



**BOARD OF ADJUSTMENT  
AGENDA**

Regular Scheduled Meeting  
Thursday, April 16, 2026 – 5:30 PM

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**I. Opening of the Meeting**

**II. Invocation**

**III. Roll Call**

**IV. Approval of the Minutes – February 12, 2026**

**V. Old Business**

1. Approval of the Decision/Order to continue agenda items from December 11, 2025 meeting.
2. A request to revoke the Special Use Permit for the Bed & Breakfast located at 1040 N. Market Street. Parcel # 5686-01-3406.
3. An Appeal of Zoning Violations for the Ell Hotel located at 1040 N. Market Street. Parcel # 5686-01-3406.

**VI. New Business**

1. None

**VII. Other Business**

1. None

**VIII. Adjourn**

**Board Minutes**  
February 12, 2026



**Board of Adjustment**  
 Regular Scheduled Meeting – Minutes  
 Thursday, February 12, 2026, 5:30 pm

**Members Present:**

James Cox  
 Nadine Dennis  
 Jeffery White  
 Wali Saleem - Alternate

**Members Not Present:**

Steve Fuchs – Chair  
 Ernest Moore

**Others Present:**

Domini Cunningham, Interim Community and Cultural Services Director  
 Glen Moore, Planning Administrator  
 Holli Tetterton, Administrative Support Specialist

**I. Opening of the meeting**

**II. Invocation**

- Vice-Chair Cox led a moment of silence.

**III. Roll Call**

- Staff took a silent roll call. All members were present except for Steve Fuchs and Ernest Moore.

**IV. Approval of Minutes**

- Vice-Chair Cox asked if there were any corrections to the minutes. There were none.
- Vice-Chair Cox asked for a motion to approve or deny the December 11, 2025.
  - Jeffery White made a motion to approve the minutes. Nadine Dennis seconded the motion. Members voted, 4 in favor and 0 opposed. The motion passed.
    - Record of the vote.

YES	NO	COMMISSION MEMBER	MOTION
---	---	Steve Fuchs – Chairman	
X		James Cox – Vice-Chair	
X		Jeffery White	Made the Motion
---	---	Ernest Moore	
X		Nadine Dennis	2 <sup>nd</sup> the Motion
X		Wali Saleem – Alternate	
---	---	Vacant Seat	

**V. Old Business**

**VI. None.**

**VII. New Business**

**1. A Special Use request for the city's yard waste and tree limb debris landfill located off of Springs Road. Parcel # 5686-08-9635.**

- Vice-Chair Cox opened the public hearing. There were no comments.
- Vice-Chair Cox closed the public hearing.
- Vice-Chair Cox asked Staff for the Findings of Fact.
- Staff: The site of your question tonight, as you will see on your screen, is behind the airport off Springs Road. It is highlighted there in red. You can see where the city has been operating. The city has been using this site for the past 10 years to take tree limbs and yard waste removal. That is the official yard waste debris field for the city. The state monitors these for all cities statewide, and they have changed their rules a little bit. Now they want a zoning compliance letter, and technically, to have this type of landfill, it requires a special-use permit. So, we are here tonight to apply for the special-use permit. TRC did not have any comments. It meets all the requirements for the general criteria for a special-use permit. There are only two requirements specific to a natural debris landfill: a 100-foot setback from all property lines, and they meet that. It is a little over 300 feet from the nearest residential lot, which is just to the north, that little triangle, and it meets that requirement. You have a sample motion in your agenda.
- Mr. Saleem: Is the material just meant to decompose since it's just that type of waste?
- Staff: Yes.
- Ms. Dennis: Is the red the location?
- Staff: The red is the site. They are just using the cleared area in the middle. It is all monitored by the state.
- Vice-Chair Cox asked if the Board had any more questions. There were none.
- Vice-Chair Cox asked for a motion to approve or deny the request.
  - Nadine Dennis made a motion based upon the finding of facts that this request meets both the General Criteria for the issuance of a Special Use Permit as found in Section 40-115 and the specific criteria as found in Section 40-120(m) of the City of Washington Zoning Ordinance, I move that the Board grant the request for a Special Use Permit for the continued operation of a yard waste and tree limb debris landfill on tax parcel #5686-08- 9635 based on the aforementioned findings of fact. Jeffery White seconded the motion. Members voted, 4 in favor and 0 opposed. The motion passed.

➤ Record of the vote.

YES	NO	COMMISSION MEMBER	MOTION
---	---	Steve Fuchs – Chairman	
X		James Cox – Vice-Chair	
X		Jeffery White	2 <sup>nd</sup> the Motion
---	---	Ernest Moore	
X		Nadine Dennis	Made the Motion

X		Wali Saleem – Alternate	
---	---	Vacant Seat	

**VIII. Other Business**

**1. None.**

**IX. Adjourn**

- There being no other business, Vice-Chair Cox asked for a motion to adjourn.
  - Jeffery White made a motion to adjourn. Wali Saleem seconded the motion. Members voted, 4 in favor and 0 opposed. The motion passed.
  - Record of the vote.

YES	NO	COMMISSION MEMBER	MOTION
---	---	Steve Fuchs – Chairman	
X		James Cox – Vice-Chair	
X		Jeffery White	Made the Motion
---	---	Ernest Moore	
X		Nadine Dennis	
X		Wali Saleem – Alternate	2 <sup>nd</sup> the Motion
---	---	Vacant Seat	

**Decision/Order to  
continue agenda items  
from December 11, 2025  
meeting**

**BOARD OF ADJUSTMENT  
FOR THE  
CITY OF WASHINGTON**

**Decision/Order Continuing the City of Washington's Application for Revocation of the  
Special Use Permit Issued to Ellen Brabo on July 15, 2021 to Operate a Tourist Home (Bed  
and Breakfast) at 1040 N. Market Street, Washington, North Carolina**

**NOTICE OF DECISION/ORDER**

This matter coming on to be heard and being heard by the City of Washington Board of Adjustment ("Board") at its meeting on December 11, 2025 to consider an application filed on July 15, 2025 by applicant, the City of Washington, to revoke the Special Use Permit issued by the Board to Ellen Brabo on July 15, 2021 for the operation of a Tourist Home (Bed and Breakfast) at 1040 N. Market Street. Prior to the hearing and with consent of the parties, the Board decided/ordered that the matter be continued for four (4) months; during which time, the following shall occur or apply.

1. Ms. Brabo shall fully comply with Section 40-25 of the Washington City Code regarding the operation of a bed and breakfast, including, among other things:
  - a) An occupancy limit of twelve (12) guests per night,
  - b) Private indoor only event services exclusively held for overnight occupancy guests with an allowance of one (1) additional person per overnight occupancy guest, up to a maximum of twenty-four (24) people, and
  - c) No outdoor events.
2. Ms. Brabo will engage with City staff within thirty (30) days concerning a possible text amendment to Section 40-25 for review by the Planning Board and further processing.
3. There will be no violations of Ms. Brabo's Special Use Permit or the City's zoning regulations during this period.
4. If Ms. Brabo's federal lawsuit against the City and others [U.S. District Court, Eastern District of North Carolina (Eastern Division), Case #: 4:25-CV-00207-D-BM] concludes during this period, this matter shall be returned to the Board as soon as possible.

5. Counsel for either party, the City of Washington or Ms. Brabo, may bring this matter back before the Board after reasonable notice.

Ms. Brabo's appeals regarding the City of Washington's two (2) notices of zoning violations (alleged) and violations (alleged) of said special use permit are also continued by this decision/order.

Applicant: The City of Washington

Respondent: Ellen Brabo

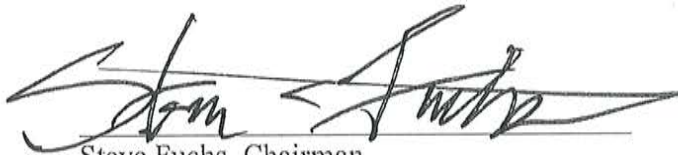
Application Dated: July 15, 2025

Board Members Present: Mr. Steve Fuchs, Chairman, Mr. James Cox, Mr. Jeffery White, Mr. Earnest Moore, Ms. Nadine Dennis, Mr. Wali Saleem (Mr. Wali Saleem participated as an alternate – one seat vacant)

Board Members Absent: None

Staff Present: Mr. Domini Cunningham, Interim Director  
Community and Cultural Services  
Mr. Glen Moore, Planning Administrator  
Ms. Holli Tetterton, Administrative Assistant

Others Present: Mr. Slade Rand,  
Attorney for Board of Adjustment  
Mr. Franz Holscher,  
Attorney for the City of Washington  
Ms. Kendall Alligood,  
Attorney for Respondent



Steve Fuchs, Chairman,  
Board of Adjustment, City of Washington

# **Revocation of Special Use Permit**

Ell Hotel



102 East Second Street  
Washington, NC 27889  
252-975-9383

April 2, 2026

**NOTICE OF PUBLIC MEETING: Application to Revoke Special Use Permit and Appeal of Zoning Violations. This is a public meeting, not a public hearing. The public hearing on this item was held on August 14, 2025.**

Dear Adjoining Property Owner:

The Planning Department has received a request revoke the Special Use Permit for the Bed & Breakfast located at 1040 N. Market Street, parcel no: 5686-01-3406. The Planning Department has also received an Appeal of Zoning Violations from the Ell Hotel located at 1040 N. Market Street. The Board of Adjustment held a public hearing on this item at its August 14, 2025 meeting and tabled action on the item until its December 2025 meeting. The Board tabled the item again at its December 2025 meeting until the April 2026 meeting. The Board will hold its public meeting at the following date and time:

**Date: Thursday, April 16, 2026**

**Place: City Council Chambers - City Hall - Municipal Building, 102 East Second Street. Enter from the Market Street side of the building and go to the second floor.**

**Time: 5:30 P.M.**

The public is welcome to attend this meeting. During the meantime, should you have any questions, please feel free to call the Department of Planning and Development at 975-9317 during normal working hours Monday through Friday, 8:00 A.M. to 5:00 P.M.

Sincerely,

Glen Moore  
Planning Administrator



## *Revocation of Special Use Staff Report*

**Development Services,  
Planning & Zoning Division**

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### **Request:**

Revoke the Special Use Permit issued on July 15, 2021 to Ellen Brabo to operate a Tourist Home (Bed & Breakfast)

**Address:** 1040 N. Market Street

**Parcel #:** 5686-01-3406

**Lot Size:** 0.43 acres

**Existing Zoning:** R9S (Residential)

### **Required Notices:**

Adjoining property owner notices were mailed and a notice sign was placed on the property on August 1, 2025. The public hearing notice advertisement date was August 2, 2025.

### **Site Characteristics:**

The existing home is located at the southwest corner of the intersection of N. Market Street and W. 11<sup>th</sup> Street. According to the Beaufort County tax records, the home has approximately 5,078 square feet. Tax records also show that the lot size is 18,730 square feet.

Several violations of the Special Use Permit that was issued on July 15, 2021 have been noted by the City, See Attached Revocation of Special Use Permit application for detailed information.

### **Motion**

*Based upon the evidence presented to the Board, I move that the Board **grant or deny** the request to revoke the Special Use Permit issued on July 15, 2021 to Ellen Brabo to operate a Tourist Home (Bed & Breakfast) at 1040 N. Market Street.*

### **Conclusion**

Based upon the evidence presented to the Board, the Special Use Permit, has been \_\_\_\_\_, by the City of Washington, NC Board of Adjustment.

Date: August 14, 2025

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Planning Administrator

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Board of Adjustment Chairman



**Location Map**



**Zoning Map**



**REVOCATION OF SPECIAL USE  
PERMIT  
DEVELOPMENT SERVICES  
PLANNING & ZONING**

Applications are due to the City of Washington, Department of Planning and Development by 5:00 p.m. on the 15th of the month. Applicants will be heard at the following month's meeting.	<b>OFFICE USE ONLY</b>
Ref No.:	

APPLICANT INFORMATION			
Applicant Name: City of Washington	Date of Application: 7/15/2025		
Phone No.: 252-975-9317	Alt Phone:		
Address: 102 E. Second St <small style="text-align: center;">Address</small>	Washington <small>City</small>	NC <small>State</small>	27889 <small>Zip Code</small>

LOCATION AND INFORMATION OF SPECIAL USE PERMIT:
Property Address: 1040 N. Market Street, Washington, NC
<b>Purpose for Revoking the Special Use Permit:</b> Property's zoning classification is R9S. Private event center (indoor) and private event space (outdoor) are not permitted uses in the R9S zoning classification [see Section 40-94 of the City Municipal Code ("City Code")]. A Bed and Breakfast is a use that is permitted in the R9S zoning classification by a Special Use Permit (see Section 40-94 of the City Code). A Special Use Permit was granted from the City Board of Adjustment on July 15, 2021 to operate a Bed and Breakfast on the Property. Section 40-25 of the City Code defines Bed and Breakfast as follows: "An owner-occupied single-family dwelling offering overnight accommodations for transient guests, for a period of less than one (1) week. The occupancy is limited to twelve (12) guests per night, and the character of the dwelling must be maintained. Signs shall be in compliance with Chapter 40, Article XVI of this Code. The business cannot sell merchandise other than meals on the premises or employ more than one (1) part-time dedicated staff beyond the owner(s). Private indoor only event services can be held exclusively for overnight occupancy guests, with an allowance of one (1) additional person per guest, up to a maximum of twenty-four (24) people. Outdoor events are not allowed."
Based upon citizens' complaints and investigations by the City's Planning and Inspections Department as well as the City's Police Department, the City provided the property owner notice of the following zoning violations related to the Property, some of which also are violations of the Special Use Permit.
<b>Written Description of the Special Use Violations:</b> The property has been used and marketed for the following uses and in the following manner that are not permitted by the Property's R9S zoning classification and constitute zoning violations and/or violations of the Special Use Permit.
<ol style="list-style-type: none"> <li>1. Private indoor only event services that are not held exclusively for overnight occupancy guests (private indoor only event services are only allowed if conducted exclusively for overnight occupancy guests – see above).</li> <li>2. Private indoor only event services that exceed one (1) additional person per overnight occupancy guest and/or exceed the maximum of twenty-four (24) people (private indoor only event services are only allowed to include one additional person per overnight occupancy guest up to a maximum of twenty-four (24) people – see above).</li> <li>3. Private Event Center (Indoor) for private functions such as banquets, weddings, anniversaries, receptions, and other similar celebrations (not permitted in the R9S zoning classification – see above).</li> <li>4. Private Event Space (outdoor) for private functions such as banquets, weddings, anniversaries, receptions, and other similar celebrations (not permitted in the R9S zoning classification; in addition, outdoor events are specifically prohibited in the R9S zoning classification – see above).</li> <li>5. The Ell Hotel website advertises, among other things, an "... event space ..." that "... can accommodate up to 50 guests" (not permitted in the R9S zoning classification – see above).</li> <li>6. The Ell Hotel website advertises, among other things, an "... intimate venue ..." for weddings "... accommodating up to 50 guests and providing both indoor and outdoor spaces for a seamless ceremony and reception experience" (not permitted in the R9S zoning classification – see above).</li> </ol>



**REVOCATION OF SPECIAL USE  
PERMIT  
DEVELOPMENT SERVICES  
PLANNING & ZONING**

- 7. The Ell Hotel website advertises, among other things, "on site accommodations" for "... up to 16 guests" (not permitted in the R9S zoning classification – see above).
- 8. The Ell Hotel website includes a picture of an outside wedding ceremony (not permitted in the R9S zoning classification – see above).
- 9. The sign on the Property states "Ell Hotel" (a hotel is not a permitted use in the R9S zoning classification – see Section 40-94 of the City Code).
- 10. The Bed and Breakfast operated on the Property is not owner occupied as required by Section 40-25 of the City Code and the Special Use Permit. The pertinent definition of occupy is to reside in. Recently, at two City Council meetings, a Rotary meeting, and on a petition, the Property owner represented her residence as 111 Jackson Street.
- 11. On June 14, 2025, a commercial (paid for), third party private event (2025 Simmons Family Reunion) for more than twenty-four (24) people was held on the Property in violation of both the R9S zoning classification and Special Use Permit for the Property.

5686-01-3406	R9S
Parcel Tax Card No.	Zoning Designation

**APPLICANT RESPONSES TO SPECIFIC CITY CODES FOR REVOKING A SPECIAL USE PERMIT:**

**GENERAL REQUIREMENTS:** The terms upon which the special use permit was granted are not being complied with.

**STATEMENT BY APPLICANT:**

- 1. Section 40-115(c) of the City Code – "The proposed use will not adversely affect the health and safety of residents and workers in the city."
- 2. Section 40-115(d) of the City Code – "The proposed use will not be detrimental to the use of or development of adjacent properties or other neighborhood uses."
- 3. Section 40-115(g) of the City Code – "The proposed use will not constitute a nuisance or fire hazard because of the number of persons who will attend or use such facility, the vehicular movement, of noise or fumes or of the type of physical activity."
- 4. Section 40-115(h) of the City Code – "The proposed use will comply with all additional specific criteria set forth for each particular use as established in these regulations."
- 5. Section 40-115(k) of the City Code – "The proposed use will not create or aggravate hazards to vehicular or pedestrian traffic on the roads and sidewalks, both off-site and on-site, serving the proposed use as determined by the size, capacity, and condition of such roads and sidewalks, lighting, drainage, intensity of use by pedestrians and vehicles and the visibility afforded to pedestrians and the operators of motor vehicles on such roads."
- 6. Section 40-115(l) of the City Code – "The proposed use will be compatible with existing uses that are adjacent to or neighboring the proposed location, as measured in terms of its physical size, intensity of use, visual impact, and proximity to other structures."
- 7. The Bed and Breakfast is not owner occupied.



**REVOCATION OF SPECIAL USE  
PERMIT  
DEVELOPMENT SERVICES  
PLANNING & ZONING**

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**NOTE:**

Applicants, and/or their agents or parties in interest are prohibited from any contact in relation to this matter with Board of Adjustment members prior to the public hearing.

I certify that all of the information presented by me in this application is accurate to the best of my knowledge, information and belief. The City of Washington will place a sign on the property in question, for the purpose of alerting the general public of this request, no less than ten (10) days prior to the Board of Adjustment meeting.

Signature of the City of Washington Representative:

**Other:**

Exhibits 1, 2, 3, 4, 5, and 6 are attached hereto and incorporated herein by reference as if fully set forth as evidence in support of this Application for Revocation of Special Use Permit

**EXHIBIT 1**

**NOTICE OF POTENTIAL SPECIAL USE PERMIT VIOLATION**



102 East Second Street  
Washington, NC 27889  
252-975-9383

## NOTICE OF POTENTIAL SPECIAL USE PERMIT VIOLATION

April 16, 2025

Ellen Brabo  
1040 N. Market Street  
Washington, NC 27889

RE: Ell Hotel, 1040 N. Market Street Washington NC 27889, Parcel 5686-01-3406

This letter is written to inform you that City Staff has received several citizen complaints about the potential violation of your special use permit to operate a Bed and Breakfast/Tourist Home at the above-mentioned location.

A condition of your special use permit, issued by the Board of Adjustment on July 15, 2021 to operate a Bed and Breakfast/Tourist Home, is that the Bed and Breakfast/Tourist Home must be owner or operator occupied. The citizen complaints have been that you no longer reside within the residence. If you no longer reside there or an operator does not reside there it would constitute a violation of your special use permit.

Please provide City Staff with written documentation of who resides at the location (owner or operator) so staff can confirm that there is no violation. An email will suffice for this response.

Also, be aware that the Board of Adjustment can revoke special use permits that have been issued if the holder is found to be in violation of the criteria associated with the permit.

Please respond to the notice with written certification as requested above by April 30, 2025. Failure to do so could result in further action by the City of Washington Board of Adjustment.

Please feel free to contact me if you have any questions. 252-975-9384 or at [mdail@washingtonnc.gov](mailto:mdail@washingtonnc.gov).

Sincerely,

Mike Dail  
Planning Director

**EXHIBIT 2**

**COURTESY NOTICE OF ZONING VIOLATION**

## Courtesy Zoning Notification

City of Washington  
102 East 2<sup>nd</sup> Street  
Washington, NC 27889  
252-975-9352



5/5/2025

Ellen Brabo  
1040 N. Market Street  
Washington, NC 27889

Subject: Commercial Events Venue at 1040 N. Market Street, Washington, NC  
Parcel Identification Number: 5686-01-3406

Dear Property Owner:

I am writing in reference to recent citizen complaints made to our office concerning frequent gatherings at your property. It is my responsibility to address these complaints and it is my concern that you may be in violation of the City of Washington's Zoning Ordinance. Upon review of your website (theellhotel.com), I discovered that you are advertising for hire to accommodate up to 50 people for events. Please take notice that your property is located in the R9S (Residential) Zoning District. Events for hire (Private Event Centers-commercial use) of this type are not permitted in residential zoning districts.

This correspondence is intended to serve as a "courtesy" notification that events not allowed under the Bed and Breakfast definition from City of Washington's Zoning Ordinance should cease. Below is the Definition of a Bed and Breakfast from the City of Washington's Zoning Ordinance. In the definition the type of event and maximum capacity is described.

*"Bed and breakfast (also formerly known as tourist homes) means an owner-occupied single-family dwelling offering overnight accommodations for transient guests, for a period of less than one (1) week. The occupancy is limited to twelve (12) guests per night, and the character of the dwelling must be maintained. Signs shall be in compliance with chapter 40, article XVI of this Code. The business cannot sell merchandise other than meals on the premises or employ more than one (1) part-time dedicated staff beyond the owner(s). Private indoor only event services can be held exclusively for overnight occupancy guests, with an allowance of one (1) additional person per guest, up to a maximum of twenty-four (24) people. Outdoor events are not allowed."*

Thank you in advance, for your cooperation. For further information, you may contact me at 252-975-9352.

Sincerely,

Mike Dail, CPM, CZO  
Planning Director

**EXHIBIT 3**

**NOTICE OF ZONING VIOLATIONS AND  
VIOLATIONS OF SPECIAL USE PERMIT**

Mayor  
Donald R. Sadler

City Manager  
Jonathan Russell



Washington City Council  
Richard Brooks  
Lou Hodges  
Antwan Horton  
William Pitt  
Anthony Tyre

June 2, 2025

VIA CERTIFIED AND USPS MAIL TO:

Ellen Brabo  
111 Jackson Street  
Washington, NC 27889

Ell Hotel  
Attn: Ellen Brabo  
1040 N. Market Street  
Washington, NC 27889

Re: Notice of Zoning Violations and Violations of Special Use Permit  
Property: 1040 N. Market Street, Washington, NC ("Property")  
Parcel ID#: 5686-01-3406

Dear Ms. Brabo and Ell Hotel:

**VIOLATIONS**

We write on behalf of the City of Washington ("City") to provide you with this Notice of Zoning Violations and Violations of Special Use Permit. As you know, the Property's zoning classification is R9S. Private event center (indoor) and private event space (outdoor) are not permitted uses in the R9S zoning classification [see Section 40-94 of the City Municipal Code ("City Code")]. Bed and Breakfast is a use that is permitted in the R9S zoning classification by a Special Use Permit (see Section 40-94 of the City Code). You received a Special Use Permit from the City Board of Adjustment on July 15, 2021 to operate a Bed and Breakfast on the Property. Section 40-25 of the City Code defines Bed and Breakfast as follows: "means an owner-occupied single-family dwelling offering overnight accommodations for transient guests, for a period of less than one (1) week. The occupancy is limited to twelve (12) guests per night, and the character of the dwelling must be maintained. Signs shall be in compliance with Chapter 40, article XVI of this Code. The business cannot sell merchandise other than meals on the premises or employ more than one (1) part-time dedicated staff beyond the owner(s). Private indoor only event services can be held exclusively for overnight occupancy guests, with an allowance of one (1) additional person per guest, up to a maximum of twenty-four (24) people. Outdoor events are not allowed."

Based upon citizens' complaints and investigations by the City's Planning and Inspections Department, the City provides you with this Notice of the following zoning violations related to the Property, some of which also are violations of your Special Use Permit referenced above. In the past and currently, you have utilized and marketed the Property for the following uses and in the following manner that are not permitted by the Property's R9S zoning classification, all of which, separately and collectively, constitute zoning violations and/or violations of your Special Use Permit.

1. Private indoor only event services that are not held exclusively for overnight occupancy guests (private indoor only event services are only allowed if conducted exclusively for overnight occupancy guests – see above).
2. Private indoor only event services that exceed one (1) additional person per guest and/or exceed the maximum of twenty-four (24) people (private indoor only event services are only allowed to include one additional person per overnight guest up to a maximum of twenty-four people – see above).

*Mayor*  
Donald R. Sadler

*City Manager*  
Jonathan Russell



*Washington City Council*

Richard Brooks

Lou Hodges

Antwan Horton

William Pitt

Anthony Tyre

3. Private Event Center (indoor) for private functions such as banquets, weddings, anniversaries, receptions, and other similar celebrations (not permitted in the R9S zoning classification – see above).
4. Private Event Space (outdoor) for private functions such as banquets, weddings, anniversaries, receptions, and other similar celebrations (not permitted in the R9S zoning classification; in addition, outdoor events are specifically prohibited in the R9S zoning classification – see above).
5. The Ell Hotel website advertises an “... event space ...” that “... can accommodate up to 50 guests” (not permitted in the R9S zoning classification – see above).
6. The Ell Hotel website advertises an “... intimate venue ...” for weddings “... accommodating up to 50 guests and providing both indoor and outdoor spaces for a seamless ceremony and reception experience” (not permitted in the R9S zoning classification – see above).
7. The Ell Hotel website advertises “on site accommodations” for “... up to 16 guests” (not permitted in the R9S zoning classification – see above).
8. The Ell Hotel website includes a picture of an outside wedding ceremony (not permitted in the R9S zoning classification – see above).
9. The sign on the Property states “Ell Hotel” (a hotel is not a permitted use in the R9S zoning classification – see Section 40-94 of the City Code).
10. The Bed and Breakfast operated on the Property is not owner occupied as required by Section 40-25 of the City Code and your Special Use Permit. The pertinent definition of occupy is to reside in. Recently, at two City Council meetings, a Rotary meeting, and on a petition, you represented your residence as 111 Jackson Street.

In addition to the above, based upon citizens’ complaints and investigations by the City’s Planning and Inspections Department, your past and current use of the Property violates the following conditions of the above referenced Special Use Permit.

1. Section 40-115(c) of the City Code – “The proposed use will not adversely affect the health and safety of residents and workers in the city.”
2. Section 40-115(d) of the City Code – “The proposed use will not be detrimental to the use of or development of adjacent properties or other neighborhood uses.”

*Mayor*  
Donald R. Sadler

*City Manager*  
Jonathan Russell



*Washington City Council*

Richard Brooks  
Lou Hodges  
Antwan Horton  
William Pitt  
Anthony Tyre

3. Section 40-115(g) of the City Code – “The proposed use will not constitute a nuisance or fire hazard because of the number of persons who will attend or use such facility, the vehicular movement, of noise or fumes or of the type of physical activity.”
4. Section 40-115(h) of the City Code – “The proposed use will comply with all additional specific criteria set forth for each particular use as established in these regulations.”
5. Section 40-115(k) of the City Code – “The proposed use will not create or aggravate hazards to vehicular or pedestrian traffic on the roads and sidewalks, both off-site and on-site, serving the proposed use as determined by the size, capacity, and condition of such roads and sidewalks, lighting, drainage, intensity of use by pedestrians and vehicles and the visibility afforded to pedestrians and the operators of motor vehicles on such roads.”
6. Section 40-115(l) of the City Code – “The proposed use will be compatible with existing uses that are adjacent to or neighboring the proposed location, as measured in terms of its physical size, intensity of use, visual impact, and proximity to other structures.”
7. The Bed and Breakfast is not owner occupied (see discussion above).

**MEASURES NECESSARY TO REMEDY VIOLATIONS**

1. Utilize and market (advertise) the Property in a manner that is consistent with its R9S zoning classification.
2. Operate the Bed and Breakfast on the Property in conformity with Section 40-25 of the City Code and the conditions of your Special Use Permit, including but not limited to correcting all the violations noted above.

**TIME PERIOD TO CORRECT VIOLATIONS**

1. Thirty (30) days.

**APPEAL**

1. You may appeal this Notice of Zoning Violations and Violations of Special Use Permit in writing to the Board of Adjustment within thirty (30) days of the date hereof.

**FAILURE TO COMPLY WITH NOTICE**

If you do not appeal and fail to remedy all of your above violations within the time frame provided herein or if your appeal is unsuccessful and you fail to remedy all of your above violations within the time frame provided herein, you shall be subject to such remedies and penalties as may be provided for by State Law and/ or by Section 40-581 of the City Code, including but not limited to injunction, civil penalties (\$50 per violation, per day), revocation of Special Use Permit, and criminal penalties. We trust that you will take

*Mayor*  
Donald R. Sadler

*City Manager*  
Jonathan Russell



*Washington City Council*

Richard Brooks  
Lou Hodges  
Antwan Horton  
William Pitt  
Anthony Tyre

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the necessary steps to correct all of these violations and bring the Property into compliance. If you have any questions or if we can assist you in any way, please do not hesitate to let us know. We look forward to cooperating with you to bring these matters to an amicable and timely resolution. Your cooperation in this matter is greatly appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Dail".

Mike Dail  
Director of Cultural and Community Resources

A handwritten signature in black ink, appearing to read "F. Holscher".

Franz F. Holscher, City Attorney  
Holscher, Edwards & Hill, P.A.

**EXHIBIT 4**

**SECOND NOTICE OF ZONING VIOLATIONS AND  
VIOLATIONS OF SPECIAL USE PERMIT**

Mayor  
Donald R. Sadler

City Manager  
Jonathan Russell



Washington City Council  
Richard Brooks  
Lou Hodges  
Antwan Horton  
William Pitt  
Anthony Tyre

June 23, 2025

VIA CERTIFIED AND USPS MAIL TO:

Ellen Brabo  
111 Jackson Street  
Washington, NC 27889

Ell Hotel  
Attn: Ellen Brabo  
1040 N. Market Street  
Washington, NC 27889

Re: Second Notice of Zoning Violations and Violations of Special Use Permit  
Property: 1040 N. Market Street, Washington, NC ("Property")  
Parcel ID#: 5686-01-3406

Dear Ms. Brabo and Ell Hotel:

**VIOLATIONS**

We write on behalf of the City of Washington ("City") to provide you with this Notice of Zoning Violations and Violations of Special Use Permit. As you know, the Property's zoning classification is R9S. Private event center (indoor) and private event space (outdoor) are not permitted uses in the R9S zoning classification [see Section 40-94 of the City Municipal Code ("City Code")]. Bed and Breakfast is a use that is permitted in the R9S zoning classification by a Special Use Permit (see Section 40-94 of the City Code). You received a Special Use Permit from the City Board of Adjustment on July 15, 2021 to operate a Bed and Breakfast on the Property. Section 40-25 of the City Code defines Bed and Breakfast as follows: "... means an owner-occupied single-family dwelling offering overnight accommodations for transient guests, for a period of less than one (1) week. The occupancy is limited to twelve (12) guests per night, and the character of the dwelling must be maintained. Signs shall be in compliance with Chapter 40, Article XVI of this Code. The business cannot sell merchandise other than meals on the premises or employ more than one (1) part-time dedicated staff beyond the owner(s). Private indoor only event services can be held exclusively for overnight occupancy guests, with an allowance of one (1) additional person per guest, up to a maximum of twenty-four (24) people. Outdoor events are not allowed."

Based upon citizens' complaints and investigations by the City's Planning and Inspections Department as well as the City's Police Department, the City provides you with this Notice of the following zoning violations related to the Property, some of which also are violations of your Special Use Permit referenced above. In the past and currently, you have utilized and marketed the Property for the following uses and in the following manner that are not permitted by the Property's R9S zoning classification, all of which, separately and collectively, constitute zoning violations and/or violations of your Special Use Permit.

1. Private indoor only event services that are not held exclusively for overnight occupancy guests (private indoor only event services are only allowed if conducted exclusively for overnight occupancy guests – see above).
2. Private indoor only event services that exceed one (1) additional person per guest and/or exceed the maximum of twenty-four (24) people (private indoor only event services are

*Mayor*  
Donald R. Sadler

*City Manager*  
Jonathan Russell



*Washington City Council*

Richard Brooks  
Lou Hodges  
Antwan Horton  
William Pitt  
Anthony Tyre

- 
- only allowed to include one additional person per overnight guest up to a maximum of twenty-four (24) people – see above).
3. Private Event Center (indoor) for private functions such as banquets, weddings, anniversaries, receptions, and other similar celebrations (not permitted in the R9S zoning classification – see above).
  4. Private Event Space (outdoor) for private functions such as banquets, weddings, anniversaries, receptions, and other similar celebrations (not permitted in the R9S zoning classification; in addition, outdoor events are specifically prohibited in the R9S zoning classification – see above).
  5. The Ell Hotel website advertises an "... event space ..." that "... can accommodate up to 50 guests" (not permitted in the R9S zoning classification – see above).
  6. The Ell Hotel website advertises an "... intimate venue ..." for weddings "... accommodating up to 50 guests and providing both indoor and outdoor spaces for a seamless ceremony and reception experience" (not permitted in the R9S zoning classification – see above).
  7. The Ell Hotel website advertises "on site accommodations" for "... up to 16 guests" (not permitted in the R9S zoning classification – see above).
  8. The Ell Hotel website includes a picture of an outside wedding ceremony (not permitted in the R9S zoning classification – see above).
  9. The sign on the Property states "Ell Hotel" (a hotel is not a permitted use in the R9S zoning classification – see Section 40-94 of the City Code).
  10. The Bed and Breakfast operated on the Property is not owner occupied as required by Section 40-25 of the City Code and your Special Use Permit. The pertinent definition of occupy is to reside in. Recently, at two City Council meetings, a Rotary meeting, and on a petition, you represented your residence as 111 Jackson Street.
  11. On June 14, 2025, you hosted a commercial (paid for), third party private event (2025 Simmons Family Reunion) for more than twenty-four (24) people in violation of both the R9S zoning classification and Special Use Permit for your property. Please see Exhibit A, a picture from the above referenced event, which is attached hereto and incorporated herein by reference as if fully set forth.

In addition to the above, based upon citizens' complaints and investigations by the City's Planning and Inspections Department as well as the City's Police Department, your past and

*Mayor*  
Donald R. Sadler

*City Manager*  
Jonathan Russell



*Washington City Council*  
Richard Brooks  
Lou Hodges  
Antwan Horton  
William Pitt  
Anthony Tyre

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current use of the Property violates the following conditions of the above referenced Special Use Permit.

1. Section 40-115(c) of the City Code – “The proposed use will not adversely affect the health and safety of residents and workers in the city.”
2. Section 40-115(d) of the City Code – “The proposed use will not be detrimental to the use of or development of adjacent properties or other neighborhood uses.”
3. Section 40-115(g) of the City Code – “The proposed use will not constitute a nuisance or fire hazard because of the number of persons who will attend or use such facility, the vehicular movement, of noise or fumes or of the type of physical activity.”
4. Section 40-115(h) of the City Code – “The proposed use will comply with all additional specific criteria set forth for each particular use as established in these regulations.”
5. Section 40-115(k) of the City Code – “The proposed use will not create or aggravate hazards to vehicular or pedestrian traffic on the roads and sidewalks, both off-site and on-site, serving the proposed use as determined by the size, capacity, and condition of such roads and sidewalks, lighting, drainage, intensity of use by pedestrians and vehicles and the visibility afforded to pedestrians and the operators of motor vehicles on such roads.”
6. Section 40-115(l) of the City Code – “The proposed use will be compatible with existing uses that are adjacent to or neighboring the proposed location, as measured in terms of its physical size, intensity of use, visual impact, and proximity to other structures.”
7. The Bed and Breakfast is not owner occupied (see discussion above).
8. On June 14, 2025, you hosted a commercial (paid for), third party private event (2025 Simmons Family Reunion) for more than twenty-four (24) people in violation of the conditions of your Special Use Permit, including but not limited to the conditions recited above.

**MEASURES NECESSARY TO REMEDY VIOLATIONS**

1. Utilize and market (advertise) the Property in a manner that is consistent with its R9S zoning classification.
2. Operate the Bed and Breakfast on the Property in conformity with Section 40-25 of the City Code and the conditions of your Special Use Permit, including but not limited to correcting all the violations noted above.

*Mayor*  
Donald R. Sadler

*City Manager*  
Jonathan Russell



*Washington City Council*  
Richard Brooks  
Lou Hodges  
Antwan Horton  
William Pitt  
Anthony Tyre

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**TIME PERIOD TO CORRECT VIOLATIONS**

1. Thirty (30) days).

**APPEAL**

1. You may appeal this Notice of Zoning Violations and Violations of Special Use Permit in writing to the Board of Adjustment within thirty (30) days of the date hereof.

**FAILURE TO COMPLY WITH NOTICE**

If you do not appeal and fail to remedy all of your above violations within the time frame provided herein or if your appeal is unsuccessful and you fail to remedy all of your above violations within the time frame provided herein, you shall be subject to such remedies and penalties as may be provided for by State Law and/or by Section 40-581 of the City Code, including but not limited to injunction, civil penalties (\$50 per violation, per day), revocation of Special Use Permit, and criminal penalties. We trust that you will take the necessary steps to correct all of these violations and bring the Property into compliance. If you have any questions or if we can assist you in any way, please do not hesitate to let us know. We look forward to cooperating with you to bring these matters to an amicable and timely resolution. Your cooperation in this matter is greatly appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read 'M. Dail', with a horizontal line extending to the right.

Mike Dail

Director of Cultural and Community Resources

A handwritten signature in black ink, appearing to read 'F. H.', with a horizontal line extending to the right.

Franz F. Holscher, City Attorney  
Holscher, Edwards & Hill, P.A.



**EXHIBIT 5**

**ORIGINAL SPECIAL USE PERMIT APPLICATION,  
BOARD OF ADJUSTMENT ACTION,  
BOARD OF ADJUSTMENT MINUTES**



## SPECIAL USE PERMIT

### DEVELOPMENT SERVICES PLANNING & ZONING

Applications are due to the City of Washington, Department of Planning and Development by 5:00 p.m. on the 15th of the month. Applicants will be heard at the following month's meeting.	OFFICE USE ONLY		
	Fee: \$300.00	Date Paid:	Ref No.:

APPLICANT INFORMATION:			
Applicant Name: Ellen C. Brabo		Date of Application: June 8, 2021	
Phone No.: 54-848-4349		Alt Phone:	
Address: 1040 North Market Street	Washington	NC	27889
<small>Address</small>	<small>City</small>	<small>State</small>	<small>Zip Code</small>

LOCATION OF PROPOSED SPECIAL USE:	
<b>Purposed Special Use:</b> I am requesting a special use permit to operate a Bed and Breakfast within my home at 1040 N Market Street (The Historic Bowers-Tripp House).	
<b>Written Description of Special Use:</b> The home would provide 4 bedrooms offering overnight accommodations and offers suitable parking for guests and any staff. At this time, I am the only onsite staff member that would be present. Breakfast will be provided to all overnight guests at no additional charge. Common area(s), other than the dining room, will be available for social interaction of guests and high quality hospitality, housekeeping, and food service provided. Liability insurance will be maintained.	
0043519 <small>Parcel Tax Card No.:</small>	R9S <small>Zoning Designation</small>

PLOT PLAN:	
A plot plan may be required by staff to illustrate that the request can meet all development standards of the city code. Please consult with staff for this determination.	



## SPECIAL USE PERMIT REQUEST

DEVELOPMENT SERVICES  
PLANNING & ZONING

### APPLICANT RESPONSES TO GENERAL CRITERIA FOR SPECIAL USE:

The Zoning Ordinance imposes the following General Criteria on Special Use Permits. Under each criteria the applicant should explain with reference to attached plot plan, (if plot plan is required by staff), how the proposed use satisfies each criteria. Answers should be supported by facts

**GENERAL REQUIREMENTS:** The proposed use does not adversely affect the general plans for the physical development of the city as embodied in these regulations or in any plan or portion thereof adopted by the Planning Board or by the City Council.  
**STATEMENT BY APPLICANT:**

The Bed and Breakfast would not adversely affect plans for the physical development of the city as embodied in these regulations or in any plan or portion thereof adopted by the Planning Board or by the City Council.

**GENERAL REQUIREMENTS:** The proposed use will not be contrary to the purposes stated in these regulations.  
**STATEMENT BY APPLICANT:**

The proposed use will not be contrary to the purposes stated in these regulations.

**GENERAL REQUIREMENTS:** The proposed use will not adversely affect the health and safety of residents and workers in the city. **STATEMENT BY APPLICANT:**

The proposed use will not adversely affect the health and safety of residents and workers in the city.

**GENERAL REQUIREMENTS:** The proposed use will not be detrimental to the use of or development of adjacent properties or other neighborhood uses. **STATEMENT BY APPLICANT:**

The proposed use will not be detrimental to the use of or development of adjacent properties or other neighborhood uses.

**GENERAL REQUIREMENTS:** The proposed use will not be affected adversely by existing uses.  
**STATEMENT BY APPLICANT:**

The proposed use will not be affected adversely by existing uses.



## SPECIAL USE PERMIT REQUEST

DEVELOPMENT SERVICES  
PLANNING & ZONING

### APPLICANT RESPONSES TO GENERAL REQUIREMENTS:

**GENERAL REQUIREMENTS:** The proposed use shall be subject to the minimum area, setback, and other locational requirements of the zoning district in which it will be located (state whether building is existing or proposed and refer to plot plan for setbacks). Note: Existing building not meeting these developmental standards does not necessarily mean this requirement cannot be fulfilled. **STATEMENT BY APPLICANT:**

The proposed use shall be subject to the minimum area, setback, and other locational requirements of the zoning district in which it will be located (state whether building is existing or proposed and refer to plot plan for setbacks).

**GENERAL REQUIREMENTS:** The proposed use shall be subject to the off-street parking and loading requirements of these regulations. All parking and driveways shall be located in a safe and convenient manner.

**STATEMENT BY APPLICANT:**

The proposed use shall be subject to the off-street parking and loading requirements of these regulations. All parking and driveways shall be located in a safe and convenient manner.

Adequate parking is available on the property for guests and staff.

**GENERAL REQUIREMENTS:** The proposed use will be placed on a lot of sufficient size to satisfy the space requirements of such use. **STATEMENT BY APPLICANT:**

The proposed use will be placed on a lot of sufficient size to satisfy the space requirements of such use.

**GENERAL REQUIREMENTS:** The proposed use will not constitute a fire hazard because of the number of persons who will attend or use such facility, of the vehicular movement, of noise or fumes, or of the type of physical activity.

**STATEMENT BY APPLICANT:**

The proposed use will not constitute a fire hazard because of the number of persons who will attend or use such facility, of the vehicular movement, of noise or fumes, or of the type of physical activity.



## SPECIAL USE PERMIT REQUEST

DEVELOPMENT SERVICES  
PLANNING & ZONING

### APPLICANT RESPONSES TO GENERAL REQUIREMENTS:

**GENERAL REQUIREMENTS:** The proposed use will comply with all additional specific criteria set forth for each particular use as established in the zoning ordinance.

**STATEMENT BY APPLICANT:**

The proposed use will comply with all additional specific criteria set forth for each particular use as established in the zoning ordinance.

**GENERAL REQUIREMENTS:** The proposed use will not create or aggravate hazards to vehicular or pedestrian traffic on the roads and sidewalks, both off-site and on-site, serving the proposed use as determined by the size, capacity, and condition of such roads and sidewalks, lighting, drainage, intensity of use by both pedestrians and vehicles and the visibility afforded to pedestrians and the operators of motor vehicles on such roads.

**STATEMENT BY APPLICANT:**

The proposed use will not create or aggravate hazards to vehicular or pedestrian traffic on the roads and sidewalks, both off-site and on-site, serving the proposed use as determined by the size, capacity, and condition of such roads and sidewalks, lighting, drainage, intensity of use by both pedestrians and vehicles and the visibility afforded to pedestrians and the operators of motor vehicles on such roads.

### NOTE:

Applicants, and/or their agents or parties so interest are prohibited from any contact in relation to this matter with Board of Adjustment members prior to the public hearing.

I certify that all of the information presented by me in this application is accurate to the best of my knowledge, information and belief. I authorize the City of Washington to place a sign on the property in question, for the purpose of alerting the general public of my request, no less than ten (10) days prior to the Board of Adjustment meeting.

Signature of Applicant: *Ellen Brabo*

Other:



## SPECIAL USE PERMIT REQUEST

DEVELOPMENT SERVICES  
PLANNING & ZONING

### OWNER AUTHORIZATION FOR NON-OWNER APPLICATION

**NOTE:**

IF THE PERSON WHO IS REQUESTING THE BOARD OF ADJUSTMENT TO TAKE ACTION ON A PARTICULAR PIECE OF PROPERTY IS NOT THE OWNER OF THE PROPERTY OR DOES NOT HAVE A BINDING OPTION TO PURCHASE THE PROPERTY, THEN THE ACTUAL OWNER OF THE LAND MUST COMPLETE THIS FORM.

IF THE PERSON WHO IS REQUESTING THE BOARD OF ADJUSTMENT TO TAKE ACTION ON A PARTICULAR PIECE OF PROPERTY IS THE OWNER OF THE PROPERTY OR HAS A BINDING OPTION TO PURCHASE THE PROPERTY, PLEASE DISREGARD THIS FORM.

Dear Sir or Madam,

I am the owner of the property located at:

Washington | NC | 27889

Address City State Zip Code

I hereby authorize: \_\_\_\_\_ (Authorized Agent) appear with my consent before the City of Washington Board of Adjustment in order to ask for a special use permit to: (describe Use and Location below)

at this location. I understand that the Special Use Permit, if granted, is permanent and runs with the land. I authorize you to advertise and present this matter in my name as the owner of the property.

If there are any questions, you may contact me at my address:

Washington | NC | 27889

Contact Address City State Zip Code

or by telephone at:

Alt Phone:

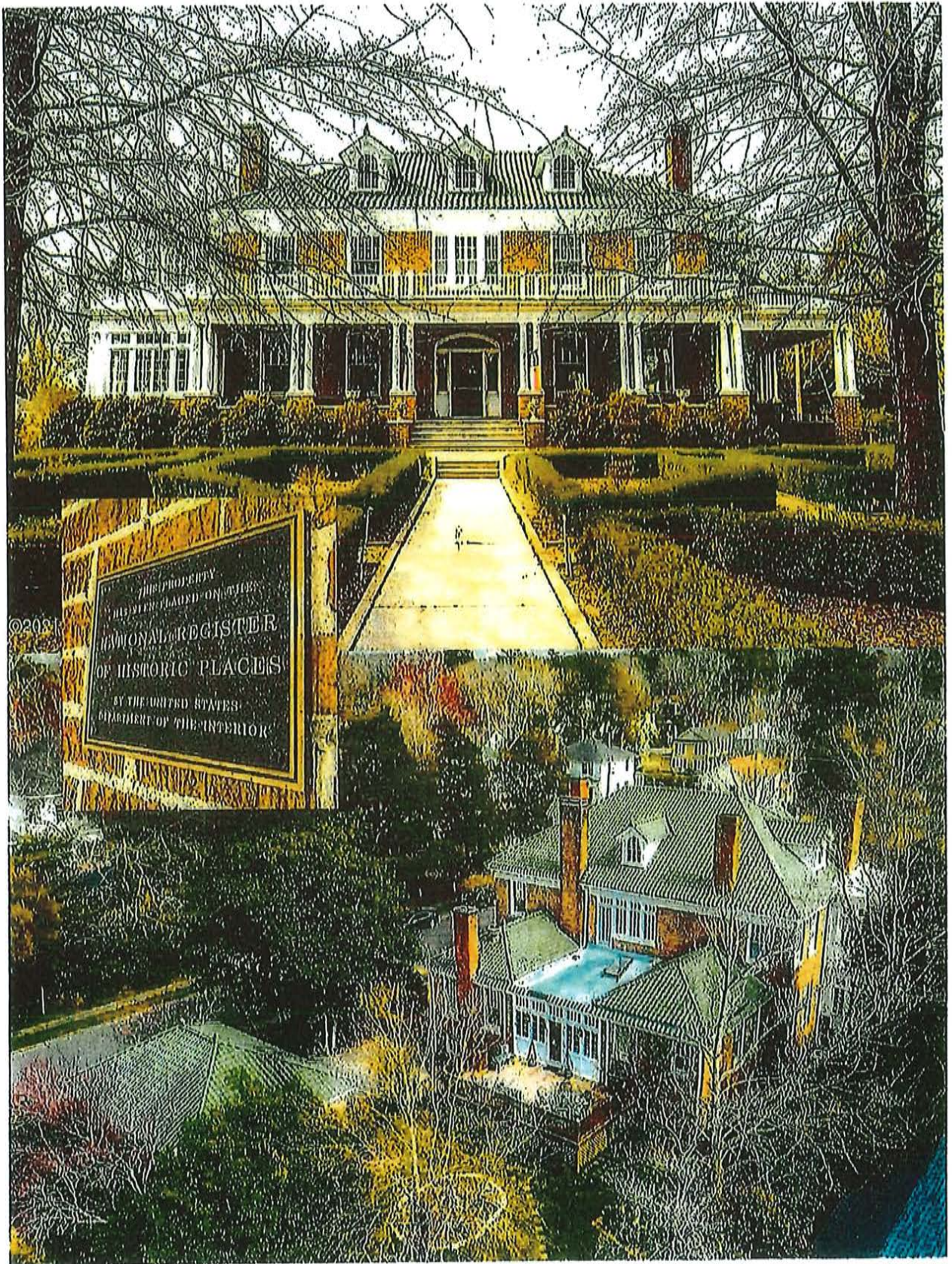
Respectfully yours,

Owner Signature

Sworn to and ascribed before me, this the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

Notary Public

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







*Special Use Request  
Staff Report & Findings of Fact*

Development Services,  
Planning & Zoning Division

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**Request:**

Special Use Permit by Ellen Brabo to operate a Tourist Home (Bed & Breakfast)

Address: 1040 N. Market Street

Parcel #: 5686-01-3406

Lot Size: 0.43 acres

Existing Zoning: R9S (Residential)

**Required Notices:**

Adjoining property owner notices were mailed and a notice sign was placed on the property on July 2, 2021. The public hearing notice advertisement date was July 3, 2021.

**Site Characteristics:**

The existing home is located at the southwest corner of the intersection of N. Market Street and W. 11<sup>th</sup> Street. According to the Beaufort County tax records, the home has approximately 5,078 square feet. Tax records also show that the lot size is 18,730 square feet. The applicant intends to convert the home into a bed & breakfast.

**TRC Comments:**

A site plan must be submitted and approved by the TRC prior to the use of the property as a tourist home (bed & breakfast).

Onsite parking requirements: 2 spaces for the dwelling unit, 1 per bedroom. No more than 2 spaces may be in the front yard.

Staff Recommended Condition: Must be owner or operator occupied.

In order to approve a special use permit, the Board must find that the request meets both the general criteria found in Section 40-115 and the specific criteria for Tourist homes found in Section 40-120(jj) of the Zoning Ordinance.

It is incumbent upon the applicant to provide the Board with evidence as to why their request meets the required criteria.

## Zoning Ordinance Required General Criteria for Issuance of A Special Use Permit

### Section 40-115 General Criteria:

The Board of Adjustment may grant permission for the establishment of the following uses, or category of uses, if the Board of Adjustment finds from the evidence produced after a study of the complete record that:

- (a) The proposed use does not adversely affect the general plans for the physical development of the city as embodied in these regulations or in any plan or portion thereof adopted by the Planning Board or by the City Council;
- (b) The proposed use will not be contrary to the purposes stated in these regulations;
- (c) The proposed use will not adversely affect the health and safety of residents and workers in the city;
- (d) The proposed use will not be detrimental to the use of or development of adjacent properties or other neighborhood uses;
- (e) The proposed use will not be affected adversely by existing uses;
- (f) The proposed use will be placed on a lot of sufficient size to satisfy the space requirements of such use;
- (g) The proposed use will not constitute a nuisance or fire hazard because of the number of persons who will attend or use such facility, of the vehicular movement, of noise or fumes or of the type of physical activity;
- (h) The proposed use will comply with all additional specific criteria set forth for each particular use as established in these regulations;
- (i) The proposed use will comply with the minimum area, setback, and other locational requirements of the zoning district in which it will be located;
- (j) The proposed use will comply with the off-street parking and loading requirements of these regulations. All parking and driveways shall be located in a safe and convenient manner;
- (k) The proposed use will not create or aggravate hazards to vehicular or pedestrian traffic on the roads and sidewalks, both off-site and on-site, serving the proposed use as determined by the size, capacity, and condition of such roads and sidewalks, lighting, drainage, intensity of use by both pedestrians and vehicles and the visibility afforded to pedestrians and the operators of motor vehicles on such roads; and
- (l) The proposed use will be compatible with existing uses that are adjacent to or neighboring the proposed location, as measured in terms of its physical size, intensity of use, visual impact, and proximity to other structures.

Zoning Ordinance Required Specific Criteria for Tourist homes

Section 40-120(jj):

- (jj) (1) Tourist homes shall have a minimum lot size of ten thousand (10,000) square feet.
- (2) Tourist homes shall be located in a house with a minimum square footage of three thousand (3,000) square feet.

Sec. 40-25. - Words and terms defined:

*Tourist homes* means a dwelling wherein rooms are rented to provide overnight accommodations for transient guests; provided that the character of the dwelling is not changed and, in connection therewith, there is no display, no stock in trade nor commodity other than meals sold on the premises, and no person not a resident on the premises is employed specifically in connection with the accommodation of tourists.

*Bed and Breakfast* means a private home offering bed and breakfast accommodations to twelve (12) or fewer persons per night for a period of less than one (1) week. See Hotel or Motel.

Motion

Based upon the findings of fact that this request meets or does not meet both the General Criteria for the issuance of a Special Use Permit as found in Section 40-115 and the specific criteria as found in Section 40-120(jj) of the City of Washington Zoning Ordinance, I move that the Board grant or deny the request for a Special Use Permit to operate a Tourist Home (Bed & Breakfast) at 1040 N. Market Street based on the aforementioned findings of fact.

Conclusion

Based upon the foregoing Findings of Fact, the application for a Special Use Permit, has been approved, by the City of Washington, NC Board of Adjustment.

Date: July 15, 2021

  
\_\_\_\_\_  
Planning Administrator

  
\_\_\_\_\_  
Board of Adjustment Chairman



## Board of Adjustment

Regular Scheduled Meeting – Minutes  
Thursday, July 15, 2021, 6:00 pm

### Members Present

Steve Fuchs – Chairman  
Richard McDonald – Vice-Chairman  
Stanley Friedman  
Jeffery White  
Mitchell St. Clair  
Sam Barrow - Alternate

**Members Not Present**  
Wali Saleem - Alternate

### Others Present

Mike Dall, Community and Cultural Services Director  
Glen Moore, Planning Administrator  
Holli Tetterton, Administrative Support Specialist

#### I. Opening of the meeting

#### II. Invocation

1. Chairman Steve Fuchs led a moment of silence.

#### III. Roll Call

1. Staff took a silent roll call. All members were present except for Alternate Wali Saleem.

#### IV. Members Swearing Oath of Office

- o Staff asked all Commission Members stand raise their right hand, place their left hand on the bible, and repeat the following oath. Just remember to insert your name.
- o I, Commission Member Name, do solemnly swear that I will support and maintain the Constitution and laws of the United States, and the Constitution and laws of North Carolina not inconsistent therewith, and that I will faithfully discharge the duties of my office as a member of the Board of Adjustment of the City of Washington, North Carolina, So Help Me God." (North Carolina Constitution, Article VI, Section 7)
- o All members signed their Oath of Office and it was notarized by Staff.

#### V. Election of Officers

- o Chairman Fuchs, we will need to elect a Chairman and a Vice-Chairman. At this time, I will open up the floor for Chairman. What is the Board's pleasure?
  - Mitchell St. Clair nominated Steve Fuchs as Chairman. Jeffery White seconded the motion. Members voted, 4 in favor and 0 opposed. The motion passed. Record of vote below.

#### ➤ Record of vote.

YES	NO	COMMISSION MEMBER	MOTION
		Steve Fuchs – Chairman	
X		Richard McDonald–Vice-Chairman	
X		Stanley Friedman	
X		Jeffery White	2 <sup>nd</sup> the Motion
X		Mitchell St. Clair	Made the Motion

---	---	Wali Saleem – Alternate	
---	---	Sam Barrow – Alternate	

- o Chairman Fuchs, at this time we will elect a Vice-Chairman. Mr. Tim Cashion, who has stepped down from the Board, was our Vice-Chairman. What is the Board's pleasure?
  - Stanley Friedman nominated Richard McDonald as Vice-Chairman. Mitchell St. Clair seconded the motion. Members voted, 4 in favor and 0 opposed. The motion passed. Record of vote below.
  - Record of vote.

YES	NO	COMMISSION MEMBER	MOTION
X		Steve Fuchs – Chairman	
---	---	Richard McDonald–Vice-Chairman	
X		Stanley Friedman	Made the Motion
X		Jeffery White	
X		Mitchell St. Clair	2 <sup>nd</sup> the Motion
---	---	Wali Saleem – Alternate	
---	---	Sam Barrow – Alternate	

**VIII. Other Business (moved from the end of meeting)**

**1. Certificate of Appreciation for Tim Cashion.**

- o Chairman Fuchs, before we get into our new business I want to go ahead with other business. I want to ask Mr. Tim Cashion to come to the podium. Please state your name for the record one last time.
- o Tim Cashion
- o Chairman Fuchs, thank you Mr. Cashion. As many of you know, Mr. Cashion served on this Board for many years. I think he came to this Board in 1996. To have someone serve 25 years as a volunteer to the City of Washington is a wonderful thing. Mr. Cashion always conducted himself in a professional manner. He brought honesty, dignity, and a certain rapport about himself to this Board. Any time he was here, you could always count on him to ask the first question and you could always count on him to ask the last question. These were questions that should have been asked, but they slipped by the rest of us. Tim we just want to recognize you tonight for all of your service to the City of Washington and thank you and honor you. This placard has been prepared. It is a Certificate of Appreciation awarded to Tim Cashion for his dedicated service to the City of Washington Board of Adjustment. Mr. Cashion we do thank you.
- o Mr. Cashion, Mr. Chairman I would like to say that I appreciate the City of Washington letting me volunteer, especially the Board of Adjustment, for so many years. You're the only one that has been up here longer than I have.
- o Chairman Fuchs, we wish you the best Mr. Cashion. Thank you.

**VI. Old Business**

1. None

**VII. New Business**

1. A Variance request from Redemption Church from the building setback requirements at 801 West 5<sup>th</sup> Street. Parcel No: 5676-61-3095.
  - o Chairman Fuchs, all of those who would like to speak in favor or against this request please come forward and Staff will swear you in.
  - o Staff swore in Joseph Richard.
  - o Mr. Richard, I have lived in Washington all of my life. I'm here representing our church, Redemption Tabernacle. It is located on the corner of 5<sup>th</sup> and Fleming. We filed a hardship application to put a 12'x12' barn on our property for storage. I submitted the permit and it was denied because I didn't have it surveyed. The church had the land surveyed and we submitted it. Then they said we needed a site plan so we had that made. We are up to \$1,000.00 in site plan and surveying. The barn we put behind our church will be used for storage only. Over the past thirty years, we have accumulated a lot of stuff and we just need a bigger barn. Where they wanted us to locate it would be almost in the middle of the parking lot. We want to put it closer to the property line. There is a fence there. The fence has been there ever since the church has been there. It is separating the church from Thompson's Upholstery. It wouldn't interfere with any of his business or anyone else's. We just need a bigger barn. We already purchased the bricks to elevate it like they requested. The barn has been waiting for a month for us to get permission to do it.
  - o Chairman Fuchs, so the setback is 20 feet and you want to go to 5 feet? Mr. Richard, yes, we want to get it as close as we can get it to the street. Chairman Fuchs, five feet is what the request is for, is five feet going to be enough? Mr. Richard, Staff put five feet. If we could get it about two feet from the property line that would be great.
  - o Chairman Fuchs, what is the storage building going to be made of? Mr. Richard, I'm not sure. There is a company that makes the building. They have been waiting to deliver the barn. It was bought about a month ago. We didn't know about the permits until we investigated. We followed all the rules for that. We just need more room to put it closer to get it out of our parking lot.
  - o Mr. St. Clair, is that area fenced in? Mr. Richard, no, the back part, on Thompson land, is fenced in. Just the outside. It's been like that for thirty years almost. We just want to put a bigger barn there. Like I said we had it surveyed. The bricks are already ordered. It will be elevated to be out of the flood zone.
  - o Mr. White, will it be on your property? Mr. Richard, it will be on the church property. There used to be three houses behind that church. We bought the

three houses. They were old. We tore them down and made the parking lot so people didn't have to park on the street.

- Mr. White, you said the building will be 12'x12'? Mr. Richard, it will be 12'x24'.
- Mr. Friedman, will it be a portable building or will it be stationary? Mr. Richard, we got the brick to anchor it. It will be right behind the church. Mr. White, is it a building they can bring in a sit down? Mr. Richard, yes. The building has been at the dealer for a month. They are just waiting for us to get the okay so that they can bring it.
- Staff, they have an active building permit on hold pending this decision.
- Chairman Fuchs asked if the Board had any more questions. There were none.
- Chairman Fuchs opened the Public Hearing.
- Chairman Fuchs asked if anyone would like to speak in favor or in opposition to this request. There were no comments.
- Chairman Fuchs closed the Public Hearing.
- Chairman Fuchs asked Staff for the Findings of Fact.
- Staff, the property's existing zoning is B2, Business Commercial. The adjoining property owners were notified of the public hearing date. The owner wishes to put a 12'x24' storage building in the corner of the parking lot. The property is located in the 100-year flood plain. The site plan has been reviewed and approved by the TRC. The Variance criteria listed in (1)-(4). The applicant has addressed all four in his application. Regarding the two-foot setback, Staff does recommend at five-foot setback. That is the standard accessory building setback in some of our other zoning districts. Two-feet is pushing it with the building overhang.
- Chairman Fuchs brought it back to the table for the Board to discuss.
- Mr. St. Clair, no one came up to speak against. Staff, we haven't received any calls or any response against it either.
- Chairman Fuchs, in the past, any time a church has come before this Board we have bent over backwards to try and help them. We have had many churches come over the many past years. We have always tried to work with him the best we could.
- Chairman Fuchs asked for a motion.
  - Jeffery White made the motion, based upon the Findings of Fact that this request meets the NCGS Criteria for issuance of a Variance, I move that the Board grant the request for Variance for tax parcel #: 5676-61-3095 to reduce the setback from 20 feet to 5 feet from the western property line as shown on the submitted site plan based on the aforementioned Findings of Fact (1)-(4).

Stanley Friedman seconded the motion. Members voted, 5 in favor and 0 opposed. The motion passed. Record of vote below.

➤ Record of vote.

YES	NO	COMMISSION MEMBER	MOTION
X		Steve Fuchs – Chairman	
X		Richard McDonald–Vice-Chairman	
X		Stanley Friedman	2 <sup>nd</sup> the Motion
X		Jeffery White	Made the Motion
X		Mitchell St. Clair	
---	---	Wali Saleem – Alternate	
---	---	Sam Barrow – Alternate	

2. A Variance request from Peggy Moseley for the building setback requirements at 424 Water Street. Parcel No: 5685-06-2743.

- Chairman Fuchs asked that anyone who would like to speak in favor or against this request come forward to be sworn in.
- Staff swore in Stuart Sorrell and Hugh Sorrell.
- Mr. Stuart Sorrell, Sorrell Land Surveying, I'm here on behalf of the Moseleys for a Variance at 424 East Water Street. In 2019, our firm performed a subdivision survey for Fortesque Investments. At the time, we had to put the necessary setbacks for recording purposes to be approved by the subdivision administrator. At that time, we put an eight-foot side setback when it was actually a corner lot making it a twenty-foot setback according to zone RHD. In 2021, we were requested to do a site plan for the new house construction for the Moseleys. We noticed our error and realized we had the wrong setbacks in place. Instead of a twenty-foot setback, we are requesting a fifteen-foot setback so that the Moseleys can build their house.
- Chairman Fuchs asked if there were any questions from the Board.
- Mr. Friedman, will there be sufficient parking on that property? Mr. Stuart Sorrell, yes. Mr. Friedman, so the owner will not be parking on McNair? Mr. Stuart Sorrell, not that I'm aware of. Mr. Hugh Sorrell, we don't really have enough information to truthfully answer that. They have included the carport and garage within the dimensions given.
- Chairman Fuchs, tell me again about your surveying error. Mr. Stuart Sorrell, when we did the original subdivision survey, it was requested to show the setbacks per the subdivision administrator. Side setbacks are eight-foot. We missed that the corner lot setback is twenty-foot.
- Chairman Fuchs asked if the Board had any more questions. There were none.
- Chairman Fuchs opened the Public Hearing.

- o Chairman Fuchs asked if anyone would like to speak in favor or in opposition to this request. There were no comments.
- o Chairman Fuchs closed the Public Hearing.
- o Chairman Fuchs asked Staff for the Findings of Fact.
- o Staff, the property is at 424 Water Street. The existing zoning is Residential Historic. The adjoining property owners were notified and we did not receive any response. The applicant wishes to build a single-family home on the property. The property is not located in the 100-year floodplain. The site plan has been reviewed and approved by the TRC. The design of the structure was approved by the Historical Preservation Commission at their July 6, 2021 meeting. The side setback requirement is twenty-feet. They are asking to reduce that to fifteen and a half feet. The Variance criteria (1)-(4) has been addressed in the applicants application.
- o Chairman Fuchs asked if the Board had any more questions. There were none.
- o Chairman Fuchs asked for a motion.
  - Stanley Friedman made the motion, based upon the Findings of Fact that this request meets the NCGS Criteria for issuance of a Variance, I move that the Board grant the request for Variance for tax parcel #: 5685-06-2743 to reduce the corner lot setback from 20 feet to 15.5 feet from McNair Street right-of-way as shown on the attached site plan based on the aforementioned Findings of Fact (1)-(4). Vice-Chairman Richard McDonald seconded the motion. Members voted, 5 In favor and 0 opposed. The motion passed. Record of vote below.

➤ Record of vote.

YES	NO	COMMISSION MEMBER	MOTION
X		Steve Fuchs – Chairman	
X		Richard McDonald–Vice-Chairman	2 <sup>nd</sup> the Motion
X		Stanley Friedman	Made the Motion
X		Jeffery White	
X		Mitchell St. Clair	
---	---	Wali Saleem – Alternate	
---	---	Sam Barrow – Alternate	

3. A Variance request from H-D Holdings of Washington, LLC from the flood damage prevention ordinance, provisions for flood hazard reduction requirements at 307 West Main Street. Parcel No: 5675-78-3364.
  - o Chairman Fuchs asked that anyone who would like to speak in favor or against this request come forward to be sworn in.
  - o Staff swore in City Manager Jonathan Russell and Slayton Hazard-Daniel.

- Mr. Russell, I'm here on behalf of the owner. They have been working with the City prior to my arrival. This has been in the process for three or four years. It has gone through the HPC as a rehab project. It is located on the river. They have received state and federal historic preservation grants. It has taken a number of months to work through the process. HPC approval has been granted for some of the design changes that have been suggested. Where it is located, we have run into an issue. Flood requirements for new construction and rehab are conflicting. If a Variance is granted then that gives them a few more options for construction moving forward. That is the reason behind the request. This is something we have discussed with Staff that has been done for numerous locations downtown within the Historic District. Some of the changes that would need to be made would alter the structure in a manner that it would lose its historical significance. The Variance request is for that reason.
- Chairman Fuchs, we have had request like that come before us before dealing with flood and existing buildings. This falls right in line with all of those.
- Mr. Hazard-Daniel, the main thing on the bottom floor is for ADA access for the public to come in.
- Vice-Chairman McDonald, is this a continuation of the work that has already been done over there or is this something new? Mr. Hazard-Daniel, it is a continuation of what we have already been working on. We have done all the structural repairs to the boathouse. We have gone through CAMA to get the permits to do all that. We have gotten all of that finalized and now we are just trying to move forward to the next phase.
- Vice-Chairman McDonald, is this the reason why you stopped working on it? Mr. Hazard-Daniel, it is one of the reasons. We are just trying to go ahead and get the process moving. Our architect has submitted the final permit application to the City Planner. That is why we are trying to go ahead and move forward. This is one of the things that we have run in to. It has taken three to four months to figure out what we are going to do with it. This is the solution.
- Vice-Chairman McDonald, does this project include the old gas station on Main Street? Mr. Hazard-Daniel, no that is a different owner. Mr. Saunders owns that.
- Chairman Fuchs opened the Public Hearing.
- Chairman Fuchs asked if anyone would like to speak in favor or in opposition to this request. There were no comments.
- Chairman Fuchs closed the Public Hearing.
- Chairman Fuchs asked Staff for the Findings of Fact.
- Staff, as mentioned, we have done this at least a dozen times in the past ten years. It is not feasible to raise a historical building. They want to remodel it. The remodel

Is more than fifty percent of the tax value. The existing finished floor elevation is 2.6 feet above sea level. The base flood elevation for this building is six-feet, making it 3.4 feet below. The Variance request is asking for relief from the General Standards (4)-(6) regarding building code requirements that would require them to elevate the structure. In order to approve the Variance to the City of Washington Flood Damage Prevention Ordinance the Board of Adjustment must find the request meets the conditions (A)-(E). The Variance should not be issued if the Variance makes it in violation of other federal, state, or local laws, regulations, or ordinances. Variances shall not be issued within any designated floodway or non-encroachment area if the Variance would result in any increase in flood levels during the base flood discharge. The Variance shall only be issued upon the determination that the Variance is the minimum necessary, considering the flood hazard, to afford relief. Variances shall only be issued prior to development permit approval. Variances shall only be issued upon: a showing of good and sufficient cause; a determination that failure to grant the variance would result in exceptional hardship; and a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, or extraordinary public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances. The applicant has addressed all of these in his application.

- Chairman Fuchs, does the City support this Variance? Staff, yes. The Chief Building Inspector is with us tonight if anyone has any questions.
  - Chairman Fuchs, this is basically the same thing we have done for most of the businesses downtown. All of downtown floods when we have a hurricane. They have to have some kind of Variance. If not it wouldn't be financially feasible for them to do anything down there. They have to have some relief. It promotes City growth.
  - Mr. Barrow, I would just like to make a comment in support of this application. It seems like the applicant has gone through all the hoops: CAMA, State, and Federal. We are the last thing preventing this from moving forward and making what has been an eye sore at the Washington Waterfront into a vital business. It will be something good for us to all enjoy.
  - Chairman Fuchs asked for a motion.
    - Jeffery White made the motion, based upon the Findings of Fact that this request meets the City Code for Issuance of a Variance, I move that the Board grant the request for a Variance for tax parcel #: 5675-78-3364 from Section 40-263(a) (1)-(7) and Section 40-263(b)(2) of the City of Washington Zoning Ordinance, Article X Flood Damage Prevention requirements based on the aforementioned Findings of Fact (4)-(7) and the Flood Elevation Requirement. Stanley Friedman seconded the motion. Members voted, 5 in favor and 0 opposed. The motion passed. Record of vote below.
- Record of vote.

YES	NO	COMMISSION MEMBER	MOTION
X		Steve Fuchs – Chairman	
X		Richard McDonald--Vice-Chairman	
X		Stanley Friedman	2 <sup>nd</sup> the Motion
X		Jeffery White	Made the Motion
X		Mitchell St. Clair	
---	---	Wali Saleem – Alternate	
---	---	Sam Barrow – Alternate	

4. A Special Use Permit request from H-D Holdings of Washington, LLC to locate a bar at 307 West Main Street. Parcel No: 5675-78-3364.
- o Mr. Russell, for further clarification, I typically wouldn't be speaking for any property owner. The amount of time Staff has invested in this project over the last four years we were really heavily focused on the historic tax credits and satisfying all the federal and state conditions. The Variance that was just approved was somewhat of an oversight. We were moving forward to get a permit to start construction. We were so focused on state and federal tax credits that we may have been getting the cart before the horse on that. With the 160D update for the table of permitted uses, within our B1H district there are a lot of things that have changed in the last fifteen years that maybe were not as common or didn't exist. The language did not specify for things like wine bars or taprooms that are trendy and now exist. This will be a taproom or bar. It is in our table of special use that was recently adopted at the June meeting. That was done as part of the 160D State Statute. That language is now in our ordinance. They are permitted through special use.
  - o Mr. Hazard-Daniel, I know the application says bar, but it is really a taproom. We don't plan on serving any liquor. It will just be beer and wine. It is essentially a brewery, but we will serve other brewery's beer and not brew any beer onsite.
  - o Chairman Fuchs, what will be your occupancy? The whole building is 100 people. The top floor is 70 and below is 30. Mike Weldin, Chief Building Inspector, at the moment we have only calculated the bottom floor as the top floor is on hold. The occupancy for the bottom floor will be 49 people.
  - o Chairman Fuchs, will you have live music? Mr. Hazard-Daniel, we plan on doing some live music. I know we will have to be courteous to the neighbors. We are just going to do what we have to do on that. Chairman Fuchs, maybe you can soundproof the walls or something like that.
  - o Vice-Chairman McDonald, where are people going to park? Mr. Hazard-Daniel, it is B1H, so parking will be offsite. We are not required to have parking onsite with B1H.

- Vice-Chairman McDonald, since I've lived here, Washington has not done a good job on people finishing what they have started. I can tell you the number of people that have come in here and asked for a special use permits to open up places downtown that have never opened. There is a long list of places that have never opened. Do you have the staying power, financially, to open this place up? Mr. Hazard-Daniel, yes, I believe so. It has been extremely difficult with Coronavirus, with the special use permit, with CAMA. It has not been an easy project to undertake. I know it has taken a long time, but you have to understand we have had to jump through a lot of hoops to do this. Vice-Chairman McDonald, so you think you can finish what you have started? Mr. Hazard-Daniel, I wouldn't have taken it on if I didn't think that I could finish it.
- Mr. Friedman, is there any outside seating? Mr. Hazard-Daniel, yes, we plan to utilize the green space for people to sit outside and enjoy the river view.
- Mr. Friedman, are you going to serve food? Mr. Hazard-Daniel, we don't have plans to have a kitchen. We plan to have something almost like Carryout By Chrislyn type stuff where you can get snack food. We don't want to put a kitchen in there. There will be nothing cooked onsite.
- Mr. White, will the entrance to the building be through Stewart Parkway? Mr. Hazard-Daniel, we have an agreement with the City. We went before City Council to have a connector from the walkway to the building for ADA access. The ADA parking spot will be where the cars are parked and there will be a walkway in as opposed to building a concrete ramp all the way down from Main Street.
- Chairman Fuchs opened the Public Hearing.
- Chairman Fuchs asked if anyone would like to speak in favor or in opposition to this request. There were no comments.
- Chairman Fuchs closed the Public Hearing.
- Chairman Fuchs asked Staff for the Findings of Fact.
- Staff, notices were sent to adjoining property owners and there was no response. The applicant wishes to renovate the building for the commercial use of a bar. The property is located within the Historic District and the 100-year floodplain. The Special Use permit will be limited to the old rowing club portion of the existing building and the adjoining greenspace. Any expansion farther will require an amendment to their Special Use permit. The Police Department recommends 65-decibel sound limit. The current ordinance allows 80-decibels. A text amendment will be proposed soon from the police department to amend their current ordinance. You'll see the zoning ordinance required general criteria for issuing a Special Use Permit (a)-(1). The specific criteria is new, it was recently adopted with the 160D amendments. No establishment shall be located within one hundred feet from the nearest property line of a church, elementary or

secondary school, public park, playground, library, or residentially zoned property. The main entrance of the building shall be toward a street zoned predominantly for nonresidential uses. A minimum six-foot high opaque fence of uniform construction shall be erected adjacent to the property line of abutting residences. There are no residences that abut this property, so that would not apply.

- o Chairman Fuchs, is the waterfront considered a public park. Staff, no.
- o Staff, the hours of operation shall be limited to 12:00pm-12:00am. Sound generated by the use shall not exceed 80 decibels at all times. The establishment shall not charge a fee for entry. The establishment shall not contain a dance floor or similar structure.
- o Chairman Fuchs, will it be operated as a private club? Staff, it will not be a private club.
- o Chairman Fuchs asked if the Board had any more questions. There were none.
- o Chairman Fuchs asked for a motion.
  - Jeffery White made the motion, based upon the Findings of Fact that this request meets both the General Criteria for Issuance of a Special Use Permit as found in Section 40-115 and the Specific Criteria as found in Section 40-120(l) of the City of Washington Zoning Ordinance, I move that the Board grant the request for Special Use Permit to operate a Bar at 307 West Main Street based on the aforementioned findings of fact General Criteria (a)-(l) and Special Criteria (1)-(8). Vice-Chairman Richard McDonald seconded the motion. Members voted, 5 in favor and 0 opposed. The motion passed. Record of vote below.

➤ Record of vote.

YES	NO	COMMISSION MEMBER	MOTION
X		Steve Fuchs – Chairman	
X		Richard McDonald–Vice-Chairman	2 <sup>nd</sup> the Motion
X		Stanley Friedman	
X		Jeffery White	Made the Motion
X		Mitchell St. Clair	
---	---	Wali Saleem – Alternate	
---	---	Sam Barrow – Alternate	

5. A Special Use Permit request from Ellen Brabo to operate a Bed & Breakfast at 1040 North Market Street. Parcel No: 5686-01-3406.
  - o Chairman Fuchs asked that anyone who would like to speak in favor or against this request come forward to be sworn in.
  - o Staff swore in Ellen Brabo, Robin Skillen, and Lydie Jennings.

- Ms. Brabo, I am requesting to operate a Bed & Breakfast business at my home on 1040 North Market Street. I am new to Washington, but I have felt the very warm welcome of the community and I am excited to be a contributing member here. My home would allow for four guest rooms. I would be the primary innkeeper living onsite in the first floor master bedroom suite. There is ample parking onsite. No guest would be staying more than a week as that is my understanding per the ordinances and the code. I have also read up on the North Carolina sanitation and lodging code and met with a representative of the Environmental Health office here in Washington to review the requirements for a food service permit application. I have contracted with a local contractor for the renovation work that is required in order to bring the guest rooms up to code in order to operate a Bed & Breakfast in line with North Carolina State and local laws.
- Chairman Fuchs, have you ever operated a Bed & Breakfast before? Ms. Brabo, I have not. Chairman Fuchs, do you have any hotel experience or anything like that? Ms. Brabo, no.
- Chairman Fuchs, you say you have a maximum of four guests. Will that be four couples or two couples? Ms. Brabo, that will be a maximum of four couples. Chairman Fuchs, so eight total? Ms. Brabo, yes. Chairman Fuchs, how about children? Ms. Brabo, there will be one room that will have the accommodation as a family suite if a family would like to bring two children. That would be 10 guest at maximum capacity.
- Mr. Barrow, I just want to say that is a fantastic house and thank you for doing something with it. Ms. Brabo, thank you.
- Mr. White, did you state that the parking is behind the residence? Ms. Brabo, there is enough parking on my property. There is a two-car garage, a long driveway that goes up the side of the house, and a carport.
- Chairman Fuchs, when do you expect to start? Ms. Brabo, if approved and in line with the construction timeline, I would hope to be in operation by September of this year.
- Chairman Fuchs, have you spoken with some of the other Bed & Breakfast owners in town to give you an idea about what they do and how they do it? Ms. Brabo, not in that context. I have met with the gentleman that owns When Pigs Fly Inn. To my understanding, I will be the first Bed & Breakfast in town to have to complete the food service permit application. The other Bed & Breakfasts in town either don't serve breakfast or they were grandfathered into the laws when they came about in 2017.
- Chairman Fuchs, are you going to run it by yourself? Ms. Brabo, right now the staff is just myself.

- o Mr. Barrow, will you be serving food to non-guest? Ms. Brabo, no that would require me to operate a commercial kitchen.
- o Chairman Fuchs opened the Public Hearing.
- o Chairman Fuchs asked if anyone would like to speak in favor of this request.
- o Ms. Skillen, we are talking about a historical piece of property. In the United States there are 96,642 sites or buildings that have been recognized by the National Park Service, which is under the United States Department of the Interior. There are 3,066 sites or buildings recognized in North Carolina. There are only 18 sites recognized in Beaufort County. The City of Washington has eight of those sites, but only two are houses. The Bowers-Tripp house at 1040 North Market is a beautiful home and a 100-year-old treasure on this registry. It would be appealing as a Bed & Breakfast. While the home is large, it would not have a high volume of people impacting the neighborhood. There is ample parking both on and off the street to accommodate several guest vehicles without much impact on the streetscape or neighboring properties. The Board of Adjustment should grant this request. The marketing for a B&B in this historic home would attract people to Washington. This property is an asset to the City, the County, and the state of North Carolina, and should be treated as such.
- o Vice-Chairman McDonald, to be on the National Register of historic places what happened in that house that was historic? There has to be an historic event or a historic person. Ms. Skillen, to be placed on the National Registry... Vice-Chairman McDonald, I'm not talking about the National Registry. I'm talking about something totally different. Chairman Fuchs, I believe an elected official lived there at one time. Vice-Chairman McDonald, I wonder. Everybody here just keeps referring to things as historic. Just because it is old doesn't mean it is historic. Ms. Skillen, they tell us if our home is 100 years old, it is historic. It is zoned in the Historic District. Vice-Chairman McDonald, what historic happened in the district? The architecture makes it historic. Ms. Skillen, that is exactly why it is on the National Register. It is recognized for its outstanding architecture. Vice-Chairman McDonald, I just wanted to make this clear. I'm getting over all this everything here is historic when it's not. Just because a house is fifty years old doesn't mean that it's historic. It's just an old house. Ms. Skillen, this one is an old house and it is a national treasure. Chairman Fuchs, I think we can all agree that this house is definitely historic. Vice-Chairman McDonald, due to the architecture. Ms. Skillen, yes, exactly. Thank you Mr. McDonald for pointing that out. It is very well built and it will accommodate a lovely Bed & Breakfast.
- o Chairman Fuchs asked if anyone else would like to speak in favor the request.
- o Ms. Jennings, I am here to speak in favor of the Bed & Breakfast at 1040 North Market Street. This home is a treasure and it is our job as a community to band together and be open to having this cared for. This historic site is a great asset to

our community. I think we are very fortunate to have a vibrant young woman with a lot of energy that is willing to maintain this historic structure for us and to actually utilize it to bring financial dollars to our downtown community. We have invested a lot down there and we want to see a big return. It is really important to grant this request for those reasons. Also, there are several Bed & Breakfast in town already that have done a really great job on integrating within the neighborhoods and within the community. That has been a great asset. Having this Bed & Breakfast on North Market Street will just amplify the effects of those that are already in place. We hope that you will grant this request. I know that she likes to have a lot of events, especially around the holidays. I hope that when there is an opportunity that you will come to her Bed & Breakfast because it is breathtaking.

- Mr. White, I'm glad to see more Bed & Breakfast in town. Most weekends the hotels are filled up. This will be an addition to the City.
- Chairman Fuchs asked if anyone else would like to speak in favor of this request. There were no comments.
- Chairman Fuchs asked if anyone would like to speak in opposition of this request. There were no comments.
- Chairman Fuchs closed the Public Hearing and asked Staff to present the Findings of Fact.
- Staff, adjoining property owner letters were mailed and we have not received any comments back from the public. The existing home is located on the southwest corner of Market Street and west 11<sup>th</sup> Street (correction: 10<sup>th</sup> Street). According to tax records the home is approximately 5,078 square feet and the lot size is 18,730 square feet, which meets the requirements for a special use Bed & Breakfast. A site plan must be submitted to and approved by the TRC prior to the use of the property as a Bed & Breakfast. Onsite parking requirements are two spaces for the dwelling unit and one per bedroom. No more than two spaces in the front yard. The Staff recommended condition is it must be owner or operator occupied. You have the general criteria (a)-(l) for a special use permit. The specific criteria listed for tourist homes, Bed & Breakfast, is to have a minimum lot size of 10,000 square feet, which they meet, and a minimum house square footage of 3,000 square feet, which they meet.
- Chairman Fuchs brought it back to the table for the Board to discuss. There were no comments.
- Chairman Fuchs asked for a motion.
  - Stanley Friedman made the motion, based upon the Findings of Fact that this request meets both the General Criteria for the issuance of a Special Use Permit as found in Section 40-115 and the specific criteria as found in Section

40-120(jj) of the City of Washington Zoning Ordinance, I move that the Board grant the request for Special Use Permit to operate a Tourist Home (Bed & Breakfast) at 1040 North Market Street based on the aforementioned Findings of Fact Special criteria (1)-(2). Mitchell St. Clair seconded the motion. Members voted, 5 in favor and 0 opposed. The motion passed. Record of vote below.

➤ Record of vote.

YES	NO	COMMISSION MEMBER	MOTION
X		Steve Fuchs – Chairman	
X		Richard McDonald–Vice-Chairman	
X		Stanley Friedman	Made the Motion
X		Jeffery White	
X		Mitchell St. Clair	2 <sup>nd</sup> the Motion
---	---	Wali Saleem – Alternate	
---	---	Sam Barrow – Alternate	

**IX. Approval of Minutes- July 15, 2021**

**1. Correction to Minutes**

- Chairman Fuchs asked if anyone had any corrections, additions, or deletions to the minutes of the meeting from April 15, 2021. There were none.
- Chairman Fuchs, I would like to put in the record that Staff did an excellent job.
- Chairman Fuchs asked for a motion.
  - Vice-Chairman Richard McDonald made a motion to approve the April 15, 2021 minutes. Jeffery White seconded the motion all voted. 5 in favor and 0 opposed. The motion passed. Record of vote below.

➤ Record of vote.

YES	NO	COMMISSION MEMBER	MOTION
X		Steve Fuchs – Chairman	
X		Richard McDonald–Vice-Chairman	Made the Motion
X		Stanley Friedman	
X		Jeffery White	2 <sup>nd</sup> the Motion
X		Mitchell St. Clair	
---	---	Wali Saleem – Alternate	
---	---	Sam Barrow – Alternate	

**X. Adjourn**

- 1. There being no other business, Chairman Fuchs asked for a motion to adjourn.

▪ Jeffery White made a motion to adjourn. Mitchell St. Clair seconded the motion and all voted. 5 in favor and 0 opposed. The motion passed. Record of vote below.

➤ Record of vote.

YES	NO	COMMISSION MEMBER	MOTION
X		Steve Fuchs – Chairman	
X		Richard McDonald–Vice-Chairman	
X		Stanley Freldman	
X		Jeffery White	Made the Motion
X		Mitchell St. Clair	2 <sup>nd</sup> the Motion
---	---	Wali Saleem – Alternate	
---	---	Sam Barrow – Alternate	

**EXHIBIT 6**

**ADDITIONAL EVIDENCE IN SUPPORT OF APPLICATION FOR  
REVOCATION OF SPECIAL USE PERMIT**

**CERTIFIED EXTRACT FROM THE DRAFT MINUTES OF A WASHINGTON CITY  
COUNCIL MEETING HELD ON MONDAY, MAY 12, 2025**

\*\*\*\*\*

**COMMENTS FROM THE PUBLIC:**

1. *Each speaker must sign-in on the sign-up sheet on the table at the back of the Council Chambers.*
2. *During the Comments from the public portion of the agenda, the City Manager will call on individuals signed in to address Council*
3. *When called to speak, each speaker will identify him/herself by giving his/her name and address.*
4. *Each speaker will be limited to speaking one time on any topic. When you are finished speaking please step away from the podium and be seated.*
5. *Each speaker will be limited to three (3) minutes and each group's representative will be limited to a maximum of five (5) total minutes. Each group is encouraged to designate a single spokesperson for their group.*

Mike Kelly, Debra Speer and Ray Faulkner discussed parking concerns along W. 11<sup>th</sup> and Market Streets when events are held at the Ell Hotel.

\*\*\*\*\*

I, Cynthia S. Bennett, City Clerk of the City of Washington, do hereby certify that this extract is an exact copy of the minutes of a regular meeting of the Washington City Council held on Monday, May 12, 2025. Witness my hand and seal, this the 15<sup>th</sup> day of July, 2025



*Cynthia S. Bennett*  
Cynthia S. Bennett, MMC  
City Clerk



## Beaufort County, NC

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Beaufort County Parcel Viewer  
[beaufortcountygis.com](http://beaufortcountygis.com)

Date Printed: 6/16/2025

OPIN:	5676-75-4139
REID1:	44500
NAME1:	BRADO ELLEN
NAME2:	
ADDR1:	111 JACKSON ST
ADDR2:	
CITY:	WASHINGTON
STATE:	NC
ZIP:	27809
PROP_DESC:	1 LOT 12 BLK B BENNETT PARK
LAND_VAL:	16676
BLDG_VAL:	134316
TOT_VAL:	150991
DEFL_VAL:	0
TAXABLE_VAL:	150991
PREV_ASSES:	62305
ACRES:	0.23
PROP_ADDR:	111 JACKSON ST
TOWNSHIP:	01
MDL:	56761112
DATE:	2023-01-03
DB_PG:	2126/00912
STAMPS:	295.00
SALE_PRICE:	147500

FOR REGISTRATION REGISTER OF DEEDS  
Carolyn L. Garris  
Beaufort County, NC  
Electronically Recorded  
January 3, 2023 4:15:34 PM  
Book 2126 Page 912 - 914  
Fee: \$26.00  
NC REVENUE STAMP: \$295.00  
INSTRUMENT # 2023000029

Beaufort County Land Records  
Form Number: 59166  
MRM 01/03/2023  
Land Records Official Date

-----[SPACE ABOVE THIS LINE RESERVED FOR RECORDING DATA]-----  
STATE OF NORTH CAROLINA Prepared By: WYNN LAW, PLLC  
COUNTY OF BEAUFORT Mail To: GRANTEE

Tax Parcel No: 5676-75-4139  
Excise Tax: \$ 2.95

**GENERAL WARRANTY DEED**

*No title search has been performed or requested. The Preparer is informed that all or a portion of the property herein conveyed  does /  does not include the principal residence of the Grantor. This instrument was prepared by James P. Wynn, a licensed North Carolina attorney. Delinquent taxes, if any, to be paid by the closing attorney to the county tax collector upon disbursement of closing proceeds.*

THIS DEED, made and entered into this the 2 day of January, 2023, by and between ASHLEY NICHOLE CORTES, Unmarried, whose address is 6558 Frankfurt Road, Ooltewah, TN 37363, hereinafter called GRANTOR; and ELLEN BRABO, Married, whose address is 111 Jackson Street, Washington, NC 27889, hereinafter called GRANTEE;

**WITNESSETH:**

That Grantor, for and in consideration of TEN DOLLARS (\$10.00) and other good and valuable consideration to him in hand paid by Grantee, the receipt of which is hereby acknowledged, has given, granted, bargained, sold and conveyed and by these presents does give, grant, bargain, sell and convey unto the said Grantee, his heirs and assigns, in fee simple, the following described real property, to-wit:

UNRECORDED COPY

That certain lot or parcel of land situate in the City of Washington, Beaufort County, North Carolina and more particularly described as follows:

In the City of Washington Township, and being Lot No. Twelve (12) as shown on a map entitled "Plan of Lots Belonging to Lane-Litchfield Corporation - Sam Respass", by W. B. Duke, Registered Surveyor, July 21, 1959, of record in the Office of the Register of Deeds of Beaufort County in Map Book 13, Page 60; said map being a resubdivision of Lots Nos. 7 to 14 in Block "B", in Bennett Park, map of which is recorded in said Office in Map Book 11, Page 52; this parcel is also shown on a survey by R. Waters entitled "Floyd T. And wife Sina W. Cutler" dated March 18, 1986 and recorded in Book 861, Page 844, Beaufort County Registry; reference to said maps and deed being hereby made for a full and complete description,

TO HAVE AND TO HOLD the above described real property with all the rights, privileges and appurtenances thereunto belonging or in anywise appertaining unto the said Grantee, his heirs and assigns, in fee simple forever.

And the Grantor, for himself, his heirs and assigns, covenants with Grantee, his heirs and assigns, that he is seized of said premises in fee and has the right to convey the same in fee simple; that the same is free and clear from all encumbrances except easements and restrictions of record and 2022 ad valorem taxes which are to be prorated between Grantor and Grantee at the time of closing, noncompliance with local, county, state or federal governmental laws, ordinances, or regulations relative to zoning, subdivision, occupancy, use, construction or the development of the subject property, if any, and that he will warrant and defend the title to the same against the lawful claims of all persons whomsoever.

When reference is made to the Grantor or Grantee, as used herein, shall include said parties, their heirs, successors and assigns, and shall include the singular and plural, and any reference to gender shall include masculine, feminine and neuter.

IN WITNESS WHEREOF, Grantor has adopted the word "SEAL" as his seal and has hereunto set his hand and seal on this the day and year first above written.

*Ashley Nichole Cortes*  
Ashley Nichole Cortes

STATE OF NORTH CAROLINA  
COUNTY OF Pitt

I, Luke V. Stavish a Notary Public of Pitt County, North Carolina  
do hereby certify that Ashley Nichole Cortes appeared before me this day and  
acknowledged the due execution of the foregoing deed of conveyance.

Witness my hand and Notarial Seal, this the 2 day of January, 2023.

*Luke V Stavish*

NOTARY PUBLIC

Printed/Typed Name: Luke V Stavish

My Commission Expires: 7-20-25

LUKE V STAVISH  
NOTARY PUBLIC  
PITT COUNTY, NC  
My Commission Expires 7-20-2025

## **FINAL: City Council Remarks on the Proposed 15th Street Improvements**

Good evening, Mayor Sadler, City Council Members, and fellow residents.

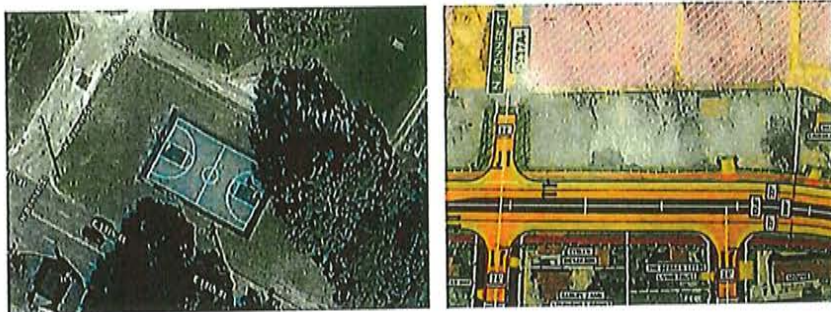
My name is Ellen Brabo, and I stand before you this evening as a **homeowner at 111 Jackson Street, a business owner at 1040 N Market Street, and an engaged citizen of Washington.** Like many of my neighbors, I am seeking clarity on the proposed improvements to 15th Street.

I want to start by emphasizing that this discussion is **not about opposing progress**—It is about ensuring progress is **smart, strategic, and serves the needs of our community.** When considering a \$38 million project that will impact businesses, homeowners, and infrastructure for decades to come, it is essential that we ask **the right questions** and ensure **the right data** is driving decisions.

One of the most pressing concerns is **the use of outdated and inaccurate information** in the current design.

The maps being used for public presentations are from 2020, yet **2025 maps** exist that better reflect the area of impact. If this project is truly about **preparing for the future,** why are we using **data from the past?** A project of this magnitude **demands accuracy from the start.**

The 15th Street basketball court, a favorite spot for many within the city, is a community-oriented asset that according to HNTB will be torn up and moved—just 18 months after the city invested funds into improving it. However, **the current design is presented on maps that do not reflect the improvement of the court, nor does it articulate this impact.** How does this align with **thoughtful investment in community spaces?**

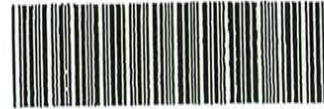


Additionally, the **traffic projections used to justify this project have changed over time**—but not in a way that supports the urgency or scale of this investment. **The traffic projections for 2028 and 2048 have decreased compared to previous estimates provided by NCDOT.** That raises a critical question: *How are we justifying a project of this magnitude when even the most recent data shows a reduction in projected trips per day?*

**While 2048 projections are still slightly higher than 2028, the overall change is minimal.** We are being asked to justify a **\$38 million project, significant disruption and the loss of private property** for projections that show little meaningful growth. **This does not align with the level of impact this project will have on businesses and residents.** The question

BK 2069PG460

FOR REGISTRATION REGISTER OF DEEDS  
Jennifer Leggett Whitehurst  
Beaufort County, NC  
June 30, 2021 02:05:35 PM  
Book 2069 Page 460-460  
FEE: \$26.00  
INSTRUMENT # 2021004037



INSTRUMENT # 2021004037

**ASSUMED BUSINESS NAME CERTIFICATE (NCGS §66-71.5)**

*Please print legibly.*

1. The assumed business name is:  
The Ell Hotel

(You may include no more than five (5) assumed business names on this form.)

2. The real name of the person or entity engaging in business under the assumed business name is:  
Harper James Enterprises LLC (SOSID: 2219603)

(Corporations, LLC's, limited partnerships must provide the exact name registered with the NC Secretary of State's office and the SOSID number assigned at the time of formation. Go to [www.sosnc.gov/br/search](http://www.sosnc.gov/br/search) to look up your information.)

3. The nature/type of the business is: Bed and Breakfast

4. The street address of the principal place of business is: (PO Boxes are not acceptable)  
1040 N Market Street, Washington, NC 27889

5. The mailing address, if different from the street address, is:

6. The counties where the assumed business name will be used to engage in business are:  
 All 100 North Carolina counties  
Beaufort County

This certificate is signed by the owner/legal representative of the person or entity named above,  
this 24 day of June, 2021.

Signature: Ellen Brabo

Printed/Typed Name: Ellen C. Brabo

Title: Owner

(See instructions for who must sign for various business entity types.)

**Legal name:** Harper James Enterprises LLC

**Secretary of State Identification Number (SOSID):** 2219603

**Status:** Admin. Dissolved

**Citizenship:** Domestic

**Date formed:** 6/23/2021

**Registered agent:** Ellen C. Brabo

**mailing address**

1040 N Market Street  
Washington, NC 27889-3741

**Principal office address**

1040 N Market Street  
Washington, NC 27889-3741

**Registered office address**

1040 N Market Street  
Washington, NC 27889-3741

**Registered mailing address**

1040 N Market Street  
Washington, NC 27889-3741

**Company officials**

All LLCs are managed by their managers pursuant to N.C.G.S. 57D-3-20.

- **Owner Manager**

Ellen Brabo

1040 North Market Street  
Washington NC 27889-3741



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BOOK NOW >



# Host Your Event With Us!

Discover the ideal event space at The Ell Hotel, where our unique venue can accommodate up to 50 guests. With a competitive hourly rate, our space offers the perfect backdrop for your special occasion. Simplify your planning with our curated preferred vendor list, designed to streamline the process and secure exclusive discounts for our valued clients. Submit your event inquiry to [info@theellhotel.com](mailto:info@theellhotel.com) or give us a call at (252) 254-2064.

- Bridal Shower
- Anniversary Party
- Book Club Luncheon
- Business Meeting
- Rehearsal Dinner
- Baby Shower

## Upcoming Events



**SUMMER FESTIVAL**  
WITH THE VIBE CHARIZEN OF COMEDIE

42nd Annual Summer Festival  
Fri, Jun 13

[Learn more](#)



**BEAR MUSIC FESTIVAL**  
AT FESTIVAL PARK

Bear Music Festival  
Sat, Oct 11

[Learn more](#)

BOOK NOW >

1040 N Market Street



5.0  
10 REVIEWS

As Seen In  
**Southern Living**  
**Our State**  
CELEBRATING Let's Chat!



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Host your wedding with us!

DOWNLOAD PRICING INFO



Let's Chat!

### Host Your Wedding at The Ell Hotel



#### Rehearsal Dinner Space

Elevate your wedding experience with our rehearsal dinner space, providing couples with an intimate and private setting to celebrate before the big day.



#### On-Site Accommodations

Experience unparalleled comfort and convenience with our 5 luxurious guest rooms with en suite bathrooms, accommodating up to 16 guests.



#### Intimate Venue

Accommodating up to 50 guests and providing both indoor and outdoor spaces for a seamless ceremony and reception experience.



#### Preferred Vendors

Simplify your wedding planning process with our exclusive vendor partnerships, granting you access to experienced professionals familiar with our venue and exclusive discounts for our couples

## Bridal Portraits

We invite photographers to utilize our charming venue for bridal portraits. Our picturesque surroundings, elegant interiors, and timeless architecture provide the perfect backdrop for capturing the essence of this special moment. For a nominal fee of \$75, photographers can access our venue for up to two hours to capture the perfect bridal portraits.



**BOOK NOW >**

1040 N Market Street  
Washington, NC 27889

[info@theellhotel.com](mailto:info@theellhotel.com)  
(252) 254-2864

As Seen In  
**Southern Living**  
**Our State**  
CELEBRATING NORTH CAROLINA

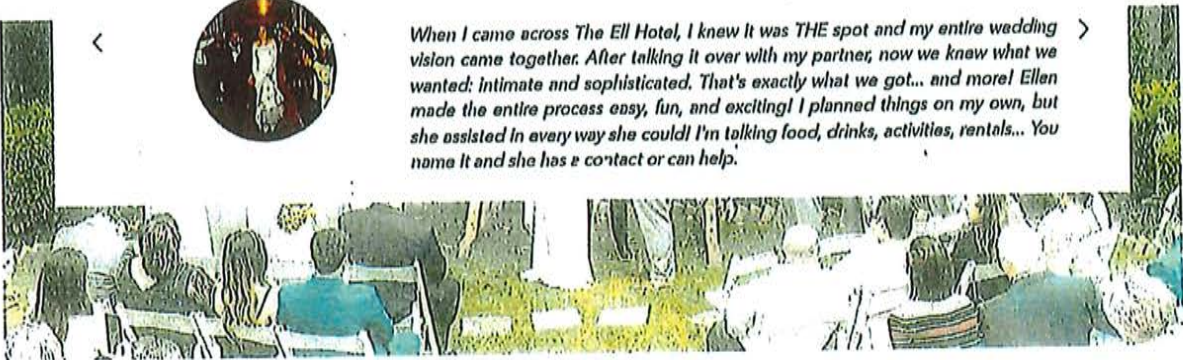
## What Our Clients Say



Taylor Villafranca | Oct. 2022 Bride

5/5/25, 9:57 AM

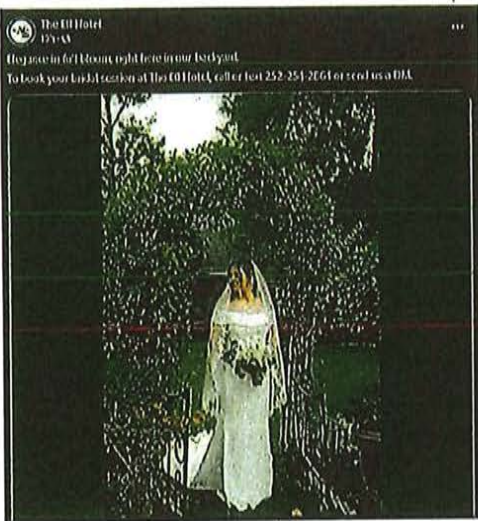
### Host Your Wedding at The Ell Hotel



< *When I came across The Ell Hotel, I knew it was THE spot and my entire wedding vision came together. After talking it over with my partner, now we know what we wanted: intimate and sophisticated. That's exactly what we got... and more! Ellen made the entire process easy, fun, and exciting! I planned things on my own, but she assisted in every way she could! I'm talking food, drinks, activities, rentals... You name it and she has a contact or can help.* >

 5.0  
10 REVIEWS

2025



**Host your wedding with us!**

**DOWNLOAD PRICING INFO**

**4.9 ★★★★★**  
1000+ reviews

**Price of Done Suite**  
This suite is the perfect choice for couples looking for a romantic and intimate setting for their wedding reception.

**On Site Wedding**  
Experience the convenience of having your wedding at the Ell Hotel, with all the amenities and services you need for a perfect day.

**Private Venue**  
The Ell Hotel is a private venue that offers a unique and elegant setting for your wedding reception.

**Preferred Vendor**  
We are a preferred vendor for many of the top wedding vendors in the area, ensuring a seamless and stress-free wedding experience.



**The Ell Hotel**  
1.9K likes • 2.2K followers

The Ell Hotel is the only female veteran-owned boutique hotel in the Carolinas. Located in historic Washington, NC, we offer 5 beautifully designed guest rooms, a pet & kid friendly stay, a billiards room & event space. Voted Best Hotel 2024.

Ellen Blake | Washington NC What's Happening  
📍 1.5 mi from Ell Hotel

We are excited to be bringing a new event to The Ell Hotel most months! Get into the spring spirit with this fun & festive event on Hallow's Weekend! Join us for a fun & festive event with Beth Clark!

Attendees will design and decorate two beautiful wooden eggs, perfect for adding a festive touch to your home. All materials are provided - just bring your creativity! Most purchase tickets in advance.

**WOODEN EGG PAINTING WORKSHOP**  
WITH BETH CLARK

bethclark.com  
Wooden Egg Painting Workshop  
Learn to paint beautiful & personalized Easter eggs in a guided class with local artist Beth Clark.

2025

Facebook  
theellhotel.com

**THE ELL HOTEL**  
www.theellhotel.com

BOOK NOW >

- Bridal Shower
- Anniversary Party
- Book Club Luncheon
- Business Meeting
- Rehearsal Dinner
- Baby Shower

Upcoming Events

5.0 ★★★★★  
10 REVIEWS

Facebook  
theellhotel.com

Posts About Photos More ▾

**The Ell Hotel**  
May 2 · 🌐

Celebrate life's sweetest moments at The Ell Hotel! 🎉

We were so honored to host this beautiful birthday brunch, and hearing kind words like these makes it even more special. Whether you're planning a brunch, a shower, or a family gathering, our charming historic hotel offers the perfect backdrop for unforgettable memories.

Ready to plan your special day? Visit [www.theellhotel.com/reservations](http://www.theellhotel.com/reservations) or call us at 252-254-2864. We can't wait to host you!

**ANY HOLIDAY EVENT RENTAL**

Visited The Ell Hotel for my daughter's birthday brunch and it was perfect! We had a lot of guests and there was plenty of room to accommodate them. We wanted to share our experience with others who are planning a special event at The Ell Hotel.

5.0 ★★★★★  
10 REVIEWS

Facebook  
theellhotel.com

**THE ELL HOTEL**  
www.theellhotel.com

BOOK NOW >

Discover the ideal event space at The Ell Hotel, where our unique venue can accommodate up to 50 guests. With a competitive hourly rate, our space offers the perfect backdrop for your special occasion. Simplify your planning with our curated preferred vendor list, designed to streamline the process and receive exclusive discounts for our valued clients. Submit your event inquiry to [info@theellhotel.com](mailto:info@theellhotel.com) or give us a call at (252) 254-2864.

5.0 ★★★★★  
10 REVIEWS

Facebook  
theellhotel.com

Posts About Photos More ▾

**The Ell Hotel**  
May 12 · 🌐

Planning a bridal shower? Let us take the stress off your shoulders so you can focus on celebrating. 🎉 We were honored to host Kelsey + Cole's wedding shower at The Ell Hotel — and loved hearing this kind feedback.

From showers and brunches to rehearsal dinners and intimate weddings, our charming space is here to make your special day seamless and beautiful. 🥂

Inquire today at [info@theellhotel.com](mailto:info@theellhotel.com) or give us a call at 252-254-2864. We can't wait to help you celebrate! 🎉

**KELSEY DENNETT (BRIDAL SHOWER)**

Had just finished my wedding shower at The Ell Hotel and I can't say enough about how perfect the space and price. The work was done by the vendors I chose for my shower and it was everything I needed to make my special day. I was so happy to have my shower at The Ell Hotel. I will definitely be back for my wedding reception. Thank you so much for everything!

5.0 ★★★★★  
10 REVIEWS

2024

**The Ell Hotel**  
August 7, 2024

Thank you so much for your lovely review!! We absolutely adore working with local brides and are honored to be a part of your special day.

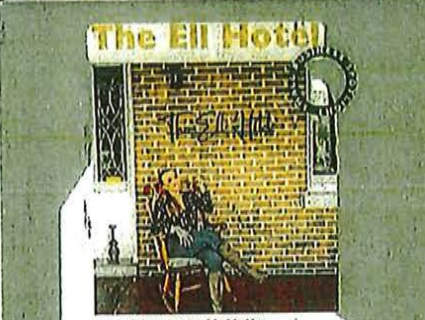
See more



**Ellen Hicks**  
5 stars  
We had a wonderful experience at the Ell Hotel. I decided to stay here the night before my wedding, got ready here, and stay the first night as a married couple here. It was absolutely perfect! We stayed in the Pink Room which has the accompanying green sunroom. The SHILL (viewing of how beautiful that space was). Highly recommend to anyone visiting the Washington Area or for brides.

**The Ell Hotel**  
November 4, 2024

We are so proud of our staff for the support of the RC Secretary of State's Office for rural business and the state's rural economy. It is an honor to be highlighted. Looking for resources or thinking about staying a night at The Ell Hotel is a great place to start. <https://www.ellhotel.com>




Ellen Drake's experience with Ell Hotel through The Ell Hotel has been a great local experience and a great place to stay. Here, families are encouraged to connect through their stories and connect with one another.

**RURAL RISE NC**

North Carolina Secretary of State  
October 21, 2024

**The Ell Hotel created an event.**  
February 11, 2024



**Slept in Courage**  
A TEA TASTING TRIBUTE TO HARRIET TUBMAN  
Sunday, March 9  
1:30 PM - 3:30 PM | THE ELL HOTEL

SARAH M  
Slept in Courage: A Tea Tasting Tribute to Harriet Tubman  
The Ell Hotel

Interested

**The Ell Hotel**  
January 24, 2024

Idk: The event is SOLD OUT - See more



**VDAY COOKIE DECORATING**  
WITH SUGAR FLUKE BAKING COMPANY

THE ELL HOTEL  
VDAY Day Cookie Decorating | The Ell Hotel  
Today's a night of sweet creativity at our Valentine's Day Cookie Decorating Class by Sugar...

2024

**The El Hotel**  
July 13, 2024

It was such a wonderful evening hosting the August WBL networking social with the Washington-Beaufort County Chamber of Commerce. Thank you to every lady (and Fred!) for attending. We love opening our doors for the community to learn more about the history of the property and our offerings.



Washington-Beaufort County Chamber of Commerce  
July 13, 2024

**THE EL HOTEL**

IT'S OFFICIAL!  
WE'VE BEEN NOMINATED

BEST HOTEL  
BEST LODGING RENTAL  
BEST BED AND BREAKFAST  
BEST WEDDING VENUE



**Best of Pamlico**  
PLEASE VOTE FOR US!

*J. Ellis*

**The El Hotel**  
May 19, 2024

From bridal showers and rehearsal dinners to wedding ceremonies and receptions, The El Hotel offers the perfect backdrop for every special moment. Enjoy our dining accommodations for up to 16 overnight guests, ensuring your celebration is as seamless as it is memorable.

Discover more: [www.theelhotel.com/packages](https://www.theelhotel.com/packages)


*Alyssa Grant*



**The El Hotel**  
July 25, 2024

Going to the chapel, and we're gonna get married... 🤰👰  
We love seeing brides come to life in our space, Jordan's were no exception! **WOW!**

*Atlanta Dahl's Photography*



2024

**The Eli Hotel**  
10/29/23, 2:14 AM

Caring about the best and talented photographers in Eastern NC? Say "I Do" to the perfect location for your bridal portraits at The Eli Hotel. Our outdoor spaces set the stage for timeless moments.

- Unleash your creativity for fine equine settings, both indoor and outdoor, that provide the perfect canvas for your bridal portraits.
- Bride-Friendly Options: Our indoor spaces are a dream come true, creating your photohoot goes on seamlessly, in a serene setting.
- Unforgettable Experience: Our \$75 photography fee includes exclusive access to our stunning venue, creating an indelible experience for you and your photographer.

Contact us at info@theelihotel.com or give us a call at (510) 843-4140 to coordinate!

**The Eli Hotel**  
10/29/23, 2:14 AM

In a rare treat, what if you could have the best of both worlds? It's about how much you love each other every day. Celebrations on your own terms. Like a Amaretto Cherry to a lifetime of love.

Looking for a charming backdrop for your reception, build-in family or really any type of photos? The Eli Hotel offers timeless elegance and beautiful spaces to capture your special moments. Please direct all inquiries to (510) 843-4140.

**The Eli Hotel**  
10/29/23, 2:14 AM

Stay in style with a stay that's more than just a stay. We had a great time at the Eli Hotel. See our

**GREYCHEN SMITH | GROUP RENTAL**

My daughter's bachelorette party stayed here for the weekend. Everything is exceptional. The owner Eliza was just great. Accommodations and space for wedding getting ready was 10/10. Truly a magical weekend and memories made at this lovely and unique hotel. Thank you Eliza & team for making our stay truly amazing!

**The Eli Hotel**  
10/29/23, 2:14 AM

Celebrate life's special moments at The Eli Hotel. See more

**AMY HARDIN | EVENT RENTAL**

We rented The Eli Hotel for my daughter's 10th birthday brunch and it was perfect! We had about 20 girls and there was plenty of venue space to accommodate them. We wanted something different/upscale and this did not disappoint!

2024

 The Ell Hotel  
May 5 · 🌳

Cue the happy tears 🥰🥳

There's nothing like that moment when your best girls see you in the dress for the first time — and The Pink Room at The Ell set the scene perfectly for this emotional first look. 💕

From the soft lighting to the cozy, elegant charm, our space is made for memories like this. Whether you're hosting your whole bridal party or just need the perfect place to get ready before saying "I do," we'd love to be part of your day.

Inquire at [info@theellhotel.com](mailto:info@theellhotel.com) or call 252-254-2864.

📷 Wonderland Photography NC



 The Ell Hotel created an event.  
May 12 · 🌳



Wed May 11  
Yoga For A Cure  
1010 N Market St, Washington, NC, United States, North Carolina 27889

🌟 Interested

2023

**The Ell Hotel**  
July 14, 2023 · US

Join us for a special event at the Ell Hotel on July 14th. We're excited to announce that starting July 15th, the Ell Hotel can now enjoy our limited & seasonal menu. With just a quick visit to the Ell Hotel once a week, you can check out a brand new menu for your place. Our chef is inspired with local, fresh, and seasonal ingredients and we're excited to see them in our menu. They're centered with our Ell Hotel history, making them super cool!

Make a reservation on how to use the bike rental (up to a total of 20 bikes) in your room, so you can begin and start your fun activities in our area. We can't wait to see you red & yellow through the palm trees of Lake Washington.

Read More on History



**The Ell Hotel**  
July 15, 2023 · US

Save the date for our upcoming candle making workshop with Ky & Co. Candles! Discover the art of crafting beautiful, aromatic candles that will fill your home with warmth and relaxation. Mark your calendar now and get ready to unleash your creativity on July 20. Stay tuned for more details!

**Candle-Making WORKSHOP**  
With Ky & Co. Candles

Saturday  
**28**  
July 2023

Get ready to create your own candles in our cozy, candle-making studio. We'll have all the supplies on the date, time, and cost details.

**Ceres for Washington NC City Council**  
2h · US

Purchase your tickets today!

**WINE & CHEESE EVENT**

August 24th  
6:00 PM  
Elegant Ell Hotel at  
1040 N Market St  
Tickets are \$25 Advance or  
\$30 at the door

Candidate Gary Ceres  
Blue Music  
Finger Foods  
Wine & Cheese  
Silent Auction  
50/50 Raffle

Purchase tickets at <https://ceresforcitycouncil.square.site/>

**The Ell Hotel**  
July 17, 2023 · US

See the Date Book 2023 - 0 10 PM (tickets go on sale 10)  
Reserve it now and enjoy the view. See more

**CUPCAKE DECORATING**  
WITH SUGAR PLUM BAKING COMPANY

**The Ell Hotel**  
July 17, 2023 · US

After a long day of work, there's nothing better than a good meal. Enjoy a delicious meal at the Ell Hotel restaurant and bar. The menu is inspired by local ingredients and is available every day. We're excited to see you red & yellow through the palm trees of Lake Washington.

2023

**The El Hotel**  
 February 2, 2023 · 📍

Private join us in congratulating the new Mr. and Mrs. Rodriguez on their recent nuptials at The El Hotel 🥂👰🤵

We are honored they selected our venue for their special day. It was a beautiful ceremony in our backyard followed by a reception indoors.



**The El Hotel**  
 February 2, 2023 · 📍

Our hotel is proud to be part of the #LittleWashington community! We not only host exciting events, but we also advertise events from around the area on our website. Like this one - hosted by our very own Washington D.C. Rotary! All proceeds go to the Loudoun County Public Schools Literacy Fund - to come out and show your support! 📍



[THEELHOTEL.COM](http://THEELHOTEL.COM)  
 St. Patrick's Day Pub Crawl & 5K | The El Hotel  
 Join us for the 2nd Annual St. Patrick's Day 5K and Pub Crawl in Downtown Washington. Run o...

**The El Hotel**  
 February 20, 2023 · 📍

Looking for a venue for your special day with our Request and Book details. If you're collecting platform or event, it's all there in one place. When you book, we come with a wide array of services. At The El Hotel, you and your guests can enjoy the convenience of staying on-site and making the most of your special day.

<http://www.elhotel.com/...>



**The El Hotel created an event.**  
 January 10, 2023 · 📍



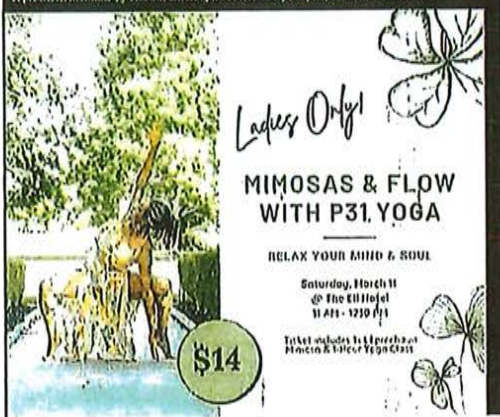
Sat, Feb 11, 2023  
 Rosé & Flow with P31 Yoga (Ladies Only)  
 Washington

☆ Interested

2023

The Ell Hotel  
March 2, 2023 · 11 AM

Join us for our monthly outdoor yoga class and get your zen on. We will be serving delicious Mimosas and our amazing instructor Cathy Peoples, the teacher. See more.



**Ladies Only**

**MIMOSAS & FLOW WITH P31 YOGA**


RELAX YOUR MIND & SOUL

Saturday, March 11  
@ The Ell Hotel  
11 AM - 12:10 PM

Ticket includes 1 & 1/2 hour of Mimosas & Flow Yoga Class

**\$14**

The Ell Hotel created an event.  
January 10, 2023 · 9 AM



Sat, Mar 11, 2023  
**Outdoor Flow with P31 Yoga (Ladies Only)**  
Washington

☆ Interested

The Ell Hotel  
March 11, 2023 · 11 AM


Thank you ladies, for joining us at our Outdoor Yoga Class. A true treat to all of us was a wonderful opportunity to fellowship and enjoy a lovely day led by Cathy Peoples of P31 Yoga. And it's not just the delicious Mimosas we enjoyed and thank you. Our next class is scheduled for April 8, and we'll be serving Orange Wine this time. We hope to see you all there! Tickets are available at <https://www.theellhotel.com/events/flow-with-p31-yoga>



The Ell Hotel  
April 8, 2023 · 11 AM

The following event is a 1 & 1/2 hour class for a 90% share of any wine purchased the weekend of April 8-9, 2023.

There's a share to go for you to get for the price of P31 Yoga class. It will be from 11 AM - 12:10 PM, next to the wine bar. The class is for ladies only. We'll be serving P31 Yoga Mimosas & Flow with P31 Yoga. Cathy Peoples of P31 Yoga will be the instructor. We'll be serving delicious Mimosas & Flow with P31 Yoga. See more.



The Ell Hotel  
January 10, 2023



**Outdoor Flow with P31 Yoga (Ladies Only)**  
Washington

☆ Interested

2023

**The El! Hotel**  
July 23, 2023 · 🌳

Ladies, join us for our monthly *Flow Yoga* class at the beautiful El! Hotel! Our next class will be held on Hwy 111h and is the perfect opportunity to connect with others.

Tickets are only \$14 and must be purchased in advance. Don't miss out on this amazing experience!

**P31 Yoga**



**The El! Hotel**  
Outdoor Flow with P31 Yoga (Ladies Only)  
This event was canceled.

**The El! Hotel**  
July 23, 2023 · 🌳

Join us for our monthly *Flow Yoga* class at the beautiful El! Hotel! Our next class will be held on Hwy 111h and is the perfect opportunity to connect with others.

Tickets are only \$14 and must be purchased in advance. Don't miss out on this amazing experience!

**P31 Yoga**

*Ladies Only!*

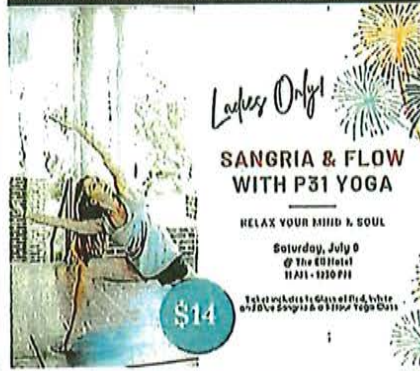
**SANGRIA & FLOW WITH P31 YOGA**

RELAX YOUR MIND & SOUL

Saturday, July 9  
@ The El! Hotel  
11 AM - 12:30 PM

Tickets are only \$14 and must be purchased in advance. Don't miss out on this amazing experience!

**\$14**



**The El! Hotel**  
July 23, 2023 · 🌳

Join us for our monthly *Flow Yoga* class at the beautiful El! Hotel! Our next class will be held on Hwy 111h and is the perfect opportunity to connect with others.

Tickets are only \$14 and must be purchased in advance. Don't miss out on this amazing experience!

**P31 Yoga**



**The El! Hotel**  
Outdoor Flow with P31 Yoga (Ladies Only)  
This event was canceled.

**The El! Hotel**  
August 9, 2023 · 🌳

Join us Saturday, August 19 at 9 a.m. for our monthly outdoor yoga class with P31 Yoga! We are excited to have Petals and Produce joining us this month with their beautiful floral bouquet bar. Bouquets will be available for purchase (\$25/ease; \$20/paper wrap).

Get your ticket here:



**The El! Hotel**  
Outdoor Yoga & Bouquet Bar | The El! Hotel

Join us for a one-hour yoga class, tailored for women of all fitness levels. Our experienced instr...

**The El! Hotel**  
September 14, 2023 · 🌳

Join us for our monthly *Flow Yoga* class at the beautiful El! Hotel! Our next class will be held on Hwy 111h and is the perfect opportunity to connect with others.

Tickets are only \$14 and must be purchased in advance. Don't miss out on this amazing experience!

**P31 Yoga**



**The El! Hotel**  
Outdoor Yoga & Mimosas

Sat, Sep 16, 2023

The El! Hotel


9 people went

Interested

2022

www.ematoto.org

PAMLICO ROSE PRESENTS  
**DONNA BAKER**  
 Women Veteran Artist in Residence



MEET THE ARTIST  
 LIGHT REFRESHMENTS  
 MORE THAN 30 PIECES WILL BE ON DISPLAY

MARCH 26 | 6:30 PM TO 9 PM  
 AT THE ELI HOTEL  
 1040 HESSINGTON ST. WASHINGTON, DC


ALL PROCEEDS FROM THE PURCHASE OF ARTWORK GO DIRECTLY TO THE ARTIST



**The Eli Hotel**  
 May 25, 2022

You are invited to celebrate the Grand Opening of The Eli Hotel in Washington, Roth Central  
 What can you expect?

Ribbon Cutting Ceremony, Champagne Toast, Mobile Art Gallery Station from our friends at Beauty The Hatchet out of New Bern, live music, maybe a food truck, and more.




**Table Villaiana** is excited to host the **El Hotel**  
 Reception on **May 25, 2022**

It has been said that the El Hotel is a true gem. It is a place you will want to work with, was I RIGHT? We are so excited to open for our new space, and it is only a matter of days until the grand opening. We want to help you get ready for the event, so we will have a few items for you to play with during your visit to make things easier.

What is your favorite way to get ready for a reception? At the El Hotel, we have a lot to offer.

We are so excited to see you at the El Hotel and we are looking forward to seeing you at the El Hotel for our new year to new year.



**GRAND OPENING**  
*party*

**Library for Saturday:**  
 2PM Books Sign a  
 3PM Art Ribbon Cutting  
 4PM Art Reception Open  
 6PM Book Sign



**End of Year**  
**SOCIAL**  
 "Happy" People  
 2022  
 The End of Year Social



2022



Ladies Only  
\$10

Join P31 Yoga @ The Ell Hotel for an afternoon of fellowship, yoga & mimosas!



Sunday, October 16th  
6 p.m.

Tickets and info:  
[www.theellhotel.com/events](http://www.theellhotel.com/events)



The Ell Hotel  
September 23, 2022

I am so excited for our first Mimosas and Flow event with P31 Yoga! Join us Oct. 16 for a relaxing yoga practice capped off with sunset mimosas among new friends. This event is for ladies only. Tickets are limited due to space so be sure to get yours while they last!  
<https://www.theellhotel.com/.../mimosas-flow-with-p31-yoga-1>

The Ell Hotel  
November 19, 2022

We're excited to be taking you a second yoga event with one of our favorite things, mimosas! P31 Yoga & Bellinis will be back, so don't miss out on this one. See more

Ladies Only

**BENDS & BELLINIS WITH P31 YOGA**

RELAX YOUR MIND & SOUL

Saturday, Nov. 19 @ The Ell Hotel  
10AM - 11:30AM

Ticket price: \$18

Tickets available at [www.theellhotel.com](http://www.theellhotel.com) & in person at the front desk.

The Ell Hotel  
November 2, 2022

Yoga & Bellinis with P31 Yoga! Join us for a relaxing yoga practice capped off with sunset mimosas among new friends. This event is for ladies only. Tickets are limited due to space so be sure to get yours while they last!

Yoga & Bellinis with P31 Yoga | The Ell Hotel

Tickets available at [www.theellhotel.com](http://www.theellhotel.com) & in person at the front desk.

2021

*You're Invited!*

**THE ELL HOTEL CHRISTMAS OPEN HOUSE**

DECEMBER 11 6:30 - 10 PM  
1030 N MARKET STREET

\$30/TICKET

Live performance

www.ellhotel.com

The Ell Hotel  
December 11, 2021

For the first time, The Ell Hotel opens its doors and invites you to join us for a night of merry fun and guest cheer! Tickets are available for purchase at <https://www.ellhotel.com/event...christmas-open-house>

*You're Invited*

5A US: 11, 2021  
Christmas Open House  
Washington

Interested

The Ell Hotel • Testing failed  
December 9, 2021

We're so excited to have Liz Caldwell joining us this weekend for our Christmas Open House! Her performance is certainly one you won't want to miss.

Liz is an American soprano based in Fayetteville, NC. A passionate storyteller, she thrives on the operatic concert stages as well as in the recital hall. Her mission to tell in joyful stories comes from her desire to connect audiences with something bigger than themselves.

She received her Master of Music in Opera Performance from the University of British Columbia in Vancouver, Canada.

Tickets are limited so don't wait til the last minute to get yours! Tickets can be purchased at [www.ellhotel.com/events](http://www.ellhotel.com/events)

<http://www.mybaltophas.com/> -family opera previews -/

The Ell Hotel • Testing failed  
December 9, 2021

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Posts    Photos    Videos



Susan Kellum is with Joannie Ford Kellum and 14 others. ...

1d · 🌐

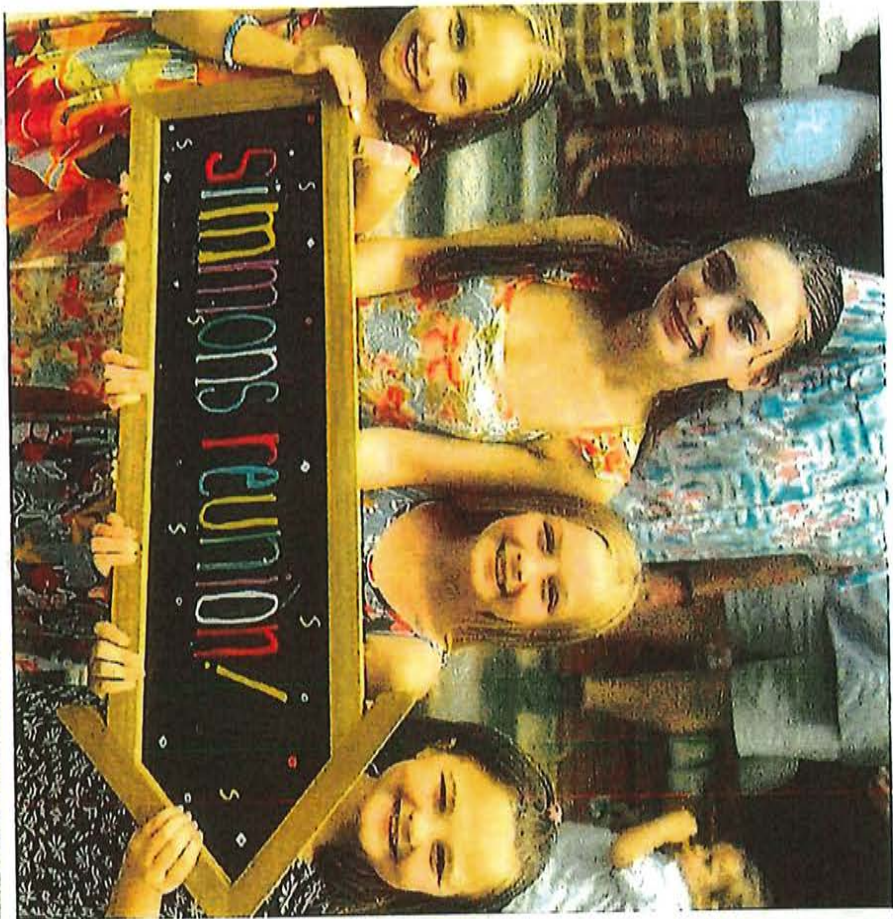
There was a large coastal NC family of 12 children from Carteret County that, no matter how far they roamed, still make sure they reconnect so that they, and their children's children, remember where they come from.

This year, mom's family gathered at The Ell Hotel in Downtown Washington, NC. The historic venue known as the Bowers-Tripp house dates back to 1921, when A.L. Bowers hired the prominent architectural firm of Benton and Benton (Steve Benton) from Wilson, North Carolina, to design a home for him and his family in the new "suburb" of North Market Street. For my Wilson peeps, imagine a Barton-Graves House dupe. Absolutely magnificent! 🏡

Thanks so much to:

- ◆ Ellen Brabo, who renovated this gorgeous property. From the sunporch decked out with toys for the littles, to the pool table room where the guys hung, to the massive front porch where everyone gathered to catch up and reminisce, it was the perfect venue for our gathering.
- ◆ My brother, DeWayne and his wife Joannie Ford Kellum who welcomed everyone to their house on the river for Sunday's festivities
- ◆ Boss Hog's Chicken & BBQ for delivering the goods Saturday evening for a chow down. They did not disappoint! The leftovers were just as good on Sunday.
- ◆ Me, for making homemade ice cream for the first time in decades, and my young cousin, Carsyn, for adding the mini chocolate chips and crumbled Oreos. 🍪
- ◆ My cousin, Krista, who, though not on Facebook, still gets kudos for being my planning partner in this endeavor.





9:04



### SIMMONS'S Family Reunion Weekend 2025

Joannle Ford Kellum

Posts Photos Videos

Susan Kellum is with Joannle Ford Kellum and 14 others.

There was a large coastal NC family of 12 children from Carteret County that, no matter how far they roamed, still make sure they reconnect so that they, and their children's children, remember where they come from.

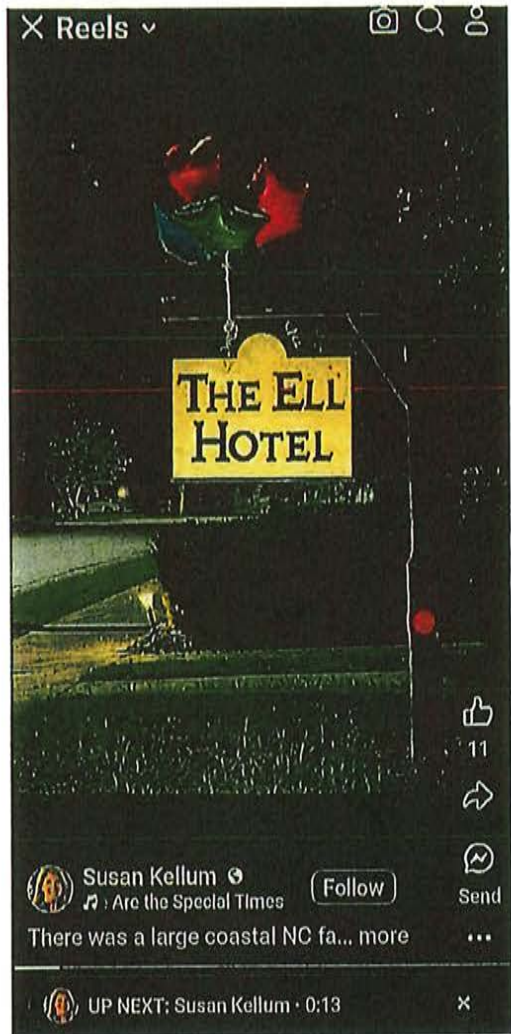
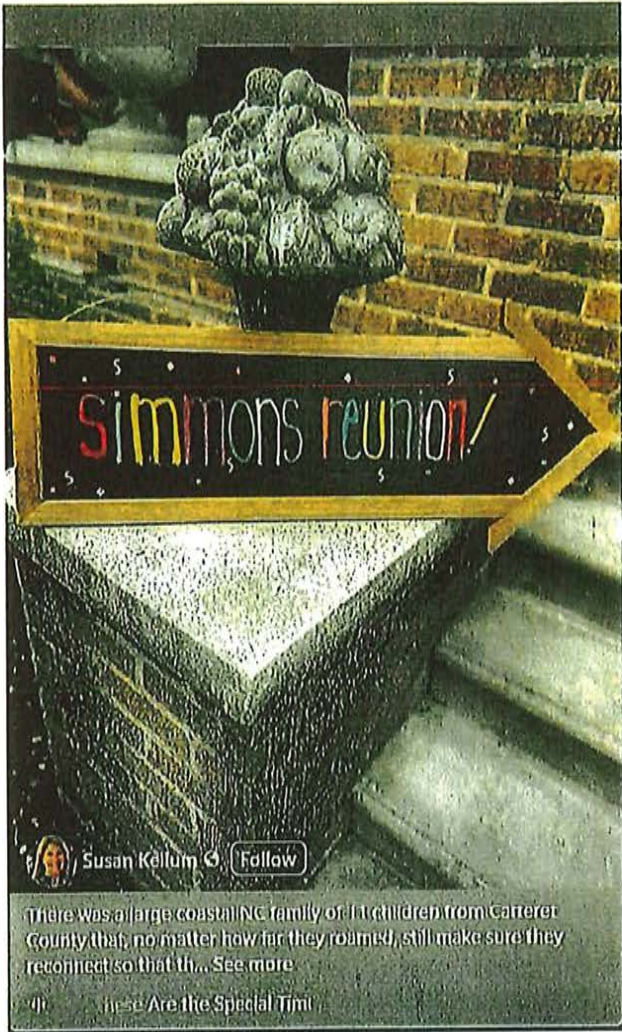
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2025 Simmons Family Reunion







## Part III—Building and Equipment Design Features

FILE COPY

### CHAPTER 5

## FIRE SERVICE FEATURES

### SECTION 501 GENERAL

**501.1 Scope.** Fire service features for buildings, structures and premises shall comply with this chapter.

**501.2 Permits.** A permit shall be required as set forth in Sections 105.6 and 105.7.

**501.3 Construction documents.** *Construction documents* for proposed fire apparatus access, location of *fire lanes*, security gates across fire apparatus access roads and *construction documents* and hydraulic calculations for fire hydrant systems shall be submitted to the fire department for review and approval prior to construction.

**501.4 Timing of installation.** Where fire apparatus access roads or a water supply for fire protection are required to be installed, such protection shall be installed and made serviceable prior to and during the time of construction except when *approved* alternative methods of protection are provided. Temporary street signs shall be installed at each street intersection where construction of new roadways allows passage by vehicles in accordance with Section 505.2.

### SECTION 502 DEFINITIONS

**502.1 Definitions.** The following terms are defined in Chapter 2:

AGENCY.

FIRE APPARATUS ACCESS ROAD.

FIRE COMMAND CENTER.

FIRE DEPARTMENT MASTER KEY.

FIRE LANE.

KEY BOX.

TRAFFIC CALMING DEVICES.

### SECTION 503 FIRE APPARATUS ACCESS ROADS

**503.1 Where required.** Fire apparatus access roads shall be provided and maintained in accordance with Sections 503.1.1 through 503.1.3.

**503.1.1 Buildings and facilities.** *Approved* fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet (45 720 mm) of all por-

tions of the facility and all portions of the *exterior walls* of the first story of the building as measured by an *approved* route around the exterior of the building or facility.

#### Exceptions:

1. The *fire code official* is authorized to increase the dimension of 150 feet (45 720 mm) where any of the following conditions occur:

1.1. When the building is equipped throughout with an *approved automatic sprinkler system* installed in accordance with Section 903.3.1.1 or 903.3.1.2, the dimension shall increase to a minimum of 200 feet (60 960 mm).

1.2. Fire apparatus access roads cannot be installed because of location on property, topography, waterways, nonnegotiable grades or other similar conditions, and an *approved* alternative means of fire protection is provided.

1.3. There are not more than two Group R-3 or Group U occupancies.

2. The *fire code official* is authorized to modify or exempt fire apparatus access roads for solar photovoltaic power generation facilities.

**503.1.2 Additional access.** The *fire code official* is authorized to require more than one fire apparatus access road based on the potential for impairment of a single road by vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access.

**503.1.3 High-piled storage.** Fire department vehicle access to buildings used for *high-piled combustible storage* shall comply with the applicable provisions of Chapter 32.

**503.2 Specifications.** Fire apparatus access roads shall be installed and arranged in accordance with Sections 503.2.1 through 503.2.8.

**503.2.1 Dimensions.** Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), exclusive of shoulders, except for *approved* security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm).

Exception: Fire apparatus access roads constructed and maintained in accordance with North Carolina DOT Minimum Construction Standards for Subdivision Roads, when approved by the fire code official.

## FIRE SERVICE FEATURES

**503.2.2 Authority.** The *fire code official* shall have the authority to require or permit modifications to the required access widths where they are inadequate for fire or rescue operations or where necessary to meet the public safety objectives of the jurisdiction.

**503.2.3 Surface.** Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities.

**503.2.4 Turning radius.** The required turning radius of a fire apparatus access road shall be determined by the *fire code official*.

**503.2.5 Dead ends.** Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) in length shall be provided with an *approved* area for turning around fire apparatus.

**503.2.6 Bridges and elevated surfaces.** Where a bridge or an elevated surface is part of a fire apparatus access road, the bridge shall be constructed and maintained in accordance with AASHTO HB-17. Bridges and elevated surfaces shall be designed for a live load sufficient to carry the imposed loads of fire apparatus. Vehicle load limits shall be posted at both entrances to bridges where required by the *fire code official*. Where elevated surfaces designed for emergency vehicle use are adjacent to surfaces that are not designed for such use, *approved* barriers, *approved* signs or both shall be installed and maintained where required by the *fire code official*.

**503.2.7 Grade.** The grade of the fire apparatus access road shall be within the limits established by the *fire code official* based on the fire department's apparatus.

**503.2.8 Angles of approach and departure.** The angles of approach and departure for fire apparatus access roads shall be within the limits established by the *fire code official* based on the fire department's apparatus.

**503.3 Marking.** Where required by the *fire code official*, *approved* signs or other *approved* notices or markings that include the words NO PARKING—FIRE LANE shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. The means by which *fire lanes* are designated shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.

**503.4 Obstruction of fire apparatus access roads.** Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances established in Sections 503.2.1 and 503.2.2 shall be maintained at all times.

**503.4.1. Traffic calming devices.** Traffic calming devices shall be prohibited unless *approved* by the *fire code official*.

**503.5 Required gates or barricades.** The *fire code official* is authorized to require the installation and maintenance of gates or other *approved* barricades across fire apparatus

access roads, trails or other accessways, not including public streets, alleys or highways. Electric gate operators, where provided, shall be *listed* in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F2200.

**503.5.1 Secured gates and barricades.** Where required, gates and barricades shall be secured in an *approved* manner. Roads, trails and other accessways that have been closed and obstructed in the manner prescribed by Section 503.5 shall not be trespassed on or used unless authorized by the *owner* and the *fire code official*.

**Exception:** The restriction on use shall not apply to public officers acting within the scope of duty.

**503.6 Security gates.** The installation of security gates across a fire apparatus access road shall be *approved* by the fire chief. Where security gates are installed, they shall have an *approved* means of emergency operation. The security gates and the emergency operation shall be maintained operational at all times. Electric gate operators, where provided, shall be *listed* in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F2200.

## SECTION 504

### ACCESS TO BUILDING OPENINGS AND ROOFS

**504.1 Required access.** Exterior doors and openings required by this code or the *International Building Code* shall be maintained readily accessible for emergency access by the fire department. An *approved* access walkway leading from fire apparatus access roads to exterior openings shall be provided when required by the *fire code official*.

**504.2 Maintenance of exterior doors and openings.** Exterior doors and their function shall not be eliminated without prior approval. Exterior doors that have been rendered non-functional and that retain a functional door exterior appearance shall have a sign affixed to the exterior side of the door with the words THIS DOOR BLOCKED. The sign shall consist of letters having a principal stroke of not less than  $\frac{3}{4}$  inch (19.1 mm) wide and not less than 6 inches (152 mm) high on a contrasting background. Required fire department access doors shall not be obstructed or eliminated. Exit and *exit access* doors shall comply with Chapter 10. Access doors for *high-piled combustible storage* shall comply with Section 3206.6.1.

**504.3 Stairway access to roof.** New buildings four or more stories above grade plane, except those with a roof slope greater than four units vertical in 12 units horizontal (33.3-percent slope), shall be provided with a *stairway* to the roof. *Stairway* access to the roof shall be in accordance with Section 1011.12. Such *stairway* shall be marked at street and floor levels with a sign indicating that the *stairway* continues to the roof. Where roofs are used for roof gardens or for other purposes, *stairways* shall be provided as required for such occupancy classification.



R.M. Flowers, CFO, MFireE  
Fire Chief

Johnathan Hardin, CFO  
Assistant Chief / Fire Marshal

Steven Hodges  
Division Chief / EMS Coordinator

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Fire Apparatus Access requires a minimum of 20'

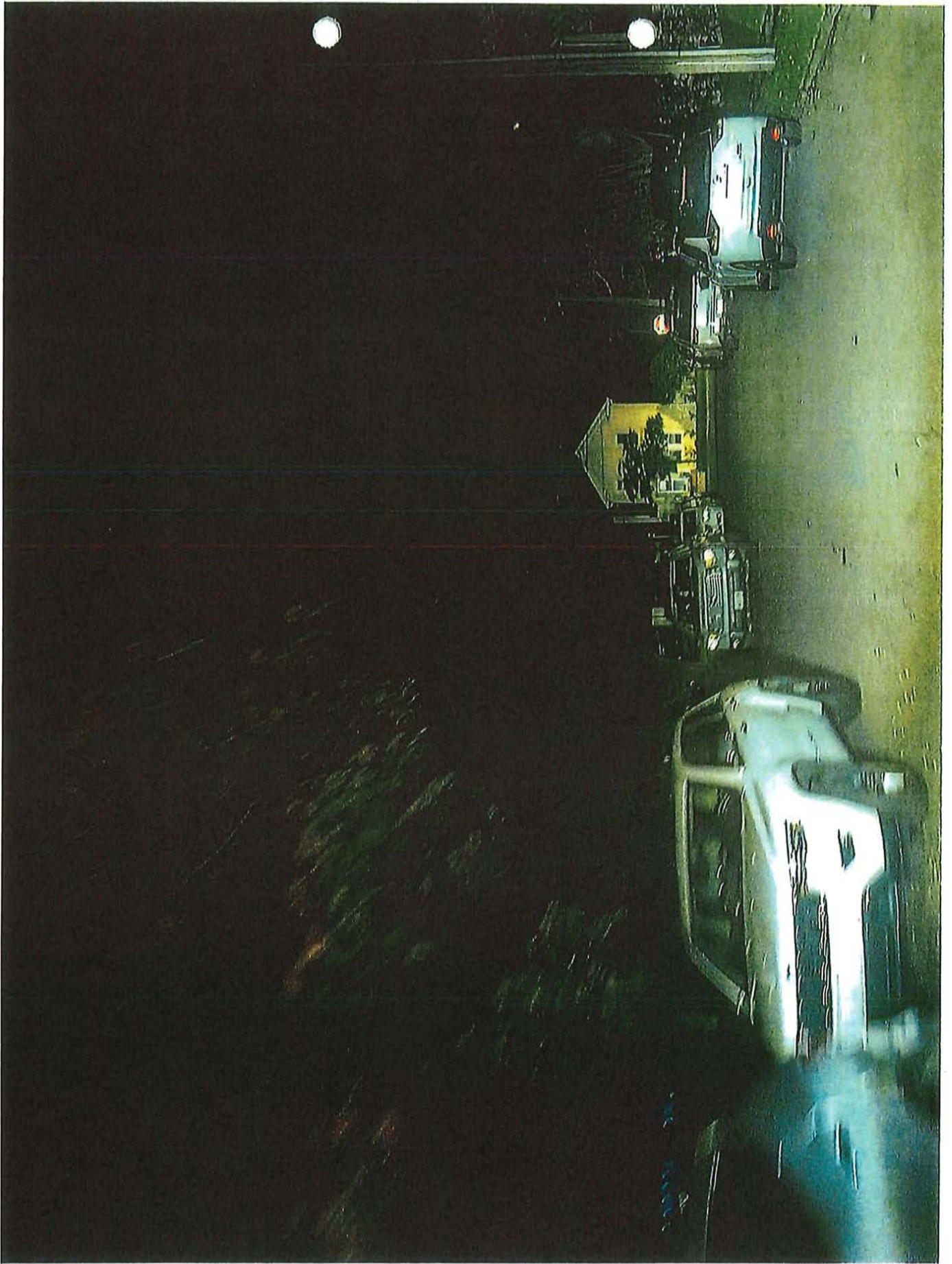
Width of West 11<sup>th</sup> Street = 27' Curb to Curb

Average width of a vehicle is 5.8'

Vehicles parked on both curbs would leave approximately 15' 4" access

  
R.M. Flowers, Fire Chief









102 East Second Street  
Washington, NC 27889  
252-975-9383

July 31, 2025

**Subject: Application to Revoke Special Use Permit  
Appeal of Zoning Violations**

Dear Adjoining Property Owner:

The Department of Planning and Development has received a request revoke the **Special Use Permit** for the Bed & Breakfast located at 1040 N. Market Street. Parcel No: 5686-01-3406.

The Department of Planning and Development has also received an **Appeal of Zoning Violations** from the Ell Hotel located at 1040 N. Market Street. Parcel No: 5686-01-3406.

The Board of Adjustment will hold its public hearing on the requests at the following date and time:

**Date: Thursday, August 14, 2025**

**Place: City Council Chambers - City Hall - Municipal Building, 102 East Second Street. Enter from the Market Street side of the building and go to the second floor.**

**Time: 6:00 P.M.**

The public is welcome to attend this public hearing and present evidence either in support of or in opposition to the request.

During the meantime, should you have any questions, please feel free to call the Department of Planning and Development at 975-9317 during normal working hours Monday through Friday, 8:00 A.M. to 5:00 P.M.

Sincerely,

Glen Moore  
Planning Administrator

**BOARD OF ADJUSTMENT  
FOR THE  
CITY OF WASHINGTON**

**Decision/Order Continuing the City of Washington's Application for Revocation of the  
Special Use Permit Issued to Ellen Brabo on July 15, 2021 to Operate a Tourist Home (Bed  
and Breakfast) at 1040 N. Market Street, Washington, North Carolina**

**NOTICE OF DECISION/ORDER**

This matter coming on to be heard and being heard by the City of Washington Board of Adjustment ("Board") at its meeting on August 14, 2025 to consider an application filed on July 15, 2025 by applicant, the City of Washington, to revoke the Special Use Permit issued by the Board to Ellen Brabo on July 15, 2021 for the operation of a Tourist Home (Bed and Breakfast) at 1040 N. Market Street. Prior to the conclusion of the hearing, the Board decided/ordered that the matter be continued for four (4) months; during which time, the following shall occur or apply.

1. Ms. Brabo shall fully comply with Section 40-25 of the Washington City Code regarding the operation of a bed and breakfast, including, among other things:
  - a) An occupancy limit of twelve (12) guests per night,
  - b) Private indoor only event services exclusively held for overnight occupancy guests with an allowance of one (1) additional person per overnight occupancy guest, up to a maximum of twenty-four (24) people, and
  - c) No outdoor events.
2. Ms. Brabo will engage with City staff within thirty (30) days concerning a possible text amendment to Section 40-25 for review by the Planning Board and further processing.
3. There will be no violations of Ms. Brabo's Special Use Permit or the City's zoning regulations during this period.
4. Counsel for either party, the City of Washington or Ms. Brabo, may bring this matter back before the Board after reasonable notice.

Ms. Brabo's appeals regarding the City of Washington's two (2) notices of zoning violations (alleged) and violations (alleged) of special use permit are also continued by this decision/order.

Applicant: The City of Washington

Respondent: Ellen Brabo

Application Dated: July 15, 2025

Board Members Present: Mr. Steve Fuchs, Chairman, Mr. James Cox, Mr. Jeffery White, Mr. Earnest Moore, Ms. Nadine Dennis, Mr. Wali Saleem (Mr. Wali Saleem participated as an alternate – one seat vacant)

Board Members Absent: None

Staff Present: Mr. Domini Cunningham, Interim Director  
Community and Cultural Services  
Mr. Glen Moore, Planning Administrator  
Ms. Holli Tetterton, Administrative Assistant

Others Present: Mr. Slade Rand,  
Attorney for Board of Adjustment  
Mr. Franz Holscher,  
Attorney for the City of Washington  
Ms. Kendall Alligood,  
Attorney for Respondent



Steve Fuchs, Chairman,  
Board of Adjustment, City of Washington

NAME1	ADDR1	CITY	STATE	ZIP
SACHS SCOTT	117 W 11TH ST	WASHINGTON	NC	27889
SALTER LLOYD THOMAS	113 W 11TH ST	WASHINGTON	NC	27889
LEKSON DAVID M	924 N MARKET STREET	WASHINGTON	NC	27889
MCNAB MATHIEU R	111 W 11TH ST	WASHINGTON	NC	27889
SKILLEN JAMES M	118 WEST 11TH STREET	WASHINGTON	NC	27889
GERARD WALTER B III	1036 NORTH MARKET STREET	WASHINGTON	NC	27889
GERARD AMY COLEMAN	1038 N MARKET STREET	WASHINGTON	NC	27889
LANNON STUART DUNCAN	110 WEST 11TH STREET	WASHINGTON	NC	27889
SALEEBY ELI N JR	927 MARKET STREET	WASHINGTON	NC	27889
BRABO ELLEN C	1040 N MARKET ST	WASHINGTON	NC	27889
DAVIS WILLIAM JOSEPH IV	PO BOX 1351	GREENVILLE	NC	27835
PHELPS JOHN YANCEY III	1001 N MARKET ST	WASHINGTON	NC	27889
KOESTLINE NORMAN L	1005 N MARKET STREET	WASHINGTON	NC	27889
CORRELLUS JOHN	1009 N MARKET ST	WASHINGTON	NC	27889
CUTHRELL RONALD LEWIS II	1101 NORTH MARKET STREET	WASHINGTON	NC	27889
CONCHA JULIA KRISTINA	1105 N MARKET ST	WASHINGTON	NC	27889
WARNER MARCIA EILEEN	1109 NORTH MARKET STREET	WASHINGTON	NC	27889
JONES & SASNETT, P.A.	147 N MARKET ST	WASHINGTON	NC	27889

# **Appeal of Zoning Violations**

Ell Hotel





**PETITION TO APPEAL**

**DEVELOPMENT SERVICES  
PLANNING & ZONING**

**STATEMENT BY APPELLANT:**

In the space below, present your Interpretation of the ordinance provisions in questions and state what reasons you have for believing that interpretation is the correct one.

I received a Special Use Permit from the City Board of Adjustment on July 15, 2021, to operate a bed and breakfast on the property of 1040 N. Market Street, Washington, NC 27889, known as The Ell Hotel. All of the alleged violations listed in the letters received from the City of Washington are all permitted by the Special Use Permit I received. I have not received any notice and/or correspondence regarding my Special Use Permit being revoked or any changes being made to it. The Ell Hotel is operating exactly as permitted by the Special Use Permit from the City Board of Adjustment and is not in violation of any ordinance or City Code. I have not received proper notice or service of any changes to my Special Use Permit, the City Code or the Ordinances.

In addition, state what facts you are prepared to prove to the Board of Adjustment that should lead the Board to conclude that the decision of the violation was erroneous.)

I received a Special Use Permit from the City Board of Adjustment on July 15, 2021, to operate a bed and breakfast on the property of 1040 N. Market Street, Washington, NC 27889, known as The Ell Hotel. I have operated The Ell Hotel for roughly four (4) years in July of this year and had no issues regarding my business until recently. I have not received any notice regarding alleged complaints/violations involving my property until April of 2025. I have not received proper notice or service of any changes to my Special Use Permit, the City Code or the Ordinances. My attorney has also requested documentation from the City of Washington regarding my property and reserves the right to present additional facts and evidence upon reviewing those documents and additional legal research.

**NOTE: APPLICANTS, AND/OR THEIR AGENTS OR PARTIES OF INTEREST ARE PROHIBITED FROM ANY CONTACT IN RELATION TO THIS MATTER WITH THE BOARD OF ADJUSTMENT MEMBERS PRIOR TO THE PUBLIC HEARING.**

I certify that all of the information presented by the undersigned in this application is accurate to the best of my knowledge, information and belief.

Respectfully submitted, this the 27 day of June, 2025

FOR OFFICE USE ONLY	
ACTION	DATE
<input type="checkbox"/> Received	_____
<input type="checkbox"/> Approved	_____
<input type="checkbox"/> Denied	_____

*Ellen Brubaker*  
(signature of applicant)



**PETITION TO APPEAL**

**DEVELOPMENT SERVICES  
PLANNING & ZONING**

**NOTE: IF THE PERSON(S) WHO IS REQUESTING THE BOARD OF ADJUSTMENT TO TAKE ACTION ON A PARTICULAR PIECE OF PROPERTY IS NOT THE OWNER OF THE PROPERTY OR DOES NOT HAVE A BINDING OPTION TO PURCHASE THE PROPERTY, THEN THE ACTUAL OWNER OF THE LAND MUST COMPLETE THIS FORM. IF THE PERSON WHO IS REQUESTING THE BOARD OF ADJUSTMENT TO TAKE ACTION ON A PARTICULAR PIECE OF PROPERTY IS THE OWNER OF THE PROPERTY OR HAS A BINDING OPTION TO PURCHASE THE PROPERTY, PLEASE DISREGARD THIS FORM.**

Dear Sir or Madam,

I am the owner of the property located at:  
 1040 N. Market Street | Washington | NC | 27889  
Address City State Zip Code

I hereby authorize: Kendall L. Allgood of Jones and Sasnett, P.A. (Authorize Agent) to appear with my consent before the City of Washington Board of Adjustment in order to appeal a Zoning decision with respect to the above described property. I authorize you to advertise and present this matter in my name as the owner of the property.


If there are any questions, you may contact me at my address:  
 1040 N. Market Street | Washington | NC | 27889  
Contact Address City State Zip Code

or by telephone at: 540-848-4349 | Alt Phone:

Respectfully yours,  
Ellen Brabo  
Owner Signature

Sworn to and ascribed before me, this the 27 day of June, 20 25  
Maria Selvan Garcia  
(Notary Public)

My commission expires: 04/25 none



**JONES & SASNETT, P.A.**  
ATTORNEYS AT LAW

147 N. MARKET STREET  
WASHINGTON, NC 27889  
TELEPHONE: (252) 975-5152

225 E. MAIN STREET  
BELHAVEN, NC 27810  
TELEPHONE: (252) 943-6111

516 MARKET STREET  
WILMINGTON, NC 28401  
TELEPHONE: (910) 833-5456

BRIAN K. JONES  
AMANDA D. SASNETT  
MISA B. RAYNOR  
KENDALL L. ALLIGOOD  
DEBRA N. COOL

[WWW.JONES-SASNETTLAW.COM](http://WWW.JONES-SASNETTLAW.COM)

June 27, 2025

**VIA EMAIL and CLASSIFIED MAIL**

City of Washington  
c/o Board of Adjustment  
102 East Second Street  
Washington, North Carolina 27889

Re: Ellen Brabo v. City of Washington; 1040 N. Market Street, Washington, NC  
Notice of Zoning Violations and Violations of Special Use Permit  
Our File No.: 25.70.0690


Members of the Board of Adjustment:

Please find enclosed with this letter a copy of the Petition to Appeal and a check in the amount of \$300.00.

All further communication and/or correspondence directed to Ellen Brabo and the Ell Hotel shall be conducted through our office. Contact our office with questions.

Respectfully,

JONES & SASNETT, P.A.

  
Kendall L. Alligood  
KLA/sek

Enclosures



102 East Second Street  
Washington, NC 27889  
252-975-9383

## NOTICE OF POTENTIAL SPECIAL USE PERMIT VIOLATION

April 16, 2025

Ellen Brabo  
1040 N. Market Street  
Washington, NC 27889

**RE: Eil Hotel, 1040 N. Market Street Washington NC 27889, Parcel 5686-01-3406**

This letter is written to inform you that City Staff has received several citizen complaints about the potential violation of your special use permit to operate a Bed and Breakfast/Tourist Home at the above-mentioned location.

A condition of your special use permit, issued by the Board of Adjustment on July 15, 2021 to operate a Bed and Breakfast/Tourist Home, is that the Bed and Breakfast/Tourist Home must be owner or operator occupied. The citizen complaints have been that you no longer reside within the residence. If you no longer reside there or an operator does not reside there it would constitute a violation of your special use permit.


Please provide City Staff with written documentation of who resides at the location (owner or operator) so staff can confirm that there is no violation. An email will suffice for this response.

Also, be aware that the Board of Adjustment can revoke special use permits that have been issued if the holder is found to be in violation of the criteria associated with the permit.

Please respond to the notice with written certification as requested above by **April 30, 2025**. Failure to do so could result in further action by the City of Washington Board of Adjustment.

Please feel free to contact me if you have any questions. 252-975-9384 or at [mdail@washingtonnc.gov](mailto:mdail@washingtonnc.gov).

Sincerely,



Mike Dail  
Planning Director

Mayor  
Donald R. Sadler

City Manager  
Jonathan Russell



Washington City Council  
Richard Brooks  
Lou Hodges  
Antwan Horton  
William Pitt  
Anthony Tyre

June 2, 2025

VIA CERTIFIED AND USPS MAIL TO:

Ellen Brabo  
111 Jackson Street  
Washington, NC 27889

Ell Hotel  
Attn: Ellen Brabo  
1040 N. Market Street  
Washington, NC 27889

Re: Notice of Zoning Violations and Violations of Special Use Permit  
Property: 1040 N. Market Street, Washington, NC ("Property")  
Parcel ID#: 5686-01-3406

Dear Ms. Brabo and Ell Hotel:

**VIOLATIONS**

We write on behalf of the City of Washington ("City") to provide you with this Notice of Zoning Violations and Violations of Special Use Permit. As you know, the Property's zoning classification is R9S. Private event center (indoor) and private event space (outdoor) are not permitted uses in the R9S zoning classification [see Section 40-94 of the City Municipal Code ("City Code")]. Bed and Breakfast is a use that is permitted in the R9S zoning classification by a Special Use Permit (see Section 40-94 of the City Code). You received a Special Use Permit from the City Board of Adjustment on July 15, 2021 to operate a Bed and Breakfast on the Property. Section 40-25 of the City Code defines Bed and Breakfast as follows: "means an owner-occupied single-family dwelling offering overnight accommodations for transient guests, for a period of less than one (1) week. The occupancy is limited to twelve (12) guests per night, and the character of the dwelling must be maintained. Signs shall be in compliance with Chapter 40, article XVI of this Code. The business cannot sell merchandise other than meals on the premises or employ more than one (1) part-time dedicated staff beyond the owner(s). Private indoor only event services can be held exclusively for overnight occupancy guests, with an allowance of one (1) additional person per guest, up to a maximum of twenty-four (24) people. Outdoor events are not allowed."

Based upon citizens' complaints and investigations by the City's Planning and Inspections Department, the City provides you with this Notice of the following zoning violations related to the Property, some of which also are violations of your Special Use Permit referenced above. In the past and currently, you have utilized and marketed the Property for the following uses and in the following manner that are not permitted by the Property's R9S zoning classification, all of which, separately and collectively, constitute zoning violations and/or violations of your Special Use Permit.

1. Private indoor only event services that are not held exclusively for overnight occupancy guests (private indoor only event services are only allowed if conducted exclusively for overnight occupancy guests – see above).
2. Private indoor only event services that exceed one (1) additional person per guest and/or exceed the maximum of twenty-four (24) people (private indoor only event services are only allowed to include one additional person per overnight guest up to a maximum of twenty-four people – see above).

102 East Second Street, Washington, North Carolina 27889  
(252) 975-9300  
[www.washingtonnc.gov](http://www.washingtonnc.gov)

*Mayor*  
Donald R. Sadler

*City Manager*  
Jonathan Russell



*Washington City Council*

Richard Brooks  
Lou Hodges  
Antwan Horton  
William Pitt  
Anthony Tyre

- 
3. Private Event Center (indoor) for private functions such as banquets, weddings, anniversaries, receptions, and other similar celebrations (not permitted in the R9S zoning classification – see above).
  4. Private Event Space (outdoor) for private functions such as banquets, weddings, anniversaries, receptions, and other similar celebrations (not permitted in the R9S zoning classification; in addition, outdoor events are specifically prohibited in the R9S zoning classification – see above).
  5. The Ell Hotel website advertises an "... event space ..." that "... can accommodate up to 50 guests" (not permitted in the R9S zoning classification – see above).
  6. The Ell Hotel website advertises an "... intimate venue ..." for weddings "... accommodating up to 50 guests and providing both indoor and outdoor spaces for a seamless ceremony and reception experience" (not permitted in the R9S zoning classification – see above).
  7. The Ell Hotel website advertises "on site accommodations" for "... up to 16 guests" (not permitted in the R9S zoning classification – see above).
  8. The Ell Hotel website includes a picture of an outside wedding ceremony (not permitted in the R9S zoning classification – see above).
  9. The sign on the Property states "Ell Hotel" (a hotel is not a permitted use in the R9S zoning classification – see Section 40-94 of the City Code).
  10. The Bed and Breakfast operated on the Property is not owner occupied as required by Section 40-25 of the City Code and your Special Use Permit. The pertinent definition of occupy is to reside in. Recently, at two City Council meetings, a Rotary meeting, and on a petition, you represented your residence as 111 Jackson Street.

In addition to the above, based upon citizens' complaints and investigations by the City's Planning and Inspections Department, your past and current use of the Property violates the following conditions of the above referenced Special Use Permit.

1. Section 40-115(c) of the City Code – "The proposed use will not adversely affect the health and safety of residents and workers in the city."
2. Section 40-115(d) of the City Code – "The proposed use will not be detrimental to the use of or development of adjacent properties or other neighborhood uses."

*Mayor*  
Donald R. Sadler

*City Manager*  
Jonathan Russell



*Washington City Council*  
Richard Brooks  
Lou Hodges  
Antwan Horton  
William Pitt  
Anthony Tyre

3. Section 40-115(g) of the City Code – “The proposed use will not constitute a nuisance or fire hazard because of the number of persons who will attend or use such facility, the vehicular movement, of noise or fumes or of the type of physical activity.”
4. Section 40-115(h) of the City Code – “The proposed use will comply with all additional specific criteria set forth for each particular use as established in these regulations.”
5. Section 40-115(k) of the City Code – “The proposed use will not create or aggravate hazards to vehicular or pedestrian traffic on the roads and sidewalks, both off-site and on-site, serving the proposed use as determined by the size, capacity, and condition of such roads and sidewalks, lighting, drainage, intensity of use by pedestrians and vehicles and the visibility afforded to pedestrians and the operators of motor vehicles on such roads.”
6. Section 40-115(l) of the City Code – “The proposed use will be compatible with existing uses that are adjacent to or neighboring the proposed location, as measured in terms of its physical size, intensity of use, visual impact, and proximity to other structures.”
7. The Bed and Breakfast is not owner occupied (see discussion above).

#### MEASURES NECESSARY TO REMEDY VIOLATIONS

1. Utilize and market (advertise) the Property in a manner that is consistent with its R9S zoning classification.
2. Operate the Bed and Breakfast on the Property in conformity with Section 40-25 of the City Code and the conditions of your Special Use Permit, including but not limited to correcting all the violations noted above.

#### TIME PERIOD TO CORRECT VIOLATIONS

1. Thirty (30) days).

#### APPEAL

1. You may appeal this Notice of Zoning Violations and Violations of Special Use Permit in writing to the Board of Adjustment within thirty (30) days of the date hereof.

#### FAILURE TO COMPLY WITH NOTICE

If you do not appeal and fail to remedy all of your above violations within the time frame provided herein or if your appeal is unsuccessful and you fail to remedy all of your above violations within the time frame provided herein, you shall be subject to such remedies and penalties as may be provided for by State Law and/ or by Section 40-581 of the City Code, including but not limited to injunction, civil penalties (\$50 per violation, per day), revocation of Special Use Permit, and criminal penalties. We trust that you will take

*Mayor*  
Donald R. Sadler

*City Manager*  
Jonathan Russell



*Washington City Council*

Richard Brooks  
Lou Hodges  
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William Pitt  
Anthony Tyre

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the necessary steps to correct all of these violations and bring the Property into compliance. If you have any questions or if we can assist you in any way, please do not hesitate to let us know. We look forward to cooperating with you to bring these matters to an amicable and timely resolution. Your cooperation in this matter is greatly appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Dail".

Mike Dail  
Director of Cultural and Community Resources

A handwritten signature in black ink, appearing to read "F. Holscher".

Franz F. Holscher, City Attorney  
Holscher, Edwards & Hill, P.A.

Mayor  
Donald R. Sadler

City Manager  
Jonathan Russell



Washington City Council  
Richard Brooks  
Lou Hodges  
Antwan Horton  
William Pitt  
Anthony Tyre

June 23, 2025

VIA CERTIFIED AND USPS MAIL TO:

Ellen Brabo  
111 Jackson Street  
Washington, NC 27889

Ell Hotel  
Attn: Ellen Brabo  
1040 N. Market Street  
Washington, NC 27889

Re: Second Notice of Zoning Violations and Violations of Special Use Permit  
Property: 1040 N. Market Street, Washington, NC ("Property")  
Parcel ID#: 5686-01-3406

Dear Ms. Brabo and Ell Hotel:

**VIOLATIONS**

We write on behalf of the City of Washington ("City") to provide you with this Notice of Zoning Violations and Violations of Special Use Permit. As you know, the Property's zoning classification is R9S. Private event center (indoor) and private event space (outdoor) are not permitted uses in the R9S zoning classification [see Section 40-94 of the City Municipal Code ("City Code")]. Bed and Breakfast is a use that is permitted in the R9S zoning classification by a Special Use Permit (see Section 40-94 of the City Code). You received a Special Use Permit from the City Board of Adjustment on July 15, 2021 to operate a Bed and Breakfast on the Property. Section 40-25 of the City Code defines Bed and Breakfast as follows: "... means an owner-occupied single-family dwelling offering overnight accommodations for transient guests, for a period of less than one (1) week. The occupancy is limited to twelve (12) guests per night, and the character of the dwelling must be maintained. Signs shall be in compliance with Chapter 40, Article XVI of this Code. The business cannot sell merchandise other than meals on the premises or employ more than one (1) part-time dedicated staff beyond the owner(s). Private indoor only event services can be held exclusively for overnight occupancy guests, with an allowance of one (1) additional person per guest, up to a maximum of twenty-four (24) people. Outdoor events are not allowed."

Based upon citizens' complaints and investigations by the City's Planning and Inspections Department as well as the City's Police Department, the City provides you with this Notice of the following zoning violations related to the Property, some of which also are violations of your Special Use Permit referenced above. In the past and currently, you have utilized and marketed the Property for the following uses and in the following manner that are not permitted by the Property's R9S zoning classification, all of which, separately and collectively, constitute zoning violations and/or violations of your Special Use Permit.

1. Private indoor only event services that are not held exclusively for overnight occupancy guests (private indoor only event services are only allowed if conducted exclusively for overnight occupancy guests – see above).
2. Private indoor only event services that exceed one (1) additional person per guest and/or exceed the maximum of twenty-four (24) people (private indoor only event services are

*Mayor*  
Donald R. Sadler

*City Manager*  
Jonathan Russell



*Washington City Council*

Richard Brooks  
Lou Hodges  
Antwan Horton  
William Pitt  
Anthony Tyre

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only allowed to include one additional person per overnight guest up to a maximum of twenty-four (24) people – see above).

3. Private Event Center (indoor) for private functions such as banquets, weddings, anniversaries, receptions, and other similar celebrations (not permitted in the R9S zoning classification – see above).
4. Private Event Space (outdoor) for private functions such as banquets, weddings, anniversaries, receptions, and other similar celebrations (not permitted in the R9S zoning classification; in addition, outdoor events are specifically prohibited in the R9S zoning classification – see above).
5. The Ell Hotel website advertises an “... event space ...” that “... can accommodate up to 50 guests” (not permitted in the R9S zoning classification – see above).
6. The Ell Hotel website advertises an “... intimate venue ...” for weddings “... accommodating up to 50 guests and providing both indoor and outdoor spaces for a seamless ceremony and reception experience” (not permitted in the R9S zoning classification – see above).
7. The Ell Hotel website advertises “on site accommodations” for “... up to 16 guests” (not permitted in the R9S zoning classification – see above).
8. The Ell Hotel website includes a picture of an outside wedding ceremony (not permitted in the R9S zoning classification – see above).
9. The sign on the Property states “Ell Hotel” (a hotel is not a permitted use in the R9S zoning classification – see Section 40-94 of the City Code).
10. The Bed and Breakfast operated on the Property is not owner occupied as required by Section 40-25 of the City Code and your Special Use Permit. The pertinent definition of occupy is to reside in. Recently, at two City Council meetings, a Rotary meeting, and on a petition, you represented your residence as 111 Jackson Street.
11. On June 14, 2025, you hosted a commercial (paid for), third party private event (2025 Simmons Family Reunion) for more than twenty-four (24) people in violation of both the R9S zoning classification and Special Use Permit for your property. Please see Exhibit A, a picture from the above referenced event, which is attached hereto and incorporated herein by reference as if fully set forth.

In addition to the above, based upon citizens’ complaints and investigations by the City’s Planning and Inspections Department as well as the City’s Police Department, your past and

*Mayor*  
Donald R. Sadler

*City Manager*  
Jonathan Russell



*Washington City Council*

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current use of the Property violates the following conditions of the above referenced Special Use Permit.

1. Section 40-115(c) of the City Code – “The proposed use will not adversely affect the health and safety of residents and workers in the city.”
2. Section 40-115(d) of the City Code – “The proposed use will not be detrimental to the use of or development of adjacent properties or other neighborhood uses.”
3. Section 40-115(g) of the City Code – “The proposed use will not constitute a nuisance or fire hazard because of the number of persons who will attend or use such facility, the vehicular movement, of noise or fumes or of the type of physical activity.”
4. Section 40-115(h) of the City Code – “The proposed use will comply with all additional specific criteria set forth for each particular use as established in these regulations.”
5. Section 40-115(k) of the City Code – “The proposed use will not create or aggravate hazards to vehicular or pedestrian traffic on the roads and sidewalks, both off-site and on-site, serving the proposed use as determined by the size, capacity, and condition of such roads and sidewalks, lighting, drainage, intensity of use by pedestrians and vehicles and the visibility afforded to pedestrians and the operators of motor vehicles on such roads.”
6. Section 40-115(l) of the City Code – “The proposed use will be compatible with existing uses that are adjacent to or neighboring the proposed location, as measured in terms of its physical size, intensity of use, visual impact, and proximity to other structures.”
7. The Bed and Breakfast is not owner occupied (see discussion above).
8. On June 14, 2025, you hosted a commercial (paid for), third party private event (2025 Simmons Family Reunion) for more than twenty-four (24) people in violation of the conditions of your Special Use Permit, including but not limited to the conditions recited above.

**MEASURES NECESSARY TO REMEDY VIOLATIONS**

1. Utilize and market (advertise) the Property in a manner that is consistent with its R9S zoning classification.
2. Operate the Bed and Breakfast on the Property in conformity with Section 40-25 of the City Code and the conditions of your Special Use Permit, including but not limited to correcting all the violations noted above.

*Mayor*  
Donald R. Sadler

*City Manager*  
Jonathan Russell



*Washington City Council*  
Richard Brooks  
Lou Hodges  
Antwan Horton  
William Pitt  
Anthony Tyre

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**TIME PERIOD TO CORRECT VIOLATIONS**

1. Thirty (30 days).

**APPEAL**

1. You may appeal this Notice of Zoning Violations and Violations of Special Use Permit in writing to the Board of Adjustment within thirty (30) days of the date hereof.

**FAILURE TO COMPLY WITH NOTICE**

If you do not appeal and fail to remedy all of your above violations within the time frame provided herein or if your appeal is unsuccessful and you fail to remedy all of your above violations within the time frame provided herein, you shall be subject to such remedies and penalties as may be provided for by State Law and/or by Section 40-581 of the City Code, including but not limited to injunction, civil penalties (\$50 per violation, per day), revocation of Special Use Permit, and criminal penalties. We trust that you will take the necessary steps to correct all of these violations and bring the Property into compliance. If you have any questions or if we can assist you in any way, please do not hesitate to let us know. We look forward to cooperating with you to bring these matters to an amicable and timely resolution. Your cooperation in this matter is greatly appreciated.

Sincerely,

Mike Dail

Director of Cultural and Community Resources

Franz F. Holscher, City Attorney  
Holscher, Edwards & Hill, P.A.

