

Town of North Topsail Beach

Joann M. McDermon, Mayor
Mike Benson, Mayor Pro Tem

Aldermen:
Richard Grant
Connie Pletl



Alice Derian, ICMA-CM
Town Manager

Melinda Mier
Town Clerk

Nature's Tranquil Beauty

Planning Board

Agenda

Thursday, October 13, 2022, at 5:00 PM

2008 Loggerhead Court, North Topsail Beach NC 28460

- | | | |
|------|-----------------------|-----------|
| I. | Call to Order | 5:00 p.m. |
| II. | Adoption of Agenda | 5:01 p.m. |
| III. | Approval of Minutes | 5:02 p.m. |
| | A. September 8, 2022 | |
| | B. August 11, 2022 | |
| IV. | Public Comment | 5:03 p.m. |
| V. | New Business | |
| | A. Case #SUP-22-02 | 5:30 p.m. |
| VI. | Discussion | |
| | A. Wetland Protection | 6:30 p.m. |
| | B. Duplex | 6:45 p.m. |
| VII. | Adjournment | 7:00 p.m. |

Notice to citizens who wish to speak: As a courtesy to others, a citizen speaking on an agenda item or making a petition is normally limited to three minutes. Persons who are organizing a group presentation and who wish to speak beyond the three minute limit are requested to make prior arrangements through the Planning Director by calling 328-1349. If you wish to address the Board this evening, please go to the front right corner of the conference room and sign up with the Recording Secretary. The Board may also change the order in which agenda items are presented.

Attorneys: If you are representing a person with an interest in a quasi-judicial proceeding on this agenda and believe you may wish to cross examine a witness, please identify yourself as such to the Recording Secretary. For the sake of maintaining an accurate public record all speakers must be prepared to speak into an amplified microphone and must provide their name to the Recording Secretary.



Town of North Topsail Beach
Board of Aldermen

Agenda Item:	V. A.
Date:	10 14 2022

Issue: Case #SUP-22-02

Department: Planning

Prepared by: Deborah J. Hill MPA AICP CFM CZO

Presentation: Yes

List of Exhibits

	Page
EXHIBIT (1) Staff Report	1-3
EXHIBIT (2) Unified Development Ordinance § 4.03.01 Condominium Development	4-5
EXHIBIT (3) Pluris Permit #6196	6-7
EXHIBIT (4) CAMA EX 29-22 with plat submitted	8-10
EXHIBIT (5) Revised Site Plan 2022 0806	11
EXHIBIT (6) Latest Development Review Comments (K Winzler email 2022 09 01 0951)	12
EXHIBIT (7) Legal Notice (BLANK)	13
EXHIBIT (8) Public Comments (BLANK)	14
EXHIBIT (9) Application	15-16
EXHIBIT (10) Engineered Plans	17-20
EXHIBIT (11) Legal Description DB 4991 P 621	21-24
EXHIBIT (12) MB 25 P 97	25
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EXHIBIT (14) Rest Coven BK 5240 P 552	27-32

STAFF REPORT CONTACT INFORMATION
 Deborah J. Hill MPA AICP CFM CZO

DOCKET/CASE/APPLICATION NUMBER
 Case #SUP-22-02

APPLICANT/PROPERTY OWNER
 MIGNONE LAURA

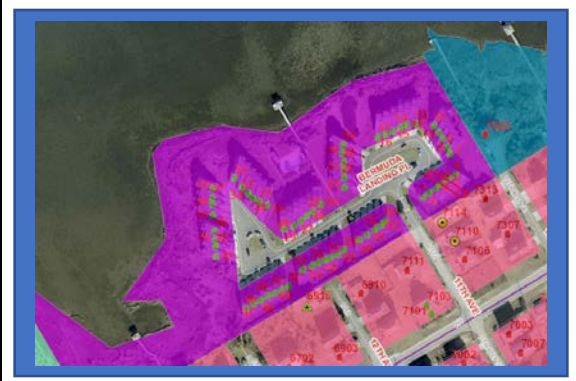
PUBLIC HEARING DATE
 11/03/2022 11:00 AM

PROPERTY ADDRESS/LOCATION
 4 BERMUDA LANDING PL

BRIEF SUMMARY OF REQUEST

Per engineered plans "Murphy Renovation #4 Bermuda Landing North Topsail, North Carolina" by Chris Holmes, P.E. #16336 dated 04.14.22.

- Remove existing rear 16'x7.6' deck
- construct a 16'x7.6' den addition on 1st habitable level
- new deck on 2nd habitable level
- new ground-floor enclosure



MAP SOURCE ONSLOW COUNTY GIS
 2022 Aerial WITH ZONING LAYER

EXISTING ZONING	EXISTING LAND USE	SURROUNDING ZONING & LAND USE	SITE IMPROVEMENTS TAX RECORDS	SIZE OF PROPERTY																																							
R-5	postFIRM 1989 3BR/2BA Townhouse 1,056 heated ft ²	Townhouse SWMH SFH	<table border="1"> <tr> <td>16</td> <td>A3</td> <td>8</td> </tr> <tr> <td>8</td> <td>(128)</td> <td>8</td> </tr> <tr> <td colspan="3">16</td> </tr> <tr> <td colspan="3">28</td> </tr> <tr> <td colspan="3">Main Building (448)</td> </tr> <tr> <td colspan="3">28</td> </tr> <tr> <td colspan="3">16</td> </tr> <tr> <td>10</td> <td>A1</td> <td>10</td> </tr> <tr> <td></td> <td>(160)</td> <td>10</td> </tr> <tr> <td colspan="3">16</td> </tr> <tr> <td>8</td> <td>WOOD DECK</td> <td>8</td> </tr> <tr> <td></td> <td>(128)</td> <td>8</td> </tr> <tr> <td colspan="3">16</td> </tr> </table>	16	A3	8	8	(128)	8	16			28			Main Building (448)			28			16			10	A1	10		(160)	10	16			8	WOOD DECK	8		(128)	8	16			1,612 ft ²
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16																																											
8	WOOD DECK	8																																									
	(128)	8																																									
16																																											

STAFF RECOMMENDATION
APPROVE WITH CONDITIONS

APPROVE

DENY

COMPATIBILITY with the COMPREHENSIVE PLAN

Exceeds CAMA #EX 29-22 July 13, 2022 Condition 3) The development may not exceed a 25% built upon area within 575 feet of the normal high water level of waters classified as ORW. Proposal increases impervious surface 7.5% to 45.2%

PROPERTY HISTORY

Onslow County Planning Board approved final plat 3/17/88

COMPATIBILITY with the Unified Development Ordinance

UDO §2.15 (D) and North Carolina General Statutes § 160D-403, Administrative Development Approvals and Determinations, after a development approval has been issued (Onslow County Planning Board approved final plat 3/17/88), no deviations from the terms of the application or the development approval shall be made until written approval of proposed changes or deviations has been obtained.

- Application to enclose deck at 4 Bermuda Landing Place REQUIRES A SPECIAL USE PERMIT application approved by the Board of Aldermen pursuant to -DH 08/25/2022

4.03.03 TOWNHOUSE DEVELOPMENT(B) Density. See Table 5-1, Dimensional Requirements for square footage requirements applicable to each zoning district where condominium developments are permitted.

- Property is zoned R-5, minimum lot size 5,000 square feet, actual lot size is 1,612 square feet.
- §9.02 NONCONFORMING LOTS. (C) Yard requirements modified. Except as set forth in subsection (A) above, where a lot has width or depth less than that required in the district in which it is located, the Zoning Administrator shall be authorized to reduce the yard requirements for such lot by not more than 20%. Additional or other forms of yard modification may be permitted with a variance granted by the Board of Adjustment.
- Indicate R-5 zoning district on site plan, **not indicated** -DH 08/25/2022

§4.03.03 TOWNHOUSE DEVELOPMENT. (C) Submission requirements. See § 4.03.01, Condominium Development (attached). Submission requirements to obtain a special use permit for a townhouse development are the same as for condominium developments although the form of ownership and structural requirements are different.

- Traffic/parking **not indicated** Requires 3 parking spaces, (possibly 2 in driveway and 1 in garage?, **submit parking plan**).
- New stair landing **not indicated** on site plan.
- Public works/utilities (PLURIS Permit #6196 5/18/2022);
- Indicate entire lot is within the SPECIAL FLOOD HAZARD AREA on site plan, **not indicated** DH 08/25/2022
- Pursuant to §4.03.01 (E) Articles of incorporation of homeowners association and Declaration of Covenants, Conditions, and Restrictions of Bermuda Landing, does owner have authority to expand unit? **Provide documentation.**

Engineering/flood plain (NOTE: 7.05(B)(5)(c) Additions and/or improvements to post-FIRM structures when the addition and/or improvements in combination with any interior modifications to the existing structure are not a substantial improvement, the addition and/or improvements only must comply with the standards for new construction consistent with the code and requirements for the original structure -DH 08/25/2022;

- Install 5kW/1 ton/12000 btu ductless system in 16'x7.6' den addition **MUST BE BFE+2)**

RESPONSE TO STANDARDS

(5) Findings. In granting the permit, the Board of Aldermen shall make a written decision that identifies the key facts of the case and applies these facts to the following standards. The Board must find that all of these conditions exist, or the application will be denied;

The use or development is located, designed and proposed to be operated so as to maintain or promote the public health, safety and general welfare;

- Pursuant to §4.03.01 (E) Articles of incorporation of homeowners association and Declaration of Covenants, Conditions, and Restrictions of Bermuda Landing, does owner have authority to expand unit? **Provide documentation.**
- Plat note 1 is incorrect. **No structure fill is authorized period; remove note 1.**
- Plat note 2 is incorrect; lot is not within Ocean Hazard AEC; lot is within Outstanding Resource Waters AEC **remove note 2.**
- Plat note 4 and 5 are the same; **remove redundancy.**
- Does not indicate Special Flood Hazard Area. **Indicate entire lot is within the SPECIAL FLOOD HAZARD AREA on site plan.** -DH 08/25/2022

The use or development complies with all required regulations and standards of this ordinance and with all other applicable regulations; and

- 7.05(B)(5)(c) Additions and/or improvements to post-FIRM structures when the addition and/or improvements in combination with any interior modifications to the existing structure are not a substantial improvement, the addition and/or improvements only must comply with the standards for new construction consistent with the code and requirements for the original structure -DH 08/25/2022
- Install 5kW/1 ton/12000 btu ductless system in 16'x7.6' den addition **MUST BE BFE+2)**
- Property zoned R-5, lot does not meet minimum dimensional requirements for zoning district;
- Exceeds impervious surface limit.

The use or development conforms to the plans for the land use and development of town as embodied in this zoning ordinance and in the town CAMA land use plan.

- Exceeds CAMA #EX 29-22 July 13, 2022 Condition 3) The development may not exceed a 25% built upon area within 575 feet of the normal high water level of waters classified as ORW. Proposal increases impervious surface 7.5% to 45.2%
 - CAMA EX 29-22 does not appear to be consistent with 15A NCAC 07K .0208 (c) Within the AEC for estuarine shorelines contiguous to waters classified as Outstanding Resource Waters (ORW), no CAMA permit shall be required if the proposed development is a single-family residence that has a built upon area of 25 percent or less and is at least 40 feet from waters classified as ORW.
 - Proposed development requires Minor CAMA permit.
-

§ 4.03.01 CONDOMINIUM DEVELOPMENT.

(A) Generally. In a condominium development, individual owners hold title to the interior of their unit and all owners own the common areas of buildings and property together. The following information must be adhered to and submitted in order to have an application for a special use permit considered by the Board of Aldermen.

(B) Density. See Table 5-1, Dimensional Requirements for square footage requirements applicable to each zoning district where condominium developments are permitted.

(C) Development plan. A plan of the proposed development shall be submitted containing the following elements:

(1) Approval of NTBFD The unit designation of each unit and a statement of its location, approximate area, number of rooms and immediate common area to which it has access and any other data necessary for its proper identification;

(2) Meet maximum impervious surface limit. Description of the general common areas and facilities as defined in the North Carolina Unit Ownership Act, being G.S. Ch. 47A and the proportionate interest of each unit owner therein;

(3) Require central sewer and central water. Location and amount of open space and recreation area which shall be a minimum of 10% of the area of the development minus any undevelopable land;

(4) Description of all boundary lines between portions of the structures designed for different ownership;

(5) Description of all garages, balconies, patios and the like, which form a part of each unit;

(6) Description of any special common areas and facilities stating what units shall share the same and in what proportion;

(7) Proposed provision for storm drainage and sanitary sewer, approved by a state certified registered engineer;

(8) Public or private easements or rights-of-way adjoining or intersecting the property;

(9) Proposed solid waste storage facilities and description of screening;

(10) Proposed water system and firefighting facilities such as hydrants or sprinkler connections;

(11) Types of surfacing, slope, grade and cross section of drives, sidewalks and the like (private streets shall be designed to assure proper access and turn around for service and emergency vehicles);

(12) The location and amount of parking spaces pursuant to Table 6-5, Parking Requirements;

(13) Landscaping and screening: a landscaping plan showing buffers between any residential districts as well as perimeter landscaping for the development. Also, location and heights of all fences and walls;

(14) Lighting plan: all lighting shall be directed away from residentially zoned areas. The location and height of all lighting shall be shown;

(15) All plans showing utility construction details must meet the current specifications of the town;

(16) Size and proposed location of any signs along the public street;

(17) All existing buildings and structures within 100 feet;

(18) Setbacks from public street rights-of-way shall be the same as required by the zoning district where the development is located; and

(19) No declaration and plan shall be recorded until all final boundary descriptions have been added to the plan and approved by the Zoning Administrator.

(D) Timing. Proposed schedule of development likely to be followed.

(E) Legal documentation. The applicant shall submit the following documents which shall be reviewed by the Zoning Administrator and approved by the Board of Aldermen before the final plat is recorded with the Register of Deeds.

(1) Declaration of covenants, conditions and restrictions. This declaration shall be a complete legal document establishing a unit ownership development as prescribed in the North Carolina Unit Ownership Act. It shall also contain proposed restrictions and covenants for the common area and residential sites. No unit shall be conveyed until the declaration and plan have been reviewed by the Planning Director and approved by the Board of Aldermen and recorded in the Office of the County Register of Deeds along with the final plat.

(2) Articles of incorporation of homeowners association.

(a) Before the final plat is recorded, the developer shall submit a copy of the articles of incorporation of the homeowners association, along with evidence that the articles have been filed and approved by the Secretary of State. The articles shall require membership in the association for each original purchaser and each successive purchaser of a residential site or unit. The articles shall also provide for control of the development by the homeowners association when over 50% of the dwelling units are sold.

(b) The homeowners association shall be responsible for payment of premiums for liability insurance, local taxes, maintenance for recreational and other facilities located on the common areas, payment of assessments for public and private capital improvements made to or for the benefit of the common areas, maintenance and repair to the exterior of all attached residences located within the development or other common area facilities. The homeowners association shall be empowered to assess owners of residential sites within the development for the payment of these expenditures, and any such assessment not paid by the owner shall constitute a lien on the residence of the owner.

(c) It shall be further provided that upon default by the homeowners association in the payment to the governmental authority of any ad valorem taxes levied against the common areas or assessments for a period of six months, then each owner of a residential site in the development shall become obligated to pay to the taxing or assessing governmental authority a portion of such taxes or assessments in an amount determined by dividing the total taxes and/or assessments due to the governmental authority by the total number of residential sites in the development. If the sum is not paid by the owner within 30 days following receipt of notice of the amount due, then the sum shall become a continuing lien on the residence of the then owner, his or her heirs, governmental authority may either bring an action at law against the owner obligated to pay the same or may elect to foreclose the lien against the residence of the owner.

(3) Bylaws of homeowners association. The bylaws of the homeowners association shall provide for annual meetings, election of officers, an annual budget showing monthly assessments set at a sufficient level to insure success of the association, and an annual financial accounting distributed to all members.

(Ord. passed 11-2-2011)



1095 Hwy 210
P.O. Box 856
Sneads Ferry, NC 28460
Phone: 910-327-0349
Fax: 910-327-0374

Certification of Completion

Owner: Devco Build & Design

Billing Address: 1213 Culbreth Way, Ste 434, Wilmington, NC 28405

Phone: 910.515.0737

Service Address: 4 Bermuda Landing Pl, N Topsail Beach, NC 28460

Lot Number: 12

Subdivision: Bermuda Landing

Residential/Commercial Type: Residential Townhome

Number of Bedrooms: 3

Number of Habitable Rooms: 5

Tap Fee Amount Paid: \$1,200.00 (CK#0140)

Comments: Gravity. CK#0140 pays capacity fees for 1 habitable room upgrade. Existing deck is being converted into an enclosed living space/den.

This certifies that a representative has inspected the sewer connection to Pluris, LLC. And the applicant has satisfied the requirements for sewer service. Pluris, LLC must be notified prior to any change in bedroom count, habitable room count or commercial business type for recalculation and/or availability of usage to be determined by Pluris, LLC.

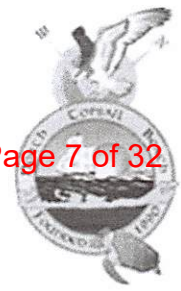
Permit # 6196

Issued by: Kaarin M Williams

A blue ink signature of Kaarin M Williams, consisting of a stylized 'K' followed by a horizontal line.

Date: 5/18/2022

Intention to Provide Utility Service(s)



To Town of North Topsail Permitting Division:

Please be advised that we have been granted a Certificate of Public Convenience and Necessity by the North Carolina Utilities Commission to provide water and/or sewer utility service to the property described below. It is our intention to provide the following utility service(s) pursuant to GS 130A-337:

Water Service

Sewer Service


Property owner: Devco Build & Design

Property address: 4 Bermuda Landing Pl, N Topsail Beach, NC 28460

Subdivision: Bermuda Landing Lot #: 12

Number of habitable rooms: 4

Any applicable service limitations: Gravity.

 5/18/2022
Authorized signature Date

Pluris LLC 1095 Hwy 210 Sneads Ferry, NC 28460

Company name and contact information


PLEASE REMIT A COPY OF BUILDING PERMIT TO PLURIS UPON ISSUANCE

Authorization to Connect to Utility Service(s)

Please be advised that the above-described property is authorized to connect to the following utility service(s) pursuant to GS 130A-339:

Water Service

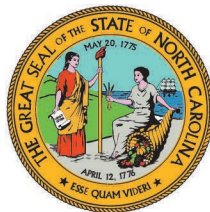
Sewer Service

 5/18/2022
Authorized signature Date

Pluris LLC 1095 Hwy 210 Sneads Ferry, NC 28460

Company name and contact information

<p>Town of North Topsail Beach 2008 Loggerhead Ct. North Topsail Beach, NC 28460 910.328-1349 (office) 910.328-0299(fax)</p>



NORTH CAROLINA
Environmental Quality

ROY COOPER
Governor
DIONNE DELLI-GATTI
Secretary
BRAXTON DAVIS
Director

Page 8 of 32

EX 29-22

July 13, 2022

Laura Murphy
4 Bermuda Landing Way
North Topsail Beach, NC 28460

RE: EXEMPTED PROJECT SINGLE FAMILY RESIDENCES WITHIN THE ESTUARINE SHORELINE (ORW) AREA OF ENVIRONMENTAL CONCERN (15A NCAC 07K .0208). PROJECT LOCATION/ADDRESS – 4 Bermuda Landing Way, North Topsail Beach

Dear Ms. Murphy,

I have reviewed the information you submitted to our office concerning the necessary filing of an application for a CAMA Minor Development Permit under the Coastal Area Management Act and have determined that the activity you propose of a single family residence is exempt from needing a CAMA Minor Development Permit as long as it remains consistent with your project drawing, dated June 10, 2022, and it also meets the conditions specified below. If your plans should change and your project will no longer meet these conditions, please contact me before proceeding.

SINGLE FAMILY RESIDENCES WITHIN THE ESTUARINE SHORELINE AREA OF ENVIRONMENTAL CONCERN EXEMPTED

1. All development shall be located at least 40 feet landward of the normal high water level from waters classified as Outstanding Resource Waters (ORW).
2. No ground disturbance or land disturbing activity shall occur within 40 feet of the normal high water level of waters classified as ORW.
3. The development may not exceed a 25% built upon area within 575 feet of the normal high water level of waters classified as ORW.
4. The development shall be consistent with all other applicable CAMA permit standards, North Carolina Building Code standards, local ordinances and local land use plans in effect at the time the exemption is granted.
5. This exemption does not allow for any development within any wetlands or open water areas. Any proposal to modify or alter the development plan as proposed will require additional authorization from the Division of Coastal Management.



North Carolina Department of Environmental Quality | Division of Coastal Management
Washington Office | 943 Washington Square Mall | Washington, North Carolina 27889 | 252.946.6481
Wilmington Office | 127 Cardinal Drive Extension | Wilmington, North Carolina 28405 | 910.796.7215
Morehead City Office | 400 Commerce Avenue | Morehead City, North Carolina 28557 | 252.808.2808
Elizabeth City Office | 401 South Griffin Street, Suite 300 | Elizabeth City, North Carolina 27909 | 252.264.3901

This exemption does not eliminate your requirements to obtain any other State, Federal or Local authorization. Construction of the structure authorized by this exemption shall be completed by December 31 of the third year of the issuance date of this exemption.

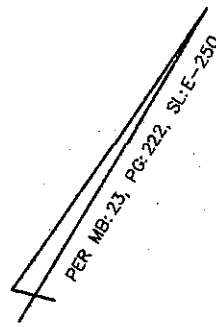
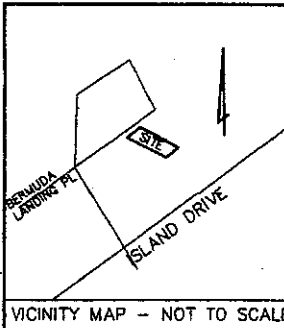
Sincerely,



Tina Martin
Environmental Specialist II, DCM

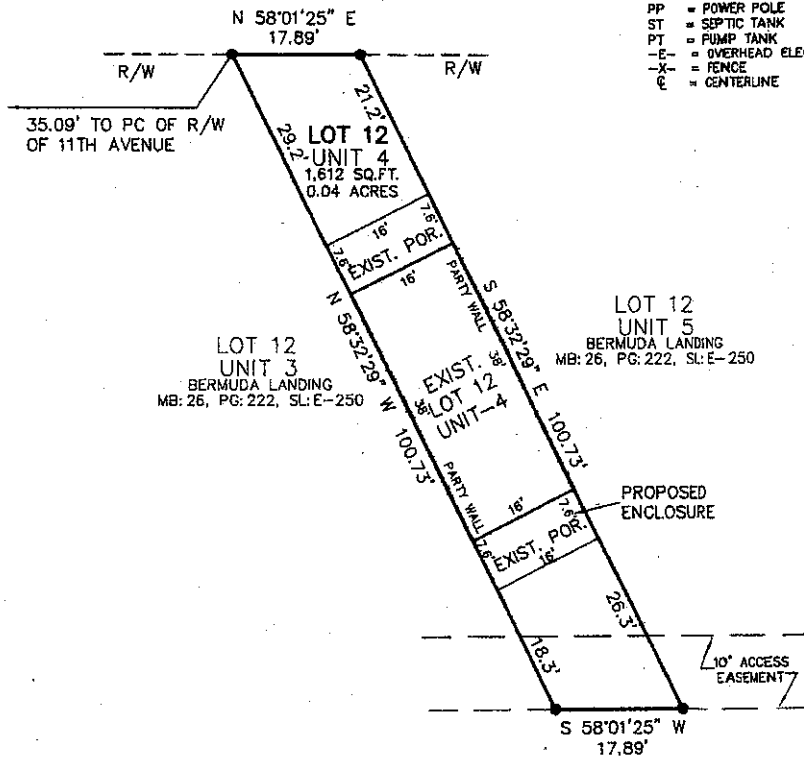
cc: Kate Winzler, NTB Permitting Specialist
DEVCO Build & Design





- LEGEND**
- ⊕ = EXISTING IRON PIPE
 - ⊙ = EXISTING IRON STAKE
 - ⊙ = SET IRON STAKE
 - ⊕ = EXISTING CONCRETE MONUMENT
 - ⊕ = EXISTING PK NAIL
 - = MINIMUM BUILDING LINE
 - R/W = RIGHT OF WAY
 - ⊕ = EDGE OF PAVEMENT
 - CONC. = CONCRETE
 - WM = WATER METER
 - PP = POWER POLE
 - ST = SEPTIC TANK
 - PT = PUMP TANK
 - E- = OVERHEAD ELECTRICAL LINES
 - X- = FENCE
 - ⊕ = CENTERLINE

- BERMUDA LANDING PLACE -



THIS TRACT IS LOCATED IN FLOOD ZONE AE WITH AN ELEVATION OF 12' PER FEMA MAP 3720426600K WITH AN EFFECTIVE DATE OF 6/19/20.

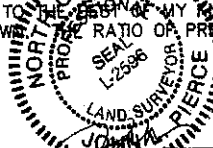
THE PURPOSE OF THIS PRELIMINARY PLOT PLAN IS TO ENCLOSE THE EXISTING DECK

REFERENCES:
MB: 26, PG: 222, SL: E-250
DB: 4991, PG: 621

ADDRESS:
4 BERMUDA LANDING PLACE

PRELIMINARY PLOT PLAN

THIS IS TO CERTIFY THAT THIS MAP IS A TRUE REPRESENTATION OF THE PROPERTY HEREON AS COMPILED FROM A SURVEY OF THE PREMISES AND THAT THERE ARE NO ENCROACHMENTS ACCORDING TO THE BEST OF MY KNOWLEDGE, EXCEPT AS SHOWN THEREON. SCALE RATIO OF PRECISION IS 1:10,000+.



JOHN L. PIERCE, L-2596

7/18/2022

LOT NO. LOT 12 UNIT 4 BLOCK _____
SUBDIVISION BERMUDA LANDING REVISION OF LOT 12
STUMP SOUND TOWNSHIP ONSLow COUNTY, N.C.
PREPARED FOR: LAURA MURPHY (FORMERLY)
LAURA MIGNONE

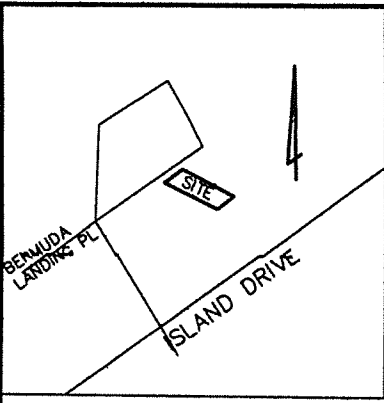
JOHN L. PIERCE & ASSOCIATES, P.A. (C-1888)
405 JOHNSON BLVD., JACKSONVILLE, NC 28540
PHONE: (910)346-9800 FAX: (910)346-1210
DATE: FEB. 17, 2022 SCALE: 1"= 20'
F.B. N/A P. N/A JOB # 2022-100

FILE NO PP-9235

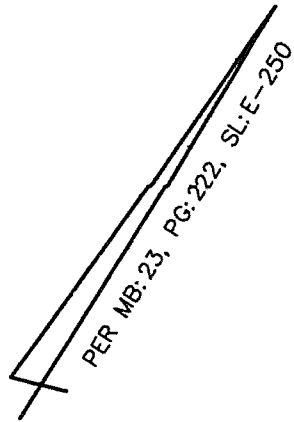
DCM-MHD-CITY

JUN 10 2022

RECEIVED



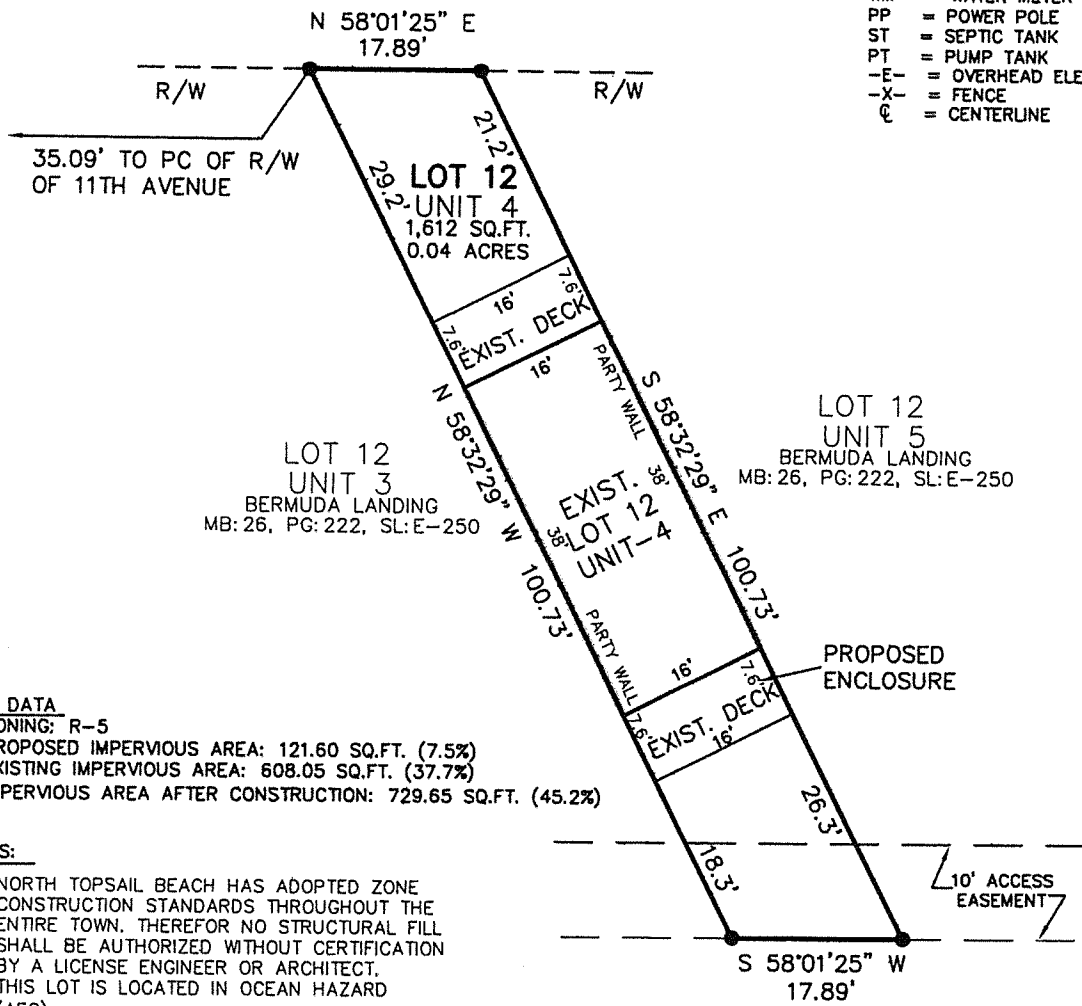
VICINITY MAP - NOT TO SCALE



- BERMUDA LANDING PLACE -

LEGEND

- EIP = EXISTING IRON PIPE
- EIS = EXISTING IRON STAKE
- SIS = SET IRON STAKE
- ECM = EXISTING CONCRETE MONUMENT
- EPK = EXISTING PK NAIL
- MBL = MINIMUM BUILDING LINE
- R/W = RIGHT OF WAY
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- ST = SEPTIC TANK
- PT = PUMP TANK
- E- = OVERHEAD ELECTRICAL LINES
- X- = FENCE
- ⊕ = CENTERLINE



TRACT DATA

ZONING: R-5
 PROPOSED IMPERVIOUS AREA: 121.60 SQ.FT. (7.5%)
 EXISTING IMPERVIOUS AREA: 608.05 SQ.FT. (37.7%)
 IMPERVIOUS AREA AFTER CONSTRUCTION: 729.65 SQ.FT. (45.2%)

NOTES:

1. NORTH TOPSAIL BEACH HAS ADOPTED ZONE CONSTRUCTION STANDARDS THROUGHOUT THE ENTIRE TOWN. THEREFOR NO STRUCTURAL FILL SHALL BE AUTHORIZED WITHOUT CERTIFICATION BY A LICENSE ENGINEER OR ARCHITECT.
2. THIS LOT IS LOCATED IN OCEAN HAZARD (AEC)
3. THIS TRACT IS LOCATED IN FLOOD ZONE AE WITH AN ELEVATION OF 12' PER FEMA MAP 3720426600K WITH AN EFFECTIVE DATE OF 6/19/20.
4. THIS PROJECT IS LOCATED WITHIN THE ORW.
5. THIS PROJECT IS LOCATED WITHIN OUTSTANDING RESOURCE WATERS AREA OF ENVIRONMENTAL CONCERN (AEC)

REFERENCES:

MB: 26, PG: 222, SL: E-250
 DB: 4991, PG: 621

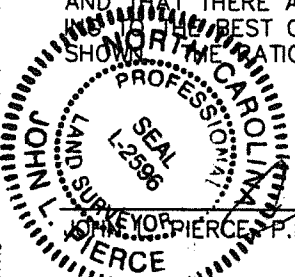
THE PURPOSE OF THIS PRELIMINARY PLOT PLAN IS TO ENCLOSE THE EXISTING DECK

ADDRESS:

4 BERMUDA LANDING PLACE

PRELIMINARY PLOT PLAN

THIS IS TO CERTIFY THAT THIS MAP IS A TRUE REPRESENTATION OF THE PROPERTY HEREON AS COMPILED BY ACTUAL SURVEY OF THE PREMISES AND THAT THERE ARE NO ENCROACHMENTS ACCORD-
 TO THE BEST OF MY KNOWLEDGE, EXCEPT AS SHOWN. THE RATIO OF PRECISION IS 1:10,000+.



[Signature] 8/26/2022
 JOHN L. PIERCE, P.L.S., L-2596

LOT NO. LOT 12 UNIT 4 BLOCK _____
 SUBDIVISION BERMUDA LANDING REVISION OF LOT 12
STUMP SOUND TOWNSHIP ONSLow COUNTY, N.C.
 PREPARED FOR: LAURA MURPHY (FORMERLY)
LAURA MIGNONE

JOHN L. PIERCE & ASSOCIATES, P.A. (C-1888)

405 JOHNSON BLVD., JACKSONVILLE, NC 28540
 PHONE: (910)346-9800 FAX: (910)346-1210

DATE: AUG. 26, 2022 SCALE: 1"= 20'

F.B. N/A P. N/A JOB # 2022-100

From: kwinzler@northtopsailbeachnc.gov
Sent: 09/01/2022 - 09:51 AM
To: Lemignone@gmail.com,dayrenovationsnc@gmail.com,Contractor@devcobuilddesign.com
CC: dhill@northtopsailbeachnc.gov,kwinzler@northtopsailbeachnc.gov
Subject: 4 Bermuda Landing PI 22-000799 Application Reviews Completed

Greetings,

The department reviews of this application are complete. Please address the following at your convenience, as requested from these reviews:

1. ZFP22-000133 - 7/28/22 On application under DEVELOPMENT STANDARDS DATA - Total area of openings required: ___ (1 Sq. inch per sq. ft of enclosed footprint area below BFE): "525" does not match the data for Total net area of flood openings in A8.b. Please revise.
2. ZFP22-000133 - Indicate R-5 zoning district on site plan. -DH 08/25/2022
3. ZFP22-000133 - Indicate proposed percentage impervious surface on site plan. -DH 08/25/2022
4. ZFP22-000133 - Indicate OUTSTANDING RESOURCE WATERS Area of Environmental Concern (AEC) on site plan. -DH 08/25/2022
5. ZFP22-000133 - Indicate entire lot is within the SPECIAL FLOOD HAZARD AREA on site plan. -DH 08/25/2022
6. ZFP22-000133 - Proposal does not appear consistent with CAMA EX 29-22 Condition #3. Property is within ORW, Surveyor does not indicate impervious surface; however estimated at 52.6%. -DH 08/25/2022
7. ZFP22-000133 - NOTE: 7.05(B)(5)(c) Additions and/or improvements to post-FIRM structures when the addition and/or improvements in combination with any interior modifications to the existing structure are not a substantial improvement, the addition and/or improvements only must comply with the standards for new construction consistent with the code and requirements for the original structure -DH 08/25/2022
8. ZFP22-000133 - 4.03.03 TOWNHOUSE DEVELOPMENT(B) Density. See Table 5-1, Dimensional Requirements for square footage requirements applicable to each zoning district where condominium developments are permitted. Note: Property is zoned R-5, minimum lot size 5,000 square feet, actual lot size is 1,612 square feet. Legal, non-conforming. Pursuant to 9.02 (B) REQUIRES VARIANCE FROM BOARD OF ADJUSTMENT. -DH 08/25/2022
9. ZFP22-000133 - Application to enclose deck at 4 Bermuda Landing Place REQUIRES A SPECIAL USE PERMIT application approved by the Board of Aldermen pursuant to UDO Â§2.15 (D) and North Carolina General Statutes Â§ 160D-403, Administrative Development Approvals and Determinations, after a development approval has been issued (Onslow County Planning Board approved final plat 3/17/88), no deviations from the terms of the application or the development approval shall be made until written approval of proposed changes or deviations has been obtained. -DH 08/25/2022 The Town of North Topsail Beach may define by ordinance minor modifications to development approvals that can be exempted or administratively approved. The Town of North Topsail Beach shall follow the same development review and approval process required for issuance of the development approval in the review and approval of any major modification of that approval. Â§4.03.03 TOWNHOUSE DEVELOPMENT. (C) Submission requirements. See Â§ 4.03.01, Condominium Development (above). Submission requirements to obtain a special use permit for a townhouse development are the same as for condominium developments although the form of ownership and structural requirements are different.

Once the requested information is submitted and complete, it will be processed and sent to the Planning Department and Building Inspections Departments for review. This application is on hold until complete.

Thank you kindly,

Kate Winzler, CMC, NCCMC
Permit Specialist & Deputy Town Clerk
Town of North Topsail Beach
2008 Loggerhead Ct
North Topsail Beach, NC 28460
910-328-1349





Permit Project



File #: 22-000799 ...
 4 BERMUDA LANDING PL NORTH TOPSAIL BEACH NC 28460
 Remove existing deck and construct addition of a den.

Permits Reviews Inspections Violations Activities Documents Contacts Fees History

EDIT:
File

Edit Permit: SUP22-000002



- ADD:
 - Activity
 - Address
 - Alert
 - Contact
 - Document
 - Email
 - Fee
 - Inspection
 - Letter
 - Note
 - Payment
 - Permit
 - Route
 - Violation

Permit #: SUP22-000002
Permit Type: Special Use Permit
Sub Type: Special Use Permit
Work Description: 4 Bermuda landing
Applicant: DeVco Build & Design LLC - An ...
Status: Ready for Payment
Total Amount: \$ 350.00
Amount Paid: \$ 350.00
Balance Due: \$ 0.00
Valuation: 0.00
Non-Billable:

Application Date: 09/25/2022
Approval Date: 09/27/2022
Issue Date:
Expiration Date:
Close Date:
Last Inspection:

- REPORTS:
 - Custom
 - Detail
 - Summary

For Office Use Only
Apply Storm Damage Credit:
Zoning District: R-5
CAMA Approval: Issued
CAMA Approval #: Ex-2922

PROJECT INFORMATION

Property Owner: MIGNONE LAURA ...
Property Owner Phone#: 910-554-4657
Property Owner Email Address: Lemingone@aol.com
Are you the property owner?: No

Signed statement provided by property owner giving Owners affidavit .pdf

I hereby petition the Town of North Topsail Beach for a SPECIAL USE permit to allow the following:

Removal of existing deck and putting living space in its place. This is in line with a few other properties in this development that have this done

Findings: In granting the permit, the Board of Aldermen *shall* make a written decision that identifies the key facts of the case and applies these facts to the following standards. The Board must find that all of these conditions exist, or the application will be denied.

The use or development is located, designed, and proposed to be operated so as to maintain or promote the public health, safety, and general welfare;

Statement by Applicant:

The use or development complies with all required regulations and standards of this Ordinance and with all other applicable regulations;

Applicant:

The use or development conforms to the plans for the land use and development of Town of North Topsail Beach as embodied in this Zoning Ordinance and in the Town of North Topsail Beach CAMA Land Use Plan;

DOCUMENTS

Site plan or plot plan: [doc20220830074609.pdf](#)

Other documents:

General provisions (reference UDO Sec. 2.06.04 Special Use Permits)

A. Additional Conditions: In granting the Special Use Permit, the Board may designate additional conditions that will, in its opinion, assure that the use in its proposed location will be harmonious with the area in which it is proposed to be located, is within the spirit of this Ordinance and clearly in keeping with the public welfare. All such additional conditions shall be entered into the minutes of the meeting, at which the Special Use Permit is granted, on the Special Use Permit itself and on the approved plans. The Special Use Permit and any other specific conditions shall run with the land and shall be binding on the original applicants, their heirs, successors and assigns.

I hereby certify that all information above is true and correct. That all work under this permit shall comply and conform to all Town ordinances, State and Federal laws pertaining thereto, whether specified or not, and in accordance with any plans submitted or required to be submitted regulating building codes and building construction in the Town of North Topsail Beach, NC. I further agree to remove all construction debris from the site when completed, and that I am the owner or authorized by the owner to do the work described in this permit.

Permit shall be void if construction authorized by permit shall not have been commenced within six (6) months after the date of issuance thereof, or if after commencement of construction, the work shall be discontinued for a period of twelve (12) months, work shall not be resumed until the permit has been renewed.

All final inspections are mandatory before occupancy. All work shall be performed by a licensed contractor in the state. It is unlawful and illegal to occupy any building before final inspection and a certification of occupancy has been issued. All fees are non-refundable after 60 days.

Signature: [signature.png](#)

Permit Fees

Quantity	Fee	Description	Amount	Total
	Filing Fee			350.00
		Plan Check Fees:	0.00	
		Other Fees:	350.00	
		Total Fees:	350.00	

Payments

Date	Type	Reference	Note	Receipt #	Received From	Amount
09/29/2022	Credit	251969127	SUP22-000002	566	DeVco Build & Design LLC -	350.00
					Amount Paid:	350.00
					Balance Due:	0.00

GENERAL NOTES:

- 1) DESIGN CRITERIA:
 ROOF LIVE LOAD = 20 PSF
 FLOOR LIVE LOAD = 40 PSF
 GROUND SNOW LOAD = 12 PSF
 WIND LOAD = 145 MPH (ASCE 7-10, RISK CAT. II)
 (WIND DESIGN BASED ON N.G.R.C., CHAPTERS 3 & 4 - EXPOSURE CATEGORY C)
 SEISMIC FORCES [2012] CONTROL LATERAL FORCE DESIGN, WIND FORCES CONTROL DESIGN.
- 2) CONTRACTOR TO VERIFY ALL DIMENSIONS AND DETAILS ON DRAWINGS PRIOR TO CONSTRUCTION.
- 3) UNDO - UNLESS NOTED OTHERWISE.
- 4) ALL WORK MUST COMPLY WITH THE LATEST EDITION OF THE NORTH CAROLINA RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS (N.G.R.C.).
- 5) STRUCTURAL FRAME TO BE SHORED AND BRACED UNTIL CONSTRUCTION IS COMPLETED.
- 6) LATERAL RESISTANCE IS PROVIDED BY SHEAR WALLS AND BRACES.

PILE FOUNDATION NOTES (AE ZONE):

- 1) DRIVE ALL P.T. 6X6 PILES TO THE CAPACITY LISTED ON THE DRAWINGS USING AN APPROVED DROP HAMMER OR POWER HAMMER AS PER SECTION 4603.9 OF THE N.G.R.C. THE MINIMUM EMBEDMENT SHALL BE AS REQUIRED TO MEET THE MINIMUM REQUIREMENTS OF CHAPTER 46 OF THE N.G.R.C. AND TO ACHIEVE THE CAPACITY LISTED ON THE PLANS.
- 2) ALL TIMBER PILES TO BE SOUTHERN YELLOW PINE AND PRESURE TREATED PER ANPA STANDARDS (SEE NOTE 8) PILE CUT-OFFS SHALL BE TREATED IN ACCORDANCE WITH ANPA M4. (CCA PRESERVATIVE TREATMENT SHALL NOT BE USED FOR RESIDENTIAL APPLICATIONS)
- 3) ALL TIMBER PILES MUST BE PRESURE TREATED ACCORDING TO THE ANPA USE CATEGORY SYSTEM, BASED ON THE INTENDED END-USE OF THE WOOD PRODUCT. FOR MOST PILES USED IN THE COASTAL REGION, THE USE CATEGORY DESIGNATION IS UC4C OR UC3B. CONTRACTOR TO VERIFY APPROPRIATE PRESERVATIVE TREATMENT BASED ON THESE CATEGORIES WHEN ORDERING PILES. REFER TO THE NHP INSTITUTE WEBSITE FOR ADDITIONAL INFORMATION ON ANPA TREATED WOOD USE CATEGORIES.
- 4) IT IS RECOMMENDED THAT A SOILS TEST BE OBTAINED (NOT REQUIRED) TO DETERMINE THE LOADING AND PILE EMBEDMENT REQUIREMENTS AND THAT OVERLENGTH PILES ARE INSTALLED (REQUIRED) TO VERIFY PILE EMBEDMENT REQUIREMENTS.
- 5) PROVIDE "SIMPSON" P5410 PLATES ON EACH SIDE OF PILE WHEN MORE THAN 50% OF PILE IS NOTICED.
- 6) CONCRETE COLLAR AND SLAB DESIGN BASED ON ALLOWABLE SOIL PRESSURE OF 1500 PSF (FIELD VERIFY SOIL CONDITIONS PRIOR TO CONSTRUCTION).
- 7) WHEN BOTTOM OF CONCRETE COLLAR IS AT OR BELOW WATER TABLE, PROPERLY DENATER EXCAVATION PRIOR TO POURING CONCRETE.
- 8) THE FIRST HABITABLE FLOOR MUST BE ABOVE THE BASE FLOOD ELEVATION. WHEN HEIGHT OF GIRDER IS GREATER THAN 10'-0" ABOVE GRADE OR CONCRETE SLAB, NOTIFY ENGINEER FOR ADDITIONAL X-BRACING REQUIREMENTS. FLOOD VENTS ARE REQUIRED IN WALLS BELOW THE BASE FLOOD ELEVATION.
- 9) WHEN APPLICABLE, REMOVE ALL TOPSOIL, ORGANICS, AND SOFT CLAY IN AREAS WHERE FLOOR SLABS AND FOOTINGS ARE TO OCCUR AND ALSO 1'-0" BEYOND EACH SIDE OF BUILDING FOOTPRINT.
- 10) PROOF ROLL EXPOSED SUBGRADE WITH A 3 TON VIBRATORY ROLLER MAKING 3 PASSES IN EA. DIRECTION.
- 11) BACK FILL WITH CLEAN SELECTED FILL COMPACTED IN 8" LAYERS TO 98% OF MAXIMUM DENSITY AT OPTIMAL MOISTURE CONTENT (ASTM D-698).
- 12) WHEN THE SPECIFICATIONS OF NOTE 10 ARE NOT REQUIRED, AND THE SLAB OR FOOTING IS BEING BUILT ON EXISTING CLEAN SAND, THE EXISTING SAND SHOULD BE GRADED AS REQUIRED AND COMPACTED TO ACHIEVE 98% MAXIMUM DENSITY AT OPTIMAL MOISTURE CONTENT (ASTM D-698).
- 13) WHEN THE CODE PERMITS, THE 6 MIL. POLY VAPOR BARRIER UNDER THE SLAB MAY BE OMITTED.
- 14) PILE INSTALLER SHALL KEEP DETAILED LOG DATA DURING INSTALLATION OF PILES SO THAT ENGINEER CAN VERIFY THAT PROPER BEARING CAPACITIES WERE REACHED. LOG DATA SHOULD INCLUDE HEIGHT OF HAMMER, HEIGHT OF FALL, APPROXIMATE DEPTH OF PILE, AND PILE MOVEMENT PER BLOW IN INCHES (AVERAGED OVER 10 BLOWS).

STRUCTURAL TIMBER & HARDWARE NOTES:

- 1) LUMBER SHALL BE AS FOLLOWS: #2 KD SOUTHERN YELLOW PINE (OR BETTER) FOR PLATES, JOISTS, AND RAFTERS. STUDS MAY BE SPRUCE PINE FIR #2 KD (OR BETTER), IF OTHER SPECIES OF WOOD ARE USED, THEN HURRICANE CLIPS AND HANGERS MAY NEED TO BE INCREASED IN SIZE.
- 2) ALL GIRDERS, BEAMS, AND HEADERS ARE TO BE #1 SOUTHERN YELLOW PINE OR BETTER.
- 3) ALL WALL SIZES AND NUMBER REQUIRED MAY NOT BE SHOWN. SUFFICIENT NAILING SHALL BE REQUIRED TO DEVELOP JOINT STRENGTH.
- 4) ALL HARDWARE SHALL BE HOT-DIPPED GALVANIZED IN ACCORDANCE WITH ASTM A153 AS APPLICABLE. (IN COASTAL REGIONS COMPLY WITH TABLE 4605.5) AND ALL JOIST HANGERS IN CONTACT WITH PRESURE TREATED WOOD SHALL BE "SIMPSON" Z-HANK GALVANIZED.
- 5) LUMBER LESS THAN 4" ABOVE GRADE AND LUMBER EXPOSED TO WEATHER SHALL BE PRESURE TREATED WITH ACQ Q25 LB54CF NET RETENTION (LUMBER IN CONTACT WITH GRADE SHALL BE PRESURE TREATED WITH ACQ Q4 LB54CF NET RETENTION).
- 6) LAMINATED VENEER LUMBER (LVL) SHALL BE ATIC STRUCTURAL GLUED TIMBER, ARCHITECTURAL GRADE SOUTHERN YELLOW PINE "LOUISIANA PACIFIC" GANGLAM 2505 Pk-20E, "BOISE CASCADE" VERSA-LAM 3000 Fb, OR EQUAL.
- 7) USE ASTM A307 BOLTS WITH NUTS AND WASHERS FOR ALL TIMBER CONNECTIONS AND 16d COMMON NAILS FOR BEAM CONNECTIONS. IF 6d COMMON NAILS ARE USED FOR 12d OR 16d NAIL CONNECTIONS AS SPECIFIED ON PLAN, CONTRACTOR MUST PROVIDE US HOSE NAILS, OR REDUCE SPACING BY 2/3.
- 8) NAIL ALL EXTERIOR 1/2" NOM. APA RATED STRUCTURAL WALL SHEATHING WITH 8d NAILS AT 3" O.C. ALONG SHEATHING EDGES AND 6" O.C. AT INTERMEDIATE WALL FRAMING (UNLESS NOTED OTHERWISE).
- 9) USE (2) "SIMPSON" H25A HURRICANE CLIPS AT EACH RAFTER (TYPICAL UNDO).
- 10) ALL EXTERIOR WALLS SHALL BE FRAMED AS FOLLOWS (UNDO):
 USE 2X4S @ 16" O.C. FULL HEIGHT WHEN UNBRACED LENGTH IS LESS THAN 10'-0"
 USE 2X6S @ 16" O.C. FULL HEIGHT WHEN UNBRACED LENGTH IS 10'-0" - 12'-0"
 USE (2) 2X6S @ 16" O.C. FULL HEIGHT WHEN UNBRACED LENGTH IS 12'-0" - 14'-0"
 USE 2X8S @ 16" O.C. FULL HEIGHT WHEN UNBRACED LENGTH IS 14'-0" - 16'-0"
 CONTACT ENGINEER WHEN UNBRACED LENGTH IS GREATER THAN 16'-0"
- 11) PROVIDE A MINIMUM OF (2) STUDS BELOW EACH SIDE OF 12" X BEAMS AND A MINIMUM OF (3) STUDS BELOW EACH SIDE OF LVL BEAMS.

CONCRETE NOTES:

- 1) CONCRETE COMPRESSIVE STRENGTH AT 28 DAYS:
 WALLS, FOOTINGS, GRADE BEAMS, & SLABS ON GRADE = 3,000 PSI
 BEAMS, COLUMNS, STRUCTURAL SLABS, AND GIRDERS = 4,000 PSI
 LIGHTWEIGHT CONCRETE = 3,000 PSI
- 2) CONCRETE REINFORCING STEEL TO BE ASTM A615, GRADE 60 AND WELDED MESH FABRIC TO BE ASTM A185.
- 3) MINIMUM COVER AROUND REINFORCING BARS FOR CAST-IN-PLACE CONCRETE (NON-PRESTRESSED):
 CAST AGAINST EARTH, SUCH AS FOOTINGS = 3"
 EXPOSED TO WEATHER & SLABS ON GRADE = 1 1/2"
 NOT EXPOSED TO WEATHER OR IN CONTACT WITH GROUND = 3/4"
 BEAMS, GIRDERS, COLUMNS = 1 1/2"
 * 15 OR SMALLER REINFORCING (#2) COVER IS REQUIRED FOR LARGER REINFORCING
- 4) DOMELS AND CONT. REINFORCING SHALL HAVE A MINIMUM LAP OF 40 BAR DIAMETERS OR 2'-1" MINIMUM UNDO. PROVIDE HOOKED BARS AT CORNERS OR INTERSECTIONS. (SEE MASONRY NOTES FOR LAP SPICE REQUIREMENTS IN MASONRY.)
- 5) PROVIDE AIR ENTRAINMENTS OF 4 TO 6 PERCENT.
- 6) REINFORCED CONCRETE WORK SHALL CONFORM TO THE LATEST EDITION OF BUILDING CODE REQUIREMENTS FOR STRUCTURAL CONCRETE (ACI 318).
- 7) PROVIDE CLASS B BARS AND MESH SUPPORTS.

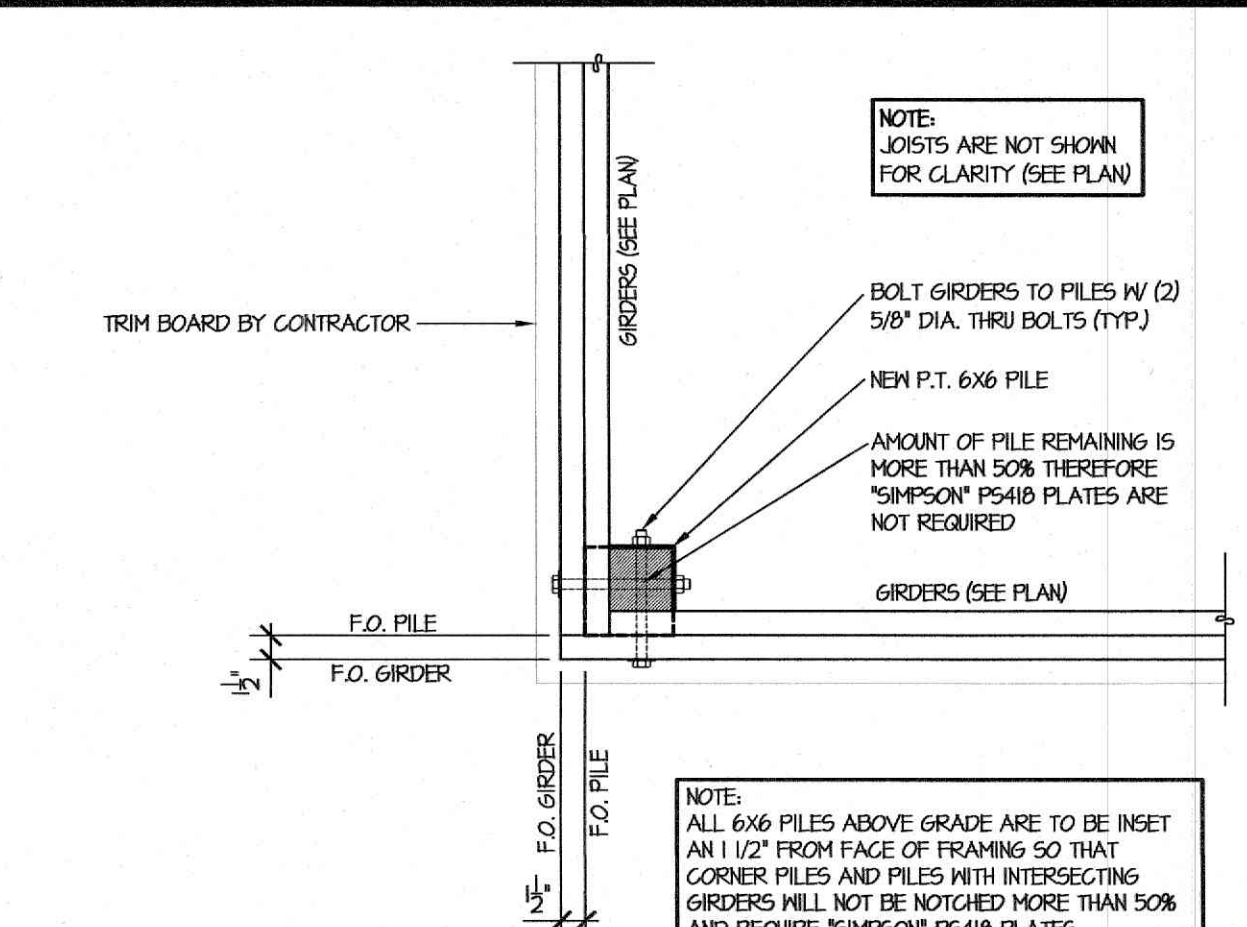
ENGINEER RESPONSIBLE FOR ALL STRUCTURAL COMPONENTS ON THIS DRAWING. ALL DIMENSIONS AND DETAILS MAY NOT BE SHOWN AND ARE THE RESPONSIBILITY OF THE DESIGNER AND CONTRACTOR. CONTRACTOR IS TO VERIFY WITH ENGINEER ANY ADDITIONAL DETAILS REQUIRED FOR CONSTRUCTION.

CONTRACTOR TO SHORE AND BRACE EXISTING STRUCTURE DURING ENTIRE RENOVATION

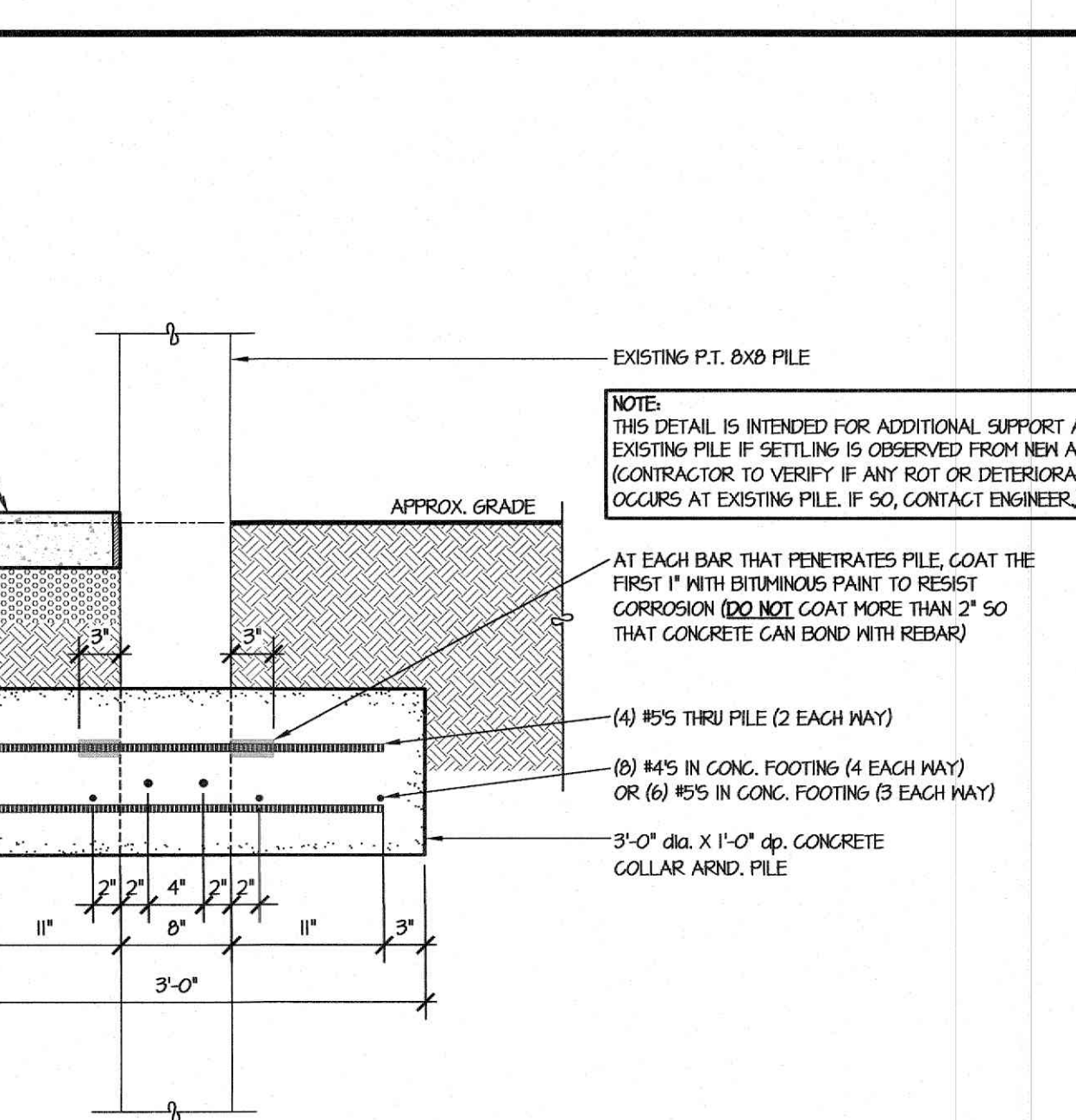
RENOVATION DISCLAIMER:
THE FRAMING IMPROVEMENTS SHOWN ON THESE PLANS ARE INTENDED SOLELY TO PROVIDE STRUCTURAL SUPPORT FOR THE NEW RENOVATIONS / ADDITIONS TO THE CURRENT BUILDING. ANALYSIS OF THE EXISTING BUILDING FOR CODE COMPLIANCE HAS NOT BEEN DONE BY THIS OFFICE. FURTHERMORE, HE TAKE NO RESPONSIBILITY FOR ANY PRE-EXISTING FRAMING DEFICIENCIES, UNLEVEL FLOOR CONDITIONS, CURT OF FLUID WALLS, IMPROPER OPERATION OF DOORS & WINDOWS, CRACKING OR SEPARATION OF TRIM AND FINISH MATERIALS, POTENTIAL DETERIORATION OF THE FOUNDATION OR ROOF, HIDDEN MOISTURE DAMAGE AND ROT, OR ANY UNFORESEEN PROBLEMS WITH SOIL CONDITIONS ON THE PROPERTY. THE CONTRACTOR SHOULD TAKE STEPS TO DOCUMENT AND PHOTOGRAPH EXISTING CONDITIONS OF THE HOUSE PRIOR TO CONSTRUCTION. IF ANY OF THE ABOVE ISSUES ARE DISCOVERED DURING THE RENOVATION PROCESS, THE CONTRACTOR MUST NOTIFY THE ENGINEER IMMEDIATELY AND TAKE STEPS TO REMEDY THESE CONDITIONS BEFORE CONTINUING WITH CONSTRUCTION.

PILE CAPACITY NOTE:
PILES MUST BE DRIVEN TO ACHIEVE THE REQUIRED TONNAGE AS INDICATED IN THE SCHEDULE ABOVE. MINIMUM EMBEDMENT SHALL BE DEEPER THAN THE MINIMUM REQUIREMENTS.
CONTRACTOR MUST VERIFY LOCAL EROSION RATE WITH CANA AND PLACEMENT OF HOUSE ON LOT TO DETERMINE MINIMUM EMBEDMENT REQUIREMENT:
ACCORDING TO N.G.R.C. SECTION 4603.4 - REQUIRED DEPTH OF PILES, PILE TIP SHALL EXTEND TO A DEPTH OF NOT LESS THAN 8 FEET (2430 MM) BELOW THE NATURAL GRADE OR FINISHED GRADE OF THE LOT, WHICHEVER IS LOWER. ALL PILING WITHIN THE OCEAN HAZARD AREA SHALL HAVE A TIP PENETRATION OF AT LEAST 5 FEET (1524 MM) BELOW MEAN SEA LEVEL OR 16 FEET (4877 MM) BELOW AVERAGE ORIGINAL GRADE, WHICHEVER IS LEAST. STRUCTURES WITHIN OCEAN HAZARD AREAS WHICH ARE PLACED UPON THE SITE BEHIND A LINE 60 TIMES THE ANNUAL EROSION RATE AWAY FROM THE MOST SEAWARD LINE OF STABLE NATURAL VEGETATION ARE EXEMPT FROM THIS ADDITIONAL TIP PENETRATION REQUIREMENT.*

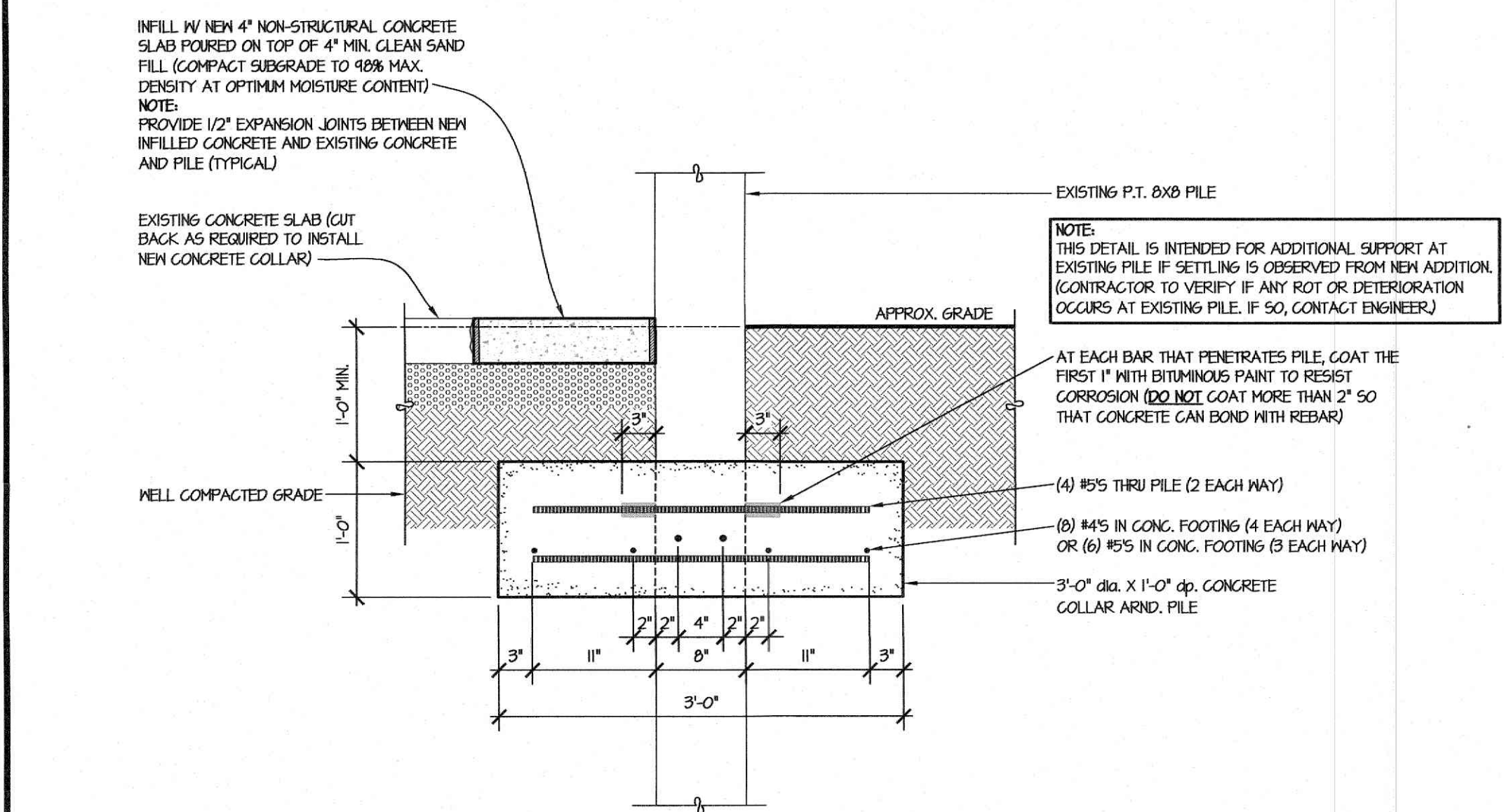
E PLAN VIEW OF PILE NOTCH
S1.0 SCALE: 1"=1'-0"



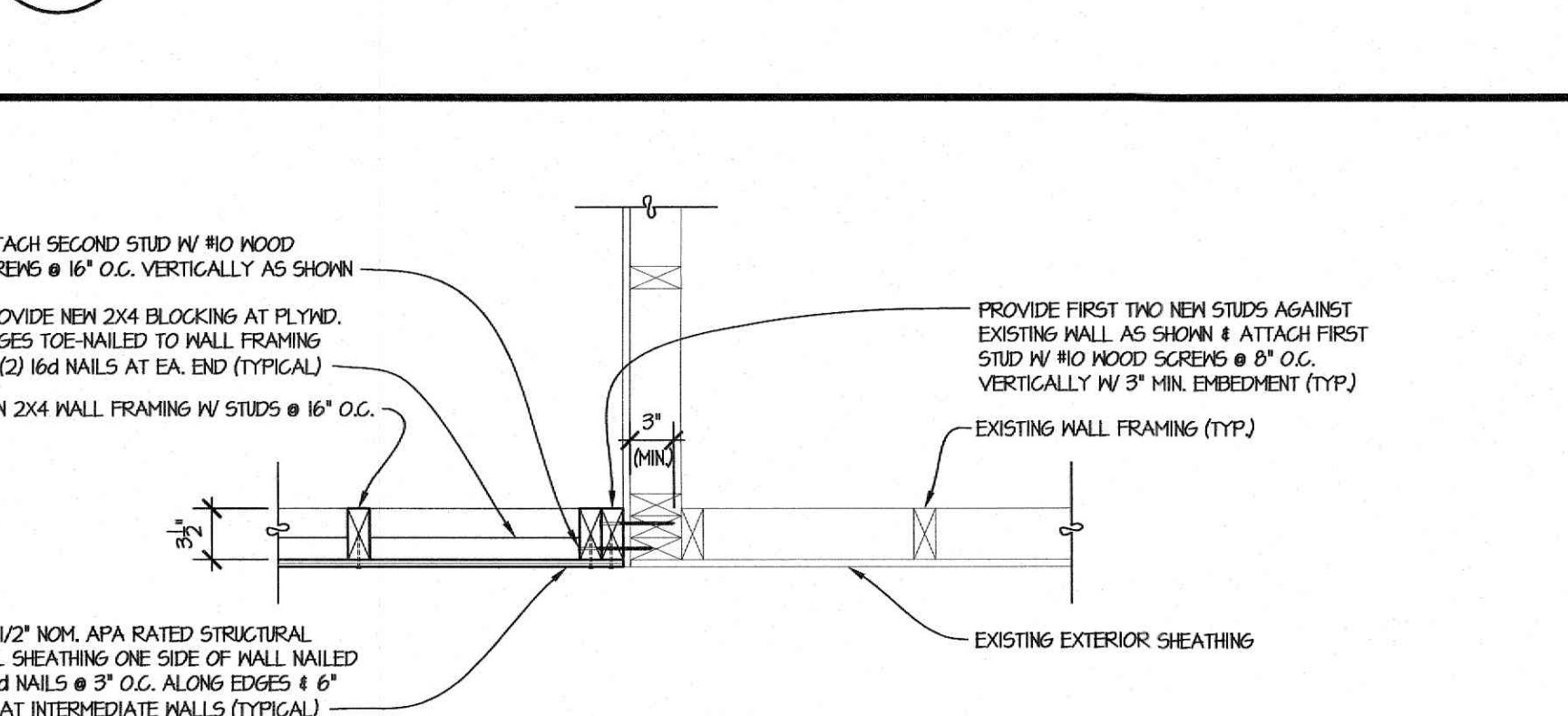
D PLAN VIEW OF PILE NOTCH AT DECK
S1.0 SCALE: 1"=1'-0"



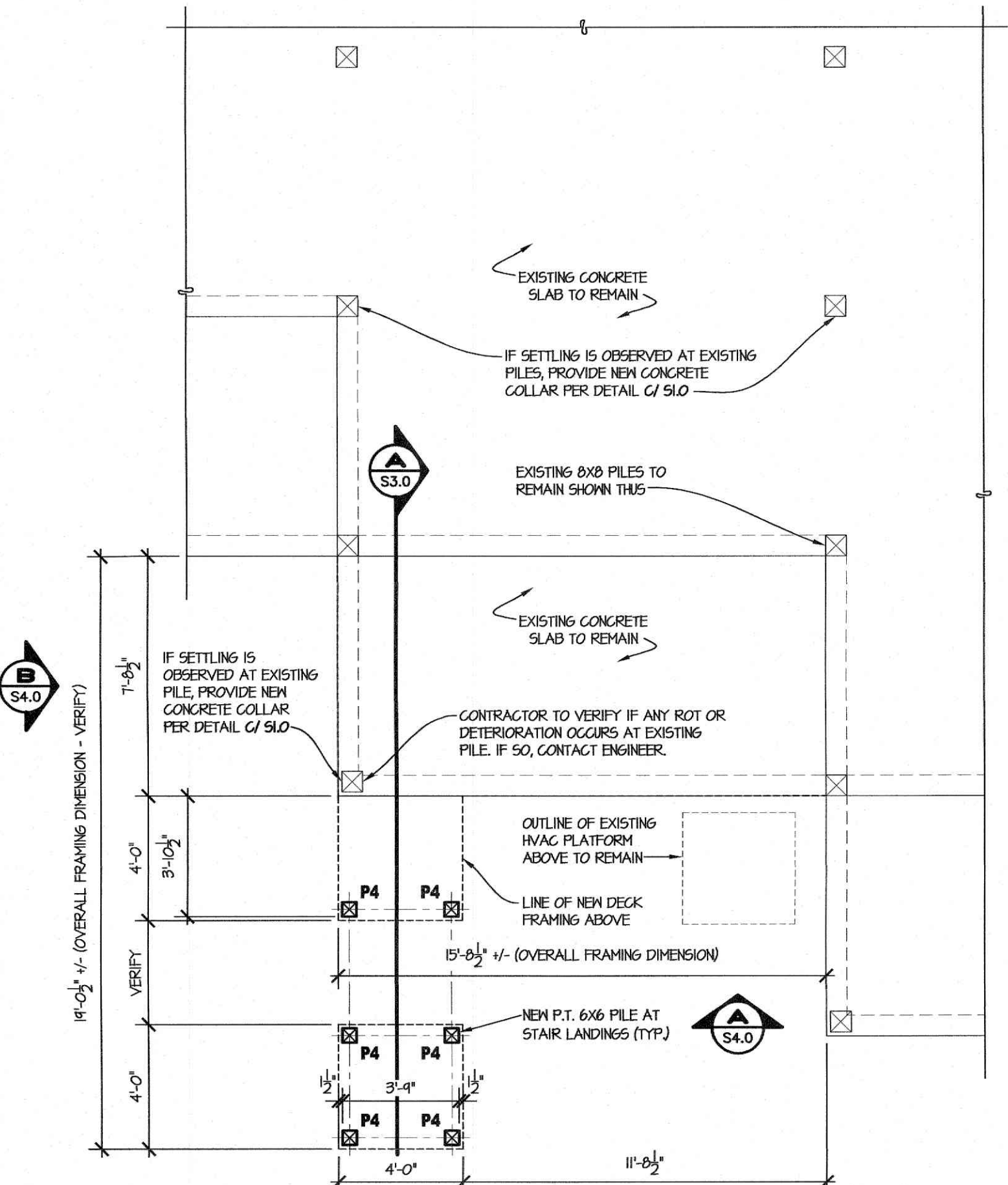
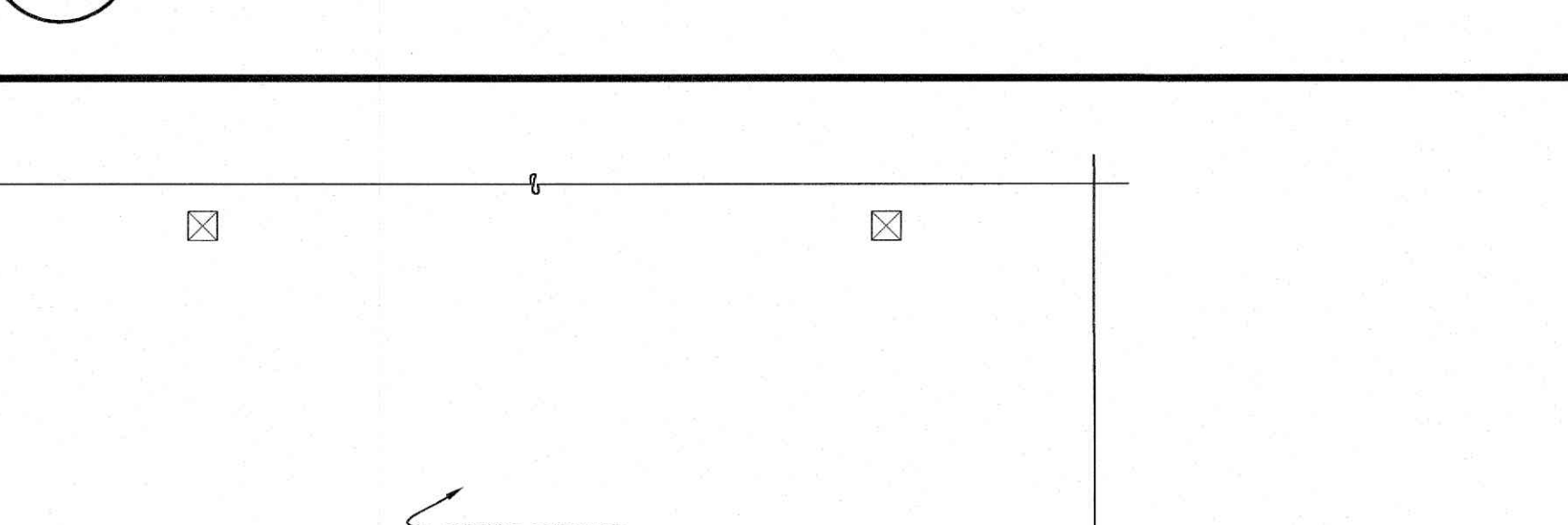
C TYPICAL 3'-0" CONG. COLLAR OPTION
S1.0 SCALE: 1"=1'-0"



B PLAN VIEW OF NEW WALL TO EXISTING WALL INTERSECTION
S1.0 SCALE: 1"=1'-0"



A PLAN VIEW OF NEW WALL TO EXISTING WALL INTERSECTION
S1.0 SCALE: 1"=1'-0"

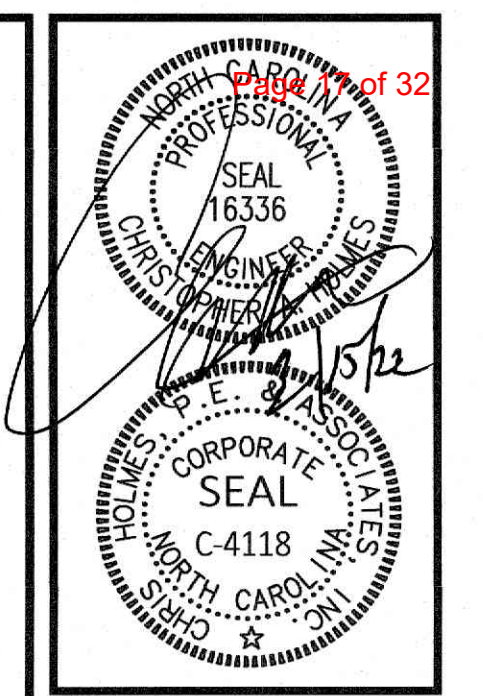


MARK	TONNAGE REQ'D.	AMOUNT
P4	4 TONS	6

PILE LOG NOTE:
PILE INSTALLER SHALL KEEP DETAILED LOG DATA DURING INSTALLATION OF PILES SO THAT ENGINEER CAN VERIFY THAT PROPER BEARING CAPACITIES WERE REACHED. LOG DATA SHALL INCLUDE HEIGHT OF HAMMER, HEIGHT OF FALL, APPROXIMATE DEPTH OF PILE, AND PILE MOVEMENT PER BLOW IN INCHES (AVERAGED OVER 10 BLOWS).

PILE INSET NOTE:
ALL NEW PILES ARE INSET FROM OUTSIDE FACE OF FRAMING A DIMENSION OF 1/2" SO THAT CORNER PILES AND PILES WITH INTERSECTING GIRDERS WILL NOT BE OVER NOTCHED AND REQUIRE P5410 PLATES. PILES MAY BE FINISHED OUT FLUSH WITH FACE OF FRAMING BUT THEN ALL CORNER PILES AND PILES WITH INTERSECTING GIRDERS WILL BE NOTCHED MORE THAN 50% AND WILL REQUIRE P5410 PLATES PER CODE.

- SYMBOL LEGEND**
- ☒ NEW P.T. 6X6 PILES (TYP. - SEE PLAN)
 - ☒ EXISTING 6X6 PILES TO REMAIN (SEE PLAN)
 - LINE SHOWN THIS THROUGH THE CENTER LINE OF 6X6 PILES INDICATES THAT THESE PILES ARE IN ALIGNMENT WITH EACH OTHER. CHECK ALL PILE DIMENSIONS CAREFULLY PRIOR TO CONSTRUCTION.



Original Release Date: **04.14.22**

No.	Revision	Date

Project Name: **Murphy Renovation**
 #4 Bermuda Landing
 North Topsail, North Carolina

Project Description: **Structural Framing Plans**

Project No.: **22092**

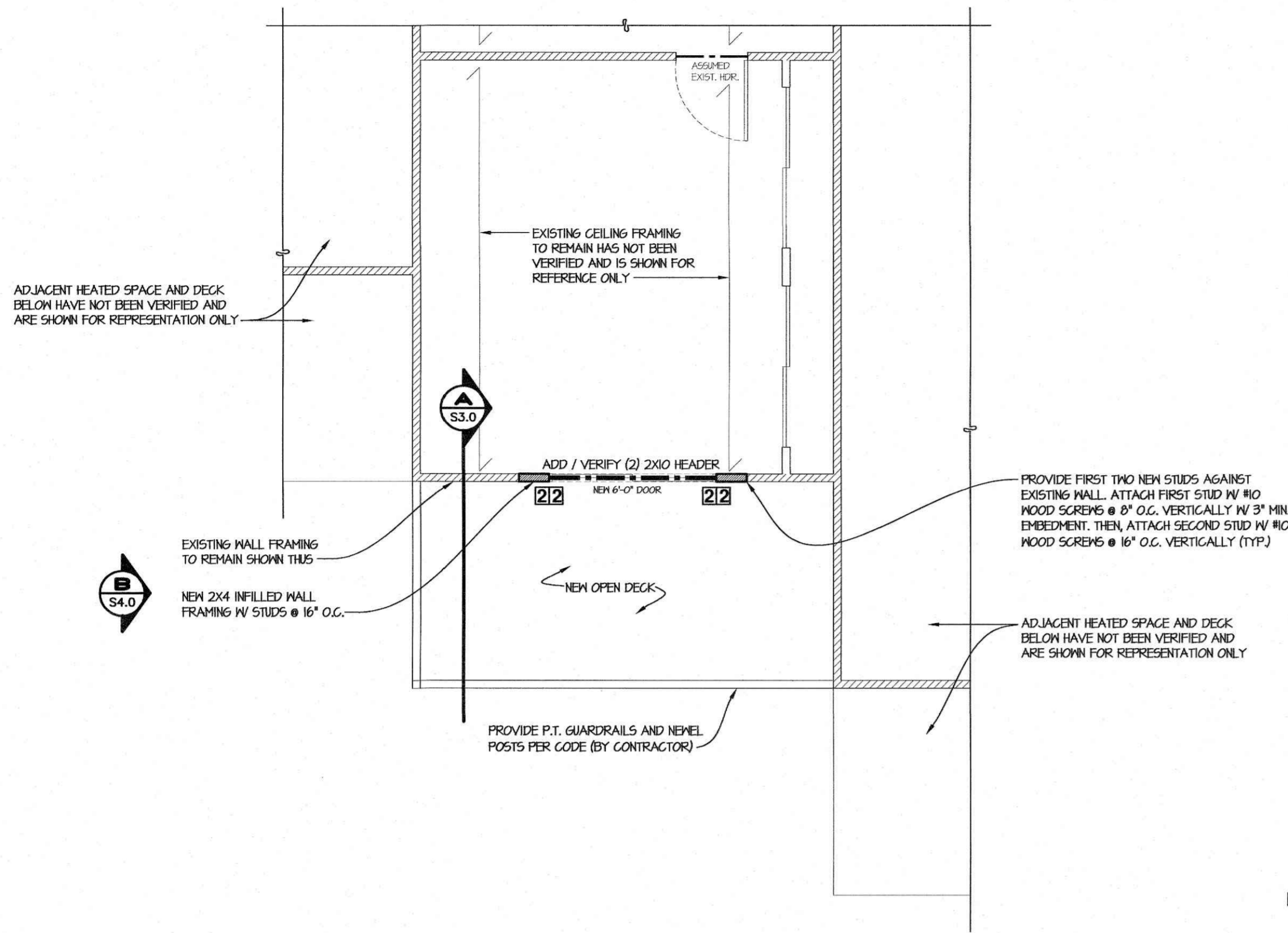
Date: **04.14.22**

Drawn By: **R.S.G.**

Designed By: **C.A.H.**

CHRIS HOLMES, P.E.
 & ASSOCIATES, INC.

5725 Oleander Drive (Oleander Oaks) - Suite F-4 - Wilmington - N.C. 28403
 Phone (910) 796-9988 Fax (910) 796-9989 office@holmespe.com



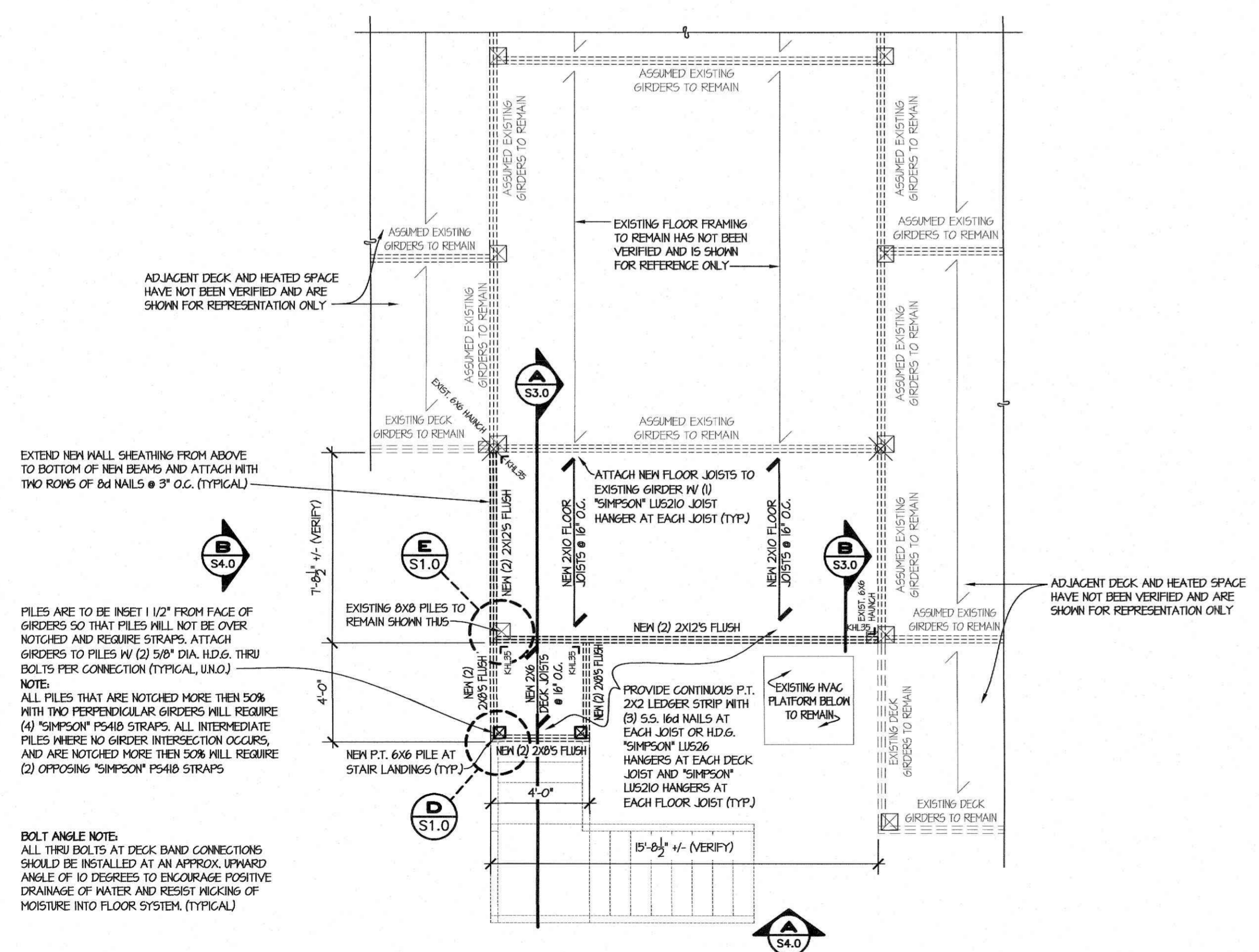
5 CEILING FRAMING PLAN • SCALE: 1/4" = 1'-0"
(SHOWING SECOND LEVEL WALLS)

CONTRACTOR TO SHORE AND BRACE EXISTING STRUCTURE DURING ENTIRE RENOVATION

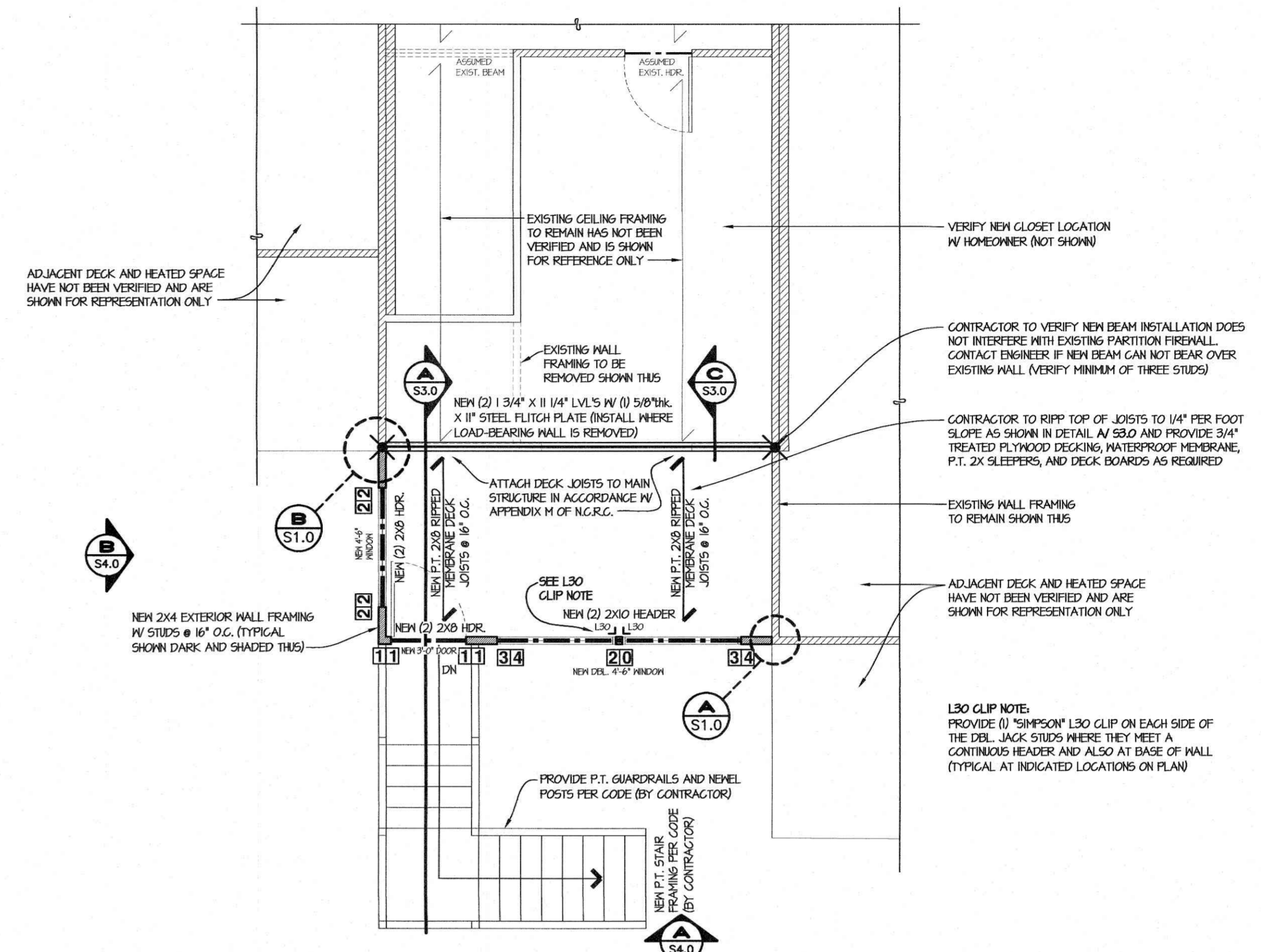
JACK & KING STUD LEGEND

INDICATES # OF JACK STUDS REQ'D.	112	INDICATES # OF KING STUDS REQ'D.
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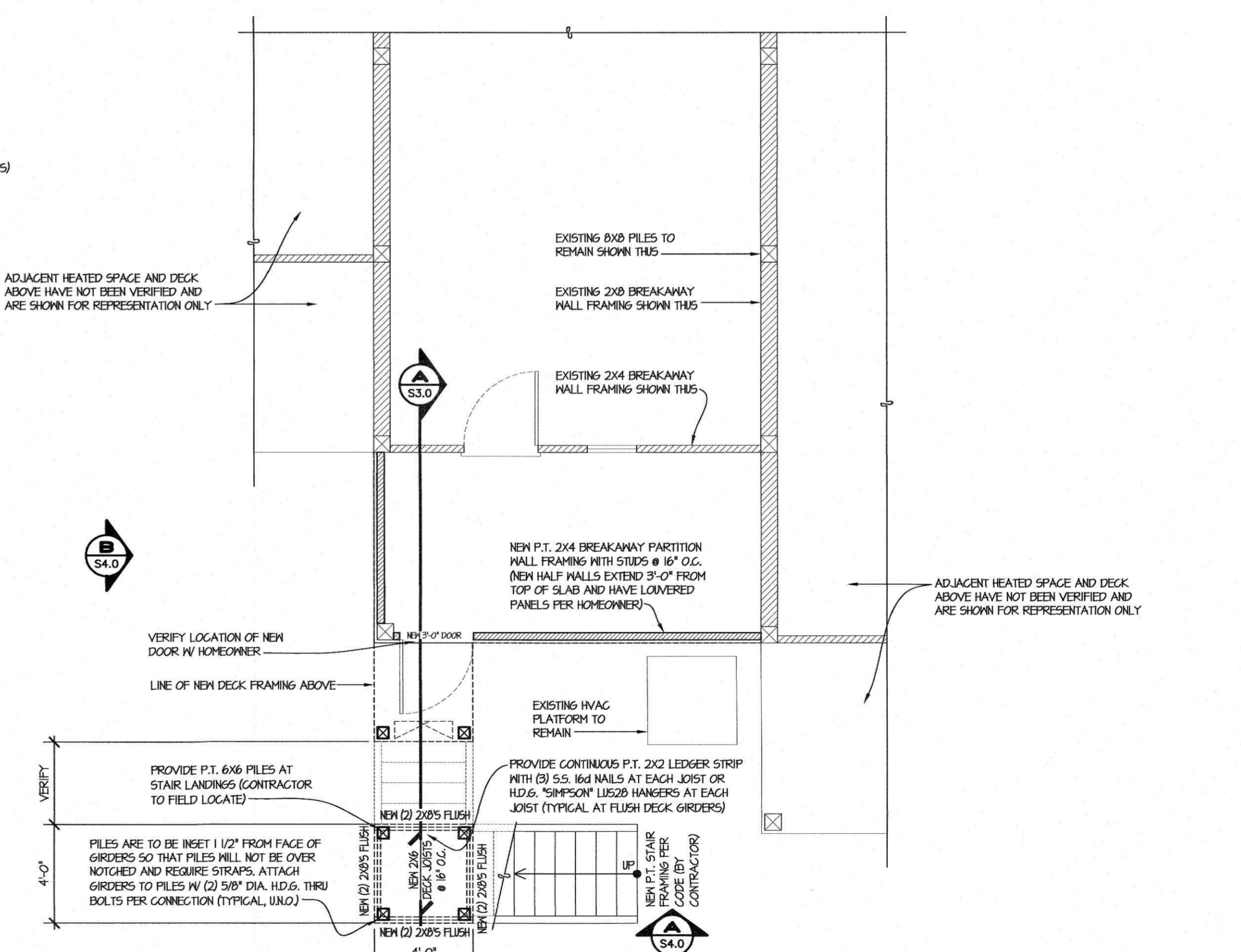
- SYMBOL LEGEND**
- INDICATES NEW EXTERIOR WALLS AND INTERIOR LOAD BEARING WALLS (TYP. SHOWN SHADED)
 - INDICATES NEW GROUND LEVEL PARTITION WALLS (TYP. SHOWN SHADED)
 - INDICATES EXISTING EXTERIOR WALLS AND INTERIOR LOAD BEARING WALLS (TYP. SHOWN SHADED)
 - NEW BEAM BEARING POINT
PROVIDE (2) STUDS BELOW 2X BEAMS, UNO. PROVIDE (3) STUDS BELOW LVL BEAMS, UNO.
 - NEW POINT LOAD FROM ABOVE THAT BEARS OVER BEAM OR WALL (PROVIDE (3) STUDS, UNLESS NOTED OTHERWISE, IN WALL BELOW POINT LOADS ALONG W/ SOLID BLOCKING IN FLR. SYSTEM DN. TO FOUNDATION)
 - INDICATES FRAMING DIRECTION OF NEW FLR. OR CEILING MEMBERS (SEE PLAN FOR LOCATIONS AND SIZES)
 - INDICATES FRAMING DIRECTION OF EXISTING FLR. OR CEILING MEMBERS (SEE PLAN FOR LOCATIONS)
 - INDICATES NEW HEADERS OVER DOOR OR WINDOW OPENINGS
 - INDICATES EXISTING HEADERS OVER DOOR OR WINDOW OPENINGS
 - INDICATES 1/2" STEEL ANGLE LOCATIONS (MUST USE 5/8" DIA. BOLTS)
 - INDICATES NEW DROPPED 2X OR LVL BEAM LOCATIONS (SEE PLAN)
 - INDICATES NEW FLUSH 2X OR LVL BEAM LOCATIONS (SEE PLAN)
 - INDICATES EXISTING DROPPED OR FLUSH 2X OR LVL BEAM LOCATIONS (SEE PLAN)
 - NEW P.T. 6x6 PILES (TYP. - SEE PLAN)
 - EXISTING 6x6 PILES TO REMAIN (SEE PLAN)
 - INDICATES P.T. 4x6 KNEE BRACE ABOVE (TYP. AT DECK)



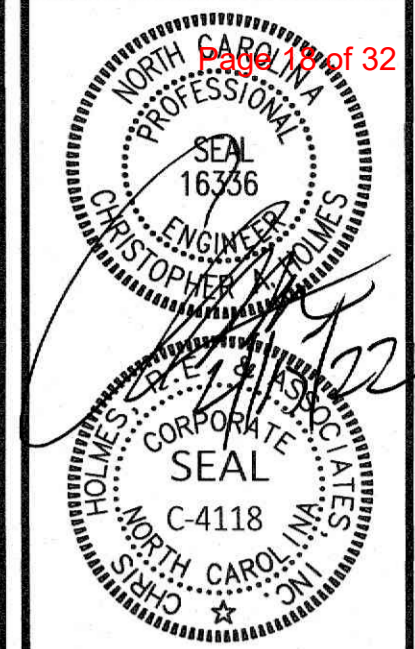
3 FIRST LEVEL FLR. FRAMING PLAN • SCALE: 1/4" = 1'-0"
(SHOWING PILES AND GIRDERS)



4 SECOND LEVEL FLOOR FRAMING PLAN • SCALE: 1/4" = 1'-0"
(SHOWING FIRST LEVEL WALLS)



2 GROUND LEVEL WALL PLAN • SCALE: 1/4" = 1'-0"
(SHOWING PILES AND BRACING)



Original Release Date: **04.14.22**

Rev.	Revision Date

Project Name: **Murphy Renovation #4 Bermuda Landing North Topsail, North Carolina**

Project Description: **Structural Framing Plans**

Project No.: **22092**

Drawn By: **R.S.G.**

Date: **04.14.22**

Designed By: **C.A.H.**

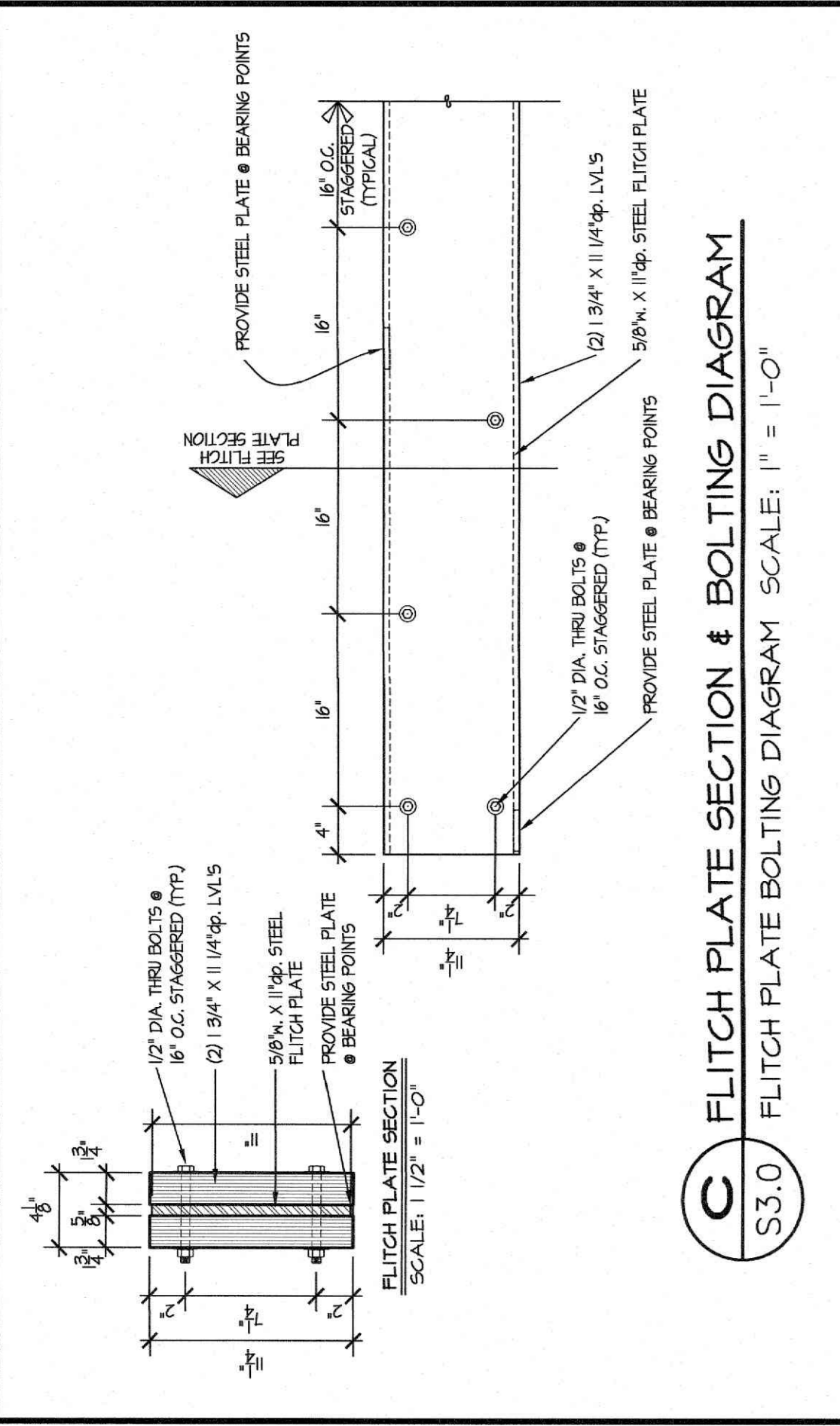
CHRIS HOLMES, P.E. & ASSOCIATES, INC.

5725 Oleander Drive (Oleander Oaks) - Suite F-4 - Wilmington - N.C. 28403

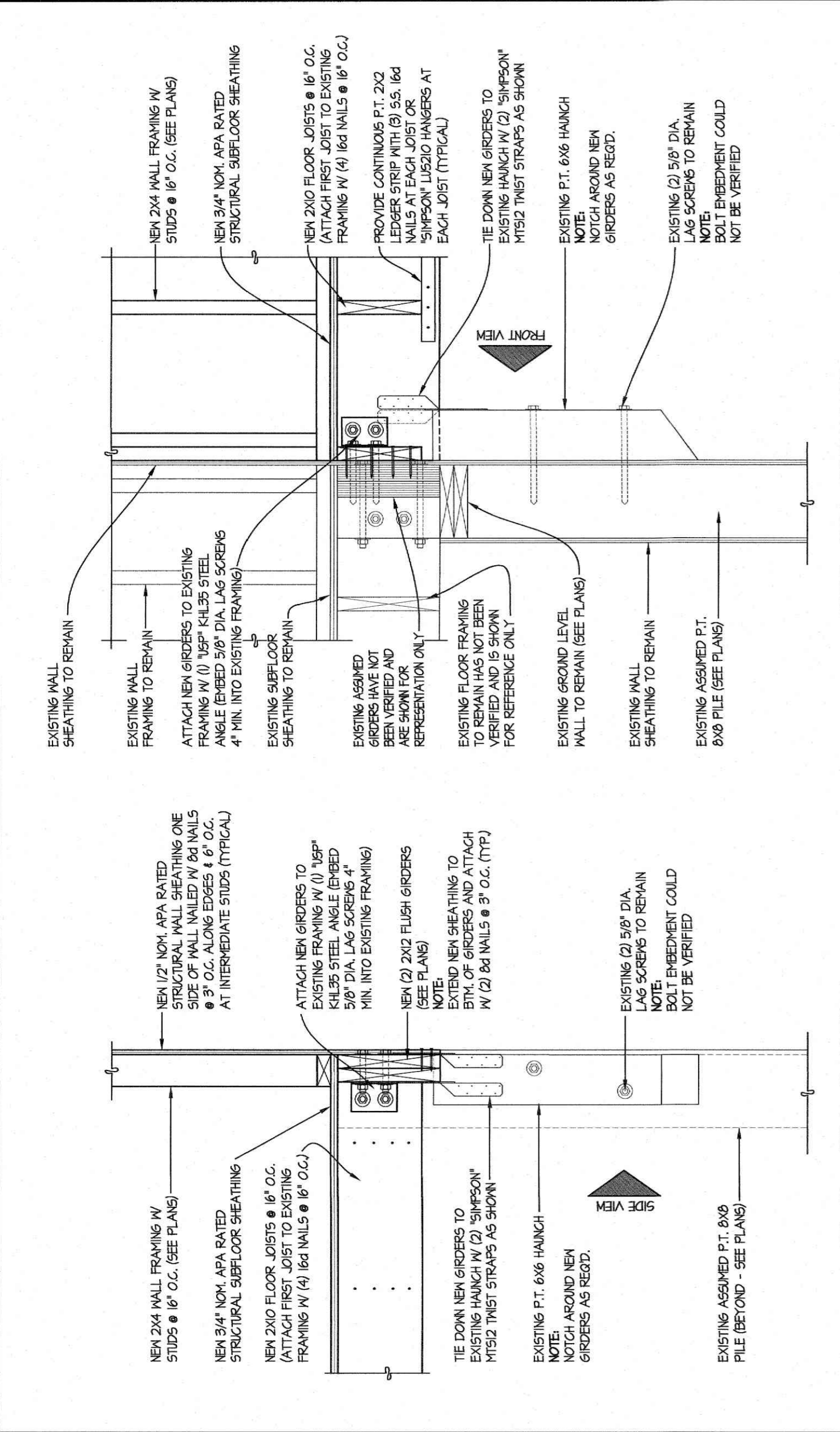
Phone (910) 796-9988 Fax (910) 796-9989 office@holmespe.com

Sheet: **S2.0**

Of: **4**

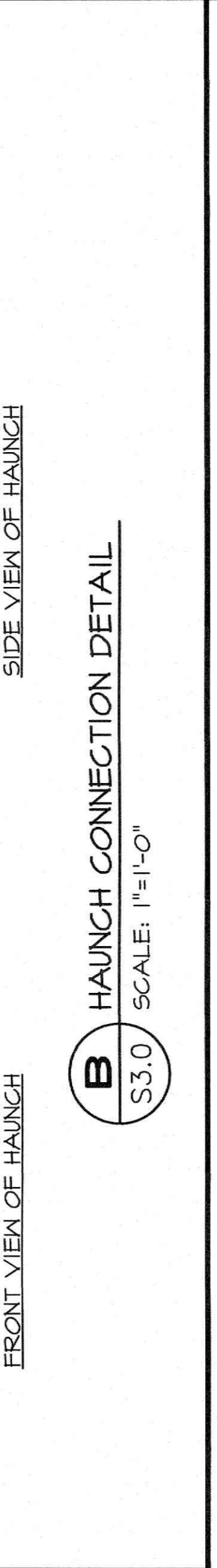


C FLITCH PLATE SECTION & BOLTING DIAGRAM SCALE: 1/2" = 1'-0"

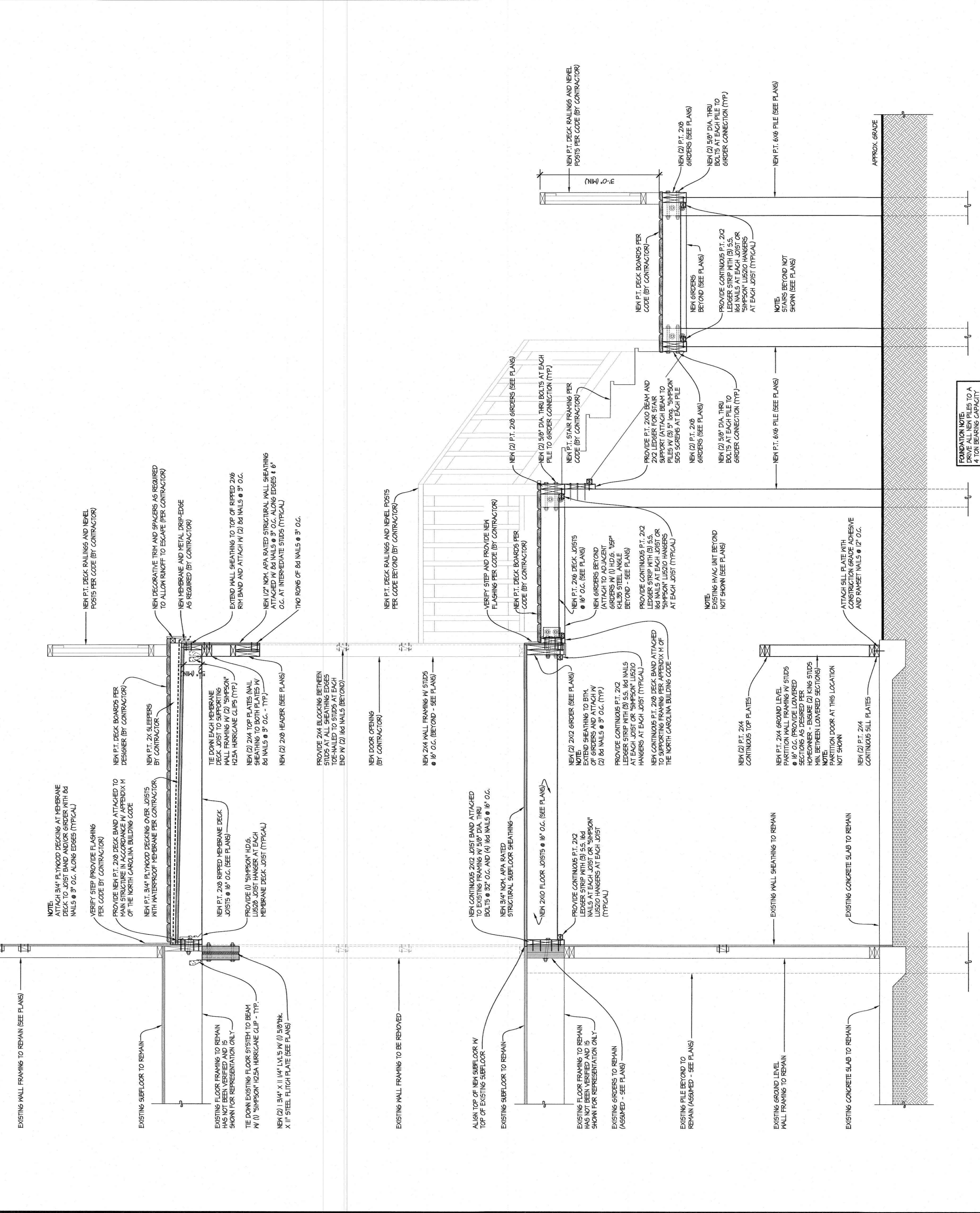


FRONT VIEW OF HAUNCH

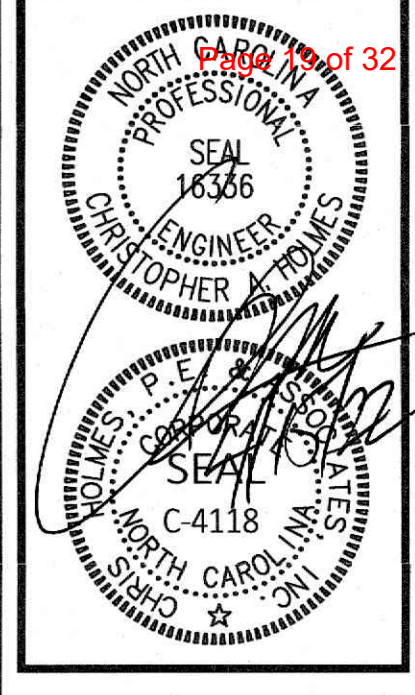
B HAUNCH CONNECTION DETAIL SCALE: 1/2" = 1'-0"



SIDE VIEW OF HAUNCH



A NEW ADDITION SECTION SCALE: 3/4" = 1'-0"



Original Release Date	04.14.22
No.	1
Revision Date	

Project Name: **Murphy Renovation #4 Bermuda Landing North Topsail, North Carolina**

Project Description: **Structural Details**

Project No.: **22092**

Drawn By: **R.S.G.**

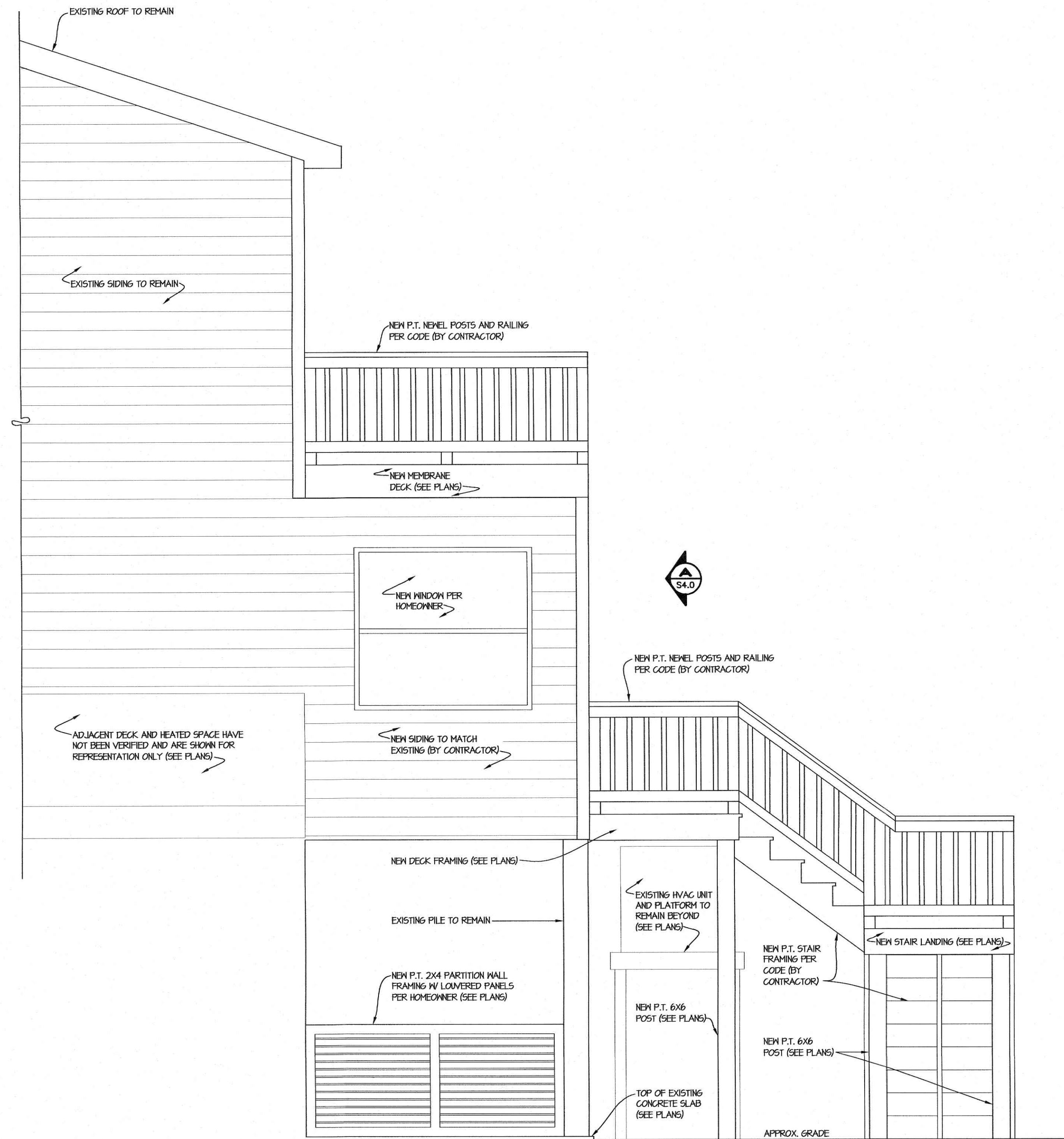
Date: **04.14.22**

Designed By: **C.A.H.**

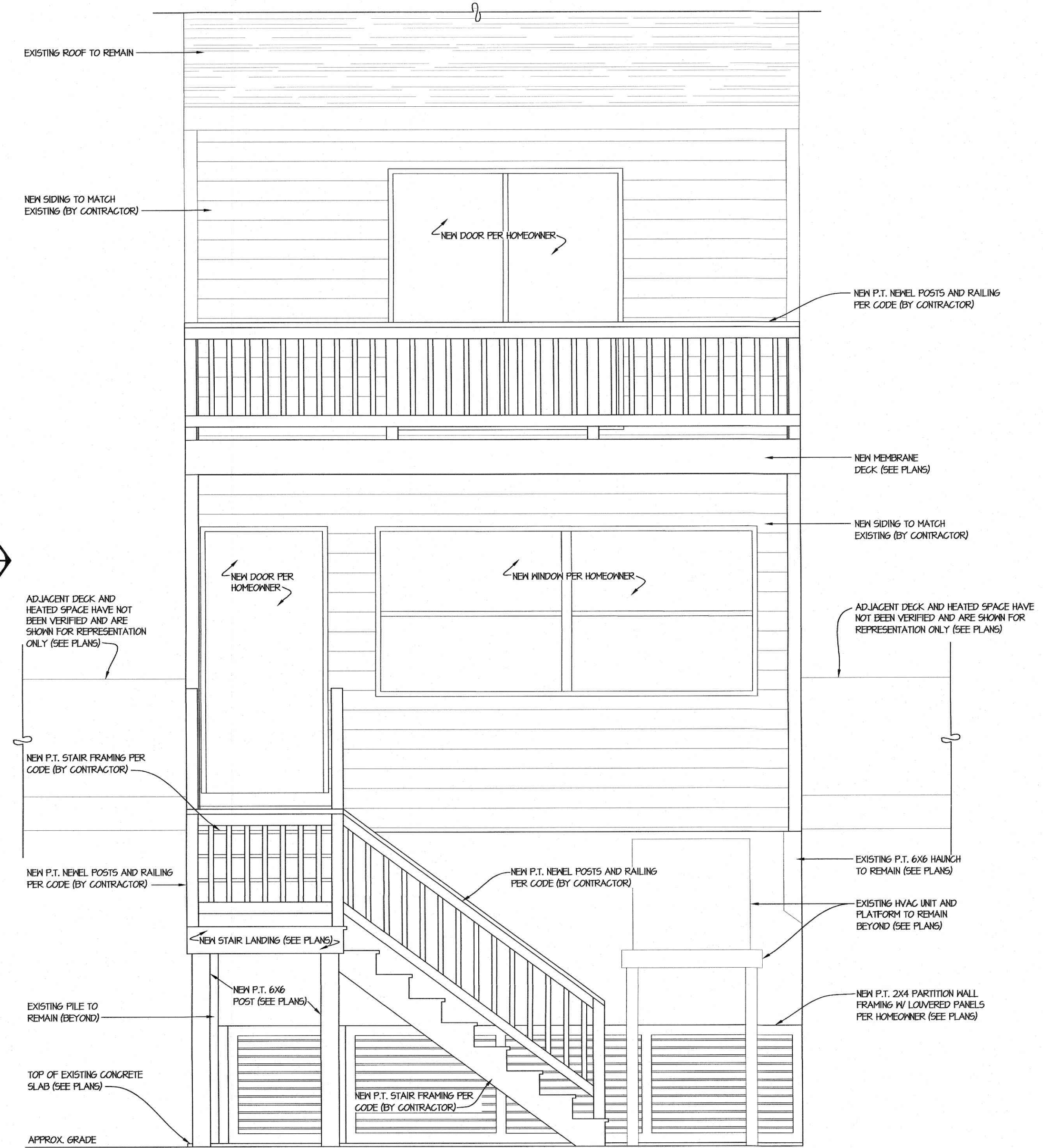
CHRIS HOLMES, P.E. & ASSOCIATES, INC.

5725 Oleander Drive (Oleander Oaks) - Suite F-4 - Wilmington - N.C. 28403

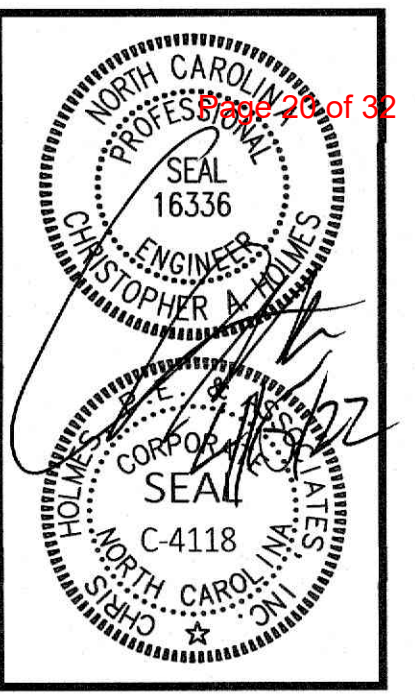
Phone (910) 796.9988 Fax (910) 796.9989 office@holmespe.com



B SIDE ELEVATION
S4.0 SCALE: 1/2"=1'-0"



A REAR ELEVATION
S4.0 SCALE: 1/2"=1'-0"



Original Release Date:	04.14.22
No.	
Revision No.	
Revision Date	

Project Name: **Murphy Renovation**
 #4 Bermuda Landing
 North Topsail, North Carolina
 Project No.: 22092
 Drawn By: R.S.G.
 Date: 04.14.22
 Designed By: C.A.H.

CHRIS HOLMES, P.E.
 & ASSOCIATES, INC.
 5725 Oleander Drive (Oleander Oaks) - Suite F-4 - Wilmington - N.C. 28403
 Phone (910) 796.9988 Fax (910) 796.9989 office@holmespe.com

Sheet: **S4.0**
 of: 4

Page 1
Returned



Page 21 of 32

Doc ID: 014388600004 Type: CRP
Recorded: 07/26/2019 at 04:16:02 PM
Fee Amt: \$26.00 Page 1 of 4
Revenue Tax: \$0.00
Onslow County, NC
Rebecca L. Pollard Reg. of Deeds
BK 4991 PG 621-624

No Title Examination Requested

**Mail To: Laura Mignone
#4 Bermuda Landing Place
North Topsail Beach, NC 28460**

Parcel ID# 048198

This instrument was prepared by: M Lynn Smith Attorney at Law, PC

QUITCLAIM DEED

EXCISE TAX PAID \$ 0

STATE OF NORTH CAROLINA, ONSLOW COUNTY

THIS DEED, made and entered into this 22 day of July, 2019, by and between **Marco Mignone** of Onslow County, State of North Carolina, hereinafter called Grantor, and **Laura Mignone** of Onslow County, State of North Carolina, hereinafter called Grantee, whose permanent mailing address is #4 Bermuda Landing Place, North Topsail Beach, North Carolina, 28460.

WITNESSETH:

That said Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has remised and released and by these presents does remise, release, convey and forever quitclaim unto the Grantee, her heirs and/or successors and assigns, all right, title, claim and interest of the Grantor in and to a certain lot or parcel of land lying and being in Onslow County, North Carolina, and more particularly described as follows:

All that tract or parcel of land being described as Lot 12, Unit 4, Bermuda Landing, North Topsail Beach, North Carolina as shown on that certain plat entitled "Bermuda Landing, Revision of Lot 12, Stump Sound Township, Onslow County, NC," prepared by Cowan and Jones, P.A., Registered Land Surveyors and recorded in Map Book 26, Page 222, Onslow County Registry and being the same property shown in that Deed recorded in Book 1954, Page 318 and Book 1863, Page 967 Onslow County Registry.

The property hereinabove described was acquired by Grantor by instrument recorded in Book 4496, Page 3.

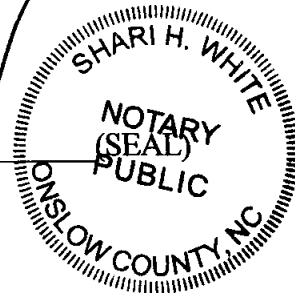
A map showing the above-described property is recorded in Plat Book 26, Page 318.

To have and to hold the aforesaid lot or parcel of land and all privileges thereunto belonging to her, the Grantee, her heirs and/or successors and assigns, free and discharged from all right, title claim or interest of the Grantor or anyone claiming by, through or under him.

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

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

Marco Mignone
Marco Mignone



Onslow County
North Carolina

I, Marco Mignone Shari H. White, a Notary Public of the County and State aforesaid, certify that **Marco Mignone** personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal this 22 day of July, 2019.

My Commission Expires: 10/24/2020

Shari H. White
Notary Public

The foregoing Certificates of _____

is/are certified to be correct. This instrument and this certificate are duly registered this _____ day of _____, _____, at _____ A.M., P.M., Book _____, Page _____.

_____ Register of Deeds for _____ County, North Carolina.

By _____ Deputy/Assistant - Register of Deeds.



Tax Certification Form (Check One Box)

This certifies that there are no delinquent ad valorem taxes, or other taxes which the Onslow County Tax Collector is charged with collecting, that are a lien on:

Parcel Identification Number:

048198-GRANTEE: LAURA MIGNONE

This is not a certification that this Onslow County Parcel Identification Number matches the deed description.

No certification required, as attorney statement that any delinquent taxes will be paid from closing proceeds is included on first page of deed.

Balance due on account. It must be paid to Onslow County Tax Collector within 5 days of closing.

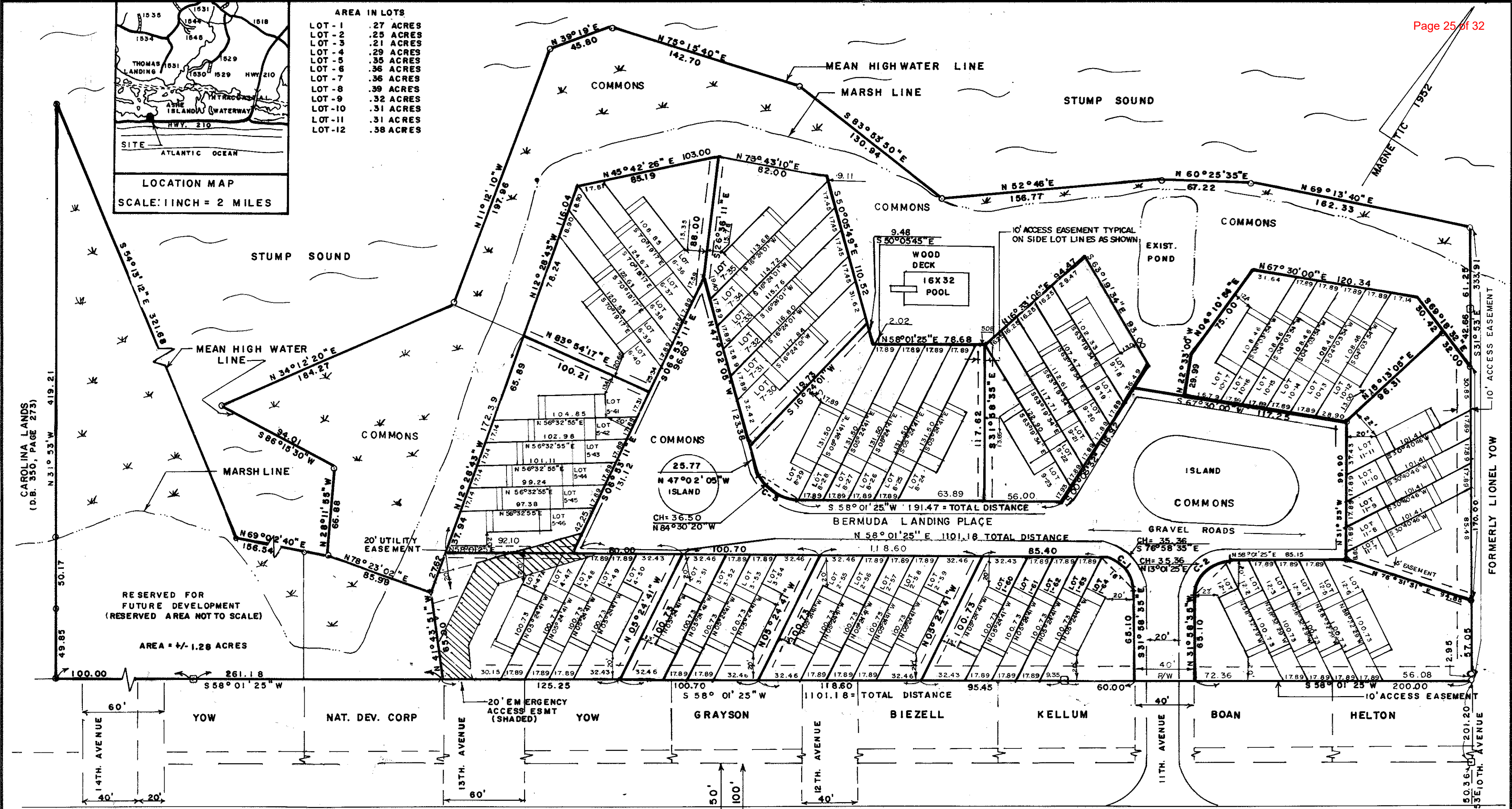
VALERIA B COX
Digitally signed by VALERIA B COX
DN: cn=VALERIA B COX, o=ONSLOW COUNTY TAX
ADMINISTRATION, ou,
email=valeria_cox@onslowcountync.gov, c=US
Date: 2019.07.26 13:06:28 -0400

Tax Collections Staff Signature

07/25/2019

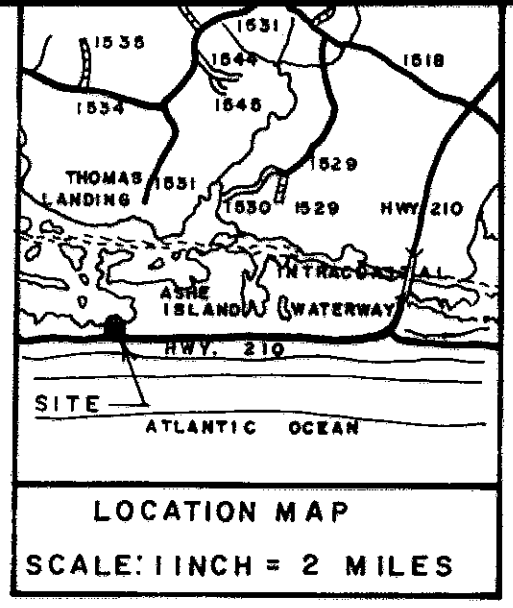
Date

This parcel may have deferred taxes which become due upon transfer of the property. Call the Tax Office, Land Records Division at 910-989-2204 for more information.



AREA IN LOTS

LOT - 1	.27 ACRES
LOT - 2	.25 ACRES
LOT - 3	.21 ACRES
LOT - 4	.29 ACRES
LOT - 5	.35 ACRES
LOT - 6	.36 ACRES
LOT - 7	.36 ACRES
LOT - 8	.39 ACRES
LOT - 9	.32 ACRES
LOT - 10	.31 ACRES
LOT - 11	.31 ACRES
LOT - 12	.38 ACRES



NOTE NO. 1 - FOR REFERENCE TO THE WITHIN PLATTED PROPERTY SEE A DEED DATED MARCH 16, 1983 WHICH SAID DEED IS RECORDED IN DEED BOOK 647 PAGE 89 IN THE ONSLOW COUNTY REGISTRY. ALSO SEE A MAP ENTITLED "BOUNDARY SURVEY MAP, ONSLOW COUNTY PROPERTY" PREPARED BY JAMES P. STEWART & ASSOCIATES, RECORDED IN MAP BOOK 21 PAGE 32 IN THE ONSLOW COUNTY REGISTRY.

NOTE NO. 2 - IRON STAKES TO BE PLACED AT ALL PROPERTY CORNERS.

NOTE NO. 3 - COMMONS MAINTAINED BY HOMEOWNERS ASSOCIATION

NOTE NO. 4 - WATER SYSTEM VIA ONSLOW COUNTY SYSTEM

NOTE NO. 5 - SANITARY SEWER SYSTEM VIA NORTH TOPSAIL WATER AND SEWER, INC.

NOTARY PUBLIC
LAWRENCE S. BOEHLING
NORTH CAROLINA

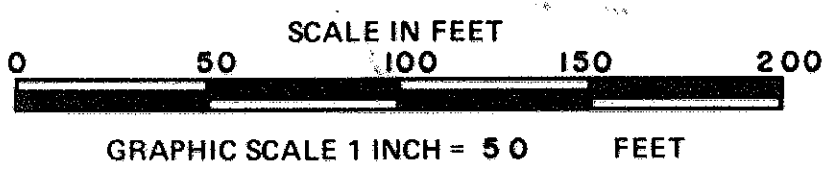
STATE OF NORTH CAROLINA, ONSLOW COUNTY THE FOREGOING CERTIFICATION BY NOTARY PUBLIC IS CERTIFIED TO BE CORRECT, PRESENTED FOR REGISTRATION AND RECORDED IN THIS OFFICE IN MAP BOOK 25, PAGE 97, SLIDE D-285 THIS DAY OF MARCH, 1988 A.D. AT 1:20 O'CLOCK P.M.

REGISTER OF DEEDS, ONSLOW CO. BY [Signature] DEPUTY OR ASSISTANT

CURVE DATA

CURVE	TANGENT	RADIUS	ARC
C-1	25.00	25.00	39.27
C-2	25.00	25.00	39.27
C-3	22.996	30.00	39.239

THE ONSLOW COUNTY PLANNING BOARD HEREBY APPROVES THE FINAL PLAT FOR BERMUDA LANDING.
DATE 3/17/88
CHAIRMAN ONSLOW COUNTY PLANNING BOARD



STATE OF NORTH CAROLINA
PENDER COUNTY
I, Lawrence S. Boehling, a Notary Public of Pender County, N. C., hereby certify that Stewart H. Jones, personally appeared before me this day and acknowledged the due execution of the foregoing certificate. Witness my hand and official seal this 15th day of March, 1988. My comm. expires: May 14, 1992.

NOTARY PUBLIC

LEGEND:

- PROPERTY LINE
- OUTSIDE BOUNDARY LINE OF SUB-DIVISION
- LOT LINE OF SUB-DIVISION
- CENTER LINE
- TIE LINE, OLD PROPERTY LINE, PROPERTY LINE OF ADJOINING PROPERTY, OR OUTLINE OF TOPOGRAPHICAL DETAIL
- EASEMENT LINE
- R/W - RIGHT-OF-WAY LINE
- UTILITY LINES
- CONCRETE MONUMENT CONTROL CORNER (TOP ABOVE GROUND)
- CONCRETE MONUMENT CONTROL CORNER (TOP BURIED)
- IRON PIPE
- IRON STAKE
- L - LENGTH OF CIRCULAR CURVE AS MEASURED WITH THE ARC OF THE CURVE
- R - RADIUS OF CIRCULAR CURVE
- T - TANGENT OF CIRCULAR CURVE
- Δ - DELTA ANGLE

MAP REVISED - MARCH 15, 1988
MAP REVISED - NOVEMBER 19, 1987

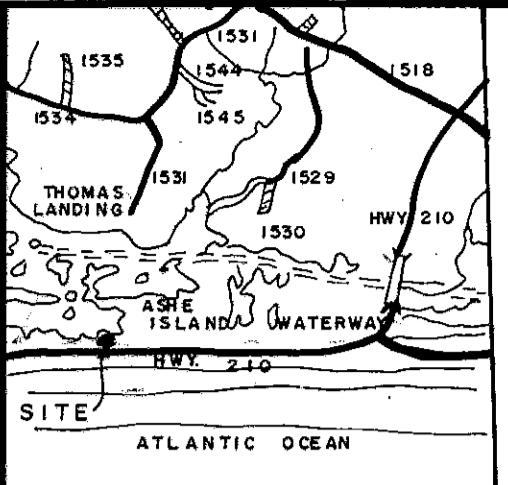
FINAL PLAT
BERMUDA LANDING
PROPERTY OF
M. F. BOSTIC
STUMP SOUND TOWNSHIP
ONSLOW COUNTY
NORTH CAROLINA
DATE OF SURVEY: JUNE 1986
SCALE: 1 INCH = 50 FEET

DRAWN BY L.K.H.
DATE JUNE 1986

COWAN AND JONES, P.A.
REGISTERED LAND SURVEYORS
BURGAW, NORTH CAROLINA

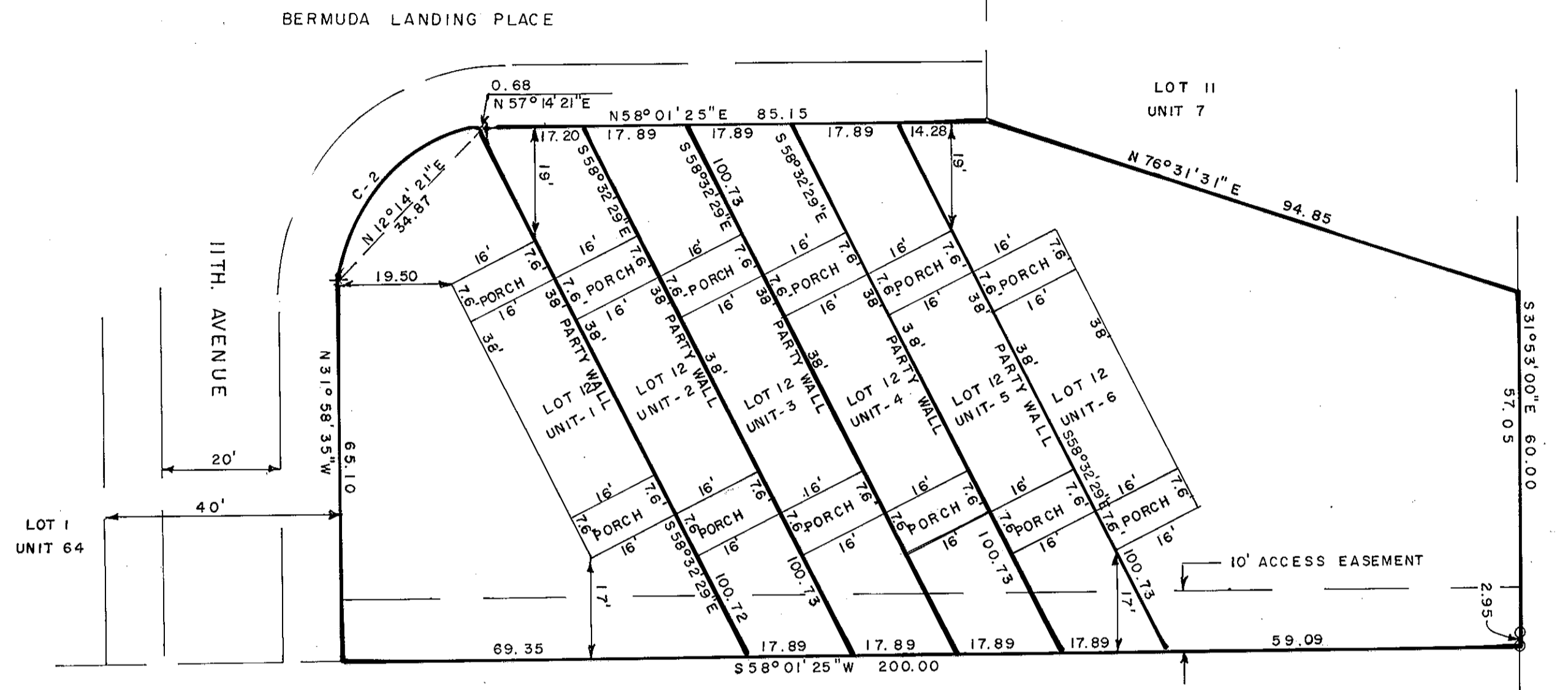
DRAWING NO. 537
SHEET NO.

MC GEE REPROGRAPHICS



LOCATION MAP
SCALE: 1 INCH = 2 MILES

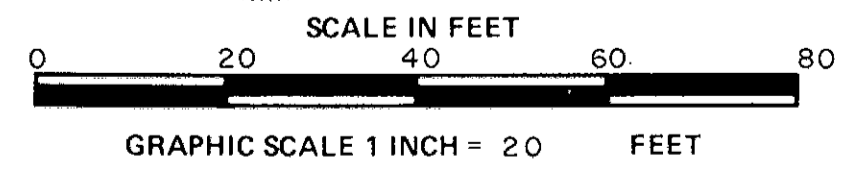
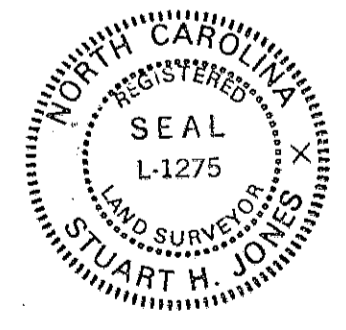
NOTE NO. 1 - FOR REFERENCE TO THE WITHIN PLATTED PROPERTY SEE A MAP RECORDED IN MAP BOOK 25, PAGE 97 IN THE ONSLOW COUNTY REGISTRY.



CURVE DATA

C-2
 $\Delta = 90^\circ 00' 00''$
 RADIUS = 25.000
 ARC = 39.270
 CHORD = 35.355
 TANGENT = 25.000

THE ONSLOW COUNTY PLANNING BOARD HEREBY APPROVES
 THIS PLAT OF LOT 12, BERMUDA LANDING.
 DATE 3/1/90 CHAIRMAN ONSLOW COUNTY PLANNING BOARD



STATE OF NORTH CAROLINA PENDER COUNTY
 I, Stuart H. Jones, BEING DULY SWORN, SAYS THAT THIS MAP WAS MADE FROM AN ACTUAL SURVEY MADE under my supervision THAT DEEDS USED FOR THIS SURVEY ARE SHOWN BY BOOK AND PAGE NUMBER IN NOTE NUMBER 1 ON THIS MAP. THAT THE PRECISION OF CLOSURE AS CALCULATED BY LATITUDES AND DEPARTURES IS 1:5020. THAT THIS MAP WAS MADE IN ACCORDANCE WITH G.S. 47-30 AS AMENDED AND IS CORRECT TO THE BEST OF HIS KNOWLEDGE AND BELIEF.
 I, Mary B. Murray, NOTARY PUBLIC OF PENDER COUNTY, N. C., HEREBY CERTIFY THAT Stuart H. Jones PERSONALLY APPEARED BEFORE ME THIS DAY AND ACKNOWLEDGED THE DUE EXECUTION OF THE FOREGOING CERTIFICATE. WITNESS MY HAND AND OFFICIAL SEAL THIS THE 16 DAY OF February, 1990. MY COMM. EXPIRES: May 15, 1992
 MARY B. MURRAY
 NOTARY PUBLIC

LEGEND:			
	PROPERTY LINE	L	LENGTH OF CIRCULAR CURVE AS MEASURED WITH THE ARC OF THE CURVE
	OUTSIDE BOUNDARY LINE OF SUB-DIVISION	R	RADIUS OF CIRCULAR CURVE
	LOT LINE OF SUB-DIVISION	T	TANGENT OF CIRCULAR CURVE
	CENTER LINE	Δ	DELTA ANGLE
	TIE LINE, OLD PROPERTY LINE, PROPERTY LINE OF ADJOINING PROPERTY, OR OUTLINE OF TOPOGRAPHICAL DETAIL		
	EASEMENT LINE		
	RIGHT-OF-WAY LINE		
	UTILITY LINES		
	CONCRETE MONUMENT CONTROL CORNER (TOP ABOVE GROUND)		
	CONCRETE MONUMENT CONTROL CORNER (TOP BURIED)		
	IRON PIPE		
	IRON STAKE		

DRAWN BY L. K. H.		DRAWING NO.
DATE FEBRUARY 1990		<p>SURVEY OF BERMUDA LANDING REVISION OF LOT 12 STUMP SOUND TOWNSHIP ONSLOW COUNTY NORTH CAROLINA DATE OF SURVEY - FEBRUARY 1990 SCALE - 1 INCH = 20 FEET</p> <p>COWAN AND JONES, P.A. REGISTERED LAND SURVEYORS BURGAW, NORTH CAROLINA</p>

NORTH CAROLINA, ONSLOW COUNTY
 The foregoing certificate of Mary B. Murray (Cowan)
 Notary Public is (are) certified to be correct. This instrument was presented for registration and recorded in this office in
 Map Book 25 Page 222 This 16 day of February, 1990.
Michael M. Jones Registrar of Deeds, ONSLOW COUNTY
 By Slide - E - 250 Registrar of Deeds

McGEE REPROGRAPHICS 308237

Prepared By & Return to: Bonnie M. Braudway, Marshall, Williams & Gorham, LLP
P.O. Drawer 2088, Wilmington, NC 28402

STATE OF NORTH CAROLINA
COUNTY OF ONSLOW

**SECOND AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS,
AND RESTRICTIONS OF BERMUDA LANDING**

This Second Amendment to the Declaration of Covenants, Conditions, and Restrictions of Bermuda Landing ("Amendment") is made and entered into as of this 13 day of August, 2020 by Bermuda Landing Owners Association, a North Carolina nonprofit corporation ("Association").

WITNESSETH:

A. The Association is the property owners' association charged with the responsibility for the operation of that certain real property known as Bermuda Landing located in Onslow County, North Carolina, and described in a Declaration recorded in Book 870, Page 170, Onslow County Register of Deeds ("Declaration"), as may have been previously amended from time to time, including, but not limited to, the addition of real property subject to said Declaration, this Amendment being effective and applicable to all such additions.

B. Said Declaration provides in Article X, Section 8 that the Declaration can be amended by an affirmative vote of not less than seventy-five (75%) of the votes of the Members, Lot/Unit Owners.

C. The Amendment set forth below has been adopted by an affirmative vote of not less than seventy-five (75%) of the votes of the Members, Lot/Unit Owners in person, by proxy, or by ballot, and has otherwise been properly adopted and approved as required by the Declaration, Bylaws and Articles of Incorporation, as applicable.

submitted electronically by "Marshall, Williams & Gorham"
in compliance with North Carolina statutes governing recordable documents
and the terms of the submitter agreement with the Onslow County Register of Deeds.

D. That the President or Vice President of the Association has been duly authorized and empowered to execute this Amendment and to cause the same to be recorded in the Onslow County Register of Deeds as the binding act of the Association, its Members, Lot/Unit Owners and Board of Directors.

Now therefore, in consideration of the recitals set forth above, and as the act and deed of the Association, its Members, Lot/Unit Owners and Board of Directors, the Declaration is hereby amended and modified as set forth below:

1. Article II, Section 4 entitled "Exterior Maintenance" shall be deleted in its entirety and the following shall be inserted in lieu thereof:

In addition to maintenance upon the Common Area, the Association shall provide exterior maintenance upon each Lot which is subject to assessment hereunder, as follows: paint, repair, replace and care of exterior building surfaces, trees, shrubs, grass, walks, and other exterior improvements. Such exterior maintenance shall not include decks, any part of window encasements, glass surfaces, gutters, or downspouts. The Association shall provide maintenance, care, and repair of roofs. Members shall be responsible for the end of life replacement of the roofs as needed however, the Association shall provide up to fifty percent (50%) of the cost of replacement of the roof subject to Board approval of the contractor and the Architectural Control provisions herein in Article V.

In the event that the need for maintenance, repair, or replacement is caused through the willful, or negligent act of the Owner, his family, guests, tenants, or invitees, or is caused by fire, lightning, windstorm, hail, explosion, riot, riot attending a strike, civil commotion, aircrafts, vehicles, and smoke, as the foregoing are defined and explained in North Carolina Standard Fire and Extended Coverage insurance policies, the cost of such maintenance, replacement, or repairs, shall be added to and become part of the assessment to which such Lot is subject. In order to enable the Association to accomplish the foregoing, there is hereby reserved to the Association the right to unobstructed access over and upon each Lot at all reasonable times to perform maintenance, replacement or repairs as provided in this Article.

It shall be the responsibility of each Owner to prevent any unclean, unsightly, or unkept condition of buildings or ground on such Lot consistent with the Properties as determined by the Board of Directors. If, in the opinion of the Board of Directors, any Owner shall fail to maintain any Lot owned by such Owner in a manner which is reasonably neat and orderly and as is required by these Restrictions, all in the sole opinion of the Board of Directors, the Association, by an affirmative vote of a majority of the members of the Board of Directors, and following no less than fifteen (15) days written notice to the Owner, may enter upon and make or cause to be made the repairs or maintenance to the Lot. The Association shall have an easement for the purpose of accomplishing the foregoing. The reasonable cost incurred by the Association in rendering all such

service, plus a service charge of fifteen percent (15%) of such cost, shall be added to and become an Assessment to which the Lot is subject.

2. Article V, entitled "Architectural Control" shall be deleted in its entirety and the following shall be inserted in lieu thereof:

No building, fence, wall or other structure shall be commenced, erected or maintained upon the Lots, nor shall any exterior addition to or change or alteration thereon, including, without limitation, any deck, porch, shower enclosure, satellite dish, or storage shed, be made until the plans and specifications showing the nature, kind, shape, height, materials and location of the same shall have been submitted to and approved in writing as to harmony of external design and location in relation to surrounding structures and topography by the Association. All proposed plans and specifications shall be submitted first to the Board of Directors or such committee approved by the Board of Directors. In passing upon such plans, the Board of Directors/Committee may take into consideration the suitability and desirability of the proposed construction and the proposed materials to the Lot involved. Refusal to approve the proposed plans may be based by the Board of Directors/Committee on any grounds, including purely aesthetic considerations. The Board of Directors/Committee may require additional data from any Owner, including data relating to applicable permits, building codes, and government approval, and may include in its approvals reasonable terms and conditions to apply to the construction site sanitary maintenance and clean up. If no action is taken by the Board of Directors/Committee within thirty (30) days after plans are submitted to it, the Owner may proceed to build without approval, but in any event all improvements and alternations must be in accordance with these Restrictions. However, the thirty (30) day period shall not beginning to run until all requested data is received by the Board of Directors/Committee.

Neither the Board of Directors, Committee, the Association nor any representative(s) thereof, nor its or their successors or assigns, shall be liable in damages to anyone submitting specifications for approval, or to any Owner, by reason of any mistake in judgment, negligence or nonfeasance arising out of or in connection with the approval, disapproval or failure to approve any such plans and specifications. The Board of Director's, Committee's, and Association's approval of any plans, specifications, landscaping or elevations or any other approvals or consents are given solely to protect and preserve the appearance of the Property, and shall not be deemed a warranty, representation or covenant that the proposed work complies with any applicable laws, rules or regulations or any standard of due care regarding structural design.

3. Article VII, shall be amended by inserting the following:

Section 9. Storm Protection. Hurricane shutters, plywood, and temporary exterior window/door storm covering may only be closed or in use during the Atlantic coast hurricane season, June 1 through November 30, and when there is a named storm, tropical depression, or severe weather threat that warrants the need to protect an owner's property. The hurricane shutters, plywood, and temporary exterior window/door storm covering must be opened no more than sixty (60) days after said weather event and, in any event, the storm protection must be removed no later than December 30th of each year until the following hurricane season.

4. Article IX, Section 1 shall be amended by deleting in their entirety the sentences "All Lot owners are required to maintain insurance policies on their individual Lots and all insurance policies shall be of a sufficient amount to cover One Hundred (100%) percent of the current replacement cost of all improvements that may be located on the Lots. The Association shall be furnished with a copy of the current insurance policies." and inserting the following in lieu thereof:

Lot owners are responsible for their own hazard and wind/hail insurance and shall pay their own insurance premiums. Each Lot owner shall obtain and keep continuously in force property insurance, including hazard and wind and hail coverage, covering all buildings and improvements located on the Lot in an amount not less than one hundred percent (100%) of the replacement cost of such improvements at the time such insurance is purchased and at the time of each renewal thereof, exclusive of the land, excavations, paving, foundations, footings, and other items normally excluded from property policies. Each Owner shall promptly pay all premiums charged in connection with insurance coverage required by this section. In addition, each Owner shall provide the Association with evidence that all required insurance coverage has been obtained and remains in force at or within thirty (30) days before the annual meeting of the Association. Any Owner failing to provide said evidence will be assessed a fine of \$100.00 per month until said policies are produced which said fine shall be added to and become an assessment to which the lot is subject.

5. Article IX, Section 3 shall be amended by deleting in their entirety the sentences "In addition, Flood Insurance shall be obtained and maintained by any Lot Owner in an amount at least the lesser of One Hundred (100%) percent of the current replacement cost of all improvements and other insurable property totaled in the flood hazard area or the maximum coverage available for the property under the National Flood Insurance Program." and inserting the following in lieu thereof:

Lot owners are responsible for their flood insurance and shall pay their own flood insurance premiums for their property located in a Special Hazard area as defined by the Federal Emergency Management Agency. Each Lot owner shall obtain and keep continuously in force flood insurance covering all buildings and improvements located on the Lot in an amount not less than one hundred percent (100%) of the replacement cost of such improvements at the time such insurance

is purchased and at the time of each renewal thereof or the maximum coverage available for the property under the National Flood Insurance Program. Each Owner shall promptly pay all premiums charged in connection with insurance coverage required by this section. In addition, each Owner shall provide the Association with evidence that all required insurance coverage has been obtained and remains in force at or within thirty (30) days before the annual meeting of the Association. Any Owner failing to provide said evidence will be assessed a fine of \$100.00 per month until said policies are produced which said fine shall be added to and become an assessment to which the lot is subject.

6. Article X, Section 3 is amended by deleting in its entirety the sentence "There shall be an annual audited statement prepared each year with copies made available to the Lot owner, and any holder, insurer or guarantor of any first mortgage that is secured by a Lot within the development" and inserting the following in lieu thereof:

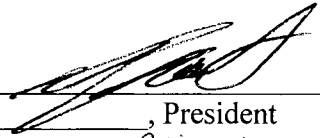
A more extensive compilation, review, or audit of the association's books and records for the current or immediately preceding fiscal year may be required by a vote of the majority of the executive board or by the affirmative vote of a majority of the Lot owners present and voting in person or by proxy at any annual meeting or any special meeting duly called for that purpose.

END OF AMENDMENTS

Except as amended, the Declaration, as may have been previously amended, shall remain in full force and effect.

The undersigned, being the President of the Association, does, by his/her execution hereof, certify that this Amendment was duly adopted by an affirmative vote of not less than seventy-five (75%) of the votes of the Members of the Association by ballot (copies of which are attached hereto as Exhibit A), was duly adopted by a vote of the Board of Directors (if required), and that all the procedures, steps and requirements necessary to amend said Declaration have been complied with, the day and year first above written.

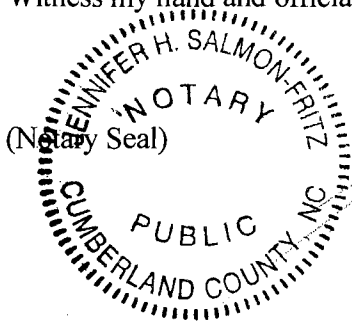
BERMUDA LANDING HOMEOWNERS' ASSOCIATION, INC.

By: 
_____, President
Anthony Rhinchart

STATE OF NORTH CAROLINA
COUNTY OF Cumberland

I, Jennifer H. Salmon-Fritz notary public, do hereby certify that Anthony Rhinbert (name of officer), personally appeared before me this day and acknowledged that he is the President of the Association and that he, being authorized to do so, executed the foregoing on behalf of the Association.

Witness my hand and official seal this the 13th day of August, 2020.



[Signature]
Notary Public Jennifer H. Salmon-Fritz
My Commission Expires: 7-24-2021