



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)**

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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](http://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

FEB 25 2019

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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><br><u>Margaret Susan Thrasher</u>       | <u>2/22/19</u><br><u>2/22/19</u>           |
| Signature of Petitioner or Attorney                              | Date                                       |
| <u>Wayne H. Thrasher</u><br><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](http://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.

RECEIVED

FEB 25 2019

DCM-MHD CITY

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.

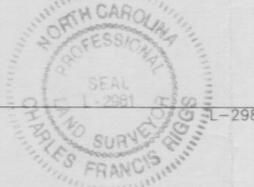
RECEIVED  
FEB 25 2019  
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**ATTACHMENT E:  
STIPULATED EXHIBITS**

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:

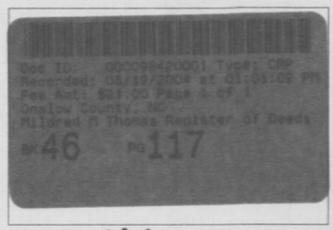
- A. THAT THE SURVEY CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.
- B. THAT THE SURVEY IS LOCATED IN A PORTION OF A COUNTY OR MUNICIPALITY THAT IS UNREGULATED AS TO AN ORDINANCE THAT REGULATES PARCELS OF LAND.
- C. ANY 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

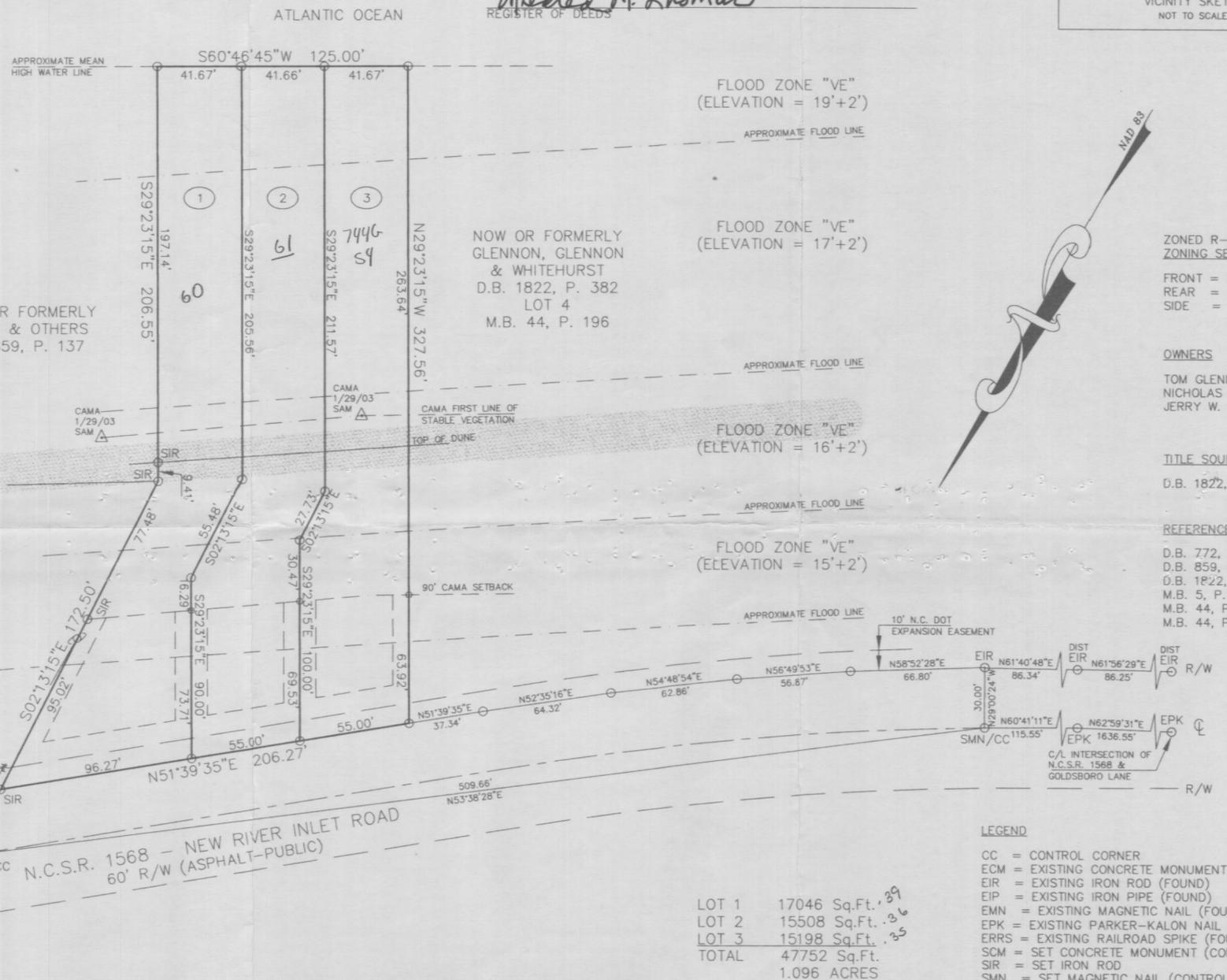
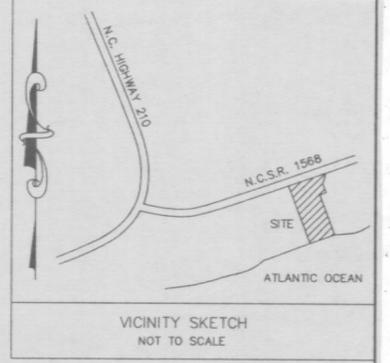
THIS PROPERTY IS NOT SUBJECT TO THE NORTH TOPSAIL BEACH SUBDIVISION REGULATIONS, AND IS AN EXEMPTION PER SECTION 7-271 (d), NORTH TOPSAIL BEACH SUBDIVISION ORDINANCE. 6-27-90.

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'

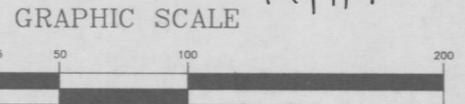
OWNERS  
 TOM GLENNON  
 NICHOLAS GLENNON  
 JERRY W. WHITEHURST

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

LOT RECOMBINATION FOR  
**OCEAN VIEW SHORES**

LOTS 1, 2 & 3  
 STUMP SOUND TOWNSHIP, ONSLOW COUNTY, NORTH CAROLINA  
 TOWN OF NORTH TOPSAIL BEACH

**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

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.

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

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

**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 \_\_\_\_\_

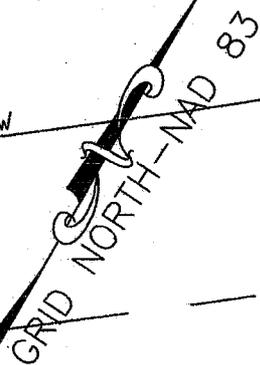
State of North Carolina Mecklenburg County or City of Charlotte  
 I, the undersigned Notary Public of the County or City of Gaston and State aforesaid, certify that \_\_\_\_\_ personally came before me this day and acknowledged that he is the \_\_\_\_\_ of \_\_\_\_\_ CD Project I LLC, a North Carolina 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 \_\_\_\_\_

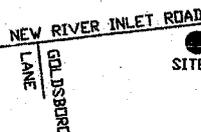
State of \_\_\_\_\_ - County or City of \_\_\_\_\_  
 I, the undersigned Notary Public of the County or City of \_\_\_\_\_ and State aforesaid, certify that \_\_\_\_\_  
 Witness my hand and Notarial stamp or seal, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

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

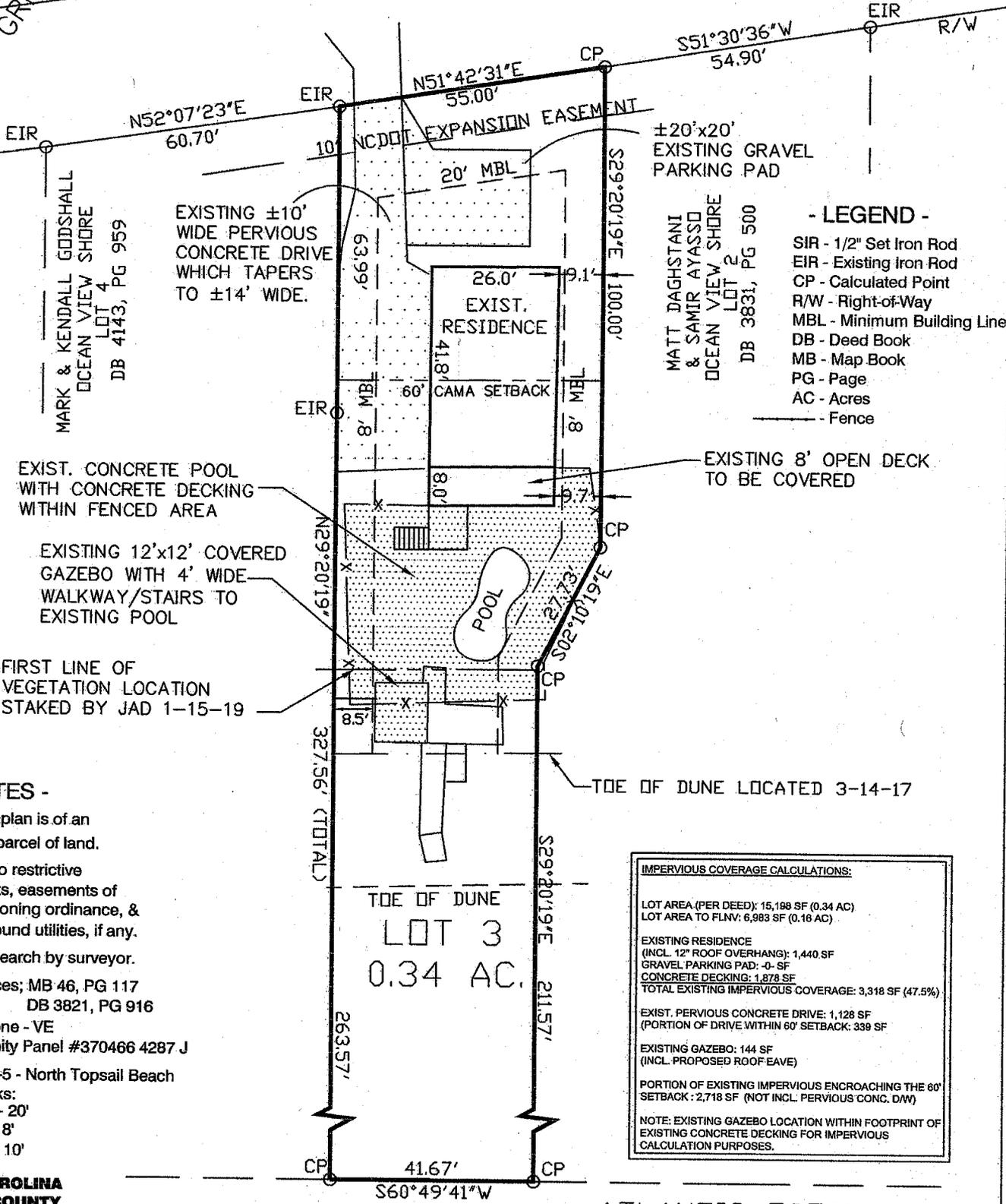
R/W



NEW RIVER INLET ROAD  
60' PUBLIC R/W



VICINITY MAP: NTS



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

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

±20'x20' EXISTING GRAVEL PARKING PAD

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

- 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

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 -

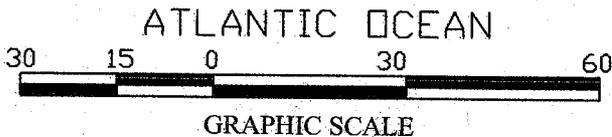
1. This plot plan is of an existing parcel of land.
2. Subject to restrictive covenants, easements of record, zoning ordinance, & underground utilities, if any.
3. No title search by surveyor.
4. References; MB 46, PG 117 DB 3821, PG 916
5. Flood Zone - VE Community Panel #370466 4287 J
6. Zone - R-5 - 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  
REGISTRATION NUMBER L-4438

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<br>MOORESVILLE, NC 28117-7099 |

Owner Mailing

---

|                 |  |
|-----------------|--|
| Owner 1         | THRASHER WAYNE H & MARGARET S                    |
| Owner 2         |  |
| Mailing Address | 242 GRASSHOPPER CIR<br>MOORESVILLE NC 28117 7099 |





Parcel ID: 049847

Map #: 774G-54

Tax Year: 2020

Luc: Waterfront Ocean

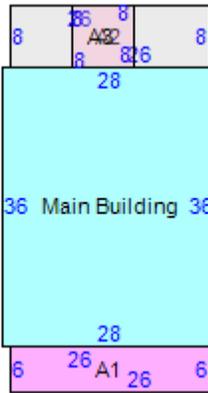
Class: Dwelling

NBHD: OCEAN VIEW

SHORES/CRYSTAL

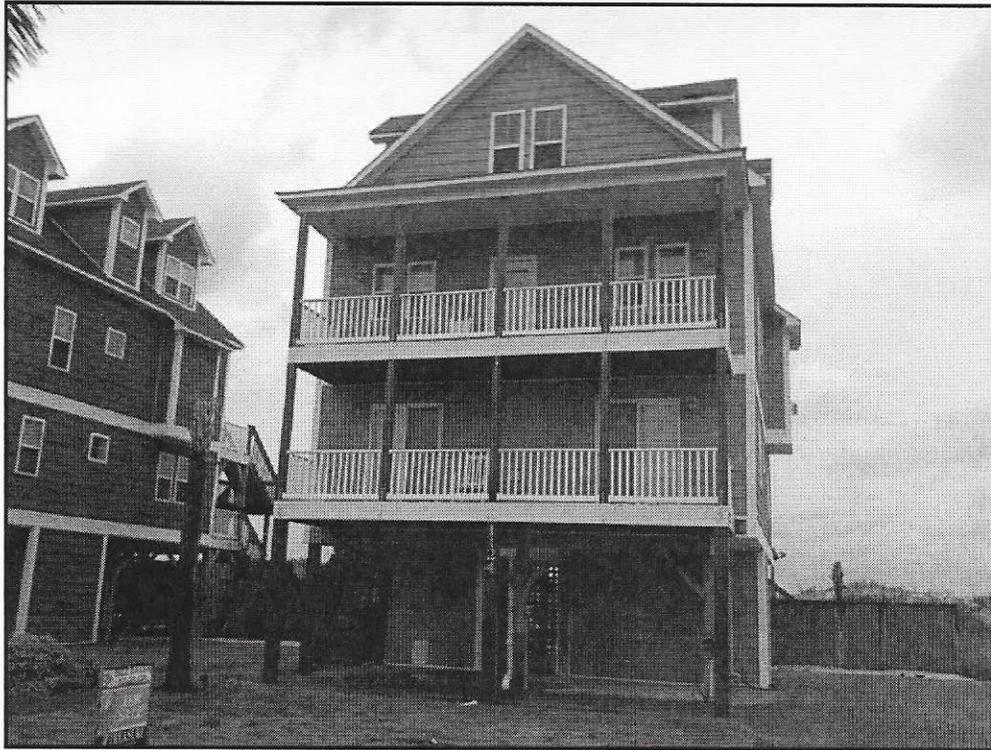
THRASHER WAYNE H & MARGARET S

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<br>N Topsail Beach, NC 28460 | 3022 Island Dr<br>N Topsail Beach, NC 28460 |                    |                    | 4358 Island Dr<br>N Topsail Beach, NC 28460 |                    |                    | 112 N Permuda Wynd<br>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<br>Cash;0                            |                    | ArmLth<br>Cash;0   |   | ArmLth<br>Conv;0   |                    | ArmLth<br>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<br>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

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.

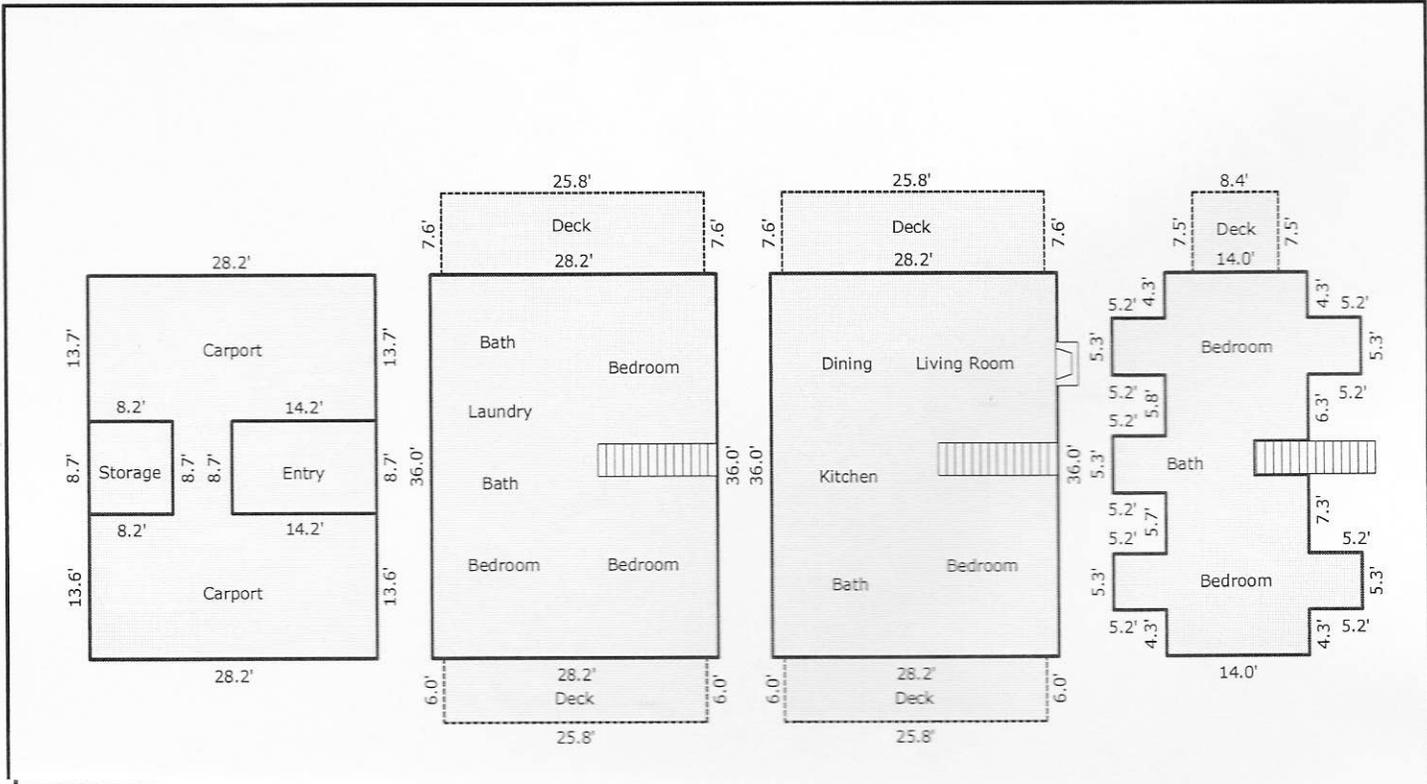
This appraisal is made  "as is",  subject to completion per plans and specifications on the basis of a hypothetical condition that the improvements have been completed,  subject to the following repairs or alterations on the basis of a hypothetical condition that the repairs or alterations have been 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     |
| Lender           | Bank of America, N.A.     |          |        |
|                  |                           | Zip Code | 28460  |



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.**

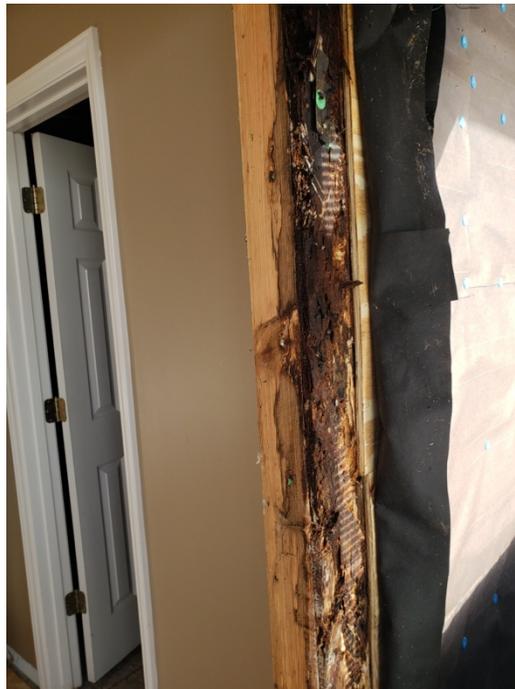
**BELOW: Damage to house boards on lowest living level, oceanfront.**



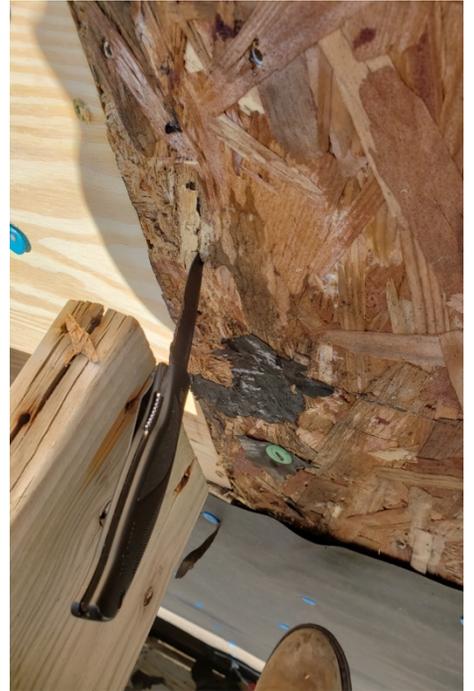
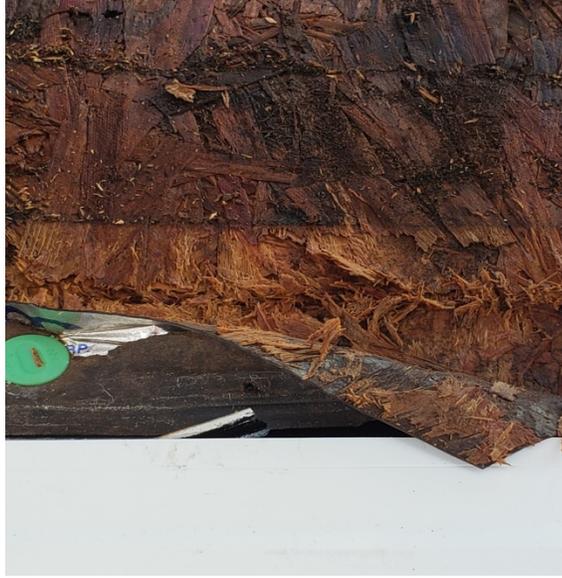
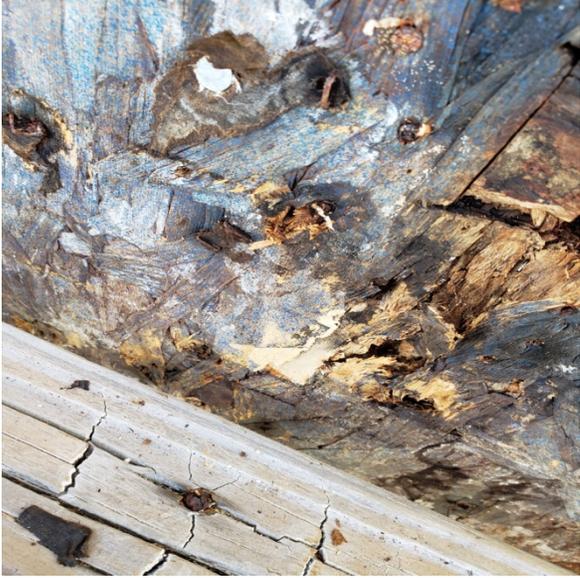
Water damage rotted away house boards. Interior o bedroom and bath on lowest living level (2<sup>nd</sup> story)



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

7/1

T 85

CASH

popgcl01

| 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<br>LIABLE FOR ITEM{S} AFTER 30 DAYS<br>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 | FREIGHT     | SALES TOTAL            |
| SHIP VIA                                |            |              |        | TAXABLE     | MISC + FRGT            |
| RECEIVED COMPLETE AND IN GOOD CONDITION |            |              |        | 2392.85     | SALES TAX              |
| <b>X</b>                                |            |              |        | NON-TAXABLE | 167.50                 |
|   |            |              |        | TAX #       | 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 # <b>50433604</b>       |                |
| Special :                   |              | Time:                           | 15:30:09       |
| Instruction :               |              | Ship Date:                      | 11/19/18       |
| :                           |              | Invoice Date:                   | 11/19/18       |
| Orig Rep: 21                | Salesman: 21 | Acct rep:                       | <b>REPRINT</b> |
| Sold To : <b>CASH SALES</b> |              | Ship To : <b>susan thrasher</b> |                |
| <b>SNEADS FERRY, NC</b>     |              | <b>ENTER JOB NAME HERE</b>      |                |
| ( ) -                       |              | Our PO: <b>00022509</b>         |                |
| Customer #: 1               | Job:         | Customer PO:                    | Order By:      |

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

| 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<br>LIABLE FOR ITEM{S} AFTER 30 DAYS<br>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 _____<br><br>SHIP VIA _____<br>_____ RECEIVED COMPLETE AND IN GOOD CONDITION _____<br><br><b>X</b> | FREIGHT _____<br><br>TAXABLE 349.14<br><br>NON-TAXABLE 0.00<br><br>TAX # _____ | SALES TOTAL \$349.14<br><br>MISC + FRGT _____<br><br>SALES TAX 24.44<br><br>Total applied: 373.58<br><br><b>TOTAL \$373.58</b> |
|---|--|--|

**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>        |
| <b>Balance due – payable upon receipt</b>        | <b>\$15,114.80</b> |



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 be "Susan Thrasher". The signature is fluid and cursive, written over a white background.

Susan Thrasher  
242 Grasshopper Cir  
Mooresville, NC 28117

RECEIVED

JAN 22 2019

DCM WILMINGTON, NC

Locality N. Topsail Beach <sup>037</sup> 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**

RECEIVED  
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. &amp; A. Kendall Godshall</u>    | <u>5768 Upper Ridge Rd, Pennsburg, PA 18073</u> |
| (2) <u>Matt Daghstani &amp; 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.*

**RECEIVED**

JAN 22 2019

039  
**OCEAN HAZARD AEC NOTICE**

Project is in an: X Ocean Erodible Area    \_\_\_\_\_ High Hazard Flood Area    \_\_\_\_\_ Inlet Hazard Area

Property Owner: Wayne H. and Margaret S. Thrasher

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

Date Lot Was Platted: 5/19/2004

This notice is intended to make you, the applicant, aware of the special risks and conditions associated with development in this area, which is subject to natural hazards such as storms, erosion and currents. The rules of the Coastal Resources Commission require that you receive an AEC Hazard Notice and acknowledge that notice in writing before a permit for development can be issued.

The Commission's rules on building standards, oceanfront setbacks and dune alterations are designed to minimize, but not eliminate, property loss from hazards. By granting permits, the Coastal Resources Commission does not guarantee the safety of the development and assumes no liability for future damage to the development. Permits issued in the Ocean Hazard Area of Environmental Concern include the condition that structures be relocated or dismantled if they become imminently threatened by changes in shoreline configuration. The structure(s) must be relocated or dismantled within two (2) years of becoming imminently threatened, and in any case upon its collapse or subsidence.

The best available information, as accepted by the Coastal Resources Commission, indicates that the annual long-term average ocean erosion rate for the area where your property is located is 2 feet per year.

The rate was established by careful analysis of aerial photographs of the coastline taken over the past 50 years.

Studies also indicate that the shoreline could move as much as 210 feet landward in a major storm.

The flood waters in a major storm are predicted to be about 15-19 feet deep in this area.

Preferred oceanfront protection measures are beach nourishment and relocation of threatened structures. Hard erosion control structures such as bulkheads, seawalls, revetments, groins, jetties and breakwaters are prohibited. Temporary sand bags may be authorized under certain conditions.

The applicant must acknowledge this information and requirements by signing this notice in the space below. Without the proper signature, the application will not be complete.

Wayne H. Thrasher    12/28/18  
Property Owner Signature    Date  
Margaret S. Thrasher    12/28/18

**SPECIAL NOTE:** This hazard notice is required for development in areas subject to sudden and massive storms and erosion. Permits issued for development in this area expire on December 31 of the third year following the year in which the permit was issued. Shortly before work begins on the project site, the Local Permit Officer must be contacted to determine the vegetation line and setback distance at your site. If the property has seen little change since the time of permit issuance, and the proposed development can still meet the setback requirement, the LPO will inform you that you may begin work. Substantial progress on the project must be made within 60 days of this setback determination, or the setback must be re-measured. Also, the occurrence of a major shoreline change as the result of a storm within the 60-day period will necessitate re-measurement of the setback. It is important that you check with the LPO before the permit expires for official approval to continue the work after the permit has expired. Generally, if foundation pilings have been placed and substantial progress is continuing, permit renewal can be authorized. It is unlawful to continue work after permit expiration.

For more information, contact:

JASON DAIL

Local Permit Officer

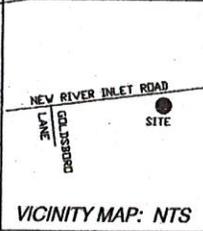
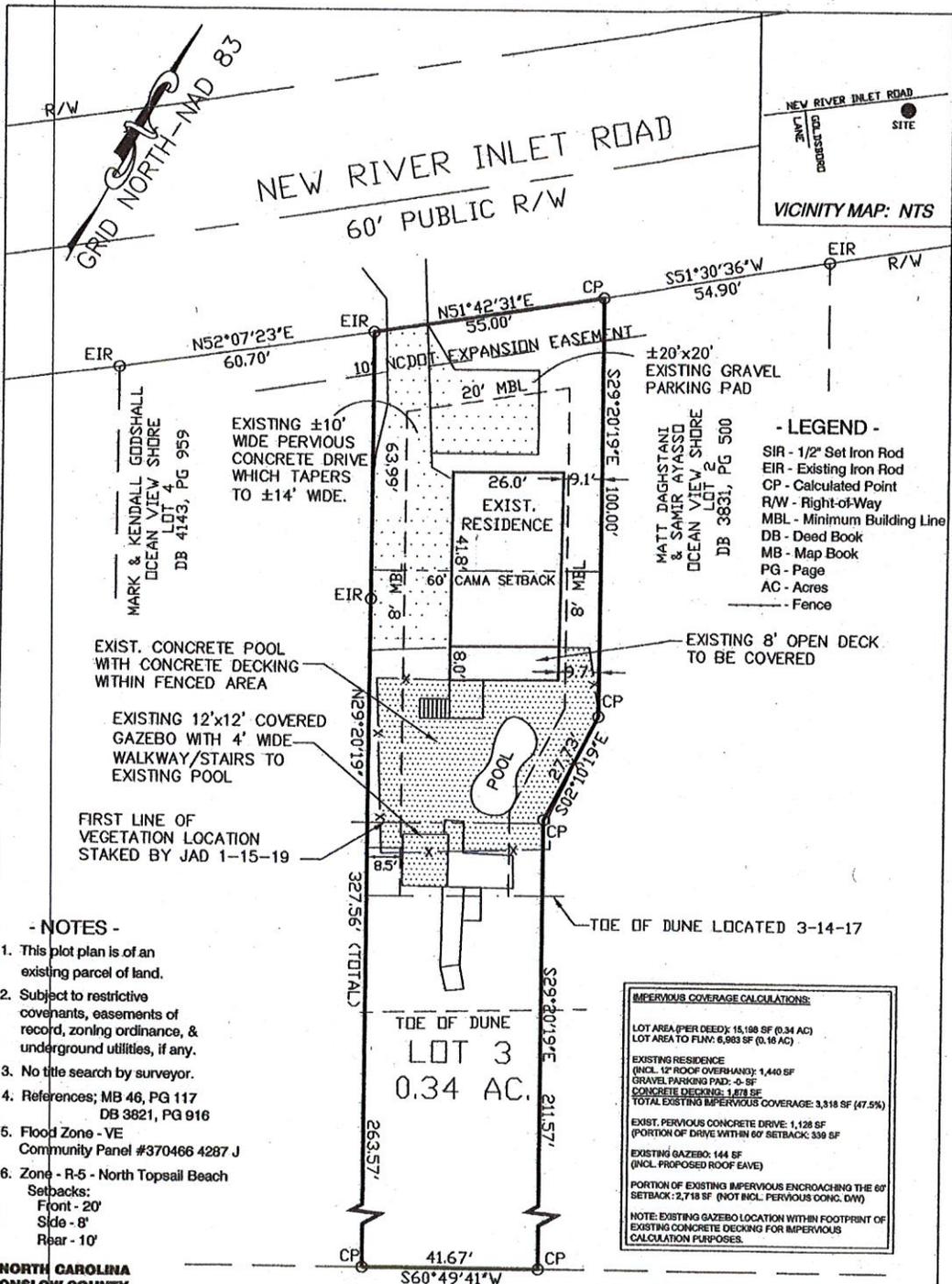
NC DENR  
Div. of Coastal Management  
127 Cardinal Drive Ext.  
Wilmington, NC 28405-3845

(910) 796-7221  
Phone Number

RECEIVED  
Revised May 2010

JAN 22 2019

DCM WILMINGTON, NC



- 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:**

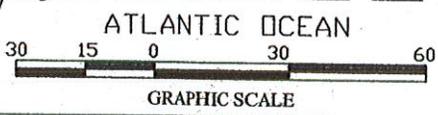
|   |  |
|---|--|
| LOT AREA (PER DEED):  | 15,128 SF (0.34 AC)                    |
| LOT AREA TO FLY:  | 6,983 SF (0.16 AC)                     |
| EXISTING RESIDENCE (INCL. 12' ROOF OVERHANG):                         | 1,440 SF                               |
| GRAVEL PARKING PAD:   | 0 SF                                   |
| 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 ENCR. WITHIN 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**

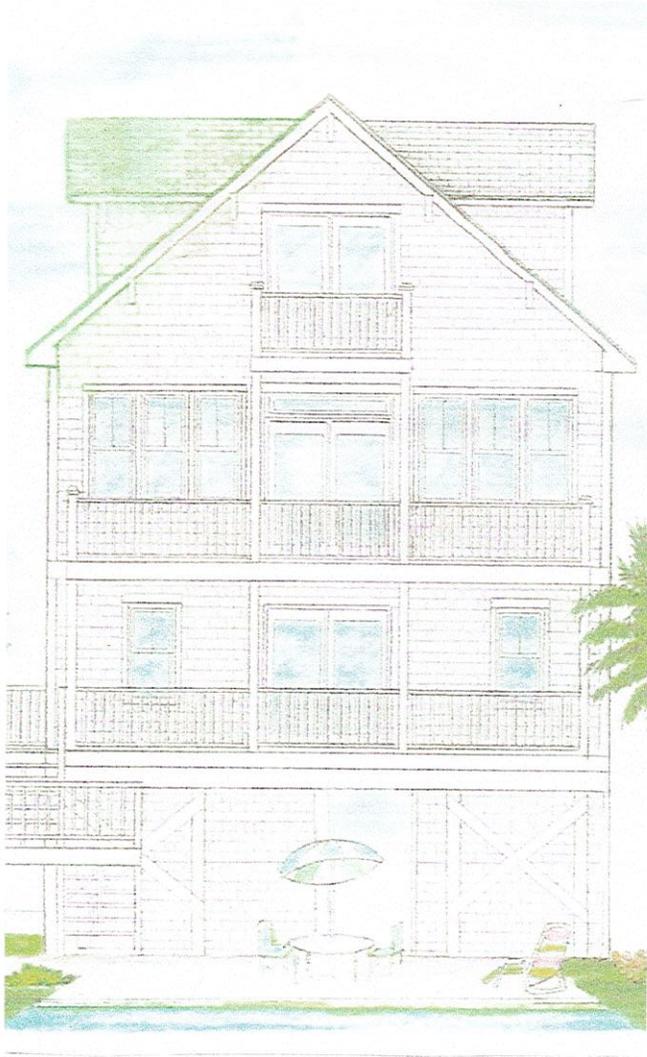
SCALE: 1" = 60' JANUARY 14, 2019

**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

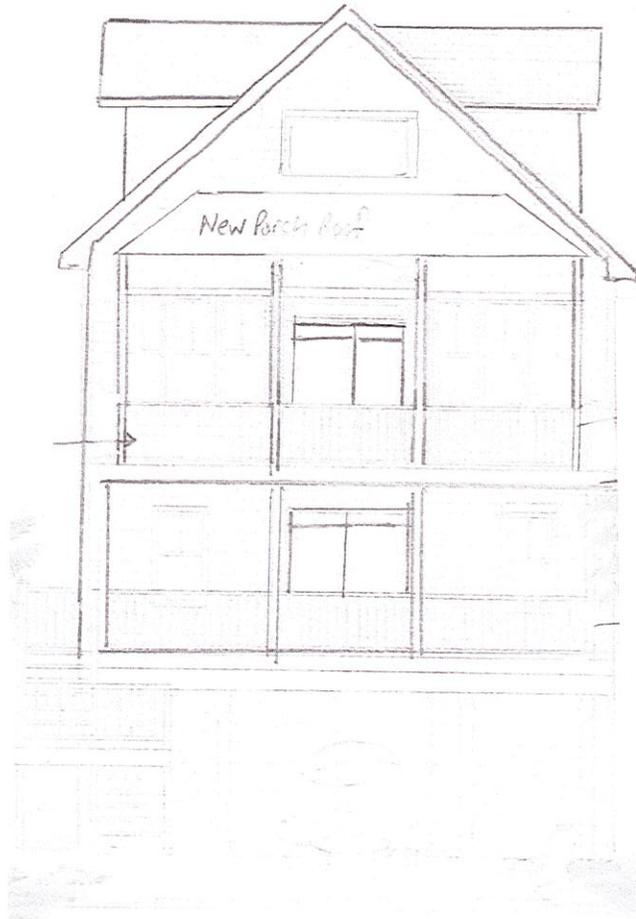
RECEIVED

JAN 22 2019

**Current Beach Front Elevation - three decks**



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



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

RECEIVED

JAN 22 2019

DCM WILMINGTON, NC

**AGENT AUTHORIZATION FOR CAMA PERMIT APPLICATION**

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

Mailing Address: 242 Grasskopper Cir.  
Moorestville, 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

RECEIVED

FEB 25 2019

DCM-MHD CITY

This certification is valid through 06 / 01 / 2019

1124 New River Inlet Road  
Current Beach-front Elevation



RECEIVED

FEB 25 2019

DCM-MHD CITY

1124 New River Inlet Road  
Current Beach-front Elevation

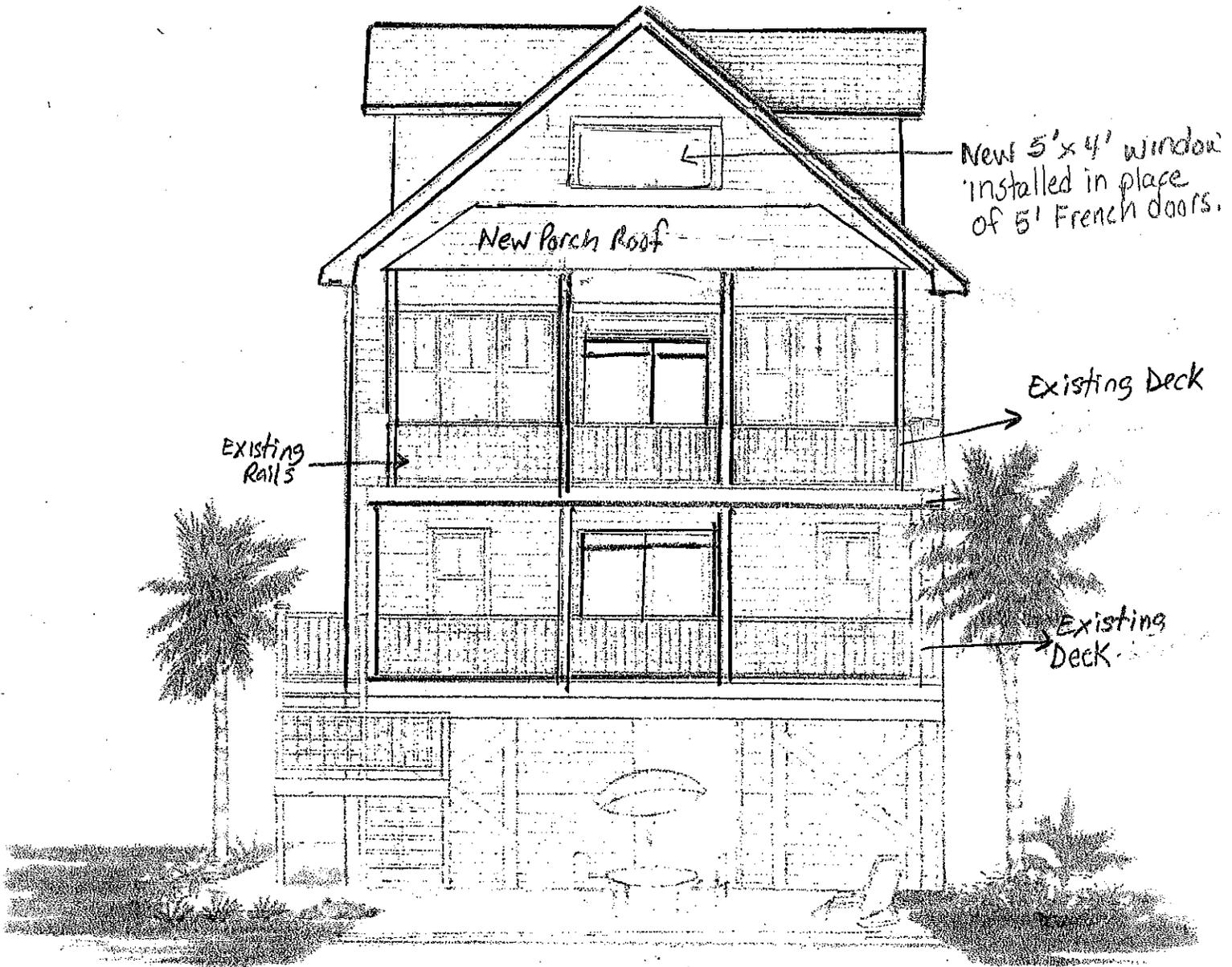


RECEIVED

FEB 25 2019

DCM-MHD CITY

1124 New River Inlet Road  
Proposed Beachfront Elevation



RECEIVED

FEB 25 2019

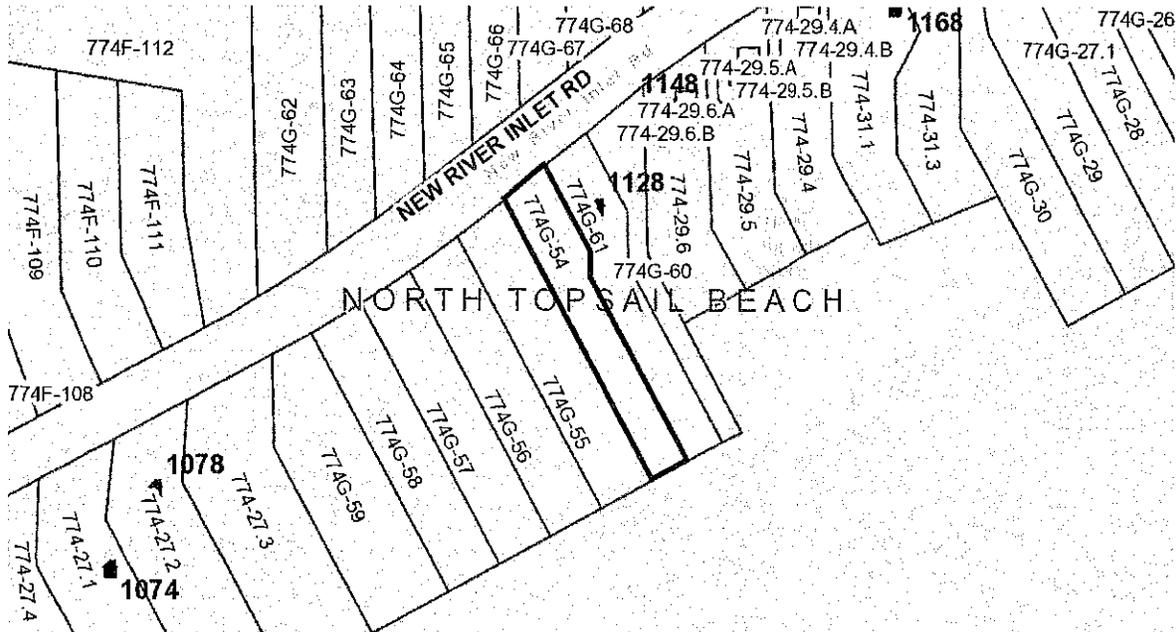
DCM-MHD CITY

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

**Acres** 0.00  
**Physical Address** 1124 NEW RIVER INLET RD  
**Neighborhood Code** 3045  
**Plat Book & Page** 46-117  
**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

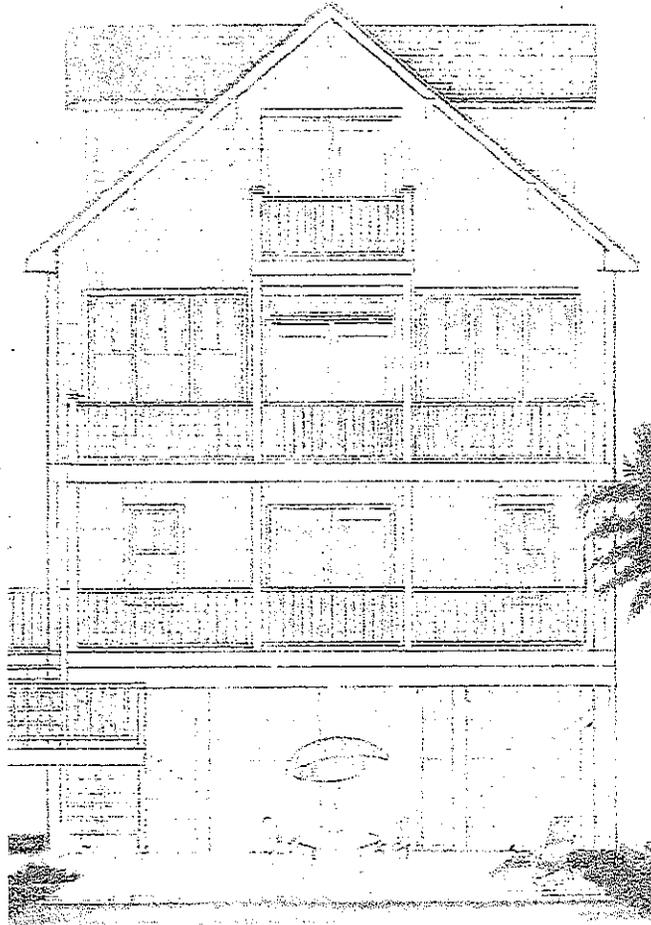
**WARNING: THIS IS NOT A SURVEY.**  
 This map is prepared for the inventory of real property found within this jurisdiction, and is compiled from recorded deeds, plats, and other public records and data. Users of this map are hereby notified that the aforementioned public primary information sources 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.

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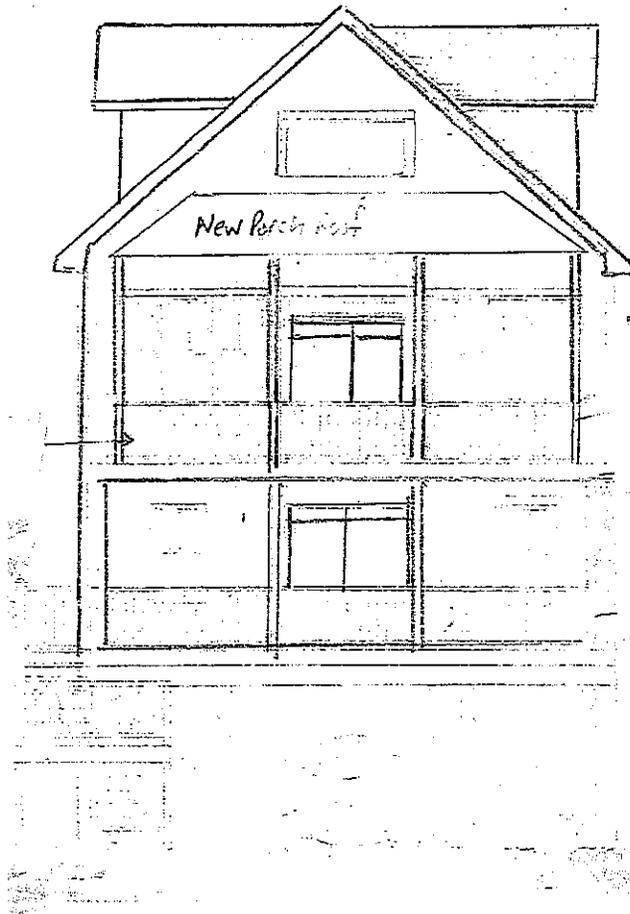
FEB 25 2019

DCM-MHD CITY

**Current Beach Front Elevation - three decks**



**Proposed Beach Front Elevation -  
Remove 3<sup>rd</sup> 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 located 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

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| Certified Mail Fee   | \$ 3.45                       |
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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  | \$ 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  
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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 \$ 3.25

Extra Services & Fees (check box, add fee as appropriate)

|                          |                                     |    |  |
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| <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  
 \$ 0.92

Total Postage and Fees  
 \$ 4.37

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

7078 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 (Waterbody), in North Topsail Beach, N.C.  
(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

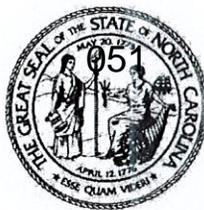
251-250-8867  
Telephone Number

1-22-19  
Date

RECEIVED

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:...”



DUM

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7017 0190 0000 9527 2086

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| <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<br>\$  |                       |                  |
| Total Postage and Fees<br>\$   |                       |                  |
| 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 |                       |                  |

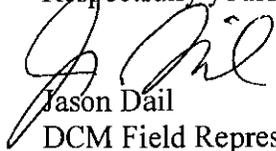
NTB 19-02

**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,

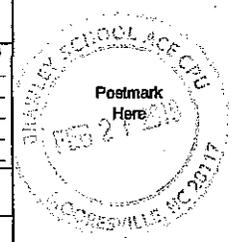
*Wayne Thrasher*

Wayne Thrasher  
242 Grasshopper Circle  
Mooresville, NC 28117

Enclosures

2599 1262 2962 0000 0960 9102

|   |                               |
|---|-------------------------------|
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| <b>OFFICIAL USE</b>   |                               |
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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                         |
| <b>Total Postage and Fees</b>   | <b>\$ 4.20</b>                |
| 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

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Sincerely,

*Wayne Thrasher*

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

Enclosures

7018 0680 0000 2921 3625

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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  | \$ 0.70        |
| <b>Total Postage and Fees</b>                                | <b>\$ 4.20</b> |

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,**

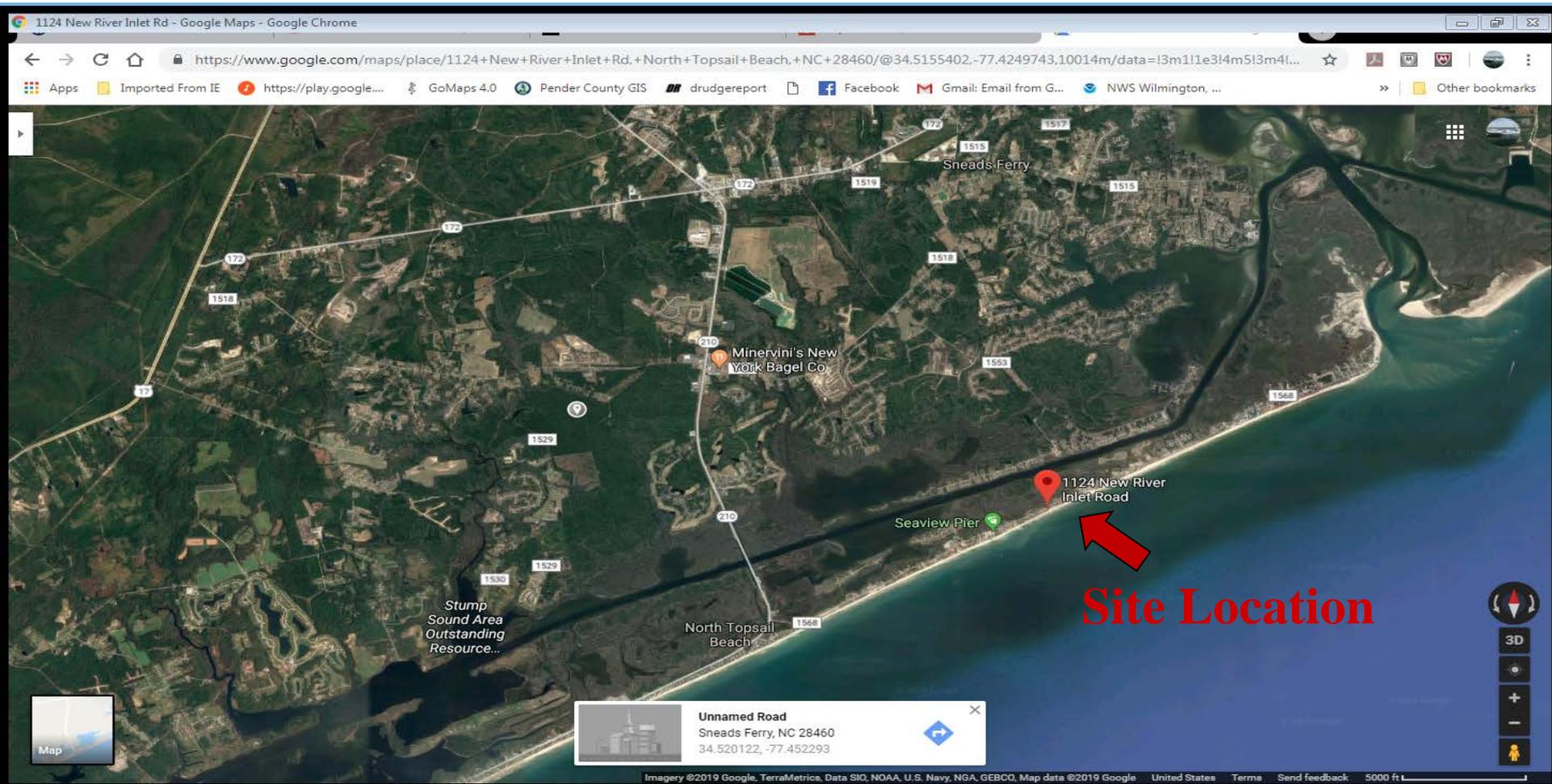
**Onslow County, NC**

**April 17, 2019**

# Wayne and Margaret Thrasher

056

## April 17, 2019



**Site Location**

Department of Environmental Quality



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**



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**

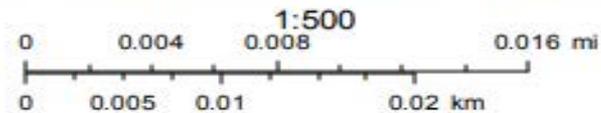




**1124 New River  
Inlet Road, North  
Topsail Beach**

**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**

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**



**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**

**1124 New River Inlet Road, <sup>064</sup> 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, <sup>065</sup>NTB –  
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.**