

STATE OF NORTH CAROLINA  
COUNTY OF CARTERET

BEFORE THE MOREHEAD CITY  
BOARD OF ADJUSTMENT

In the matter of Application for )  
A Special-Use Permit by )  
BKB Flowers, Inc. )

ORDER

Index: Grantor: **Town of Morehead City**  
Grantee: **BKB Flowers, Inc.**

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**THE TOWN OF MOREHEAD CITY, NORTH CAROLINA  
ORDER GRANTING A SPECIAL-USE PERMIT**

The Board of Adjustment for the Town of Morehead City, NC, having held a public hearing on October 27, 2022, to consider application number BOA22-0005, submitted by Ralph W. Brittingham, Jr., on behalf of BKB Flowers, Inc., a request for a special-use permit to allow for a Business Residence to be located at 4702 Arendell Street, zoned CH (Highway Commercial District), and having heard all of the evidence and arguments presented at the hearing makes the following **FINDINGS OF FACT**:

1. The application was submitted indicating the correct section of the ordinance and that section does allow “Business residence” with a special-use permit; and
2. The public hearing was properly advertised, notices were mailed to property owners adjacent to the site, and the property was posted per the statutory requirements; and
3. A business residence may be established in the CD, O&P, CN, CH, and DB districts subject to the requirements of the district and the following limitations: Not more than one (1) residence shall be permitted for each structure in the O&P, CN, and CH districts. There is only one residence currently in the structure and only one residence is proposed. The residence in the O&P, CN, and CH districts shall not exceed the gross floor area of the business operation. According to the Carteret County tax record, the existing businesses occupy four thousand seven hundred twenty (4,720) square feet of space and the existing second floor apartment occupies eight hundred sixty-four (864) square feet of space. The residence does not exceed the gross floor area of the business operation. Residences may be located above the business, but in no case shall be located in the front yard of the business. The residence is located above the businesses. Any residence must be in the same structure as the business. The residence is in the same structure as the businesses; and
4. The proposed development does not affect adversely the general plans for the physical development of the town as embodied in these regulations or in any plan or portion thereof adopted by the Planning Board and/or the Council. The property is located in Neighborhood 6 of the CAMA Land Use Plan and is classified as General Commercial. Neighborhood 6 consists of a strip commercial area adjacent to both the north and south side of the US 70 corridor and an older, established residential area located on the east and west sides of Peletier Creek and on the east side of Spooners Creek. Land Use

Plan section 4.2.7 Areas of Local Concern, Policy 3 seems to promote the request: “Morehead City will continue to promote a variety of land uses which complement the residential, commercial, institutional, recreational and industrial needs of the community.” The request does not appear to conflict with any of the Neighborhood 6 policy statements; and

5. The proposed use will not be contrary to the purposes stated in the regulations; and

6. The proposed use is required to be placed on a lot of sufficient size to satisfy space requirements of the use, standards set forth for the use be met, minimum area, setback and other locational requirements of the district and parking requirements be met. Standards set forth for the use have been met. No additional parking is required for the business residence because the proposed location is within an existing building. No additional landscaping is required.

Based on the foregoing Findings of Fact, the Board of Adjustment makes the following **CONCLUSIONS OF LAW**. The following represent items D, E, F, and H, respectively, of the Special-Use Criteria:

1. ***The proposed use will not affect adversely the health and safety of residents and workers in the Town.*** Chairman Sewell said that there was nothing that the applicant would be doing that would affect the health or safety of any person. All Board members agreed; and

2. ***The proposed use will not be detrimental to the use or development of adjacent properties or other neighborhood uses.*** Chairman Sewell said that he did not feel that what is proposed would be detrimental to anyone. All Board members agreed; and

3. ***The proposed use will not be affected adversely by existing uses.*** Chairman Sewell said he did not see anything changing regarding what will be happening with the businesses on the property. All Board members agreed; and

4. ***The proposed use will not constitute a nuisance or hazard because of the number of persons who will attend or use such facility, of the vehicular movement, or noise or fumes or of the type of physical activity.*** Chairman Sewell said that there will be minimal change to traffic patterns and no large degree of change under the proposed use. All Board members agreed that the proposed use would not be a nuisance or hazard.

**NOW, THEREFORE**, based on the foregoing Findings of Fact and Conclusions of Law, the Board of Adjustment of the Town of Morehead City, North Carolina, by unanimous vote, orders the issuance of a Special-Use Permit to BKB Flowers, Inc., to allow for a “Business residence” to be located in at 4702 Arendell Street, Morehead City, NC.

**ORDERED**, this the 27<sup>th</sup> day of October, 2022.

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Charles Sewell, Chairman

NORTH CAROLINA  
CARTERET COUNTY

I, \_\_\_\_\_, Notary Public, do hereby certify that Charles Sewell, Chairman to the Board of Adjustment for the Town of Morehead City, personally appeared before me this day and acknowledged the due execution of the foregoing certification, for the purposes therein expressed.

WITNESS my hand and notarial seal this the \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Notary Public Signature

My commission expires on: \_\_\_\_\_