



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, April 11, 2022
Train Depot, 614 Broad Street
Beaufort, NC 28516**

Call to Order

Pledge of Allegiance

Roll Call

Agenda Approval

Public Comment

Presentations

1. U.S. Army Corps of Engineers- Dredging Update

Manager Report

Items of Consent

1. Minutes
2. NCLM Voting Delegate

Items for Discussion and Consideration

1. NCDEQ-DWI Spring 2022 Applications

Public Hearing

1. Zoning Text Amendment - Duplexes as a Permitted Use in the TR Zone

Mayor/Commissioner Comments

Closed Session

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

Adjourn



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, April 11, 2022
Train Depot, 614 Broad Street**

AGENDA CATEGORY: Presentations
SUBJECT: U.S. Army Corps of Engineers- Dredging Update

SUMMARY:
Brennan Dooley, Project Manager with the United States Army Corps of Engineers will be giving a presentation on dredging projects and updates in the area.

EXPECTED LENGTH OF PRESENTATION:
15 Minutes

SUBMITTED BY:
Todd Clark, Town Manager

BUDGET AMENDMENT REQUIRED:
N/A



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, April 11, 2022
Train Depot, 614 Broad Street**

AGENDA CATEGORY: Items of Consent
SUBJECT: Minutes

REQUESTED ACTION:

Approval of minutes from the following meetings:

- February 14, 2022
- February 28, 2022
- March 10-11, 2022
- March 14, 2022
- March 28, 2022

SUBMITTED BY:

Elizabeth Lewis, Town Clerk

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

**Town of Beaufort Board of Commissioners
Regular Meeting
6:00 PM Monday, February 14, 2022
Via Zoom Due to COVID-19 Pandemic
Minutes**

Call to Order

Mayor Harker called the meeting to order at 6:01 PM

Roll Call

Elizabeth Lewis, Town Clerk, called the roll.

PRESENT:

Mayor Harker

Mayor Pro-Tem Hagle

Commissioner Cooper

Commissioner Hollinshed

Commissioner Oliver

Commissioner Terwilliger

Agenda Approval

Commissioner Hagle made a motion to approve the agenda.

Voting Yea: Commissioner Terwilliger, Commissioner Cooper, Commissioner Hollinshed,
Commissioner Oliver, Commissioner Hagle

Manager Report

Todd Clark, Town Manager, gave a report on several topics and happenings throughout Town. He said the Annual Audit Report was being prepared, with an anticipated presentation date of February 28, 2022 at the Board of Commissioners Work Session meeting. The auditor will furnish both electronic and

hard copies of the audit results and those are expected by the end of the week. No action will be required by the board and if there are any questions.

Mr. Clark gave a recap of the CARES Act Funding, how much the Town received and how those funds were distributed; the total amount of funding was \$94,760 and were used for purposes such as: purchasing payroll software and other equipment that allowed staff to work remotely; a drone; microphones and camera equipment for board meetings; and Personal Protective Equipment (PPE). Mr. Clark also gave some background on the American Rescue Plan Act Funding, stating the total amount that the Town will receive is \$1,418,841.00; to this point one of two distributions has been received, which is 50% of the funds; the remainder of the distribution will take place in July 2022. He went over the two separate Capital Project Ordinances that were approved by the board last November; it was broken down as follows: \$60,000 Stormwater improvements; \$500,000 for Water Treatment Plant site evaluation and land purchase; \$740,000 to replace sewer pump station #7; \$20,000 for hybrid audio/visual meeting equipment; and there is a balance of \$98,841.00 that is unallocated.

Mr. Clark announced the Annual Board Retreat would be March 10-11, 2022; he and the Mayor were in the process of finalizing the agenda. He said Chris Aycocock with The Aycocock Group would be facilitating the meeting.

Mr. Clark reported that staff had been working with NC DOT regarding Cedar Street Park, but they were at somewhat of a stand still in the process. He said there are plans for the park, however some of the issues now revolve around the underlying right of way. Once DOT relinquishing the right of way, the question is who obtains ownership of that; those issues would need to be resolved and it would need to go to the North Carolina Board of Transportation to authorize that the property be turned over to the Town of Beaufort. He said staff is in the process of seeking a meeting with our division engineer.

Mr. Clark also touched on the Cedar Street Resurfacing Project, stating that it was staffs understanding the resurfacing would be completed Spring of 2023, according to NC DOT. He also discussed the Turner Street Project, indicating staff would moving forward with the bump-out at Middle Lane, budgeted at approximately \$14,000. He said traffic calming would also be installed at Turner Street and Broad Street as requested by the Board of Commissioners.

Mr. Clark gave some updates from the Planning and Inspections Department. He discussed the dredging project at Bulkhead Channel, suggesting the approximate total cost would be around \$90,000 and the Town's part would be one-third of that. He reported the Code Enforcement staff continues to work with the Town Attorney on multiple code issues, including minimum housing and illegal use. He commented on the Resilient Beaufort Initiative, stating that the Planning staff was working with multiple groups and citizens in development of the plan, which is expected to be completed by late Spring; staff intends on presenting the information to the board in late April. He reported the Planning Staff expects to have a final draft of the CAMA Land Use Plan by March. He made note there were not any preliminary plans on file for the Old Beaufort School, as the developer has not submitted any proposals.

Mr. Clark announced there was now a Human Resource page on the Town website, as well as online applications for employment opportunities.

Mr. Clark reported some updates from the Fire Department, highlighting continued construction on Fire Station 2, and completion of fire pump certification test for this calendar year.

Mr. Clark gave a few updates on Public Works activity, such as ditch maintenance, painting crosswalks, cleaning out storm drains, splashpad maintenance, replacement of weathered wood on the boardwalk, and working to obtain dock quotes for maintenance/repair at the Ferry area.

Mr. Clark announced that Elizabeth Lewis, Town Clerk, was attending the Clerks Certification Institute through the UNC School of Government to achieve designation as a Certified Municipal Clerk, as well as a North Carolina Certified Municipal Clerk. He also reminded the board of upcoming events throughout Town, such as Mardi Gras and the Menhaden Melody Dedication at Topsail Park.

Public Comment

Harriet Altman, 103 Leonda Drive, Beaufort

I am part of a group, a grassroots effort, called Plastic Free by The Sea. We started out as a sub-committee from the Sierra Club. The main thing tonight that I wanted to emphasize to you is that there is going to be a North Carolina Plastic Policy Workshop that is going to be presented by the Coastal Carolina Riverwatch, Duke University Environmental Law and Policy Clinic, and North Carolina Marine Debris Symposium. This is going to be on April 29th from 1-5 pm and there is going to be plastic policy experts that are trying to reach out to people such as, government planners, solid waste representatives, and elected officials, to learn what you can do to help effect change on this. I know that we have so many issues right now that we are dealing with, obviously over development is a big deal and the resilient Beaufort is a great effort. I think even a part of that is that we have got to recognize the fact that plastics are also polluting our waters at a record rate. There was an article on the front page of the Jacksonville paper two days ago about plastic pollution and how it is rapidly rising in the seas and all around the world. It hasn't hit us quite as badly here yet, but it is just a matter of time, especially with the increase in our tourism and how people do not seem conscious of it here. Back in the fall, Doug Doubleday did a presentation to the Commissioners, some of you weren't there at that time because you weren't in office; the Town did agree to work with us on this, and we have Sam Burdick working with us, but I want to again emphasize we need to be very aggressive about this. I really want you all to attend this workshop to learn more about it and learn what the roll of Beaufort could be in this effort. There is also a United States Plastics Pact, that is bringing together businesses and government agencies to work collectively on this issue. As a Coastal Community, I feel like we should be a leader in this. I feel like we should be setting an example; we have all these tourists coming to Town and we should show them how we are committed to this effort. I hope you will consider participating in the workshop. I am going to send you this information by email, but I wanted to talk to you about it as well. We can do this; we can really start approaching this and get our businesses on board; our grocery stores can encourage people to bring reusable bags. It is just a matter of educating and emphasizing to people the importance of having the city and businesses coming together in this effort.

Presentations

- 1. Doug Townsend, Chairman, Beaufort Harbor & Waterways Master Plan Advisory Committee

Mr. Townsend notified the board he was there to provide them with information and updates regarding the Beaufort Harbor & Waterways Master Plan Advisory Committee, which was formed in July 2021. The Power Point presentation made is attached and referenced as Appendix 1.

Mayor Harker thanked Mr. Townsend for the presentation and asked if there were any questions from the Commissioners.

Commissioner Terwilliger said he agreed to the overview of the priority items; with the first three items being key. He said those items should be pulled out and addressed, just like this, to ensure a concrete plan moving forward. In moving forward, he asked Mr. Townsend what he and the committee needed from the Commissioners to make that happen.

Mr. Townsend said the thing needed most was expertise in sourcing the multitudes of state and federal financing that is available. He said what they would ask is for the Town to have the opportunity to engage Moffatt & Nichol to work with us to complete all the applications for the funding, as there is significant grant money available.

Commissioner Terwilliger said several options were mentioned in reference to a master plan; he offered guidance in suggesting that all the options the committee believes to be reasonable should be laid out in the final report for consideration.

Commissioner Cooper asked what the difference was between boaters who were transient versus long-term.

Mr. Townsend said transient boaters on their way to somewhere else, and generally only spend a few days at the dock; a permanent marina might be somebody who docks their boat there all the time.

Commissioner Cooper asked if there was currently anyone who met those criteria, there for more than fifteen days?

Mr. Townsend said typically in the winter months boats stay on more of a long-term basis, but for the most part the main part of the season starts in April and those rates make it almost cost prohibited for folks to leave their boat there full-time.

Commissioner Cooper asked about the past dredging efforts, specifically if the sand was pumped somewhere else.

Mr. Townsend said the dredge takes the spoil, which is the sediment that is pulled up, and it goes back out the inlet and somewhere back out into the Ocean, near Atlantic Beach.

Commissioner Cooper asked what the responsibility of the lessee was, the one who was renting the docks from the Town.

Mr. Townsend said they only have responsibility for the docks themselves, the floating docks where the boats dock every night; those are assets of Beaufort Waterfront Enterprises, and those assets will convey to the Town when the lease expires in 2024.

Commissioner Cooper asked about the different options that had to do with the loss of parking spaces, specifically how many parking spots was Mr. Townsend suggesting.

Mr. Townsend said option 1 could be anywhere from 0-26 parking spaces; option 2 could be 26-52 parking spaces; option 3 could mean losing as many as 95 parking spaces, if both current waterfront parking areas were converted into a welcome center and a green park.

Commissioner Hollinshed said at one time there was some thought of relocating the channel and asked if that had been looked at as a possibly. She said there seems to be a natural, deeper channel out there, that doesn't seem to silt up as fast.

Mr. Townsend suggested he would have to consult with Moffatt and Nichol, as he was not aware of anything regarding that plan to this point. He said the only discussion he remembers was centered around could there be more of a permanent way to move the water so that the sediment can't get in, like a bulkhead out into the water.

Commissioner Hollinshed said she thought some of the eastern end of Taylors Creek had been relocated to a more natural channel and remembered some discussion about doing it on the western end as well.

Commissioner Oliver added there has been an idea that perhaps the Town setback line could be modified if requested by the Town.

Commissioner Hagle said it was a great report and he thought it would help inform the public of future goals and intentions.

Mayor Harker commended Mr. Townsend on an outstanding presentation and asked him about public participation in the Harbors & Waterway Committee meetings. She also touched on the comment Commissioner Hollinshed made about the natural channel, saying she too remembered that being considered as an option in the past.

Items of Consent

- 1. Minutes- December 6, 13 & 20, 2021; January 10, 2022
- 2. Wooden Boat Show Event

Commissioner Hagle made a motion to approve the items of consent as presented.

Voting Yea: Commissioner Terwilliger, Commissioner Cooper, Commissioner Hollinshed, Commissioner Oliver, Commissioner Hagle

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

Items for Discussion and Consideration

- 1. Returning to In-Person Meetings

Mayor Harker gave an updated on COVID cases in Carteret County and initiated a discussion about returning to in-person meetings.

After much discussion, the consensus of the Commissioners was to meet in-person at the February 28th Work Session, utilizing the Train Depot for the meeting venue and exercising safety measures while gathered.

- 2. Update Golf Cart on Public Streets Ordinance

Paul Burdette, Police Chief, briefly described the proposed updates, by explaining there were some minor language changes and some clarifications to get Town Ordinances in line with statutory requirements through North Carolina General Statues. He recognized Lieutenant David Halsey to present the proposed updates in more detail.

The proposed amendments are referenced below:

Sec. 73.04 - Registration and permit requirements

(B) Application and permit. The owner shall complete an application provided by the town and the golf cart shall be inspected by designated town staff for compliance with the provision of this chapter prior to the issuance of an annual permit. To evidence the registration, the owner shall be issued a unique license plate and annual registration decal which shall be displayed on the rear of the golf cart. The Board of Commissioners may establish, and amend from time to time, an annual registration fee for golf carts.

(C) Basic requirements. In order to register a golf cart and secure an annual permit, the owner and golf cart must meet the following basic requirements:

- (1) All golf cart operators must be at least 16 years old and possess a valid driver's license. A golf cart may be operated without a valid driver's license by a driver or operator 18 years of age or older with a medical or physical condition that prevents that individ

driver's license but which would not prevent the safe operation of a golf cart, provided further such medical or physical condition must be evidenced by a certification from a licensed health professional attesting to such medical or physical condition and stating that same would not prevent the safe operation of a golf cart. Any driver or operator that is exempt from the requirement of a valid North Carolina license must still present and have on record and while operating a golf cart, a valid North Carolina Identification card.

(E) Inspection. Prior to the issuance or renewal of an annual permit, designated town staff shall inspect the golf cart for compliance with the requirements of this chapter. No golf cart shall be registered and permitted unless if it in compliance with all requirements.

Sec. 73.05 - Standards of operation

It is unlawful to operate a golf cart on a public street, road or highway within the town unless the following requirements are met:

(C) Any person who operates a golf cart shall comply with § 73.04(C)(1). The driver and passengers must be properly seated while the golf cart is in motion, with seat belts properly fastened and may not be transported in a negligent manner. The seating capacity with seat belts shall not be exceeded. Age and weight appropriate child passenger restraint systems must be used when transporting a child of less than 8 years of age.

(M) Golf carts may not be operated on any sidewalk.

Sec. 73.99 - Penalties and remedies

(G) The town may refuse to register and issue a permit for the operation of a golf cart, or may immediately revoke a previously issued permit, if the registered golf cart and/or the owner of the golf cart is charged with operating a golf cart under the influence of an impairing substance, aiding and abetting the operation of the golf cart under the influence of an impairing substance, or operating a golf cart in a careless and reckless manner. Said revocation and/or denial of a permit shall be effective for one year, unless the charge is dismissed or the owner and/or operator is acquitted, in which event the permit shall either be immediately reinstated or the application for the permit shall be approved if the conditions of the ordinance have been met.

Mr. Halsey also explained where Golf Cart information was listed on the Town's website and explained several processes, including how to obtain a registration and contact information for those who handle the process at Town Hall.

Commissioner Terwilliger asked that the ordinance be cleaned up to address the portion regarding golf carts and trailers, explaining there are many people in Town who have trailers to pull kayaks behind their golf cart.

Mr. Halsey said they had seen this happening and it was not really an area of concern. He explained the issue came about when people were trying to tow other things that were not safe, such as a lawn mower or another golf cart.

Commissioner Terwilliger said if that would be addressed, he would be comfortable with it.

Commissioner Cooper asked if rental companies will be made aware of these changes.

Mr. Halsey said yes, he had already been in contact with Sinclair Motor Company.

Commissioner Cooper asked several other questions, including how many citations had been issued in 2021. 1.

Mr. Halsey explained the Police Department tried to use education over enforcement, and said they do issue citations, but he did not have a total number in front of him.

Commissioner Hollinshed asked a question about the registration form and how a golf cart would be identified if the tag wasn't visible.

Mr. Halsey explained the process is similar to how they report and identify those driving by in a vehicle; he also noted the new tags were bigger, making them more visible on the back of the golf cart.

Commissioner Oliver asked if there was an insurance requirement prior to these updates.

Mr. Halsey said yes; that was another reason why annual registration would be beneficial, as it will need to pass an annual inspection, where proof of insurance is verified.

Commissioner Oliver asked when the effective date would be.

Mr. Halsey said the updates would be effective immediately, but there would be a grace period to ensure everyone was in compliance.

Commissioner Hagle asked how the annual aspect would be managed.

Mr. Halsey said they were going to keep it very simple, explaining the golf carts would be valid for the year they are registered; it would be determined by calendar year, and a new registration would be required at the beginning of January. He added the golf cart must be registered to a physical address in Beaufort.

Commissioner Hagle made a motion to approve the updates as presented.

Voting Yea: Commissioner Terwilliger, Commissioner Cooper, Commissioner Hollinshed, Commissioner Oliver, Commissioner Hagle

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

3. Volunteer Board, Commission & Committee Appointments

Beaufort Harbor & Waterways Master Plan Advisory Committee:

Commissioner Hollinshed made a motion to open the floor for nominations to the Beaufort Harbor and Waterways Master Plan Advisory Committee.

Voting Yea: Commissioner Terwilliger, Commissioner Cooper, Commissioner Hollinshed, Commissioner Oliver, Commissioner Hagle

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

Commissioner Terwilliger nominated Becky Bowler.

Commissioner Hagle nominated Doug Williams.

Commissioner Cooper made a motion to close nominations.

Voting Yea: Commissioner Terwilliger, Commissioner Cooper, Commissioner Hollinshed, Commissioner Oliver, Commissioner Hagle

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

Voting for Becky Bowler: Commissioner Terwilliger, Commissioner Cooper, Commissioner Hollinshed, Commissioner Oliver

Voting for Doug Williams: Commissioner Hagle

Mayor Harker confirmed the appointment of Becky Bowler to the Beaufort Harbor and Waterways Master Plan Advisory Committee, with a (4-1) vote by the Commissioners.

Board of Adjustment:

Commissioner Hollinshed made a motion to open the floor for nominations to the Board of Adjustment.

Voting Yea: Commissioner Terwilliger, Commissioner Cooper, Commissioner Hollinshed, Commissioner Oliver, Commissioner Hagle

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

Commissioner Cooper nominated Wendi Oliver.

Commissioner Terwilliger nominated Ann Carter.

Commissioner Hagle made a motion to close nominations.

Voting Yea: Commissioner Terwilliger, Commissioner Cooper, Commissioner Hollinshed, Commissioner Oliver, Commissioner Hagle

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

Voting for Wendi Oliver and Ann Carter: Commissioner Terwilliger, Commissioner Cooper, Commissioner Hollinshed, Commissioner Oliver

Mayor Harker confirmed a unanimous (5-0) vote for both Wendi Oliver and Ann Carter, announcing their appointments to the Board of Adjustment.

Historic Preservation Commission:

Commissioner Hollinshed made a motion to open the floor for nominations to the Historic Preservation Commission.

Voting Yea: Commissioner Terwilliger, Commissioner Cooper, Commissioner Hollinshed, Commissioner Oliver, Commissioner Hagle

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

Commissioner Hagle nominated Joyce McCune.

Commissioner Hollinshed nominated Tammy Hunsucker.

Commissioner Terwilliger nominated Ian Huckabee and Sandra Grotheer.

Commissioner Hollinshed nominated Bradley Hedrick.

Commissioner Terwilliger made a motion to close nominations.

Voting Yea: Commissioner Terwilliger, Commissioner Cooper, Commissioner Hollinshed, Commissioner Oliver, Commissioner Hagle

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

Voting for Sandra Grotheer: Commissioner Terwilliger, Commissioner Cooper

Voting against Sandra Grotheer: Commissioner Hollinshed, Commissioner Oliver, Commissioner Hagle

Voting for Bradley Hedrick: Commissioner Terwilliger, Commissioner Cooper, Commissioner Hollinshed, Commissioner Oliver, Commissioner Hagle

Voting for Ian Huckabee: Commissioner Terwilliger, Commissioner Cooper, Commissioner Hollinshed, Commissioner Oliver, Commissioner Hagle

Voting for Tammy Hunsucker: Commissioner Terwilliger, Commissioner Cooper, Commissioner Hollinshed, Commissioner Oliver, Commissioner Hagle

Voting for Joyce McCune: Commissioner Terwilliger, Commissioner Cooper, Commissioner Hollinshed, Commissioner Oliver, Commissioner Hagle

Mayor Harker confirmed a unanimous (5-0) vote for Joyce McCune, Ian Huckabee, Tammy Hunsucker, and Bradley Hedrick, announcing their appointments to the Historic Preservation Commission.

Parks & Recreation Advisory Board:

Commissioner Terwilliger made a motion to open the floor for nominations to the Parks and Recreation Advisory Board.

Voting Yea: Commissioner Terwilliger, Commissioner Cooper, Commissioner Hollinshed, Commissioner Oliver, Commissioner Hagle

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

Commissioner Cooper nominated Rebecca Drohan.

Commissioner Hollinshed nominated Michael Rave.

Commissioner Hagle made a motion to close nominations.

Voting Yea: Commissioner Terwilliger, Commissioner Cooper, Commissioner Hollinshed, Commissioner Oliver, Commissioner Hagle

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

Voting for Michael Rave: Commissioner Terwilliger, Commissioner Hollinshed, Commissioner Oliver, Commissioner Hagle

Voting for Rebecca Drohan: Commissioner Cooper

Mayor Harker confirmed the re-appointment of Michael Rave to the Parks and Recreation Advisory Board, with a (4-1) vote by the Commissioners.

Planning Board:

Commissioner Hagle made a motion to open the floor for nominations to the Planning Board.

Voting Yea: Commissioner Terwilliger, Commissioner Cooper, Commissioner Hollinshed, Commissioner Oliver, Commissioner Hagle

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

Commissioner Hollinshed nominated Diane Meelheim.

Commissioner Hagle made a motion to close nominations.

Voting Yea: Commissioner Terwilliger, Commissioner Cooper, Commissioner Hollinshed, Commissioner Oliver, Commissioner Hagle.

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

Voting for Diane Meelheim: Commissioner Terwilliger, Commissioner Cooper, Commissioner Hollinshed, Commissioner Oliver, Commissioner Hagle

Mayor Harker confirmed the re-appointment of Diane Meelheim to the Planning Board, with a (5-0) vote by the Commissioners.

Commissioner Hollinshed made a motion to adopt a resolution requesting that the Carteret County Board of Commissioners fill vacant Town of Beaufort Planning Board and Board of Adjustment seats.

Voting Yea: Commissioner Terwilliger, Commissioner Cooper, Commissioner Hollinshed, Commissioner Oliver, Commissioner Hagle

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

4. Wastewater Asset Management Plan

Mr. Meshaw, Town Engineer, explained he had previously presented the plan at the January Work Session but was going to offer more detail in a few areas and address questions the Commissioners had. He recapped the plan and suggested this would be a tool for facilitating proper maintenance and operation. He went over the inventory assets and 10-year capital project recommendations. He also addressed questions from the Work Session, which included what the next steps were if the plan was adopted. He explained if adopted, the plan would be used as a guide for capital planning, budgeting, and the development of contingency plans. He suggested some alternative options if something failed and the importance of developing a plan of action to deal with potential issues. Mr. Meshaw explained the original permit design suggested the Town could treat for 1.85 MGD, but they can actually only put 1.5 MGD in Taylors Creek, according to the current permit. Mr.

Meshaw suggested he had confidence in the inventory, and the cost estimates by the consultant seemed to be realistic, but noted it was becoming more and more difficult to predict construction costs. He also mentioned future tests and monitoring systems that might be necessary to ensure efficiency, while discussing the effects of new development. Mr. Meshaw noted he thought the addition of an injection station for inserting a cleaning pig into US 70 force main was needed and explained that it was not in the proposed plan because it deals with existing assets.

Commissioner Hollinshed said she would like to add a condition, that it is mandated this plan is examined on a yearly basis.

Commissioner Oliver asked a few questions regarding capacity and growth of the system.

Mr. Meshaw explained the benefit of the SCADA system and pigging the lines, and how that relates to capacity.

Commissioner Oliver suggested it would be essential to build into the capacity already available in the system.

Commissioner Hagle suggested Mr. Meshaw bring to the board a request for additional manpower if needed, to ensure this plan can be a working document in the future.

Commissioner Hagle made a motion to approve Resolution No. 22-001, Adopting the Wastewater Asset Management Plan, as presented by Mr. Meshaw.

Voting Yea: Commissioner Terwilliger, Commissioner Cooper, Commissioner Hollinshed, Commissioner Hagle

The motion to pass the resolution was unanimous with a (5-0) vote.

Quasi-Judicial Proceeding

- 1. Case #22-01 Special Use Permit for an Accessory Dwelling Unit at 308 Ann Street

Commissioner Hollinshed notified the board she had a conflict of interest, as the adjoining landowner was one of her business partners. She asked to be recused from participating in the hearing.

Commissioner Terwilliger made a motion to recuse Commissioner Hollinshed from voting.

Voting Yea: Commissioner Terwilliger, Commissioner Cooper, Commissioner Oliver, Commissioner Hagle

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

Commissioner Hagle made a motion to open the evidentiary hearing for Case #22-01 Special Use Permit for an Accessory Dwelling Unit at 308 Ann Street.

Voting Yea: Commissioner Terwilliger, Commissioner Cooper, Commissioner Oliver, Commissioner Hagle

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

Mayor Harker said, 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. The Board of Commissioners must base its decision upon competent, material and substantial evidence in the record. A quasi-judicial decision is a decision constrained by the standards in the Land Development Ordinance and based on the facts presented. All applications for special use permits must be consistent with the Land Development Ordinance for the Town of Beaufort and whether the special use is appropriate in the proposed location. If you will be speaking as a witness, please focus on the facts and standards, not personal preference or opinion. The Board of Commissioners shall hear relevant information from the parties with standing, as set forth in North Carolina General Statutes 160D-406 and 1402. At the sole discretion of the Board of Commissioners, other witnesses who do not have standing may present competent, material, and substantial evidence that is not repetitive. Parties may appear in person, by designee, or by attorney to present information relevant to the requirements of the Ordinance. Parties may present evidence, call witnesses and make legal arguments. The Board of Commissioners, acting through the Mayor, may subpoena witnesses and compel the production of evidence. For certain topics, the Board of Commissioners may hear opinion testimony from expert witnesses. 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.

Elizabeth Lewis, Town Clerk, administered the oath to those listed below.

Ms. Lewis asked Mr. Garner: Do you swear or affirm that the evidence you shall give to the board in this action shall be the truth, the whole truth and nothing but the truth, so help you God.

Mr. Garner said, I do.

Ms. Lewis asked Sarah Afflerbach: Do you swear or affirm that the evidence you shall give to the board in this action shall be the truth, the whole truth and nothing but the truth, so help you God.

Ms. Afflerbach said, I do.

Ms. Lewis asked Scott Davidson: Do you swear or affirm that the evidence you shall give to the board in this action shall be the truth, the whole truth and nothing but the truth, so help you God.

Mr. Davidson said, I do.

Mayor Harker asked if any other Board members had any ex parte communication, bias or conflicts of interest in the case.

Commissioner Terwilliger said no.

Commissioner Cooper said no.

Commissioner Oliver said no.

Commissioner Hagle said no.

Mr. Garner presented the overview of the case. He asked that the exhibits included in the Board packet be submitted for the record as evidence for Case #22-01 Special Use Permit for an Accessory Dwelling Unit at 308 Ann Street; applicant Sarah Afflerbach and owner Scott Davidson. He said that 23 notices were mailed to property owners within 200 feet, a sign was posted on the property, and an advertisement in the Carteret County News Times ran for two consecutive weeks. He explained this request was allowed as a Special Use in a Transitional Zoning District, and confirmed it was a Transitional Zoning District, per the maps included in the meeting packet. He added this property had been through the Historic Preservation Commission and has received a certificate of appropriateness for the main structure, as well as the accessory structure before the board. He noted the approximate square footage of the accessory dwelling unit is around 520 square feet and the request is consistent with the CAMA Land Use Plan. He explained the property was previously the First Baptist parsonage lot, and that structure was demolished within the last year. He said the lot was 1.84 acres and in the CAMA Land Use Plan it is identified as Public and Institutional, which is very similar to the zoning in Transitional. In regard to the required findings, he reported the following:

- a) Staff confirmed that the proposed use is an allowable special use in the zoning district it is being located within.
- b) Staff confirmed the application is complete.
- c) Staff confirmed the location and character of the use will be in conformity with the Town's land use plan and other comprehensive planning elements, adding the significance of obtaining a certificate of appropriateness from the Historic Preservation Commission, that is also consistent with the Historic Guidelines.
- e) The proposed special use will not substantially injure the value of adjoining or abutting properties; Staff was not presented with any information that would state that this particular use would create a problem regarding adjacent property value.
- f) The proposed special use will be compatible and in harmony with adjoining land uses and the development patterns of the immediate area; Staff reported they could not find anything to indicate it was not consistent, and there are several other accessory dwelling units within a block and a half of this proposal.

g) Staff finds the criteria has been satisfied, 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.

Mr. Garner said based on the information presented, staff feels the applicant has done their due diligence, and would be glad to answer any questions.

Mayor Harker asked if the applicant would like to add anything that had not been entered into the record as far as the case was concerned.

Ms. Afflerbach said Kyle Garner really helped her and the owner put the application together and helped with reviewing the maps and ordinances. She said that she appreciated the help and was very excited about putting the structure there.

Mr. Davidson said thank you for the consideration and for Mr. Garner and his staff's efforts in the process. He said he was open to any questions and looked forward to being a full-time resident of Beaufort.

Mayor Harker asked if the Commissioners had any questions.

Commissioner Terwilliger had no questions.

Commissioner Cooper had no questions.

Commissioner Oliver said he loved the plan and asked if there were any issues with permeable surfaces or drainage requirements on this particular site.

Mr. Garner said the pavers were there for the driveway, and the Historic Commission believed there was not an excess of impervious surface on the lot.

Commissioner Hagle had no questions.

Mayor Harker asked the Board if there was any other material not in evidence which would prevent the Board from determining the case.

Commissioner Terwilliger said no, he believed they had the information needed.

Commissioner Cooper said he had no questions.

Commissioner Oliver said no, the only question he had was whether they have to make it conditional upon meeting an impervious surface requirement and I do not know the answer to that professionally.

Ms. Afflerbach said when they submitted their application to the Historic Preservation Commission, it was calculated and listed on the site plan; the Historic Preservation Commission reviewed it during a meeting and found it appropriate.

Commissioner Terwilliger said he participated in the meeting where the application was reviewed, and he actually asked a question regarding permeable surface. He explained at the time, it was stipulated that the applicant was under the 50% permeable surface area, around 42-43 %, meeting the guidelines at that time.

Commissioner Oliver said as long as Mr. Garner knows that to be accurate, he is strongly in support.

Mr. Garner said yes sir.

Commissioner Hagle said he had no questions, and with that, made a motion to close the evidentiary hearing.

Voting Yea: Commissioner Terwilliger, Commissioner Cooper, Commissioner Oliver, Commissioner Hagle

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

Mayor Harker asked for a motion of either approval or denial regarding the Finding of Facts.

Commissioner Hagle made a motion to approve the finding of facts as presented and listed (a-g), in Section 20 (E) of the LDO Plan.

Voting Yea: Commissioner Terwilliger, Commissioner Cooper, Commissioner Oliver, Commissioner Hagle

The motion passed unanimously with a 19 vote.

Mayor Harker asked for a motion to approve or deny the Special Use Permit.

Commissioner Oliver made a motion to approve the Special Use Permit Dwelling Unit at 308 Ann Street.

Voting Yea: Commissioner Terwilliger, Commissioner Cooper, Commissioner Oliver, Commissioner Hagle

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

Commissioner Hagle made a motion to bring Commissioner Hollinshed back to the meeting.

Voting Yea: Commissioner Terwilliger, Commissioner Cooper, Commissioner Oliver, Commissioner Hagle

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

Mayor/Commissioner Comments

Commissioner Terwilliger thanked the Harbor and Waterways Committee for their presentation and also recognized all of the applicants associated with the volunteer boards.

Commissioner Cooper thanked everyone who made a presentation and commended the Beaufort Historic Site in an event they put on the prior week.

Commissioner Hollinshed expressed her sympathy to the folks Down East dealing with a recent tragedy. She also thanked all those who applied for the volunteer boards.

Commissioner Oliver referenced a recent tour of Town Facilities, noting how impressed he was with the staff and the jobs they were doing. He mentioned he had completed a deep dive of the six-month financial statement and had recently submitted some questions to the Town Manager and he looked forward to connecting on those topics.

Commissioner Hagle noted it was great to see the continued progress on streets and sidewalks throughout Town. He also thanked all the applicants for the volunteer boards and committees. He noted he thought the Wastewater Assessment Management Plan would be a great tool to help the Town in the future. He thanked Mr. Townsend for his presentation and said he looked forward to future recommendations from the Harbor and Waterways Committee. He also thanked the Police Department for updating the Golf Cart Ordinance and ended with a safety message about slips, trips and falls.

Mayor Harker expressed congratulations for all those appointed to volunteer boards and commissioners and their willingness to serve the Town; she encouraged those who were not selected to continue applying in the future. She also gave praises to Sam Burdick and her efforts on the Resilient Beaufort Initiative. She ended by thanking the Commissioners for their positive efforts in the last 90-days they have been together as a Board.

Adjourn

Commissioner Terwilliger made a motion to adjourn the meeting.

Voting Yea: Commissioner Terwilliger, Commissioner Cooper, Commissioner Hollinshed, Commissioner Oliver, Commissioner Hagle

The motion passed unanimously with a (5-0) vote and the meeting was adjourned at 9:15 PM

Sharon Harker, Mayor

Elizabeth Lewis, Town Clerk



Harbor & Waterways Advisory Committee

Beaufort Board of Commissioners

Update #1

February 14, 2022





Harbor & Waterways Advisory Committee

Committee Purview Items

Per Beaufort Board of Commissioners

The following elements, **listed in priority order**, among others that may be identified during the process, should be addressed, coordinated, and integrated in the Master Plan:

1. Disposition of the Beaufort Docks
2. Reconstruction of bulkhead
3. Reconstruction boardwalk
4. Mooring fields in Taylors Creek/Town Creek
5. Disposition of the National Park Service lease
6. A dredging plan
7. Amendments to Navigable Waters Ordinance
8. Opportunities for public access
9. Best practices water quality



Harbor & Waterways Advisory Committee

Committee Members

| | |
|-----------------|------------------|
| Doug Townsend | Chairperson |
| Doug Doubleday | Vice Chairperson |
| Steve Bishop | Member |
| Tipper Davis | Member |
| Vic Fasolino | Member |
| Susan Sanders | Member |
| Miriam Sutton | Member |
| Vacant Position | Member |
| Bucky Oliver | Liaison to BOC's |



Harbor & Waterways Advisory Committee

Committee Goals and Objectives

- Exist to Make Recommendations to Board of Commissioners and BOC's Prioritizes Our Activities
- Recommendations of Committee Will Be Fact-Based, Supported by Credible, Non-Partisan Research
- Recommendations Will Be Made to Board of Commissioners as Research Warrants



Harbor & Waterways Advisory Committee

Committee Member Responsibility

- Check Personal Opinions/Biases in the Closet
- There Are No Sacred Cows
- Think What Can Be Best for Beaufort and Its Tax-Paying Residents
- Think for Future Generations Who Will Have to Live with Our Work
- **Strong/Popular Docks = Strong/Popular Beaufort**
- **MATERIAL FINANCIAL BENEFIT TO THE TOWN**



Harbor & Waterways Advisory Committee

Important Facts

- Current Concessionaire's Lease Expires 12.31.24 (Two years, 10 months away)
- At Expiration, Total Years Under Lease – 46.3 Years (August 28, 1978)
- Current Lease Rate
 - Base Lease on Docks -- \$118,336 (\$9,863 per month)
 - Annual Dredge Fund -- \$ 60,000 (\$5,000 per month)
 - **Total Annual Pay -- \$ 178,336**
- At Expiration, All Dock Assets and Improvements Transfer to Town
- Town Owns the Bulkhead, Boardwalk, Parking Property and Riparian Rights
- Docks Are for Transient Boaters Only (No Long-Term Dockage)
- Diesel Fuel Resides on Finz/Geer Property and Piped to Docks via Agreement
- Dockside and Dockmaster Station Privately Owned/Do NOT Transfer
- Expectations for Quality Bathhouse Increase with Revenue-Mooring Spots
- Collapse of Western Tip of Shackleford Increasing Sediment Flow into Beaufort Inlet
- Abundant Grant Money in the Market with State and Federal Funds



Harbor & Waterways Advisory Committee

Purview Item

1. Disposition of the Beaufort Docks
2. Reconstruction of bulkhead
3. Reconstruction boardwalk
4. Mooring fields in Taylors Creek/Town Creek
5. Disposition of the National Park Service lease
6. A dredging plan
7. Amendments to Navigable Waters Ordinance
8. Opportunities for public access
9. Best practices water quality

Sub-Committee

- Master Plan/Financial/Capital
- Condition/Construction/Capital
- Condition/Construction/Capital
- Master Plan/Capital
- YTBA
- Dredging
- YTBA
- Master Plan/Capital
- Water Quality



Harbor & Waterways Advisory Committee

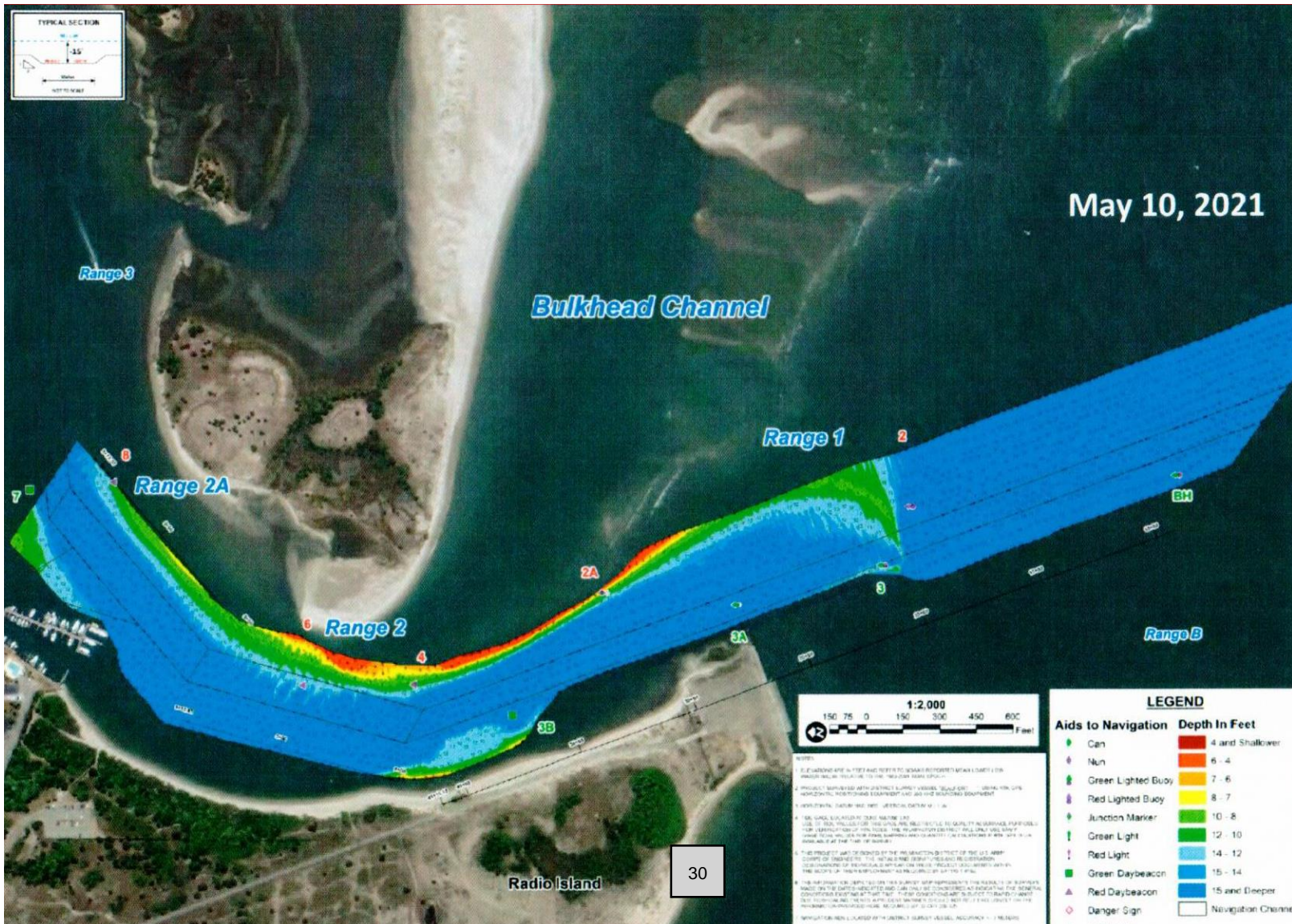
Dredging Update

(Doug Townsend, Sub-Committee Chair)

(Bucky Oliver)

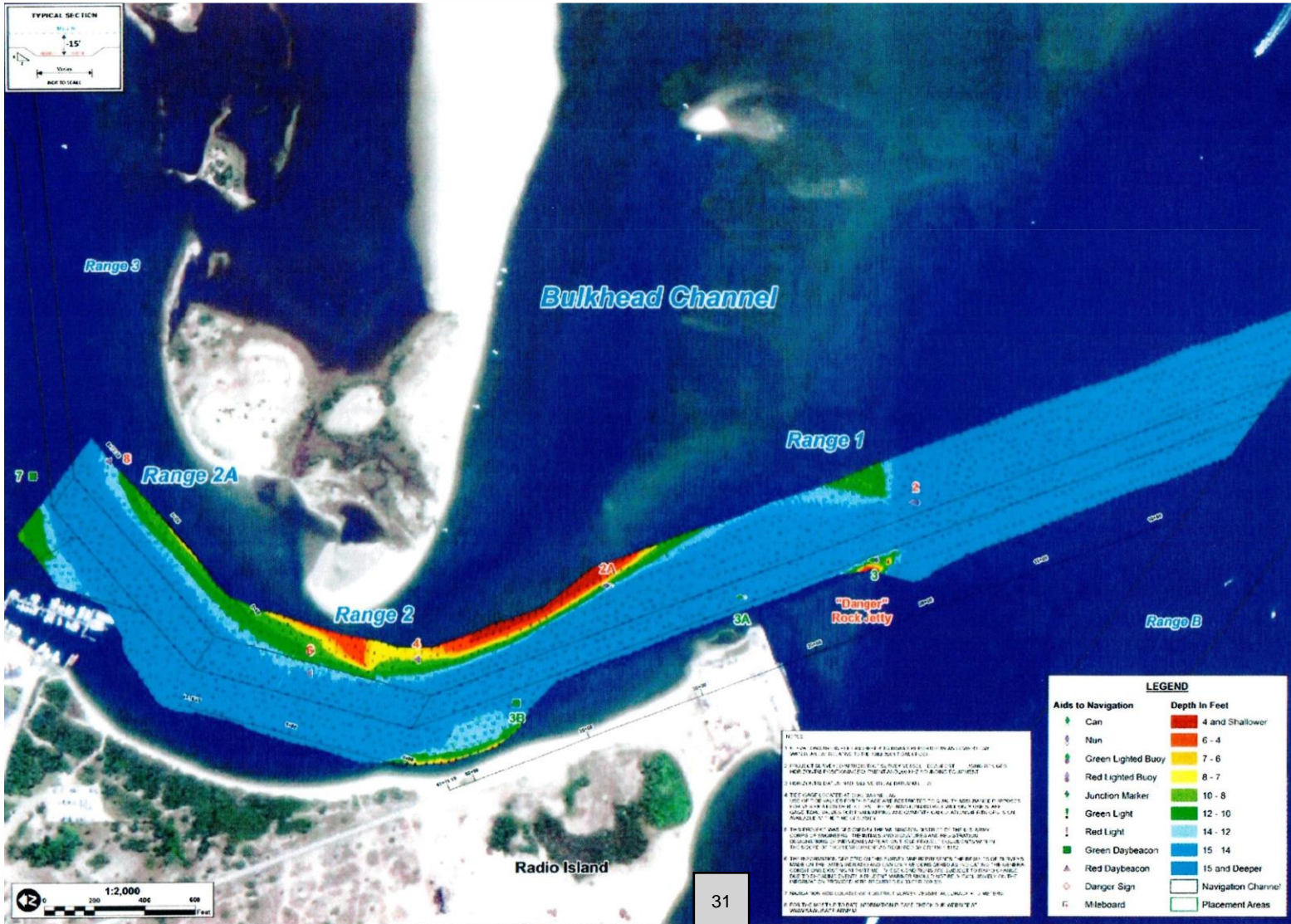


Harbor & Waterways Advisory Committee





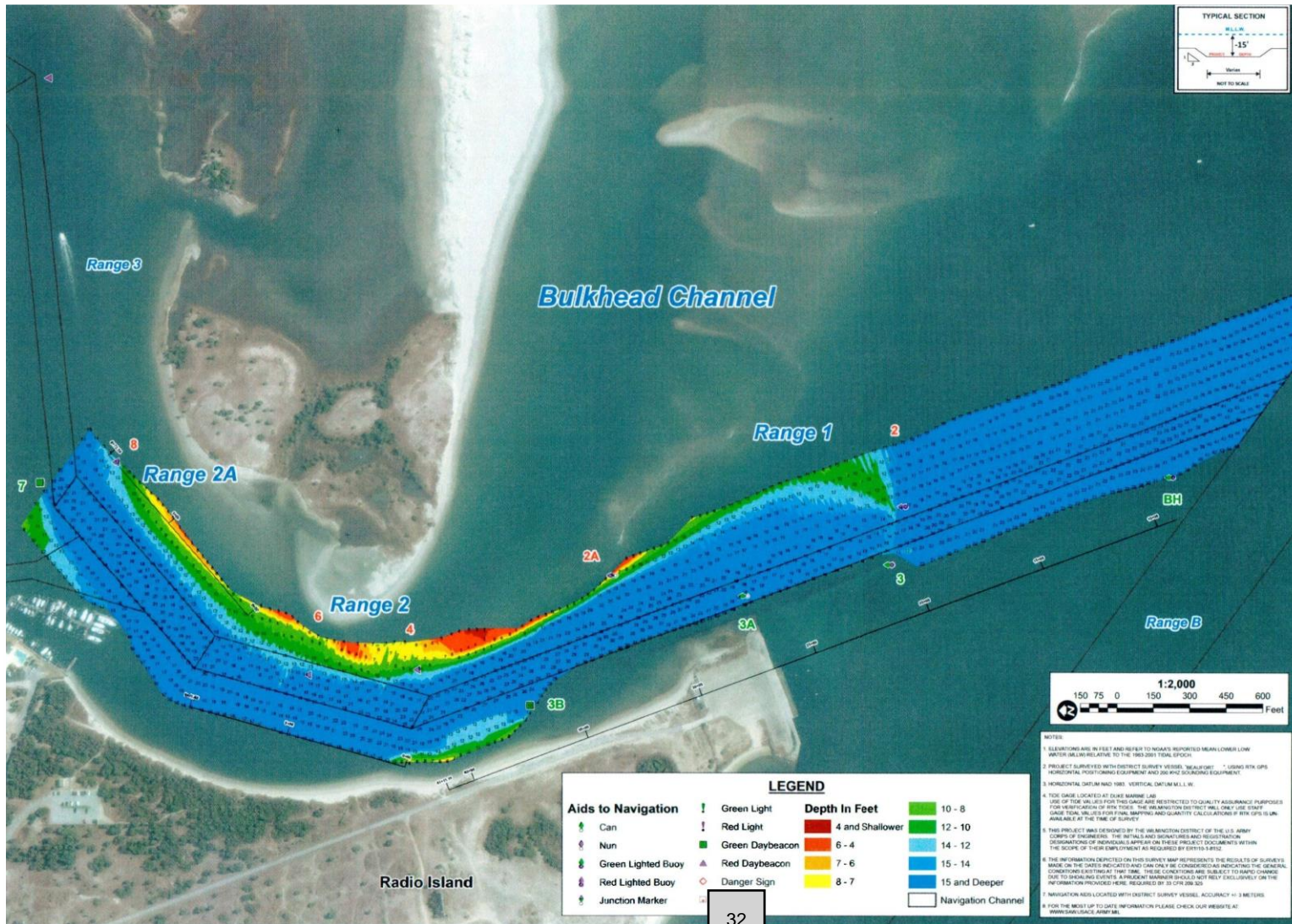
Harbor & Waterways Advisory Committee



OCTOBER 15, 2021



Harbor & Waterways Advisory Committee



DECEMBER 16, 2021

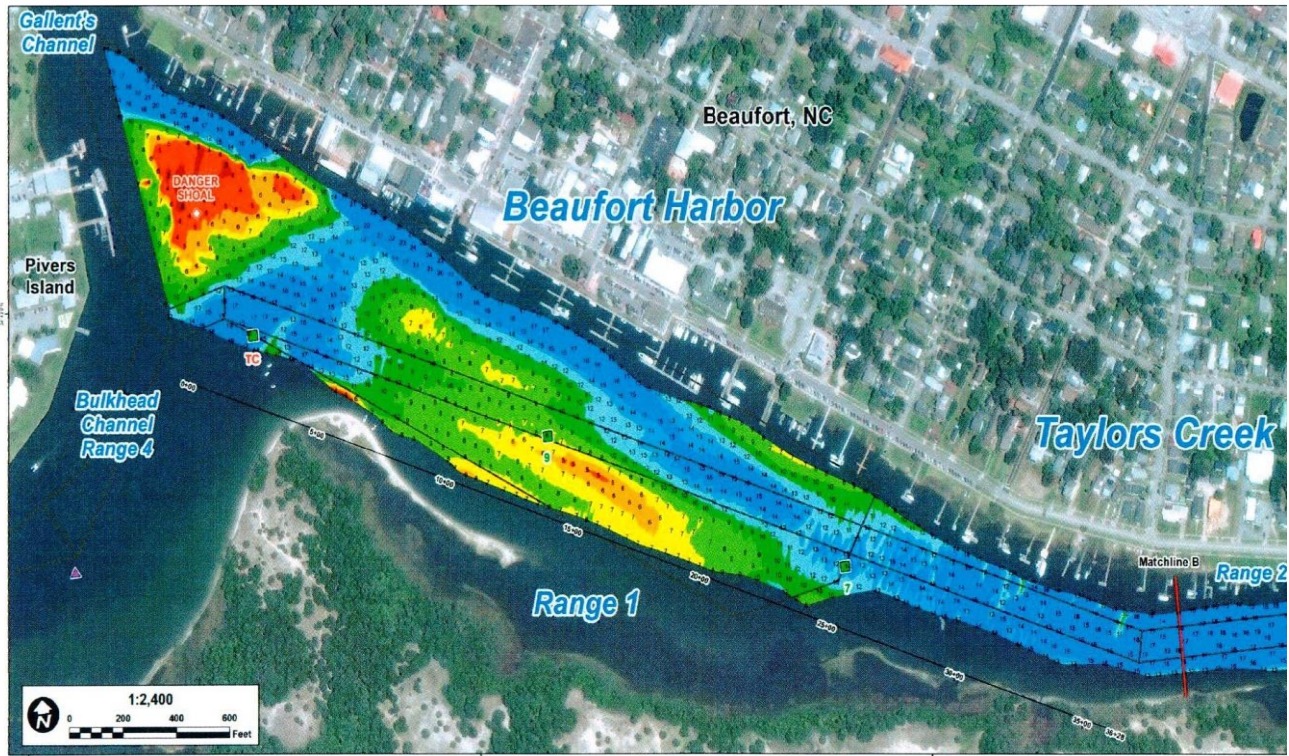
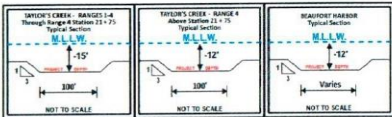


Harbor & Waterways Advisory Committee

LEGEND

| Aids to Navigation | Depth In Feet |
|--------------------|--------------------|
| Can | 4 and Shallower |
| Nun | 6 - 4 |
| Green Lighted Buoy | 7 - 6 |
| Red Lighted Buoy | 8 - 7 |
| Junction Marker | 10 - 8 |
| Green Light | 12 - 10 |
| Red Light | 14 - 12 |
| Green Daybeacon | 15 and Deeper |
| Red Daybeacon | Matchlines |
| Danger Sign | Navigation Channel |
| Mileboard | |

- NOTES**
- ELEVATIONS ARE IN FEET AND REFER TO NOAA'S REPORTED MEAN LOWER LOW WATER (MLLW) RELATIVE TO THE 1985 ZONE TIDAL EPOCH.
 - PROJECT SURVEYED WITH DISTRICT SURVEY VESSEL "SEAFURY" USING RTK GPS HORIZONTAL POSITIONING EQUIPMENT AND 200 KHZ SOUNDING EQUIPMENT.
 - HORIZONTAL DATUM NAD 1983. VERTICAL DATUM MLLW.
 - TIDE GAGE LOCATED AT DUKE MARINE LAB. USE OF TIDE VALUES FOR THIS GAGE ARE RESTRICTED TO QUALITY ASSURANCE PURPOSES FOR VERIFICATION OF RTK TIDES. THE WILMINGTON DISTRICT WILL ONLY USE STAFF GAGE TIDE VALUES FOR FINAL MAPPING AND QUANTITY CALCULATIONS IF RTK GPS IS UNAVAILABLE AT THE TIME OF SURVEY.
 - THIS PROJECT WAS DESIGNED BY THE WILMINGTON DISTRICT OF THE U.S. ARMY CORPS OF ENGINEERS. THE DETAILS AND SUBMITTALS AND DESIGNATION DESIGNATIONS OF INDIVIDUALS APPEAR ON THE SP PROJECT DOCUMENTS WITHIN THE SCOPE OF THEIR EMPLOYMENT AS REQUIRED BY DERIVS-18-025.
 - THE INFORMATION DEPICTED ON THIS SURVEY MAP REPRESENTS THE RESULTS OF SURVEYS MADE ON THE DATES INDICATED AND CAN ONLY BE CONSIDERED AS INDICATING THE GENERAL CONDITIONS EXISTING AT THAT TIME. THESE CONDITIONS ARE SUBJECT TO RAPID CHANGE DUE TO OCCASIONAL EVENTS. A PRESENT MAP USER SHOULD NOT RELY EXCLUSIVELY ON THE INFORMATION PROVIDED HERE. REQUIRED BY 33 CFR 209.225.
 - NAVIGATION AIDS LOCATED WITH DISTRICT SURVEY VESSEL. ACCURACY +/- 3 METERS.
 - FOR THE MOST UP TO DATE INFORMATION PLEASE CHECK OUR WEBSITE AT WWW.SAV.USACE.ARMY.MIL.



DECEMBER 1, 2021



Harbor & Waterways Advisory Committee

Committee Recommendation #1

The Harbor and Waterways Committee (“HWC”), after reviewing USACE sounding charts over a period of May 2021 through December 2021, recommends the Town of Beaufort formally contract with the US Army Corp of Engineers --Wilmington District (“USACE”) to dredge Bulkhead Channel (Range 1) twice per calendar year in the Spring and Fall.

The HWC further recommends the Town of Beaufort immediately engage with USACE to dredge the entry to Gallent’s Channel (Range 4) when the Murden vessel arrives in April 2022. Town should closely monitor USACE soundings over balance of 2022 and first six months of 2023 to determine ongoing frequency of dredging Range 4.



Harbor & Waterways Advisory Committee

USACE Federal Funding

Due in part to elevation of awareness the HWC brought to the attention of USACE regarding the Town's dredging issues, Kyle Garner has been notified by USACE that it allocated \$520,000 of a \$59.7 million federal infrastructure funding for ongoing dredging activities in Beaufort Inlet and the Town's surrounding waterways.

These funds will be available for use in calendar year 2022.

At the request of HWC, USACE has agreed to start attending ongoing meetings of the HWC in order to help better identify and remediate real-time issues of shoaling in the Town's waterways.



Harbor & Waterways Advisory Committee

Condition Assessment Update

(Steve Bishop/Vic Fasolino, Sub-Committee Chairs)



Harbor & Waterways Advisory Committee

Condition Assessment Summary

- Sub-Committee has worked with Moffatt & Nichol engineering consultants to assess and deliver a report on the condition of the docks, bulkhead and boardwalk
- Report based on surface observations was delivered in January 2022
- Further below-water assessment of bulkhead required through engineering dive
- High-Level Assessment
 - Bulkhead nearing end of useful life and needs to be repaired or replaced
 - Three repair options or total replacement option
 - Boardwalk at its end of useful life and needs to be replaced
 - Docks are operational and under the supervision of BWE
- Sub-Committee seeking additional local opinions on courses of action



Harbor & Waterways Advisory Committee

| Initial Cost Parameters -- Beaufort Docks (Source: M&N Report) | | | | | |
|---|---|---------|-------------|------|--------------------|
| # | Item Description | | Cost | Life | \$\$ /Year Life |
| 1. | Timber Bulkhead | Repair | \$7,380 | 17.5 | \$422 |
| 2. | Stone Masonry Gravity Wall | Repair | \$22,500 | 17.5 | \$1,286 |
| 3. | Concrete Bulkhead | | | | |
| | Option One -- Encapsulate Cap/Geotext Sheet Pile | Repair | \$2,643,452 | 17.5 | \$151,054 |
| | Option Two -- Encapsulate Cap/Concrete Fasia | Repair | \$3,346,850 | 17.5 | \$191,249 |
| | Option Three -- Composite Slip Form | Repair | \$2,883,335 | 17.5 | \$164,762 |
| | Option Four -- Rebuild Bulkhead | Replace | \$4,396,210 | 50.0 | \$87,924 |
| 4. | Timber Boardwalk | | | | |
| | Rebuild with Southern Yellow Pine | Replace | \$1,617,512 | 5.0 | \$323,502 |
| | Rebuild with Premium Materials | Replace | \$1,941,014 | 13.0 | \$149,309 |
| 5. | Total Cost Estimates (with Premium Materials) | | | | |
| | Option One | | \$4,614,346 | | |
| | Option Two | | \$5,317,744 | | |
| | Option Three | | \$4,854,229 | | |
| | Option Four | | \$6,367,104 | | |



Harbor & Waterways Advisory Committee

Initial Funding Sources

(Source: M&N Jessica McIntyre, PE)

| Funding Source | Amount |
|--|--------------------|
| Public Beach & Waterfront Access Grant (PBWAG) | \$150,000 |
| Parks & Recreation Trust Fund (PARTF) | \$500,000 |
| Recreational Trails Program (RTP) | \$100,000 |
| Sub-total State Funding | \$750,000 |
| | |
| Building Resilient Infrastructure & Communities (BRIC) | \$4,800,000 |
| Sub-total Federal Funding | \$4,800,000 |
| | |
| Sub-total Grant Funding | \$5,550,000 |
| | |
| Town of Beaufort (other State or Local sources) | \$850,000 |
| | |
| Total | \$6,400,000 |



Harbor & Waterways Advisory Committee

Master Plan Update

(Susan Sanders/Miriam Sutton, Sub-Committee Chairs)



Harbor & Waterways Advisory Committee

Master Plan Summary

- Second part of Moffatt & Nichol's consulting contract with Town of Beaufort
- Blank-grease-board approach to considering investments Town of Beaufort could make on its boardwalk and upland properties to increase the quality of user experience for Town citizens, visitors, transient boaters and day boaters
- Sought public opinion and input via web site set up by M&N in October and November 2021
- Much of the public opinion aired views on Town parking problems
- Sub-Committee made recommendation to Waterways Committee to provide Master Plan guidance to M&N
- Committee approved the following Must Haves to any Master Plan scenario:
 - *Rebuild/Replacement of Bulkhead and Boardwalk*
 - *New Landmark Welcome Center/Dockmaster/Bathhouse*
 - *New Town-Controlled Fuel Tank Field*
 - *Revenue-Generating Mooring Field*



Harbor & Waterways Advisory Committee

Master Plan Optionality Example

- **Option One** – Complete the Must Haves Only (0-26)
- **Option Two** – Complete Must Haves, Convert Eastward Parking Lot into Community Green Space (26-52)
- **Option Three** – Complete Must Haves, Convert Eastward Parking Lot and Close Down Front Street from Turner to Queen Street to Construct a Walking Mall (69-95)

NOTE: Nothing more than a repair/replacement of the bulkhead and boardwalk can be achieved if the Town does not undertake some immediate measures to increase its parking capacity in alternative locations.



Harbor & Waterways Advisory Committee

Key Delivery Dates (Tentative)

| | |
|--|---------|
| Engineering Dive on Bulkhead..... | Feb 21 |
| HWC Recommendation on Bulkhead and Boardwalk to BOC..... | Mch 21 |
| HWC Master Plan Guidance to M&N..... | Apr 15 |
| Master Plan Draft #1 to HWC..... | May 30 |
| Town Input Meeting #1 on Master Plan..... | June 1 |
| Master Plan Draft #2 to HWC..... | July 1 |
| Town Input Meeting #2 on Master Plan..... | July 19 |
| HWC Recommendation on Master Plan to BOC..... | Aug 22 |



Harbor & Waterways Advisory Committee

Final Thoughts and Observations

- Timing to undertake a meaningful project like this is likely as good as it will ever be
- Significant grant money appears to be available to fund construction costs
- Board of Commissioners showed great foresight in 1978 in its objective to transform the Beaufort Docks
- Board of Commissioners has equivalent opportunity to transform its waterfront in keeping with Beaufort's history, but enhance the user experience of the docks and waterfront amenities
- The derivative result of high popularity and usage of the transient docks can translate to a material increase in the annual lease rates of the docks
- This will benefit all tax-paying citizens of Beaufort



Harbor & Waterways Advisory Committee

Questions

BOARD OF COMMISSIONERS REPORT

To: Honorable Mayor & Board of Commissioners

From: Kyle Garner, AICP, Planning Director

Date: January 19, 2022

Case No.: 22-01

THE REQUEST: Special Use Permit for Accessory Dwelling Unit

BACKGROUND:

| | |
|------------------------------|--|
| Location: | 308 Ann Street |
| Owner: | Scott Davidson |
| Applicant: | Sarah Afflerbach – Go Architecture |
| Requested Action: | Conduct Evidentiary Hearing and Provide Findings & Decision |
| CAMA Land Use: | Public & Institutional |
| PIN: | 730617103546000 |
| Size: | .184 Acres |
| Existing Land Use: | Vacant Lot – Former First Baptist Parsonage |
| Adjoining Land Use & Zoning: | North - Single-Family Residences; Zoned R-8 South – First Baptist Parking Lot – Zoned TR (Transitional) West – Single Family Residences - Zoned R-8 East – Single-Family Residences; Zoned TR |

SPECIAL INFORMATION: This property has been granted a Certificate of Appropriateness from the Historic Commission to construct a single-family dwelling with detached garage. Prior to the new dwelling the site was the Former First Baptist parsonage.

At their January 18, 2022 meeting, after some discussion, the Planning Board recommended approval of the Special Use Permit for an accessory dwelling unit.

| | | |
|---------------------------------|----------------|------------------|
| <u>Public Utilities:</u> | Water | Existing Service |
| | Sanitary Sewer | Existing Service |

ACTION:

1. Conduct Evidentiary Hearing
2. Provide Findings & Render a Decision with or without conditions based on those Findings



STAFF COMMENTS:

- This application is for a Special Use Permit for an Accessory Dwelling Unit per the TR Zoning District.
- The property owner has been through the Historic Commission to obtain a Certificate of Appropriateness.
- Accessory Dwelling Units are not uncommon in the historic district as there are at 3 within one block of this property.
- The request is consistent with the current Land Use Plan – (*See Application*)

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

E) Required Findings

1) In addition to any other findings or requirements as specified by any other section of this Ordinance, before any application for a special use may be granted or denied, the BOC shall make each of the following findings:

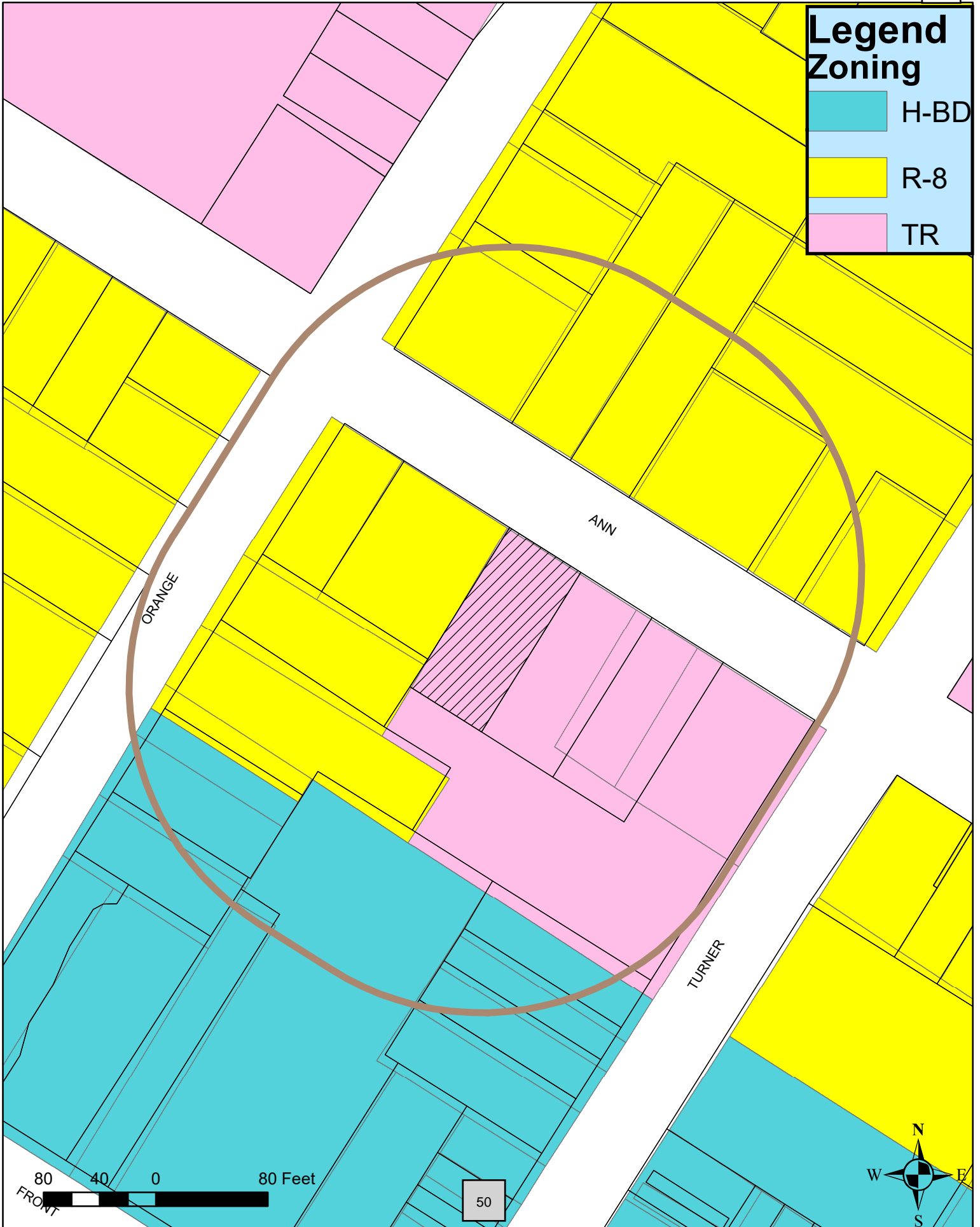
- a) The proposed use is an allowable special use in the zoning district it is being located within;
- b) The application is complete;
- c) The location and character of the use will be in conformity with the Town’s land use plan and other comprehensive planning elements;
- d) Streets, driveways, parking lots, traffic control, and any other traffic circulation features shall be designed and provided in accordance with current traffic engineering standards and Town regulations and found to be adequate for the proposed special use;
- e) The proposed special use will not substantially injure the value of adjoining or abutting properties;
- f) The proposed special use will be compatible and in harmony with adjoining land uses and the development patterns of the immediate area; and,
- g) The proposed use will not materially endanger the public health or safety of the community if located where proposed and developed according to the submitted and approved plan.

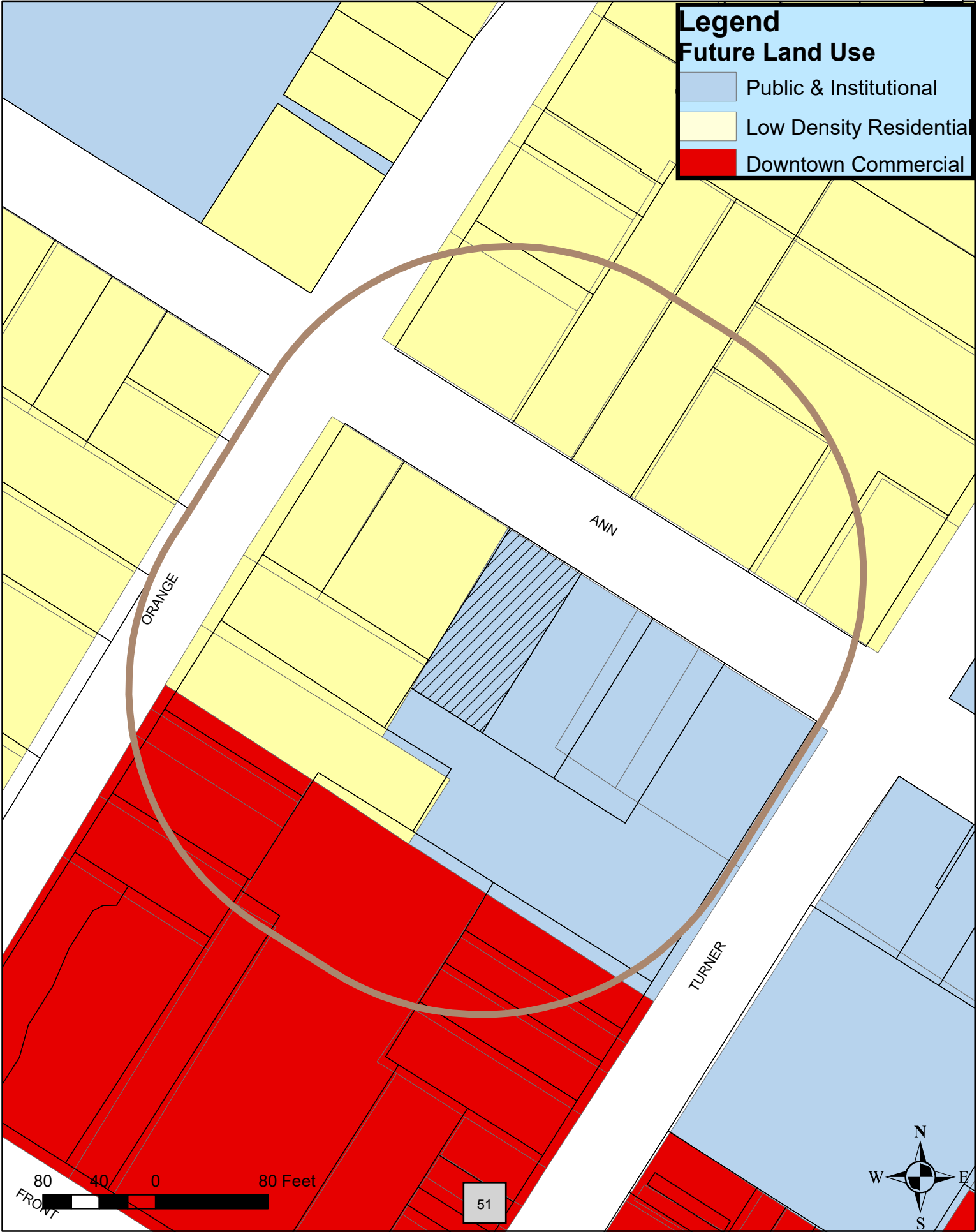


Exhibits:

- B- Vicinity Map
- C - Zoning Map
- D - CAMA Land Use Map
- E – List of Property Owners within 200 feet
- F - Application to include Site Plan
- G - Section 20 Special Use Permit Information







| <u>OWNER</u> | <u>MAIL_HOU</u> | <u>MAIL_ST</u> | <u>MAIL_CITY</u> | <u>STATE</u> | <u>ZIP</u> | <u>MAIL_ADD2</u> |
|--------------------------------|-----------------|----------------------|------------------|--------------|------------|------------------|
| AB CAUSEWAY LLC | 5206 | HOLLY COURT | MOREHEAD CITY | NC | 28557 | |
| ADAIR,GEOFFREY GLENN | 1344 | PINE VALLEY DRIVE | NEW BERN | NC | 28562 | |
| BEAUFORT HISTORICAL ASSOCIATIO | 150 | TURNER STREET | BEAUFORT | NC | 28516 | |
| BEAUFORT INVESTMENTS LLP | 608 | ANN STREET | BEAUFORT | NC | 28516 | |
| COLLINS,RICHARD A JR | 2533 | LAUREL CHERRY STREET | RALEIGH | NC | 27612 | |
| DAVIDSON,ARIAIL SCOTT | | | ASPEN | CO | 81612 | PO BOX 5141 |
| FIRST BAPTIST CHURCH BEAUFORT | 403 | ANN STREET | BEAUFORT | NC | 28516 | |
| GOELLNER,ALBERT J ETUX RUTH | 118 | ORANGE ST | BEAUFORT | NC | 28516 | |
| GROTHER,SANDRA F | 125 | WHIMBREL WAY | BEAUFORT | NC | 28516 | |
| HARRIS,STEPHEN W JR ETUX MARGE | 2816 | CHELSEA CIRCLE | DURHAM | NC | 27707 | |
| HUCKABEE,IAN DOUGLAS ETUX TRAC | 313 | ANN STREET | BEAUFORT | NC | 28516 | |
| MOSIER,DAVID W JR ETAL | 305 | ANN STREET | BEAUFORT | NC | 28516 | |
| MOSIER,WILLIAM H ETUX LAURA R | 305 | ANN STREET | BEAUFORT | NC | 28516 | |
| MOUNTCASTLE,RICHARD ETUX AMAND | 12121 | CASTLE RIDGE ROAD | RALEIGH | NC | 27614 | |
| NEWTON,FRANCES S TRUSTEE | 301 | ANN STREET | BEAUFORT | NC | 28516 | |
| NIXON-MOORE,MARY ELLEN | 307 | FRONT STREET | BEAUFORT | NC | 28516 | |
| OLD CAUSEWAY THOROUGHFARE LLC | 4737F | ARENDELL STREET | MOREHEAD CITY | NC | 28557 | |
| SIMPSON,ANN KINDELL | 3100 | MORROW FARM LANE | CHAPEL HILL | NC | 27516 | |
| STATE OF NORTH CAROLINA | 1321 | MAIL SERVICE CENTER | RALEIGH | NC | 27699 | |
| STEPHENSON,CATHERINE POTTER | 116 | ORANGE ST | BEAUFORT | NC | 28516 | |
| TAYLOR,NELSON W III ETUX PATRI | 311 | ANN ST | BEAUFORT | NC | 28516 | |
| THE '04 THOMAS O HOLLINSHED TR | 100 | S RIDGE STREET | SOUTHERN PINES | NC | 28387 | |
| WILLIS,BEN M | 2737 | SPIEGEL DR | VIRGINIA BEACH | VA | 23454 | |



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: GO Architectural Design, PLLC

Applicant Address: 1202A Pollock Street

Phone Number: (252) 633-0322 Email: sarah@goarchdesign.com

Property Owner Name: Scott Davidson

Address of Property Owner: 308 Ann Street, Beaufort, NC 28516

Phone Number: (970) 948-4800 Email: scott@christiesaspenre.com

PROPERTY INFORMATION

Property Address: 308 Ann Street, Beaufort, NC 28516

15-Digit PIN: 730617103546000 Lot/Block #: 1.1 TO W/OF BEAUFORT TOWN OF BEAUFORT PA R 8/2001

Size of Property (in square feet or acres): 0.184 Current Zoning: TR

Current Use of Property: Previously Single Family Requested Use: Residential Single Family

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.

Sarah Afflerbach
Applicant Signature

12.8.21
Date of Applicant's Signature

Scott Davidson
Property Owner Signature (if different than above)

12/8/21
Date of Owner's Signature

OFFICE USE ONLY

Revised 8/2020

Date: _____

Reviewed for Completeness By: _____

Received by: _____

Date Deemed Complete and Accepted: _____



December 08, 2021

Kyle Garner
701 Front St.
Beaufort, NC 28516

RE: 308 Ann Street, Beaufort, NC

Dear Kyle,

Thank you for your help taking this project through the Historic Preservation Commission. We understand that having a habitable accessory dwelling unit in our zoning area requires a Special Use Permit and we would like to apply for this permit.

The owner is looking toward the future in anticipation of needing a caretaker and would like to provide this habitable accessory dwelling unit for such a use. We also understand that there are other properties in the area that have similar structures with similar uses.

Attached are the pertinent Land Development Ordinance sections, site survey with the new structures located, plans and elevations of the structure, and photos of the streetscape. Please let us know if you need anything else to get this project on the schedule for a Special Use Permit.

Thanks again for your help.

Sincerely,

A handwritten signature in black ink that reads 'Sarah Afflerbach'.

Sarah Afflerbach, AIA, LEED AP

Land Development Ordinance

Definitions – page 16

Accessory Dwelling Units/Structures. Accessory Dwelling Units/Structures are commonly understood to be a separate additional living unit or structure, including kitchen, sleeping, and bathroom facilities, attached to or detached from the primary residential unit, on a single-family lot. They shall be subordinate in size, location, and appearance to the primary residential unit and may or may not have separate means of ingress or egress.

H) TR Transitional District. – page 63

Purpose: This intent of this district is to serve as a transition between residential and more intensive districts. This includes residential and commercial uses with a low noise and traffic impact which would generally be considered compatible with a residential area which may or may not have buffering requirements as documented in section 19 of this Ordinance. Uses in this district which require potable water or sanitary sewer must be connected to municipal water and municipal sewer.

B) Transitional District (TR). – page 99, 100

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

Accessory Dwelling Unit

E) Required Findings. – page 190

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;

[308 Ann Street is located in the TR District and this is an allowable use with a Special Use Permit.](#)

b) The application is complete;

[We have reviewed our application with the City staff and believe it is complete.](#)

c) The location and character of the use will be in conformity with the Town's land use plan and other comprehensive planning elements;

[The Town of Beaufort NC CAMA Core Land Use Plan \(map below\) shows on page 90 that 308 Ann Street is located in the Public & Institutional Use area. Page 94 of the Core Land Use Plan, Item D. states that for Public and Institutional designated areas may also include R-8 Medium Density Residential zoning districts which per the Town of Beaufort, NC Land Development Ordinance, page 82 allows for Accessory Dwelling Units provided they have a Special Use Permit which is what we are seeking.](#)

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;

[We are proposing a residential driveway similar to the surrounding houses and properties.](#)

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

The owner has obtained an appraisal for the designed project by a licensed appraiser and the accessory dwelling unit shows an added value to the overall project.

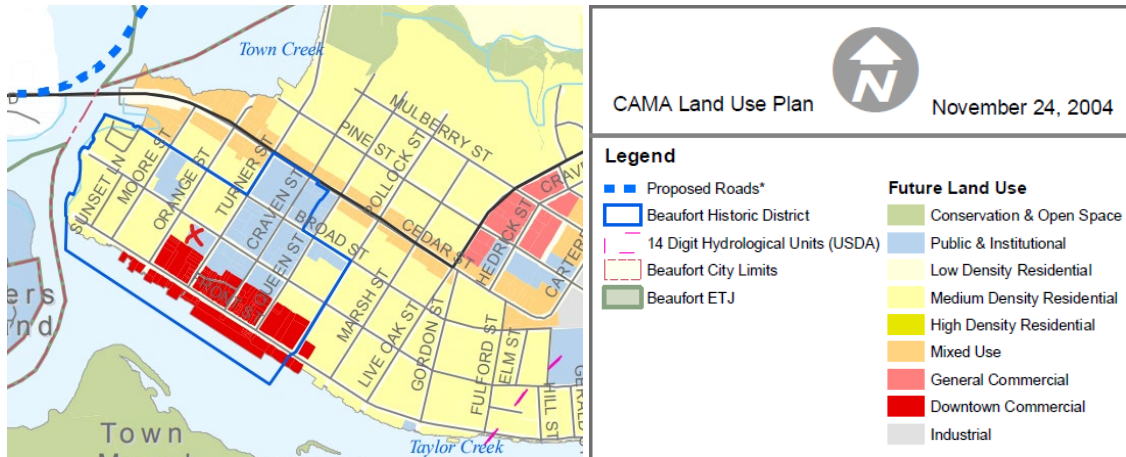
f) The proposed special use will be compatible and in harmony with adjoining land uses and the development patterns of the immediate area; and,

It is our understanding that there are similar accessory dwelling unit structures in the immediate vicinity, and this has not caused any harm to the neighborhood.

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 use is allowed per the Town of Beaufort, NC Land Development Ordinance, and the CAMA Core Land Use plan.

**CAMA Core Land Use Plan
308 Ann Street – Public & Institutional**



Photos of Streetscape, Site and Adjacent Homes:
308 Ann Street, Beaufort, NC 28516



308 Ann Street – Existing Site



Street view West on Ann Street



Street view West on Ann Street



Street view West on Ann Street



Street view East on Ann Street



Street view East on Ann Street



Street view East on Ann Street

DAVIDSON - CUSTOM HOME



SCALE: 3/16" = 1'-0"

KEYS & SYMBOLS

DOOR & WINDOW SIZE KEY
2060 = 2'-0" WIDE X 6'-0" HIGH

DRAWING NUMBER
SHEET NUMBER

ROOM NAME
BEDROOM
10' C.G. WOOD

CEILING HEIGHT AND SQUARE FOOTAGE
FLOOR FINISH

DRAWING NUMBER
1
A-101
SHEET NUMBER

FIRST FLOOR PLAN

Scale: 1/4" = 1'-0"

0'-0" GRADE
ELEVATION HEIGHT

ELECTRICAL ELEGEND

- ⦿ RECEPTACLE
- ⦿_F FLOOR RECEPTACLE
- ⦿_{GF} GFCI RECEPTACLE
- ⦿_{WP} WATER PROOF RECEPTACLE
- ⚡ SWITCH
- ⚡₃ 3 WAY SWITCH
- ✕ FAN / LIGHT
- ⦿ SECURITY LIGHT
- ⦿ CEILING MOUNT
- ▶ WALL SCONCE
- ⦿ CEILING PENDANT
- ⦿ FAN / LIGHT
- 6" RECESSED CAN
- ⦿ DIRECTIONAL PIN LIGHT
- ▭ FLUORESCENT
- ▬ UNDER-COUNTER
- ◁ CABLE
- ▭ GARAGE DOOR OPENER W/ LIGHT

SHEET SCHEDULE

| | |
|-------|--------------------|
| G-101 | TITLE SHEET |
| C-101 | SITE PLAN |
| A-101 | FIRST FLOOR PLAN |
| A-102 | SECOND FLOOR PLAN |
| A-201 | ROOF PLAN |
| A-203 | ELEVATIONS |
| A-202 | ELEVATIONS |
| A-203 | ELEVATIONS |
| A-204 | COTTAGE ELEVATIONS |
| A-205 | COLOR CHOICES |

SQUARE FOOTAGE

| | |
|------------------------|-----------------|
| HEATED / COOLED | |
| FIRST FLOOR PLAN | 1,573 SF |
| SECOND FLOOR PLAN | 1,373 SF |
| TOTAL | 2,949SF |
| DEPENDANCY | |
| | 447 SF |
| NON HEATED | |
| GARAGE | 305 SF |
| FRONT PORCH | 413 SF |
| SCREENED PORCH | 241 SF |
| 1ST FL REAR DECK | 337 SF |
| 2ND FL REAR DECK | 337 SF |
| TOTAL | 1,633 SF |



1202-A Pollock Street
New Bern, NC 28560
252-633-0322
www.goarchdesign.com

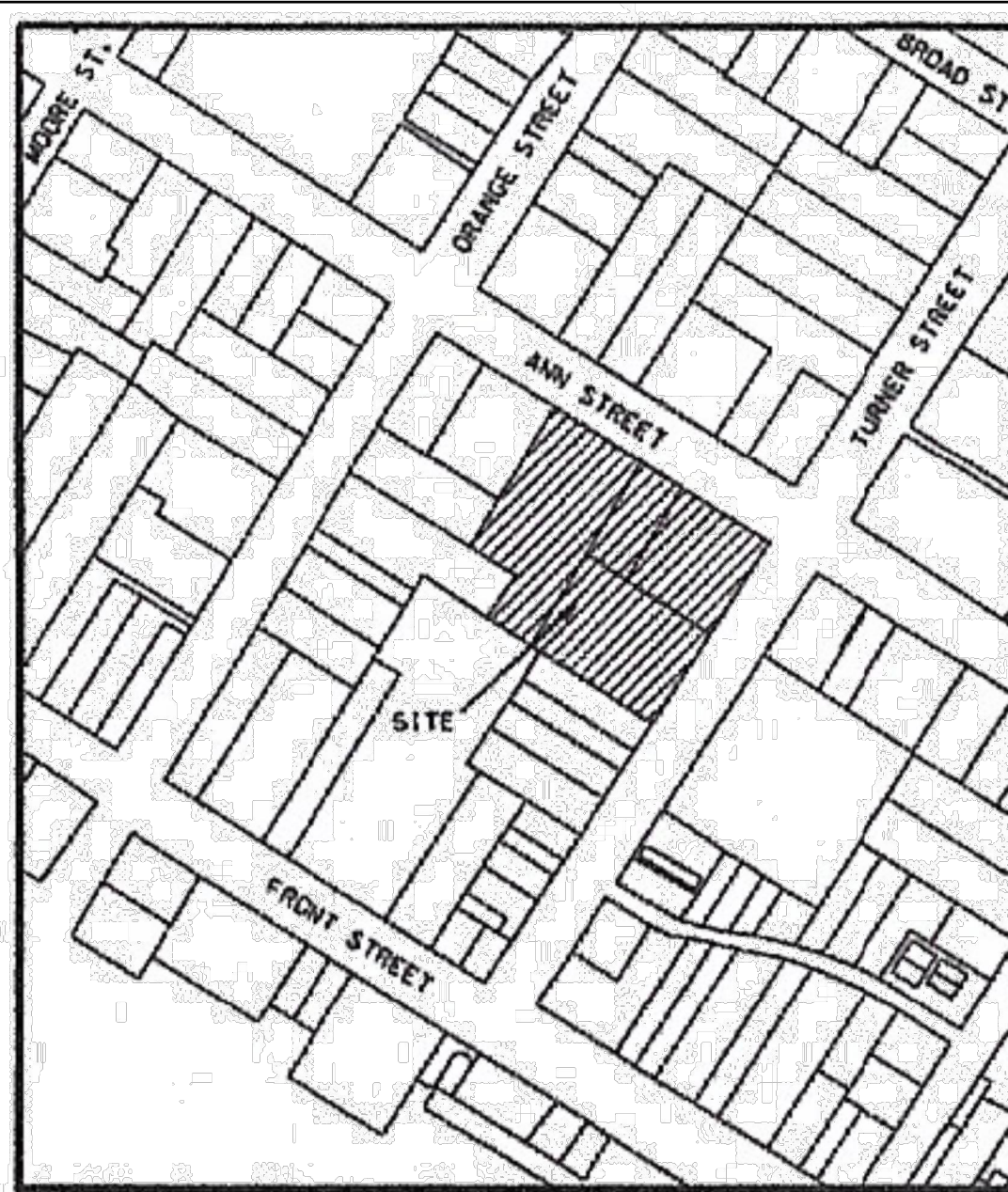
COPYRIGHT NOTE:
THESE PLANS ARE THE PROPERTY OF THE ARCHITECT. THESE PLANS CONTAIN PROPRIETARY INFORMATION OF GO ARCHITECTURAL DESIGN, PLLC. THEY ARE SUBJECT TO FEDERAL COPYRIGHT AND OTHER APPLICABLE FEDERAL AND STATE PROPERTY, TRADE AND RELATED LAWS. THESE PLANS, INCLUDING THE INFORMATION CONTAINED WITHIN, SHALL NOT BE SHARED, REPRODUCED, DISTRIBUTED OR USED IN ANY WAY WITHOUT WRITTEN CONSENT FROM THE ARCHITECT. ANY FAILURE TO OBTAIN SUCH CONSENT IS A VIOLATION OF LAW, AND MAY BE SUBJECT TO CIVIL AND CRIMINAL PROSECUTION AND PENALTIES.

DAVIDSON CUSTOM HOUSE
308 ANN STREET, NEW BERN, NC 28516

THIS PLAN HAS BEEN PREPARED TO MEET TOP PROFESSIONAL STANDARDS AND PRACTICES. HOWEVER, BUILDING CODES AND ENVIRONMENTAL CONDITIONS VARY FOR DIFFERENT LOCATIONS. IT IS THE RESPONSIBILITY OF THE PURCHASER OF THIS PLAN TO PERFORM THE FOLLOWING BEFORE BEGINNING CONSTRUCTION. VERIFY ALL DIMENSIONS PRIOR TO PROCEEDING WITH CONSTRUCTION. VERIFY COMPLIANCE WITH ALL LOCAL CODES. PLANS INDICATE LOCATIONS ONLY; ENGINEERING ASPECTS SHOULD INCORPORATE ACTUAL SITE CONDITIONS. HVAC & PLUMBING LAYOUTS ARE NOT INCLUDED. THESE SHOULD BE OBTAINED FROM A LOCAL MECH. CONTRACTOR OR ENGINEER. TO ENSURE COMPLIANCE WITH LOCAL CODE AND THAT EQUIPMENT IS SIZED CORRECTLY FOR YOUR PARTICULAR REGION AND CONDITIONS. VERIFY ALL STRUCTURAL ELEMENTS WITH LOCAL ENGINEER.

G-101
TITLE SHEET

G-101
TITLE SHEET
11.22.2021
DAVIDSON - 308 ANN ST



VICINITY MAP N.T.S.

| COVERAGE | |
|----------------------|----------|
| LOT SIZE 60'X134' | 8,040 SF |
| HOUSE FOOTPRINT | 2,627 SF |
| DEPENDENCY FOOTPRINT | 752 SF |
| TOTAL | 3,379 SF |
| LOT COVERAGE | 42% |

312 ANN STREET
 8,040 SQUARE FEET
 VACANT LOT EXCEPT FOR
 EXISTING WOOD FENCE
 ALONG NE & SE LOT LINES

N/F MARIANNA HOLLINSHED
 D.B. 932 PG. 446
 NCPIN 730617102745000

N/F ALBERT GOELLNER
 D.B. 821 PG. 247
 NCPIN 730617101688000

N/F CATHERINE STEPHENSON
 D.B. 786 PG. 662
 NCPIN 730617101653000

CERTIFICATE OF OWNERSHIP

I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON WHICH IS LOCATED WITHIN THE SUBDIVISION JURISDICTION OF BEAUFORT, AND THAT I HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH MY FREE CONSENT, AND ESTABLISH MINIMUM BUILDING SETBACK LINES AS NOTED.

OWNER _____ DATE _____

OWNER _____ DATE _____

TOWN APPROVAL

THIS IS AN EXEMPT SUBDIVISION PURSUANT TO THE TOWN OF BEAUFORT SUBDIVISION ORDINANCE ARTICLE V SECTION 1A: COMBINATION OR RECOMBINATION OF PREVIOUSLY PLATTED LOTS.

Mike Sam, Planning Director 6/30/2020
 DATE: PLANNING DIRECTOR

REVIEW OFFICER CERTIFICATION

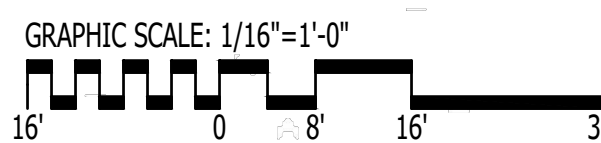
COUNTY OF CARTERET

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

Regan Retchiff 10/30/2020
 REVIEW OFFICER DATE

REGISTER OF DEEDS CERTIFICATION

FILED FOR REGISTRATION AT 4:32 PM 10:00 CLOCK



1202-A Pollock Street
 New Bern, NC 28560
 252-633-0322
 www.goarchdesign.com

COPYRIGHT NOTE:
 THESE PLANS ARE THE PROPERTY OF THE ARCHITECT. THESE PLANS CONTAIN PROPRIETARY INFORMATION OF GO ARCHITECTURAL DESIGN, PLLC. THEY ARE SUBJECT TO FEDERAL COPYRIGHT AND OTHER APPLICABLE FEDERAL AND STATE PROPERTY, TRADE AND RELATED LAWS. THESE PLANS, INCLUDING THE INFORMATION CONTAINED WITHIN, SHALL NOT BE SHARED, REPRODUCED, DISTRIBUTED OR USED IN ANY WAY WITHOUT WRITTEN CONSENT FROM THE ARCHITECT. ANY FAILURE TO OBTAIN SUCH CONSENT IS A VIOLATION OF LAW AND MAY BE SUBJECT TO CIVIL AND CRIMINAL PROSECUTION AND PENALTIES.

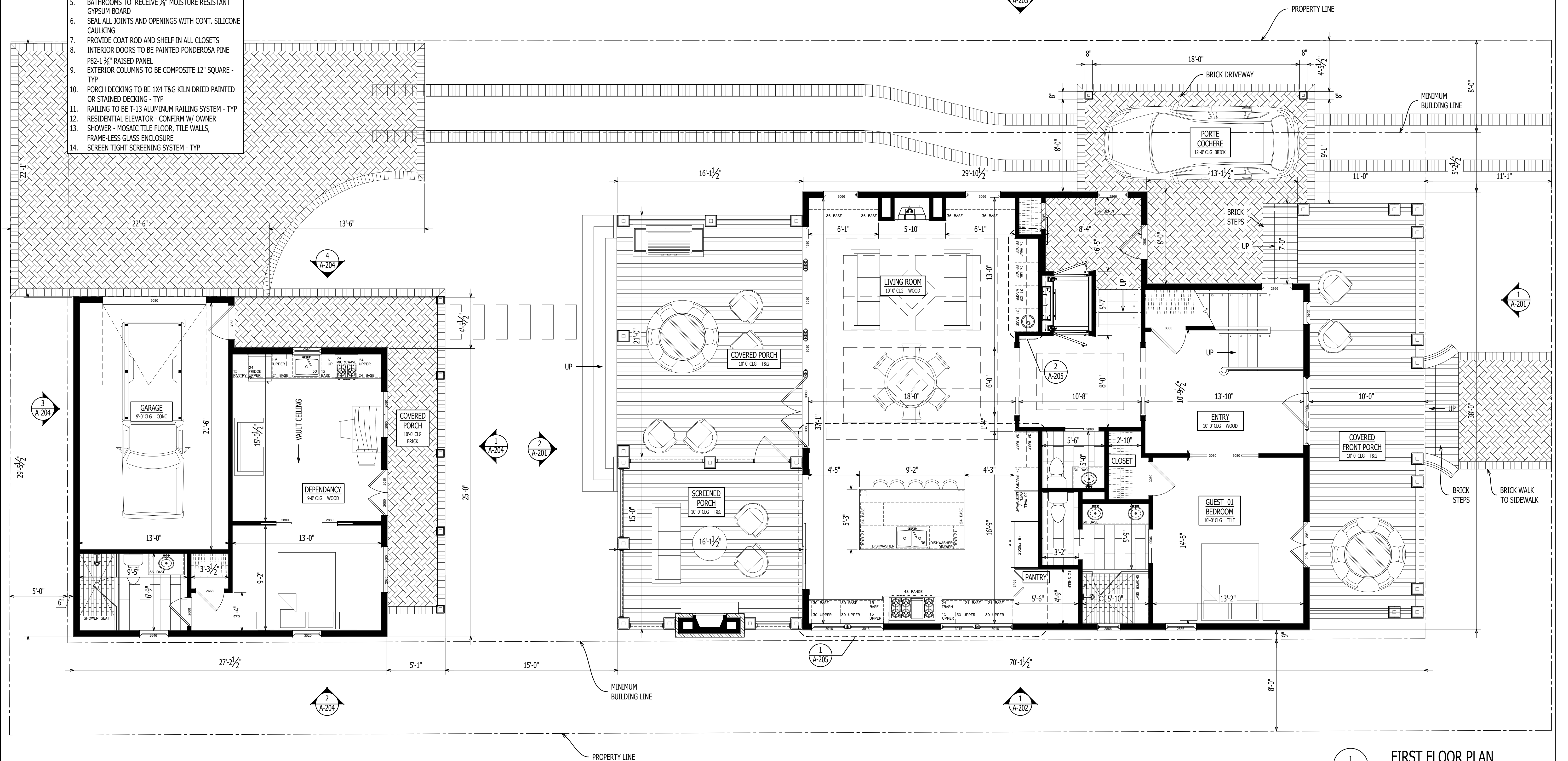
DAVIDSON CUSTOM HOUSE
 308 ANN STREET, NEW BERN, NC 28516

THIS PLAN HAS BEEN PREPARED TO MEET TOP PROFESSIONAL STANDARDS AND PRACTICES. HOWEVER, BUILDING CODES AND ENVIRONMENTAL CONDITIONS VARY FOR DIFFERENT LOCATIONS. IT IS THE RESPONSIBILITY OF THE PURCHASER OF THIS PLAN TO PERFORM THE FOLLOWING BEFORE BEGINNING CONSTRUCTION. VERIFY ALL DIMENSIONS PRIOR TO PROCEEDING WITH CONSTRUCTION. VERIFY COMPLIANCE WITH ALL LOCAL CODES. PLANS INDICATE LOCATIONS ONLY; ENGINEERING ASPECTS SHOULD INCORPORATE ACTUAL SITE CONDITIONS. HVAC & PLUMBING LAYOUTS ARE NOT INCLUDED. THESE SHOULD BE OBTAINED FROM A LOCAL MECH. CONTRACTOR OR ENGINEER. TO ENSURE COMPLIANCE WITH LOCAL CODE AND THAT EQUIPMENT IS SIZED CORRECTLY FOR YOUR PARTICULAR REGION AND CONDITIONS. VERIFY ALL STRUCTURAL ELEMENTS WITH LOCAL ENGINEER.

C-101
 SITE PLAN
 11.22.2021
 DAVIDSON - 308 ANN ST

NOTES

1. DIMENSIONS ARE TO FACE OF STUD - THIS SHEET
2. ALL EXTERIOR WALLS - 2X6 WOOD STUD @ 16" O.C.
3. ALL INTERIOR WALLS - 2X4 WOOD STUD @ 16" O.C.
4. 1/2" PAINTED GYPSUM BOARD ON ALL WALLS AND CEILING
5. BATHROOMS TO RECEIVE 3/8" MOISTURE RESISTANT GYPSUM BOARD
6. SEAL ALL JOINTS AND OPENINGS WITH CONT. SILICONE CAULKING
7. PROVIDE COAT ROD AND SHELF IN ALL CLOSETS
8. INTERIOR DOORS TO BE PAINTED PONDEROSA PINE P82-1 3/4" RAISED PANEL
9. EXTERIOR COLUMNS TO BE COMPOSITE 12" SQUARE - TYP
10. PORCH DECKING TO BE 1X4 T&G KILN DRIED PAINTED OR STAINED DECKING - TYP
11. RAILING TO BE T-13 ALUMINUM RAILING SYSTEM - TYP
12. RESIDENTIAL ELEVATOR - CONFIRM W/ OWNER
13. SHOWER - MOSAIC TILE FLOOR, TILE WALLS, FRAME-LESS GLASS ENCLOSURE
14. SCREEN TIGHT SCREENING SYSTEM - TYP



1 A-101 FIRST FLOOR PLAN
 Scale: 1/4" = 1'-0"
 GRAPHIC SCALE: 1/4" = 1'-0"

GO ARCHITECTURAL DESIGN PLLC

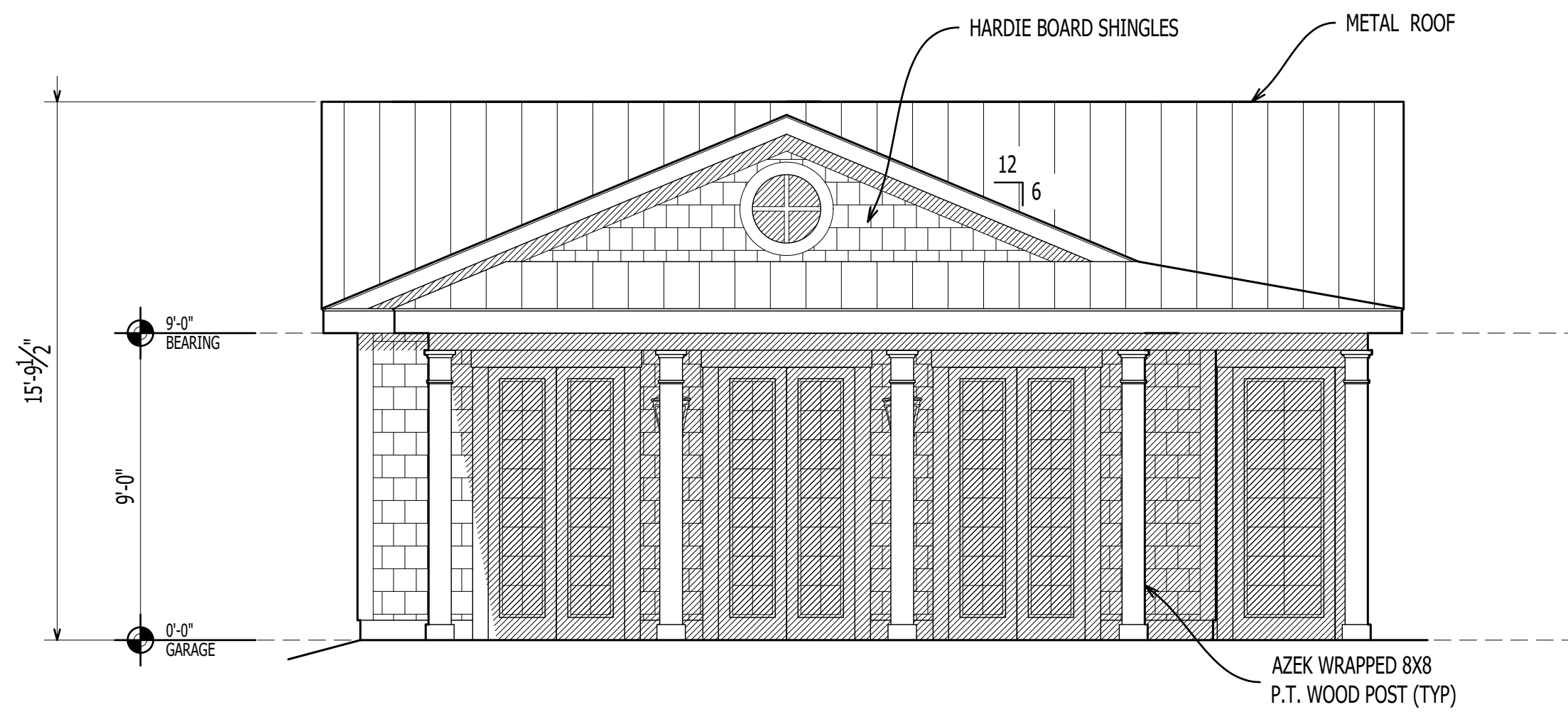
1202-A Pollock Street
 New Bern, NC 28560
 252-633-0322
 www.goarchdesign.com

COPYRIGHT NOTE:
 THESE PLANS ARE THE PROPERTY OF THE ARCHITECT. THESE PLANS CONTAIN PROPRIETARY INFORMATION OF GO ARCHITECTURAL DESIGN, PLLC. THEY ARE SUBJECT TO FEDERAL COPYRIGHT AND OTHER APPLICABLE FEDERAL AND STATE PROPERTY, TRADE AND RELATED LAWS. THESE PLANS, INCLUDING THE INFORMATION CONTAINED WITHIN, SHALL NOT BE SHARED, REPRODUCED, DISTRIBUTED OR USED IN ANY WAY WITHOUT WRITTEN CONSENT FROM THE ARCHITECT. ANY FAILURE TO OBTAIN SUCH CONSENT IS A VIOLATION OF LAW, AND MAY BE SUBJECT TO CIVIL AND CRIMINAL PROSECUTION AND PENALTIES.

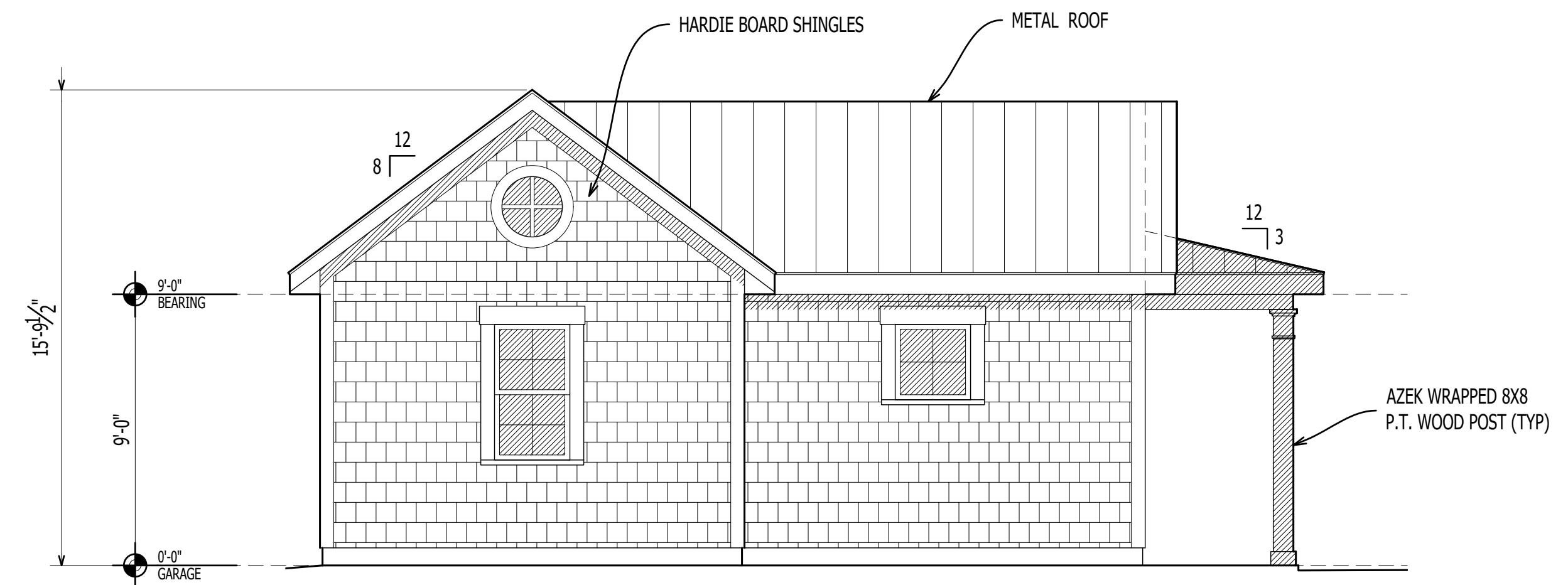
DAVIDSON CUSTOM HOUSE
 308 ANN STREET, NEW BERN, NC 28516

THIS PLAN HAS BEEN PREPARED TO MEET TOP PROFESSIONAL STANDARDS AND PRACTICES. HOWEVER, BUILDING CODES AND ENVIRONMENTAL CONDITIONS VARY FOR DIFFERENT LOCATIONS. IT IS THE RESPONSIBILITY OF THE PURCHASER OF THIS PLAN TO PERFORM THE FOLLOWING BEFORE BEGINNING CONSTRUCTION. VERIFY ALL DIMENSIONS PRIOR TO PROCEEDING WITH CONSTRUCTION. VERIFY COMPLIANCE WITH ALL LOCAL CODES. PLANS INDICATE LOCATIONS ONLY; ENGINEERING ASPECTS SHOULD INCORPORATE ACTUAL SITE CONDITIONS. HVAC & PLUMBING LAYOUTS ARE NOT INCLUDED. THESE SHOULD BE OBTAINED FROM A LOCAL MECH. CONTRACTOR OR ENGINEER TO ENSURE COMPLIANCE WITH LOCAL CODE AND THAT EQUIPMENT IS SIZED CORRECTLY FOR YOUR PARTICULAR REGION AND CONDITIONS. VERIFY ALL STRUCTURAL ELEMENTS WITH LOCAL ENGINEER.

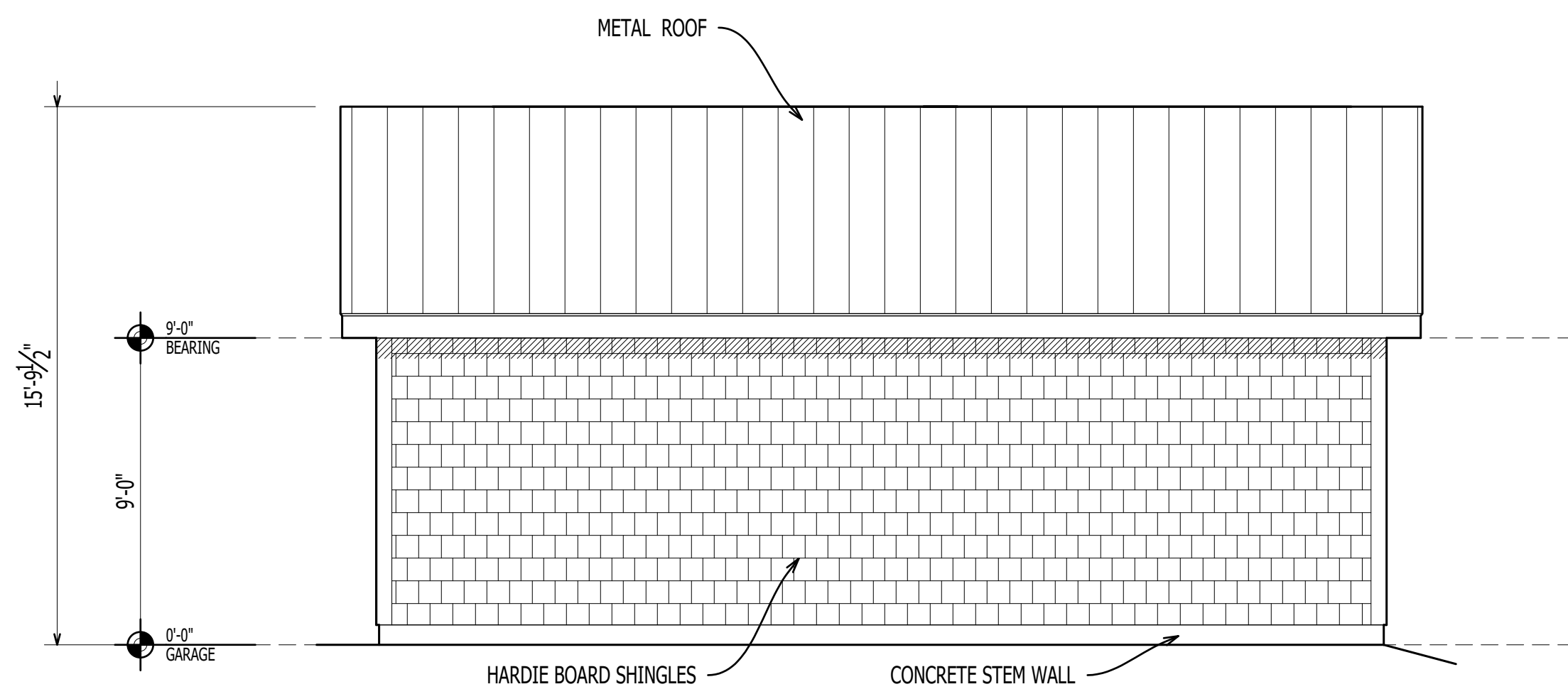
A-101
 FIRST FLOOR PLAN
 11.22.2021
 DAVIDSON - 308 ANN ST



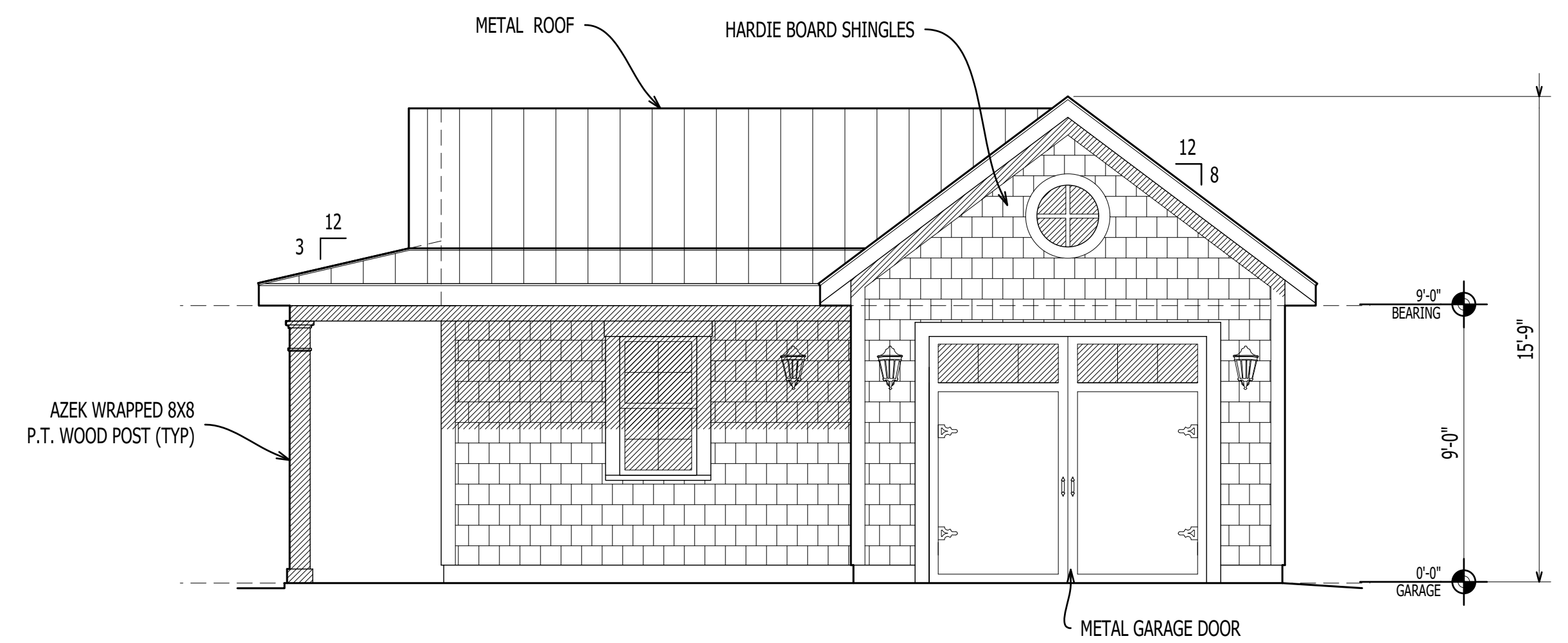
1 GARAGE ELEVATION
A-204 Scale: 1/4" = 1'-0"



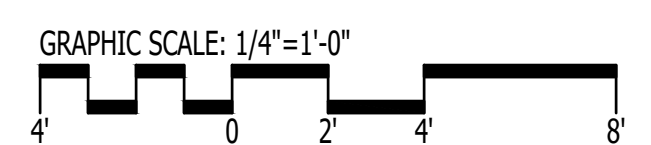
2 GARAGE ELEVATION
A-204 Scale: 1/4" = 1'-0"



3 GARAGE ELEVATION
A-204 Scale: 1/4" = 1'-0"



4 GARAGE ELEVATION
A-204 Scale: 1/4" = 1'-0"



1202-A Pollock Street
New Bern, NC 28560
252-633-0322
www.goarchdesign.com

COPYRIGHT NOTE:
THESE PLANS ARE THE PROPERTY OF THE ARCHITECT. THESE PLANS CONTAIN PROPRIETARY INFORMATION OF GO ARCHITECTURAL DESIGN, PLLC. THEY ARE SUBJECT TO FEDERAL COPYRIGHT AND OTHER APPLICABLE FEDERAL AND STATE PROPERTY, TRADE AND RELATED LAWS. THESE PLANS, INCLUDING THE INFORMATION CONTAINED WITHIN, SHALL NOT BE SHARED, REPRODUCED, DISTRIBUTED OR USED IN ANY WAY WITHOUT WRITTEN CONSENT FROM THE ARCHITECT. ANY FAILURE TO OBTAIN SUCH CONSENT IS A VIOLATION OF LAW, AND MAY BE SUBJECT TO CIVIL AND CRIMINAL PROSECUTION AND PENALTIES.

DAVIDSON CUSTOM HOUSE
308 ANN STREET, NEW BERN, NC 28516

THIS PLAN HAS BEEN PREPARED TO MEET TOP PROFESSIONAL STANDARDS AND PRACTICES. HOWEVER, BUILDING CODES AND ENVIRONMENTAL CONDITIONS VARY FOR DIFFERENT LOCATIONS. IT IS THE RESPONSIBILITY OF THE PURCHASER OF THIS PLAN TO PERFORM THE FOLLOWING BEFORE BEGINNING CONSTRUCTION. VERIFY ALL DIMENSIONS PRIOR TO PROCEEDING WITH CONSTRUCTION. VERIFY COMPLIANCE WITH ALL LOCAL CODES. PLANS INDICATE LOCATIONS ONLY; ENGINEERING ASPECTS SHOULD INCORPORATE ACTUAL SITE CONDITIONS. HVAC & PLUMBING LAYOUTS ARE NOT INCLUDED. THESE SHOULD BE OBTAINED FROM A LOCAL MECH. CONTRACTOR OR ENGINEER TO ENSURE COMPLIANCE WITH LOCAL CODE AND THAT EQUIPMENT IS SIZED CORRECTLY FOR YOUR PARTICULAR REGION AND CONDITIONS. VERIFY ALL STRUCTURAL ELEMENTS WITH LOCAL ENGINEER.

A-204

GARAGE ELEVATIONS

11.22.2021
DAVIDSON - 308 ANN ST

SECTION 20 Special Use Permits

A) *General.*

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

B) *Special Use Permit Application Procedures.*

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

Land Development Ordinance for the Town of Beaufort

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

C) *Quasi-Judicial Proceeding Notification Requirements.*

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

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

D) *Procedures on Special Use Applications.*

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

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

Land Development Ordinance for the Town of Beaufort

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

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

E) Required Findings.

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

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

F) **Special Use Guidelines.**

1) Adult Establishments.

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

2) Day Care Centers (Including Kindergarten).

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

Land Development Ordinance for the Town of Beaufort

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

3) Radio or Television Transmitter.

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

4) Telecommunication Tower.

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

Land Development Ordinance for the Town of Beaufort

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

5) Marinas.

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

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

6) Office: Small Business.

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

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



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 Meeting

4:00 PM Monday, February 28, 2022

Train Depot- 614 Broad Street, Beaufort, NC 28516

Minutes

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 Hagle
- Commissioner Cooper
- Commissioner Oliver
- Commissioner Terwilliger

Mayor Harker announced Commissioner Hollinshed could not be there due to personal reasons and asked for a motion to excuse her from the meeting.

Commissioner Terwilliger made a motion to excuse Commissioner Hollinshed from the meeting.

The motion carried unanimously.

Agenda Approval

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

The motion carried unanimously.

Public Comment

There was none.

Items for Discussion and Consideration

1. FY 2021 Audit Presentation

KoTang Cha-Moses of Martin Starnes and Associates presented the FY 2021 Audit, which is referenced in the agenda packet.

Commissioner Oliver asked several questions regarding who the firm answered to and who was ultimately responsible for the financial condition of Beaufort.

Ms. Cha-Moses said the Board of Commissioners were responsible.

Commissioner Oliver asked if the soul responsibility of the auditor was to ensure the Town’s bookkeeping system met GAP.

Ms. Cha-Moses explained the role of her firm, and said they issued their opinion, which indicates if the Town is in compliance with GAP.

Commissioner Oliver asked if there were any written or verbal comments other than those that accompany the handout.

Ms. Cha-Moses she explained there were some verbal recommendations with the Town Finance Director, but nothing she felt was significant to be in writing.

Commissioner Oliver asked specific questions regarding several pages of the Audit Book.

Ms. Cha-Moses explained her report and the recommendations in relation to the Local Government Commission (LGC), she elaborated on other Statewide procedures.

Commissioner Oliver asked Ms. Cha-Moses opinion on the \$312,000 she reported as doubtful account, whether it was reasonable or not.

Ms. Cha-Moses explained after an audit, they reviewed Management’s assessment of allowances; she said in the Town’s situation most of these were accounts that were 90 plus days overdue. She said that is typically what she recommends to her clients when she is considering their allowances; the number was reported for awareness.

Commissioner Oliver noted the report mentions 42.6 million dollars of capital assets several times and asked which of those assets were inventoried.

Ms. Cha-Moses explained they typically do not do any observation for the Town of Beaufort, but if they do any type of inventory observation, it sits in the inventory line rather than the capital assets line. She also explained there was a schedule of capital assets, provided by the Town, and they review those annually.

Commissioner Oliver pointed out there was a fair amount of debt, primarily to NC DEQ and asked if those loans and loan covenants had been reviewed by Ms. Cha-Moses.

Ms. Cha-Moses explained it depended on the type of loan, if there were covenants associated with the loan, they were reviewed. She added they reviewed the debt documents whenever an account picks up a new loan, and the debt agreement was reviewed at that time.

Commissioner Oliver said he would like Town staff to review the loan documents associated with the current loans, particularly the Town Manager, to ensure those covenants are being met.

2. Case #22-01 Special Use Permit for an Accessory Dwelling Unit at 308 Ann Street.

Kyle Garner, Planning Director, said this was a follow-up request, required by the new 160D law. He explained this item was part of a Quasi Judicial Hearing at the last Board of Commissioners Regular Meeting, and the board needed to review and render a decision based on the order that will be given to the applicant.

Commissioner Hagle made a motion to approve the order granting a Special Use Permit for an Accessory Dwelling Unit at 308 Ann Street.

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

3. Rezone 1113 Live Oak Street totaling 0.258 acres from R-8 to RS-5

Mr. Garner explained at the recommendation of the Planning Board, staff was requesting the Board of Commissioners conduct a public hearing at the March 14th Regular Meeting.

Mayor Harker confirmed a consensus to place the item on the upcoming agenda as a public hearing.

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

Mr. Garner explained at the recommendation of the Planning Board, staff was requesting the Board of Commissioners conduct a public hearing at the March 14th Regular Meeting. He also noted, at the recommendation of the Planning Board, there were some additional conditions placed on the PUD.

Commissioner Hagle had a question about the Type 2 Buffer.

Mr. Garner explained it is commonly referred to as a Type B buffer, consisting of a 10-foot buffer that suggests for every 100 or so feet, a certain number of median sized trees and shrubs are required as a buffer. He said the recommendation of the Planning Board was for this to be applied in certain areas.

Mayor Harker confirmed a consensus to place the item on the upcoming agenda as a public hearing.

5. Case #22-06 Special Use Permit for a Mini-Storage facility at 2150 & 2176 Live Oak Street

Mr. Garner explained the request was for the Board of Commissioners to conduct a Quasi Judicial Evidentiary Hearing for the Special Use Permit for a Mini-Storage facility at 2150 & 2176 Live Oak Street.

Mayor Harker confirmed a consensus to set the item as a Quasi Judicial Hearing at the upcoming meeting.

6. Voluntary Annexation Request

Ms. Lewis explained the Town received an application for voluntary annexation from Beaufort Agrihood Development, LLC and it was attached for review. She explained the first step in the annexation process is for the board to adopt a resolution directing the clerk to investigate the sufficiency of the petition requesting annexation. Ms. Lewis suggested this be an item for discussion and consideration at the March 14th Regular Meeting.

Mayor Harker confirmed a consensus to place this as an item for discussion and consideration on the upcoming agenda.

7. Past Minutes

Mayor Harker confirmed a consensus to place this under items of consent for the upcoming agenda.

8. Minutes- January 24, 2022 Work Session Meeting

Mayor Harker confirmed a consensus to place this under items of consent for the upcoming agenda.

9. Sewer Allocation Request-Proposed Trestle Walk Subdivision

Greg Meshaw, Town Engineer, explained staff was recommending placing the sewer request on the agenda for the upcoming regular meeting. He provided the following background regarding the request:

Beach Moss Development & Consulting, LLC is requesting that 3,360 gallons per day (gpd) of sewer capacity be reserved for a proposed 7-lot subdivision. The firm is planning to subdivide two parcels to create the subdivision. The two parcels have access to Live Oak Street and are located between the former Beaufort Elementary School property and the Hancock Park subdivision. Granting of the request must be by the Board of Commissioners even though the request is for less than 10,000 gpd. Action by the Board is required because the request is for reservation of sewer capacity. A request for reservation of sewer capacity for future use is deemed by the Town's Wastewater Allocation Policy to be a Level 4 priority when considering allocation requests. If approved, a nonrefundable reservation fee equivalent to twenty percent of the applicable sewer system development fee must be paid. Additionally, Priority Level 4 projects have twenty-four months to receive all approvals, certifications, and/or permits to begin construction. Otherwise, the allocation reverts to the Town, provided that the Board of Commissioners does not grant an extension.

Mayor Harker confirmed a consensus to place this as an item for discussion and consideration on the upcoming agenda.

10. 2021 Year End Parking Program Report

Jennifer Rossi, Parking Manager, gave a presentation on the 2021 end of year parking program, referencing materials included in the agenda packet. She noted a list of goals recommendations, and regulations for the upcoming parking season. A highlight of those recommendations are listed as follows: Citation fees go up to \$ 50 per Town Ordinance; The 5 spaces on Pollock Street in front of Town Hall will be made All Day Parking and parking signage will be added in front of them; Adding a 15-minute space on Craven St. to accommodate customers picking up orders on Front St; Staff suggestion of getting a Town golf cart for daily use of reading meters and collections.

Commissioner Cooper made a comment about several business owners on the waterfront who were not happy with the parking program, specifically customers who could not find a parking space. He also asked who would monitor the newly recommended 15-minute space.

Ms. Rossi said parking staff would monitor the space and explained where all day parking was located and how that was regulated.

Commissioner Cooper asked about Big Rock and how parking was affected during that time, noting there was a church parking lot area utilized in the past.

Rachel Johnson, Parks and Events Coordinator/Public Information Officer, spoke to this question, as there is a system in place. She explained in the past, it has fallen through the events application which required Big Rock to come through that specific avenue to pre-purchase weekly parking passes.

Commissioner Oliver spoke regarding the visibility of the parking machines, he asked if any of the updates addressed those issues.

Ms. Rossi said she had investigated the visibility issue last year and noted there is a real issue with the machines being on the waterfront. She suggested as of right now, there were not any alternatives.

Commissioner Oliver suggested new machines as a capital item, in hopes they would be less dependent on visual skills.

Ms. Rossi said the parking ambassadors do a good job assisting customers.

Commissioner Oliver asked who usually purchased the season passes, noting there were 129 from the presentation, and that represented almost a third of the total parking.

Ms. Rossi said business, residents, and employees, noting employees park in the Craven and Queen Street lots in attempt to keep employees off Front Street spots.

Commissioner Oliver suggested this be focused on in the upcoming season.

Commissioner Hagle agreed the parking meters are difficult to use, echoing Commissioner Oliver's suggested to research newer, more user-friendly meters. He explained the intent of paid parking as it was established, and the hopes for businesses to be successful from both a customer and employee aspect.

Commissioner Terwilliger followed up with some discussion regarding parking passes, noting the parking program was a resource of revenue for the Town. He suggested as more parking passes are sold, it could be taking away from the overall revenue. He

encouraged the Parking Manager to be cognizant of these areas going into 2023, so it could be better understood and addressed in the future. He gave examples such as: should passes be limited; should the Town be more tactical in how they are issued; is the Town charging enough for the passes. He noted the app that connected to customer phones was an easy and user-friendly platform.

Commissioner Hagle added that when paid parking began, it wasn't necessary created to generate revenue, rather than promoting businesses and visitors downtown.

Mayor Harker asked about the parking passes for employees, and how they were notified where to park once they obtained the pass.

Ms. Rossi explained that everyone who purchased a parking pass was provided a list of regulations, specifically regarding where they should park.

Mayor Harker pointed out that just because you have a pass, it does not guarantee a parking spot; there may be a lot of passes issued but there might not be an available space for everyone who has a pass. She suggested the golf cart suggestion was not a bad idea, noting parking staff had a large vicinity to cover and it could be used to help people as well as regulate the area.

Ms. Rossi suggested it would also be beneficial if a parking machine went down across Town, noting in the past there were only 5 parking ambassadors during the season.

Mayor Harker noted the savings in Town staff doing the upgrades in house and thanked Ms. Rossi for her presentation.

11. Consideration of Resolution # 22-002

Mayor Harker asked for a motion to excuse Commissioner Oliver from participating in the discussion considering Resolution # 22-002

Commissioner Hagle made a motion to excuse Commissioner Oliver.

The motion passed unanimously.

Todd Clark, Town Manager, explained he had tentatively set the Annual Board Retreat for March 10-11, 2022, with hopes to finalize those plans after the meeting. He reported the suggested venue is the Beaufort Hotel and said in consideration of Commissioner Oliver's financial interest in the venue, staff have conferred with the Town Attorney to ensure compliance with North Carolina General Statute 14- 234, titled "Public officers or employees benefiting from public contracts, exceptions".

Mr. Clark explained it was the desire of the staff to use the Beaufort Hotel as the meeting venue and recommended the Board of Commissioners adopt the below Resolution exempting the Town of Beaufort from North Carolina General Statute § 14-234, should they agree to use that location.

See proposed Resolution No. 22-002:

A RESOLUTION EXEMPTING THE TOWN OF BEAUFORT FROM NORTH CAROLINA GENERAL STATUTE § 14-234 RESOLUTION NO. 22-002

WHEREAS, North Carolina General Statute § 14-234 (a) (1) sets forth that no public officer or employee who is involved in making or administering a contract on behalf of a public agency may derive a direct benefit from the contract except as provided in NCGS § 14-234, or otherwise allowed by law; and

WHEREAS, North Carolina General Statute § 14-234 (a1) (1) defines a “public officer” as an individual who is elected or appointed to serve or represent a public agency, other than an employee or independent contractor of a public agency; and

WHEREAS, Towns having a population of no more than 20,000 according to the most recent official federal census may be exempted in accordance with (d1) Subdivision (a) (1) of NCGS § 14-234 if the following actions are taken:

- 1) The proposed contract(s) between the town and one of its officials must be approved by a specific resolution of the governing body adopted in an open and public meeting and the action must be recorded in the town’s board minutes;
- 2) The amount does not exceed sixty thousand (\$60,000) for goods and services within a 12-month period;
- 3) The official entering into the contract with the unit or agency cannot participate in any way or vote;
- 4) The total amount of the contract(s) with each official is specifically noted in the audited annual financial statement of the town; and
- 5) The town must post in a conspicuous place in Town Hall a list of officials with whom contracts have been made, briefly describes the subject matter of the contracts, and shows the total contract amounts within the preceding 12 months; all of which must be updated on a quarterly basis.

WHEREAS, the Town of Beaufort proposes to rent a facility from a Town of Beaufort Board of Commissioner for a public purpose.

NOW THEREFORE, BE IT RESOLVED, that the Town of Beaufort Board of Commissioners adopt this resolution with the intent of renting the Beaufort Hotel, partly owned and operated by Town of Beaufort Commissioner Charles Oliver II, for the purpose of hosting a two-day board retreat on the dates of March 10-11, 2022.

Adopted this the 28th day of February 2022

Sharon Harker, Mayor

Elizabeth Lewis, Town Clerk

Commissioner Hagle made a motion to approve Resolution No. 22-002

The motion carried unanimously.

Commissioner Terwilliger made a motion to allow Commissioner Oliver to return to the meeting.

The motion carried unanimously.

12. Ground Lease- Inlet Inn Beaufort, LLC

Arey Grady, Town Attorney, explained the background regarding the Inlet Inn ownership and associated leases, notifying the board that the current owner has requested an amendment to the subject Ground Lease Agreement between the Town of Beaufort and Inlet Inn Beaufort, LLC.

Mayor Harker deemed a consensus to move the item to the upcoming Regular Meeting, under items of discussion and consideration, as several Commissioners had questions about the lease.

Mr. Grady added that a possible closed session may be needed to discuss the item, depending on what the questions were.

13. NCBIWA Member Appointment

Mr. Clark explained the North Carolina Beach, Inlet & Waterway Association (NCBIWA) is dedicated to preserving, protecting and enhancing the North Carolina Coast by merging science and public policy in order to create a sustainable and resilient coast. Former Town Manager, John Day was a member on the board. The NCBIWA Board is composed of local, state and federal elected officials as well as attorneys, engineers and government staff who work together for the common goal of protecting the North Carolina Coast. Mr. Clark said the requested action was to appoint a new member to that board, and it was his understanding it was to be either a staff member or a member of the board.

Mayor Harker confirmed a consensus to place the requested appointment under items of discussion and consideration for the upcoming Regular Meeting.

14. FY 2022 Budget Amendment 6

Christi Wood, Finance Director, explained Budget Amendment 6 consisted of the following:

General Fund- This amendment requests the appropriation of fund balance for replacement of ferry docks (\$76,000) – this cost is for aluminum floating docks. There is an increase in the BCBS health insurance premiums for employees (\$50,611)- the town was made of aware of these increases in late December. The increase is \$126 per employee/per month for January- June, 67 employees in the General Fund. This amendment also requests the appropriation of other revenue from the sale of surplus fire equipment to purchase automated external defibrillators (AEDs) (\$10,000).

Utility Fund- This amendment requests the appropriation of fund balance for the increase in the BCBS health insurance premiums for employees (\$9,065)- the town was made of aware of these increases in late December. The increase is \$126 per employee/per month for January- June, 12 employees in the Utility Fund.

Commissioner Oliver had questions about the portion of the budget amendment that pertained to the ferry docks replacement. He questioned who the owner of the referenced docks was and who was responsible for the maintenance on the docks.

Mr. Clark said it was his understanding these were the docks across from Town Hall, and the former Town Manager confirmed with Mr. Grady that the Town was responsible for the maintenance of the docks and the owner was the National Park Service, per the current lease. 1.

Mr. Grady said he believed it was the Town's responsibility to maintain or replace the docks as needed, but he did not have the lease in front of him to confirm that. He suggested it would be wise if he revisited the item, answer these questions, and report back to the Board and Town Manager.

Commissioner Hagle suggested the Board be provided a copy of the lease.

Mark Eakes, Public Works Director, informed the Commissioners the quote he received was good for 30 days, but it subject to change after due to the rising material cost.

Ms. Wood explained it was the pleasure of the board but suggested if they wished to wait until the additional information was provided, she could separate that portion of the budget amendment out for a future meeting.

Commissioner Hagle suggested making the ferry dock replacement a separate budget amendment.

Mayor Harker asked Ms. Wood if the budget amendments could be separate in the future, in the event something like this might happen again.

Ms. Wood said she would separate them moving forward.

Commissioner Hagle made a motion to approve Budget Amendment 6, under the conditions of removing the portion regarding the replacement of the ferry docks.

The motion passed unanimously.

15. Financial Notes

Ms. Wood presented the January Financial Report, discussing the tax balances for December and January, the sales and use tax distributions for February was reported as \$191,362; that was for November sales.

Mayor/Commissioner Comments

Commissioner Cooper spoke on the fantastic turn out for Mardi Gras event.

Commissioner Oliver commended the Town Manager on listening to concerns and suggestions, and for his leadership. He specifically spoke on the financial success of the Town and thanked the staff for their hard work.

Commissioner Terwilliger brought up the topic of volunteer boards in the Town. He recommended there be some type of educational training for all members on these boards, as there have been some situations that were not always handled appropriately. He suggested the Town provide the tools for the people on these boards to help ensure they are making the right decisions, as ultimately, they are serving the Town.

Commissioner Hagle pointed out the Board had a chance to visit all of the Town Facilities recently and expressed how well the Town is being managed, commending the quality of employees the Town has from top to bottom.

Mayor Harker spoke on how great it was to be back in-person. She thanked the staff who worked on the technology piece to make that possible. She also thanked the Town Manager for his hard work as well as the Board and commended them all for their visibility around Town. She ended by speaking about several newly opened businesses around Town and encouraged everyone to support local establishments when possible.

Adjourn

Commissioner Hagle made a motion to adjourn the meeting at 5:40 PM.

The motion carried unanimously.

Sharon Harker, Mayor

Elizabeth Lewis, Town Clerk



BOARD OF COMMISSIONERS RETREAT

March 10-11, 2022

Minutes

Present:

- Mayor Sharon Harker
- Mayor Pro Tem John Hagle
- Commissioner Melvin Cooper
- Commissioner Marianna Hollinshed
- Commissioner Bucky Oliver
- Commissioner Bob Terwilliger

- Todd Clark, Town Manager
- Paul Burdette, Police Chief
- Barbara Cooper, HR Manager
- Mark Eakes, Public Works Director
- Kyle Garner, Planning & Inspections Director
- Rachel Johnson, Parks & Events Coordinator/PIO
- Elizabeth Lewis, Town Clerk
- Greg Meshaw, Town Engineer
- Tony Ray, Fire Chief
- Donovan Willis, Public Utilities Director
- Christi Wood, Finance Director

Day 1- March 10, 2022

Mayor Harker, Mr. Clark, and Group Facilitator Chris Aycock began the retreat at 8:30 am, by giving a welcome introduction and overview of the agenda.

Michelle Query, Carteret County Economic Development Director, gave a presentation that highlighted several topics involving economic growth and development in Carteret County. She discussed the importance of understanding and promoting strategic initiatives, entrepreneurs, and remote workers. She gave information regarding a recent housing needs assessment and touched on affordable housing. She also informed the group of the Connected Carteret Coalition for Digital Inclusion Plan, which was formed with goals of improving internet access and making it more affordable. She ended her presentation with education on the Litter Free Land and Sea, Keep Carteret Clean Coalition, providing excellent information and resources to the group.

The group asked Ms. Query several questions before taking a break.

Tim Ware, Interim Director for Eastern Carolina Council of Governments (ECCOG), gave an overview of the ECCOG and their core competencies which include facilitation, partnership development, long range strategic planning, data aggregation and sharing, technical expertise, capacity building, efficiency in local and state government, and program administration. He discussed traditional services provided to local governments by the ECCOG, such as community and economic development, grant writing and management, planning and GIS mapping services, State and Federal program management and workforce development. He shared the organization was in the middle of a revitalization process and was not in a place to offer services like they have in the past. He discussed their mission statement, vision and hopes to build back a strong organization.

The group asked Mr. Ware a few questions before taking a break.

Tracy Mancini, Carteret Community College President, gave a presentation on Carteret Community College. She highlighted the increased enrollment and growth during the pandemic. She also emphasized the school’s accomplishments in several different programs of study. She discussed how they worked to prioritize public safety in 2020-2021; with improvements in the Basic Law Enforcement Training (BLET) facility and fire training tower and equipment. She discussed key partnerships throughout the county and shared how Beaufort was incorporated through student enrollment and organizations that support the school.

Perry Harker, Carteret Community College Vice-President for Workforce Training, continued the presentation by sharing how the college supports workforce development. He discussed short-term workforce training, customized training, human resources development, apprenticeship, work-based learning, and the success of the resources provided by the small business center. He also elaborated on the Big Rock Career Center and informed the group of all the potential opportunities the facility has to offer, as it is a great addition to the school as well as Carteret County as a whole.

There was a break for lunch.

Mr. Aycock conducted a team building exercise with the Board of Commissioners, Town Manager and Department Heads. The exercise illustrated how each person in the group typically made decisions and provided a valuable outlook on the teamwork approach in an organization, gathering that it takes a variety of contributions to achieve any goal.

The remainder of the afternoon consisted of Department Heads explaining what the Future of Beaufort looked like to their specific department. A summary of those presentations is listed below.

Ms. Wood discussed the Town Hall facility and the need for more space. She brought up the need for a centralized purchasing agent within the finance department, as well a professional grant writer to obtain, implement and regulate the numerous grants the Town is awarded.

Ms. Cooper shared a new mission statement, and strategic plans for the Human Resources Department. She emphasized the importance of employee retention, recruitment of qualified individuals, educational training, a safe working environment and future goals of the department. She discussed strategies to reduce Workers’ Compensation Experience Rating for the Town of Beaufort.

Ms. Johnson discussed future goals in her role as a Public Information Officer, as well as with Parks & Events. She mentioned the importance of continuing to implement emergency communication methods, growing email databases, social media presence and building community relationships. She discussed the goal of relaunching the Beaufort Citizen's Academy. She expressed concerns with technology challenges, time, and lack of staffing, especially on the Parks & Events side of her job. She described a future outlook that would encompass new signage, additional green space, and development of Town activities; again, emphasizing the need for more staff to enable growth of the department. She shared ideas and visions from Parks & Recreation Advisory Board; they would like to see the Town offer activities such as: exercise classes, youth programs, summer camps, outdoor movies, concert series, a community garden, and senior activities. She explained programming will require additional staff and funding.

Mr. Garner explained future concerns and goals for the Planning and Inspections Department. He discussed Waterway & Harbor Management involvement and the bulkhead repair project. He also brought up potential questions that focused on who will operate the Town docks in the future. He discussed growth boundary, resilience, code enforcement and the potential need for airport expansion. He suggested more staff is needed to facilitate the growth happening throughout Town, specifically suggesting a Historic Preservation position would be beneficial.

Mr. Meshaw gave a presentation on the future of Beaufort, from a public services perspective. He discussed big picture items, such as needed facilities, stormwater management, wastewater capacity, equipment, and personnel. He discussed the water treatment plants, equipment and the need for expansion; overall suggested a space needs assessment should be conducted. He discussed the future need for additional staff as well as those who will be retiring. He brought up connection between additional development and a large increase for service needs.

Mr. Willis specifically spoke to the existing conditions of the Town's water production wells. He also proposed acquiring 2 additional well sites would be beneficial. He proposed the departments current recommendations of replacing and rehabilitating certain pump stations. He also discussed storage challenges in the current public utilities garage.

Mr. Eakes explained the needs of Public Works, which included new equipment and staff. He discussed several factors that put extra wear on the equipment, such as extreme climate conditions and not having a space to store the equipment out of the weather. He explained there was a crucial need for a new public works facility and pointed out the deficiencies in the current building, such as ventilation, heating, lack of storage, space, and a large truck site accessibility.

Mr. Burdette identified potential needs for the Police Department looking forward. He suggested the top areas include a new facility, more staff, vehicle replacement as needed, and parking equipment upgrades for Downtown. He pointed out they had reached capacity in the current facility and the space was not adequate to address current staffing and operational needs of the department. He also discussed potential growth throughout Town, and how it could impact the current level of service. He noted the need for an additional detective position. He mentioned as the need for marine patrols increased, it could potentially lead to additional staffing and funding to respond to the community demand.

Mr. Ray discussed the Fire Department's future needs regarding facilities, staffing, apparatus, and vehicles. He reported Station 2 was coming along nicely; he emphasized the need for additional staffing down the road, as well as a potential fire truck.

Mayor Harker adjourned the meeting at 4:30 pm.

Day 2- March 11, 2022

Mayor Harker welcomed everyone to the meeting at 8:30 am.

Mr. Aycock recapped the day before and facilitated a group exercise between the Board of Commissioners, Town Manager and Department Heads that focused on recent successes. To follow the discussion of recent accomplishments, the Board of Commissioners started creating priorities and opportunities for the future.

The group dismissed for a lunch break.

Mr. Aycock displayed a visual breakdown of each priority recommended by the Board of Commissioners and grouped those into categories. The topics were later developed into goals for the future of Beaufort. A summary of these goals and objectives includes the following:

- Finish infrastructure planning with set timelines for projects.
- Focus on the budget, along with a variety of financial topics.
- Beaufort waterfront/dock awareness and planning.
- Conduct a space needs analysis for multiple Town facilities.
- Manage growth and continue providing high quality services throughout Town.

The Board of Commissioners and Town Manager offered closing comments and discussed positive outcomes from the retreat. Mayor Harker thanked everyone who participated in making the retreat a success. She adjourned the meeting at 3:30 pm.



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, March 14, 2022
Train Depot, 614 Broad Street,
Beaufort, NC 28516
Minutes**

Call to Order

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

Pledge of Allegiance

Mayor Harker invited all to join in reciting the Pledge of Allegiance.

Roll Call

Elizabeth Lewis, Town Clerk, called the roll.

PRESENT:

Mayor Harker

Mayor Pro Tem Hagle

Commissioner Cooper

Commissioner Hollinshed

Commissioner Oliver

Commissioner Terwilliger

Agenda Approval

Commissioner Hagle made a motion to approve the agenda.

The motion passed unanimously.

Manager Report

Todd Clark, Town Manager, notified the board of several upcoming agenda items and meeting dates for volunteer boards. He discussed several upcoming events to take place in May and June. He gave an update on a few projects happening around Town as well routine maintenance items.

Public Comment

Janet Woodward, 2217 Lennoxville Road, spoke about the development of Beau Coast, the entrances to that subdivision and the need for a sidewalk down Lennoxville Road. She suggested if there was room for turning lanes in the area, there should be room for sidewalks. She explained people had no where to walk without a sidewalk, and this affects many citizens.

Dale Davis, 133 Piver Road, spoke about an issue with his neighbor regarding the maintenance and upkeep of his yard. He suggested the high grass levels next door caused rodent (rat) problems on his property. He said he expressed concern on this same issue a year ago and was notified the Town could not do anything because he lived in the ETJ area of Beaufort. He requested assistance with this issue moving forward.

Kathy Davis, 133 Piver Road, spoke on the same issue as Mr. Davis, as they reside at the same address. She explained they had also been to a Carteret County Board of Commissioners meeting to express their concerns, and they later sent a letter saying they could not help. She also voiced concern regarding the potential storage buildings being built in the neighborhood, which could potentially make the rat problem worse. She also expressed the health hazard and safety concerns associated with their neighbor’s house.

Logan Louis, 900 Cedar Street, discussed the proposed sewer allocation request for Trestle Walk, suggesting it was a bad idea because of its flood zone classification. He voiced his concern with the Town extending utilities to the area. He explained much of Trestle Walk could potentially be underwater years down the road, according to NOAA’s Interactive Sea Level Rise Map. He discussed King Tides, and future flooding the Town might face. He also spoke on the ditch along the boarder of the proposed Trestle Walk Subdivision, suggesting it was not a ditch rather than a branch of Town Creek, and expressed environmental concerns in the area. He suggested Trestle Walk should be used as a greenspace area with possible trails and a bridge.

Items of Consent

- 1. Minutes
- 2. Year End Parking Program Report

Commissioner Hollinshed made a motion to approve the items of consent as presented.

The motion carried unanimously.

Items for Discussion and Consideration

- 1. Sewer Allocation Request (Reservation) Proposed Trestle Walk Subdivision Live Oak Street

Greg Meshaw, Town Engineer, presented the sewer reservation request and explained this was for a future project. He explained this was an anticipated 7-lot residential subdivision; at this time, the applicant envisions the lots to have 4-bedroom units, which equates to an allocation of 3,360 gallons per day. He referenced the two maps included in the meeting packet, and reminded the board it was a reservation request, not an allocation of sewer for a project that has permits ready to proceed. He pointed out the applicant has 24 months to obtain proper permits and be prepared to construct the project; otherwise, the reserved allocation reverts to the Town unless the Board grants an extension. Mr.

Meshaw said Greg Moss was present on behalf of Beach Moss Properties LLC and was available to answer any questions.

Commissioner Terwilliger noted citizen’s concerns regarding the ditch area and asked if those issues would be addressed moving forward.

Greg Moss, 114 Radley Lane, explained he had already had a preliminary site visit with CAMA, where they received approval for the entrance road of the lot and suggested it would be treated as a rehabilitation project rather than a new construction project. In regard to the ditch mentioned, he suggested a certain portion of it does have some integration with the Town Creek Marsh and explained there were certain guidelines that had to be followed because of that.

Commissioner Terwilliger asked if they had considered future water level in relation to the project.

Mr. Moss said he and his team visited the property during a recent King Tide. He explained the property sits a few feet higher than surrounding properties and the water level did not seem to be an area of concern.

Commissioner Oliver asked if the ditch mentioned was on his property.

Mr. Moss explained he was having the property surveyed in the next few weeks but believed the property line may split the ditch down the middle according to maps examined.

Commissioner Oliver asked if he was aware of any easements.

Mr. Moss said he was not aware of any; he explained there was a culvert that runs between the stormwater ditch and the creek on the north part of the property that will need maintenance. He suggested that would not be a problem after having it professionally surveyed, as they will determine exactly where the lines are located and what areas they are responsible for cleaning.

Commissioner Hagle made a motion to approve the proposed sewer request as presented.

The motion carried unanimously.

2. FY 2022 Budget Amendment 7

Mr. Clark explained this to be a general fund budget amendment that requests the appropriation of fund balance for grant work to be completed for the Waterfront Master Plan in the amount of \$18,000; approval of this amendment authorizes the Town Manager to enter into a contract with Moffatt and Nichol for Grant Support Services. He said it was a recommendation from the Harbor and Waterways Master Plan Advisory Committee.

Commissioner Hollinshed made a motion to approve Budget Amendment 7.

The motion carried unanimously.

3. Voluntary Annexation Request

Ms. Lewis explained the Town received an application for voluntary annexation from Beaufort Agrihood Development, LLC and it was attached for review. She explained

the first step in the annexation process is for the board to adopt a resolution directing the clerk to investigate the sufficiency of the petition requesting annexation. The proposed resolution is listed below.

RESOLUTION DIRECTING THE CLERK TO INVESTIGATE A PETITION RECEIVED UNDER G.S. 160A-31

WHEREAS, a petition requesting annexation of an area described in said petition was received on February 17, 2022 by the Town of Beaufort; and

WHEREAS, G.S. 160A-31 provides that the sufficiency of the petition 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 this request 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 petition and to certify as soon as possible to the Board of Commissioners the result of his investigation.

Adopted this 14th day of March 2022.

Sharon Harker, Mayor

Elizabeth Lewis, Town Clerk

Commissioner Terwilliger asked for clarification regarding the term sufficiency in this particular situation.

Arey Grady, Town Attorney, explained the clerk would determine whether or not the petition meets statutory requirements for annexation; if the clerk determines it does meet those requirements, it will go before the board at a later date for a final decision regarding the annexation request.

Commissioner Terwilliger made a motion to approve the resolution.

The motion carried unanimously.

4. NCBIWA Member Appointment

Commissioner Hollinshed made a motion to open the floor for nominations.

The motion carried unanimously.

Commissioner Hollinshed nominated Commissioner Melvin Cooper.

Commissioner Hagle made a motion to close nominations.

The motion carried unanimously.

Mayor Harker confirmed Commissioner Cooper's NCBIWA Member Appointment.

Public Hearing

- 1. Rezone 1113 Live Oak Street totaling 0.258 acres from R-8 to RS-5

Commissioner Hagle made a motion to open the floor for Public Hearing.

The motion carried unanimously.

No one spoke during the Public Hearing.

Commissioner Hagle made a motion to close the Public Hearing.

Kyle Garner, Planning and Inspections Director, explained the request was to rezone 1113 Live Oak Street from R-8 to RS-5. He provided information on the .26-acre lot and shared the vicinity and zoning map provided in the meeting packet. He explained if approved, the requested rezoning would require an amendment to the CAMA Core Land Use Plan Future Land Use Map, as the RS-5 Single Family Residential District is consistent with the High-Density Residential Classification. He added that at their January 18th meeting, the Planning Board recommended the rezoning from R-8 to RS-5 as well as amending the Future Land Use Map, based on the surrounding land use pattern and zoning.

Commissioner Terwilliger said a rezoning should be granted for specific reasons that would require the rezoning. He suggested there was no reason to rezone the lot at this point, based on the application submitted.

Commissioner Hagle asked Mr. Garner to explain the minimum requirements allowed in RS-5 in terms of free space.

Mr. Garner said the RS-5 district was designed to where the amount of impervious surface could not exceed over 50% of the total lot area.

Commissioner Oliver also pointed out the detached garage could be built in the R-8 zoning.

Mr. Garner said if they can meet the setbacks, yes sir.

Commissioner Cooper expressed concerns about the applicants request to rezone, also indicating he can build a garage in the current zoning.

Commissioner Terwilliger made a motion to deny the request, on the grounds that the requester does not need to have a rezoning to accomplish what their stated purpose and objective is within the property.

The motion carried with a (3-2) vote; Commissioner Hagle and Commissioner Hollinshed voting in opposition.

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

Mr. Garner explained the request was to revise the layout for the Beaufort East Village section of the PUD (now known as Beau Coast West). The revisions are as follows:

- Relocate the planned amenity site eastward from near the Ricks Ave. entrance to the intersection of Leonda Drive and Freedom Park Road
- Expand and revise the initial vision of the amenity center in the new location
- Add alley loaded lots where before all lots were front loaded
- Add on-street parking as needed (per approved street cross sections available via the PUD)
- Revise lot types- Reduce project wide townhome lots by 82; increase single family lots by 88

Mr. Garner went over the Vicinity Map, PUD Master Zoning Plan that were included in the meeting packet. He also pointed out at their February 21st meeting, the Planning Board conducted a hearing and afterward recommended that a Type “B” buffer be installed along the dividing line of the lots in Beau Coast West that abut R-8 and RS-5 lots on Ricks Avenue, Sherwood Boulevard, Fairview, and Willow Street. They also recommended that the minimum rear setback would be 15 feet and the side setback be 8 feet along the dividing line of the lots in Beau Coast West that abut R-8 and RS-5 lots on Ricks Avenue, Sherwood Boulevard, Fairview, and Willow Street. Mr. Garner explained what a Type B buffer consisted of and some examples of screening they were proposing to use.

Commissioner Hollinshed said she felt the proposed revisions were an improvement.

Commissioner Terwilliger agreed with Commissioner Hollinshed and suggested there were some decisions that needed to be made regarding the fencing.

Commissioner Hagle said it would be helpful to have a little more detail about what the proposed changes to the buffers would look like.

Commissioner Oliver confirmed the two neighborhoods were single family and the ordinance did not require buffering in that area.

Commissioner Cooper said he had some questions specifically for the developer regarding fencing.

Commissioner Hagle made a motion to open the floor to go into Public Hearing.

The motion carried unanimously.

Don Mizelle, 219 Station Road Wilmington NC, addressed the group on behalf of Withers Ravenel. He explained they had an existing PUD Master Plan that has been in place since 2008, he suggested the level of detail is excessive, but they wanted to be transparent in their intentions. He explained anytime there were changes made, it required a PUD Amendment. He discussed the proposed revisions before the board, requesting that the side setback not be increased from 5-feet to 8-feet as recommended by the Planning Board. He discussed the difference between each screen buffer, and what was proposed throughout the plan.

Commissioner Hollinshed asked for an explanation of the force main that runs under the property. She also asked who would maintain the buffer.

Mr. Mizelle explained there was an existing underground sewer force main that was located on the back of the lots. He said there was an easement, and it was in the benefit of the Town of Beaufort to maintain and repair the force main in perpetuity. He explained buffering in that area would impede access for the Town. He said the common buffers would most likely be maintained by the HOA.

Commissioner Terwilliger asked if an 8-foot fence height was an option.

Mr. Garner explained because it was a PUD, if the board could specify the 8-foot fence height if that is what they preferred, but generally the maximum height is 6-feet.

Commissioner Oliver asked who owned the land where the sewer line ran.

Mr. Mizelle said the developer owns the land and the Town has an easement on top of that deed.

Commissioner Oliver confirm that the easement was in perpetuity and there is no other use, access, or planting allowed within that easement because it has been dedicated to the Town of Beaufort; he also suggested the easement was in place before the developer purchased the property many years ago.

Commissioner Cooper asked if the force main they were referencing was connected to George Street.

Mr. Mizelle asked his project engineer, Joe Boyd, to address that question.

Mr. Boyd said they would not use anything sewer wise, but they are connected to a waterline on George Street.

Commissioner Cooper expressed his concern and opposition of fences in a neighborhood.

Karl Blackley, President at Preston Development Company, 105 Weston Estates Way, Cary NC, gave some background on the Beau Coast Subdivision project that started in 2008. He pointed out the area had been annexed and the Town was receiving the tax base. He suggested he and his development team try to do the right thing and are willing to work with the Town in anyway. He addressed the fencing concerns and explained the space issues they faced within the area.

Mayor Harker asked if there was anyone else who wished to speak during the Public Hearing.

Janet Woodward, 2217 Lennoxville Road, spoke about the changes which would remove the Town Homes and replace them with Single Family homes. She suggested the Town Homes would result in a less expensive product for consumers and provide diversity in the community. She suggested removal of the Town Homes would be eliminating a portion of buyers. She expressed her dislike of gated communities and suggested these areas excluded other people throughout Town.

Suzanne Lea, 206 Ocean Street, expressed her concern regarding safety issues on Lennoxville Road. She shared that she made several comments at the February 21st Planning Board meeting regarding the preliminary plat for Phase 1 of Beau Coast West Village; with that, she discussed safety concerns involving the corner of Ocean and Lennoxville, where the multi-use path was proposed to cross. She said there was a multi-use pathway incorporated based on discussion presented in 2015; this would allow people to be able to continue on the bike/walking/stroller path. She suggested the need has intensified now that Lennoxville Road cannot be used as a pedestrian way and pointed out the need for a safety area for people to cross. She suggested lot 55 could be an avenue for a safety area in the future.

Chris Vasko, 113 A Sherwood Blvd, shared she was directly affected by the proposal before the board and requested an 8-foot fence versus a 6-foot fence. She suggested the

largest plant buffers possible, given the growth projections. She mentioned there were quite a few options but preferred a faster growing plant/tree. She expressed concern for future unknowns regarding the project as a whole and suggested rejecting the proposal from the developer to allow more time to review the details.

Anne Delvaux, 500 Fairview Drive, expressed her concern regarding the marsh and protection of the area. She suggested there were three lots in the northeast corner that were in a flood zone and voiced her concern about the fragile area and future development. She also pointed out that she called CAMA to verify that permits did exist and was told they expired in 2020.

Dan Kelly, 103 Finch Loop, spoke about PUD's and the unique qualities they can have; he also expressed his support of Mr. Blackley's development. He discussed his personal involvement with the Town over the years and explained changes to plans should be for improvement purposes and the citizens need to understand why.

Daniel Ferrell, 121 Rick Avenue, discussed retention ponds in the development and suggested they were adjacent to the sewer right-of-way, which could cause issues. He expressed concern about an incident that happened a few weeks back, where he indicated it looked like milk in the head waters of Town Creek. He suggested moving the retention pond if there was not enough room for a buffer.

Judd Kenworthy, 109 Holly Lane, expressed his concern for the preservation of Gibbs Creek. He spoke on buffers and how they could be helpful in land and development plans. He also spoke on the need for buffers at the head of Town Creek. He suggested the buffer problem could be solved by modifying the ordinances to ensure the landscape is not cleared out completely and the environment is protected.

Commissioner Hollinshed made a motion to close the Public Hearing.

The motion carried unanimously.

Commissioner Oliver shared that he respected Mr. Blackley and his organization. He also spoke on the environmental accident; he suggested Mr. Blackley was upset it occurred made it a point to follow appropriate procedures to remedy the situation in a timely manner.

Commissioner Terwilliger said he believed Mr. Blackley and his team have presented a good plan but felt there were still questions regarding the proposed buffers. He suggested more time was needed before moving forward with a decision; based on the concerns raised by citizens, he thought the item should be tabled until there was a clear understanding of the entire plan.

Commissioner Hollinshed made a motion to approve the plan, with the following conditions: the modified buffer be accepted; retain the proposed rear setback; and approve the fencing. She suggested the side setback should not be approved unless they find it can be incorporated into their plan successfully as proposed.

Commissioner Cooper agreed with Commissioner Terwilliger and suggest more time was needed before a decision should be made.

Commissioner Hagle noted the height of the fence was one area of concern that was not addressed in the conditions; he also mentioned the question regarding plants and their growth rate. He expressed his desire to hear more from the developer, noting the concerned marsh area by Freedom Park.

Troy Beasley, Director of Natural Resources for Withers Ravenel, 219 Station Road Wilmington NC, spoke on the initial environmental work and permit process of the project. He addressed the comment about the permits that were expired. He shared there was no need to continue extending the referenced CAMA Major Permit, as the permitting impacts have been completed. He explained the appropriate permits would be obtained when needed. He noted the organization was always evaluating the site environmentally. He addressed the marsh concerns, explaining there was not a proposed development in that area; he confirmed there were not any wetland impacts in the proposed PUD amendment.

Mr. Mizelle commented they would commit an 8-foot fencing if that resolved any issues.

Commissioner Hollinshed requested her motion be left as originally stated.

The motion carried with a (3-2) vote; Commissioner Cooper and Commissioner Terwilliger voting in opposition.

Quasi-Judicial Proceeding

- 1. Case #22-06 Special Use Permit for a Mini-Storage facility at 2150 & 2176 Live Oak Street

Mayor Harker explained the procedures associated with a quasi-judicial evidentiary hearing. She asked all individuals who wished to provide testimony approach the clerk’s table to be sworn in.

Kyle Garner, Ron Cullipher and Bill Coffey were sworn in by Elizabeth Lewis, Town Clerk.

Mayor Harker called for any disclosures; she asked if the Board members had any ex parte communication, bias or conflicts of interest in the case.

None were noted.

Mr. Garner asked that the exhibits included in the agenda packet be incorporated as evidence, as well as the Power Point slides used to present Case #22-06.

The exhibits and other information are attached and referenced as part of the minutes.

Ron Cullipher, an engineer with the Cullipher Group of Morehead City, stated he was representing Rosemyr Corporation and Mr. Coffey on behalf of the request. Mr. Cullipher submitted and agreed with Mr. Garner’s findings. He explained they proposed to increase the buffer on the rear of the property, along Piver Road; he said this would be an increase from 15-feet to 30-feet. He suggested the commercial uses that are generally allowed do not have mini storage as a listed use, explaining their proposal was actually a conditioned storage space, and mini storage was the closest definition to that. He noted the client proposed to develop this, along with the boat and RV storage, which is typically allowed in the B-1 District. He concluded by respectfully requesting approval of the Special Use Permit.

Commissioner Hagle asked if the boat storage would be inside.

Mr. Cullipher confirmed it would.

Mr. Coffey said the discussion of setbacks took place from the very beginning, ensuring any residential concerns were addressed. He suggested there were no issues there, as he had talked with several neighbors. He also spoke on the increased setbacks, from 15 to 30 feet and suggested with landscaping it would actually be larger than that. He discussed stormwater management and the possibly of oversizing the pond for the proposed development. He noted from the very beginning, they cleaned up the site and removed the old convenient store to improve that entryway to Beaufort. He shared they keep the lot maintained and take great pride in their properties.

Commissioner Hagle asked if the stormwater from the property would flow into the pond.

Mr. Coffey said it was designed for that and informed the board they have submitted that to Department of Water Quality, in hopes of getting the plans approved.

Commissioner Hagle asked where the overflow of the pond would go.

Mr. Coffey said there were ditches in place, and it would eventually run out to North River.

Commissioner Cooper commended Mr. Coffey on speaking with the public to address any concerns they might have; he also asked him to address the rodent problem if possible.

Mr. Coffey said he would reach out to those who mentioned the rodent problem.

Commissioner Terwilliger made a motion, based on the evidence presented by Mr. Garner, that the request of the applicant meets and fulfills all the requirements as stipulated in the ordinances of the Town of Beaufort and so that, the finding of fact would be it is positive to move forward.

The motion carried unanimously.

Commissioner Hagle made a motion to approve the Special Use Permit for the piece of property at 2150 & 2176 Live Oak.

The motion carried unanimously

Mayor/Commissioner Comments

Commissioner Hollinshed thanked the first responders who were at a recent fire.

Commissioner Terwilliger thanked the residents who spoke on various items throughout the meeting and encouraged them to continue voicing their opinions.

Commissioner Hagle also thanked the citizens for their comments and encouraged good safety practices at home and on the job.

Commissioner Oliver also emphasized the importance of citizen input and expressed the desire to listen and help anyway possible.

Commissioner Cooper commended the staff on their daily work and thanked the citizens who attended the meeting.

Mayor Harker expressed the importance of face-to-face meetings and encouraged the citizens to continue expressing their needs. She thanked the Commissioners on their hard work and engagement throughout Town. She shared there was a two-day Board Retreat in the prior week and felt it was a very productive time for the staff and Commissioners.

Closed Session

- 1. Pursuant to NCGS 143-318.11 (a) (3); and NCGS 143-318.11 (a) (5)

Commissioner Hagle made a motion to enter into closed session pursuant to NCGS 143-318.11 (a) (3); and NCGS 143-318.11 (a) (5)

The motion carried unanimously.

Adjourn

Commissioner Hagle made a motion to adjourn the meeting at 9:30 p.m.

The motion carried unanimously.

Sharon Harker, Mayor

Elizabeth Lewis, Town Clerk

BOARD STAFF REPORT

To: Mayor & Board of Commission Members
From: Kyle Garner, AICP, Planning Director
Date: February 22, 2022
Case No.: 22-06

THE REQUEST: Special Use Permit for Mini-Storage

BACKGROUND:

Location: 2150 & 2176 Live Oak
Owner: Rosemyr Corporation
Applicant: The Cullipher Group
Requested Action: Provide Recommendation to Board of Commissioners
CAMA Land Use: General Commercial (Compliant)
PIN: 731605191929000, 731703102015000, 731605192705000
Size: 12.18 Acres
Existing Land Use: Vacant Lot – Former Convenient Store
Adjoining Land Use & Zoning: North – Single-Family with Manufactured Homes; Zoned R-20
South – Boat Storage Units – Zoned BW
West – Across Live Oak - Single Family Residences - Zoned R-20
East – Undeveloped Property; Zoned R-20

SPECIAL INFORMATION: This property has been rezoned to B-1 with a CAMA Map Amendment to General Commercial. A full Site Plan, to include a stormwater management plan will be submitted after the decision of the Special Use Permit.

The Planning Board at their February 21st meeting recommended unanimously the request for a Mini-Storage Facility at 2150 & 2176 Live Oak Street.

Public Utilities: Water Existing Service
Sanitary Sewer Existing Service

ACTION:

1. Conduct Quasi-Judicial Hearing
2. Finding of Fact on Special Use Request
3. Decision on Special Use Request



STAFF COMMENTS:

- This application is for a Special Use Permit for Mini Storage in a B-1 Zoning District.
- There are other Storage Facilities in the vicinity of the site.
- The request is consistent with the current Land Use Plan – (*See CAMA Land Use Map*)

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

E) Required Findings

1) In addition to any other findings or requirements as specified by any other section of this Ordinance, before any application for a special use may be granted or denied, the BOC shall make each of the following findings:

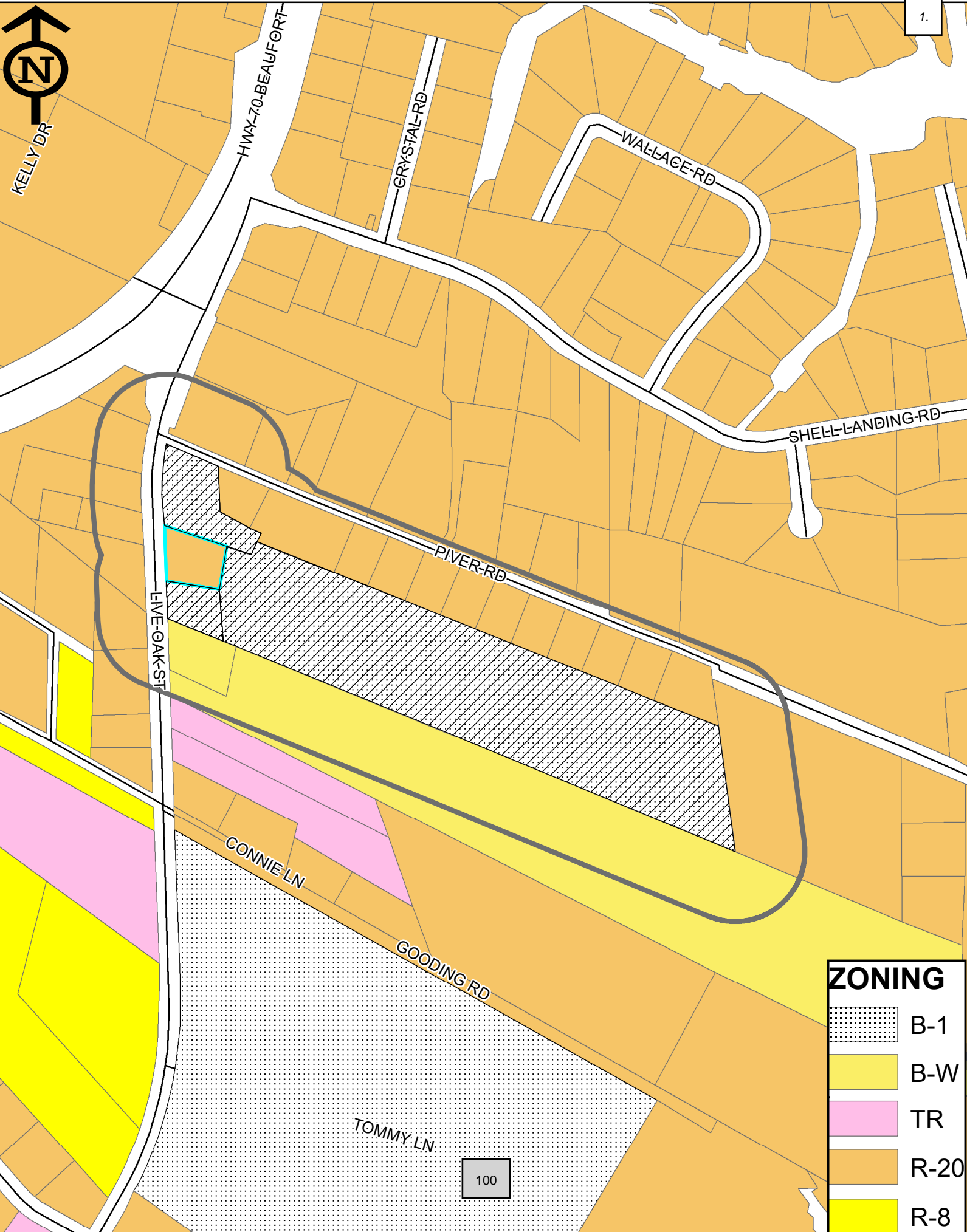
- a) The proposed use is an allowable special use in the zoning district it is being located within;
- b) The application is complete;
- c) The location and character of the use will be in conformity with the Town’s land use plan and other comprehensive planning elements;
- d) Streets, driveways, parking lots, traffic control, and any other traffic circulation features shall be designed and provided in accordance with current traffic engineering standards and Town regulations and found to be adequate for the proposed special use;
- e) The proposed special use will not substantially injure the value of adjoining or abutting properties;
- f) The proposed special use will be compatible and in harmony with adjoining land uses and the development patterns of the immediate area; and,
- g) The proposed use will not materially endanger the public health or safety of the community if located where proposed and developed according to the submitted and approved plan.

Exhibits:

- B- Vicinity Map & Zoning Map
- C - CAMA Land Use Map
- D - List of Property Owners within 200 feet
- E - Site Plan
- F - Section 20 Special Use Permit Information

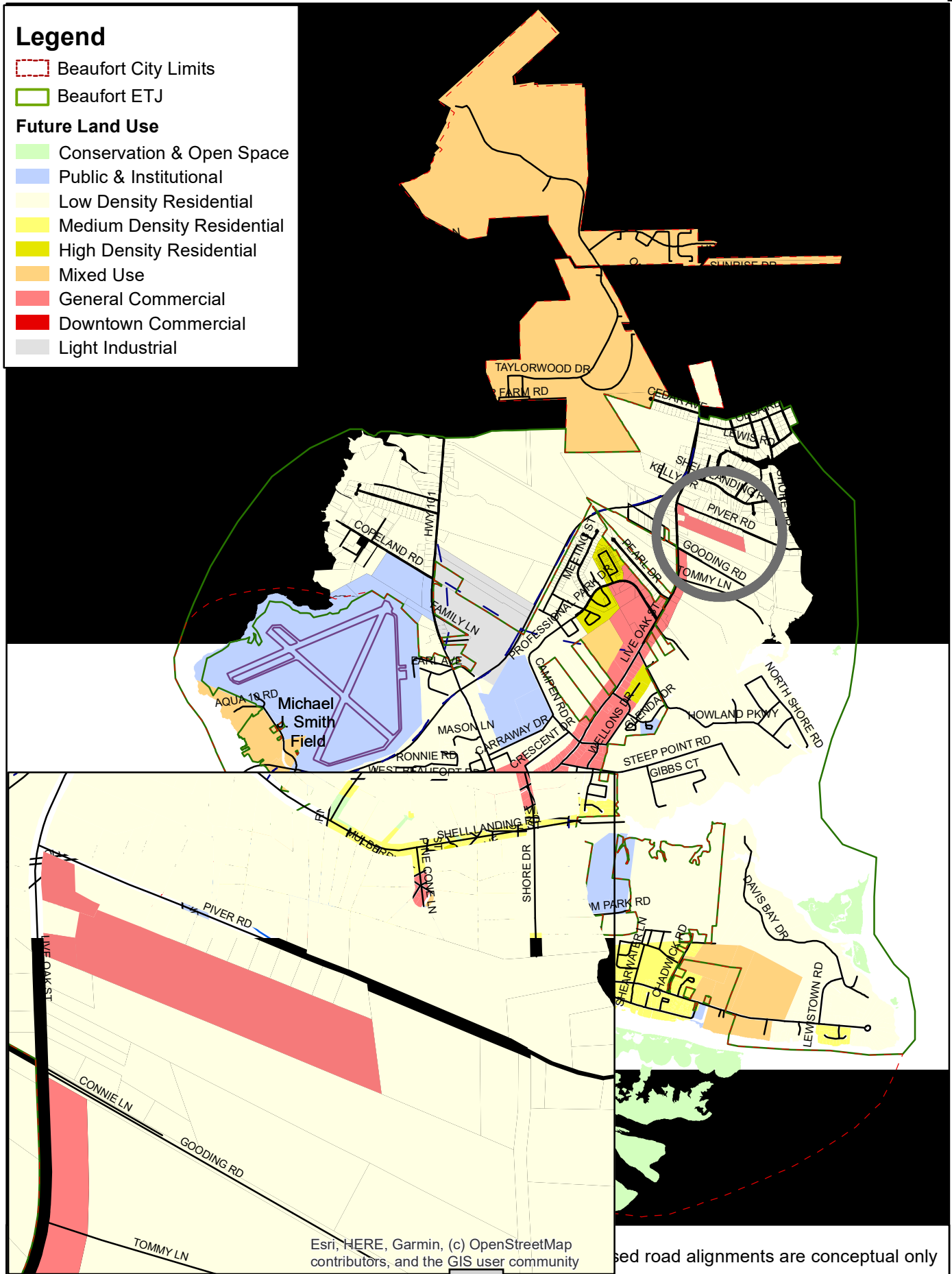
Case # 22-06 - Special Use Permit - Zoning & Vicinity Map

1.

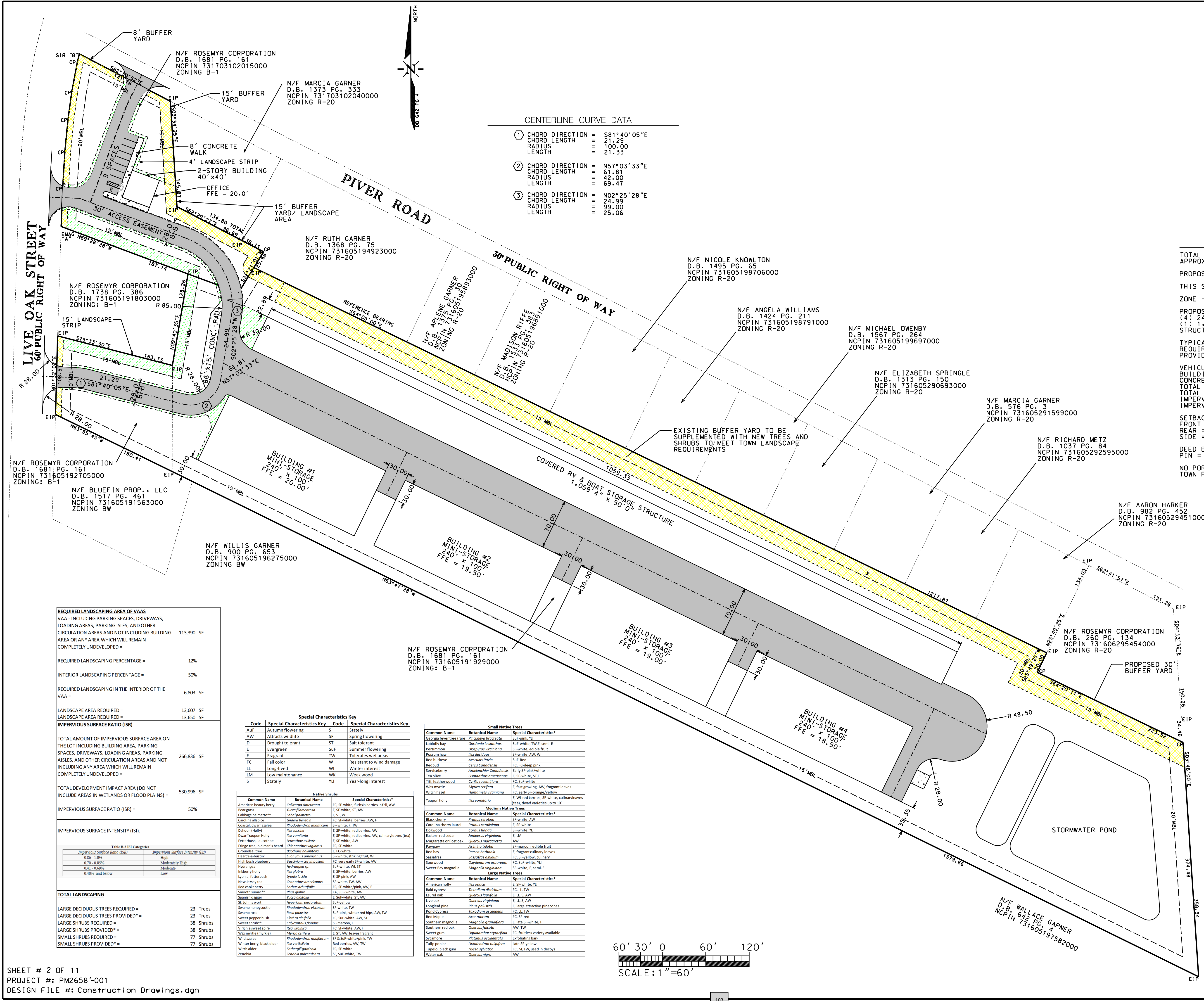


| ZONING | |
|--------|------|
| | B-1 |
| | B-W |
| | TR |
| | R-20 |
| | R-8 |

100



| <u>OWNER</u> | <u>MAIL HOUSE</u> | <u>MAIL ST</u> | <u>MAIL CITY</u> | <u>IL ST</u> | <u>MAIL ZIP</u> | <u>MAIL ZIP</u> | <u>MAIL ADD2</u> |
|--------------------------------|-------------------|----------------------|------------------|--------------|-----------------|-----------------|------------------|
| BEACHEM,CEDRIC D | 3600 | SPRUELL DR | SILVER SPRINGS | MD | | 20902 | |
| BEACHEM,CYNTHIA CAROL | 121 | PIVER ROAD | BEAUFORT | NC | | 28516 | |
| BEAUFORT RENAISSANCE LLC | | | BEAUFORT | NC | | 28516 | PO BOX 799 |
| BLUEFIN PROPERTIES LLC | | | BEAUFORT | NC | | 28516 | PO BOX 677 |
| DAVIS,DALE W ETUX KATHLEEN | 133 | PIVER ROAD | BEAUFORT | NC | | 28516 | |
| DEAN,MELINDA PADEN | 199 | SHORE DR | BEAUFORT | NC | | 28516 | |
| DIXON,CHRISTIAN | 167 | PIVER ROAD | BEAUFORT | NC | | 28516 | |
| GARNER,ARLENE | 148 | PIVER ROAD | BEAUFORT | NC | | 28516 | |
| GARNER,MARCIA LYNETTE | 118 | PIVERS RD | BEAUFORT | NC | | 28516 | |
| GARNER,RUTH ANITA | 134 | PIVERS RD | BEAUFORT | NC | | 28516 | |
| GARNER,WILLIS DE | 2134 | LIVE OAK STREET | BEAUFORT | NC | | 28516 | |
| HARDING,WILLIAM A ETUX TRACY | 685 | SEA GATE DR | NEWPORT | NC | 6275 | 28570 | |
| HARKER,AARON B | 218 | PIVERS ROAD | BEAUFORT | NC | | 28516 | |
| HENRY,DEVIN JAMAR ETUX JULIE | 154 | PIVER ROAD | BEAUFORT | NC | | 28516 | |
| KISPERT,JAMIN ETAL PATRI GRANT | 127 | HOLLY LANE | BEAUFORT | NC | | 28516 | |
| KNOWLTON,NICOLE A | 166 | PIVER ROAD | BEAUFORT | NC | | 28516 | |
| MASON REVOCABLE LIVING TRUST | 157 | PIVER RD | BEAUFORT | NC | | 28516 | |
| MASSINO,CATHY LOUISE | 125 | BAY DRIVE | SMYRNA | NC | 9579 | 28579 | |
| MAY,KATHERINE W ETVIR RICKY V | 1897 | NC 39 HWY S | LOUISBURG | NC | 7104 | 27549 | |
| MAY,RICKY V ETUX KATHERINE W | 1897 | NC 39 HWYS | LOUISBURG | NC | 7104 | 27549 | |
| METZ,RICHARD S ETUX SHARON | 109 | CEDAR AVENUE | BEAUFORT | NC | | 28516 | |
| PENCO LAND COMPANY LLC | | | RALEIGH | NC | | 27619 | PO BOX 19691 |
| PINER,DORAN GRAY JR | 124 | NORTH HARBOR DRIVE | BEAUFORT | NC | | 28516 | |
| ROSEMYR CORPORATION | | | HENDERSON | NC | | 27536 | PO BOX 108 |
| ROWAN,WILLIAM III ETUX JULIANN | 3098 | JEFFERSON WOODS LANE | AMISSVILLE | VA | | 20106 | |
| SPRINGLE,ELIZABETH BEVERIDGE | 192 | PIVER ROAD | BEAUFORT | NC | | 28516 | |
| STORY,PAUL JACKSON JR | 137 | PIVER ROAD | BEAUFORT | NC | | 28516 | |
| WILLIAMS,ANGELA BAKER ETAL | 174 | PIVERS ROAD | BEAUFORT | NC | | 28516 | |
| WILLIAMS,SEAN T | 111 | PIVER ROAD | BEAUFORT | NC | | 28516 | |
| WILLIAMS,SHARON | 175 | PIVER RD | BEAUFORT | NC | | 28516 | |
| WILLIAMSON,TAMMY HARDISON | 2158 | US HIGHWAY 70 E | BEAUFORT | NC | 7842 | 28516 | |



CENTERLINE CURVE DATA

| | | | |
|---|-----------------|---|-------------|
| 1 | CHORD DIRECTION | = | S81°40'05"E |
| | CHORD LENGTH | = | 21.29 |
| | RADIUS | = | 100.00 |
| | LENGTH | = | 21.33 |
| 2 | CHORD DIRECTION | = | N57°03'33"E |
| | CHORD LENGTH | = | 61.81 |
| | RADIUS | = | 42.00 |
| | LENGTH | = | 69.47 |
| 3 | CHORD DIRECTION | = | N02°25'28"E |
| | CHORD LENGTH | = | 24.99 |
| | RADIUS | = | 99.00 |
| | LENGTH | = | 25.06 |

SITE DATA

TOTAL AREA = 12.18 AC
 APPROXIMATE LAND DISTURBANCE AREA = 12.18 AC
 PROPOSED SPECIAL USE: BOAT/RV STORAGE
 THIS SITE PLAN IS CONCEPTUAL AND SHALL NOT BE USED FOR CONSTRUCTION.
 ZONE - B-1 GENERAL BUSINESS DISTRICT
 PROPOSED BUILDINGS
 (4) 240x100' CLIMATE CONTROLLED MINI-STORAGE BUILDINGS
 (1) 1,059'4"x50'0" COVERED, OPEN AIR RV AND BOAT PARKING STRUCTURE
 TYPICAL PARKING SPACE = 9'X18'
 REQUIRED PARKING = 9 (1 SPACE PER 250 SF OF OFFICE SPACE)
 PROVIDED PARKING = 9 TOTAL (8 REGULAR, 1 HANDICAP)
 VEHICULAR SURFACE AREA (VSA) = 113,390 SF
 BUILDING IMPERVIOUS AREAS = 150,567 SF
 CONCRETE IMPERVIOUS AREAS = 2,879 SF
 TOTAL IMPERVIOUS AREA = 266,836 SF
 TOTAL TRACT AREA = 530,561 SF
 IMPERVIOUS SURFACE AREA RATIO = 0.503
 IMPERVIOUS SURFACE INTENSITY CLASSIFICATION = MODERATE
 SETBACKS:
 FRONT = 20'
 REAR = 20'
 SIDE = 15'
 DEED BOOK/PAGE = 1681-161
 PIN = 731703102015, 731605192705, 731605191929
 NO PORTION OF THE PROPERTY IS INCLUDED IN ANY ADOPTED TOWN PLAN.

- LEGEND**
- = PROPOSED LANDSCAPE BUFFER
 - = PROPOSED INTERNAL LANDSCAPE AREA
 - = PROPOSED ASPHALT
 - - - - - = FENCE
 - = LARGE SHRUB
 - = SMALL SHRUB
 - = LARGE DECIDUOUS TREE
 - EIR = EXISTING IRON ROD
 - EIP = EXISTING IRON PIPE
 - R/W = RIGHT OF WAY
 - TEL = TELEPHONE
 - OE = OVERHEAD ELECTRIC
 - MB = MAP BOOK
 - DB = DEED BOOK
 - PG = PAGE
 - CO = CLEAN OUT
 - WM = WATER METER
 - FH = FIRE HYDRANT
 - CP = COMPUTED POINT
 - LP = LIGHT POLE
 - ELEC = ELECTRIC
 - ST = SITE TRIANGLE

REQUIRED LANDSCAPING AREA OF VAAS
 VAA - INCLUDING PARKING SPACES, DRIVEWAYS, LOADING AREAS, PARKING ISLES, AND OTHER CIRCULATION AREAS AND NOT INCLUDING BUILDING AREA OR ANY AREA WHICH WILL REMAIN COMPLETELY UNDEVELOPED = 113,390 SF

REQUIRED LANDSCAPING PERCENTAGE = 12%

INTERIOR LANDSCAPING PERCENTAGE = 50%

REQUIRED LANDSCAPING IN THE INTERIOR OF THE VAA = 6,803 SF

LANDSCAPE AREA REQUIRED = 13,607 SF
 LANDSCAPE AREA REQUIRED = 13,650 SF

IMPERVIOUS SURFACE RATIO (ISR)

TOTAL AMOUNT OF IMPERVIOUS SURFACE AREA ON THE LOT INCLUDING BUILDING AREA, PARKING SPACES, DRIVEWAYS, LOADING AREAS, PARKING AISLES, AND OTHER CIRCULATION AREAS AND NOT INCLUDING ANY AREA WHICH WILL REMAIN COMPLETELY UNDEVELOPED = 266,836 SF

TOTAL DEVELOPMENT IMPACT AREA (DO NOT INCLUDE AREAS IN WETLANDS OR FLOOD PLAINS) = 530,996 SF

IMPERVIOUS SURFACE RATIO (ISR) = 50%

Special Characteristics Key

| Code | Special Characteristics Key | Code | Special Characteristics Key |
|------|-----------------------------|------|-----------------------------|
| Auf | Autumn flowering | S | Stately |
| AW | Attracts wildlife | SF | Spring flowering |
| D | Drought tolerant | ST | Salt tolerant |
| E | Evergreen | Suf | Summer flowering |
| F | Fragrant | TW | Tolerates wet areas |
| FC | Fall color | W | Resistant to wind damage |
| LL | Long-lived | WI | Winter interest |
| LM | Low maintenance | WK | Weak wood |
| S | Stately | YLI | Year-long interest |

Native Shrubs

| Common Name | Botanical Name | Special Characteristics* |
|---------------------------|-------------------------|---|
| American beauty berry | Callicarpa Americana | FC, SF white, fastidious in fall, AW |
| Beargrass | Yucca filamentosa | E, SF white, ST, AW |
| Cabbage palmetto** | Sabal palmetto | E, ST, W |
| Carolina allspice | Lindera benzoin | FC, SF white, berries, AW, F |
| Coastal cleaf azalea | Rhododendron arboreum | SF white, E, TW |
| Dahoon (Holly) | Ilex coccinea | E, SF white, red berries, AW |
| Deer's tongue holly | Ilex vomitoria | E, SF white, AW |
| Fettersbush, leucothoe | Leucothoe axifolia | E, SF white, red berries, AW, culinary leaves (tea) |
| Fragrant, old man's beard | Chamaenerion virginicum | FC, SF white |
| Groundsiv | Reichardia hirtifolia | E, FC white |
| Heart's a bustle | Eucyrtus americanus | SF white, drinking fruit, W |
| High bush blueberry | Vaccinium corymbosum | FC, very early SF white, AW |
| Hydrangea | Hydrangea sp. | SF white, WI, ST |
| Inhberry holly | Ilex glabra | E, SF white, berries, AW |
| Lynnia, letterbush | Lynnia latifolia | E, SF pink, AW |
| New Jersey tea | Crataegus americana | SF white, TW, AW |
| Red chokeberry | Sorbus arbutifolia | FC, SF white/pink, AW, F |
| Snowshoe | Ilex glabra | E, SF white, AW, F |
| Snowshoe | Ilex glabra | E, SF white, AW, F |
| Snowshoe | Ilex glabra | E, SF white, AW, F |
| St. John's wort | Hypericum perforatum | SF yellow |
| Swamp honeysuckle | Lonicera maackii | E, SF white, ST, AW |
| Swamp rose | Rosa palustris | SF pink, winter red hips, AW, TW |
| Sweet pepper bush | Chamaenerion virginicum | FC, SF white, AW, ST |
| Sweet shrub** | Coprosma bartramia | SF white, F |
| Virginia sweet spire | Itea virginica | FC, SF white, AW, F |
| Wild myrtle (myrtle) | Myrica aspera | E, ST, AW, leaves fragrant |
| Wild rose | Rhododendron nudiflorum | E, SF white/pink, TW |
| Winter berry, black elder | Ilex verticillata | Red berries, AW, TW |
| Witch alder | Fothergilla gardenii | FC, SF white |
| Zonibala | Zonibala puberula | SF, SF white, TW |

Small Native Trees

| Common Name | Botanical Name | Special Characteristics* |
|---------------------------|-------------------------|---|
| Georgia fever tree (rare) | Prokryna fraxinea | SF pink, YLI |
| Locust | Geopelia leucostachya | SF white, TW, E, semi-E |
| Penstemon | Disopygia virginiana | SF white, edible fruit |
| Possumhaw | Alex. discolor | SF white, AW, WI |
| Red bud | Aesculus Pinus | SF red |
| Redbud | Cercis canadensis | FC, FC-deep pink |
| Serviceberry | Amelanchier canadensis | Early SF pink/white |
| Tea olive | Chamaenerion virginicum | E, SF white, ST |
| Titi, leatherwood | Cyrilla racemiflora | FC, SF white |
| Wax myrtle | Myrica aspera | E, fast growing, AW, fragrant leaves |
| Witch hazel | Hamamelis virginiana | FC, early SF orange yellow |
| Yaupon holly | Ilex vomitoria | E, WI red berries, SF white, culinary leaves (tea), stem varieties up to 3' |

Medium Native Trees

| Common Name | Botanical Name | Special Characteristics* |
|------------------------|-------------------------|--------------------------|
| Black cherry | Prunus serotina | SF white, AW |
| Carolina cherry laurel | Prunus caroliniana | E, SF white |
| Dogwood | Cornus florida | SF white, YLI |
| Eastern red cedar | Juniperus virginiana | E, LM |
| Magnolia | Chamaenerion virginicum | AW |
| Swamp white oak | Quercus marilandica | AW |
| Swamp white oak | Quercus marilandica | AW |
| Swamp white oak | Quercus marilandica | AW |
| Swamp white oak | Quercus marilandica | AW |
| Swamp white oak | Quercus marilandica | AW |

Large Native Trees

| Common Name | Botanical Name | Special Characteristics* |
|----------------|--------------------------|--------------------------|
| American holly | Ilex opaca | E, SF white, HI |
| Bald cypress | Taxodium distichum | FC, LI, TW |
| Black gum | Liqiodendron styraciflua | FC, LI, S, AW |
| Live oak | Quercus virginiana | E, LI, S, AW |
| Live oak | Quercus virginiana | E, LI, S, AW |
| Live oak | Quercus virginiana | E, LI, S, AW |
| Live oak | Quercus virginiana | E, LI, S, AW |
| Live oak | Quercus virginiana | E, LI, S, AW |
| Live oak | Quercus virginiana | E, LI, S, AW |
| Live oak | Quercus virginiana | E, LI, S, AW |
| Live oak | Quercus virginiana | E, LI, S, AW |

SPECIAL USE SITE PLAN

AA STORAGE BEAUFORT
 2176 LIVE OAK ST.
 BEAUFORT TWP., CARTERET COUNTY, NORTH CAROLINA

CLIENT: THE ROSEMYR CORPORATION
 DESIGNED: CMC

ADDRESS: PO BOX 108
 HENDERSON, NC 27536
 DRAWN: CMC

PHONE: 252-430-6161
 CHECKED: CMC

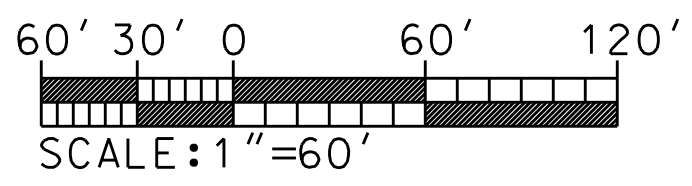
APPROVED: CMC

DATE: 12/15/21
 SCALE: 1"=60'

THE CULLIPHER GROUP, P.A.
 ENGINEERING & SURVEYING SERVICES
 151A HIGHWAY 24
 MORRISVILLE, N.C. 28557
 (252) 773-0090 LICENSE NO. C-4482

CHARLES M. CULLIPHER P.E.

SHEET # 2 OF 11
 PROJECT #: PM2658-001
 DESIGN FILE #: Construction Drawings.dgn



SECTION 20 Special Use Permits

A) *General.*

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

B) *Special Use Permit Application Procedures.*

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

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

C) *Quasi-Judicial Proceeding Notification Requirements.*

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

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

D) *Procedures on Special Use Applications.*

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

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

Land Development Ordinance for the Town of Beaufort

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

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

E) Required Findings.

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

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

F) **Special Use Guidelines.**

1) Adult Establishments.

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

2) Day Care Centers (Including Kindergarten).

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

Land Development Ordinance for the Town of Beaufort

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

3) Radio or Television Transmitter.

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

4) Telecommunication Tower.

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

Land Development Ordinance for the Town of Beaufort

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

5) Marinas.

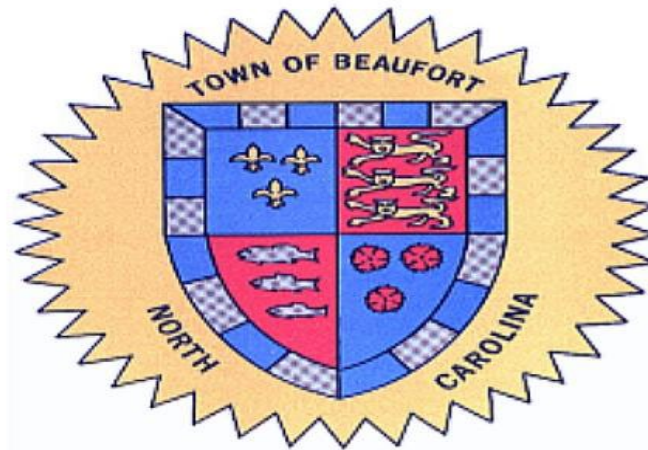
The requirements below are for marinas and for proper disposal of sewage from boats:

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

6) Office: Small Business.

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

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



Case # 22-06
Special Use Permit - Mini Storage
2150 & 2176 Live Oak

•Location: 2150 & 2176 Live Oak

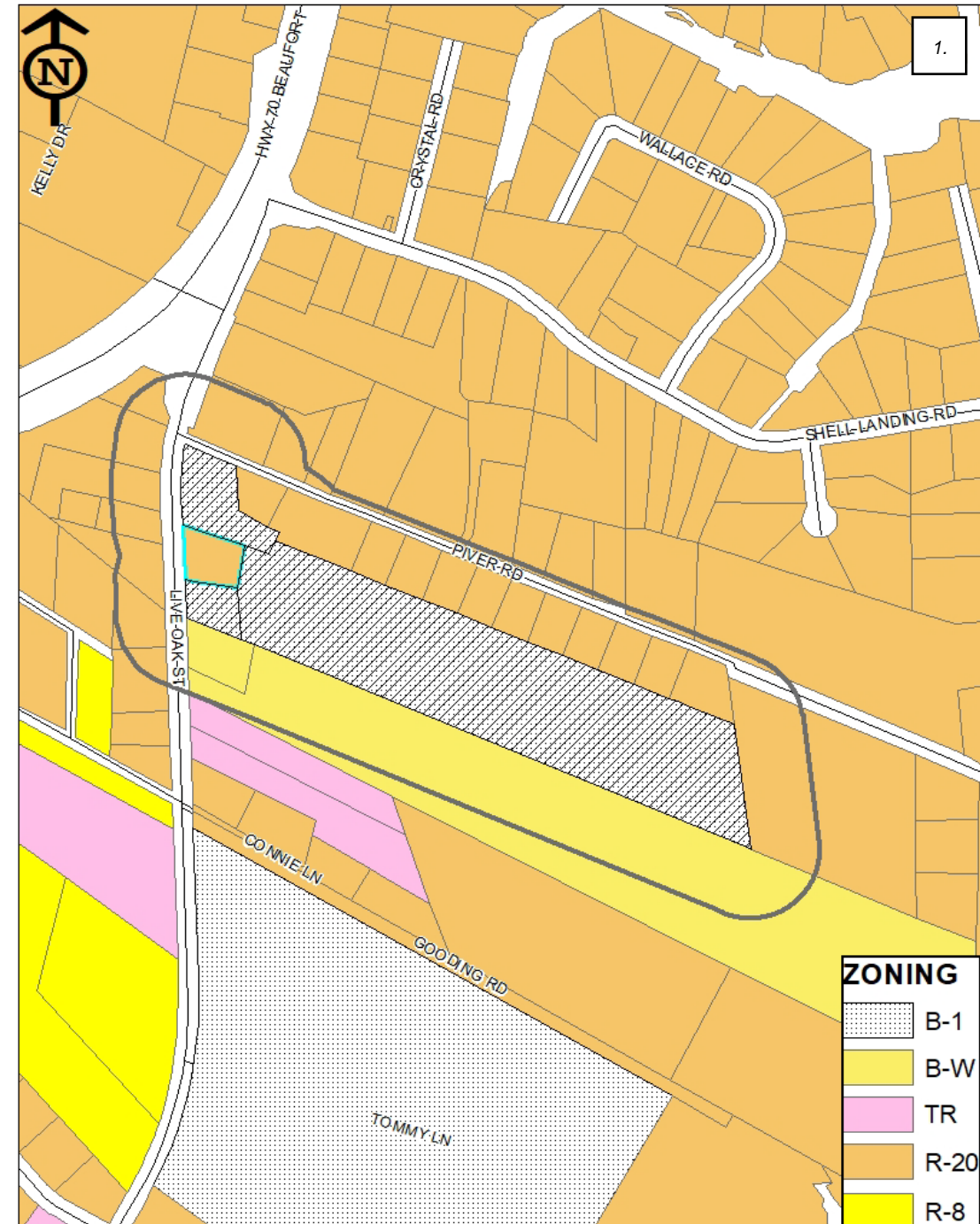
Acreeage: 12.18 Acres

In accordance with the **Town of Beaufort Land Development Ordinance**, Public Notice was provided via

31 - Letters Mailed to property owners included in rezoning area and those within 200 feet. Information based on Carteret County GIS.

Signs - Posted on March 3rd

Legal Advertisement – Wednesday March 2nd & 9th 2022



E) Required Findings

- 1) In addition to any other findings or requirements as specified by any other section of this Ordinance, before any application for a special use may be granted or denied, the BOC shall make each of the following findings:
 - a) The proposed use is an allowable special use in the zoning district it is being located within;
 - b) The application is complete;
 - c) The location and character of the use will be in conformity with the Town's land use plan and other comprehensive planning elements;
 - d) Streets, driveways, parking lots, traffic control, and any other traffic circulation features shall be designed and provided in accordance with current traffic engineering standards and Town regulations and found to be adequate for the proposed special use;
 - e) The proposed special use will not substantially injure the value of adjoining or abutting properties;
 - f) The proposed special use will be compatible and in harmony with adjoining land uses and the development patterns of the immediate area; and,
 - g) The proposed use will not materially endanger the public health or safety of the community if located where proposed and developed according to the submitted and approved plan.

Requested Action

Case No. 22-05

1. Conduct Quasi-Judicial Hearing
2. Decision on Finding of Facts
3. Decision on Special Use Permit



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 Meeting
4:00 PM Monday, March 28, 2022
Train Depot- 614 Broad Street
Beaufort, NC 28516
Minutes**

Call To Order

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

Roll Call

Elizabeth Lewis, Town Clerk, called the roll.

PRESENT:

- Mayor Harker
- Mayor Pro Tem Hagle
- Commissioner Cooper
- Commissioner Hollinshed
- Commissioner Oliver
- Commissioner Terwilliger

Agenda Approval

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

The motion passed unanimously.

Public Comment

There was none.

Items for Discussion and Consideration

1. Zoning Text Amendment - Duplexes as a Permitted Use in the TR Zone

Kyle Garner, Planning Director, asked that there be a Public Hearing set for the April regular meeting, to hear the proposed Zoning Text Amendment that would allow duplexes as a permitted use in the transitional (TR) zone. Commissioner Terwilliger asked if there were any drawbacks to the amendment.

Mr. Garner did not indicate that there were any from staff's perspective.

Commissioner Hollinshed made a motion to set a Public Hearing for the item to be heard at the April 11th Regular Meeting.

The motion passed unanimously.

2. Minutes

Mayor Harker stated the consensus of the board was to place the proposed draft minutes (February 14th & 28th) on the agenda under items of consent for the next regular meeting.

3. NCDEQ-DWI Spring 2022 Applications

Greg Meshaw, Town Engineer, recommended applying for grant funds available through North Carolina Department of Environmental Quality. He explained along with the applications, resolutions must be adopted. He said there were four separate funding applications being made on behalf of the Town; two for the Wastewater Pump Stations Replacement, one for the Wastewater Collection System Rehabilitation and one for the Water Distribution System Improvements. He described each type of application, preconstruction (design) and construction, and explained what it meant for the Town in terms of funding.

Commissioner Terwilliger had questions as to why the application indicated the Town had not transferred funds from the water and/or sewer enterprise fund to the general fund.

Mr. Meshaw said there were utility accounting service amounts transferred to the general fund each year.

Mr. Clark confirmed that the Local Government Commission requires the resolutions and explained they understand there are administrative expenses for which there are transfers made back to the general fund.

Christi Wood, Finance Director, agreed and said these transfer amounts have been reflected in the audit.

Mr. Meshaw said they would double check which box should be selected.

Commissioner Oliver had similar concerns about the funds being transferred and suggested there be more discussion about it at the next meeting.

Mayor Harker confirmed a consensus to move the item under the discussion category at the April 11th Regular Meeting.

4. FY 2022 Budget Amendment 8

Mr. Clark explained FY 2022 Budget Amendment 8 requests the appropriation of fund balance for the replacement of floating ferry docks owned by the Town.

Commissioner Oliver made a motion to approve the budget amendment as submitted.

The motion passed unanimously.

5. FY 2022 Audit Contract

Christi Wood, Finance Director, requested approval of the FY 2022 audit contract. She explained the contract and engagement letter with Martins Starnes and Associates were included in the agenda packet. She said the cost of the FY 21 audit was \$27,035 and the fees for the FY 2022 audit will be \$29,035. She explained the fee aligns with the three-year agreement submitted by the firm; the \$2,000 increase is due to the single audit fee that will be required due to federal funding received.

Mayor Harker suggested placing it under items for discussion and consideration at the April 11th Regular Meeting, as several Commissioners had questions about the contract.

6. Financial Notes

Ms. Wood gave the February financial report and noted the sales and use tax distribution for March is \$215,076 which consists of December sales. She informed the group the local option sales tax currently reports collections for f months. She shared in March, the Town received approximately \$896,000 for ad valorem taxes collected by the county in January and February and approximately \$18,000 for January Motor Vehicle Taxes. She also reported the Town received stormwater fees totaling \$23,000 in January and February.

Mayor/Commissioner Comments

Commissioner Hollinshed had no comments.

Commissioner Terwilliger gave his thanks to the Town employees.

Commissioner Hagle also thanked the employees for the work being done around Town.

Commissioner Oliver praised Todd and his team for consistent work on the financial side.

Commissioner Cooper announced he attended Coffee with a Cop and enjoyed speaking with the employees and citizens during that time.

Mayor Harker shared she had an opportunity to participate in a litter pickup with Dream Foundation; it was well attended, and they did a great job cleaning several areas of Beaufort.

Closed Session

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

Commissioner Hagle made a motion to go into closed session, pursuant to NCGS 143-318. 11 (a) (3).

The motion carried unanimously.

Adjourn

Commissioner Terwilliger made a motion to adjourn the meeting.

The motion passed unanimously, and the meeting was adjourned at 5:30 p.m.

Sharon 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, April 11, 2022
Train Depot, 614 Broad Street**

AGENDA CATEGORY: Items of Consent
SUBJECT: NCLM Voting Delegate

REQUESTED ACTION:

Designate Mayor Sharon Harker as a voting delegate for the upcoming NCLM Business Meeting, which is held as part of the Annual Meeting scheduled for April 26-28, 2022 in Wilmington, NC

EXPECTED LENGTH OF PRESENTATION:

1 Minute

SUBMITTED BY:

Todd Clark, Town Manager

BUDGET AMENDMENT REQUIRED:

N/A



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, April 11, 2022
Train Depot, 614 Broad Street**

AGENDA CATEGORY: Items for Discussion and Consideration

SUBJECT: NCDEQ-DWI Spring 2022 Applications

BRIEF SUMMARY:

There are 4 separate funding applications being made on behalf of the Town: Two for the Wastewater Pump Stations Replacement, one for the Wastewater Collection System Rehabilitation and one for the Water Distribution System Improvements. For the Wastewater Pump Stations Replacement, we are applying for preconstruction (design) funds which have a cap of \$400,000 and then the second application will be for construction which has a cap of \$5,000,000. For the Wastewater and Water projects we are applying for construction funding only.

REQUESTED ACTION:

Approve the resolutions (4) to apply for funding for the projects listed above. A resolution is needed for each application.

EXPECTED LENGTH OF PRESENTATION:

5 minutes

SUBMITTED BY:

Greg Meshaw, Town Engineer

BUDGET AMENDMENT REQUIRED:

No

North Carolina Department of Environmental Quality
Division of Water Infrastructure
Fund Transfer Certification



(Not needed for CDBG-I only projects)

(revised February 2022)

§ 159G-37(b) requires that all local governments applying for funding from the Clean Water State Revolving Fund, the Wastewater Reserve, the Drinking Water State Revolving Fund, the Drinking Water Reserve, or the Viable Utility Reserve for water or wastewater projects certify that no funds received from water or wastewater utility operations have been transferred to the local government's general fund for the purpose of supplementing the resources of the general fund since July 1, 2014. The prohibition contained in § 159G-37(b) shall not be interpreted to include payments made to the local government to reimburse the general fund for expenses paid from that fund that are reasonably allocable to the regular and ongoing operations of the utility, including, but not limited to, rent and shared facility costs, engineering and design work, plan review, and shared personnel costs. **Note:** A payment in lieu of taxes (PILOT) is not exempt from this certification unless the PILOT is calculated to reimburse for these specific expenses.

Applicant's Certification:

I, as a representative of Town of Beaufort, hereby certify that since July 1, 2014, funds received from the water and/or wastewater utility have: (**CHOOSE ONE**)

been transferred from the water and/or sewer enterprise fund to the general fund **AND** were reasonably allocable to the regular and ongoing operations of the utility in accordance with § 159G-37(b),

OR

not been transferred from the water and/or sewer enterprise fund to the general fund.

Any transfers must be consistent with the information provided in the Division of Water Infrastructure's Water & Sewer Financial Information Form and must be accurately reflected in the audits as reported by the Local Government Unit to the Local Government Commission since July 1, 2014.

SIGNATURE OF AUTHORIZED REPRESENTATIVE OR FINANCIAL OFFICER

DATE

Todd Clark

Town Manager

TYPED NAME

TYPED TITLE

RESOLUTION BY GOVERNING TOWN OF BEAUFORT

WHEREAS, The Federal Clean Water Act Amendments of 1987 and the North Carolina the Water Infrastructure Act of 2005 (NCGS 159G) have authorized the making of loans and grants to aid eligible units of government in financing the cost of construction and studies of wastewater collection systems project, and

WHEREAS, The Town of Beaufort has need for and intends to conduct a study on a wastewater collection systems project described as Wastewater Pump Stations Replacement, and

WHEREAS, The Town of Beaufort intends to request State loan and/or grant assistance for the project,

NOW THEREFORE BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS OF THE TOWN OF BEAUFORT:

That Town of Beaufort, the **Applicant**, will arrange financing for all remaining costs of the project, if approved for a State loan and/or grant award.

That the **Applicant** will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system and the repayment of all principal and interest on the debt.

That the governing body of the **Applicant** agrees to include in the loan agreement a provision authorizing the State Treasurer, upon failure of the (unit of government) to make scheduled repayment of the loan, to withhold from the (unit of government) any State funds that would otherwise be distributed to the local government unit in an amount sufficient to pay all sums then due and payable to the State as a repayment of the loan.

That the **Applicant** will provide for efficient operation and maintenance of the project on completion of construction thereof.

That Todd Clark, Town Manager, the **Authorized Official**, and successors so titled, is hereby authorized to execute and file an application on behalf of the **Applicant** with the State of North Carolina for a loan and/or grant to aid in the study of or construction of the project described above.

That the **Authorized Official**, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the **Applicant** has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted this the 11th Day of April 2022 at Beaufort, North Carolina.

Sharon Harker, Mayor

CERTIFICATION BY RECORDING OFFICER

The undersigned duly qualified and acting Town Clerk of the Town of Beaufort does hereby certify: That the above/attached resolution is a true and correct copy of the resolution authorizing the filing of an application with the State of North Carolina, as regularly adopted at a legally convened meeting of the Board of Commissioners duly held on the _____ day of _____, 20____; and, further, that such resolution has been fully recorded in the journal of proceedings and records in my office. IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of _____, 20____.

Elizabeth Lewis, Town Clerk

(Seal)

North Carolina Department of Environmental Quality
Division of Water Infrastructure
Fund Transfer Certification



(Not needed for CDBG-I only projects)

(revised February 2022)

§ 159G-37(b) requires that all local governments applying for funding from the Clean Water State Revolving Fund, the Wastewater Reserve, the Drinking Water State Revolving Fund, the Drinking Water Reserve, or the Viable Utility Reserve for water or wastewater projects certify that no funds received from water or wastewater utility operations have been transferred to the local government's general fund for the purpose of supplementing the resources of the general fund since July 1, 2014. The prohibition contained in § 159G-37(b) shall not be interpreted to include payments made to the local government to reimburse the general fund for expenses paid from that fund that are reasonably allocable to the regular and ongoing operations of the utility, including, but not limited to, rent and shared facility costs, engineering and design work, plan review, and shared personnel costs. **Note:** A payment in lieu of taxes (PILOT) is not exempt from this certification unless the PILOT is calculated to reimburse for these specific expenses.

Applicant's Certification:

I, as a representative of Town of Beaufort, hereby certify that since July 1, 2014, funds received from the water and/or wastewater utility have: (**CHOOSE ONE**)

been transferred from the water and/or sewer enterprise fund to the general fund **AND** were reasonably allocable to the regular and ongoing operations of the utility in accordance with § 159G-37(b),

OR

not been transferred from the water and/or sewer enterprise fund to the general fund.

Any transfers must be consistent with the information provided in the Division of Water Infrastructure's Water & Sewer Financial Information Form and must be accurately reflected in the audits as reported by the Local Government Unit to the Local Government Commission since July 1, 2014.

SIGNATURE OF AUTHORIZED REPRESENTATIVE OR FINANCIAL OFFICER

DATE

Todd Clark

Town Manager

TYPED NAME

TYPED TITLE

RESOLUTION BY GOVERNING TOWN OF BEAUFORT

- WHEREAS, The Federal Clean Water Act Amendments of 1987 and the North Carolina the Water Infrastructure Act of 2005 (NCGS 159G) have authorized the making of loans and grants to aid eligible units of government in financing the cost of construction and studies of wastewater collection systems project, and
- WHEREAS, The Town of Beaufort has need for and intends to construct a wastewater collection systems project described as Wastewater Pump Stations Replacement, and
- WHEREAS, The Town of Beaufort intends to request State loan and/or grant assistance for the project,

NOW THEREFORE BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS OF THE TOWN OF BEAUFORT:

That Town of Beaufort, the **Applicant**, will arrange financing for all remaining costs of the project, if approved for a State loan and/or grant award.

That the **Applicant** will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system and the repayment of all principal and interest on the debt.

That the governing body of the **Applicant** agrees to include in the loan agreement a provision authorizing the State Treasurer, upon failure of the (unit of government) to make scheduled repayment of the loan, to withhold from the (unit of government) any State funds that would otherwise be distributed to the local government unit in an amount sufficient to pay all sums then due and payable to the State as a repayment of the loan.

That the **Applicant** will provide for efficient operation and maintenance of the project on completion of construction thereof.

That Todd Clark, Town Manager, the **Authorized Official**, and successors so titled, is hereby authorized to execute and file an application on behalf of the **Applicant** with the State of North Carolina for a loan and/or grant to aid in the study of or construction of the project described above.

That the **Authorized Official**, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the **Applicant** has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted this the 11th Day of April 2022 at Beaufort, North Carolina.

Sharon Harker, Mayor

CERTIFICATION BY RECORDING OFFICER

The undersigned duly qualified and acting Town Clerk of the Town of Beaufort does hereby certify: That the above/attached resolution is a true and correct copy of the resolution authorizing the filing of an application with the State of North Carolina, as regularly adopted at a legally convened meeting of the Board of Commissioners duly held on the _____ day of _____, 20____; and, further, that such resolution has been fully recorded in the journal of proceedings and records in my office. IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of _____, 20____.

Elizabeth Lewis, Town Clerk

(Seal)

North Carolina Department of Environmental Quality
Division of Water Infrastructure
Fund Transfer Certification



(Not needed for CDBG-I only projects)

(revised February 2022)

§ 159G-37(b) requires that all local governments applying for funding from the Clean Water State Revolving Fund, the Wastewater Reserve, the Drinking Water State Revolving Fund, the Drinking Water Reserve, or the Viable Utility Reserve for water or wastewater projects certify that no funds received from water or wastewater utility operations have been transferred to the local government's general fund for the purpose of supplementing the resources of the general fund since July 1, 2014. The prohibition contained in § 159G-37(b) shall not be interpreted to include payments made to the local government to reimburse the general fund for expenses paid from that fund that are reasonably allocable to the regular and ongoing operations of the utility, including, but not limited to, rent and shared facility costs, engineering and design work, plan review, and shared personnel costs. **Note:** A payment in lieu of taxes (PILOT) is not exempt from this certification unless the PILOT is calculated to reimburse for these specific expenses.

Applicant's Certification:

I, as a representative of Town of Beaufort, hereby certify that since July 1, 2014, funds received from the water and/or wastewater utility have: (**CHOOSE ONE**)

been transferred from the water and/or sewer enterprise fund to the general fund **AND** were reasonably allocable to the regular and ongoing operations of the utility in accordance with § 159G-37(b),

OR

not been transferred from the water and/or sewer enterprise fund to the general fund.

Any transfers must be consistent with the information provided in the Division of Water Infrastructure's Water & Sewer Financial Information Form and must be accurately reflected in the audits as reported by the Local Government Unit to the Local Government Commission since July 1, 2014.

SIGNATURE OF AUTHORIZED REPRESENTATIVE OR FINANCIAL OFFICER

DATE

Todd Clark

Town Manager

TYPED NAME

TYPED TITLE

RESOLUTION BY GOVERNING TOWN OF BEAUFORT

- WHEREAS, The Federal Clean Water Act Amendments of 1987 and the North Carolina the Water Infrastructure Act of 2005 (NCGS 159G) have authorized the making of loans and grants to aid eligible units of government in financing the cost of construction of public wastewater collection system projects, and
- WHEREAS, The Town of Beaufort has need for and intends to construct a wastewater collection system project described as Wastewater Collection System Rehabilitation, and
- WHEREAS, The Town of Beaufort intends to request State loan and/or grant assistance for the project,

NOW THEREFORE BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS OF THE TOWN OF BEAUFORT:

That Town of Beaufort, the **Applicant**, will arrange financing for all remaining costs of the project, if approved for a State loan and/or grant award.

That the **Applicant** will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system and the repayment of all principal and interest on the debt.

That the governing body of the **Applicant** agrees to include in the loan agreement a provision authorizing the State Treasurer, upon failure of the (unit of government) to make scheduled repayment of the loan, to withhold from the (unit of government) any State funds that would otherwise be distributed to the local government unit in an amount sufficient to pay all sums then due and payable to the State as a repayment of the loan.

That the **Applicant** will provide for efficient operation and maintenance of the project on completion of construction thereof.

That Todd Clark, Town Manager, the **Authorized Official**, and successors so titled, is hereby authorized to execute and file an application on behalf of the **Applicant** with the State of North Carolina for a loan and/or grant to aid in the study of or construction of the project described above.

That the **Authorized Official**, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the **Applicant** has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted this the 11th Day of April 2022 at Beaufort, North Carolina.

Sharon Harker, Mayor

CERTIFICATION BY RECORDING OFFICER

The undersigned duly qualified and acting Town Clerk of the Town of Beaufort does hereby certify: That the above/attached resolution is a true and correct copy of the resolution authorizing the filing of an application with the State of North Carolina, as regularly adopted at a legally convened meeting of the Board of Commissioners duly held on the _____ day of _____, 20____; and, further, that such resolution has been fully recorded in the journal of proceedings and records in my office. IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of _____, 20____.

Elizabeth Lewis, Town Clerk

(Seal)

North Carolina Department of Environmental Quality
Division of Water Infrastructure
Fund Transfer Certification



(Not needed for CDBG-I only projects)

(revised February 2022)

§ 159G-37(b) requires that all local governments applying for funding from the Clean Water State Revolving Fund, the Wastewater Reserve, the Drinking Water State Revolving Fund, the Drinking Water Reserve, or the Viable Utility Reserve for water or wastewater projects certify that no funds received from water or wastewater utility operations have been transferred to the local government's general fund for the purpose of supplementing the resources of the general fund since July 1, 2014. The prohibition contained in § 159G-37(b) shall not be interpreted to include payments made to the local government to reimburse the general fund for expenses paid from that fund that are reasonably allocable to the regular and ongoing operations of the utility, including, but not limited to, rent and shared facility costs, engineering and design work, plan review, and shared personnel costs. **Note:** A payment in lieu of taxes (PILOT) is not exempt from this certification unless the PILOT is calculated to reimburse for these specific expenses.

Applicant's Certification:

I, as a representative of Town of Beaufort, hereby certify that since July 1, 2014, funds received from the water and/or wastewater utility have: (**CHOOSE ONE**)

been transferred from the water and/or sewer enterprise fund to the general fund **AND** were reasonably allocable to the regular and ongoing operations of the utility in accordance with § 159G-37(b),

OR

not been transferred from the water and/or sewer enterprise fund to the general fund.

Any transfers must be consistent with the information provided in the Division of Water Infrastructure's Water & Sewer Financial Information Form and must be accurately reflected in the audits as reported by the Local Government Unit to the Local Government Commission since July 1, 2014.

| | |
|--|--------------------------|
| <hr/> SIGNATURE OF AUTHORIZED REPRESENTATIVE OR FINANCIAL OFFICER | <hr/> DATE |
| <hr/> Todd Clark | <hr/> Town Manager |
| <hr/> TYPED NAME | <hr/> TYPED TITLE |

RESOLUTION BY GOVERNING TOWN OF BEAUFORT

- WHEREAS, The Federal Clean Water Act Amendments of 1987 and the North Carolina the Water Infrastructure Act of 2005 (NCGS 159G) have authorized the making of loans and grants to aid eligible units of government in financing the cost of construction of drinking water distribution systems, and
- WHEREAS, The Town of Beaufort has need for and intends to construct a drinking water distribution system project described as Water Distribution System Improvements, and
- WHEREAS, The Town of Beaufort intends to request State loan and/or grant assistance for the project,

NOW THEREFORE BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS OF THE TOWN OF BEAUFORT:

That Town of Beaufort, the **Applicant**, will arrange financing for all remaining costs of the project, if approved for a State loan and/or grant award.

That the **Applicant** will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system and the repayment of all principal and interest on the debt.

That the governing body of the **Applicant** agrees to include in the loan agreement a provision authorizing the State Treasurer, upon failure of the (unit of government) to make scheduled repayment of the loan, to withhold from the (unit of government) any State funds that would otherwise be distributed to the local government unit in an amount sufficient to pay all sums then due and payable to the State as a repayment of the loan.

That the **Applicant** will provide for efficient operation and maintenance of the project on completion of construction thereof.

That Todd Clark, Town Manager, the **Authorized Official**, and successors so titled, is hereby authorized to execute and file an application on behalf of the **Applicant** with the State of North Carolina for a loan and/or grant to aid in the study of or construction of the project described above.

That the **Authorized Official**, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the **Applicant** has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted this the 11th Day of April 2022 at Beaufort, North Carolina.

Sharon Harker, Mayor

CERTIFICATION BY RECORDING OFFICER

The undersigned duly qualified and acting Town Clerk of the Town of Beaufort does hereby certify: That the above/attached resolution is a true and correct copy of the resolution authorizing the filing of an application with the State of North Carolina, as regularly adopted at a legally convened meeting of the Board of Commissioners duly held on the _____ day of _____, 20____; and, further, that such resolution has been fully recorded in the journal of proceedings and records in my office. IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of _____, 20_____.

Elizabeth Lewis, Town Clerk

(Seal)



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, April 11, 2022
Train Depot, 614 Broad Street**

AGENDA CATEGORY: Public Hearing
SUBJECT: Zoning Text Amendment - Duplexes as a Permitted Use in the TR Zone

BRIEF SUMMARY:

Fred & Joyce McCune have submitted a Text Amendment request to modify Section 8B & Table 8-8 of the Land Development Ordinance to allow Duplexes as a permitted use by right in TR District and remove Duplexes as a Special Use in the TR District. At the March 21, 2022 Planning Board meeting the item was unanimously recommended for approval.

REQUESTED ACTION:

Conduct a Public Hearing.

EXPECTED LENGTH OF PRESENTATION:

10 Minutes

SUBMITTED BY:

Kyle Garner, AICP
Planning & Inspections Director

BUDGET AMENDMENT REQUIRED:

N/A

BOARD STAFF REPORT

BOARD ACTION REQUEST

Case No. : 22-08

TO: Board of Commissioners
FROM: Kyle Garner, Planning Director
DATE: March 22, 2022
RE: LDO Text Amendment Modifying Section 8B (Transitional District) & Table 8-8 (Transitional Zoning Table of Uses) to allow Duplex Dwellings as a Permitted Use and Remove Duplex Dwellings as a Special Use

Background

Fred & Joyce McCune have submitted a Text Amendment request to modify Section 8B & Table 8-8 of the Land Development Ordinance to allow Duplexes as a permitted use by right in TR District and remove Duplexes as a Special Use in the TR District.

Duplexes were made Special Uses in the 2013 update to the Land Development Ordinance. They were previously permitted as two-dwelling units in the previous ordinance under the Office & Institutional Zoning District.

Staff has developed a map showing all the properties this proposed change could affect to include the total number and use data.

It should be noted that there are existing non-conforming uses that if the amendment were to be approved would become conforming uses.

Staff has included “Draft” text language which shows text to be added as **bold highlighted** and that to be removed shown with ~~strikethrough~~.

Action Needed:

- Conduct a Public Hearing on the proposed text amendment.
- Decision to modify the Ordinance as requested; to change the modification to other language; or to deny changing the Ordinance

Attachments:

- Section 8B & Table 8-8 of the LDO
- Draft Ordinance
- Draft Written Consistency Statement

Agenda Item Prepared By:
Kyle Garner, Planning Director

Board Action: Motion by _____ 2nd by _____

Section 8 Transitional Zoning Districts

B) *Transitional District (TR).*

The intent of this district is to serve as a transition between residential and more intensive districts. This includes residential and commercial uses with a low noise and traffic impact which would generally be considered compatible with a residential area which may or may not have buffering requirements as documented in section 19 of this Ordinance. Uses in this district which require potable water or sanitary sewer must be connected to both municipal water and municipal sewer.

1) Minimum Lot Size.

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

2) Minimum Lot Width.

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

3) Building Setback and Building Height Requirements and Limitations.

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

Table 8-4 Lot Requirements

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

Table 8-5 Other Lot Requirements

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

4) Accessory Building Setback Requirements.

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

5) Permitted Uses.

- | | |
|---|--|
| Antenna Co-Location on Existing Tower | Community Garden |
| Assisted Living | Dock |
| Athletic Field, Public | Dormitory |
| Bed & Breakfast | Dwelling, Duplex |
| Carport | Dwelling, Single-Family |
| Club, Lodge, or Hall | Garage, Private Detached |
| Commercial Indoor Recreational Facility | Government/Non-Profit Owned/Operated Facilities & Services |
| | Group Home |

Home Occupation
 Library
 Mixed Use
 Mortuary/Funeral Home/
 Crematorium
 Neighborhood Recreation Center
 Indoor/Outdoor, Private
 Neighborhood Recreation Center,
 Public
 Nursing Home
 Office: Business, Professional, or
 Medical
 Park, Public

Personal Service Establishment
 Public Safety Station
 Public Utility Facility
 Religious Institution
 Resource Conservation Area
 Restaurant with Indoor Operation
 Shed
 Signs, Commercial Free-Standing
 Swimming Pool (Personal Use)
 Temporary Construction Trailer
 Utility Minor
 Vehicle Charging Station

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

Accessory Dwelling Unit
 Aquaculture
 Financial Institution
 Cemetery/Graveyard
 Concealed (Stealth) Antennae &
 Towers
 Day Care Center
 Day Care/Child Care Home
~~Dwelling, Duplex~~
 Golf Course, Privately Owned
 Golf Driving Range
 Hotel or Motel
 Kennel, Indoor/Outdoor Operation
 Marina

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

| Land Development Ordinance Uses | | TCA | TR | PUD | CS-MU |
|---|---|-----|----|-----|-------|
| Residential Uses | | | | | |
| Group Living | Assisted Living | P | P | S | |
| | Dormitory | P | P | S | |
| | Group Home | P | P | S | |
| | Nursing Home | P | P | S | |
| Household Living | Accessory Dwelling Unit | | S | S | |
| | Dwelling, Duplex/Townhome | P | P | S | |
| | Dwelling, Multi-Family | P | | S | P |
| | Dwelling, Single-Family | S | P | S | P |
| | Manufactured Home | | | S | |
| | Manufactured Home Park | | | S | |
| | Recreational Vehicle Park | | | S | |
| Mixed Uses | | | | | |
| | Mixed Use | S | P | S | P |
| Public/Institutional Uses | | | | | |
| Aviation | Airport/Landing Strip | | | S | |
| Cemeteries/ Graveyards | Cemetery/Graveyard | | S | S | |
| Cultural Facilities | Library | | P | S | |
| | Museum | | S | S | |
| Day Care | Day Care Center | | S | S | |
| | Day Care/Child Care Home | | S | S | |
| Government Services | Government/Non-Profit Owned/ Operated Facilities & Services | P | P | S | |
| | Public Safety Station | P | P | S | |
| | Public Utility Facility | P | P | S | P |
| Hospitals | Hospital | | | S | |
| Park and Athletic Fields, Public Use | Athletic Field, Public | | | S | |
| | Community Garden | P | P | S | |
| | Neighborhood Recreation Center, Public | P | P | S | |
| | Outdoor Amphitheater, Public | S | S | S | |
| | Park, Public | P | P | S | P |
| | Resource Conservation Area | P | P | S | |
| Religious Uses | Religious Institution | S | P | S | P |
| Educational Uses | Preschool | S | S | S | |
| | School, K-12 | | S | S | |
| | School, Post-Secondary | S | S | S | |
| Non-Governmental Facilities | Transportation Facility | S | | S | |
| | Utility Facility | S | S | S | P |
| | Utility Minor | P | P | S | P |
| Agricultural Uses | Agritourism | | | S | |
| | Aquaculture | | S | S | |
| | Farming, General | | | S | |
| | Forestry | | | S | |
| | Produce Stand/Farmers' Market | | S | S | P |

DRAFT ORDINANCE 22-0

AN ORDINANCE TO MODIFY THE Town of Beaufort *Land Development Ordinance (LDO)*, specifically Section 8B (Transitional District) & Table 8-8 (Transitional Zoning Table of Uses)

WHEREAS, the Beaufort Land Development Ordinance contains regulations which establish the development of land within the Town of Beaufort and its Extraterritorial Jurisdiction; and

WHEREAS, the Beaufort Planning Board has reviewed these ordinance text amendments and unanimously recommended its adoption; and

WHEREAS, the Board of Commissioners determines that the public interest will be served by adopting the following text amendments to modify text as it relates to these items.

NOW THEREFORE be it ordained by the Board of Commissioners of the Town of Beaufort as follows:

The Town of Beaufort LDO is amended as follows:

Section 8 Transitional Zoning Districts

C) *Transitional District (TR).*

The intent of this district is to serve as a transition between residential and more intensive districts. This includes residential and commercial uses with a low noise and traffic impact which would generally be considered compatible with a residential area which may or may not have buffering requirements as documented in section 19 of this Ordinance. Uses in this district which require potable water or sanitary sewer must be connected to both municipal water and municipal sewer.

5) Minimum Lot Size.

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

6) Minimum Lot Width.

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

7) Building Setback and Building Height Requirements and Limitations.

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

Table 8-4 Lot Requirements

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

Table 8-5 Other Lot Requirements

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

8) Accessory Building Setback Requirements.

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

7) Permitted Uses.

- | | |
|---|--|
| Antenna Co-Location on Existing Tower | Community Garden |
| Assisted Living | Dock |
| Athletic Field, Public | Dormitory |
| Bed & Breakfast | Dwelling, Duplex |
| Carport | Dwelling, Single-Family |
| Club, Lodge, or Hall | Garage, Private Detached |
| Commercial Indoor Recreational Facility | Government/Non-Profit Owned/ Operated Facilities & Services |
| | Group Home |

| | |
|---|----------------------------------|
| Home Occupation | Personal Service Establishment |
| Library | Public Safety Station |
| Mixed Use | Public Utility Facility |
| Mortuary/Funeral Home/ Crematorium | Religious Institution |
| Neighborhood Recreation Center Indoor/Outdoor, Private | Resource Conservation Area |
| Neighborhood Recreation Center, Public | Restaurant with Indoor Operation |
| Nursing Home | Shed |
| Office: Business, Professional, or Medical | Signs, Commercial Free-Standing |
| Park, Public | Swimming Pool (Personal Use) |
| | Temporary Construction Trailer |
| | Utility Minor |
| | Vehicle Charging Station |

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

| | |
|--|--|
| Accessory Dwelling Unit | Museum |
| Aquaculture | Other Freestanding Towers |
| Financial Institution | Outdoor Amphitheater, Public |
| Cemetery/Graveyard | Parking Lot |
| Concealed (Stealth) Antennae & Towers | Preschool |
| Day Care Center | Produce Stand/Farmers' Market |
| Day Care/Child Care Home | Retail Store |
| Dwelling, Duplex | Satellite Dish Antenna |
| Golf Course, Privately Owned | School, K-12 |
| Golf Driving Range | School, Post-Secondary |
| Hotel or Motel | Tavern/Bar/ Pub with Indoor Operation |
| Kennel, Indoor/Outdoor Operation | Utility Facility |
| Marina | |

| Land Development Ordinance Uses | | TCA | TR | PUD | CS-MU |
|---|---|-----|----|-----|-------|
| Residential Uses | | | | | |
| Group Living | Assisted Living | P | P | S | |
| | Dormitory | P | P | S | |
| | Group Home | P | P | S | |
| | Nursing Home | P | P | S | |
| Household Living | Accessory Dwelling Unit | | S | S | |
| | Dwelling, Duplex/Townhome | P | P | S | |
| | Dwelling, Multi-Family | P | | S | P |
| | Dwelling, Single-Family | S | P | S | P |
| | Manufactured Home | | | S | |
| | Manufactured Home Park | | | S | |
| | Recreational Vehicle Park | | | S | |
| Mixed Uses | | | | | |
| | Mixed Use | S | P | S | P |
| Public/Institutional Uses | | | | | |
| Aviation | Airport/Landing Strip | | | S | |
| Cemeteries/ Graveyards | Cemetery/Graveyard | | S | S | |
| Cultural Facilities | Library | | P | S | |
| | Museum | | S | S | |
| Day Care | Day Care Center | | S | S | |
| | Day Care/Child Care Home | | S | S | |
| Government Services | Government/Non-Profit Owned/ Operated Facilities & Services | P | P | S | |
| | Public Safety Station | P | P | S | |
| | Public Utility Facility | P | P | S | P |
| Hospitals | Hospital | | | S | |
| Park and Athletic Fields, Public Use | Athletic Field, Public | | | S | |
| | Community Garden | P | P | S | |
| | Neighborhood Recreation Center, Public | P | P | S | |
| | Outdoor Amphitheater, Public | S | S | S | |
| | Park, Public | P | P | S | P |
| | Resource Conservation Area | P | P | S | |
| Religious Uses | Religious Institution | S | P | S | P |
| Educational Uses | Preschool | S | S | S | |
| | School, K-12 | | S | S | |
| | School, Post-Secondary | S | S | S | |
| Non-Governmental Facilities | Transportation Facility | S | | S | |
| | Utility Facility | S | S | S | P |
| | Utility Minor | P | P | S | P |
| Agricultural Uses | Agritourism | | | S | |
| | Aquaculture | | S | S | |
| | Farming, General | | | S | |
| | Forestry | | | S | |
| | Produce Stand/Farmers' Market | | S | S | P |

Enacted on motion of Commissioner ---- and carried on a vote of _____ in favor and 0 against.

This, the _____th day of 2022.

TOWN OF BEAUFORT

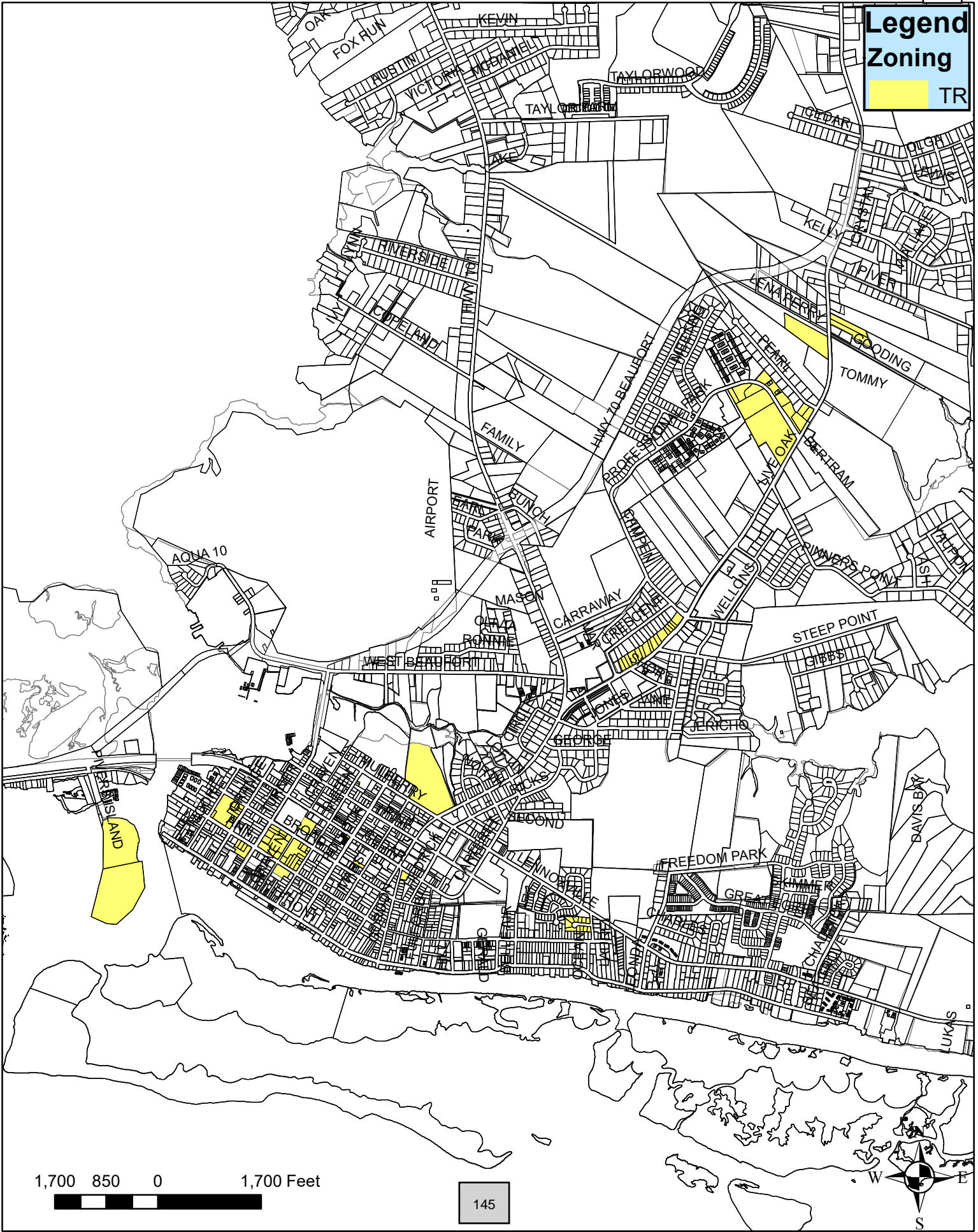
By: _____
Mayor

Attest:

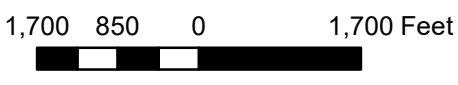
_____ Town Clerk

BHPC Case 22-08 Text Amendment TR District

1.



Legend
Zoning
TR



145





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 Ordinance

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: Neil + Joyce McCane
Applicant Address: 608 Ann Street, Beaufort, NC 28516
Phone Number: 252-728-7821 Email: joyce@historicbeaufort.com
Property Owner Name: Same
Address of Property Owner: _____
Phone Number: _____ Email: _____

PROPERTY INFORMATION

Property Address: NA - Text Amendment
15-Digit PIN: NA Lot/Block Number: _____
Size of Property (in square feet or acres): _____
Current Zoning: _____ Requested Zoning: _____
Current Use of Property: Residential Vacant Commercial Other: _____

Applicant Signature: [Signatures] Date of Applicant's Signature: 2/28/22 2/28/22
Property Owner Signature (if different than applicant): _____ Date of Owner's Signature: _____

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

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

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

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

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

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

4. An area map of property to scale which includes:
 - North Arrow;
 - All Property lines and accurate property line dimensions;
 - Adjacent streets and names;
 - Location of all easements;
 - Location of all structures;
 - 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).

PDF or
JPGs?
CAN?

**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: _____

Feb 26, 2022

To: the Town of Beaufort Planning Department

From: Joyce and Frederick McCune

Regarding needed Text Amendment

In Beaufort’s previous zoning ordinance that was in place before 2013, there was a zoning category “Office and Institutional” or O&I which was designed for offices, light commercial and single and duplex residential housing.

In 2013 the town completely revised their zoning ordinance and replaced it with the current ordinance. In doing so, they replaced the O&I designation with what is now the TR or Transitional zone. Similar to the O&I zone it permits offices, medical, mixed use, clubs, B&Bs, dormitory, group homes, funeral homes and Single Family Dwellings. However Duplex Family Dwellings were eliminated as a Permitted use and became a Special Use under the new ordinance.

First, this made many properties in Beaufort that were conforming duplex units under the O&I designation became Non-Conforming after 2013. This places a great burden on all the homeowners that now find themselves owning Non-Conforming to go back through the entire rezoning process just to be returned to the Conforming status they enjoyed before 2013.

Secondly, the current TR zoning designation, while permitting dormitories, group homes, B&Bs, mixed use, and nursing homes also permits Single Family dwellings but does not permit Duplex dwellings. This is frankly illogical when so many multiple housing arrangements are permitted in TR but not Duplexes. It really seems to be an oversight when the zoning ordinance was changed in 2013.

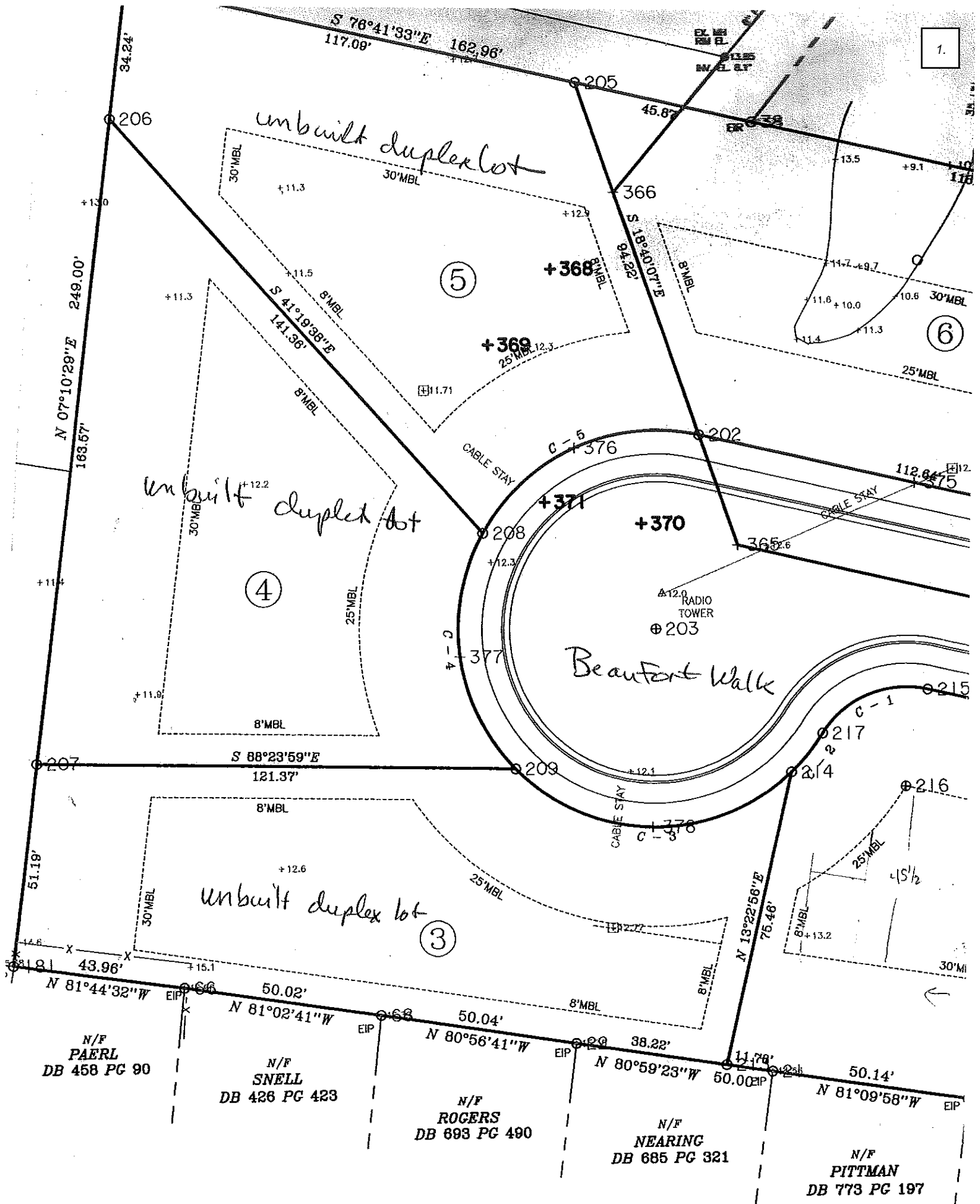
We own several properties on Marsh Street and in Beaufort Walk that were conforming in O&I and now are non-conforming in TR. The entire Beaufort Walk neighborhood is duplex units and they are all non-conforming as they were built under O&I and were conforming before 2013.

An examination of all the TR zoned properties in the town of Beaufort reveals that most of the properties are church connected or light commercial and/or fully developed. Adding duplex would affect none of these properties. Only the few now non-conforming or unbuilt parcels would be improved by making duplex a permitted use under TR such as Beaufort Walk and the old school property.

Further, making duplexes permitted uses in TR further increases the housing inventory potential in Beaufort when affordable housing is scarce and badly needed.

We request the staff and the Town of Beaufort amend the current zoning designation Transitional to move duplex dwelling to a permitted use.

Thank you.



1.

| <u>PIN15</u> | <u>OWNER</u> | <u>Acreage</u> | <u>ITE</u> | <u>HOU5</u> | <u>SITE</u> | <u>ST</u> | <u>SITE</u> | <u>Use_desc</u> |
|-----------------|--------------------------------|----------------|------------|-------------------|-------------|-----------|---------------|-----------------|
| 730617109762000 | OLD TOWN CEMETERY | 1.7750 | 0000411 | ANN | ST | | CEMETERY | EXEMPT |
| 731605096049000 | GRACE PRESBYTERIAN CHURCH | 4.9900 | 0002101 | LIVE OAK | ST | | CHURCHES | |
| 731609072219000 | BEAUFORT FIRST FWB CHURCH | 10.3600 | 0001947 | LIVE OAK | ST | | CHURCHES | |
| 730617110361000 | ST PAULS EPISCOPAL CHURCH | 2.0000 | 0000000 | | | | CHURCHES | |
| 730617200857000 | PURVIS CHAPEL CEMETERY/EDUCATI | 0.1610 | 0000215 | CRAVEN | ST | | CHURCHES | |
| 730617201718000 | PURVIS CHAPEL CHURCH | 0.2210 | 0000217 | CRAVEN | ST | | CHURCHES | |
| 730617107661000 | FIRST BAPTIST CHURCH BEAUFORT | 0.4990 | 0000403 | ANN | ST | | CHURCHES | |
| 730617104651000 | FIRST BAPTIST CHURCH BEAUFORT | 0.6620 | 0000000 | ANN | ST | | CHURCHES | |
| 730617109540000 | ANN STREET METHODIST CHURCH | 0.2380 | 0000417 | ANN | ST | | CHURCHES | |
| 730617109293000 | ANN STREET METHODIST CHURCH | 1.1850 | 0000500 | ANN | ST | | CHURCHES | |
| 731605081163000 | MERCER BUILDING & DESIGN INC | 0.0000 | 0000106 | PROFESSIONAL PARK | DR | | COMM | CONDO |
| 731605080236000 | VAN DYKEN,DEBORAH ANNE | 0.0000 | 0000106 | PROFESSIONAL PARK | DR | | COMM | CONDO |
| 731605081195000 | STREAMLINE DVLPERHLD CO LLC | 0.0000 | 0000106 | PROFESSIONAL PARK | DR | | COMM | CONDO |
| 731605080269000 | MERCER BUILDING & DESIGN INC | 0.0000 | 0000106 | PROFESSIONAL PARK | DR | | COMM | CONDO |
| 730608977059000 | COASTAL FITNESS & HEALTH INC | 3.7800 | 0000105 | PROFESSIONAL PARK | DR | | COMMERCIAL | |
| 731605073874000 | SCHMITT & AUSTIN PROPRTIE LLC | 1.0870 | 0000102 | PROFESSIONAL PARK | DR | | COMMERCIAL | |
| 731605075636000 | SCHMITT & AUSTIN PROPRTIE LLC | 1.3600 | 0001975 | LIVE OAK | ST | | COMMERCIAL | |
| 730616845329000 | JAMES J CROSSWELL JR MD PA | 0.5490 | 0000097 | CAMPEN | RD | | COMMERCIAL | |
| 730616739801000 | CAP INVESTMENTS OF BEAUFRT LLC | 0.3780 | 0001621 | LIVE OAK | ST | | COMMERCIAL | |
| 730616738706000 | SHORT,WILLIAM DAVID ETUX DEBRA | 0.6130 | 0001619 | LIVE OAK | ST | | COMMERCIAL | |
| 730618414806000 | BALLOU-LEWIS PROPERTIES LLC | 15.9000 | 0000801 | MULBERRY | ST | | COMMERCIAL | |
| 730618400137000 | JONES,LOGAN LOUIS ETAL RAWSON | 0.3500 | 0000900 | CEDAR | ST | | COMMERCIAL | |
| 730608987167000 | COURTYARD EAST OWNERS ASSO INC | 0.9710 | 0000000 | | | | COMMON AREA | |
| 731605081211000 | MERCER BUILDING & DESIGN INC | 0.0000 | 0000106 | PROFESSIONAL PARK | DR | | COMMON AREA | |
| 730617212200000 | CARTERET COUNTY COURTHOUSE | 4.9810 | 0000000 | | | | COUNTY GOVERN | |
| 730617109926000 | CARTERET COUNTY | 0.2290 | 0000402 | BROAD | ST | | COUNTY GOVERN | |
| 730617108836000 | CARTERET COUNTY | 0.3220 | 0000210 | TURNER | ST | | COUNTY GOVERN | |
| 730618206816000 | COUNTY OF CARTERET | 0.0370 | 0000309 | QUEEN | ST | | COUNTY GOVERN | |
| 730617202632000 | SOCIAL SERVICES OFFICES | 1.2630 | 0000210 | CRAVEN | ST | | COUNTY GOVERN | |
| 730617203638000 | CARTERET COUNTY | 0.1010 | 0000000 | | | | COUNTY GOVERN | |
| 730617204603000 | CARTERET COUNTY | 0.2290 | 0000000 | | | | COUNTY GOVERN | |
| 730617204536000 | CARTERET COUNTY | 0.0550 | 0000000 | | | | COUNTY GOVERN | |
| 730608989357000 | EAST CAROLINA COMMUNITY DEVELO | 0.7940 | 0000108 | PROFESSIONAL PARK | DR | | EXEMPT | |

| | | | | | | |
|-----------------|--------------------------------|---------|---------|-------------------|----|-----------------|
| 730608985163000 | COASTAL COMMUNITY ACTION INC | 1.1580 | 0000201 | PROFESSIONAL PARK | DR | EXEMPT |
| 730608984057000 | COASTAL COMMUNITY ACTION INC | 0.4570 | 0000000 | | | EXEMPT |
| 731605082052000 | FRANKLIN MASONIC LODGE 109 | 0.8060 | 0000104 | PROFESSIONAL PARK | DR | EXEMPT |
| 730617108982000 | CONCORDIA LODGE 11 | 0.2470 | 0000212 | TURNER | ST | EXEMPT |
| 730618301802000 | HERO LODGE 248 | 0.0480 | 0000616 | CEDAR | ST | EXEMPT |
| 639620903752000 | UNITED STATES OF AMERICA | 9.8000 | 0000101 | PIVERS ISLAND | RD | FEDERAL EXEMPT |
| 639500992754000 | DUKE UNIVERSITY | 14.5200 | 0000135 | DUKE MARINE LAB | RD | ISLAND |
| 730618302387000 | COASTAL CONUNDRUM COMPANY INC | 0.2500 | 0000305 | MARSH | ST | MULTIFAMILY 2-4 |
| 730507698466000 | JOHNSON,VON J | 0.0000 | 0000106 | BEAUFORT WALK | | MULTIFAMILY 2-4 |
| 730507699425000 | FEEHAN,SUSAN V ETAL CAR MALONY | 0.0000 | 0000104 | BEAUFORT WALK | | MULTIFAMILY 2-4 |
| 730507699495000 | FOWLER,ROBERT O ETUX J CHRISTY | 0.0000 | 0000102 | BEAUFORT WALK | | MULTIFAMILY 2-4 |
| 730507790464000 | CUNNINGHAM,BOBBY ETUX LAURIE | 0.0000 | 0000100 | BEAUFORT WALK | | MULTIFAMILY 2-4 |
| 730507790310000 | SATTERLY,LAURA BETH | 0.0000 | 0000103 | BEAUFORT WALK | | MULTIFAMILY 2-4 |
| 730507790370000 | TOMLINSON,RITA MARY | 0.0000 | 0000101 | BEAUFORT WALK | | MULTIFAMILY 2-4 |
| 731605076805000 | TAYLOR,GEORGE A ETUX MARIA L/T | 0.4680 | 0000103 | PEARL | DR | RESIDENTIAL |
| 731605076779000 | TAYLOR,GEORGE A ETUX MARIA L/T | 0.4840 | 0000101 | PEARL | DR | RESIDENTIAL |
| 730616844362000 | CROSSWELL,JAMES J JR | 0.1610 | 0001641 | LIVE OAK | ST | RESIDENTIAL |
| 730616844239000 | LLEW & ELAINE RENTALS LLC | 0.1640 | 0001639 | LIVE OAK | ST | RESIDENTIAL |
| 730616844204000 | LLEW & ELAINE RENTALS LLC | 0.1680 | 0001637 | LIVE OAK | ST | RESIDENTIAL |
| 730616843169000 | WARREN,SARAH MASON | 0.2100 | 0001635 | LIVE OAK | ST | RESIDENTIAL |
| 730616842183000 | TICKLE,WILLIAM R JR ETUX MICHE | 0.5560 | 0001633 | LIVE OAK | ST | RESIDENTIAL |
| 730616842016000 | NASTASE,EDWARD N | 0.3050 | 0001631 | LIVE OAK | ST | RESIDENTIAL |
| 730616841040000 | YOUNG,JAMES WILLIAM II | 0.4100 | 0001629 | LIVE OAK | ST | RESIDENTIAL |
| 730616830985000 | BOYD,MICHAEL W ETUX CHRISTA | 0.2280 | 0001627 | LIVE OAK | ST | RESIDENTIAL |
| 730616830829000 | LEWIS,KENNETH R ETUX PATRICIA | 0.4580 | 0001625 | LIVE OAK | ST | RESIDENTIAL |
| 730616737720000 | DALE,VICTORIA E T ETVIR JAMES | 0.2750 | 0001617 | LIVE OAK | ST | RESIDENTIAL |
| 730616736678000 | WILLIS,CECIL M JR ETUX ANITA | 0.3190 | 0001615 | LIVE OAK | ST | RESIDENTIAL |
| 730616736614000 | WILLIS,TIMOTHY R | 0.3240 | 0001613 | LIVE OAK | ST | RESIDENTIAL |
| 730617112347000 | NC COASTAL LIFE LLC | 0.1500 | 0000210 | BROAD | ST | RESIDENTIAL |
| 730617112384000 | SOUTHGATE MANAGEMENT LLC | 0.1100 | 0000212 | BROAD | ST | RESIDENTIAL |
| 730617112274000 | BARNES,GAIL RACKLEY | 0.2530 | 0000213 | ORANGE | ST | RESIDENTIAL |
| 730617113226000 | WHEELER,DAVID S ETUX WINNIFORD | 0.0900 | 0000215 | ORANGE | ST | RESIDENTIAL |
| 730617112139000 | DANIEL,ALLISON D | 0.2580 | 0000211 | ORANGE | ST | RESIDENTIAL |
| 730617018291000 | COSTLOW,VIRGINIA HERRMAN MASOI | 0.1430 | 0000201 | ANN | ST | RESIDENTIAL |

| | | | | | | |
|-----------------|--------------------------------|--------|---------|---------------|----|----------------|
| 730617112134000 | RODDEWIG,ROBBIN E ETUX JENNIFE | 0.0840 | 0000209 | ORANGE | ST | RESIDENTIAL |
| 730617112111000 | GAULDEN,LAURA ETAL HOLLAND | 0.0750 | 0000207 | ORANGE | ST | RESIDENTIAL |
| 730617111098000 | SEIGLER,ELIZABETH C | 0.0770 | 0000205 | ORANGE | ST | RESIDENTIAL |
| 730617111052000 | GAULDEN,LAURA ETAL HOLLAND | 0.2110 | 0000219 | ANN | ST | RESIDENTIAL |
| 730617107777000 | BEAUFORT LODGE HOSPITALITY LLC | 0.2840 | 0000204 | TURNER | ST | RESIDENTIAL |
| 730617103685000 | HARRIS,STEPHEN W JR ETUX MARGE | 0.1840 | 0000310 | ANN | ST | RESIDENTIAL |
| 730617204661000 | EKUEHL,JESSICA | 0.0800 | 0000223 | QUEEN | ST | RESIDENTIAL |
| 730617203459000 | QUEEN ST PROPERTIES OF BFT LLC | 0.1540 | 0000213 | QUEEN | ST | RESIDENTIAL |
| 730617201435000 | MYERS,THOMAS D ETUX JEWEL | 0.2180 | 0000505 | ANN | ST | RESIDENTIAL |
| 730617200455000 | SULLIVAN,JAMES B | 0.2220 | 0000200 | CRAVEN | ST | RESIDENTIAL |
| 730617203496000 | THE EITNER FAMILY LLC | 0.0890 | 0000209 | QUEEN | ST | RESIDENTIAL |
| 730617202372000 | MCGINNIS,EILEEN B | 0.1920 | 0000513 | ANN | ST | RESIDENTIAL |
| 730507698390000 | CLARK,JAMIE M ETAL MARIE K | 1.0000 | 0000107 | BEAUFORT WALK | | RESIDENTIAL |
| 730507699350000 | COX,PAUL D ETUX LISA A | 1.0000 | 0000105 | BEAUFORT WALK | | RESIDENTIAL |
| 730617203424000 | YOST,MARK S | 0.0680 | 0000211 | QUEEN | ST | RESIDENTIAL |
| 730617203416000 | STEWART,JOHN ALEXANDER JR ETAL | 0.3190 | 0000511 | ANN | ST | RESIDENTIAL |
| 731605194019000 | HEAVYWEIGHT PROPERTIES LLC | 1.8750 | 0002124 | LIVE OAK | ST | VACANT |
| 730616739865000 | CAP INVESTMENTS OF BEAUFRT LLC | 0.2650 | 0001623 | LIVE OAK | ST | VACANT |
| 730617201494000 | ANN STREET METHODIST CHURCH | 0.2750 | 0000507 | ANN | ST | VACANT |
| 730507697476000 | MCCUNE,FREDERICK JOHN | 0.0000 | 0000108 | BEAUFORT WALK | | VACANT |
| 730507697338000 | MCCUNE,FREDERICK JOHN | 0.0000 | 0000112 | BEAUFORT WALK | | VACANT |
| 730507697380000 | MCCUNE,JOYCE | 0.0000 | 0000109 | BEAUFORT WALK | | VACANT |
| 731605193243000 | ALLEY HILL LLC | 1.5970 | 0002132 | LIVE OAK | ST | VACANT |
| 730617103546000 | DAVIDSON,ARIAIL SCOTT | 0.1840 | 0000308 | ANN | ST | VACANT |
| 730617104662000 | GROTHER,SANDRA F | 0.1840 | 0000312 | ANN | ST | VACANT |
| 730617113341000 | BOWEN,MARY ELIZABETH WARD | 0.1430 | 0000214 | BROAD | ST | VACANT W/ XFOB |



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, April 11, 2022
Train Depot, 614 Broad Street**

AGENDA CATEGORY: Closed Session
SUBJECT: Pursuant to NCGS 143-318.11 (a) (3)

REQUESTED ACTION:
Motion to enter closed session pursuant to NCGS 143-318.11 (a) (3) to allow the Board of Commissioners to consult with Town Attorney.

EXPECTED LENGTH OF PRESENTATION:
15 Minutes

SUBMITTED BY:
Todd Clark, Town Manager

BUDGET AMENDMENT REQUIRED:
N/A