



TOWN OF KURE BEACH

117 SETTLERS LANE ♦ KURE BEACH, NORTH CAROLINA 28449
TELEPHONE (910) 458-6535 ♦ FAX (910) 458-4269

SPECIAL USE PERMIT APPLICATION

Purpose

Special use permits add flexibility to the zoning regulations. Subject to high standards of planning and design, certain property uses may be allowed in certain districts where these uses would not otherwise be acceptable. By means of controls exercised through the special use procedures, property uses, which would otherwise be undesirable in certain districts, can be developed to minimize any adverse effects they might have on surrounding properties.

Procedure

- Applicant must fill out all sections of the application
- Special use permit applications shall only be submitted by the property owner(s) or their duly authorized agent.
- Site plans shall be prepared by qualified professionals based upon current land records information. The plan shall be drawn to an accurate scale and legible size as required by each parcel and contain the following information:
 - (1) Names of the owner, developer and design professionals;
 - (2) Scale, dimensions, date, north arrow, property boundaries;
 - (3) Location, height, number of stories, floor area, setbacks and proposed uses of all structures;
 - (4) Open space and recreational areas and impervious surface calculations;
 - (5) Buffering and screening areas, fencing, walls and landscaping indicating the type, number and size of all plantings;
 - (6) Vehicular and pedestrian circulation including existing and proposed rights-of-way with cross-sections, design details and dimensions;
 - (7) Location and geometry of all parking, loading, and sanitation pickup;
 - (8) Conceptual grading, site preparation and stormwater management plans;
 - (9) Lighting details including type, location, and radius and intensity in footcandles;
 - (10) Location, height and dimensions of all signs; and
 - (11) Any additional conditions and requirements that represent greater restrictions on development and use of the site than the underlying zoning district.
- Upon receiving the recommendations of the planning and zoning commission and holding a public hearing, the town council may grant or deny the special use permit. The special use permit, if granted shall include such approved plans as may be required.

Property Owner Information

Property Owner's Name Seamist Suites, LLC Phone # (910) 200-7114

Mailing Address 7004 Eschol Ct, Wilmington, NC, 28409

E-mail address adam.o.khatib@gmail.com



Applicant Information

Applicant Seamist Suites, LLC Phone # (910) 200-7114

Mailing Address 7004 Eschol Court, Wilmington, NC, 28409 Email Address adam.o.khatib@gmail.com

Representative/Agent for Owner Corrie Faith Lee and Lieth Khatib

(AUTHORITY FOR APPOINTMENT OF AGENT IS ATTACHED)

Property Information

Property Address 106 S Fort Fisher Blvd, Kure Beach, NC PIN (parcel identification #) R09217-005-014-000, R09217-005-015-000

Proposed Project Name Seamist Suites & Plaza

Application for Special Use Permit

Application is hereby made for the following use: (Please explain below)

Mixed-use structure adjacent to 102 S Fort Fisher Blvd in the B-1 District. Ground floor would comprise of retail and top two levels will be 10 residential units (5 on each floor).

General conditions

When granting a special use permit, Council shall find that all four of the following factors exist. In the spaces provided below, indicate the facts and arguments that prove you meet the following conditions:

1. Indicate how the proposed special use will not materially endanger the public health or safety if located where proposed and approved:

The proposed use will not materially endanger public health or safety. The site will comply with all applicable building, fire, life safety, and floodplain management codes. It includes safe vehicular and pedestrian access, designated off-street parking, ADA compliance, and meets or exceeds state and local fire separation and egress standards. The tourist lodging units will be operated under professional management to ensure tenant conduct aligns with town regulations.

2. Indicate if the proposed special use meets all required conditions and specifications:

This project meets all required conditions of the Kure Beach Zoning Ordinance for the B-1 district, including permitted use designations for ground-floor commercial activity and upper-level residential units. The building complies with maximum height requirements (not to exceed 35 feet), setbacks, and parking regulations. The site plan is designed to manage stormwater appropriately and integrate with town infrastructure.

3. Indicate how the proposed special use will not substantially injure the value of the adjoining property, or that the use is a public necessity:

The development enhances the area by introducing small-scale, locally-oriented businesses and high-quality rental accommodations in a professionally maintained, visually cohesive structure. Although residential homes are located to the rear of the property, the site plan incorporates screening and thoughtful buffering to protect neighborhood character. Rather than diminishing value, the project is expected to enhance nearby property values by improving streetscape, increasing walkability, and contributing to local business vitality. It meets a public necessity by addressing the need for short-term lodging and accessible retail services in Kure Beach.

4. Indicate that the location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is located and in general conformity with the comprehensive plan and other plans for the area:

The location and character of the proposed use align with the Town of Kure Beach Comprehensive Plan. Specifically, the project supports **Land Use Goal 1** (“Encourage development that maintains Kure Beach’s small-town character”) and **Economic Development Goal 2** (“Support local-serving commercial services and promote tourism”). The coastal architectural design respects the character of nearby structures and includes landscaping and façade elements that fit the beach town aesthetic. The use of the space promotes compact, pedestrian-oriented development, enhancing the downtown core without creating sprawl or traffic burden.

Property Owner's Signature

Osama Khatib

Please sign in blue or black ink

Date 7/17/2025

Applicant's Signature

Osama Khatib

Please sign in blue or black ink

Date 7/17/2025

Adam Khatib

Town of Kure Beach

AUTHORITY FOR APPOINTMENT OF AGENT

The undersigned owner, Seamist Suites, LLC, does hereby appoint Corrie Faith Lee and Lieth Khatib as his, or its exclusive agent for the purpose of petitioning the Town of Kure Beach for approval of a Special Use Permit, as applicable to the property having the address of 106 S Fort Fisher Blvd, Kure Beach, NC and described in the attached application.

The owner does hereby covenant and agree with the Town of Kure Beach that said agent has the authority to do the following acts for and on behalf of the owner:

1. To submit a proper application and the required supplemental material; and
2. To appear at public meetings to give representation and commitments on behalf of the owner; and
3. To accept conditions or recommendations made for the issuance of the Special Use Permit on the owner's property; and
4. To act on the owner's behalf without limitations with regard to any and all things directly or indirectly connected with or arising out of any petition.

This agency agreement shall continue in effect until final disposition of the application submitted in conjunction with this appointment.

Date: 7/17/2025

Agent's name, Address & Telephone:

Corrie Faith Lee - (910) 940-0126

Owner*

Lieth Khatib - (910) 833-9455

Seamist Suites, LLC

330 Military Cutoff Rd., A-2

Wilmington, NC 28405

* If the owner is an individual, the owner (or all owners if there is more than one) must sign the authorization. If a corporation, print the name of the corporation and have signed by an authorized officer. If a partnership, print the name of the partnership and have signed by an authorized partner.

A vicinity map showing the project location. The Colorado River is on the left, with a north arrow pointing towards the top. Highway 101 runs vertically on the right. The project site is marked with a rectangle and labeled 'SITE'. Other labels include 'COLORED RIVER', '101', and 'MILE'.

SITE DATA

DATE	10/01/00	TIME	07:00
NAME	JOHN DOE	AGE	35
ADDRESS	123 MAIN ST	CITY	ANYTOWN
STATE	CA	ZIP	90210
PHONE	(415) 555-1234	FAX	(415) 555-5678
EMAIL	JOHN.DOE@EXAMPLE.COM	WEB	WWW.EXAMPLE.COM
EMPLOYEE ID	1001	DEPARTMENT	SALES
POSITION	SALES REP	MANAGER	JANE SMITH
START DATE	01/01/99	END DATE	12/31/00
STATUS	ACTIVE	REASON	
COMMENTS	Employee has been with company for 2 years. Performance is excellent.		

Estimated 1984-85	22,818
Estimated 1986-87	22,818
Estimated 1988-89	22,818
Estimated 1990-91	22,818
Estimated 1992-93	22,818
Estimated 1994-95	22,818
Estimated 1996-97	22,818
Estimated 1998-99	22,818
Estimated 2000-01	22,818
Estimated 2002-03	22,818
Estimated 2004-05	22,818
Estimated 2006-07	22,818
Estimated 2008-09	22,818
Estimated 2010-11	22,818
Estimated 2012-13	22,818
Estimated 2014-15	22,818
Estimated 2016-17	22,818
Estimated 2018-19	22,818
Estimated 2020-21	22,818
Estimated 2022-23	22,818
Estimated 2024-25	22,818
Estimated 2026-27	22,818
Estimated 2028-29	22,818
Estimated 2030-31	22,818
Estimated 2032-33	22,818
Estimated 2034-35	22,818
Estimated 2036-37	22,818
Estimated 2038-39	22,818
Estimated 2040-41	22,818
Estimated 2042-43	22,818
Estimated 2044-45	22,818
Estimated 2046-47	22,818
Estimated 2048-49	22,818
Estimated 2050-51	22,818
Estimated 2052-53	22,818
Estimated 2054-55	22,818
Estimated 2056-57	22,818
Estimated 2058-59	22,818
Estimated 2060-61	22,818
Estimated 2062-63	22,818
Estimated 2064-65	22,818
Estimated 2066-67	22,818
Estimated 2068-69	22,818
Estimated 2070-71	22,818
Estimated 2072-73	22,818
Estimated 2074-75	22,818
Estimated 2076-77	22,818
Estimated 2078-79	22,818
Estimated 2080-81	22,818
Estimated 2082-83	22,818
Estimated 2084-85	22,818
Estimated 2086-87	22,818
Estimated 2088-89	22,818
Estimated 2090-91	22,818
Estimated 2092-93	22,818
Estimated 2094-95	22,818
Estimated 2096-97	22,818
Estimated 2098-99	22,818
Estimated 2100-01	22,818
Estimated 2102-03	22,818
Estimated 2104-05	22,818
Estimated 2106-07	22,818
Estimated 2108-09	22,818
Estimated 2110-11	22,818
Estimated 2112-13	22,818
Estimated 2114-15	22,818
Estimated 2116-17	22,818
Estimated 2118-19	22,818
Estimated 2120-21	22,818
Estimated 2122-23	22,818
Estimated 2124-25	22,818
Estimated 2126-27	22,818
Estimated 2128-29	22,818
Estimated 2130-31	22,818
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Estimated 2202-03	22,818
Estimated 2204-05	22,818
Estimated 2206-07	22,818
Estimated 2208-09	22,818
Estimated 2210-11	22,818
Estimated 2212-13	22,818
Estimated 2214-15	22,818
Estimated 2216-17	22,818
Estimated 2218-19	22,818
Estimated 2220-21	22,818
Estimated 2222-23	22,818
Estimated 222	

(1) 9' X 20' SPACE ADJACENT TO BEDROOM
TO BE USED AS A RESIDENTIAL UNIT

NO MINIMUM NUMBER OF SPACES REQUIRED
8 SPACES PROVIDED, INCLUDING 2 VAN ACCESSIBLE SPACES

4125 TOWNE AVE. BOST. 02218 W.B. CO. INC. 353-1000 CHICAGO 99 312-541-1100

SEWER FLOW
150 CPO PER 2 BR UNIT X 10 = 1,500 CPO
23 CPO PER EMPLOYEE PER SHIFT X 2 = 50 CPO
TOTAL SEWER FLOW = 1,550 CPO

TOTAL WATER DEMAND = 4,050 GPD

INC. THE EMP. GENERATION MANUAL PROVIDES THE FOLLOWING ESTIMATES OF 1993:

SPECIALTY RETAIL (ITE CODE B26) W/ 6425 KSF

AM PEAK HOUR TRIPS 48
PM PEAK HOUR TRIPS 22
DAILY TRIPS 343

LEGEND

PROJECT BOUNDARY
EX WATER MAIN
EX FORCE MAIN
STORM DRAIN
EX CONTOURS
SALT FORCE

CALORIC SCALE 0-1500

NOT RELEASED
FOR CONSTRUCTION

**SEAMIST SUITES
& PLAZA**
100 FLEET PLACE, 4TH FL. AND SUITE 4

AMERICAN SOCIETY OF MECHANICAL ENGINEERS, P.A.
 345 E. 57th St., 9th Floor
 New York, N.Y. 10022

DATE	10-20
TIME	1:00
TOTAL	

SHEET INDEX

COVER	1
EX. CONDITIONS	2
GRADINGS	3
UTILITY PLAN	4
DRIVEWAY PLAN	5
DETAILS	6

K AVENUE
SR 1573
PO: PUBLIC R/W

S FORT FISHER BLVD
US 421
50' PUBLIC R/W

S THIRD AVE
50' PUBLIC R/W



SITE DATA

[illegible]

With

TOTAL PROPOSTO BUA	22.819
DI PROPRIETÀ	917 *

THE SITE IS LOCATED OUTSIDE THE 100 YEAR FLOOD ZONE PER PANEL J039



**SEAMIST SUITES
& PLAZA**
1000 WEST 15TH AVE. SUITE 300-04
DENVER, CO 80202

1000 West 15th Ave. Suite 300-04
Denver, CO 80202
Tel: 303-733-1111
Fax: 303-733-1111

STRATHE ENGINEERING, P.A.
120 S. CALAVERA BLVD.
DENVER, CO 80202
Tel: 303-733-1111
Fax: 303-733-1111

SEAMIST SUITES & PLAZA
1000 WEST 15TH AVE. SUITE 300-04
DENVER, CO 80202
Tel: 303-733-1111
Fax: 303-733-1111



SOURCE: AERIAL
 PHOTOGRAPHY
 BY THE CITY OF SEASIDE, CALIF.

SITE DATA

PROJECT NAME	SEAMIST SUITES & PLAZA
PROJECT ADDRESS	421 S FORT FISHER BLVD
PROJECT CITY	SEASIDE, CA 92082
PROJECT COUNTY	SAN DIEGO
PROJECT ZONE	SR 1573
PROJECT AREA	0.15 AC
PROJECT PERMIT	SR 1573
PROJECT OWNER	SEAMIST SUITES & PLAZA, LLC
PROJECT ARCHITECT	STUCKER ENGINEERS, P.A.
PROJECT ENGINEER	STUCKER ENGINEERS, P.A.
PROJECT DATE	08/20/2024

UTILITIES

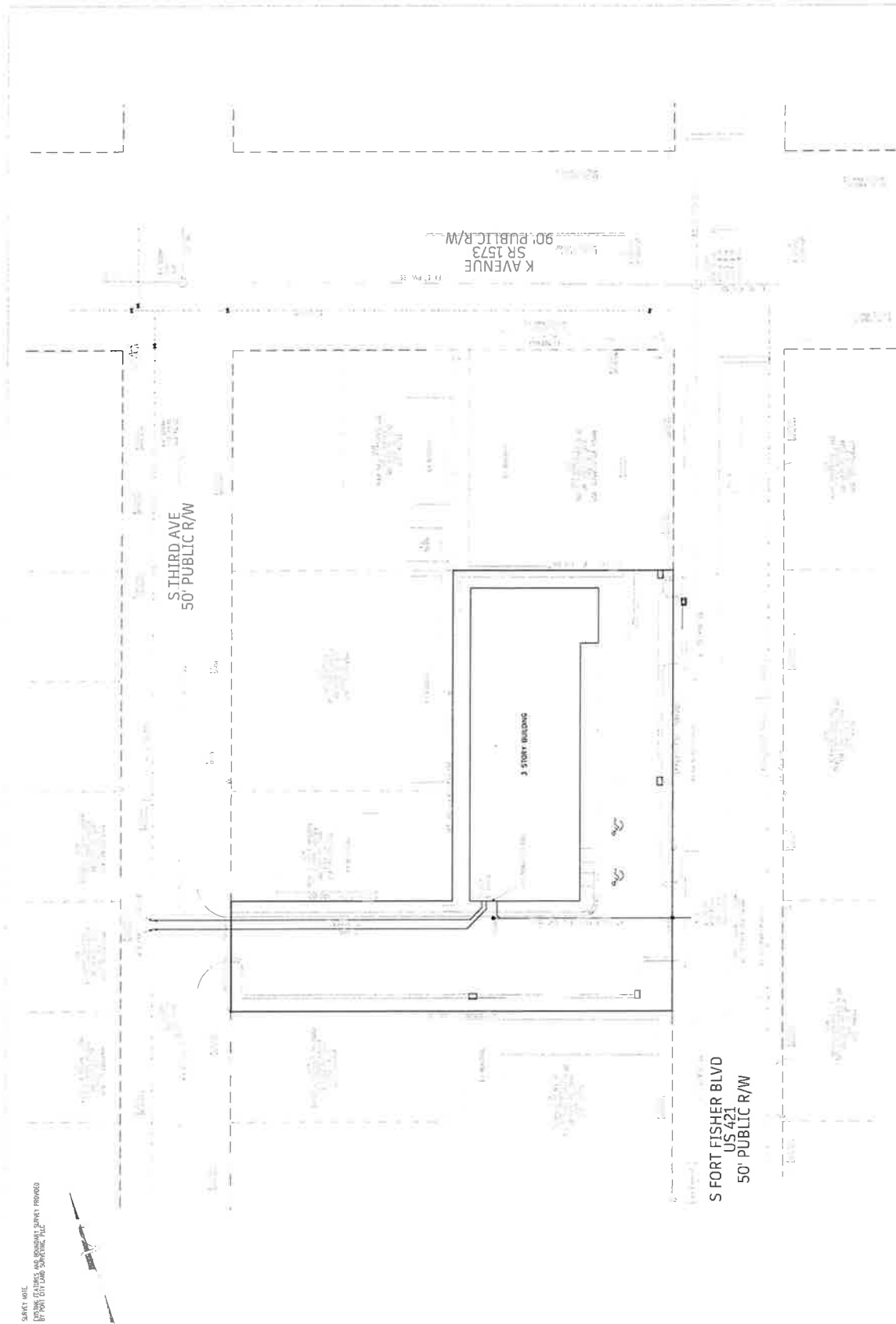
UTILITY	DEPTH	LOCATION
WATER	18"	UNDER PAVEMENT
SEWER	18"	UNDER PAVEMENT
GAS	18"	UNDER PAVEMENT
TELEPHONE	18"	UNDER PAVEMENT
CABLE	18"	UNDER PAVEMENT
POWER	18"	UNDER PAVEMENT
RAINWATER	18"	UNDER PAVEMENT

UTILITY CALCULATIONS

SEWER: 1.0 MGPD @ 1.5 MGPD = 1,500 GPD
 WATER: 1.0 MGPD @ 1.5 MGPD = 1,500 GPD
 TOTAL: 3,000 GPD

LEGEND

PROJECT BOUNDARY	---
EXISTING BUILDING	---
EXISTING DRIVEWAY	---
EXISTING SIDEWALK	---
EXISTING STREET	---
EXISTING ALLEY	---
EXISTING LOT	---
EXISTING AREA	---



NOT RELEASED
 FOR CONSTRUCTION



SEAMIST SUITES & PLAZA

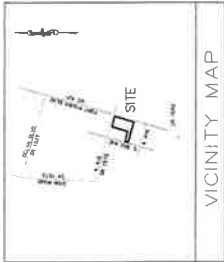
PROJECT NO. 2024-001

DATE: 08/20/2024

SCALE: 1" = 40'

STUCKER ENGINEERS, P.A.
 10000 SAN DIEGO AVENUE
 SAN DIEGO, CA 92121
 (619) 594-1000

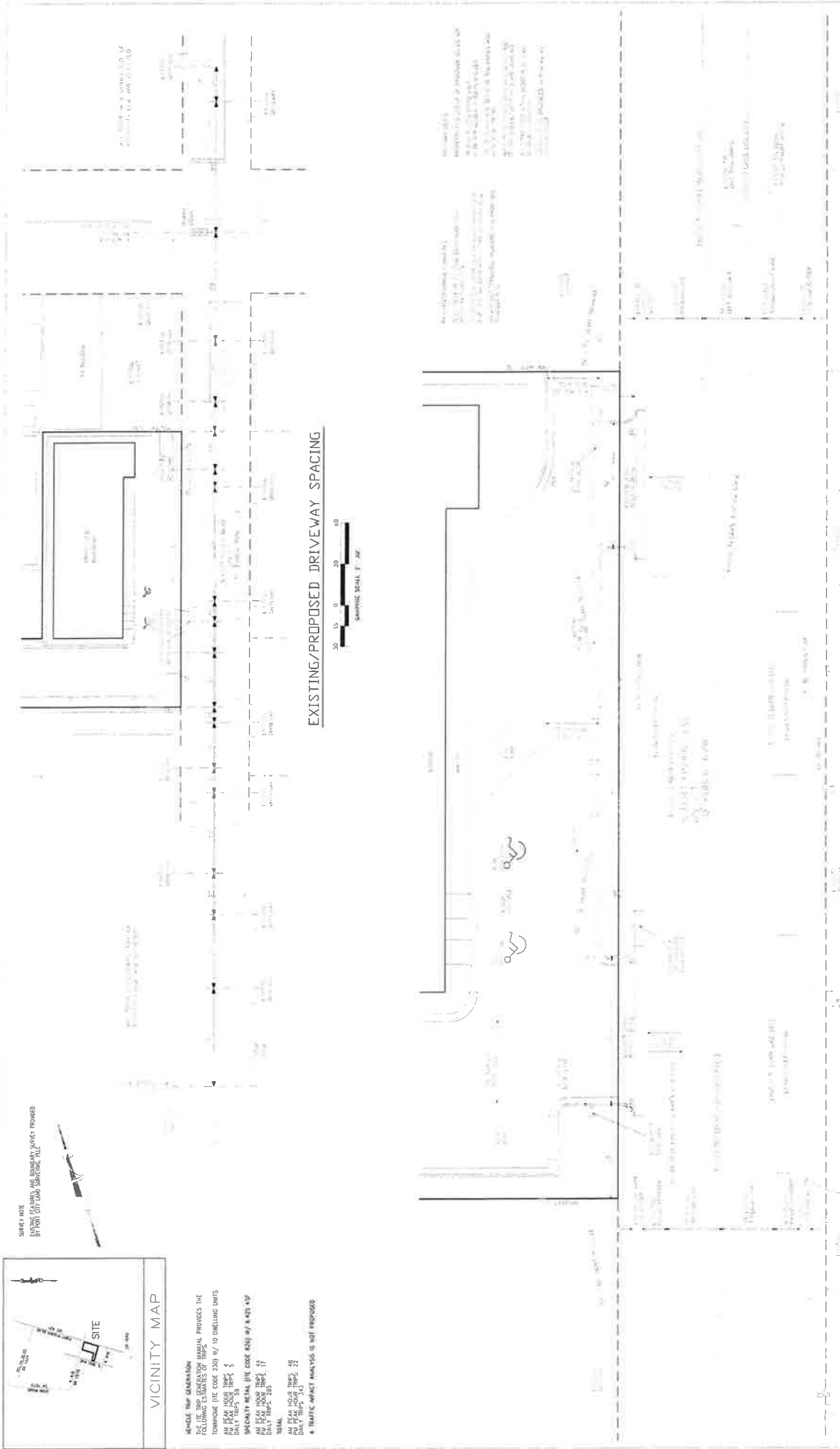
UTILITY PLAN



TRAFFIC IMPACT ANALYSIS

THESE MAPS ARE PROVIDED BY THE CITY OF PORTLAND FOR INFORMATIONAL PURPOSES ONLY. THE CITY OF PORTLAND DOES NOT WARRANT THE ACCURACY OF THESE MAPS.

SHOWN HERE
EXISTING PLANS AND SURVEY DATA PROVIDED
BY PORT CITY AND SURVEYING, LLC



PROPOSED DRIVEWAY LAYOUT

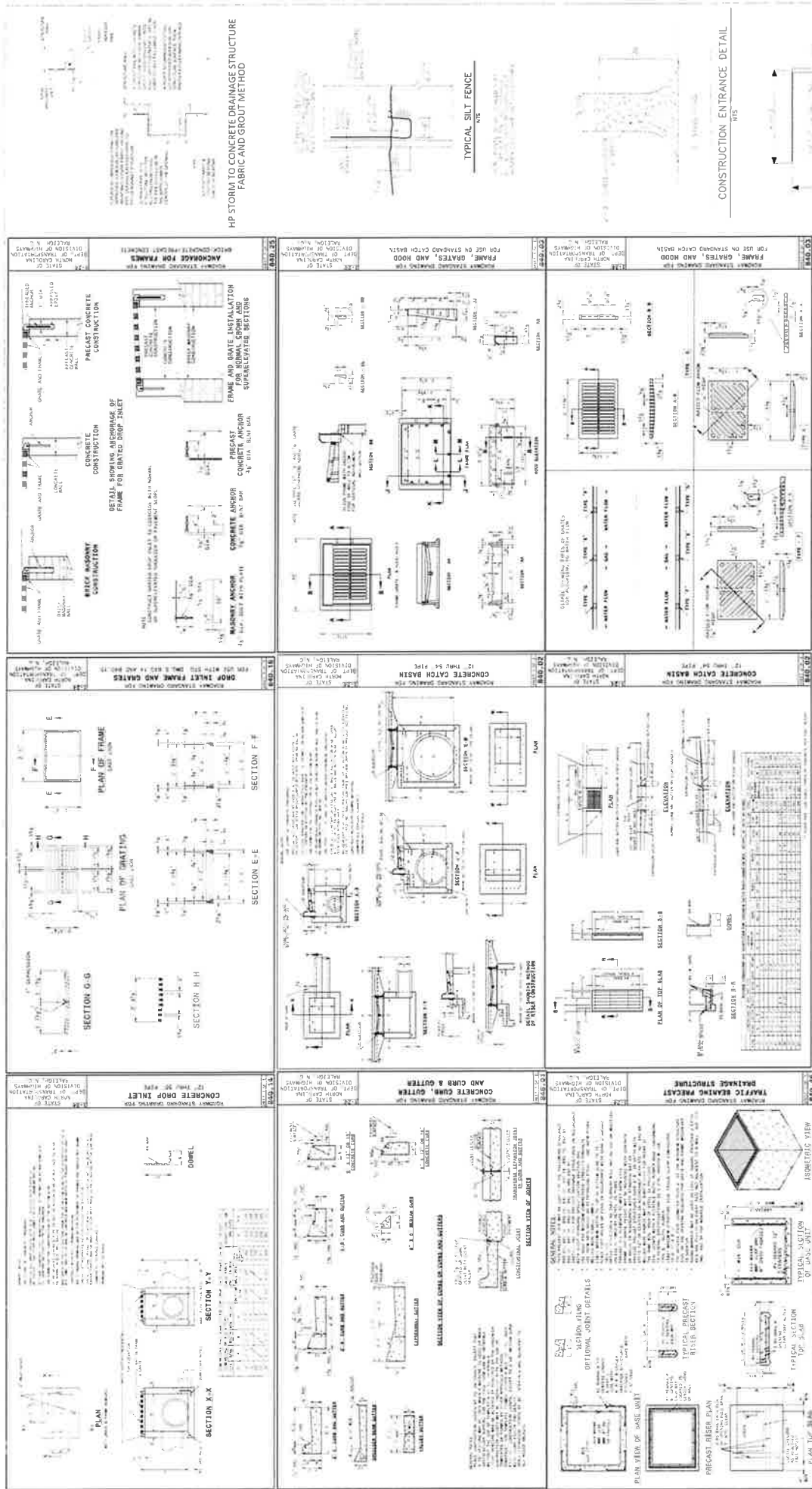


SEAMIST SUITES & PLAZA
10000 SE SEASIDE AVENUE
PORTLAND, OR 97216

SEAMIST SUITES & PLAZA
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PORTLAND, OR 97216

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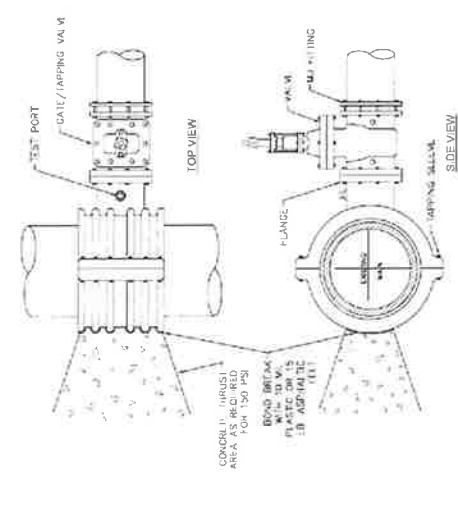
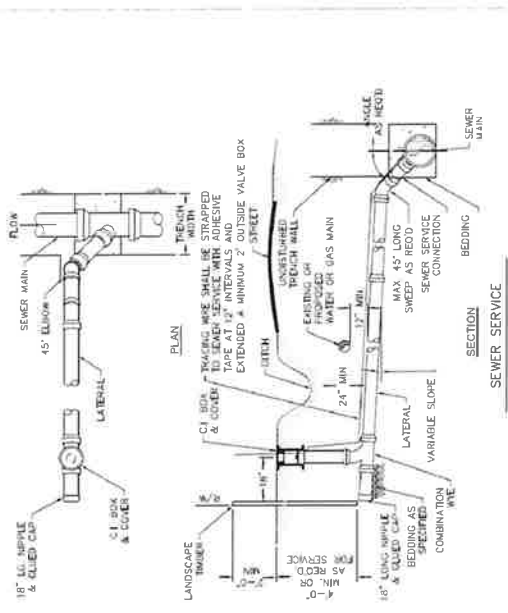
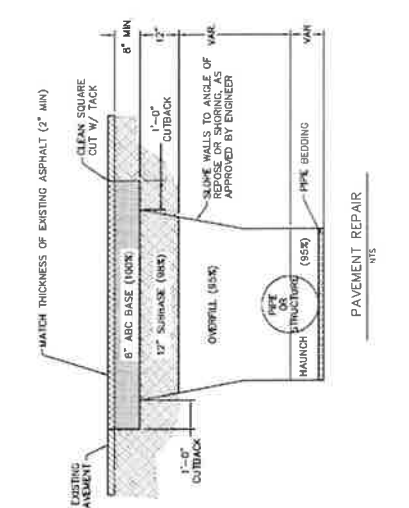
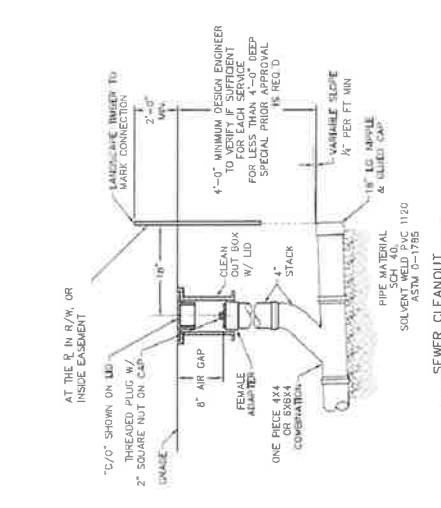
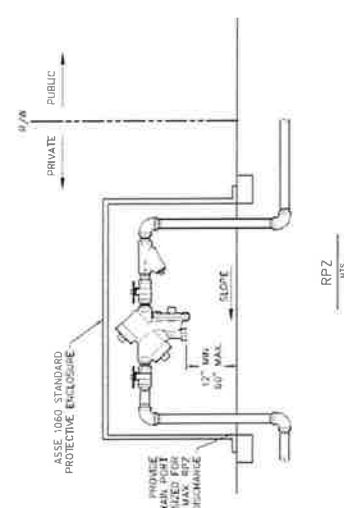
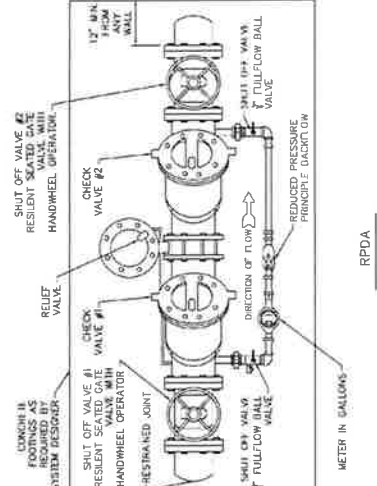
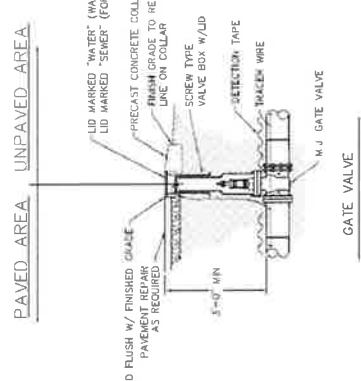
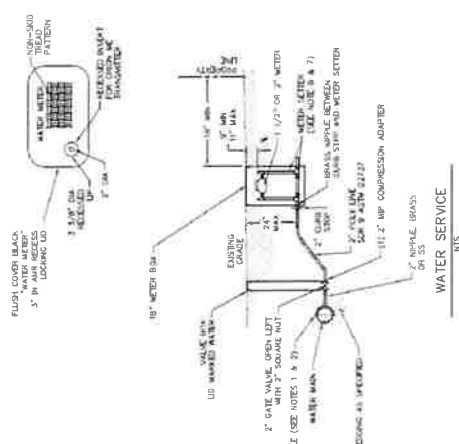


NOT RELEASED
FOR CONSTRUCTION

STONE INLET PROTECTION

**SEAMIST SUITES
& PLAZA**
1601 W. PLAZA BLVD. F.A.B. 5074

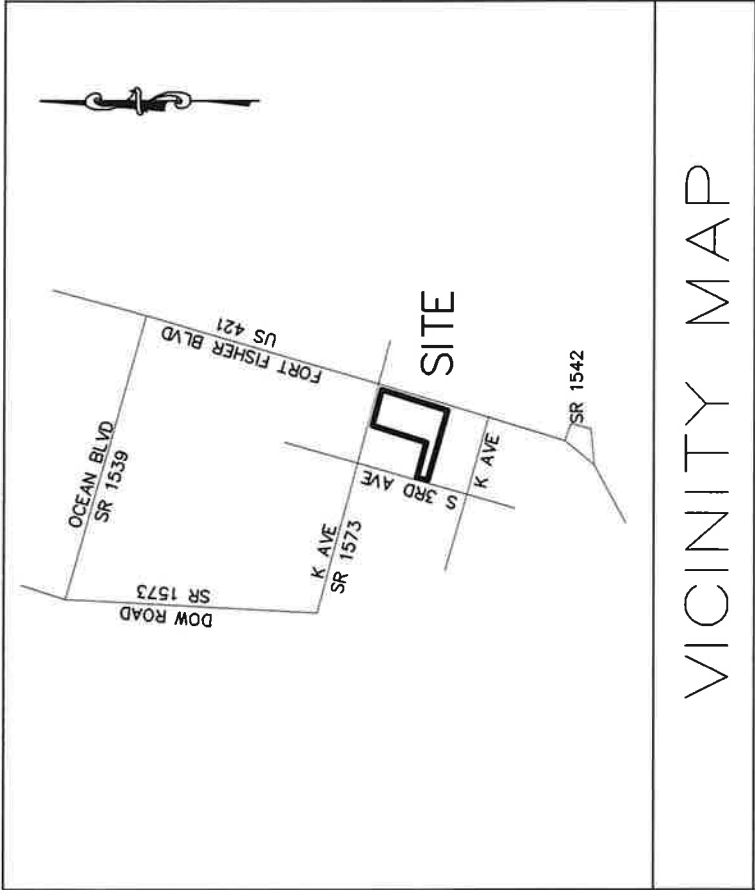
 STANDARD CONTRACT/PRINT, P.A. 10000 W. 10th Ave. Suite 1000 Denver, CO 80202	DATE AS SHIPPED
	PRICE ?
	ORDER NO.



NOTES:
 1. CONCRETE SHALL NOT CONTACT WITH THE UNDER OR OVERLAP OF ANY FITTINGS.
 2. PIPING TO BE MAPPED IN 12" PLASTIC OR 15" ASPHALTIC FILL.
 3. TEST PRESSURE SHALL BE MAINTAINED FOR A MINIMUM OF 7 DAYS AFTER TAPPING BLOCK PLACEMENT.



SEAMIST SUITES & PLAZA	SEWER COUNT FINAL P.L.	DATE	BY
		11/11/11	B
		11/11/11	B



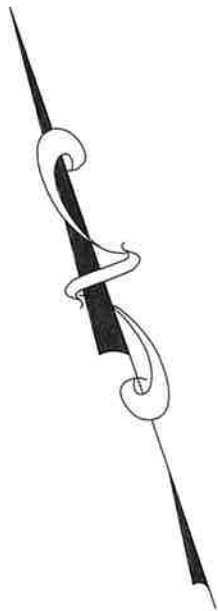
VICINITY MAP

SITE DATA

PARCEL ID	-----	R09217-005-014-000
	-----	R09217-005-010-000
	-----	R09217-005-015-000
MAP BOOK/PAGE	-----	73/236
DEED BOOK/PAGE	-----	5926/1905
ZONING	-----	B-1
PROPERTY AREA	-----	0.57 AC
	-----	25,000 SF
DISTANCE LIMITS	-----	0.5 AC
RECEIVING STREAM	-----	ATLANTIC OCEAN
CLASSIFICATION	-----	SB
STREAM INDEX	-----	99-(3)
RIVER BASIN	-----	WHITE OAK
PROPOSED RESIDENTIAL UNITS	-----	10
PROPOSED RETAIL AREA	-----	6,425 SF
NUMBER OF STORIES	-----	3
MINIMUM FRONT YARD	-----	0'
MINIMUM SIDE YARD	-----	0'
MINIMUM REAR YARD	-----	0'
MAXIMUM BLDG HEIGHT	-----	0'

SURVEY NOTE:

EXISTING FEATURES AND BOUNDARY SURVEY PROVIDED
BY PORT CITY LAND SURVEYING, PLLC.



EXISTING
DRIVEWAY

N/F
GLORIA & BRUCE SMITH
126 S THIRD AVENUE
DB 5115 PG 39
ZONE: RA-2
USE: RESIDENTIAL

CIND
122 S
DB 5
ZONE
USE:

EXISTING
DRIVEWAY

EXISTING
DRIVEWAY

EX SSMH
RIM
INV

<--EX 8" SS

EXISTING
DRIVEWAY

EXISTING
DRIVEWAY

PP

PP

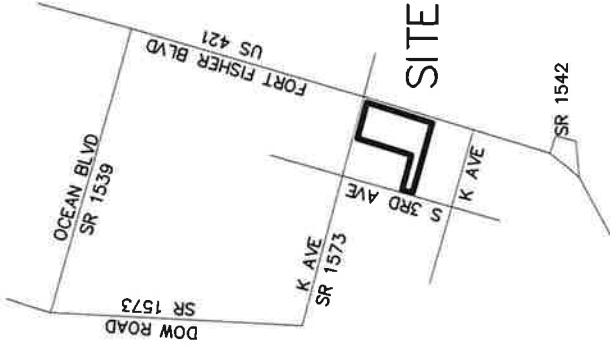
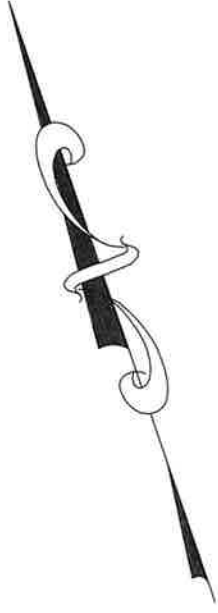
N19'00"

EXTENT C
EX BUA

N/F
DAVID & KELLEIGH ORLANDO
125 S THIRD AVENUE
DB 9766 PG 1843
70NF. R-1

SURVEY NOTE:

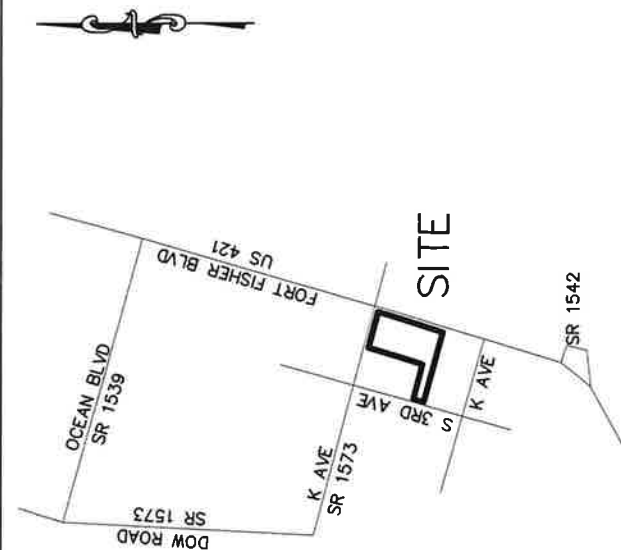
EXISTING FEATURES AND BOUNDARY SURVEY PROVIDED
BY PORT CITY LAND SURVEYING, PLLC.



VICINITY MAP

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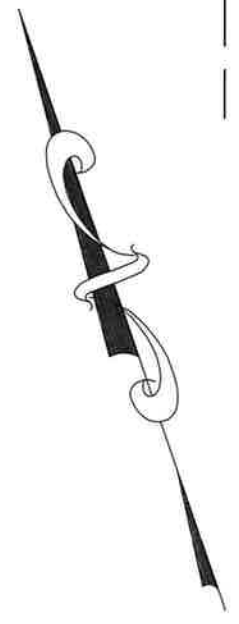


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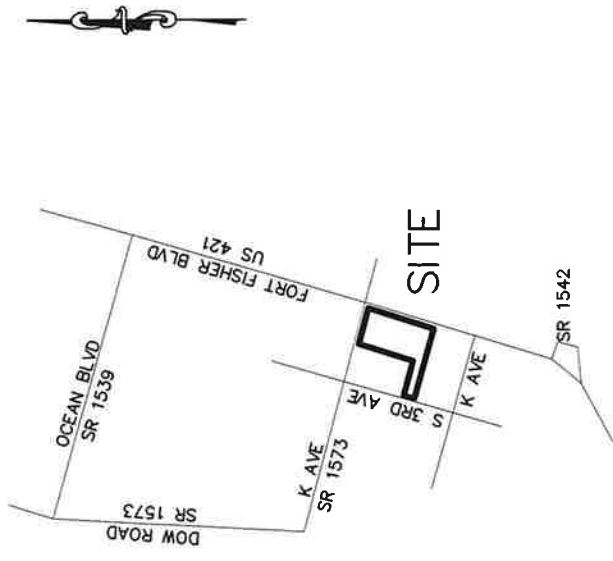
SURVEY NOTE:
EXISTING FEATURES AND BOUNDARY SURVEY PROVIDED
BY PORT CITY LAND SURVEYING, PLLC.



EXISTING
DRIVEWAY

EXISTING
DRIVEWAY

DAVII
1



VICINITY MAP

VEHICLE TRIP GENERATION

THE ITE TRIP GENERATION MANUAL PROVIDES THE FOLLOWING ESTIMATES OF TRIPS:

TOWNHOME (ITE CODE 230) W/ 10 DWELLING UNITS:

AM PEAK HOUR TRIPS: 4
 PM PEAK HOUR TRIPS: 5
 DAILY TRIPS: 58

SPECIALTY RETAIL (ITE CODE 826) W/ 6.425 KSF:

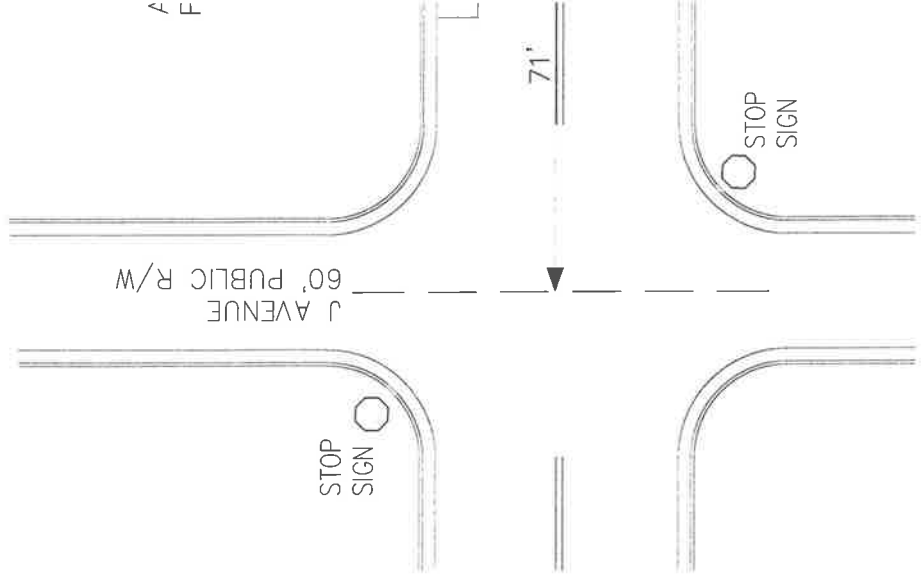
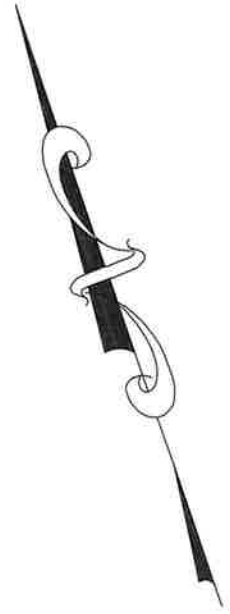
AM PEAK HOUR TRIPS: 44
 PM PEAK HOUR TRIPS: 17
 DAILY TRIPS: 285

TOTAL:

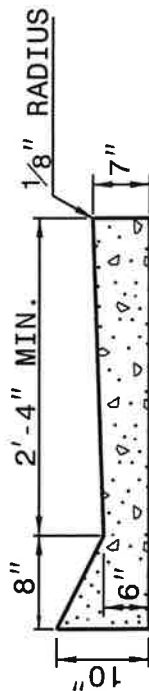
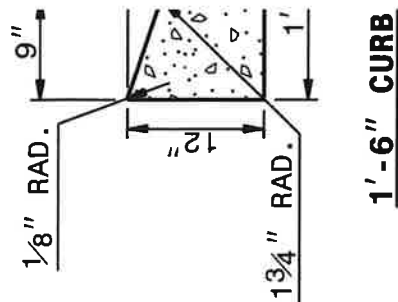
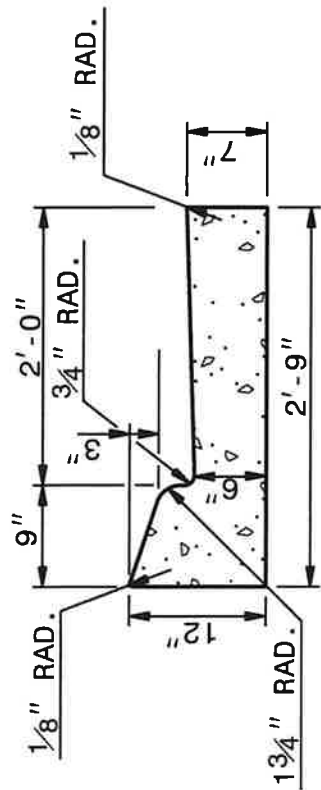
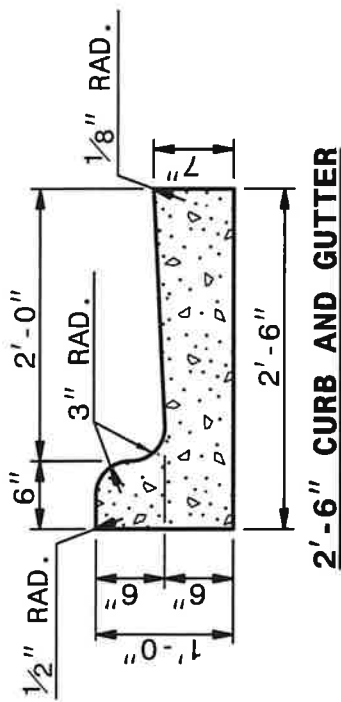
AM PEAK HOUR TRIPS: 48
 PM PEAK HOUR TRIPS: 22
 DAILY TRIPS: 343

A TRAFFIC IMPACT ANALYSIS IS NOT PROPOSED.

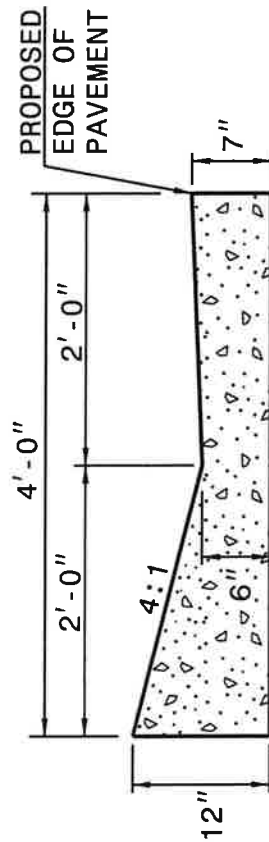
SURVEY NOTE:
 EXISTING FEATURES AND BOUNDARY SURVEY PROVIDED
 BY PORT CITY LAND SURVEYING, PLLC.



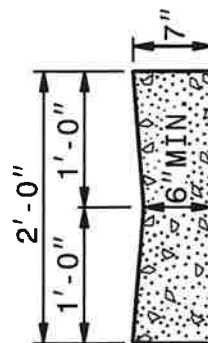
A
F



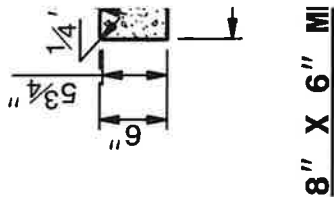
SHOULDER BERM GUTTER



EXPRESSWAY GUTTER



VALLEY GUTTER

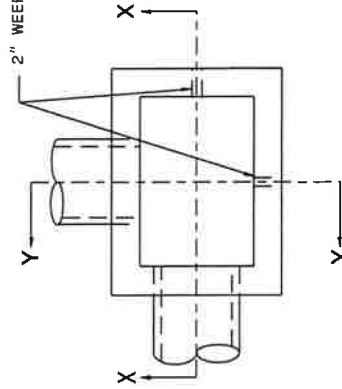


SECTION VIEW OF CURBS OR CURBS AND GUTT

FILL $\frac{3}{8}$ " x 1" DEEP
GROOVED OR SAWN
JOINT WITH JOINT
SEALER

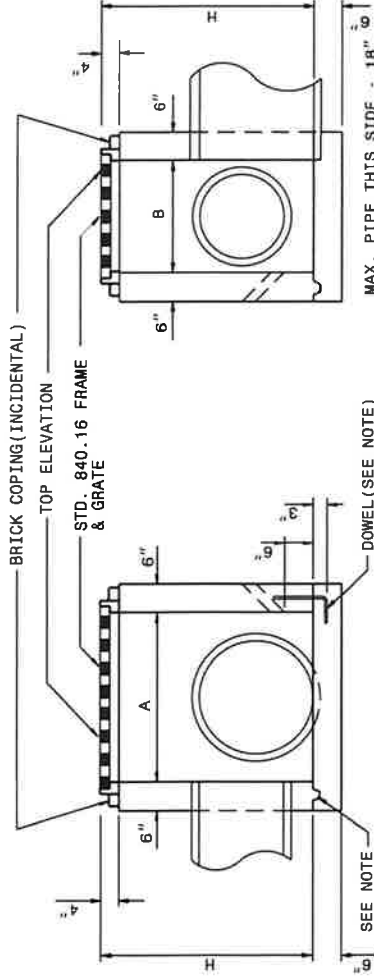
GENERAL NOTES:
-PLACE CONTRACTION JOINTS AT 10' INTERVALS, EXCEPT THAT

2" WEEP HOLES

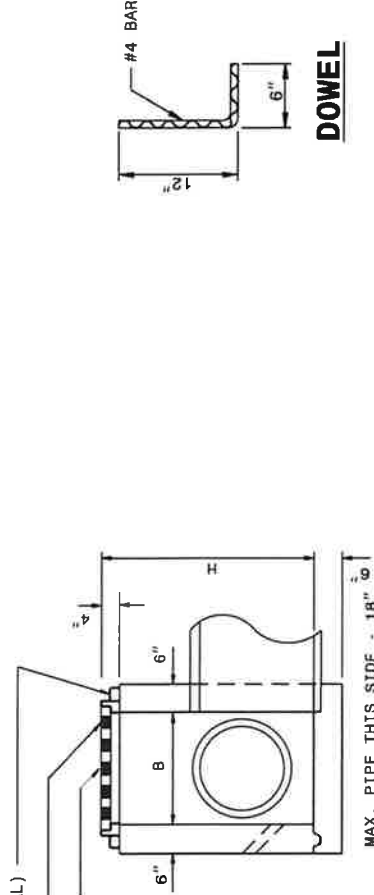


PLAN

WITH GRATE & FRAME REMOVED

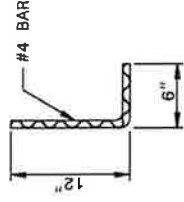


SECTION X-X



SECTION Y-Y

DOWEL



GENERAL NOTES:

USE CLASS "B" CONCRETE THROUGHOUT.

PROVIDE ALL DROP INLETS OVER 3'-6" IN DEPTH WITH STEPS 12" ON CENTER. USE STEPS WHICH COMPLY WITH STD. DRAWING 840.66.

OPTIONAL CONSTRUCTION - MONOLITHIC POUR 2" KEYWAY OR #4 BAR DOWELS AT 12" CENTERS AS DIRECTED BY THE ENGINEER.

USE FORMS FOR THE CONSTRUCTION OF THE BOTTOM SLAB.

IF REINFORCED CONCRETE PIPE IS SET IN BOTTOM SLAB OF BOX, ADD TO SLAB AS SHOWN ON STD. NO. 840.00.

MAX. DEPTH OF THIS STRUCTURE FROM TOP OF BOTTOM SLAB TO TOP ELEVATION IS 12'-0".

STD. DWG. 840.45 OR 840.46 CONTROLS MAXIMUM DEPTH IF PRECAST BOX IS USED.

CONSTRUCT WITH PIPE CROWNS MATCHING.

SEE STANDARD DRAWING 840.25 FOR ATTACHMENT OF FRAMES AND GRATES NOT SHOWN.

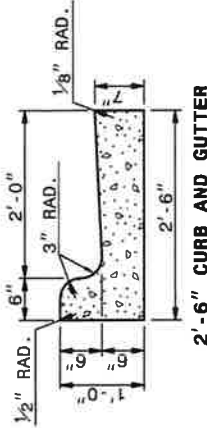
INSTALL 2" WEEPHOLES AS DIRECTED BY THE ENGINEER.

INSTALL STONE DRAINS OF A MINIMUM OF 1 CUBIC FOOT OF NO. 78M STONE IN A POROUS FABRIC BAG OR WRAP, AT EACH WEEP HOLE OR AS DIRECTED BY THE ENGINEER.

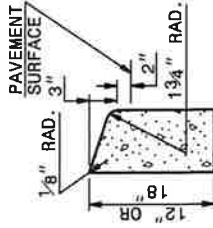
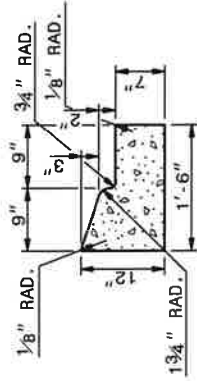
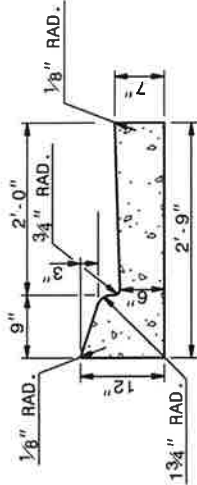
CHAMFER ALL EXPOSED CORNERS 1".

DRAWING NOT TO SCALE.

DIMENSIONS AND QUANTITIES FOR DROP INLET (BASED ON MIN. HEIGHT, H)				DEDUCTIONS FOR ONE PIPE		
DIMENSIONS OF BOX & PIPE		CUBIC YARDS CONC. IN BOX		TOTAL DOWELS FOR MINIMUM HEIGHT, H		
PIPE	SPAN	WIDTH	MIN. HEIGHT	BOTTOM SLAB	FT. HT.	R. C.
D	A	B	H			
12"	3'-0"	2'-0"	2'-0"	0.222	0.222	0.015
15"			2'-3"		0.648	0.023
18"			2'-6"		0.703	0.033
24"			3'-0"		0.814	0.059
30"			3'-6"	0.222	0.222	0.092
						0.127



2'-6" CURB AND GUTTER



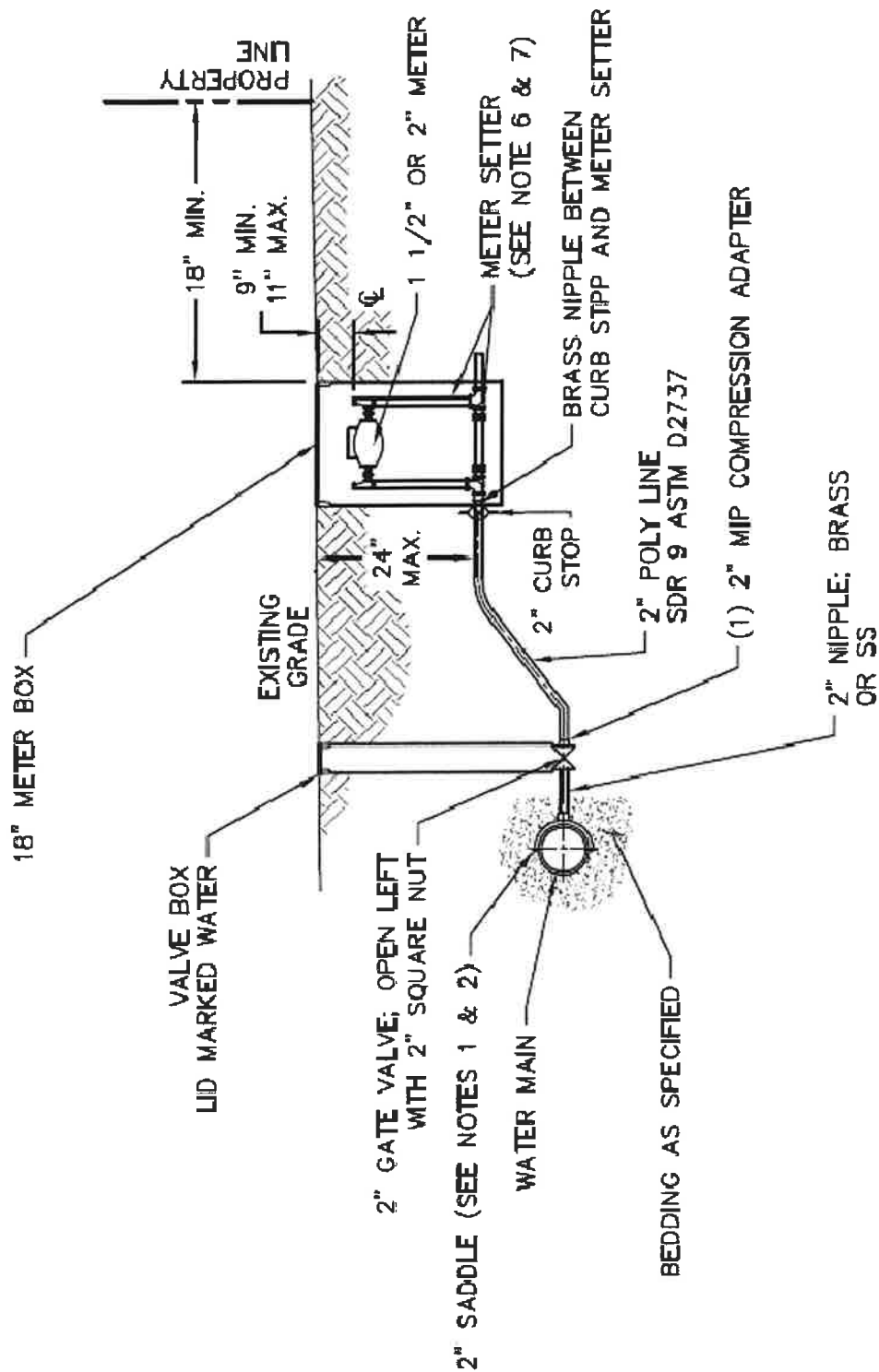
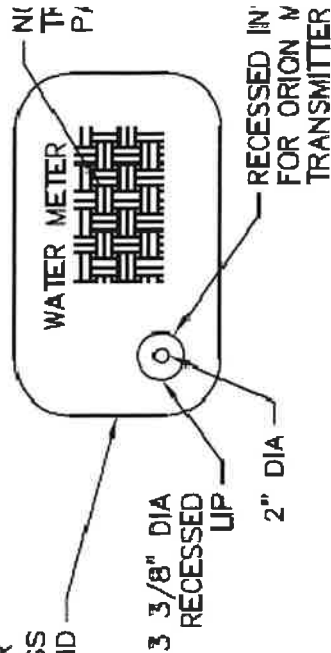
STATE OF
NORTH CAROLINA
DEPT. OF TRANSPORTATION
RALEIGH, N.C.

ROADWAY STANDARD DRAWING FOR
CONCRETE DROP INLET
12" THRU 30" PIPE

SHEET 1 OF 1
840.14

STATE OF
NORTH CAROLINA
DEPT. OF TRANSPORTATION
RALEIGH, N.C.

FLUSH COVER BLACK
"WATER METER"
3" IN AMR RECESS
LOCKING LID



From: [Adam Khatib](#)
To: jee@ec.rr.com
Cc: [Bethany White](#); [Beth Chase](#); [Mandy Sanders](#)
Subject: Re: Seamist Suites, LLC
Date: Friday, May 30, 2025 1:21:08 PM

Hi James,

Thanks for reaching out! Hope you are well.

1. The property owner for the parcels in question is Seamist Suites LLC. My father, Osama Khatib (Sam Khatib), is the sole managing member/owner of this LLC.
2. In this scenario, it seems like the LLC should be the applicant and not Sam or myself.

Please don't hesitate to let me know if you have any more questions.

Thanks,
Adam

On Fri, May 30, 2025 at 11:21 AM <jee@ec.rr.com> wrote:

I am the Town Attorney for Kure Beach and after reviewing the application for the special use permit, I have a couple of minor questions that you can clarify.

1. The application includes you as one of the owners of the property but I do not see a deed from the LLC to you. Please confirm that the LLC is the only owner of the property.
2. If that is the case, then please confirm that the LLC is the applicant and not you and Sam.

Clarifying these issues helps ensure an accurate record of this proceeding. We do not need a corrected application; your reply to this email will suffice.

Thanks, James E. Eldridge

Eldridge Law Firm, PC

Post Office Box 1380

Wilmington, NC 28402

910.815.0107





TOWN OF KURE BEACH
KURE BEACH TOWN COUNCIL
NOTICE OF QUASI-JUDICIAL HEARING


DATE: JULY 21, 2025

TIME: 6:00 PM

PLACE: KURE BEACH TOWN HALL
117 SETTLERS LANE
KURE BEACH, NC 28449

Notice is hereby given that a quasi-judicial hearing will be held by the Kure Beach Town Council on an application for a Special Use Permit filed by Seamist Suites, LLC as the owner of property located at 106 Fort Fisher Boulevard South, Kure Beach, North Carolina (the "Property"). The application seeks a special use permit for a 3-story mixed-use development of the Property with retail on the ground floor and residential units on the top 2 levels.

Persons/entities having standing under N.C.G.S. §160D-1402 may appear at the hearing and offer evidence.


Beth Chase, Town Clerk



CERTIFICATION OF POSTED NOTICE

I hereby certify to the Town of Kure Beach Town Council that notice of the July 21, 2025 quasi-judicial hearing on the application for a special use permit submitted by Seamist Suites, LLC was posted as required under KBC 12.06.050.B on July 2, 2025.

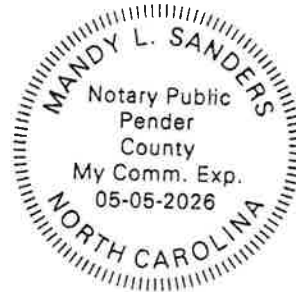
This the 18th day of July 2025.

Beth Chase
Beth Chase, Town Clerk

Sworn to and subscribed before me
This the 18th day of July 2025.

Mandy L. Sanders
NOTARY PUBLIC

My Commission expires: 5/5/2026





TOWN OF KURE BEACH

KURE BEACH TOWN COUNCIL

NOTICE OF QUASI-JUDICIAL HEARING

DATE: JULY 21, 2025

TIME: 6:00 PM

**PLACE: KURE BEACH TOWN HALL
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CERTIFICATION OF MAILED NOTICE

I hereby certify to the Town of Kure Beach Town Council that notice of the July 21, 2025 quasi-judicial hearing on the application for a special use permit submitted by Seamist Suites, LLC was mailed as required under KBC 12.06.050.B on July 2, 2025.

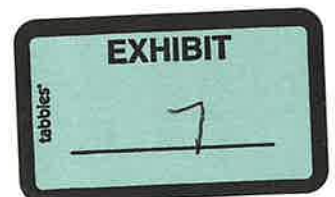
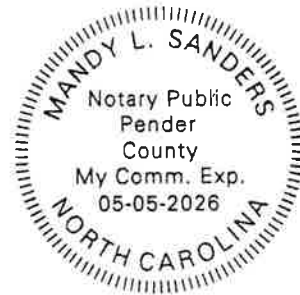
This the 18th day of July 2025.

Beth Chase
Beth Chase, Town Clerk

Sworn to and subscribed before me
This the 18th day of July 2025.

Mandy L. Sanders
NOTARY PUBLIC

My Commission expires: 5/5/2026





TOWN OF KURE BEACH

KURE BEACH TOWN COUNCIL

NOTICE OF QUASI-JUDICIAL HEARING

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TIME: 6:00 PM

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Persons/entities having standing under N.C.G.S. §160D-1402 may appear at the hearing and offer evidence.

Beth Chase

From: Beth Chase
Sent: Friday, July 18, 2025 3:46 PM
To: Corrie Lee; adam.o.khatib@gmail.com; lieth@equitaslp.com; Allen Oliver; Connie Mearkle ; David Heglar; Dennis Panicali; John Ellen
Cc: jee@ec.rr.com; Mandy Sanders
Subject: Meeting - July 21 2025

Good afternoon Mayor, Commissioners, Applicant Adam Khatib, Attorney Lieth Khatib, and Attorney Corrie Lee,

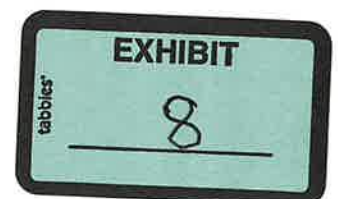
Please see the link below for the agenda packet for the meeting on Monday, July 21, 2025 that begins at 6:00 p.m. The Special Use Permit materials are included in this packet.

<https://townofkurebeach.civicweb.net/document/52141/?splitscreen=true>

Thank you,

Beth Chase

Town Clerk
Town of Kure Beach
117 Settlers Lane
Kure Beach, NC 28449
910-458-8216 (Office)

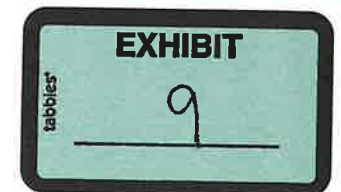


SEAMIST SUITES

SPECIAL USE PERMIT

Kure Beach Town Council

July 21, 2025

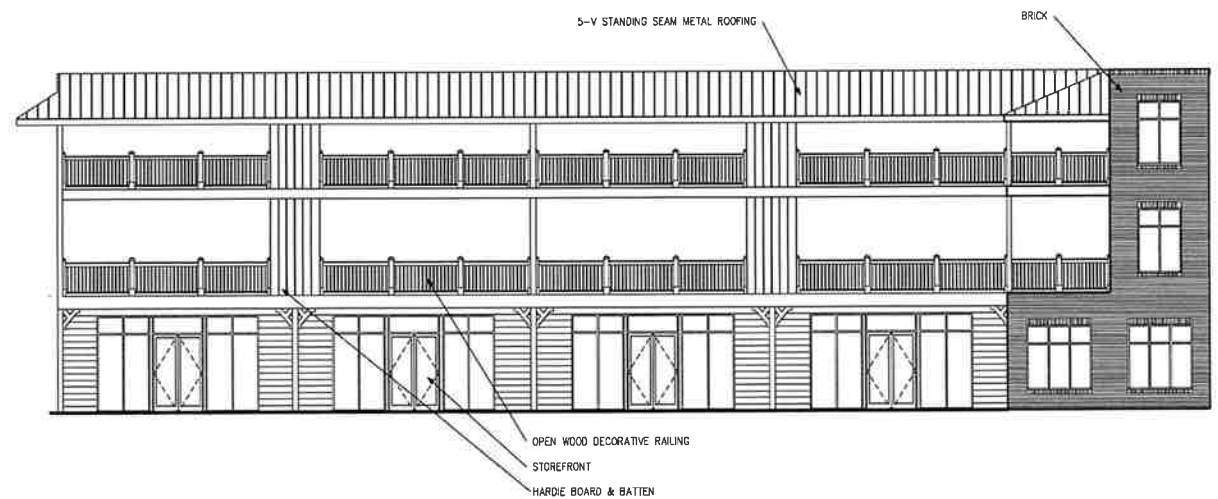


CURRENT CONDITIONS

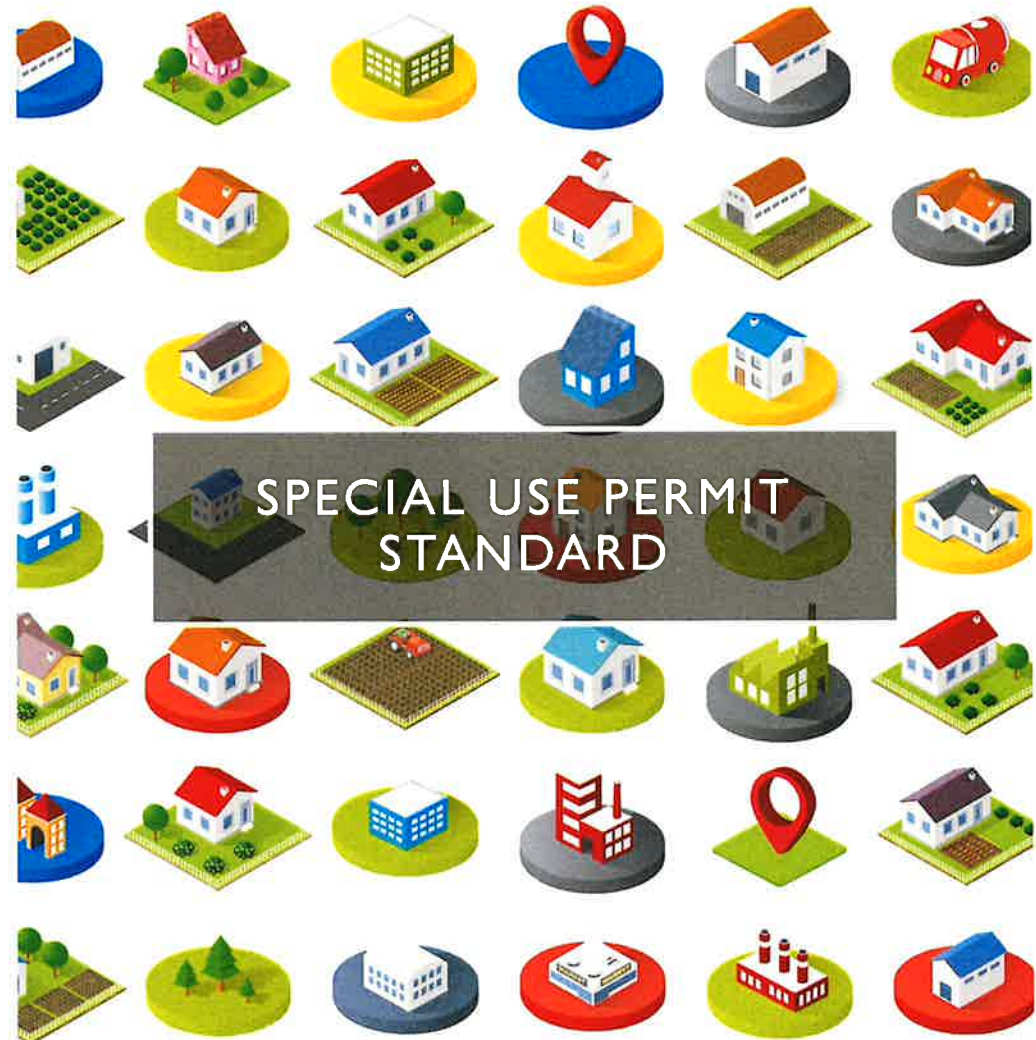


SEAMIST SUITES & PLAZA PROPOSED DEVELOPMENT

- Mixed Use
 - 3 Floors
 - First Floor
 - 2 Retail Store Fronts
 - Second Floor
 - 10 Apartments/dwelling units



- The use will not materially endanger the public health, safety, or welfare if located where proposed;
- The use meets all required conditions and specifications under the Town Code;
- The use will not substantially injure the value of adjoining property (or alternatively, is a public necessity); and
- If developed and used as proposed, will be harmonious and compatible with the area in which it is proposed to be located and is generally consistent with the Town's comprehensive plan.



SUP MIXED USE REQUIREMENTS

Specific requirements for Mixed Use Development in the Business District:

- For Dwellings:
 1. Dwelling when constructed in conjunction with permitted use provided such dwellings are an integral part of the main building of such a permitted use.
 2. Retail is permitted by right in the Business District.



D. LUKE MENIUS, PE

Stroud Engineering



THIS SITE
IS THE PROPOSED DEVELOPMENT

PROJ. DATA

NO.	DESCRIPTION	DATE	BY	CHKD.
1	PREPARED FOR SUBMITTAL	10/1/01	J. L. SMITH	
2	REVISIONS			
3	REVISIONS			
4	REVISIONS			
5	REVISIONS			

PROJ. DATA

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3	REVISIONS			
4	REVISIONS			
5	REVISIONS			

PLANNING DEPARTMENT
 CITY OF FORT FISHER
 100 S. FORT FISHER BLVD.
 FORT FISHER, TEXAS 78424

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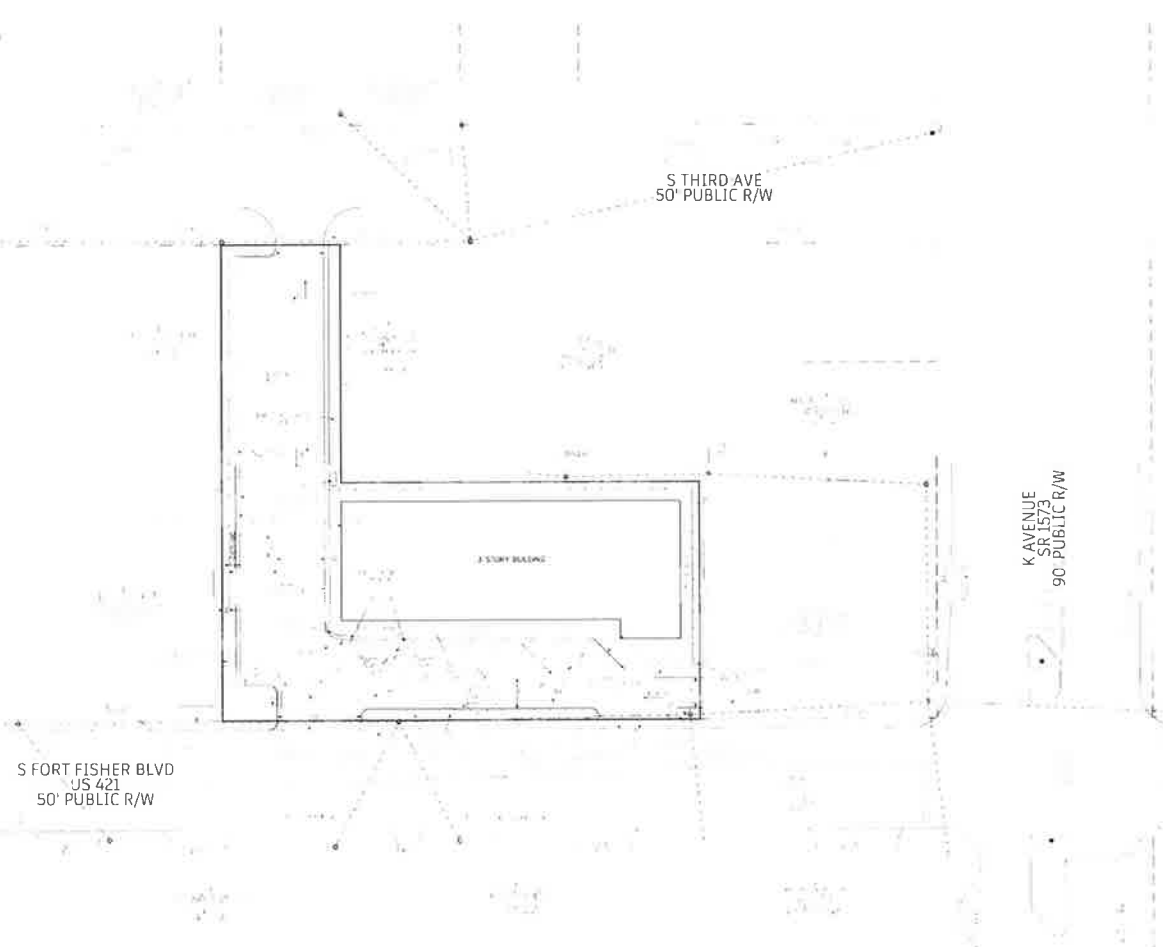
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PLANNING DEPARTMENT
 CITY OF FORT FISHER
 100 S. FORT FISHER BLVD.
 FORT FISHER, TEXAS 78424



S FORT FISHER BLVD
 US 421
 50' PUBLIC R/W

S THIRD AVE
 50' PUBLIC R/W

K AVENUE
 SR 1573
 90' PUBLIC R/W



**SEAMIST SUITES
 & PLAZA**

PROJECT NO.	DATE	BY	CHKD.
101-001	10/1/01	J. L. SMITH	
101-002			
101-003			
101-004			
101-005			
101-006			
101-007			
101-008			
101-009			
101-010			

CAL MORGAN, MAI,
AI-GRS

Jack C. (Cal) Morgan III, MAI, SRA, AI-GRS has over 20 years of experience in real estate appraisal, development/construction and investment analysis. Real estate valuation experience includes a range of applications including market value appraisals, appraisal review, litigation support/expert witness, tax appeals, equitable distribution, eminent domain, estate planning and various consulting assignments.

Clientele consists of national, regional and local financial institutions, various federal, state and local government agencies, various sized corporations, private financiers, individual investors, property owners and law firms.

LAND USE PLAN GOALS

- “Restaurants, cafes, food markets, and retail establishments –particularly small-scale locally owned businesses – that are compatible with the residential and family-friendly atmosphere in the Town of Kure Beach are supported within commercially zoned areas.”

MIXED USE DEVELOPMENT

- Mixed uses are “desired uses.”
- “Intended to serve as the commercial hub that supports permanent and seasonal populations.”

COMPREHENSIVE PLAN COMPLIANCE

- The inclusion of a use in a zoning district, even where a special use permit is required, establishes a *prima facie* case that the use conforms with the comprehensive plan.

Am. Towers, Inc. v. Town of Morrisville, 222 N.C. App. 638, 643, 731 S.E.2d 698, 703 (2012).

- Here, a Special Use Permit is available for a mixed use development, therefore a mixed use development is consistent with the comprehensive plan as a matter of law.
- The Project meets each of the special conditions.

EVIDENTIARY STANDARD (ANY OPPOSITION)

- In the event that the applicant satisfies this initial burden of production, then “*prima facie* he is entitled to” the issuance of the requested permit. At that point, any decision to deny the application “should be based upon findings contra which are supported by competent, material, and substantial evidence appearing in the record,” with the local governmental body lacking the authority to “deny a permit on grounds not expressly stated in the ordinance” given that “it must employ specific statutory criteria which are relevant.”

OPPOSITION MUST HAVE STANDING

- NCGS 160D-406: The applicant, the local government, and any person who would have standing to appeal the decision under [G.S. 160D-1402\(c\)](#) shall have the right to participate as a party at the evidentiary hearing. Other witnesses may present competent, material, and substantial evidence that is not repetitive as allowed by the board.
- NCGS 160D-1402: Parties with standing are: (1) the Owner or Contract Purchaser; (2) someone who will suffer "special damages" if the project is approved, (3) an Association that includes members with independent standing and (4) the City.

WHAT ARE SPECIAL DAMAGES?

- “A property owner does not have standing to challenge another's lawful use of her land merely on the basis that such use will reduce the value of her property; however, where the challenged land use is prohibited by a valid zoning ordinance, the owner of adjoining or nearby lands, **who will sustain special damage from the proposed use through a reduction in the value of his own property, does have a standing to maintain an action to prevent the use.**”

Fort v. Cnty. of Cumberland, 218 N.C. App. 401, 721 S.E.2d 350 (2012)



JC MORGAN
REAL ESTATE VALUATION | REVIEW | CONSULTING

July 21, 2025

Town of Kure Beach
117 Settlers Lane
Kure Beach, NC 28449

Re: Special Use Permit Application
Seamist Suites, LLC
102 S Fort Fisher Blvd
Kure Beach, NC 28449

JC Morgan Company is a real estate appraisal and consulting firm based in Wilmington, NC. Since 2010, our firm has appraised and consulted on hundreds of properties throughout North Carolina. The property types we appraise and provide consulting services for include land, residential, retail, office, mixed-use, multi-family and more. Our client base generally consists of banks, local and federal governments, attorneys, utility companies and property owners.

I was engaged by the applicant to perform research and analysis that would enable me to conclude an opinion as to Special Use Permit Condition 3 of the applicants Special Use Permit application. Condition 3 states that the applicant must:

Indicate how the proposed special use will not substantially injure the value of the adjoining property, or that the use is a public necessity.

To develop an opinion for this requirement, I did the following:

1. I reached out to several local real estate brokers to survey their opinions on the project and how it would impact value.
2. I reviewed the differences between what the property could be developed with *by-right* and compared it to the proposed project.
3. I researched several other comparable small retail/residential mixed properties in nearby local beach towns to see how they impacted the value of adjoining properties. I reviewed projects in Carolina Beach, historic Southport, Wrightsville Beach and others.

Lumina Station
1904 Eastwood Road · Suite 305 · Wilmington, NC · 28403
PO Box 481 · Wrightsville Beach, NC · 28480
Tel: 910-256-2920 - www.jcmorganco.com



Based on the data that I reviewed, there is no indication that the proposed retail/residential mixed project would have a negative impact on the value of the adjoining properties. In fact, it is more likely that the development will have a positive influence on the surrounding properties.

Should you have any questions, or want to discuss this matter further, please do not hesitate to contact me.

Sincerely,

Cal Morgan

Jack C. (Cal) Morgan, III, MAI, SRA, AI-GRS
JC Morgan Company



Town of Kure Beach
Development and Compliance Department
117 Settlers Lane • Kure Beach, NC 28449
Office (910) 458-6535 • (910)707-2011

To: Town Council

From: Director of Development and Compliance

Re: Seamist Suites & Plaza 106 Fort Fisher S. Special Use Permit Application

Date: July 21, 2025

Mayor and Council Members:

- The special use permit application before you was submitted 5/21/25, by Seamist Suites LLC, proposing residential dwellings in the B-1 district, in compliance with **15.26.020 Permitted Uses D. Dwelling when constructed in conjunction with permitted use provided such dwellings are an integral part of the main building of such a permitted use;** (S) The (S) indicates that this is a permitted use in the B-1 District under a special use permit. .
- The proposed location is currently comprised of 3 separate parcels including parcels R09217-005-010, R09217-005-014, and R09217-005-015. These parcels are currently being used as a parking lot and are in process of being combined into 1 parcel equaling 25,000 square feet.
- The proposed mixed use 3 story building will contain retail on the ground floor area, and 10 residential dwellings on the 2nd and 3rd floors.
- Density requirements for a multi-family dwelling is 2,500 square feet per unit, the 3 parcels once combined will equal 25,000 square feet meeting this requirement.
- Parking required for multi-family residential dwellings is 2 spaces per 2 bedrooms. The proposed site plan shows 20 reserved parking spaces, meeting this requirement.
- In my opinion, the proposed use will be generally consistent with the Town's comprehensive land use plan and will meet all conditions and specifications under the Towns code.

Bethany White, Director of Development and Compliance



STATE OF NORTH CAROLINA

COUNTY OF NEW HANOVER

RAYMOND F. GRANDON AND WIFE,
DOROTHY A. GRANDON,
PLAINTIFFS,

VS.

WILLIAM H. NELSON AND WIFE,
FRANCES D. NELSON AND KLN
ENTERPRISES, INC.,
DEFENDANTS.

IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION
86-CV-801484 PAGE

1606 1563

ORDER AND JUDGMENT

000052

THIS CAUSE was heard by the undersigned District Court Judge during the 21 August 1989 Civil Session of New Hanover District Court. The plaintiffs were present and represented by their attorney, Auley M. Crouch, III. The defendants were present and represented by their attorney, James K. Larrick. From the file in this matter, the evidence admitted at trial, stipulations of the parties and arguments of counsel, the Court makes the following Findings of Fact:

1. This is an action in which the plaintiffs seek to enjoin the defendants from obstructing an easement granted to the plaintiffs across land owed by the defendant KLN Enterprises, Inc. ("KLN"). The only issues to be decided are whether the easement has been abandoned, whether it has been extinguished by adverse possession, and whether it has been sufficiently located.

2. Plaintiffs acquired Lots 16 and 17, Block 16, Fort Fisher Sea Beach, in Kure Beach, North Carolina from Therman J. Fry and wife, Mary Lee Fry, by deed recorded on 13 December 1982, in Book 1213, Page 1339, of the New Hanover County Registry. Defendant KLN acquired Lots 6 and 7, Block 16, Fort Fisher Sea Beach, adjoining the plaintiffs' property to the east, by deed from William Austin

RETURNED TO

A. M. CROUCH III
-762-0595

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1. Because no party has requested trial by jury, the Court is empowered to hear and decide all issues of fact and law.

2. The Court has jurisdiction over the parties and the subject matter of this action.

3. The plaintiffs have a right to a pedestrian easement located within the southernmost 15 feet of Lot 7, Block 16, Fort Fisher Sea Beach for a width of four feet and running the length of Lot 7 from its western line (adjoining Lot 16, Block 16, Fort Fisher Sea Beach, owned by the plaintiffs) and extending 100 feet to the eastern line of Lot 7 and Second Avenue (U.S. Highway 421).

4. The defendants have failed to prove that the easement or right of way granted to the plaintiffs and their predecessors in title across Lot 7, Block 16, Fort Fisher Sea Beach, Kure Beach, North Carolina was extinguished by adverse possession.

5. The Court concludes that the plaintiffs' four foot wide easement lies within an area parallel to the southern 100 foot property line dividing Lots 6 and 7 and is bound on the north by a 100 foot parallel line running no more than five and one-half feet north from the referenced property line.

6. The Court concludes that the plaintiffs have failed to establish that the concrete apron of the pool is an encroachment which constitutes an unreasonable impediment or interference with the plaintiffs' easement or right of way; however, that portion of the wooden fence surrounding the swimming pool and across the easement does constitute an unreasonable impediment and must be removed by the defendants within 30 days.

7. The plaintiffs shall have the right to construct such steps or ramps to and across the concrete apron of the swimming pool sufficient to facilitate access across the easement, which steps or ramps shall be constructed and installed at the plaintiffs' expense. The plaintiffs shall also have the right to install, at their expense, a pedestrian gate in the chain link fence at the center of the pedestrian easement.

8. The plaintiffs are entitled to an order and judgment enjoining the defendants or their successors in title from obstructing or interfering with the plaintiffs' pedestrian easement except as provided herein.

9. Robert H. Goslee is entitled to a fee of \$200.00 to be taxed as costs to the defendants.

10. The defendants' defense of abandonment was dismissed at the close of the evidence, without objection by the defendants.

It is, therefore, ORDERED, ADJUDGED AND DECREED as follows:

1. That the plaintiffs' easement or right of way across the southernmost 15 feet of Lot 7, Block 16, Fort Fisher Sea Beach, Kure Beach, North Carolina, now owned by defendant KLN Enterprises, Inc. has not been extinguished and is valid as evidenced in the deed from Therman J. Fry and wife, Mary Lee Fry, to the plaintiffs, which deed was recorded on 13 December 1982 in Book 1213, Page 1339, New Hanover County Registry.

2. That the width of the plaintiffs' pedestrian easement, as referred to above, shall be four (4) feet in width and shall be located as follows: Within an area parallel to the southern 100

foot property line dividing Lots 6 and 7, Block 16 and bound and defined on the north by a parallel line running no more than five and one-half feet north from the referenced property line.

3. That the plaintiffs shall have the right to construct and install, at their expense, a pedestrian gate in the chain link fence at the center of the pedestrian easement and such steps or ramps to and across the concrete apron surrounding the swimming pool so as to facilitate access across the easement.

4. That the portion of the wooden fence surrounding the swimming pool and across the easement, as referred to above, must be removed by the defendants within 30 days.

5. That entry of judgment shall be deemed complete when this Order and Judgment is signed.

6. That a fee of \$200.00 shall be paid to Robert Goslee as an expert witness fee and shall be taxed as costs.

7. That the costs of this action shall be taxed to the defendants.

8. That this cause shall be retained for further orders.

Dated: September 1, 1989.


DISTRICT COURT JUDGE

BOOK PAGE
1651 1030

HARRY SUE
REGISTER OF DEEDS
NEW HANOVER CO. NC

'93 MAR 22 AM 10 47



Real Estate
Excise Tax

Recording Time, Book and Page

Tax Lot No. Parcel Identifier No. R09217-005-003-000
Verified by County on the day of , 19
by

Mail after recording to
RETURNED TO

This instrument was prepared by NED M. BARNES, A-3 Pleasure Island Plaza, Carolina Beach, NC 28428
Brief description for the Index

Lot 16, Block 16, FORT FISHER SEA BEACH

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made this 15 day of March, 19 93, by and between

GRANTOR

GRANTEE

RAYMOND F. GRANDON
and wife,
DOROTHY A. GRANDON

P. O. Box 34
Fleming, OH 45729

MICHAEL TURNER BENTON
and wife,
VICKIE P. BENTON

3141 Well Road
Charlotte, NC 28212

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the Town of Kure Beach, Federal Point Township, New Hanover County, North Carolina and more particularly described as follows:

BEING ALL of Lot 16 of Block No. 16 of Fort Fisher Sea Beach and BEGINNING at a point on the Easterly side of Third Avenue 200 feet southwardly from the southeastwardly intersection of Third Avenue and Avenue K; thence running eastwardly 100 feet to the center line of the block; thence southwardly along the center line of Block, 50 feet; thence westwardly 100 feet to the easterly side of Third Avenue; thence northwardly along the easterly side of Third Avenue 50 feet to the point or place of BEGINNING, as now laid out on the map of Fort Fisher Sea Beach.

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The property hereinabove described was acquired by Grantor by instrument recorded in Book 1651 Page 1031

Book 1213, Page 1339 of the New Hanover County Registry.

A map showing the above described property is recorded in Plat Book _____ page _____.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated.

Title to the property hereinabove described is subject to the following exceptions:

1. Rights of way and easements of record, if any.
2. Zoning and/or subdivision ordinances and regulations, if any.
3. Restrictive covenants of record, if any.
4. Ad valorem taxes for 1993 and subsequent years.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.

(Corporate Name)

By: _____

President

ATTEST:

Secretary (Corporate Seal)

STATE OF OHIO

~~XXXXXXXXXXXX~~

Washington

County.

I, a Notary Public of the County and State aforesaid, certify that _____
RAYMOND F. GRANDON & wife, DOROTHY A. GRANDON _____ Grantor,
personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my
hand and official stamp or seal, this 15 day of March, 19 93.

My commission expires: State of Ohio 12-11-96 Bob Oliver Notary Public
signature required

My Commission Expires Dec 11, 1996

SEAL-STAMP

NORTH CAROLINA, _____ County.

I, a Notary Public of the County and State aforesaid, certify that _____
personally came before me this day and acknowledged that _____ he is _____ Secretary of
_____ a North Carolina corporation, and that by authority duly
given and as the act of the corporation, the foregoing instrument was signed in its name by its _____
President, sealed with its corporate seal and attested by _____ as its _____ Secretary.
Witness my hand and official stamp or seal, this _____ day of _____, 19 _____.

My commission expires: _____ Notary Public

The foregoing Certificate(s) of BOB OLIVER, a Notary Public,

is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

MARY SUE OOTS

REGISTER OF DEEDS FOR

NEW HANOVER

COUNTY

By

Dwight M. Marshall

Deputy/Assistant - Register of Deeds