



Town of Beaufort, NC

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

Town of Beaufort Board of Adjustment Regular Meeting 6:00 PM Monday, September 26, 2022 - Train Depot, 614 Broad Street, Beaufort, NC 28516 Monthly Meeting

Call to Order

Roll Call

Agenda Approval

Items of Consent

- [1.](#) Approval of the Order for 216 Ann Street

Minutes Approval

- [1.](#) BOA Draft Minutes for 8.22.22

Administration of Oaths

Quasi-Judicial Proceeding

- [1.](#) Variance Request for 141 Lewistown Road

Commission / Board Comments

Staff Comments

Adjourn



Town of Beaufort, NC

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**Town of Beaufort Board of Adjustment Regular Meeting
6:00 P.M. September 26, 2022 – 614 Broad Street – Train Depot**

AGENDA CATEGORY: Consent
SUBJECT: Approval of the Order for 216 Ann Street

BRIEF SUMMARY:

As part of the new General Statutes (160D), prior to Evidentiary Hearing Orders being signed and sent to the applicant/property owners, the Board in which conducted the hearing is to review the order for accuracy.

Staff has consulted with the Town Attorney and now asks that the Board of Adjustment Members review the order for such accuracy and be prepared to make a motion to recommend approval of the Order or to approve with Board recommend changes.

REQUESTED ACTION:

Review the order for such accuracy and be prepared to make a motion to recommend approval of the Order or to approve with Board recommend changes

EXPECTED LENGTH OF PRESENTATION:

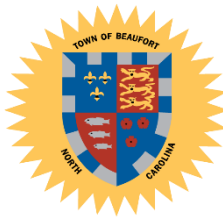
0 Minutes (Presentation From Staff)

SUBMITTED BY:

Kyle Garner, AICP Planning Director

BUDGET AMENDMENT REQUIRED:

N/A



TOWN OF BEAUFORT ORDER DENYING A VARIANCE

The Board of Adjustment for the Town of Beaufort, having held an evidentiary hearing on August 22, 2022, to consider Case # 22-06, submitted by Allen and Susan Marshall, a request for a reduction of the rear southwestern setback by from 25 feet to 7’2” (for a 17’10” inch encroachment) and a reduction of the eastern Designated Right-of-Way setback from 20’ to 15’4” (for an 4’8” encroachment), to build a second bathroom on the property located at 216 Ann Street, PIN # 730617101808000, Beaufort, NC, in a manner not permissible under the literal terms of the Town’s *Land Development Ordinance* (hereby known as “the *Ordinance*”), 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/FINDING OF FACT** after hearing testimony and reviewing the staff report and exhibits that strict application of the *Ordinance*, which would result in the denial of the requested variance, **would not** result in an unnecessary hardship due to the fact that there is an existing bathroom and based on the setbacks required by the Ordinance.
2. It is the Board’s **CONCLUSION/FINDING OF FACT** after hearing testimony and reviewing the staff report and exhibits that the hardship of which the applicant complains **does not** result from conditions peculiar to the applicant’s property.
3. It is the Board’s **CONCLUSION/FINDING OF FACT** after hearing testimony and reviewing the staff report and exhibits that the applicant purchased the property in its present configuration and therefore the hardship of which the applicant complains **did** result from the applicant’s own actions, in seeking to build a second bathroom.
4. It is the Board’s **CONCLUSION/FINDING OF FACT** after hearing testimony and reviewing the staff report and exhibits that if granted, the variance **would** be consistent with the general spirit, purpose and intent of the *Ordinance*, such that public safety is secured, and substantial justice achieved, the variance as granted will provide the addition of a second bathroom to the structure.

Therefore, on the basis of all the foregoing, **IT IS ORDERED** that the application for a **VARIANCE** be **DENIED**.

Ordered this ___ day of _____, 2022.

Wendi Oliver
Chair

Laurel Anderson
Board Secretary

NOTE: If you are dissatisfied with the decision of this Board, an appeal may be taken to the Clerk of Superior Court of Carteret County within thirty (30) days after the date this order is served on you. See Section 21-M of the Town of Beaufort’s *Land Development Ordinance*.

DRAFT



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**Town of Beaufort Board of Adjustment Regular Meeting
6:00 PM Monday, August 22, 2022
Minutes**

Call to Order

Chair Oliver called the August 22, 2022 Board of Adjustment regular meeting to order at 6:00 pm.

Roll Call

Members Present: Wendi Oliver, Cathy Reeve, Ann Carter, Virginia Cuthrell, and Nick Wilson

Members Absent: Barry Evans, Alternate, and Allison Long, Alternate

A quorum was declared with five members present.

Staff Present: Town Attorney Jill Quattlebaum, Kyle Garner, and Laurel Anderson.

Agenda Approval

Chair Oliver asked if there were any changes to the Agenda.

Chair Oliver made the motion to approve the Agenda and Member Reeve made the second. Chair Oliver took a vote that was unanimous.

Voting yea: Chair Oliver, Vice-Chair Reeve, Member Carter, Member Cuthrell, Member Wilson

Minutes Approval

Chair Oliver asked if there were any changes to the May 23, 2022 Meeting Minutes.

Member Reeve made the motion to approve the Minutes and Member Carter made the second. Chair Oliver took a vote that was unanimous.

Voting yea: Chair Oliver, Vice-Chair Reeve, Member Carter, Member Cuthrell, Member Wilson

Items of Consent

- 1. Approval of the Order for 215 Turner Street

Chair Oliver asked for a motion to approve the Order for 215 Turner Street.

Member Reeve made the motion to approve the Order and Member Carter made the second. Chair Oliver took a vote that was unanimous.

Voting yea: Chair Oliver, Vice-Chair Reeve, Member Carter, Member Cuthrell, Member Wilson

2. Approval of the Order for 1314 Ann Street

Chair Oliver asked for a motion to approve the Order for 215 Turner Street.

Member Reeve made the motion to approve the Order and Member Carter made the second. Chair Oliver took a vote that was unanimous.

Voting yea: Chair Oliver, Vice-Chair Reeve, Member Carter, Member Cuthrell, Member Wilson

New Business

Chair Oliver read a statement regarding how quasi decisions are made and who had standing and could participate and then asked Ms. Anderson to swear in Kyle Garner and the applicant, Susan Marshall, 216 Ann Street.

1. Variance Request for 216 Ann Street

Chair Oliver opened the hearing and Mr. Garner presented on behalf of staff, stating the homeowners are requesting a reduction of the rear southwestern setback from 25 feet to 7 feet 2 inches (for a 17 foot 10 inch encroachment) and a reduction of the eastern Designated Right-of-Way setback from 20' feet to 15.4 feet (for a 4 foot 6 inch encroachment). Mr. Garner entered the following into the record:

The property is zoned R-8 (Medium Density).
The use of the lot is compliant as it is developed as a single family residential.
The property has been in existence prior to adoption of any zoning standards.
The lot is non-conforming as it is less than 8,000 sq. ft. (4,977 sq. ft. surveyed)
The existing structure is non-conforming as it does not meet the current rear setback of 25 feet (14.2 feet) and the Designated Side (Right-of-Way) setback of 20 feet (15.4 feet) per survey.
If approved the Applicant will have to go before the Historic Commission for a Certificate of Appropriateness prior to the construction of any structure.
In February 2015 a front yard variance was granted reducing the setback from 25 feet to 5.8 feet (across Ann Street)

Member Reeve asked the applicant, Susan Marshall, where the current HVAC unit would be placed. Ms. Marshall stated that they were planning on adding a bathroom and there were other options as to the type and placement of the HVAC unit.

Member Carter asked about the hardship stated on the variance application, which was stated as the impact for the Historic Commission. Ms. Marshall replied that the hardship is the need for a second bathroom. Member Carter also asked if the neighbors had been contacted, and Ms. Marshall responded that they had been sent letters but no one had responded.

Chair Oliver requested a motion, and the Board voted on the following Findings of Fact:

- a. Unnecessary hardship would result from the strict application of this Chapter. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.

Member Carter made the motion to deny Finding of Fact #1 and Member Reeve made the second. Chair Oliver took a vote:

Voting yea: Chair Oliver, Vice-Chair Reeve, Member Carter, Member Wilson

Voting nay: Member Cuthrell

- b. The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.

Member Carter made the motion to deny Finding of Fact #2 and Chair Oliver made the second. Chair Oliver took a vote that was unanimous:

Voting yea: Chair Oliver, Vice-Chair Reeve, Member Carter, Member Cuthrell, Member Wilson

- c. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.

Member Carter made the motion to deny Finding of Fact #3 and Member Reeve made the second. Chair Oliver took a vote:

Voting yea: Chair Oliver, Vice-Chair Reeve, Member Carter, Member Cuthrell, Member Wilson

- d. Based on the neighbors being consulted and testimony of the applicant the spirit of the ordinance was being upheld. The requested variance is consistent with the spirit, purpose, and intent of this Chapter, such that public safety is secured, and substantial justice is achieved.

Member Carter made the motion for Finding of Fact #4 and Vice-Chair Reeve made the second. Chair Oliver took a vote that was unanimous:

Voting yea: Chair Oliver, Vice-Chair Reeve, Member Carter, Member Cuthrell, Member Wilson

Chair Oliver then asked for a motion for the denial of the variance.

Member Carter made the motion for the denial of the variance and Member Reeve made the second.

Chair Oliver took a vote that was unanimous.

Voting yea: Chair Oliver, Vice-Chair Reeve, Member Carter, Member Cuthrell, Member Wilson

Commission / Board Comments

There were no Board comments.

Staff Comments

There were no Staff comments.

Adjourn

Chair Oliver asked for a motion to adjourn the meeting.

Member Carter made the motion to adjourn and Vice-Chair Reeve made the second. Chair Oliver took a vote that was unanimous.

Voting yea: Chair Oliver, Vice-Chair Reeve, Member Carter, Member Cuthrell, Member Wilson

Wendi Oliver, Chair

Laurel Anderson, Board Secretary



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**Town of Beaufort Board of Adjustment Regular Meeting
6:00 P.M. September 26, 2022 – 614 Broad Street – Train Depot**

AGENDA CATEGORY: New Business
SUBJECT: Variance Request for 141 Lewistown Road

BRIEF SUMMARY:

Kyle & Kimberly Dixon are requesting a variance to allow for:

- ◆ Reduction in the lot area requirement in the R-20 Zoning District from 20,000 sq. ft. feet per lot to 17,344 sq. ft. so that a 37,344 square foot lot can be subdivided into two lots with one being 20,000 sq. ft. and the other 17,344 sq. ft.

REQUESTED ACTION:

Conduct Evidentiary Hearing
Decision on Request

EXPECTED LENGTH OF PRESENTATION:

15 Minutes (Presentation From Staff)

SUBMITTED BY:

Kyle Garner, AICP Planning Director

BUDGET AMENDMENT REQUIRED:

N/A

Memo

To: Beaufort Board of Adjustment

From: Kyle Garner, AICP, Planning Director

Date: September 7, 2022

Re: A request to reduce the lot area requirement in the R-20 Zoning District from 20,000 sq. ft. feet per lot to 17,344 sq. ft. so that a 37,344 square foot lot can be subdivided into two lots with one being 20,000 sq. ft. and the other 17,344 sq. ft.

Variance Request

Applicant: Kyle & Kimberly Dixon **Property Owner:** Same

Property Address: 141 Lewistown Road **PIN:** 731506483186000

Property Zoning District: R-20 (Residential Single Family District)

Flood Zone: AE - 7

Lot Dimensions: See Attached Survey as part of the application. The survey shows the lot dimensions as 248.83 feet (Lewistown Road Frontage) X 158.90 feet X 116.25 & 131.32 feet X 134.85 feet.

Request:

- ◆ Reduction of lot area requirement in the R-20 Zoning District from 20,000 sq. ft. feet per lot to 17,344 sq. ft. so that a 37,344 square foot lot can be subdivided into two lots with one being 20,000 sq. ft. and the other 17,344 sq. ft. (This would equal a reduction of 2656 sq. ft. for one lot from the R-20 Standard)

Description of Project:

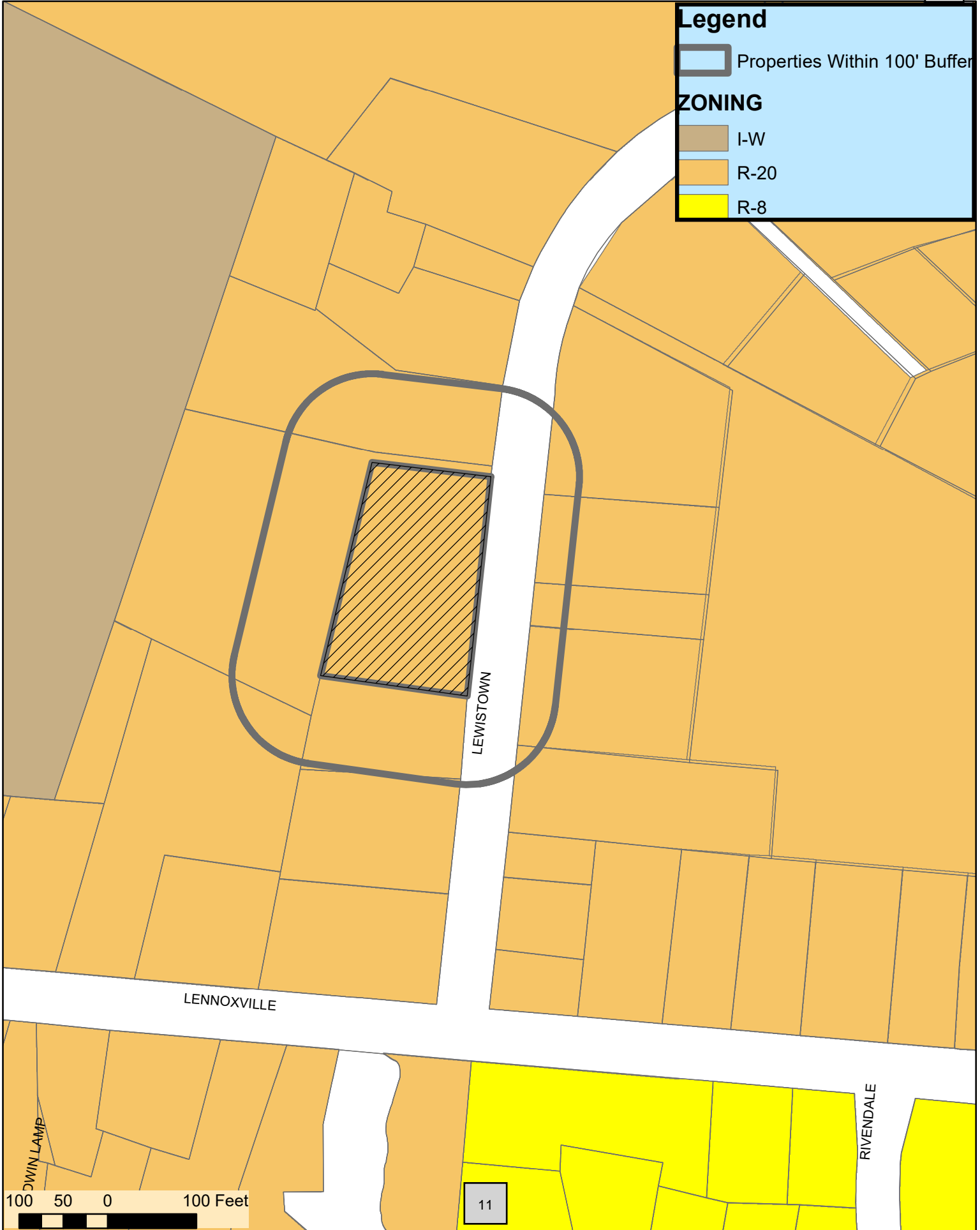
This property is an existing lot of record and was created prior to the implementation of the R-20 zoning and the setback requirements.

The applicant has submitted a written description as to why they request the variance.

Facts:

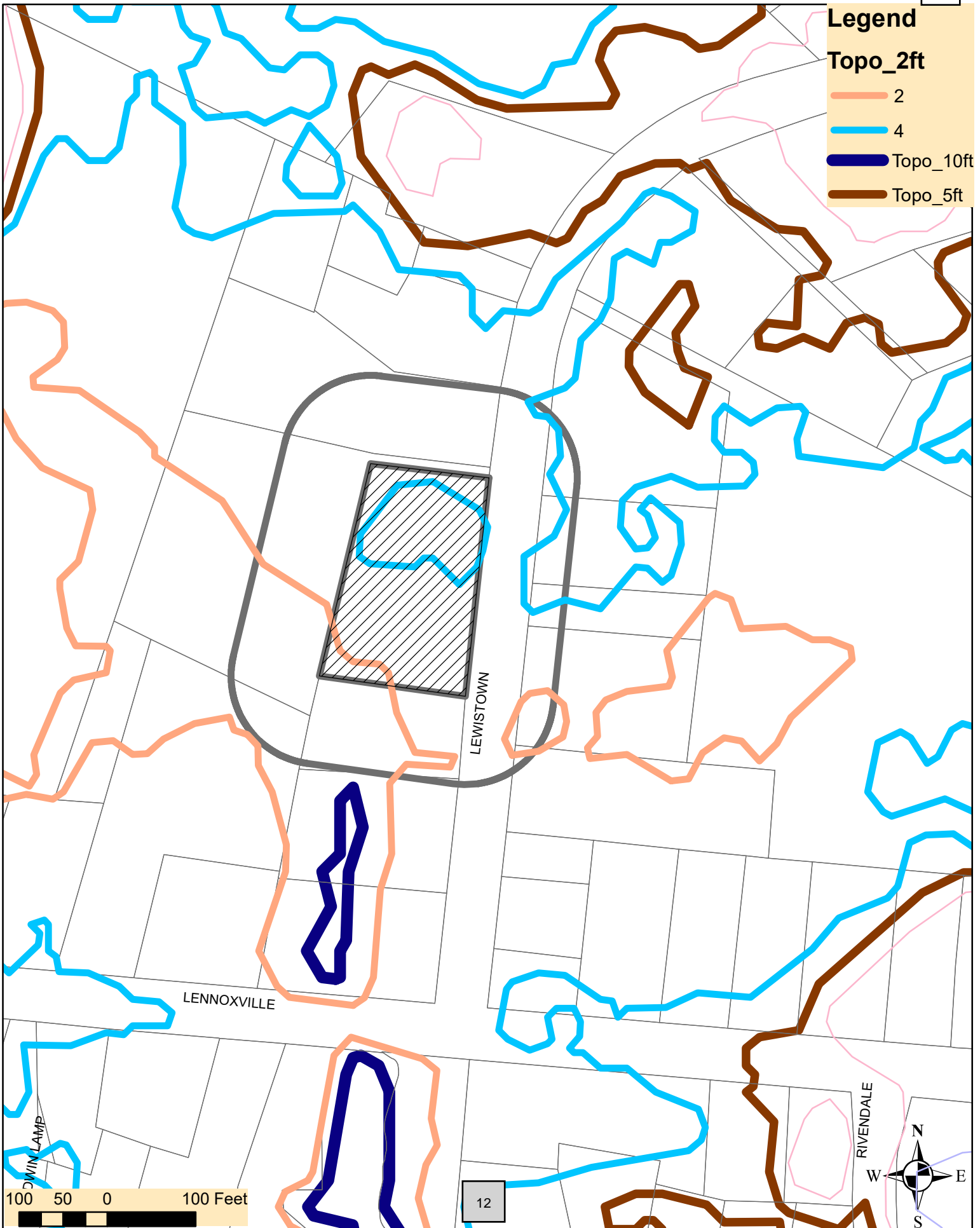
- The property is zoned R-20 (Residential Single Family District)
- The use of the lot is compliant as it is developed as a single family residential.
- The property has been in existence prior to adoption of any zoning standards.
- The lot **is** conforming as it is 37,344 sq. ft.
- The existing structure **is** conforming as it meets the current setback requirements per survey.
- The property is within a Special Flood hazard Area of AE-7.

Case # 22-07 - Variance Request - 141 Lewistown Road



Case # 22-07 - Variance Request - 141 Lewistown Road

1.



<u>OWNER</u>	<u>MAIL_HOU</u>	<u>MAIL_ST</u>	<u>MAIL_CITY</u>	<u>IL_ST</u>	<u>MAIL_ZI</u>	<u>MAIL_ADD2</u>
CROSON,DALE A ETAL CAROLYN R	149	LEWISTOWN ROAD	BEAUFORT	NC	28516	
DIXON,DAVID KYLE ETUX KIMBERLY	141	LEWISTOWN ROAD	BEAUFORT	NC	28516	
DUNN,LETTIE LOU PITTMAN L/T	42	CAVALIER ROAD	HAMPTON	VA	23669	
FIRST CITIZENS BANK & TR TRUST			RALEIGH	NC	27626	PO BOX 29522, CLN 13
LEWIS,WILLIAM D ETUX BRENDA N			MARSHALLBERG	NC	28553	PO BOX 73
MCDANIEL,GEORGE ETUX DANA	370	BRUINS RUN	ELKTON	VA	22827	
NORTON,WILSON JR ETAL	140	LEWISTOWN ROAD	BEAUFORT	NC	28516	
NORTON,WILSON JR L/T	140	LEWISTOWN RD	BEAUFORT	NC	28516	
STOYAN,CHRISTOPHER R	144	LEWISTOWN RD	BEAUFORT	NC	28516	
UTLEY,J MARVIN III	1440	TACKETTS POND DRIVE	RALEIGH	NC	27614	



APPLICATION FOR A VARIANCE OF LAND DEVELOPMENT STANDARDS FOR THE TOWN OF BEAUFORT

Instructions:

Please complete the application below, include all the required attachments, and the **application fee of \$300.00** and return to the Beaufort Town Hall, 701 Front Street or P.O. Box 390, Beaufort, N.C., 28516. Incomplete applications will not be processed but **will be** returned to the applicant. Please contact Planning and Inspections at 252-728-2142 with any questions.

APPLICANT INFORMATION

Applicant Name: David Kyle & Kimberly Dixon
 Applicant Address: 141 LEWISTOWN RD BEAUFORT NC 28516
 Phone Number: 252-723-6167 Email: DKDIXON64@YAHOO.COM

Property Owner Name: DAVID KYLE & KIMBERLY DIXON
 Address of Property Owner: 141 LEWISTOWN RD BEAUFORT NC 28516
 Phone Number: 252-723-6167 Email: DKDIXON64@YAHOO.COM

PROPERTY INFORMATION

Property Address: _____
 15-Digit PIN: 731506483186000 Lot/Block Number: n/a
 Size of Property (in square feet or acres): 17,344 s.f.
 Current Zoning: R-20 Is the property in the Historic District? No
 Current Use of Property: Residential Vacant Commercial Other: _____

Applicant Signature _____ Date of Signature _____
 Property Owner Signature (if different than above) _____ Date of Signature _____

An application fee of \$300.00, is to be paid by either cash, money order, or check made payable to the "Town of Beaufort" and must accompany this application. The complete application, payment, and supporting material must be received by Town Staff at least 15 working days prior to a regularly scheduled Board of Adjustment meeting date.

Please refer to the Town's *Land Development Ordinance*, [Section 3](#) and all other pertinent sections, for the information required to accompany this application.
The Town's website address is www.beaufortnc.com.

OFFICE USE ONLY

Revised 8/2020

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

REQUIRED ATTACHMENTS FOR A VARIANCE TO THE BEAUFORT ZONING REGULATIONS

Please provide the following as attachments to the variance request form:

- 1. A statement explaining the following:
 - The **specific requirements** of the Town of Beaufort that the applicant is asking to be varied (for example: the number of required parking spaces, any yard setbacks, height of a structure etc.) Please reference the exact chapter and section of the Land Development Ordinance (LDO) in question.
 - The **EXACT amount** of variance that is being requested. For example, the reduction of a placement of a structure by 5 feet within a setback area; a reduction of parking spaces by 7; or an increase in the amount of permitted signage by 16 square feet, etc.
 - The **reason for requesting the Variance**, including an explanation of why the Variance should be considered based on the criteria outlined in Section 21-I (1) of the LDO and any other relevant Sections of the Ordinance that may specifically pertain to the project (see attached excerpts of the code).

- 2. A site plan of the property drawn to scale and includes:
 - A North Arrow;
 - All property lines and accurate property line dimensions;
 - The adjacent streets and names;
 - The location of all easements (if applicable);
 - The location of all existing structures (if applicable);
 - The proposed location of new or expanded structures;
 - The current and proposed building setbacks from all property lines; and,
 - All parking areas, landscaping, and any other requirements of the zoning regulations.

- 3. A TYPED list all property owners (with addresses) within 100 feet of the boundary lines of all properties requesting the variance (notification of adjacent property owners by the Town is required by North Carolina law).

- 4. Any additional materials such as photographs of the surrounding properties, elevations of proposed structures or information that the applicant would like to present to the Board of Adjustment relevant to the requested variance.

- 5. Plans or other documents submitted for the Variance should be in an electronic/digital method as well as one paper copy.

APPLICATIONS ARE DUE 15 WORKING DAYS BEFORE A REGULAR BOARD MEETING.

David "Kyle" & Kimberly Dixon
141 Lewistown Rd
Beaufort, NC 28516

September 5, 2022

To the Town of Beaufort Board of Adjustment:

We are the current owners of 141 Lewistown Rd Beaufort, NC (PIN 731506483186000). Our current parcel is 37,344 ft² and is zoned R-20 Residential Single-Family District. Per Section 7 of the Land Development Ordinance for the Town of Beaufort, "all lots in this district shall be a minimum of twenty thousand square feet (20,000 ft²)".

We are requesting a variance as it relates to Section 7 to allow us to subdivide our parcel into two separate parts. One lot will contain our current home and will be 20,000 ft². The second lot will be 17,344 ft². That lot currently has no buildings or fixtures and is vacant. Our plans are outlined in an attached survey completed by Lin Byrd (Professional Land Surveyor, License # L-4662) on August 23, 2022.

We currently have no use for the vacant lot. Without a variance the land cannot be used by someone for building purposes, effectively rendering the lot useless.

Please see the attached for a list of all neighboring parcels and their owners within 100 ft of the property lines. We thank the Board for their consideration and stand ready to answer any questions about this request.

David "Kyle" Dixon


Kimberly Dixon


Section 21. Board of Adjustment

I) Variances.

The power of variances is to be sparingly exercised and only in rare instances and under exceptional circumstances and with due regard to the main purpose of the *Land Development Ordinance* (herein known as *the LDO* or *the Ordinance*): to preserve the property rights of others. No change in permitted uses may be authorized by variance.

1) Application Submittal.

An application for a variance shall be submitted to the Board of Adjustment (BOA) by filing a copy of the application with the Town.

2) Findings for the Variance.

When practical difficulties or unnecessary hardships would result from carrying out the strict letter of the LDO, the BOA shall have the power to vary or modify any of the regulations or provisions of the Ordinance so the spirit of the Ordinance shall be observed, public safety and welfare secured, and substantial justice done. A variance may be granted only upon affirmative finding of the following:

- a) Unnecessary hardship would result from the strict application of this Chapter. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property;
- b) The hardship results from conditions that are peculiar to the property such as location, size or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance;
- c) The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship; and,
- d) The requested variance is consistent with the spirit, purpose, and intent of this Chapter, such that public safety is secured and substantial justice is achieved.

K) Burden of Proof for Variances.

2) The applicant for a variance (request) shall have the burden of proof and persuasion.

L) Board Action on Variances.

2) Granting a Variance.

Before granting a variance, the BOA must take a separate vote and vote affirmatively by a four-fifths majority, on each of the four required findings stated in subsection I-2 of this Section. A motion to make an affirmative finding on each of the requirements set forth in subsection I-2 (see above reference) of this Section shall include a statement of the specific reasons or findings of fact supporting such motion.

3) Denying a Variance.

A motion to deny a variance shall be made if any one or more of the four required findings set forth in subsection I-2 (see above reference) of this Section are not satisfied or if the application is incomplete. A motion to deny a variance shall include a statement of the specific reasons or findings of fact which were not met and therefore caused the denial of the variance. The motion is adopted as the board's decision if supported by more than one-fifth of the board's voting membership in attendance (excluding vacant seats).

SECTION 7 Residential Zoning Districts

A) R-20 Residential Single-Family District.

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

1) Minimum Lot Size.

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

2) Minimum Lot Width.

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

3) Building Setback and Building Height Requirements and Limitations.

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

Table 7-1 Interior Lot Requirements

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

Table 7-2 Corner Lot Requirements

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

Table 7-3 Double Frontage Lot Requirements

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

4) Accessory Building Setback Requirements.

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

5) Permitted Uses.

Agritourism
Antenna Co-Location on Existing
Tower

Aquaculture
Assisted Living
Athletic Field, Public

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

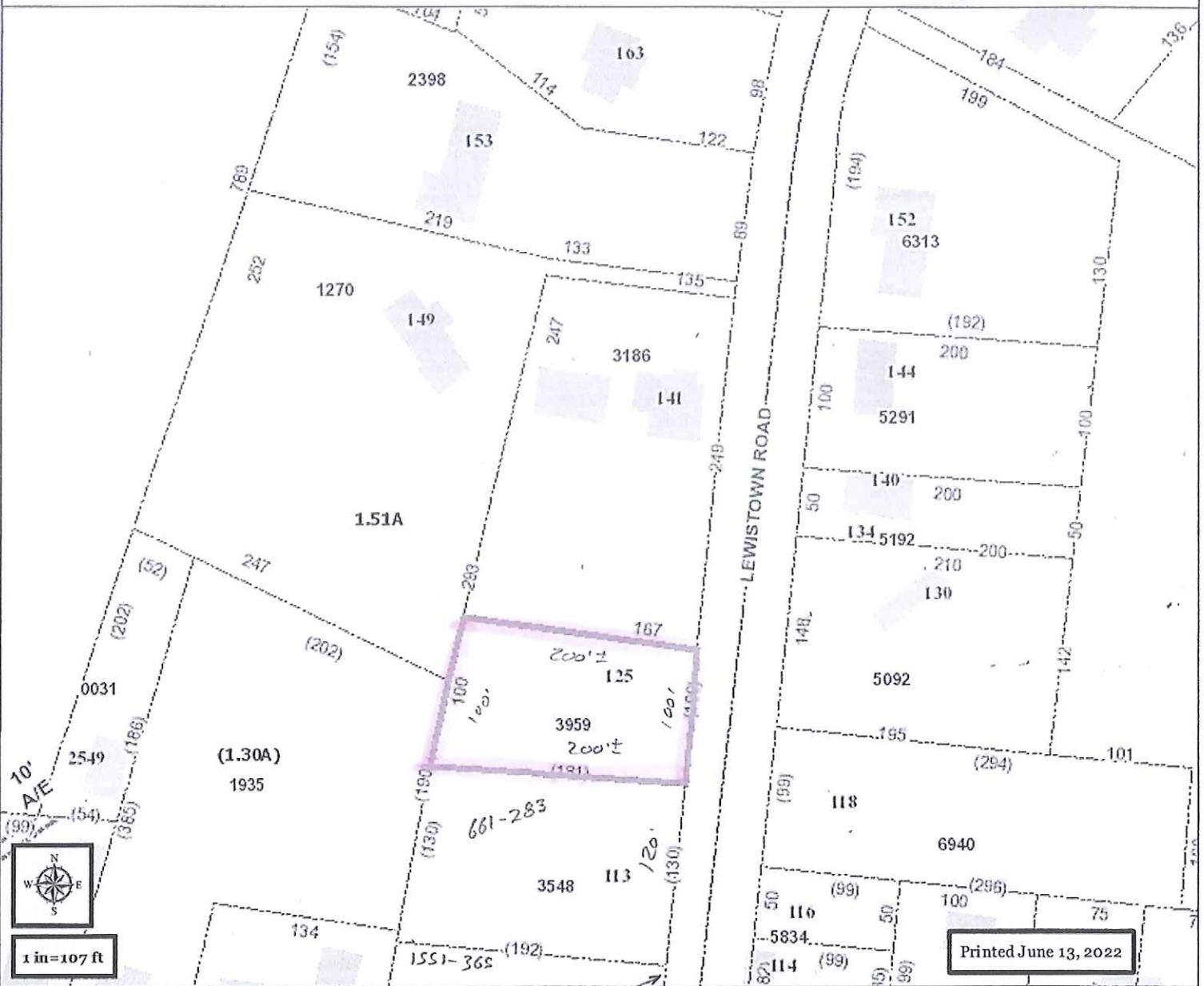
6) Special Uses (*Special Uses* text may be found in section 20 of this Ordinance).

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

Properties and owners within 100 ft of 141 Lewistown Rd Beaufort, NC

- 125 Lewistown Rd Beaufort
 - Marvin Utley- 1440 Tacketts Pond Dr Raleigh, NC 27614
- 113 Lewistown Rd Beaufort
 - William & Brenda Lewis- 113 Lewistown Rd Beaufort, NC 28516
- 2557 Lennoxville Rd Beaufort
 - Lettie Dunn- 42 Cavalier Rd Hampton, VA 23669
- 149 Lewistown Rd Beaufort
 - Dale & Carolyn Croson- 149 Lewistown Rd Beaufort, NC 28516
- 153 Lewistown Rd Beaufort
 - George & Dana McDaniel- 370 Bruins Run Elkton, VA 22827

Attached you will also find GIS printouts for all of the above properties.



Tax Parcel Information:

Owner:

UTLEY, J MARVIN III

Current PIN: 731506473959000

Physical Address:

125 LEWISTOWN RD
BEAUFORT

Mailing Address:

1440 TACKETTS POND DRIVE
RALEIGH NC 27614

Legal Desc:

LOT SR 1386 BEAUFORT

Prior PIN: 136

11019C0123

Roll Type: R

Township:

BEAUFORT

Neighborhood:

110046

City Limits:

AICUZ Zone:

Noise Level:

Year Built:

Bldg Htd Sq Ft:

Bldg Tot Sq Ft: 0

Tax District: 11

Land Value:

\$11,992

Bldg Value:

\$0

Other Value:

\$0

Total Value:

\$11,992

Sale Price:

\$0

Rescue District:

BEAUFORT RESCUE

Fire District:

BEAUFORT FIRE

Deed Date: 20020828

Deeded Acres:

0.399

GIS Acres: 0.410

Plat Ref: /

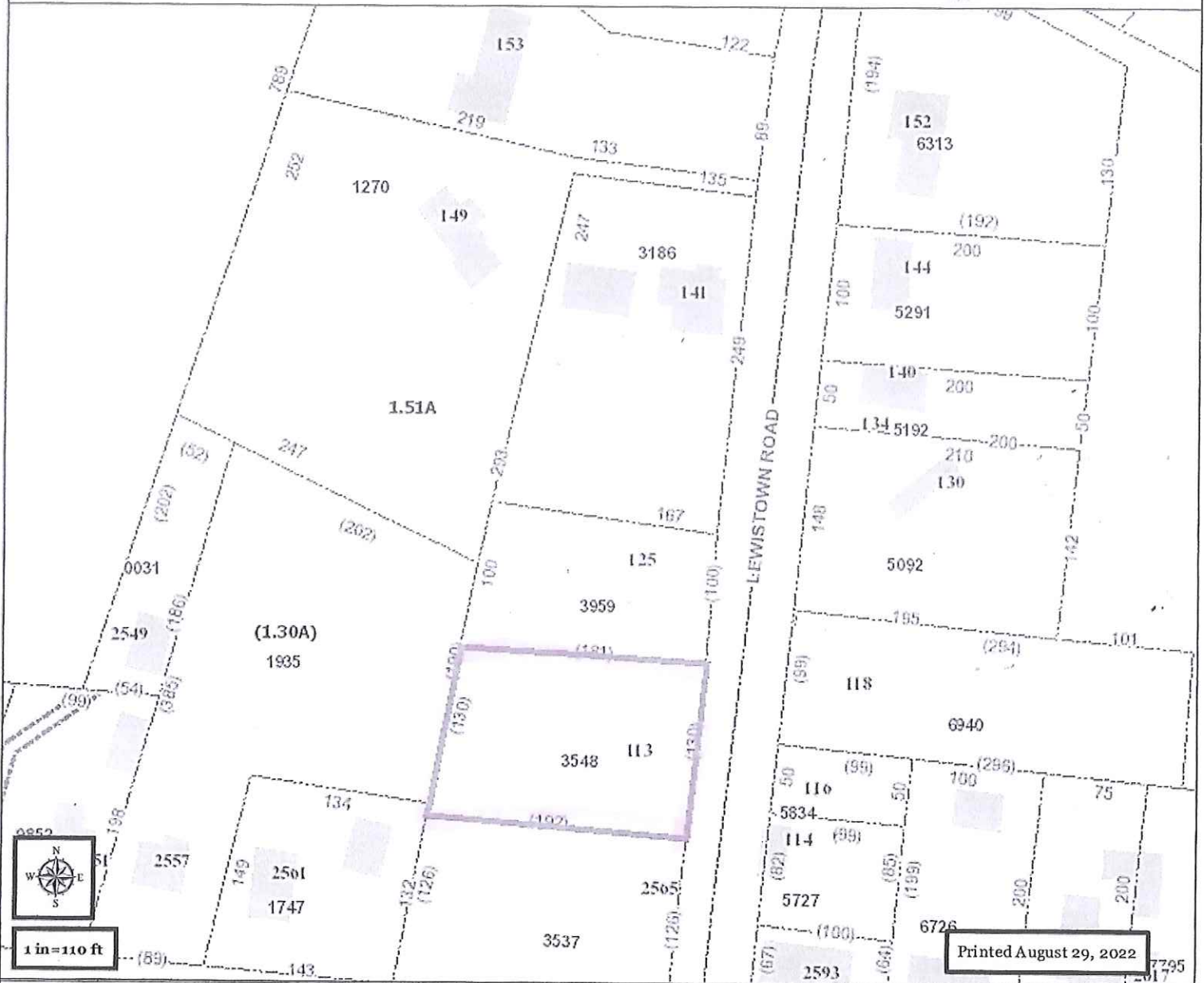
Deed Ref: 952 / 203

Bedrooms:

Bathrooms:

Use:

VACANT



Tax Parcel Information:

Owner:
LEWIS, WILLIAM D ETUX BRENDA N

Current PIN: 731506473548000

Physical Address:
113 LEWISTOWN RD
BEAUFORT

Mailing Address:
MARSHALLBERG NC 28553

Legal Desc:
LOT DIXON LAND SR 1386

Prior PIN:
11019C0126

Roll Type: R

Township:
BEAUFORT

Neighborhood:
110046

City Limits:

AICUZ Zone:

Noise Level:

Year Built:

Bldg Htd Sq Ft:

Bldg Tot Sq Ft: 0

Tax District: 11

Land Value:
\$21,845

Bldg Value:
\$0

Other Value:
\$0

Total Value:
\$21,845

Sale Price:
\$0

Rescue District:
BEAUFORT RESCUE

Fire District:
BEAUFORT FIRE

Deed Date: 0

Deeded Acres:
0.548

GIS Acres: 0.546

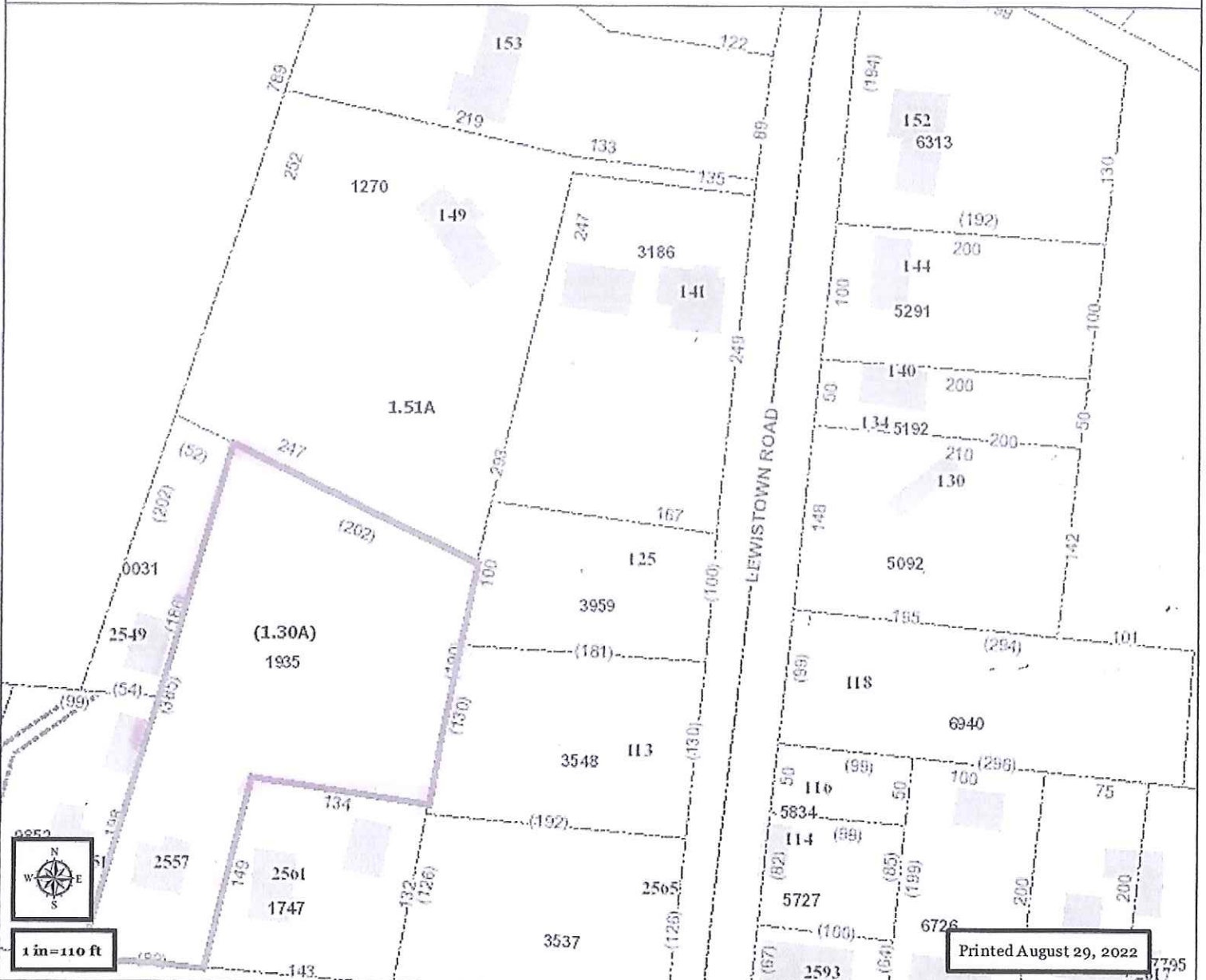
Plat Ref: /

Deed Ref: 661 /283

Bedrooms:

Bathrooms:

Use:
VACANT



Printed August 29, 2022

Tax Parcel Information:

Owner:

DUNN, LETTIE LOU PITTMAN L/T

Current PIN: 731506471935000

Physical Address:

2557 LENNOXVILLE RD
BEAUFORT

Mailing Address:

42 CAVALIER ROAD
HAMPTON VA 23669 2260

Legal Desc:

ACRE LENNOXVILLE RD

Prior PIN:

11019C0107

Roll Type: R

Township:

BEAUFORT

Neighborhood:

110042

City Limits:

AICUZ Zone:

Noise Level:

Year Built: 1950

Bldg Htd Sq Ft: 1512

Bldg Tot Sq Ft: 1,822

Tax District: 11

Land Value:

\$205,543

Bldg Value:

\$39,476

Other Value:

\$370

Total Value:

\$245,389

Sale Price:

\$0

Rescue District:

BEAUFORT RESCUE

Fire District:

BEAUFORT FIRE

Deed Date: 0

Deeded Acres:

1.325

GIS Acres: 1.302

Plat Ref: /

Deed Ref: 705 /490

Bedrooms: 3

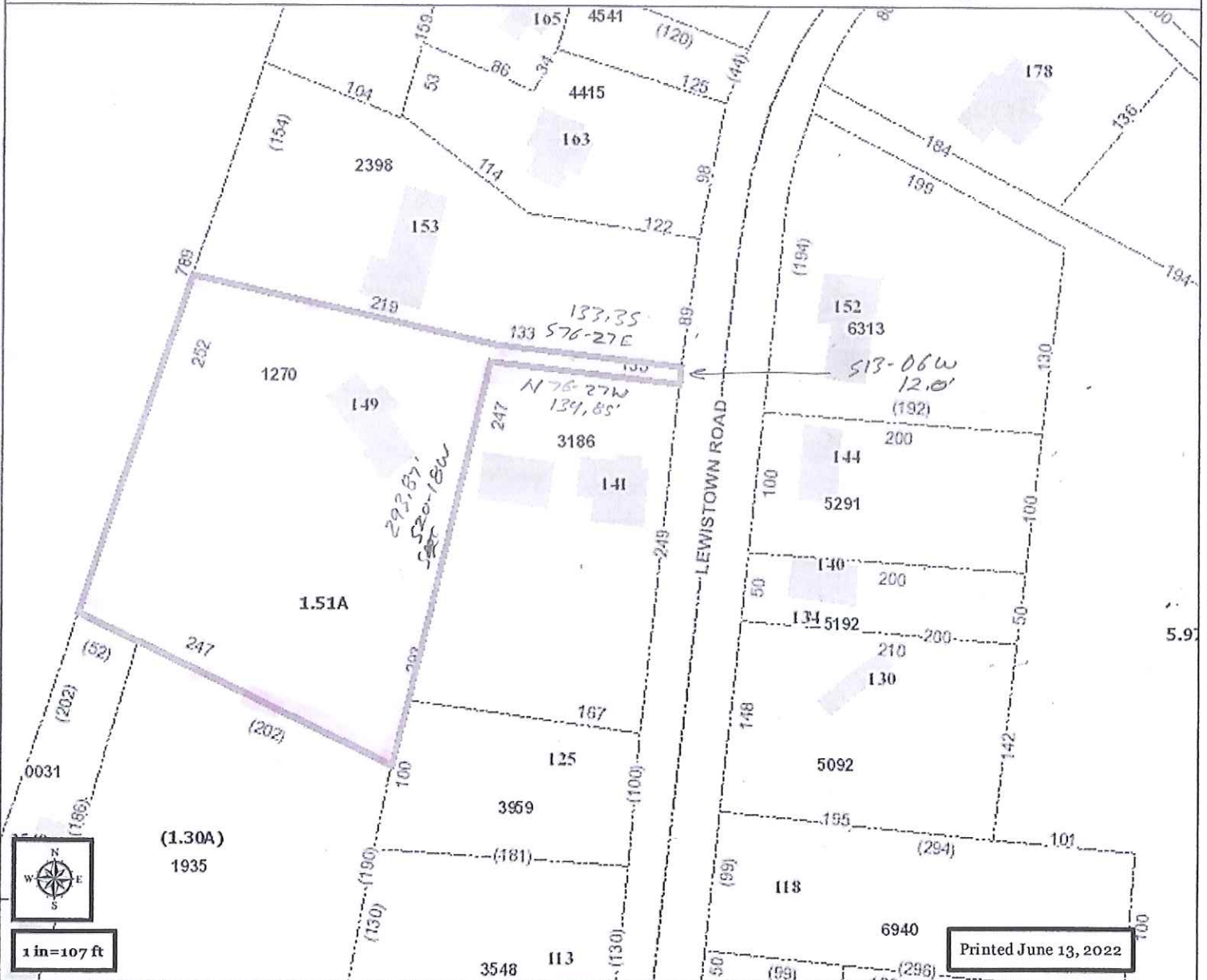
Bathrooms: 1

Use:

RESIDENTIAL

The information displayed by this website is prepared for the inventory of real property found within this jurisdiction and is compiled from recorded deeds, plats, and other public records and data. Users of this information are hereby notified that the aforementioned public primary information sources should be held responsible for the information contained on this site. Carteret County does not guarantee that the data is accurate or that the map services will be available to users without interruption or error. Furthermore, Carteret County may modify or remove map services and access methods at will.

verification of the information contained on this site. Carteret County assumes no legal responsibility for the information contained on this site. Carteret County does not guarantee that the data is accurate or that the map services will be available to users without interruption or error. Furthermore, Carteret County may modify or remove map services and access methods at will.



Tax Parcel Information:

Owner:

CROSON, DALE A ETAL CAROLYN R

Current PIN: 731506481270000

Physical Address:

149 LEWISTOWN RD
BEAUFORT

Mailing Address:

149 LEWISTOWN ROAD
BEAUFORT NC 28516

Legal Desc:

ACRE ADJ ATLANTIC VENEER

Prior PIN:

11019C0124

Roll Type: R

Township:
BEAUFORT

Neighborhood:

110046

City Limits:

AICUZ Zone:

Noise Level:

Year Built: 1981

Bldg Htd Sq Ft: 1628

Bldg Tot Sq Ft: 2,488

Tax District: 11

Land Value:

\$45,243

Bldg Value:

\$95,098

Other Value:

\$25,413

Total Value:

\$165,754

Sale Price:

\$215,000

Rescue District:

BEAUFORT RESCUE

Fire District:

BEAUFORT FIRE

Deed Date: 20200228

Deeded Acres:

1.474

GIS Acres: 1.558

Plat Ref: /

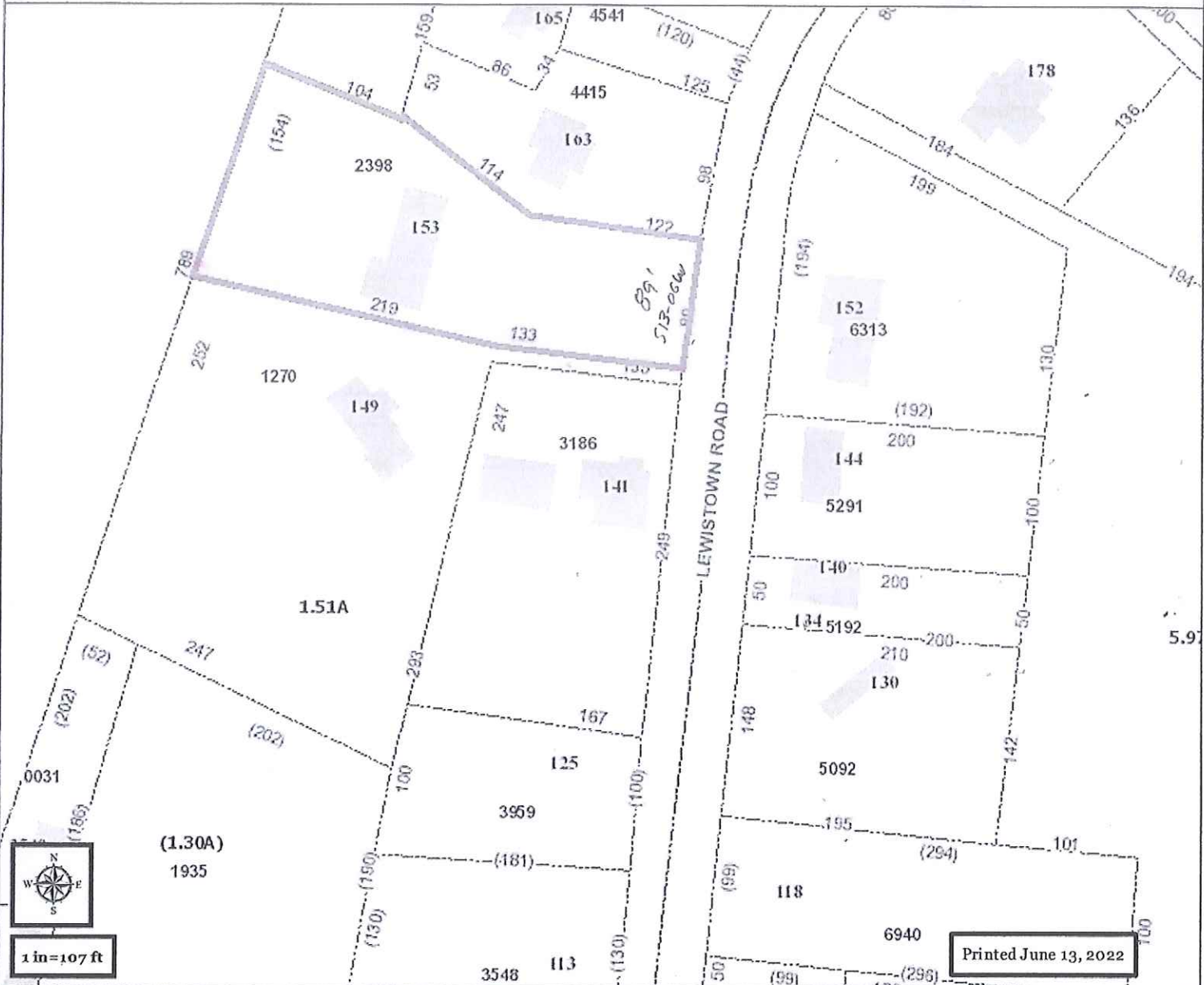
Deed Ref: 1664/340

Bedrooms: 3

Bathrooms: 2

Use:

RESIDENTIAL



Tax Parcel Information:

Owner:
MCDANIEL, GEORGE ET UX DANA

Current PIN: 731506482398000

Physical Address:
153 LEWISTOWN RD
BEAUFORT

Mailing Address:
370 BRUINS RUN
ELKTON VA 22827

Legal Desc:
LOT OFF SR1386 - BEAUFORT

Prior PIN: 11019C0109

Roll Type: R

Township: BEAUFORT

Neighborhood: 110046

City Limits:

AICUZ Zone:

Noise Level:

Year Built: 1960

Bldg Htd Sq Ft: 1940

Bldg Tot Sq Ft: 2,868

Tax District: 11

Land Value: \$28,551

Bldg Value: \$87,022

Other Value: \$2,423

Total Value: \$117,996

Sale Price: \$350,000

Rescue District: BEAUFORT RESCUE

Fire District: BEAUFORT FIRE

Deed Date: 20220224

Deeded Acres: 0.899

GIS Acres: 0.900

Plat Ref: /

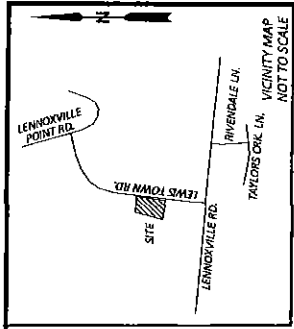
Deed Ref: 1758/107

Bedrooms: 3

Bathrooms: 1

Use: RESIDENTIAL





NOTE: THIS LOT IS LOCATED IN FLOOD ZONE AE
7 AND IS AS SHOWN PER
F.L.R.#. 372898001
EFFECTIVE DATE: 7-15-2008

NOTE: THE FLOOD LINES SHOWN ARE APPROXIMATE
LOCATIONS ONLY FROM THE REFERENCED FIRM AND
SHOULD NOT BE USED FOR ANY DEVELOPMENT OR
SUBJECT TO FUTURE CHANGES BY FEMA.

NOTE: THIS PROPERTY IS SUBJECT TO ANY AND ALL LOCAL
STATE OR FEDERAL REGULATIONS OR ORDINANCES IN
RELATION TO ANY DEVELOPMENT OR USE OF THE
APPROPRIATE AGENCIES. THE SURVEYOR IS NOT
TO ANY FURTHER DEVELOPMENT OF THE PROPERTY TO
ENSURE COMPLIANCE.

NOTE: THIS LOT IS SUBJECT TO ANY AND ALL ADDITIONAL
REQUIREMENTS OF ANY LOCAL, STATE
OR FEDERAL LAWS OR RULES.

NOTE: THIS PROPERTY IS SUBJECT TO ANY AND
ALL EASEMENTS, EIGHT-FOOT-WIDE OR
ADJOINING RECORDS.

NOTE: PIN NUMBERS SHOWN ARE CURRENT AS
OF THE DATE OF THIS SURVEY AND ARE
SUBJECT TO CHANGE IN THE FUTURE.

NOTE: THIS LOT IS SUBJECT TO ALL APPLICABLE C.A.M.A.
BUFFERS. THE BUFFERS SHOWN HEREON ARE APPROXIMATE
LOCATIONS ONLY. C.A.M.A. SHOULD BE CONTACTED TO
DETERMINE THE EXACT LOCATIONS OF ANY AND ALL BUFFERS
THAT APPLY TO THIS LOT.

NOTE: THE TOWN OF BEAUFORT PLANNING SHOULD BE CONTACTED
FOR ZONING ORDINANCES AND ANY OTHER
DEVELOPMENT RESTRICTIONS.

NOTE: THIS PROPERTY IS SUBJECT TO ANY AND ALL
ADJOINING RECORDS.

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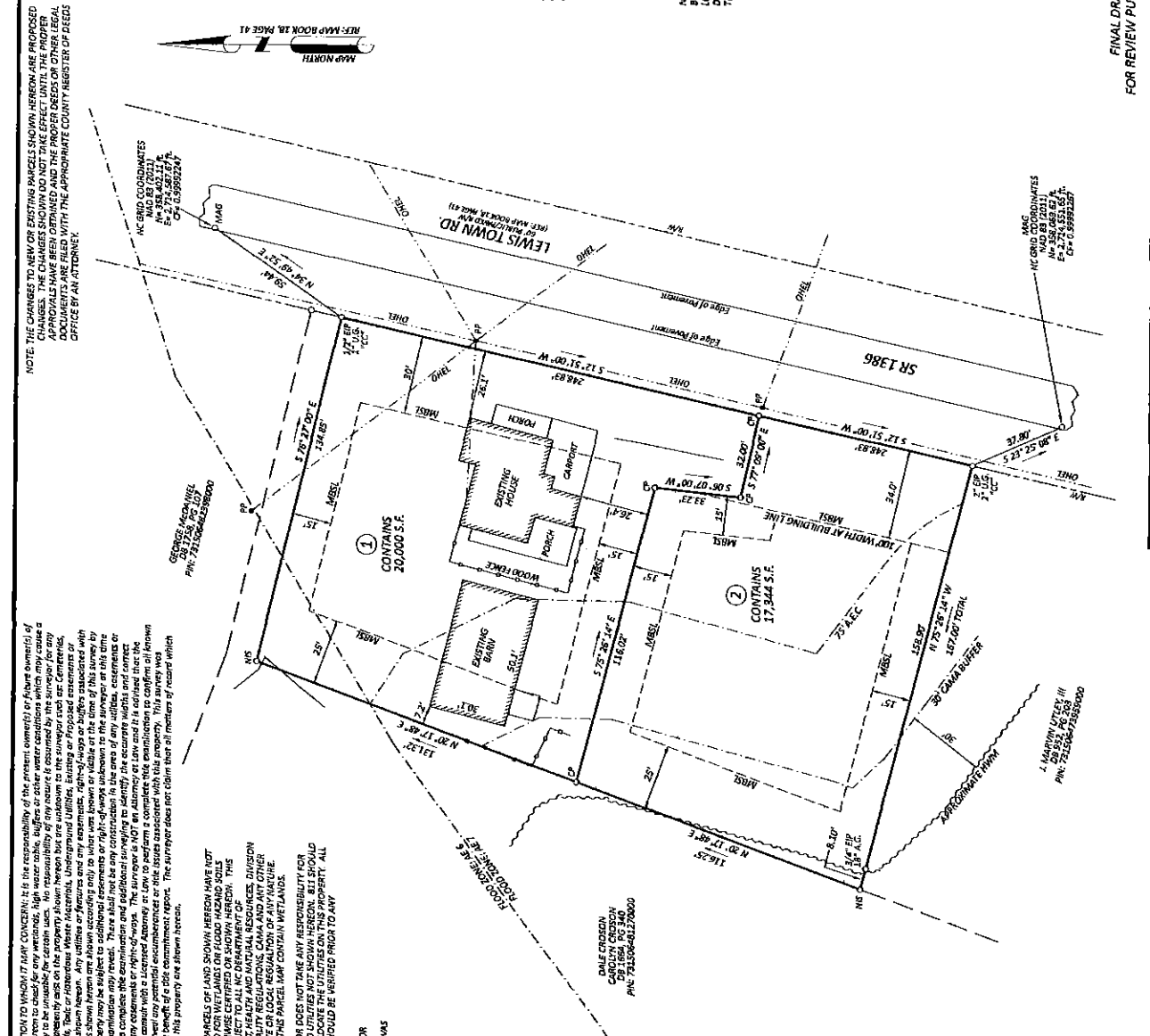
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NOTE: THE CHANGES TO NEW OR EXISTING PARCELS SHOWN HEREON ARE PROPOSED
APPROVALS HAVE BEEN OBTAINED AND THE PROPER DEEDS OR OTHER LEGAL
DOCUMENTS ARE FILED WITH THE APPROPRIATE COUNTY REGISTER OF DEEDS
OFFICE BY AN ATTORNEY.

NOTE: THIS PROPERTY IS SUBJECT TO ANY AND ALL
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SECTION 21 Board of Adjustment

The Board of Adjustment (BOA) is a “quasi-judicial” administrative body whose purpose is (i) to hear and decide appeals from and review any order, requirement, decision, or determination made by an administrative official charged with the enforcement of this Ordinance; (ii) to issue variances as authorized by this section and state law; and, (iii) to issue special use permits when required by this Ordinance. The responsibilities of the BOA are authorized and set forth by N.C.G.S. 160A, Article 19 (3).

A) Organization of the Board of Adjustment.

1) Board Membership.

The BOA shall consist of five regular and two alternate members. Three regular and one alternate member shall reside within the corporate limits of the Town of Beaufort and be appointed by the Town’s Board of Commissioners (BOC). Two regular and one alternate member shall be appointed by the Carteret County Board of Commissioners (CC BOC) and shall reside within the Town’s extraterritorial jurisdiction (ETJ). If despite good faith efforts, enough residents of the ETJ cannot be found to fill the seats reserved for such residents, the CC BOC may appoint other residents of the county to fill these seats. If the CC BOC fails to appoint ETJ members needed within ninety days after receiving a resolution requesting such action from the Town, the BOC may make the necessary appointments.

2) Term Limits.

BOA regular members and alternate members shall be appointed to serve a three-year staggered term and members may continue to serve until their successors have been appointed. Members may be reappointed to successive terms without limitation. Vacant seats and unexpired terms shall be filled by the BOC or the CC BOC as necessary.

3) Removal from Board.

a) Regular BOA members may be removed by the BOC at any time for failure to attend three consecutive meetings or for failure to attend seventy-five percent (75%) of the meetings within any twelve month period or for any other good cause related to performance of duties. Such failure will constitute a voluntary resignation of the member. Upon the request of the member proposed for removal, the BOC shall hold a hearing on the removal before it becomes effective.

b) Alternate members may also be removed for repeated failure to attend or participate in meetings when requested to do so in accordance with BOA established procedures. Upon request of the alternate member proposed for removal, the Town’s BOC shall hold a hearing on the removal before it becomes effective.

c) If a regular member or alternate member moves outside their particular planning jurisdiction within the Town it shall constitute a resignation of the member from the BOA.

d) If for reasons other than mentioned herein a member resigns from the board, a written notice shall be delivered to the Town Clerk at the member’s earliest convenience.

4) ETJ Members Rights.

ETJ regular members shall have equal rights, privileges, and duties as town members and may vote on all matters considered by the board regardless of whether or not the property affected lies within their planning jurisdiction.

5) Notification of Absences.

Regular members shall promptly notify the board secretary if they are unable to attend or participate in an upcoming meeting. The secretary shall notify an alternate member to attend when necessary. Assignments shall be rotated among the alternate members. When seated, any alternate member in attendance shall have the same powers and duties as the regular member they replace, including the ability to constitute a quorum for the purpose of the meeting regardless of whether the alternate is a regular or ETJ member.

B) ***Meetings of the Board of Adjustment.***

- 1) The BOA shall establish a regular meeting schedule and shall meet frequently enough so the board can take action on the issues for which they are appointed.
- 2) All meetings of the board shall be open to the public and whenever feasible, the agenda for each board meeting shall be made available to the public at least three business days in advance of the meeting.
- 3) The minutes of all meetings and hearings of the BOA shall be retained by the board secretary or his/her designee and all minutes shall be a public record once adopted by the BOA. This shall include all findings of fact and decisions of the board.
- 4) The Chairman of the BOA will have the authority to cancel a meeting of the BOA when notified by the Planning and Inspections Department there is no business to be considered at the meeting.

C) ***Quorum.***

1) Quorum Requirements.

- a) A majority of the members of the BOA board in attendance shall constitute a quorum at all meetings of the BOA. A quorum for the Board of Adjustment shall consist of a minimum of four members of the board qualified to vote.
- b) All actions of the BOA shall be taken by majority vote, a quorum being present.

2) Withdrawal from Meeting.

Any member who has withdrawn from the meeting without being excused shall be counted as present for the purposes of determining whether a quorum is present.

D) ***Deciding Cases.***

1) Voting.

- a) The concurring vote of four-fifths of the board shall be necessary to grant a variance.
- b) A majority of the members shall be required to decide any other quasi-judicial matter or to determine an appeal made in the nature of certiorari.
- c) For the purposes of this subsection, vacant positions on the board and members who are disqualified from voting on a quasi-judicial matter shall not be considered members of the board for calculation of the requisite majority if there are no qualified alternates available to take the place of such members.

2) Failure to Vote.

Once a member is physically present at a board meeting, any subsequent failure to vote shall be recorded as an affirmative vote unless the member has been excused in accordance with subsection D-3 of this section or has been allowed to withdraw from the meeting in accordance with subsection D-4 of this section.

3) Conflicts.

A member of the board shall not participate in or vote on any quasi-judicial matter in a manner which would violate affected persons' constitutional rights to an impartial decision maker. Impermissible conflicts include but are not limited to the following:

- a) A member having a fixed opinion prior to hearing the matter which is not susceptible to change;
- b) A member having undisclosed ex-parte communications;
- c) A member having a close familial business, or other associational relationship with an affected person;
- d) A member having direct or indirect financial interest in the outcome of the matter.

4) Voting Procedures Due to Conflict.

If an objection is raised to a member's participation and the member does not recuse himself or herself, the remaining members shall by majority vote rule on the objection.

5) Roll Call Vote.

A roll call vote shall be taken upon request of any member.

E) **Board of Adjustment Officers.**

1) Election of Officers.

- a) Officers will be elected during the first February meeting of the year of the BOA and by majority vote of its entire membership (excluding vacant seats).
- b) The board shall elect one of its members to serve as chairperson (chair) and preside over the board's meetings. The chair should always be one of the regular members. No chair may succeed them self for more than two consecutive terms.
- c) The board shall elect one member to serve as vice-chairperson (vice-chair). The vice-chair shall serve as acting chair in the chair's absence and at such times, he/she shall have the same powers and duties as the chair.
- d) A secretary will be appointed by majority vote of the members either from within its membership or outside. The secretary shall produce all necessary clerical items for the board including public notices, minutes, correspondence, etc. as directed by the chair.
- e) The persons so designated to fill these positions shall serve in these capacities for a term of one year. The officers may be eligible for reappointment.
- f) Vacancies may be filled for the unexpired terms of the chair and vice-chair only by majority vote of the board membership (excluding vacant seats).

2) Rules of Order.

The chair shall decide on all points of order and procedure consistent with the *The Zoning Board of Adjustment*, by Michael B. Brough and Philip P. Green, Jr., as updated; and the modified version of *Roberts Rules of Order*, as updated.

3) Chairpersons Rights.

- a) The chair or any member temporarily acting or appointed by the chair may administer oaths to witnesses coming before the board.
- b) The chair and vice-chair may take part in all deliberations and vote on all issues.

F) **Powers and Duties of Board of Adjustment.**

1) The BOA shall hear and decide:

Land Development Ordinance for the Town of Beaufort

- a) Appeals from and review of any order, decision, requirement, or determination made by the administrative official charged with the enforcement of this Ordinance, as provided in subsection H of this section.
 - b) Applications for variances, as provided in subsection I of this section.
 - c) Questions involving interpretations of the location boundary lines on the Official Zoning Map or ordinance text requirements as provided in subsection J of this section.
 - d) Any other matter the board is required to act upon by any other Town Ordinance or state law.
- 2) The board may adopt rules and regulations governing its procedures and operations not inconsistent with the provisions of this chapter.

G) *Public Notice of Hearings of the Board.*

- 1) Notice of hearings conducted pursuant to this section shall be mailed to the person or entity whose appeal, application, or request is the subject of the hearing; to the owner of the property which is the subject of the hearing if the owner did not initiate the hearing; to the owners of all parcels of land abutting the parcel of land which is the subject of the hearing, and to all owners of parcels within 100 feet of such land, and to any other persons entitled to receive notice as provided by this section. In the absence of evidence to the contrary, the Town may rely on the county tax listing to determine owners of property entitled to mailed notice. The notice must be deposited in the mail at least 10 days, but not more than 25 days, prior to the date of the hearing. Within the same time period, the planning staff shall also prominently post a notice of the hearing sign on the site which is the subject of the hearing or on an adjacent street or highway right-of-way. Such sign(s) shall be at least eighteen inches by twenty-four inches (18"x24") in dimension. The sign shall contain the following message:

NOTICE

This property is subject to a Zoning Hearing.

Contact Town Hall for more information at 252-728-2141.

Such sign may include additional information deemed relevant by the administrator of this Ordinance. If more than one contiguous lot or parcels of land are included in the variance application proposal, the Town may nonetheless post only one sign.

- 2) A public hearing shall be held by the BOA for an appeal, a variance, or an interpretation as described in subsection F of this section. A notice of the public hearing shall be given once a week for two successive calendar weeks and published in a newspaper having general circulation in Town. The notice shall be published the first time not less than ten days or not more than twenty-five days before the date affixed for the hearing. In computing such period, the day of publication is not to be included but the day of the hearing shall be included.
- 3) The person or persons mailing the notice of hearing pursuant to this section shall certify to the BOA the proper notice has been provided and such certificate shall be deemed conclusive in the absence of fraud.

H) *Appeals.*

1) Appeal Procedures.

- a) An appeal from any final order, decision, requirement, or determination of a Town official charged with the enforcement of this Ordinance may be taken to the BOA

Land Development Ordinance for the Town of Beaufort

by any person aggrieved. An appeal is taken by filing a written notice of appeal specifying the grounds thereof to the Town and the BOA. A notice of appeal shall be considered filed with the Town and the BOA when delivered to the Town’s Planning and Inspections Department, and the date and time of filing shall be entered on the notice of appeal by staff.

- b) An appeal must be made within thirty days after the date of the decision or order appealed from.
- c) Whenever an appeal is filed, Town staff shall forthwith transmit to the BOA all papers constituting the record relating to the action of the appeal.

2) Stay of the Appeal.

An appeal stays all actions by the Town official seeking enforcement of or compliance with the order or decision appealed from, unless the official certifies to the BOA, because of the facts stated in the certificate, a stay would, in his/her opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed except by order of the BOA or a court, issued on application of the party seeking the stay, for due cause shown, after notice to the official.

3) Modifications to Appeals.

The BOA may reverse or affirm (wholly or partly) or may modify the order, requirement, decision, or determination appealed from and shall make any order, requirement, decision or determination which in its opinion should be made in the case before it. To this end, the board shall have all the powers of the officer from whom the appeal was taken.

D) ***Variances.***

The power of variances is to be sparingly exercised and only in rare instances and under exceptional circumstances and with due regard to the main purpose of this Ordinance: to preserve the property rights of others. No change in permitted uses may be authorized by variance.

1) Application Submittal.

An application for a variance shall be submitted to the BOA by filing a copy of the application with the Town.

2) Findings for the Variance.

When practical difficulties or unnecessary hardships would result from carrying out the strict letter of this Ordinance, the BOA shall have the power to vary or modify any of the regulations or provisions of the Ordinance so the spirit of the Ordinance shall be observed, public safety and welfare secured, and substantial justice done. A variance may be granted only upon an affirmative finding of the following:

- a) Unnecessary hardship would result from the strict application of this Chapter. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property;
- b) The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance;
- c) The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that

Land Development Ordinance for the Town of Beaufort

may justify the granting of a variance shall not be regarded as a self-created hardship; and,

- d) The requested variance is consistent with the spirit, purpose, and intent of this Chapter, such that public safety is secured, and substantial justice is achieved.

J) Interpretations.

- 1) The BOA is authorized to interpret the zoning map and to pass upon disputed questions of lot lines or district boundary lines and similar questions. If such questions arise in the context of an appeal from a decision of the zoning official, they shall be handled as provided in subsection H of this section.
- 2) An application for a map interpretation shall be submitted to the BOA by filing a copy of the application with the Town. The application shall contain sufficient information to enable the board to make the necessary interpretation.
- 3) Where uncertainty exists as to the boundaries of districts as shown on the Official Zoning Map, the following rules shall apply:
 - a) Boundaries indicated as approximately following the centerlines of alleys, streets, highways, streams, or railroads shall be construed to follow such centerlines;
 - b) Boundaries indicated as approximately following lot lines in the Town or ETJ limits shall be construed as following such lines, limits, or boundaries;
 - c) Boundaries indicated as following shorelines shall be construed to follow such shorelines and in the event of a change in the shoreline shall be construed as continuing to follow such shorelines;
 - d) Where a district boundary divides a lot or where distances are not specifically indicated on the Official Zoning Map, the boundary shall be determined by measurement using the scale of the Official Zoning Map; and,
 - e) Where any street or alley is hereafter officially vacated or abandoned, the regulations applicable to each parcel of abutting property shall apply only to the portion of such streets or alleys added thereto by virtue of such vacation or abandonment.

K) Burden of Proof in Appeals, Interpretations, and Variances.

- 1) When an appeal is taken to the BOA in accordance with subsection H of this section, the appellant has the burden of proof and persuasion.
- 2) The applicant for a variance shall have the burden of proof and persuasion.

L) Board Action on Appeals and Variances.

1) Appeals.

With respect to appeals, a motion to reverse, affirm, or modify the order, requirement, decision, or determination appealed from shall include insofar as practicable, a statement of the specific reasons or findings of fact which support the motion. If a motion to reverse or modify is not made or fails to receive the four-fifths vote necessary for adoption, a motion to uphold the decision appealed from shall be in order. This motion is adopted as the board's decision if supported by more than one-fifth of the board's voting membership in attendance. (excluding vacant seats)

2) Granting a Variance.

Before granting a variance, the BOA must take a separate vote and vote affirmatively by a four-fifths majority, on each of the four required findings stated in subsection I-2

Land Development Ordinance for the Town of Beaufort

of this section. A motion to make an affirmative finding on each of the requirements set forth in subsection I-2 of this section shall include a statement of the specific reasons or findings of fact supporting such motion.

3) Denying a Variance.

A motion to deny a variance shall be made if any one or more of the four required findings set forth in subsection I-2 of this section are not satisfied or if the application is incomplete. A motion to deny a variance shall include a statement of the specific reasons or findings of fact which were not met and therefore caused the denial of the variance. This motion is adopted as the board's decision if supported by more than one-fifth of the board's voting membership in attendance (excluding vacant seats).

M) ***Review of Board's Decisions.***

Every decision of the board shall be subject to review by the Superior Court by proceedings in the nature of certiorari. Any petition for review by the Court shall be filed with the Clerk of Superior Court within thirty days after a written copy thereof is delivered to every aggrieved party who has filed a written request for such copy with the secretary or the chairperson of the board at the time of its hearing of the case, whichever is later. The decision of the board should be delivered to the aggrieved party either by personal service, or by registered or certified mail.

N) ***Deadlines for Applications to the Board.***

All applications and supporting materials shall be submitted to the Town's Planning and Inspections Department fifteen business days prior to the next regularly scheduled BOA meeting. Informational packets shall be delivered to board members seven days prior to the scheduled meeting.