



**TOWN OF HOLDEN BEACH
BOARD OF ADJUSTMENT
REGULAR MEETING
TOWN HALL PUBLIC ASSEMBLY
Monday, October 16, 2023
3:00 PM**

1. Call to Order
2. Roll Call
3. Approval of minutes from September 18, 2023
4. CASE NO. 02-23: To request a variance from the Holden Beach Zoning Code of Ordinance Chapter 15, Section 157.060 (D)(4) to encroach into the side yard setback measured 5 feet from property line located at 167 Brunswick Avenue West, Holden Beach, North Carolina.
5. CASE NO. 03-23: To request compliance of the Town of Holden Beach Code of Ordinances, Chapter 157.085 (D)-Relocation of Buildings. The request is to relocate 485 Ocean Boulevard West to 946 Ocean Boulevard West.
6. CASE NO. 04-23: To request compliance of the Town of Holden Beach Code of Ordinances, Chapter 157.102 (A)-Cannot add to a non-conforming use. This request is for 127 Conch Street, Holden Beach, NC 28462.
7. Old Business
8. New Business
9. Adjournment



Town of Holden Beach
Zoning Board of Adjustment
Regular Meeting
Monday, September 18, 2023

The Town of Holden Beach Board of Adjustment met for a regular meeting on Monday, September 18, 2023, at 3:00 PM in the Holden Beach Town Hall Public Assembly. Present was Chairperson Anne Arnold, Regular Members Phil Caldwell, MaryLou Lahren, and Jack Lohman. Alternate Members present were Rick McInturf and Richard Roberts. Absent was Vice Chairperson Richard Griffin. Present town staff members were Tim Evans, Carey Redwine, and Janna Pigott.

CALL TO ORDER

Chairperson Anne Arnold called the meeting to order.

ROLL CALL

Secretary called roll.

APPROVAL OF MINUTES FROM JULY 22, 2023

A change was made to the minutes, Mary Lou Lahren was present during the last meeting. Anne Arnold made a motion to approve the minutes, second by Jack Lohman; minutes were approved.

VOTED ON CHAIRPERSON AND VICE CHAIRPERSON

Anne Arnold was made Chairperson and Mary Lou Lahren was voted Vice Chairperson.

SWORE IN MEMBERS

CASE NO. 01-23: To request compliance of the Town of Holden Beach Code of Ordinances, Chapter 157.085 (D)-Relocation of Buildings. The request is to relocate 591 Ocean Boulevard West to 139 Tarpon Drive.

Arnold: Does the staff have a presentation?

Evans: No.

Arnold: Do you have a copy of that ordinance? I want to hear it.

Evans: I'm not sure what you want me to read.

Arnold: I want to hear the ordinance that says they need to come before the Board of Adjustment. I know it's there; I want it in the record. Please.

Evans: It is the general intent of this section to prevent the relocation of buildings such that the quality or character of the neighborhood in which a building might be moved is adversely affected. To this end, no building may be moved, either intact or in a dismantled state, except in accordance with the following:

- (A) The use of the building must be permitted to use in the zone into which it is to be located.
- (B) Site preparation and all work performed incidental to moving and placing the building at its new location and all reconstruction of the building as may be necessary must conform to all applicable federal, state and local laws and regulations and shall be completed within three months following the initiation of the work. For purposes of this section the work shall be considered complete upon issuance of a Final Certificate of Compliance. For each calendar day beyond three months following the initiation of the work that the work is not complete, the holder of the building permit shall be fined as provided in [§ 157.999](#), each day to be considered a separate offense, and such fine to be paid at the Town Hall. Should the work be delayed for cause beyond the control of the permittee or contractor employed to do the work, the time for completion may be extended. Requests for extensions of time shall be made in writing to the Town Manager setting forth full particulars as to cause of delay. Determination as to whether sufficient cause exists to justify a time extension and the amount of any extension shall be made by the Town Manager.
- (C) The exterior appearance of the building shall be made equal or superior to the general nature, quality, and character of the neighborhood into which located.
- (D) Evidence and plans demonstrating the intent to comply with divisions (A), (B), and (C) of this section shall be approved by the Building Inspector and Board of Adjustment prior to issuance of a building permit for moving the building. In this regard the Board of Adjustment shall hold a evidentiary hearing as set forth in [§ 157.146\(C\)](#) of this chapter. Owners of property within 200 feet of the proposed new location shall be individually notified by certified mail of the hearing.
- (E) Temporary relocation of buildings for periods not to exceed 90 days may be approved by the Building Inspector provided that during such period the building shall not be connected to any utility system and shall not be occupied. In the event the owner desires to secure the building at its temporary

location and initiate improvements thereon, such work shall be done at the owner's sole risk. You know what I'm done. I'm done. That was just ridiculous, making me read all that.

Arnold: I asked you to read the relocation.

Evans: That's ridiculous.

Arnold: 157.085 (D) is the part of our ordinance that says we have to bring it before the Board of Adjustment. We are here, and we are here to hear from you.

Moffatt: I own two properties, one is a vacant lot and the other has an older house, built in the 1970s. We are wanting to build a bigger home there; I don't want to waste a perfectly good home, so it just needs to be relocated and put piles on it. I'm keeping it as is, nothing bigger. We are just moving down the street, creating a new house on the beach. We plan to make Tarpon our primary residence.

McInturf: So, your plan is to live on Tarpon?

Moffatt: Yes, we are going to build 591 and rent it out.

McInturf: So, there is a certain amount of assurance that once the house is moved to the vacant lot that the work is going to be gung-ho to get that thing straightened out?

Moffatt: I plan on before 591 gets up and going that I have a place to stay and to manage 591. As much as I would love to say I can do it in 45 days, it is the beach, and it doesn't always happen like that. In theory, once the house is moved and the piles are put in it should be 45 days from that time. But I did hear about the 90 days.

Arnold: You get twice as long.

Lahren: The new house will fit within the building code?

Moffatt: Yes, the beach front plot is bigger because of the CAMA setbacks, correct me if I'm wrong.

Arnold: That's why I was hoping to see that proposed house on your survey. If it is there, I can't read it. It says a covered porch.

Moffatt: The original house has a covered porch.

Arnold: This is the canal; you gave us a survey of the canal?

Moffatt: Yes.

Arnold: I'm trying to see if the house is in this survey.

Piggot: I have one. You guys can pass this one around.

Arnold: Thank you. So, it fits well within the setbacks, the zoning has been approved.

McInturf: Am I reading this right, there's a document from one individual that says he has an objection in this action?

Moffatt: I can answer that question, so 591 that's the beachfront, my neighbors I want to say it was 593. They put a pool in and a fence up, we put a pool in this past year as well. We did not tie on to their fence, but we put a post right next to theirs. I've had conversations with Tim and Carey, I am going to go back and put a section of fence to make everyone happy because what they said was what if they decided to get rid of their pool, they will have to get rid of their fence. They were scared of damage, that's all that was about.

Arnold: Any other questions from other board members?

Chairperson Anne Arnold stated that Case 01-23 was unanimously voted for the compliance.

Old Business

None.

NEW BUSINESS

Caldwell: I want to make a comment for the minutes of this meeting, I think it needs to be recorded that Mr. Evans, after a reasonable request from the chair, abruptly left the meeting.

NEW BUSINESS

Adjourned 3:26 p.m.

TOWN OF HOLDEN BEACH

BOARD OF ADJUSTMENT

Application No. _____

Date 8/22/23

Permit Fee 175.00

Receipt # _____

GENERAL APPLICATION FORM

Permit or Relief Requested: Appeal Variance _____ Special Use Permit _____

Applicant NANETTE ALMOCIDA Owner NANETTE ALMOCIDA

Address 147 BRUNSWICK AVE W Address 147 BRUNSWICK AVE W

HOLDEN BEACH NC 28462 HOLDEN BEACH NC 28462

Telephone 910-209-2580 Telephone 910-209-2580

Legal relationship of applicant to property owner OWNER

Purpose of permit OUTDOOR EXERCISE / YOGA

Property location 147 BRUNSWICK AVE W HOLDEN BEACH, NC
(Street Address)

Tax map _____ Block _____ Lot _____

Lot size _____ square feet _____ Zoning District _____

No. of buildings to remain _____ Gross floor area to remain _____

No. of buildings proposed _____ Gross floor area of proposed buildings _____

Total square footage of land to be disturbed _____ square feet

Estimated cost of project \$ _____

The following documents are attached to and a part of this application: (Plot plan, building permit application, drawings, surveys, etc.)

~~None~~ Permit Application with Drawings
Business Card

Date 8/22/23 Signature of Applicant Nanette Almocida

Application No. _____

TOWN OF HOLDEN BEACH
APPLICATION FOR A VARIANCE

Month August Day 22 Year 2023

TO THE HOLDEN BEACH ZONING BOARD OF ADJUSTMENT:

I, Naneth Almeida, hereby petition the Zoning Board of Adjustment for a VARIANCE from the literal provisions of the Holden Beach Code of Ordinances because, under the interpretation given to me by the Zoning Enforcement Officer, I am prohibited from using the parcel of land described in the attached form (General Application Form) in a manner shown by the plot plan attached to that form. I request a variance from the following provisions of the ordinance (cite paragraph numbers): 157.032 - LOT BOUNDARY MODIFICATION so that the above-mentioned property can be used in a manner indicated by the plot plan attached to the General Application form or, if the plot plan does not adequately reveal the nature of the variance, as more fully described herein: (If a variance is requested for a limited time only, specify duration requested.)

Factors Relevant to the Issuance of a Variance

The Board of Adjustment does not have unlimited discretion in deciding whether to grant a variance. Under the state enabling act, the Board is required to reach three conclusions before it may issue a variance: (a) that there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of the ordinance; (b) that the variance is in harmony with the general purposes and intent of the ordinance and preserves its spirit; and (c) that in granting the variance, the public safety and welfare have been assured and substantial justice has been done. In the spaces provided below, indicate the facts that you intend to show and the arguments that you intend to make to convince the Board that it can properly reach these three required conclusions.

a. There are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of the ordinance. The courts have developed three rules to determine whether in a particular situation "practical difficulties or unnecessary hardships" exist. State facts and arguments in support of each of the following:

(1) If he complies with the provisions of the ordinance, the property owner can secure no reasonable return from, or make no reasonable use of, his property. (It is not sufficient that failure to grant the variance simply makes the property less valuable.)

(2) The hardship of which the applicant complains results from unique circumstances related to the applicant's land. (Note: Hardships suffered by the applicant in common with his neighbors do not justify a variance. Also, unique personal or family hardships are irrelevant, since a variance, if granted, runs with the land.)

In July of 2022, I called Honey Elevators Lift Products in Sunset Beach to inquire about an outdoor lift. The lift was in touch with Chris Robinson at Sunset Lifts. I paid for + had installed the outdoor lift. I asked him several times if he needed a permit, to which he replied no. If I was not sure, after it was installed, I went to the town hall to ask. The hardship is not the result of the applicant's own actions. As seen as I realized a permit was needed, I called Sunset Lifts + told them but they did not respond, so I went about obtaining the permit myself.

b. The variance is in harmony with the general purpose and intent of the ordinance and preserves its spirit. (State facts and arguments to show that the variance requested represents the least possible deviation from the letter of the ordinance that will allow a reasonable use of the land and that the use of the property, if the variance is granted, will not substantially detract from the character of the neighborhood.)

Instead of a 5 ft variance with the property border there is only 3 ft.

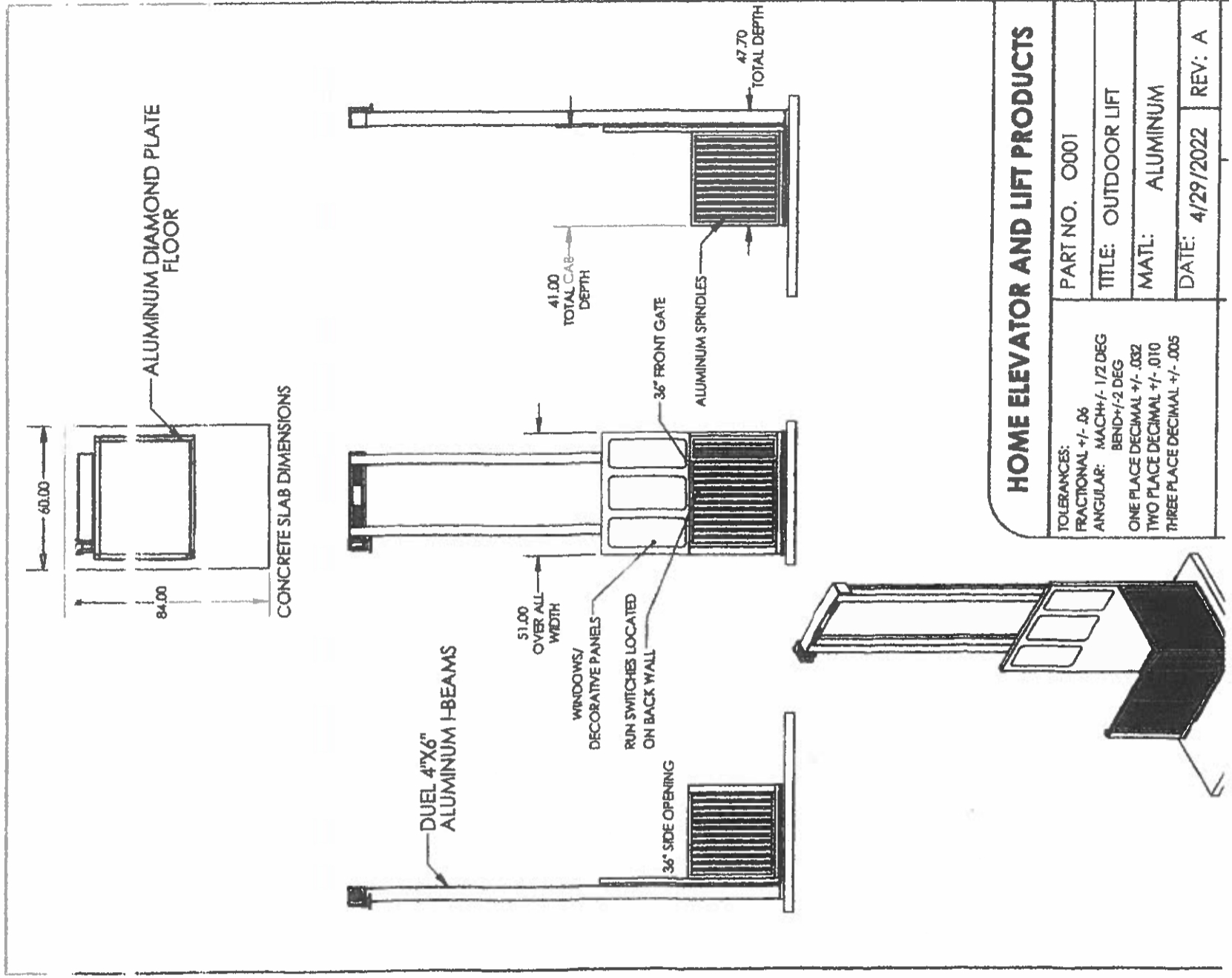
c. The granting of the variance secures the public safety and welfare and does substantial justice. (State facts and arguments to show that, on balance, if the variance is denied, the benefit to the public will be substantially outweighed by the harm suffered by the applicant.)

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



Signature

Attachment #1



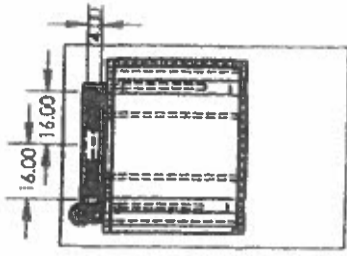
HOME ELEVATOR AND LIFT PRODUCTS

TOLERANCES: FRACTIONAL +/- .06 ANGULAR: MACH +/- 1/2 DEG BEND +/- 2 DEG ONE PLACE DECIMAL +/- .002 TWO PLACE DECIMAL +/- .010 THREE PLACE DECIMAL +/- .005	PART NO. 0001
TITLE: OUTDOOR LIFT	MATL: ALUMINIUM
DATE: 4/29/2022	REV: A

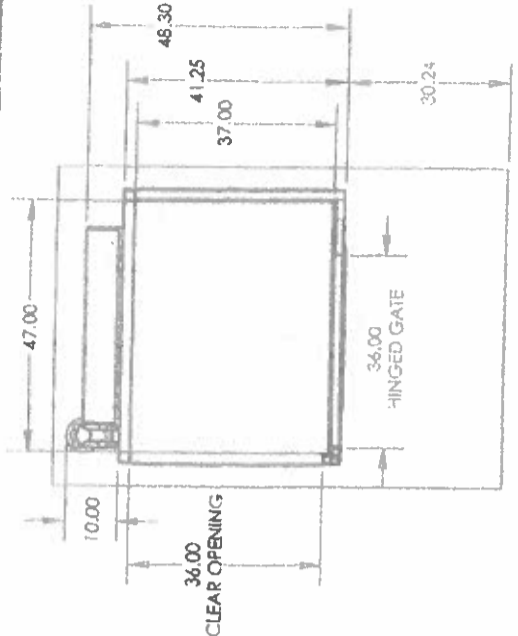
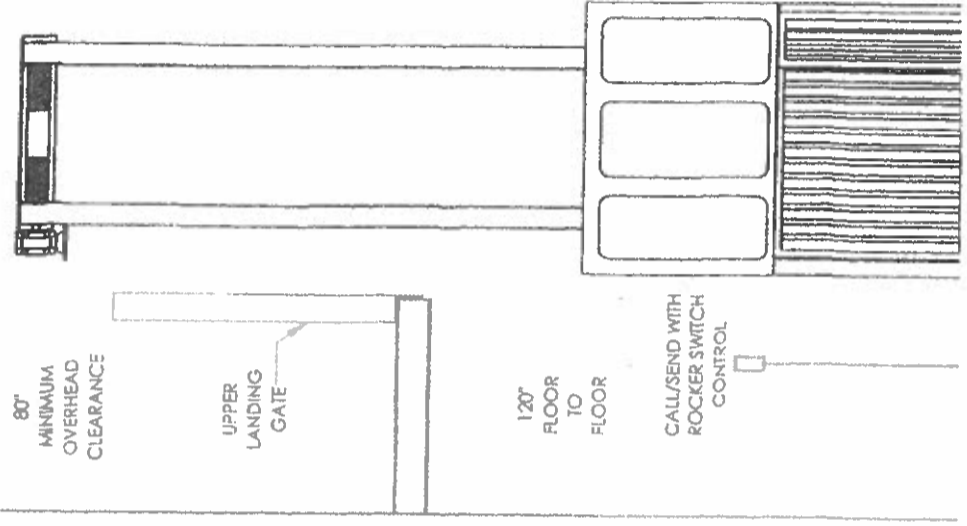
TECHNICAL DATA:

PLATFORM SIZE: 36" x 48"
 RATED LOAD: 750lbs maximum
 POWER SOURCE: Check all local electric codes for wiring requirements if a GFI outlet is required use a 120V, 15A, 60Hz single phase circuit. National Electrical Code requires a GFI be used on all outdoor applications
 DRIVE: 1HP motor, 1750 rpm, 24 VDC.
 CONTROLS: 24 VDC relay control with 60A circuit breaker and disconnects.
 EMERGENCY STOP SWITCH: Red, sealed, push to stop, pull to reset.
 SPEED: 10 ft/min maximum.
 UNDER CARRIAGE SAFETY: Aluminum formed and fabricated safety pan with limit switches. Continuous pressure safety switch.
 LIMIT SWITCHES: Adjustable upper and lower limit switches and upper final limit switch.
 PERFORMANCE STANDARDS:
 ASME A18.1-2017 (sec.5) safety standards for platform lifts and stairway chairlifts.
 CSA B355-19 lifts for persons with physical disabilities.
 CSA B44.1-19/ASME A17.5-2019 elevator and escalator electrical equipment.
 NFPA 70-2017 national electrical code

ANCHOR POINT LOCATIONS:



TECH SPECS:
 SLAB: 4" thick, 3500 psi minimum compressive strength, reinforced concrete slab. Refer to technical drawings for slab dimensions.
 FLOOR ATTACHMENT: base of lift must be fastened to the concrete slab using 3/8" x 2-1/2" long concrete anchors following manufacturer's guidelines.
 HOUSING ATTACHMENT: Fasten lift to vertical wall of house with supplied triangle brace and lag bolts.



HOME ELEVATOR AND LIFT PRODUCTS

TOLERANCES:	
FRACTIONAL	+/- .06
ANGULAR	MACH +/- 1/2 DEG BEND +/- 2 DEG
ONE PLACE DECIMAL	+/- .032
TWO PLACE DECIMAL	+/- .010
THREE PLACE DECIMAL	+/- .005
PART NO.	0001
TITLE:	OUTDOOR LIFT
MATL:	ALUMINUM
DATE:	4/29/2022
REV:	A



Sunset Lifts

Chris Robinson owner
SunsetLifts@gmail.com
SunsetLifts.com
(910) 309-4885

Brought to town hall (7)
6/9/23



TOWN OF HOLDEN BEACH

BUILDING PERMIT APPLICATION

All information on this application must be filed completely. Incomplete applications shall be returned without being processed.

A zoning permit application must be submitted prior to or at the same time as the application.

PROPERTY OWNER INFORMATION:

Name: NORTH + CAROL ALMIDES
Holden Beach Property Address: 1611 BARNWICK AVE W
Lot Number: _____ Subdivision: _____
Permanent Mailing Address: _____
Street Address: 3701 Hope View Pl
City/State/Zip: Richmond, VA 23133
Home Phone: _____ Beach House Phone: _____
Cellular Phone: 910-209-2580 Fax: _____
Email: 910-209-2580

CONTRACTOR INFORMATION:

Business Name: SUBSET LIFES Qualifier: _____
Mailing Address: _____
Street Address: BROADVIEW DR
City/State/Zip: Bellevue, NC
Phone: 910-207-1530 Cellular Phone: _____
Fax: _____ Email: subsubsetlifes.com
N.C. State Contractor's License Number: _____
Workman's Compensation Number (Attach Copy): _____
Current Holden Beach Privilege License Number Yes No
Contact Person: Chris Robinson Cellular Phone: _____
Phone: 910-209-4885 Email: subsubsetlifes@gmail.com
Fax: _____

ZONING: (check one)

Residential (R-1 Zone) _____ Residential (R-2 Zone) _____ Commercial (C-1 Zone) _____

FLOOD PLAIN INFORMATION:

Flood Zone Designation (X, AE, VE) AE Base Flood Elevation _____

WORK CLASSIFICATION AND VALUE: (check one)

New _____ Addition Other Repair: _____
\$ 18,000.00 \$ _____

PROPERTY USE: (check one)

List all repairs in detail on second page.

Commercial _____ Other _____ Description _____

ACCESSORY CONSTRUCTION: (check one)

Boatlift _____ Dock _____ Bulkhead _____ Specify Use: _____
Driveway _____ Square Feet _____ Specify type of material used for driveway _____ Value: _____

SUPPLEMENTAL INFORMATION: (for proposed work only)

Ground Level	Open Concrete Area Under Home:	_____ sf
	Enclosed Unheated:	_____ sf
	Enclosed Heated:	_____ sf
Floor 1	Enclosed Heated:	_____ sf
	Enclosed Unheated:	_____ sf
	Open Deck:	_____ sf
	Covered Deck:	_____ sf
Floor 2	Enclosed Heated:	_____ sf
	Enclosed Unheated:	_____ sf
	Open Deck:	_____ sf
	Covered Deck:	_____ sf

NUMBER OF:
Bedrooms _____
Baths _____
Kitchens _____

CAMA INFORMATION:

Has a minor CAMA permit been issued: yes _____ no _____ If yes, permit number: _____
If no, has a CAMA exemption been issued: yes _____ no _____

DESCRIPTION OF PROPOSED WORK: (add additional sheets as necessary)

INSTALLATION OF INTERIOR FINISHES
ATTACHMENT #1 + #2

Subcontractors must be listed Here:

Electrician _____ License# _____ Phone: _____
Address: _____
Signature _____
Mechanical _____ License# _____ Phone: _____
Address: _____
Signature _____
Plumbing _____ License _____ Phone: _____
Address: _____
Signature _____

I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions, laws and ordinances governing this type of work will be complied with whether specified herein or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction or the performance of construction.

This permit becomes null and void if work or construction authorized is not commenced within six months, or if construction or work is suspended or abandoned for a period of one year at any time after work is commenced.

[Signature]
Owner/Agent Signature

08-23
Date

NORRIS AMICK
Printed Name

PERMIT APPROVAL:

Building Inspector

Date

APPENDIX D

AFFIDAVIT OF WORKER'S COMPENSTATION COVERAGE
N.C.G.S §87-14

The undersigned applicant for construction on Parcel # _____ being th:

Contractor

_____ Owner

_____ Officer/Agent of the Contractor

do hereby aver under penalties of perjury that the person(s), firm(s) or corporation(s) performing the work set forth in the permit:

_____ has/have three (3) or more employees and have obtained worker's compensation insurance to cover them,

_____ has/have one or more subcontractor(s) and have obtained worker's compensation insurance to cover them,

_____ has/have one or more subcontractor(s) who has/have their own policy of worker's compensation covering themselves,

_____ has/have not more than two (2) employees and no subcontractors,

while working on the project for which this permit is sought. It is understood that the Inspection Department issuing the permit may require certificates of coverage of Worker's Compensation insurance prior to issuance of the permit at any time during the permitted work from any person, firm or corporation carrying out the work

Company Name : _____

Signed : _____

Print : _____

Title : _____

Date: _____

VE & AE Zones
Application

Town of Holden Beach
Floodplain Development Permit Application

Date: 6-8-83

Location of Property: 167 BRIDLECK AVE W

Type of Development:

Residential Construction
 Other (specify) _____

Nonresidential Construction: _____

Size of Development:

Addition _____

Renovation _____

FIRM Data: Map Panel No. _____ Suffix _____ Map Panel Date _____
Flood Zone _____ (Enter zone & not y/n) (see survey for information)

Development Standards Data:

On Holden Beach the Policy is that all structures constructed in a V or A Zone shall meet FEMA requirements for both zones

1. Base flood elevation (BFE) per FIRM at development site _____
2. Regulatory flood protection elevation must be at or above the bottom of the lowest supporting horizontal member plus 2 feet and all attendant utilities to include but not limited to, all heating, air conditioning and electrical equipment
3. V-Zone Certification is required prior to a C.O. being issued by the Building Inspector for all structures within a V-Zone and A-Zones.
4. All walls constructed below base flood elevation shall be constructed with break a way walls and have flood vents in accordance with FEMA's technical bulletins for V-Zones and A-Zones
5. ALL areas below the base flood elevation plus 2 feet are permitted to be used only for parking vehicles, building access, or storage based on FEMA regulations and Holden Beach Ordinance.
When signing below you the property owner and agent agree to these regulations
6. Total area of openings required are a minimum of two openings having a net area of not less than one square inch for every square foot of enclosed area below base floor elevation. Garage doors cannot be used to satisfy this requirement.
*The bottom of all required openings must be no higher than 12" above Grade
*The vents must be installed in at least two walls of the enclosure.

Applicant acknowledgment: I, the undersigned, understand that the issuance of a floodplain development permit is contingent upon the above information being correct and that the plans and supporting data have been or shall be provided as required. I also understand that prior to occupancy of the structure being permitted, an elevation certificate signed by a professional engineer or registered land surveyor must be on file with the Town of Holden Beach Building Department indicating the "as built" elevations in relation to mean sea level (MSL).

Print or Type Name of Property Owner _____

Print or Type Name of Agent _____

Signature of Property Owner & Date _____

Signature of Agent & Date _____

Address & Telephone Number: _____

Address & Telephone Number _____

Floodplain Manager _____

NORTH CAROLINA
BRUNSWICK COUNTY

I, GARY L. GURGANUS, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION, DESCRIPTION RECORDED IN MAP BOOK 3, PAGE 28. THAT THE ERROR OF CLOSURE AS CALCULATED BY COMPUTER IS 1/10,000+ THAT THE BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES. PLOTTED FROM INFORMATION REFERENCED, THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITH MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL, THIS DAY OF JUNE 2011 A.D., 2011

GARY L. GURGANUS, P.L.S.
REGISTRATION NUMBER L-3474
SEAL OR STAMP

THE LINE COMMENCING AT MONUMENT "HB 9", (N.C. GRID COORDINATES: N = 60,474.4717 AND E = 2,221,393.5998); THENCE S 82°18'18" W 1736.64 FEET TO MONUMENT "HB 10", (N.C. GRID COORDINATES: N = 60,241,9336 AND E = 2,219,672.5959); THENCE N 07°04'02" W 341.78 FEET TO A COTTON SPIKE; THENCE S 84°19'18" E 732.37 FEET TO A COTTON SPIKE; THENCE S 84°33'56" E 116.70 FEET TO NRB "A"; THENCE N 84°30'26" E 50.62 FEET TO EIP "B". ALL BEARINGS ARE ORIENTED TO N.C. GRID NORTH, N.A.D. 1983. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES.

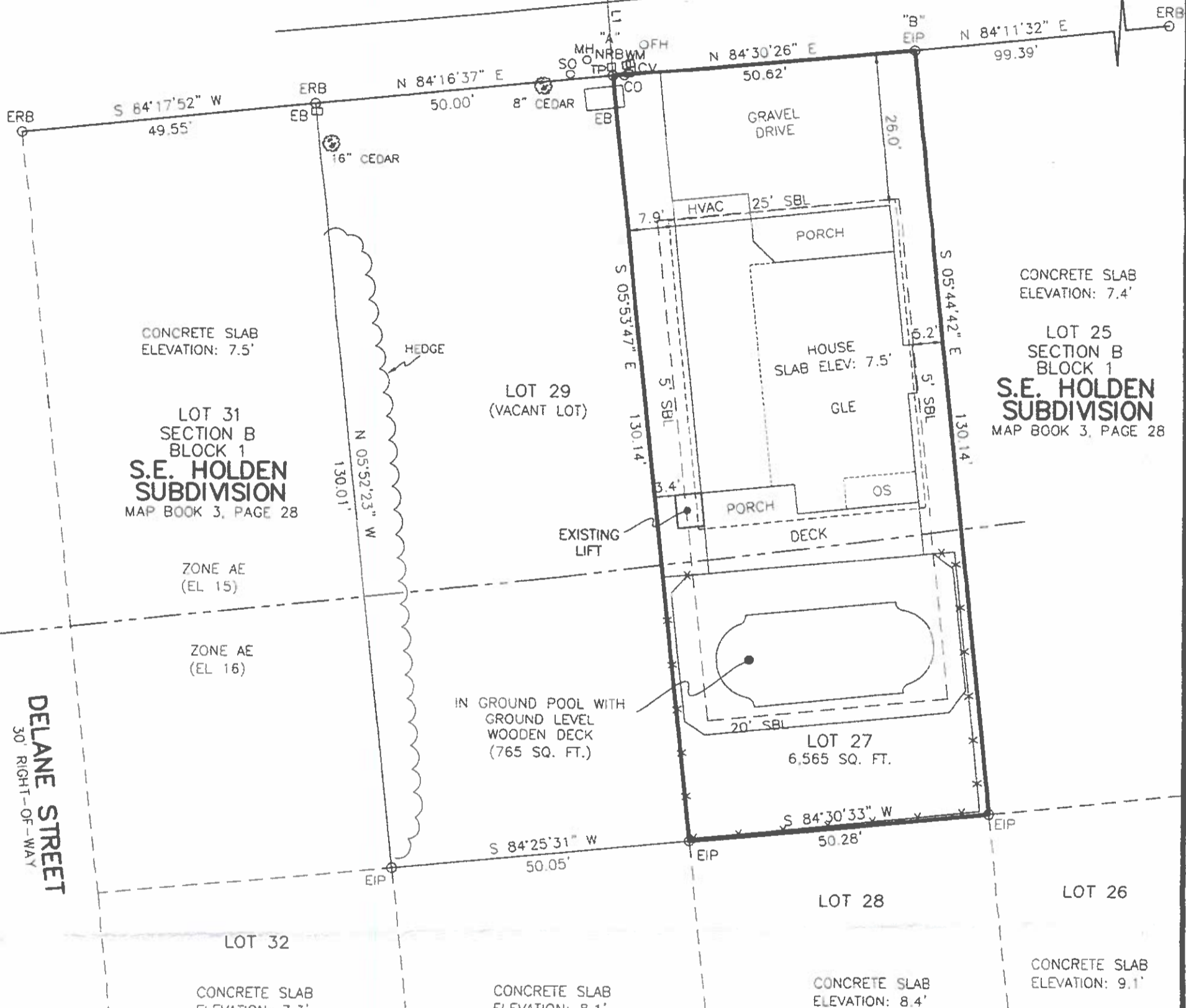
NC GRID NORTH, NAD 1983 (NSRS 2011)
HORIZONTAL GROUND DISTANCES
COMBINED SCALE FACTOR: 1.0001474



BRUNSWICK AVE WEST
40' RIGHT-OF-WAY

BENCH MARK
MAG NAIL
ELEV = 7.11'
NAVD 1988

EDGE OF ASPHALT PAVEMENT



CONCRETE SLAB ELEVATION: 7.4'
LOT 25 SECTION B BLOCK 1
S.E. HOLDEN SUBDIVISION
MAP BOOK 3, PAGE 28

CONCRETE SLAB ELEVATION: 7.5'
LOT 31 SECTION B BLOCK 1
S.E. HOLDEN SUBDIVISION
MAP BOOK 3, PAGE 28

LOT 29 (VACANT LOT)

LOT 27
6,565 SQ. FT.

ZONE AE (EL 15)

ZONE AE (EL 16)

IN GROUND POOL WITH GROUND LEVEL WOODEN DECK (765 SQ. FT.)

LOT 28

LOT 26

LOT 32
CONCRETE SLAB ELEVATION: 7.3'

CONCRETE SLAB ELEVATION: 8.1'

CONCRETE SLAB ELEVATION: 8.4'

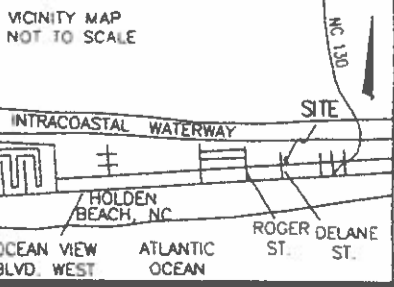
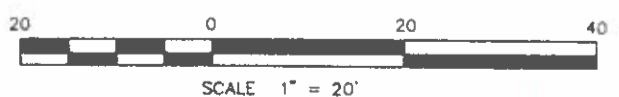
CONCRETE SLAB ELEVATION: 9.1'

LOT 30 SECTION B BLOCK 1
S.E. HOLDEN SUBDIVISION
MAP BOOK 3, PAGE 28

NOTES:
*LOT 27 IS IN FLOOD HAZARD ZONE "AE", BASE ELEVATION 12 BASED ON F.I.R.M. 3720201600 K. INDEX DATE 12-06-19.
*THE HOUSE ON LOT 27 APPEARED TO BE TWO LIVING LEVELS ON PILINGS WITH A GROUND LEVEL ENCLOSURE.
*THE HOUSE APPEARED TO BE 100% COMPLETE.
*HORIZONTAL LOCATIONS ARE REFERENCED TO NAD 1983 (NSRS 2011) USING NCGS VRS WITH A SPECTRA PRECISION SP80 ON 08-23-17.

LINE	BEARING	DISTANCE
L1	N 04°03'03" W	22.63'

© 2023 GARY GURGANUS LAND SURVEYING



LEGEND:

EIP ○	EXISTING IRON PIPE (FOUND)
NRB ○	NEW RE-BAR (SET)
ERB ○	EXISTING RE-BAR (FOUND)
FH ○	FIRE HYDRANT
SO ○	PVC STUBOUT
MH ○	MAN HOLE
CO ○	CLEAN OUT
TP □	TELEPHONE PEDESTAL
EB □	ELECTRIC BOX
WM □	WATER METER
ICV □	IRRIGATION CONTROL VALVE
OS □	OUTDOOR SHOWER
GLE □	GROUND LEVEL ENCLOSURE

GARY GURGANUS LAND SURVEYING

GARY L. GURGANUS, P.L.S.
2011 ELK ROAD SUITE 5
Supply, North Carolina 28462 (910) 233-7605

SURVEY FOR
CARLOS & NANETTE ALMEIDA

MADE FROM LOT 27, (167 BRUNSWICK AVE. WEST), BLOCK 1, SECTION B, S.E. HOLDEN SUBDIVISION, MAP BOOK 3, PAGE 28, HOLDEN BEACH, NORTH CAROLINA AND EXISTING PHYSICAL EVIDENCE

LOCKWOOD FOLLY TOWNSHIP	BRUNSWICK COUNTY	NC	06/14/23
FIELD BOOK: 046-001	FILE NO. 12095LIFT	JOB NO. 12095	

TOWN OF HOLDEN BEACH
BOARD OF ADJUSTMENT

Application No. _____ Date _____
Permit Fee 175.00 Receipt # _____

GENERAL APPLICATION FORM

Permit or Relief Requested: _____ Appeal _____ Variance _____ Special Use Permit _____
Applicant Cardina Craftsman Owner Ciaran and Erin Mannion
Address 312 Holden Beach Rd Address 24 Manor Drive
Suite #2, Supply, Nc 28462 Ramsey, NJ 07446
Telephone 910-842-6413 Telephone 551-427-1975

Legal relationship of applicant to property owner Contractor / Agent
Purpose of permit Relocating house from 485 OBW to 946 OBW
Property location 485 OBW to 946 OBW Holden Beach
Tax map Parcel # 246D1B017 Block _____ Lot _____
(Street Address)

Lot size 0.17 Acre square feet 7,568 Zoning District R1
No. of buildings to remain _____ Gross floor area to remain _____
No. of buildings proposed 1 Gross floor area of proposed buildings 4964 Heated 59 ft

Total square footage of land to be disturbed 2600 square feet

Estimated cost of project \$ 500,000

The following documents are attached to and a part of this application: (Plot plan, building permit application, drawings, surveys, etc.)

Date 9/20/23 Signature of Applicant [Signature]

Application No. _____

TOWN OF HOLDEN BEACH
APPLICATION FOR A VARIANCE

Month _____ Day _____ Year _____

TO THE HOLDEN BEACH ZONING BOARD OF ADJUSTMENT:

I, _____, hereby petition the Zoning Board of Adjustment for a VARIANCE from the literal provisions of the Holden Beach Code of Ordinances because, under the interpretation given to me by the Zoning Enforcement Officer, I am prohibited from using the parcel of land described in the attached form (General Application Form) in a manner shown by the plot plan attached to that form. I request a variance from the following provisions of the ordinance (cite paragraph numbers): _____

so that the above-mentioned property can be used in a manner indicated by the plot plan attached to the General Application form or, if the plot plan does not adequately reveal the nature of the variance, as more fully described herein: (If a variance is requested for a limited time only, specify duration requested.)

Factors Relevant to the Issuance of a Variance

The Board of Adjustment does not have unlimited discretion in deciding whether to grant a variance. Under the state enabling act, the Board is required to reach three conclusions before it may issue a variance: (a) that there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of the ordinance; (b) that the variance is in harmony with the general purposes and intent of the ordinance and preserves its spirit; and (c) that in granting the variance, the public safety and welfare have been assured and substantial justice has been done. In the spaces provided below, indicate the facts that you intend to show and the arguments that you intend to make to convince the Board that it can properly reach these three required conclusions.

a. There are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of the ordinance. The courts have developed three rules to determine whether in a particular situation "practical difficulties or unnecessary hardships" exist. State facts and arguments in support of each of the following:

(1) If he complies with the provisions of the ordinance, the property owner can secure no reasonable return from, or make no reasonable use of, his property. (It is not sufficient that failure to grant the variance simply makes the property less valuable.)

(2) The hardship of which the applicant complains results from unique circumstances related to the applicant's land. (Note: Hardships suffered by the applicant in common with his neighbors do not justify a variance. Also, unique personal or family hardships are irrelevant, since a variance, if granted, runs with the land.)

(3) The hardship is not the result of the applicant's own actions.

b. The variance is in harmony with the general purpose and intent of the ordinance and preserves its spirit. (State facts and arguments to show that the variance requested represents the least possible deviation from the letter of the ordinance that will allow a reasonable use of the land and that the use of the property, if the variance is granted, will not substantially detract from the character of the neighborhood.)

c. The granting of the variance secures the public safety and welfare and does substantial justice. (State facts and arguments to show that, on balance, if the variance is denied, the benefit to the public will be substantially outweighed by the harm suffered by the applicant.)

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


Signature

AGENT AUTHORIZATION FOR CAMA PERMIT APPLICATION

Name of Property Owner Requesting Permit: Ciaran and Erin Mannion

Mailing Address: 24 Manor Drive

Ramsey, NJ 07864

Phone Number: 551-427-1475

Email Address: Mannion@optonline.net

I certify that I have authorized Robert Norton - Carolina Contractors
Agent / Contractor

to act on my behalf, for the purpose of applying for and obtaining all permits

necessary for the following proposed development: Moving home from 485

Orw to 946 Orw. Constructing new home w/ pool @ 485

at my property located at 485 Orw

in Brunswick County.

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:



Signature

Erin M. Mannion

Print or Type Name

Owner

Title

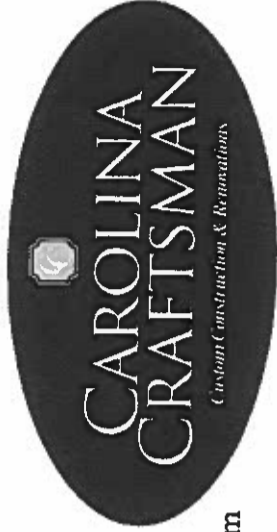
9/12/23

Date

This certification is valid through 12/31/2024

3172 Holden Beach Rd
Suite 2
Supply, NC 28462

Website ccCraftsman.com



Office: 910-842-6413
Fax: 910-842-6416

e-mail
ccCraftsman@atmc.net

... when craftsmanship matters

September 20, 2023

Janna Pigott
Town of Holden Beach, NC

Proposed House Relocation

Janna,

We are proposing to relocate the house currently located at 485 OBW to the vacant lot at 946 OBW on Holden Beach.

The relocation will be shown on the attached site plan and will include the following improvements:

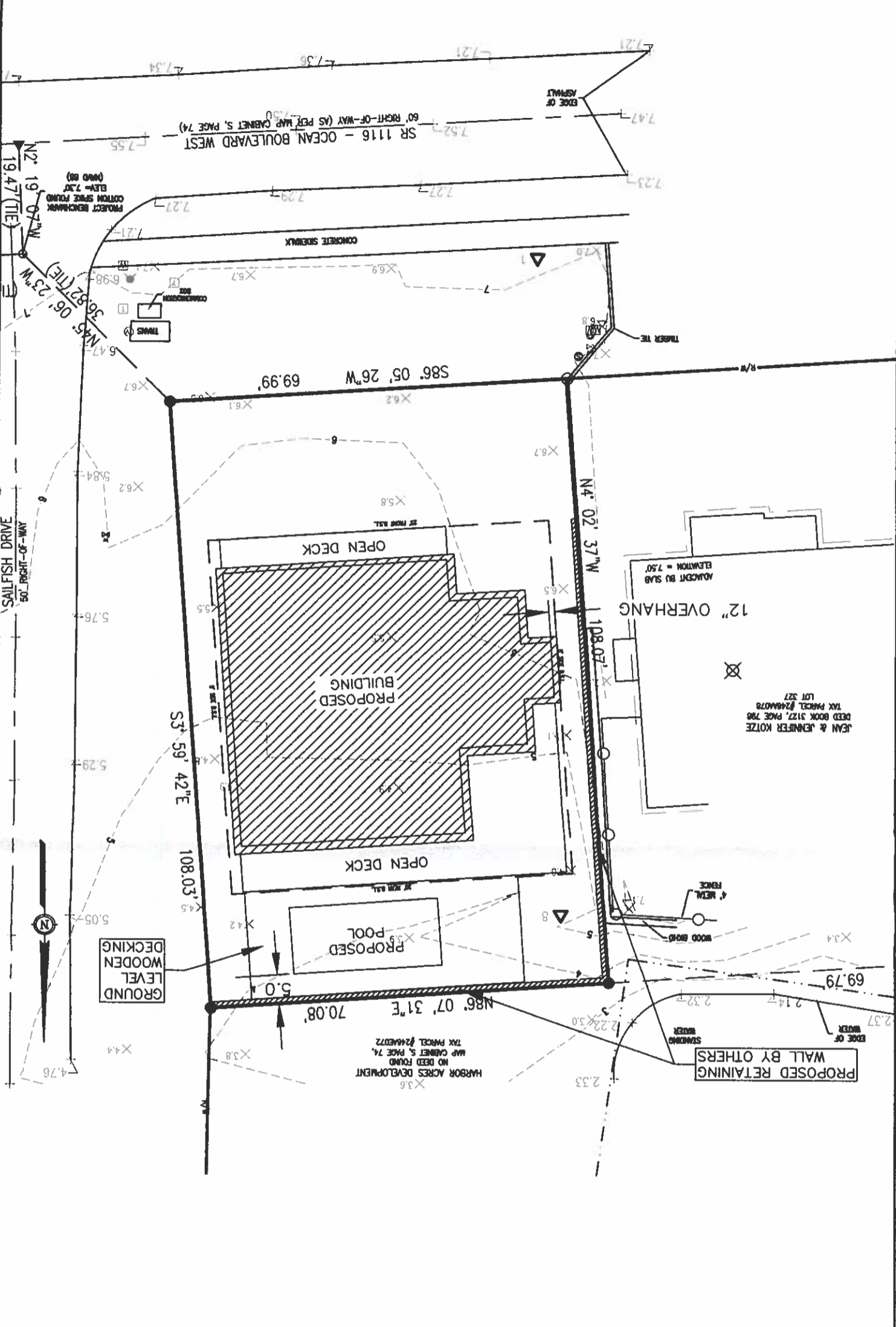
- Complete interior renovation on existing 696 SF of home.
- Proposing to add 654 SF to the home. A document with the full description is attached.
- Proposing to add 954 SF of open decking and 144 SF of new decking under existing roof.
- Install a pool, wooden deck, and a fence.
- Install gravel driveway.

Should the actual square footage of the house and overhangs change it will be lesser than shown on the proposed site plan.

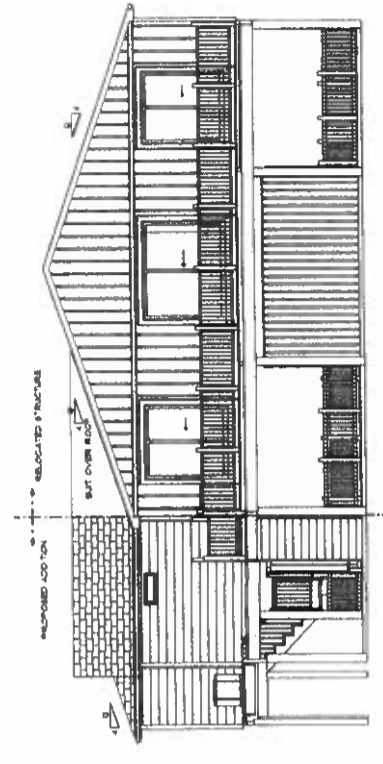
Under no circumstance will any pool, deck, or fence be located beyond boundaries set forth by The Town of Holden Beach

Sincerely,

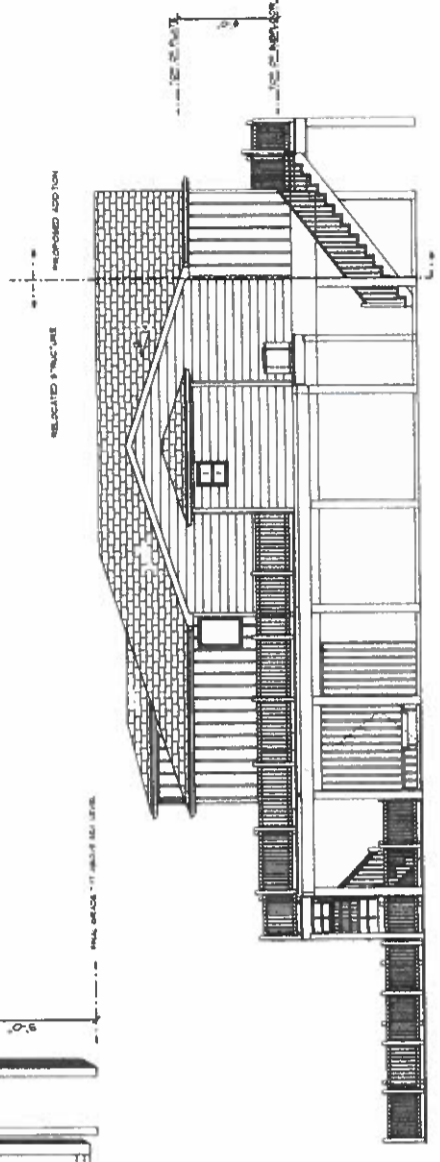
Robert Norton
President
Carolina Craftsman, INC



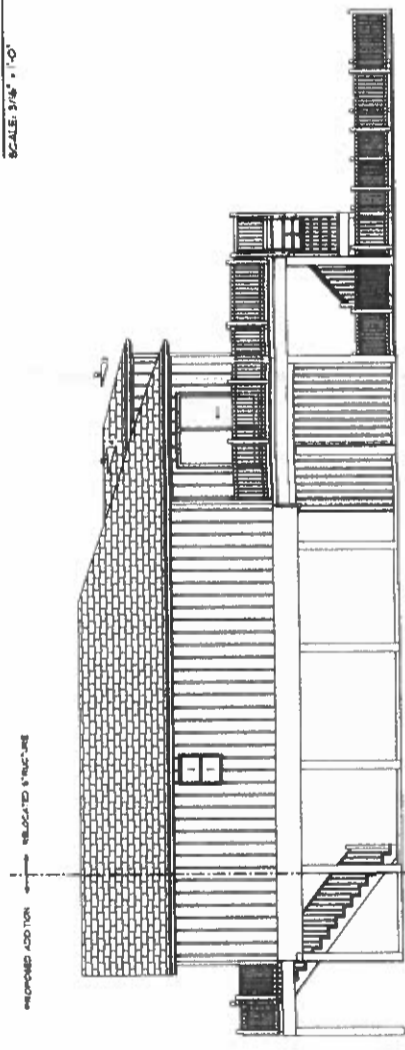
SITE PLAN
946 OCEAN BOULEVARD WEST
HOLDEN BEACH, NORTH CAROLINA



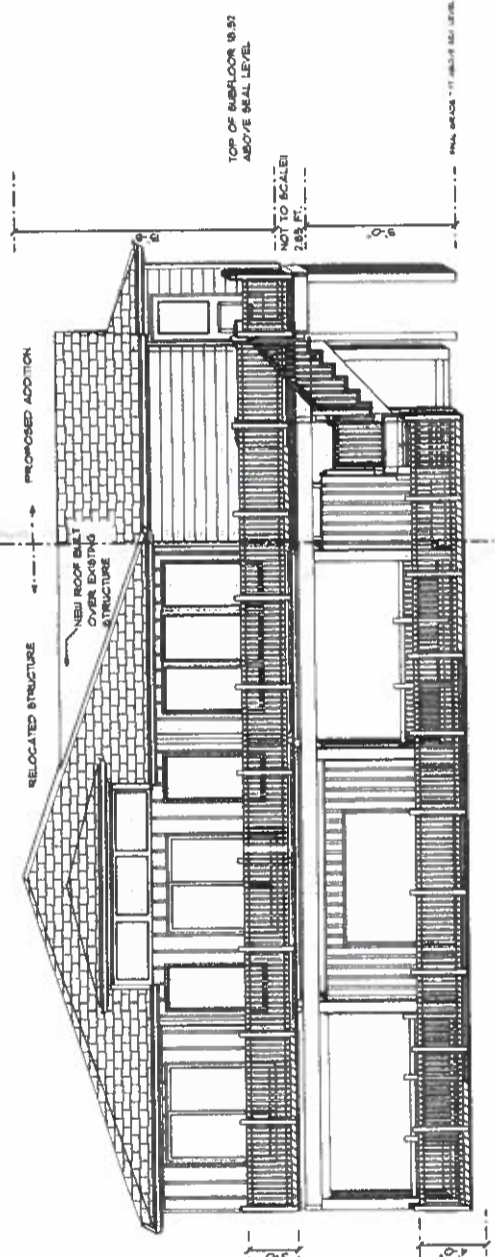
SOUTH ELEVATION
 SCALE 3/16" = 1'-0"



WEST ELEVATION
 SCALE 3/16" = 1'-0"



EAST ELEVATION
 SCALE 3/16" = 1'-0"



NORTH ELEVATION
 SCALE 1/4" = 1'-0"

TOWN OF HOLDEN BEACH
BOARD OF ADJUSTMENT

Application No. _____ Date 9-11-2023
Permit Fee 175.00 Receipt # _____

GENERAL APPLICATION FORM

Permit or Relief Requested: _____ Appeal _____ Variance Special Use Permit
Applicant JESSICA R SCOTT BARR Owner SAME
Address 127 CONCHY ST Address 26 GARRISON RD
HOLDEN BEACH NC 28462 HIGHLAND FARMS N.Y. 10928
Telephone CELL 917-913-7960 Telephone 917-679-1013

Legal relationship of applicant to property owner OWNER

Purpose of permit HOME IMPROVEMENTS

Property location 127 CONCHY ST. HOLDEN BEACH NC 28462
(Street Address)

Tax map 623 Block 3 Lot PL7/143

Lot size 5743 square feet _____ Zoning District R1

No. of buildings to remain 1 Gross floor area to remain 1050 sq. ft.

No. of buildings proposed 1 Gross floor area of proposed buildings 480

Total square footage of land to be disturbed 480 square feet

Estimated cost of project \$ _____

The following documents are attached to and a part of this application: (Site plan, building permit application, drawings, surveys, etc.)

Date 9/11/2023 Signature of Applicant Jess Barr

Application No. _____

TOWN OF HOLDEN BEACH
APPLICATION FOR A VARIANCE

Month 9 Day 11 Year 2023

TO THE HOLDEN BEACH ZONING BOARD OF ADJUSTMENT:

I, Scott and Jessica Barr, hereby petition the Zoning Board of Adjustment for a VARIANCE from the literal provisions of the Holden Beach Code of Ordinances because, under the interpretation given to me by the Zoning Enforcement Officer, I am prohibited from using the parcel of land described in the attached form (General Application Form) in a manner shown by the plot plan attached to that form. I request a variance from the following provisions of the ordinance (cite paragraph numbers): _____

so that the above-mentioned property can be used in a manner indicated by the plot plan attached to the General Application form or, if the plot plan does not adequately reveal the nature of the variance, as more fully described herein: (If a variance is requested for a limited time only, specify duration requested.) _____

Factors Relevant to the Issuance of a Variance

The Board of Adjustment does not have unlimited discretion in deciding whether to grant a variance. Under the state enabling act, the Board is required to reach three conclusions before it may issue a variance: (a) that there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of the ordinance; (b) that the variance is in harmony with the general purposes and intent of the ordinance and preserves its spirit; and (c) that in granting the variance, the public safety and welfare have been assured and substantial justice has been done. In the spaces provided below, indicate the facts that you intend to show and the arguments that you intend to make to convince the Board that it can properly reach these three required conclusions.

a. There are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of the ordinance. The courts have developed three rules to determine whether in a particular situation "practical difficulties or unnecessary hardships" exist. State facts and arguments in support of each of the following:

(1) If he complies with the provisions of the ordinance, the property owner can secure no reasonable return from, or make no reasonable use of, his property. (It is not sufficient that failure to grant the variance simply makes the property less valuable.)

This house was built in 1976. Since that date no renovations or modifications have been made to the exterior of the home. The front porch floor boards are extremely frail and in desperate need of replacement. The siding is loose and there is water damage underneath the siding. We have concern that there is rot making the home feel unsafe.

(2) The hardship of which the applicant complains results from unique circumstances related to the applicant's land. (Note: Hardships suffered by the applicant in common with his neighbors do not justify a variance. Also, unique personal or family hardships are irrelevant, since a variance, if granted, runs with the land.)

We are looking to have our variance request approved so we can make the home a safe and suitable place for our family.

(3) The hardship is not the result of the applicant's own actions.

We purchased the home in 2018. The structure

was existing and we have made no extensive modifications since the purchase. The home's footprint had
b. the variance is in harmony with the general purpose and intent of the ordinance and preserves its spirit. (State facts and arguments to show that the variance requested represents the least possible deviation from the letter of the ordinance that will allow a reasonable use of the land and that the use of the property, if the variance is granted, will not substantially detract from the character of the neighborhood.)

The current building footprint is a 2 ft non-compliance

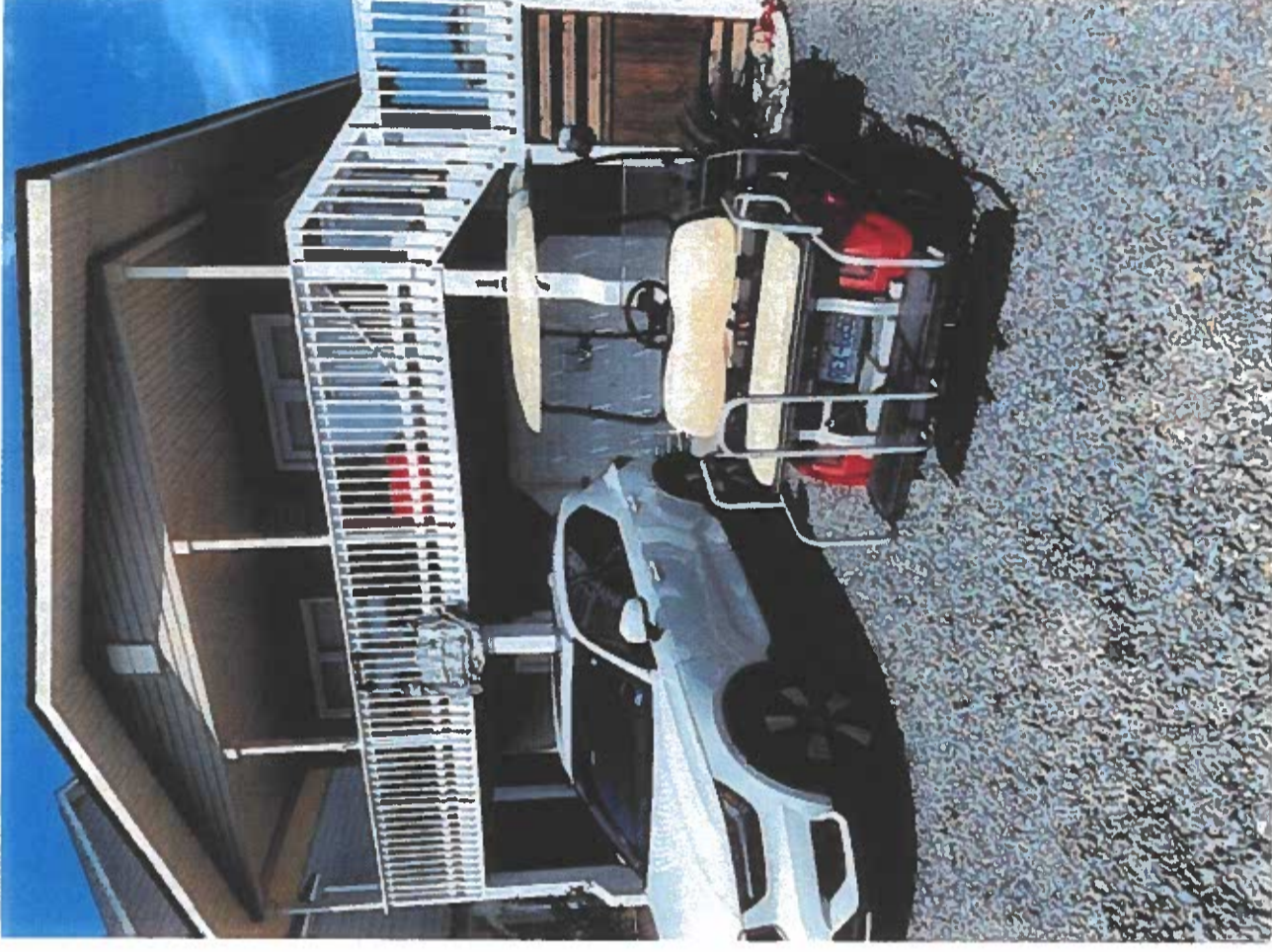
with the current law. We are not looking to further encroach on that side of the home. The proposed modification is on the opposite side of the home.
c. The granting of the variance secures the public safety and welfare and does substantial justice. (State facts and arguments to show that, on balance, if the variance is denied, the benefit to the public will be substantially outweighed by the harm suffered by the applicant.)

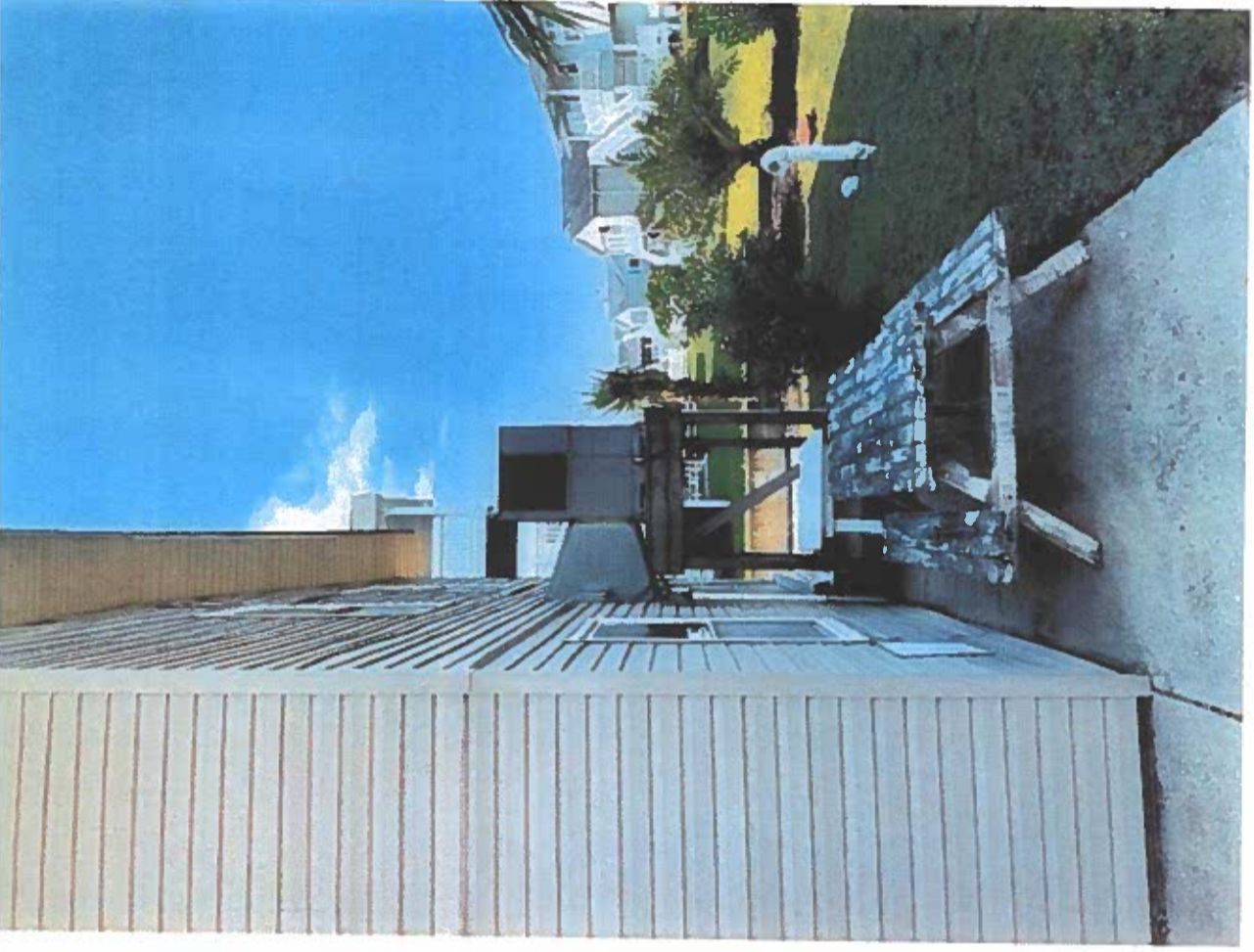
We rent our home as others can enjoy Holden Beach as we do. We have great concern for the safety of our renters as well as our neighbors.
I certify that all of the information presented by me in this application is accurate to the best of my knowledge, information and belief.

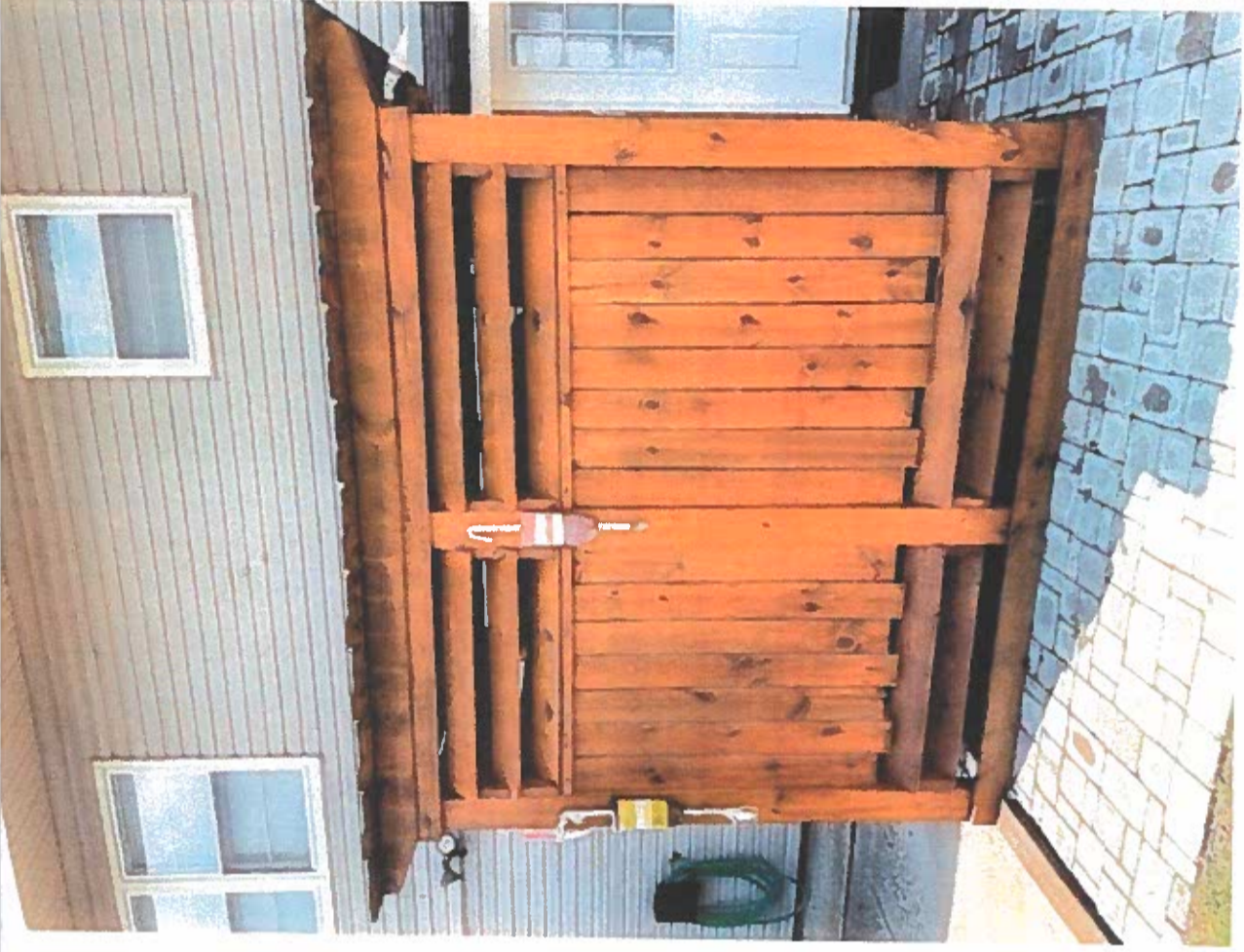
Scott Barr
Signature

Janna Pigott

From: janna pigott <jannapigott@yahoo.com>
Sent: Tuesday, August 8, 2023 10:59 AM
To: Janna Pigott
Subject: 127 Conch









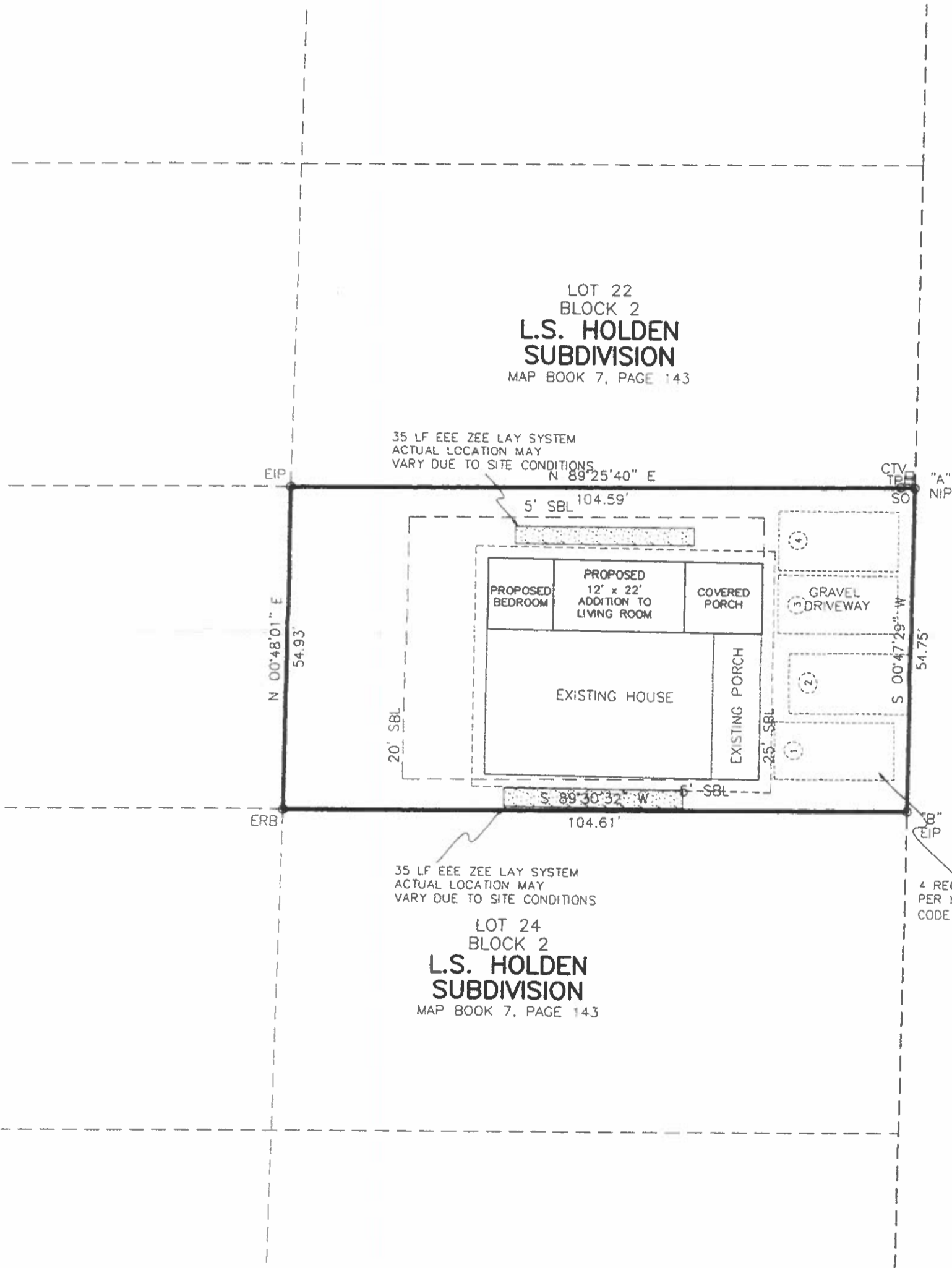


Sent from my iPhone

SCOTT & JESSICA BARR
127 CONCH STREET

NC GRID NORTH, NAD 1983 (NSRS 2011)
HORIZONTAL GROUND DISTANCES
COMBINED SCALE FACTOR: 1.0001474

LOT 22
BLOCK 2
**L.S. HOLDEN
SUBDIVISION**
MAP BOOK 7, PAGE 143



CONCH STREET
50' RIGHT-OF-WAY

4 REQUIRED PARKING SPACES
PER HOLDEN BEACH ZONING
CODE 157.075 (B) 1 & 2 & 60F

LOT 24
BLOCK 2
**L.S. HOLDEN
SUBDIVISION**
MAP BOOK 7, PAGE 143

- NOTES:
- INFORMATION FROM A SURVEY BY SALTWATER SURVEYING.
 - DO NOT DRIVE VEHICLES OR PLACE HEAVY EQUIPMENT OVER INFILTRATION TRENCHES.
 - ALL SIDES OF THE INFILTRATION TRENCHES MUST BE LINED WITH FILTER FABRIC

