

**CITY OF WILMINGTON
STATE OF NORTH CAROLINA**

APPLICATION FOR A VARIANCE

PURPOSE OF VARIANCE – A Variance is the official allowance of a variation from the dimensional requirements of the City Land Development Code or other development regulations. An applicant for a variance must demonstrate valid reasons which create a need for a Variance. These reasons cannot be strictly economic in nature but must generally involve some physical problem with the subject property which will not allow it to be developed in a reasonable manner if City development regulations are followed literally, such as a lot which is substandard in area or width.

BOARD OF ADJUSTMENT - The Board of Adjustment, or BOA, is the official City Board that considers requests for variances. The BOA receives sworn testimony at its quasi-judicial hearings and issues decisions on variance requests based on this testimony. It is the responsibility of each applicant for a Variance to attend the BOA meeting and present sworn testimony in support of the request.

REASON FOR VARIANCE REQUEST – Explain in your own words why you are requesting a Variance. Be sure to clearly indicate the problem(s) you will experience in complying with the City development regulations. (Attach additional sheets if needed.)

See attached narrative.

The BOARD OF ADJUSTMENT is required to make the following four (4) findings before granting a Variance. Write a thorough response to each of these items.

1. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property;
2. The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from conditions that are common to the neighborhood or the general public may not be the basis for granting a variance;
3. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship;
4. The requested variance is consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and substantial justice is achieved.

Application No. _____

ATTACH PLOT PLAN DESCRIBING VARIANCE REQUEST

PROPERTY LOCATION INFORMATION

Street address of subject property 104, 105 and 112 Rucker Run, Wilmington, NC

Tax Parcel Number of subject property R06212-001-017-000, R06212-001-016-000, R06212-001-080-000

PLEASE ATTACH TAX PARCEL & APPLICANT/OWNERSHIP INFORMATION

APPLICANT INFORMATION

Name/Address/Telephone/Email

Name: Rountree Losee LLP and Stephen D. Coggins

Address: 2419 Market Street, Wilmington, NC 28403

Phone #: 910-763-3404

Email: scoggins@rountreelosee.com

OWNER INFORMATION

Name/Address/Telephone/Email

Rolina Homes NC, LLC c/o William Beebe

501 Bramson Court, Unit 400, Mt Pleasant, SC 29464

843-200-8764 / 804-516-6290

whitbeebe@rolinahomes.com

ATTACH AGENT FORM IF THE APPLICANT IS NOT THE OWNER

DATE 10/8/24

APPLICANT'S SIGNATURE

Stephen P. Coggins,
Authorized Agent for
Applicant Rolina Homes NC LLC

To: Board of Adjustment, City of Wilmington, NC

Fr: Stephen D. Coggins, counsel for Applicant Rolina Homes NC, LLC

Re: Applicant Rolina Homes NC, LLS is Entitled to a Variance from LDC Section 18-199 (and Table 18-199)

The Board of Adjustment (“BOA”) may grant a variance if it finds that (1) strict application of the ordinance results in unnecessary hardship for the Applicant, (2) the hardship results from conditions that are peculiar to the property, (3) the hardship did not result from actions taken by the Applicant, and (4) the requested variance is consistent with the spirit, purpose, and intent of the ordinance. The following facts serve as the basis for Applicant meeting the criteria for a variance outlined in the City of Wilmington (“City”), Land Development Code (“LDC”) § 18-591.

FACTS

The Applicant, Rolina Homes NC, LLC (“Rolina Homes” or “Applicant”), is a North Carolina Limited Liability Company organized and existing in Wrightsville Beach, New Hanover County (“County”), North Carolina. Rolina Homes is represented by Stephen D. Coggins of Rountree Losee LLP.

Applicant owns fee simple absolute title to that property (“Property”) having the addresses 104, 105, and 112 Rucker Run, Wilmington, New Hanover County, North Carolina by way of that North Carolina General Warranty Deed, recorded April 27, 2023, in the New Hanover County Register of Deeds at Book 6635, Page 2226, a copy of which is attached as **Exhibit 1**. The Property is legally described in the above-referenced deed as being all of Lots Nos. 8 and 9 of the Maultsby Subdivision, as shown on the plats recorded in Map Book 5, Page 40 of the New Hanover County Registry, recorded August 9, 1951, in the New Hanover County Registry, a copy of which is attached as **Exhibit 2**. However, the Property has been recombined into Lots 1, 2 and 3 as shown on that plat recorded November 1, 2023, in Map Book 74, Page 25 of the New Hanover County Registry, a copy of which is attached as **Exhibit 3**.

With respect to those three lots: the portion of the Property known as 105 Rucker Run is Lot 1 (“Lot 1”), the portion of the Property known as 112 Rucker Run is Lot 2 (“Lot 2”), and the portion of the Property known as 104 Rucker Run is Lot 3 (“Lot 3”) (collectively “Rucker Run Lots”). [See attached New Hanover County Tax Department Tax Parcel Profiles attached as **Exhibit 4**.]

The Rucker Run Lots are within City Zoning District R-10, as indicated on the City of Wilmington zoning map, found at <https://www.arcgis.com/apps/instant/minimalist/index.html?appid=0f6a342924c04a1d83e1fc0b39b6c6ac>. The Land Development Code (“LDC”) requires R-10 Residential

District structures to be a maximum height of 35-feet. Per Section 18-199(A)(3), the placement of accessory buildings and structures is subject to the requirements found in Table 18-199. Table 18-199 requires that the maximum building/structure height for an ADU shall not exceed the height of the principal building.

The Applicant took the proper steps to apply and receive approval for building permits to construct principal residences based on a model called the "Brunswick House". A "Brunswick House" was to be located on each of the three Rucker Run Lots. In addition, an accessory dwelling unit ("ADU") was to be built on each lot, the ADUs based on a model called the "Carriage House".) The Applicant provided with its permit applications drawings of the proposed buildings that show the proposed height for the three Brunswick and Carriage Houses. **Exhibit 5.** Those drawings show the Carriage House ADUs height to be higher than the Brunswick House principal residences.

On April 8, 2024, building permits were issued to Rolina Homes for three new single-family principal residence homes to be located on the Rucker Run Lots, with one on each lot. **Exhibit 6.**

Even though the preliminary site designs indicated that the ADUs were to be higher than the principal residences, building permits for three Accessory Dwelling Units ("ADU") were issued to Rolina Homes on April 16, 2024 for an ADU on each of the Rucker Run lots, with each ADU on a lot serving as an accessory to the principal residence on that lot. **Exhibit 7.**

Upon completion of the Brunswick and Carriage Houses on the Rucker Run Lots and after the sale of the homes, the City informed the Applicant that the ADUs were not in compliance with LDC Sec. 18-199 that prohibits ADUs being higher than the principal residence and that the building permits were issued in error.

On October 7, 2024, Kathryn Thurston, Zoning Administrator/Floodplain Manager for the City of Wilmington, notified the Applicant that the City cannot give the County confirmation that the Rucker Run Lot ADUs are compliant for issuance of the certificates of occupancy until the BOA has acted on the variance request. Therefore, the BOA must approve the Applicant's variance request before the County can issue the certificates of occupancy for the three ADUs on the Rucker Run Lots.

Consequently, the Applicant seeks a variance from LDC Sections 18-199 (specifically Table 18-199 of the ordinance) and 18-200, that provides that an accessory building shall not exceed the height of the principal building. The variance concerns the ADUs which serve the principal residences, with three such Brunswick/Carriage Houses on the three separate Rucker Run Lots.

THE FOUR VARIANCE CRITERIA ARE MET

1. Unnecessary hardship will result from strict application of the ordinance.

The strict application of LDC § 18-199 will cause the Applicant unnecessary hardship as it will require the Applicant to either demolish the already constructed ADUs or to increase the height of the Brunswick House roofs to be higher than the ADUs. This would cause the Applicant unnecessary hardship, as construction of the three Brunswick Houses and three Carriage Houses has concluded on the Rucker Run Lots.

Moreover, requiring the Applicant to request a variance from the ADU height limit for the three ADUs on the Rucker Run Lots, after the County issued building permits in error, the development has been completed, and the houses have been sold, is an unnecessary hardship in and of itself.

Furthermore, the City has contended that the principal residences are in compliance with all ordinances and the certificates of occupancy may be issued by the County. However, the certificates of occupancy for the Carriage Houses cannot be issued until the County has received confirmation from the City that all structures are compliant, which cannot occur until the BOA acts on Applicant's variance request.

Accordingly, strict application of the LDC at issue would result in unnecessary hardship to the Applicant, consisting of exorbitant expenses to increase the height of the principal residences or demolition of the ADUs to bring the ADUs in compliance with the LDC.

2. The hardship results from conditions that are peculiar to the property, such as location, size or topography.

Based upon the County's erroneous issuance of the ADU building permits, the Applicant completed construction of the three Brunswick and three Carriage Houses on the Rucker Run Lots. The ADUs on the Rucker Run Lots are peculiar, as they are higher than the principal residences located on the lots. The City acknowledges that the ADU building permits were issued in error and informed the Applicant that in order to receive the certificates of occupancy for the ADUs, it would have to request a variance.

Given that the error is uncommon and that the ADUs on the Rucker Run Lots have been fully constructed and are non-compliant with the LDC, the Property is peculiar and causes the unnecessary hardship. Moreover, the unnecessary hardship (the City's requirement that the Applicant submit a variance after the completion of

construction on the Rucker Run Lots) is peculiar, as most variances are sought *prior to construction*.

3. The hardship did not result from actions taken by the applicant.

The Applicant submitted building permit application materials showing that the accompanying ADUs were to be higher than the principal residences. Accordingly, the Applicant had no role in the County issuing the building permits in error.

4. The requested variance is:

a. consistent with the spirit, purpose, and intent of the ordinance,

The Rucker Run Lot ADUs are approximately 23.7-feet in height, well under the 35-foot limit. See **Exhibit 5**. Per the Wilmington LDC, all uses and structures permitted in the R-10 District shall have a maximum building height of 35-feet. One purpose of the regulations as set forth in the LDC includes protecting residential neighborhoods from adverse impacts of inappropriate uses or site development features, such as structures that are higher than 35-feet.

Accordingly, the current Rucker Run ADUs are consistent with the LDC's spirit, purpose, and intent, as they are substantially less than the 35-foot maximum height.

b. such that public safety is secured,

Approval of the variance request at hand will neither improve nor impair public safety. Consequently, if the variance is allowed, public safety would be secured.

and

c. substantial justice is achieved.

The variance would preserve substantial justice in several respects.

1. The Applicant properly applied for building permits (including providing accurate proposed site plans showing the ADUs were higher than the principal residences) to build single-family homes and ADUs on the Rucker Run Lots, and the County issued building permits for the proposed development. As a result of receiving the building permits, the Applicant moved forward with construction on the Rucker Run Lots.

2. The construction of the three principal residences and ADUs on the Rucker Run Lots is completed, and the homes have been sold. When the Applicant

requested the certificates of occupancy, it was informed that the ADU building permits were issued in error and the ADUs were non-compliant with the LDC. The City instructed the Applicant to request a variance for the height of the three ADUs.

3. Due to events over which the Applicant had no control, the sale of the homes on the Rucker Run Lots has been halted, and the Applicant has had to expend significant resources to apply for a variance request and to salvage the sales of the properties.

4. Allowing the variance would achieve substantial justice as the Applicant followed the proper protocol to obtain building permits, for the principal residences and the ADUs, and supplied all required information regarding height, yet the County erroneously issued the ADU building permits.

5. The Rucker Run Lot ADUs are 11.3-feet lower than the 35-foot maximum building height as set forth in the ordinance, which is consistent with the LDC's spirit, purpose, and intent.

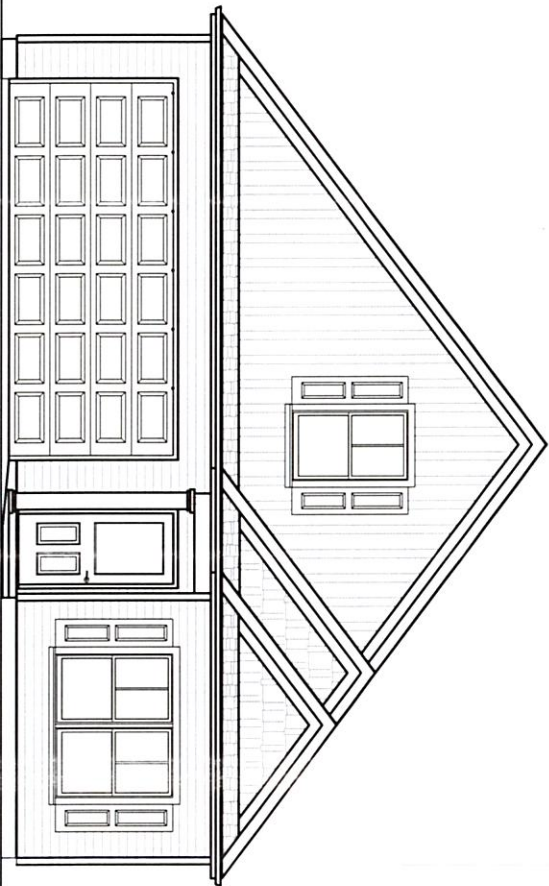
6. Allowing the variance will avoid unnecessarily penalizing the owner for completing construction as approved by the ADU building permits issued in error by New Hanover County Building Safety.

7. The LDC § 18-199(A)(3) reads such that Table 18-199 applies to the *placement* of an ADU rather than the *height* of an ADU. Table 18-199 lists the minimum *setbacks* for the front, side street, side interior, and rear are the only applicable requirements concerning building/structure placement, as stated in the Code. Nothing in LDC § 18-199 indicates that Table 18-199 applies to building/structure size. The Applicant cannot ignore the possibility that the issuance of the ADU building permits in error is a result of the ambiguity of the wording of LDC § 18-199.

8. Rolina Homes is not aware of opposition by any neighbors to the properties to the approval of the variance request.

ROLINA HOMES BRUNSWICK MODEL

112 RUCKER RUN



SQUARE FOOTAGE-BASE FLOOR PLAN

	SQ. FT.
FIRST FLOOR	1627
OPTIONAL BONUS ROOM	348
FLOOR FINISH	40
GARAGE	395
SHED TOTAL	1607
TOTAL	2037
TOTAL WITH BONUS ROOM	2385
BASE HOUSE	
OVERALL WIDTH: 36 FEET	OVERALL DEPTH: 60 FEET
OVERALL DEPTH W/ OPT. BONUS ROOM: 60 FEET	

CODE ANALYSIS

THESE CONSTRUCTION DOCUMENTS HAVE BEEN REVIEWED AND APPROVED FOR CONFORMANCE WITH THE INTERNATIONAL RESIDENCE CODE (IRC) AND THE INTERNATIONAL ENERGY EFFICIENCY CODE (IECC) AS OF THE DATE OF THE ISSUE OF THESE DOCUMENTS.

(A) INTERNATIONAL RESIDENCE CODE (IRC) 2021
 (B) NATIONAL ELECTRICAL CODE (NEC) 2020
 (C) INTERNATIONAL MECHANICAL CODE (IMC) 2020
 (D) INTERNATIONAL CONSTRUCTION DIVISION IN HIGH-WIND REGIONS (ICC-609.2020)
 (E) 2018 NC STATE CONSTRUCTION MANUAL FOR ONE AND TWO FAMILY DWELLINGS (2018)

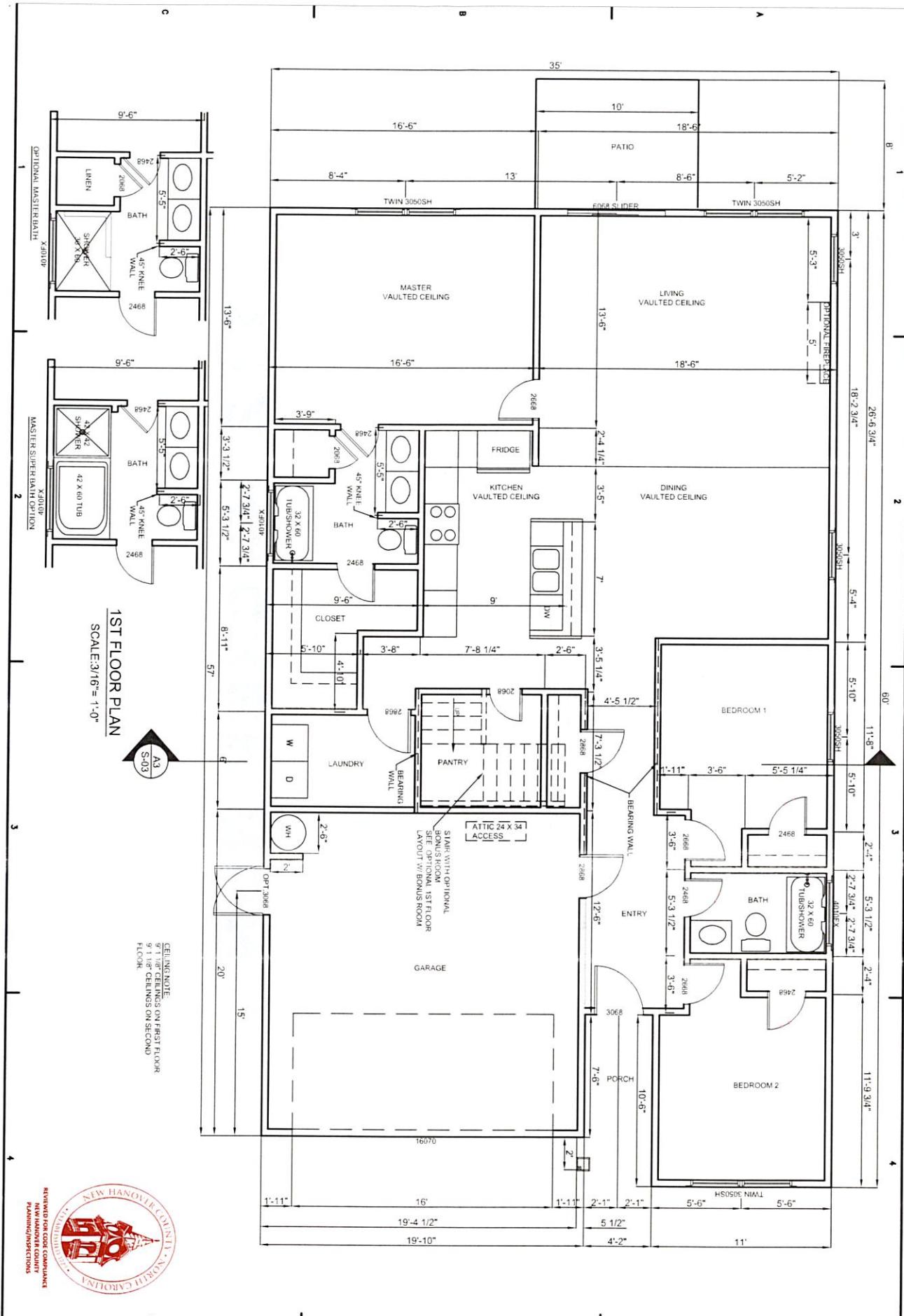


REVIEWED FOR CODE COMPLIANCE
PLANNING/INSPECTIONS

DESIGNED BY: DBM
DRAWN BY: AJF
CHECKED BY: DBM
DATE: 1/26/2023
JOB NUMBER:
DRAWING TITLE: BRUNSWICK
REV. DATE:
TT
TITLE PAGE

ROLINA HOMES
BRUNSWICK

McSweeney Engineers
 300 W. Colston Blvd., Ste. 203B
 Raleigh, NC 27603
 Phone: (919) 874-4949
 Fax: (919) 874-5621
 www.mcsweeneyengineers.com



1ST FLOOR PLAN
SCALE: 3/16" = 1'-0"



CEILING NOTE:
9'1" CEILINGS ON FIRST FLOOR
9'11 1/8" CEILINGS ON SECOND FLOOR

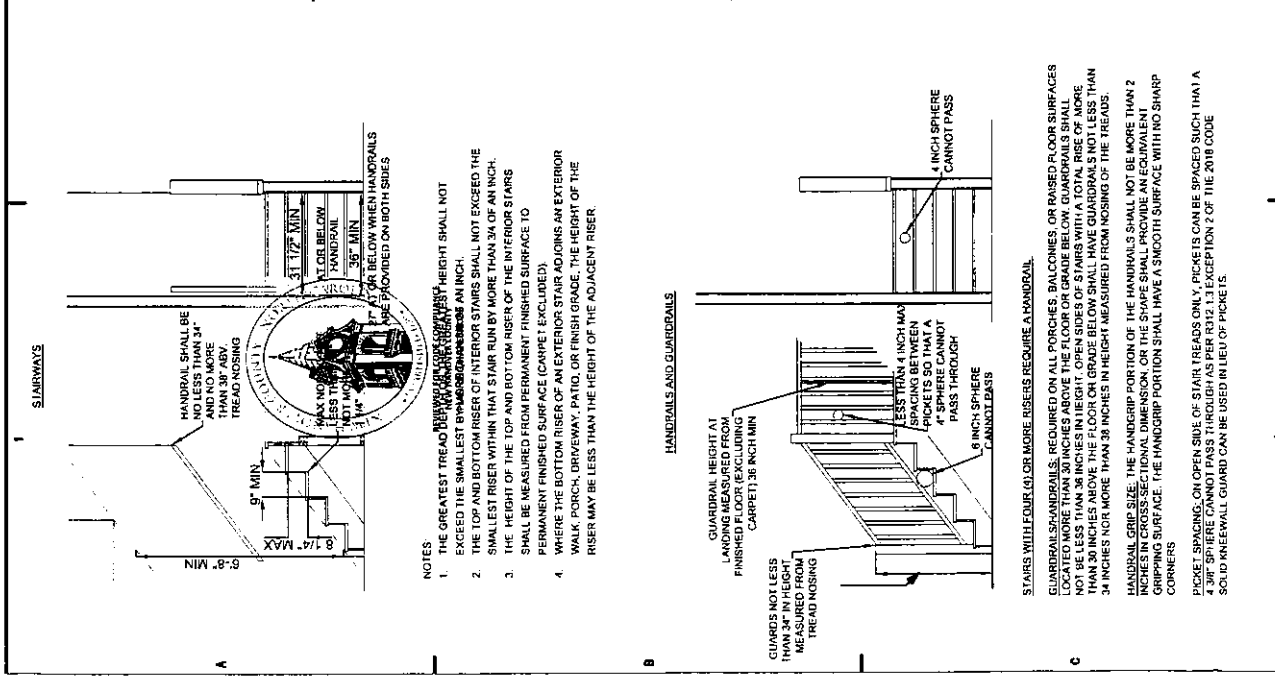
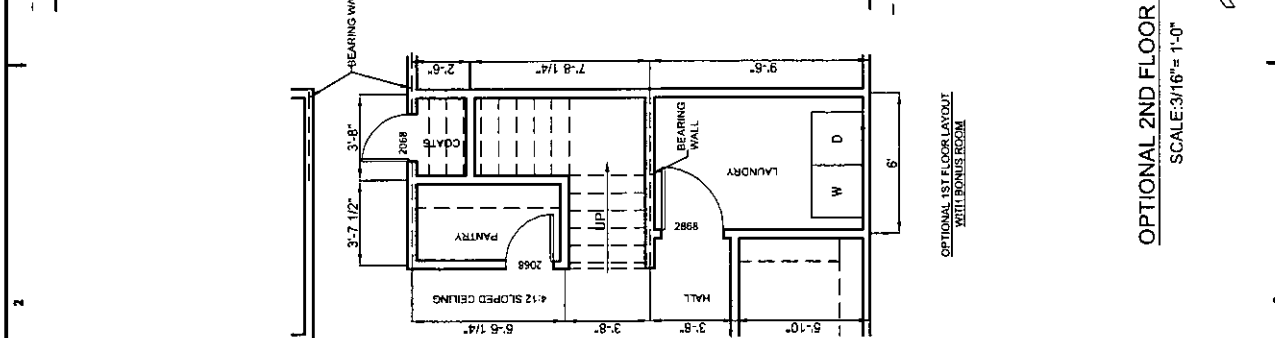
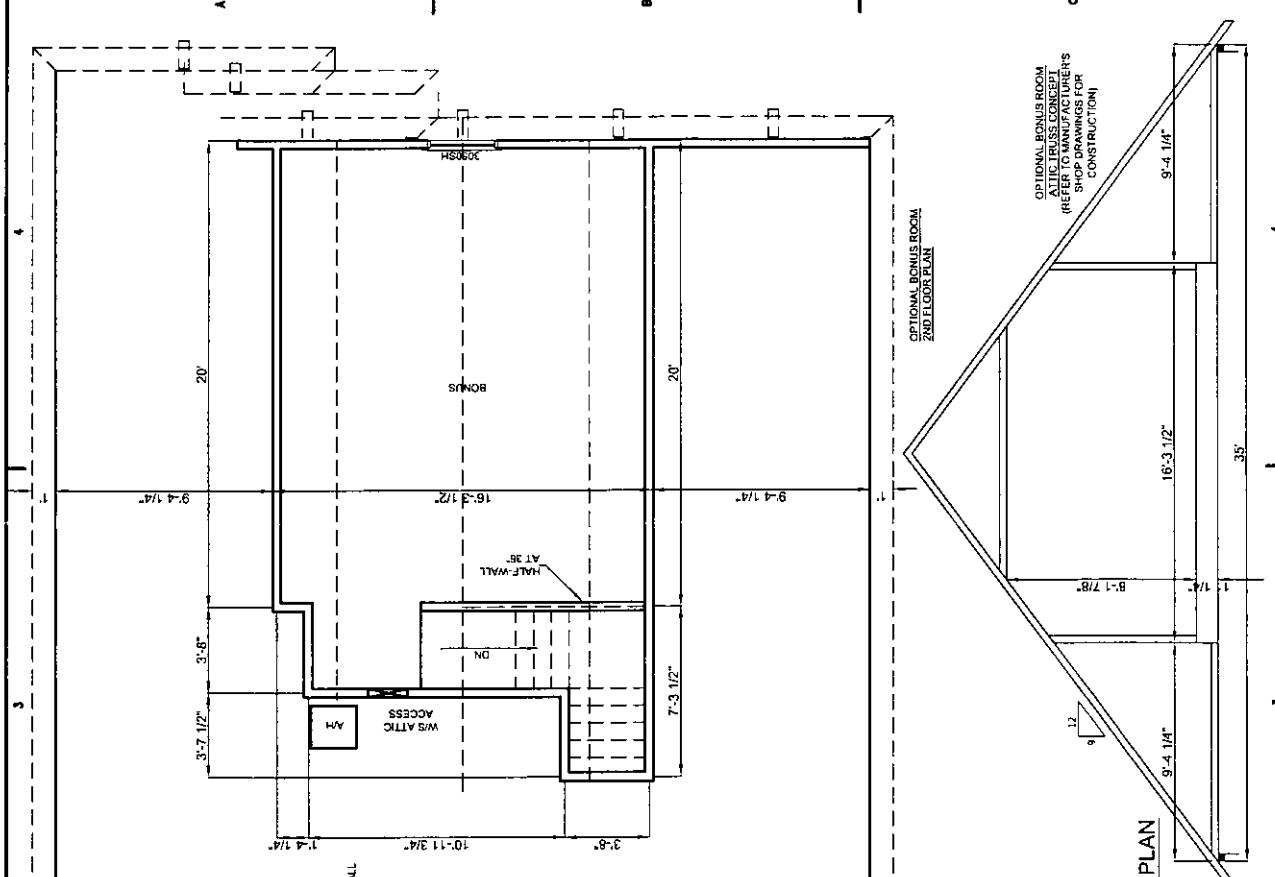


ROLINA HOMES
BRUNSWICK

McSweeney Engineers
300 N. Cameron Rd., Ste. 203B
Brunswick, GA 31524
(904) 974-5521
www.mcsweeneyengineers.com

DESIGNED BY: DBM	DRAWN BY: JAV	CHECKED BY: DBM	DATE: 1/28/2023	JOB NUMBER:	DRAWING FILE: BRUNSWICK
REV:	DATE:				

FIRST FLOOR PLAN **A1**



- NOTES:
1. THE GREATEST TREAD DEPTH SHALL NOT EXCEED THE SMALLEST RISER OF INTERIOR STAIRS SHALL NOT EXCEED THE SMALLEST RISER WITHIN THAT STAIR RUN BY MORE THAN 3/4 OF AN INCH.
 2. THE TOP AND BOTTOM RISER OF INTERIOR STAIRS SHALL NOT EXCEED THE SMALLEST RISER WITHIN THAT STAIR RUN BY MORE THAN 3/4 OF AN INCH.
 3. THE HEIGHT OF THE TOP AND BOTTOM RISER OF THE INTERIOR STAIRS SHALL BE MEASURED FROM PERMANENT FINISHED SURFACE TO PERMANENT FINISHED SURFACE (CARPET EXCLUDED).
 4. WHERE THE BOTTOM RISER OF AN EXTERIOR STAIR JOINS AN EXTERIOR WALK, PORCH, DRIVEWAY, PATIO, OR FINISH GRADE, THE HEIGHT OF THE RISER MAY BE LESS THAN THE HEIGHT OF THE ADJACENT RISER.

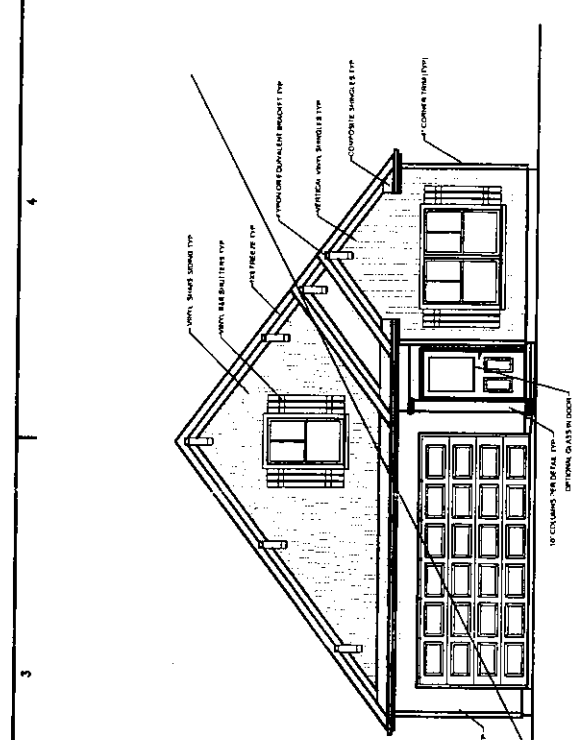
STAIRS WITH FOUR (4) OR MORE RISERS REQUIRE A HANDRAIL.
 GUARDRAILS, REQUIRED ON ALL PORCHES, BALCONIES, OR RAISED FLOOR SURFACES LOCATED MORE THAN 30 INCHES ABOVE THE FLOOR OR GRADE BELOW. GUARDRAILS SHALL NOT BE LESS THAN 36 INCHES IN HEIGHT. OPEN SIDES OF STAIRS WITH A TOTAL RISE OF MORE THAN 30 INCHES ABOVE THE FLOOR OR GRADE BELOW SHALL HAVE GUARDRAILS NOT LESS THAN 34 INCHES NOR MORE THAN 38 INCHES IN HEIGHT MEASURED FROM HOUSING OF THE TREADS.
 HANDRAIL GRIP SIZE: THE HANDRIP PORTION OF THE HANDRAILS SHALL NOT BE MORE THAN 2 INCHES IN CROSS-SECTIONAL DIMENSION. OR THE SHAPE SHALL PROVIDE AN EQUIVALENT GRIPPING SURFACE. THE HANDRIP PORTION SHALL HAVE A SMOOTH SURFACE WITH NO SHARP CORNERS
 PICKET SPACING: ON OPEN SIDES OF STAIR TREADS ONLY, PICKETS CAN BE SPACED SUCH THAT A 4 INCH SPHERE CANNOT PASS THROUGH AS PER R312.1.3 EXCEPT ION 2 OF THE 2018 CODE. A SOLID KNEEWALL GUARD CAN BE USED IN LIEU OF PICKETS.

OPTIONAL 2ND FLOOR PLAN
 SCALE: 3/16" = 1'-0"

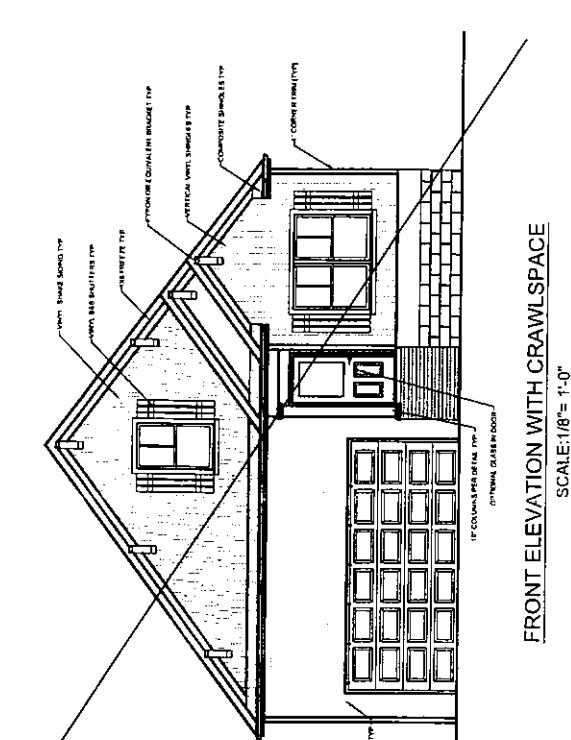


DESIGNED BY:	DM
DRAWN BY:	AMF
CHECKED BY:	DM
DATE:	1/24/2023
JOB NUMBER:	
DRAWING FILE:	BRUNSWICK
REV.:	DATE:

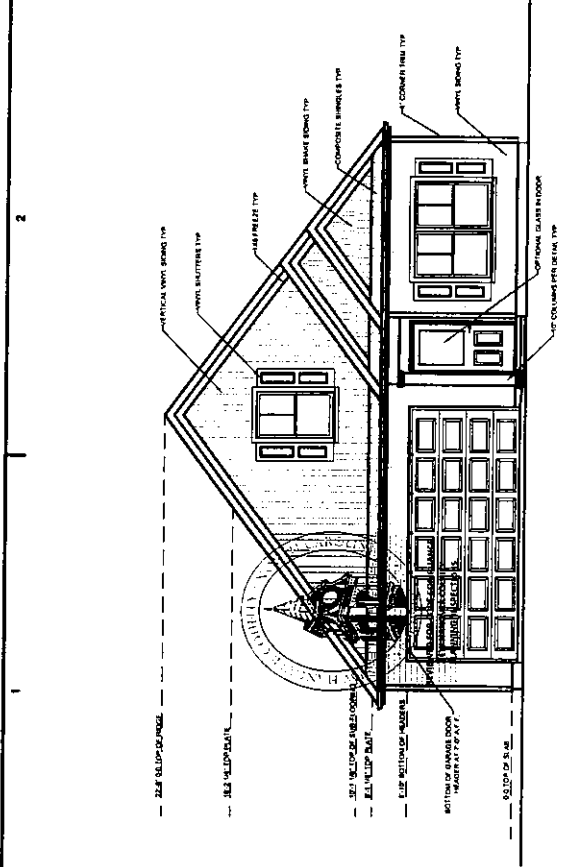
A3
 FRONT ELEVATIONS & FRONT ELEVATIONS W/ CRAWLSPACE



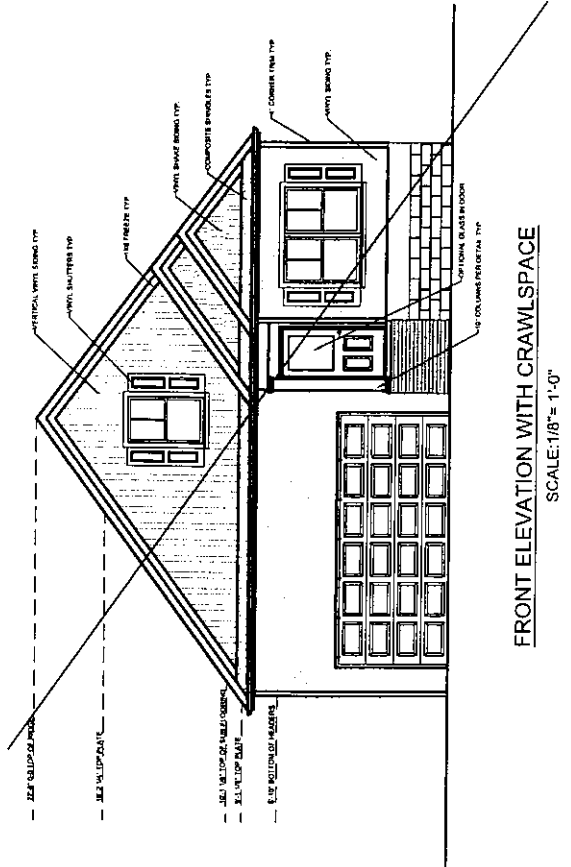
FRONT ELEVATION
 SCALE: 1/8" = 1'-0"



FRONT ELEVATION WITH CRAWLSPACE
 SCALE: 1/8" = 1'-0"



FRONT ELEVATION
 SCALE: 1/8" = 1'-0"



FRONT ELEVATION WITH CRAWLSPACE
 SCALE: 1/8" = 1'-0"

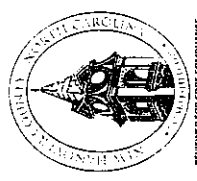
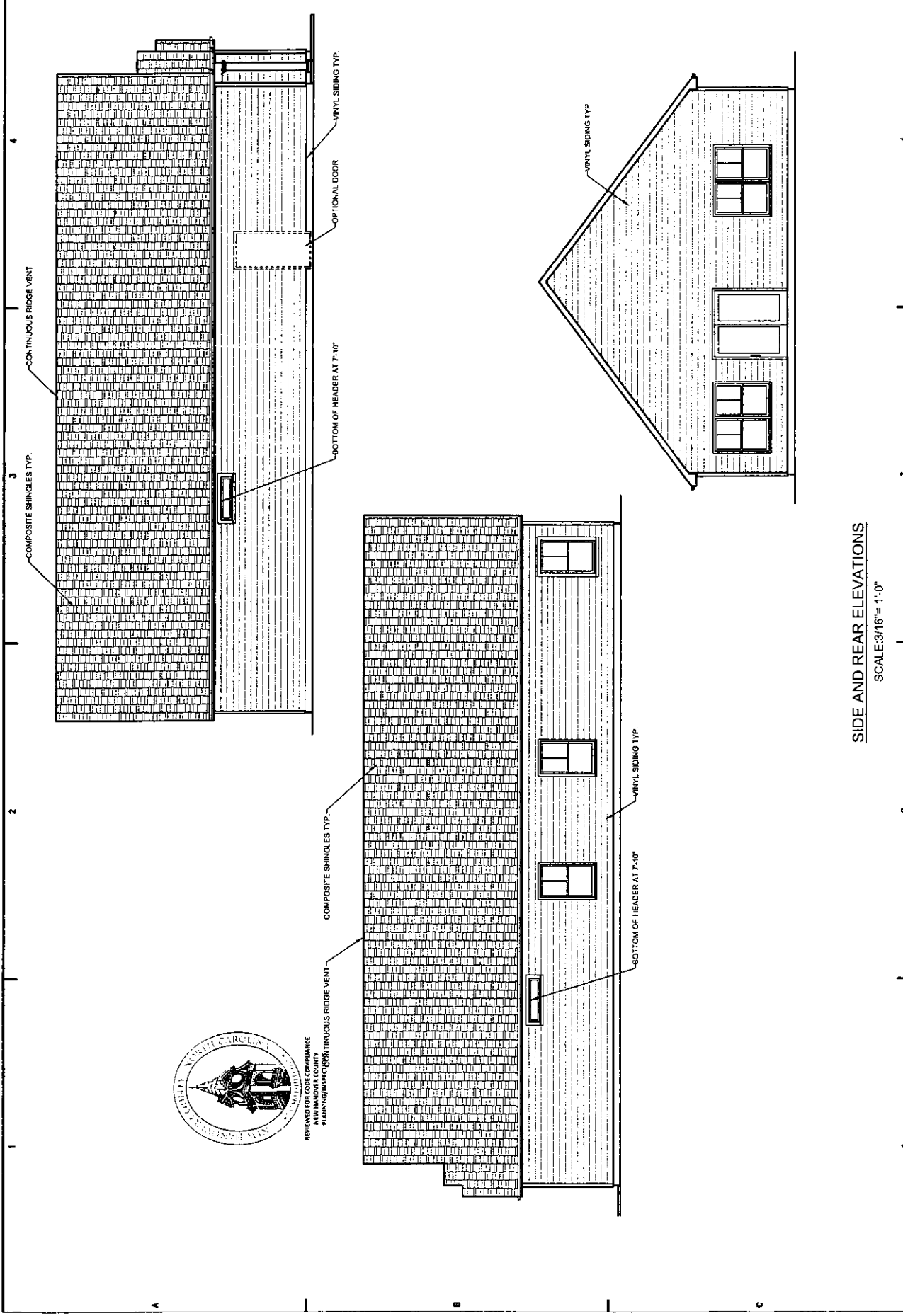
McSweeney Engineers
 500 W. Colman Blvd., Ste. 203
 Brunswick, GA 31525
 (903) 974-8031
 www.mcsweeneyengineers.com

ROLINA HOMES BRUNSWICK



DESIGNED BY: DBM
 DRAWN BY: AP
 CHECKED BY: DBM
 DATE: 1/21/2013
 JOB NUMBER:
 DRAWING FILE: BRUNSWICK
 REV. DATE:

A6
 SIDE AND REAR ELEVATIONS

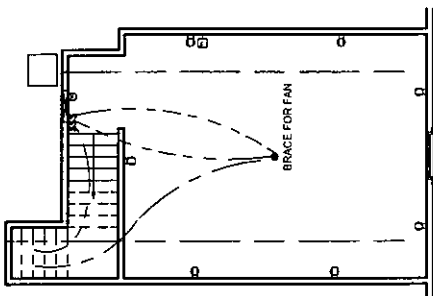
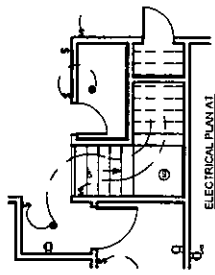
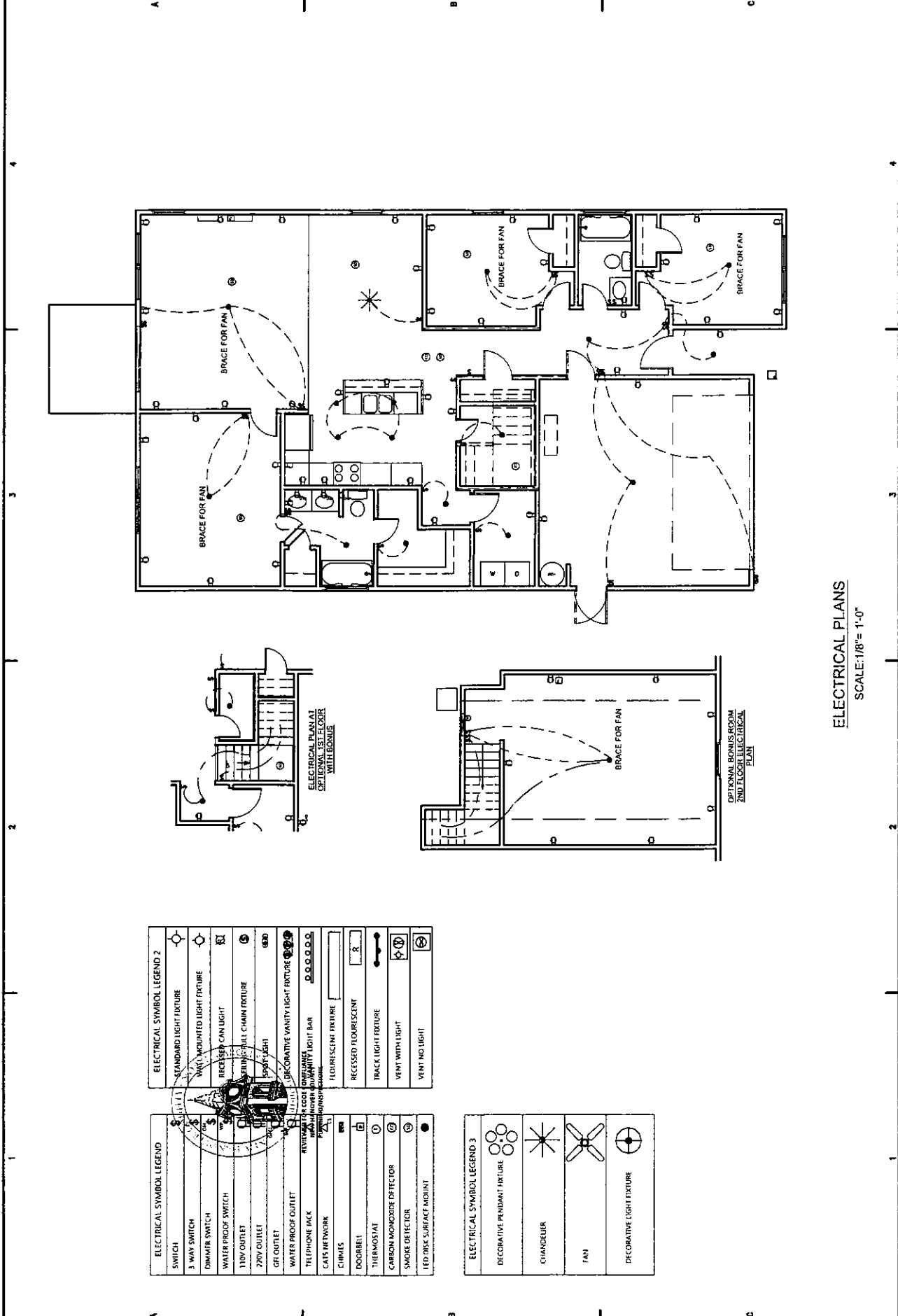


SIDE AND REAR ELEVATIONS
 SCALE: 3/16" = 1'-0"



DESIGNED BY: OAM
DRAWN BY: AJP
CHECKED BY: OAM
DATE: 1/29/2023
JOB NUMBER:
DRAWING FILE: BRUNSWICK
REV. DATE:

E1
 ELECTRICAL PLANS

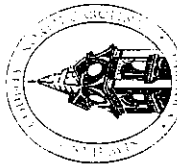


ELECTRICAL SYMBOL LEGEND 2	
SWITCH	○
STANDARD LIGHT FIXTURE	○
3-WAY SWITCH	○
DIMMER SWITCH	○
WATER PROOF SWITCH	○
110V OUTLET	⊕
220V OUTLET	⊕
GFI OUTLET	⊕
WATER PROOF OUTLET	⊕
TELEPHONE JACK	⊕
CAT5 NETWORK	⊕
CHIMES	⊕
DOORBELL	⊕
THERMOSTAT	⊕
CARBON MONOXIDE DETECTOR	⊕
SMOKE DETECTOR	⊕
LED DISK SURFACE MOUNT	⊕

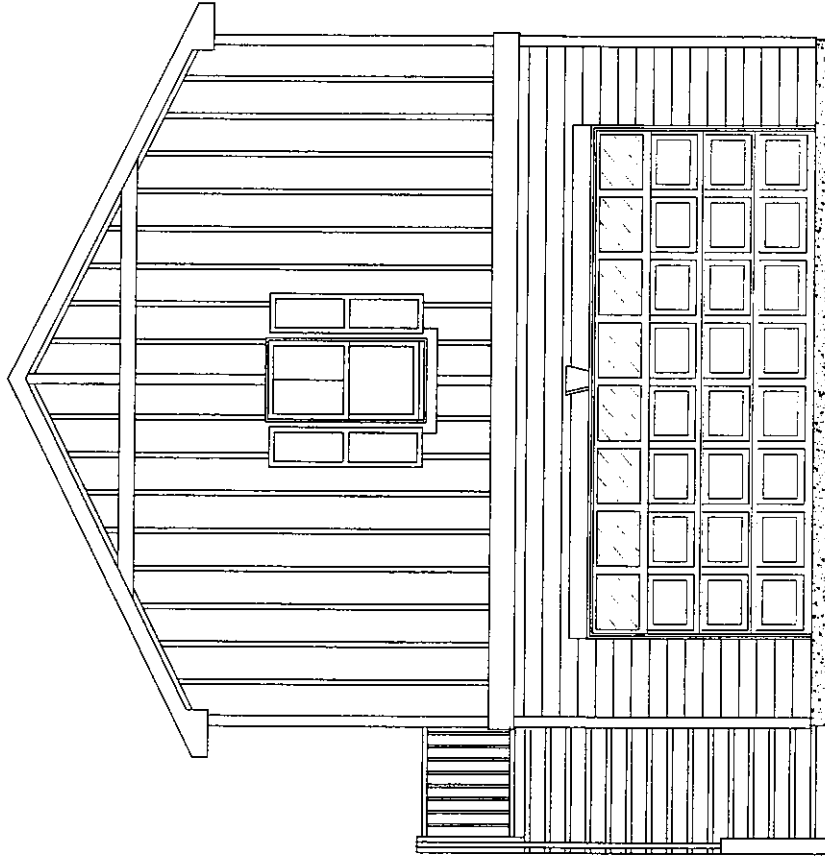
ELECTRICAL SYMBOL LEGEND 3	
DECORATIVE PENDANT FIXTURE	○
CHANDLIER	⊕
FAN	⊕
DECORATIVE LIGHT FIXTURE	⊕

ELECTRICAL PLANS
 SCALE: 1/8" = 1'-0"

ROLINA HOMES CARRIAGE HOUSE



RESERVED FOR CODE COMPLIANCE
WORKSHEET FOR
PLANNING/INSPECTIONS



SQUARE FOOTAGE-BASE FLOOR PLAN

AREA	50. FT.
PORCH	5.08
SECOND FLOOR	5.08
TOTAL	10.16
OVERALL WIDTH	24 FEET
OVERALL DEPTH	24 FEET

CODE ANALYSIS
 THESE CONSTRUCTION DOCUMENTS HAVE BEEN PREPARED IN ACCORDANCE WITH THE REQUIREMENTS OF THE FOLLOWING CODES AND ALIENMENTS DOCUMENTS:
 INTERNATIONAL RESIDENCE CODE (IRC) - 2018
 INTERNATIONAL CONSTRUCTION HIGH WIND PROVISIONS (ICC-600 2009)
 COLUMBIAN CONSTRUCTION MANUAL FOR ONE AND TWO FAMILY DWELLINGS (2014)

RESPOND BY: DEM
 DRAWN BY: AAF
 CHECKED BY: DEM
 DATE: 1/20/23
 JOB NUMBER:
 DRAWING TITLE: CARRIAGE HOUSE
 REV. DATE:

T1
 TITLE SHEET

McSweeney Engineers
 100 W. Calhoun Blvd., Ste. 210
 Mount Pleasant, SC 29528
 (843) 877-8822
 www.mcsweeneyengineers.com

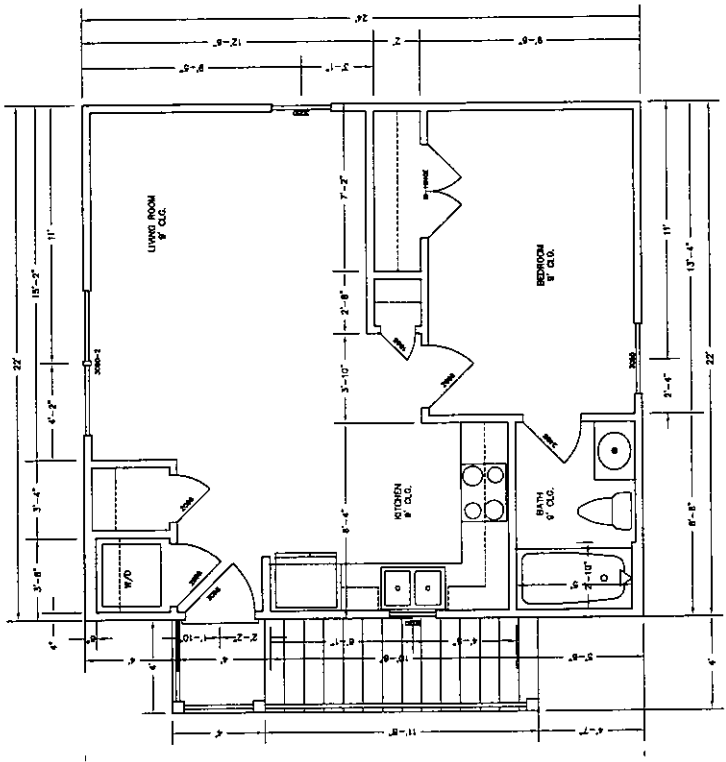
ROLINA HOMES
 CARRIAGE HOUSE

McSwainy Engineers
 3001 W. Colson Blvd. Ste. 203
 Brentwood, TN 37027
 (615) 974-8021
 www.mcswainyengineers.com

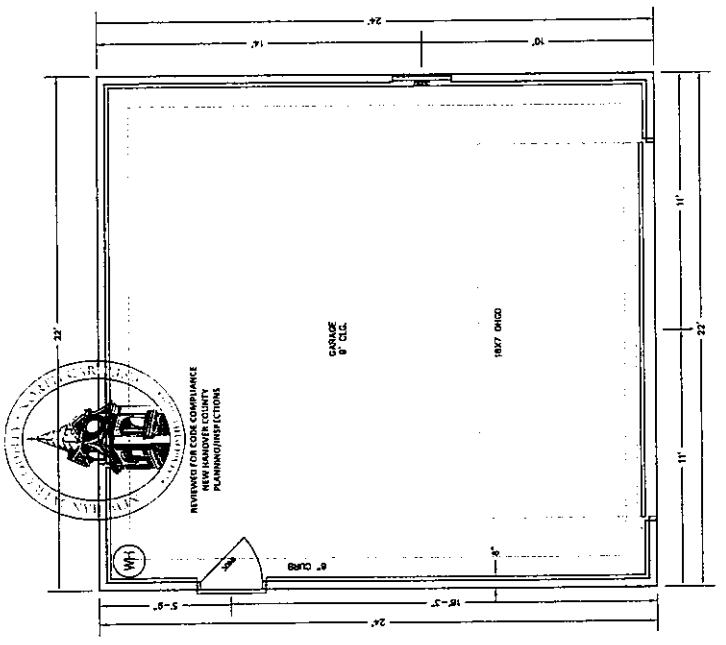
ROLINA HOMES CARRIAGE HOUSE

DESIGNED BY:	DBM
DRAWN BY:	AMF
CHECKED BY:	DBM
DATE:	1/20/23
JOB NUMBER:	
DRAWING FILE CARRIAGE.HOU	
REV.	DATE:

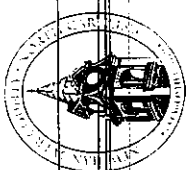
A1
 FLOOR PLANS



2ND FLOOR PLAN
 SCALE: 3/16"=1'-0"

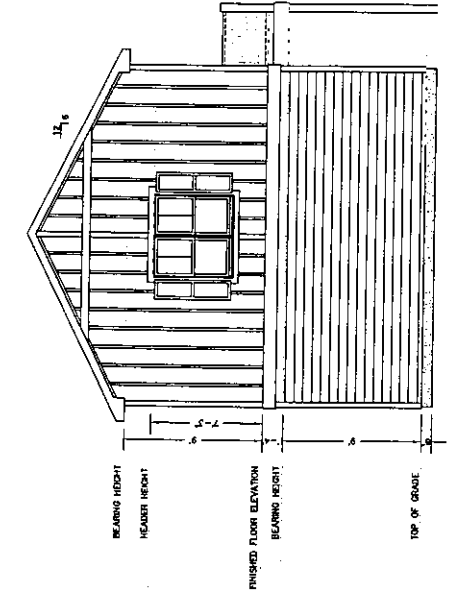


GARAGE FLOOR PLAN
 SCALE: 3/16"=1'-0"

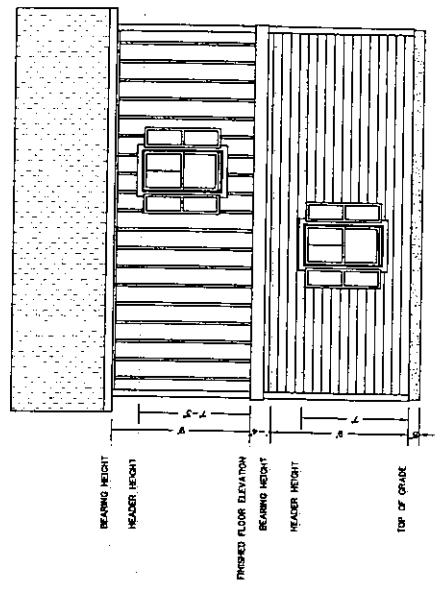


DESIGNED BY:	OSM
DRAWN BY:	AJF
CHECKED BY:	OSM
DATE:	1/20/23
JOB NUMBER:	
DRAWING FILE/CARRIAGE HOUSE	
REV.	DATE:

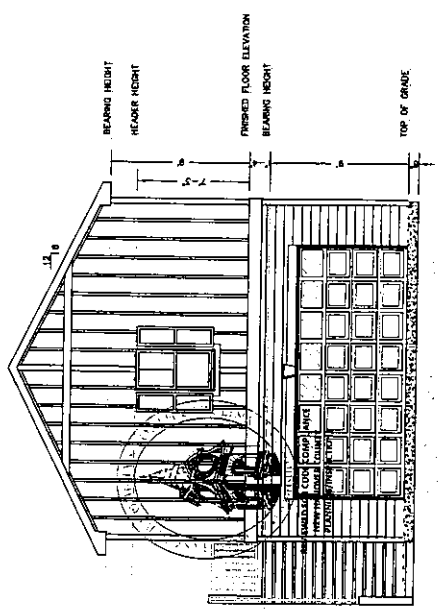
A2
 ELEVATIONS



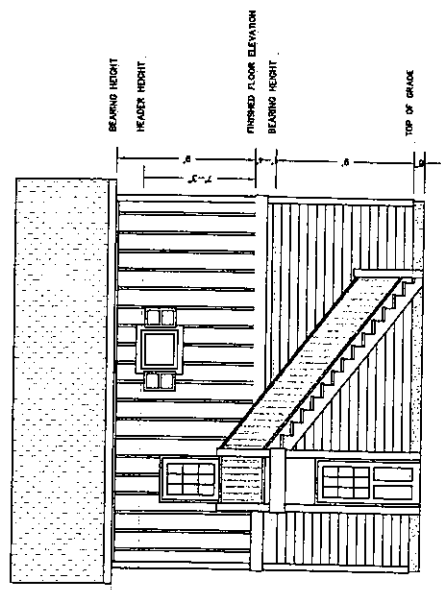
REAR ELEVATION
 SCALE: 1/8" = 1'-0"



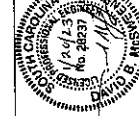
RIGHT ELEVATION
 SCALE: 1/8" = 1'-0"



FRONT ELEVATION
 SCALE: 1/8" = 1'-0"

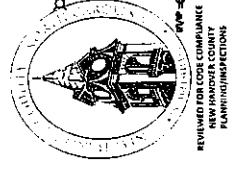
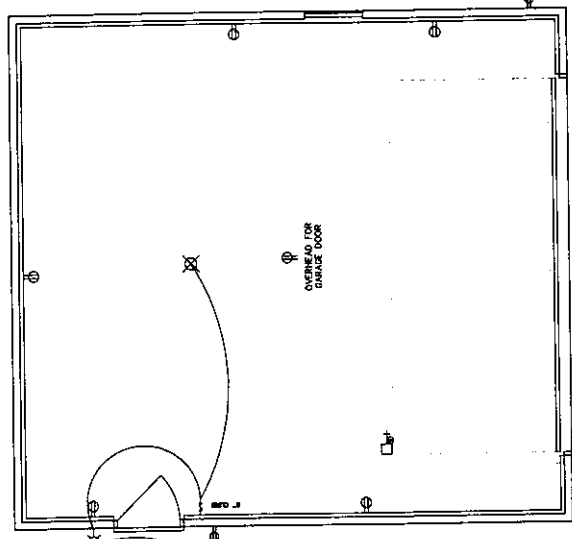
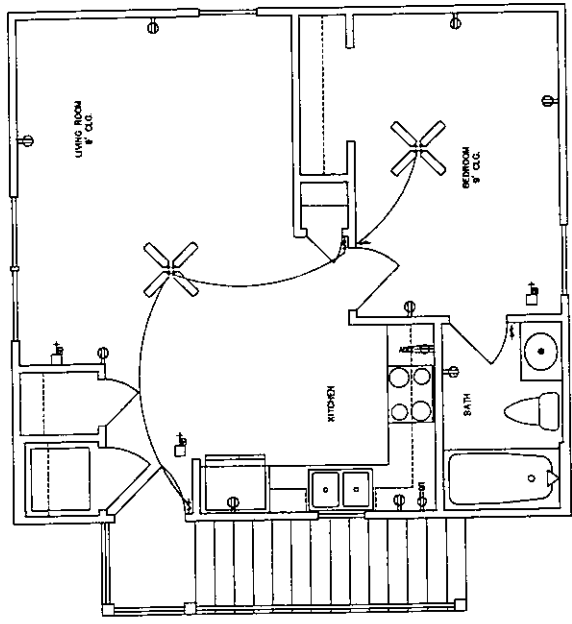


LEFT ELEVATION
 SCALE: 1/8" = 1'-0"



DESIGNED BY: DBM
 DRAWN BY: JAF
 CHECKED BY: DBM
 DATE: 1/20/23
 JOB NUMBER:
 DRAWING FILE CARRIAGE_HOUSE
 REV: DATE:

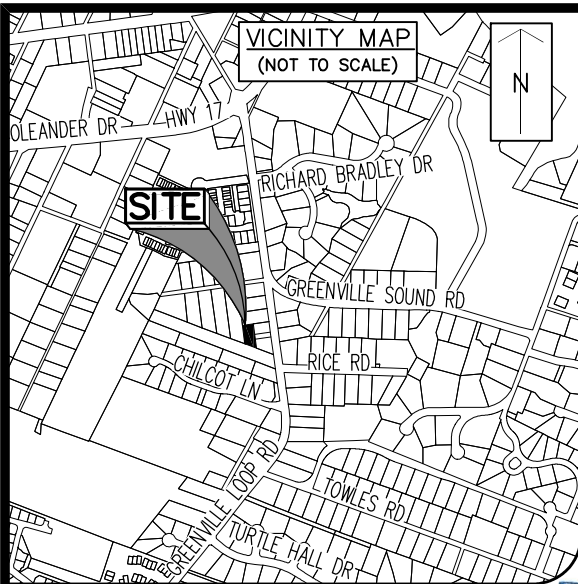
E1
 ELECTRICAL PLAN



ELECTRICAL PLANS
 SCALE: 3/16"=1'-0"

ELECTRICAL SYMBOLS	
	DUPLEX IN-WALL RECEPTACLE
	WEATHERPROOF OUTLET
	GROUND FAULT INTERRUPTER RECEPTACLE
	220V RECEPTACLE
	SINGLE POLE SWITCH
	THREE-WAY SWITCH
	CEILING LIGHT FIXTURE
	RECESSED LIGHT FIXTURE W/ NON BREAKABLE LENS
	WALL LIGHT FIXTURE
	DOWN-BOW LIGHT AND EXHAUST FAN
	SMOKE DETECTOR - INTERCONNECTED / BATTERY BACKUP
	48" DIAM. CEILING FAN (WITH LIGHT KIT)
	52" DIAM. CEILING FAN (WITH LIGHT KIT)

- THIS DRAWING IS A SCHEMATIC PLAN ONLY OF THE LOCATIONS OF ELECTRICAL EQUIPMENT. DESIGN AND ENGINEERING OF THE ELECTRICAL CIRCUITING SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR.
- ALL ELECTRICAL WORK SHALL BE DONE IN ACCORDANCE WITH CURRENT N.E.C. AND ALL APPLICABLE BUILDING CODES.
- VERIFY REQUIREMENTS FOR ALL FIXTURES AND EQUIPMENT IS TO BE PROVIDED BY OWNER/CONTRACTOR.
- PROVIDE ELECTRICAL CONNECTIONS FOR HOT WATER AND HVAC UNITS AS REQUIRED. VERIFY LOCATIONS AND REQUIREMENTS WITH MECHANICAL CONTRACTOR.
- BOTTOM OF RECEPTACLES TO BE 12" ABOVE FINISHED FLOOR UNLESS OTHERWISE NOTED. HEIGHT OF SWITCH BOXES BY OWNER'S APPROVAL.
- IF NOT SHOWN ON PLANS, CONTRACTOR TO VERIFY REQUIREMENT AND LOCATION FOR T.V., TELEPHONE AND/OR INTERCOM SYSTEMS.
- INSTALL SMOKE DETECTORS TO COMPLY WITH ALL LOCAL CODES.
- VERIFY REQUIREMENTS FOR DOWN BOW LIGHTING, FLOOD LIGHTING AND SWITCHING OF THE SAME.
- IF NOT SHOWN, VERIFY LOCATION OF A.C. BREAKER, MAIN PANEL AND METER BASE.



LEGEND

- EI* EXISTING IRON REBAR/PIPE
- EIPP EXISTING IRON PINCH PIPE
- ⊙ ELECTRIC PEDESTAL
- ⊙ SEWER CLEAN-OUT
- ⊙ CABLE PEDESTAL
- BOUNDARY LINE
- ADJOINING PROPERTY LINE
- - - RIGHT-OF-WAY LINE
- - - BUILDING SETBACK LINE
- - - EASEMENT LINE
- XX XX FENCE LINE

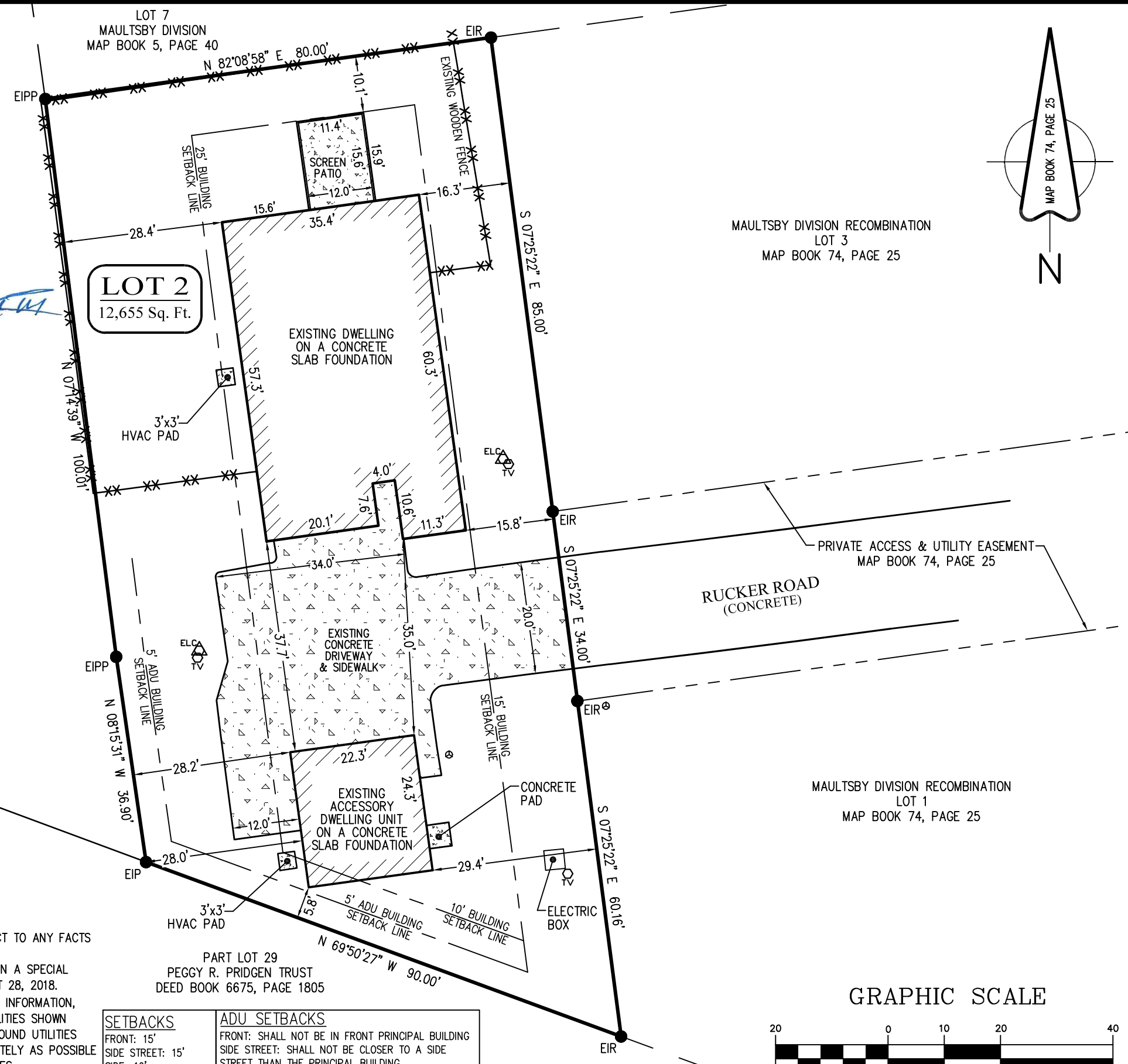
IMPERVIOUS
CALCULATED IMPERVIOUS: 4,840 Sq.Ft.



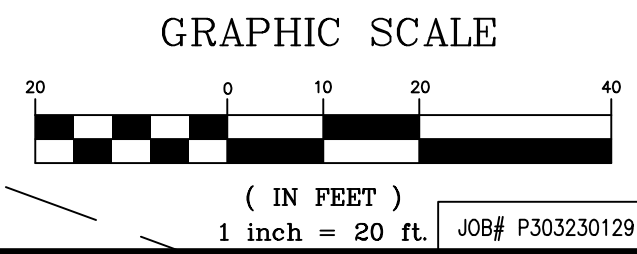
CERTIFICATE OF ACCURACY & MAPPING
I HEREBY CERTIFY THAT THE SURVEY OF THE EXISTING SITE SHOWN HEREON IS BASED ON AN ACTUAL FIELD SURVEY MADE UNDER MY SUPERVISION AND ACCURATELY REPRESENTS THE OBSERVABLE EVIDENCE THEREOF AT THE TIME OF THIS SURVEY; AS RECORDED IN MAP BOOK 74 ON PAGE 25; THAT THE RATIO OF PRECISION IS 1:10,000+ AND THAT THIS SURVEY MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA" (21 NCAC 56.1600)

Miles O. McCall III
MILES O. MCCALL III — PROFESSIONAL LAND SURVEYOR (L-3518)
THIS 2nd DAY OF OCTOBER, 2024

- GENERAL NOTES**
- THIS IS A FINAL AS-BUILT SURVEY.
 - BEARINGS FOR THIS MAP ARE REFERENCED TO MAP BOOK 74, PAGE 25 AND OTHERS AS MAY BE SHOWN.
 - PROPERTY IS ZONED: R-15.
 - ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED.
 - UNITS ARE U.S. SURVEY FEET UNLESS OTHERWISE NOTED.
 - AREA BY COORDINATE GEOMETRY.
 - NO GRID MONUMENTS FOUND WITHIN 2000' OF SITE.
 - THIS SURVEY PERFORMED AND MAP PREPARED WITHOUT BENEFIT OF A TITLE REPORT. THIS SURVEY SUBJECT TO ANY FACTS AND EASEMENTS WHICH MAY BE DISCLOSED BY A FULL AND ACCURATE TITLE SEARCH.
 - FLOOD NOTE:** AS DETERMINED BY GRAPHIC PLOTTING, THIS PROPERTY DOES NOT APPEAR TO BE LOCATED IN A SPECIAL FLOOD HAZARD AREA PER FEMA FLOOD INSURANCE RATE MAP # 3720315600 K, EFFECTIVE DATE AUGUST 28, 2018.
 - UTILITY STATEMENT:** THE UNDERGROUND UTILITIES SHOWN (IF ANY) HAVE BEEN LOCATED FROM COUNTY GIS INFORMATION, EXISTING DRAWINGS & FIELD SURVEY INFORMATION. THE SURVEYOR MAKES NO GUARANTEE THAT THE UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED, OR THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED. HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.
 - COUNTY PARCEL ID: R06212-001-080-000.
 - TOTAL SITE AREA: 0.29± ACRES
 - SITE ADDRESS: 112 RUCKER RUN, WILMINGTON, NC 28409.



SETBACKS	ADU SETBACKS
FRONT: 15'	FRONT: SHALL NOT BE IN FRONT PRINCIPAL BUILDING
SIDE STREET: 15'	SIDE STREET: SHALL NOT BE CLOSER TO A SIDE STREET THAN THE PRINCIPAL BUILDING
SIDE: 10'	SIDE: 5'
REAR: 25'	REAR: 5'
(PER CITY OF WILMINGTON R-10 UDO ZONING)	(PER CITY OF WILMINGTON ARTICLE 3 USE STANDARDS)



TRANSYSTEMS
101 AUTUMN HALL DR., WILMINGTON, NC 28403
910.444.8434
COPYRIGHT © 2024 TRANSYSTEMS CORPORATION

GANNETT FLEMING
101 AUTUMN HALL DR., WILMINGTON, NC 28403
910.444.8434
COPYRIGHT © 2024 TRANSYSTEMS CORPORATION

MAULTSBY DIVISION RECOMBINATION LOT 2
NEW HANOVER COUNTY, NORTH CAROLINA

FINAL AS-BUILT SURVEY

PREPARED FOR:
ROLINA HOMES
501 BRAMSON CT #400
MT PLEASANT, SC 29464
PHONE: 843-300-1784

NO.	REVISION	DATE	BY	SCALE	SHEET NO.
1		9-30-2024	MPB	1" = 20'	1/1

COMPANY LICENSE: F0453
TRANSYSTEMS P303230129



New Hanover County Building Safety

230 Government Center Drive Suite: 170
Wilmington, NC 28403
(910) 798-7308 Phone

Permit

Permit NO. 24-001399
Permit Type: NHC Residential Building
Work Classification: NSFR
Permit Status: Issued

Issue Date: 02/16/2024

Expiration: 08/14/2024

Location Address

112 RUCKER RUN, WM, NC 28409

Parcel Number

R06212-001-080-000

Contacts

Table with contact information for William Beebe (Applicant), DOWN TO EARTH ELECTRIC LLC (Electrical Contractor), KEY PLUMBING SERVICES (Plumbing Contractor), ROLINA HOMES NC LLC (General Contractor), and CARYL MECHANICALS II INC (Mechanical Contractor).

Description: Single Family Home with ADU

Valuation: \$263,041.65
Total Sq Feet: 2,385.00

Occupancy Type: R-3 Residential, one-and two-family

Table with Fees and Amount columns: NHC Homeowner Recovery Fee (\$10.00), NHC Residential New Const & Additions Permit (\$1,051.78), Total: \$1,061.78

Table with Payments and Amount columns: Total Fees (\$1,061.78), Paid (\$1,061.78), Amount Due: \$0.00

Set Back Between Structure:

Set Back Left: 10 Set Back Right: 10 Set Back Rear: 25 Set Back Front: 15

Special Zoning Comments:

Zone: R-10, CD.
Not located within 1945 Corporate Limits, any floodplain designations, or historic district overlays.
Proposal for new SFR. Private access easement must be completed prior to CO issuance.

Min. front setback of 15 feet. Permitted @ 16.4 feet.
Min. side interior setback of 10 feet. Permitted @ 18 feet (West) and > 10 feet (East).
Min. rear setback of 25 feet. Permitted @ 28.6 feet.
Max. building height of 35 feet. Permitted @ < 35 feet.
Max. building footprint of 50%. Permitted @ 17% with ADU.

*ADU to be permitted separately. Address has been requested for ADU. Please upload the driveway permit approval to both this permit and the ADU permit. Driveway permitting approval given through City of Wilmington Engineer, Jerry Hammond (910-341-5899).

City Zoning Inspection required once all work has been completed. Items for inspection include: House / Building (unit) numbers displayed, no debris on property, construction dumpster and/or port-a-john must be removed from site and landscaping must be at least graded.



**New Hanover County
Building Safety**

230 Government Center Drive Suite: 170
Wilmington, NC 28403
(910) 798-7308 Phone

Permit

Permit NO. **24-001399**

Permit Type: **NHC Residential Building**

Work Classification: **NSFR**

Permit Status: **Issued**

Issue Date: **02/16/2024**

Expiration: **08/14/2024**

Special Notes and Comment:

Contractor hereby agrees to take full responsibility as required by law for compliance with all State and Local Codes and Ordinances pertaining to construction and the conditions of this permit. All construction debris must be removed by the contractor. The county will not pick up any construction debris. Please call 910-798-7308 for inspections. Inspections requested by 3:30pm will be scheduled for the next business day. Inspections requested from 3:30pm to 5pm are scheduled for the day after the next business day Monday through Friday. Any disagreement with a decision made by a Building Safety Official (i.e. field inspector, or plan reviewer) may be brought before the Chief Building Inspector for review.



New Hanover County Building Safety

230 Government Center Drive Suite: 170
Wilmington, NC 28403
(910) 798-7308 Phone

Permit NO. 24-003761
Permit Type: NHC Residential Building
Work Classification: NSFR
Permit Status: Issued
Issue Date: 03/23/2024
Expiration: 09/19/2024

Location Address

Parcel Number

112 RUCKER RUN A, WM, NC 28409

R06212-001-080-000

Contacts

Table with contractor details including William Beebe (Applicant), DOWN TO EARTH ELECTRIC LLC (Electrical Contractor), KEY PLUMBING SERVICES (Plumbing Contractor), ROLINA HOMES NC LLC (General Contractor), and CARYL MECHANICALS II INC (Mechanical Contractor).

Table with Description: Garage Apartment, Valuation: \$263,041.65, Total Sq Feet: 2,385.00, and Occupancy Type: R-3 Residential, one-and two-family.

Table with Fees and Amount: NHC Homeowner Recovery Fee (\$10.00), NHC Residential New Const & Additions Permit (\$1,051.78), Total: \$1,061.78.

Table with Payments and Amount: Total Fees (\$1,061.78), Paid (\$1,061.78), Amount Due: \$0.00.

Set Back Between Structure:

Set Back Left: 5' Set Back Right: 5' Set Back Rear: 5' Set Back Front: *



**New Hanover County
Building Safety**

230 Government Center Drive Suite: 170
Wilmington, NC 28403
(910) 798-7308 Phone

Permit	Permit NO. 24-003761
	Permit Type: NHC Residential Building
	Work Classification: NSFR
	Permit Status: Issued
Issue Date: 03/23/2024	Expiration: 09/19/2024

Special Zoning Comments:

NHC Residential Building -Garage Apartment

- **Only one (1) accessory apartment, whether attached or detached, shall be permitted per lot
- **Proposed accessory dwelling unit (ADU); must meet minimum setback requirements (5 foot rear and side setbacks)
- **The detached accessory apartment shall be located completely behind the plane of the rear facade of the principal structure.
- **Detached ADU CANNOT exceed the height of the principal structure OR exceed 35 feet in height
- **ADU shall not exceed 50 percent of the gross total enclosed heated square footage of the existing single-family dwelling or one thousand two hundred (1,200) square feet, whichever is less; Proposed ADU Square Footage: 528 sq. feet, Principal Structure Square Footage: 2100 sq. feet
- **No more than 2 accessory structures are permitted per residential property; Detached ADU counts towards the 2 accessory structures per property limit
- **Detached ADU shows apartment above with garage space below; Garage space to be used as storage ONLY; Garage CANNOT be used as living space
- **Separate addressing required for ADU; permit shows ADU is addressed 112 Rucker Run: Unit A
- **Final CO shall not be issued for ADU until primary structure has obtained a CO
- **Permit required for driveway from City Engineering

City Zoning Inspection required once all work has been completed. Items for inspection include: House / Building (unit) numbers displayed, no debris on property, construction dumpster and/or port-a-john must be removed from site and landscaping must be at least graded.

Special Notes and Comment:

Contractor hereby agrees to take full responsibility as required by law for compliance with all State and Local Codes and Ordinances pertaining to construction and the conditions of this permit. All construction debris must be removed by the contractor. The county will not pick up any construction debris. Please call 910-798-7308 for inspections. Inspections requested by 3:30pm will be scheduled for the next business day. Inspections requested from 3:30pm to 5pm are scheduled for the day after the next business day Monday through Friday. Any disagreement with a decision made by a Building Safety Official (i.e. field inspector, or plan reviewer) may be brought before the Chief Building Inspector for review.

**ROOF HEIGHT
LOT # 2
MAULTSBY DIVISION RECOMBINATION SUBDIVISION
112 RUCKER ROAD
WILMINGTON, NC
MAIN HOUSE**

ELEVATION OF HIGHEST ROOF PEAK 25.45
(SHOT REFLECTORLESS)

ELEVATION OF HIGHEST ROOF EVE 11.46
(SHOT REFLECTORLESS)

AVERAGE OF PEAK AND EVE 18.45

ELEVATION ON GROUND IN FRONT OF HOUSE 1.63

AVERAGE ROOF HEIGHT ABOVE GROUND 16.8'

- ELEVATIONS USED FOR CALCULATIONS MAY BE ASSUMED AND NOT A
REAL NAVD 88 ELEVATIONS.

-ROOF HEIGHT MEASUREMENT ROUNDED TO NEAREST TENTH OF A FOOT
AND IS THE AVERAGE OF THE HIGHEST ROOF PEAK AND HIGHEST ROOF EVE.

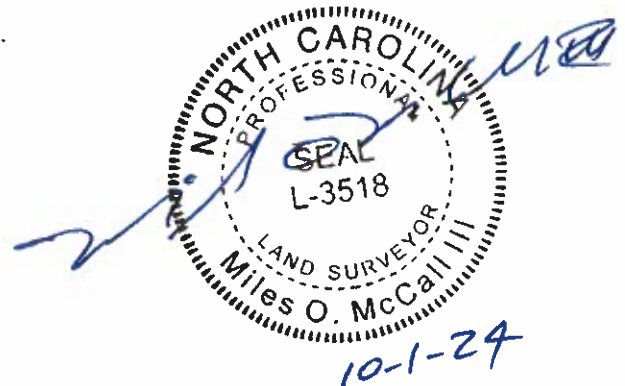
-ALL MEASUREMENTS TAKEN USING A ROBOTIC INSTRUMENT
IN MANUAL MODE. INSTRUMENT CALIBRATED AT REGULAR INTERVALS.

-ROOF HEIGHT SHOWN IS NOT AN ELEVATION BUT A MEASUREMENT
BETWEEN ROOF PEAK AND GROUND.

THIS CERTIFICATE IS USING ASSUMED ELEVATION DATUM.

Miles McCall PLS

GANNETT FLEMING / TRANSYSTEMS
JOB #303230129



**ROOF HEIGHT
LOT # 2
MAULTSBY DIVISION RECOMBINATION SUBDIVISION
112 RUCKER ROAD
WILMINGTON, NC
ADU**

ELEVATION OF HIGHEST ROOF PEAK 28.33
(SHOT REFLECTORLESS)

ELEVATION OF HIGHEST ROOF EVE 22.32
(SHOT REFLECTORLESS)

AVERAGE OF PEAK AND EVE 25.33

ELEVATION ON GROUND IN FRONT OF HOUSE 1.65

AVERAGE ROOF HEIGHT ABOVE GROUND 23.7'

- ELEVATIONS USED FOR CALCULATIONS MAY BE ASSUMED AND NOT A REAL NAVD 88 ELEVATIONS.

-ROOF HEIGHT MEASUREMENT ROUNDED TO NEAREST TENTH OF A FOOT AND IS THE AVERAGE OF THE HIGHEST ROOF PEAK AND HIGHEST ROOF EVE.

-ALL MEASUREMENTS TAKEN USING A ROBOTIC INSTRUMENT IN MANUAL MODE. INSTRUMENT CALIBRATED AT REGULAR INTERVALS.

-ROOF HEIGHT SHOWN IS NOT AN ELEVATION BUT A MEASUREMENT BETWEEN ROOF PEAK AND GROUND.

THIS CERTIFICATE IS USING ASSUMED ELEVATION DATUM.

Miles McCall PLS

GANNETT FLEMING / TRANSYSTEMS
JOB #303230129



BK: RB 6635
PG: 2226 - 2229

2023010039

NC FEE \$26.00

RECORDED:

NEW HANOVER COUNTY,

REAL ESTATE

04/27/2023

MORGHAN GETTY COLLINS

EXTX \$640.00

01:38:49 PM

REGISTER OF DEEDS

BY ANGELA ENGLISH

DEPUTY

ELECTRONICALLY RECORDED

Excise Tax \$640.00

Parcel No.: R06212-001-017-000 and R06212-001-016-000

This instrument was prepared by Bailey & Busby, PLLC
and return to: Bailey & Busby, PLLC - Wilmington Office

Brief description for Index:

Lots 8 & 9, Maultsby Subdivision

The attorney preparing this instrument has made no record search or title examination to the property herein described, unless the same is shown by his written and signed certificate. Further no tax advice of any nature has been rendered to the parties to this instrument. This Deed presented to the New Hanover Co. Tax Office on: Date _____ Clerk _____ Delinquent taxes, if any, to be paid by Closing Attorney to the New Hanover County Tax Collector upon disbursement of closing proceeds.

NORTH CAROLINA GENERAL WARRANTY DEED

If checked, Grantor affirms this was his/her primary residence: _____

THIS DEED made this the 20th day of April, 2023, by and between:

"GRANTOR"	"GRANTEE"
Sounds Edge Properties, LLC, a North Carolina limited liability company	Rolina Homes NC, LLC, a North Carolina limited liability company
6215 Red Cedar Rd. Wilmington, NC 28411	501 Bramson Court, Suite 400 Mount Pleasant, SC 29464

Submitted electronically by "Bailey & Busby, PLLC" in compliance with North Carolina statutes governing recordable documents and the terms of the submitter agreement with the New Hanover County Register of Deeds.



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

WITNESSETH

The Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the County of New Hanover, State of North Carolina, and more particularly described as follows:

See Exhibit "A" attached hereto and incorporated herein by reference.

The property hereinabove described was acquired by Grantor by instrument recorded in Book 5948 at Page 1504 of the New Hanover County Registry.

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

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

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

- (1) Ad valorem taxes for 2023 and subsequent years;
- (2) Applicable Restrictions, General utility service easements and rights of way of record;
- (3) Matters shown on maps recorded in the local County Registry;
- (4) Applicable local, county, state or federal government laws or regulations relative to environment, zoning, subdivision, occupancy, use or construction of the subject property;

IN WITNESS WHEREOF, the Grantor hereunto set his hand and seal, the day and year first above written.

Sounds Edge Properties, LLC

BY: Michael E. Grimstead
Michael E. Grimstead, Managing Member

STATE OF North Carolina

COUNTY OF New Hanover

I, Tabatha VanVliet, a Notary Public of the County and State aforesaid, certify that **Michael E. Grimstead**, personally came before me this day and acknowledged that he is Managing Member of Sounds Edge Properties, LLC, and that he as Managing Member, being authorized to do so, executed the foregoing on behalf of the limited liability company.

Witness my hand and official seal on this date shown.

Tabatha VanVliet Date: April 20, 2023
Notary Public

My Commission Expires: December 10, 2023

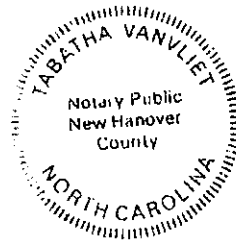


Exhibit "A"

TRACT ONE:

BEGINNING at a point in the Western line of the Greenville or Seagate Loop Road, which point is South 3 degrees 30 minutes East Three Hundred (300) feet from the point of intersection of the Western line of the said Greenville or Seagate Loop Road with the Southern line of a 30 foot road in said subdivision; the point of beginning being the Northeastern corner of Lot #8 of said Subdivision; running thence from the point of beginning South 3 degrees 30 minutes East along the western line of said Greenville or Seagate Loop Road a distance of One Hundred (100) feet to the Northeastern corner of Lot #9 of said Subdivision; thence South 86 degrees 30 minutes West along the dividing line of Lots Nos. 8 and 9 a distance of two hundred (200) feet to the Northwestern corner of Lot #9 of said Subdivision; thence North 3 degrees 30 minutes West and parallel with the Western line of the Greenville or Seagate Loop Road a distance of One Hundred (100) feet to the Southwestern corner of Lot No. 7 of said Subdivision; thence North 86 degrees 30 minutes East along the dividing line of Lot Nos. 7 and 8 of said Subdivision a distance of two hundred (200) feet to the point of Beginning; the same being all of Lot #8 of the Division of Property of N.W. and Lettie Maulsby as the same appears on the Map of said property, prepared by M.H. Lander, C.E., and duly recorded in the Office of the Register of Deeds of New Hanover County, North Carolina, in Map Book 5 at Page 40, reference to which Map is hereby made for a more particular description of the property herein conveyed, and being the same land conveyed to J. Amos Carter by Deed duly recorded in Book 513, Page 397 of the New Hanover County Registry.

TRACT TWO:

BEGINNING at a point in the Westerly line of the Greenville or Seagate Loop Road, where it is intersected by the Northern line of Lot 29 of the Giles Division, and running thence North 3 degrees 30 minutes West and along the Western line of said Greenville or Seagate Loop Road 143.5 feet to the Southeastern corner of a tract of land conveyed to William Cummings Grimstead and wife, by deed bearing date August 19, 1954, and duly recorded in Book 566, at Page 109, of the New Hanover County Registry, running thence South 86 degrees 30 minutes West and along the said Grimstead's Southern line 200 feet to the said Grimstead's Southwestern corner, running thence South 3 degrees 30 minutes East 36.3 feet to the Northern line of Lot 29 of the Giles Division, running thence South 65 degrees 18 minutes East and along the Northern line of the said Lot 29, 226.94 feet to the point of BEGINNING, the same being all of Lot 9 of the division of the property of NW. and Lettie Maulsby in Harnett Township, as shown on the Map thereof duly recorded in Map Book 5 at Page 40 in the Office of the Register of Deeds of New Hanover County, and being the same property conveyed to Roscoe McAllister and wife, by deed bearing date October 1, 1952, and duly recorded in Book 511, at Page 167, of the New Hanover County Registry.

10/8/24, 1:28 PM

New Hanover County

PARID: R06212-001-080-000
ROLINA HOMES NC LLC

112 RUCKER RUN

Parcel

Alt ID	315605.17.7836.000
Address	112 RUCKER RUN
Unit	
City	WILMINGTON
Zip Code	-
Neighborhood	D5C00
Class	RES-Residential
Land Use Code	958-Unused Land
Living Units	
Acres	.29
Zoning	R-15-RESIDENTIAL DISTRICT

Legal

Legal Description	LOT 2 GREENVILLE LOOP RD DIV
Tax District	WM

Owners (On January 1st)

Owner	ROLINA HOMES NC LLC
City	MOUNT PLEASANT
State	SC
Country	
Zip	29464

THE DATA IS FROM 2024

