ROY COOPER Governor ELIZABETH S. BISER Secretary WILLIAM F. LANE General Counsel



TO: The Coastal Resources Commission

FROM: Christine A. Goebel, DEQ Assistant General Counsel

DATE: August 12, 2024 (for the August 27-28, 2024 CRC Meeting)

RE: Variance Request by Erick Westerholm, AIA (CRC-VR-24-04)

Petitioner Erick Westerholm, AIA owns property at 3 Waters Edge in Hampstead, Pender County which is undeveloped except for an existing bulkhead. The Lot is surrounded by water on three sides and is connected to Waters Edge over an easement on the adjacent lot. The "neck" portion of the Site has overlapping 30' Buffer Areas from having water on each side and so a driveway to the house site cannot be placed outside of the buffer. Petitioner proposed to have that portion of the driveway in the 30' Buffer consists of two 3'-wide tracks separated with a 4'-wide grassy strip, as shown on the site plans. On February 5, 2024, DCM issued Petitioner a CAMA Minor Permit authorizing the proposed house and most of the driveway, but in accordance with the Commission's 30' Buffer rule, DCM conditioned out that driveway within the buffer. Petitioner now seeks a variance to develop the driveway in the 30' Buffer as proposed in his permit application.

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.): Erick Westerholm, AIA, Petitioner, electronically

Scott Henry, Pender County Building Inspector, electronically

Mary Lucasse, Special Deputy AG and CRC Counsel, electronically

ATTACHMENT A

RELEVANT RULES

15A NCAC 07H .0209 COASTAL SHORELINES

- (a) Description. The Coastal Shorelines category includes estuarine shorelines and public trust shorelines.
- (1) Estuarine shorelines AEC are those non-ocean shorelines extending from the normal high water level or normal water level along the estuarine waters, estuaries, sounds, bays, fresh and brackish waters, and public trust areas as set forth in an agreement adopted by the Wildlife Resources Commission and the Department of Environmental Quality [described in Rule .0206(a) of this Section] for a distance of 75 feet landward. For those estuarine shorelines immediately contiguous to waters classified as Outstanding Resource Waters (ORW) by the Environmental Management Commission (EMC), the estuarine shoreline AEC shall extend to 575 feet landward from the normal high water level or normal water level, unless the Coastal Resources Commission establishes the boundary at a greater or lesser extent following required public hearing(s) within the affected county or counties.
- (2) Public trust shorelines AEC are those non-ocean shorelines immediately contiguous to public trust areas, as defined in Rule 07H .0207(a) of this Section, located inland of the dividing line between coastal fishing waters and inland fishing waters as set forth in that agreement and extending 30 feet landward of the normal high water level or normal water level.
- (b) Significance. Development within coastal shorelines influences the quality of estuarine and ocean life and is subject to the damaging processes of shore front erosion and flooding. The coastal shorelines and wetlands contained within them serve as barriers against flood damage and control erosion between the estuary and the uplands. Coastal shorelines are the intersection of the upland and aquatic elements of the estuarine and ocean system, often integrating influences from both the land and the sea in wetland areas. Some of these wetlands are among the most productive natural environments of North Carolina and they support the functions of and habitat for many valuable commercial and sport fisheries of the coastal area. Many land-based activities influence the quality and productivity of estuarine waters. Some important features of the coastal shoreline include wetlands, flood plains, bluff shorelines, mud and sand flats, forested shorelines and other important habitat areas for fish and wildlife.
- (c) Management Objective. All shoreline development shall be compatible with the dynamic nature of coastal shorelines as well as the values and the management objectives of the estuarine and ocean system. Other objectives are to conserve and manage the important natural features of the estuarine and ocean system so as to safeguard and perpetuate their biological, social, aesthetic, and economic values; to coordinate and establish a management system capable of conserving and utilizing these shorelines so as to maximize their benefits to the estuarine and ocean system and the people of North Carolina.

- (d) Use Standards. Acceptable uses shall be those consistent with the management objectives in Paragraph (c) of this Rule. These uses shall be limited to those types of development activities that will not be detrimental to the public trust rights and the biological and physical functions of the estuarine and ocean system. Every effort shall be made by the permit applicant to avoid or minimize adverse impacts of development to estuarine and coastal systems through the planning and design of the development project. Development shall comply with the following standards:
- (1) All development projects, proposals, and designs shall preserve natural barriers to erosion, including peat marshland, resistant clay shorelines, and cypress-gum protective fringe areas adjacent to vulnerable shorelines.
- (2) All development projects, proposals, and designs shall limit the construction of impervious surfaces and areas not allowing natural drainage to only so much as is necessary to service the primary purpose or use for which the lot is to be developed. Impervious surfaces shall not exceed 30 percent of the AEC area of the lot, unless the applicant can demonstrate, through innovative design, that the protection provided by the design would be equal to or exceed the protection by the 30 percent limitation. Redevelopment of areas exceeding the 30 percent impervious surface limitation shall be permitted if impervious areas are not increased and the applicant designs the project to comply with the rule to the maximum extent feasible.
- (3) All development projects, proposals, and designs shall comply with the following mandatory standards of the North Carolina Sedimentation Pollution Control Act of 1973:
- (A) All development projects, proposals, and designs shall provide for a buffer zone along the margin of the estuarine water that is sufficient to confine visible siltation within 25 percent of the buffer zone nearest the land disturbing development.
- (B) No development project proposal or design shall propose an angle for graded slopes or fill that is greater than an angle that can be retained by vegetative cover or other erosion control devices or structures.
- (C) All development projects, proposals, and designs that involve uncovering more than one acre of land shall plant a ground cover sufficient to restrain erosion within 30 working days of completion of the grading; unless the project involves clearing land for the purpose of forming a reservoir later to be inundated.
- (4) Development shall not have a significant adverse impact on estuarine and ocean resources. Significant adverse impacts include development that would directly or indirectly impair water quality increase shoreline erosion, alter coastal wetlands or Submerged Aquatic Vegetation (SAV), deposit spoils waterward of normal water level or normal high water, or cause degradation of shellfish beds.
- (5) Development shall not interfere with existing public rights of access to, or use of, navigable waters or public resources.

- (6) No public facility shall be permitted if such a facility is likely to require public expenditures for maintenance and continued use, unless it can be shown that the public purpose served by the facility outweighs the required public expenditures for construction, maintenance, and continued use.
- (7) Development shall not cause irreversible damage to valuable, historic architectural or archaeological resources as documented by the local historic commission or the North Carolina Department of Natural and Cultural Resources.
- (8) Established common-law and statutory public rights of access to the public trust lands and waters in estuarine areas shall not be eliminated or restricted. Development shall not encroach upon public accessways nor shall it limit the use of the accessways.
- (9) Within the AECs for shorelines contiguous to waters classified as ORW by the EMC, no CAMA permit shall be approved for any project that would be inconsistent with rules adopted by the CRC, EMC or MFC for estuarine waters, public trust areas, or coastal wetlands. For development activities not covered by specific use standards, no permit shall be issued if the activity would, based on site-specific information, degrade the water quality or outstanding resource values.
- (10) Within the Coastal Shorelines category (estuarine and public trust shoreline AECs), new development shall be located a distance of 30 feet landward of the normal water level or normal high water level, with the exception of the following:
- (A) Water-dependent uses as described in Rule 07H .0208(a)(1) of this Section;
- (B) Pile-supported signs (in accordance with local regulations);
- (C) Post- or pile-supported fences;
- (D) Elevated, slatted, wooden boardwalks exclusively for pedestrian use and six feet in width or less. The boardwalk may be greater than six feet in width if it is to serve a public use or need;
- (E) Crab Shedders, if uncovered with elevated trays and no associated impervious surfaces except those necessary to protect the pump;
- (F) Decks/Observation Decks limited to slatted, wooden, elevated and unroofed decks that shall not singularly or collectively exceed 200 square feet;
- (G) Grading, excavation and landscaping with no wetland fill except when required by a permitted shoreline stabilization project. Projects shall not increase stormwater runoff to adjacent estuarine and public trust waters;
- (H) Development over existing impervious surfaces, provided that the existing impervious surface is not increased;

- (I) Where application of the buffer requirement would preclude placement of a residential structure with a footprint of 1,200 square feet or less on lots, parcels and tracts platted prior to June 1, 1999, development shall be permitted within the buffer as required in Subparagraph (d)(10) of this Rule, providing the following criteria are met:
- (i) Development shall minimize the impacts to the buffer and reduce runoff by limiting land disturbance to only so much as is necessary to construct and provide access to the residence and to allow installation or connection of utilities, such as water and sewer; and
- (ii) The residential structure development shall be located a distance landward of the normal high water or normal water level equal to 20 percent of the greatest depth of the lot. Existing structures that encroach into the applicable buffer area may be replaced or repaired consistent with the criteria set out in 15A NCAC 07J .0201 and .0211; and
- (J) Where application of the buffer requirement set out in Subparagraph (d)(10) of this Rule would preclude placement of a residential structure on an undeveloped lot platted prior to June 1, 1999 that are 5,000 square feet or less that does not require an on-site septic system, or on an undeveloped lot that is 7,500 square feet or less that requires an on-site septic system, development shall be permitted within the buffer if all the following criteria are met:
- (i) The lot on which the proposed residential structure is to be located, is located between:
- (I) Two existing waterfront residential structures, both of which are within 100 feet of the center of the lot and at least one of which encroaches into the buffer; or
- (II) An existing waterfront residential structure that encroaches into the buffer and a road, canal, or other open body of water, both of which are within 100 feet of the center of the lot;
- (ii) Development of the lot shall minimize the impacts to the buffer and reduce runoff by limiting land disturbance to only so much as is necessary to construct and provide access to the residence and to allow installation or connection of utilities;
- (iii) Placement of the residential structure and pervious decking shall be aligned no further into the buffer than the existing residential structures and existing pervious decking on adjoining lots;
- (iv) The first one and one-half inches of rainfall from all impervious surfaces on the lot shall be collected and contained on-site in accordance with the design standards for stormwater management for coastal counties as specified in 15A NCAC 02H .1005. The stormwater management system shall be designed by an individual who meets applicable State occupational licensing requirements for the type of system proposed and approved during the permit application process. If the residential structure encroaches into the buffer, then no other impervious surfaces shall be allowed within the buffer; and
- (v) The lots shall not be adjacent to waters designated as approved or conditionally approved shellfish waters by the Shellfish Sanitation Section of the Division of Marine Fisheries of the Department of Environmental Quality.

- (e) The buffer requirements in Paragraph (d) of this Rule shall not apply to Coastal Shorelines where the EMC has adopted rules that contain buffer standards.
- (f) Specific Use Standards for ORW Coastal Shorelines.
- (1) Within the AEC for estuarine and public trust shorelines contiguous to waters classified as ORW by the EMC, all development projects, proposals, and designs shall limit the built upon area in the AEC to no more than 25 percent or any lower site specific percentage as adopted by the EMC as necessary to protect the exceptional water quality and outstanding resource values of the ORW, and shall:
- (A) provide a buffer zone of at least 30 feet from the normal high water line or normal water line; and
- (B) otherwise be consistent with the use standards set out in Paragraph (d) of this Rule.
- (2) Single-family residential lots that would not be buildable under the low-density standards defined in Subparagraph (f)(1) of this Rule may be developed for single-family residential purposes so long as the development complies with those standards to the maximum extent possible.

ATTACHMENT B

STIPULATED FACTS

- 1. Petitioner Erick Westerholm and his wife Erin Westerhom own property at 3 Waters Edge in Hampstead, Pender County ("Site"). They took title to this property on August 28, 2021 through a deed recorded at Deed Book 4762, Page 2981 of the Pender County Registry, a copy of which is attached.
- 2. The Site is Lot 3 of the Waters Edge at Deerfield Subdivision as shown on Maps recorded at Map Book 37, Page 133 and Map Book 42, Page 80 of the Pender County Registry, copies of which are attached. In addition to Lot 3, Petitioner also holds an easement "described as SF 3A" on Map Book 37, Page 133, attached, in order to access the Site. The easement is described as a "30' Access Easement & For A Public & Private Utility Easement."
- 3. A copy of the Pender County Tax Card is attached and indicates that the property is 1.13 Acres in area.
- 4. The property has a larger upland area at the tip of a peninsula with a narrow "neck" area to access the waterward portion of the property. This can be seen on attached plats and aerial photographs. Mr. Liverman owns adjacent property to the northwest and Ms. Cantrell owns adjacent property to the northeast, as shown on the Pender County GIS maps which are part of the attached Powerpoint.
- 5. The property is bounded by Mill Creek (west and south) and Topsail Sound to the east, which in this part of Topsail Sound is part of the Atlantic Intracoastal Waterway ("AIWW"). Portions of the Site within 575' of mean high water are part of the Outstanding Resource Waters ("ORW") sub-category of the Estuarine Shorelines Area of Environmental Concern ("AEC"). Pursuant to G.S. § 113A-118, any "development" within the AEC required approval through the issuance of a CAMA permit.
- 6. The waters of Topsail Sound are classified as SA-ORW Waters by the Environmental Management Commission and are closed to the harvest of shellfish.
- 7. The Site is currently in an undeveloped condition except for the existing bulkhead. Ground-level and aerial photographs of the site are part of a Powerpoint attached as a stipulated exhibit.
- 8. On or about December 12, 2023, Petitioner applied for a CAMA Minor Permit to construct a new house with a 4,725 square foot footprint with a pool/spa, below-grade propane tank, septic system, paving and landscaping/tree removal. On December 13, 2023, DCM Field Representative Jason Dail, acting as the Pender County Local Permit Officer ("LPO") emailed Petitioner indicating that additional information was needed for a complete application. A copy of this email is attached.
- 9. In addition to the proposed development of the house, Petitioner also proposed a 10' wide "two track" driveway comprised of two 3' wide strips of concrete separated by a 4' wide strip of grass, a portion of which would be located within the CAMA 30' Estuarine Shoreline Buffer. On the Site

Plans, there is a red line showing the 30' Buffer and a note on the plans indicates that the built upon area of the "driveway bynd CAMA boundary" is 379 square feet. The built upon area requested (including the area of driveway in the 30' Buffer) is 9,538 square feet.

- 10. As part of the minor permitting process, notice to the adjacent riparian property owners, which Petitioner listed as Denise Vineyard Cantrell and Eugene Liverman, is required. As shown in the attached copies of the notice letters and associated USPS tracking, it appears Ms. Cantrell received her notice on December 12, 2023 and Mr. Liverman received his notice on December 16, 2023. DCM did not receive any communication from these adjacent owners or anyone else related to this permit application.
- 11. On February 5, 2024, DCM granted CAMA Minor Permit #PN01-24, a copy of which is attached, and which authorized the development of the Site with the proposed house and other proposed development shown on the site plans. However, in Condition 9, the portion of the proposed "two track" driveway located within the CAMA 30' Estuarine Shoreline Buffer were conditioned out as they are not allowed in the 30' Estuarine Shoreline Buffer per 15A NCAC 7H .0209(d)(10).
- 12. On May 13, 2024, Petitioner filed this Petition for a Variance from the Commission's 30' Estuarine Shoreline Buffer Rule at 15A NCAC 7H .0209 in order to construct the portion of the "two track" driveway that was conditioned out of the permit. The variance package was deemed complete on May 14, 2024 after notice letters and proposed facts were provided.
- 13. Petitioner Stipulates that the Permit was properly conditioned to remove that portion of the driveway located within the 30' Buffer as required by 15A NCAC 7H .0209(d)(10).
- 14. Petitioner did not seek a local variance ahead of requesting this variance as generally required by 15A NCAC 7J.0701 where the relaxation of local regulations would not eliminate/reduce the need for a variance from this Commission.
- 15. A Powerpoint of ground and aerial photographs of the Site is attached as a Stipulated Exhibit.

Stipulated Exhibits

- 1. Petitioner's Deed 4762-2981
- 2. Plat Maps 37-133 and 42-80
- 3. Site Tax Card
- 4. Minor Permit Application Materials including permit form, elevation certificate, site plans, septic permit
- 5. Add Info Email on 12/13/23
- 6. Notice Letters and Tracking Information for application notice
- 7. CAMA Minor Permit #PN01-24
- 8. Powerpoint with ground level and aerial photographs

PETITIONER'S 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.

Yes, strict application of the rule in question would prevent the petitioner from having safe and stable access to the residence. Such strict application of the rules is unnecessary in view of the minimal amount of paving that would be added and the negligible potential impacts of the proposed development.

Staff's Position: Yes.

Strict application of the Commission's 30-foot buffer rule to the lot will cause unnecessary hardships for the Petitioner. Without a variance, Petitioner has a building envelope for a house as proposed on the main portion of the lot but has only a narrow area where the driveway would connect the house-area to the nearby street. Staff agree that strict application of the 30-foot buffer rule causes a hardship by limiting the driveway size and materials within the buffer portion of the driveway.

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.

Yes, the hardship in this case is a direct result of the property location, size and topography. The property is situated at the end of the street having only one point of access to the residence and the narrow nature of the property shape does not allow for alternative access outside the 30-fgoot buffer. Additionally, the paving is necessary to provide a continuous stable path to the residence as the grade to the house at this point is approximately 8 to 10 percent slope and paving will be necessary to provide the traction needed in wet conditions for vehicular to access the residence.

Staff's Position: Yes.

Staff agrees that the hardships are caused by conditions peculiar to the property in question. The main area of this lot, suitable for development while meeting the 30-foot buffer for the house, is connected to Waters Edge, a 50' wide right-of-way with a half-cul-de-sac in the area where it is adjacent to Lot 4. Petitioner holds a 30' wide access easement over Lot 4 from which Petitioner can access his Lot 3 as seen on the attached Subdivision Plats. At the narrowest, the width of the "neck" part of the Lot is approximately 45' wide, and so the proposed 10' wide driveway positioned near the center of the "neck" is entirely within the overlapping 30-foot buffers on each side. This configuration of the Lot combined with the Commission's 30-foot buffer rule cause Petitioner unnecessary hardships.

III. Do the hardships result from the actions taken by the Petitioner? Explain.

Petitioners' Position: No.

No, the hardships are not a result from actions taken by the petitioner, they are a direct result of the existing site constraints as described above in (B).

Staff's Position: No.

While Staff notes that this subdivision was platted after the 1999 adoption of the Commission's 30-foot buffer rule, the narrow "neck" width (approximately 45' wide at the narrowest location) does not allow for any area outside the overlapping 30-foot buffers. Staff believe that the proposed 10' wide driveway (3' concrete tread/4' vegetative strip/3' concrete tread) centered along the portion of the Lot within the 30-foot buffer is a narrowly tailored proposal for an access drive to reach the main portion of the Lot by vehicle.

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.

Yes. The requested variance is consistent with the spirit, purpose and intent of the Commissions rules, standards or orders; will secure public safety and welfare; and will preserve substantial justice. The overriding reason that this variance is consistent with the purposes of the applicable rule and standards is simply because it will provide a safter environment for occupants and visitors alike, access to and from the residence without significant damage to any estuarine resources, thereby remaining consistent with the spirit, purpose, and intent of the rules, standards, or orders issued by the Commission.

Staff's Position: Yes.

Petitioner has proposed a 10' wide driveway for the portion within the overlapping 30-foot buffer which includes the 4' wide vegetative strip between the tracks and located near the center of this "neck" area. Staff believe that the project meetings the spirit, purpose and intent of the buffer rule where the development within this "neck" area is limited and will have limited impacts on stormwater runoff from this proposed impervious surface in the buffer, protecting public safety and welfare. Substantial Justice will be preserved by allowing Petitioner to use the deeded access for a driveway to access the "buildable" main portion of the Lot.

ATTACHMENT D

Petitioner's Petition Materials
(without initial proposed facts or duplicative exhibits)

CAMA VARIANCE REQUEST FORM

| | CM FORM 11 CM FILE No.: | |
|-----|----------------------------|--|
| n | | |
| SED | Danalan | |

PETITIONER'S NAME

Erick Westerholm

COUNTY WHERE THE DEVELOPMENT IS PROPOSED Pender

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

VARIANCE HEARING PROCEDURES

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

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

VARIANCE CRITERIA

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

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

Please make your written arguments that Petitioner meets these criteria on a separate piece of paper. 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

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; |
| (K.) | 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. |
| | |

1. The name and location of the development as identified on the permit application.

Name - Erick Westerholm

Location – 3 Waters Edge, Hampstead North Carolina

CAMA Minor Development Permit PN01-24

2. A copy of the permit decision for the development in question.

See Exhibit A

3. A copy of the deed to the property on which the proposed development would be located.

See Exhibit B

4. A complete description of the proposed development including a site plan.

The proposed development is a 3-story residence of approximately 4,500 SF at Waters Edge in the Deerfield subdivision at Hampstead, adjacent to the Intracoastal Waterway. The development includes impervious paving from street to residence, a pool/spa and septic system with an off-site drainage field per the approved Pender County septic permit. The lot size is 1.050 acres or 45,747 SF.

5. A stipulation that the proposed development is inconsistent with the rule at issue.

The applicant hereby stipulates that the development is inconsistent with the rule at issue below as stated in the approved CAMA Minor Development Permit PN01-24, item (9) The proposed concrete driveway located within 30 feet of the normal/mean high water line (i.e. Coastal Shoreline buffer) is OMITTED from this permit, pursuant to non-compliance with 15A NCAC 07H .0209(d)(10).

6. Proof that notice was sent to adjacent owners and objectors as required by 15A N.C.A.C. 07J .0701(c)(7).

See Exhibit C for copies of the notice, persons to whom it was sent and the certified mail receipts for each.

7. Proof that a variance was sought from the local government per 15A N.C.A.C. 07J .0701(a), if applicable.

Not Applicable.

8. Petitioner's written reasons and arguments about why the Petitioner meets the four variance criteria, listed above.

A. Will strict application of the applicable development rules, standards, or orders issued by the Commission cause the petitioner unnecessary hardships?

Yes, strict application of the rule in question would prevent the petitioner from having safe and stable access to the residence. Such strict application of the rules is unnecessary in view of the minimal amount of paving that would be added and the negligible potential impacts of the proposed development.

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

Yes, the hardship in this case is a direct result of the property location, size and topography. The property is situated at the end of the street having only one point of access to the residence and the narrow nature of the property shape does not allow for alternative access outside the 30-foot buffer. Additionally, the paving is necessary to provide a continuous stable path to the residence as the grade to the house at this point is approximately 8 to 10 percent slope and paving will be necessary to provide the traction needed in wet conditions for vehicular to access the residence.

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

No, the hardships are not a result from actions taken by the petitioner, they are a direct result of the existing site constraints as described above in (B).

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; (3) preserve substantial justice?

Yes. The requested variance is consistent with the spirit, purpose and intent of the Commissions rules, standards or orders; will secure public safety and welfare; and will preserve substantial justice. The overriding reason that this variance is consistent with the purposes of the applicable rule and standards is simply because it will provide a safer environment for occupants and visitors alike, access to and from the residence without significant damage to any estuarine resources, thereby remaining consistent with the spirit, purpose, and intent of the rules, standards, or orders issued by the Commission.

9. Proposed stipulated facts and stipulated exhibits.

See Exhibit D.

| Due to the above informa | tion and pursua | ite, the undersigned | hereby requests a | |
|---------------------------------|-----------------|----------------------|---|---------------------------------------|
| variance. | | 220 | Mar | 1. 13,2024 |
| Signature of Petitioner or | Attorney | | Date | |
| Erick Wester | holm | | hozer4r | e@gmail.com |
| Printed Name of Petitione | r or Attorney | | Email address of | Petitioner or Attorney |
| 2436 Briarwo Mailing Address | ood Cv | | (817)- 938 Telephone Numb | -5744 er of Petitioner or Attorney |
| Cedar Hill | TX 7510 |)4 | () | |
| City | State | Zip | Fax Number of Po | etitioner 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:

Contact Information for Attorney General's Office:

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:

address of the current DCM Director

Check DCM website for the email

www.nccoastalmanagement.net

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

Revised: February 2011

To the Commission,

I received an approved Minor Development CAMA Permit for my residence located at 3 Waters Edge in Hampstead, with the exception that a portion of my driveway is excluded from that approval because it is located within the 30 foot CAMA setback. I am seeking a variance for the small portion of my driveway due to unnecessary hardship. This hardship is a direct result of the property location, size and topography.

My lot is situated at the end of street and juts out into the ICWW, having only one point of access to the residence. The paving is necessary to provide a continuous stable path to our house. The slope up to the house at this point is 8 to 10 percent and paving will be necessary to provide the traction needed in wet conditions for cars to access the residence.

In an effort to work within the spirit, purpose and intent of the rules and standards that protect coastal resources, we have prudently designed the paving with 3 foot wide strips so it minimizes the amount of impervious material used in this area.

I thank you for your consideration,

Erick Westerholm, AIA

May 14, 2024

Eugene Liverman 101 Waters Edge Dr. Hampstead, NC. 28443

Dear Eugene:

This letter is to inform you that I, Erick Westerholm have applied for a variance for my CAMA permit issued February 5, 2024.

Sincerely,

Erick Westerholm



USPS Tracking[®]

FAQs >

Tracking Number: Remove X

9589071052701771634859

Copy Add to Informed Delivery (https://informeddelivery.usps.com/)

Latest Update

Your item was picked up at the post office at 2:22 pm on June 3, 2024 in HAMPSTEAD, NC 28443.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivered

Delivered, Individual Picked Up at Post Office

HAMPSTEAD, NC 28443 June 3, 2024, 2:22 pm

Reminder to Schedule Redelivery of your item

May 25, 2024

Notice Left (No Authorized Recipient Available)

HAMPSTEAD, NC 28443 May 20, 2024, 12:40 pm

Out for Delivery

HAMPSTEAD, NC 28443 May 20, 2024, 8:42 am

Arrived at Post Office

HAMPSTEAD, NC 28443 May 20, 2024, 8:31 am

Departed USPS Regional Facility

Feedback

| | May 20, 2024, 3:26 am | |
|-----|---|---|
| | Arrived at USPS Regional Destination Facility FAYETTEVILLE NC DISTRIBUTION CENTER May 18, 2024, 1:41 pm | |
| ē | In Transit to Next Facility | |
| | May 16, 2024 | |
| ē | Arrived at USPS Regional Origin Facility | |
| | COPPELL TX DISTRIBUTION CENTER May 15, 2024, 1:05 am | |
| • | USPS in possession of item | |
| | CEDAR HILL, TX 75104 May 14, 2024, 12:28 pm | |
| • | Hide Tracking History | |
| V | What Do USPS Tracking Statuses Mean? (https://faq.usps.com/s/article/Where-is-my-package) | |
| | Text & Email Updates | ~ |
| | USPS Tracking Plus® | ~ |
| | Product Information | ~ |
| | See Less ^ | |
| Tra | ck Another Package | |
| E | Enter tracking or barcode numbers | |

Need More Help?

Contact USPS Tracking support for further assistance.

May 14, 2024

Denise Vineyard Cantrell 106 Great Oak Dr. Hampstead, NC. 28443

Dear Denise:

This letter is to inform you that I, Erick Westerholm have applied for a variance for my CAMA permit issued February 5, 2024.

Sincerely,

Erick Westerholm

PORT TO LET TO L

USPS Tracking®

FAQs >

Tracking Number: Remove X

9589071052701771634866

Copy Add to Informed Delivery (https://informeddelivery.usps.com/)

Latest Update

Your item was delivered to an individual at the address at 12:49 pm on May 20, 2024 in HAMPSTEAD, NC 28443.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivered

Delivered, Left with Individual

HAMPSTEAD, NC 28443 May 20, 2024, 12:49 pm

Notice Left (No Authorized Recipient Available)

HAMPSTEAD, NC 28443 May 20, 2024, 12:43 pm

Out for Delivery

HAMPSTEAD, NC 28443 May 20, 2024, 8:42 am

Arrived at Post Office

HAMPSTEAD, NC 28443 May 20, 2024, 8:31 am

Departed USPS Regional Facility

FAYETTEVILLE NC DISTRIBUTION CENTER

Arrived at USPS Regional Destination Facility

FAYETTEVILLE NC DISTRIBUTION CENTER May 18, 2024, 6:55 am

In Transit to Next Facility

May 16, 2024

Arrived at USPS Regional Origin Facility

COPPELL TX DISTRIBUTION CENTER May 14, 2024, 8:46 pm

USPS in possession of item

CEDAR HILL, TX 75104 May 14, 2024, 12:27 pm

Hide Tracking History

What Do USPS Tracking Statuses Mean? (https://faq.usps.com/s/article/Where-is-my-package)

| Text & Email Updates | ~ |
|-----------------------------------|----------|
| USPS Tracking Plus® | ~ |
| Product Information | ~ |
| See Less ^ | |
| Track Another Package | |
| Enter tracking or barcode numbers | |

Need More Help?

Contact USPS Tracking support for further assistance.

FAQs

BK 4762 PG 2978 - 2980 (3) DOC# 20089292 08/26/2021

This Document eRecorded:

Fee: \$26.00 DocType: DEED

Pender County, North Carolina

Sharon Lear Willoughby, Register of Deeds

NORTH CAROLINA GENERAL WARRANTY DEED

| Excise Tax: \$2,100.00 | |
|---|--|
| Parcel Identifier No. 3291-18-9828-0000 Verified by | County on the day of, 20 |
| Mail/Box to: Eugene B. Davis, Jr., P.C., 1612 Military Cutoff Road, Suit | te 301, Wilmington, NC 28403 |
| This instrument was prepared by: Eugene B. Davis, Jr., P.C. Attorney | · |
| Brief description for the Index: LOT 3, Waters Edge at Deerfield | |
| | ΔΛΩ1 1 |
| THIS DEED made this 24th day of August | |
| GRANTOR | GRANTEE |
| R.L. Blanton & Co., Inc. | Erick William Westerholm and spouse, |
| a North Carolina corporation | Erin Carpenter Westerholm |
| 107 Links Court | 2436 Briarwood Cove |
| Hampstead, NC 28443 | Cedar Hill, TX 75104 |
| Enter in appropriate block for each Grantor and Grantee: name, m corporation or partnership. | |
| The designation Grantor and Grantee as used herein shall include sa plural, masculine, feminine or neuter as required by context. | id parties, their heirs, successors, and assigns, and shall include singular, |
| _ | by the Grantee, the receipt of which is hereby acknowledged, has and by in fee simple, all that certain lot, parcel of land or condominium unit Topsail Township, Pender County, |
| See Attached Exhibit "A" | |
| The property hereinabove described was acquired by Grantor by in All or a portion of the property herein conveyed includes or | |
| A map showing the above described property is recorded in Plat B | ook 37 page 133-134 |
| Page | e 1 of 2 |

NC Bar Association Form No. 3 © 1976, Revised © 1977, 2002, 2013 Printed by Agreement with the NC Bar Association – 1981

This standard form has been approved by: North Carolina Bar Association – NC Bar Form No. 3

12:06:26 PM

Tax: \$2,100.00

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:

ad valorem taxes for current and subsequent years; applicable zoning and land use ordinances, statutes and regulations; and applicable restrictive covenants and easements of record.

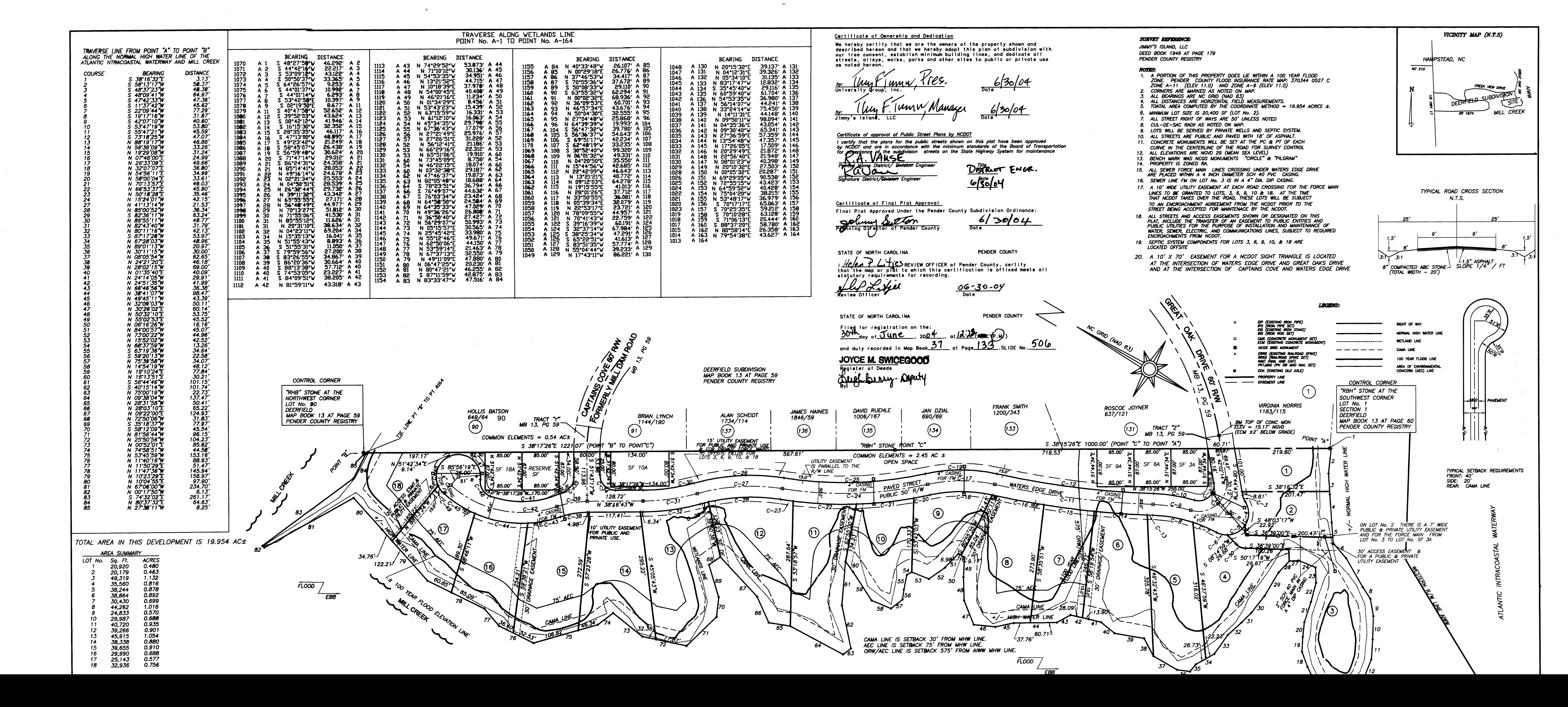
IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.


| R.L. Blanton & Co., Inc. | (SEAL) |
|--|--|
| By: Con (Entity Name) A 1 Con (Con) | Print/Type Name: |
| Print/Type Name & Title: Randy L. Blanton President | (SEAL) Print/Type Name: |
| By: Print/Type Name & Title: | Drint/Turna Mamai |
| rimutype maine & line | Print/Type Name: |
| By: | (SEAL) |
| Print/Type Name & Title: | Print/Type Name: |
| State of County or City of | |
| | of and State aforesaid, certify that personally appeared before me this day and acknowledged the due pressed. Witness my hand and Notarial stamp or seal this day of |
| My Commission Expires: | Notary Public |
| (Affix Seal) | Notary's Printed or Typed Name |
| State of County or City of I, the undersigned Notary Public of the County or City o | |
| execution of the foregoing instrument for the purposes therein exp | · - · · · · |
| My Commission Expires: | Notary Public |
| (Affix Seal) | Notary's Printed or Typed Name |
| Randy L. Blanton he is the President of | of Pender Nus Hanker and State aforesaid, certify that personally came before me this day and acknowledged that R.L. Blanton & Co., Inc. , a North Carolina or |
| inapplicable) and that by authority duly given and at the actor of | ompany/general partnership/limited partnership (strike through the arch entity,he signed the foregoing instrument in its name on its |
| behalf as its act and deed. Witness my hand and Colarial stamp, | Se seal, this 24 day of August 2021. |


Exhibit "A"


BEING ALL of Lot 3 in Waters Edge at Deerfield, as the same is shown and described on map thereof recorded in Map Book 37, Pages 133-134 and Map Book 42, Pages 80-82 in the office of the Register of Deeds of Pender County, North Carolina, and in those Restrictive Covenants recorded in Book 2424, Page 168, re-recorded in Book 2426, Page 248, and following pages in said Registry, and all amendments and supplements thereto; and having Tax Parcel ID number 3291-18-9828-0000 and being the same lands described, or intended to be described, in the deed recorded in Book 2523, Page 171 in said Registry.

TOGETHER WITH all rights, privileges, and easements to that parcel described as SF 3A as shown and described on map thereof recorded in Map Book 37, Page 133-134 in the office of the Register of Deeds of Pender County, North Carolina.









PARID: 32911898280000 ROLL: REAL

WESTERHOLM, ERICK WILLIAM

Parcel

ParID / PIN: 32911898280000 / 3291-18-9828-0000

Tax Year: 2024

Township: 102: TOPSAIL Neighborhood: R2020:

ESN: :

Owner

Account Number: 1014537 Current Book/Page: 4762/2978

Name: WESTERHOLM, ERICK WILLIAM
Name 2: WESTERHOLM, ERIN CARPENTER

Mailing Address: 2436 BRIARWOOD COVE

CEDAR HILL TX 75104

Legal

Physical Address:

Legal Description: L3,PB 37/133 WATERS EDGE @ DEERFIELD

 Sub Code:
 2-036

 Plat:
 00370133

Tax Districts/ G01 100% - PENDER COUNTY
Charge Codes: F29 100% - HAMPSTEAD FIRE
R40 100% - PENDER EMS

Tax District Setup

Tax Dist 1: G01 100% - PENDER COUNTY

032 F29 100% - HAMPSTEAD FIRE R40 100% - PENDER EMS

Tax Dist 2: Tax Dist 3: Tax Dist 4: Tax Dist 5:

Recorded Transaction

| Date | Book | Page | Instrument | Sale Price | Validity Code |
|-----------|------|------|----------------------|------------|---------------|
| 26-AUG-21 | 4762 | 2978 | WD - WARRANTY DEED | 1,050,000 | |
| 20-JUL-21 | 4759 | 133 | WD - WARRANTY DEED | 0 | |
| 30-OCT-15 | 4609 | 1911 | WD - WARRANTY DEED | 575,000 | |
| 17-NOV-04 | 2523 | 171 | WD - WARRANTY DEED | | |
| 30-JUN-04 | 37 | 133 | PLAT - RECORDED PLAT | | |
| 16-JAN-04 | 2303 | 182 | WD - WARRANTY DEED | 2,900,000 | |
| | | | | | |

Description

NBHD Code / Name: R2020 :

Class: R: RESIDENTIAL

Land Use: 131 : Vacant Land - Potentially Developable

Appraisal Territory:

Zoning: RP

Living Units:

Topography: :

:

:

Location: IF : ICSTL FR
Road Type: 1 : PAVED

Traffic: :
Utilities: :

:

Restrictions: :

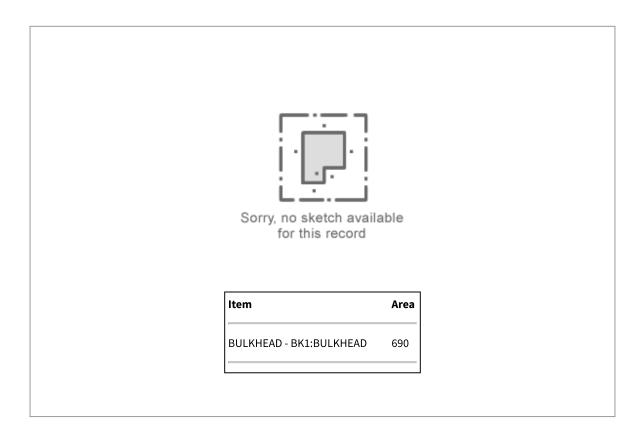
Calculated Acres: 1.13
VC Notice / VC Date: :

Valuation

033

Appraised Land: 497,200 Appraised Building: 78,130 Appraised Total: 575,330 Deferred: 0 Exempts/Excluded: 0 Assessed Real: 575,330 Personal:

Total Assessed: 575,330





3291-18-9828-0000 10/30/2017

| Locality Hampstead | Permit Number PN 01 - 74 |
|--|--|
| Ocean Hazard Estuarine Shoreline ORW Shoreline Public (For official use only) | c Trust Shoreline Other |
| GENERAL INFORMATION | |
| LAND OWNER - MAILING ADDRESS | |
| Name Erick Westerholm | |
| Address 2436 Briarwood Cv | |
| City Cedar Hill State TX Zip 75104 Phone | |
| Email Hozer4re@gmail.com Text 817-938-5744 | |
| AUTHORIZED AGENT | |
| Name | |
| Address | |
| City State Zip Phone | AAAA-44 |
| Email | |
| DESCRIPTION OF PROJECT: (List all proposed construction and land disturban Minor tree removal and construction of new 4 bedroom house, pool/s tank, septic system per approved permit, auto entry gate, paving and | pa, below grade propane |
| SIZE OF LOT/PARCEL: 45,747 square feet 1.050 acres | |
| PROPOSED USE: Residential (Single-family ☐ Multi-family ☐) Con | nmercial/Industrial Other |
| COMPLETE EITHER (1) OR (2) BELOW (Contact your Local Permit Officer if to your property): | you are not sure which AEC applies |
| (1) OCEAN HAZARD AECs: TOTAL FLOOR AREA OF PROPOSED STRUC air conditioned living space, parking elevated above ground level, non-conditioned sp excluding non-load-bearing attic space) | |
| (2) COASTAL SHORELINE AECs: SIZE OF BUILDING FOOTPRINT AND OT UPON SURFACES: 9–538 square feet (includes the area of the foundation of all buil concrete or masonry patios, etc. that are within the applicable AEC. Attach your calcu | THER IMPERVIOUS OR BUILT dings, driveways, covered decks, lations with the project drawing.) |
| STATE STORMWATER MANAGEMENT PERMIT: Is the project located in an a Stormwater Management Permit issued by the NC Division of Energy, Mineral and Leyes X NO | and Resources (DEMLR)? |
| f yes, list the total built upon area/impervious surface allowed for your lot or parcel: | 9,743 DEC 1 2 2023 square feet. |

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)

| X an owner or re | ecord title, Title is | vested in name of E | rick Wester | holm | |
|------------------------|-----------------------|-------------------------|-----------------|--|----------------------------------|
| see Deed Book | 4762 | page 2981 | in the | Pender | County Registry of Deeds. |
| an owner by v | rirtue of inheritanc | e. Applicant is an heir | to the estate | of | |
| | | | ; pi | robate was in | County. |
| | | | | | & attach to this application. |
| NOTIFICATION | OF ADJACENT | RIPARIAN PROPE | RTY OWNE | RS: | |
| | | | | | erty. I affirm that I have given |
| | | | | | pply for a CAMA permit. |
| (Name) | | | (Addro | | |
| (1) Denise Viney | ard Cantrell | | 106 Great | The same of the sa | |
| | | | | | |
| | | | | | |
| (3) | | | | | |
| (4) | | | | | |
| | | | | | |
| ACKNOWLEDGE | | | | alabana an marin ar | : 1 16tish |
| | | | | | is planned for an area which |
| may be susceptible i | to erosion and/or fi | looding. I acknowledg | ge that the Loc | cal Permit Officer ha | as explained to me the particu- |
| | | is lot. This explanatio | n was accomp | anied by recommen | ndations concerning stabiliza- |
| tion and floodproofi | ng techniques. | | | | |
| I Couthaumana aantiG | that I am authoris | ed to grout and do in | fact arent no | rmiccion to Divicio | n of Coastal Management staff, |
| | | | | | with evaluating information |
| related to this permit | application. | | | | |
| 4 | | | This the | 8th day o | of <u>Dee</u> , 20 23 |
| -9 / V | 1/2/2 | | | | |

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.

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

RECEIVED



PENDER COUNTY HEALTH DEPARTMENT

ENVIRONMENTAL HEALTH DIVISION 803 Walker Street, P.O. Box 1209 Burgaw, NC 28425 Phone 910-259-1233 FAX 910-259-1404 www.pendercountync.gov

IMPROVEMENT PERMIT

Parcel PIN: 3291-18-9828-0000

Application Date: 06/10/21

Applicant: Erick Westerholm

Cedar Hill, TX 75104

Phone:

917-938-5744

Address: 2436 Briarwood Cove

Property Desc.:

No. of Bedrooms: 4

Site Classification: PS

Permit Type:

Design Flow:

Property Address: Waters Edge Dr./Great Oak Dr.

Residential New

480 GPD

Waters Edge at Deerfield Lot 3

INTIAL SYSTEM

System Type: Vertical Panel Block

System Class: IIIe Useable Soil Depth:

LTAR: 0.4

Permit #: EHIP-01255-2021

Owner: RL Blanton & Co., Inc.

Address: 1247 Great Oak Dr

Wilmington, NC 28405

Phone:

Lot Size (Acres):

Facility Type: Single Family Dwelling

Water Supply: Public

REPAIR SYSTEM

System Type: Vertical Panel Block

System Class: IIIe Useable Soil Depth:

LTAR: 0.4

Conditions:

***Septic tank to be located at off-site drainfield area.

***Grinder pump basin to be installed at house site per plumbing code.

Refer to the attached site plan for specific information regarding location of the designated area. Soil and site descriptions are located on file at Pender County Environmental Health. There may be other types of systems which are applicable to this site. The permit and evaluation are valid only for the site as designated on the attached site plan. A Construction Authorization must be issued prior to the issuance of the Building Permit and before any construction or system installation can commence. This permit is subject to revocation if the site plan, plat, or intended use changes or if the site is altered. Do not drive on or otherwise disturb the designated soil area or this permit may be revoked.

ISSUED: July 07, 2021

Registered Environmental Health Specialist

EXPIRES: July 07, 2026

RECEIVED

DEC 1 2 2023

U.S. DEPARTMENT OF HOMELAND SECURITY Federal Emergency Management Agency National Flood Insurance Program

OMB Control No. 1660-0008 Expiration Date: 06/30/2026

ELEVATION CERTIFICATE IMPORTANT: MUST FOLLOW THE INSTRUCTIONS ON INSTRUCTION PAGES 1-11

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

| SECTION A – PROPERTY INFORMATION | FOR INSURANCE COMPANY USE |
|--|--------------------------------------|
| A1. Building Owner's Name: Erick & Erin Westerholm | Policy Number: |
| A2. Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.: Not yet Assigned by Pender County - Lot 3, Waters Edge at Deerfield | Company NAIC Number: |
| | ZIP Code: 28443 |
| A3. Property Description (e.g., Lot and Block Numbers or Legal Description) and/or Tax Parcel Nur | |
| Lot 3, Map Book 37, Page 133 - Pender County PIN: 3291-18-9828-0000 | |
| A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, etc.): Residential | |
| A5. Latitude/Longitude: Lat. 34° 20' 39.782037" Long77°42'06.100477" Horiz. Datum: | NAD 1927 X NAD 1983 WGS 84 |
| A6. Attach at least two and when possible four clear color photographs (one for each side) of the b | uilding (see Form pages 7 and 8). |
| A7. Building Diagram Number:6 | |
| A8. For a building with a crawlspace or enclosure(s): | |
| a) Square footage of crawlspace or enclosure(s): 878 sq. ft. | |
| b) Is there at least one permanent flood opening on two different sides of each enclosed area? | Yes No N/A |
| c) Enter number of permanent flood openings in the crawlspace or enclosure(s) within 1.0 foot Non-engineered flood openings: N/A Engineered flood openings: N/A | |
| d) Total net open area of non-engineered flood openings in A8.c:N/A sq. in. | |
| e) Total rated area of engineered flood openings in A8.c (attach documentation - see Instruction | ons): N/A sq. ft. |
| f) Sum of A8.d and A8.e rated area (if applicable – see Instructions): N/A sq. ft. | RECEIVED |
| A9. For a building with an attached garage: | DEC 1 0 2022 |
| a) Square footage of attached garage: N/A sq. ft. | DEC 19 2023 |
| b) Is there at least one permanent flood opening on two different sides of the attached garage? | Yes No NA DCM WILMINGTON, |
| c) Enter number of permanent flood openings in the attached garage within 1.0 foot above adjated Non-engineered flood openings: Engineered flood openings: | acent grade: |
| d) Total net open area of non-engineered flood openings in A9.c:sq. in. | |
| e) Total rated area of engineered flood openings in A9.c (attach documentation - see Instruction | ons): sq. ft. |
| f) Sum of A9.d and A9.e rated area (if applicable – see Instructions): sq. ft. | |
| SECTION B - FLOOD INSURANCE RATE MAP (FIRM) INFOR | RMATION |
| B1.a. NFIP Community Name: Pender County B1.b. NFIP Com | munity Identification Number: 370344 |
| B2. County Name: Pender B3. State: NC B4. Map/Panel No.: 3 | 8720329100 B5. Suffix: J |
| B6. FIRM Index Date: 06/02/2021 B7. FIRM Panel Effective/Revised Date: 02/16/20 | 07 |
| B8. Flood Zone(s): VE B9. Base Flood Elevation(s) (BFE) (Zone AO, use E | Base Flood Depth): 14 |
| B10. Indicate the source of the BFE data or Base Flood Depth entered in Item B9: TIS FIRM Community Determined Other: | |
| B11. Indicate elevation datum used for BFE in Item B9: ☐ NGVD 1929 ☒ NAVD 1988 ☐ Other | Source: |
| B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Prote Designation Date: 10/01/1983 CBRS CPA | ected Area (OPA)? Xes No |
| B13. Is the building located seaward of the Limit of Moderate Wave Action (LiMWA)? X Yes | No |

| Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box I | FOR INSURANCE COMPANY USE | | | | | | |
|---|--|--|--|--|--|--|--|
| Not yet Assigned by Pender County - Lot 3, Waters Edge at Deerfield | Policy Number: | | | | | | |
| City: Hampstead State: NC ZIP Code: 28443 | Company NAIC Number: | | | | | | |
| SECTION C - BUILDING ELEVATION INFORMATION (S | SURVEY REQUIRED) | | | | | | |
| | C1. Building elevations are based on: Construction Drawings* Building Under Construction* Finished Construction *A new Elevation Certificate will be required when construction of the building is complete. | | | | | | |
| C2. Elevations – Zones A1–A30, AE, AH, AO, A (with BFE), VE, V1–V30, V (with BFE), AR, AR/A, AR/AE, AR/A1–A30, AR/AH, AR/AO, A99. Complete Items C2.a–h below according to the Building Diagram specified in Item A7. In Puerto Rico only, enter meters. Benchmark Utilized: See Comments Vertical Datum: NAVD 88 | | | | | | | |
| Indicate elevation datum used for the elevations in items a) through h) below. ☐ NGVD 1929 ☑ NAVD 1988 ☐ Other: | | | | | | | |
| Datum used for building elevations must be the same as that used for the BFE. Conversion If Yes, describe the source of the conversion factor in the Section D Comments area. | on factor used? Yes No Check the measurement used: | | | | | | |
| a) Top of bottom floor (including basement, crawlspace, or enclosure floor): | 16.0 🛛 feet 📋 meters | | | | | | |
| b) Top of the next higher floor (see Instructions): | 27.2 feet meters | | | | | | |
| c) Bottom of the lowest horizontal structural member (see Instructions): | 23.87 | | | | | | |
| d) Attached garage (top of slab): | N/A feet meters | | | | | | |
| e) Lowest elevation of Machinery and Equipment (M&E) servicing the building (describe type of M&E and location in Section D Comments area): | N/A feet meters | | | | | | |
| f) Lowest Adjacent Grade (LAG) next to building: X Natural T Finished | 14.5 🛛 feet 🗌 meters | | | | | | |
| g) Highest Adjacent Grade (HAG) next to building: X Natural T Finished | 12.5 🛛 feet 🗌 meters | | | | | | |
| Finished LAG at lowest elevation of attached deck or stairs, including structural support: | N/A feet meters | | | | | | |
| SECTION D - SURVEYOR, ENGINEER, OR ARCHITEC | T CERTIFICATION | | | | | | |
| This certification is to be signed and sealed by a land surveyor, engineer, or architect auth information. I certify that the information on this Certificate represents my best efforts to interfalse statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1 | terpret the data available. I understand that any | | | | | | |
| Were latitude and longitude in Section A provided by a licensed land surveyor? | ©07. □ No | | | | | | |
| Check here if attachments and describe in the Comments area. | DEC 19 2023 | | | | | | |
| Certifier's Name: Elizabeth F. Smith, PLS License Number: L-5195 | , willing | | | | | | |
| Title: Professional Land Surveyor | DCW MATHICARS AND | | | | | | |
| Company Name: Robert H. Goslee & Associates, PA | 50 KESS101 17 | | | | | | |
| Address: P.O. Box 133 | SEAL 7 | | | | | | |
| City: Wallace State: NC ZIP Code: 284 | 166 | | | | | | |
| Telephone: (910) 285-4210 Ext.: Email: beth@gosleesurveying.com | | | | | | | |
| Signature: Elizabeth & Smith, PLS Date: 12/19/2023 Place Seal Here | | | | | | | |
| Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner. | | | | | | | |
| Comments (including source of conversion factor in C2; type of equipment and location per C2.e; and description of any attachments): Benchmark set using the NC Geodetic Survey VRS/RTK System and a Topcon HiPer Lite GPS Receiver. A8.b. Enclosure to be designed with breakaway walls per Pender County Flood Damage Prevention Ordinance. C2.e. No Machinery or Equipment in place - based on construction drawings | | | | | | | |

| Building Street Address (including Apt., Unit, | _ | • | Box No.: | FOR INSURANCE COMPANY USE |
|--|---|--|--------------------------------|---|
| Not yet Assigned by Pender County - Lo | | | 42 | Policy Number: |
| City: Hampstead | State: NC | NC ZIP Code: 28443 | | Company NAIC Number: |
| SECTION E - BUILD FOR ZOI | ING MEASUREME NE AO, ZONE AR/ | | | |
| For Zones AO, AR/AO, and A (without BFE) intended to support a Letter of Map Change enter meters. | , complete Items E1- request, complete Se | E5. For Items E1–E ections A, B, and C. | 4, use natural Check the me | grade, if available. If the Certificate is asurement used. In Puerto Rico only, |
| Building measurements are based on: *A new Elevation Certificate will be required | | | | on* Finished Construction |
| E1. Provide measurements (C.2.a in application measurement is above or below the national control of the contro | able Building Diagran tural HAG and the LA | n) for the following a G. | nd check the a | ppropriate boxes to show whether the |
| a) Top of bottom floor (including basem crawlspace, or enclosure) is: | nent, | [feet | : imeters | above or below the HAG. |
| b) Top of bottom floor (including basem crawlspace, or enclosure) is: | nent, | | meters | above or below the LAG. |
| E2. For Building Diagrams 6–9 with permar next higher floor (C2.b in applicable | ent flood openings p | | _ | |
| Building Diagram) of the building is: | | [] feet | | ☐ above or ☐ below the HAG. |
| E3. Attached garage (top of slab) is: | | [_] feet | ∐ meters | above or below the HAG. |
| E4. Top of platform of machinery and/or equivalent servicing the building is: | uipment | [feet | meters | above or below the HAG. |
| E5. Zone A0 only: If no flood depth number floodplain management ordinance? | is available, is the to | | | ecordance with the community's sist certify this information in Section G. |
| SECTION F - PROPERTY OV | INER (OR OWNER | 'S AUTHORIZED | REPRESEN | TATIVE) CERTIFICATION |
| The property owner or owner's authorized resign here. The statements in Sections A, B, | presentative who con | npletes Sections A, he best of my knowl | B, and E for Zo ledge | one A (without BFE) or Zone AO must |
| Check here if attachments and describe | | • | Ū | |
| Property Owner or Owner's Authorized Repr | esentative Name: | | | , |
| Address: | | | | |
| City: | | | State: | ZIP Code: |
| Telephone: Ext.: | Email: | | | |
| Signature: | | Date: | | _ |
| Comments: | | | | |
| | | | | |
| | | | RECEIV | /ED |
| | | | DEC 19 | 2023 |
| | | DC | M WILMIN | GTON, NC |
| | | | | |
| | | | | |

| Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.: | | FOR INSURANCE COMPANY USE | | | | |
|--|---|--|------------------------------|------------------------------|--|--|
| Not yet Assigned by Pender County - Lot 3, Waters Edge at Deerfield | | Policy Number: | | | | |
| City: Ham | mpstead State: NC 2 | ZIP Code: 28443 | Company NAIC Number: | | | |
| SE | ECTION G - COMMUNITY INFORMATION (RECOMM | ENDED FOR COMMUNI | TY OFFICIA | L COMPLETION) | | |
| The local of Section A, | official who is authorized by law or ordinance to administer the B, C, E, G, or H of this Elevation Certificate. Complete the | ne community's floodplain mapplicable item(s) and sign b | anagement or elow when: | rdinance can complete | | |
| G1. 🗌 | | | | | | |
| G2.a. | A local official completed Section E for a building located in E5 is completed for a building located in Zone AO. | n Zone A (without a BFE), Zo | one AO, or Zo | ne AR/AO, or when item | | |
| G2.b. 🗌 | A local official completed Section H for insurance purposes |). | | | | |
| G3. 🗆 | In the Comments area of Section G, the local official descri | ibes specific corrections to the | ne information | in Sections A, B, E and H. | | |
| G4. | The following information (Items G5–G11) is provided for c | ommunity floodplain manage | ement purpos | es. | | |
| G5. Per | ermit Number: G6. Date Perm | nit Issued: | | | | |
| G7. Dat | ate Certificate of Compliance/Occupancy Issued: | | | | | |
| G8. Thi | nis permit has been issued for: New Construction S | ubstantial Improvement | | | | |
| G9.a. Ele | evation of as-built lowest floor (including basement) of the building: | | meters | Datum: | | |
| | evation of bottom of as-built lowest horizontal structural ember: | feet | meters | Datum: | | |
| G10.a. BFI | FE (or depth in Zone AO) of flooding at the building site: | | meters | Datum: | | |
| req | ommunity's minimum elevation (or depth in Zone AO) quirement for the lowest floor or lowest horizontal structural ember: | ☐ feet | ☐ meters | Datum: | | |
| | ariance issued? | | Death Company of the Company | | | |
| The local o | official who provides information in Section G must sign here the best of my knowledge. If applicable, I have also provided | . I have completed the inform | nation in Sect | ion G and certify that it is | | |
| Local Offici | cial's Name: | Title: | | | | |
| NFIP Com | nmunity Name: | | | | | |
| Telephone | e: Ext.: Email: | | | | | |
| Address: | | | | | | |
| | | | | ode: | | |
| Signature: | | Date: | | | | |
| Comments | s (including type of equipment and location, per C2.e; description | otion of any attachments; and | d corrections | to specific information in | | |
| | A, B, D, E, or H): | | | · | | |
| | | | | | | |
| | R | ECEIVED | | | | |
| | DE | C 19 2023 | | | | |

| Building Street Address (including Apt., Unit, Suite, and/or Bidg. No.) or P.O. Route and Box No.: | | | FOR IN | FOR INSURANCE COMPANY USE | | |
|---|---|---|---|--|--|--|
| | | Policy N | Policy Number: | | | |
| City: Hampstead | ····· | _ State: NC _ ZI | P Code: 28443 | - Compar | y NAIC Number: | |
| SEC | | 2000 Per 10 10 10 10 10 10 10 10 10 10 10 10 10 | EIGHT INFORMATION NSURANCE PURPOSI | Vicinity Commission (Commission Commission C | ZONES | |
| The property owner, owne to determine the building's nearest tenth of a foot (nea Instructions) and the app | first floor height for ins arest tenth of a meter in | surance purposes. Seci n Puerto Rico). <i>Refere</i> | tions A, B, and I must also nce the Foundation Typ | be complet e <i>Diagrams</i> | (at the end of Section H | |
| H1. Provide the height of | the top of the floor (as i | indicated in Foundatior | n Type Diagrams) above t | he Lowest A | djacent Grade (LAG): | |
| a) For Building Diag floor (include above-grawlspaces or enclose | rade floors only for buil | 5-8. Top of bottomdings with | [] feet | meters | above the LAG | |
| | rams 2A, 2B, 4, and 6 oor above basement, c | | [] feet | meters | above the LAG | |
| | | | tem H2 instructions) eleva n H instructions) for the a | | ove the floor indicated by the uilding Diagram? | |
| SECTION I — F | ROPERTY OWNER | (OR OWNER'S AU | THORIZED REPRESE | NTATIVE) | CERTIFICATION | |
| The property owner or own A, B, and H are correct to t indicate in Item G2.b and s | he best of my knowled | | | | The statements in Sections ed Section H, they should | |
| Check here if attachme | nts are provided (includ | ding required photos) a | ınd describe each attachn | nent in the C | omments area. | |
| Property Owner or Owner's | S Authorized Represent | tative Name: | | | | |
| Address: | · | | | | | |
| City: | | | State: | ZIP | Code: | |
| Telephone: | Ext.: | Email: | | ····· | | |
| Signature: | | | Date: | | | |
| Comments: | | | | | | |
| | | | | | | |
| | | | | 1 | | |
| | | | em | | | |
| | | | RECEIVE | | | |
| | | | DEC 1 9 20 | 23 | | |
| | | | DCM WILMING | | | |
| | | | DCM AND THE STATE OF THE STATE | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

IMPORTANT: MUST FOLLOW THE INSTRUCTIONS ON INSTRUCTION PAGES 1-11 BUILDING PHOTOGRAPHS

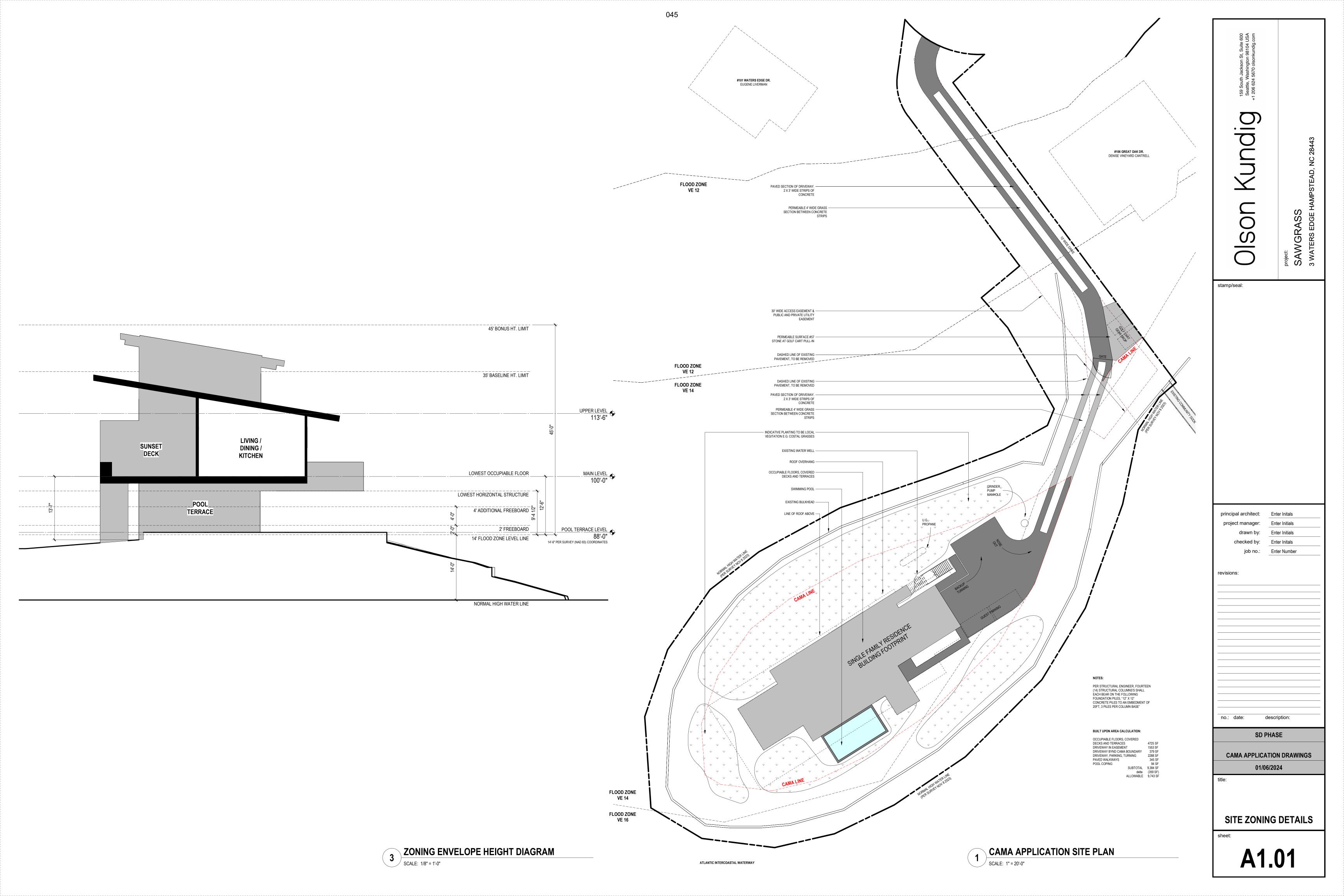
See Instructions for Item A6.

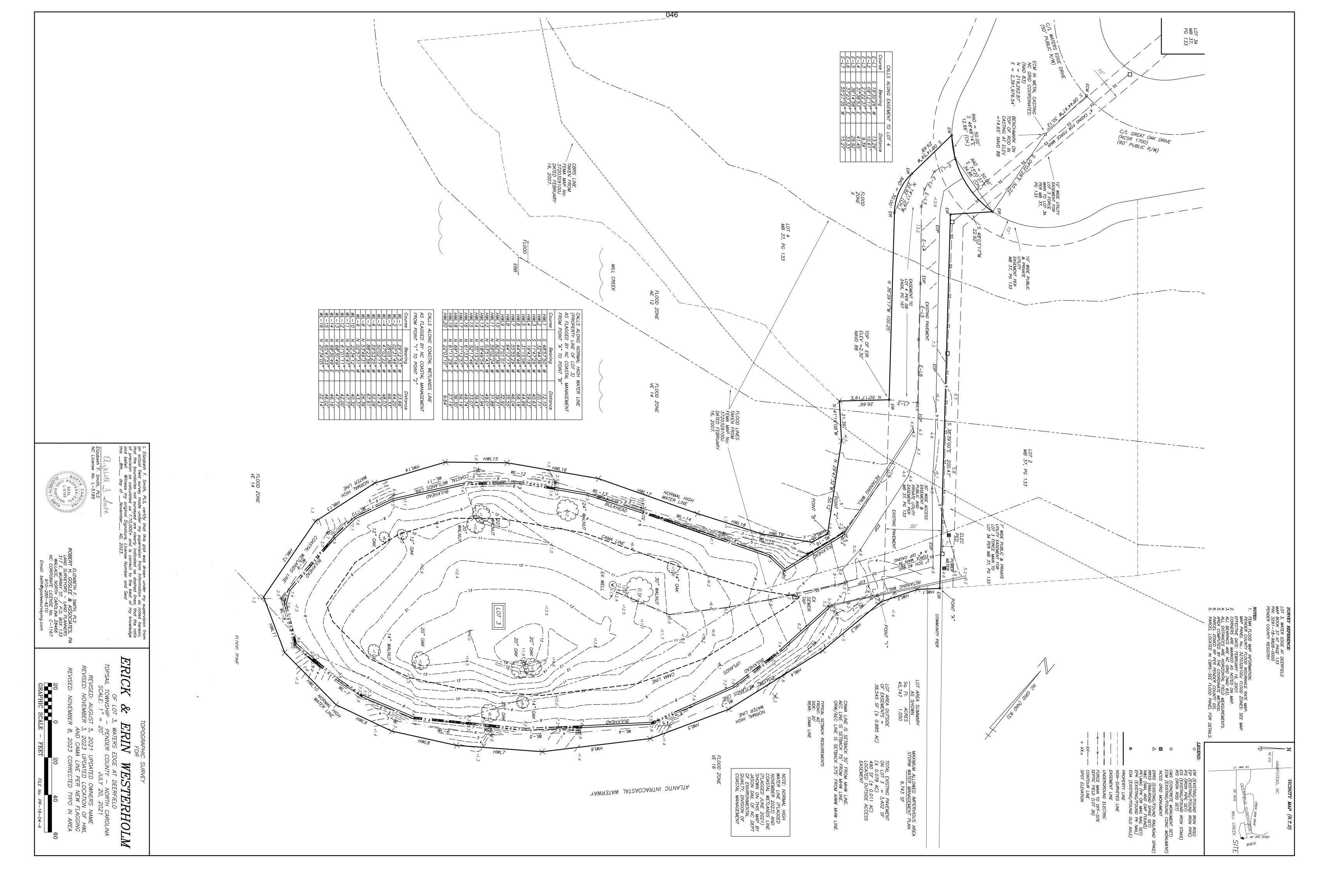
| Building Street Address (including Apt., Unit, Suite, and/ Not yet Assigned by Pender County - Lot 3, Wate | | | FOR INSURANCE COMPANY USE |
|---|--------------------------|--|--|
| | ate: NC | | Policy Number: |
| Oity. Hampstead | 110. | 211 COde: 20445 | Company NAIC Number: |
| Instructions: Insert below at least two and when possit able to take front and back pictures of townhouses/rov "Right Side View," or "Left Side View." Photographs m close-up photograph of representative flood openings | vhouses). lust show t | Identify all photographs with the da the foundation. When flood opening | te taken and "Front View," "Rear View," as are present, include at least one |
| | | | The state of the s |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | F | Photo One | |
| Photo One Caption: | | | Clear Photo One |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | RECEIVED | |
| | | DEC 19 2023 | |
| | | DCM WILMINGTON, N | IC |
| | | ₩ - | |
| | | | |
| | Р | hoto Two | |
| Photo Two Caption: | | | Clear Photo Two |

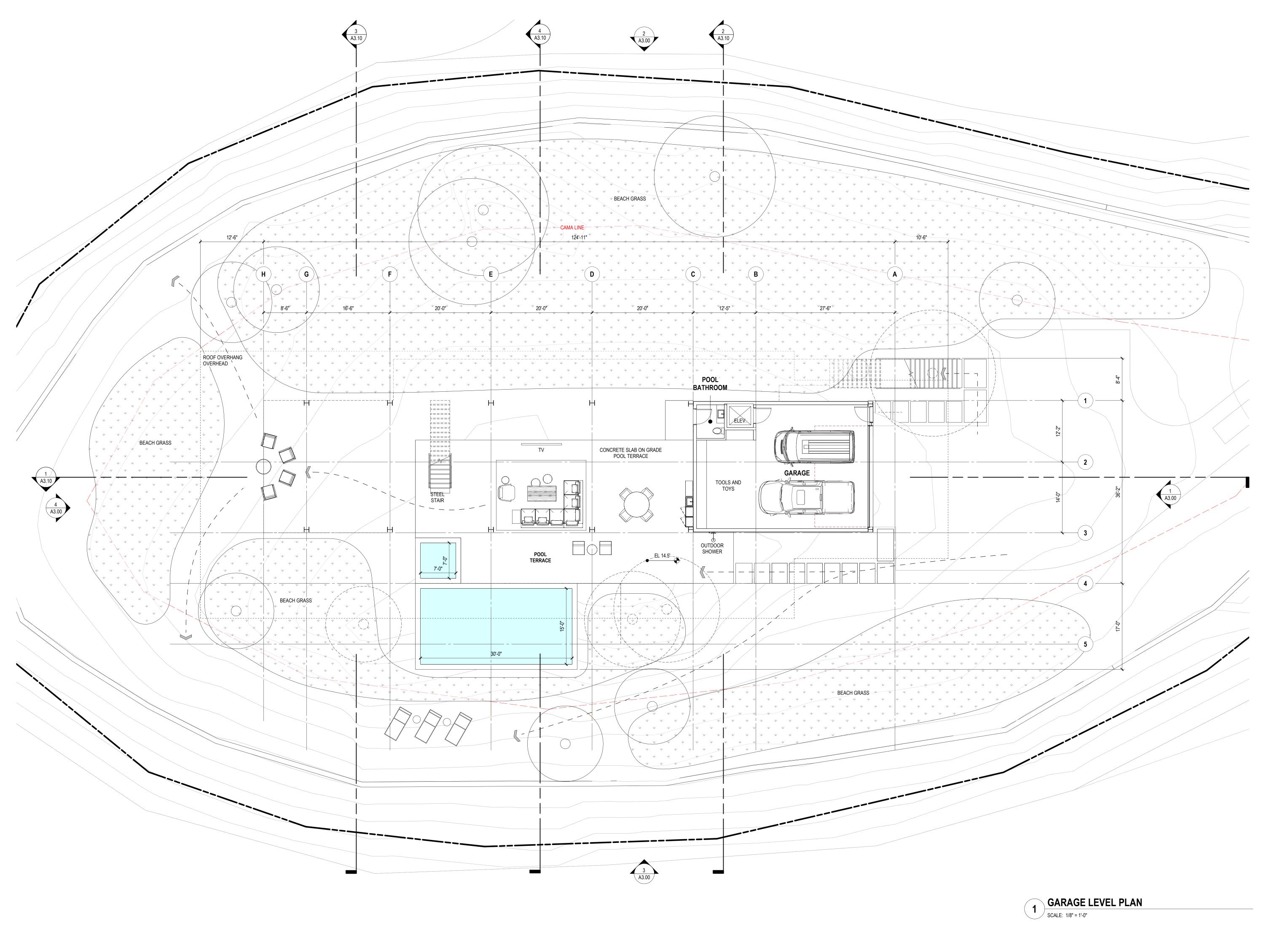
ELEVATION CERTIFICATE IMPORTANT: MUST FOLLOW THE INSTRUCTIONS ON INSTRUCTION PAGES 1-11 BUILDING PHOTOGRAPHS

Continuation Page

| Building Street Address (including Apt., Unit, Suite | FOR INSURANCE COMPANY USE | | | | | |
|--|----------------------------|------------------------|---|--|--|--|
| Not yet Assigned by Pender County - Lot 3, Waters Edge at Deerfield City: Hampstead State: NC ZIP Code: 28443 | | | | Policy Number: | | |
| Oity. Hampstoad | | -110 | 211 Code. 20110 | Company NAIC Number: | | |
| Insert the third and fourth photographs below. Id View," or "Left Side View." When flood openings vents, as indicated in Sections A8 and A9. | lentify all p are prese | hotograp nt, includ | hs with the date taken and "Fror le at least one close-up photogra | nt View," "Rear View," "Right Side aph of representative flood openings or | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | Phot | o Three | | | |
| Photo Three Caption: | | | | Clear Photo Three | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | RECEIVED | | | |
| | | | DEC 19 2023 | | | |
| | | | CM WILMINGTON, NC | | | |
| | | ים | CW MITMILL | | | |
| | · | Phot | to Four | | | |
| Photo Four Caption: | | | | Clear Photo Four | | |







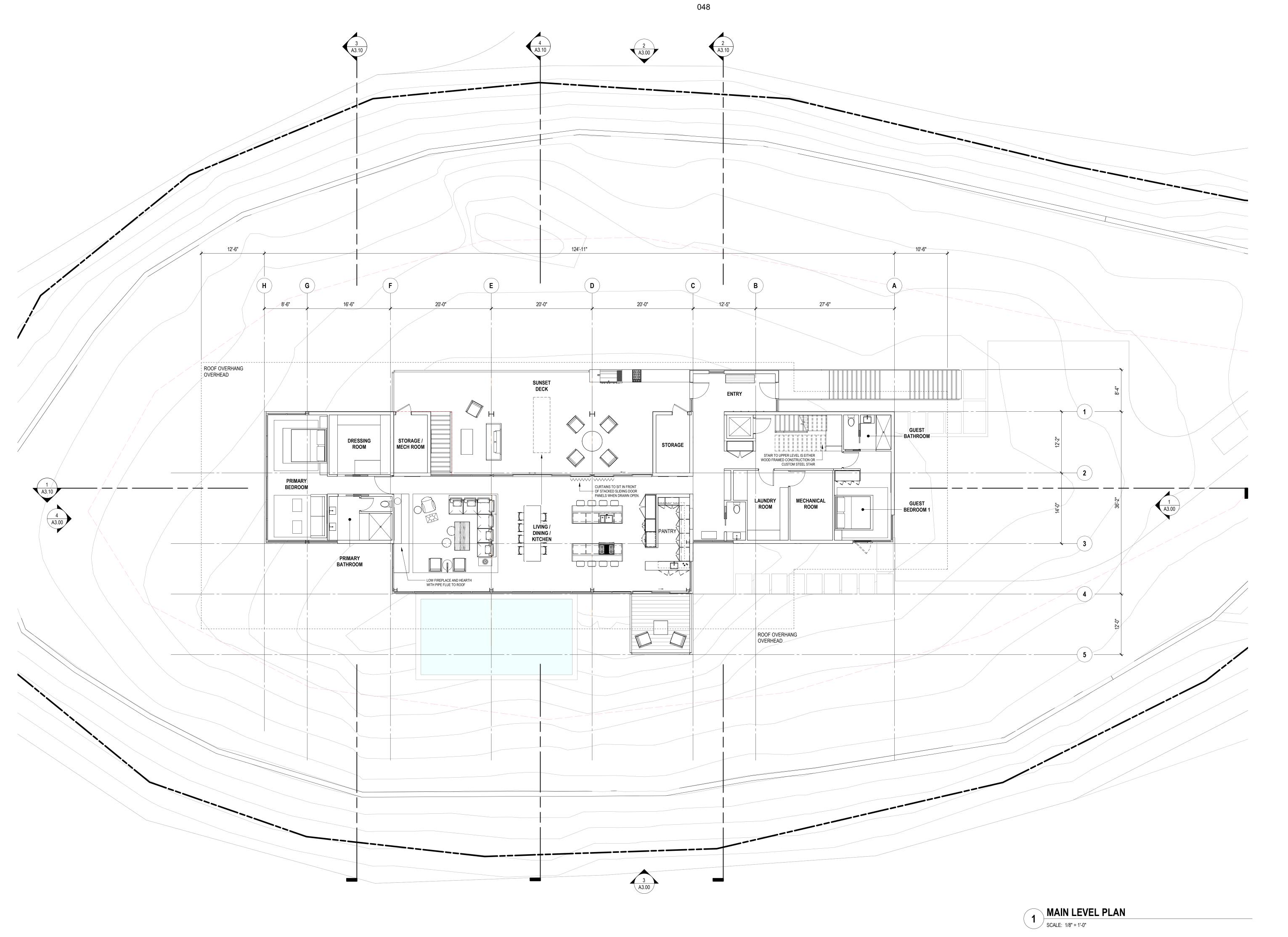
principal architect: Enter Initals project manager: Enter Initials checked by: Enter Initals job no.: Enter Number revisions:

no.: date: description:

CAMA APPLICATION DRAWINGS 01/06/2024

GARAGE LEVEL FLOOR PLAN

A2.00



Project:
SAWGRASS
3 WATERS EDGE HAN

stamp/seal:

principal architect: Enter Initals project manager: Enter Initials Enter Initals checked by: job no.: Enter Number revisions:

SD PHASE

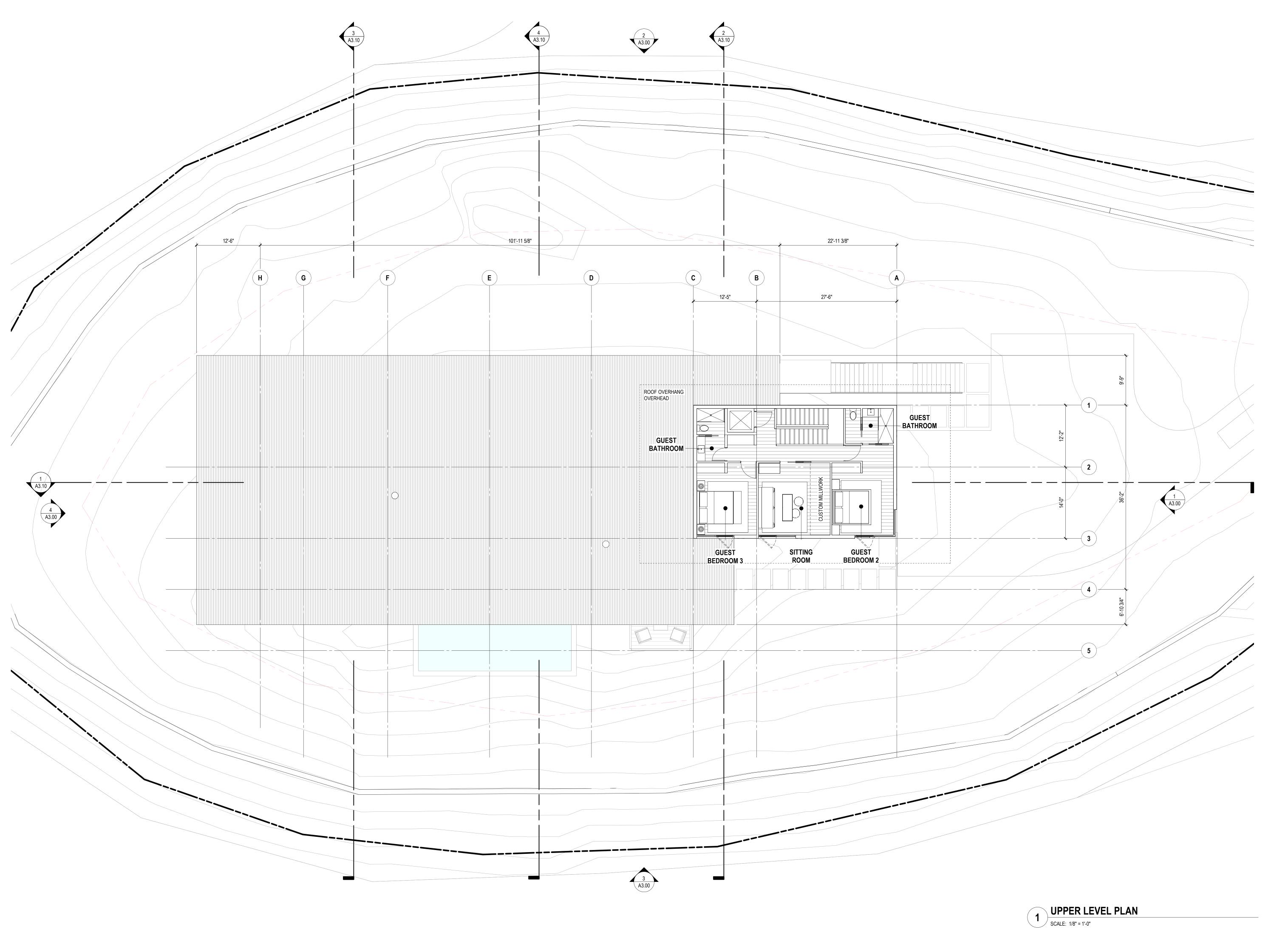
description:

CAMA APPLICATION DRAWINGS 01/06/2024

no.: date:

MAIN LEVEL FLOOR PLAN

A2.01



159 South Jackson St, Suite 6 Seattle, Washington 98104 U. +1 206 624 5670 olsonkundig.α

son Kundig

Project:
SAWGRASS
3 WATERS EDGE HAN

stamp/seal:

principal architect: Enter Initals
project manager: Enter Initials
drawn by: Enter Initials
checked by: Enter Initals
job no.: Enter Number

revisions:

no.: date: description:

01/06/2024

SD PHASE

CAMA APPLICATION DRAWINGS

UPPER LEVEL FLOOR PLAN

A2.02

Dail, Jason

From:

Dail, Jason

Sent:

Wednesday, December 13, 2023 3:03 PM

To:

Erick W

Subject:

CAMA minor permit application - additional information requested

RE: **INCOMPLETE APPLICATION** – Erick Westerholm - **ADDITIONAL INFORMATION REQUIRED** APPLICATION NUMBER – N/A PROJECT ADDRESS – 3 Water's Edge, Hampstead, NC

Mr. Westerholm,

The Division of Coastal Management's Wilmington Regional office received a CAMA Minor Permit application from you on December 12, 2023, requesting approval for development activities at 3 Water's Edge, Hampstead, NC. In reviewing your application, we have discovered that additional information is needed to complete the review process. Accordingly, I am requesting that you submit the following additional information to this office:

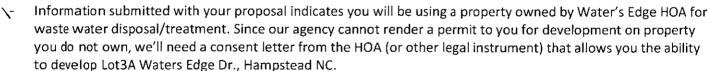


Please provide a copy of the elevation certificate for the subject property.

Please provide a site plan that shows all existing structures on the property (i.e. driveway within easement) and all proposed development. As you may know, our rules allow for re-development over existing impervious so any proposal to add a new driveway over existing would be allowed, but we'll need to see that on the plans prior to authorizing.



The "CAMA application site plan" that was submitted with your minor permit application appears to show a different normal high water line than what is depicted on the Robert Goslee and Assoc. survey sealed on November 6, 2023. As a result, please overlay all proposed development on the Goslee and Assoc. survey. The surveyor can remove any/all topographic contours to make the site plan more legible. Additionally, please ensure that any drawings submitted to our office are of sufficient size for review purposes. Full scale drawings would be preferred.



Please provide a copy of the architectural plans for the development.

In accordance with the Department of Environment and Natural Resources regulations, we note that the application for 3 Water's Edge Drive, Hampstead, NC, received in our office on December 12, 2023, is incomplete for processing. Upon resubmission of a complete application, a local decision will be made in 25 days, provided this period is not extended as provided by law. Please contact me at 910-796-7221 if you have any questions.

Thank you, Jason

Jason Dail Field Representative

0019

U.S. Postal Service[™] CERTIFIED MAIL® RECEIPT Domestic Mail Only

| Denise Vineyard Cantrell Adjacent Property Owner 106 Great Oak Dr Mailing Address Hampstead, NC. 28443 City, State, Zip Code Dear Adjacent Property: | 7020 0640 0001 653 | Extra Services & Fees (check box, add fee as appropriate) Return Receipt (hardcopy) Return Receipt (electronic) Certifled Mail Restricted Delivery Adult Signature Required Adult Signature Restricted Delivery Postage 1 5 5 | Postmark Here 1 2027 See Reverse for Instructions |
|--|---|---|---|
| This letter is to inform you that I, Erick We | esterholm | _ have applied for a CAMA Minor | |
| | ty Owner | - ************************************ | |
| Permit on my property at 3 Waters Edg | ge Dr | in Hampst | ead |
| | ty Address | City / To | own |
| in Pender County. As required by CAMA regulations project drawing(s) as notification of my proposed protein the enclosed no objection form. If you have any quest contact me at 817-938-5744 Applicant's Telephone file written comments or objections with the CAMA M | oject. No action is requestions or comments at | uired from you or you may sign and return bout my proposed project, please dress listed below. If you wish to | 1 |
| | Jason Dail, DCM Fie LPO, County of Pen NC DEQ / DCM 127 Cardinal Drive E: Wilmington, NC 2840 | ext. | |
| Erick Westerholm | | | |
| Property Owner | | | |
| 2436 Briarwood Cv | | | |
| Mailing Address | | | |
| Cedar Hill, TX. 75104 | | | |
| City, State, Zip Code | | | |
| | | | |

| | | CERTIFIED WAIL® RE omestic Mail Only | ECEIPT |
|--|---|--|--|
| Date Eugene Liverman Adjacent Property Owner 101 Waters Edge Dr Mailing Address Hampstead, NC. 28443 City, State, Zip Code | Certi \$ Cer | redelivery information, visit our well- Hampst etta refer 2544] Services & Fees (check box, add fee as appropria eturn Receipt (hardcopy) \$ Seturn Receipt (electronic) \$ Seturn Recei | Postmark krain Apole 2 - 5 - 5 - 5 - 5 - 5 - 5 - 5 - 5 - 5 - |
| Dear Adjacent Property: This letter is to inform you that I,Erick We | sterholm rty Owner | have applied for a CAMA M | inor |
| Permit on my property at3 Waters Edge | 20 • E W 100C 1650 | , in | Hampstead, City / Town |
| In Pender County. As required by CAMA regulation project drawing(s) as notification of my proposed protection the enclosed no objection form. If you have any question that the enclosed no abjection form are contact me at Applicant's Telephone | oject. No action is | required from you or you may sigr | n and return ase |
| file written comments or objections with the CAMA | linor Permit Progra | am, you may submit them to: | |
| | Jason Dail, DCM LPO, County of F NC DEQ / DCM 127 Cardinal Driv Wilmington, NC 2 | e Ext. | |
| Erick Westerholm | | | |
| Property Owner | | | |
| 2436 Briarwood Cv | | | |
| Mailing Address | | | |
| Cedar Hill, TX. 75104 | | | |
| City, State, Zip Code | | | |

052 U.S. Postal Service™

RECEIVED

HOUSTON. READ MORE > (HTTPS://ABOUT.USPS.COM/NEWSROOM/SERVICE-ALERTS/)

USPS Tracking[®]

FAQs >

Track Packages
Anytime, Anywhere

Get the free Informed Delivery® feature to receive automated notifice ions on your packages

Learn More

(https://reg.usps.com/xsell?

app=UspsTools&ref=ho nepageBanner&appURL=https%3A%2F%2Finformeddelivery.usps.com/box/pages/intro/start.action)

Remove 🔾

Tracking Number:

70200640000165300019

Copy Add to Informed Delivery (https://informeddelivery.usps.com/)

Latest Update

Your item was delivered to an individual at the address at 4:52 pm on December 12, 2023 in HAMPSTEAD, NC 28443.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivered

Delivered, Left with Individual

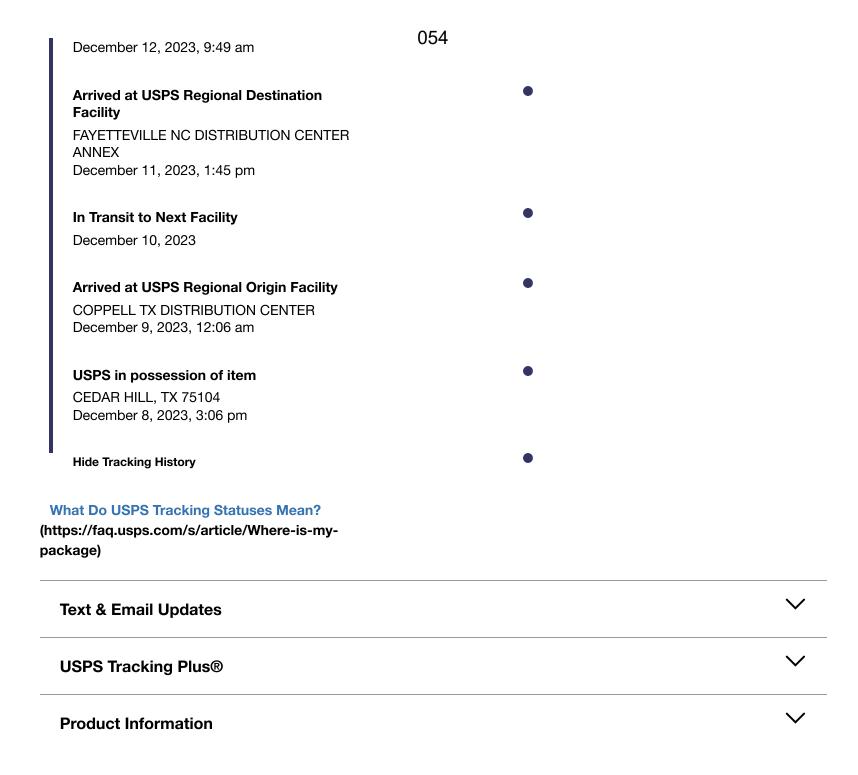
HAMPSTEAD, NC 28443 December 12, 2023, 4:52 pm

Out for Delivery

HAMPSTEAD, NC 28443 December 12, 2023, 10:00 am

Arrived at Post Office

HAMPSTEAD, NC 28443



HOUSTON. READ MORE > (HTTPS://ABOUT.USPS.COM/NEWSROOM/SERVICE-ALERTS/)

USPS Tracking[®]

FAQs >

Track Packages
Anytime, Anywhere

Get the free Informed Delivery® feature to receive automated notifications on your packages

Learn More

(https://reg.usps.com/xsell?

app=UspsTools&ref=ho nepageBanner&appURL=https%3A%2F%2Finformeddelivery.usps.com/box/pages/intro/start.action)

Remove X

Tracking Number:

Copy

70200640000165297524

Add to Informed Delivery (https://informeddelivery.usps.com/)

Latest Update

Your item was picked up at a postal facility at 11:25 am on December 16, 2023 in HAMPSTEAD, NC 28443.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivered

Delivered, Individual Picked Up at Postal Facility

HAMPSTEAD, NC 28443 December 16, 2023, 11:25 am

Notice Left (No Authorized Recipient Available)

HAMPSTEAD, NC 28443 December 15, 2023, 1:35 pm

Redelivery Scheduled HAMPSTEAD, NC 28443

Notice Left (No Authorized Recipient Available)

HAMPSTEAD, NC 28443 December 12, 2023, 4:48 pm

Out for Delivery

HAMPSTEAD, NC 28443 December 12, 2023, 10:00 am

Arrived at Post Office

HAMPSTEAD, NC 28443 December 12, 2023, 9:49 am

Arrived at USPS Regional Destination Facility

FAYETTEVILLE NC DISTRIBUTION CENTER ANNEX December 11, 2023, 1:45 pm

In Transit to Next Facility

December 10, 2023

Arrived at USPS Regional Origin Facility

COPPELL TX DISTRIBUTION CENTER December 8, 2023, 11:51 pm

USPS in possession of item

CEDAR HILL, TX 75104 December 8, 2023, 3:04 pm Issued by WiRO Pender County

PN01-24 Permit Number

CAMA MINOR DEVELOPMENT PERMIT



as authorized by the State of North Carolina, Department of Environmental Quality and the Coastal Resources Commission for development in an area of environment concern pursuant to Section 113A-118 of the General Statutes, "Coastal Area Management"

Issued to <u>Erick Westerholm</u> authorizing development in the Estuarine Shoreline (AEC) at <u>3 Water's Edge</u> in Hampstead, Pender County as requested in the permittee's application, dated December 8, 2023, and received by DCM on December 13, 2023. This permit, issued on <u>February 5, 2024</u>, is subject to compliance with the application and drawing dated and received by DCM on January 12, 2024 (where consistent with the permit), all applicable regulations and special conditions and notes set forth below. Any violation of these terms may subject the permittee to a fine, imprisonment or civil action, or may cause the permit to be null and void.

This permit authorizes: Construction of a single-family residence with partial driveway and amenities (i.e. swimming pool).

- (1) All proposed development and associated construction must be done in accordance with the permitted site drawing dated received by DCM on January 12, 2024. **[GS 113A-120]**
- (2) Any change or changes in the plans for development, construction, and/or land use activities will require re-evaluation and modification of this permit. **[GS 113A-120]**
- (3) A copy of this permit shall be posted or available on site throughout the construction process. Contact this office at (910) 766-7221 for a final inspection at completion of work. **[GS 113A-120]**

(Additional Permit Conditions on Page 2)

This permit action may be appealed by the permittee or other qualified persons within twenty (20) days of the issuing date. This permit must be on the project site and accessible to the permit officer when the project is inspected for compliance. Any maintenance work or project modification not covered under this permit, require further written permit approval. All work must cease when this permit expires on:

December 31, 2027

In issuing this permit it is agreed that this project is consistent with the local Land Use Plan and all applicable ordinances. This permit may not be transferred to another party without the written approval of the Division of Coastal Management.

Jason Dail

NCDCM – Field Representative 127 Cardinal Drive Extension

Wilmington, NC 28405-3845

PERMITTEE

(Signature required if conditions above apply to permit)

Name: Erick Westerholm Minor Permit # PN01-24 Date: February 5, 2024

Page 2 of 2

- (4) All unconsolidated material resulting from associated grading and landscaping shall be retained on site by effective sedimentation and erosion control measures. Disturbed areas shall be vegetated and stabilized (planted and mulched) within 14 days of construction completion. [07H .0209(d)(3)]
- (5) Any proposed for grading within the 30' Coastal Shoreline buffer (as measured from the Normal High Water level) must be contoured to prevent additional stormwater runoff to the adjacent marsh. This area shall be immediately vegetated and stabilized and must remain in a vegetated state. [07H .0209(d)(3)]
- (6) This permit does not authorize the excavation or filling of any wetlands, even temporarily. [GS 113A-120] and [07H .0205(d)]
- (7) No impervious coverage/built upon area, including but not limited to the house (including eaves), foundation pad, covered decking, driveway(s), etc. shall extend into the 30-foot coastal shoreline buffer. [07H .0209(d)(10)]
- (8) The amount of impervious surface/coverage on this property shall not exceed 25% within 575 feet of the Normal High Water line. In this case, 9,538 sq. ft. of impervious coverage is permissible on-site. [07H .0209(f)(1)]
- (9) The proposed concrete driveway located within 30 feet of the normal/mean high water line (i.e. Coastal Shoreline buffer) is OMITTED from this permit, pursuant to non-compliance with 15A NCAC 07H .0209(d)(10)
- (10) All structures shall comply with the NC Building Code, including the Coastal and Flood Plain Construction Standards of the N. C. Building Code, and the Local Flood Damage Prevention Ordinance as required by the National Flood Insurance Program. If any provisions of the building code or a flood damage prevention ordinance are inconsistent with any of the following AEC standards, the more restrictive provision shall control.
- (11) Pursuant to 15A NCAC, Subchapter 7J.0406(b), this permit may not be assigned, transferred, sold or otherwise disposed of to a third-party. [07J.0406(b)]

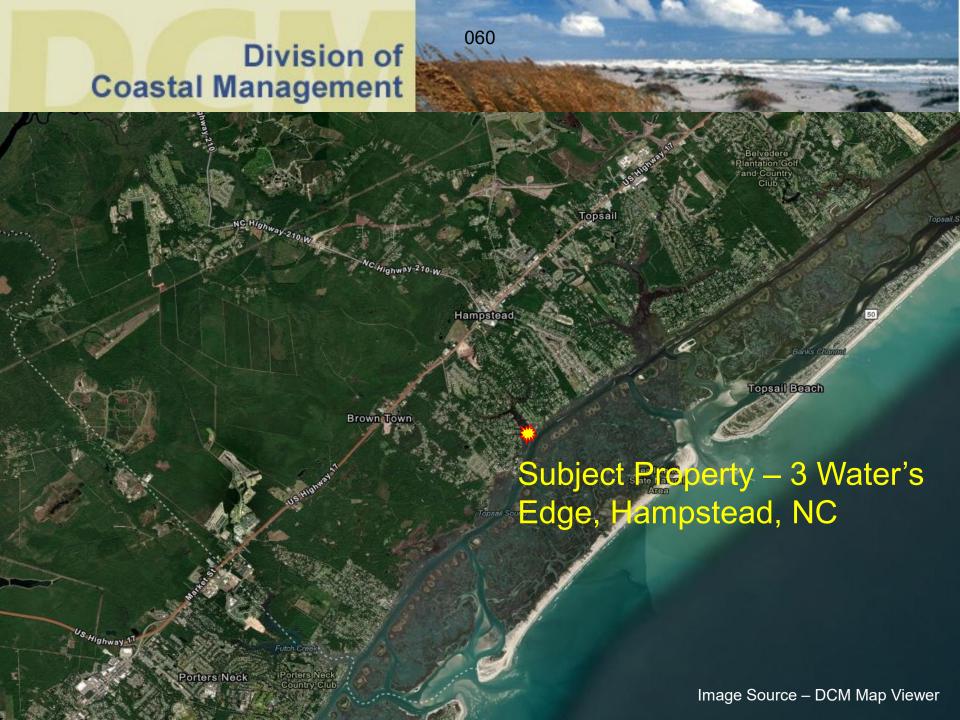
| SIGNATURE:- | XGK NAGO | DATE: | - · - | |
|-------------|----------|-------|-------|--|
| PERMITTEE | | _ | | |

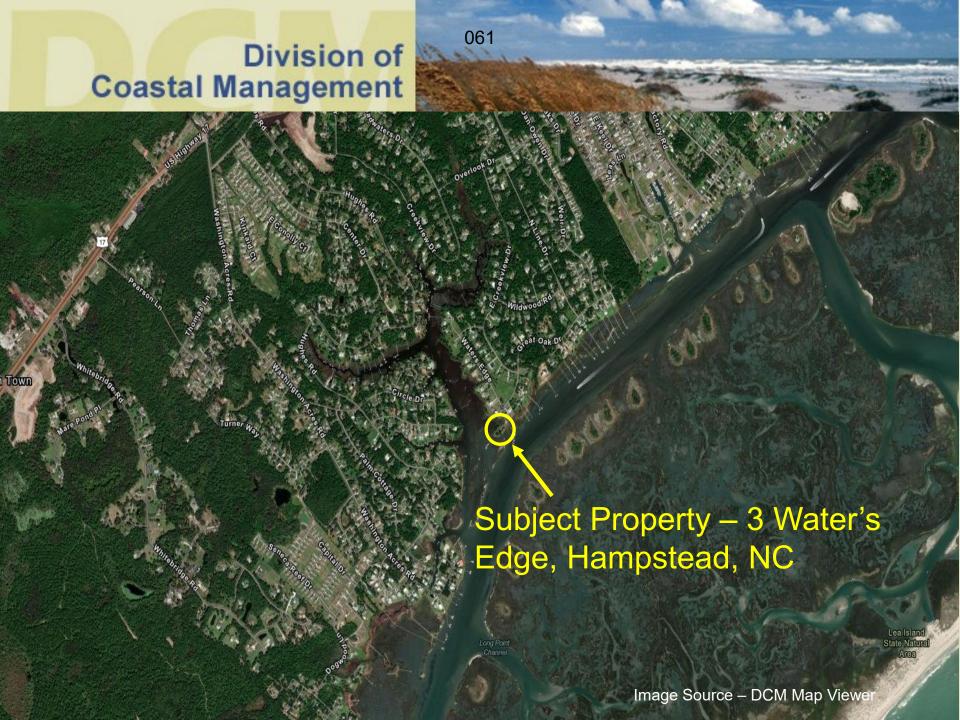
2000

NC COASTAL RESOURCES **COMMISSION MEETING** August 28, 2024

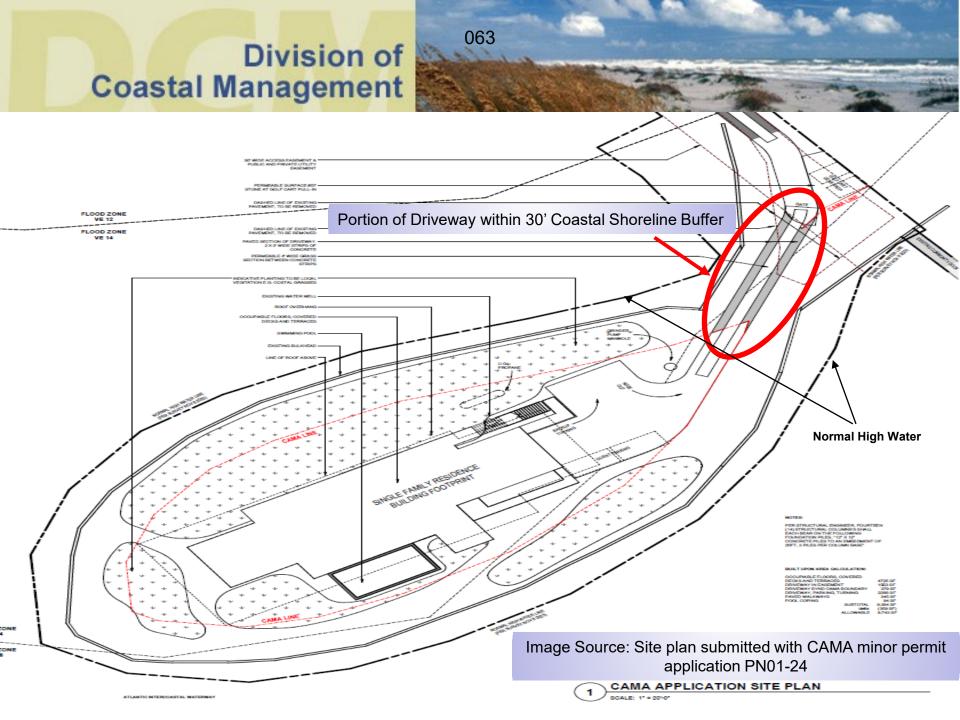
Erick Westerholm

3 Water's Edge, Hampstead, Pender Co.



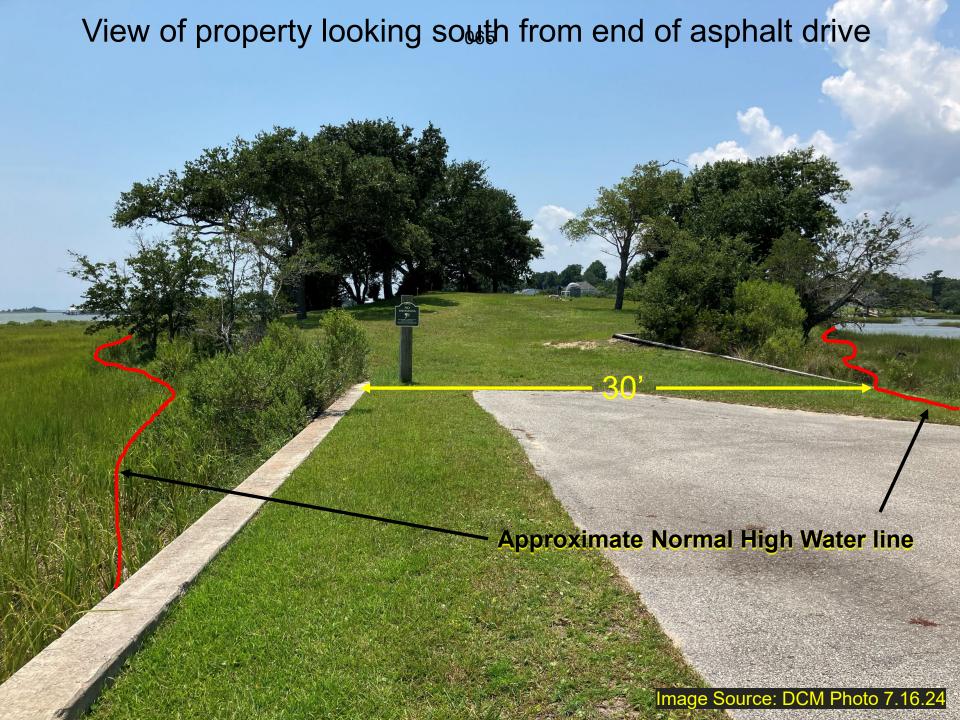






View of property logking east from end of asphalt road (toward AIWW)





G.S. 113A-120.1

To grant a variance, the Commission must affirmatively find Petitioner must show 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.
- (b) The Commission may impose reasonable and appropriate conditions and safeguards upon any variance it grants.