret County, North Carolina and more particularly described as follows:

TRACT 1: Tax Parcel #7306.11.56.6378
BEGINNING at a point in the right of way of Highway 101, being the centerline intersection of N.C. Highway 101 with S.R. 1212 (Airport Road); From said point North 07 38 12 East 77.14 feet to an iron pipe marking the point and place of beginning; thence, from said point and place of beginning, North 15 35 00 West 100.00 feet to an iron pipe; thence, North 73 57 11 East 200.00 feet to an iron pipe; thence, South 15 35 00 East 100.00 feet to an iron pipe; thence South 73 57 11 West 200.00 feet to an iron pipe being the point and place of beginning. Being the same property depicted on that survey prepared by Powell Surveying Company, P.A. entitled "Survey for Frank and Sarah Hassinger" dated December 2, 2008.

TRACT 2: Tax Parcel # 7306.11.56.6479
BEGINNING at a point in the right of way of Highway 101, being the centerline intersection of N.C. Highway 101 with S.R. 1212 (Airport Road); From said point, North 05 29 32 West 173.58 feet to an iron pipe marking the point and place of beginning; thence, North 15 35 00

BOOK 1293 PAGE 274

2

West 100.00 feet to an iron pipe; thence North 74 44 08 East 347.85 feet to an iron pipe; thence, South 37 45 07 West 161.27 feet to an iron pipe; thence, South 73 57 11 West 200.00 feet to an iron pipe being the point and place of beginning. Being the same property depicted on that survey prepared by Powell Surveying Company, P.A. entitled "Survey for Frank and Sarah Hassinger" dated December 2, 2008.

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

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated.

Title to the property hereinabove is subject to the following exceptions:

- 1. Restrictive Covenants of record.
- 2. Public utility easements of record.

IN WITNESS WHEREOF, the Grantors have hereunto set their hand and seal the day and year first above written.

CONSCIENCE BAY, LLC

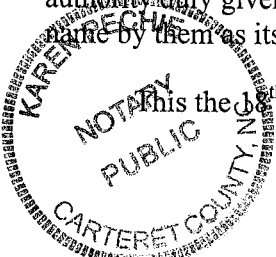
By: *Charles B. Tulevech, III* (SEAL)
Charles B. Tulevech, III, Member/Manager

By: *Steven M. Tulevech* (SEAL)
Steven M. Tulevech, Member/Manager

STATE OF NORTH CAROLINA

COUNTY OF CARTERET

I, a Notary Public of the County and State above, do hereby certify that CHARLES B. TULEVECH, III and STEVEN M. TULEVECH, both personally came before me this day and acknowledged that they are the Managers of CONSCIENCE BAY, LLC, Grantor, and that by authority duly given and as the act of the Company, the foregoing instrument was signed in its name by them as its Managers.



This the 10th day of December, 2008.

Karen Pechie
Notary Public *Karen Pechie*

My commission expires: 7-7-2012

BOOK 1293 PAGE 274

PARCEL: 730611566479000
SYCAMORE CREEK LLC
305 TRANSYLVANIA AVENUE
C/O W TRENT RAGLAND III
RALEIGH, NC 27609
ACCOUNT NUMBER: 62146

Carteret County, North Carolina

Route Number:

Appraiser 1. :

Tax Year: 2026 Reval Year: 2025

Visited By: LZARATE

Information Source: VAC

Tax Districts

01 County, Beaufort Water, 42 Beaufort Fire, 46 Beaufort Rescue

Jurisdiction:1175 - 1175 BFT WATER/FIRE/RESC

PARCEL INFORMATION		PROPERTY DESCRIPTION	VALUE SUMMARY	
ADDRESS:	388 HWY 101 BEAUFORT NC 28516	LOT NC 101 BEAUFORT 0.6160 AC	LAND VALUE:	24,769
NBHD:	1110005.00-Beaufort E of 70 S of OBX Scenic		BUILDING VALUE:	0
TOWNSHIP:	11 - BEAUFORT		OBXF VALUE:	0
MAP #:	7306		APPRAISED VALUE:	24,769
			DEFERRED VALUE:	0
			ASSESSED VALUE:	24,769

NOTES	PERMIT INFORMATION				SALES INFORMATION					
	Date	Status	Amount	CO Date	Date	Price	V/I	S	Book/Page	Valid Code
					12/18/2008	300,000	V		1293/0274	N
					11/20/2003	125,000	V		1028/0257	Y
					5/6/2003	0	V		0992/0229	N
					6/7/2001	80,000	V		0910/0052	N

LAND DATA - MARKET VALUE

L#	CODE	DESCRIPTION	SIZE	TYPE	BASE RATE	ADJUSTMENTS	ADJUSTED UNIT PRICE	VALUE
1	RP	RESIDENTIAL PRIMARY	0.61640	AC	43,000	7-TRAFF:-25 20-LOCAT:-15	40,209.416	24,769
		Total Market Land	0.61640					24,769

OUTBUILDING DATA

[illegible]

PRINTED: 9/11/2025 10:18:05 AM PRID:3424256 GROUP:0

Page 4 of 2

LAST UPDATED 12/16/2024 12:58:41 PM BY BBrotzman

BUILDING DESCRIPTION	BUILDING SKETCH
MODEL: ARCHITECTURE: IMPROVEMENT TYPE: QUAL: STORY HEIGHT: PLUS/MINUS: CONDITION: FOUNDATION: FRAME: A/C: EXTERIOR WALL: ROOF STRUCTURE: HEATING SYSTEM: ROOFING COVER: INTERIOR WALL: INTERIOR FLOOR: BEDROOMS: BATHS FULL/HALF: / FIREPLACE: HEATING FUEL TYPE: SPECIAL CONDITION: ACTUAL YR BLT: EFFECTIVE YR BLT: INFO SOURCE:	

BUILDING SECTIONS								VIEW PHOTO
DESCRIPTION	ACTUAL	ADJUSTED	HEATED	RATE	VALUE	% GOOD	RCNLD	



10-2017

BUSINESS CORPORATION ANNUAL REPORT

1.

NAME OF BUSINESS CORPORATION: Ragland Properties, Inc.

SECRETARY OF STATE ID NUMBER: 0235552 STATE OF FORMATION: NC

REPORT FOR THE FISCAL YEAR END: 12/31/2024

Filing Office Use Only

E - Filed Annual Report
0235552
CA202509308780
4/3/2025 04:05

☐ Changes

SECTION A: REGISTERED AGENT'S INFORMATION

1. NAME OF REGISTERED AGENT: W Trent Ragland III

2. SIGNATURE OF THE NEW REGISTERED AGENT: _____

SIGNATURE CONSTITUTES CONSENT TO THE APPOINTMENT

3. REGISTERED AGENT OFFICE STREET ADDRESS & COUNTY 4. REGISTERED AGENT OFFICE MAILING ADDRESS

3725 National Drive

3725 National Drive, Suite 150

Raleigh, NC 27612-4831 Wake County

Raleigh, NC 27612-4831

SECTION B: PRINCIPAL OFFICE INFORMATION

1. DESCRIPTION OF NATURE OF BUSINESS: Real Estate Management

2. PRINCIPAL OFFICE PHONE NUMBER: (919) 782-7283

3. PRINCIPAL OFFICE EMAIL: Privacy Redaction

4. PRINCIPAL OFFICE STREET ADDRESS

5. PRINCIPAL OFFICE MAILING ADDRESS

3725 National Drive, Suite 150

3725 National Drive, Suite 150

Raleigh, NC 27612-4831

Raleigh, NC 27612-4831

6. Select one of the following if applicable. (Optional see instructions)

☐

The company is a veteran-owned small business

☐

The company is a service-disabled veteran-owned small business

SECTION C: OFFICERS (Enter additional officers in Section E.)

NAME: W. Trent Ragland , III

NAME: _____

NAME: _____

TITLE: President

TITLE: _____

TITLE: _____

ADDRESS: _____

ADDRESS: _____

ADDRESS: _____

305 Transylvania Ave

Raleigh, NC 27609

SECTION D: CERTIFICATION OF ANNUAL REPORT. Section D must be completed in its entirety by a person/business entity.

W. Trent Ragland III

4/3/2025

SIGNATURE

DATE

Form must be signed by an officer listed under Section C of this form.

W. Trent Ragland III

President

Print or Type Name of Officer

Print or Type Title of Officer

This Annual Report has been filed electronically. 196
MAIL TO: Secretary of State, Business Registration Division, Post Office Box 29525, Raleigh, NC 27626-0525

Adjoiner Tract Data Table

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

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

Certificate for Approval for Annexation and Recording

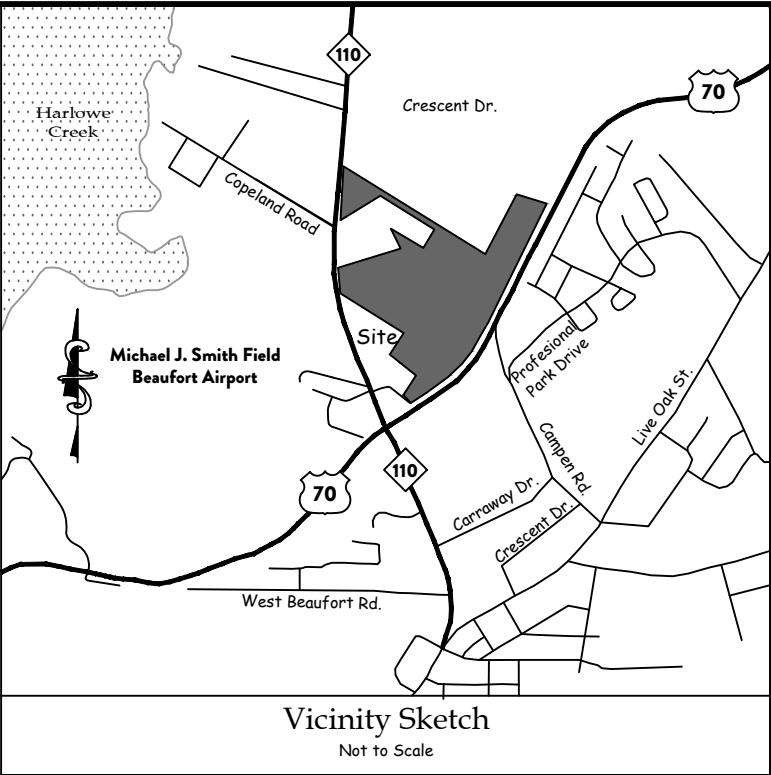
I, _____, the Town Clerk of Beaufort, do certify that the Beaufort Town Council approved this map and the site has been approved for annexation and recording in the Office of the Register of Deeds.

Date: _____

Town Clerk: _____

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

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



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

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

PRELIMINARY

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

NORTH CAROLINA.....CARTERET COUNTY

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

Review Officer _____ Date _____

NORTH CAROLINA.....CARTERET COUNTY

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

Register of Deeds
By _____

PRELIMINARY

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

Legend:

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

⑰ - Adjoiner Data Label

- 4 Tracts To Be Annexed

Total Area For Annexation: 16.78 Ac.

PRELIMINARY

Annexation Map

Sheet 1 of 3 - Overall

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

Town of Beaufort, Carteret County, North Carolina

Owners:

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

DATE: 06/29/2026

SCALE: 1"=300'



TIDEWATER ASSOCIATES, INC.

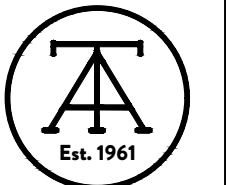
Engineers - Surveyors - Planners

Cedar Point, North Carolina

1069A Cedar Point Blvd.

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

N.C. Firm License Number: F-0108



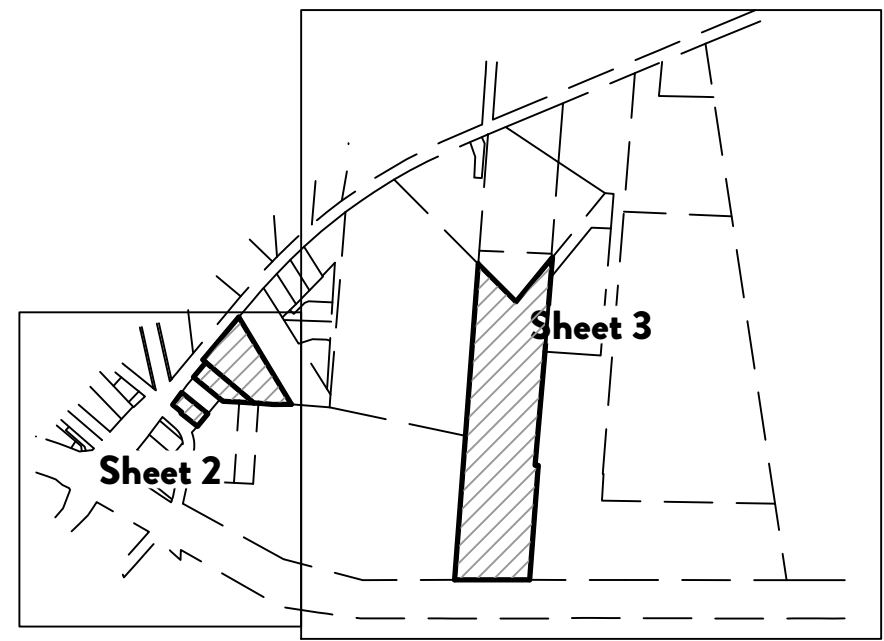
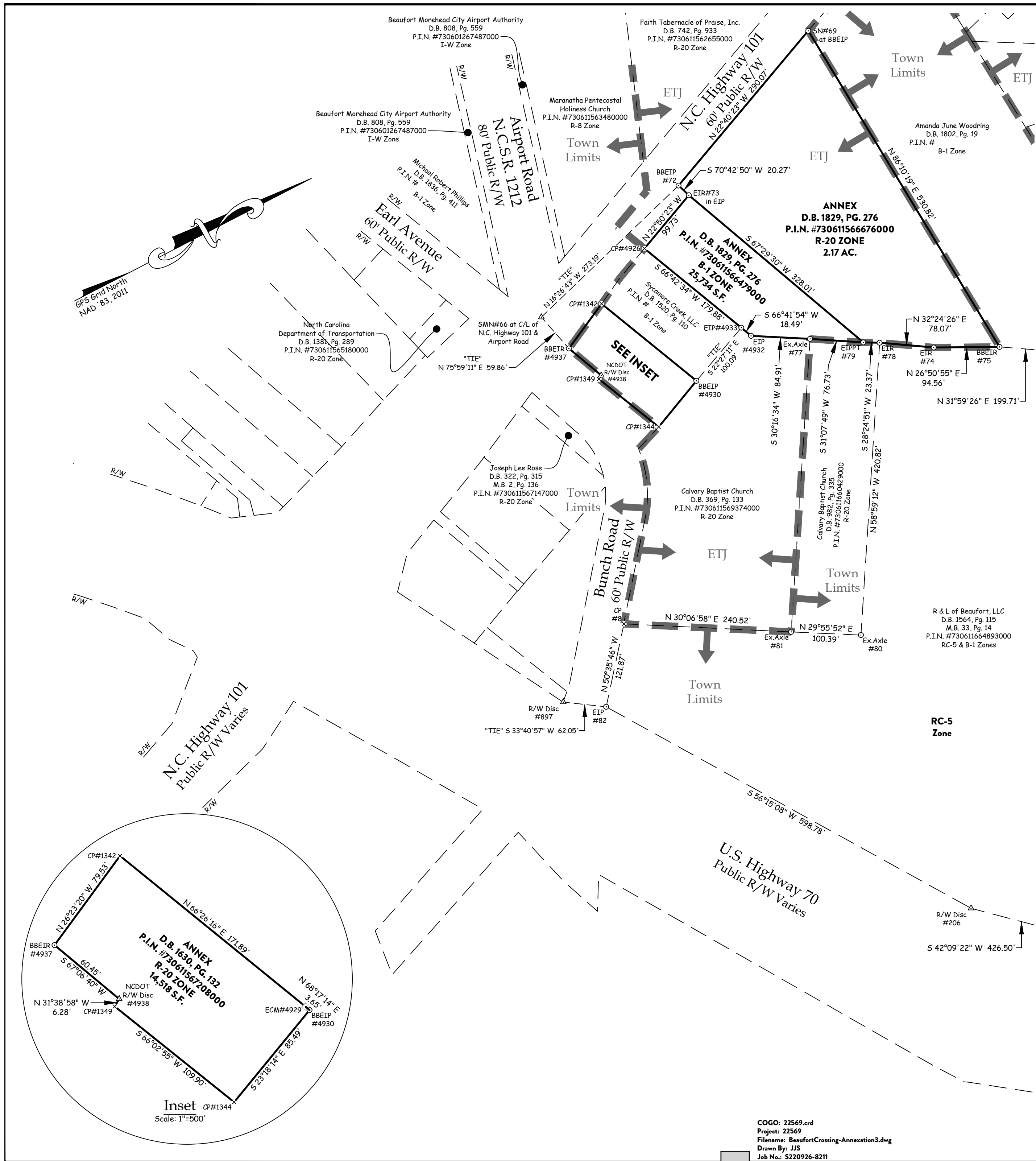
LABEL	ADJOINER DATA
⑳	R & L of Beaufort, LLC D.B. 1513, Pg. 300 M.B. 33, Pg. 155 P.I.N. #730607588546000 R-20 Zone
㉑	R & L of Beaufort, LLC D.B. 812, Pg. 96 M.B. 33, Pg. 155 P.I.N. #730607688246000 R-20 Zone
㉒	R & L of Beaufort, LLC D.B. 1509, Pg. 454 M.B. 33, Pg. 14 P.I.N. #730607578502000 R-20 Zone

LABEL	ADJOINER DATA
㉓	R & L of Beaufort, LLC D.B. 1513, Pg. 300 M.B. 33, Pg. 155 P.I.N. #730611664893000 RC-5 & B-1 Zones
㉔	Joseph Lee Rose D.B. 322, Pg. 315 M.B. 2, Pg. 136 P.I.N. #730611567147000 R-20 Zone
㉕	North Carolina Department of Transportation D.B. 1381, Pg. 289 P.I.N. #730611565180000 R-20 Zone

LABEL	ADJOINER DATA
㉖	Michael Robert Phillips D.B. 1836, Pg. 411 P.I.N. # _____ B-1 Zone
㉗	Beaufort Morehead City Airport Authority D.B. 808, Pg. 559 P.I.N. #730601267487000 I-W Zone
㉘	Maranatha Pentecostal Holiness Church P.I.N. #730611563480000 R-8 Zone

LABEL	ADJOINER DATA
㉙	Faith Tabernacle of Praise, Inc. D.B. 742, Pg. 933 P.I.N. #730611562655000 R-20 Zone

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



Sheet Index
Scale: 1"=1,000'

Legend:

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

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

- 4 Tracts To Be Annexed

Total Area For Annexation: 16.78 Ac.

For Continuation, See Sheet 3 of 3

PRELIMINARY

Annexation Map

Sheet 2 of 3

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

Town of Beaufort, Carteret County, North Carolina

Owners:

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

DATE: 06/29/2026

SCALE: 1"=100'



TIDEWATER ASSOCIATES, INC.

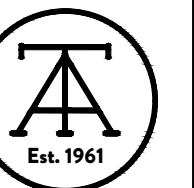
Engineers - Surveyors - Planners

Cedar Point, North Carolina

1069A Cedar Point Blvd.

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

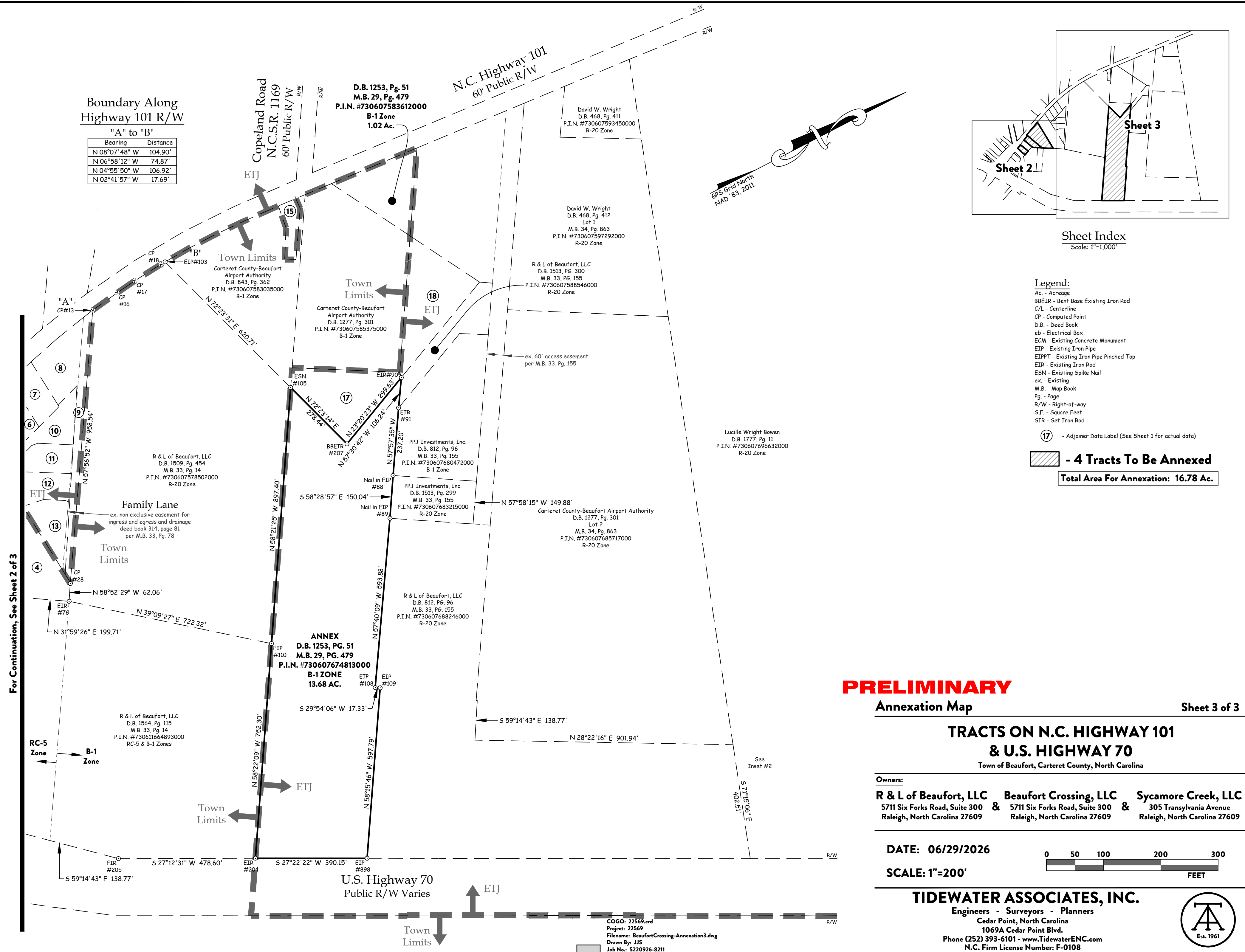
N.C. Firm License Number: F-0108



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

Boundary Along Highway 101 R/W

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





**RESOLUTION DIRECTING THE CLERK TO INVESTIGATE A PETITION
RECEIVED UNDER G.S. 160A-31
RESOLUTION NO. 26-_____**

WHEREAS, petitions requesting annexation of areas described in said petitions, totaling approximately 16.78 acres, were received on June 29, 2026, by the Town of Beaufort; and

WHEREAS, G.S. 160A-31 provides that the sufficiency of annexation petitions shall be investigated by the Town Clerk before further annexation proceedings may take place; and

WHEREAS, the Board of Commissioners of the Town of Beaufort deems it advisable to proceed in response to these requests for annexation;

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

The Town Clerk is hereby directed to investigate the sufficiency of the above-described petitions and to certify as soon as possible to the Board of Commissioners the result of this investigation.

Adopted this ____ day of August 2026.

Sharon E. Harker, Mayor

Elizabeth Lewis, Town Clerk



Town of Beaufort, NC

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

Board of Commissioners Regular Meeting 6:00 PM Monday, August 10, 2026

AGENDA CATEGORY: New Business

SUBJECT: USDA Related Asphalt Paving Award

SUMMARY:

Following the completion of the competitive bidding process and the engineer's review of the submitted proposals, staff recommends that the Beaufort Board of Commissioners award the construction contract to Allen Grading in the amount of \$2,558,000.

Allen Grading submitted the lowest responsive and responsible bid and has demonstrated the qualifications, experience, and capacity necessary to successfully complete the project in accordance with the plans and specifications.

Awarding the contract at this time will:

- Allow the project to proceed on schedule.
- Lock in current construction pricing.
- Minimize the potential for future cost escalation.

REQUESTED ACTION:

Move to award the construction contract for the project to Allen Grading in the amount of Two Million Five Hundred Fifty-Eight Thousand Dollars (\$2,558,000) and authorize the Town Manager to execute the contract and all associated documents, subject to review and approval by the Town Attorney.

EXPECTED LENGTH OF PRESENTATION:

15-minutes including Q & A

SUBMITTED BY:

Matt Zapp, Town Manager

BUDGET AMENDMENT REQUIRED:

USDA patching funds (\$2M +/-) will cover a majority of this project, only the outstanding balance of approximately \$600,000 in local funds are needed. A previous Budget Amendment in the amount of \$2.6 million has been passed by the Board of Commissioners.



ENGINEERS

PLANNERS

SURVEYORS

LANDSCAPE ARCHITECTS

July 24, 2026

Mr. Matt Zapp, Town Manager
 Town of Beaufort
 701 Front Street
 Beaufort, NC 28516

SUBJECT: Town of Beaufort – Street Improvements
 Contract 3 – Stormwater Drainage System Improvements
 Tentative Recommendation of Award
 Rivers Project No. 2019146.2

Dear Mr. Zapp,

A bid opening was held for the subject project at 2:00 p.m. on Thursday, July 23, 2026 in the Beaufort Train Depot. Five (5) Bidders submitted Bids for the Bid opening. The Advertisement for Bids was published in the *Carteret County News-Times* and the *Greater Diversity*, in addition to direct solicitation to area contractors and plan rooms. Six (6) sets of plans and specifications were distributed to the Town, the funding agency, plan rooms, and contractors. Bids were received from five (5) contractors for the project as follows:

<u>CONTRACTOR</u>	<u>BASE BID</u>
Allen Grading Company	\$2,558,000.00
Thomas Simpson Construction	\$3,096,583.50
Barnhill Contracting Company	\$3,190,267.25
Trader Construction Company	\$3,265,205.00
T.A. Loving Company	\$3,310,013.00

Attached to this letter is a copy of the certified Bid Tabulation Sheet. Based on the bids received, we recommend that the Town of Beaufort issue *tentative* award for the Street Improvements project to Allen Grading Company for the amount of \$2,558,000.00. Final award of the project should be subject to funding approval from the U.S. Department of Agriculture, review of the Contractor's qualification & safety information, and a provided written statement that bidder is capable of completing the project within the state time.

If you have any questions or concerns regarding this project, please give us a call in the Greenville office at (252) 752-4135. Thank you for this opportunity to serve the Town of Beaufort. We look forward to assisting you in the construction phase of this project.

Sincerely,

Stephen Reece, P.E.
 Project Manager

M:\Muni\Beaufort-Paving_Impvts-2019146.2\ADMIN\C-Corr\Outbox\BeaufortPaving_Tentative_ROA.docx

Enclosures

cc: Elizabeth Lewis, Town of Beaufort (via email)
Greg Meshaw P.E., Town of Beaufort (via email)
Sam Bell, P.E., Town of Beaufort (via email)
Rivers File 201946.2-C (w/o enclosures)



Town of Beaufort, NC

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

Board of Commissioners Regular Meeting 6:00 PM Monday, August 10, 2026

AGENDA CATEGORY: New Business

SUBJECT: Queen Street Stormwater Repairs & Resurfacing Recommendation

SUMMARY:

Staff recommends awarding a contract to Thomas Simpson Construction in the amount of \$234,815 to complete critical stormwater infrastructure improvements and roadway resurfacing the 100 block of Queen Street between Ann Street and Front Street.

The proposed project includes:

- Repair of the underground stormwater pipe.
- Slip lining of the existing 18-inch stormwater main to extend its service life.
- Curb-to-curb repaving of Queen Street between Ann Street and Front Street.

The Town received two proposals for this work. Thomas Simpson Construction submitted the lowest responsive proposal at \$234,815, compared to \$237,530 from Trader Construction Company. Staff believes the Simpson proposal provides the best overall value, including a more comprehensive stormwater pipe replacement scope and necessary utility adjustments within the bid price.

REQUESTED ACTION:

Board of Commissioners authorize the Town Manager to proceed with the scheduling and execution of underground stormwater repairs along the 100 block of Queen Street (between Ann Street and Front Street), at a cost of \$235,000 with Thomas Simpson Construction.

EXPECTED LENGTH OF PRESENTATION:

15-minutes including Q & A

SUBMITTED BY: Matt Zapp, Town Manager

BUDGET AMENDMENT REQUIRED:

A budget amendment in the amount of \$235,000 is needed.

- \$180,000 from the Stormwater Fund & \$55,000 from Capital Reserve Funds (Streets)



Town of Beaufort, NC

701 Front St. - P.O. Box 390 - Beaufort, N.C. 28516
www.beaufortnc.org

Board of Commissioners Regular Meeting 6:00 PM Monday, August 10, 2026

AGENDA CATEGORY: New Business
SUBJECT: FY 2027 Budget Amendment #2

BRIEF SUMMARY:

This amendment represents budgetary appropriations for the following:

Queen Street Stormwater Repairs and Resurfacing

- The Queen Street stormwater improvements and road resurfacing project has a total cost of \$235,000.
- The project will be split between funds with funding sources being:
 - Capital Reserve Fund – Streets in the amount of \$55,000
 - Stormwater Fund in the amount of \$180,000

Assistance to Firefighters Grant Carry-Over

This grant project for a plymovent system at both fire stations was not completed in FY26 therefore the remaining grant expense and revenue must be budgeted for in FY27. Although it is not anticipated that the full project amount will be expended we are keeping the budget in line with the original grant award.

- General Fund Expenditure of \$51,000
- Funding Sources:
 - AFG Grant Revenue of \$141,000
 - Reduction of Appropriated Fund Balance in the amount of \$90,000 to offset the difference between grant revenue and the remaining expenditure listed above.

REQUESTED ACTION:

Approve Budget Amendment #2

EXPECTED LENGTH OF PRESENTATION:

5 minutes

SUBMITTED BY:

Julie Anderson – Interim Finance Director



**TOWN OF BEAUFORT
FY 2027 BUDGET AMENDMENT #2**

WHEREAS, the Town of Beaufort adopted its Fiscal Year 2027 Budget through Ordinance on June 8, 2026, and

WHEREAS, the Board of Commissioners recognizes that periodic modifications to the estimated revenues and expenditures for the fiscal year may be necessary for fiscal management purposes and to implement decisions of the Board of Commissioners;

BE IT THEREFORE ORDAINED that the Board of Commissioners amends the Fiscal Year 2027 Budget as follows:

SECTION I: GENERAL FUND

A. REVENUE

INCREASE

INTERGOVERNMENTAL..... \$ 141,000
TRANSFERS IN..... \$ 55,000
TOTAL INCREASE..... \$ 196,000

DECREASE

APPROPRIATED FUND BALANCE..... \$ 90,000
TOTAL DECREASE..... \$ 90,000

NET BUDGETARY INCREASE OF \$106,000

B. EXPENDITURES AUTHORIZED BY DEPARTMENT

INCREASE

FIRE..... \$ 51,000
PUBLIC WORKS..... \$ 55,000
TOTAL INCREASE..... \$ 106,000

SECTION II: CAPITAL RESERVE FUND

A. REVENUE

INCREASE

APPROPRIATED FUND BALANCE..... \$ 55,000



TOTAL INCREASE..... **\$ 55,000**

B. EXPENDITURES AUTHORIZED BY DEPARTMENT

INCREASE

TRANSFERS OUT..... **\$ 55,000**

TOTAL INCREASE..... **\$ 55,000**

SECTION III: STORMWATER FUND

C. REVENUE

INCREASE

APPROPRIATED FUND BALANCE..... **\$ 180,000**

TOTAL INCREASE..... **\$ 180,000**

D. EXPENDITURES AUTHORIZED BY DEPARTMENT

INCREASE

CONTRACT SERVICES..... **\$ 180,000**

TOTAL INCREASE..... **\$ 180,000**

SECTION IV: DISTRIBUTION

Copies of this ordinance shall be furnished to the Town Manager and Finance Officer to be kept on file for their direction in the disbursement of funds.

Adopted this 10th day of August, 2026.

ATTEST:

Elizabeth Lewis
Town Clerk

Sharon E. Harker
Mayor



Town of Beaufort, NC

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

Board of Commissioners Regular Meeting 6:00 PM Monday, August 10, 2026

AGENDA CATEGORY: New Business
SUBJECT: Case # 26-19 Final Plat - Enclave at Beaufort Club

BRIEF SUMMARY:

The applicant wishes to subdivide a 25.93-acre tract into 84 Lots (79 Single-Family & 5 Open Space).

The applicant has chosen to request to bond the infrastructure improvement and has submitted cost estimates for the complete cost of improvements totaling **\$143,950** (See estimated cost of improvement sheet from engineer).

At their July 20th meeting the Planning Board unanimously recommended approval of the Final Plat for Enclave at Beaufort Club.

REQUESTED ACTION:

Decision on Final Plat for the Enclave at Beaufort Club

EXPECTED LENGTH OF PRESENTATION:

10 Minutes

SUBMITTED BY:

Kyle Garner, AICP
Planning & Inspections Director

BUDGET AMENDMENT REQUIRED: N/A



STAFF REPORT



To: Board of Commissioners
From: Kyle Garner, AICP, Town Planner
Date: July 31, 2026
Case No. 26-19 Enclave at Beaufort Club - Final Plat

THE QUESTION: Subdivide a 25.93-acre tract into 84 Lots (79 Single-Family & 5 Open Space).

BACKGROUND: The preliminary plat for this area was approved in June 2025 for installation of infrastructure improvements.

Location: Beaufort Club Subdivision – Adjacent to Taylorwood Drive
 Owners: Beaufort Investment Holdings, LLC
 Requested Action: Subdivide a 25.93-acre tract into 84 Lots (79 Single-Family & 5 Open Space).
 Existing Zoning: PUD
 Size: 25.93 acres
 Amount of Open Space: 2.02 Acres
 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 bond the infrastructure improvement and has submitted cost estimates for the complete cost of improvements totaling **\$143,950** (See estimated cost of improvement sheet from engineer).

At their July 20th meeting the Planning Board unanimously recommended approval of the Final Plat for Enclave at Beaufort Club.

Public Utilities:

Water: Town Of Beaufort
 Sanitary Sewer: Town Of Beaufort

OPTIONS:

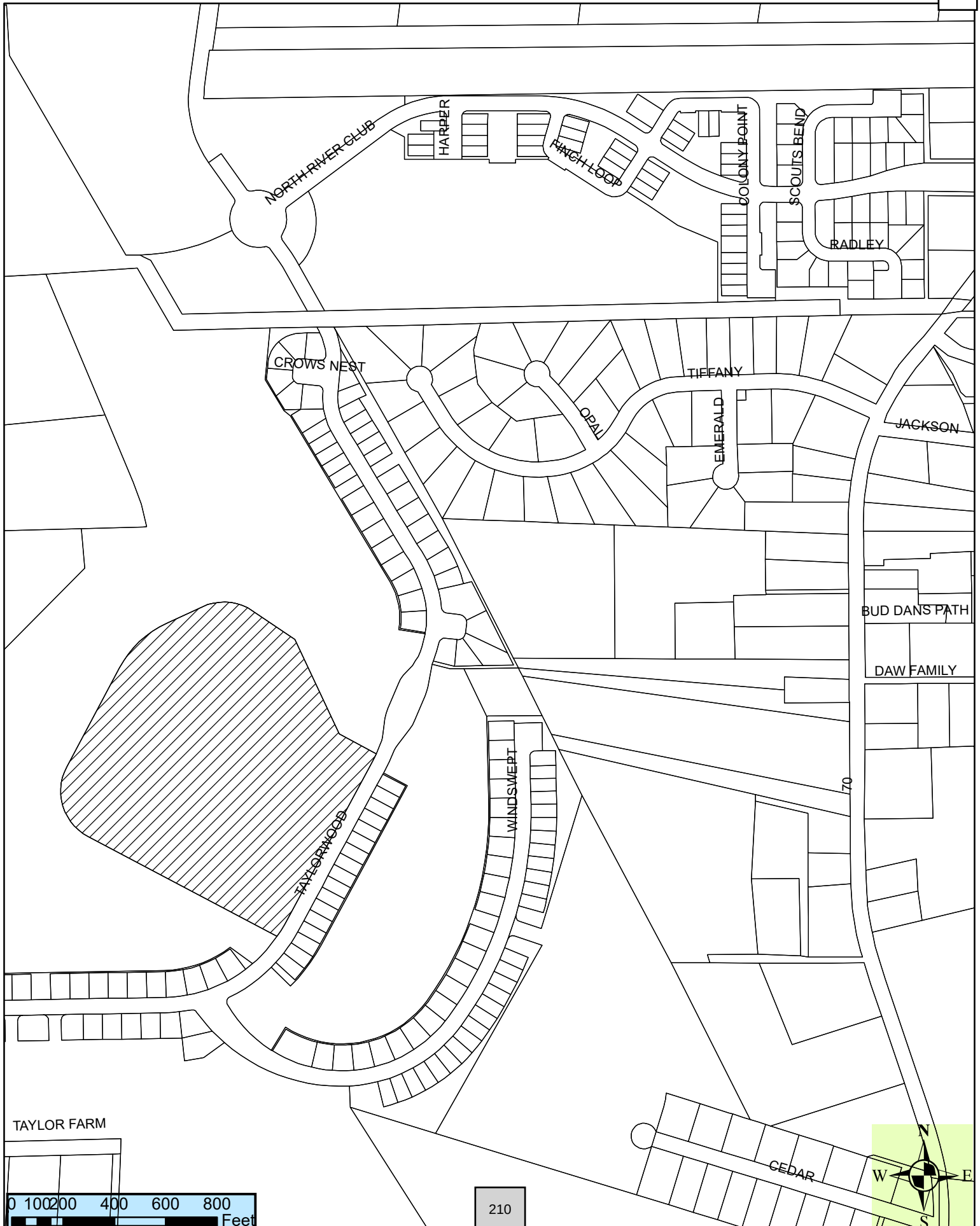
1. Approval of the Final Plat & Bond Amount
2. Deny the request

Attachments:

- Attachment A - Vicinity Map
- Attachment B - Final Plat for Enclave at Beaufort Club
- Attachment C - Bond Estimates
- Attachment D – Bond Approval from Town Engineer

Vicinity Map - Case #26-19 Enclave @ Beaufort Club - Final Plat

4.



C:\22-0016-742\NC\DWG\Production Drawings\SURVEY\0016-742-Final Plat.dwg COVER Jun 15, 2026 -- 5:33:47pm Shutcheson

CURVE TABLE					
NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD DIST.
C1	030°15'24"	625.00'	330.05'	S43°27'58"W	326.23'
C2	015°31'36"	245.00'	66.39'	N66°21'29"E	66.19'
C3	080°47'55"	245.00'	345.50'	S65°28'46"E	317.57'
C4	043°12'11"	225.00'	169.66'	S46°40'54"E	165.67'
C5	005°30'03"	225.00'	21.60'	S71°02'02"E	21.59'
C6	012°17'45"	225.00'	48.29'	S67°38'11"E	48.19'
C7	044°12'59"	175.00'	135.05'	N06°13'46"E	131.73'
C8	036°34'55"	175.00'	111.73'	S46°37'44"W	109.85'
C9	090°00'00"	20.00'	31.42'	N16°39'44"W	28.28'
C10	024°33'37"	15.00'	6.43'	N73°56'32"W	6.38'
C11	031°24'30"	15.00'	8.22'	S78°24'20"W	8.12'
C12	070°48'13"	50.00'	61.79'	N77°06'29"W	57.93'
C13	035°00'20"	50.00'	30.55'	N24°12'12"W	30.08'
C14	035°00'20"	50.00'	30.55'	S10°48'08"W	30.08'
C15	052°03'11"	50.00'	45.42'	N54°19'53"E	43.88'
C16	057°46'09"	13.62'	13.73'	N54°20'52"E	13.16'
C17	006°36'40"	650.00'	75.00'	N31°38'36"E	74.96'
C18	006°36'40"	650.00'	75.00'	N38°15'16"E	74.96'
C19	006°36'40"	650.00'	75.00'	N44°51'55"E	74.96'
C20	006°36'40"	650.00'	75.00'	N51°28'35"E	74.96'
C21	003°48'45"	650.00'	43.25'	N56°41'18"E	43.24'
C22	009°42'57"	270.00'	45.78'	N63°27'09"E	45.73'
C23	015°54'56"	270.00'	75.00'	N76°16'05"E	74.76'
C24	015°54'56"	270.00'	75.00'	S87°48'59"E	74.76'
C25	015°54'56"	270.00'	75.00'	S71°54'04"E	74.76'
C26	015°54'56"	270.00'	75.00'	S55°59'08"E	74.76'
C27	015°54'56"	270.00'	75.00'	S40°04'12"E	74.76'
C28	007°01'56"	270.00'	33.14'	S28°35'46"E	33.12'
C29	018°23'56"	200.00'	64.22'	S34°16'47"E	63.95'
C30	015°06'00"	200.00'	52.71'	S51°01'44"E	52.56'

LINE TABLE		
LINE	DISTANCE	BEARING
L1	201.96'	N65°32'55"W
L2	111.32'	N87°51'22"W
L3	46.99'	N59°21'20"W
L4	48.89'	N13°38'43"W
L5	63.74'	N29°56'14"E
L6	202.80'	N36°06'32"E
L7	139.18'	N43°32'30"E
L8	87.20'	N33°42'43"E
L9	91.47'	N30°43'20"E
L10	183.04'	N42°30'08"E
L11	74.41'	N45°18'56"E
L12	99.13'	N53°56'34"E
L13	90.39'	N61°30'10"E
L14	44.00'	N45°36'19"E
L15	92.42'	N55°32'28"E
L16	37.68'	N51°18'52"E
L17	400.55'	S54°34'26"E
L18	27.62'	S25°04'41"E
L19	407.69'	S25°04'41"E
L20	163.51'	S62°01'03"E
L21	19.36'	S26°41'44"W
L22	36.26'	S26°47'08"W
L23	74.61'	S28°17'29"W
L24	625.51'	S28°20'16"W
L25	53.83'	S31°11'45"W
L26	834.96'	N62°11'59"W

ENGINEER/SURVEYOR

ADVANCED CIVIL DESIGN, INC.
51 KILMAYNE DRIVE, SUITE 102
CARY, NORTH CAROLINA 27511
PHONE: 919-481-6290



OWNER

BEAUFORT INVESTMENT
HOLDINGS LLC
1000 Social Street, Ste 1200
RALEIGH, NORTH CAROLINA 27609
PHONE: 919-863-1000

DEVELOPER

DEWITT CAROLINAS, INC.
1000 Social Street, Ste 1200
RALEIGH, NORTH CAROLINA 27609
PHONE: 919-863-1000



ENCLAVE AT BEAUFORT CLUB

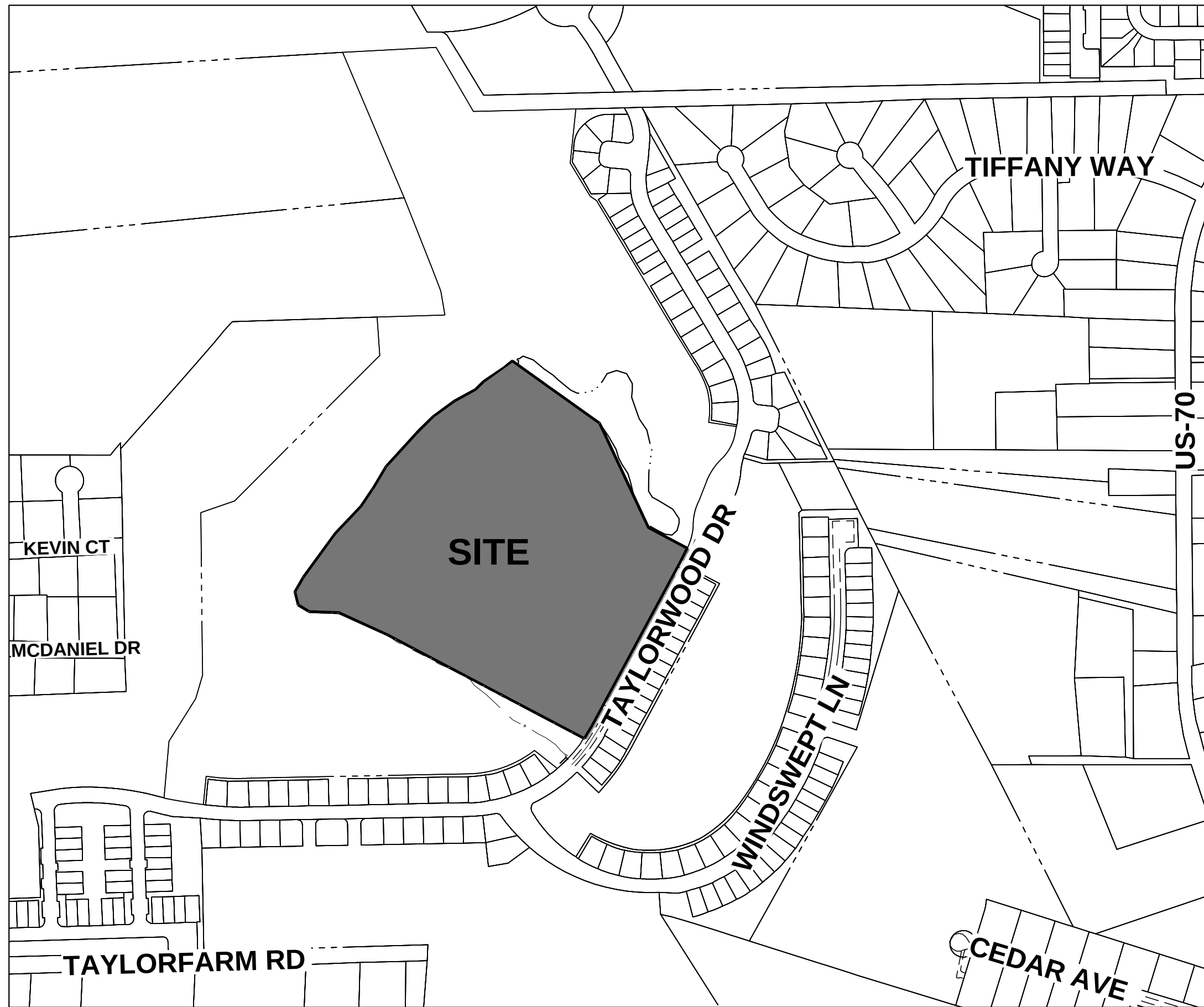
FINAL SUBDIVISION PLAT

FOR

BEAUFORT INVESTMENT HOLDINGS, LLC.

TOWN OF BEAUFORT, CARTERET COUNTY, NORTH CAROLINA

2026



VICINITY MAP

SCALE: 1" = 400'

GRAPHIC SCALE



(IN FEET)
1 inch = 400 ft.

CERTIFICATE OF OWNERSHIP AND DEDICATION

I hereby certify that I am the owner of the property shown and described herein, which is located in the subdivision jurisdiction of the Town 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 note. Furthermore, I hereby dedicate all sanitary sewer, storm sewer and water lines to the Town.

Date

Owner(s)

CERTIFICATE OF OWNERSHIP AND DEDICATION

I hereby certify that I am the owner of the property shown and described herein, which is located in the subdivision jurisdiction of the Town 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 note. Furthermore, I hereby dedicate all sanitary sewer, storm sewer and water lines to the Town.

Date

Owner(s)

CERTIFICATE OF SURVEY AND ACCURACY

I, _____, certify that this map was (drawn by me) (drawn under my supervision) from (an actual survey made by me) (an actual survey made under my supervision) (deed description recorded in Book _____ Page _____ Book _____ Page _____ etc.); that the error of closure as calculated by latitudes and departures is 1:____; that the boundaries not surveyed are shown as broken lines plotted from information found in Book _____ Page _____ that this map was prepared in accordance with N.C. Gen. Stat. §47-30, as amended. Witness my hand and seal this ____ day of ____, A.D., ____.

Surveyor or Engineer

License or Registration Number

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 specifications and standards in the _____ Subdivision or that guarantees the installation of the required improvements in an amount and manner satisfactory to the Town have been received, and that the filing fee for this plat, in the amount of \$____ has been paid.

Date

Town Manager

SITE DATA TABLE

PROPERTY INFORMATION:

PIN:	730704847177000 & 730704841599000
ADDRESS:	TAYLORWOOD DRIVE
EXISTING SITE AREA (730704847177000):	22.52 ACRES
EXISTING SITE AREA (730704841599000):	3.41 ACRES OF 54.40 ACRES
TOTAL PROPOSED SITE AREA:	25.93 ACRES

OPEN SPACE LOTS:	5
SINGLE FAMILY LOTS:	79
TOTAL PROPOSED LOTS:	84

OPEN SPACE AREA:	2.02 ACRES
SINGLE FAMILY LOT AREA:	18.41 ACRES
R/W DEDICATION:	5.50 ACRES
TOTAL SITE AREA:	25.93 ACRES

PROPOSED STREET LINEAR FOOTAGE:	4920'
---------------------------------	-------

BUILT UPON AREA:	
WITHIN R/W (PAVEMENT/SIDEWALK)	126,650 SF; 2.91 AC
LOT MAXIMUM (4,500± SF PER LOT)	378,000 SF; 8.67 AC
TOTAL:	504,650 SF; 11.58 AC

BUA PERCENTAGE:	44.67%
-----------------	--------

ZONING INFORMATION:

EXISTING ZONING:	PUD
------------------	-----

SETBACKS:

FRONT	20'
REAR	10'
SIDE	5'
SIDE (CORNER)	10'

FLOOD NOTE

By graphic plotting, this property is located in Zone "X" (Areas determined to be outside of the 100-year flood plain) by the Federal Emergency Agency on Flood Insurance Rate Map, Community Panel No. 3720730700J, with an effective date of July 16, 2003, in Carteret County, North Carolina. No field surveying was performed to determine this zone and an elevation certificate may be needed to verify this determination or apply for a variance from the Federal Emergency Management Agency.

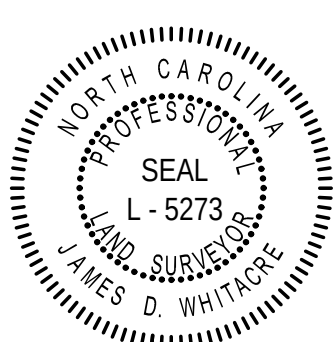
SURVEY CERTIFICATION

I, James D. Whitacre, certify that this plat was drawn under my supervision from an actual survey made under my supervision. That the ratio of precision as calculated from coordinates is 1/10,000, that the boundaries not surveyed are shown as broken lines plotted from cited references, that this plat was prepared in accordance with G.S. 47-30 as amended.

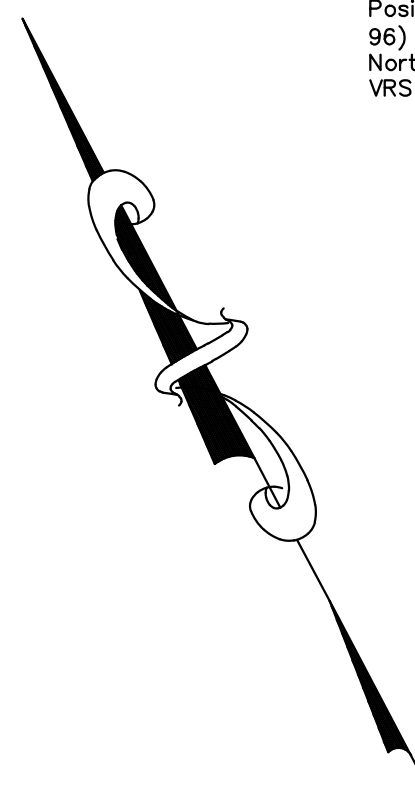
Witness my hand and official seal this ____ day of _____, 2026.

DRAFT

Professional Surveyor L-5273



Enclave at Beaufort Club Final Subdivision Plat for Beaufort Investment Holdings, LLC. TOWN OF BEAUFORT CARTERET COUNTY NORTH CAROLINA	
PLAN PREPARED BY: 51 Kilmayne Drive Suite 102 Cary, North Carolina 27511 ph 919.481.6290 fax 919.336.5127 Firm License # C-2798	
DRAWN BY: SCH	CHECKED BY: JLB
SCALE: AS NOTED	SHEET 1 / 2
DATE: 06/15/2025	



FLOOD NOTE

graphic plotting, this property is located in Zone "X" (Areas determined to be outside of the 100-year flood plain) by the Federal Emergency Agency of Flood Insurance Rate Map, Community Panel No. 37207307000, with an effective date of July 16, 2003, in Carteret County, North Carolina. No field surveying was performed to determine this zone and an elevation certification may be needed to verify this determination or apply for a variance from the Federal Emergency Management Agency.

LEGEND:

	Boundary Line
	Lot Line
	Existing Parcel Line
	Easement Line
	Street Center Line
	Iron Pipe Set
	Iron Pipe Found (EIP)
	Calculated Point

NOTES

Areas calculated by coordinate geometry. All distances are horizontal ground distances.

Basis of Bearing NC GRID 1983, 2011 Adjustment Horizontal Datum.

Boundary information shown hereon was prepared from an actual field survey and from existing records as referenced hereon.

There is no observable evidence of this site being used as a solid waste dump, sump or any kind of sanitary land fill.

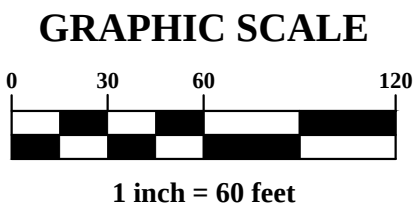
At the time of survey there was no observable evidence of recent earthmoving work, building construction or building additions.

At the time of the survey was no observable evidence or provided information on proposed changes in street right-of-way lines.

This survey does not include nor depict any environmental evaluations by this office. At the time of the survey no evidence of wetlands were observed.

Any locations of underground utilities shown hereon are based upon visible above ground structures and/or record drawings provided to the surveyor. Locations of underground utility lines and structures may vary from locations shown hereon. Additional buried utility lines and structures may be encountered. No excavations were made during the progress of this survey to locate buried utilities/structures.

Coordinates shown on this plat were derived by Real Time Network (RTN) Global Positioning System (GPS). This results in NAD 1983, 2011 Adjustment (CORS 96) using the continually operating reference stations (CORS) maintained by the North Carolina Geodetic Survey. Class A Survey, 0.10 feet positional accuracy, NRS Field Procedure, Geoid 18.



Enclave at Beaufort Club Final Subdivision Plat for Beaufort Investment Holdings, LLC.

TOWN OF BEAUFORT CARTERET COUNTY NORTH CAROLINA

PLAN PREPARED BY:



51 Kilmayne Drive
Suite 102
Cary, North Carolina 27511
ph 919.481.6290
fax 919.336.5127
Firm License # C-2798

**ADVANCED
CIVIL DESIGN
ENGINEERS SURVEYORS**

DRAWN BY: SCH	CHECKED BY: JLB
SCALE: 1" = 60'	SHEET 2 / 2
DATE: 06/15/2025	

 ADVANCED CIVIL DESIGN	Project:	Enclave at Beaufort Club		BOND ESTIMATE	
	Owner:	Beaufort Investment Holdings, LLC		Date:	6/15/2026
		1000 Social Street, Ste 1200		Revised:	
		Raleigh, NC 27609		Revised:	
	Contact:	919-863-1000		Revised:	
	Job No.:	22-0016-742NC		Revised:	
QUANTITY	UNIT	DESCRIPTION		UNIT COST	EXTENSION
		EARTHWORK & PAVING			
1	LS	FINAL DITCHES AND GRADING		\$ 28,000.00	\$ 28,000.00
6,250	TON	ABC STONE FOR ROADWAYS		\$ 50.00	\$ 312,500.00
1	LS	SIDEWALKS - TAYLORWOOD		\$ 18,000.00	\$ 18,000.00
1	LS	HANDICAP RAMPS - TAYLORWOOD		\$ 2,000.00	\$ 2,000.00
12,240	SY	FINE GRADING		\$ 0.75	\$ 9,180.00
12,240	SY	PAVING 2" SF9.5b SURFACE		\$ 15.00	\$ 183,600.00
1	LS	CROSSWALK STRIPING		\$ 1,000.00	\$ 1,000.00
				TOTAL	\$ 554,280.00
		STORM WATER			
1	LS	STORM CULVERTS		\$ 20,000.00	\$ 20,000.00
				TOTAL	\$ 20,000.00
		SANITARY SEWER			
880	LF	4" VACUUM		\$ 40.00	\$ 35,200.00
345	LF	8" VACUUM		\$ 60.00	\$ 20,700.00
2	EA	GATE VALVES		\$ 2,200.00	\$ 4,400.00
27	EA	SEWER SERVICE		\$ 500.00	\$ 13,500.00
27	EA	VALVE ASSEMBLY		\$ 1,200.00	\$ 32,400.00
				TOTAL	\$ 106,200.00
		WATER			
520	LF	6" WATER MAIN		\$ 30.00	\$ 15,600.00
1,750	LF	8" WATER MAIN		\$ 45.00	\$ 78,750.00
1	LS	10 x 8 TAP		\$ 8,000.00	\$ 8,000.00
1	EA	8" GV		\$ 2,800.00	\$ 2,800.00
1	EA	6" GV		\$ 2,200.00	\$ 2,200.00
4	EA	FIRE HYDRANT		\$ 5,400.00	\$ 21,600.00
30	EA	WATER SERVICES		\$ 500.00	\$ 15,000.00
				TOTAL	\$ 143,950.00

Spence C. Hutcheson
 Spence C. Hutcheson



TOTAL ESTIMATE \$ 824,430.00

6/15/26
 Date

Town of Beaufort Approval

Date

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			TOTAL	\$ 143,950.00

Spence C. Hutcheson
Spence C. Hutcheson

Jim Bell
Town of Beaufort Approval



TOTAL ESTIMATE \$ 824,430.00

6/15/26
Date

6/19/26
Date



Town of Beaufort, NC

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

Board of Commissioners Regular Meeting 6:00 PM- Monday, August 10, 2026 614 Broad Street, Beaufort NC

AGENDA CATEGORY: New Business
SUBJECT: Rock the Docks First Fridays

BACKGROUND:

Following the success and positive community response to the Rock the Docks summer concert series, Town staff recommends expanding the concept by hosting a concert on the first Friday of each month during the fall and spring. The proposed series is intended to encourage continued downtown visitation and support local businesses during the slower shoulder season months.

Staff recommends using the same event footprint, including the Western Parking Lot and John Newton Park, along with an alcohol waiver for John Newton Park during the events. As with Rock the Docks, the series is expected to be self-supporting through sponsorships, will utilize the Town's mobile stage, and will require Town staff support as needed.

Event dates include:

- September 4, 2026
- October 2, 2026
- November 6, 2026
- April 2, 2027
- May 7, 2027

REQUESTED ACTION:

Approve/deny the event as presented.

SUBMITTED BY: Jennifer Welborn, Community Engagement Director

BUDGET AMENDMENT REQUIRED: No.



Town of Beaufort, NC

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

Board of Commissioners Regular Meeting 6:00 PM Monday, August 10, 2026 Train Depot, 614 Broad Street Beaufort, NC 28516

AGENDA CATEGORY: New Business

SUBJECT: Proposed Fence/Wall at Randolph Johnson Park

AGENDA SUMMARY

Following the Board of Commissioners' June 22, 2026, work session, Town staff obtained cost estimates and information for several wall and fence options for the playground area at Louis Randolph Johnson Jr. Memorial Park. The proposed barrier is intended to enhance safety by creating a greater separation between the playground and the adjacent street (Carteret Avenue).

Staff will present recommendations for the Board's consideration.

REQUESTED ACTION:

Provide direction to staff regarding the proposed wall/fence at Louis Randolph Johnson Jr. Memorial Park.

EXPECTED LENGTH OF PRESENTATION: 5 Minutes

SUBMITTED BY: Jennifer Welborn, Community Engagement Director

BUDGET AMENDMENT REQUIRED: No



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

Board of Commissioners
Regular Meeting
6:00 PM – Monday, August 10, 2026
Train Depot, 614 Broad Street
Beaufort, NC 28516

AGENDA CATEGORY: New Business
SUBJECT: Carteret County- Beaufort Airport Authority
Appointment

REQUESTED ACTION:

The Town of Beaufort is responsible for appointing one representative to the Carteret County–Beaufort Airport Authority. Charles "Bucky" Oliver II currently serves in this capacity, and his two-year term is scheduled to expire on August 31, 2026.

In response to the upcoming vacancy, the Town solicited applications from interested individuals to be considered for appointment.

The Board of Commissioners is requested to appoint one (1) member to serve a two-year term on the Carteret County–Beaufort Airport Authority from the following applicants:

- Charles "Bucky" Oliver II
- Joseph Provenzano
- Barry Slade
- Susan Stallings

SUBMITTED BY:
Elizabeth Lewis, Assistant Town Manager/Town Clerk