

**Town of Belhaven Board of Adjustment Meeting  
September 28, 2023 at 5PM  
257 W. Pantego Street**

**AGENDA**

**CALL TO ORDER**

**DETERMINATION OF QUORUM**

**CONFLICT OF INTEREST STATEMENT**

*"Members of the Belhaven Board of Adjustment are advised, hereby, of their duty under the Local Government Ethics Act to avoid conflicts of interest and the appearance of such conflict; and, further, are instructed to refrain from participating in any matter coming before this Planning Board with respect to which there is a conflict of interest or appearance of such conflict".*

**Special Use Application Hearing – 202 East Water Street**

1. Special Use Application: 202 East Water Street. Beacon Street Development has issued a Special Use Application for their proposed Planned Unit Development at 202 E. Water Street.

**ADJOURNMENT**

Meeting Date: September 26, 2023

Agenda Item: Beacon Street Application Review

**Background Information:**

Beacon Street Development has issued a Special Use Application for their proposed Planned Unit Development at 202 E. Water Street. The planning board has reviewed previous submissions. This is the final proposed plan.

The site plan should also be considered by the Planning Board. The Town Council will consider the site plan at its October meeting if the special use application is approved.

A hearing is scheduled for the Board of Adjustment on September 28 to approve/deny the SUP request.

The planning board may wish to recommend some conditions to the Board of Adjustment in their consideration of approval.

**Staff Recommendation:**

**Comment on/recommend approval of site plan.**

Motion: \_\_\_\_\_ 2nd: \_\_\_\_\_

Approved or Denied: \_\_\_\_\_ Date: \_\_\_\_\_

# TOWN OF BELHAVEN

Official Use Only:  
SUP CASE #  
SUP-  
DATE

REC'D SEP 5 2023



Application Fee: \$300

Modification-1 - This the language in this Application was previously approved in 2021. Tax Map References have been updated to reflect current Beaufort County information. No other changes have been made to this document.

## APPLICATION FOR A SPECIAL USE PERMIT

Please provide the following information:

Name of Applicant Beacon Street Development Co., Inc.

Address Local \_\_\_\_\_

Non-local P.O.Box 6474 Raleigh, NC 27628

Telephone Local \_\_\_\_\_ Non-local 919-795-3380

Description of property: Zoning MB Flood Zone: AE

Street address 202 East Front Street (aka Water Street)

Tax Parcel Number 7605699065&...788226 Lot/Blk 7605699065, 7605788226

Proposed use:

Residential with supporting marine facilities and optional non-residential use as allowed by MB zoning (e.g. food & beverage service, retail/service shop or office uses, inn, etc.).

In order to be granted to a Special Use Permit, the proposed use must comply with all applicable requirements set forth in the Town's Unified Development Ordinance. Additionally, following a hearing, the Town Board of Commissioners must find that all of the following standards will be met. The Applicant is encouraged to provide written answers addressing each of the following standards prior to the formal hearing. Additional information, documentation, and argument may be provided at the hearing to support your position that each of the following standards will be met. Please use additional pages if necessary, to provide complete answers.

- A. That the proposed use conforms to the character of the neighborhood, considering the location, type and height of buildings or structures and the type and extent of landscaping on the site.

The development proposed is planned in a way that will compliment the relaxed waterfront setting of the Belhaven business district. Homes and non-residential structures will be 3-stories or less in keeping with the surrounding structures. Architectural style/detailing and site landscaping will reinforce the vernacular of coastal North Carolina. All residential and non-residential uses proposed will be carefully selected to reinforce the the fabric of Belhaven. Minimum open space requirements are being met through a neighborhood walkway and linear park along the river's edge.

- B. That adequate measures will be taken to provide ingress and egress so designed as to minimize traffic hazards and traffic congestion on the public roads.

A loop street configuration for site access is planned in order to provide adequate emergency, service and vehicular access without the need for dead-end turnarounds. It is because of this loop design that vehicular trips are split among two points of ingress/egress thereby minimizing traffic at any one point within the neighborhood. Reduced width streets and alleys are sized to accommodate the largest emergency/service vehicles while reducing impervious surface areas and environmental impact. A waterfront walkway will provide access for the residents and streets will function as shared facilities.

- C. That adequate utilities (water, sewer, drainage, electric, etc.) are available for the proposed use.

The extension of sewer and water will be connected to existing Town services which currently abut the site along Water Street. The developer will continue to coordinate with Town Staff to design these facilities in keeping with Town and State of NC guidelines and specifications.

- D. That the proposed use will not be noxious or offensive by reason of vibration, noise, odor, dust, smoke or gas.

There are no uses or practices proposed that will create noxious or offensive noise, odor, dust, smoke or gas aside from normal temporary construction activities.

E. That the establishment of the proposed use will not impede the orderly development and improvement of surrounding property for uses permitted within the land development district.

The proposed development is designed to permit only uses that are compatible and compliment the surrounding properties. The setbacks proposed are in keeping with current Belhaven requirements subject to an interpretaion to allow porches and steps to encroach 10' into the Water St. setbacks. This relationship of porches to the street is in keeping with uses east of the site and within the central business district. It will encourage traffic calming and the interaction of residents and sidewalk pedestrians.

F. That the establishment, maintenance and/or operation of the proposed use will not be detrimental to or endanger the public health, safety, or general welfare.

To insure the protection of the public's health, safety and welfare the development proposes uses that help to support the nearby businesses. Home design will embrace coastal NC style. The homes will appeal to permanent and 2nd home residents alike adding year-round vitality. A reduction in impervious area, shoreline stabilization, traffic calming and a relaxed waterfront oriented setting will be an asset to Belhaven. Modifications to reqd. standards do not compromise the public health, safety or welfare.

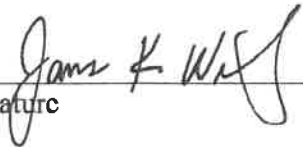
G. That the establishment will be operated in compliance with all local, state, and federal laws and will not become a nuisance by creating criminal activity or public disturbance.

All local, state and federal laws will be respected and a secure site during the construction phases will be paramount. Adequate lighting will help to prevent unsavory activities as will front porches that promote "eyes on the street". Replacement of the deteriorated bulkhead will serve to protect the site from further decay and collapse of the shoreline zones.

I certify that the information presented by me in this application is accurate to the best of my knowledge, information, and belief. I authorize the Town of Belhaven to place a sign on the property in question for the purpose of alerting the general public of my request.

**Applicant(s):**

JAMES K. WILEY, President  
Printed Name

  
Signature

8-31-2023  
Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date









BEACON STREET DEVELOPMENT COMPANY, INC.  
 TOWN OF BELHAVEN - BEAUFORT COUNTY - NORTH CAROLINA  
**UTILITY PLAN**  
 WATER STREET SUBDIVISION  
 SHEET NO. 20180002.1  
 DATE: 08/14/18  
 DRAWN BY: J. W. WILSON  
 CHECKED BY: J. W. WILSON  
 SCALE: 1" = 30'

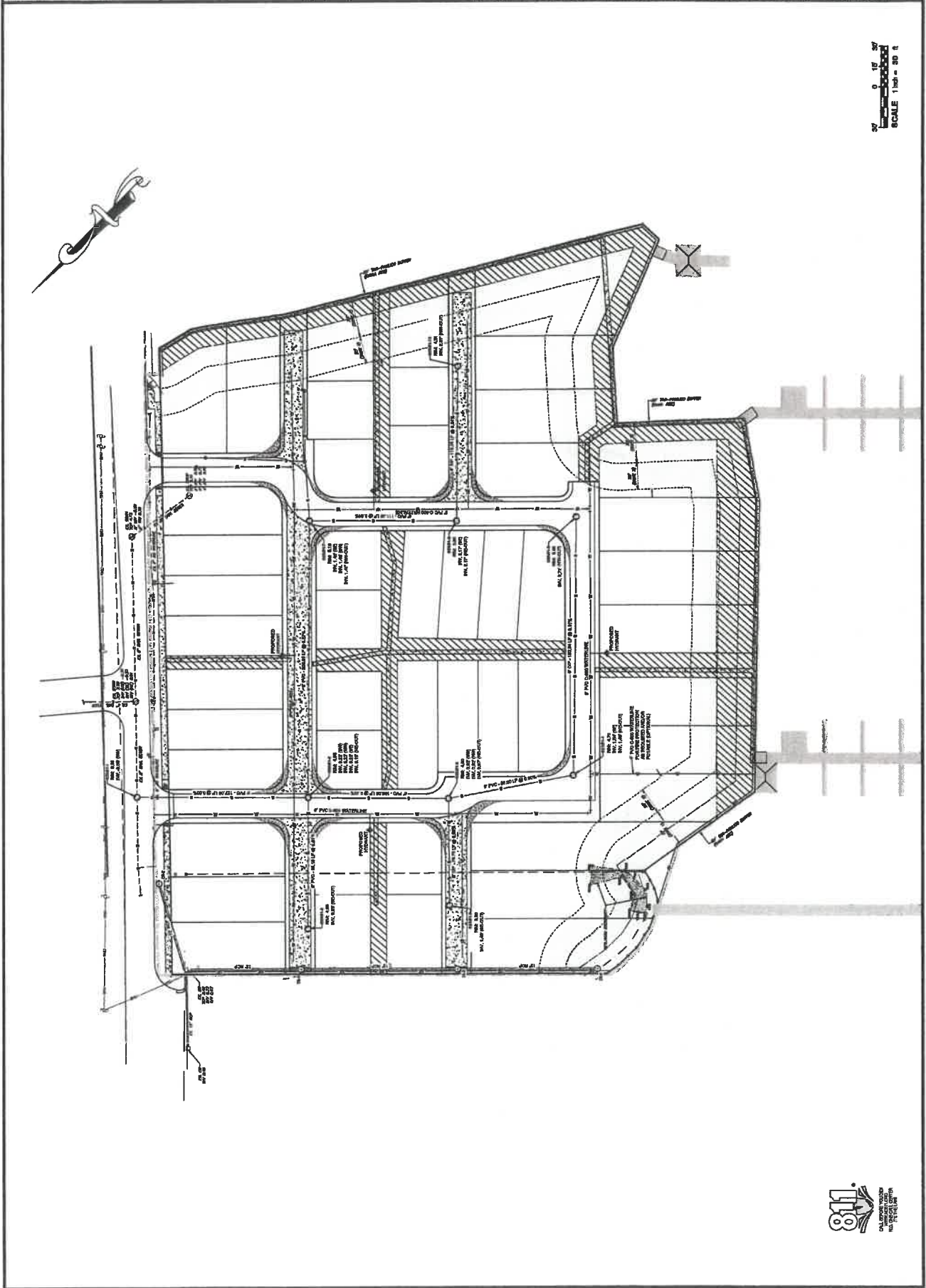
**811**  
 CALL BEFORE YOU DIG  
 1-800-4-A-SHIELD

**BEACON STREET DEVELOPMENT COMPANY, INC.**  
 107 East Second Street  
 Beaufort, NC 28520  
 (252) 732-4135  
 www.beaconstreet.com

**RIVERS**  
 ENGINEERS & ARCHITECTS, INC.  
 107 East Second Street  
 Beaufort, NC 28520  
 (252) 732-4135

**PRELIMINARY**  
 DO NOT CONSTRUCT  
 FOR CONSTRUCTION

**C3.01**



BEACON STREET DEVELOPMENT COMPANY, INC. - 107 EAST SECOND STREET - BEAUFORT, NC 28520 - (252) 732-4135

**Rivers**  
 LANDSCAPE ARCHITECTS  
 107 East Second Street  
 Greensboro, NC 27401  
 (336) 792-4135

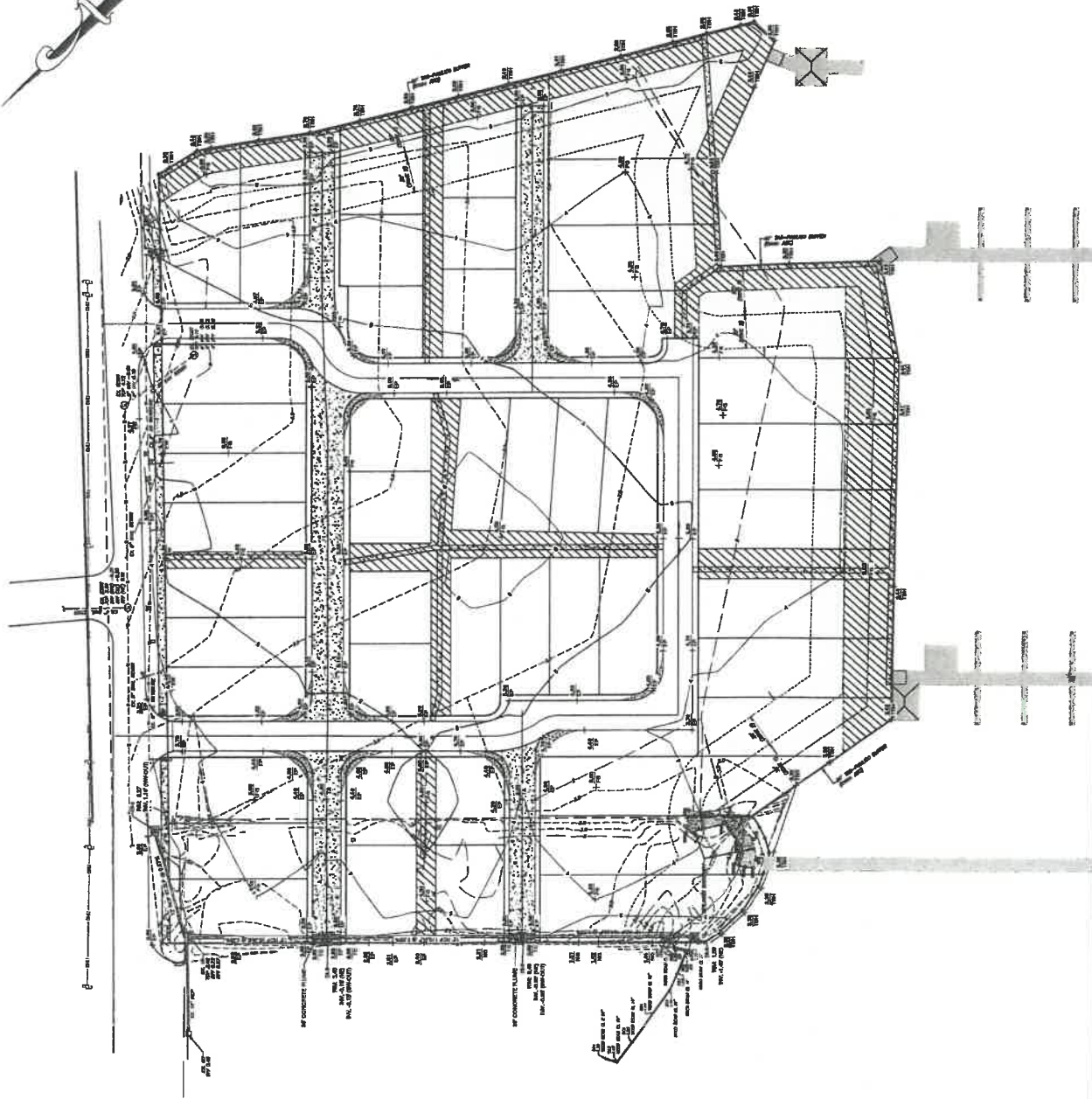
**Preliminary**  
 FOR CONSTRUCTION  
 DO NOT SCALE

NO.	DESCRIPTION	DATE	BY

**BEACON STREET DEVELOPMENT COMPANY, INC.**  
**WATER STREET SUBDIVISION**  
 TOWN OF BEAUVEN - BEAUFORT COUNTY - NORTH CAROLINA  
**GRADING & DRAINAGE PLAN**

DATE: 05/17/2023  
 DRAWN BY: JRM  
 CHECKED BY: JRM  
 PROJECT NO.: 20190002.1  
 DRAWING NO.: VA-3867  
 SCALE: 1" = 30'  
 SHEET NO.: 1 OF 1

**C4.01**



**Rivers**  
 ENGINEERS & ARCHITECTS  
 107 East Second Street  
 Charlotte, NC 27202  
 (704) 732-4135  
 Fax: (704) 732-4136



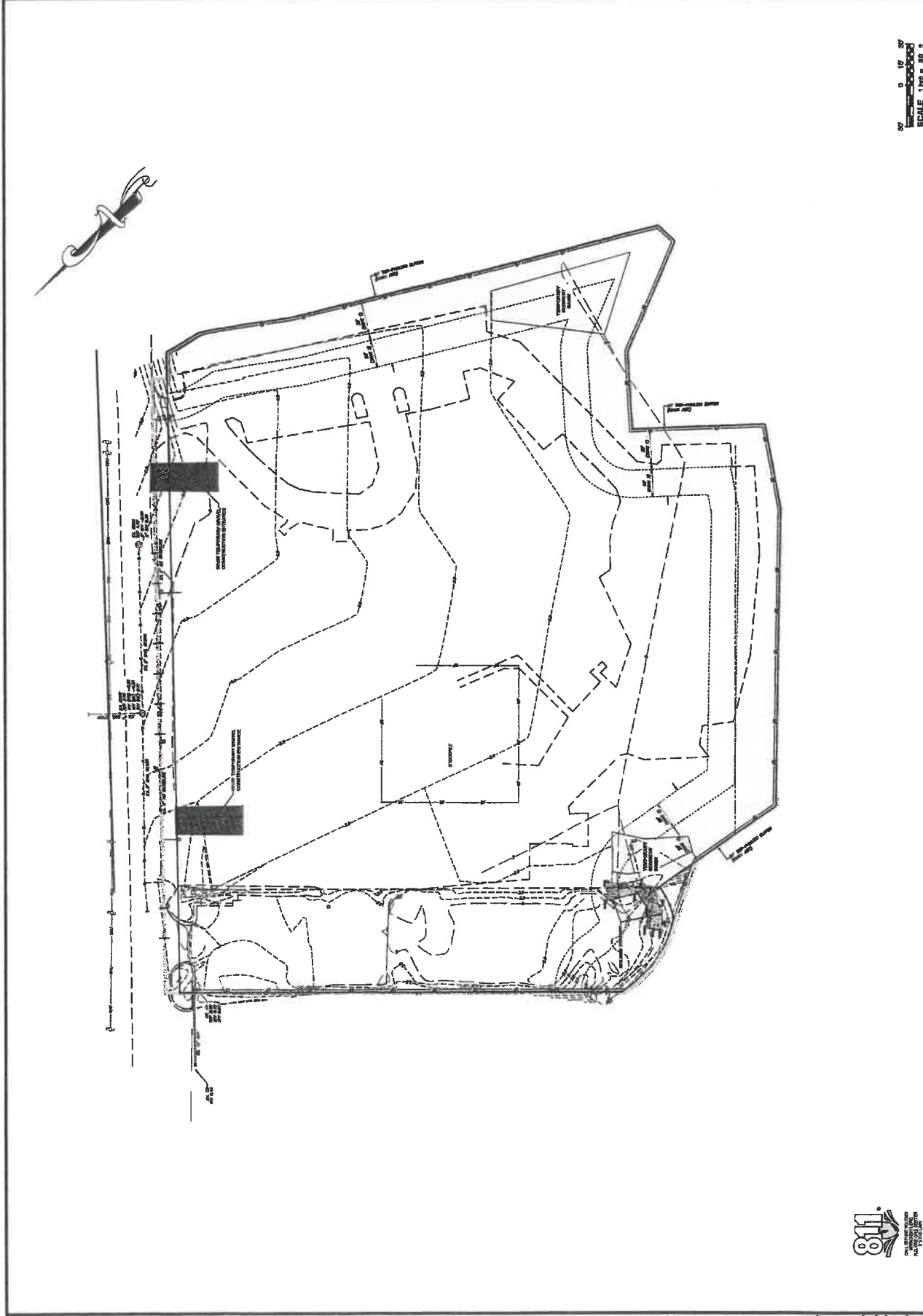
**REVISIONS:**

NO.	DESCRIPTION	DATE

**BEACON STREET DEVELOPMENT COMPANY, INC.**  
**WATER STREET SUBDIVISION**  
 TOWN OF BEHAVEN - BEAUFORT COUNTY - NORTH CAROLINA  
**EROSION CONTROL PLAN PH-1**

**C5-01**

DATE: 11/15/2017  
 DRAWN BY: J. RIVERS  
 CHECKED BY: J. RIVERS  
 PROJECT NO.: 2017-0003  
 SHEET NO.: 118-00017  
 SCALE: 1" = 50'



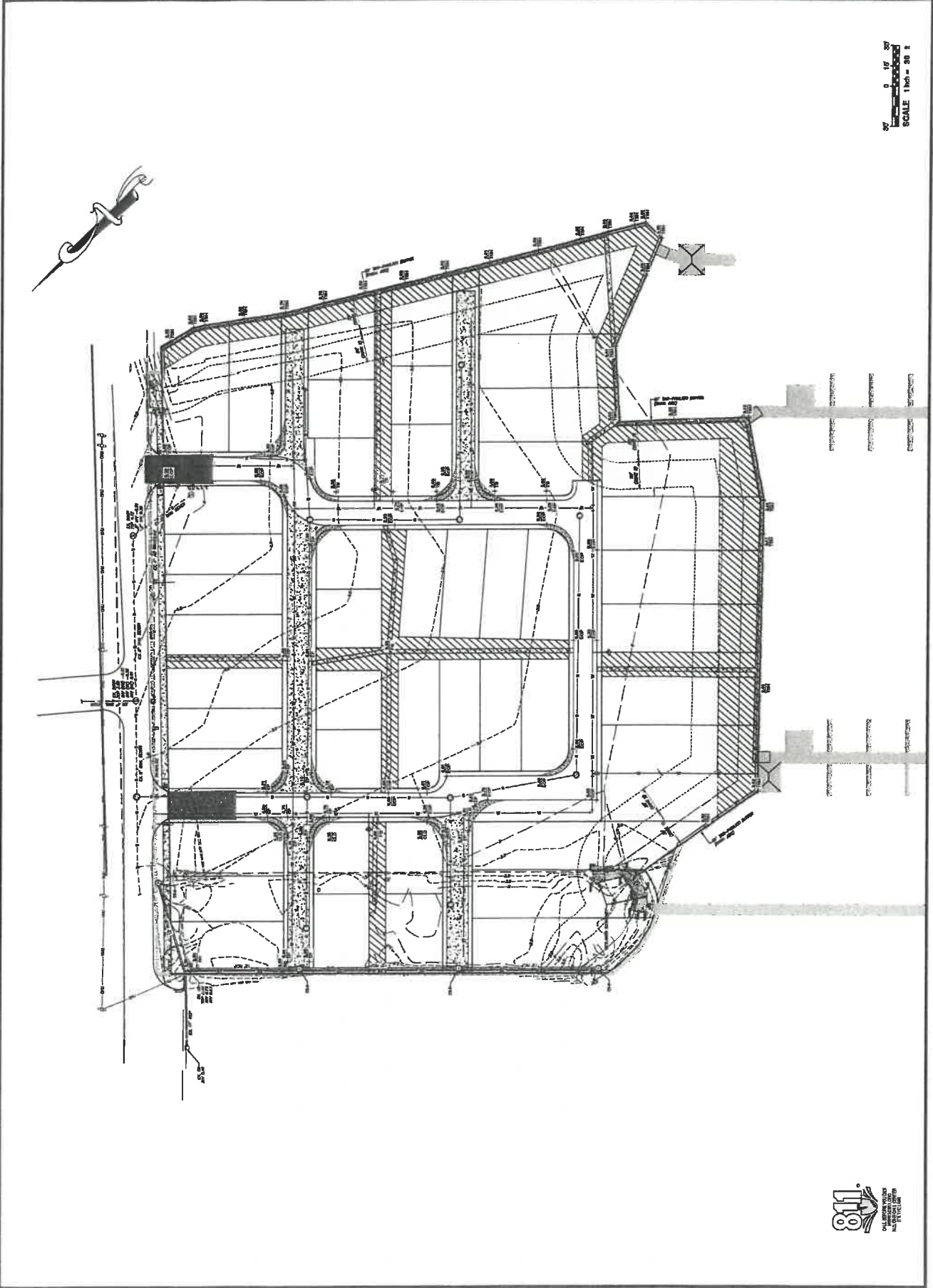


NO.	DATE	DESCRIPTION

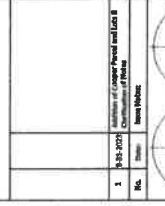
**BEAON STREET DEVELOPMENT COMPANY, INC.**  
**WATER STREET SUBDIVISION**  
 TOWN OF SCLAVEN - BEAUFORT COUNTY - NORTH CAROLINA  
**EROSION CONTROL PLAN PH-2**

DATE: 05/20/24  
 DRAWN BY: [Signature]  
 CHECKED BY: [Signature]  
 PROJECT NO.: 20190025.1  
 DRAWING NO.: W-20057  
 SHEET: 1 of 307

**C5.02**

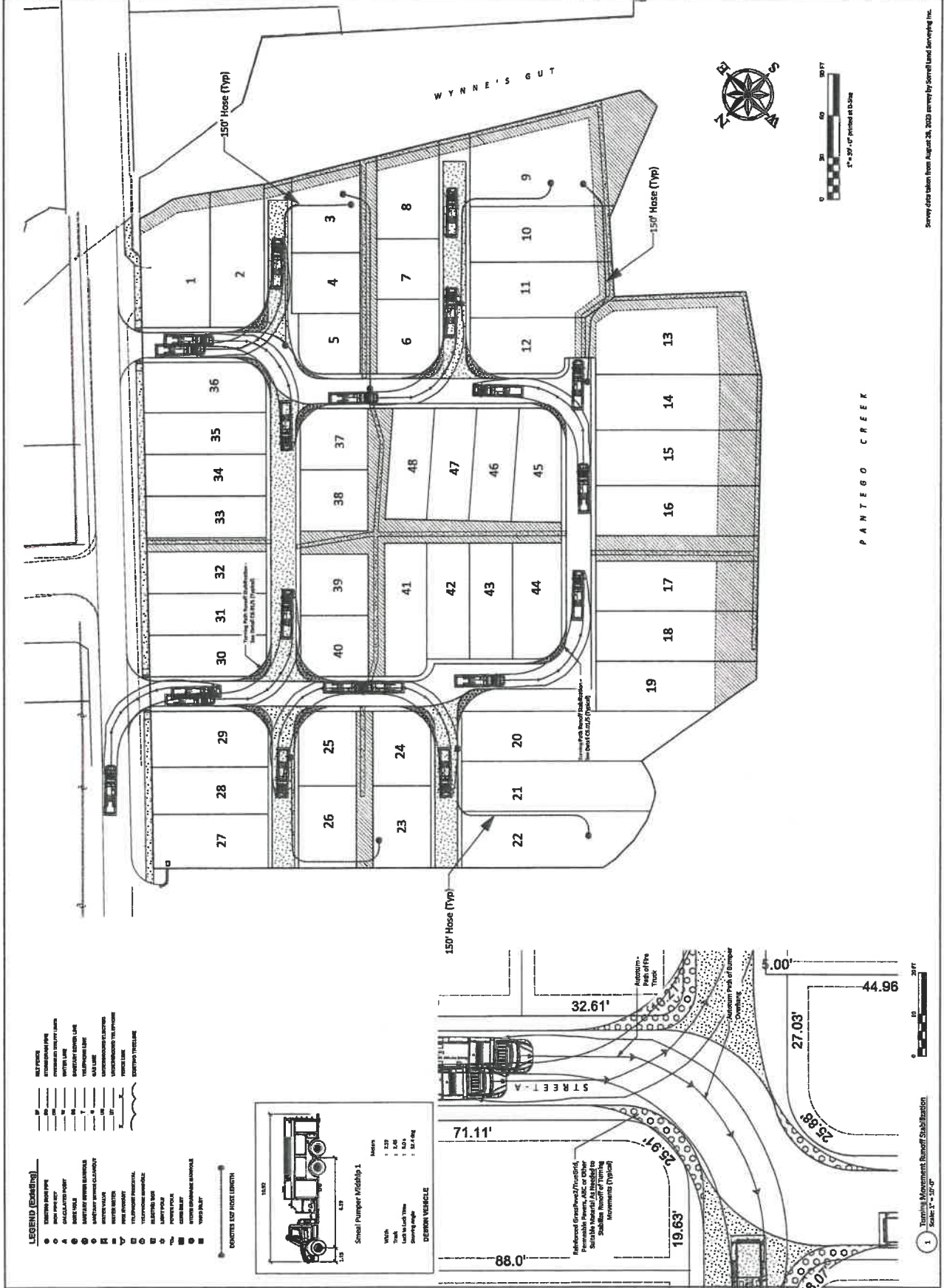


No.	Date	Revised
1	3-13-2025	Submission of Concept Plan and L&ES
2		Submission of Final

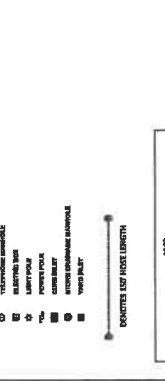


**Design Firm:**  
Scott Murray Land Planning, Inc.  
10000 W. 10th Street, Suite 100  
Overland Park, KS 66211  
Phone: 913-241-1100 Fax: 913-241-1101  
www.scottmurray.com

**Scale:** 1" = 30'-0"  
**Date:** 3-13-2025  
**Drawn & Checked by:** SMV  
**Sheet:** C6.01



- LEGEND (Continued)**
- EXISTING ROAD PAVEMENT
  - EXISTING DRIVEWAY
  - CALCULATED RIGHT-OF-WAY LINE
  - PROPERTY LINE
  - EXISTING DRIVEWAY
  - EXISTING SIDEWALK
  - EXISTING CURB
  - EXISTING UTILITY LINE
  - EXISTING FENCE
  - EXISTING SIGN
  - EXISTING LIGHTING
  - EXISTING TREE
  - EXISTING LANDSCAPE
  - EXISTING CONCRETE
  - EXISTING ASPHALT
  - EXISTING GRAVEL
  - EXISTING SAND
  - EXISTING SOIL
  - EXISTING VEGETATION
  - EXISTING WATER
  - EXISTING SEWER
  - EXISTING GAS
  - EXISTING ELECTRIC
  - EXISTING TELEPHONE
  - EXISTING CABLE
  - EXISTING FIBER OPTIC



**Reference (Emergency/Tractor), Fireworks, ABC or other extinguisher, and a Stabilizer (if applicable)**

Dimensions (Typical)

**Maximum Peak of Fire Truck**

**Maximum Peak of Storage Tank**

**STREET A**

**PANTEGO CREEK**

**WYNNE'S GUT**

**Scale: 1" = 30'-0"**

## **ARTICLE VIII. MARINE BUSINESS DISTRICT (MB)**

### **152.070 DISTRICT DESCRIPTION**

The purpose of this district is to provide for the orderly development of residential and commercial properties that require a waterfront location or are related to, or serve, marine interests.

### **152.071 PERMITTED USES**

- (1) Accessory uses;
- (2) Marine supply sales;
- (3) Public recreational facilities;
- (4) Public utility facilities;
- (5) Restaurants;
- (6) Wharves, docks, and piers,
- (7) Yacht clubs and marinas.

### **152.072 SPECIAL USES**

- (1) Bed and breakfast inn or tourist home;
- (2) Boatyards including boat building and repairs;
- (3) Boat and motor display and sales;
- (4) Churches and related uses;
- (5) Colleges, universities and related uses;
- (6) Dwellings, single-family;
- (7) Dwellings, two-family;
- (8) Dwellings, multi-family;
- (9) Retail sales;
- (10) Hotels;
- (11) Marine Fuel storage and sales;
- (12) Cultural or community facility;
- (13) Planned Unit Development (PUD);
- (14) Short Term Rental;
- (15) Youth Activities
- (16) Accessory Dwelling unit (ADU).

