



ROY COOPER
Governor

MICHAEL S. REGAN
Secretary

WILLIAM F. LANE
General Counsel

TO: The Coastal Resources Commission

FROM: Christine A. Goebel, DEQ Assistant General Counsel

DATE: April 1, 2019 (for the April 17-18, 2019 CRC Meeting)

RE: **Variance Request by Wayne & Margaret (Susan) Thrasher (CRC-VR-19-02)**

Petitioners Wayne and Margaret (Susan) Thrasher (“Petitioners”) own oceanfront property at 1124 New River Inlet Road (the “Site”) in North Topsail Beach. The property is located within the Commission’s Ocean Hazard Area of Environmental Concern (“AEC”). Following damage from Hurricane Florence to their oceanfront deck railings, Petitioners discovered water damage and rot on the ocean-facing wall of their home. In January of 2019, Petitioners filed a CAMA Minor Permit application seeking to remove an existing 64 square foot uncovered deck on the third-story (which was accessed by a sliding door) into a window and adding a 208 square foot roof below the window to cover the two oceanfront decks below. On February 7, 2019, DCM, acting as the LPO for the Town of North Topsail Beach, denied Petitioners’ CAMA Minor Permit application as the proposed roof does not meet the applicable 75’ setback from the first line of stable and natural vegetation. On February 25, 2019, Petitioners filed this variance petition to request the Commission vary the oceanfront setback rules so they can develop the roof as proposed.

The following additional information is attached to this memorandum:

Attachment A: Relevant Rules
 Attachment B: Stipulated Facts
 Attachment C: Petitioner’s Positions and Staff’s Responses to Variance Criteria
 Attachment D: Petitioner’s Variance Request Materials
 Attachment E: Stipulated Exhibits including powerpoint

cc(w/enc.): Wayne and Susan Thrasher, Petitioners, electronically
 Mary Lucasse, Special Deputy AG and CRC Counsel, electronically
 Deborah Hill, Town of North Topsail Beach Planning Dir., electronically



RELEVANT STATUTES OR RULES**APPENDIX A****15A NCAC 07H .0301 OCEAN HAZARD CATEGORIES**

The next broad grouping is composed of those AECs that are considered natural hazard areas along the Atlantic Ocean shoreline where, because of their special vulnerability to erosion or other adverse effects of sand, wind, and water, uncontrolled or incompatible development could unreasonably endanger life or property. **Ocean hazard areas include beaches**, frontal dunes, inlet lands, and other areas in which geologic, vegetative and soil conditions indicate a substantial possibility of excessive erosion or flood damage.

15A NCAC 07H .0302 SIGNIFICANCE OF THE OCEAN HAZARD CATEGORY

(a) The primary causes of the hazards peculiar to the Atlantic shoreline are the constant forces exerted by waves, winds, and currents upon the unstable sands that form the shore. During storms, these forces are intensified and can cause significant changes in the bordering landforms and to structures located on them. Ocean hazard area property is in the ownership of a large number of private individuals as well as several public agencies and is used by a vast number of visitors to the coast. Ocean hazard areas are critical, therefore, because of both the severity of the hazards and the intensity of interest in the areas.

(b) The location and form of the various hazard area landforms, in particular the beaches, dunes, and inlets, are in a permanent state of flux, responding to meteorologically induced changes in the wave climate. For this reason, **the appropriate location of structures on and near these landforms must be reviewed carefully in order to avoid their loss or damage. As a whole, the same flexible nature of these landforms which presents hazards to development situated immediately on them offers protection to the land, water, and structures located landward of them.** The value of each landform lies in the particular role it plays in affording protection to life and property. (The role of each landform is described in detail in Technical Appendix 2 in terms of the physical processes most important to each.) Overall, however, the energy dissipation and sand storage capacities of the landforms are most essential for the maintenance of the landforms' protective function.

15A NCAC 07H .0303 MANAGEMENT OBJECTIVE OF OCEAN HAZARD AREAS

(a) The CRC recognizes that absolute safety from the destructive forces indigenous to the Atlantic shoreline is an impossibility for development located adjacent to the coast. The loss of life and property to these forces, however, can be greatly reduced by the proper location and design of structures and by care taken in prevention of damage to natural protective features particularly primary and frontal dunes. Therefore, it is the CRC's objective to provide management policies and standards for ocean hazard areas that serve to eliminate unreasonable danger to life and property and achieve a balance between the financial, safety, and social factors that are involved in hazard area development.

(b) The purpose of these Rules shall be to further the goals set out in G.S. 113A-102(b), with particular attention to minimizing losses to life and property resulting from storms and long-term erosion, preventing encroachment of permanent structures on public beach areas, preserving the natural ecological conditions of the barrier dune and beach systems, and reducing the public costs of inappropriately sited development. Furthermore, it is the objective of the Coastal Resources Commission to protect present common-law and statutory public rights of access to and use of the lands and waters of the coastal area.

15A NCAC 07H .0304 AECS WITHIN OCEAN HAZARD AREAS

The ocean hazard AECs contain all of the following areas:

(1) Ocean Erodible Area. This is the area where there exists a substantial possibility of excessive erosion and significant shoreline fluctuation. The oceanward boundary of this area is the mean low water line. The landward extent of this area is determined as follows:

(a) a distance landward from the first line of stable and natural vegetation as defined in 15A NCAC 07H .0305(a)(5) to the recession line established by multiplying the long-term annual erosion rate times 60; provided that, where there has been no long-term erosion or the rate is less than two feet per year, this distance shall be set at 120 feet landward from the first line of stable natural vegetation. For the purposes of this Rule, the erosion rates are the long-term average based on available historical data. The current long-term average erosion rate data for each segment of the North Carolina coast is depicted on maps entitled "2011 Long-Term Average Annual Shoreline Rate Update" and approved by the Coastal Resources Commission on May 5, 2011 (except as such rates may be varied in individual contested cases, declaratory, or interpretive rulings). In all cases, the rate of shoreline change shall be no less than two feet of erosion per year. The maps are available without cost from any Local Permit Officer or the Division of Coastal Management on the internet at <http://www.nccoastalmanagement.net>; and (b) a distance landward from the recession line established in Sub-Item (1)(a) of this Rule to the recession line that would be generated by a storm having a one percent chance of being equaled or exceeded in any given year.

15A NCAC 07H .0306 GENERAL USE STANDARDS FOR OCEAN HAZARD AREAS

(a) In order to protect life and property, all development not otherwise specifically exempted or allowed by law or elsewhere in the Coastal Resources Commission's rules shall be located according to whichever of the following is applicable:

(1) The ocean hazard setback for development is measured in a landward direction **from the vegetation line**, the static vegetation line, or the measurement line, whichever is applicable.

(2) In areas with a development line, the ocean hazard setback line shall be set at a distance in accordance with Subparagraphs (a)(3) through (9) of this Rule. In no case shall new development be sited seaward of the development line.

(3) In no case shall a development line be created or established below the mean high water line.

(4) The setback distance shall be determined by both the size of development and the shoreline long term erosion rate as defined in Rule .0304 of this Section. "Development size" is defined by total floor area for structures and buildings or total area of footprint for development other than structures and buildings. Total floor area includes the following:

(A) The total square footage of heated or air-conditioned living space;

(B) The total square footage of parking elevated above ground level; and

(C) The total square footage of non-heated or non-air-conditioned areas elevated above ground level, excluding attic space that is not designed to be load-bearing.

Decks, roof-covered porches, and walkways are not included in the total floor area unless they are enclosed with material other than screen mesh or are being converted into an enclosed space with material other than screen mesh.

(5) With the exception of those types of development defined in 15A NCAC 07H .0309, no development, including any portion of a building or structure, shall extend oceanward of the ocean hazard setback distance. This includes roof overhangs and elevated structural components that are cantilevered, knee braced, or otherwise extended beyond the support of pilings or footings. The ocean hazard setback is established based on the following criteria:

(A) A building or other structure less than 5,000 square feet requires a minimum setback of 60 feet or 30 times the shoreline erosion rate, whichever is greater;

STIPULATED FACTS**ATTACHMENT B**

1. Petitioners Wayne and Margaret (Susan) Thrasher (“Petitioners”) own oceanfront property at 1124 New River Inlet Road (the “Property”) in North Topsail Beach, Onslow County, North Carolina. The Property was platted in 2004, and is shown as Lot 3 on the plat recorded on May 19, 2004 in Map Book 46, Page 117 of the Onslow County Registry, attached (“2003 Plat”).
2. Petitioners purchased the Property on July 26, 2012, as evidenced by the deed recorded at Book 3821 on Page 916-917 of the Onslow County Registry, attached.
3. The lot area per the deed consists of a lot approximately 15,198 square feet (or .34 acre), as shown on 2019 Survey of Lot 3 performed by Weston Lyall, PE, PLS (2019 Survey), attached. The survey notes that the lot area to the FLSNV is 0.16 acres (this figure doesn’t include beach area to MHW).
4. Onslow County GIS indicates that the Property is located within a COBRA Zone, pursuant to the Coastal Barrier Resource Systems Act of 1982. As such, the Property is not able to have coverage under the National Flood Insurance Program (NFIP).
5. The portion of the Property where the house is now located is in Flood Zone VE (Elevation 15’ & 2’) as shown on the 2003 Plat. The Onslow County GIS indicates that the Property’s current designation is still VE.
6. The Property is within the Ocean Erodible Area of Environmental Concern (“AEC”), as it is defined in 15A NCAC 7H .0304 (1), and pursuant to N.C.G.S. 113A-118, a CAMA permit is required to authorize any proposed development.
7. The Annual Average Erosion Rate at the Property is 2.5’ per year with the applicable setback for a building measuring 5,000 square feet or less in Total Floor Area is 75’ landward of the applicable setback line ($2.5 \times 30 = 75$). However, on the permit application and on the Ocean Hazard Disclosure Form, DCM Field Representative accidentally listed it as a 2’/year erosion rate and a corresponding 60’ setback. Since the site of the proposed roof development fails to meet either setback, DCM and the Petitioners are correcting the error in this fact in order to proceed.
8. While some areas of North Topsail have been part of a large-scale nourishment project, the area of the Property has not, and so setbacks are measured from the First Line of Stable and Natural Vegetation (“FLSNV”). This area is NOT within the proposed Surf City/NTB Unvegetated Beach AEC.
9. Based on a FLSNV staked by DCM Field Representative Jason Dail on January 15, 2019, the 75’ setback lands most of the way through the existing residence. The incorrect 60’ setback is shown about half-way through the existing residence on the 2019 Survey.
10. The Property is currently developed with a four-story home, including a carport/enclosed entry/enclosed storage on the ground level. The Onslow County Tax Card, attached, indicates that the home was built in 2005, and has a 1,008 square foot footprint, 2,943 square feet of heated

space, 312 square feet of roadside decking (156 sq. ft. x 2 levels), and 480 square feet of beachfront decking (three stories of decking 208 sq. ft. + 208 sq. ft. + 64 sq. ft.). A 2012 appraisal of the property ("2012 Appraisal"), a copy of which is attached, has similar dimensions for the decking, including 310 square feet of roadside decking (155 sq. ft. x 2 levels), and 491 square feet of beachfront decking (three stories of decking 214 sq. ft. + 214 sq. ft. + 63 sq. ft.). The property is also developed with a 20' x 20' gravel parking pad, a concrete driveway, an existing pool with concrete apron and decking, fencing surrounding the pool area, a 12' x 12' covered gazebo, and a dune walkover.

11. On September 13, 2018 the Property was damaged by Hurricane Florence. The property sustained damage which included damage to two of the three beachfront decks, including the loss of deck railing. Photos of the deck damage taken by Petitioners and alleged by Petitioners are attached. The repair to the decks was recently completed, and while no invoice has been received (as of 3/26/19), the estimate was \$6,000.
12. While Petitioners repaired interior water damage, they discovered extensive water damage and rot on the beachfront elevation of the home. Petitioners' pictures of the damage are attached. Also attached is the invoice Petitioners paid to the contractor for the repair work on the house wrap/siding/doors/windows on the beachfront elevation, as well as invoices for the replacement doors and windows.
13. On or about January 17, 2019, Petitioners sent a CAMA Minor Permit Application to the NC Division of Coastal Management (acting as the Town of North Topsail Beach Local Permit Officer) for review. This application was received by DCM on January 22, 2019. A copy of the application materials is attached.
14. As part of the CAMA Minor Permit process, Petitioners sent notice of the proposed development to their adjacent riparian property owners, Mark B. & A. Kendall Godshall, and Matt Daghestani & M. Samir Ayasso, by certified mail. The Godshall's returned the form and indicated that they did not object to the development, as indicated on the attachment. Daghestani and Ayasso received the notice at 5:29 PM on January 24, 2019, but the completed form has not been returned. Copies of the notice letters and mailing information are attached.
15. On February 7, 2019, DCM denied Petitioners' CAMA Minor Permit application, as indicated on the attached denial letter. The denial letter indicated that the proposal was inconsistent with 15A NCAC 7H .0306(a)(5) [proposed development fails to meet the oceanfront setback] and .0309(a) [proposed development is not type allowed within setback].
16. Petitioners stipulate that the proposed development does not comply with those rules listed in the February 7, 2019 denial letter.
17. Petitioners' are seeking a variance in order to build a 208 square foot roof in place of the existing 64 square foot deck on the top level of the house, as proposed in their CAMA permit application materials.

18. As part of the variance process, Petitioners are required to send notice to their adjacent property owners to inform them they are seeking this variance from the Commission. Copies of these notice letters and certified mail receipts are attached.
19. Petitioners did not seek a local variance from local setbacks as they propose to build over the existing waterward decks and ground-floor patio.
20. Aerial and ground-level photos of the Property are attached as part of a powerpoint presentation.

Stipulated Exhibits:

1. 2003 Property Plat Ocean View Shores, recorded 5/19/04 Book 46, Page 117
2. Thrasher Deed recorded 7/30/12, Book 3821 Page 916-917
3. 2019 Lyall Survey dated 1/14/19
4. Onslow County Tax Parcel Report
5. 2012 Appraisal- relevant portions
6. Pictures of Hurricane Florence damage and water damage on beachfront elevation discovered during hurricane repair work
7. Invoice and window/door bills
8. CAMA Minor Development Permit Application materials
9. Notice of CAMA Permit sent to neighbors, along with certified mail receipts and concurrence response from Godshall
10. Permit Denial Letter
11. Notice of variance request sent to neighbors along with certified mail receipts
12. Powerpoint with site photos

PETITIONERS' and STAFF'S POSITIONS**ATTACHMENT C**

- I. Will strict application of the applicable development rules, standards, or orders issued by the Commission cause the petitioner unnecessary hardships? If so, the petitioner must identify the hardships.**

Petitioners' Position: Yes.

The Petitioners submit that the imposition of the rules, standards and orders will cause unnecessary hardship in the following respects:

1. The petitioners are seeking to build a roof over their existing deck in an effort to protect and preserve the integrity of their home. The residence at 1124 New River Inlet Road is a four story beachfront property – entryway, bedroom floor, main living floor, and bedroom floor. The current beachfront elevation directly exposes the top two stories to the damaging wind driven rains that are a regular occurrence at the beach. This is leading to significant rot damage to the beach elevation. As the residence was repaired following Hurricane Florence almost \$20,000 of rot damage was discovered. The house boards were literally rotted away and there was noting between the siding and interior drywall. The main beam that runs from the front to the back of the house displayed signs of water damage, but was caught before catastrophic damage. In tracing the source, it was determined this this damage resulted from water that penetrated the siding, doors, and windows on the top two floors. The house was built in 2005 and thus experienced this serious damage in just 13 years.

The proposed roof would divert water from the building and would reduce the amount of water hitting the below two stories of the property. It would keep water off the six windows and from penetrating the door thresholds on the third story, reducing the risk of water damage around the windows and doors. Since Hurricane Florence, the petitioners have been diligently pursuing improvements to the structure that will protect it during severe weather conditions as much as possible. The Petitioners have replaced the roof with a Fortified Bronze Roof (certification under IBHS guidelines) and have replaced the French doors on the fourth story with a hurricane rated window, forgoing the ability to walk out on the 8x8 deck on this level. This variance request is made in the same spirit of protecting the property.

2. Another critical need for the variance is to protect the decking itself. Standing water on the exposed deck has caused the deck material to rot. While it would reduce the cost of deck repair, a roof would more importantly improve the safety of the deck, as slick wet decking and undetected weakness in the deck posts could result in serious personal injury. A roof would eliminate most of the rain falling on the deck surface, significantly reducing the damage to the decking and the interior posts.

Staff's Position: Yes.

Staff agrees that a strict application of the oceanfront erosion setback causes Petitioners an unnecessary hardship, where Petitioner has an existing structure and wishes to replace the 64 square foot deck with a 208 square foot roof that does not increase the Total Floor Area of the structure. The proposed design change within the existing footprint is considered “*de minimis*” in nature and will clearly enhance weatherproofing of the home and decking.

II. Do such hardships result from conditions peculiar to the petitioner's property, such as location, size, or topography of the property? Explain.**Petitioners' Position: Yes.**

This residence, which was built in 2005, is now within the CAMA setback. The proximity of the residence to the ocean increases the potential water damage to the structure of the house. The variance would not change either the footprint or square footage of the house; nor would it change the footprint of the deck. The variance would allow the petitioners to reduce the risk to the house.

Staff's Position: No.

Staff find no peculiarities of this property, such as size, location or topography, which cause any hardships to Petitioners. Damage from a hurricane is also not unique to Petitioners. Petitioners' location where the applicable setback now intersects the house is also not unique, as the house was likely built near the setback line in 2005, and the vegetation line has retreated over the past 14 years. Staff were unable to identify peculiar conditions on the property which cause Petitioners' hardship.

III. Do the hardships result from the actions taken by the Petitioner? Explain.**Petitioners' Position: No.**

The hardships result from the imposition of the CAMA setback rule. The petitioners purchased the property in July 2012. The existing residence was built in 2005.

Staff's Position: No.

Staff agree that Petitioners did not cause the erosion of the vegetation line and dune system landward of their lot and acknowledge that the proposed addition is “*de minimis*” in nature and will not add new Total Floor Area. In addition, staff finds that there is no practicable alternative to the design that will similarly enhance weatherproofing of the home and decking.

- IV. Will the variance requested by the petitioner (1) be consistent with the spirit, purpose, and intent of the rules, standards, or orders issued by the Commission; (2) secure the public safety and welfare; and (3) preserve substantial justice? Explain.**

Petitioners' Position: Yes.

1. The CAMA rules for building along the oceanfront are intended to avoid unreasonable risk to life and property and to limit public and private losses from storm and long-term erosion. The requested variance does not extend the footprint of the residence or the deck in the setback area. As with the existing decking, the roof would not be attached to the house. The roof would mitigate losses from storm damage by providing protection for the residence and decking against water damage. Furthermore, it would provide further opportunities to enjoy the beauty of the ocean views from the property.
2. The protection afforded by the proposed roof would divert water from the decking thus minimizing rotting of the decking and deck posts. Weaknesses in either of these can result in serious personal injury as deck boards warp or deck posts loosen.
3. The variance would preserve substantial justice, as it would enable the petitioner's to defend their house against the damage from the winds and rain.

Staff's Position: Yes.

Staff agrees that the proposed design change, with the reduction of 64 square feet of decking and addition of 208 square feet of roofing, will not increase the Total Floor Area of the structure and will have only a *de minimis* impact with respect to future potential storm debris. Staff contend that this relatively minor change will also have a very limited impact, if any, on public safety and welfare, or on preserving substantial justice.

ATTACHMENT D:
PETITIONERS' VARIANCE REQUEST MATERIALS
(EXCEPT INITIAL PROPOSED FACTS AND ITEMS OTHERWISE
INCLUDED IN THE STIPULATED FACTS)

February 22, 2019

Director of the Division of Coastal Management
Department of Environment and Natural Resources
400 Commerce Avenue
Morehead City, NC 28557

Re: CAMA Variance request for property at 1124 New River Inlet Road, North
Topsail Beach, NC 28460

Dear Sir or Madam:

Enclosed please find our CAMA Variance Request package. We respectfully request
to present this variance request at the April 17 and 18, 2019 meeting.

Should there be any questions or concerns with the application or additional
information necessary, please feel free to contact me at 704-773-7241.

Regards,



Margaret Susan Thrasher
242 Grasshopper Circle
 Mooresville, NC 28117

Enclosures

CC: Environmental Division, Attorney General's Office

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CAMA VARIANCE REQUEST FORM

DCM FORM 11
DCM FILE No.:

19-02

PETITIONER'S NAME

Wayne H. and Margaret S. Thrasher

COUNTY WHERE THE DEVELOPMENT IS PROPOSED

Onslow

Pursuant to N.C.G.S. § 113A-120.1 and 15A N.C.A.C. 07J .0700 *et seq.*, the above named Petitioner hereby applies to the Coastal Resources Commission (CRC) for a variance.

VARIANCE HEARING PROCEDURES

A variance petition will be considered by the CRC at a regularly scheduled meeting, heard in chronological order based upon the date of receipt of a complete petition. 15A N.C.A.C. 07J .0701(e). A complete variance petition, as described below, must be *received* by the Division of Coastal Management (DCM) a minimum of six (6) weeks in advance of the first day of a regularly scheduled CRC meeting to be eligible for consideration by the CRC at that meeting. 15A N.C.A.C. 07J .0701(e). The final set of stipulated facts must be agreed to at least four (4) weeks prior to the first day of a regularly scheduled meeting. 15A N.C.A.C. 07J .0701(e). The dates of CRC meetings can be found at DCM's website: www.nccoastalmanagement.net

If there are controverted facts that are significant in determining the propriety of a variance, or if the Commission determines that more facts are necessary, the facts will be determined in an administrative hearing. 15A N.C.A.C. 07J .0701(b).

VARIANCE CRITERIA

The petitioner has the burden of convincing the CRC that it meets the following criteria:

- (a) Will strict application of the applicable development rules, standards, or orders issued by the Commission cause the petitioner unnecessary hardships? Explain the hardships.
- (b) Do such hardships result from conditions peculiar to the petitioner's property such as the location, size, or topography of the property? Explain.
- (c) Do the hardships result from actions taken by the petitioner? Explain.
- (d) Will the variance requested by the petitioner (1) be consistent with the spirit, purpose, and intent of the rules, standards or orders issued by the Commission; (2) secure the public safety and welfare; and (3) preserve substantial justice? Explain.

Please make your written arguments that Petitioner meets these criteria on a separate piece of paper. RECEIVED
The Commission notes that there are some opinions of the State Bar which indicate that non-attorneys may not represent others at quasi-judicial proceedings such as a variance hearing before the

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Commission. These opinions note that the practice of professionals, such as engineers, surveyors or contractors, representing others in quasi-judicial proceedings through written or oral argument, may be considered the practice of law. Before you proceed with this variance request, you may wish to seek the advice of counsel before having a non-lawyer represent your interests through preparation of this Petition.

For this variance request to be complete, the petitioner must provide the information listed below. The undersigned petitioner verifies that this variance request is complete and includes:

- The name and location of the development as identified on the permit application;
- A copy of the permit decision for the development in question;
- A copy of the deed to the property on which the proposed development would be located;
- A complete description of the proposed development including a site plan;
- A stipulation that the proposed development is inconsistent with the rule at issue;
- Proof that notice was sent to adjacent owners and objectors, as required by 15A N.C.A.C. 07J .0701(c)(7);
- Proof that a variance was sought from the local government per 15A N.C.A.C. 07J .0701(a), if applicable;
- Petitioner's written reasons and arguments about why the Petitioner meets the four variance criteria, listed above;
- A draft set of proposed stipulated facts and stipulated exhibits. Please make these verifiable facts free from argument. Arguments or characterizations about the facts should be included in the written responses to the four variance criteria instead of being included in the facts.
- This form completed, dated, and signed by the Petitioner or Petitioner's Attorney.

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Due to the above information and pursuant to statute, the undersigned hereby requests a variance.

<u>Wayne H. Thrasher</u> <u>Margaret Susan Thrasher</u>	<u>2/22/19</u> <u>2/22/19</u>
Signature of Petitioner or Attorney	Date
<u>Wayne H. Thrasher</u> <u>Margaret Susan Thrasher</u>	<u>thrashersu@gmail.com</u>
Printed Name of Petitioner or Attorney	Email address of Petitioner or Attorney
<u>242 Grasshopper Cir.</u>	<u>(704) 773-7241</u>
Mailing Address	Telephone Number of Petitioner or Attorney
<u>Mooresville</u> <u>NC</u> <u>28117</u>	<u>()</u> <u>N/A</u>
City State Zip	Fax Number of Petitioner or Attorney

DELIVERY OF THIS HEARING REQUEST

This variance petition must be received by the Division of Coastal Management at least six (6) weeks before the first day of the regularly scheduled Commission meeting at which it is heard. A copy of this request must also be sent to the Attorney General's Office, Environmental Division, 15A N.C.A.C. 07J .0701(e).

Contact Information for DCM:

By mail, express mail or hand delivery:
Director
Division of Coastal Management
400 Commerce Avenue
Morehead City, NC 28557

By Fax:
(252) 247-3330

By Email:
Check DCM website for the email
address of the current DCM Director
www.nccoastalmanagement.net

Revised: February 2011

Contact Information for Attorney General's Office:

By mail:
Environmental Division
9001 Mail Service Center
Raleigh, NC 27699-9001

By express mail:
Environmental Division
114 W. Edenton Street
Raleigh, NC 27603

By Fax:
(919) 716-6767

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**Variance Petition
Petitioner's Arguments**

Petitioners: Wayne and Margaret (Susan) Thrasher
Project Address: 1124 New River Inlet Road, North Topsail Beach, NC 28460

- I. Will strict application of the applicable development rules, standards, or order issued by the Commission cause the petitioner unnecessary hardships?**

Petitioner's Position: Yes.

The Petitioners submit that the imposition of the rules, standards and orders will cause unnecessary hardship in the following respects:

1. The petitioners are seeking to build a roof over their existing deck in an effort to protect and preserve the integrity of their home. The residence at 1124 New River Inlet Road is a four story beachfront property – entryway, bedroom floor, main living floor, and bedroom floor. The current beachfront elevation directly exposes the top two stories to the damaging wind driven rains that are a regular occurrence at the beach. This is leading to significant rot damage to the beach elevation. As the residence was repaired following Hurricane Florence almost \$20,000 of rot damage was discovered. The house boards were literally rotted away and there was nothing between the siding and interior drywall. The main beam that runs from the front to the back of the house displayed signs of water damage, but was caught before catastrophic damage. In tracing the source, it was determined that this damage resulted from water that penetrated the siding, doors and windows on the top two floors. The home was built in 2005 and thus experienced this serious damage in just 13 years.

The proposed roof would divert water from the building and would reduce the amount of water hitting the below two stories of the property. It would keep water off the six windows and from penetrating the door thresholds on the third story reducing the risk of water damage around the windows and doors. Since Hurricane Florence, the petitioners have been diligently pursuing improvements to the structure that will protect it during severe weather conditions as much as possible. The Petitioners have replaced the roof with a Fortified Bronze Roof (certification under IBHS guidelines) and have replaced the French doors on the fourth story with a hurricane rated window, forgoing the ability to walk out on the 8x8 deck on this level. This variance request is made in the same spirit of protecting the property.

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2. Another critical need for the variance is to protect the decking itself. Standing water on the exposed deck has caused the deck material to rot. While it would reduce the cost of deck repair, a roof would more importantly improve the safety of the deck, as slick wet decking and undetected weakness in the deck posts could result in serious personal injury. A roof would eliminate most of the rain falling on the deck surface, significantly reducing the damage to the decking and the interior posts.

II. Do such hardships result from conditions peculiar to the petitioner's property such as the location, size, or topography of the property?

Petitioner's Position: Yes.

1. This residence, which was built in 2005, is now within the CAMA setback. The proximity of the residence to the ocean increases the potential water damage to the structure of the house. The variance would not change either the footprint or square footage of the house; nor would it change the footprint of the deck. The variance would allow the petitioners to reduce the risk to the house.

III. Do the hardships result from actions taken by the petitioner?

Petitioner's Position: No.

1. The hardships result from the imposition of the CAMA setback rule. The petitioners purchased the property in July 2012. The existing residence was built in 2005.

IV. Will the variance requested by the petitioner (1) be consistent with the spirit, purpose, and intent of the rules, standards or orders issued by the Commission: (2) secure the public safety and welfare; and (3) preserve substantial justice.

Petitioner's Position: Yes.

1. The CAMA rules for building along the oceanfront are intended to avoid unreasonable risk to life and property and to limit public and private losses from storm and long-term erosion. The requested variance does not extend the footprint of the residence or deck in the setback area. As with the existing decking, the roof would not be attached to the house. The roof would mitigate losses from storm damage by providing protection for the residence and decking against water damage. Furthermore, it would provide further opportunities to enjoy the beauty of the ocean views from the property.

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2. The protection afforded by the proposed roof would divert water from the decking thus minimizing rotting of the decking and deck posts. Weaknesses in either of these can result in serious personal injury as deck boards warp or deck posts loosen.
3. The variance would preserve substantial justice, as it would enable the petitioner's to defend their house against the damage from the winds and rain.

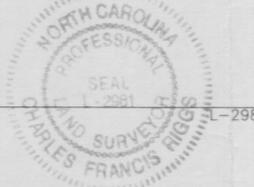
RECEIVED
FEB 25 2019
DCM-MHD CITY

**ATTACHMENT E:
STIPULATED EXHIBITS**

1. 2003 Property Plat Ocean View Shores, recorded 5/19/04 Book 46, Page 117
2. Thrasher Deed recorded 7/30/12, Book 3821 Page 916-917
3. 2019 Lyall Survey dated 1/14/19
4. Onslow County Tax Parcel Report
5. 2012 Appraisal- relevant portions
6. Pictures of Hurricane Florence damage and water damage on beachfront elevation discovered during hurricane repair work
7. Invoice and window/door bills
8. CAMA Minor Development Permit Application materials
9. Notice of CAMA Permit sent to neighbors, along with certified mail receipts and concurrence response from Godshall
10. Permit Denial Letter
11. Notice of variance request sent to neighbors along with certified mail receipts
12. Powerpoint with site photos

I, CHARLES FRANCIS RIGGS, PROFESSIONAL LAND SURVEYOR, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN DEED BOOK 1822, PAGE 382); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS BROKEN LINES AND DRAWN FROM INFORMATION FOUND IN DEED BOOK _____, PAGE _____; THAT THE RATIO OF PRECISION AS CALCULATED BY LATITUDES AND DEPARTURES IS 1:10,000+; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL THIS 18th DAY OF MAY, A.D. 2004

Charles F. Riggs
 CHARLES FRANCIS RIGGS, P.L.S.



THIS IS TO CERTIFY THAT THE SUBJECT PROPERTY IS LOCATED IN FLOOD ZONE "VE" WHICH IS A SPECIAL FLOOD HAZARD AREA AS DETERMINED BY THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, COMMUNITY PANEL NUMBER 370466 0003 C, MARCH 6, 1998

I, CHARLES FRANCIS RIGGS, PROFESSIONAL LAND SURVEYOR NO. 2981, CERTIFY TO ONE OR MORE OF THE FOLLOWING AS INDICATED THUS:

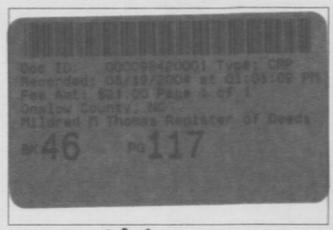
- A. THAT THE SURVEY CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OF MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.
- B. THAT THE SURVEY IS LOCATED IN A PORTION OF A COUNTY OR MUNICIPALITY THAT IS UNREGULATED AS TO AN ORDINANCE THAT REGULATES PARCELS OF LAND.
- C. ANY ONE OF THE FOLLOWING:
 - 1) THAT THE SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET;
 - 2) THAT THE SURVEY IS OF AN EXISTING BUILDING OR OTHER STRUCTURE, OR NATURAL FEATURE, SUCH AS A WATERCOURSE;
 - 3) THAT THE SURVEY IS A CONTROL SURVEY.
- D. THAT THE SURVEY IS OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT-ORDERED SURVEY OR OTHER EXCEPTION TO THE DEFINITION OF SUBDIVISION
- E. THAT THE INFORMATION AVAILABLE TO THIS SURVEYOR IS SUCH THAT I AM UNABLE TO MAKE A DETERMINATION TO THE BEST OF MY PROFESSIONAL ABILITY AS TO THE PROVISIONS CONTAINED IN (A) THROUGH (D) ABOVE.

Charles F. Riggs
 05/18/04
 CHARLES FRANCIS RIGGS, PROFESSIONAL LAND SURVEYOR NO. 2981

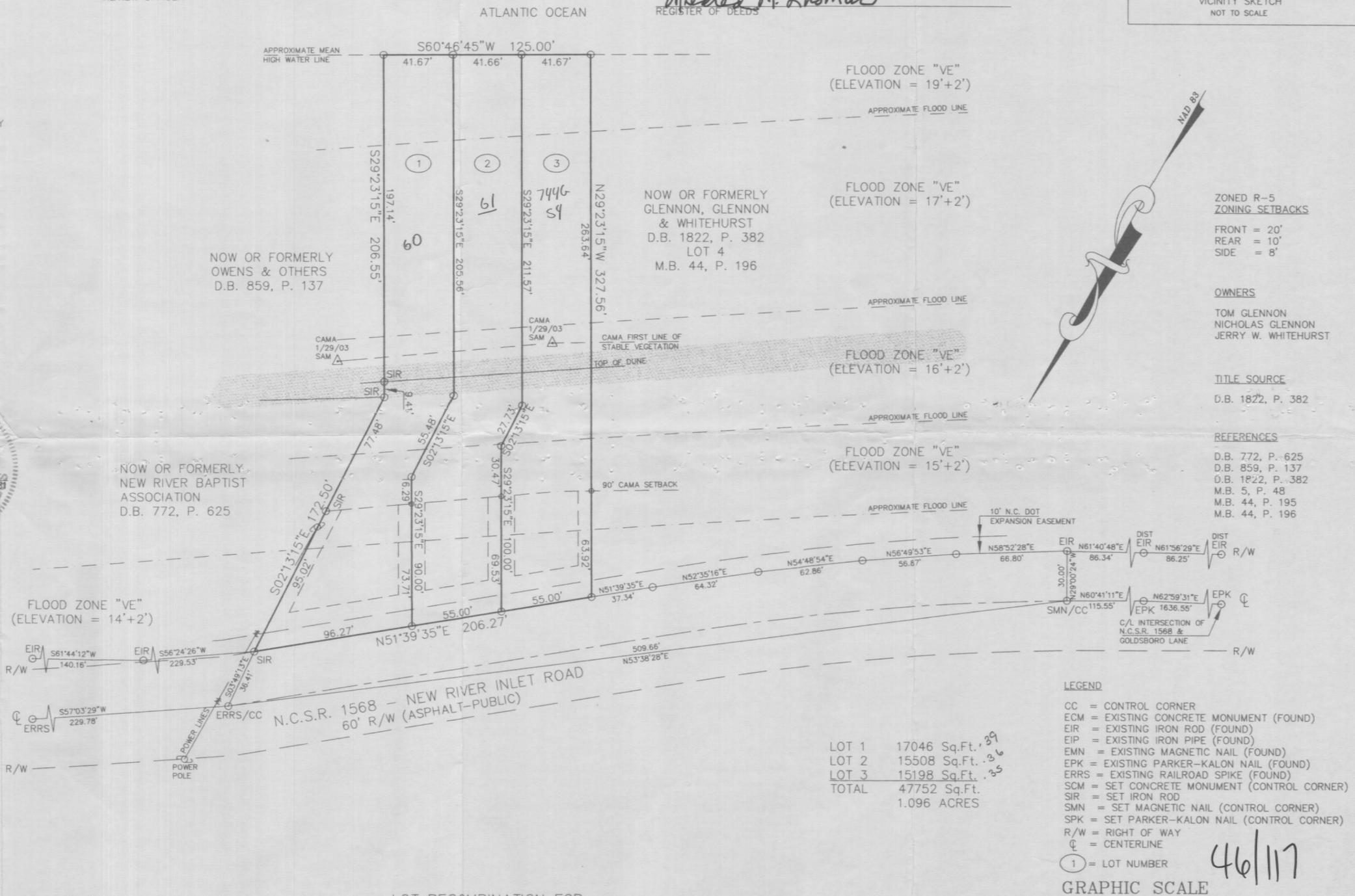
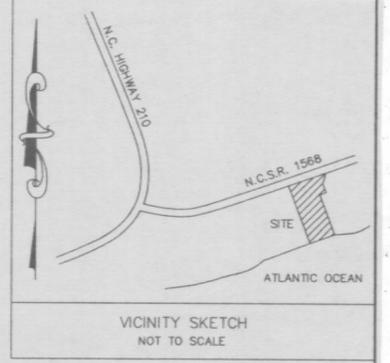
THIS PROPERTY IS NOT SUBJECT TO THE NORTH TOPSAIL BEACH SUBDIVISION REGULATIONS, AND IS AN EXEMPTION PER SECTION 7-271 (d), NORTH TOPSAIL BEACH SUBDIVISION ORDINANCE. 6-27-90.

5/19/04 *Sue Mohaupt*
 NORTH TOPSAIL BEACH SUBDIVISION ADMINISTRATOR

STATE OF NORTH CAROLINA, COUNTY OF ONSLOW
 I, *Rhonda Huffman*, REVIEW OFFICER OF ONSLOW COUNTY
 CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.
 Rhonda Huffman 5-19-04
 REVIEW OFFICER DATE



SLIDE *L-261*
 REGISTER OF DEEDS *Michael M. Thomas*



ZONED R-5
 ZONING SETBACKS
 FRONT = 20'
 REAR = 10'
 SIDE = 8'

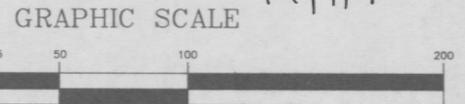
OWNERS
 TOM GLENNON
 NICHOLAS GLENNON
 JERRY W. WHITEHURST

TITLE SOURCE
 D.B. 1822, P. 382

REFERENCES
 D.B. 772, P. 625
 D.B. 859, P. 137
 D.B. 1822, P. 382
 M.B. 5, P. 48
 M.B. 44, P. 195
 M.B. 44, P. 196

LOT 1	17046 Sq.Ft.
LOT 2	15508 Sq.Ft.
LOT 3	15198 Sq.Ft.
TOTAL	47752 Sq.Ft. 1.096 ACRES

- LEGEND
- CC = CONTROL CORNER
 - ECM = EXISTING CONCRETE MONUMENT (FOUND)
 - EIR = EXISTING IRON ROD (FOUND)
 - EIP = EXISTING IRON PIPE (FOUND)
 - EMN = EXISTING MAGNETIC NAIL (FOUND)
 - EPK = EXISTING PARKER-KALON NAIL (FOUND)
 - ERRS = EXISTING RAILROAD SPIKE (FOUND)
 - SCM = SET CONCRETE MONUMENT (CONTROL CORNER)
 - SIR = SET IRON ROD
 - SMN = SET MAGNETIC NAIL (CONTROL CORNER)
 - SPK = SET PARKER-KALON NAIL (CONTROL CORNER)
 - R/W = RIGHT OF WAY
 - CL = CENTERLINE
 - ① = LOT NUMBER



(IN FEET)
 1 inch = 50 ft.
 DATE: SEPTEMBER 26, 2003
 DRAWN BY: J. HELMS
 FIELD BOOK: IND, PAGE: 4
 CHECKED BY:
 COMPUTER: WS 6/PROJ/01-05-61R13.dwg
 PROJECT NUMBER: 01-05-61

CHARLES F. RIGGS & ASSOCIATES, INC.
 LAND SURVEYING - CONVENTIONAL & GLOBAL POSITIONING SYSTEMS,
 LAND PLANNING & COMPUTER MAPPING
 202 WARLICK STREET
 P.O. BOX 1570
 JACKSONVILLE, N.C. 28541-1570
 TELEPHONE: (910) 455-0877
 FACSIMILE: (910) 455-9033
 E-MAIL: riggsland@bizec.rr.com

LOT RECOMBINATION FOR
OCEAN VIEW SHORES
 LOTS 1, 2 & 3
 STUMP SOUND TOWNSHIP, ONSLOW COUNTY, NORTH CAROLINA
 TOWN OF NORTH TOPSAIL BEACH

WORKSTATION 6/PROJ/01-05-61R13.dwg 5-18-04 4:46:00 PM

This deed presented to
The Onslow Co. Tax Office
Date 7/26/12



Doc ID: 009926200002 Type: GRP
Recorded: 07/30/2012 at 02:09:30 PM
Fee Amt: \$1,206.00 Page 1 of 2
Revenue Tax: \$1,180.00
Onslow County, NC
Rebecca L. Pollard Reg. of Deeds

This instrument was prepared by: Dan Rizzo
a licensed North Carolina Attorney.

Delinquent taxes, if any, to be paid by the closing
agent for the Onslow County Tax Collector upon
disbursement of the proceeds.

BK **3821** PG **916-917**

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: \$ 1,180.00

Parcel Identifier No. 049847 Verified by _____ County on the _____ day of _____, 20____
By: _____

Mail/Box to: Dan Rizzo, Attorney, 14131 Highway 50/210, Surf City, NC 28445

This instrument was prepared by: Dan Rizzo, Attorney, 14131 Highway 50/210, Surf City, NC 28445

Brief description for the Index: LOT 3, Ocean View Shores

THIS DEED made this 26th day of July, 2012 by and between

GRANTOR

CD Project 1 LLC
501 East Morehead Street, Ste 4
Charlotte, NC 28202

GRANTEE

Wayne H. Thrasher and wife,
Margaret S. Thrasher
143 Rehoboth Lane
Mooresville, NC 28117

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

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

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

BEING all of Lot 3, Lot Recombination for Ocean View Shores, according to the plat thereof, recorded in Map Book 46, Page 117, in the Office of the Register of Deeds of Onslow County, North Carolina.

The property hereinabove described was acquired by Grantor by instrument recorded in Book 2391 page 570.

All or a portion of the property herein conveyed includes or X does not include the primary residence of a Grantor.

A map showing the above described property is recorded in Plat Book 46 page 117.

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

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions: Subject to ad-valorem property taxes for the year 2012 and subsequent years.

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

CD Project I LLC (SEAL)
 By: Alan Simonini (Entity Name) Print/Type Name: _____
 Print/Type Name & Title: Alan Simonini, Managing Partner Print/Type Name: _____
 By: _____ (SEAL)
 Print/Type Name & Title: _____ Print/Type Name: _____
 By: _____ (SEAL)
 Print/Type Name & Title: _____ Print/Type Name: _____

State of _____ - County or City of _____
 I, the undersigned Notary Public of the County or City of _____ and State aforesaid, certify that _____ personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this _____ day of _____, 20____.

My Commission Expires: _____ Notary Public
 (Affix Seal) Notary's Printed or Typed Name _____

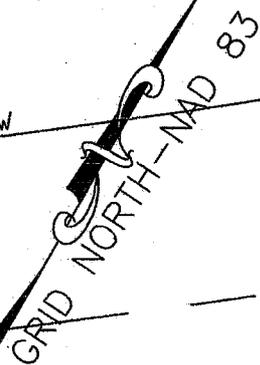
State of North Carolina Mecklenburg County or City of Charlotte
 I, the undersigned Notary Public of the County or City of Gaston and State aforesaid, certify that _____ personally came before me this day and acknowledged that he is the _____ of _____ CD Project I LLC, a North Carolina or _____ corporation/limited liability company/general partnership/limited partnership (strike through the inapplicable), and that by authority duly given and as the act of such entity, he signed the foregoing instrument in its name on its behalf as its act and deed. Witness my hand and Notarial stamp or seal, this 26th day of July, 2012.

My Commission Expires: 6/15/2014 Notary Public
 (Affix Seal) Myra F. Heafner Notary's Printed or Typed Name _____

State of _____ - County or City of _____
 I, the undersigned Notary Public of the County or City of _____ and State aforesaid, certify that _____
 Witness my hand and Notarial stamp or seal, this _____ day of _____, 20____.

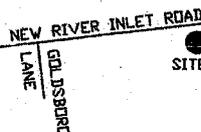
My Commission Expires: _____ Notary Public
 (Affix Seal) Notary's Printed or Typed Name _____

R/W

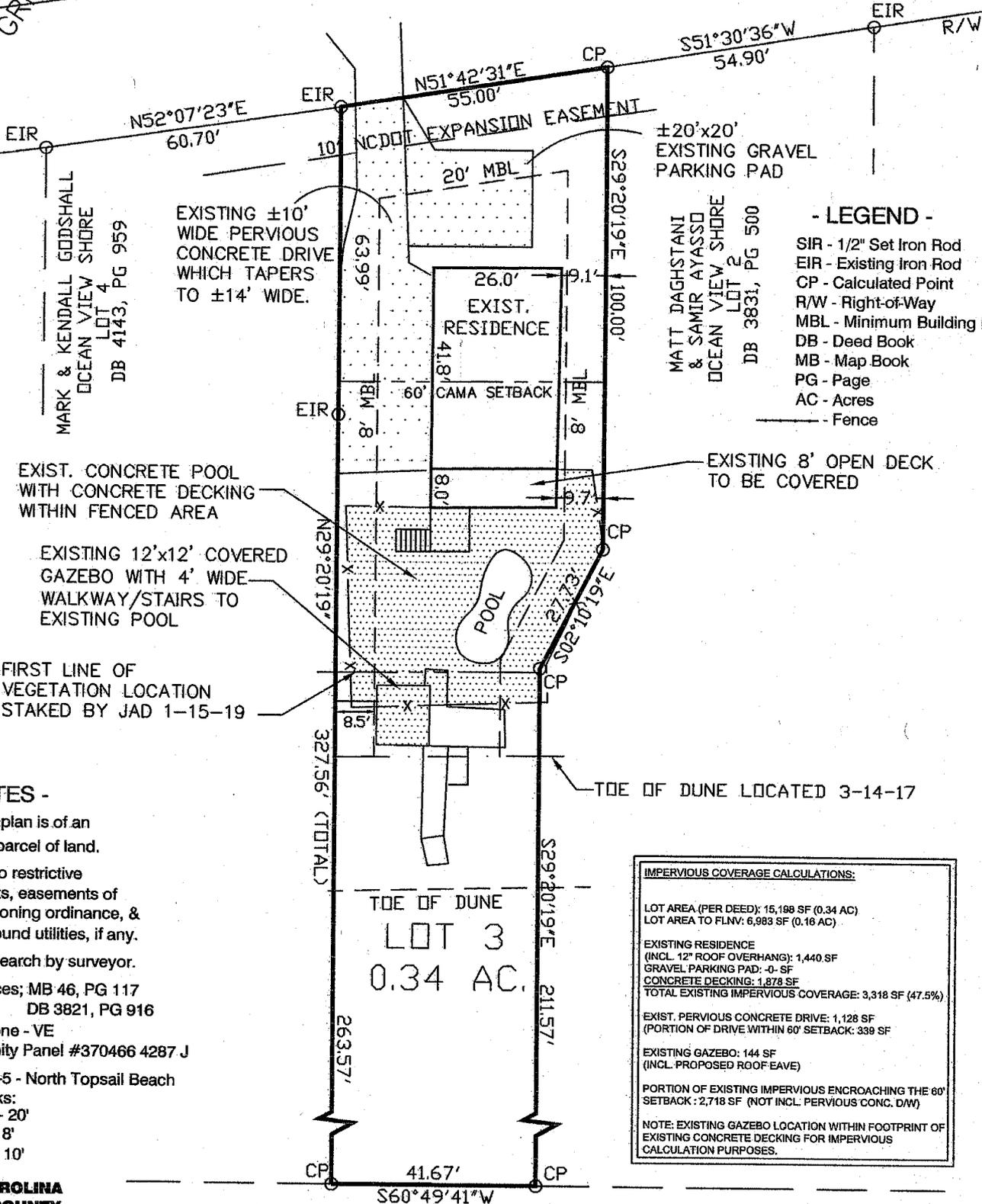


NEW RIVER INLET ROAD

60' PUBLIC R/W



VICINITY MAP: NTS



MATT DAGHSTANI & SAMIR AYASSO OCEAN VIEW SHORE LOT 2 DB 3831, PG 500

MARK & KENDALL GODSHALL OCEAN VIEW SHORE LOT 4 DB 4143, PG 959

- LEGEND -**
- SIR - 1/2" Set Iron Rod
 - EIR - Existing Iron Rod
 - CP - Calculated Point
 - R/W - Right-of-Way
 - MBL - Minimum Building Line
 - DB - Deed Book
 - MB - Map Book
 - PG - Page
 - AC - Acres
 - Fence

EXISTING ±10' WIDE PERVIOUS CONCRETE DRIVE WHICH TAPERS TO ±14' WIDE.

EXIST. CONCRETE POOL WITH CONCRETE DECKING WITHIN FENCED AREA

EXISTING 12'x12' COVERED GAZEBO WITH 4' WIDE WALKWAY/STAIRS TO EXISTING POOL

FIRST LINE OF VEGETATION LOCATION STAKED BY JAD 1-15-19

EXISTING 8' OPEN DECK TO BE COVERED

TOE OF DUNE LOCATED 3-14-17

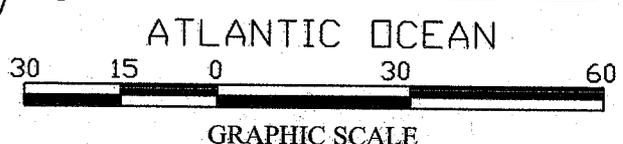
- NOTES -

1. This plot plan is of an existing parcel of land.
2. Subject to restrictive covenants, easements of record, zoning ordinance, & underground utilities, if any.
3. No title search by surveyor.
4. References; MB 46, PG 117 DB 3821, PG 916
5. Flood Zone - VE Community Panel #370466 4287 J
6. Zone - R-5 - North Topsail Beach
Setbacks:
Front - 20'
Side - 8'
Rear - 10'

IMPERVIOUS COVERAGE CALCULATIONS:	
LOT AREA (PER DEED):	15,198 SF (0.34 AC)
LOT AREA TO FLNV:	6,983 SF (0.16 AC)
EXISTING RESIDENCE (INCL. 12" ROOF OVERHANG):	1,440 SF
GRAVEL PARKING PAD:	0 SF
CONCRETE DECKING:	1,878 SF
TOTAL EXISTING IMPERVIOUS COVERAGE:	3,318 SF (47.5%)
EXIST. PERVIOUS CONCRETE DRIVE (PORTION OF DRIVE WITHIN 60' SETBACK):	339 SF
EXISTING GAZEBO:	144 SF (INCL. PROPOSED ROOF EAVE)
PORTION OF EXISTING IMPERVIOUS ENCRANCHING THE 60' SETBACK:	2,718 SF (NOT INCL. PERVIOUS CONC. DWM)
NOTE: EXISTING GAZEBO LOCATION WITHIN FOOTPRINT OF EXISTING CONCRETE DECKING FOR IMPERVIOUS CALCULATION PURPOSES.	

NORTH CAROLINA ONSLOW COUNTY

I, **WESTON LYALL**, PROFESSIONAL LAND SURVEYOR NUMBER L-4438, CERTIFY THAT THIS PLOT PLAN WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL GPS SURVEY MADE UNDER MY SUPERVISION FROM (DEED BOOK 3821, PAGE 916) AND THE FOLLOWING INFORMATION WAS USED TO PERFORM THE SURVEY:
 CLASS OF SURVEY: B; POSITIONAL ACCURACY: 500 RMS; TYPE OF GPS FIELD PROCEDURE: VRSRTKGPS; DATUM: NAD83 "2007", NAVD88; GEIOD MODEL: GEIOD 03; COMBINED GRID FACTOR: 0.9999623; UNITS: US SURVEY FEET; THIS IS A SURVEY OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET.



LOT SURVEY FOR
WAYNE & MARGARET THRASHER
 LOT 3, N. NEW RIVER INLET ROAD
 OCEAN VIEW SHORE
 NORTH TOPSAIL BEACH, NC
 STUMP SOUND TOWNSHIP, ONSLOW COUNTY

SCALE: 1" = 50' JANUARY 14, 2019

WESTON LYALL, PE, PLS, PLLC
 214 HIGHWAY 17N SUITE 1
 HOLLY RIDGE, NC 28445
 PHONE: 910-329-9961 FIRM LICENSE #P-0937
 STRUCTURAL & CIVIL ENGINEERING & LAND SURVEYING

Weston Lyall 1/14/19
 SEAL
 L-4438
 WESTON LYALL
 LAND SURVEYOR

Parcel ID: 049847

Map #: 774G-54

Tax Year: 2020

Luc: Waterfront Ocean

Class: Dwelling

NBHD: OCEAN VIEW

SHORES/CRYSTAL

THRASHER WAYNE H & MARGARET S

1124 NEW RIVER INLET RD

Parcel

Parcel	049847
Tax Year	2020
Property Address	1124 NEW RIVER INLET RD
Unit Desc	
Unit #	
NBHD	3045 - OCEAN VIEW SHORES/CRYSTAL
Class	Dwelling
Land Use Code	14 - Waterfront Ocean
Living Units	
Mapping Acres	.35
CAMA Acres	.3517
Location	
Fronting	
Zoning	R-5-R-5
Map #	774G-54
PIN Number	428707594301
Total Cards	1
Record Type	R

Legal

Legal Description	L3 OCEAN VIEW SHORES
Township	114 - STUMP SOUND
City Code	26 - NORTH TOPSAIL BEACH
Jurisdiction	1426 - STUMP SOUND NORTH TOPSAIL BEACH
Plat Book-Page/Subd #	46-117

Owner Details

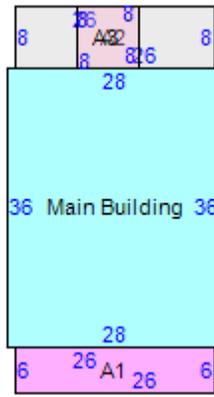
Owner 1	THRASHER WAYNE H & MARGARET S
Owner 2	
Customer ID	404321000
% Ownership	100
Nature of Ownership	-
Address	242 GRASSHOPPER CIR MOORESVILLE, NC 28117-7099

Owner Mailing

Owner 1	THRASHER WAYNE H & MARGARET S
Owner 2	
Mailing Address	242 GRASSHOPPER CIR MOORESVILLE NC 28117 7099



025



Item	Area
Main Building	1008
WOOD DECK/PORCH - 88/80:WOOD DECK/PORCH	156
WOOD DECK/WOOD DECK - 88/88:WOOD DECK/WOOD DECK	208
WOOD DECK - 88:WOOD DECK	64

Parcel ID: 049847

Map #: 774G-54

Tax Year: 2020

Luc: Waterfront Ocean

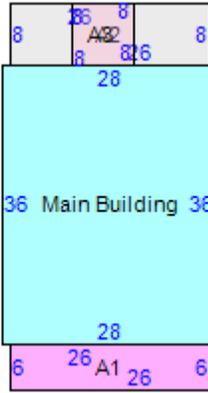
Class: Dwelling

NBHD: OCEAN VIEW

SHORES/CRYSTAL

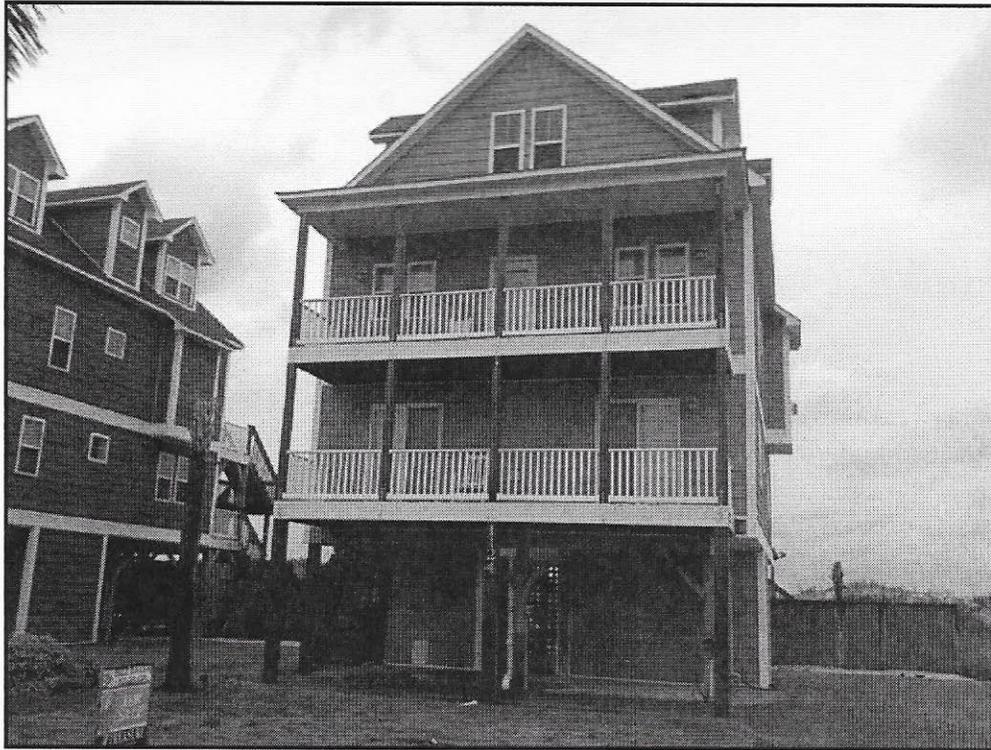
THRASHER WAYNE H & MARGARET S

1124 NEW RIVER INLET RD



Item	Area
Main Building	1008
WOOD DECK/PORCH - 88/80:WOOD DECK/PORCH	156
WOOD DECK/WOOD DECK - 88/88:WOOD DECK/WOOD DECK	208
WOOD DECK - 88:WOOD DECK	64

Printed on Friday, March 15, 2019, at 2:54:12 PM EST



APPRAISAL OF REAL PROPERTY

LOCATED AT:

1124 New River Inlet Rd
Lot 3 Ocean View Shores
N Topsail Beach, NC 28460

FOR:

Bank of America, N.A.
5201 Gate Parkway
Jacksonville, FL 32256

AS OF:

04/06/2012

BY:

J. SCOTT WATTS #T2412

Uniform Residential Appraisal Report

2448076
File # 22256-2

There are 141 comparable properties currently offered for sale in the subject neighborhood ranging in price from \$ 40,000 to \$ 1,895,000
 There are 78 comparable sales in the subject neighborhood within the past twelve months ranging in sale price from \$ 60,000 to \$ 815,000

FEATURE	SUBJECT	COMPARABLE SALE # 1			COMPARABLE SALE # 2			COMPARABLE SALE # 3		
Address	1124 New River Inlet Rd N Topsail Beach, NC 28460	3022 Island Dr N Topsail Beach, NC 28460			4358 Island Dr N Topsail Beach, NC 28460			112 N Permuda Wynd N Topsail Beach, NC 28460		
Proximity to Subject		6.17 miles SW			3.02 miles SW			7.27 miles SW		
Sale Price	\$ 0	\$ 550,000			\$ 652,500			\$ 505,000		
Sale Price/Gross Liv. Area	\$ sq.ft.	\$ 257.85 sq.ft.			\$ 247.35 sq.ft.			\$ 233.80 sq.ft.		
Data Source(s)		MLS # 90773;DOM 781			MLS # 94794;DOM 2159			MLS # 96688 ;DOM 4		
Verification Source(s)		MLS Records - Public Records			MLS Records - Public Records			MLS Records - Public Records		
VALUE ADJUSTMENTS	DESCRIPTION	DESCRIPTION	+(-) \$ Adjustment	DESCRIPTION	+(-) \$ Adjustment	DESCRIPTION	+(-) \$ Adjustment	DESCRIPTION	+(-) \$ Adjustment	
Sales or Financing Concessions		ArmLth Cash;0		ArmLth Cash;0		ArmLth Conv;0		ArmLth Conv;0		
Date of Sale/Time		s03/12;c03/12			s03/12;c03/12			s03/12;c03/12		
Location	B;Ocean Front;	B;Ocean Front;			B;Ocean Front;			B;Ocean Front;		
Leasehold/Fee Simple	Fee Simple	Fee Simple			Fee Simple			Fee Simple		
Site	15,320 sf	10,019 sf			12,632 sf			8,468 sf		
View	B;Ocean;	B;Ocean;			B;Ocean;			B;Ocean;		
Design (Style)	Cottage/Vinyl	Cottage/Vinyl			Cottage/Wood			-2,655 Cottage/Vinyl		
Quality of Construction	Q3	Q3			Q3			Q3		
Actual Age	7	9			7			11		
Condition	C3	C3			C3			C3		
Above Grade	Total Bdrms. Baths	Total Bdrms. Baths		Total Bdrms. Baths		Total Bdrms. Baths		Total Bdrms. Baths		
Room Count	9 6 4.0	8 5 3.1	+2,000	8 4 4.1	-2,000	7 5 3.1	+2,000			
Gross Living Area	2,655 sq.ft.	2,133 sq.ft.			+31,320			2,638 sq.ft.		
Basement & Finished Rooms Below Grade	0sf	0sf			0sf			0sf		
Functional Utility	6 Bedroom	5 Bedroom			0 4 Bedroom			0 5 Bedroom		
Heating/Cooling	FWA/Central	FWA/Central			FWA/Central			FWA/Central		
Energy Efficient Items	Average	Average			Average			Average		
Garage/Carport	2 Car Carport	2 Car Garage			-5,000			2 Car Garage		
Porch/Patio/Deck	Decks	Decks			Decks			Decks		
Effective Age	7A/3E	9A/4E			+4,818			7A/3E		
Fireplace, Fence, Pool, Elevator	FP,Fence,Pool	None			+9,000			None		
Storage/Entry	Storage/Entry	Storage/Entry			Storage/Entry			Storage/Entry		
Net Adjustment (Total)		⊗ + □ -			\$ 42,138			□ + ⊗ -		
Adjusted Sale Price of Comparables		Net Adj. 7.7 %			Net Adj. 0.1 %			Net Adj. 9.6 %		
		Gross Adj. 9.5 %			\$ 592,138			Gross Adj. 2.9 %		
					\$ 651,845			\$ 553,336		

SALES COMPARISON APPROACH

did did not research the sale or transfer history of the subject property and comparable sales. If not, explain

My research did did not reveal any prior sales or transfers of the subject property for the three years prior to the effective date of this appraisal.

Data Source(s) Onslow County tax records.

My research did did not reveal any prior sales or transfers of the comparable sales for the year prior to the date of sale of the comparable sale.

Data Source(s) Topsail Island MLS records.

Report the results of the research and analysis of the prior sale or transfer history of the subject property and comparable sales (report additional prior sales on page 3).

ITEM	SUBJECT	COMPARABLE SALE #1			COMPARABLE SALE #2			COMPARABLE SALE #3		
Date of Prior Sale/Transfer	02/09/2005									
Price of Prior Sale/Transfer	\$1,150,000									
Data Source(s)	Tax Records.	MLS Records.			MLS Records.			MLS Records.		
Effective Date of Data Source(s)	04/06/2012	04/06/2012			04/06/2012			04/06/2012		

Analysis of prior sale or transfer history of the subject property and comparable sales Onslow County tax records indicate that the subject property has not transferred in the previous 36 months. There are no other known transfers of the comparable sales in the previous 12 months. The subject property has not been the subject of an appraisal assignment by this appraiser in the previous 36 months. The exposure time for the subject property is estimated at 6 to 8 months assuming the subject property would have been professionally marketed and listed at or near it's estimated market value.

Summary of Sales Comparison Approach Due to limited closed sales of similar ocean front homes in the Topsail Island market area, it was necessary to search further than one mile in distance for comps 1-4 & 6 and greater than six months back in time for comps 5 & 6, to have the most similar closed sales. It was also necessary to exceed GLA guidelines yet were selected due to similar views and location. Two active listings have been provided to demonstrate typical competing properties. The comparables utilized are the most recent closed sales of similar ocean front homes from the Topsail Island market area and are the best available indicators of value for the subject property. All comparable sales were taken into consideration in the appraiser's final opinion of value. The estimated market value for the subject property exceeds the predominate neighborhood range due to the subject's ocean front location and the subject property is not considered to be over improved. Site values exceeding 30% of market value are typical for island properties. See additional comparables pages and comments on page 3.

Indicated Value by Sales Comparison Approach \$ 595,000 Cost Approach (if developed) \$ 609,113 Income Approach (if developed) \$

The Sales Comparison Approach to value is utilized since it best demonstrates the actions of the market place. The Cost Approach has been utilized and supports the conclusion of value as indicated. The subject property is not long term income producing and the Income Approach to value has not been utilized in the scope of the appraisal.

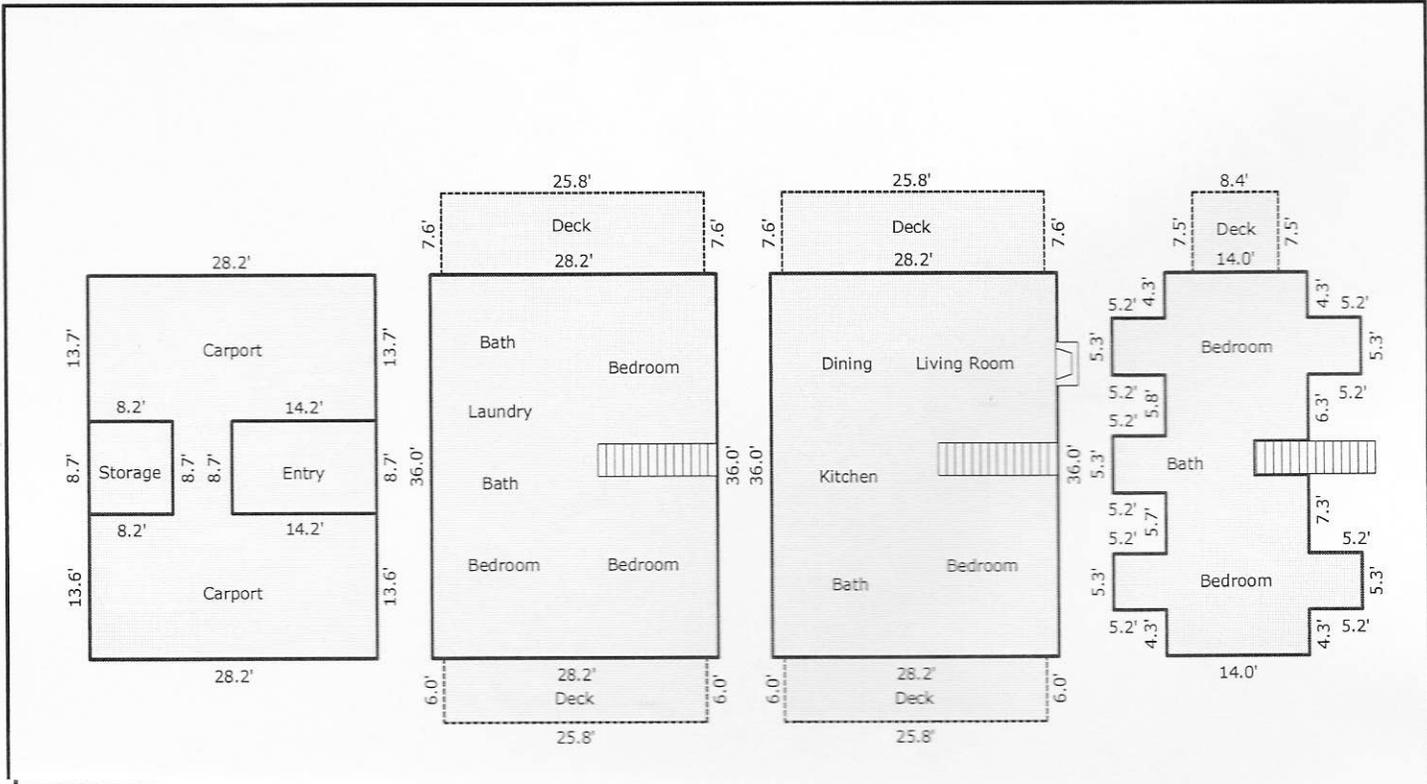
This appraisal is made "as is", subject to completion per plans and specifications on the basis of a hypothetical condition that the improvements have been completed, subject to the following repairs or alterations on the basis of a hypothetical condition that the repairs or alterations have been completed, or subject to the

QUALIFICATION

Building Sketch

029

Borrower/Client	Margaret & Wayne Thrasher		
Property Address	1124 New River Inlet Rd		
City	N Topsail Beach	County ONSLOW	State NC Zip Code 28460
Lender	Bank of America, N.A.		



Comments:

AREA CALCULATIONS SUMMARY			
Code	Description	Net Size	Net Totals
GLA1	First Floor	1015.2	1015.2
GLA2	Second Floor	1015.2	1015.2
GLA3	Third Floor	624.8	624.8
GAR	Carport	820.3	820.3
P/P	Deck	63.0	
	Deck	154.8	
	Deck	154.8	
	Deck	196.1	
	Deck	196.1	764.8
OTH	Storage	71.3	
	Ground Level Entry	123.5	194.9
Net LIVABLE Area		(rounded)	2655

LIVING AREA BREAKDOWN		
	Breakdown	Subtotals
First Floor		
	28.2 x 36.0	1015.2
Second Floor		
	36.0 x 28.2	1015.2
Third Floor		
	14.0 x 4.3	60.2
	24.4 x 5.3	129.3
	5.8 x 14.0	81.2
	3.2 x 13.9	44.5
	0.5 x 19.2	9.6
	19.2 x 1.6	30.7
	24.4 x 5.3	129.3
	5.7 x 14.0	79.8
	4.3 x 14.0	60.2
11 Items		(rounded) 2655

1124 New River Inlet Road

Hurricane Florence – Deck Damage and Discovered Water/Rot Damage to Beachfront Elevation.



ABOVE: Railing lost on uncovered top two decks.

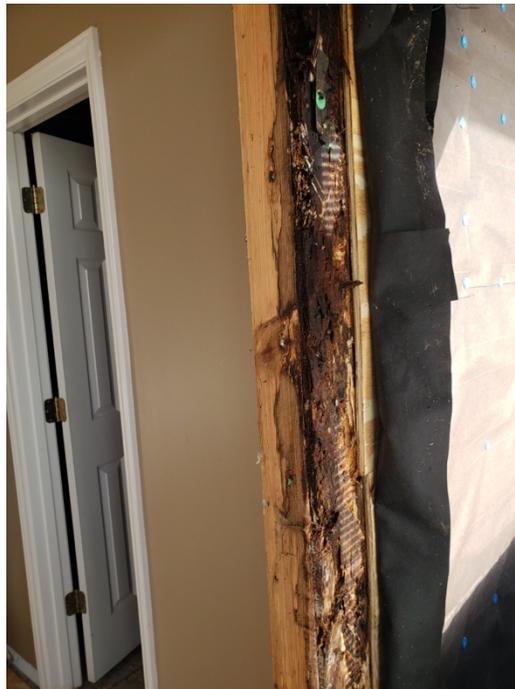
BELOW: Damage to house boards on lowest living level, oceanfront.



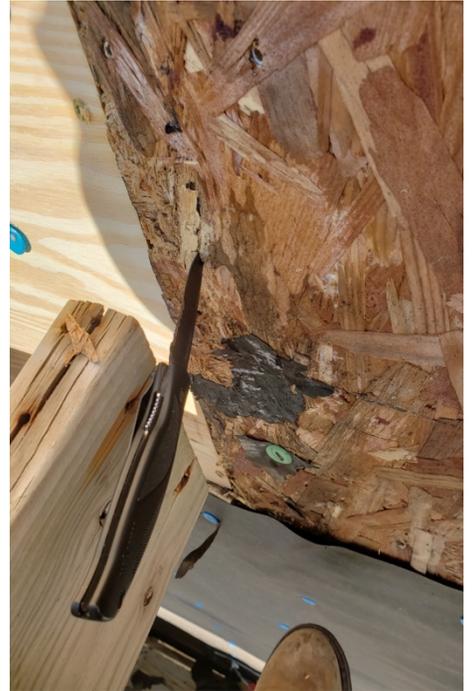
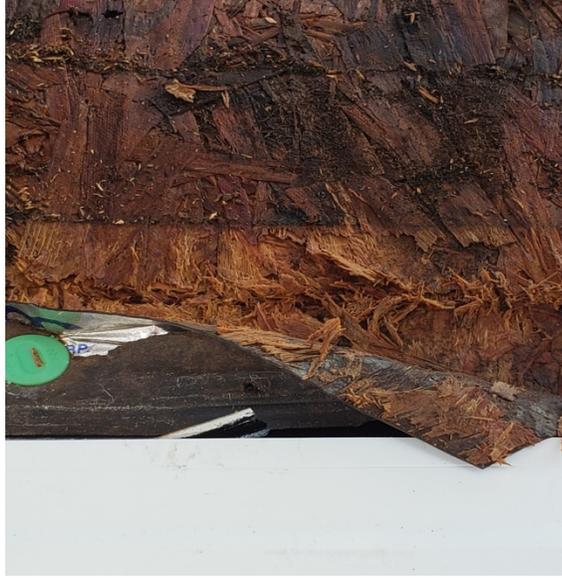
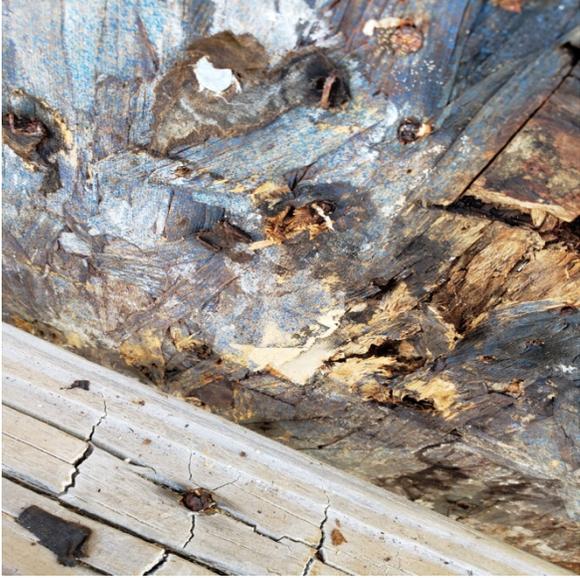
Water damage rotted away house boards. Interior o bedroom and bath on lowest living level (2nd story)



Water damage around French doors on lowest two levels.



Rot under shingles on oceanfront elevation.





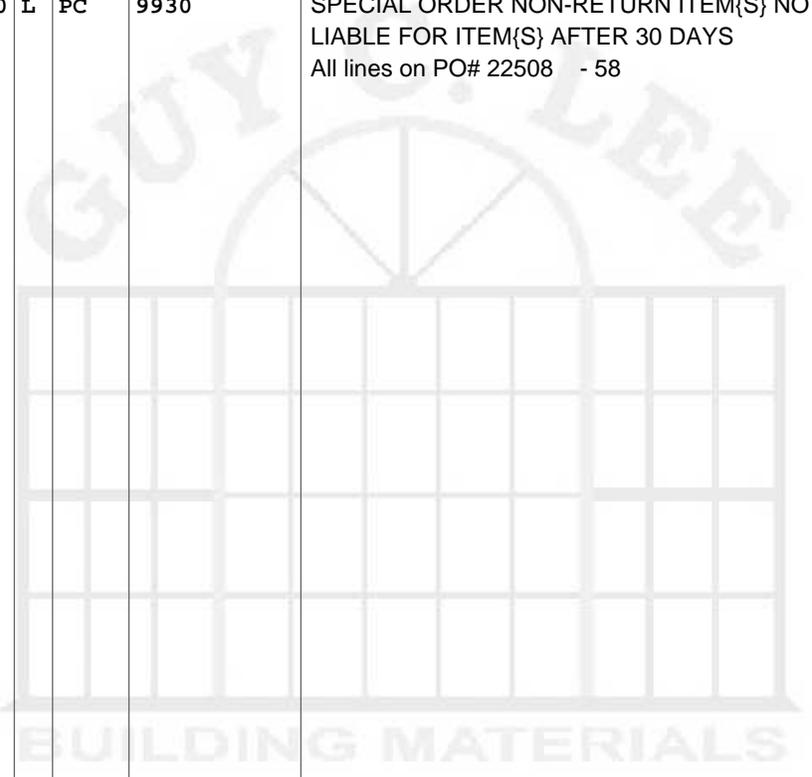
PO ~~833~~ 640
 SNEADS FERRY, NC 28460
 {910} 327-2388 FAX {910} 327-2387

CUSTOMER COPY
INVOICE
 THIS COPY MUST REMAIN AT MERCHANT
 LOCATION AT ALL TIMES!

Page 1		Invoice # 50433605	
Special :		Time:	15:30:25
Instruction :		Ship Date:	11/19/18
:		Invoice Date:	11/19/18
Orig Rep: 21	Salesman: 21	Acct rep:	REPRINT
Sold To : CASH SALES		Ship To : susan thrasher	
SNEADS FERRY, NC		ENTER JOB NAME HERE	
() -		Our PO: 00022508	
Customer #: 1	Job:	Customer PO:	Order By:

7/1 T 85 () - () - Our PO: 00022508 CASH

ORDER	SHIP	B/O	L	U/M	ITEM #	ITEM DESCRIPTION	PRICE	EXTENSION
2.00	2.00	0.00	L	EA	x210000000000051	6/0 x 8/0 slider BBG	1196.42	2392.85
0.00	0.00	0.00	L	PC	9930	SPECIAL ORDER NON-RETURN ITEM{S} NOT LIABLE FOR ITEM{S} AFTER 30 DAYS All lines on PO# 22508 - 58	0.00	0.00



VISA 0000 2560.35 14:42:39 11/19/2018 **Special Order Non Refundable**

DISCLAIMER OF WARRANTIES
 ANY WARRANTIES ON THE PRODUCTS SOLD HEREBY ARE
 THOSE MADE BY THE MANUFACTURER. THE SELLER,
 GUY C. LEE CO., HEREBY EXPRESSLY DISCLAIMS ALL
 WARRANTIES, EITHER EXPRESS OR IMPLIED.
 SEE GUYCLEE.COM FOR TERMS AND CONDITIONS.

FILLED BY _____ CHECKED BY _____ DATE SHIPPED _____ DRIVER _____ SHIP VIA _____ RECEIVED COMPLETE AND IN GOOD CONDITION _____ X	FREIGHT _____ TAXABLE 2392.85 NON-TAXABLE 0.00 TAX # _____	SALES TOTAL \$2392.85 MISC + FRGT _____ SALES TAX 167.50 Total applied: 2560.35 TOTAL \$2560.35
-------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------



PO ~~034~~ 640
 SNEADS FERRY, NC 28460
 {910} 327-2388 FAX {910} 327-2387

CUSTOMER COPY
INVOICE
 THIS COPY MUST REMAIN AT MERCHANT
 LOCATION AT ALL TIMES!

Page 1		Invoice # 50433604	
Special :		Time:	15:30:09
Instruction :		Ship Date:	11/19/18
:		Invoice Date:	11/19/18
Orig Rep: 21	Salesman: 21	Acct rep:	REPRINT
Sold To : CASH SALES		Ship To : susan thrasher	
SNEADS FERRY, NC		ENTER JOB NAME HERE	
() -		Our PO: 00022509	
Customer #: 1	Job:	Customer PO:	Order By:

5/1 T 83 () - () - Our PO: 00022509 CASH popgcl01

ORDER	SHIP	B/O	L	U/M	ITEM #	ITEM DESCRIPTION	PRICE	EXTENSION
1.00	1.00	0.00	L	EA	x210000000000052	4' x 5' Impact picture window	349.14	349.14
0.00	0.00	0.00	L	PC	9930	SPECIAL ORDER NON-RETURN ITEM{S} NOT LIABLE FOR ITEM{S} AFTER 30 DAYS All lines on PO# 22509 - 851	0.00	0.00

VISA 0000 373.58 14:46:28 11/19/2018 **Special Order Non Refundable**

DISCLAIMER OF WARRANTIES
 ANY WARRANTIES ON THE PRODUCTS SOLD HEREBY ARE
 THOSE MADE BY THE MANUFACTURER. THE SELLER,
 GUY C. LEE CO., HEREBY EXPRESSLY DISCLAIMS ALL
 WARRANTIES, EITHER EXPRESS OR IMPLIED.
 SEE GUYCLEE.COM FOR TERMS AND CONDITIONS.

FILLED BY _____ CHECKED BY _____ DATE SHIPPED _____ DRIVER _____ SHIP VIA _____ _____ RECEIVED COMPLETE AND IN GOOD CONDITION _____ X	FREIGHT _____ TAXABLE 349.14 NON-TAXABLE 0.00 TAX # _____	SALES TOTAL \$349.14 MISC + FRGT _____ SALES TAX 24.44 Total applied: 373.58 TOTAL \$373.58
-------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------

Invoice
GS Bailey Custom Builders Inc.
115 Bailey Farms Lane
Zebulon, NC 27597
Contractor: Gary Bailey
Licensed and W/C & G/L Insurance

Property: 1124 New River Inlet Road
 North Topsail Beach, NC 28460

Billing: Susan and Wayne Thrasher
 242 Grasshopper Circle
 Mooresville, NC 28117

Summary of work: Hidden damage repair to beach front elevation of property. Includes removal of siding and damaged house wrap and OSB. Installation of new plywood, house wrap and siding. Repair/replacement of damaged wood around doors and installation of new doors. Owner purchased and provided doors/windows . GS Bailey warrants installation only.

Materials	\$4,637.46
Installation & repair of siding	\$3,450.00
Framing, wood repair & installation of doors	\$1617.38
Siding removal, house wrap installation, drywall	\$5,052.00
Dumpster & trash removal	<u>\$ 357.96</u>
Total	\$15,114.80
Deposit	<u>0.00</u>
Balance due – payable upon receipt	\$15,114.80



January 16, 2019

Jason Dail
Field Representative
NC Department of Environmental Quality
NC Division of Coastal Management
127 Cardinal Drive Ext.
Wilmington, NC 28405

Re: 1124 New River Inlet Road, North Topsail Beach

Dear Jason,

Attached please find my completed CAMA Minor Development Permit application. As we discussed, we are looking to put a roof over the back deck, removing an existing third story deck. As the deck is free standing and we are just covering it with a roof attached solely to the deck, I wondered if it could be approved as a gazebo. It is essentially a covered wooden deck. Instead of sitting near the dune, this is sitting near the house. In addition the roof will provide much needed water protection for the home. When we removed the siding for the Hurricane Florence repairs, we found that water was penetrating around the top doors and running down the house creating rot. The hurricane in this case did us a favor as without detection we were at risk that a primary beam would be rotted in the future. The roof would help carry more of the water away from the house.

Please call me immediately at 704-773-7241 should there be any issues with the application. Also my email is Thrashersu@gmail.com. Thank you for your time. I know you are incredibly busy as the island rebuilds from the impact of Florence.

Regards,

A handwritten signature in black ink, appearing to read "Susan Thrasher". The signature is fluid and cursive, with a large initial "S" and "T".

Susan Thrasher
242 Grasshopper Cir
 Mooresville, NC 28117

RECEIVED

JAN 22 2019

DCM WILMINGTON, NC

Locality N. Topsail Beach ⁰³⁷ Permit Number NTB 19-02

Ocean Hazard Estuarine Shoreline _____ ORW Shoreline _____ Public Trust Shoreline _____ Other _____
(For official use only)

GENERAL INFORMATION

LAND OWNER - MAILING ADDRESS

Name Wayne H. and Margaret S. Thrasher
Address 242 Grasskopper Cir.
City Moorestville State NC Zip 28117 Phone 704-773-7241
Email thrashersu@gmail.com

AUTHORIZED AGENT

Name _____
Address _____
City _____ State _____ Zip _____ Phone _____
Email _____

LOCATION OF PROJECT: (Address, street name and/or directions to site; name of the adjacent waterbody.)

1124 New River Inlet Rd., North Topsail Beach, NC 28460

DESCRIPTION OF PROJECT: (List all proposed construction and land disturbance.) Remove third level

door & decking, replace decking with a shingled roof.

SIZE OF LOT/PARCEL: 15,198 square feet .34 acres

PROPOSED USE: Residential (Single-family Multi-family) Commercial/Industrial Other

COMPLETE EITHER (1) OR (2) BELOW (Contact your Local Permit Officer if you are not sure which AEC applies to your property):

(1) **OCEAN HAZARD AECs:** TOTAL FLOOR AREA OF PROPOSED STRUCTURE: 208 square feet (includes air conditioned living space, parking elevated above ground level, non-conditioned space elevated above ground level but excluding non-load-bearing attic space)

(2) **COASTAL SHORELINE AECs:** SIZE OF BUILDING FOOTPRINT AND OTHER IMPERVIOUS OR BUILT UPON SURFACES: _____ square feet (includes the area of the foundation of all buildings, driveways, covered decks, concrete or masonry patios, etc. that are within the applicable AEC. Attach your calculations with the project drawings)

STATE STORMWATER MANAGEMENT PERMIT: Is the project located in an area subject to a State Stormwater Management Permit issued by the NC Division of Energy, Mineral and Land Resources (DEMLR)?

YES _____ NO

If yes, list the total built upon area/impervious surface allowed for your lot or parcel: _____ square feet. **DCM WILMINGTON, NC**

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JAN 29 2019

OTHER PERMITS MAY BE REQUIRED: The activity you are planning may require permits other than the CAMA minor development permit, including, but not limited to: Drinking Water Well, Septic Tank (or other sanitary waste treatment system), Building, Electrical, Plumbing, Heating and Air Conditioning, Insulation and Energy Conservation, FIA Certification, Sand Dune, Sediment Control, Subdivision Approval, Mobile Home Park Approval, Highway Connection, and others. Check with your Local Permit Officer for more information.

STATEMENT OF OWNERSHIP:

I, the undersigned, an applicant for a CAMA minor development permit, being either the owner of property in an AEC or a person authorized to act as an agent for purposes of applying for a CAMA minor development permit, certify that the person listed as landowner on this application has a significant interest in the real property described therein. This interest can be described as: (check one)

an owner or record title, Title is vested in name of Wayne H. and Margaret S. Thrasher, see Deed Book 3821 page 916 in the Onslow County Registry of Deeds.

an owner by virtue of inheritance. Applicant is an heir to the estate of _____; probate was in _____ County.

if other interest, such as written contract or lease, explain below or use a separate sheet & attach to this application.

NOTIFICATION OF ADJACENT RIPARIAN PROPERTY OWNERS:

I furthermore certify that the following persons are owners of properties adjoining this property. I affirm that I have given **ACTUAL NOTICE** to each of them concerning my intent to develop this property and to apply for a CAMA permit.

- | (Name) | (Address) |
|--------------------------------------------------|-------------------------------------------------|
| (1) <u>Mark B. & A. Kendall Godshall</u> | <u>5768 Upper Ridge Rd, Pennsburg, PA 18073</u> |
| (2) <u>Matt Daghistani & M. Samir Ayasso</u> | <u>3129 Creekside Dr., Westlake, OH 44145</u> |
| (3) _____ | _____ |
| (4) _____ | _____ |

ACKNOWLEDGEMENTS:

I, the undersigned, acknowledge that the land owner is aware that the proposed development is planned for an area which may be susceptible to erosion and/or flooding. I acknowledge that the Local Permit Officer has explained to me the particular hazard problems associated with this lot. This explanation was accompanied by recommendations concerning stabilization and floodproofing techniques.

I furthermore certify that I am authorized to grant, and do in fact grant, permission to Division of Coastal Management staff, the Local Permit Officer and their agents to enter on the aforementioned lands in connection with evaluating information related to this permit application.

This the 28 day of Dec., 20 18

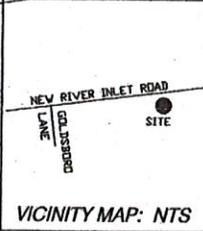
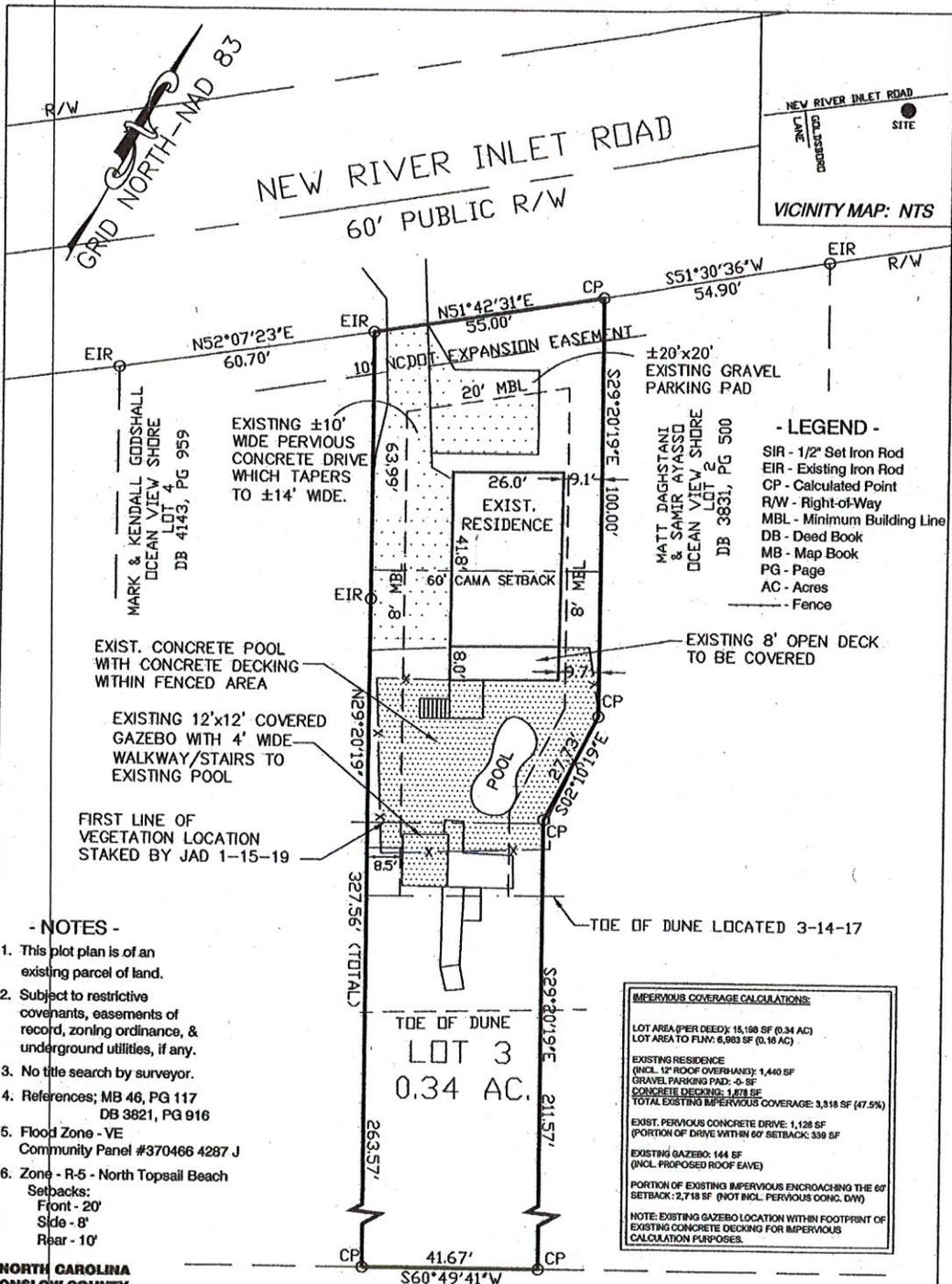
Wayne H. Thrasher / Margaret S. Thrasher

Landowner or person authorized to act as his/her agent for purpose of filing a CAMA permit application

This application includes: general information (this form), a site drawing as described on the back of this application, the ownership statement, the Ocean Hazard AEC Notice where necessary, a check for \$100.00 made payable to the locality, and any information as may be provided orally by the applicant. The details of the application as described by these sources are incorporated without reference in any permit which may be issued. Deviation from these details will constitute a violation of any permit. Any person developing in an AEC without permit is subject to civil, criminal and administrative action.

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JAN 22 2019



- LEGEND -**
- SIR - 1/2" Set Iron Rod
 - EIR - Existing Iron Rod
 - CP - Calculated Point
 - R/W - Right-of-Way
 - MBL - Minimum Building Line
 - DB - Deed Book
 - MB - Map Book
 - PG - Page
 - AC - Acres
 - Fence

- NOTES -**
1. This plot plan is of an existing parcel of land.
 2. Subject to restrictive covenants, easements of record, zoning ordinance, & underground utilities, if any.
 3. No title search by surveyor.
 4. References; MB 46, PG 117 DB 3821, PG 916
 5. Flood Zone - VE Community Panel #370466 4287 J
 6. Zone - R-5 - North Topsail Beach
Setbacks:
Front - 20'
Side - 8'
Rear - 10'

IMPERVIOUS COVERAGE CALCULATIONS:

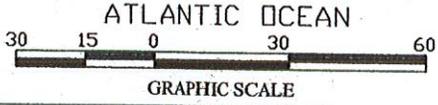
LOT AREA (PER DEED):	15,128 SF (0.34 AC)
LOT AREA TO FLY:	6,983 SF (0.16 AC)
EXISTING RESIDENCE (INCL. 12' ROOF OVERHANG):	1,440 SF
GRAVEL PARKING PAD:	-0 SF
CONCRETE DECKING:	1,878 SF
TOTAL EXISTING IMPERVIOUS COVERAGE:	3,318 SF (47.5%)
EXIST. PERVIOUS CONCRETE DRIVE (PORTION OF DRIVE WITHIN 60' SETBACK):	339 SF
EXISTING GAZEBO:	144 SF (INCL. PROPOSED ROOF EAVE)
PORTION OF EXISTING IMPERVIOUS ENCRONCHING THE 60' SETBACK:	2,718 SF (NOT INCL. PERVIOUS CONC. DW)

NOTE: EXISTING GAZEBO LOCATION WITHIN FOOTPRINT OF EXISTING CONCRETE DECKING FOR IMPERVIOUS CALCULATION PURPOSES.

**NORTH CAROLINA
ONSLOW COUNTY**

**I, WESTON LYALL, PROFESSIONAL LAND SURVEYOR
NUMBER L-4438, CERTIFY THAT THIS PLOT PLAN WAS
DRAWN UNDER MY SUPERVISION FROM AN ACTUAL
GPS SURVEY MADE UNDER MY SUPERVISION FROM
(DEED BOOK 3821, PAGE 916) AND THE FOLLOWING
INFORMATION WAS USED TO PERFORM THE SURVEY:
CLASS OF SURVEY: B; POSITIONAL ACCURACY: 500
RMS; TYPE OF GPS FIELD PROCEDURE: VRSRTKGPS;
DATUM: NAD83 "2007", NAVD88; GEIOD MODEL: GEIOD
03; COMBINED GRID FACTOR: 0.9999623; UNITS: US
SURVEY FEET; THIS IS A SURVEY OF AN EXISTING
PARCEL OR PARCELS OF LAND AND DOES NOT CREATE
A NEW STREET OR CHANGE AN EXISTING STREET**

WESTON LYALL
REGISTRATION NUMBER L-4438



**LOT SURVEY FOR
WAYNE & MARGARET THRASHER**

**LOT 3, N. NEW RIVER INLET ROAD
OCEAN VIEW SHORE
NORTH TOPSAIL BEACH, NC
STUMP SOUND TOWNSHIP, ONSLOW COUNTY**

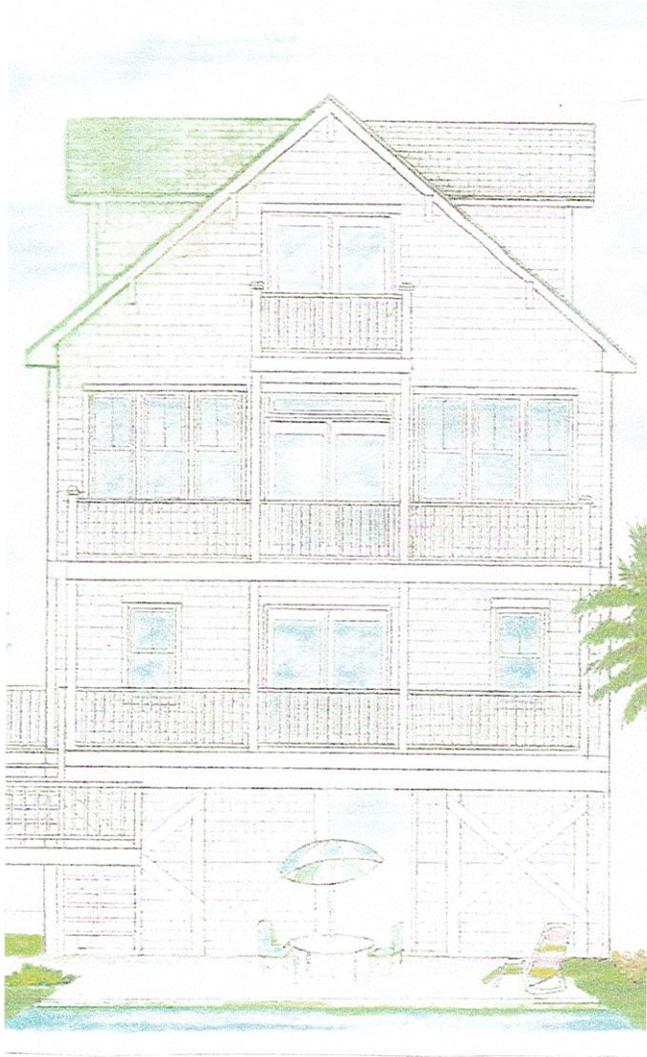
SCALE: 1" = 60' JANUARY 14, 2019

WESTON LYALL, PE, PLLC
214 HIGHWAY 17N SUITE 1
HOLLY RIDGE, NC 28445
PHONE: 910-329-9961 FIRM LICENSE #P-0937
STRUCTURAL & CIVIL ENGINEERING & LAND SURVEYING

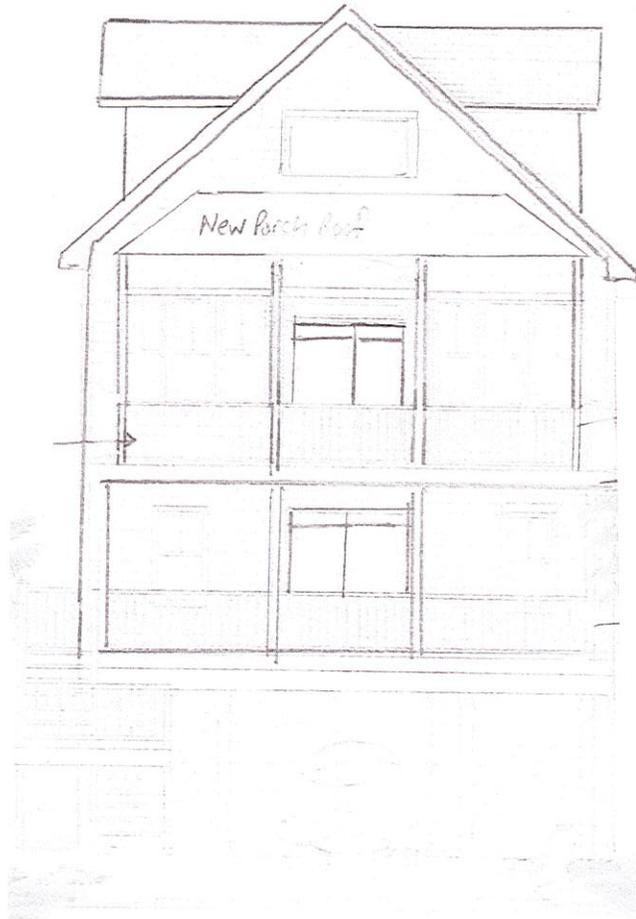
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JAN 22 2019

Current Beach Front Elevation - three decks



**Proposed Beach Front Elevation -
Remove 3rd floor doors and deck replace
with window and roof.**



*NO changes to
existing decks
below roofing -
retaining
existing
footprint,
railing and
stairs.*

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JAN 22 2019

AGENT AUTHORIZATION FOR CAMA PERMIT APPLICATION

Name of Property Owner Requesting Permit: Wayne H. and Margaret S. Thrasher

Mailing Address: 242 Grasskopper Cir.
Mooresville, NC 28117

Phone Number: 704-773-7241

Email Address: thrashersu@gmail.com

I certify that I have authorized N/A
Agent / Contractor

to act on my behalf, for the purpose of applying for and obtaining all CAMA permits
necessary for the following proposed development: _____

at my property located at 1124 New River Inlet Rd., North Topsail Beach, NC
in Onslow County. 28460

*I furthermore certify that I am authorized to grant, and do in fact grant permission to
Division of Coastal Management staff, the Local Permit Officer and their agents to enter
on the aforementioned lands in connection with evaluating information related to this
permit application.*

Property Owner Information:

Margaret S. Thrasher
Signature

Margaret S. Thrasher
Print or Type Name

Title

02 / 22 / 2019
Date

Wayne H. Thrasher

Wayne H. Thrasher

02 / 22 / 2019

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FEB 25 2019

DCM-MHD CITY

This certification is valid through 06 / 01 / 2019

1124 New River Inlet Road
Current Beach-front Elevation



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FEB 25 2019

DCM-MHD CITY

1124 New River Inlet Road
Current Beach-front Elevation

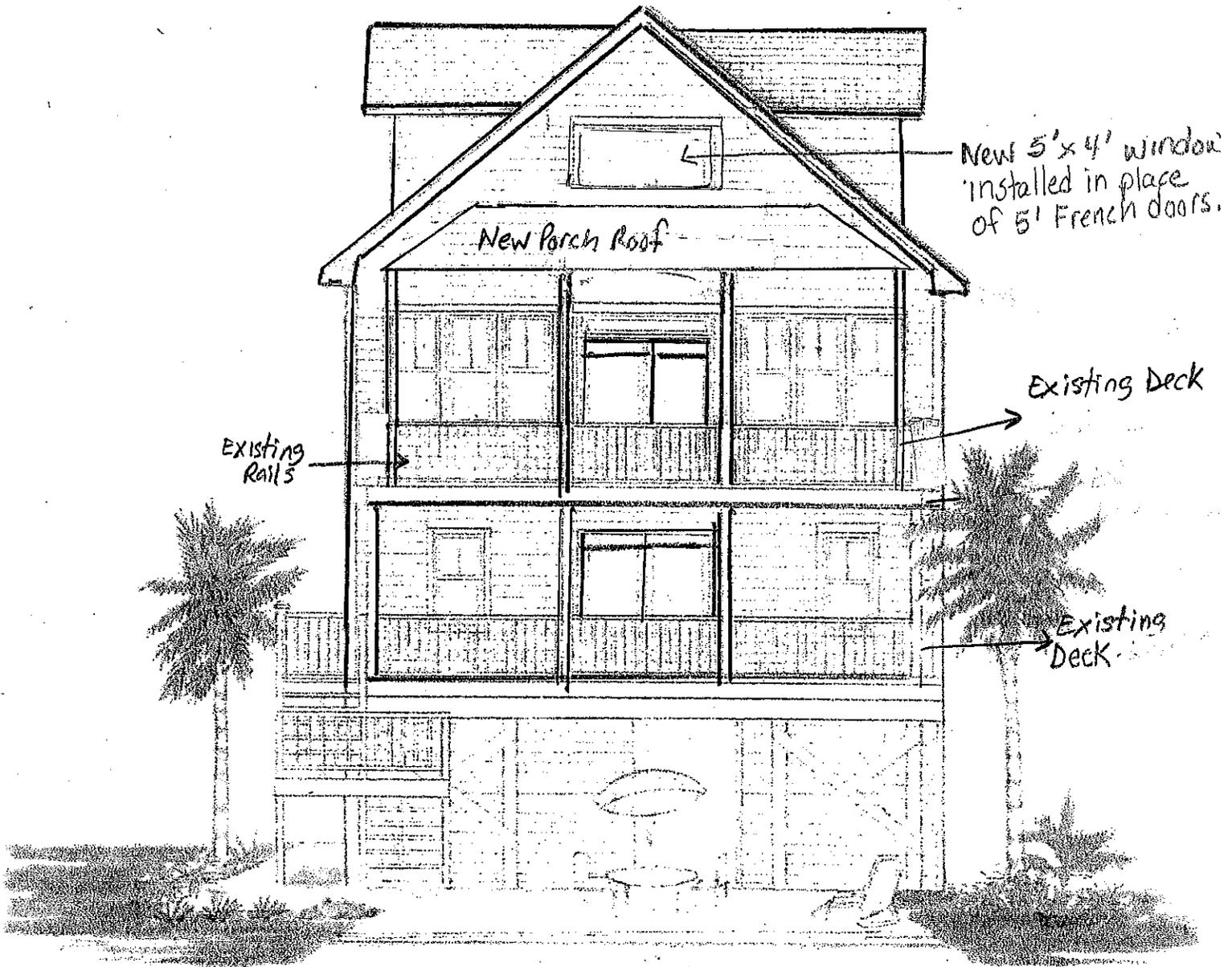


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FEB 25 2019

DCM-MHD CITY

1124 New River Inlet Road
Proposed Beachfront Elevation



RECEIVED

FEB 25 2019

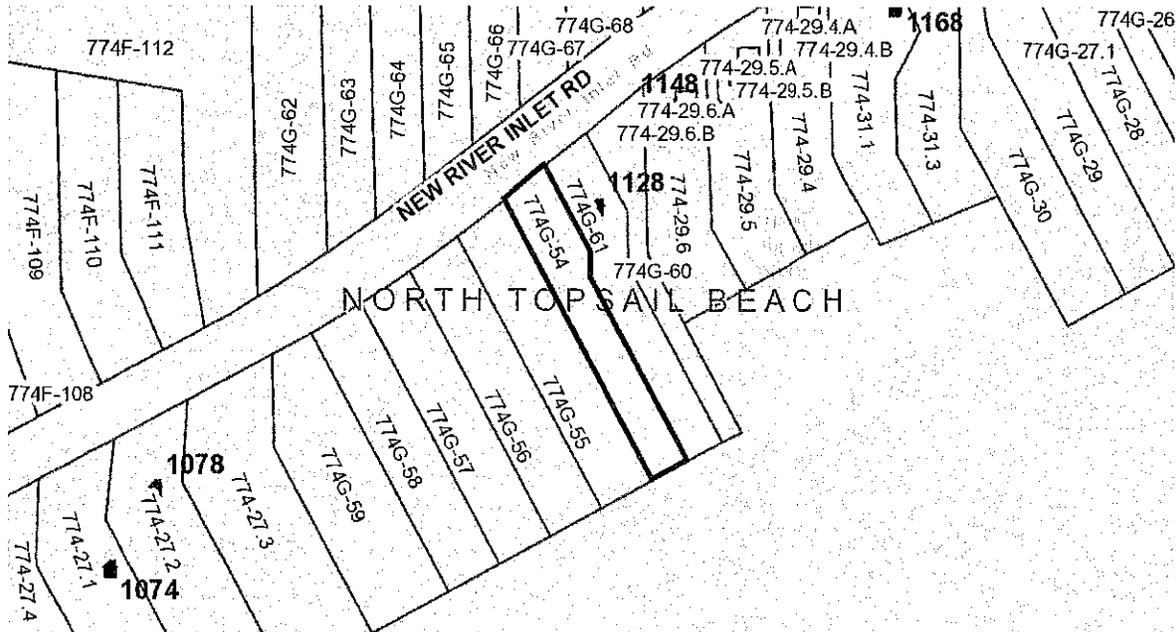
DCM-MHD CITY

Parcel ID
049847

Map Number
774G-54

Owner Name
THRASHER WAYNE H & MARGARET S

Owner Mailing Address
242 GRASSHOPPER CIR
MOORESVILLE NC 28117-7099



General Information

Acreage 0.00
 Physical Address 1124 NEW RIVER INLET RD
 Neighborhood Code 3045
 Plat Book & Page 48-117
 Township STUMP SOUND
 Building Value \$395,630.00
 Assessed Value \$587,630.00
 Heated Square Feet 2843.00000000
 Number of Bedrooms 6.00000000

Property Description L3 OCEAN VIEW SHORES
 Subdivision OCEAN VIEW SHORES
 City Limit NORTH TOPSAIL BEACH
 NC PIN 428707594301
 Improvement Code D
 Land Value \$192,000.00
 Total Taxed Value \$587,630.00
 Year Built 2005.00000000

Last Sale

Date	Price	Book	Page
30-JUL-12	\$590,000.00	3821	916

Onslow County
 Geographical Information
 Services-GIS
 234 NW Corridor Blvd.
 Jacksonville, NC 28540

WARNING: THIS IS NOT A SURVEY.
 This map is prepared for the inventory of real property found within this jurisdiction, and is compiled from recorded deeds, plats, and other public records and data. Users of this map are hereby notified that the aforementioned public primary information sources should be consulted for verification of the information contained on this map. The County and mapping company assume no legal responsibility for the information contained on this map.

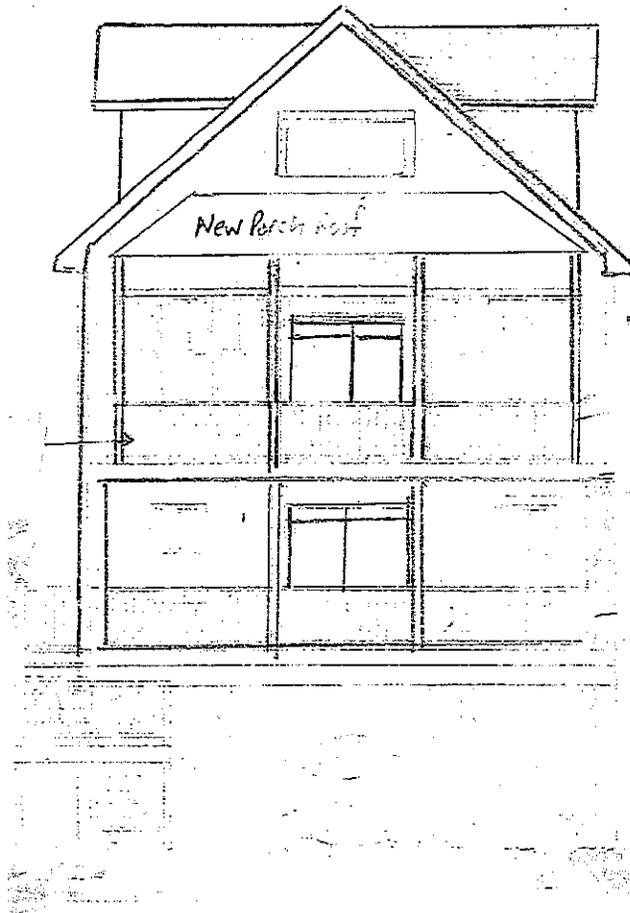
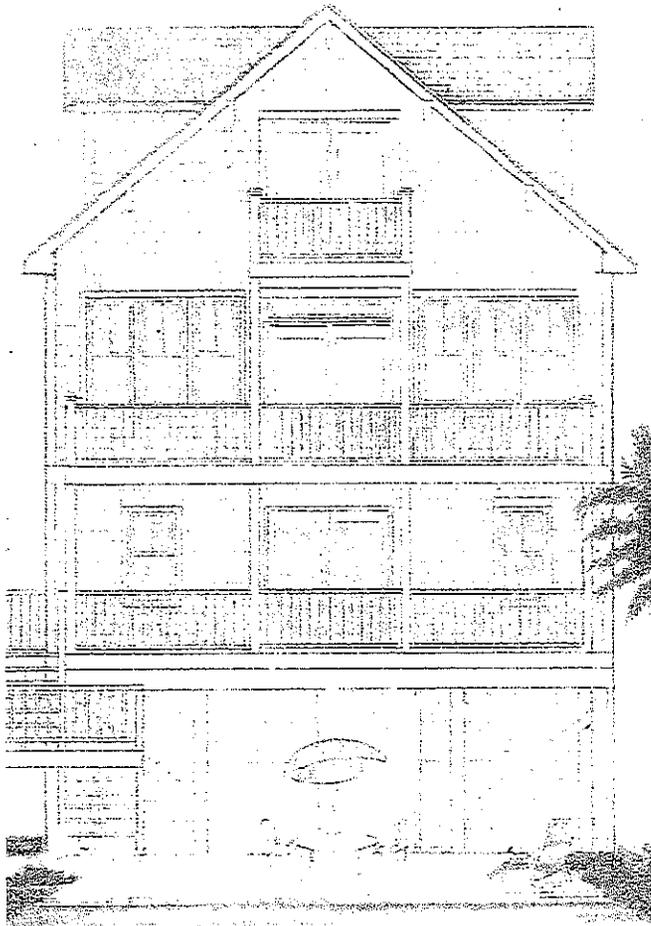
RECEIVED

FEB 25 2019

DCM-MHD CITY

Current Beach Front Elevation - three decks

**Proposed Beach Front Elevation -
Remove 3rd floor doors and deck replace
with window and roof.**



RECEIVED
FEB 25 2019
DCM-MHD CITY

**NO changes to
existing decks
below roofing -
retaining
existing
footprint,
railing and
stairs.**

048

January 11, 2019

Mark B. and A. Kendall Godshall
5768 Upper Ridge Road
Pennsburg, PA 18073

Dear Mark and Kendall Godshall:

This letter is to inform you that we, Wayne H. Thrasher, applied for a CAMA Minor Permit on our project at North Topsail Beach, NC 28460, in Onslow County. I have enclosed a copy of my permit application and project drawing as notification of my project. No action is required from you or you may sign and return the enclosed no objection form. If you have any questions or comments about my proposed project, please contact Wayne at 704-682-8966 or by mail at the address listed below. If you wish to file written comments or objections with the NC DENR CAMA minor Permit Program, you may submit them to :

Jason Dail
Local Permit Officer for North Topsail Beach
NCDENR/DCM
127 Cardinal Drive Extension
Wilmington, NC 28405

Sincerely,



Wayne Thrasher
242 Grasshopper Circle
Mooresville, NC 28117

Enclosures:
CAMA Minor Permit Application
Application Drawing

7018 0680 0000 2921 2635

CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee	\$ 3.45
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$
Postage	\$ 2.22
Total Postage and Fees	\$ 5.67
Sent To	Mark B and A Kendall Godshall
Street and Apt. No., or PO Box No.	5768 Upper Ridge Rd
City, State, ZIP+4®	Pennsburg, PA 18073

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

Postmark Here
BRAWLEY SCHOOL ACE CPU
JAN 16 2019
MOORESVILLE, NC 28117

RECEIVED

JAN 22 2019

DCM WILMINGTON, NC

049

January 11, 2019

Matt Daghstani
M. Samir Ayasso
3129 Creekside Drive
Westlake, OH 44145

Dear Matt and Samir:

This letter is to inform you that we, Wayne H. Thrasher, applied for a CAMA Minor Permit on our property at 112 New River Road, North Topsail Beach, NC 28460, in Onslow County. As required by CAMA regulations, I have enclosed a copy of my permit application and project drawing as notification of my project. No action is required from you or you may sign and return the enclosed no objection form. If you have any questions or comments about my proposed project, please contact Wayne at 704-682-8966 or by mail at the address listed below. If you wish to file written comments or objections with the NC DENR CAMA minor Permit Program, you may submit them to :

Jason Dail
Local Permit Officer for North Topsail Beach
NCDENR/DCM
127 Cardinal Drive Extension
Wilmington, NC 28405

Sincerely,

Wayne Thrasher
242 Grasshopper Circle
 Mooresville, NC 28117

Enclosures:
CAMA Minor Permit Application
Application Drawing

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<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$

Postage
 \$ 0.92

Total Postage and Fees
 \$ 4.17

Sent To
 Matt Daghstani & M. Samir Ayasso

Street and Apt. No., or PO Box No.
 3129 Creekside Dr.

City, State, ZIP+4®
 Westlake, OH 44145

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7018 0680 0000 2642

Postmark Here
 BRAWLEY SCHOOL ACE CPU
 MOORESVILLE, NC 28117

RECEIVED

JAN 22 2019

DCM WILMINGTON, NC

ADJACENT RIPARIAN PROPERTY OWNER STATEMENT FOR CAMA MINOR PERMITS

I hereby certify that I own property adjacent to Wayne Thrasher's
(Name of Property Owner)

property located at 1120 New River Inlet RD Lot 4
Address, Lot, Block, Road, etc.)

on Atlantic Ocean in North Topsail Beach, N.C.
(Waterbody) (North Topsail Beach, Onslow County)

He has described to me as shown in the attached application and project drawing(s), the development he is proposing at that location, and, I have no objections to his proposal.

(APPLICATION AND DRAWING OF PROPOSED DEVELOPMENT ATTACHED)

Mark B. Godshall
Signature

Mark B. Godshall
Print or Type Name

251-250-8867
Telephone Number

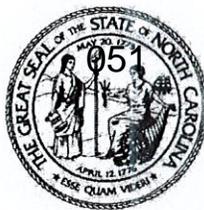
1-22-19
Date

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FEB 25 2019

DCM-MHD CITY

ROY COOPER
Governor
MICHAEL S. REGAN
Secretary
BRAXTON C. DAVIS
Director



NORTH CAROLINA
Environmental Quality

February 7, 2019

CERTIFIED MAIL – 7017 0190 0000 9527 2086
RETURN RECEIPT REQUESTED

Wayne and Margaret Thrasher
242 Grasshopper Circle
Mooresville, NC 28117

**RE: DENIAL OF CAMA MINOR DEVELOPMENT
PERMIT APPLICATION NUMBER- NTB19-02
PROJECT ADDRESS- 1124 New River Inlet Road, North Topsail Beach, NC**

Dear Mr. and Mrs. Thrasher:

After reviewing your application in conjunction with the development standards required by the Coastal Area Management Act (CAMA) and our locally adopted Land Use Plan and Ordinances, it is my determination that no permit may be granted for the project which you have proposed.

This decision is based on my findings that your request violates NCGS 113A-120(a)(8) which requires that all applications be denied which are inconsistent with CAMA guidelines. Specifically, the development for which you applied consisted of creating a roof covered structure (i.e. covered deck) within the minimum development setback (measured 60 feet from the First Line of Stable Natural Vegetation (FLSNV) and/or static vegetation line, or 30 times the shoreline erosion rate of 2 feet/year, whichever is greater).

Your proposal is **inconsistent** with **15A NCAC 7H .0306(a)(5) and .0309(a)**, which state the following:

15A NCAC 07H .0306 (a)(5) – “With the exception of those types of development defined in 15A NCAC 07H .0309, no development, including any portion of a building or structure, shall extend oceanward of the ocean hazard setback. This includes roof overhangs and elevated structural components that are cantilevered, knee braced, or otherwise extended beyond the support of pilings or footings. The ocean hazard setback shall be established based on the following criteria:...”



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 Adult Signature Restricted Delivery \$

Postage \$
Total Postage and Fees \$

Sent To W. + M. Thrasher
Street and Apt. No., or PO Box No. 242 Grasshopper Cir
City, State, ZIP+4® Mooresville, NC 28117

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7017 0190 0000 9527 2086

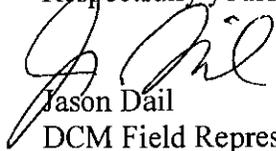
NTB 19-02

15A NCAC 07H .0309(a) - "The following types of development shall be permitted seaward of the oceanfront setback requirements of Rule .0306(a) of the Subchapter if all other provisions of this Subchapter and other state and local regulations are met:

- (1) campsites;
- (2) driveways and parking areas with clay, packed sand or gravel;
- (3) elevated decks not exceeding a footprint of 500 square feet;
- (4) beach accessways consistent with Rule .0308(c) of this Subchapter;
- (5) unenclosed, uninhabitable gazebos with a footprint of 200 square feet or less;
- (6) uninhabitable, single-story storage sheds with a foundation or floor consisting of wood, clay, packed sand or gravel, and a footprint of 200 square feet or less;
- (7) temporary amusement stands;
- (8) sand fences; and
- (9) swimming pools

Should you wish to appeal my decision to the Coastal Resource Commission or request a variance from the Commission, please contact me so I can provide you with the proper forms and any other information you may require. The Division of Coastal Management in Morehead City must receive appeal notices within twenty (20) days of the date of this letter in order to be considered.

Respectfully yours,



Jason Dail

DCM Field Representative and Local Permit Officer



February 21, 2019

Matt Daghstani
M. Samir Ayasso
3129 Creekside Drive
Westlake, OH 44145

RECEIVED
FEB 25 2019
DOM-MID CITY

Dear Matt and Samir:

We previously notified you that we were requesting a CAMA permit in order to construct a roof over our beachfront deck. That permit was denied and this letter is to inform you that we, Wayne H. and Margaret S. Thrasher have applied for a CAMA variance for the construction on our property at 1124 New River Inlet Road, North Topsail Beach, NC 28460, in Onslow County. Pursuant to N.C.G.S. sections 113A-120.1 and 15A N.C.A.C. 07J .0700 et seq., we are required to provide notice of their variance petition by certified mail to adjacent property owners.

Please review the enclosed copies of the Petition submitted to the Coastal Resources Commission for review prior to the scheduled hearing on April 17 and 18, 2019. If you have any questions or comments about this letter and the enclosures, please contact me or a member of the Coastal Resource Commission here in North Carolina.

Sincerely,

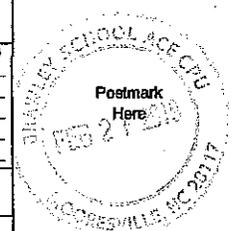
Wayne Thrasher

Wayne Thrasher
242 Grasshopper Circle
Mooresville, NC 28117

Enclosures

2599 1262 2962 0000 0960 9102

U.S. Postal Service™	
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Extra Services & Fees (check box, add fee as appropriate)	
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<input type="checkbox"/> Return Receipt (electronic)	\$ _____
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ _____
<input type="checkbox"/> Adult Signature Required	\$ _____
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ _____
Postage	\$ 20
Total Postage and Fees	\$ 4.20
Sent To	Matt Daghstani & Samir Ayasso
Street and Apt. No., or PO Box No.	3129 Creekside Drive
City, State, ZIP+4®	Westlake OH 44145
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	



February 21, 2019

Mark B. and A. Kendall Godshall
5768 Upper Ridge Road
Pennsburg, PA 18073

RECEIVED
FEB 25 2019
DOM-MHD CITY

Dear Mark and Kendall Godshall:

We previously notified you that we were requesting a CAMA permit in order to construct a roof over our beachfront deck. That permit was denied and this letter is to inform you that we, Wayne H. and Margaret S. Thrasher have applied for a CAMA variance for the construction on our property at 1124 New River Inlet Road, North Topsail Beach, NC 28460, in Onslow County. Pursuant to N.C.G.S. sections 113A-120.1 and 15A N.C.A.C. 07J .0700 et seq., we are required to provide notice of their variance petition by certified mail to adjacent property owners.

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Sincerely,

Wayne Thrasher

Wayne Thrasher
242 Grasshopper Circle
Mooresville, NC 28117
Phone: 704-682-8966

Enclosures

7078 0680 0000 2921 3625

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<input type="checkbox"/> Certified Mail Restricted Delivery	\$ _____
<input type="checkbox"/> Adult Signature Required	\$ _____
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ _____
Postage	\$ 0.70
Total Postage and Fees	\$ 4.20

Postmark Here

Sent To
Mark B & A Kendall Godshall
Street and Apt. No., or PO Box No.
5768 Upper Ridge Road
City, State, ZIP+4®
Pennsburg, PA 18073

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

055

VARIANCE REQUEST

For

Wayne and Margaret Thrasher

Project Location:

1124 New River Inlet Road, North

Topsail Beach,

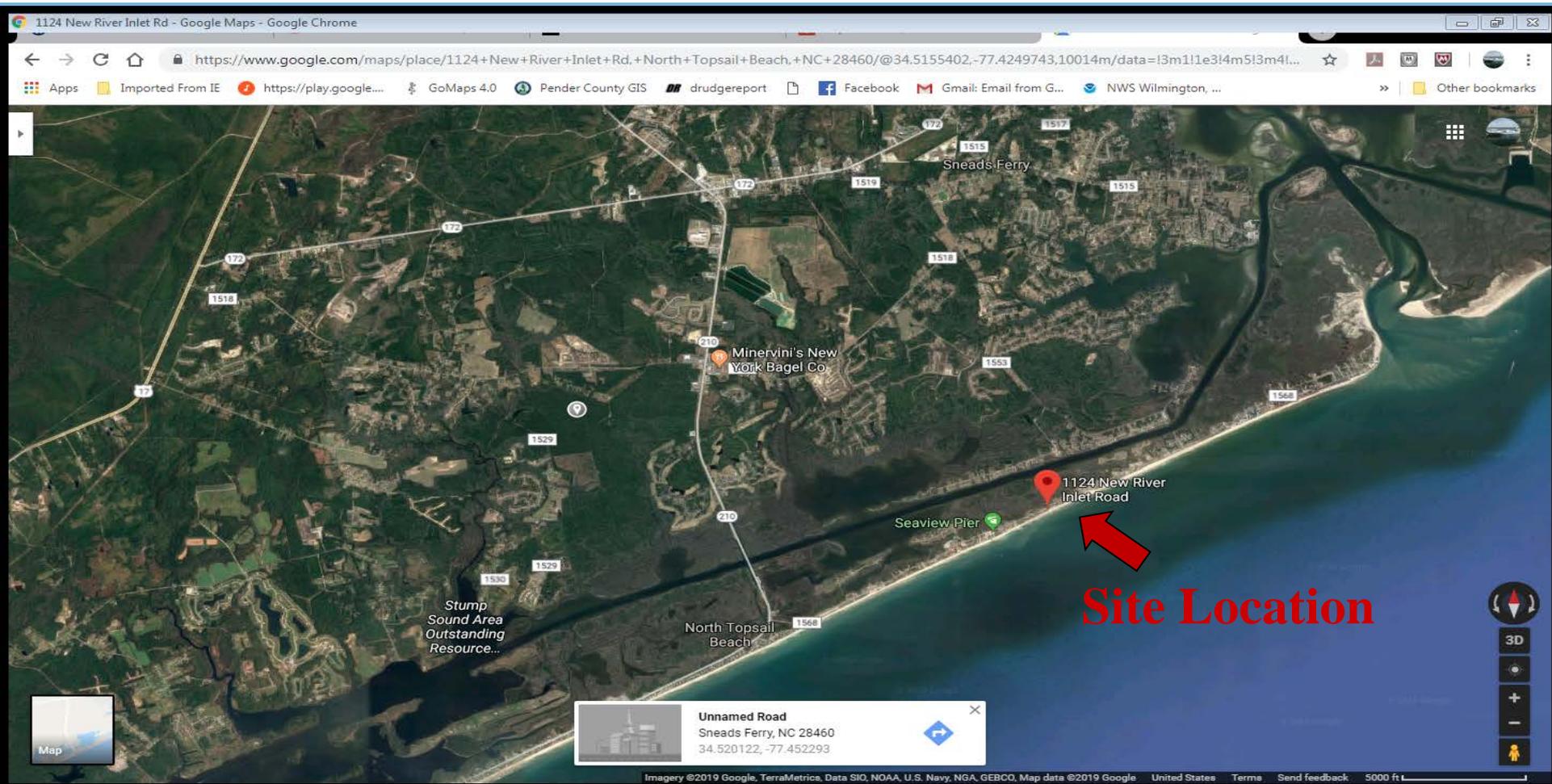
Onslow County, NC

April 17, 2019

Wayne and Margaret Thrasher

056

April 17, 2019



Site Location



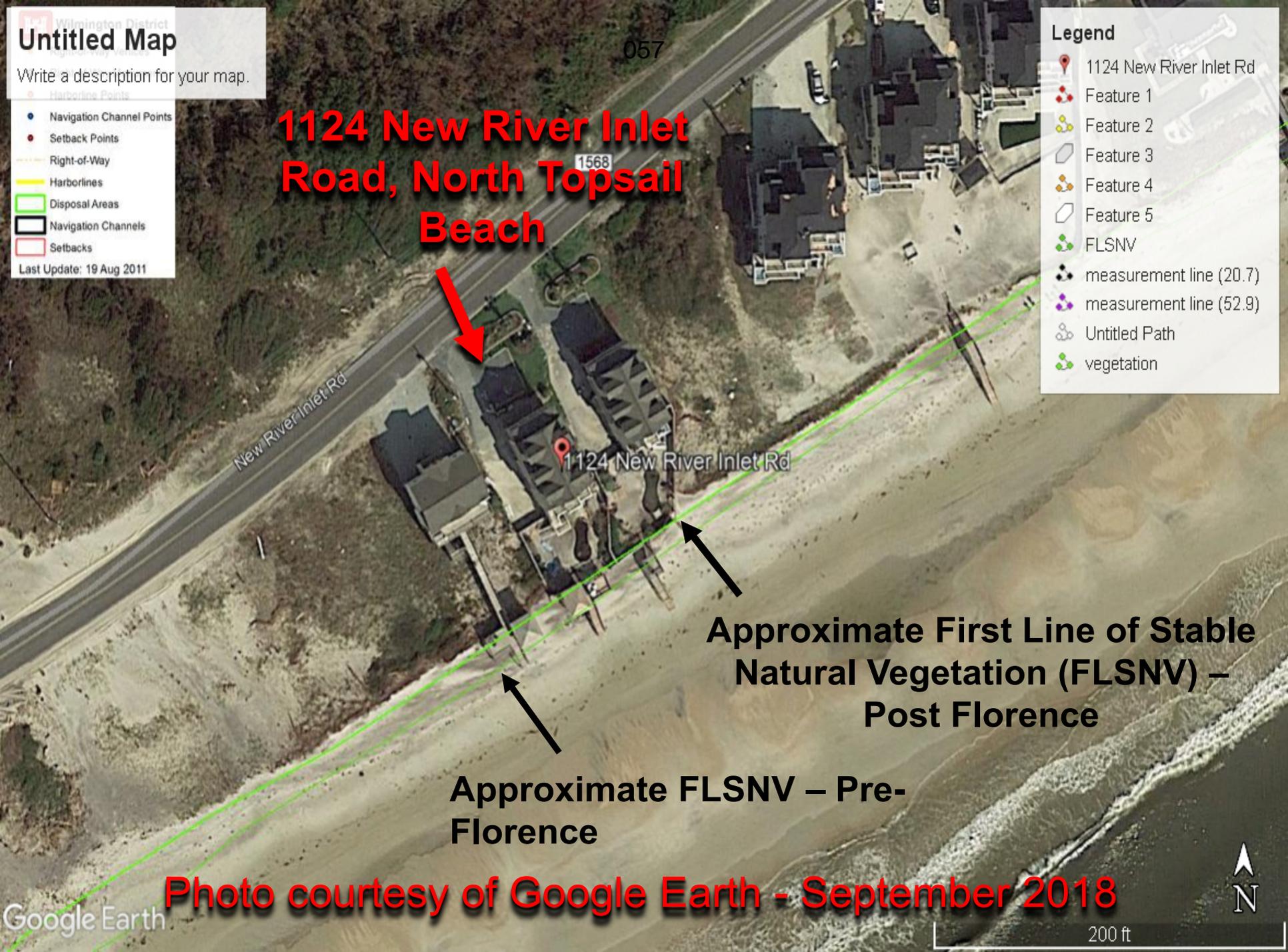
Wilmington District
Untitled Map

Write a description for your map.

- Harborline Points
 - Navigation Channel Points
 - Setback Points
 - Right-of-Way
 - Harborlines
 - Disposal Areas
 - Navigation Channels
 - Setbacks
- Last Update: 19 Aug 2011

- Legend**
- 1124 New River Inlet Rd
 - Feature 1
 - Feature 2
 - Feature 3
 - Feature 4
 - Feature 5
 - FLSNV
 - measurement line (20.7)
 - measurement line (52.9)
 - Untitled Path
 - vegetation

1124 New River Inlet Road, North Topsail Beach



Approximate First Line of Stable Natural Vegetation (FLSNV) – Post Florence

Approximate FLSNV – Pre-Florence

Photo courtesy of Google Earth - September 2018

Google Earth

200 ft



Write a description for your map.

- Harborline Points
- Navigation Channel Points
- Setback Points
- Right-of-Way
- Harborlines
- Disposal Areas
- Navigation Channels
- Setbacks

Last Update: 19 Aug 2011

058

1124 New River Inlet Road, North Topsail Beach



1124 New River Inlet Rd

Legend

- 1124 New River Inlet Rd
- Feature 1
- Feature 2
- Feature 3
- Feature 4
- Feature 5
- Feature 6
- FLSNV
- measurement line (52.9)
- vegetation

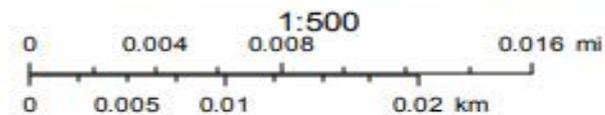
Photo courtesy of Google Earth – March 2006





Photos courtesy of Onslow County GIS – 2018 – Pre Florence

March 29, 2019



060

**Overhead view of 1124 New River
Inlet Road, North Topsail Beach.**



**Photo courtesy of Onslow County GIS – Post
Florence – September 21, 2018**

Wilmington District
Untitled Map

Write a description for your map.

- Harborline Points
- Navigation Channel Points
- Setback Points
- Right-of-Way
- Harborlines
- Disposal Areas
- Navigation Channels
- Setbacks

Last Update: 19 Aug 2011

Legend

- 1124 New River Inlet Rd
- Feature 1
- Feature 2
- Feature 3
- Feature 4
- Feature 5
- Feature 6
- FLSNV
- measurement line (52.9)
- vegetation

061

**Approximate 75-foot
Ocean Hazard
Setback**

1124 New River Inlet Rd

Approximate FLSNV

**Approximate post-Florence FLSNV
– using aerial imagery**

**Approximate pre-Florence FLSNV – using aerial
imagery**

**Photo courtesy of Google Earth – September 2018 – Post
Florence**

Google Earth



**View of 1124 New River Inlet Road, NTB –
062
looking West from East**



Approximate 75-foot Ocean Hazard Setback

Photo taken by DCM staff on March 12, 2019

View of 1124 New River Inlet Road, NTB – view looking North from Southern property line.

063

Existing structurally detached decking



Photo taken by DCM staff – March 12, 2019

Kaufma

1124 New River Inlet Road, ⁰⁶⁴ NTB – view looking East from West



**Sand berm pushed by North
Topsail Beach - 2019**

Photo taken by DCM staff – March 12, 2019

**1124 New River Inlet Road, ⁰⁶⁵NTB –
view looking west from beach**

**Existing decking to
be covered.**



Photo taken by DCM staff – March 12, 2019

View of 1124 New River Inlet Road, NTB, looking northwest from beach

066



**Approximate 75-foot
Ocean Hazard Setback**

Approximate FLSNV

Photo taken by DCM staff on March 12, 2019

April 17, 2019 – Petition for Variance

DCM
Division of
Coastal Management



VARIANCE CRITERIA

15A NCAC 07J.0703(f)

To grant a variance, the Commission must affirmatively find each of the four factors listed in G.S. 113A-120.1(a).

- (1) that unnecessary hardships would result from strict application of the development rules, standards, or orders issued by the Commission;**
- (2) that such hardships result from conditions peculiar to the petitioner's property such as location, size, or topography;**
- (3) that such hardships did not result from actions taken by the petitioner; and**
- (4) that the requested variance is consistent with the spirit, purpose and intent of the Commission's rules, standards or orders; will secure the public safety and welfare; and will preserve substantial justice.**