



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, July 22, 2024 - Town Hall, 701 Front Street, Beaufort, NC 28516 Monthly Meeting

Call to Order

Roll Call

Agenda Approval

Minutes Approval

- [1.](#) BOA Draft Minutes for 032524

Board Training – Provided by Legal Council

Administration of Oaths

Quasi-Judicial Proceeding

- [1.](#) Variance Request for 121 Olga Road

New Business

- [1.](#) Discussion of proposed revised meeting schedule for the Board of Adjustment

Commission / Board Comments

Staff Comments

Adjourn

DRAFT



Town of Beaufort, NC

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**Town of Beaufort Board of Adjustment Regular Meeting
6:00 PM Monday, March 25, 20234
Minutes**

Call to Order

Town Attorney Quattlebaum called the March 25, 2024 Board of Adjustment regular meeting to order at 6:00 pm.

Roll Call

Members Present: Ann Carter, Clark Patton, Bruce Sheldon, and Nick Wilson

Members Absent: Wendi Oliver, Cathy Reeve

A quorum was declared with four members present.

Staff Present: Kyle Garner and Laurel Anderson.

Naming of Chair

Member Patton nominated Member Carter for Temporary Chair and Member Wilson gave the second. Ms. Quattlebaum took a vote that was unanimously approved.

Voting yea: Member Carter, Member Patton, Member Sheldon, and Member Wilson

Agenda Approval

Temporary Chair Carter asked if there were any changes to the Agenda.

Member Sheldon made the motion to approve the Agenda and Member Patton made the second. Temporary Chair Carter took a vote that was unanimous.

Voting yea: Temporary Chair Carter, Member Patton, Member Sheldon, and Member Wilson

Minutes Approval

Temporary Chair Carter asked if there were any changes to the February 26, 2024 Meeting Minutes.

Member Patton made the motion to approve the Minutes and Member Sheldon made the second. Temporary Chair Carter took a vote that was unanimous.

Voting yea: Temporary Chair Carter, Member Patton, Member Sheldon, and Member Wilson

Items of Consent

Member Wilson made the motion to approve the Order for Case #24-01, 307 Front St and Member Patton made the second. Temporary Chair Carter took a vote that was unanimous.

Voting yea: Temporary Chair Carter, Member Patton, Member Sheldon, and Member Wilson

Commission / Board Training

Ms. Quattlebaum requested the Members email suggestions for specific topics to Staff for upcoming training and gave a brief overview of Board of Adjustment responsibilities.

Commission / Board Comments

There were no Board comments.

Staff Comments

Ms. Anderson noted there is UNC School of Government training available online and that she would email that information to the Board Members.

Adjourn

Temporary Chair Carter asked for a motion to adjourn the meeting.

Member Sheldon made the motion to adjourn and Member Patton made the second. Temporary Chair Carter took a vote that was unanimous.

Voting yea: Temporary Chair Carter, Member Patton, Member Sheldon, and Member Wilson

Ann Carter, Temporary Chair

Laurel Anderson, Board Secretary



STAFF REPORT



To: Board of Adjustment Members
From: Michelle Eitner, Town Planner
Date: July 22, 2024
Case: #24-02 – Variance – 121 Olga Road

THE REQUEST: Teresa Sherman-Gach and Greg Gach, owners of subject property 121 Olga Road (PIN 731703228234000), has requested a variance to build a garage (over 16ft tall) up to 15 feet from the rear property line rather than 25 foot rear setback required by LDO Section 7.A.3.

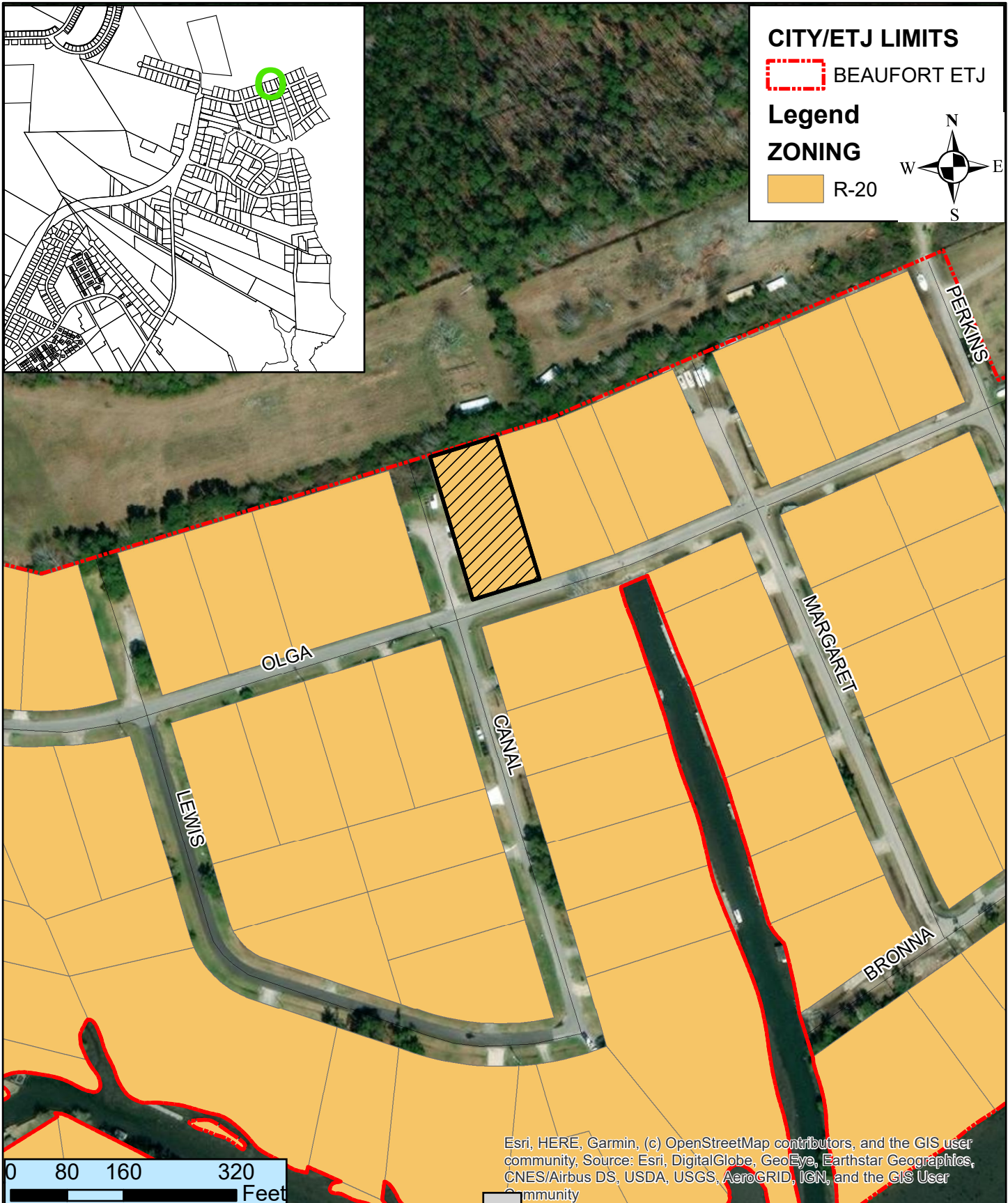
BACKGROUND:

Property Owner: Teresa Sherman-Gach and Greg Gach
Property Address: 121 Olga Road (Beaufort’s Extra Territorial Jurisdiction [ETJ])
PIN: 731703228234000
Zoning District: Residential Single-Family District (R20)
Flood Zone: AE-9
Lot Dimensions: See survey included in application package
Existing Land Use: Single-family residential
Utilities: Septic system and private water

EXHIBITS:

- Exhibit A – Staff Report
 - Exhibit B – Vicinity Map
 - Exhibit C – Variance Application Package
 - Exhibit D – Notification Certification
 - Exhibit E – LDO Section 7.A R20 Zoning District
-

Case #24-02 Variance Request 121 Olga Road Vicinity Map





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: Teresa Sherman-Gach and Greg Gach
Applicant Address: 11540 Kings Coach Road, Grand Blanc, MI 48439
Phone Number: (810) 624-9599 Email: gach919@yahoo.com

Property Owner Name: Teresa Sherman-Gach and Greg Gach
Address of Property Owner: 11540 Kings Coach Road, Grand Blanc, MI 48439
Phone Number: (810) 624-9599 Email: gach919@yahoo.com

PROPERTY INFORMATION

Property Address: 121 Olga Road, Beaufort NC
15-Digit PIN: 731703228234000 Lot/Block Number: Lot 1 52BF
Size of Property (in square feet or acres): 100 ft x 200 ft
Current Zoning: residential Is the property in the Historic District? No
Current Use of Property: Residential Vacant Commercial Other: _____

Gregory J. Gach 6/10/2024
Applicant Signature Date of Signature
Teresa Sherman-Gach 6/10/2024
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: _____

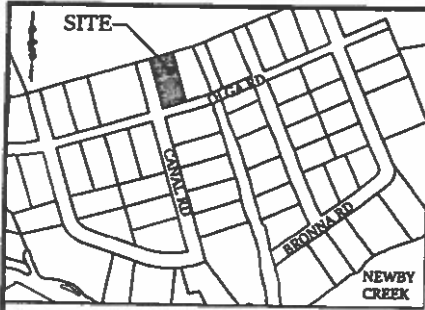
Attachment No. 1.

We are requesting a variance of the rear setback amount of 25 feet to 15 feet (Section 7 Residential Zoning District, subsection A)(3) - as relates to interior lot requirements and/or corner lot requirements.) I understand any structure on the property requires a 25 foot setback to the rear of the parcel. We plan to build a garage more than 16 ft in height, at the rear of the property and would like to build the garage 15 feet from the rear lot line, thereby reducing the setback by 10 feet (from 25 feet to 15 feet), and allow for the same setback as the side setback of 15 feet.

Our reasons for requesting the variance is: (1) to allow the building to be built further from the septic field; (2) to allow for the construction and placement of a proposed garage in a size and manner which would minimize any outside storage which would be visible to adjacent property owners; and (3) to allow for better aesthetics on the property, such as having additional space to plant shrubs in front of the garage to allow a more pleasing view of the back yard.

We plan to remove the above ground pool which is currently located near the proposed building location.

The property to the rear is vacant land, i.e., there are no residents currently living on the property. Our understanding is that there are mobile homes/trailers currently on the property; however, we understand they are used for temporary hunting purposes and there are no permanent residents on that property. Our understanding is that the property has remained vacant land for more than 50 years, and we are unaware of any current plans to build on the property. We do not believe that granting this variance would cause any undue hardship or adverse effects to any of the nearby property owners.



VICINITY MAP (N.T.S.)

LEGEND

- EIR= EXISTING IRON ROD
- EIP= EXISTING IRON PIPE
- NIS= NEW IRON SET
- BOUNDARY LINE
- RIGHT-OF-WAY LINE
- NON-SURVEYED LINE (PLATTED BY DEED)
- MINIMUM-BUILDING LINE

NOTES

1. ALL AREAS CALCULATED BY COORDINATE GEOMETRY. PARCEL AREA = 20,000 FT² OR ± .459 ACRES. EX. IMPERVIOUS: 4,320.06/20,000 = 21.6%.
2. ALL BEARINGS AND COORDINATES ARE BASED ON N.C. STATE PLANE COORDINATE SYSTEM; NAD 83 (2011).
3. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES. UNITS: US SURVEY FOOT.
4. THIS PARCEL IS ZONED R-20 PER THE TOWN OF BEAUFORT UNIFIED DEVELOPMENT ORDINANCES. SETBACKS INCLUDE: 30' FRONT, 15' SIDE AND 25' REAR.
5. THIS PROPERTY IS LOCATED IN A SPECIAL FLOOD HAZARD AREA DESIGNATION: "AE" WITH A BASE FLOOD ELEVATION OF 9' AS DETERMINED BY THE NATIONAL FLOOD INSURANCE PROGRAM, FIRM PANEL 310731001, DATED 7/16/2003.

I, JEREMY T. MCCOMBS, CERTIFY THAT THIS MAP WAS COMPLETED UNDER MY DIRECTION AND RESPONSIBLE CHARGE FROM A SURVEY UNDER MY DIRECT SUPERVISION; THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN REFERENCES HEREON; THAT THIS MAP MEETS THE REQUIREMENTS OF THE "STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA" (21 NCAC 56.1600).

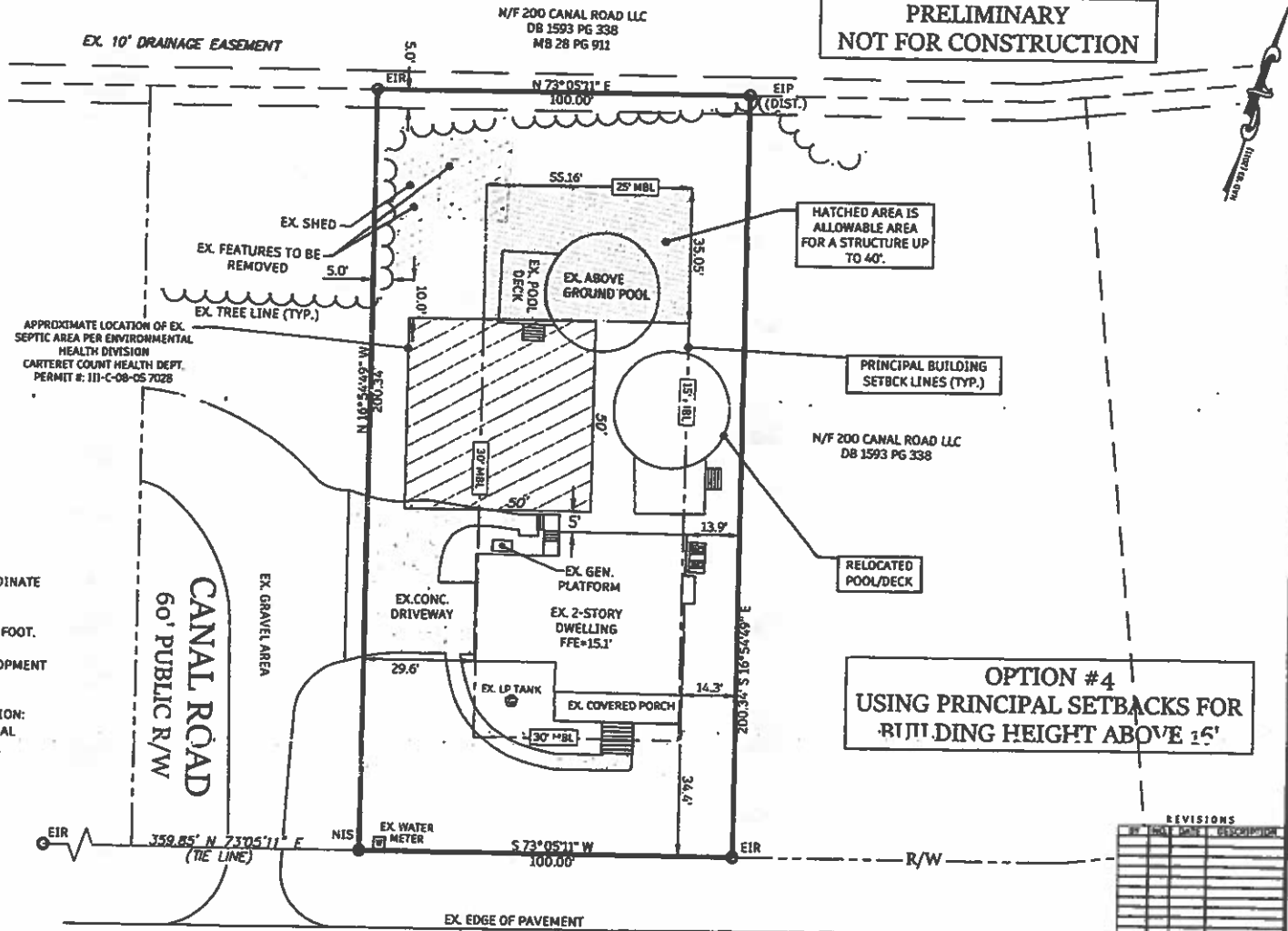
WITNESS MY ORIGINAL SIGNATURE AND SEAL THIS THE 13TH DAY OF FEBRUARY, 2023.

PRELIMINARY

PROFESSIONAL LAND SURVEYOR L-5355

PROJECT NO: 4SM452-001

BRANCH NO: SURVEY



PRELIMINARY
NOT FOR CONSTRUCTION

OPTION #4
USING PRINCIPAL SETBACKS FOR
BUILDING HEIGHT ABOVE 15'

NO.	DATE	BY	DESCRIPTION

OLGA ROAD
60' PUBLIC R/W



BOUNDARY & LOCATION SURVEY FOR:
L1 S2 BF OAKWOOD ACRES
PHYSICAL ADDRESS: 121 OLGA ROAD
TAX PARCEL: 73170322824000 D.B. 1718 PG 35; M.B. 15 PL. 50
BLAINE, CARTERET COUNTY, NORTH CAROLINA

OWNER: TERESA & GREGORY GACH
ADDRESS: 11540 KINGS COACH ROAD
GRAND BLAINE, NC 28539
PHONE: N/A

STROUD ENGINEERING, P.A.
422 HIGHWAY 26
MOREHEAD CITY, NC 28557
(252) 247-7479

SURVEYED: BRB
DRAWN: CBL
APPROVED: JTM
DATE: 2/13/23
SCALE: 1"=30'
SHEET 1 OF 1

Tax Parcel Information:



Owner: 200 CANAL ROAD LLC

Current PIN: 731703229238000

Site Address:

123 OLGA RD
BEAUFORT

Mailing Address:

5407 CEDAR TREE LANE
EMERALD ISLE NC 28594

Legal Description:

L2 S2 BF OAKWOOD ACRES

Prior PIN: 11013D0612

City Limits:

Rescue District: BEAUFORT RESCUE

Fire District: BEAUFORT FIRE

Tax District: 1175

Township: BEAUFORT

Use: VACANT

Land Value: \$4,170

NBHD: 110020

Bldg Value: \$0

Bldg Htd Sq Ft:

Other Value: \$0

Bldg Tot Sq Ft: 0

Total Value: \$4,170

Year Built:

Sale Price: \$300,000

Noise Level:

Deeded Acres: 0.459

AICUZ Zone:

Plat Ref: 28 / 911

GIS Acres: 0.482

Deed Ref: 1593 / 338

Roll Type: R

Bedrooms:

Deed Date: 20171122

Bathrooms:



Printed October 12, 2022

Attachment No. 3 - Property owners within 100 feet of boundary lines

- A. 200 Canal Road LLC, 5407 Cedar Tree Lane, Emerald Isle, NC 28594-3506
- B. Yelton, Matthew, 119 Olga Rd, Beaufort, NC 28516-9678
- C. Geer, Paul H III Etux Nancy L/T Geer, Paul, 308 Canal Rd, Beaufort, NC 28516-7868
- D. Tickle, William R Jr, Etux Miche Miche, 125 Olga Rd, Beaufort, NC 28516-9679



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Notification Certification
Case #24-02 121 Olga Road Adjacent Neighbors
Variance Request – July 22, 2024 Board of Adjustment meeting

MCCORMICK ROBERT PERRY III 120 OLGA RD BEAUFORT, NC 28516 MCCORMICK ROBERT PERRY III	GUPTON CHRISTOPHER M 127 NORWOOD GUPTON RD LOUISBURG, NC 27549-8061 GUPTON CHRISTOPHER M
200 CANAL ROAD LLC 5407 CEDAR TREE LANE EMERALD ISLE, NC 28594 200 CANAL ROAD LLC	GACH TERESA K ETVIR GREGORY J 11540 KINGS COACH ROAD GRAND BLANE, MI 48439 GACH TERESA K ETVIR GREGORY J
GEER PAUL H III ETUX NANCY L/T 308 CANAL ROAD BEAUFORT, NC 28516 GEER PAUL H III ETUX NANCY L/T	

I, *Michelle Eitner*, Town Planner for the Town of Beaufort do hereby certify the above property owners, applicants, and adjacent property owners were each mailed a letter and vicinity map on July 2, 2024, regarding a request for a Variance at 307 Front Street. A sign was posted on the subject property on July 2, 2024 regarding the same.

An additional letter and vicinity map were mailed on July 10th identifying the updated location of the meeting (from Train Depot to Town Hall) and the sign was also updated on July 10th.

The variance request will be heard at the July 22, 2024 Board of Adjustment meeting at the Town Hall Conference Room, 701 Front Street, Beaufort, NC, at 6:00 p.m.

Signed

Date

Mayor Sharon Harker
Commissioner Bucky Oliver • Commissioner Melvin Cooper
Commissioner Paula Gillikin • Commissioner John LoPiccolo • Commissioner Sarah Spiegler
Town Manager Todd Clark

SECTION 7 Residential Zoning Districts

A) **R-20 Residential Single-Family District.**

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

1) Minimum Lot Size.

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

2) Minimum Lot Width.

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

3) Building Setback and Building Height Requirements and Limitations.

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

Table 7-1 Interior Lot Requirements

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

Table 7-2 Corner Lot Requirements

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

Table 7-3 Double Frontage Lot Requirements

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

4) Accessory Building Setback Requirements.

All accessory buildings 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.

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

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

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



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**Town of Beaufort Board of Adjustment Regular Meeting
6:00 P.M. July 22, 2024 – 701 Front Street – Town Hall**

AGENDA CATEGORY: New Business
SUBJECT: Discussion of proposed revised meeting schedule for the Board of Adjustment

BRIEF SUMMARY:

Recently there have been conflicts with the Board of Adjustment and Board of Commissioners sharing the depot on the fourth Monday of the month due to work sessions going longer than 6:00 PM. To address this conflict the staff is proposing a change in the day the BOA would meet to the fourth Tuesday of the month and propose a time change as well from 6:00 PM to 4:00 PM. Staff has already confirmed with legal staff that there would not be a conflict with their schedule. Attached is a copy of the revised schedule to discuss and determine if a change of day and time is agreeable with the group.

REQUESTED ACTION:

Review the proposed schedule with a time change to 4:00 PM

EXPECTED LENGTH OF PRESENTATION:

10 Minutes

SUBMITTED BY:

Kyle Garner, AICP Planning Director

BUDGET AMENDMENT REQUIRED:

N/A

**Board of Adjustment Meeting Dates
2024
(Fourth Tuesday of the Month)**

Submission Deadline	Meeting Date
1/2/2024	1/23/2024
2/6/2024	2/27/2024
3/5/2024	3/26/2024
4/2/2024	4/23/2024
5/7/2024	5/28/2024
6/4/2024	6/25/2024
7/2/2024	7/23/2024
8/6/2024	8/27/2024
9/3/2024	9/24/2024
10/1/2024	10/22/2024
11/5/2024	11/26/2024
12/3/2024	12/24/2024*

* Town Hall closed due to Holiday Schedule