

FW: [External] Receiver contact information



Vaughan, Kent D <kent.vaughan@deq.nc.gov>

To Dewey Dunn



Reply



Reply All



Forward



Tue 7/8/2025 3:31 PM



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883 KB



From: Vaughan, Kent D

Sent: Friday, June 27, 2025 2:41 PM

To: Dewey Dunn <ddunn@countryboysauction.com>

Cc: George Oliver <george@georgeoliverlaw.com>

Subject: RE: [External] Receiver contact information

Mr. Dunn,

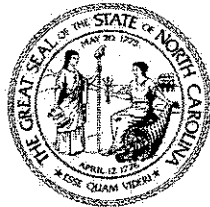
Per our conversation here is the active CAMA Major Permit 37-22 on the Jolly Roger site in Ocracoke. There are no violations on the site and the demo work for the old restaurant has been completed. The area is graveled and able to be used for parking. We have already received a renewal request for this permit and payment of \$100 to process this. It does not expire until Dec. 2025. Once a new owner is in place, they will need to apply to transfer the ownership of the permit to their name. This is done through a simple letter stating the release of the permit (presumably from the receiver) to the new owner, with new owner contact information, and statement that all condition and terms within the permit will remain the same. This along with a check for \$100 made to NCDEQ will transfer the permit to the new owner. Should the new owner decide to make changes to plans, they can apply for permit modifications. If they decide to proceed as planned or less than planned no action is needed. A simple pre-construction meeting will need to be requested, and they can move forward.

Please find attached copy of the CAMA Major Permit 37-22

ROY COOPER
Governor

ELIZABETH S. BISER
Secretary

BRAXTON DAVIS
Director



NORTH CAROLINA
Environmental Quality

Jolly Rogers Pub and Marina
436 Springvale Road
Great Falls VA, 22066

Dear, Mr. Chan

The NC Division of Coastal Management hereby acknowledges receipt of your application for State approval for development of the property located SR 12,410 Irvin Garrish Highway Ocracoke, Hyde County North Carolina, and appears to be adequate for processing at this time. The projected deadline for making a decision is 20 February 2022. An additional 75-day review period is provided by law when such time is necessary to complete the review. If you have not been notified of a final action by the initial deadline stated above, you should consider the review period extended. Under those circumstances, this letter will serve as your notice of an extended review. However, an additional letter will be provided on or about the 75th day. Shane Staples, Field Representative for the Division of Coastal Management is responsible for processing your permit and he can be reached at 252-948-3950 or via email at Shane.Staples@ncdenr.gov if you have any questions.

If this agency does not render a permit decision within 70 days from 7 December 2021, you may request a meeting with the Director of the Division of Coastal Management and permit staff to discuss the status of your project. Such a meeting will be held within five working days from the receipt of your written request and shall include the property owner, developer, and project designer/consultant.

NCGS 113A-119(b) requires that Notice of an application be posted at the location of the proposed development. Enclosed you will find a "Notice of Permit Filing" postcard which must be posted at the property of your proposed development. You should post this notice at a conspicuous point along your property where it can be observed from a public road. Some examples would be: Nailing the notice card to a telephone pole or tree along the road right-of-way fronting your property, or at a point along the road right-of-way where a private road would lead one into your property. Failure to post this notice could result in an incomplete application.



North Carolina Department of Environmental Quality | Division of Coastal Management
Washington Office | 943 Washington Square Mall | Washington, North Carolina 27889
252.946.6481

ROY COOPER

Governor

ELIZABETH S. BISER

Secretary

BRAXTON DAVIS

Director



NORTH CAROLINA
Environmental Quality

April 13, 2022

Mr. Ronnie O'Neal
PO Box 267
Ocracoke, NC 27960

Dear Mr. O'Neal,

This letter is intended to notify you of the issuance of a CAMA Major Permit No. 37-22 for proposed development by Silver Lake Property LLC. (Jolley Roger Restaurant), located at 410 Irvin Garrish Highway, in Ocracoke, Hyde County. The authorized project consists of the expansion of an existing docking facility and the rebuild and expansion of an existing restaurant. The proposed project has been determined to comply with the Rules of the Coastal Resources Commission and as such, a permit has been issued to authorize the development. I have enclosed a copy of the permit modification for reference.

If you wish to contest our decision to issue this permit, you may file a request for a Third-Party Appeal pursuant to N.C.G.S. 113A-121.1(b). The Chair of the Coastal Resources Commission will consider the case and determine whether to grant your request to file a Contested Case Hearing in the Office of Administrative Hearings. The hearing request must be filed with the Director, Division of Coastal Management, in writing and must be received within twenty (20) days of the disputed permit decision. More information about this process as well as the forms are available on DCM's website, here: <https://deq.nc.gov/about/divisions/coastal-management/coastal-management-permits/variances-appeals>

If you would like to discuss the specifics of the process, please feel free to contact DCM legal counsel DEQ Asst. General Counsel Christine Goebel by email at Christine.goebel@ncdenr.gov

Sincerely,

A handwritten signature in black ink, appearing to read "Gregg Bodnar".

Gregg Bodnar
Assistant Major Permits Coordinator

CC: DCM Washington, via email
DEQ Asst. GC Christine Goebel, via email



North Carolina Department of Environmental Quality | Division of Coastal Management
Morehead City Office | 400 Commerce Avenue | Morehead City, North Carolina 28557
252.808.2808

Permit Class
NEW

Permit Number
37-22

STATE OF NORTH CAROLINA
Department of Environmental Quality
and
Coastal Resources Commission

Permit

for

☒ Major Development in an Area of Environmental Concern
pursuant to NCGS 113A-118

☒ Excavation and/or filling pursuant to NCGS 113-229

Issued to **Silver Lake Property LLC., 448 Springvale Rd., Great Falls, VA 22066**

Authorizing development in Hyde County at adj. to Silver Lake, at 410 Irvin Garrish
Hwy, in Ocracoke, as requested in the permittee's application dated 8/30/21 (MP-1,2,4) and 7/26/21 (MP-3),
incl att workplan drawings (4), Sheet 1 of 1 dated "5/4/16", Pages 2,3 dated 8/11/21 and Page 4 dated 9/7/21.

This permit, issued on **April 13, 2022**, is subject to compliance with the application (where
consistent with the permit), all applicable regulations, special conditions and notes set forth below. Any violation
of these terms may be subject to fines, imprisonment or civil action; or may cause the permit to be null and void.

Upland Development within Urban Waterfront

- 1) Unless specifically altered herein, this permit authorizes the grading and other land disturbing activities associated with the development of the above referenced property, including the demolition of the existing building and pavilion, and the construction of the building and pavilion and other associated infrastructure, all as expressly and specifically set forth in the attached permit application and workplan drawings.

(See attached sheets for Additional Conditions)

This permit action may be appealed by the permittee or other
qualified persons within twenty (20) days of the issuing date.

Signed by the authority of the Secretary of DEQ and the Chair
of the Coastal Resources Commission.

This permit must be accessible on-site to Department
personnel when the project is inspected for compliance.

Any maintenance work or project modification not covered
hereunder requires further Division approval.

All work must cease when the permit expires on

December 31, 2025

In issuing this permit, the State of North Carolina agrees that
your project is consistent with the North Carolina Coastal
Management Program.



Braxton C. Davis, Director
Division of Coastal Management

This permit and its conditions are hereby accepted.

Signature of Permittee

ADDITIONAL CONDITIONS

Docking Facility Expansion

- 2) This permit authorizes only the dock and jet ski lifts and uses located in or over the water that are expressly and specifically set forth in the permit application. No other structure, whether floating or stationary, shall become a permanent part of this docking facility expansion without permit modification. No non-water dependent uses of structures shall be conducted on, in or over Public Trust waters without permit modification.
- 3) No sewage, whether treated or untreated, shall be discharged at any time from any boats using the docking facility. Any sewage discharged at the docking facility shall be considered a violation of this permit for which the permittee is responsible. This prohibition shall be applied and enforced throughout the entire existence of the permitted structure.
- 4) The permittee shall install and maintain at his expense any signal lights or signals prescribed by the U.S. Coast Guard, through regulation or otherwise, on the authorized facilities. At minimum, permanent reflectors shall be attached to the structure in order to make it more visible during hours of darkness or inclement weather.
- 5) This permit authorizes a maximum of 3 formalized boat slips.
- 6) The covered deck and the dock and associated structures shall have a minimum setback distances of 15 feet between any parts of the structures and the adjacent property owner's area of riparian access.
- 7) No attempt shall be made by the permittee to prevent the full and free use by the public of all navigable waters at or adjacent to the authorized work.
- 8) The authorized structure and associated activity shall not cause an unacceptable interference with navigation and shall not exceed the dimensions shown on the attached permit drawings.

Shoreline Stabilization – Bulkhead

- 9) The bulkhead shall extend a maximum of two (2) foot waterward from the waterward edge of the existing bulkhead at any point along its alignment at the time of construction.
- 10) No open water shall be excavated or filled, even temporarily, outside of the approved bulkhead alignment.
- 11) The alignment of the authorized bulkhead shall be staked by the permittee and verified by a representative of the Division of Coastal Management within a maximum of 30 days prior to the start of construction.
- 12) The bulkhead shall be solid and constructed of treated wood, concrete slabs, metal or vinyl sheet piles, or other suitable materials approved by Division personnel.
- 13) The bulkhead shall be constructed prior to any backfilling activities.

ADDITIONAL CONDITIONS

- 14) The bulkhead shall be structurally tight so as to prevent seepage of backfill materials through the structure.
- 15) This permit does not authorize any excavation waterward of the approved alignment.
- 16) The fill material shall be clean and free of any pollutants except in trace quantities.
- 17) Unless altered herein, all backfill material shall be obtained from a high ground source and confined behind the permitted bulkhead.
- 18) All fill material to be placed below normal water level shall be confined behind the permitted bulkhead.

Sedimentation and Erosion Control

- 19) In order to protect water quality, runoff from construction shall not visibly increase the amount of suspended sediments in adjacent waters.
- 20) Appropriate sedimentation and erosion control devices, measures or structures shall be implemented to ensure that eroded materials do not enter adjacent wetlands, watercourses or properties.
- 21) A ground cover sufficient to restrain erosion shall be provided within 30 calendar days of any phase of grading on cut or filled slopes. At a minimum, a silt fence shall be properly installed immediately landward of the bulkhead cap immediately following completion of backfilling activities.

General

- 22) This permit shall not be assigned, transferred, sold, or otherwise disposed of to a third party without the written approval of the Division of Coastal Management.
- 23) All construction debris associated with the removal or construction of the permitted development shall be contained within the authorized project area and disposed of in an approved upland location.
- 24) The permittee and/or his or her contractor shall meet with a representative of the Division prior to project initiation.

NOTE: This permit does not eliminate the need to obtain any additional state, federal or local permits, approvals or authorizations that may be required.

NOTE: The U.S. Army Corps of Engineers authorized the project by way of Programmatic General Permit 198000291 (Action ID SAW-2021-00247).

NOTE: The N.C. Division of Water Resources authorized the proposed project by way of General Water Quality Certification 4501 and assigned the project DWR Project No. 2021-0241.

ADDITIONAL CONDITIONS

NOTE:

Future development of the permittee's property may require a modification of this permit. Contact a representative of the Division at (252) 946-6481 prior to the commencement of any such activity for this determination. The permittee is further advised that many non-water dependent activities are not authorized within 30 feet of the normal water level.

NOTE:

An application processing fee of \$400 was received by DCM for this project. This fee also satisfied the Section 401 application processing fee requirements of the Division of Water Resources.

DWR Pre-Filing Meeting Request Form



Contact Name * Jonathan Fishbeck

Contact Email Address * jonathan@estatespace.com

Project Owner * Mr Hae-Chan Park

Project Name * Jolly Rogers Restaurant

Project County * Hyde

Owner Address: *

Street Address	
410 Irvin Garrish Highway	
Address Line 2	
City	State / Province / Region
Ocracoke	NC
Postal / Zip Code	Country
28462	United States

Is this a transportation project? * ☐ Yes ☒ No

Type(s) of approval sought from the DWR:

- ☒ 401 Water Quality Certification - Regular ☐ 401 Water Quality Certification - Express
- ☐ Individual Permit ☐ Modification
- ☐ Shoreline Stabilization

Does this project have an existing project ID#? *

☐ Yes ☒ No

Do you know the name of the staff member you would like to request a meeting with?

Robert Pullinger

Please give a brief project description below. *

It is understood that the scope of this effort will involve the re-design and rebuild of an existing 1,862 sf waterfront restaurant that currently incorporates approximately 854 sf of interior space/kitchen/B.O.H. space, with an adjoined 1008 sf of exterior covered outdoor seating. In addition, the lot includes an adjacent exterior covered open air pavilion that will be incorporated into the design masterplan, and attached to the main building. The preliminary proposed design approach would be to re-build the entire structure, while elevating the ground floor to raise it above existing flood plain, while utilizing the existing building footprint for the main restaurant and expanding the pavilion to maximize value of the property and clean up the road side presentation of the buildings. As a result, the newly constructed ground level footprint and building coverage will be similar, if not identical, to what exists today. The new design though, will seek to incorporate additional seating by the way of a second level rooftop deck which will be accessible via staircase and elevator, while staying under the 120 seat maximum in which the buildings septic system is rated for.

Furthermore, the design studies will seek to incorporate the adjacent exterior pavilion into an overall design strategy that architecturally unifies the site's two elements while maximizes the value and with a possibility of connecting the restaurant and pavilion upper levels via 'bridge' while retaining the lower level breezeway to the dock edge at the ground floor.

The design build process and documentation can be understood to fall into five (5) main phases: Concept Design, Schematic Design, Construction Documents & Permit, Construction and Commissioning.

The project will be privately funding.

Please give a couple of dates you are available for a meeting.

2/3/2021

Please attach the documentation you would like to have the meeting about.

pdf only

By digitally signing below, I certify that I have read and understood that per the Federal Clean Water Act Section 401 Certification Rule the following statements:

- This form completes the requirement of the Pre-Filing Meeting Request in the Clean Water Act Section 401 Certification Rule.
- I understand by signing this form that I cannot submit my application until 30 calendar days after this pre-filing meeting request.
- I also understand that DWR is not required to respond or grant the meeting request.

Your project's thirty-day clock started upon receipt of this application. You will receive notification regarding meeting location and time if a meeting is necessary. You will receive notification when the thirty-day clock has expired, and you can submit an application.

Signature *

Jonathan D. Fishbeck

Submittal Date

2/4/2021

space.

overview.

The DWR Pre-filing meeting was held on Wednesday February 3, 2021 with DWR representatives present. The meetings was for the CAMA major permit for the Jolley Roger Restaurant located on Ocracoke Island, NC.

Nestled in the outer banks of North Carolina and renowned waterfront of Silver Lake, this restaurant is beautifully sited with jet-ski rentals and activities such as bicycling making it feels like much more. A second story walkway connecting the restaurant and pavilion frame its entrance to a transient dock and amazing views from the second story seating areas.

The existing dock will remain as is and is out of scope for this project. We will construct 1 new dock 35 feet in length, by 5 feet in width for 3 jet-ski lifts (each 10 feet long by 5 feet wide). We will construct a new bulkhead 40 feet in length and 2 feet waterward of the existing bulkhead. We will perform repair maintenance to rip-rap within the existing footprint as needed.

The existing restaurant will be demolished and disposed. New steel pilings will be installed to support the restaurant with steel framing to connect the pilings. From there we will have a wooden structural assembly using pressure treated and traditional lumber. The exterior materials include composite decking, hardi-plank exterior siding, standing seam metal roof and steel cable railing/posts. The interior spaces will be fully conditioned with conventional construction materials. The restaurant will be set 7' above normal water level (NWL) to raise the building out of the flood plain and will be built within the existing footprint.

The existing pavilion will be demolished and disposed. New steel pilings will be installed to support the restaurant with steel framing to connect the pilings. From there we will have a wooden structural assembly using pressure treated and traditional lumber. The exterior materials include composite decking, hardi-plank exterior siding, standing seam metal roof and steel cable railing/posts. The pavilion will be slightly modified in shape and size. It will remain at ground level and be built to handle water with the lower knee-wall acting as a water barrier to protect the interior. It will be aligned with the new bulkhead positioned 2 feet waterward from the existing bulkhead. The new dock mentioned above will be positioned in front of the pavilion. The 3 jet ski lifts will be available for rental and public use. All required signage for directions and safety will be posted. The pavilion will be built with the pavilion will be designed to handle water with a water resistant assembly on the first floor.

This open floor plan and cohesive design for the property creates dramatic sightlines from the moment you enter the property. The restaurant first floor has 9' ceilings with a seating area comprised of composite tables/chairs and cable railing for clear views. Located off the first floor seating area is a bar with TV, 2 ADA compliant bathrooms, a storage closet and kitchen with walk-in refrigerator. The hostess stand is centrally located next to the access lift to get up to the first floor. There are stairs in the front and

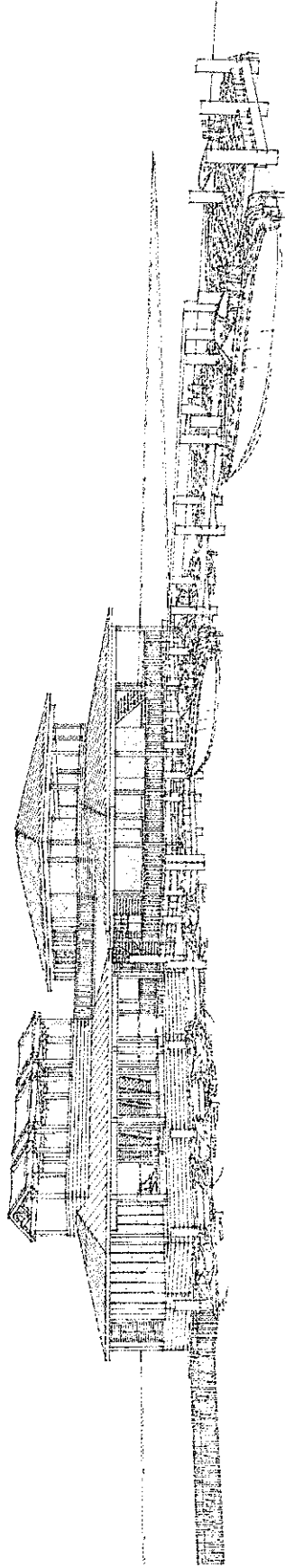
rear of the building up to the second floor. The second floor has 8' ceilings with additional seating, a bar with TV, 2 ADA compliant bathrooms, a mechanical room and additional storage area. This area has a bridge connecting it to the second floor of the pavilion with additional seating in an open-air feel with canvas sails for shade.

The spacious pavilion has 12' ceilings on the first floor designed to complement the restaurant. The seating area surrounds the centrally located bar and there is an auxiliary storage area for the off-season. The hostess stand serves as a jet-ski rental and sells souvenirs all for family fun keep the longstanding tradition of the Jolley Roger intact. There is a turn back set of stairs to the second floor. Adjacent is parking area for patrons to park a car or bike. Meticulous plantings will surround the street side to seamlessly tie it into the landscape of Ocracoke Island.

Ideally located in the center of the island, it provides convenient access to Route 12, this location offers the best of Ocracoke with public and private settings for whatever you desire.

The project proponent hereby certifies that all information contained herein is true, accurate, and complete to the best of my knowledge and belief.

The project proponent hereby requests that the certifying authority review and take action on this CWA 401 certification request within the applicable reasonable period of time.



SILVERLAKE JOLLY ROGER RESTAURANT

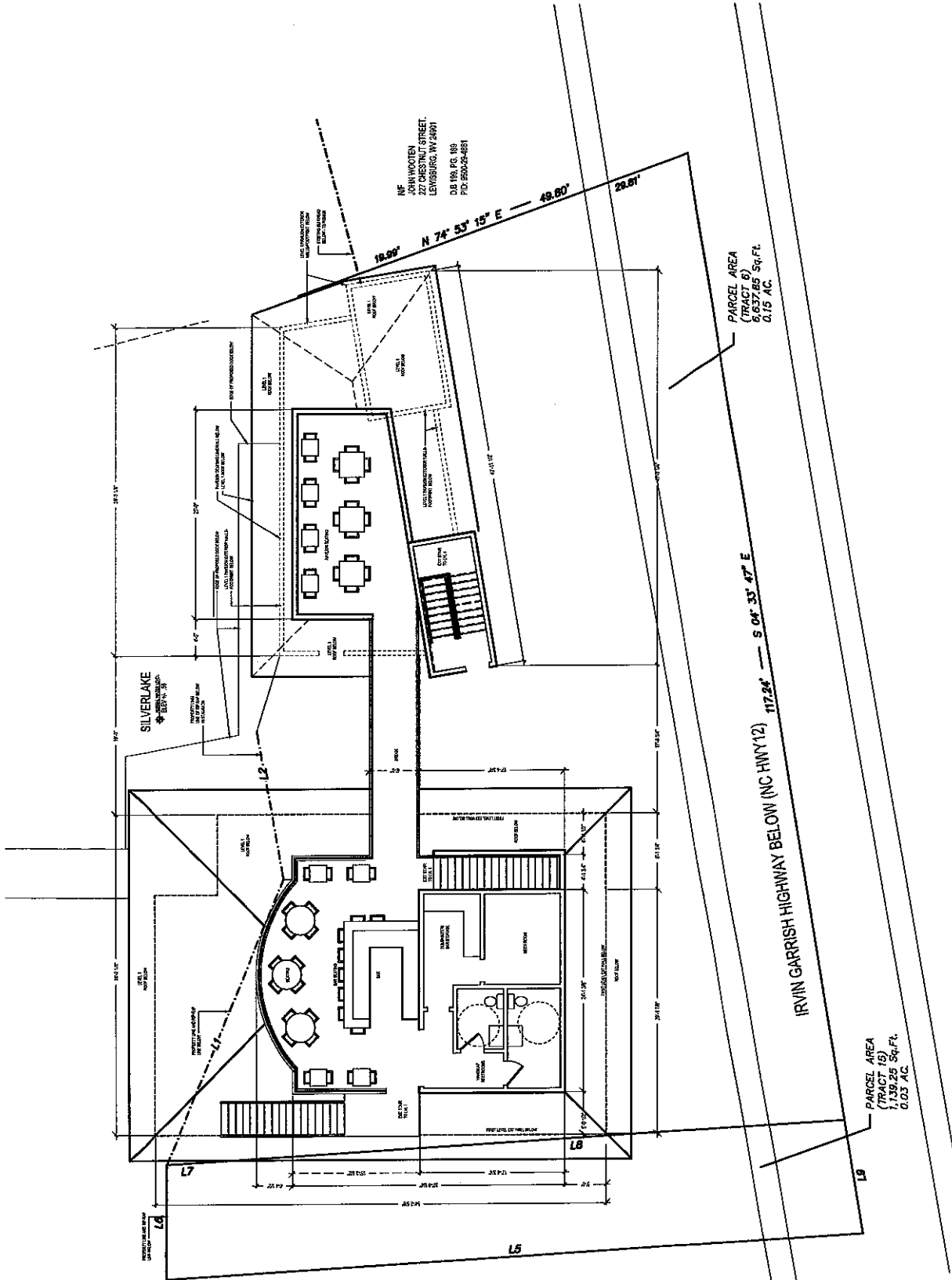
PAGE 1

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THREE B ARCHITECTURE LLC
ROBERT B BERRY JR. AIA, NCARB, LEEDAP
WWW.THREEBARCHITECTURE.COM
BOB@THREEBARCHITECTURE.COM
443.791.6193

CONCEPT DESIGN - 09.07.21





NE
BETHA GONZALEZ
227 CHESTNUT STREET
LEWISBURG, WV 26041
DB 19A PG 189
PD 25023-4881

NE
BETHA GONZALEZ
227 CHESTNUT STREET
LEWISBURG, WV 26041
DB 19A PG 189
PD 25023-4881

PARCEL AREA
(TRACT 6)
8,637.85 Sq. Ft.
0.15 AC.

PARCEL AREA
(TRACT 15)
1,139.25 Sq. Ft.
0.03 AC.

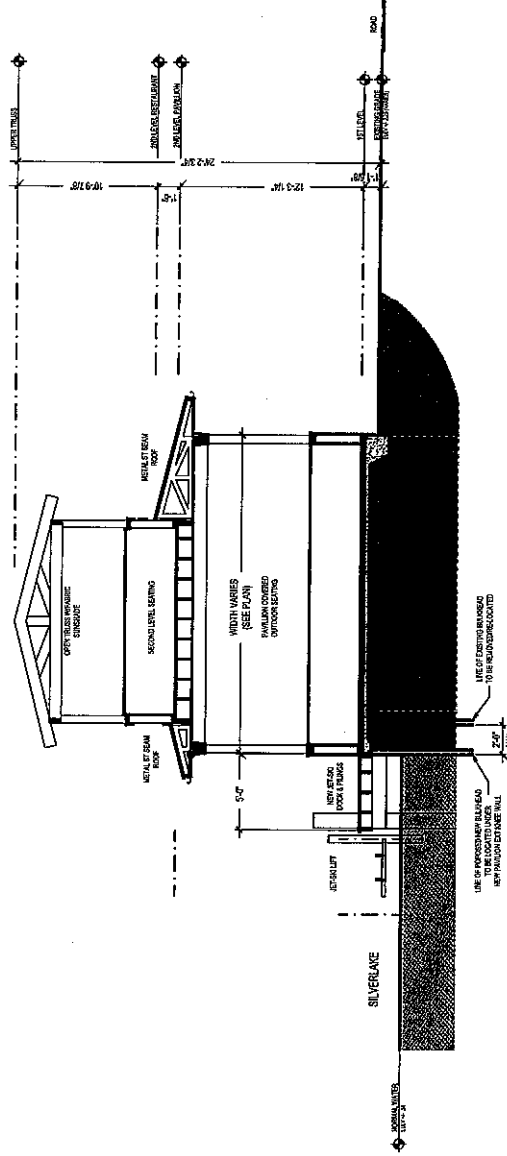
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RBB@THREEARCHITECTURE.COM
443.731.6793

LEVEL 2 PLAN
SCALE: 1/8" = 1'-0"

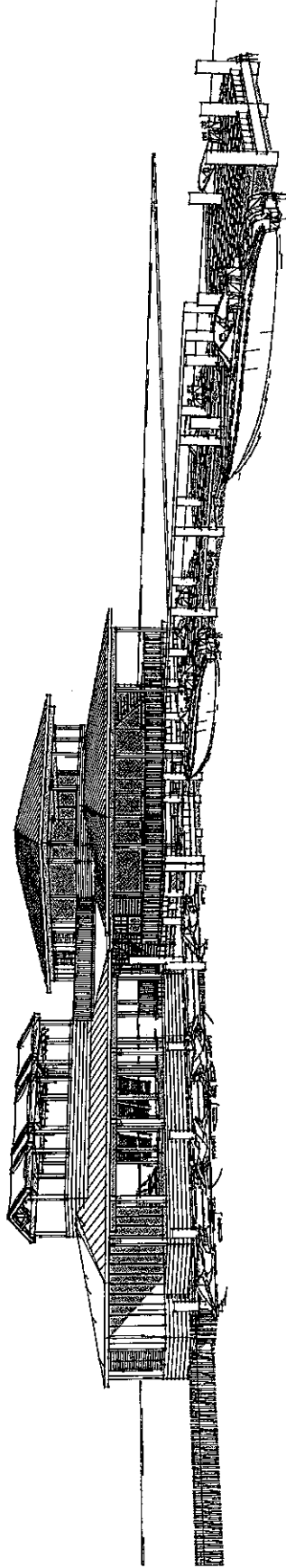
DATE: 08/11/21

Silverlake Restaurant Renovation
COKRACOCK ISLAND
NORTH CAROLINA



THREE B ARCHITECTURE LLC
 ROBERT B BERRY JR. AIA, NCARB, LEEDAP
 WWW.THREEBARCHITECTURE.COM
 BOB@THREEBARCHITECTURE.COM
 443.791.6193

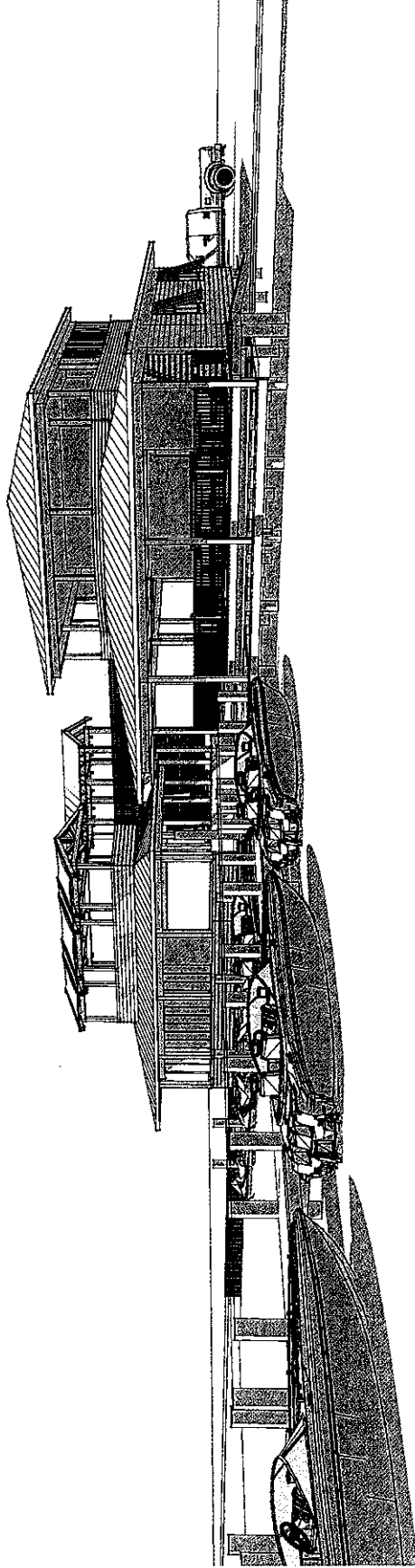
SILVERLAKE JOLLY ROGER RESTAURANT
 BUILDING SECTION PAVILLION SCALE: 1/8"=1'-0"



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SILVERLAKE JOLLY ROGER RESTAURANT
CONCEPT PERSPECTIVE FROM WATER

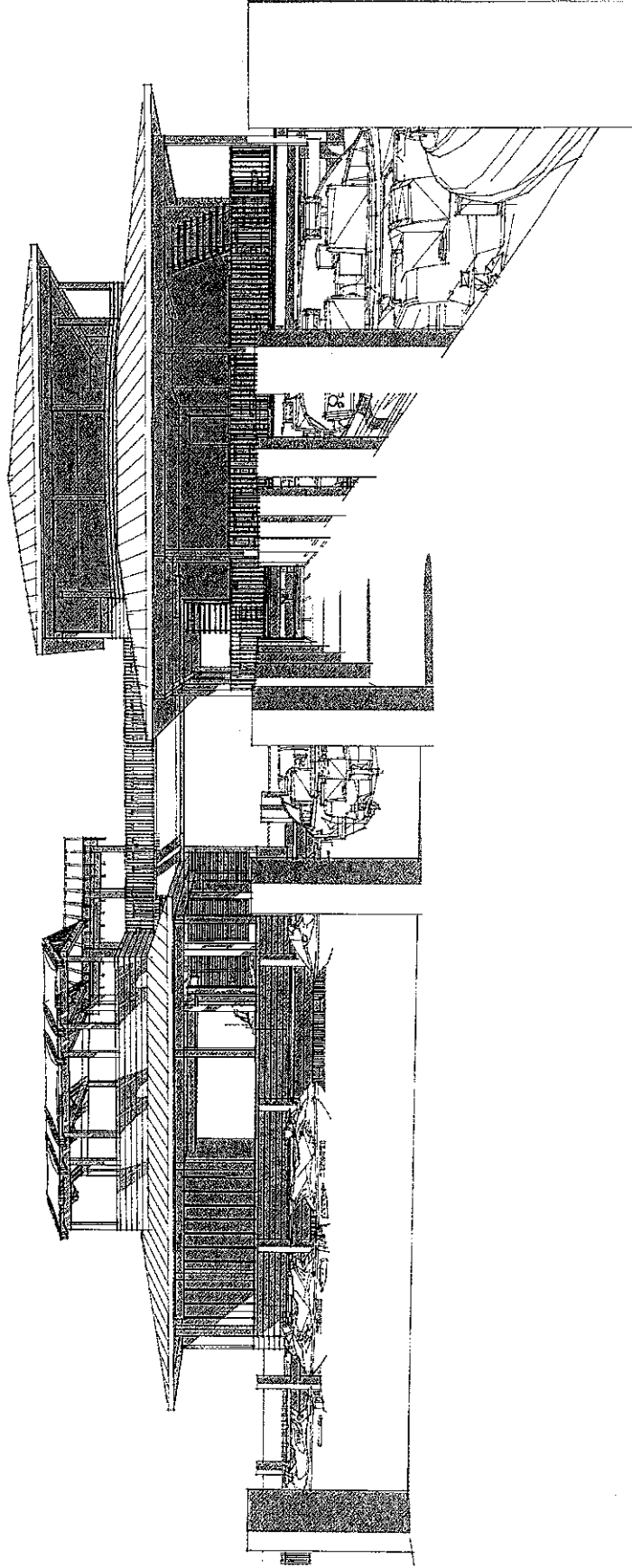
CONCEPT DESIGN - 09.07.21



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SILVERLAKE JOLLY ROGER RESTAURANT
CONCEPT PERSPECTIVE FROM WATER

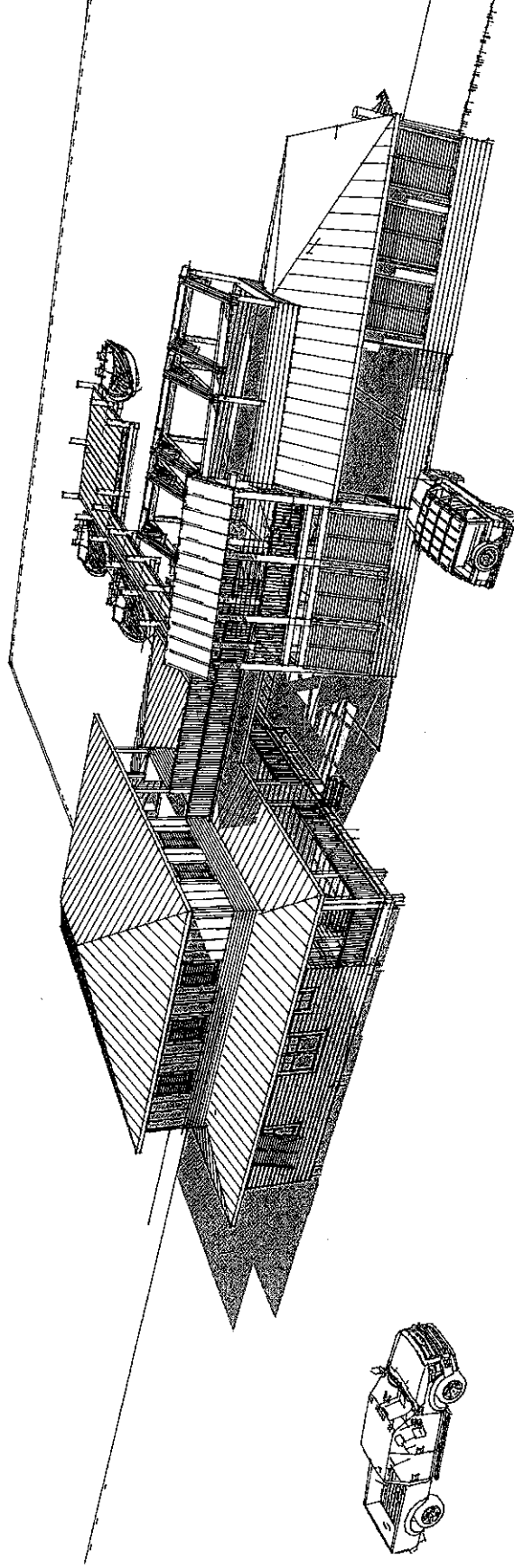
CONCEPT DESIGN - 09.07.21



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SILVERLAKE JOLLY ROGER RESTAURANT
CONCEPT PERSPECTIVE FROM WATER

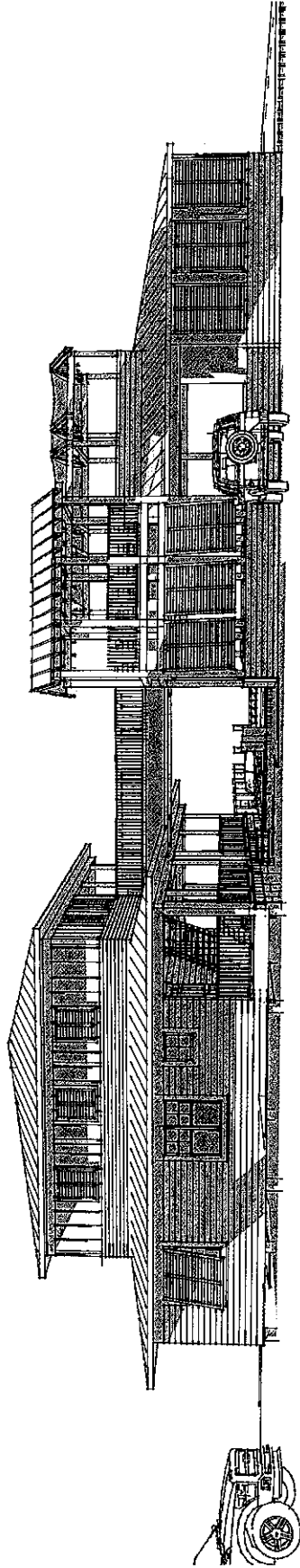
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BOB@THREEBARCHITECTURE.COM
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SILVERLAKE JOLLY ROGER RESTAURANT
AERIAL PERSPECTIVE FROM LAND

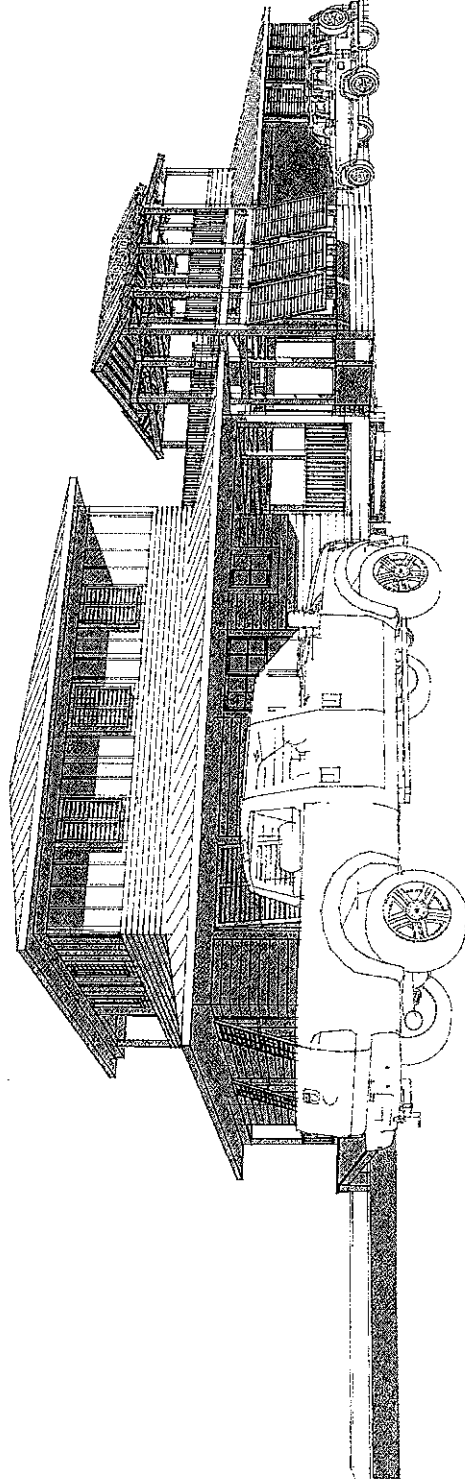
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CONCEPT DESIGN - 09.07.21

SILVERLAKE JOLLY ROGER RESTAURANT
CONCEPT PERSPECTIVE FROM ROAD

THREE B ARCHITECTURE LLC
ROBERT B DERRY JR. AIA, NCARB, LEEDAP
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BOB@THREEBARCHITECTURE.COM
443.781.8193

SILVERLAKE JOLLY ROGER RESTAURANT
CONCEPT PERSPECTIVE FROM ROAD

CONCEPT DESIGN - 09.07.21

HYDE COUNTY HEALTH DEPARTMENT

P.O. Box 100 Swan Quarter, NC 27885

Phone # (252) 926-4380

IMPROVEMENT PERMIT

INITIAL INSTALLATION: EXPANSION: REPAIR: XXX

Permit No: 22023-2

Date: February 20, 2023

Permittee: Silver Lake Property, LLC

Address: 1894 Preston White Drive, Cantonsville, MD. 21228

Phone No.: (252) 928-8074 (Larry Ihle)

Property Location: Jolly Roger Restaurant, 410 Irvin Garrish Hwy, Ocracoke

Facilities to be served: 120 seat restaurant

Water Supply: community

Wastewater Flow GPD: 4,800 gpd

Wastewater System Type: Vb., sand filter pretreatment, LPP disposal

Wastewater System Repair: NA

Long Term Acceptance Rate: Existing

Absorption Area: Existing

Grease trap: 4,000 gallons with H-20 Bridge loading; with effluent filter

Raw sewage lift station: 6' diameter sealed lift station with dual grinder pumps; duplex control panel

Total Bed/Trench Length: Existing

Bed/Trench Spacing: Existing

Maximum Bed/Trench Bottom Depth: Existing

**IMPROVEMENT PERMIT
SILVER LAKE PROPERTY, LLC
PAGE 2**

CONDITIONS:

1. **Installation of the wastewater system repair shall be in strict accordance with the approved plans and specifications submitted by Anlauf Engineering, PLLC.**
2. **There shall be a preconstruction conference attended by the Owner or Owner's representative, installer, Ocracoke Sanitary District Representative, Anlauf Engineering, and the Hyde County Health Department.**
3. **The installer shall contact the Ocracoke Sanitary District to locate the 10" water main on the North side of Irvin Garrish Hwy prior to the horizontal bore for the wastewater forcemain.**
4. **The existing 1000 gallon septic tank/grease trap shall be pumped by an approved hauler prior to removal.**
5. **The installer shall coordinate with the design engineer and Hyde County Health Department to perform the 24 hour leak test on the 4,000 gallon grease trap.**
6. **The Operator in Responsible Charge shall be present during the initial system commissioning.**
7. **Prior to the issuance of the Operation Permit, the owner shall submit to the Hyde County Health Department a statement signed by the design engineer stating that construction is complete and in accordance with the approved plans and specifications. Periodic observations of construction and a final inspection for design compliance by the design engineer shall be required for this statement. The statement shall be affixed with the design engineer's seal.**

This Improvement Permit shall be valid:

For a period of five years

upon a showing satisfactory to the Hyde County Health Department that the site and soil conditions are unaltered, that the facility, design wastewater flow, and wastewater characteristics are not increased, and that a wastewater system can be installed that meets the permitting requirements in effect on the date this permit was issued. This permit is subject to revocation if site plans or the intended use changes.

Authorized Agent:  **REHS**
Registered Environmental Health Specialist
Hyde County Health Department

Silver Lake/Jolly roger



John Contestable <salvojohn88@yahoo.com>

To Dewey Dunn



6/25/2025

Per our conversation today,

There are no building issues with the Silver Lake motel.

However, if someone wants to rebuild the Jolly Roger restaurant in the same footprint as before an NC commercially licensed General Contractor will have to apply for a building permit before October 1st. That will comply with the Ocracoke Development Ordinance regarding rebuilding with existing setback violations. **CAMA** and Hyde Co. health dept. will also have to approve.

If anyone has questions they can call me if necessary.

John Contestable
Ocracoke Building Inspector
ODO official.

252-564-4340

