

# Town of North Topsail Beach

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

Aldermen:  
Alfred Fontana  
Richard Grant  
Tom Leonard  
Connie Pletl



Alice Derian, ICMA-CM  
Town Manager

Melinda Mier  
Town Clerk

*Nature's Tranquil Beauty*

## Planning Board

### Agenda

Thursday, November 10, 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. August 11, 2022         |           |
|      | B. September 8, 2022       |           |
|      | C. October 13, 2022        |           |
| IV.  | Public Comment             | 5:03 p.m. |
| V.   | Old Business               |           |
|      | A. Case #SUP-22-02 (cont.) | 5:04 p.m. |
| VI.  | Discussion                 | 6:00 p.m. |
|      | A. Wetland Protection      |           |
|      | B. Duplex                  |           |
| VII. | Adjournment                | 6:15 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.

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### Planning Board

Program for Public Information (PPI) Committee

### Regular Meeting Draft Minutes

Thursday, August 11, 2022 at 5:00 pm

2008 Loggerhead Court, North Topsail Beach, NC 28460

Present: Hanna McCloud – Chair, Paul Dorazio – Vice Chair, Fred Fontana, Lisa Brown, Susan Meyer, Stu Harness.

Present Other: Deborah Hill – Planning Director, Kate Winzler – Clerk to the Planning Board.

Absent: Gunnar Matthews, Pat Stigall, Scott Morse.

CALL TO ORDER Chair McCloud called the meeting to order at 5:03 p.m.

**ADOPTION OF THE AGENDA Mr. Dorazio made a motion to adopt the agenda. Mr. Fontana seconded the motion. The motion passed unanimously, 6-0.**

#### APPROVAL OF MINUTES

**Ms. Meyer made a motion to amend and adopt the June 9, 2022 minutes by changing the sentence "The Board of Aldermen eventually voted in a split decision to allow pools in the CAMA setback again in 2017." Ms. Brown seconded the motion. The motion passed unanimously, 6-0.**

**Mr. Fontana made a motion to adopt the July 14, 2022 minutes. Ms. Brown seconded the motion. The motion passed unanimously, 6-0.**

PUBLIC COMMENT None.

#### NEW BUSINESS

DUNE PROTECTION AND REMEDIATION: PROPOSED TEXT AMENDMENTS TO UDO §10.07.02 REBUILDING OF DAMAGED DUNES AND TOWN CODE ARTICLE 10 SAND DUNE PROTECTION Planning Director Hill presented the staff report to the Planning Department. On August 3, 2022 the Board of Aldermen requested that the Planning Board review:

1. UDO plat requirements for development permits; specifically, requirements for ocean front lots with respect to the dune;
  - (a) Are surveyors/engineers providing the nature, location, dimensions, and elevations of the area of development, such as dune elevation, dune profile, topography? Have Planning Director provide Planning Board samples.

- (b) Is the landward toe of the dune established clearly by location, dimensions, and elevations of the area of development? i.e., is the dune established on the plat by metrics, or simply labeled 1st line, toe of dune, etc.
2. Further, the Board of Aldermen directs the Planning Director to draft a text amendment to UDO §10.07.02 REBUILDING OF DAMAGED DUNES to include protection measures of a 5 foot buffer from the landward toe of the dune as identified by metrics on the preliminary development plat, nonconformation status for existing encroachment into buffer and mandatory compliance if structure is damaged or destroyed greater than 50%, fines as well as restoration for the Planning Board's consideration and recommendation to the Board of Aldermen.

Planning Director Hill presented recent examples of plats of survey submitted to the Planning Department for review. The first example did not include a dune; however, it did indicate a first line of stable natural vegetation marked July 20, 1998 as well as the first line of stable natural vegetation marked April 13, 2021.

Ms. Hill reviewed the history of recent damaged dune complaints made to the Town, illustrated with pictures of significant dune destabilization on a job site where the development was not consistent with the conditions of the permit that allowed for minor dune disturbance. The five hundred dollar fine and posting a stop work order are not effective enforcement methods for preventing this issue.

Mr. Fontana noted the issue of confusion between frontal dunes and secondary dunes. Ms. Hill replied that was how the CAMA permit was issued. It spurred a review of the existing ordinance. In 2015, the Town adopted a dune protection ordinance to the Town Code but did not include this provision in the Unified Development Ordinance (UDO) process. The task at hand is to review both the existing dune protection ordinance as well as UDO §10.07.02 REBUILDING OF DAMAGED DUNES. Ms. Hill reviewed attachment 1 the existing ordinance language of § 7.04 (B) (1)(a) and § 7.04 (B) (1)(a)(i) and attachment 2 - the check list for: site plan, elevation certificate, V Zone certification, foundation plan, and engineered plans. She then introduced attachment 3 - AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT ORDINANCE OF THE TOWN OF NORTH TOPSAIL BEACH, NORTH CAROLINA TO PROVIDE DUNE PROTECTION MEASURES, MANDATORY REMEDIATION FOR DAMAGED DUNES AND SET FINES. § 10.07.02 (A) REBUILDING OF DAMAGED DUNES.

Mr. Fontana said that a fine of five thousand dollars is not enough. Ms. Hill stated that Pine Knoll Shores issued and upheld a ten thousand dollar fine on a dune disturbance within the last few years. Mr. Harness asked what happens if the dune is not restored within seven days. Ms. Hill replied that each day beyond seven should be a separate violation; day eight is a five thousand dollar fine, day nine a five thousand dollar fine, and so on. Mr. Harness asked if that needed to be spelled out. Ms. Hill responded yes and reviewed: § 10.07.02 (B) (C).

Mr. Fontana asked about the ten-day allowance to repair damaged dunes in Town Code section § 10-50 REPAIRING DAMAGE CAUSED BY VIOLATIONS. Ms. Hill replied that code § 10-50 is enforced by the Town Manager and is applicable to someone playing on the dunes, not applicable to development on the dunes. Mr. Fontana suggested adding clarification for distinction between the two ordinances. Mr. Dorazio pointed out the signs posted on the dunes warn of a five hundred dollar fine for walking on the dunes. Ms. Hill suggested that walking on

the dunes is not a permit violation. Ms. Brown noted that someone could argue § 10.49(b) Destroying or Removing being applicable to construction damage. Mr. Fontana asked if that remedy period should be changed to seven days and keep the remaining language the same. Ms. Brown disagreed. Ms. McCloud explained the language within § 10-50 contradicts itself by saying “shall be immediately repaired in accordance with requirements of the Coastal Area Management Act. Failure to repair damage to the dunes and vegetation shall constitute a separate violation for each ten days that such failure continues after written notification by the Town Manager or designee.” There was discussion regarding the length of repair time and civil penalty of five hundred dollars. Ms. Hill asked if the Board wanted to make this ordinance consistent with the seven-day repair period granted in § 10.07.02. Ms. Brown suggested § 10.49 specifying that it was unrelated to construction activity. Ms. McCloud suggested removing the terms “firm or corporation” from § 10-51 and § 10-52 to illustrate that this violation does not apply to development, but rather to individuals. There was further discussion regarding the criminal penalty versus the civil penalty. Ms. Hill asked how the Planning Board wanted to formulate their recommendation, and if there were any edits. Mr. Fontana stated that he would like to see some consensus on § 10.07.02 whether to leave the penalty at five thousand or be more stringent. Mr. Fontana proposed a ten thousand dollar fine and restoration within seven days and asked Clerk Winzler to poll the Board. Ms. Brown, Mr. Dorazio, Ms. McCloud, Mr. Harness, and Ms. Meyer all supported the proposition of Mr. Fontana. The Board discussed that each day of violation after seven days constitutes a separate violation with a separate ten thousand dollar fine. Ms. Hill asked the Board if they wanted to revise § 10-49 and § 10-50. Mr. Harness stated that those sections have been on the books for some time, and there doesn’t seem to be an issue with the wording. Ms. Hill agreed the issue is with enforcement. Complaint calls are received, but by the time an officer arrives, the violators are no longer on the dune. She suggested for § 10-48 ENFORCEMENT deleting the reference to Building Inspector and Inspections Department, and replacing them with Town Manager, as well as deleting the references to development. For revision in § 10-50 delete the obsolete reference to CAMA officer, and in § 10-51 and § 10-52 she recognized the Board’s suggestion of deleting the references to firm or corporation. Ms. Hill reviewed § 10.07.02 (D) (E) - the five-foot buffer from the toe of the dune with the Board, including decks and gazebos. There was discussion.

**Ms. Brown made a motion that the Planning Board recommend that the Board of Aldermen conduct a public hearing on September 7, 2022 at 11:00 am to receive input on the proposed amendment to North Topsail Beach Town Code Article IV Sand Dune Protection and the North Topsail Beach Unified Development Ordinance Article 10 Enforcement § 10.07.02 Dune Protection and Remediation; and that the Board of Aldermen adopt the proposed text amendments to UDO § 10.07.02 Rebuilding of Damaged Dunes (as indicated and edited in attachment 3) and Town Code Article 10 Sand Dune protection (attachment 4). Mr. Fontana seconded. Clerk Winzler called the role, and the motion passed unanimously, 6-0.**

#### DISCUSSION

Planning Director Hill shared the American Institute of Certified Planners Code of Ethics and Professional Conduct with the Planning Board and invited them to review it and make suggestions for the Planning Board’s Rules and Procedures at the next meeting.



ADJOURNMENT Vice Chair Dorazio made a motion to adjourn. Mr. Harness seconded the motion. The motion passed unanimously, 6-0.

The Planning Board meeting adjourned at 6:47 p.m.

APPROVED  
This 10th day of November 2022

CERTIFIED  
This 10th day of November 2022

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Hanna McCloud  
Chair

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Kate Winzler  
Clerk

# *Town of North Topsail Beach*

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Town Manager

Melinda Mier  
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### **Planning Board**

Program for Public Information (PPI) Committee

### **Regular Meeting Draft Minutes**

Thursday, September 8, 2022, at 5:00 PM

*2008 Loggerhead Court, North Topsail Beach NC 28460*

Present: Hanna McCloud – Chair, Paul Dorazio – Vice Chair, Pat Stigall, Fred Fontana, Lisa Brown, Susan Meyer, Stu Harness.

Absent: Gunnar Mathews, Scott Morse.

Present Other: Deborah Hill – Planning Director, Kate Winzler – Clerk to the Planning Board, Town Manager Alice Derian, IT Director Ricky Schwisow.

CALL TO ORDER Mrs. McCloud called the meeting to order at 5:07 p.m.

**ADOPTION OF THE AGENDA Mr. Dorazio made a motion to adopt the agenda. Ms. Stigall seconded. The motion passed unanimously, 7-0.**

PUBLIC COMMENT none.

### OLD BUSINESS

RULES OF PROCEDURE Planning Director Hill invited the Planning Board to review their rules of procedure and make any desired recommendations. Ms. Stigall asked if the current rules of procedure include how to address a recalcitrant citizen in attendance at a Board meeting. Ms. Hill replied that the Chair facilitates the meeting, and if there is a contentious issue on the agenda, a police officer will typically attend the meeting to assist with the removal of such persons. Ms. Meyer offered parliamentary procedure. Mr. Fontana noted that rule number four states the Board decides whether to hear a request from an individual or group. There was discussion. Mr. Fontana asked if there have been any issues with the way the rules of procedure are written and what the purpose of the review was. Ms. Hill responded there have been no issues; the Board is invited to review their rules on an annual basis. Ms. Brown recognized the the AICS Code of Ethics that Ms. Hill offered to the Planning Board and asked if the Board of Aldermen had adopted documented ethical standards. Ms. Hill said she did not believe so, although Alderman Pletl addressed the topic in the spring, but no action was taken. Ms. Brown suggested uniformity across Town Boards. Ms. McCloud asked for a review of the rules of procedure by an outside entity. Ms. Hill explained that the current rules of procedure originated from a University of North Carolina School of Government template, and suggested

review by the Cape Fear Council of Governments (COG). Ms. Hill noted that Wilmington's rules of procedure include an ethics section.

**Vice Chair Dorazio made a motion that we accept this as our rules. Ms. Stigall seconded the motion. The motion passed unanimously, 7-0.**

Ms. Meyer asked if the rules of procedure could be amended later, to which Ms. Hill confirmed. Ms. Brown noted that the Board could adopt a separate ethics policy.

#### NEW BUSINESS

**TOWN CODE § 10-47 EXEMPTIONS** Planning Director Hill reviewed the staff report and introduced draft verbiage regarding exemptions for the Planning Board's review. Ms. Brown suggested that anyone could use the litter exemption to excuse being on the dune. Ms. Brown explained that she picks up a bag of trash on the beach every morning without climbing onto the dune and suggested removing this exemption. Ms. Meyer asked about a beach clean-up, to which Mr. Fontana suggested that would be an activity authorized by the Town Manager. Ms. Stigall asked about the practicality of enforcement and who is responsible. Ms. McCloud offered that a ticket had been issued for walking on the sandbags. Ms. Meyer noted that violations occur regularly at high tide, but at that time the beach patrol cannot patrol. Ms. McCloud asked who citizens should call if they see someone digging into the dunes. Ms. Hill responded either Town Hall or the police. Ms. Stigall said on the weekend no one is at Town Hall to respond. Ms. Meyer stated that calls are routed on the weekends, and she had been advised to call the police department and not engage with the offender. Ms. Stigall agreed with not arguing with offenders. She believes there needs to be a system for reporting and enforcement. There was discussion. The Board suggested education and outreach to the public for beach rules. Ms. McCloud used the successful abandoned property enforcement as an example of effective enforcement. Ms. Stigall reiterated the need for written instructions on whom to call when a violation is witnessed, offering that making rules is one thing, but those rules are ineffective until they are enforced. Ms. Hill asked IT Director Schwisow if such information was posted on the Town's website. Mr. Fontana asked for clarification on "extension activities." Ms. Hill explained agricultural activities. Ms. Brown noted that extension activities would have to be approved by the Town Manager. Mr. Fontana asked if the Town Manager would have to approve all three types of activities listed: research, conservation, or extension activities. Ms. McCloud replied yes. Ms. Hill gave a historical beach vitex example. There was discussion. The Board suggested the following draft:

- (a) The town hereby encourages responsible dune management activities including proper construction and maintenance of improved dune walkover structures, the use of shared and/or community beach accesses, the proper installation and maintenance of sand fencing, and planting of native, salt-tolerant dune vegetation. Therefore, this article shall not apply to the following activities:
1. As authorized by the Town Manager, persons engaged in research, conservation, or extension activities;
  2. Federal, state, and local officials engaged in official regulatory activities;
  3. Development activities authorized or permitted by the local, state or federal officials;
  4. Dune or property maintenance activities including planting or fertilization of vegetation, sand fence installation, and minor dune repairs; and

5. Activities within the developed portion of the dune system.

**Vice Chair Dorazio made a motion to recommend to the Board of Aldermen the draft as amended. Ms. Meyer seconded the motion. The motion passed unanimously, 7-0.**

Planning Director Hill explained to the Planning Board that once a modification to a land use ordinance has been reviewed by the Planning Board, the Board of Aldermen may make changes without remanding it back to the Planning Board. In this situation, it was beneficial that the Board of Aldermen referred it to the Planning Board for input. Ms. McCloud noted at the recent Board of Aldermen meeting, it was suggested that the Town should abide by CAMA's rules regarding dune disturbance yet following CAMA's rules created this situation in the first place. Ms. Meyer offered that CAMA makes rules for the entire coast, whereas North Topsail Beach has specific needs that CAMA may not be able to address. Ms. Hill stated that if the Town wants Division of Coastal Management standards that is fine, if the Town understands what those standards are. There are two types of development applications received by the Town presently- the first being the biggest, highest, most, furthest development possible; and the second looking to protect the dunes, asking how to work with the builders and landscapers. Ms. Hill stated that the development Ms. McCloud referenced was permitted by CAMA and the Town. She expressed frustration that the topic has been remanded to the Planning Board five times only for the Board of Aldermen to respond that the Town should follow the Division of Coastal Management guidelines.

Mr. Fontana stepped out of the room at 6:04 p.m.

Ms. Stigall voiced that she thinks some it is the lack of will to make a difficult decision; sometimes it is hard for city government to take a stand on emotionally charged topics.

Mr. Fontana returned at 6:06 p.m.

No further action was taken.

#### DISCUSSION

Planning Director Hill reviewed several ordinance text amendments. She noted that EZ Docks require CAMA permits because they are considered a platform area within the public trust and will also require zoning and floodplain permits. She voiced encouragement to the Building Codes Administrator to require a simple building permit for them as well.

Planning Director Hill asked if the Board wanted to continue requiring variances for ADA exempted cargo lifts that encroach more than four feet into the setback. No action was taken.

Planning Director Hill explained that one method of controlling density is through the definition of parking spaces. The number of required parking spaces is directly impacted by the number of bedrooms in a proposed structure. Currently the Town defines a parking space as a minimum of one hundred sixty square feet. She asked the Planning Board if they wanted to redefine a parking space as one hundred eighty square feet minimum, becoming more restrictive. There was discussion. No action was taken.

Planning Director Hill noted the hyperlink in the agenda for the upcoming regional planning board workshops and offered to send the dates to the Planning Board and Board of Adjustment.

Planning Director Hill stated that a draft of the zoning map updates will be available for review at the November Planning Board meeting, and if approved it will be sent to the Board of Aldermen for adoption in December.

Planning Director Hill stated that CRS was submitted on August 30, 2022 and is awaiting review comments. She is preparing for a possible 2023 CRS verification visit and is seeking CRS credit for habitat protection.

Planning Director Hill stated that the 2022 North Carolina Legislation related to planning and development regulation has not been published to the University of North Carolina website, but a draft copy is included in the agenda packet for review. Ms. Stigall noted the changes to the ABC Commission legislation.

Planning Director Hill noted the hyperlink to the 2021 North Carolina legislation changes related to planning and development regulation, most of which were included in the 160D update. She explained the hyperlink to a recent case involving the City of Wilmington and short-term rentals, as well as a hyperlink to 2021 North Carolina land use litigation.

Planning Director Hill explained that the state of emergency was lifted in August of 2022, thereby remote meetings by appointed boards or quasi-judicial boards are no longer allowed without meeting the conditions outlined in the hyperlink.

Planning Director Hill thanked the Planning Board for serving together, as she will be celebrating her sixteenth year as Planning Director for North Topsail Beach. She recognized Vice Chair Dorazio for serving nineteen years on the Planning Board. She also recognized Chair McCloud for her years of service on the Planning Board.

**ADJOURNMENT Mr. Dorazio made a motion to adjourn. Ms. Stigall seconded. Motion passed unanimously, 7-0.**

The Planning Board meeting adjourned at 6:28 p.m.

APPROVED

This 10th day of November 2022

CERTIFIED

This 10th day of November 2022

\_\_\_\_\_  
Hanna McCloud  
Chair

\_\_\_\_\_  
Kate Winzler  
Clerk

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## *Nature's Tranquil Beauty*

### **Planning Board**

Program for Public Information (PPI) Committee

### **Regular Meeting Draft Minutes**

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

*2008 Loggerhead Court, North Topsail Beach NC 28460*

Present: Hanna McCloud – Chair, Paul Dorazio – Vice Chair, Pat Stigall, Gunnar Mathews, Lisa Brown, Susan Meyer.

Absent: Stu Harness, Scott Morse.

Present Other: Deborah Hill – Planning Director, Kate Winzler – Clerk to the Planning Board, IT Director Ricky Schwisow.

CALL TO ORDER Mrs. McCloud called the meeting to order at 5:12 p.m.

**ADOPTION OF THE AGENDA Ms. Meyer made a motion to amend and adopt the agenda without the approval of minutes. Mr. Dorazio seconded. The motion passed unanimously, 6-0.**

PUBLIC COMMENT none.

### NEW BUSINESS

CASE #SUP-22-02 Planning Director Hill reviewed the list of exhibits one through thirty-two, including exhibit six-A Onslow County 2022 GIS Aerial Lot twelve-four using "Tools" "measurements" to calculate area. Ms. Hill presented the staff report for the special use permit "Per engineered plans 'Murphy renovation number four Bermuda Landing North Topsail, North Carolina' by Chris Holmes, P.E. #16336 dated April fourteenth two thousand twenty-two to remove existing rear sixteen foot by seven-point-six-foot deck, construct a sixteen foot by seven-point-six-foot addition on the first habitable level with a new deck on the second habitable level and a new ground-floor enclosure." Ms. Hill showed the Planning Board exhibit six-A and asked the applicant, Ms. Laura Murphy who was in attendance, to confirm that her property number four currently has a rear deck with a concrete patio underneath. Ms. Murphy confirmed, then explained that number two is exactly what she wants to do. Ms. Hill explained that the impervious surface of this lot appears to be more than fifty percent, closer to seventy percent. She indicated the need for a site visit by the surveyor to correct the calculations on the preliminary plat of survey.

Vice Chair Dorazio asked the applicant, Anton DeVries if this type of development had already been done, to which Mr. DeVries replied yes, on unit two illustrated on exhibit six-A. Ms. Stigall

asked when the development on lot number two was done. Mr. DeVries replied he did not know. Ms. Murphy stated that it has been there for at least five years. Ms. Murphy explained why she applied for the addition. She stated that she understands that the Planning Board is protecting Topsail and the appearance of the island. Ms. Murphy stated that she loves living here and she respects the covenants and the statutes that the Planning Board has because it is protecting her safety and her home value.

Ms. Stigall asked Ms. Hill if there are other active projects within this HOA. Ms. Hill said this is the only current project there. The State's goal is twenty-five percent maximum impervious surface in the Outstanding Resource Waters (ORW), and the Town's goal is to maintain the CAMA standards within the ORW and thirty percent maximum impervious surface outside of the ORW. Presenting these cases to the Planning Board and to the Board of Aldermen offers the benefit of examining proposed development at this point.

Chair McCloud asked Ms. Murphy what was underneath unit two- a bedroom or a patio. Ms. Murphy replied a patio. She offered that very few owners have modified their garages with the breakaway walls, because in a flooding situation it would be a complete loss. Ms. Murphy uses her garage for parking and her dogs when she leaves.

Planning Director Hill showed the Planning Board pictures of the site as it is, as well as pictures of several neighboring townhouses. Chair McCloud asked Ms. Murphy if this addition would increase her townhouse to four bedrooms. Ms. Murphy explained no, the addition is a personal den. Ms. McCloud asked why Pluris required an upgrade to the existing permit. Mr. DeVries explained that Pluris calculates heated habitable space, rather than bedrooms. Ms. Murphy noted that her ground-level patio has sandbags to prevent stormwater runoff from flooding her garage. If it rains more than three days, she has flooding in her ground level. Ms. Hill asked if Mr. Murphy has a lot of flooding. Ms. Murphy stated yes. Ms. Hill asked if Ms. Murphy would be willing to incorporate an engineered stormwater system into her development plan if it was a condition of approval. Ms. Murphy agreed. Ms. Murphy explained that she wants to add a set of stairs to the back of the addition, but she does not want to add any additional ground-floor enclosure. Ms. Hill noted that those proposed stairs are not indicated on the preliminary plot plan. Ms. Hill asked if the property has flood vents. Mr. DeVries confirmed. Ms. Hill asked Ms. Murphy if there was an HVAC unit in the ground-floor window. Ms. Murphy confirmed. Ms. Murphy also stated that she wants to add a set of stairs off the back deck.

Ms. Hill reviewed the special use permit hearing process.

Chair Dorazio asked if the plot plan showed the stairs. Ms. Hill replied no, and because the stairs were not on the plot plan, she was unable to check the setbacks. Chair McCloud stated the without that information, the Board is unable to check the impact on the lot line and she found the application incomplete. Without the stormwater information, lot size, stairs, and a letter from the HOA approving the whole project, the Planning Board is unable to make a recommendation to the Board of Aldermen. Ms. Hill offered to work with the applicant to present a complete application by the next Planning Board meeting in November, allowing the Planning Board to make a recommendation to the Board of Aldermen for their meeting in December. Vice Chair Dorazio agreed. Ms. Hill stated that this would set the precedent for Bermuda Landing, but not for having townhouse modifications come before the Planning Board and Board of Aldermen. Ms. Stigall asked if there was any precedent for approving an increase in impervious square footage to this extent in a special use permit? Ms. Hill replied that it



requires permitting from the Division of Coastal Management. The CAMA permit was issued based upon a twenty-five percent impervious surface without knowing what the actual impervious surface was. If the Division of Coastal Management issued a variance on the twenty-five percent in the ORW, the Town would accept it. Mr. DeVries had a question about the CAMA regulations and the impervious surface. Planning Director Hill suggested that he ask the Division of Coastal Management that question. Chair McCloud asked Ms. Hill if she would give the applicants the list of missing required items, to which Ms. Hill confirmed.

**Ms. Meyer made a motion to table giving the applicants the opportunity to address the deficiencies in the application as indicated in the staff report and to direct the Planning Director to work with the applicants to complete their application to bring back when it's complete. The motion was seconded by Vice Chair Dorazio. Motion passed unanimously, 6-0.**

#### DISCUSSION

WETLAND PROTECTION Planning Director Hill presented the following to the Planning Board. "The Town recently adopted higher standards for dune protection. The Town is now considering higher standards for wetland protection. The current CAMA Land Use Plan states, "North Topsail Beach accepts state and federal law regarding land uses and development in AEC's (Areas of Environmental Concern), including all NCAC 7H standards. By reference, all applicable state and Federal regulations are incorporated into this document. No policies exceed the use standards and permitting requirements found in Subchapter 7H, State Guidelines for Areas of Environmental Concern."

With regards to fill, the Town's Floodplain Regulations regulate, i.e., non-structural, minor grading, site-compatible, limited to 2 feet, greater with an engineer's certification.

I have been requiring bearings and distance descriptions for current wetland delineation with confirmation by the USACE/NCDCM. Some site plans coming in have had lines with no description, while others reference map book and page numbers that are thirty years old. Needless to say, I have not accepted them. I have left the permitting to the appropriate 404/401 authority, consistent with the CAMA Land Use Plan.

Sackett v. EPA Docket Number: 21-454. Date Argued: 10/03/22; expect a decision the beginning of the year. According to Reuters,

Conservative U.S. Supreme Court justices on Monday appeared open to limiting the reach of the U.S. Environmental Protection Agency's authority to protect wetlands from pollution under a landmark environmental law in a case involving Idaho property owners seeking to build a home.

The case gives the conservative justices an opportunity to limit the scope of the Clean Water Act. While they seemed to lean toward favoring the plaintiffs, some conservative justices signaled skepticism toward the notion that the EPA under the Clean Water Act could never police wetlands like swamps, marshes and berms that are near but not connected to regulated waters, as a lawyer for the plaintiffs argued.

They continue to go back and forth, with all bets off on how the court will decide. So, it's best that we continue to leave 404 to USACE for now.

However, this decision will not impact the State’s regulation of 401 coastal wetlands by the NC Division of Coastal Management. I will be researching examples of vegetated buffer controls by other regional local governments and bringing them back to the Planning Board for consideration.” There was discussion.

**ADJOURNMENT Mr. Dorazio made a motion to adjourn. Ms. Stigall seconded. Motion passed unanimously, 6-0.**

The Planning Board meeting adjourned at 6:29 p.m.

Chair McCloud thanked Fred Fontana for serving on the Planning Board, specifically appreciating his help and input. Vice Chair Dorazio agreed.

APPROVED  
This 10th day of November 2022

CERTIFIED  
This 10th day of November 2022

\_\_\_\_\_  
Hanna McCloud  
Chair

\_\_\_\_\_  
Kate Winzler  
Clerk



*Town of North Topsail Beach*  
Board of Aldermen

Agenda	V. A.
Item:	
Date:	11 10 2022

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**Issue:** Case #SUP-22-02 (cont.)

**Department:** Planning

**Prepared by:** Deborah J. Hill MPA AICP CFM CZO

**Presentation:** Yes

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Continued from the previous meeting, on Thursday, October 13, 2022, is the Planning Board's review of the Special Use Permit application (**EXHIBIT 6**) submitted by Laura Murphy to renovate 4 Bermuda Landing. Plans include removing the existing rear 16'x7.6' deck; construct a 16'x7.6' den addition on 1st habitable level; adding a new deck on the 2<sup>nd</sup> habitable level; and adding a ground floor enclosure (**EXHIBIT 7**). Ms. Murphy agreed to resubmit her application with the following corrections:

- CAMA email/letter acceptance of proposed development.
- Documentation from HOA acceptance of proposed development.
- Plat corrections:
  - o Indicate existing and proposed percentage impervious surface on site plan. -DH 08/25/2022
  - o Indicate stairs
  - o Indicate entire lot is within the SPECIAL FLOOD HAZARD AREA DH 08/25/2022
  - o Plat note 1 is incorrect. No structure fill is authorized period; remove note 1.
  - o Plat note 2 is incorrect; lot is not within Ocean Hazard AEC; lot is within Outstanding Resource Waters AEC remove note 2.
  - o Plat note 4 and 5 are the same; remove redundancy.

Amendments to the application were received on November 7, 2022 and are included as:

- Preliminary Plot Plan by John L. Pierce & Associates dated Nov. 2, 2022 (**EXHIBIT 11**)
- Bermuda Landing Homeowners Association Letter of Acceptance dated Oct. 25, 2022 (**EXHIBIT 12**)

Planning Director Hill provides an email thread to North Carolina Department of Environmental Quality Division of Coastal Management LPO Minor Permits Coordinator Robb Mairs and Field Representative Tina Martin Tue 11/8/2022 8:46 AM (**EXHIBIT 13**)

**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



FIGURE 1 MAP SOURCE ONSLOW COUNTY GIS 2022 Aerial WITH ZONING LAYER

EXISTING ZONING	EXISTING LAND USE	SURROUNDING ZONING & LAND USE	ONSLow COUNTY TAX RECORDS 2022 SITE IMPROVEMENTS	SIZE OF PROPERTY
R-5	postFIRM 1989 3BR/2BA Townhouse 1,056 heated ft <sup>2</sup>	Townhouse SWMH SFH		1,612 ft <sup>2</sup>

FIGURE 2

STAFF RECOMMENDATION

**APPROVE WITH CONDITIONS**

APPROVE

- 1) Not to exceed existing impervious %; 2) not to encroach into 10-foot easement; 3) provide parking plan; 4) indicate SFHA on site plan;

DENY

**COMPATIBILITY** with the COMPREHENSIVE PLAN  
 Considered legal, non-conforming and redevelopment consistent with 15A NCAC 07H .0209 COASTAL SHORELINES (d)(2).

**PROPERTY HISTORY**

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

**COMPATIBILITY** with the Unified Development Ordinance

Although similar permits have previously received administrative approval prior to July 1, 2021, North Carolina General Statutes § 160D-403d Administrative Development Approvals and Determinations (see also UDO §2.15 (D)) now require the same development review and approval process as the original development for approval of modifications or minor development or the Town may define minor modifications or development and authorize staff to review and permit.

(d) **Changes.** – After a development approval has been issued, 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. A local government may define by ordinance minor modifications to development approvals that can be exempted or administratively approved. The local government 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.

As Onslow County Planning Board approved Bermuda Landing final plat on 3/17/88 (**EXHIBIT 12**), effective July 1, 2021, any changes to Bermuda Landing – unless defined as minor and otherwise authorized by the ordinance - must be reviewed and approved by the Board of Aldermen using the procedures outlined in §4.03.03 TOWNHOUSE DEVELOPMENT. 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).
- New stair landing indicated on revised site plan encroaches into 10-foot easement **EXHIBIT 15**
- Public works/utilities (PLURIS Permit #6196 5/18/2022) **EXHIBIT 3**
- Indicate entire lot is within the SPECIAL FLOOD HAZARD AREA on site plan, **not indicated** DH 08/25/2022

The 1,612-square feet lot with 77.8% impervious surface is considered *legal, non-conforming*, as Bermuda Landing was approved by Onslow County Planning Board approved final plat 3/17/88 (**EXHIBIT 12**).

<i>Table 5-1 Dimensional Requirements</i>								
<i>Zoning District</i>	<i>Minimum Lot Size</i>	<i>Front Yard Setback</i>	<i>Lot Width</i>	<i>Side Yard Setback</i>	<i>Side Yard on Corner</i>	<i>Rear Yard Setback</i>	<i>Building Height</i>	<i>Maximum Lot Coverage</i>
R-5 Single-family	5,000 sq. ft.	20'	50'	8'	15'	10'	48'	30%
Multi-family	plus 5,000 sq. ft. for each unit over 2	20'	50'	8'	15'	10'	48'	30%

Figure 3 Excerpt Unified Development Ordinance Table 5-1 R-5 Multi-Family

**§ 5.01 OUTSTANDING RESOURCE WATERS (ORW).**

Lots adjacent to outstanding resource waters (ORW), as defined by the State Division of Environmental Management, shall not exceed 25% lot coverage as per state requirements. (Ord. passed 11-2-2011)

- 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? **EXHIBIT 16.**

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

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;**

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)**

Legal, non-conforming: Property zoned R-5, lot does not meet minimum dimensional requirements for zoning district; Exceeds impervious surface limit.

Pursuant to §4.03.01 (E) Articles of incorporation of homeowners association and Declaration of Covenants, Conditions, and Restrictions of Bermuda Landing. HOA authorizes owner to expand unit **EXHIBIT 16**

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

- Traffic/parking **not indicated** requires 3 parking spaces, (possibly 2 in driveway and 1 in garage).
- New stair landing indicated on revised site plan encroaches into 10-foot easement
- Indicate entire lot is within the SPECIAL FLOOD HAZARD AREA on site plan, **not indicated**

**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.**

Considered legal, non-conforming and redevelopment consistent with 15A NCAC 07H .0209 COASTAL SHORELINES (d)(2).

## List of Exhibits

		Page
EXHIBIT (1)	Staff Report	14-18
EXHIBIT (2)	Pluris Permit #6196	19-20
EXHIBIT (3)	CAMA EX 29-22 with plat submitted	21-23
EXHIBIT (4)	Revised Site Plan 2022 0806	24
EXHIBIT (5)	Latest Development Review Comments (K Winzler email 2022 09 01 0951)	25
EXHIBIT (6)	Application	26-27
EXHIBIT (7)	Engineered Plans	28-31
EXHIBIT (8)	Deed (Legal Description) DB 4991 P 621	32-35
EXHIBIT (9)	Bermuda Landing Final Plat MB 25 P 97	36
EXHIBIT (10)	Survey of Bermuda Landing Revision of Lot 12 MB 26 P 222	37
EXHIBIT (11)	Preliminary Plot Plan by John L. Pierce & Associates dated Nov. 2, 2022	38
EXHIBIT (12)	Bermuda Landing Homeowners Association Letter dated Oct. 25, 2022	39
EXHIBIT (13)	D Hill email dated Tue 11/8/2022 8:46 AM	40-43





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

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

ROY COOPER  
Governor  
DIONNE DELLI-GATTI  
Secretary  
BRAXTON DAVIS  
Director



EXHIBIT (3)

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

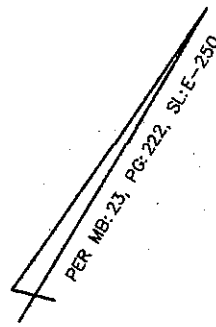
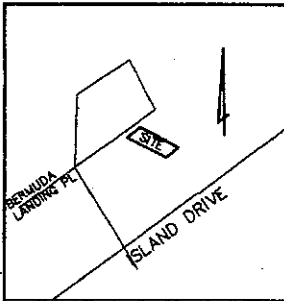
This exemption does not eliminate your requirements to obtain any other State, Federal or Local authorization. Construction of the structure authorized by this exemption shall be completed by December 31 of the third year of the issuance date of this exemption.

Sincerely,



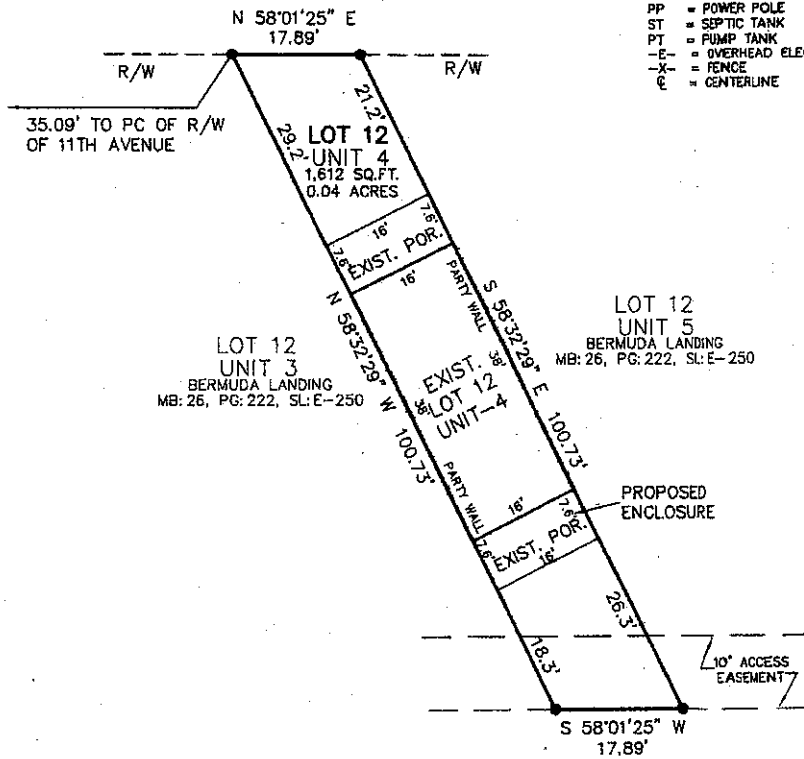
Tina Martin  
Environmental Specialist II, DCM

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

**PRELIMINARY PLOT PLAN**

**ADDRESS:**  
4 BERMUDA LANDING PLACE

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. 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

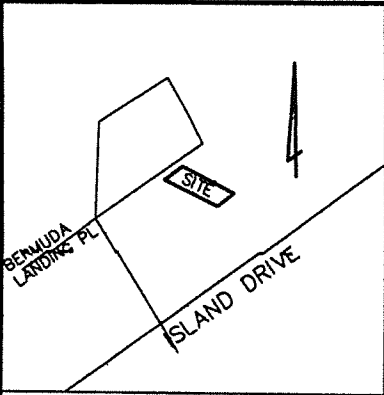
**JOHN L. PIERCE & ASSOCIATES, P.A. (C-1888)**  
405 JOHNSON BLVD., JACKSONVILLE, NC 28540  
PHONE: (910)346-9800 FAX: (910)346-1210  
DATE: FEB. 17, 2022 SCALE: 1"= 20'  
F.B. N/A P. N/A JOB # 2022-100

DCM-MHD-CITY

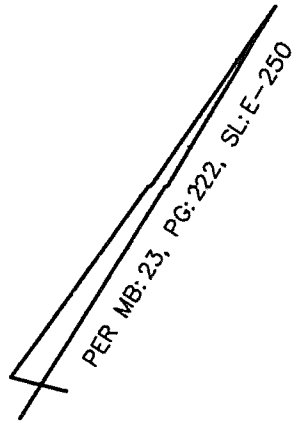
JUN 10 2022

RECEIVED





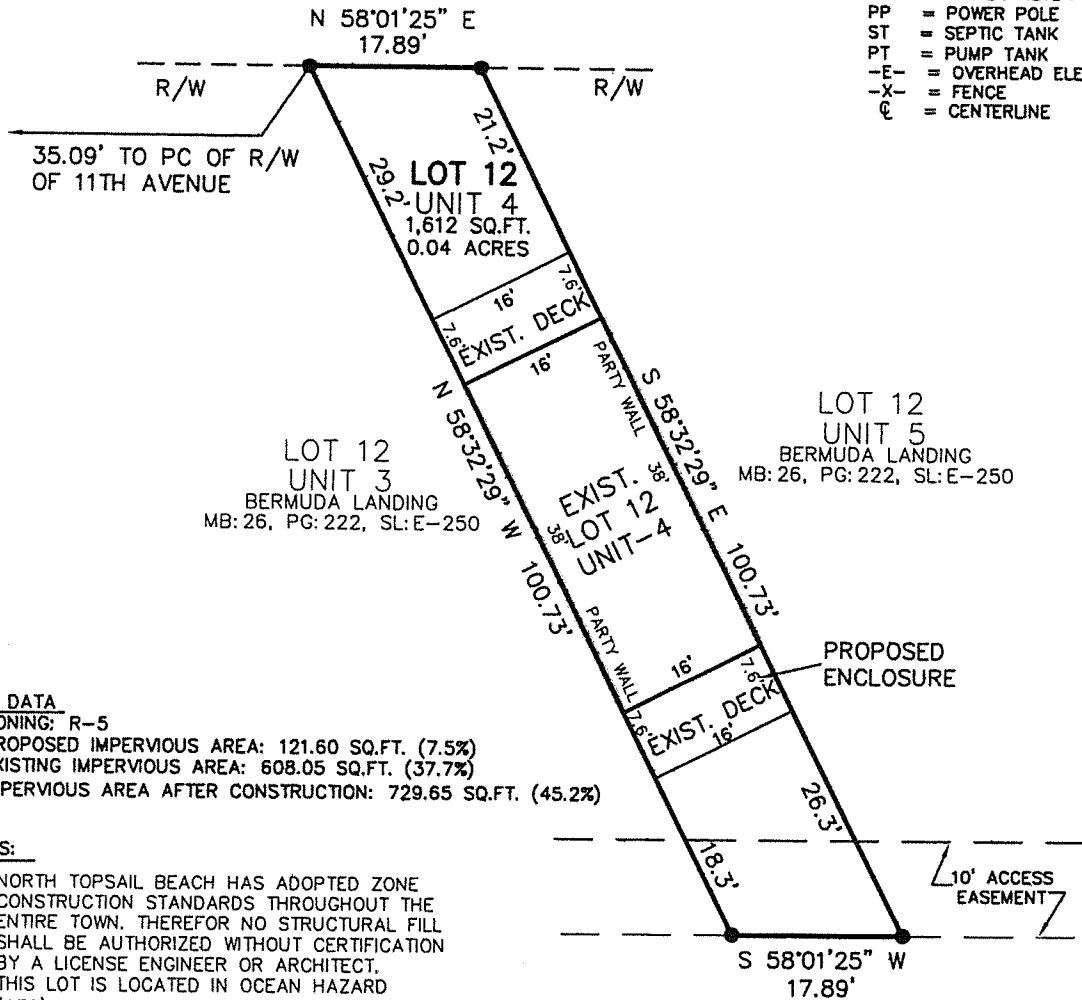
VICINITY MAP - NOT TO SCALE



- BERMUDA LANDING PLACE -

LEGEND

- EIP = EXISTING IRON PIPE
- EIS = EXISTING IRON STAKE
- SIS = SET IRON STAKE
- ECM = EXISTING CONCRETE MONUMENT
- EPK = EXISTING PK NAIL
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- WM = WATER METER
- PP = POWER POLE
- 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

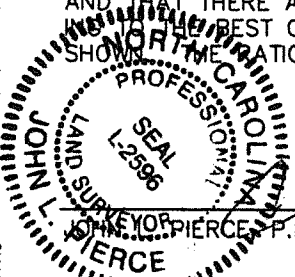
THE PURPOSE OF THIS PRELIMINARY PLOT PLAN IS TO ENCLOSE THE EXISTING DECK

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 & ASSOCIATES, 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

EXHIBIT (5)

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,

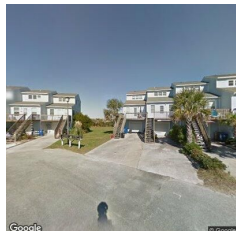
**Kate Winzler, CMC, NCCMC**  
Permit Specialist & Deputy Town Clerk  
**Town of North Topsail Beach**  
2008 Loggerhead Ct  
North Topsail Beach, NC 28460  
910-328-1349





File #  
Address

## 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.

EXHIBIT (6)

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	
		<b>Total Fees:</b>	<b>350.00</b>	

**Payments**

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



**GENERAL NOTES:**

- 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 TO BE CONTROLLED LATERAL FORCE DESIGN, WIND FORCES CONTROL DESIGN.
- CONTRACTOR TO VERIFY ALL DIMENSIONS AND DETAILS ON DRAWINGS PRIOR TO CONSTRUCTION.
- UNLESS NOTED OTHERWISE.
- ALL WORK MUST COMPLY WITH THE LATEST EDITION OF THE NORTH CAROLINA RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS (N.G.R.C.).
- STRUCTURAL FRAME TO BE SHORED AND BRACED UNTIL CONSTRUCTION IS COMPLETED.
- LATERAL RESISTANCE IS PROVIDED BY SHEAR WALLS AND BRACES.

**PILE FOUNDATION NOTES (AE ZONE):**

- DRIVE ALL P.T. 6x6 PILES TO THE CAPACITY LISTED ON THE DRAWINGS USING AN APPROVED DROP HAMMER OR POWER HAMMER AS PER SECTION 4603.0 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.
- ALL TIMBER PILES TO BE SOUTHERN YELLOW PINE AND PRESURE TREATED PER ANPA STANDARDS (SEE NOTE 8) PILE CUTOFFS SHALL BE TREATED IN ACCORDANCE WITH ANPA M4. (CCA PRESERVATIVE TREATMENT SHALL NOT BE USED FOR RESIDENTIAL APPLICATIONS).
- 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 UC4G OR UC3B. CONTRACTOR TO VERIFY APPROPRIATE PRESERVATIVE TREATMENT BASED ON THESE CATEGORIES WHEN ORDERING PILES. REFER TO THE ANPA INSTITUTE WEBSITE FOR ADDITIONAL INFORMATION ON ANPA TREATED WOOD USE CATEGORIES.
- 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.
- PROVIDE "SIMPSON" P5410 PLATES ON EACH SIDE OF PILE WHEN MORE THAN 50% OF PILE IS NOTICED.
- CONCRETE COLLAR AND SLAB DESIGN BASED ON ALLOWABLE SOIL PRESSURE OF 1500 PSF (FIELD VERIFY SOIL CONDITIONS PRIOR TO CONSTRUCTION).
- WHEN BOTTOM OF CONCRETE COLLAR IS AT OR BELOW WATER TABLE, PROPERLY DENATER EXCAVATION PRIOR TO POURING CONCRETE.
- 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.
- 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.
- PROOF ROLL EXPOSED SUBGRADE WITH A 3 TON VIBRATORY ROLLER MAKING 3 PASSES IN EA. DIRECTION.
- BACK FILL WITH CLEAN SELECTED FILL COMPACTED IN 8" LAYERS TO 98% OF MAXIMUM DENSITY AT OPTIMAL MOISTURE CONTENT (ASTM D-494).
- 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-494).
- WHEN THE CODE PERMITS, THE 6 MIL. POLY VAPOR BARRIER UNDER THE SLAB MAY BE OMITTED.
- 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).

**STRUCTURAL TIMBER & HARDWARE NOTES:**

- 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.
- ALL GIRDERS, BEAMS, AND HEADERS ARE TO BE #1 SOUTHERN YELLOW PINE OR BETTER.
- ALL NAIL SIZES AND NUMBERS REQUIRED MAY NOT BE SHOWN. SUFFICIENT NAILING SHALL BE REQUIRED TO DEVELOP JOINT STRENGTH.
- 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.
- LUMBER LESS THAN 1" ABOVE GROUND 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).
- LAMINATED VENEER LUMBER (LVL) SHALL BE ATIG STRUCTURAL GLUED TIMBER, ARCHITECTURAL GRADE SOUTHERN YELLOW PINE "LOUISIANA PACIFIC" GANGLAM 2500 Fb-2.0E, "BOISE CASCADE" VERSA-LAM 3000 Fb, OR EQUAL.
- USE ASTM A307 BOLTS WITH NUTS AND WASHERS FOR ALL TIMBER CONNECTIONS AND 16d COMMON NAILS FOR BEAM CONNECTIONS. IF 6d 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.
- 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).
- USE (2) "SIMPSON" H25A HURRICANE CLIPS AT EACH RAFTER (TYPICAL UNJO.)
- ALL EXTERIOR WALLS SHALL BE FRAMED AS FOLLOWS (UNJO.):  
 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"
- ALL HEADERS TO BE (2) 2x10s (UNJO.)
- 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:**

- 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
- CONCRETE REINFORCING STEEL TO BE ASTM A615, GRADE 60 AND WELDED WIRE FABRIC TO BE ASTM A185.
- 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"  
 \* 1/2" OR SMALLER REINFORCING (2" COVER IS REQUIRED FOR LARGER REINFORCING)
- DOVELLS AND CONT. REINFORCING SHALL HAVE A MINIMUM LAP OF 40 BAR DIAMETERS OR 2'-11" MINIMUM UNJO. PROVIDE HOOKED BARS AT CORNERS OR INTERSECTIONS. (SEE MASONRY NOTES FOR LAP SPICE REQUIREMENTS IN MASONRY.)
- PROVIDE AIR ENTRAINMENTS OF 4 TO 6 PERCENT.
- REINFORCED CONCRETE WORK SHALL CONFORM TO THE LATEST EDITION OF BUILDING CODE REQUIREMENTS FOR STRUCTURAL CONCRETE (ACI 318).
- PROVIDE CLASS B BARS AND MESH SUPPORTS.

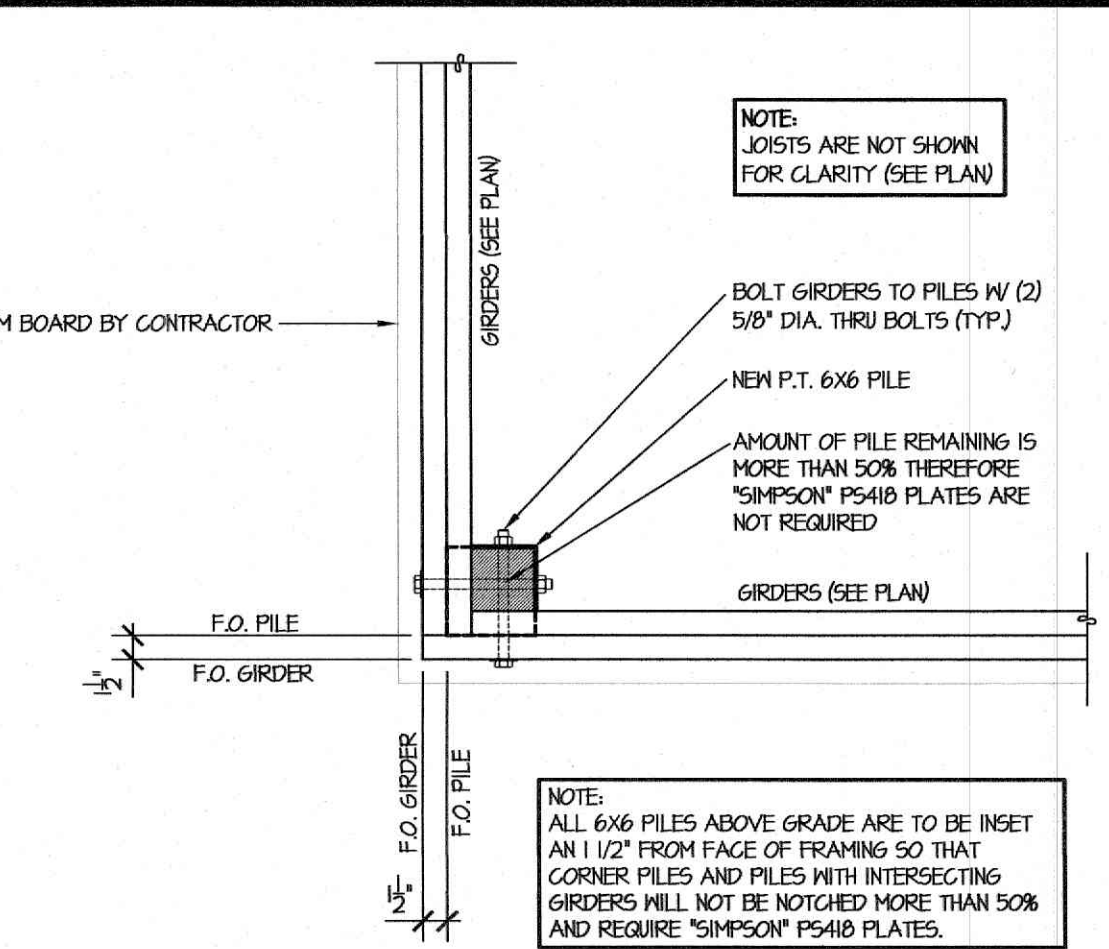
ENGINEER RESPONSIBLE FOR ALL STRUCTURAL COMPONENTS ON THIS DRAWING. ALL DIMENSIONS AND DETAILS MAY NOT BE SHOWN AND ARE THE RESPONSIBILITY OF THE DESIGNER AND CONTRACTOR. CONTRACTOR IS TO VERIFY WITH ENGINEER ANY ADDITIONAL DETAILS REQUIRED FOR CONSTRUCTION.

CONTRACTOR TO SHORE AND BRACE EXISTING STRUCTURE DURING ENTIRE RENOVATION

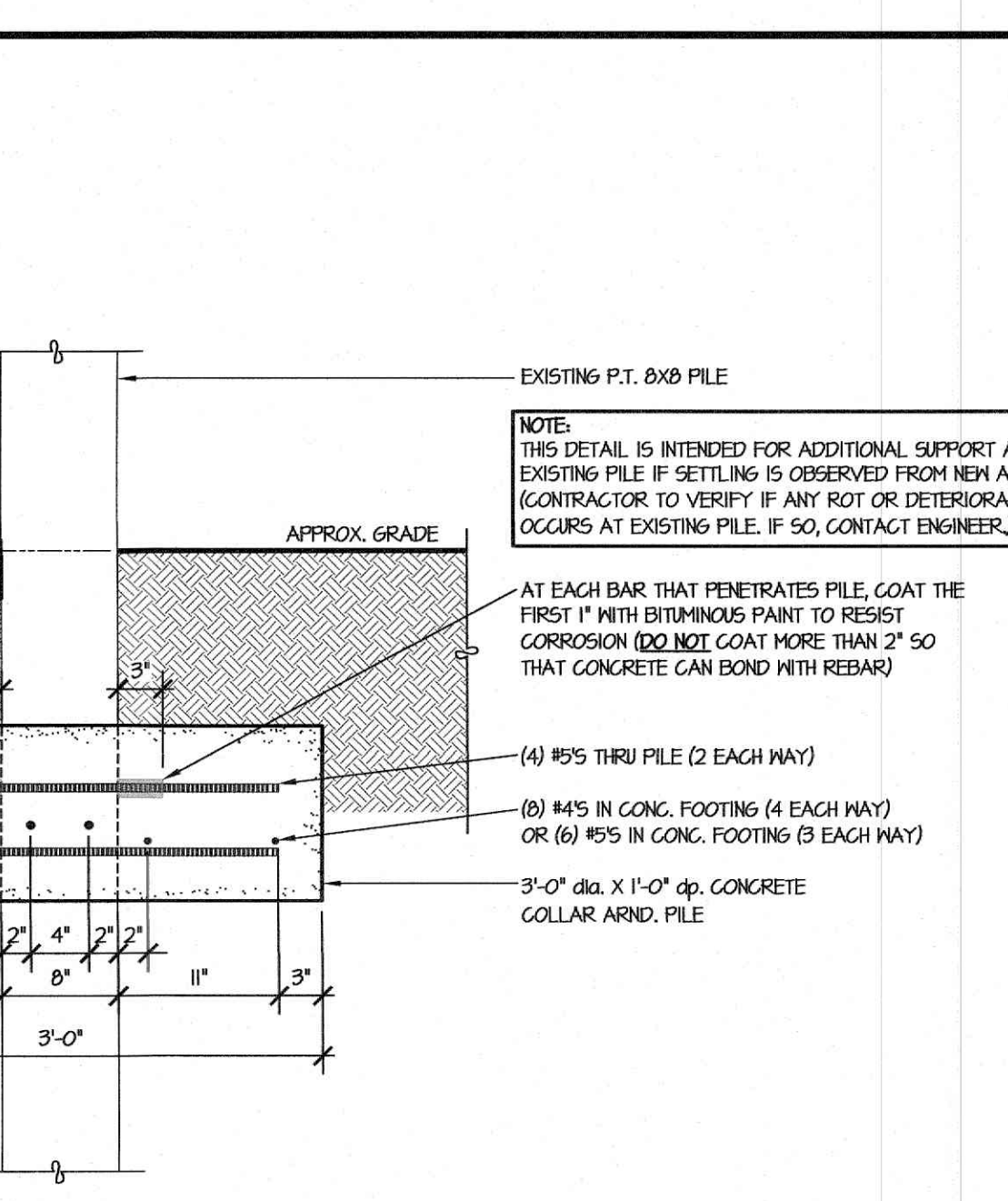
**RENOVATION DISCLAIMER:**  
 THE FRAMING IMPROVEMENTS SHOWN ON THESE PLANS ARE INTENDED SOLELY TO PROVIDE STRUCTURAL SUPPORT FOR THE NEW RENOVATIONS / ADDITIONS TO THE CURRENT BUILDING. ANALYSIS OF THE EXISTING BUILDING FOR CODE COMPLIANCE HAS NOT BEEN DONE BY THIS OFFICE. FURTHERMORE, WE TAKE NO RESPONSIBILITY FOR ANY PRE-EXISTING FRAMING DEFICIENCIES, UNLEVEL FLOOR CONDITIONS, OUT OF PLUMB OF 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, WHICH MAY RESULT IN PILES BEING EMBEDDED DEEPER THAN THE MINIMUM REQUIREMENTS.  
 CONTRACTOR MUST VERIFY LOCAL EROSION RATE WITH CANAL 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.

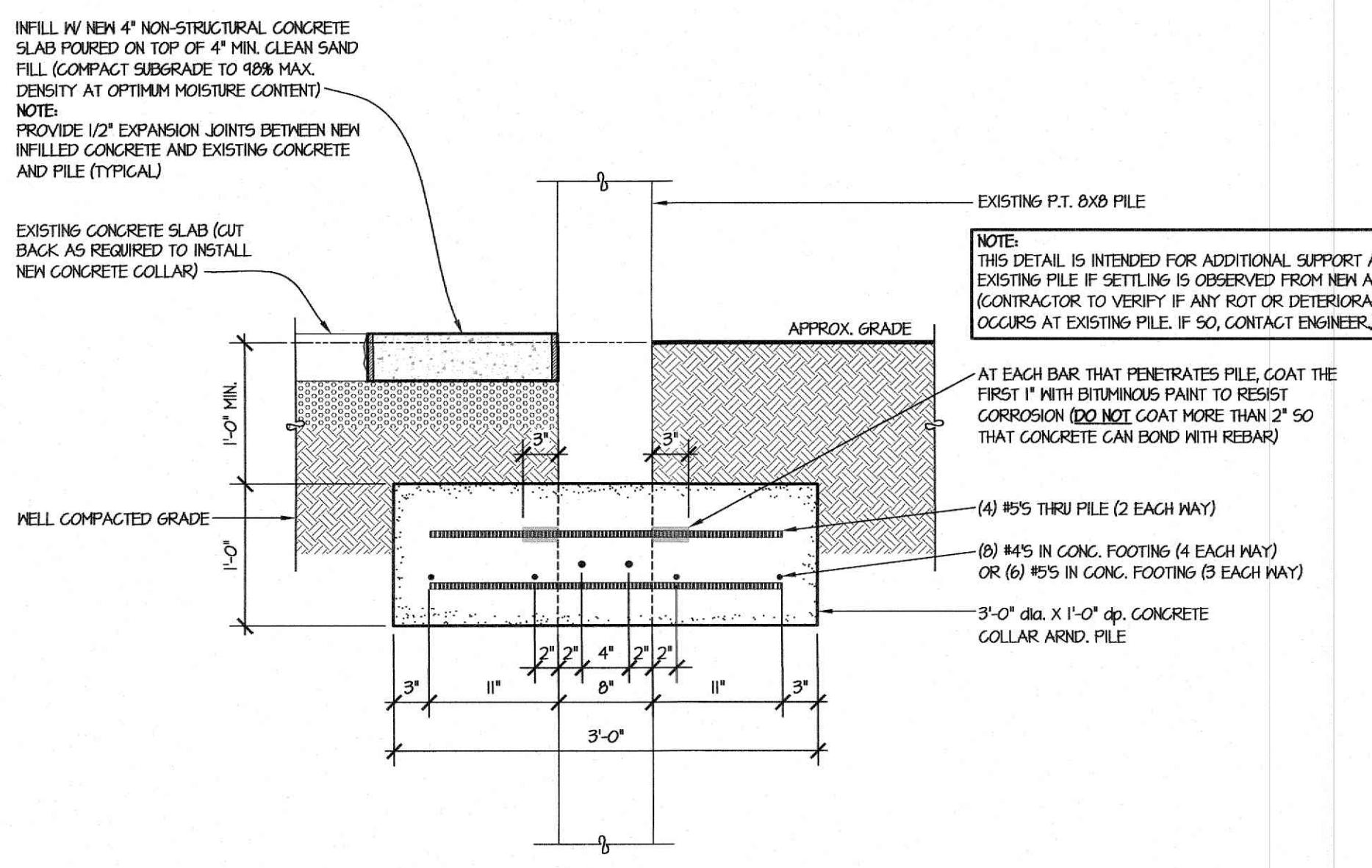
**E PLAN VIEW OF PILE NOTCH**  
 S1.0 SCALE: 1"=1'-0"



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



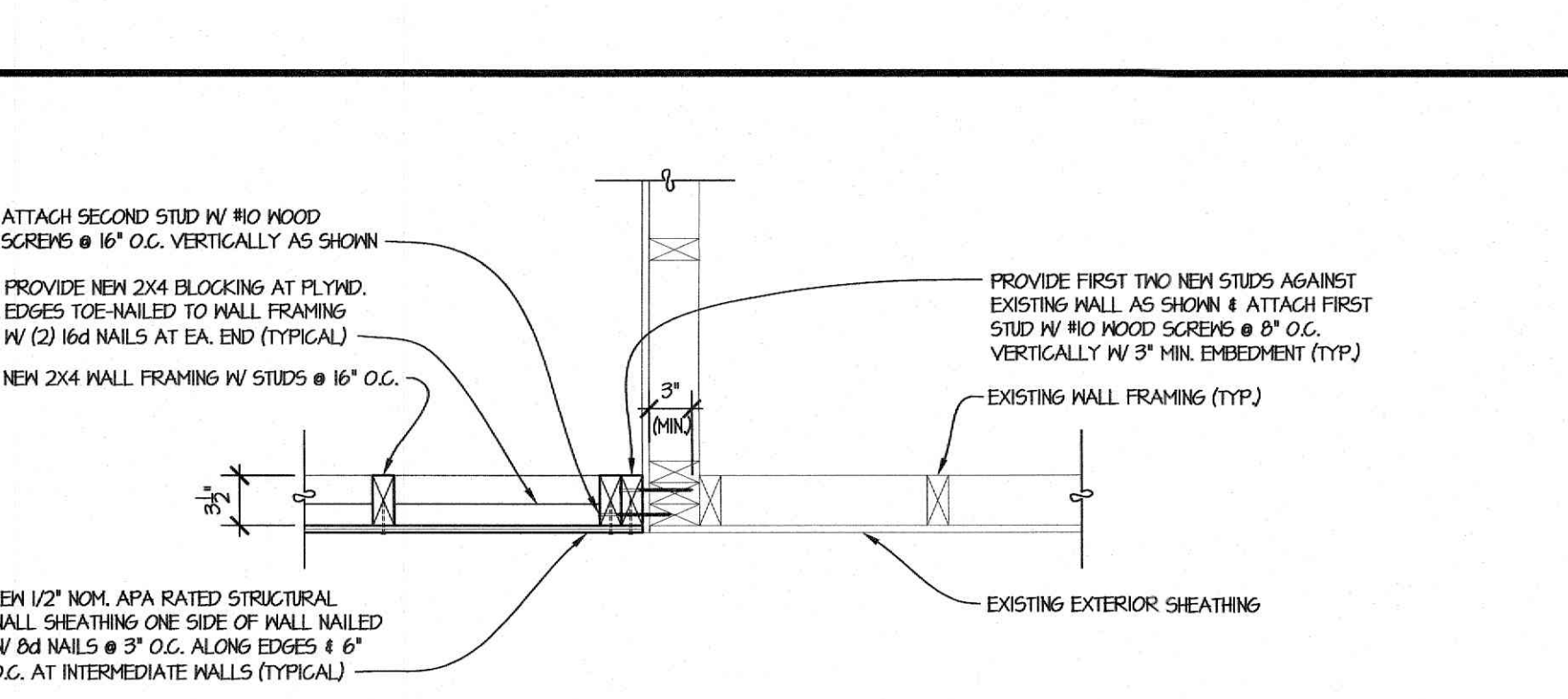
**C TYPICAL 3'-0" CONG. COLLAR OPTION**  
 S1.0 SCALE: 1"=1'-0"



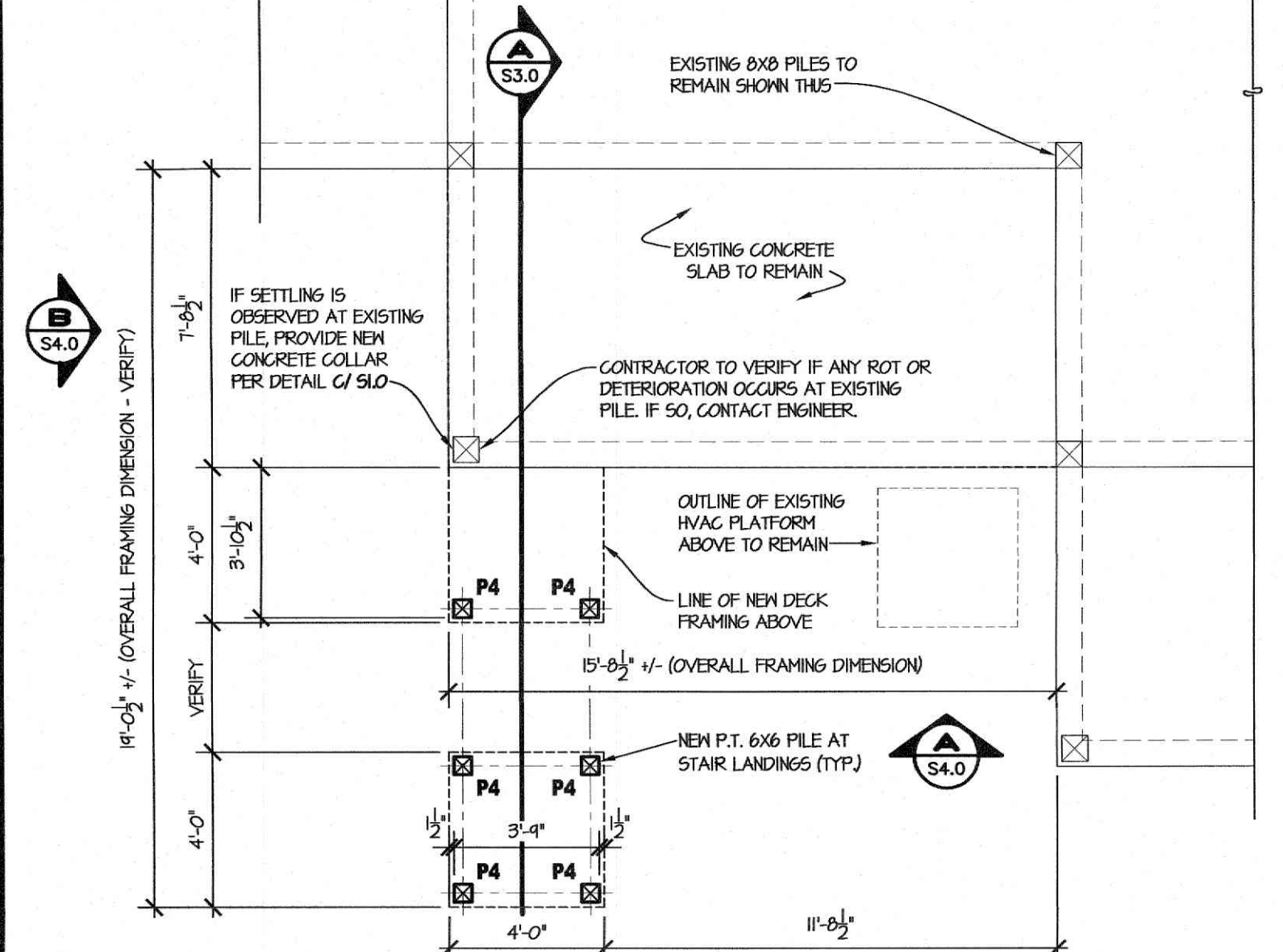
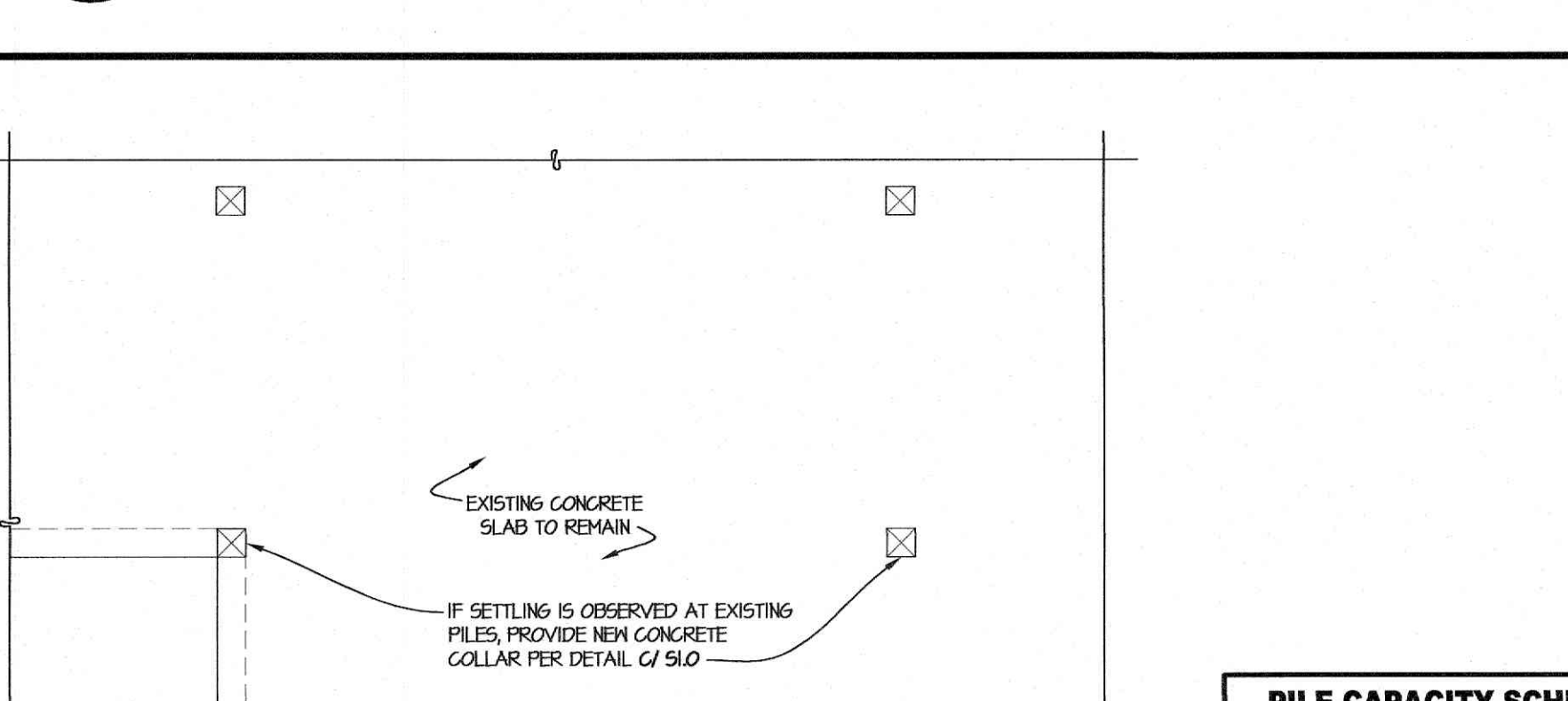
**B PLAN VIEW OF NEW WALL TO EXISTING WALL INTERSECTION**  
 S1.0 SCALE: 1"=1'-0"



**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"



**1 PILE FOUNDATION PLAN • SCALE: 1/4" = 1'-0"**  
 (SHOWING CONCRETE SLAB)

**PILE CAPACITY SCHEDULE**

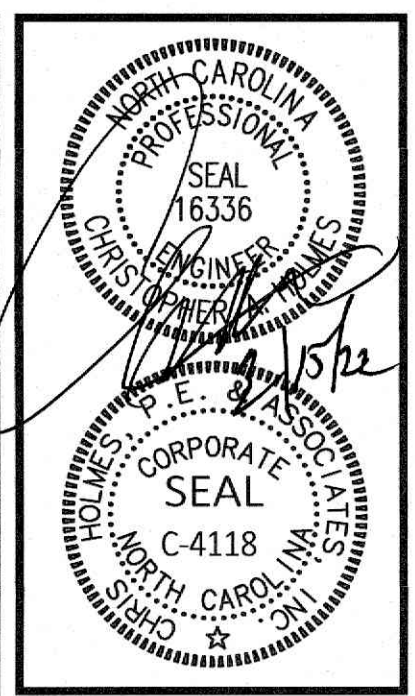
MARK	TONNAGE REQ'D.	AMOUNT
P4	4 TONS	6

**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 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

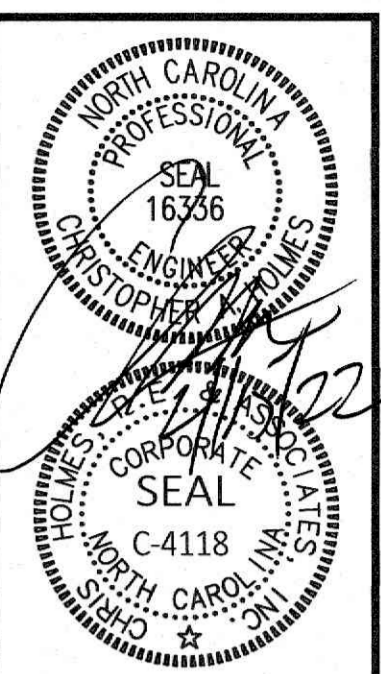
**Murphy Renovation**  
 #4 Bermuda Landing  
 North Topsail, North Carolina

Project Name: 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





Original Release Date:	04.14.22
Revision Date:	
Drawn By:	R.S.G.
Checked By:	C.A.H.
Project No.:	22092

**Murphy Renovation**  
 #4 Bermuda Landing  
 North Topsail, North Carolina

Project Description: **Structural Framing Plans**

Date: **04.14.22**

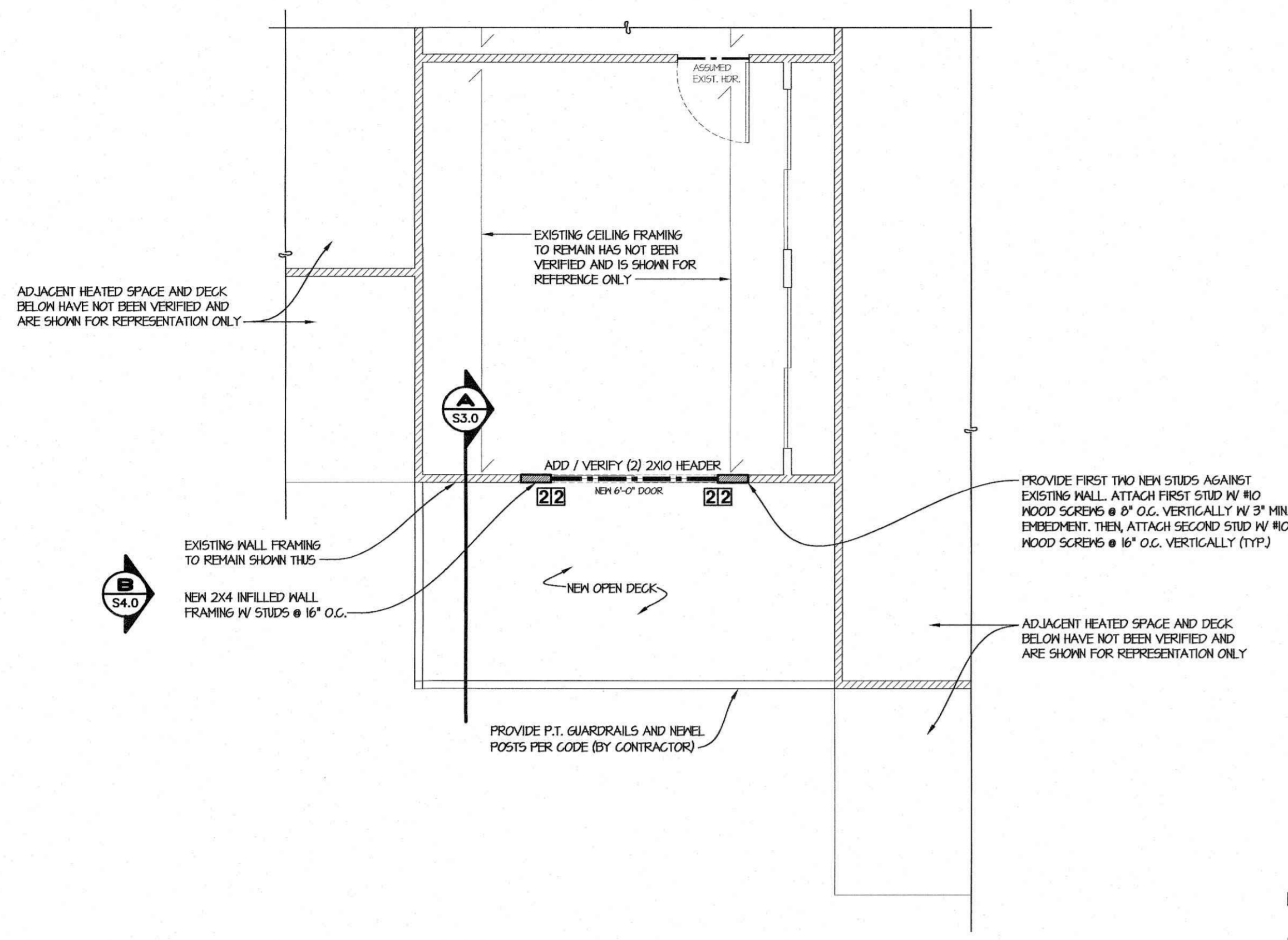
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Sheet: **S2.0**

Of: **4**



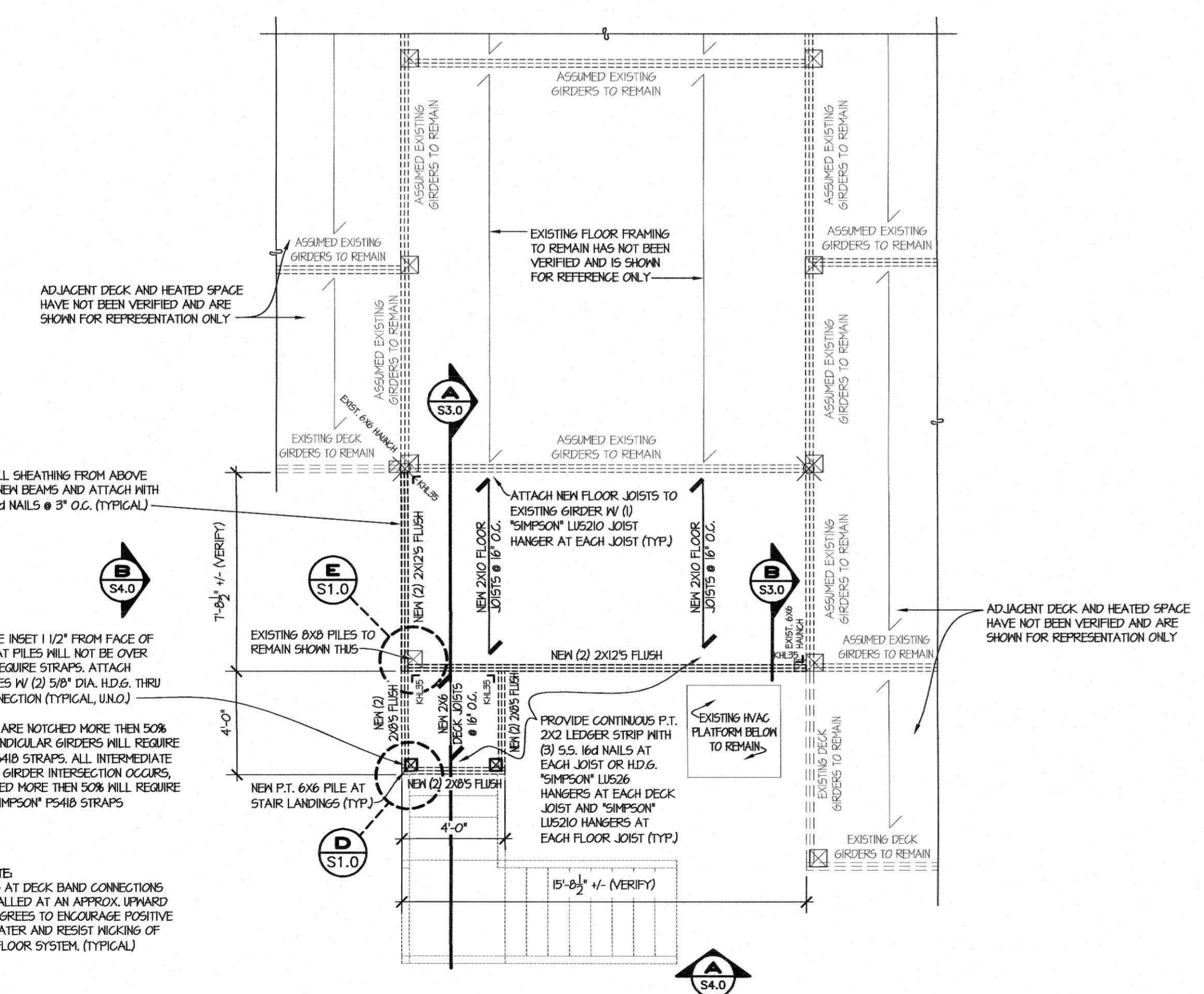
**5 CEILING FRAMING PLAN • SCALE: 1/4" = 1'-0"**  
 (SHOWING SECOND LEVEL WALLS)

**CONTRACTOR TO SHORE AND BRACE EXISTING STRUCTURE DURING ENTIRE RENOVATION**

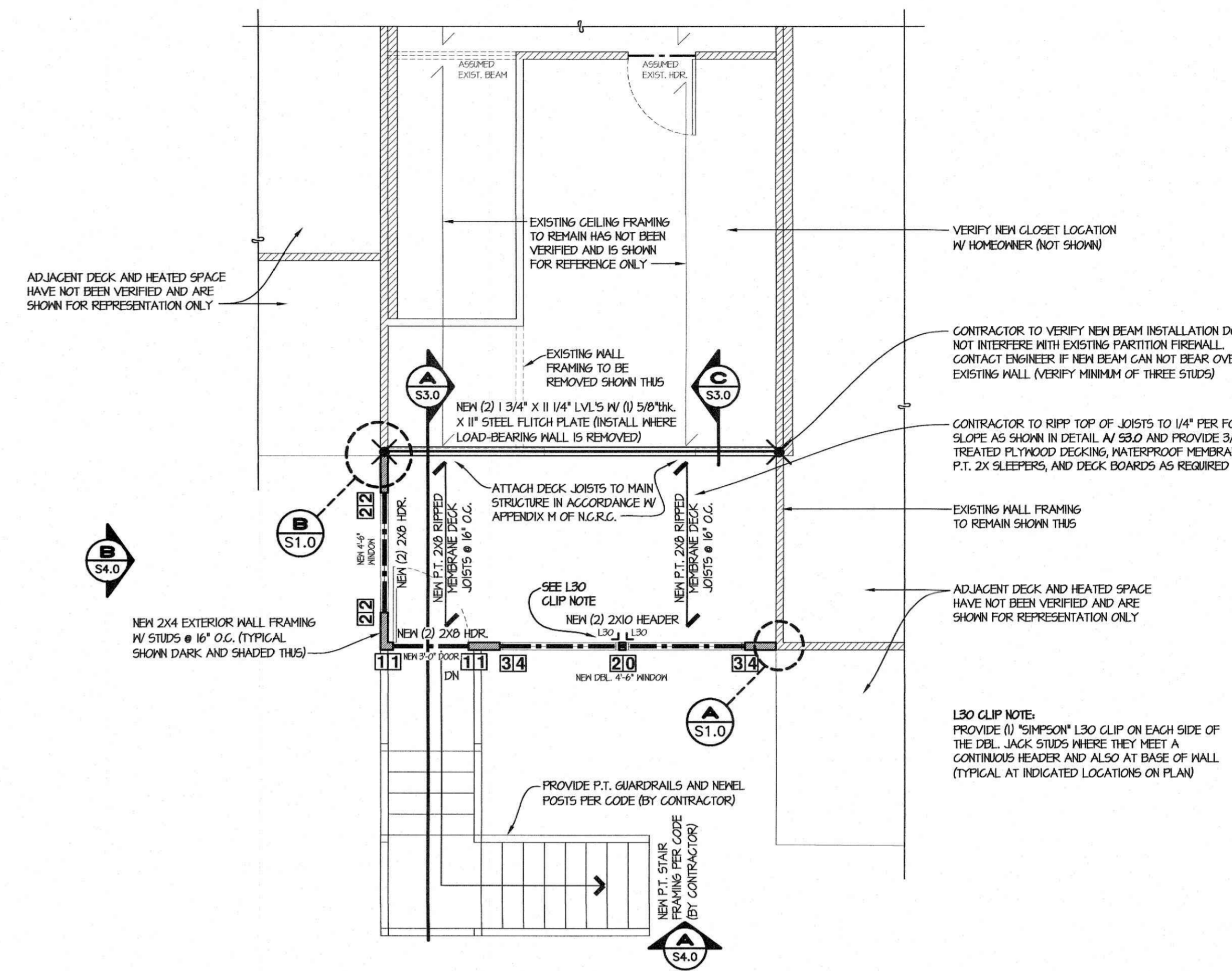
**JACK & KING STUD LEGEND**

INDICATES # OF JACK STUDS REQ'D.	112	INDICATES # OF KING STUDS REQ'D.
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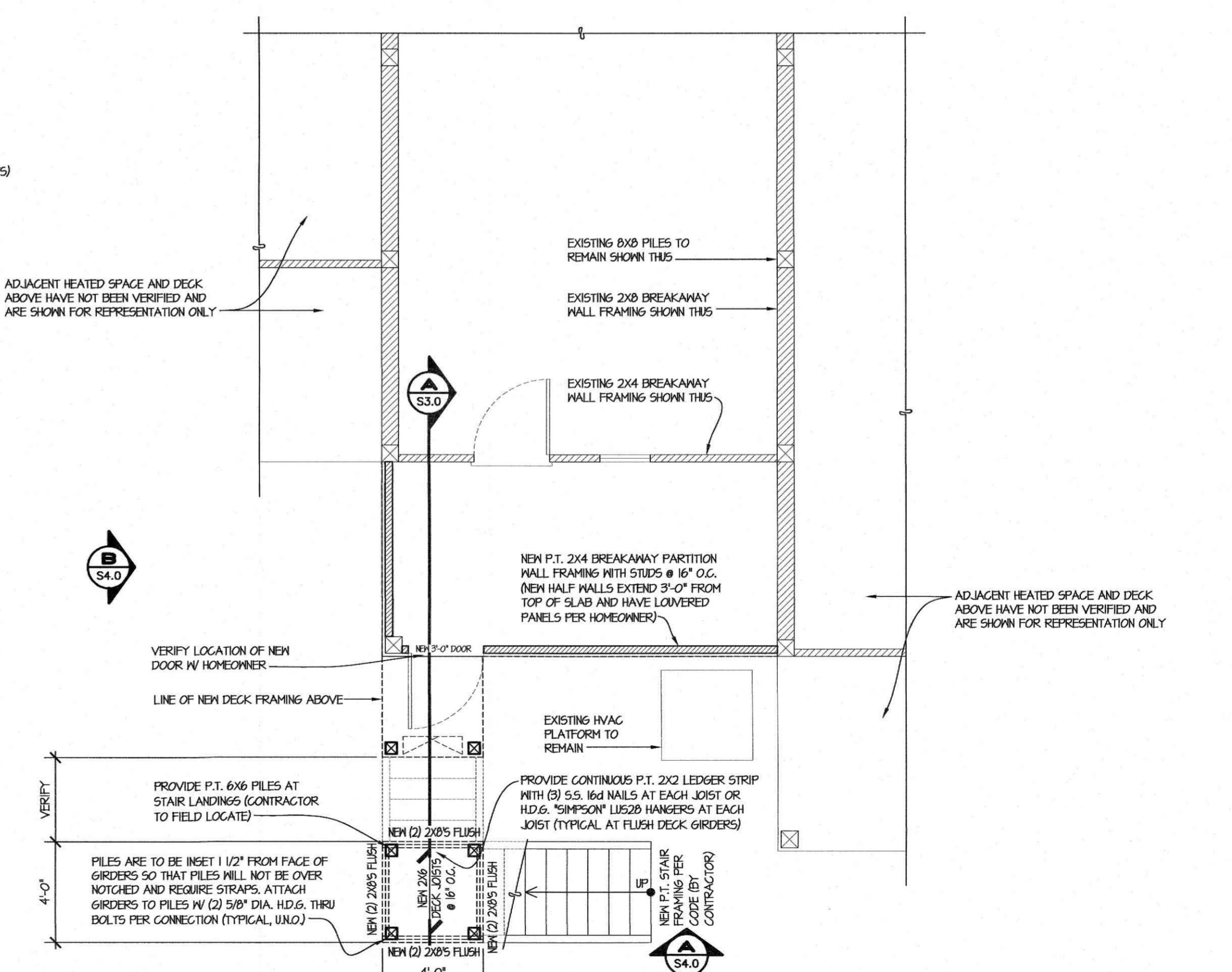
- SYMBOL LEGEND**
- INDICATES NEW EXTERIOR WALLS AND INTERIOR LOAD BEARING WALLS (TYP. SHOWN SHADED)
  - INDICATES NEW GROUND LEVEL PARTITION WALLS (TYP. SHOWN SHADED)
  - INDICATES EXISTING EXTERIOR WALLS AND INTERIOR LOAD BEARING WALLS (TYP. SHOWN SHADED)
  - NEW BEAM BEARING POINT  
PROVIDE (2) STUDS 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)

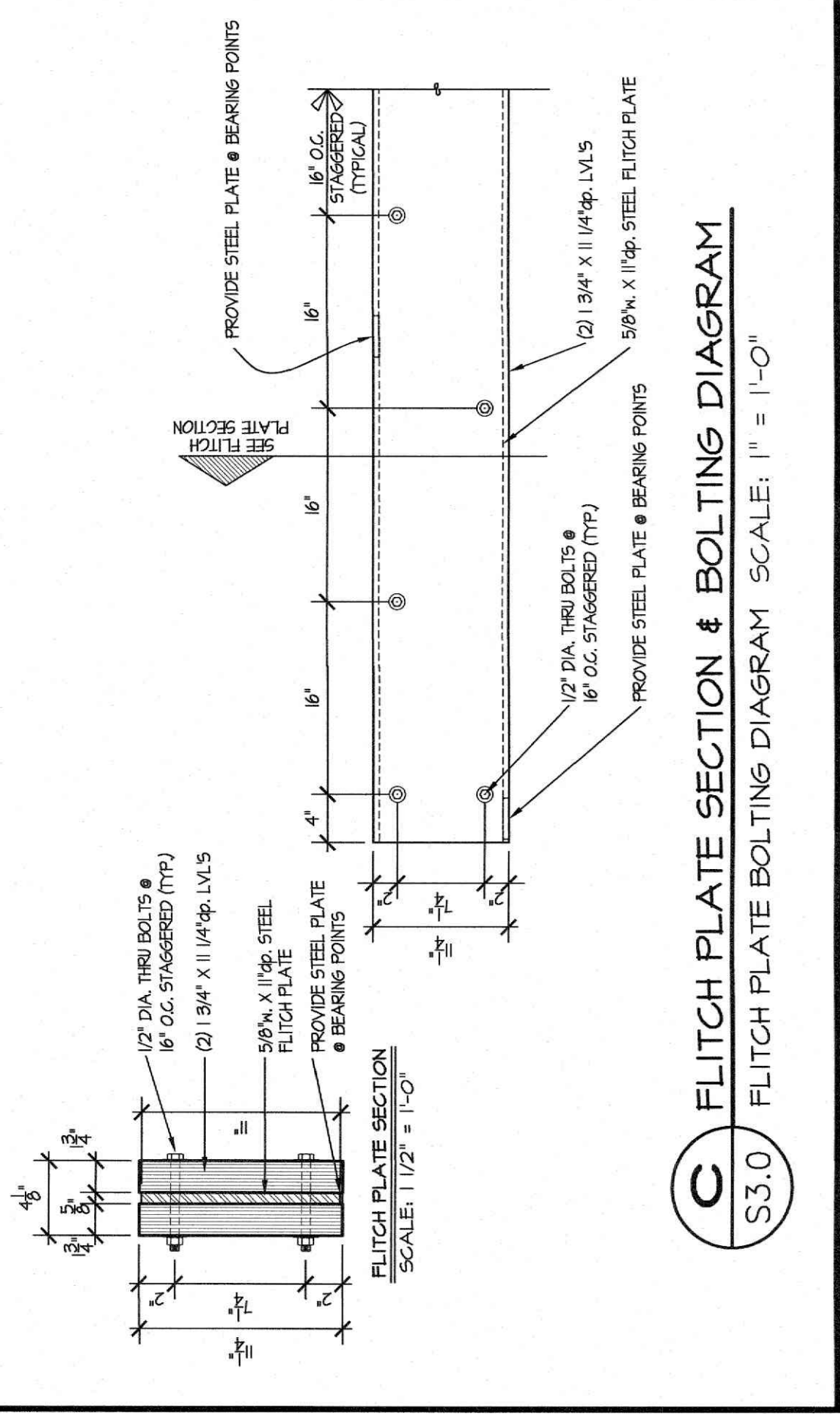


**4 SECOND LEVEL FLOOR FRAMING PLAN • SCALE: 1/4" = 1'-0"**  
 (SHOWING FIRST LEVEL WALLS)

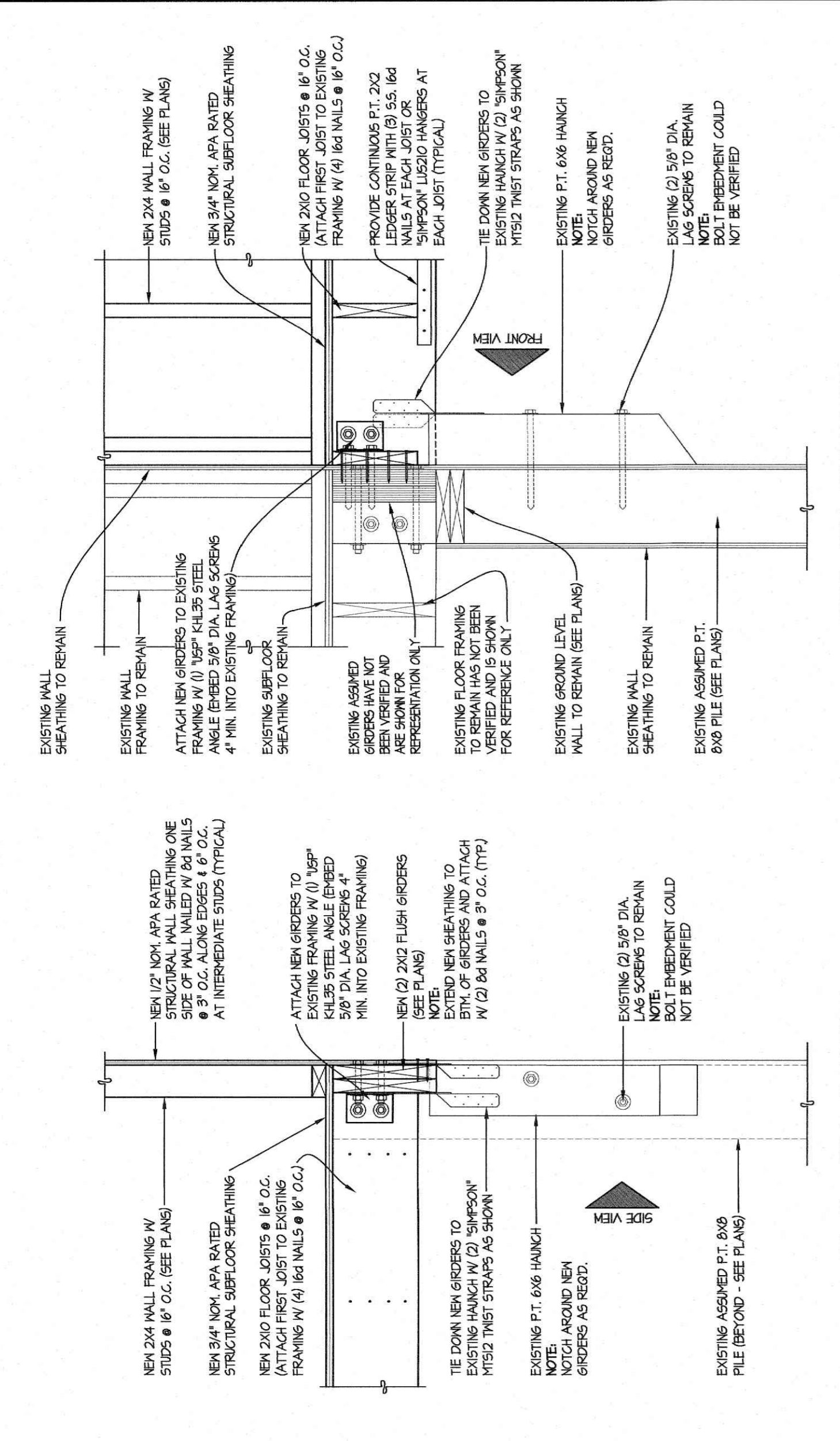


**2 GROUND LEVEL WALL PLAN • SCALE: 1/4" = 1'-0"**  
 (SHOWING PILES AND BRACING)

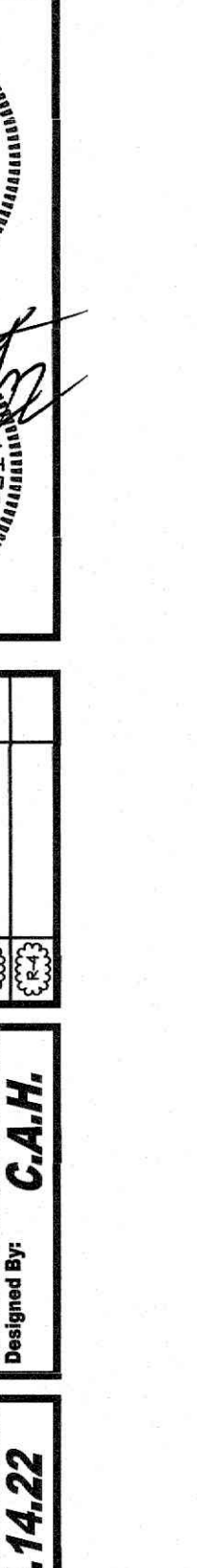
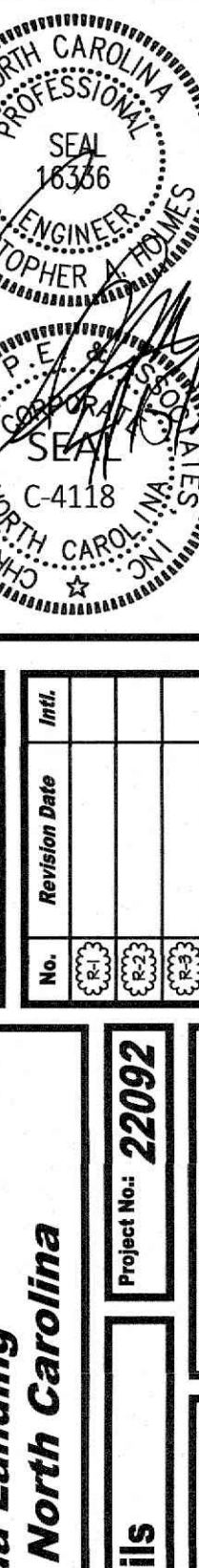
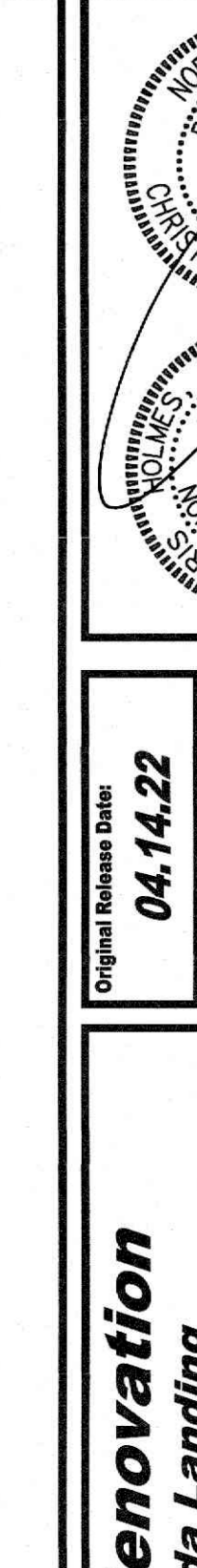
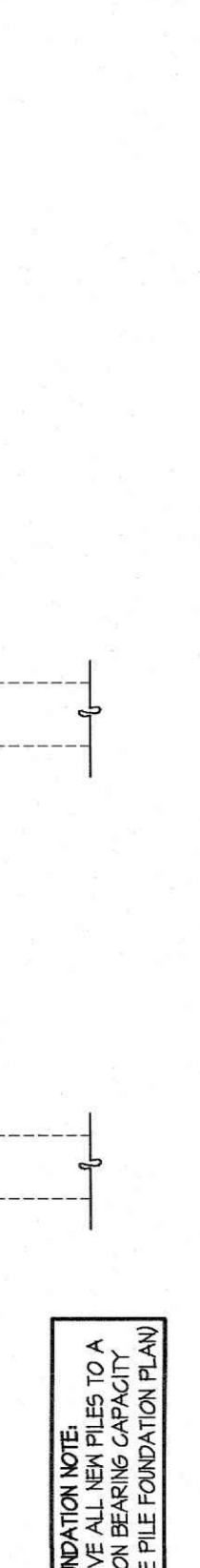
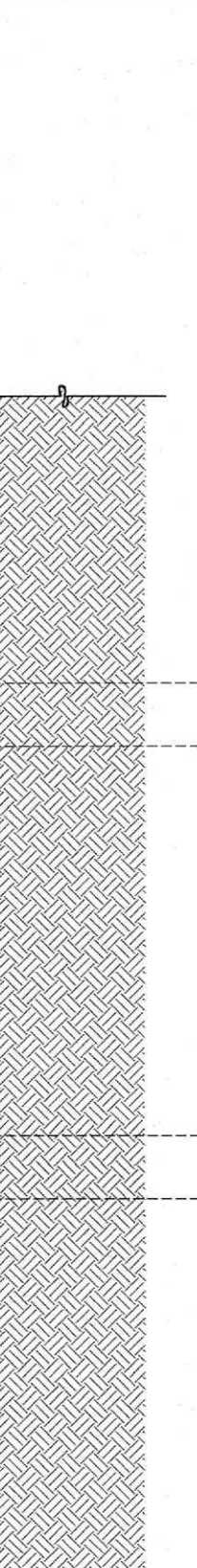
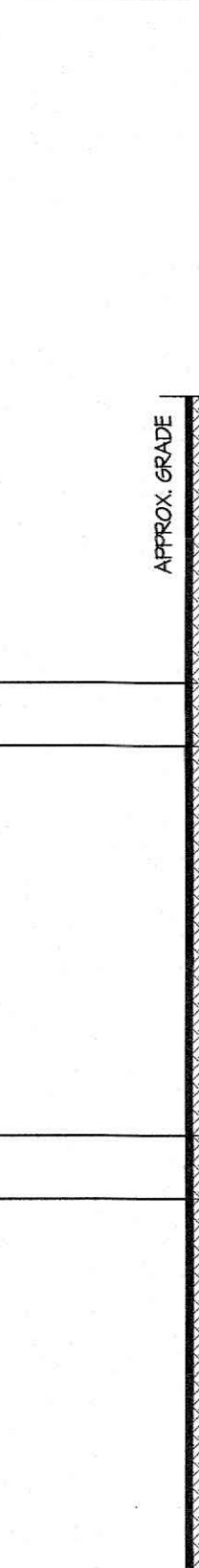
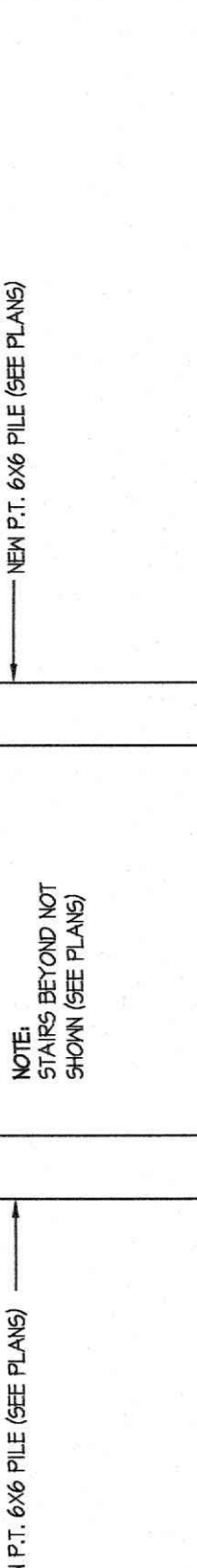
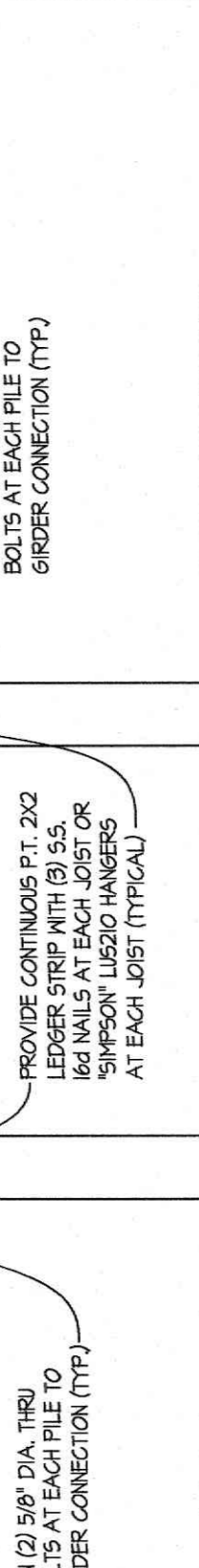
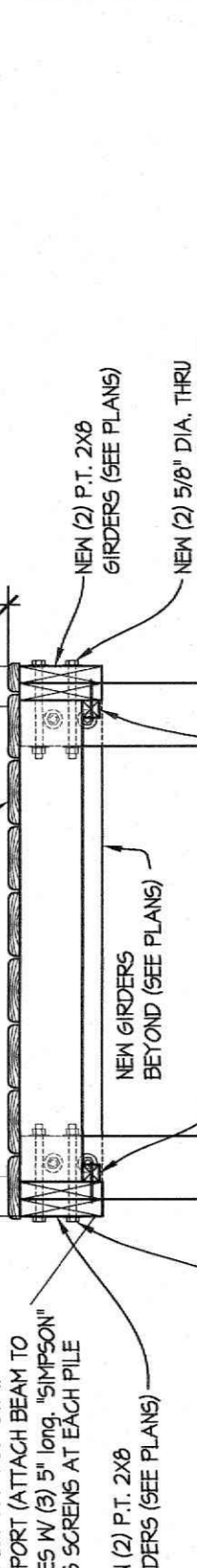
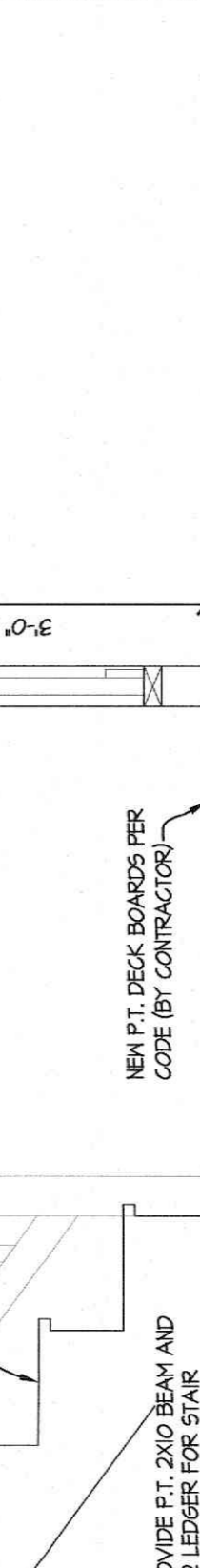
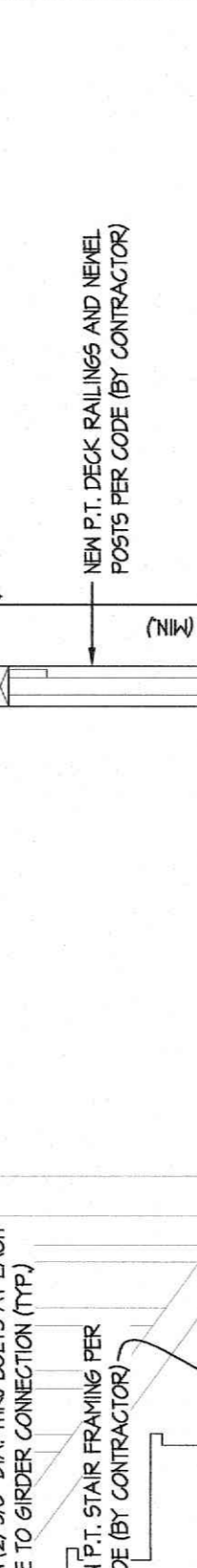
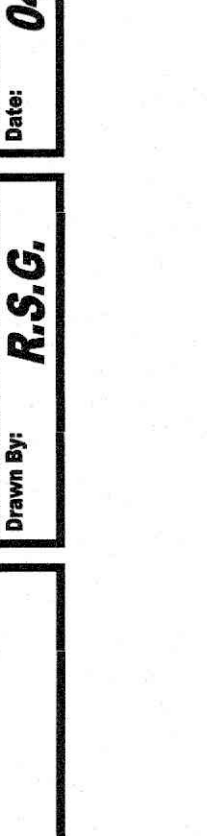
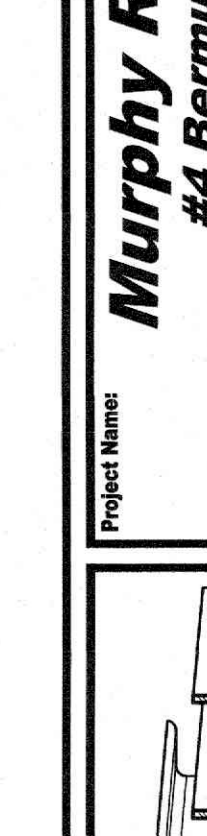
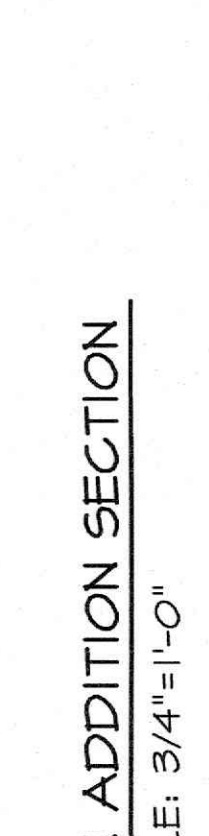
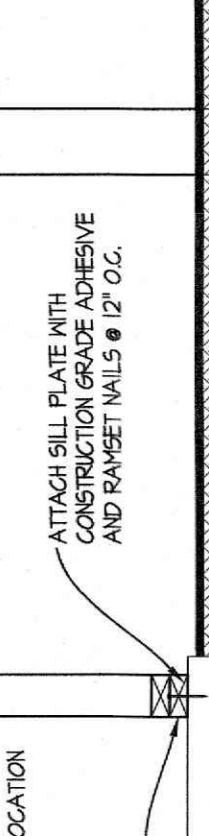
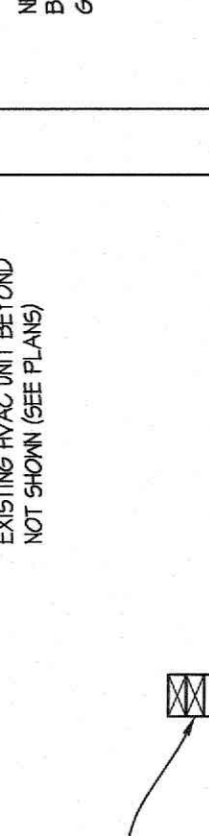
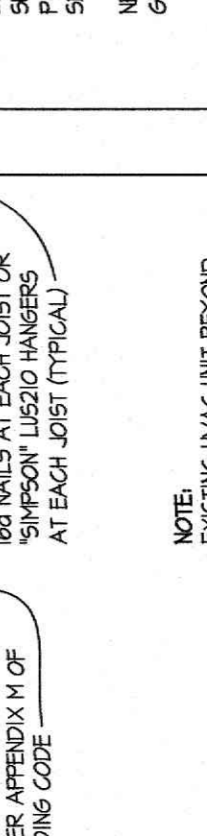
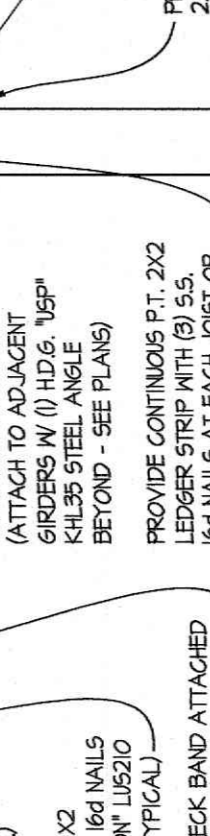
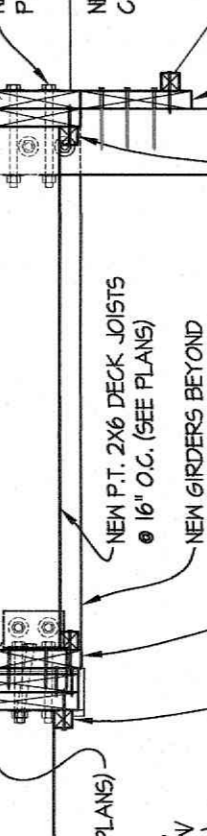
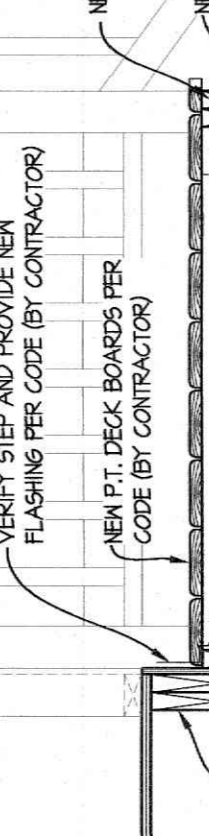
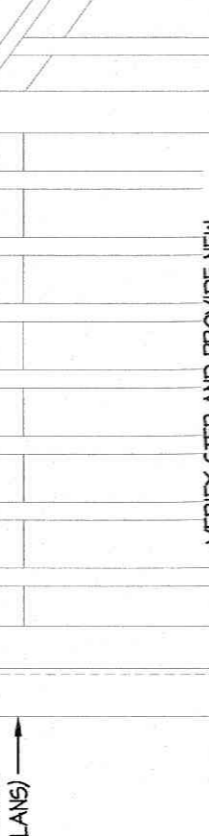
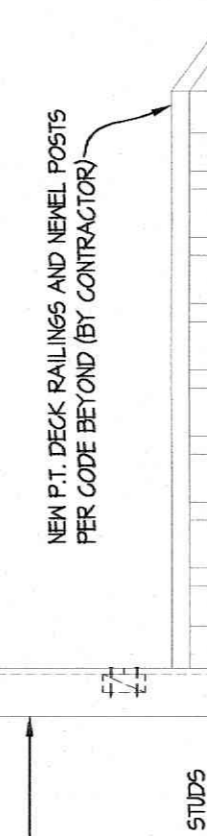
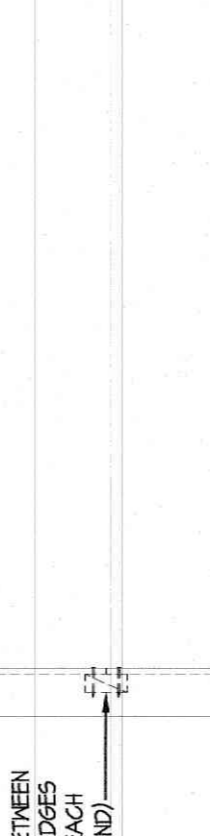
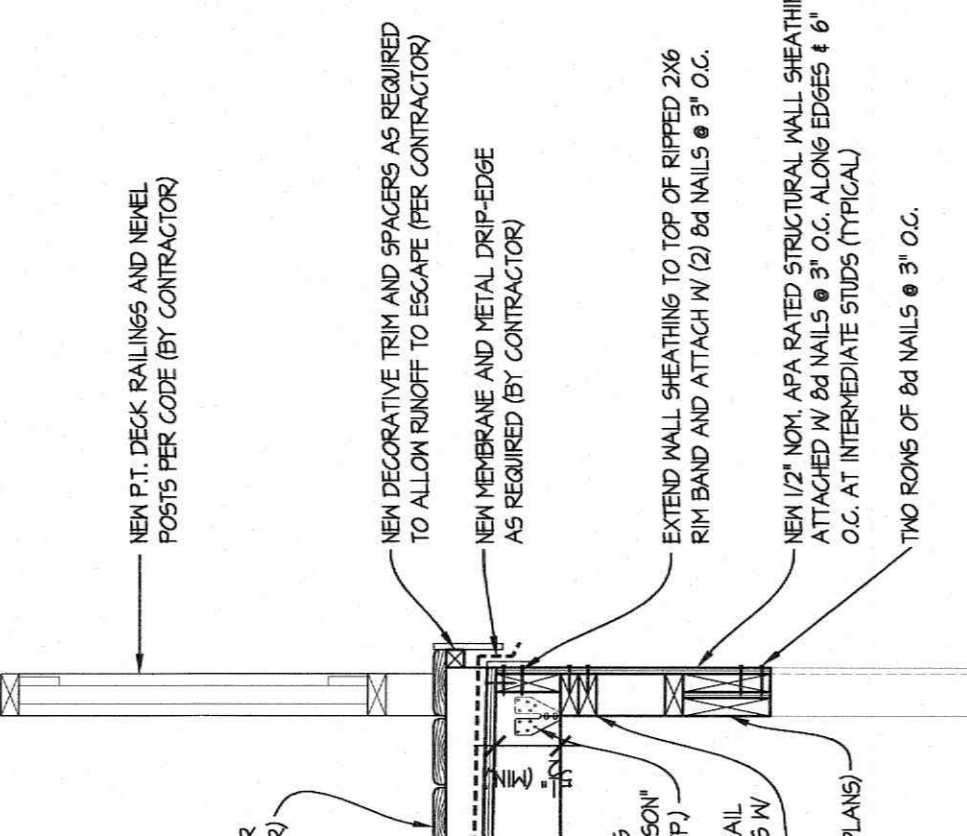
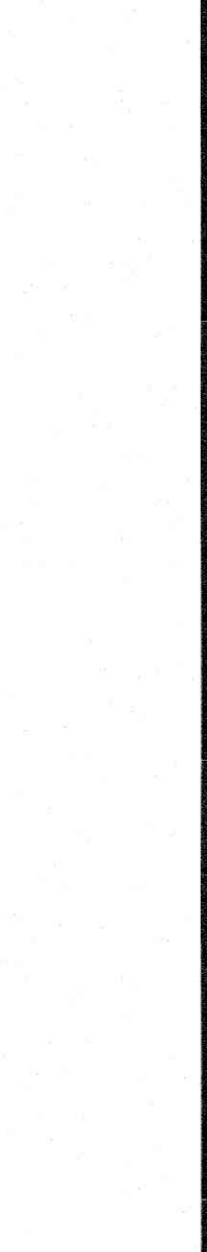
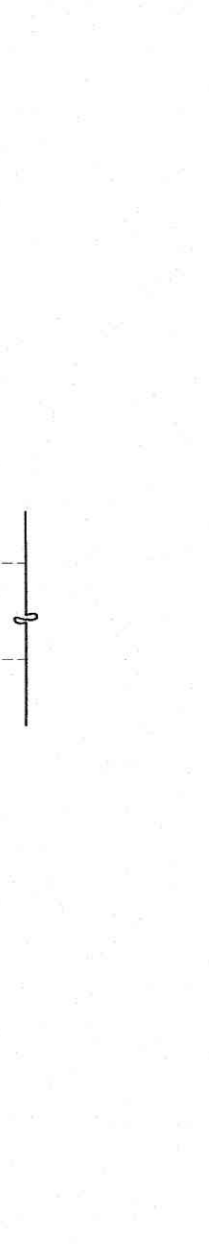
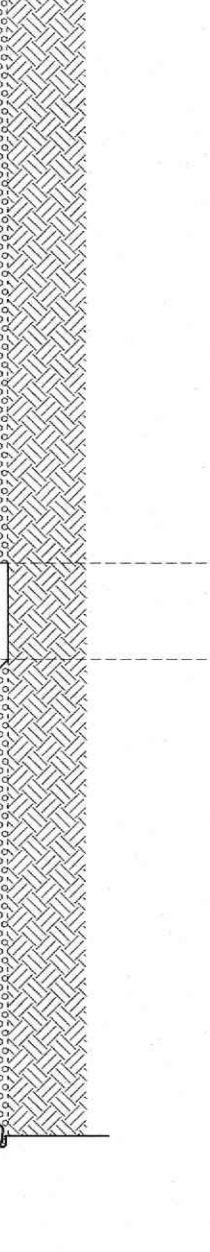
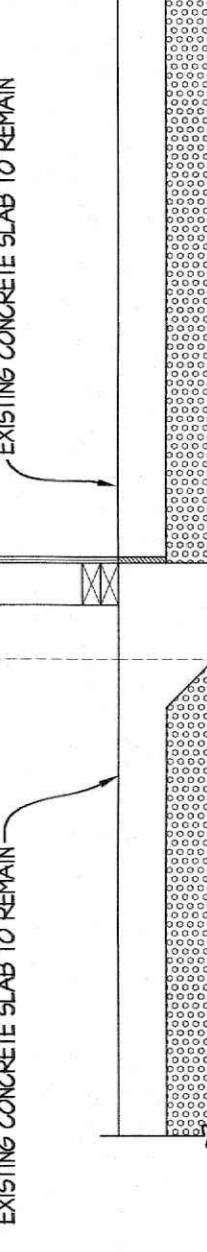
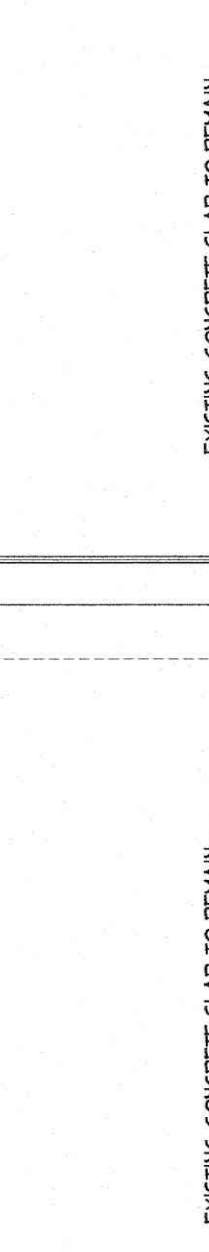
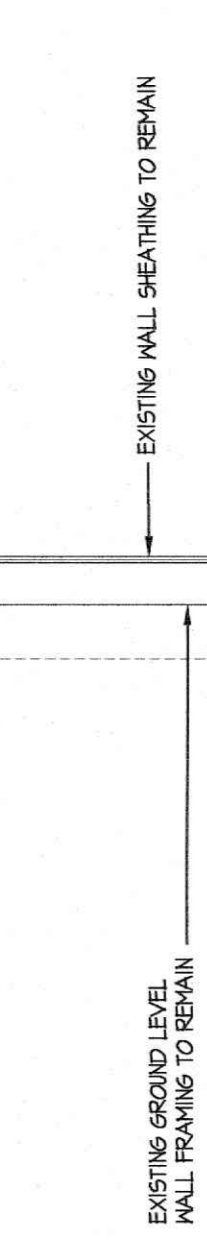
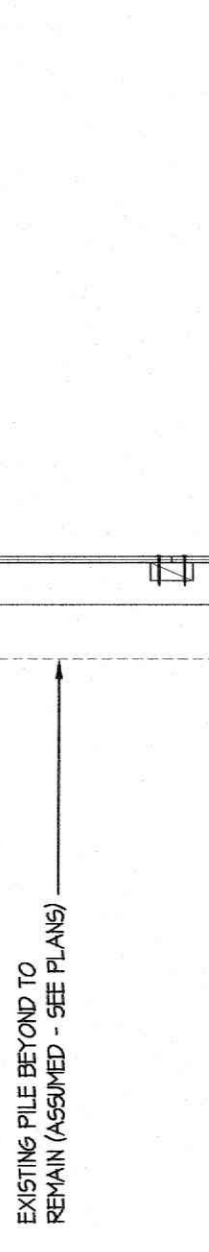
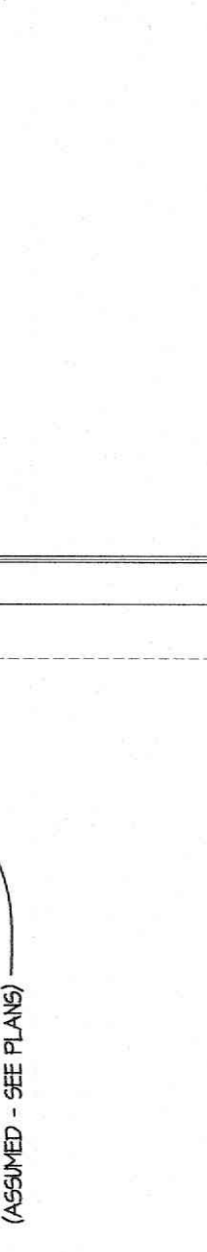
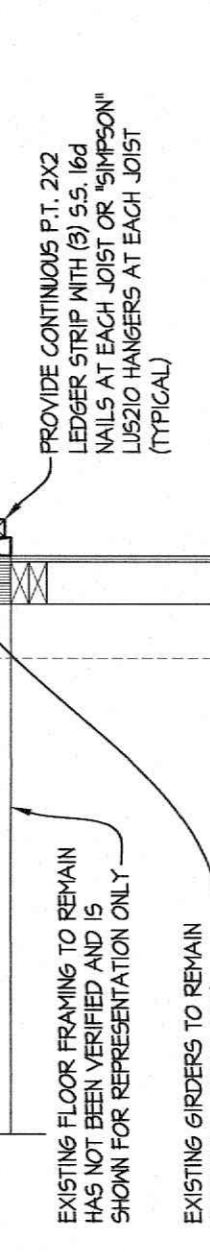
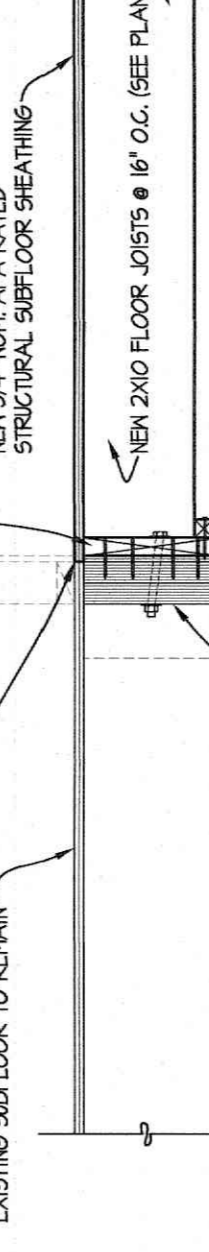
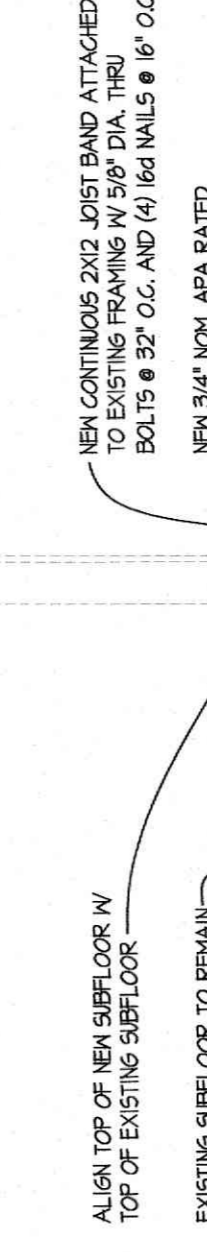
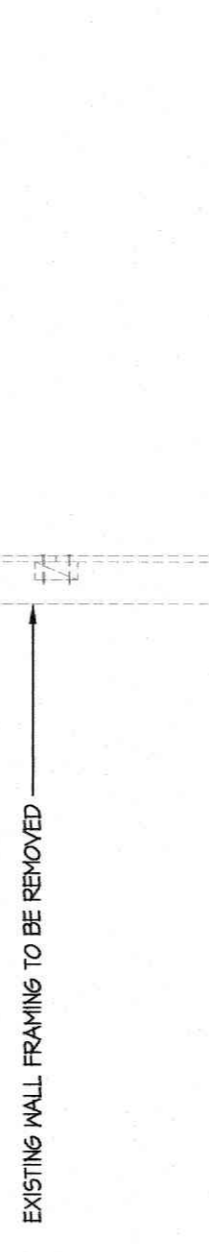
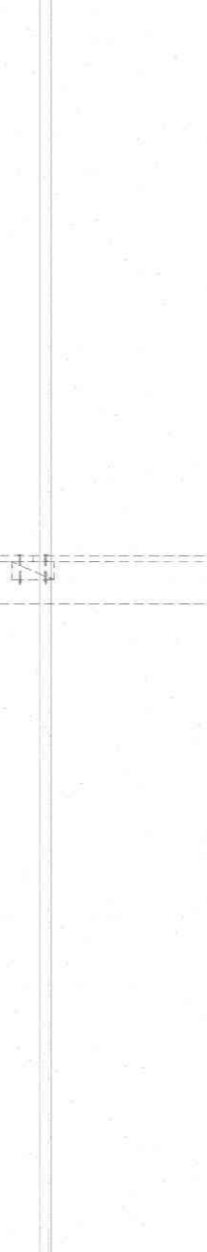
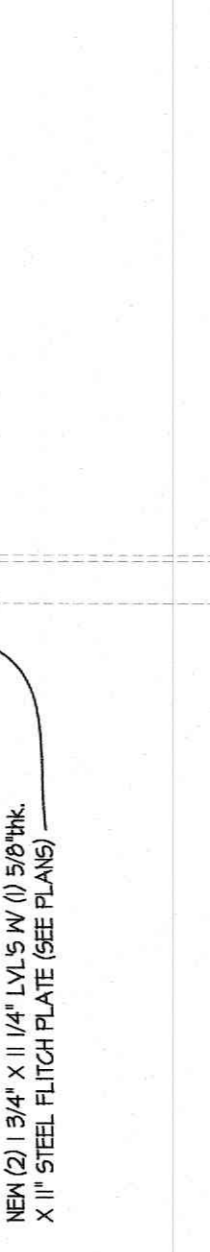
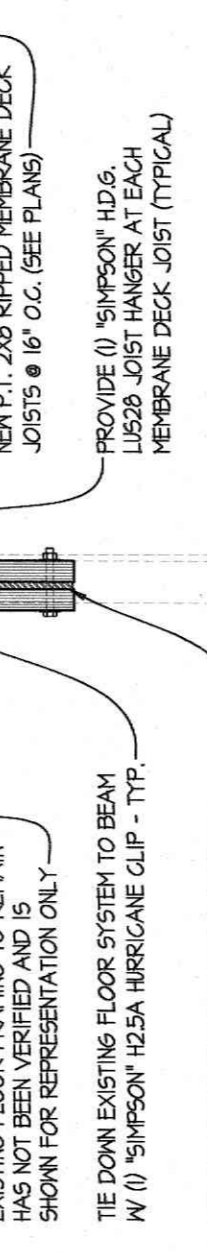
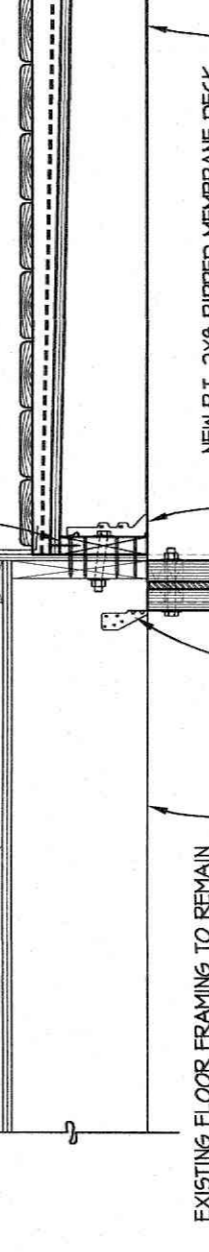
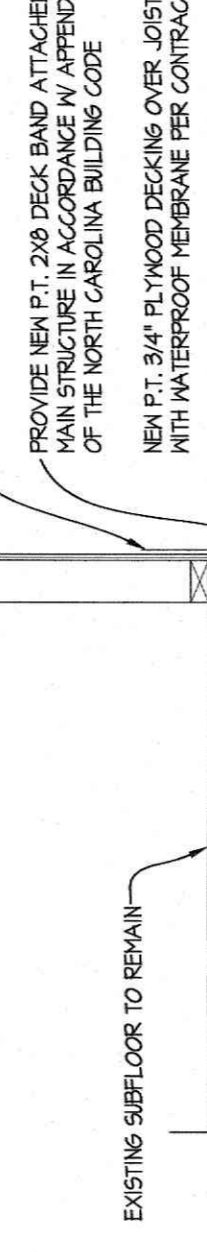
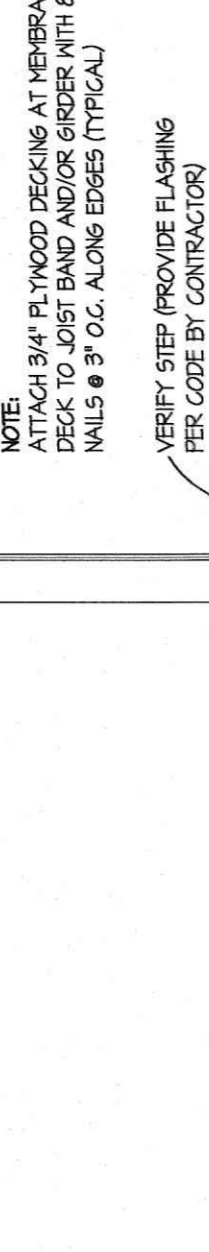
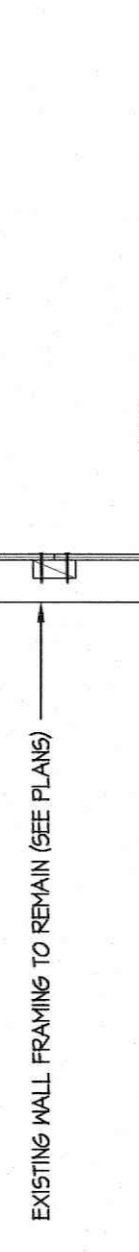
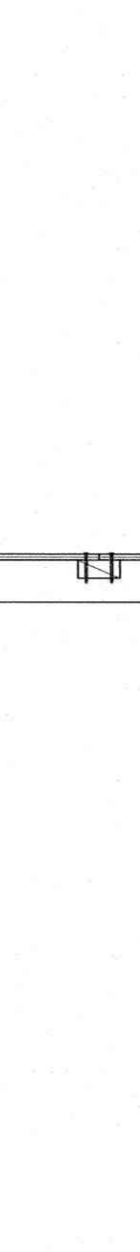
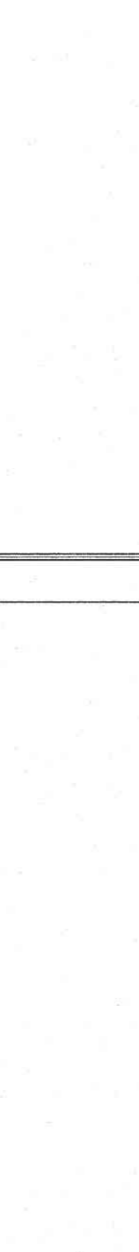
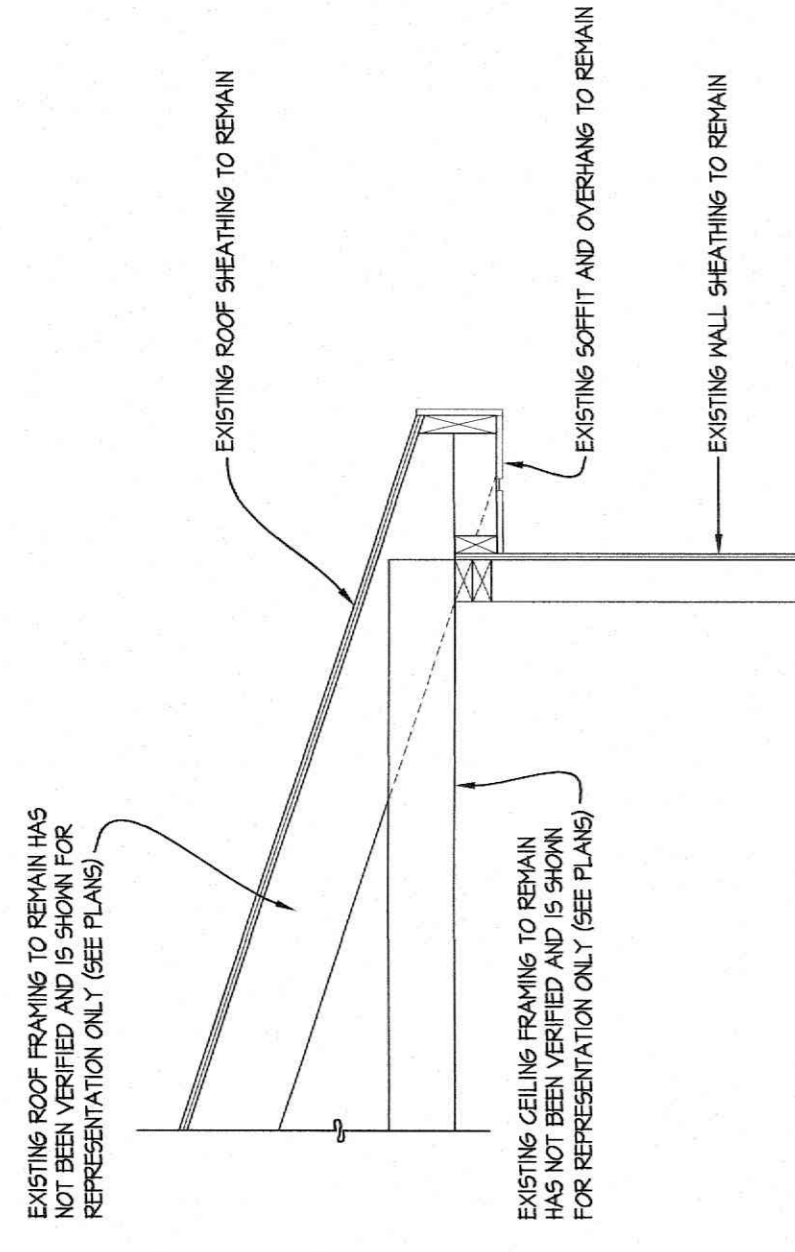




**C** S3.0 FLITCH PLATE SECTION & BOLTING DIAGRAM SCALE: 1/2" = 1'-0"



**B** S3.0 HAUNCH CONNECTION DETAIL SCALE: 1" = 1'-0"



**A** S3.0 NEW ADDITION SECTION SCALE: 3/4" = 1'-0"

**B** S3.0 HAUNCH CONNECTION DETAIL SCALE: 1" = 1'-0"

**C** S3.0 FLITCH PLATE SECTION & BOLTING DIAGRAM SCALE: 1/2" = 1'-0"

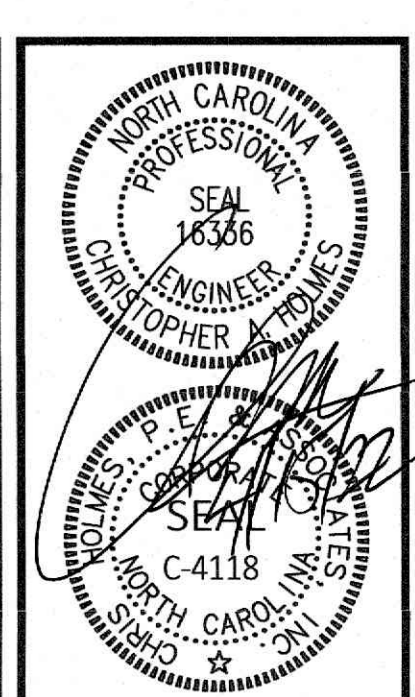
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of: 4

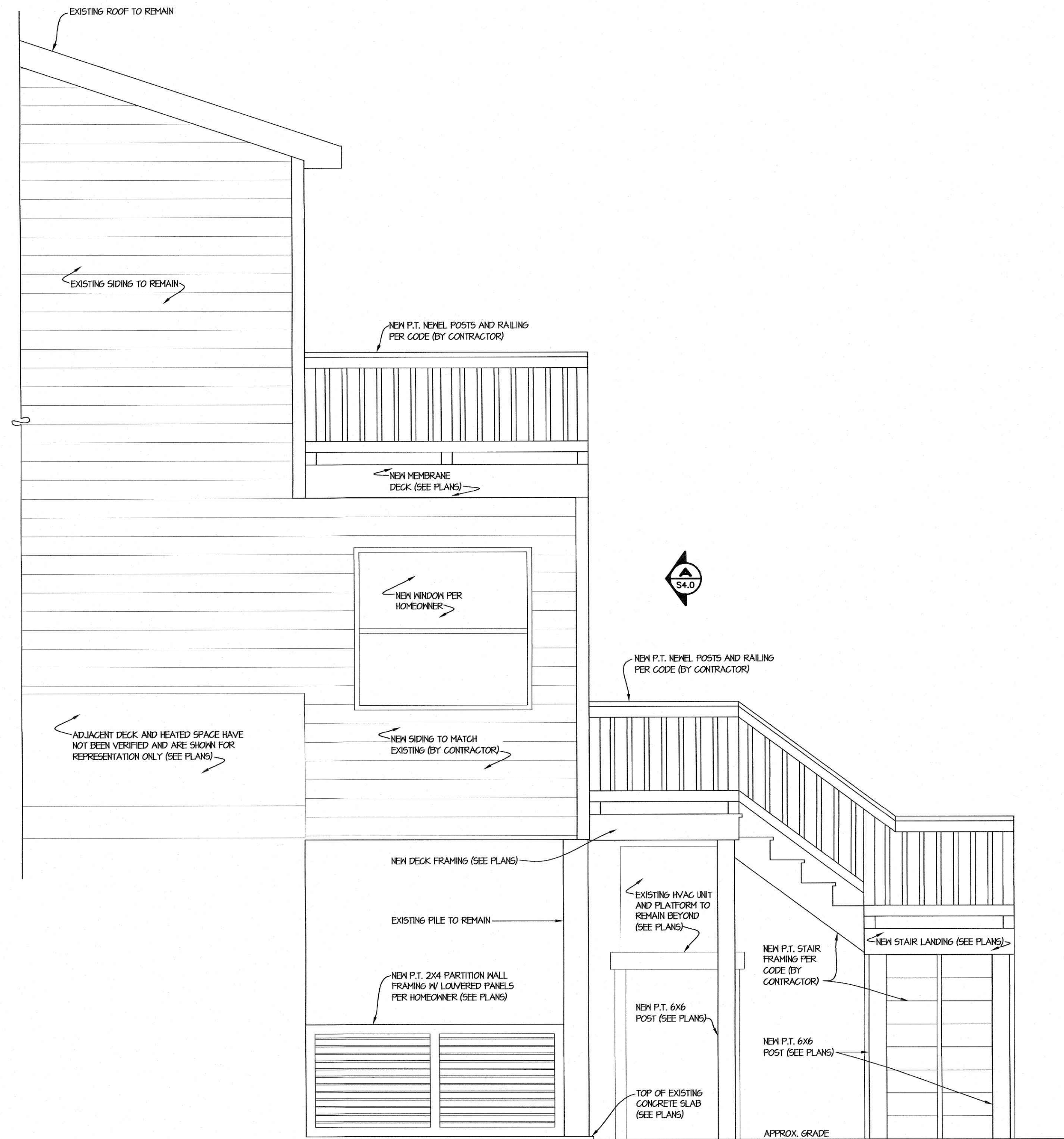
**CHRIS HOLMES, P.E. & ASSOCIATES, INC.**  
5725 Oleander Drive (Oleander Oaks) - Suite F-4 - Wilmington - N.C. 28403  
Phone (910) 796.9988 Fax (910) 796.9989 office@holmespe.com

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.**

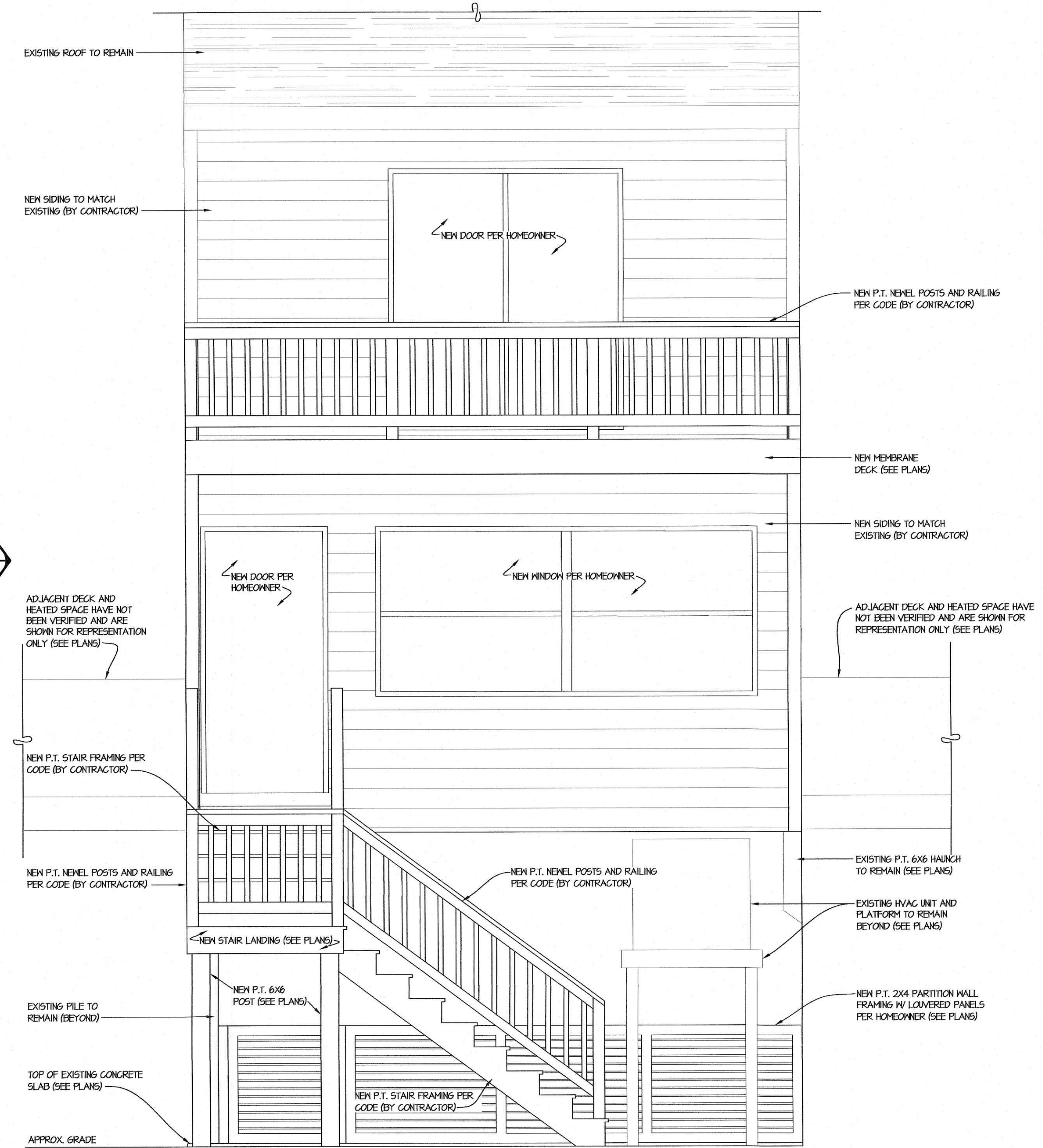
Original Release Date: **04.14.22**



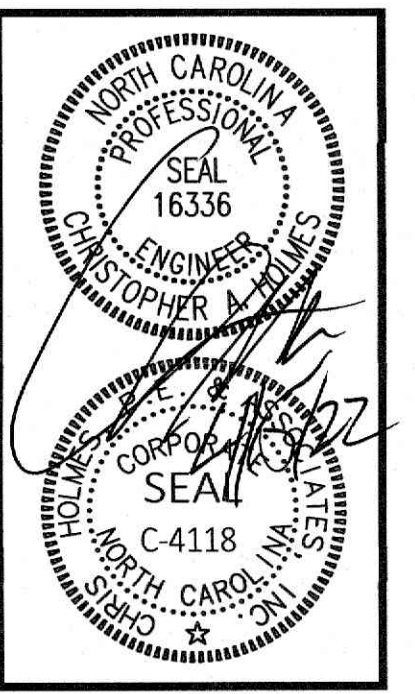




**B** SIDE ELEVATION  
S4.0 SCALE: 1/2"=1'-0"



**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



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.**

- Exhibit (17) Robb Mairs email dated September 28, 2022 10:20 AM.
- Exhibit (18) D Hill email dated Tue 11/8/2022 8:46 AM

1



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

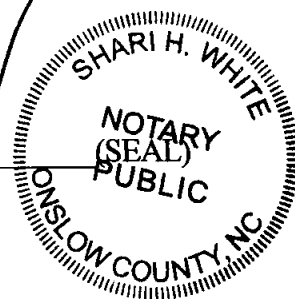
A map showing the above-described property is recorded in Plat Book 26, Page 318.

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 -04'00'

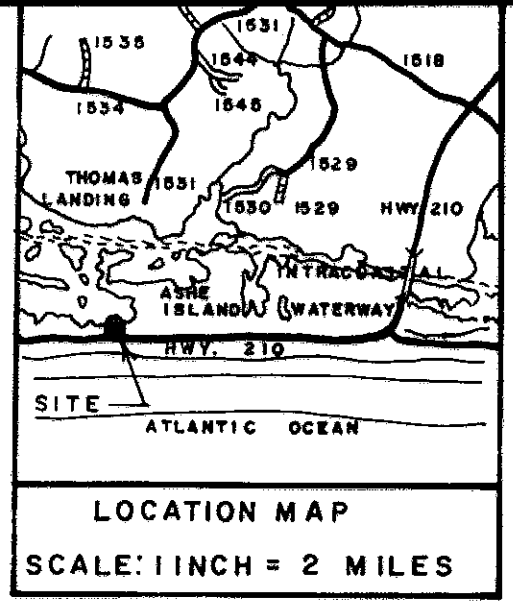
Tax Collections Staff Signature

**07/25/2019**

Date

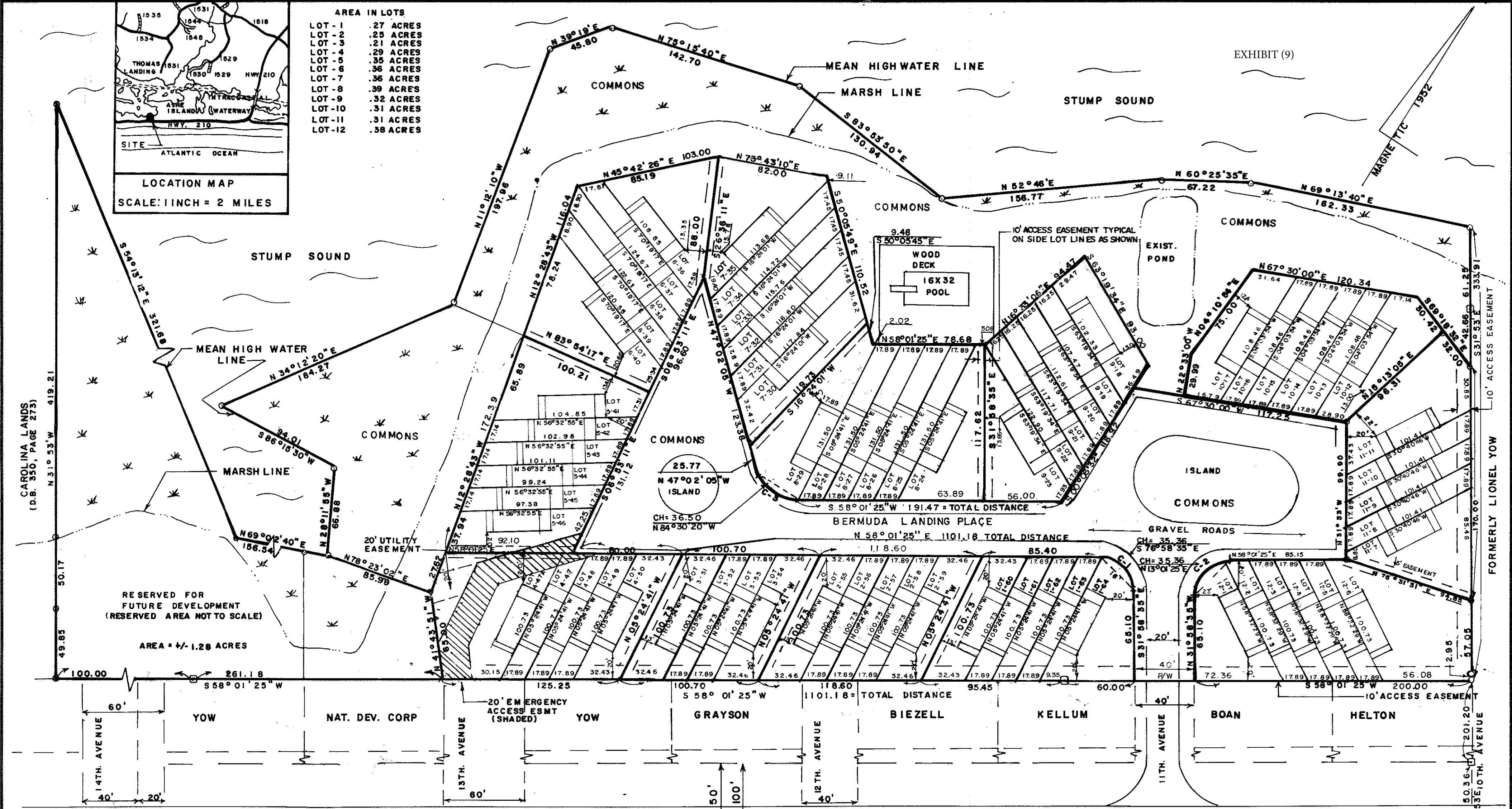
This parcel may have deferred taxes which become due upon transfer of the property. Call the Tax Office, Land Records Division at 910-989-2204 for more information.





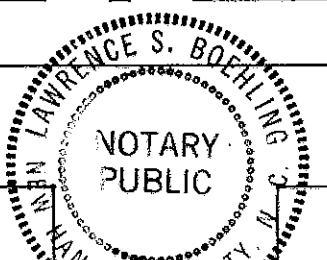
AREA IN LOTS

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.



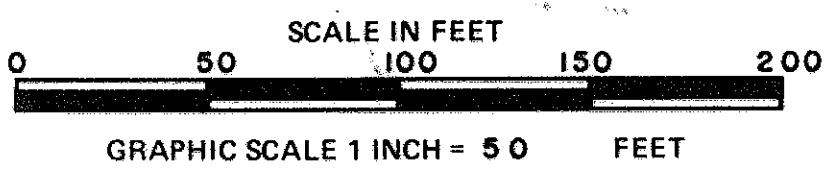
STATE OF NORTH CAROLINA, ONSLOW COUNTY THE FOREGOING CERTIFICATION BY Lawrence S. Bostic NOTARY PUBLIC IS CERTIFIED TO BE CORRECT. PRESENTED FOR REGISTRATION AND RECORDED IN THIS OFFICE IN MAP BOOK 22, PAGE 97, SLIDE D-285 THIS DAY OF March, 1988 A.D. AT 1:20 O'CLOCK P.M.

REGISTER OF DEEDS, ONSLOW CO. BY M. F. Bostic 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 Charles R. Bostic CHAIRMAN ONSLOW COUNTY PLANNING BOARD



STATE OF NORTH CAROLINA PENDER COUNTY  
Stuart H. Jones, BEING DULY SWORN, SAYS THAT THIS MAP WAS MADE FROM AN ACTUAL SURVEY MADE under his 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 1:5000'. 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.

NORTH CAROLINA, PENDER COUNTY  
 I, Lawrence S. Bostic, A NOTARY PUBLIC OF Currituck 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 15 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.	DRAWING NO. 537
DATE JUNE 1986	SHEET NO.

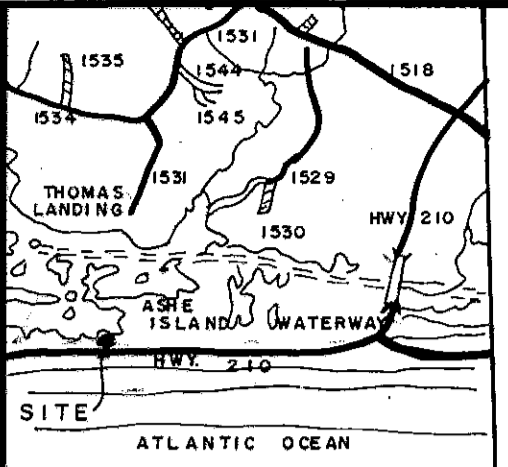
**COWAN AND JONES, P.A.**  
 REGISTERED LAND SURVEYORS  
 BURGAW, NORTH CAROLINA



222

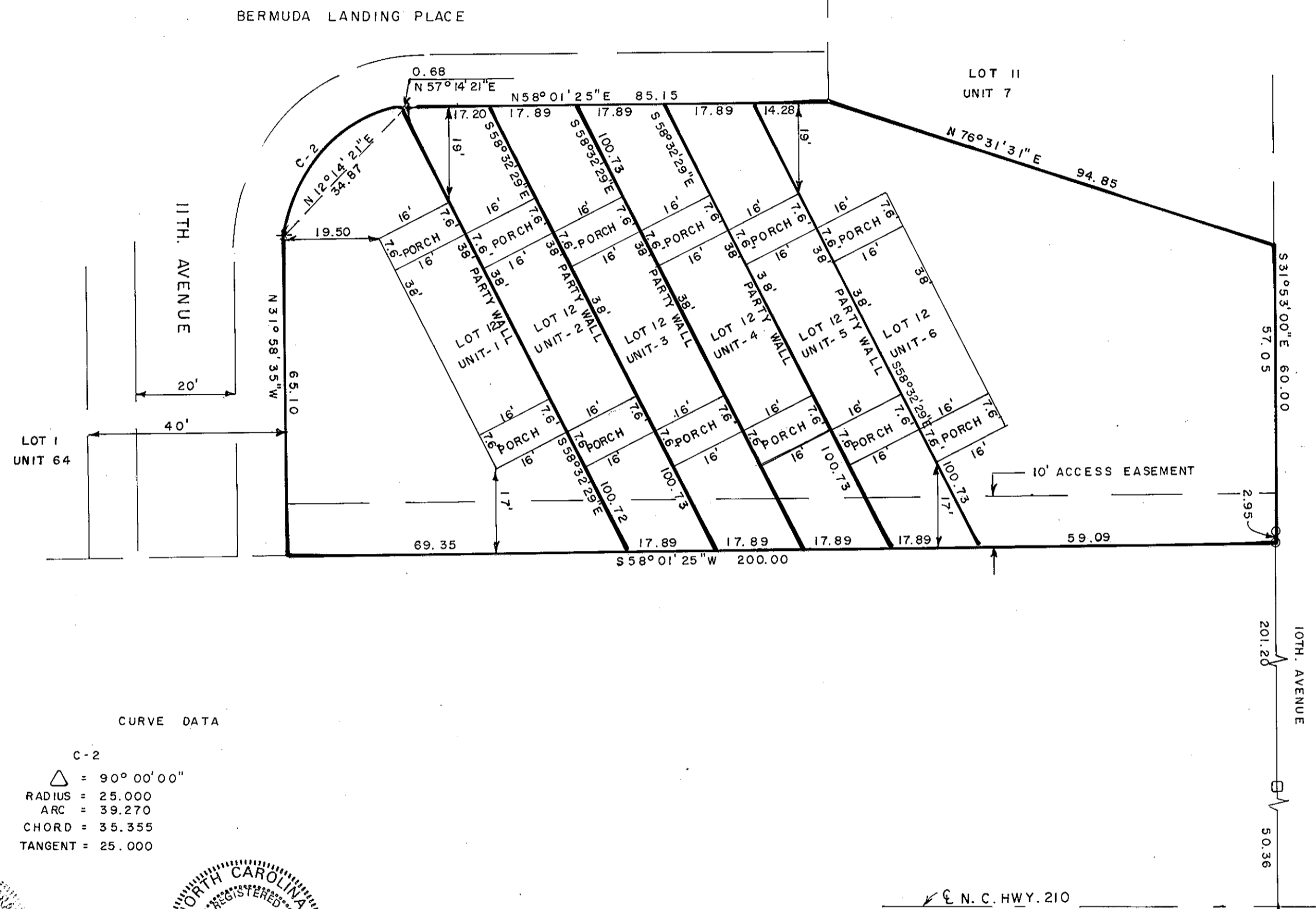
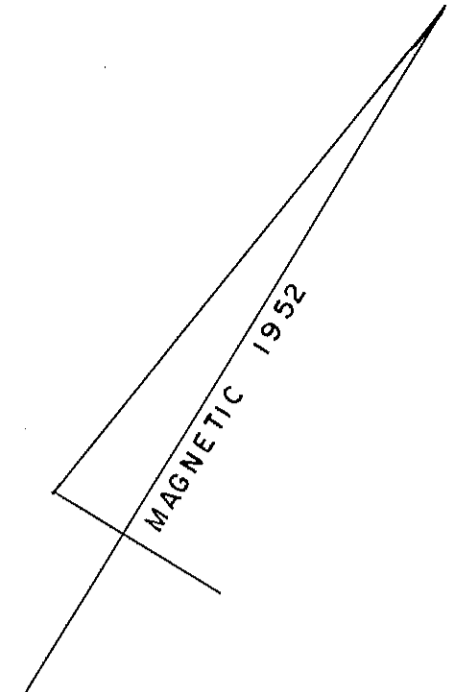
Slide - E - 250

222



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.

EXHIBIT (10)



CURVE DATA

C-2

Δ = 90° 00' 00"

RADIUS = 25.000

ARC = 39.270

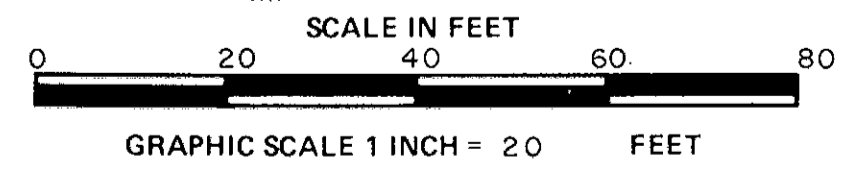
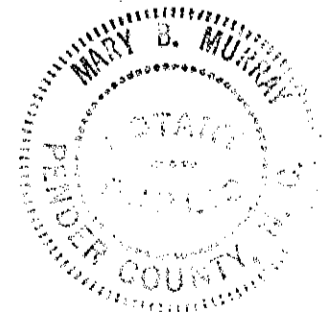
CHORD = 35.355

TANGENT = 25.000

THE ONSLOW COUNTY PLANNING BOARD HEREBY APPROVES THIS PLAT OF LOT 12, BERMUDA LANDING.

3/1/90 Charles Dejean

DATE CHAIRMAN ONSLOW COUNTY PLANNING BOARD



STATE OF NORTH CAROLINA PENDER COUNTY

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.

NORTH CAROLINA, PENDER COUNTY

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 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		
-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		

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

DRAWN BY L. K. H.

DATE FEBRUARY 1990

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

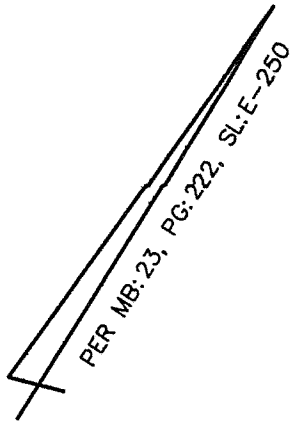
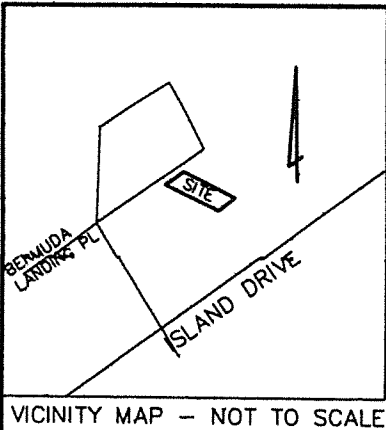
DRAWING NO. SHEET NO.

NORTH CAROLINA, ONSLOW COUNTY

The foregoing certificate of Notary Public is (is) certified to be correct. This instrument was presented for registration and recorded in this office in Map Book 25 Page 222 This 16th day of February, 1990.

Mary B. Murray, Notary Public, ONSLOW COUNTY

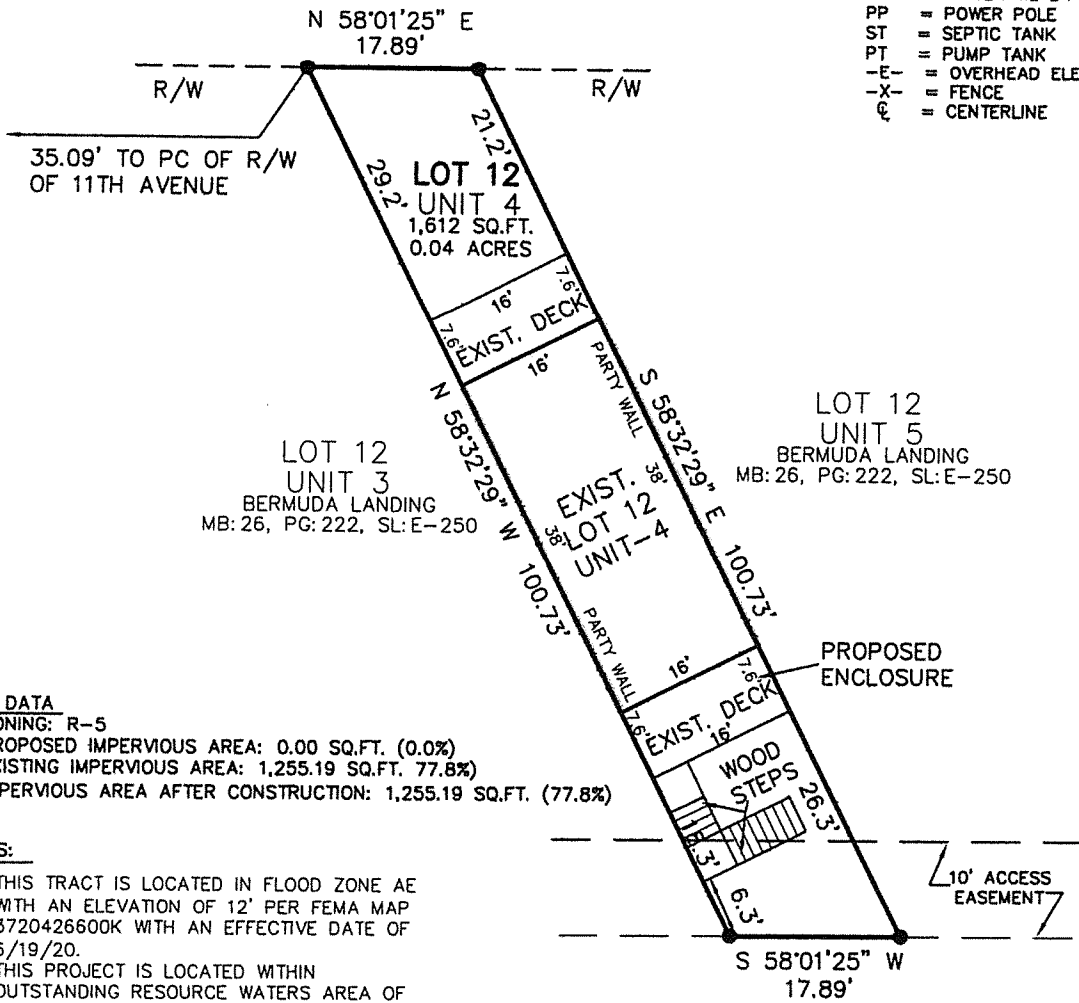
By Slide - E - 250



**- 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
- EOP = EDGE OF PAVEMENT
- CONC. = CONCRETE
- WM = WATER METER
- PP = POWER POLE
- ST = SEPTIC TANK
- PT = PUMP TANK
- E- = OVERHEAD ELECTRICAL LINES
- X- = FENCE
- ⊕ = CENTERLINE



**TRACT DATA**

ZONING: R-5  
 PROPOSED IMPERVIOUS AREA: 0.00 SQ.FT. (0.0%)  
 EXISTING IMPERVIOUS AREA: 1,255.19 SQ.FT. (77.8%)  
 IMPERVIOUS AREA AFTER CONSTRUCTION: 1,255.19 SQ.FT. (77.8%)

**NOTES:**

1. 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.
2. 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**

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

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 ACCORDING TO THE BEST OF MY KNOWLEDGE, EXCEPT AS SHOWN. THE RATIO OF REDUCTION IS 1:10,000+.



JOHN L. PIERCE

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

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

DATE: NOV. 2, 2022 SCALE: 1"= 20'

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

G:\PROJECTS\MURPHY, LAURA\LOT 12 BERMUDA.DWG 11/2/2022 9:16:13 AM JOSHIVOTHS vlp-dc-zk 16 Back Printer



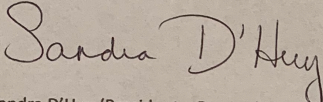
October 25, 2022

EXHIBIT (12)

To whom it concerns:

The Bermuda Landing Owners Association Board of Directors received an Architectural Change Request Form from Laura Murphy on 3/15/2022. The Board reviewed the renovation plans submitted by Chris Holmes, P.E., and approved the project on 3/20/2022. As part of the approval, the Board reiterated the Homeowner's Acknowledgement which states: "The homeowner will comply with all applicable federal, state, and local laws, codes, regulations and requirements in connection with the work and, they will obtain any necessary governmental permits and approvals for the work."

Yours truly,

A handwritten signature in cursive script that reads "Sandra D'Huy". The signature is written in black ink and is positioned above the typed name.

Sandra D'Huy (President – Bermuda Landing Owners Association)

**From:** [Deb Hill](#)  
**To:** [Mairs, Robb L](#)  
**Cc:** [Martin, Tina R](#); [Styron, Heather M.](#)  
**Subject:** RE: [External] 4 BERMUDA LANDING REVISED PLAT FOR CAMA EX 29 22 & PLANNING BOARD 11/8 SPECIAL USE PERMIT  
**Date:** Tuesday, November 8, 2022 8:45:00 AM  
**Attachments:** [EX 15 JLP Plat 11 02 2022.pdf](#)  
[CAMA EX 29 22.pdf](#)

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EXHIBIT (13)

Sorry for the back and forth. Out last week on a family matter. Called left message for Tina yesterday.

The applicant was supposed to have submitted updated corrections no later than Nov 2<sup>nd</sup> for this Thursday's Planning Board meeting. He stated that he had not gotten a response from DCM.

In the staff report to the Planning Board in October **based on the information we had** at the time, I had stated that:

- 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.

**However**, the surveyor had not included the driveway in the impervious calculation. The *revised plat* indicates that the impervious is 1,255.19 sq ft (77.8%); impervious area after construction: 1,255.19 sq ft (77.8%).

With the revised plat received yesterday on 11/7, I believe that the proposed development now complies with your 9/28 email below that, this would be deemed as redevelopment and consistent under your current rules under 07H .0209(d)(2). ... Would either of you please confirm?

**Deborah J. Hill MPA AICP CFM CZO**

Planning Director

**Town of North Topsail Beach**

2008 Loggerhead Ct.

North Topsail Beach, NC 28460

910.328.1349



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**From:** Mairs, Robb L <[robb.mairs@ncdenr.gov](mailto:robb.mairs@ncdenr.gov)>  
**Sent:** Wednesday, September 28, 2022 10:26 AM  
**To:** Deb Hill <[dhill@northtopsailbeachnc.gov](mailto:dhill@northtopsailbeachnc.gov)>  
**Cc:** Martin, Tina R <[Tina.Martin@ncdenr.gov](mailto:Tina.Martin@ncdenr.gov)>; Styron, Heather M. <[heather.m.styron@ncdenr.gov](mailto:heather.m.styron@ncdenr.gov)>  
**Subject:** RE: [External] 4 BERMUDA LANDING

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

So the proposed expansion of the unit would be both over existing BUA and pervious area?

---

**From:** Deb Hill <[dhill@northtopsailbeachnc.gov](mailto:dhill@northtopsailbeachnc.gov)>  
**Sent:** Wednesday, September 28, 2022 10:24 AM  
**To:** Mairs, Robb L <[robb.mairs@ncdenr.gov](mailto:robb.mairs@ncdenr.gov)>  
**Cc:** Martin, Tina R <[Tina.Martin@ncdenr.gov](mailto:Tina.Martin@ncdenr.gov)>; Styron, Heather M. <[heather.m.styron@ncdenr.gov](mailto:heather.m.styron@ncdenr.gov)>  
**Subject:** RE: [External] 4 BERMUDA LANDING

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They are actually proposing to increase impervious an additional 7.5% to total 45.2%

**Deborah J. Hill MPA AICP CFM CZO**

Planning Director

**Town of North Topsail Beach**

2008 Loggerhead Ct.  
North Topsail Beach, NC 28460  
910.328.1349



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**From:** Mairs, Robb L <[robb.mairs@ncdenr.gov](mailto:robb.mairs@ncdenr.gov)>  
**Sent:** Wednesday, September 28, 2022 10:20 AM  
**To:** Deb Hill <[dhill@northtopsailbeachnc.gov](mailto:dhill@northtopsailbeachnc.gov)>  
**Cc:** Martin, Tina R <[Tina.Martin@ncdenr.gov](mailto:Tina.Martin@ncdenr.gov)>; Styron, Heather M. <[heather.m.styron@ncdenr.gov](mailto:heather.m.styron@ncdenr.gov)>  
**Subject:** FW: [External] 4 BERMUDA LANDING

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Hey Deb,

I was not able to find a stormwater permit in our database for Bermuda Landing, which likely means this complex was platted prior to 1988 and not subject to a state stormwater permit. After discussing this with Tina about her site visit, she indicated that the proposed expansion would be over existing impervious area with no increase in impervious area. This would be deemed as

redevelopment and consistent under our current rules under 07H .0209(d)(2)(attached).

Thanks, and let me know if you need any further assistance.

Robb

**Robb Mairs**

LPO Minor Permits Coordinator  
Division of Coastal Management  
North Carolina Department of Environmental Quality

910.796.7301 office  
910.789.2577 cell (Preferred)  
[robb.mairs@ncdenr.gov](mailto:robb.mairs@ncdenr.gov)  
<https://deq.nc.gov/about/divisions/coastal-management>  
[Find a Field Rep \(arcgis.com\)](#)  
127 Cardinal Drive Extension  
Wilmington, NC 28405

*Email correspondence to and from this address is subject to the North Carolina Public Records Law and may be disclosed to third parties.*

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**From:** Martin, Tina R <[Tina.Martin@ncdenr.gov](mailto:Tina.Martin@ncdenr.gov)>  
**Sent:** Monday, September 26, 2022 1:16 PM  
**To:** Mairs, Robb L <[robb.mairs@ncdenr.gov](mailto:robb.mairs@ncdenr.gov)>  
**Subject:** FW: [External] 4 BERMUDA LANDING

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Tina Martin  
Field Representative  
Division of Coastal Management  
400 Commerce Avenue Morehead City, 28557  
Mobile: (252) 725-3908  
[Tina.Martin@ncdenr.gov](mailto:Tina.Martin@ncdenr.gov)  
[www.deq.nc.gov](http://www.deq.nc.gov)  
<http://portal.ncdenr.org/web/cm/dcm-home>

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**From:** Deb Hill <[dhill@northtopsailbeachnc.gov](mailto:dhill@northtopsailbeachnc.gov)>  
**Sent:** Monday, September 26, 2022 12:47 PM  
**To:** Martin, Tina R <[Tina.Martin@ncdenr.gov](mailto:Tina.Martin@ncdenr.gov)>  
**Subject:** [External] 4 BERMUDA LANDING

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4 Bermuda Landing proposed enclosure requires a Special Use Permit as it is a change from the original 1990 approved plans and NCGS 160D.

How is impervious surface calculated? The lot is 1,612 sq feet. The front is concrete, plus the 848 sq feet for the unit.

Let's talk about this when you are free. 910 548 8523

**Deborah J. Hill MPA AICP CFM CZO**

Planning Director

**Town of North Topsail Beach**

2008 Loggerhead Ct.

North Topsail Beach, NC 28460

910.328.1349



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