



## BOARD OF ADJUSTMENT

Hearing of Case 01-08

Appeal by David and Catherine Rutti to decision of the Building Inspector

Tuesday, September 23, 2008

### MINUTES

NOTE: These minutes are a summary only of statements made at the appeal hearing and a record of the action taken by the Board. These minutes are not a transcript of the hearing. A separate transcript of the hearing is herein included as a part of these minutes.

#### MEMBERS IN ATTENDANCE:

Betty Swann, Chair  
Harry Humphries  
Anne Brodsky  
John Gordon  
Charles Allo

#### MEMBERS ABSENT

None

#### STAFF IN ATTENDANCE:

Nancy Avery, clerk

Attorney Holt Moore was in attendance. A quorum of the Board was present.

#### Call to Order

Chair Swann called the meeting to order at 7:31pm.

#### Approval of minutes: January 22, 2008

ACTION – Member Brodsky MADE THE MOTION to approve the minutes from the January 22, 2008 organizational/training meeting. Member Gordon seconded the motion. THE VOTE OF APPROVAL WAS UNANIMOUS.

#### Administration of Oath of Offices

Town Clerk Avery administered the oath of office to members Betty Swann, Harry Humphries and Charles Allo.

#### Opening of hearing

Chair Swann opened the hearing at 7:35 pm stating:

- This is quasi-judicial hearing case # 01-08, an appeal of the decision by the Building Inspector, filed by David and Catherine Rutti.
- The appeal relates to new construction located at 310 H Avenue, and involves the provisions of the Town of Kure Beach Zoning Ordinance, Chapter 19, Sections 332 and 333 on Building Height and Exceptions, and also N.C. House Bill 2688 (enacted into state law 2006-126 on July 18, 2006) which also controls height limits in Kure Beach.

- Property owners at this location are building a roof top deck. Mr. and Mrs. Rutti live next door to the property and are seeking a reversal to the decision of the Building Inspector allowing a single family residential structure to exceed 35 feet.
- Board of Adjustment is a “quasi-judicial” administrative body that operates on a level between enforcement officers and the courts.
- Members may only consider substantial, competent and material evidence for factual determination.
- Hearsay and opinion testimony may not be considered in findings of fact.
- A concurring vote of four-fifths of the members is required to reverse any order, requirement, decision, or determination.
- Findings of the Board are limited to:
  - Order upholding the decision of the Building Inspector allowing the roof top deck to be built with handrails exceeding 35 feet.
  - Order reversing the decision of the Building Inspector requiring all portions of the deck including the handrails to be at or lower than 35 feet.

#### Poll of Board members

Chair Swann asked each Board member to state whether a conflict of interest exists due to direct financial benefit, bias or fixed opinion, undisclosed outside contacts, a close family tie, or a close business tie.

Anne Brodsky – no conflict of interest  
 John Gordon – no conflict of interest  
 Betty Swann – no conflict of interest  
 Harry Humphries – no conflict of interest  
 Charles Allo – no conflict of interest

#### Administration of oath to all testifying

Chair Swann delivered the following oath “I swear to tell the truth, the whole truth and nothing but the truth, so help me God” to the following persons signed up to give testimony: David Rutti, Cathy Rutti, Robin Robertson, Elizabeth Kennedy, Bill Wells, Jan Hall, Billy Coley, and John Batson.

#### Overview and Testimony of Building Inspector Batson

Building Inspector Batson stated:

- The purpose of this hearing is to appeal my decision on sections 19-332 and 19-333 of the Town’s ordinance.
- The deck is below 35 feet and the hand rails extend above 35 feet about 2 and 1/2 feet. This interpretation has been going on for years and relates to section 19-333b of the Code of Ordinances that reads “Chimneys, cooling towers, elevators, bulkheads, scenery, lofts, monuments, domes, spires, parapet walls, and masonry mechanical appurtenances may be erected, to any height in accordance with existing or hereafter adopted ordinances”.

- This section was always interpreted that a roof top deck is a scenery loft. I heard that the two former Building Inspectors started and carried on this interpretation.
- I sat with my building commissioner and asked him how to continue with this since it was a heated topic. We decided that since it had been going on for so long it would be a reasonable interpretation of the code to keep the deck at 35 feet with handrails allowed above.
- Later on the State Law was passed. I have asked the Town Council about the interpretation of this because so many people have been against this.
- The permit was issued in July 2008 and the house is in construction right now.

Cross examination of Mr. Batson:

Member Swann asked that with everyone involved with allowing anything over 35 feet wasn't there anything done after the State Law was passed in July 2006? It is clear in the State Law that nothing for human occupancy is allowed over 35 feet. Were you still asking for guidance in interpretation after the State Law was signed? Didn't anyone see the urgency?

Building Inspector Batson replied that nobody felt that handrails above 35 feet was that big of a deal.

Member Brodsky stated that when citing section 19-333b, you are stating scenery and lofts as if it is one word. This is an important point. For the record, my position was for the Town of Kure Beach and is based on ordinances not State Law. As an agent of Kure Beach I will do my best to interpret State Law, but I am not a lawyer.

Member Swann asked if construction is under a stop work order.  
Building Inspector Batson replied that it is not.

Member Gordon stated the only thing to rely on is that it will violate the 35 foot limit if the plans are approved.

Member Humphries asked how high are the handrails.  
Building Inspector Batson stated they are 2 ½ feet above 35 feet.

Member Gordon asked if the rail height is dropped 2 feet, will it be an illegal deck?  
Building Inspector Batson replied that yes it would be illegal if the height of the base of the deck isn't also dropped.

Testimony

A transcript of the testimony, cross examination, findings of fact and Board decision is herein incorporated as part of these minutes. Listed here is a summary only.

1. David Rutti, applicant, stated:

- This is a quaint, non progressive neighborhood.
- This structure was constructed only 5 feet from 23,000 volt power line.

- A new telephone pole will be placed in the front yard of our property to accommodate this structure.
- Many neighbors are disturbed and offended by this structure.
- Visitors and passersby have stated “why did they build that here”, “that doesn’t belong here” and “it looks like an eyesore”.
- Neighbors’ privacy has been invaded by views from balconies that either stare into bedrooms, look into outside showers, or stare directly down at every move someone next door makes like a prison guard tower.
- Present views that homes once enjoyed have been obstructed or eliminated.
- Properties are shaded by such a tall structure (an issue that the City of Charlotte is considering adding to their building ordinances).
- Uniformity is destroyed because of such a tall structure among other shorter homes. “Uniformity” as I was advised by the Department of Insurance and State Fire Marshall in Raleigh was one of the purposes of establishing a vertical height limit.
- House bill 2688 of the General Assembly of NC Section 1 states:  
‘Section 1: The building erected within the corporate limits of the Town of Kure Beach may have a height in excess of 35 feet above ground level unless the building was erected before the effective date of this act (7/18/06). Variances of the height limitation shall not be granted.  
Section 2: The height limitation created by Section 1 of this act does not apply to spires, belfries, cupolas, antennas, water tanks, ventilators, chimneys, or other appurtenances usually required to be placed above the roof level and not intended for human occupancy’. A viewing deck exceeding 35 feet does not satisfy any of these exceptions.
- Kure Beach ordinance section 19-332 states:  
‘No building shall be erected, reconstructed, or structurally altered to exceed the height limit of thirty-five (35) feet herein established for the district in which such building is located’. (See Section 19-1, building height)  
Kure Beach ordinance section 19-333b on height limit exceptions states:  
‘Chimneys, cooling towers, elevators, bulkheads, scenery, lofts, monuments, domes, spires, parapet walls, and masonry mechanical appurtenances may be erected, to any height in accordance with existing or hereafter adopted ordinances’. None of these apply to an open viewing deck as proposed.
- Therefore, we request that the Board deny any exception to the 35 foot height limit and adhere strictly to such limit.

Cross examination of the applicant:

Chair Swann stated that the only relevant fact is the height limit, not the other problems that Mr. Rutti mentioned.

Member Humphries asked what type of structure is this that is being built?  
Mr. Rutti replied it is a single family residence.

Member Humphries asked Mr. Rutti if he said that seven houses have had to have their electrical lines redone.

Mr. Rutti replied yes, to accommodate this structure.

Member Humphries asked Mr. Rutti if this structure was anywhere near completion and how he knew the height limit.

Mr. Rutti replied that he asked Building Inspector Batson the height of the structure and he informed him.

Member Brodsky stated that items one through ten of Mr. Rutti's comments are passionate but not relevant to this discussion of whether or not the handrails may exceed 35 feet.

2. Elizabeth Kennedy, owner of property located at 310 H Avenue, stated:

- My process of how I got to a roof top deck is that I bought a lot and hired a builder to build my home. A roof top deck was part of the dream.
- My builder went to Building Inspector Batson to get direction and was told that the floor of the deck could be at 35 feet and railings could be above 35 feet.
- I gave this information to the architect for the plans and gave the plans to the builder.
- Construction has progressed to the point of starting to put the roof on.

Cross examination of Ms. Kennedy:

Member Humphries asked Ms. Kennedy if she or the builder received the permission for the deck.

Ms. Kennedy replied that she didn't know the process so she hired a competent builder to handle this. The builder got the approval.

3. Bill Wells, contractor, Wells Construction Corporation stated:

- At my own expense of \$7,000, Progress Energy is going to clean up the entire block of H between Third and Fourth Avenues with new lines. This is a positive. The stop work order was because we were too close to the power lines.
- I met with Building Inspector Batson and he told me clearly that the floor of the deck could be at 35 feet and the rails could be above 35 feet and I had the plans drawn accordingly.
- I didn't think there was any issue until the Board Of Adjustment thing came up.
- The building height is set at 35 feet.
- I am handing out definitions of 'parapet wall' that shows a parapet wall can be classified as a railing around a deck.
- Also in section 19-333c of the Town's Zoning Ordinance it states that building that exceeds 35 feet must be approved by the Building Inspector which we did.
- My handout includes a foundation survey and a picture that shows a roof top deck on E Avenue in Kure Beach which was under construction when we applied for this permit.

Cross examination of Mr. Wells:

Member Gordon asked Mr. Wells if he had any idea of the height of the deck on E Avenue that he referenced?

Mr. Wells replied that he hasn't measured it but it looks up there.

Member Gordon asked Mr. Wells if he agrees with Building Inspector Batson that the plan was approved on July 3, 2008?

Mr. Wells replied yes. Mr. Wells stated that he had no clue there was a controversy about the roof top deck, that he was told where it could be and didn't know any difference.

Member Humphries asked Mr. Wells if the roof top deck on E Avenue he referenced was recently built.

Mr. Wells replied that it was just finished. Mr. Wells stated that Kure Beach needs clarity and doesn't need to base decision on whether neighbors like it or not because progress will happen.

4. Robin Robertson, resident at 313 H Avenue stated:

- When we voted for our Council, the 35 foot height limit was a big issue.
- You can't have a deck without the railings.
- Simply passing the floor of the deck at 35 feet is a technicality if you need railings to have a deck and it should qualify under the same 35 foot criteria.
- The deck on E Avenue is not the issue. The one on H Avenue is.
- In looking at the exceptions listed, you can always read some kind of interpretation into them.
- I've noticed that the spirit of ordinance is that most of the exceptions seem to be in the business district. Decks are for human occupancy.
- They are in the final stage of construction so this issue can be addressed without a lot of hardship. Now is the time.

There was no cross examination of Ms. Robertson.

5. Billy Coley, resident at 213 H Avenue, stated:

- We have to stop the 35 foot height limit somewhere.

There was no cross examination of Mr. Coley.

6. Jan Hall, property owner at 309 H Avenue, stated:

- I have owned the house directly in front of the house in question since 1964.
- I think if the law is 35 feet, then it should be 35 feet.
- It won't hurt to lower the deck.
- It is a big house compared to our houses.
- I firmly object to it.

There was no cross examination of Ms. Hall

Close of testimony

Chair Swann closed the testimony at 8:15 pm.

### Finding of Facts

#### Question # 1:

As regards whether the height of the roof top deck meets ordinance requirements as per Chapter 19, article IV, sections 332 and 333 which states:

“Sec. 19-332. Building not to exceed height limit.

No building shall be erected, reconstructed, or structurally altered to exceed the height limit of thirty-five (35) feet herein established for the district in which such building is located. (See Section 19-1, building height)

Sec. 19-333. Height limit exceptions.

(a) On through lots one hundred (100) feet or less in depth the height of a building may be measured from the average elevation of the finished grade along the front of the building, considering the end facing either street as the front. On through lots more than one hundred (100) feet in depth the height regulations and basis of height measurements for the street front permitting the greater height shall apply to a depth of not more than one hundred (100) feet from the street.

(b) Chimneys, cooling towers, elevators, bulkheads, scenery, lofts, monuments, domes, spires, parapet walls, and masonry mechanical appurtenances may be erected, to any height in accordance with existing or hereafter adopted ordinances.

(c) Structures that exceed the height limitation established must be approved by the building inspector's office”.

#### Discussion regarding Finding of Facts on question number 1:

Member Allo asked for the definition of ‘building’ in the Town’s ordinance to be read.

Clerk Avery read the definition of ‘building’ from chapter 19 on zoning as follows: ‘Building shall mean a structure enclosed and isolated by exterior walls constructed or used for residence, business, industry, or other public or private purposes, or accessory thereto, and including tents, lunch wagons, dining cars and trailers. All provisions of building area will apply to term building. The term building shall be construed as if followed by the words or part thereof”.

Member Allo:

- When I look at the exceptions they indicate, if going by the spirit of the ordinance, they were not meant for residential units, but for either business or industry because you can apply all to business and industry, but you can’t apply all to a residence. That indicates what the particular ordinance was supposed to be meant for.
- The point being brought up is that this has been going on for many years and no one has brought it to anyone’s attention except the Planning and Zoning Commission only recently.
- As this is the first time legally, do you take into consideration the point that this has never been brought up before?
- I would prefer to separate our vote between ordinance and State Law.

- Other terms have been thrown around for this deck. It has been presented to us as a deck. For section one (State Law), it doesn't meet the requirements and is not a legitimate exception.

Member Swann stated that chimneys could be on homes.

Member Humphries stated:

- I disagree. I believe that section 19-333c of the ordinance applies to exceptions in section b only and is not a blanket for any structure. It has to be one of the exceptions listed only.

Member Brodsky stated:

- I'm looking at the State Law which say 'not intended for human occupancy'.
- You can call it anything you want, but the law still says 'not intended for human occupancy'.

Member Gordon stated:

- I can understand why the Building Inspector if going only by the ordinance would have questions in his mind and would have approved the permit.
- However the State Law has been in existence since 2006. This roof deck is clearly intended for human occupancy and violates State Law.
- A deck can't be built if railings exceed 35 feet.
- I can understand that Mr. Wells and the homeowner didn't understand this. It is clearly in violation of the State Law and I agree with Mr. Rutti (applicant) that it is in violation.

#### Question # 2:

As regards whether the roof top deck is consistent with State Law 2006-126, which reads: "Section 1: The building erected within the corporate limits of the town of Kure Beach may have a height in excess of 35 feet above ground level unless the building was erected before the effective date of this act (7/18/06). Variances of the height limitation shall not be granted.

Section 2: The height limitation created by Section 1 of this act does not apply to spires, belfries, cupolas, antennas, water tanks, ventilators, chimneys, or other appurtenances usually required to be placed above the roof level and not intended for human occupancy".

#### Discussion regarding Finding of Facts on question number 2:

Member Humphries stated that the building erected is in excess of 35 feet and violates section one of the State Law and the deck does not fall into section two of the State Law on exceptions.

#### Findings of Fact

As to question number 1: Does the height of the roof top deck meet ordinance requirements?

A unanimous vote of "no" is received.



As to question number 2: Is the height of the roof top deck in compliance with State Law?

A unanimous vote of "no" is received

Conclusion and Decision of the Board


THEREFORE, IT IS ORDERED, by unanimous vote of the Board of Adjustment that the decision of the Building Inspector is hereby REVERSED as follows:


A roof top deck may not be built on the single family residence located at 310 H Avenue if any part of the deck to include handrails exceeds 35 feet in height.

Ordered this 23rd day of September, 2008.

Adjournment

Chair Swann adjourned the meeting at 8:40 pm.

  
\_\_\_\_\_  
Betty Swann, Chair

ATTEST:   
\_\_\_\_\_  
Clerk

NOTE: These minutes are a summary only of statements made at the appeal hearing and a record of the action taken by the Board. These minutes are not a transcript of the hearing. A separate transcript of the hearing is herein included as a part of these minutes.

BOARD OF ADJUSTMENT  
TESTIMONY SIGN IN SHEET

NAME	ADDRESS
DAVE RUTTI	342 THIRD AVE S
Cathy Buttili	342 Third Avenue South
Robin Robertson	313 H Ave.
Elizabeth Kennedy	712 St. Joseph St. #303 Carolina Beach, NC 28428
Bill Wells	St. Joseph St C.B. N.C.
Jan Hall	714 Crestmont Dr. Concord, N. C. 28025
Billy Coley	213 H. Ave. Kure Beach
John Bakson	Building Inspector



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Carolina Beach, NC 28428  
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wellsconstructioncorp@charter.net  
www.wellsconstructioncorp.com

## Kure Beach Board of Adjustment Meeting

Date: September 23, 2008

Address in Discussion: 310 H Avenue  
Kure Beach, NC 28449

Owner: Elizabeth Kennedy

Dear Kure Beach Board of Adjustments Members:

Below is a list of the attached information that pertains to the roof top deck discussion at 310 H Avenue.

- ✓ Application for an Appeal From an Action (2 pages)
- ✓ Sec 19-332 Building not to exceed height limit (1 page)
- ✓ Sec. 19-333 Height limit exceptions (1 page)
- ✓ Definitions of Parapet Walls (5 pages)
- ✓ Lot Survey (1 page)
- ✓ Photo of roof top deck that was under construction at the time the 310 H Ave permit was issued (1 page)

Thank you,  
Wells Construction Corp.



APPLICATION FOR AN APPEAL FROM AN ACTION OF THE ZONING ENFORCEMENT OFFICER and/or PETITION FOR AN INTERPRETATION OF THE ZONING ORDINANCE

TOWN OF KURE BEACH

Applicant must file the application for a hearing along with the fee (\$375.00) with the Town Clerk thirty (30) working days prior to the regularly scheduled meeting date. All applications shall be made upon the form furnished for that purpose, and all information required thereon shall be complete before an appeal shall be considered as having been filed. A list of all adjoining property owners with their current mailing address shall be submitted with the appeal application. Board meetings are normally scheduled for the fourth Tuesday of each month.

DATE: 8-08-08

LOCATION OF PROPERTY IN QUESTION: 310 H. AVE KURE BEACH

OWNER/LESSEE OF PROPERTY IN QUESTION: ELIZABETH KENNEDY/AND MARK ENGLAND BUILDER: WELLS CONSTRUCTION

APPLICANT NAME: DAVID M. AND CATHERINE J. RUTTI et. al.

APPLICANT ADDRESS: 342 THIRD AVE SOUTH KURE BEACH

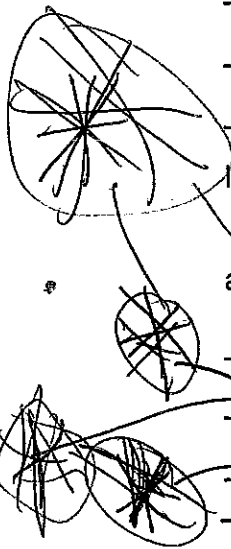
APPLICANT PHONE NUMBER: 458-3137

I hereby appeal to the Board of Adjustment from the following adverse decision of the Zoning Enforcement Officer.

ALLOWING SINGLE FAMILY RESIDENTIAL STRUCTURE TO EXCEED 35 FOOT HEIGHT LIMIT

I hereby request an interpretation of: (please check one) ( ) the Zoning Map (x) the following section(s) of the text of the Ordinance: as related to the use of the property described above.

SEC. 19-332 BUILDING NOT TO EXCEED HEIGHT LIMIT SEC. 19-333 HEIGHT LIMIT EXCEPTIONS SEC. 1 + SEC 2 OF NC HOUSE BILL 2688



received 8/11/08 Tracy D... Town Clerk

STATEMENT BY APPLICANT - (In the space provided below, or on the back of this form, present your interpretation of the ordinance provisions in question and state what reasons you have for believing that your interpretation is the correct one.)

BUILDING HEIGHT LIMIT IS 35 FEET

BUILDING BEING ERECTED WILL EXCEED 35 FEET  
DUE TO RAILINGS ON ROOF DECK AND IS  
IN VIOLATION OF ORDINANCE.

EXCEPTIONS DO NOT APPLY TO THIS.

NOTE: THIS STRUCTURE SO FAR HAS DESTROYED  
THE SPIRIT AND THE QUAINAT ATMOSPHERE  
OF THIS RESIDENTIAL NEIGHBORHOOD IN  
KURE BEACH AND WILL FURTHER DAMAGE THE  
RESIDENTS' PRIVACY BY EXCEEDING THE  
35 FOOT HEIGHT LIMIT WITH AN ILLEGAL  
ROOF DECK.

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

*Dawn M. Pette* *Catherine G. Futtie*, 8.8.08  
Signature of Applicant/Date

\* ALL RESIDENTS OF THIS NEIGHBORHOOD  
Adjoining property owners: ARE BEING AFFECTED BY THIS.

* NAME	ADDRESS
_____	_____
_____	_____
_____	_____
_____	_____

under the specific conditions as outlined in this chapter the requirements may be waived or modified as stated, and in addition the dimensional requirements may be changed or modified by the board of adjustment as provided in section 19-41 et seq.

(Ord. of 8-19-03)

#### **Sec. 19-328. Modification to front yards in residential districts.**

Where lots comprising twenty-five (25) percent or more of the frontage on one side of a block are developed with buildings at the time of the adoption of this ordinance, no building hereafter erected or structurally altered shall project beyond the average front yard line so established, provided, further that this regulation shall not be so interpreted as to require a front yard depth of more than thirty (30) feet. No front yard depth need exceed the average provided for the two (2) adjoining buildings, one on either side thereof, if such two (2) adjoining buildings are less than two hundred (200) feet apart.

(Ord. of 8-19-03)

#### **Sec. 19-329. Modification of required yards.**

Architectural features such as fire escapes, cornices, eaves, steps, gutters, buttresses, open or enclosed fire escapes, outside stairways, balconies, and similar features, but not carports or porches, may project not more than eighteen (18) inches into any required yard.

(Ord. of 8-19-03)

#### **Sec. 19-330. House trailers, trailers and campers regulated.**

No trailer, house trailer, or camper as defined in section 19-1, shall be parked within the corporate limits of the town or its extraterritorial jurisdiction and used for any purpose unless otherwise specified in the permitted uses in the zoning ordinances. Such ordinances are not intended to prevent location of trailers in a designated trailer park as defined in section 19-1.

(Ord. of 8-19-03)

#### **Sec. 19-331. Density control requirements for residential units.**

The minimum building site area shall be one (1) lot or parcel of land having five thousand (5,000) square feet in area for a single and/or two (2) family residential unit. For family units in excess of two (2) family units, two thousand five hundred (2,500) square feet shall be required for each residential unit.

A bedroom is defined as any room ten (10) feet by ten (10) feet or larger, having a closet, and at the discretion of the building inspector.

(Ord. of 8-19-03; Ord. of 10-16-07(2), § 3)

#### **Sec. 19-332. Building not to exceed height limit.**

No building shall be erected, reconstructed, or structurally altered to exceed the height limit of thirty-five (35) feet herein established for the district in which such building is located. (See Section 19-1, building height)

(Ord. of 8-19-03)

**Sec. 19-333. Height limit exceptions.**

(a) On through lots one hundred (100) feet or less in depth the height of a building may be measured from the average elevation of the finished grade along the front of the building, considering the end facing either street as the front. On through lots more than one hundred (100) feet in depth the height regulations and basis of height measurements for the street front permitting the greater height shall apply to a depth of not more than one hundred (100) feet from the street.

(b) Chimneys, cooling towers, elevators, bulkheads, scenery, lofts, monuments, domes, spires, parapet walls, and masonry mechanical appurtenances may be erected, to any height in accordance with existing or hereafter adopted ordinances.

(c) Structures that exceed the height limitation established must be approved by the building inspector's office.

(Ord. of 8-19-03)

**Sec. 19-334. Off-street parking requirements.**

(a) There shall be provided, at the time of the erection of any building, or at the time any principal building is enlarged, altered to accommodate increased capacity, or increased in capacity by adding dwelling units, guest rooms, seats, or floor area, or before conversion from one (1) type of use or occupancy to another, permanent off-street parking space in the amount specified by this chapter must come into full compliance with parking. Any existing parking spaces from existing buildings up to the amount required for the existing building by this ordinance may not be used to satisfy the total required for the new expansion.

(b) Exceptions to off-street parking requirements in paragraph (a) above may be granted within the B-1 business District upon approval by the planning and zoning commission and the town council with the following additional requirements:

(1) The proposed use granted the exception must be consistent with development policies of the Town of Kure Beach, and serve to encourage continued use of the land for regional trade and commercial service consistent with section 19-242 of this Code.

(2) The current use of the property, prior to the proposed exception, does not include off-street parking as required by other sections of this ordinance in effect at the time the exception is applied for.

(3) When the proposed use(s) covered by the requested exception include(s) a residential component the commercial/business component must comprise at least thirty-five (35) percent of the total square footage of the proposed project and off street parking for the residential component must be provided in accordance with section 19-339 of this Code.

(4) As a condition to granting the exception, the planning and zoning commission and the town council may also limit the allowed uses on the property as a condition of granting exception to the parking requirements.

(Ord. of 8-19-03; Ord. of 4-19-06)

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**Parapet Wall:** A low wall around the perimeter of a roof deck.  
**Parge Coat:** A thin application of plaster for coating a wall.  
 Full article >>>

**Parapet:**  
 a low wall used to protect the ramparts of military structures and the gutters and roofs of houses and other buildings.  
**Parclose:** ...  
 Full article >>>

**PARAPET**  
 As in **parapet** wall -the external wall is built up above the eaves with a gutter formed behind it, or mansard constructed behind it.  
**PARQUET FLOOR** ...  
 Full article >>>

**PARAPET** - The part of an exterior wall that extends above the edge of the roof.  
**PARTITION** - An interior wall.  
**PERMEABLE** - Permitting water vapor or other fluid to pass through.  
 Full article >>>

**parapet wall** A low wall or railing along the edge of a roof, balcony, bridge or terrace constructed for protection, to control water resulting from rain or artificial flooding or to insulate against the sun's rays.  
 Full article >>>



**Parapet** - Low wall along the edge of a roof, balcony etc. , can be purely decorative.

**Pier** - A vertical column of brickwork or other material built into a wall, used to strengthen the wall at the ends and at intervals along it as appropriate.

Full article >>>

**Parapet** " The portion of an exterior wall that extends above the edge of a roof.

**Parging** " A thin layer of cement placed over masonry units.

**Partition** " A wall that subdivides spaces within any story of a building or room.

Full article >>>

**Parapet**

Mur bas entourant un support de couverture. Dans la plupart des cas il s'agit du prolongement des murs extérieurs de la construction, d'un mur mitoyen ou d'un mur coupe-feu; il ne s'élevé pas à ...

Full article >>>

**Parapet Flashing**

Flashing installed at the base of a parapet, usually at ceiling level. It is also used on the roof side of parapets as part of roof or counter flashing.

Full article >>>

**PARAPET**: A low wall or railing around the edge of a roof.

**PARGE COAT**: A thin coat of cement plaster applied to a masonry wall for refinement of the surface or for dampproofing.

Full article >>>

**Parapet** - That portion of a vertical wall of a building which extends above the roof line or balcony floor.

**Particleboard**-- A wood product made from wood chips bonded with resins under heat and pressure.

Full article >>>

**Parapet** - A wall placed at the edge of a roof, especially a flat roof, to prevent people from falling off.

Full article >>>

**PARAPET WALL**-The part of the sidewall of a structure which extends above the roof line.

**PARGING**-A coat of cement over block foundation walls, or a coat of plaster over stone or brick walls.

Full article >>>

**PARAPET WALL**

The part of an exterior, party or firewall extending above the roof line; a wall which serves as a guard at the edge of a balcony or roof.

**PARGING**

A coat of plaster or cement mortar applied to masonry or concrete walls.

Full article >>>

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**Parapet Wall:** That part of a perimeter wall that extends above the surface of the roof.

**Pass:** The term used to describe the application of one layer of Spray Polyurethane Foam (SPF). The speed of a pass will determine foam thickness.

[Full article >>>](#)

**Parapet-** A wall placed at the edge of a roof to prevent people from falling off.

**Parting stop or strip-** A small wood piece used in the side and head jambs of double hung windows to separate the upper sash from the lower sash.

[Full article >>>](#)

#### Undulating Parapets

Windows in classical Mission house plans are located high on the wall protected by wrought-iron grilles.

[Full article >>>](#)

**PARAPET:** Low wall or railing at the edge of a roof; it extends above the roof level. **PARGE COAT:** Thin coat of cement mortar applied to a masonry wall for refinement or dampproofing.

[Full article >>>](#)

**Cap flashing:** (1) usually composed of metal, used to cover or shield the upper edges of the membrane base flashing wall flashing; (2) a flashing used to cover the top of various buildings components, such as **parapets** or columns.

[Full article >>>](#)

**Battlements** A **parapet** with indentations or embrasures, with raised portions (merlons) between; also called crenellations. Bay A subdivision of the interior space of a building.

[Full article >>>](#)

In addition, **parapet** walls are almost impossible to deal with in low-sloped metal. Tapered insulation is a "system" which will include a combination of rigid dimensionally uniform "boards" and rigid boards, which are tapered.

[Full article >>>](#)

A horizontal slot, formed or cut in a **parapet** or other masonry wall, into which the top edge of counter-flashing can be inserted and anchored.

[Full article >>>](#)

**COPING** - A tile cap used to cover the top of a **parapet** wall or any regular masonry wall.

**CONCRETE** - A mixture of Portland cement, sand, gravel, and water used in building construction for foundation walls, floor slabs, footings, etc.

[Full article >>>](#)

Because the goal is to make the rebuilt sections indistinguishable from the old, bricklayers are tinting the new mortar with a nontoxic tint so it precisely matches the original age- and smoke-darkened mortar. At press time, work on the **parapet** wall ...

[Full article >>>](#)

**Parapet** - Low wall at the edge of a roof  
**Pebble Dash** - Roughcast wall finish with stones bedded in rendered wall  
**Pilaster** - Projecting part of a square column which is attached to wall  
**Pitch** - Slope of roof - expressed as an angle or ratio ...  
[Full article >>>](#)

★ See also: [Wall](#), [Construction](#), [Design](#), [Roof](#), [Building](#)

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define:Parapet Wall

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## Web

### Definitions of **Parapet Wall** on the Web:

- that part of a perimeter wall immediately adjacent to the roof which extends above the roof.  
[www.waynesroofing.com/glossary5.html](http://www.waynesroofing.com/glossary5.html)
- That part of any wall entirely above the roof.  
[www.fieldstonecenter.com/glossary.htm](http://www.fieldstonecenter.com/glossary.htm)
- A low wall around the perimeter of a roof deck.  
[www.nookncranny.ca/common-terms-m-q-2.htm](http://www.nookncranny.ca/common-terms-m-q-2.htm)
- Extension of an exterior wall above and/or through the roof surface.  
[www.usg.com/Glossary.do](http://www.usg.com/Glossary.do)
- In hydrologic terms, a solid wall built along the top of the dam for ornament, safety, or to prevent overtopping  
[www.weatherdudes.com/glossary/P.html](http://www.weatherdudes.com/glossary/P.html)
- The part of the sidewall of a structure which extends above the roof line.  
[www.inspectech.com/content/glossary.aspx](http://www.inspectech.com/content/glossary.aspx)
- A low wall or railing along the edge of a roof, balcony, or terrace constructed for protection and safety at the edge, or to control water resulting from rain or artificial flooding.  
[www.cmacinspectionsservices.ca/inspection\\_glossary.htm](http://www.cmacinspectionsservices.ca/inspection_glossary.htm)

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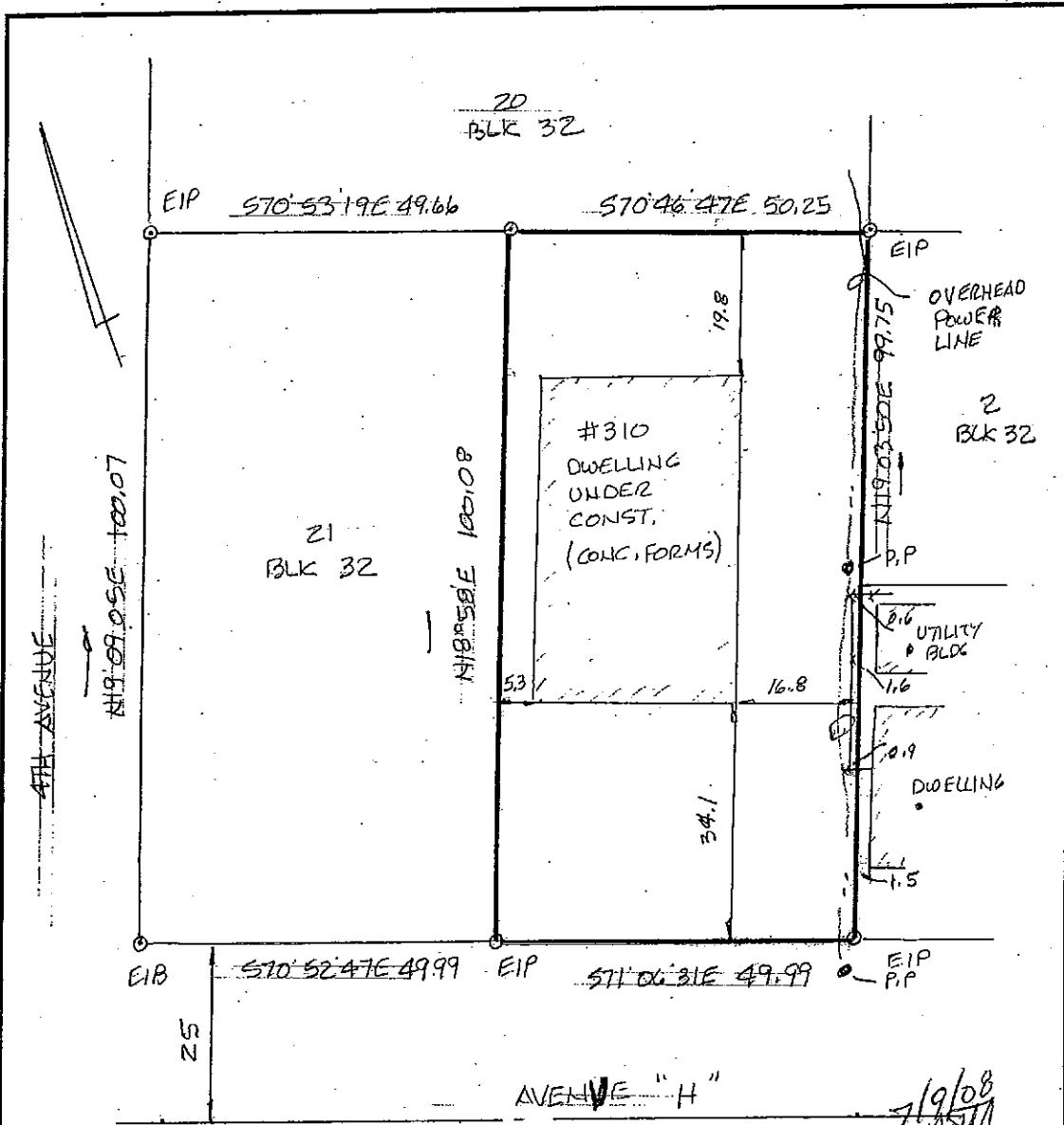
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LEGEND:

- EIP EXISTING IRON PIPE
- EIB EXISTING IRON BAR
- RATIO OF PRECISION  
1" = 10,000
- 5000 SQ. FT. ± (MAP)
- FLOOD ZONE X

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MAP OF SURVEY

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LOT 22 SECTION BLK 32 SUBDIVISION KURE BEACH

KURE BEACH TOWNSHIP NEW HANOVER CO. N.C. MAP BOOK 4 PAGE 90-91

SCALE 1" = 20'

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