



**Town of North Topsail Beach**  
**Zoning Board of Adjustment Special Meeting**

**Thursday, February 29, 2024, at 6:00 PM**  
**2008 Loggerhead Court, North Topsail Beach, NC 28460**  
**(910) 328-1349 | [www.northtopsailbeachnc.gov](http://www.northtopsailbeachnc.gov)**

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*Zoning Board of Adjustment: Hanna McCloud - Chair, Paul Dorazio - Vice Chair, Scott Morse, Kip Malcolm, Lisa Lee Kozlowski - Alternate, Susan Meyer - Alternate.*

*Staff: Deb Hill MPA AICP CFM AZO - Planning Director; Kate Winzler - CMC, NCCMC - Clerk to the Board of Adjustment.*

**I. CALL TO ORDER**

**II. ADOPTION OF AGENDA**

*Specific Action Requested: Chair will request a motion to adopt the agenda.*

**III. APPROVAL OF MINUTES**

A. January 24, 2024 Special Meeting

*Specific Action Requested: Chair will request a motion to approve the minutes.*

**IV. NEW BUSINESS**

A. Case V-24-02 Variance Request Jeff Lucas

**V. DISCUSSION: Training**

**VI. ADJOURNMENT**

*Specific Action Requested: Chair will request a motion to adjourn.*

**Notice to citizens who wish to speak:** As a courtesy to others, a citizen speaking on an agenda item or making a petition is normally limited to three minutes. Persons who are organizing a group presentation and who wish to speak beyond the three minute limit are requested to make prior arrangements through the Planning Director by calling 910-328-1349. If you wish to address the Board this evening, please go to the front right corner of the conference room and sign up with the Recording Secretary. The Board may also change the order in which agenda items are presented.

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



**Town of North Topsail Beach  
Zoning Board of Adjustment  
Special Meeting Draft Minutes  
Wednesday, January 24, 2024, at 6:00 PM**

**2008 Loggerhead Court, North Topsail Beach, NC 28460**

**(910) 328-1349 | www.northtopsailbeachnc.gov**

Present: Hanna McCloud – Chair, Scott Morse, Kip Malcolm, Susan Meyer - Alternate.

Absent: Paul Dorazio - Vice Chair, Stu Harness, Lisa Lee Kozlowski – Alternate.

Staff Present: Deb Hill MPA AICP CFM CZO - Planning Director, Town Attorney Brian Edes (via Teams), Ricky Schwisow, Kate Winzler CMC, NCCMC - Clerk to the Board of Adjustment.

**I. CALL TO ORDER**

Chair McCloud called the meeting to order at 6:02 p.m.

**II. OATH OF OFFICE**

Clerk Winzler administered the Oath of Office to Kip Malcolm for appointment as a regular member to the Zoning Board of Adjustment.

**III. ADOPTION OF AGENDA**

**Mr. Morse made a motion that we adopt the agenda. Ms. Meyer seconded the motion. The motion passed unanimously, 4-0.**

**IV. APPROVAL OF MINUTES**

A. March 22, 2023 Special Meeting Minutes

**Ms. Meyer moved to approve the minutes of the March 22 special meeting. Mr. Morse seconded the motion. The motion passed unanimously, 4-0.**

B. June 28, 2023 Special Meeting Minutes

**Mr. Malcolm made a motion to approve the June 28, 2023 special meeting minutes. Ms. Meyer seconded the motion. The motion passed unanimously, 4-0.**

**V. PUBLIC COMMENT**

None.

**VI. OLD BUSINESS**

None.

**VII. NEW BUSINESS**

A. Case #V-24-01 Variance Request by Keith Parker on behalf of Col. Michael Metcalf

Chair McCloud introduced the case and asked that the persons who wish to testify approach the podium to be sworn in.

Attorney Edes explained that in order to grant the variance, a unanimous vote of all four Board members present would be required. He asked if the applicant understood and consented.

Planning Director Hill requested a brief recess to explain the circumstance and consequences to the applicant.

Attorney Edes introduced himself to Col. Metcalf and explained that for a variance to be approved, it required a four-fifths vote from a five-member board. Normally, the Town would try to have five board members seated. There were only four members seated for this hearing, so essentially, it would require a unanimous vote of all four members present. He explained that Col. Metcalf had a right to a five-member board. Attorney Edes stated that there would be a brief recess, and he would be happy to answer any questions from Col. Metcalf.

Col. Metcalf thanked Attorney Edes for explaining.

The Zoning Board of Adjustment took a recess at 6:08 p.m.

The Zoning Board of Adjustment returned at 6:12 p.m.

Clerk Winzler swore in property owner Col. Michael Metcalf, applicant Keith Parker, and Planning Director Hill.

Attorney Edes reviewed the quasi-judicial process. He polled the Board regarding their roles as impartial decision makers. He asked the Board if anyone had any basis that would prevent them from being fair and impartial and to base their votes solely on the competent evidence produced during the hearing. All Zoning Board of Adjustment members responded to the questions in the negative.

Attorney Edes again explained that to approve the variance, a unanimous vote of all four Board members present would be required.

Chair McCloud asked for confirmation from the applicant that they agreed to the unanimous vote condition.

Col. Metcalf said that he agreed.

Chair McCloud reviewed the order of business for the hearing and opened the public hearing on Case #V-24-01 at 6:19 p.m and asked for testimony from the staff.

Planning Director Hill reviewed the staff report.

Attorney Edes asked if Ms. Hill would like to enter the staff report including Exhibits 1-9 into evidence as Exhibit A.

There was discussion between Attorney Edes and Ms. Hill.

Ms. Hill agreed.

Attorney Edes asked if Col. Metcalf had any objections.

Col. Metcalf replied, "No, sir. No objections."

Attorney Edes recommended that the Board accept the entire packet as described by Ms. Hill into evidence as Exhibit A without objection.

Chair McCloud acknowledged.

The Board did not have any questions for the Planning Director.

Col. Metcalf thanked the Zoning Board of Adjustment for their time, introduced himself, and stated that everything he wanted to share was part of the report Planning Director Hill made. He thanked the Board for their service and being present to hear his case.

Mr. Malcolm asked Col. Metcalf if he had any disputes over what was presented and if he agreed or concurred that the facts were accurate.

Col. Metcalf agreed.

No one spoke opposing the request.

The Planning Director had no further comment.

The Board had no further questions for staff.

The Board had no discussion.

Chair McCloud called for a motion on the conclusion.

**Mr. Morse made a motion that the Board finds as facts that the descriptions and statements of fact set forth in the staff report presented as evidence to the Board, as well as technical evaluations, all relevant factors, all standards specified in the Unified Development Ordinance Sec. 2.03.04 and having heard all of the evidence and arguments presented at the hearing by all sworn witnesses, included as a summary of findings of fact, that the application for a variance be granted. Ms. Meyer seconded the motion. The motion passed unanimously, 4-0.**

Chair McCloud closed the public hearing at 6:33 p.m.

Attorney Edes stated that he presumed staff would draft a proposal.

Planning Director Hill agreed.

Attorney Edes thanked Chair McCloud and the Board.

**VIII. ADJOURNMENT**

**Ms. Meyer moved that we adjourn. Mr. Malcolm seconded the motion. The motion passed unanimously, 4-0.**

The Zoning Board of Adjustment meeting adjourned at 6:33 p.m.

APPROVED

CERTIFIED

This 29<sup>th</sup> day of February 2024

This 29<sup>th</sup> day of February 2024

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Clerk to the Zoning Board of Adjustment

**STAFF REPORT** CONTACT INFORMATION

Deborah J. Hill MPA AICP CFM CZO

DOCKET/CASE/APPLICATION NUMBER  
V-24-02

APPLICANT/PROPERTY OWNER  
NDS, Inc. on behalf of  
JEFFREY KEITH LUCAS & JUDY BROWN

PUBLIC HEARING DATE  
February 29, 2024 6:00 p.m.

PROPERTY ADDRESS/LOCATION  
2399 Island Drive (Tax Map #805-50)  
LA & LB S7 B18A WINTER HAVEN

**BRIEF SUMMARY OF REQUEST**

Jeff Lucas is requesting a variance from the Town’s Unified Development Ordinance *Table 5-1 Dimensional Requirements* (MHR) to elevate an existing 23’ X 40’ doublewide mobile home at 2399 Island Drive.



EXISTING ZONING	EXISTING LAND USE	SURROUNDING ZONING & LAND USE	SITE IMPROVEMENTS	SIZE OF PROPERTY
MHR Manufactured Housing Residential	Single-Family Residential	Single-Family Residential	Doublewide Mobile Home 2 wood decks; shed	3,364 square feet (.077 acres)

STAFF RECOMMENDATION

APPROVE

**APPROVE WITH CONDITIONS**

DENY

<p><b>COMPATIBILITY with the COMPREHENSIVE PLAN</b></p> <p>The use is consistent with Existing Land Use Map 10B, as Single Family Residential and the Future Land Use Map 11A, as High Density Residential, which is intended to allow for development on smaller lot sizes. This district allows for a wider spectrum of development options and is intended to allow for the location of modular housing and single unit mobile homes.</p>	<p><b>PROPERTY HISTORY</b></p> <p>The parcel was created from a recombination of the Winterhaven Subdivision Block 18A Section 7 Lots A and B, that are each 25 feet wide and were approximately 87.5 feet long until shortened to +/- 67.23 feet by the Island Drive right of way.</p> <p>A Certificate of Occupancy was issued for a 23’ X 40’ 1999 mobile home on 1/22/99.</p>
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**COMPATIBILITY with the ZONING ORDINANCE**

The lot is nonconforming. The lot does not meet the minimum dimensional requirements of MHR (5,000 square feet).

The 1999 postFIRM doublewide is nonconforming, as it does not meet the required setbacks (front – 20 feet; side – 8 feet) and is not elevated above 12 feet BFE.

Exhibit A.	Staff Report	(coversheet) p. 1
Exhibit B.	Response To Standards	p. 2
Exhibit C.	Public Notice (Public Comments ∅; Agency Comments ∅)	p. 3
Exhibit D.	Revision of Section No. 7 Winter Haven for Ward Realty by C.W.Blomme Jr. RLS dated Aug. 16, 1960 (Map Book 7 P 69)	p. 4
Exhibit E.	Legal Description LA & LB S7 B18A WINTER HAVEN, Deed Book Page 275	p. 5
Exhibit F.	Application, Agent Authorization, Plat	p. 6-11

Response To Standards



NCGS § 160D-705. Quasi-judicial zoning decisions

(d) Variances. – When unnecessary hardships would result from carrying out the strict letter of a zoning regulation, the board of adjustment shall vary any of the provisions of the zoning regulation upon a showing of all of the following:

(1) Unnecessary hardship would result from the strict application of the regulation. It is not necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.

*Orienting the doublewide longwise, the length of the lot (like neighbor '64 stick built 26'x 32'+10' porch): 67' (shortest lot width) — 40' (dwmh length) = 27' (3' variance on front for 17' to property line and 10' rear). 50' (lot width) — 23' (dwmh width) = 27'/2 = 13.5' side setbacks for decks, stairs, parking.*

(2) The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance. A variance may be granted when necessary and appropriate to make reasonable accommodation under the Federal Fair Housing Act for a person with a disability.

*The parcel was created from a recombination of the Winter Haven Subdivision Block 18A Section 7 Lots A and B (Exhibit D), that are each 25 feet wide and were approximately 87.5 feet long (Exhibit E) until shortened to +/- 67.23 feet by the Island Drive right of way.*

(3) The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance is not a self-created hardship.

*A Certificate of Occupancy was issued for a 23' X 40' 1999 mobile home on 1/22/99.*

(4) The requested variance is consistent with the spirit, purpose, and intent of the regulation, such that public safety is secured and substantial justice is achieved.

*With the following condition(s),*

- To grant the minimum variance required (reduce front setback from 20.0 feet to 17.0 feet to elevate doublewide mobile home at or above regulatory flood protection elevation (RFPE) or 14.0 feet NAVD88.*



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

Aldermen:  
Richard Grant  
Tom Leonard  
Laura Olszewski  
Connie Pletl

Alice Derian, ICMA-CM  
Town Manager

Nancy Avery  
Interim Town Clerk



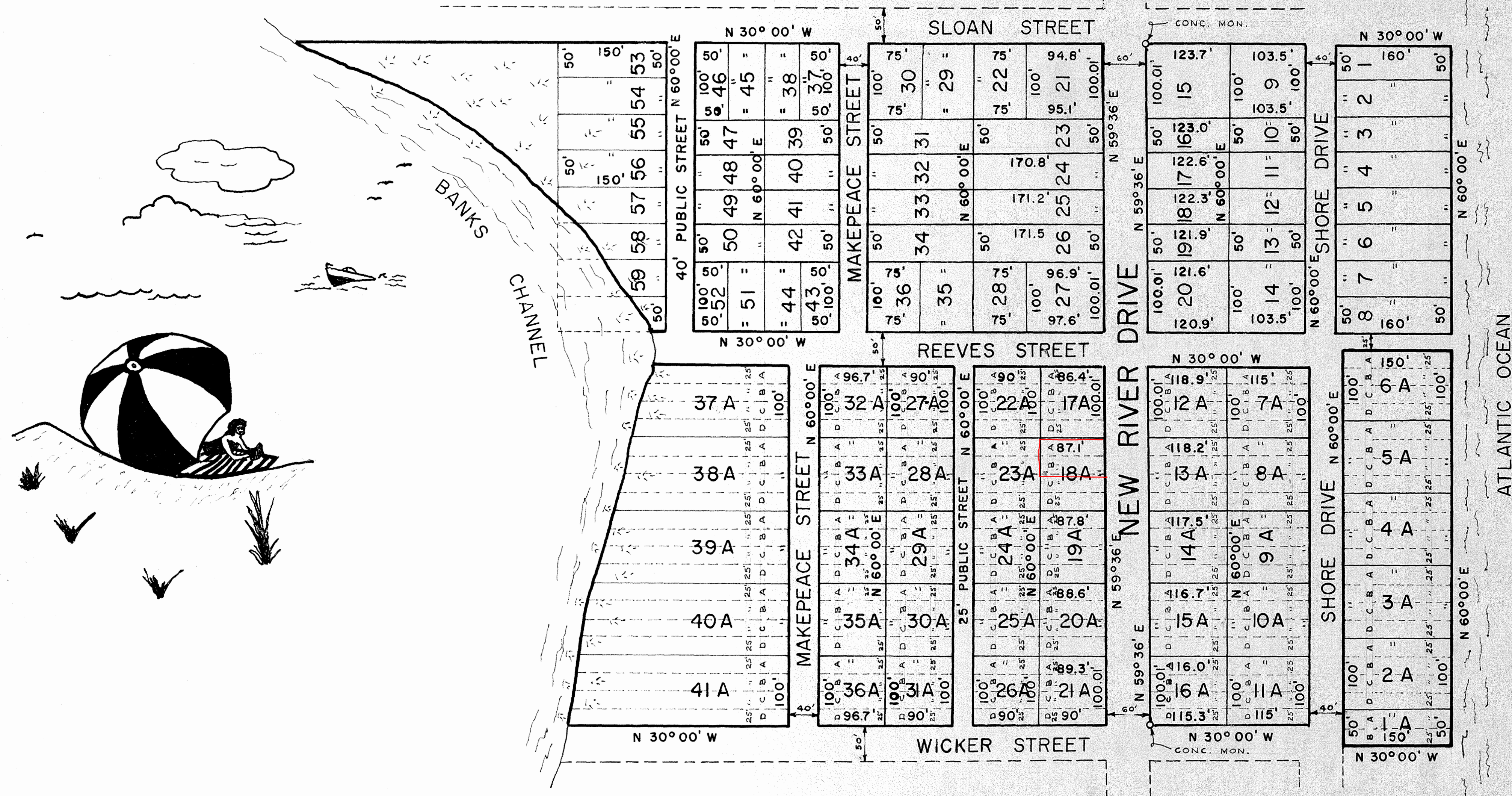
**PUBLIC NOTICE**  
**Zoning Board of Adjustment**  
**Special Meeting**  
**Thursday, February 29, 2024, 6:00 p.m.**

Public notice is hereby given that the Town of North Topsail Beach Zoning Board of Adjustment will hold an Evidentiary Hearing following quasi-judicial procedures on Thursday, February 29, 2024, at 6:00 p.m. at Town Hall, 2008 Loggerhead Court, North Topsail Beach, NC.

The purpose of this meeting is to hear and decide Case #V-24-02, a variance request by Jeff Lucas from the Town of North Topsail Beach Unified Development Ordinance Table 5-1 Dimensional Requirements (Zoned MHR) to elevate existing structure at 2399 Island Dr.

To promote transparency, the agenda is attached to this notice for review. All information pertaining to the Board of Adjustment public hearing may be viewed at Town Hall, 2008 Loggerhead Court, North Topsail Beach, NC, Monday through Friday between the hours of 8:00 a.m. and 5:00 p.m. All interested citizens are encouraged to attend.

Kate Winzler, CMC, NCCMC  
Clerk to the Zoning Board of Adjustment  
Posted 2/16/2024



REVISION OF SECTION NO. 7

# WINTER HAVEN

FOR  
WARD REALTY CO.  
ONSLow CO., TOPSAIL ISLAND, NORTH CAROLINA  
SCALE 1" = 100' AUG. 16, 1960

*C. W. Blomme Jr.*  
SURVEYED & MAPPED BY  
C. W. BLOMME JR.  
REGISTERED LAND SURVEYOR  
WILMINGTON, N.C.

ONSLow COUNTY NORTH CAROLINA  
I, C. W. BLOMME JR., CERTIFY THAT THIS MAP  
WAS DRAWN FROM FIELD NOTES OF AN ACTUAL  
SURVEY MADE BY ME; THAT THE ERROR OF  
CLOSURE AS CALCULATED BY LATITUDES &  
DEPARTURES IS 1: 5000; & THAT THE  
BOUNDARIES NOT SURVEYED ARE SHOWN AS  
BROKEN LINES; THAT THIS MAP WAS PREPARED  
IN ACCORDANCE WITH G.S. 47-30 AS AMENDED;  
WITNESS MY HAND & SEAL THIS \_\_\_\_\_ DAY  
1960.

*C. W. Blomme Jr.*  
C. W. BLOMME JR.  
REGISTERED LAND SURVEYOR

SWORN TO & SUBSCRIBED BEFORE ME THIS 20 DAY  
OF Sept., 1960, LET THIS INSTRUMENT &  
CERTIFICATE BE RECORDED.

*Wilbur F. Justice*  
CLERK OF SUPERIOR COURT

FILED FOR REGISTRATION ON 20 DAY Sept.  
1960 AT 9am AND DULY RECORDED IN MAP  
BOOK 7 PAGE 69.  
*Michael M. Thomas*  
REGISTER OF DEEDS





**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 and more particularly described as follows:

**BEGINNING** at a point South 59 degrees 36 minutes West 100 feet from Northwest intersection of Reeves Street and New River Drive, as designated on the Map hereinafter referred to; said beginning point being the Southeast corner of Lot "A" Block 18A on the hereinafter mentioned map; and running thence North 30 deg. West 87.1 feet to the Southeast corner of Lot "A" in Block 23A, being the Northwest corner of Lot "A" in Block 18A, thence South 59 deg. 36 min. West 50 feet to the Southwest corner of lot "B" of Block 23A, being the Northwest corner of Lot "B" of Block 18A, then South 30 deg. East 87.8 feet to the described street (New River Drive), then along said street North 59 deg. 36 min. East 50 feet to the point of BEGINNING, being all of Lots "A" and "B" in Block 18A, as shown on Section A of a Revision of Section No. 7 of Winter Haven, which Map in duly recorded in the office of the Register of Deed of Onslow County, reference to said Map is hereby made for a more perfect description. Said map is recorded in Map Book 7, Page 69, Onslow County Registry. Being the same property described in Deed Book 422, Page 376 of the Onslow County Registry. Also being the same property described in a deed to CMH Homes, Inc. recorded January 31, 2013 in Book 3925, Page 457, aforementioned Registry.

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

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

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

1. Rights of way and easements of record, if any.
2. Zoning and/or subdivision ordinances and regulations, if any.
3. Restrictive covenants of record, if any.
4. Ad valorem taxes for 2020 and subsequent years.



Town of North Topsail Beach

APPLICATION FOR VARIANCE

(A Pre-submittal conference is required prior to submission)



Tracking Information (Staff Only)

Case Number: V-24-2	Date/Time received: 1/11/2024	Application verified by:
\$350 non-refundable filing fee & \$150 deposit subject to Cancellation Policy*	Check #: 16119	Receipt #: 3917
Deadline for Legal Ad: POST 2/19/2024	Scheduled for Board of Adjustment on: 2/29/2024	6:00 at 6:30 p.m.

Application must be filed out in its entirety and signed by applicant to be accepted and processed. Incomplete applications will not be accepted. Each application shall contain or be accompanied by such legal description maps, plans, and other information so as to completely describe the proposed use and existing conditions.

Submittal: Complete applications are due as indicated by the schedule below and will be reviewed for sufficiency. A complete application includes:

	Applicant Initials	Staff Initials
✓ Application form (this packet): Address the questions carefully and completely.		djh
✓ Non-refundable filing fee & deposit subject to Cancellation Policy*: \$500, payable to the Town of North Topsail Beach, if by check. A receipt will be provided.		djh
✓ Supplemental material, as applicable: detailed site plan or plot plan, other documents.		djh

The Town's Unified Development Ordinance is available online and contains Board of Adjustment procedures (§2.03, pages 2-3 through 2-7) and the requirements for granting a variance (§2.03.04, pages 2-5 through 2-6).

Attendance at the hearing is required. All meetings are the 4TH Thursday of the month and begin at 6:00 p.m. and are usually held in the 1st Floor Conference Room, Town Hall, 2008 Loggerhead Court, North Topsail Beach, NC 28460. Applicants may represent themselves or be represented by someone appropriate for quasi-judicial public hearings. The public hearing will allow the applicant, proponents, opponents and anyone else the opportunity to speak and ask questions in regards to the request. Unless otherwise specified, any order or decision of the Board granting a variance shall expire if the applicant does not obtain a building permit or certificate of occupancy for such use within six (6) months from the date of the decision.

Notice Under the Americans with Disabilities Act: A person with a disability may receive auxiliary aid or service to effectively participate in town government activities by contacting the Town Clerk, voice (910) 328-1349 or townclerk@ntbnc.org, as soon as possible but no later than 48 hours before the event or deadline date.

\*Cancellation Policy: All cancellations must be received at least 48 hours before the start of the Public Hearing and refunds are subject to a \$150 cancellation fee. Cancellations must be received in writing by e-mail (kate@ntbnc.org), fax (910- 328-4508 ATTN: Kate Winzler), or by U.S. mail (2008 Loggerhead Court, North Topsail Beach, NC 28460-9286 - ATTN: Kate Winzler). No refunds will be made for requests received after that time. Please allow two weeks for processing.

APPLICATION FOR VARIANCE

Property Address 2399 Island Dr. Tax Parcel ID# 017735 Zoning MFR

A variance is requested from Article \_\_\_\_\_ Section \_\_\_\_\_ of the Unified Development Ordinance to permit \_\_\_\_\_

NDS, Inc.

APPLICANT

Address P.O. Box 100 Sneads Ferry NC 28460  
Telephone 910 327-3455  
Fax Number 910 327-3450  
Email Address hockiney@gmail.com

Date \_\_\_\_\_

(Print) \_\_\_\_\_  
(Signature) [Signature]

Jeff Lucas

OWNER

Address 109 Spring Lake Lillington NC 27546  
Telephone 910 691-9561  
Fax Number \_\_\_\_\_  
Email Address lucasjewelrynrepair@gmail.com

Date \_\_\_\_\_

(Print) \_\_\_\_\_  
(Signature) \_\_\_\_\_

The application must either be signed by the property owner or a written, signed statement must be provided by the property owner giving consent to the request. Signatures must be original.

STATEMENT OF JUSTIFICATION FOR VARIANCE

The Board of Adjustment has limited discretion in deciding whether to grant a variance. Under the State Enabling Act, the Board is required to reach three conclusions before it may issue a variance: (a) that there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of the Ordinance; (b) that the variance is in harmony with the general purposes and intent of the Ordinance and preserves its spirit; and (c) that in granting the variance, the public safety and welfare have been assured and substantial justice has been done. A variance can be approved if the following conditions are found to exist:

**Condition #1:** Unnecessary hardship would result from the strict application of the regulation. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.

Statement by Applicant: Home is only 4'1/2' up and sitting on concrete blocks. Owner wants to raise house up on pilings to correct elevation for this area. He & the neighbors are concerned about damage that might occur from his property should there be a storm/surge.

**Condition #2:** The hardship results from conditions that are peculiar to the property, such as location, size or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance. A variance may be granted when necessary and appropriate to make a reasonable accommodation under the Federal Fair Housing Act for a person with a disability.

Statement by Applicant: owner wants house raised up on pilings to a correct elevation

**Condition #3:** The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance is not a self-created hardship.

Statement by Applicant: owner wants house raised up on pilings to correct elevation

**Condition #4:** The requested variance is consistent with the spirit, purpose, and intent of the regulation, such that public safety is secured and substantial justice is achieved.

Statement by Applicant: owner wants house raised up to a correct elevation.

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

Signature of Applicant [Signature]

Date \_\_\_\_\_

December 14, 2023


I, Jeff Lucas, give NDS, Inc. permission to act as agent/applicant to fill out and apply for the variance requested at my property located at 2399 Island Drive North Topsail Beach NC 28460.

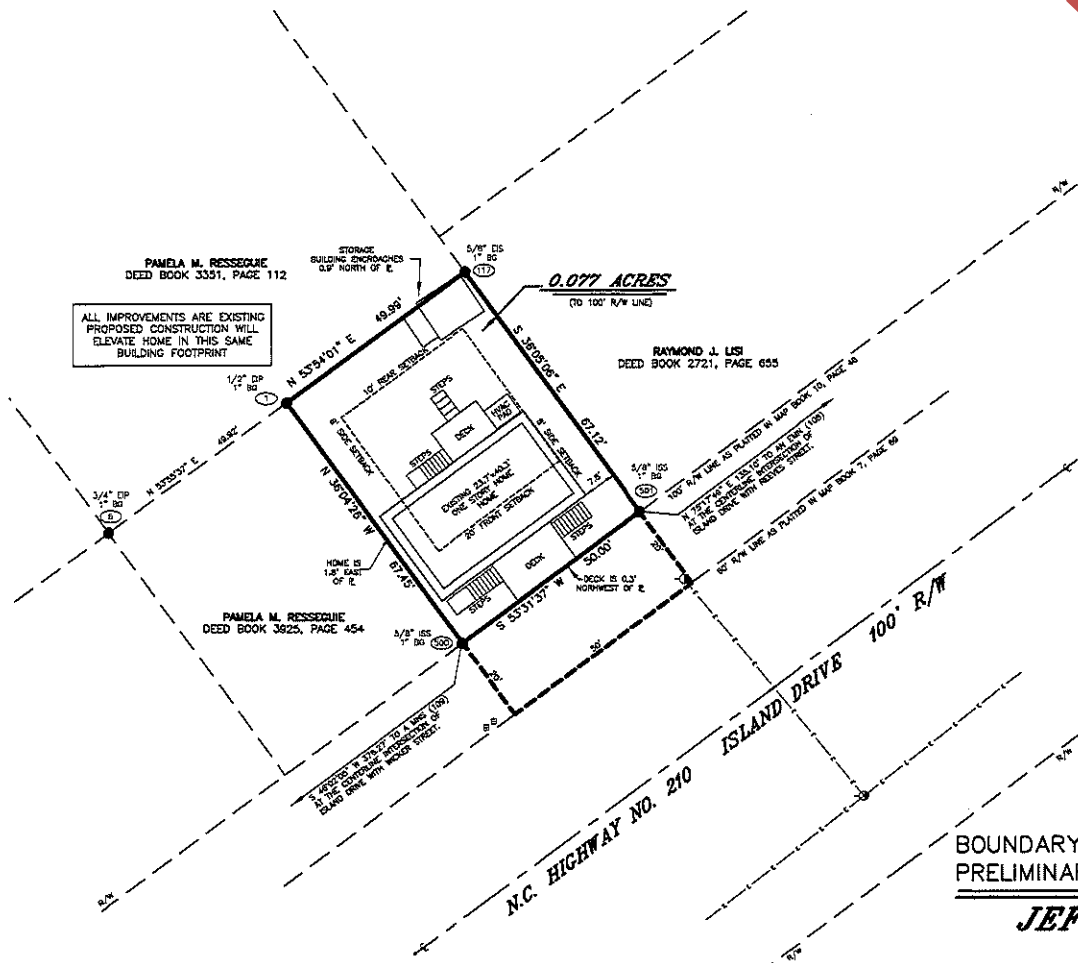
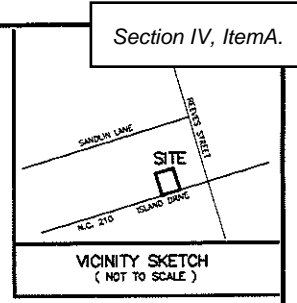
Sincerely,

Jeff Lucas

A handwritten signature in black ink that reads "Jeff Lucas". The signature is written in a cursive style with a large, sweeping "J" and "L".

I, JOHNNY J. WILLIAMS, PROFESSIONAL LAND SURVEYOR, CERTIFY THAT THIS MAP WAS PREPARED UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION COMPLETED ON 11/03/2020 FROM REFERENCES AS SHOWN HEREON; THAT BOUNDARIES NOT SURVEYED ARE NOTED AS SUCH AND PLOTTED FROM REFERENCES AS SHOWN HEREON; THAT THE GPS PORTION OF THIS SURVEY WAS PERFORMED TO A CLASS A SURVEY AS DEFINED BY TITLE 21, CHAPTER 58, SECTION 1603 OF THE N.C. ADMINISTRATIVE CODE USING A RTK NETWORK WITH A POSITIONAL ACCURACY OF 0.09 U.S. FEET; THAT THIS GPS SURVEY WAS PERFORMED USING A CARLSON BRX8+ ROVER AND/OR A CARLSON BRX8+ ROVER; THAT ALL COORDINATES ARE BASED ON N.C. GRID NORTH (NAD 1983 2011 ADJUSTMENT GEOID2 MODEL); THAT THE CONVENTIONAL PORTION OF THIS SURVEY HAS A RATIO OF PRECISION IN EXCESS OF 1:10,000 AND IS ALSO PERFORMED TO A CLASS A SURVEY AS DEFINED BY TITLE 21, CHAPTER 58, SECTION 1603 OF THE N.C. ADMINISTRATIVE CODE.

10/10/2023  
 JOHNNY J. WILLIAMS, P.L.S., L-3170  




- LEGEND:**
- ⊕ = EXISTING IRON PIPE
  - ⊙ = EXISTING IRON STAKE
  - ⊖ = EXISTING MAG NAIL
  - ⊗ = IRON STAKE SET
  - ⊘ = MAG NAIL SET
  - ⊔ = TOP ABOVE GROUND SURFACE
  - ⊓ = TOP BELOW GROUND SURFACE
  - R/W = RIGHT-OF-WAY
  - ⊕ = CENTERLINE
  - ⊖ = PROPERTY LINE
  - NGCS = NORTH CAROLINA GEODETIC SURVEY
  - = LINE NOT SURVEYED
  - ⊕-⊕-⊕ = OVERHEAD UTILITY LINE
  - ⊕ = UTILITY POLE

- NOTES:**
- 1) THE PROPERTY SHOWN HEREON IS LOCATED WITHIN A SPECIAL 100 YEAR FLOOD HAZARD AREA ACCORDING TO FLOOD INSURANCE RATE MAP NO. 3720425500K DATED JUNE 19, 2020. COASTAL A ZONE - BFE (12').
  - 2) ALL N.C. GRID DATA SHOWN HEREON IS BASED ON NAD 1983 2011 ADJUSTMENT USING THE NGCS RTK NETWORK SYSTEM.
  - 3) ALL DISTANCES SHOWN HEREON ARE N.C. GRID DISTANCES UNLESS OTHERWISE NOTED.
  - 4) COMBINED GRID FACTOR = 0.00000032
  - 5) ALL UTILITY LINES SHOWN HEREON MAY HAVE EASEMENTS AND RIGHTS OF ENTRANCE AND MAINTENANCE ASSOCIATED WITH THEM.
  - 6) THIS PROPERTY IS ZONED MHR AND WILL BE SUBJECT TO ALL RESTRICTIONS IN THE TOWN OF TOPSAIL BEACH LAND USE ORDINANCES. THE TOWN OF TOPSAIL BEACH SHOULD BE CONTACTED FOR DETAILS ON RESTRICTIONS PRIOR TO LOT IMPROVEMENTS. THESE RESTRICTIONS MAY INCLUDE, BUT NOT BE LIMITED TO, SETBACKS, HEIGHT RESTRICTIONS, IMPERVIOUS SURFACE REQUIREMENTS, ETC. ADDITIONAL RESTRICTIONS MAY APPLY IF THERE ARE RESTRICTIVE COVENANTS ASSOCIATED WITH THIS PROPERTY. SURVEYOR HAS NOT PERFORMED RESEARCH TO DETERMINE IF RESTRICTIVE COVENANTS APPLY.
  - 7) THE ENTIRE LOT SHOWN HEREON IS LOCATED ENTIRELY WITHIN 575' OF THE ESTUARINE SHORELINE OF STUMP SOUND AND THE PROPOSED HOME IS LOCATED WITHIN 575' OF THE ATLANTIC OCEAN.

**GRID TIES AND COORDINATES:**

ISS NO. 500 - NORTH = 258,440,318  
 EAST = 2,450,847,727

ISS NO. 501 - NORTH = 258,470,041  
 EAST = 2,450,887,934

**REFERENCES:**

DEED BOOK 5327, PAGE 275

WINTER HAVEN  
 LOTS A AND B, BLOCK 18A  
 MAP BOOK 7, PAGE 69

TAX PARCEL NO. 017735

**SURFACE CALCULATIONS:**

TOTAL LOT AREA = 3,364 SQ. FEET  
 AREA OF COVERED HOUSE FOOTPRINT = 938 SQ. FEET (28.4% IMPERVIOUS)  
 AREA OF STORAGE BUILDING FOOTPRINT = 119 SQ. FEET (3.5% IMPERVIOUS)  
 TOTAL IMPERVIOUS AREA = 1075 SQ. FEET (31.9%)

**BOUNDARY SURVEY AND PRELIMINARY PLOT PLAN FOR:**

**JEFFREY K. LUCAS AND JUDY B. LUCAS**

CURRENT OWNER: JEFFREY K. LUCAS AND JUDY B. LUCAS  
 2399 ISLAND DRIVE, NORTH TOPSAIL BEACH, NC 28460

INDIVIDUAL TRACT ON N.C. HIGHWAY NO. 210 (ISLAND DRIVE)  
 TOWN OF NORTH TOPSAIL BEACH  
 STUMP SOUND TOWNSHIP, ONSLOW COUNTY, N.C.

DATE: NOVEMBER 3, 2020  
 SCALE: 1" = 20'

**JOHNNY J. WILLIAMS LAND SURVEYING, P.C.**  
 P.O. BOX 778, BEULAVILLE, N.C. 28518  
 PHONE: 910-298-8272 FAX: 910-298-2310  
 EMAIL: JWILLIAMS@JWSURVEY.COM FIRM NO. C-2532

REVISED 10/03/23 - UPDATED IMPROVEMENTS - CLM

### National Flood Insurance Program V-Zone Certification

<b>Property Information</b>		<b>For Insurance Company Use</b>	
Name Jeffrey Lucas		Policy Number	
Structure Address or Other Description 2399 Island Dr			
City North Topsail Beach	State NC	Zip Code 28460	



#### SECTION I: FLOOD INSURANCE RATE MAP (FIRM) INFORMATION

Note: To be obtained from FIRMs in effect at the time of the certification

1. Community Number 370466	2. Panel Number 3720425500	3. Suffix K	4. Date of FIRM Index 8-02-21	5. FIRM Zone AE
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#### SECTION II: ELEVATION INFORMATION

Note: This form is not a substitute for an Elevation Certificate. Elevations should be rounded to nearest tenth of a foot.

1. Elevation of the Bottom of Lowest Horizontal Structure Member .....	14	feet (NAVD 88)
2. Regulatory Flood Protection Elevation (RFPE) .....	14	feet (NAVD 88)
3. Elevation of Lowest Adjacent Grade .....	5.1	feet (NAVD 88)
4. Approximate Depth of Anticipated Scour/Erosion Used for Foundation Design.....	1	feet (NAVD 88)
5. Embedment Depth of Pilings or Foundation Below Lowest Adjacent Grade.....	8	feet (NAVD 88)

#### SECTION III: V-ZONE CERTIFICATION STATEMENT

Note: This section must be certified by a registered professional engineer or architect. Initial all that apply.

I certify that I have developed or reviewed the structural design, plans and specifications for construction and that the methods of construction to be used are in accordance with accepted standards of practice for meeting the following provisions:

- JEO a) The bottom of the lowest horizontal structure member of the lowest floor (excluding the pilings or columns) is elevated to or above the Regulatory Flood Protection Elevation; and,
- JEO b) The pile or column foundation and structure attached thereto is anchored to resist flotation, collapse and lateral movement due to the effects of the wind and water loads acting simultaneously on all building components, including grade beams and bracing, if applicable. Water loading values used are those associated with the base flood including wave action. Wind loading values used are those required by the applicable State or local building code. The potential for scour and erosion at the foundation has been anticipated for conditions associated with the flood, including wave action.

#### SECTION IV: AREAS BELOW THE LOWEST FLOOR

Note: This section must be certified by a registered professional engineer or architect. Initial all that apply.

I certify that I have developed or reviewed the structural design, plans and specifications for construction and that the design and methods of construction to be used for the breakaway walls are in accordance with accepted standards of practice for meeting the following provisions:

- JEO a) All areas below the lowest floor are free of obstruction (including open lattice work, insect screening, bracing and grade beams as allowed in accordance with FEMA Technical Bulletin 5 and ASCE 24); or
- \_\_\_\_\_ b) Breakaway walls are constructed in accordance with prescriptive design in FEMA Technical Bulletin 9: Breakaway Walls; or
- \_\_\_\_\_ c) Breakaway walls shall collapse from water load less than that which would occur during the base flood without causing collapse, displacement, or other structural damage to the elevated portion of the building or supporting foundation system.

#### SECTION V: SAND DUNES AND MANGROVE STANDS

Note: This section must be certified by a registered professional engineer or architect. Initial all that apply.

In accordance with 44 CFR 60.3(e)(7) and Paragraph G103.7 of the North Carolina Building Code, the construction:

- JEO a) Does not alter sand dunes or mangrove stands; or
- \_\_\_\_\_ b) Alters sand dunes or mangrove stands but does not increase potential flood damage.

#### SECTION VI: SEPTIC TANKS

Note: This section must be certified by a registered professional engineer or architect. Initial all that apply.

- JEO a) There is not a septic tank serving the building; or

In accordance with 44 CFR 60.3(a)(3) and (6), Section G701.1 of the North Carolina Building Code, and ASCE 24-14 7.3 and 9.7, the sanitary sewer system:

- \_\_\_\_\_ b) Is designed and adequately anchored to prevent flotation, collapse, or lateral movement resulting from hydrostatic and hydrodynamic loads, including 150% of the effect of buoyancy and is designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters; or
- \_\_\_\_\_ c) Is located to avoid impairment to them or contamination from them during flooding.

**SECTION VII: UNDERGROUND FUEL TANKS**

Section IV, Item A.

JEO **Note: This section must be certified by a registered professional engineer or architect. Initial all that apply.**  
 a) There is not an underground fuel tank serving the building; or



In accordance with 44 CFR 60.3(a)(3)(iv) and ASCE 24-14 Section 9.7, the fuel tank(s) servicing the structure:  
 b) Is designed and adequately anchored to prevent flotation, collapse, or lateral movement resulting from hydrostatic and hydrodynamic loads, including 150% of the effect of buoyancy, is designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters, and calculated flood-related loads take into account the eroded ground elevation.

**SECTION VIII: ABOVE GROUND FUEL TANKS**

JEO **Note: This section must be certified by a registered professional engineer or architect. Initial all that apply.**  
 a) There is not an above ground fuel tank serving the building; or

In accordance with 44 CFR 60.3(a)(3)(iv) and ASCE 24-14 Section 9.7, the fuel tank(s) servicing the structure:  
 b) Is elevated to or above the Regulatory Flood Protection Elevation on a detached platform with a foundation that meets the requirements of Section III, or  
 c) Is underneath or attached to a building and is elevated in accordance with ASCE 24-14 Table 4-1.

**SECTION IX: SWIMMING POOLS**

JEO **Note: This section must be certified by a registered professional engineer or architect. Initial all that apply.**  
 a) There is not a swimming pool or hot tub located on the subject property; or

In accordance with the North Carolina State Building Code Section G801.5, the North Carolina Residential Building Code Section AV103.3, and ASCE 24 9.6.2, the swimming pool / hot tub is:

- b): Located and designed to be structurally independent of buildings and structures; or
- c) Located in or on elevated floors or roofs that are at or above the Regulatory Flood Protection Elevation;
- and
- d) Is elevated so that the lowest horizontal structural member is at or above the Regulatory Flood Protection Elevation; or
- e) Is designed and constructed to break away during design flood conditions without producing debris capable of causing significant damage to any structure; or
- f) Is designed and constructed to remain in the ground during design flood conditions without obstructing flow that results in damage to any structure.

**SECTION X: FILL**

**Note: This section must be certified by a registered professional engineer or architect. Initial all that apply.**

- a) No fill has been placed on the site; or
- JEO b) Any fill placed on the site is at less than a 5:1 (20%) slope and is similar to natural soils in the area; or
- a) Is at a greater than 5:1 (20%) slope but will not cause or worsen wave runup or wave reflection capable of damaging adjacent buildings.

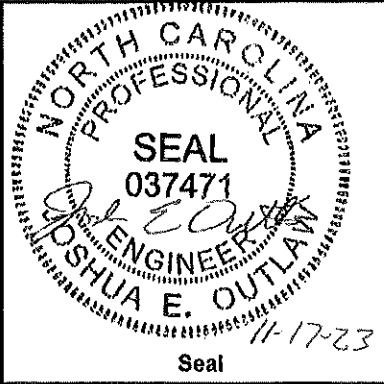
**SECTION XI: EROSION CONTROL STRUCTURES**

**Note: This section must be certified by a registered professional engineer or architect. Initial all that apply.**

- JEO Bulkheads, seawalls, retaining walls, revetments, and similar structures are considered erosion control structures.
- a) No erosion control structures have been placed on the site; or
- b) Erosion control structures are located at least 30' from any structures; or
- c) Erosion control structures are not located beneath any structures and will not cause or worsen wave runup or wave reflection capable of damaging adjacent buildings.

**SECTION V: CERTIFICATION**

Name of Certifier Joshua Outlaw		Title Engineer	
Firm Name The Adams Company, Inc		License Number 037471	
Street Address 708 Abner Phillips Rd		Phone Number and Email ( ) (910) 293-2770 adamsco.josh@gmail.com	
City Warsaw	State NC	Zip Code 28398	
Signature		Date	



N.C. Division of Emergency Management 04/2020

This certification is based upon information provided as of the signature date.