



MIKE CAUSEY, INSURANCE COMMISSIONER & STATE FIRE MARSHAL  
BRIAN TAYLOR, CHIEF STATE FIRE MARSHAL

August 25, 2021

Andrew Reece  
C3 Studio, LLC  
PO Box 2044  
Knoxville, TN 37931

**RE: Applicability of the NC Residential Code for Multiple Detached One- and Two-Family Dwellings on a Single Lot  
2018 NCAC Section 101.3.2.1**

Mr. Reece:

This letter is in response to your request for formal interpretation dated August 6, 2021 that was received in NCDOI by email on that same date. Your request for formal interpretation states:

1. Do the cottages of this project (Westgate Cottages, Leland, NC) meet the classification of one-family dwellings of not more than 3 stories above grade plane in height with separate means of egress as required by NCRC section R101.2?
2. Are the single family dwellings (of Westgate Cottages) exempt from the standards of the NCBC by virtue of the language contained in 101.3.2.1 of the Administrative Codes?
3. Does the occupancy classification for a structure change from that of a one-family dwelling under section R101.2 of the NCRC because of the number of detached dwellings on a lot?
4. Does the NCRC expect or have a maximum number of one- and two-family dwellings that can be permitted on a lot?
  - a. Does the NCRC allow for several structures on the same parcel with the use of "imaginary separation lines" between buildings?
  - b. If the NCRC does expect a maximum (number of detached one- and two-family dwellings), can you identify the provision of the code that would quantify that expectation?
5. If multiple one-family dwellings are permitted to be on the same lot, will they be expected to meet the requirements of R302.1.1 for Soffit Protections, or would Exception #4 apply?

Attachment A is comprised of the request for formal interpretation as well as all supporting information submitted with the request except I was unable to attach the "Cape Cottages, LP" plan set to this letter because of the drawing size and quantity of sheets.

**Remarks:**

Code sections noted in this letter are referring to the 2018 edition of the NC State Building Codes unless otherwise noted.

"NCBC" refers to the NC Building Code.

"NCRC" refers to the NC Residential Code.

“NCAC” refers to the NC Administrative Code and Policies.

**Code Analysis:**

NCAC, Section 101.3.2.1 – North Carolina Building Code states:

**101.3.2.1 – North Carolina Building Code.** The provisions of the Building Code shall apply to the construction, *alteration*, relocation, enlargement, replacement, *repair*, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures, other than one- and two-family dwellings and townhouses.

NCAC, Section 101.3.2.10 – North Carolina Residential Code states:

**101.3.2.10 – North Carolina Residential Code.** The provisions of the Residential Code shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal and demolition of detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories above in height with a separate means of egress and their accessory structures.

*Comment: Section 101.3.2 is included in the NCAC as a brief description of the codes that make up the NC State Building Codes. It is not intended as a formal scope for each code volume or a full description of each code volume as sections 101.3.2.1 and 101.3.2.10 do not include any of the exceptions that make up the scope of the NCBC and NCRC.*

NCRC, Section R101.2 – Scope states:

**R101.2 Scope.** The provisions of the *International Residential Code for One- and Two-family Dwellings* shall apply to the construction, *alteration*, movement, enlargement, replacement, repair, *equipment*, use and occupancy, location, removal and demolition of detached one- and two-family dwellings and *townhouses* not more than three stories above *grade plane* in height with a separate means of egress and their *accessory structures* not more than three stories above *grade plane* in height. Single family *dwellings* otherwise permitted by this code shall include *bed and breakfast homes*.

**Exceptions:**

1. Live/work units located in *townhouses* and complying with the requirements of Section 419 of the *International Building Code* shall be permitted to be built as one- and two- family *dwellings* or *townhouses*. Fire suppression required by Section 419.5 of the *International Building Code* where constructed under the *International Residential Code for One- and Two-family Dwellings* shall conform to Section P2904.
2. Deleted.

*Comment: The code could have been clearer in this section regarding multiple dwellings on a single parcel of land.*

NCBC, Section 101.2 – Scope states in part:

**101.2 Scope.** The provisions of this code shall apply to the construction, *alteration*, relocation, enlargement, replacement, *repair*, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.

**Exceptions:** If any of the following apply, then the building or structure is exempt from the provisions of this code:

1. Detached one- and two-family *dwelling*s and *townhouses* not more than three *stories above grade plane* in height with a separate *means of egress*, and their accessory structures not more than three *stories above grade plane* in height, shall comply with this code or the *International Residential Code*.

*Comment: The code could have been clearer in this section regarding multiple dwellings on a single parcel of land.*

NCBC, Chapter 2 defines “townhouses” as follows:

**Townhouse.** A single-family dwelling unit constructed in a group of three or more attached units separated by property lines in which each unit extends from foundation to roof and with open space on at least two sides,

*Comment: Townhomes are limited to one unit per parcel of land by a NC amendment to the definition to add the phrase “separated by property lines”.*

NCBC, Table 602 – Fire-Resistance Rating Requirements for Exterior Walls Based on Fire Separation Distance, footnotes i and j state:

**Table 602 – Fire-Resistance Rating Requirements for Exterior Walls Based on Fire Separation Distance**

- i. For Group R-3 detached one- and two-family *dwelling*s of any construction type and not more than three *stories above grade plane* in height with a separate *means of egress*, a fire separation distance of 5 feet or less shall be 1-hour fire-resistant rated and shall be 0-hour fire-resistant rated for distances greater than 5 feet.
- j. For Group R-3 attached one- and two-family *dwelling*s of any construction type separated with fire walls complying with Section 706, containing no other occupancy classification, and not more than three *stories above grade plane* in height with a separate *means of egress*, a fire separation distance of 5 feet or less shall be 1-hour fire-resistant rated and shall be 0-hour fire-resistant rated for distances greater than 5 feet.

*Comment: These footnotes were added in conjunction with exception #5 that was added to Section 903.2.8. These footnotes are specifically added to address detached one- and two-family dwellings and townhouses not more than 3 stories above grade plane with a separate means of egress because the expectation is that the NCBC applies when more than one of these dwellings is located on a single parcel of land. The expectation is then that the NCRC can be used for the construction of the actual dwelling, but the requirements of the footnotes and NCBC, Section 903.2.8, exception #5 must be met.*

NCBC, Section 903.2.8 – Group R states in part:

**903.2.8 Group R.** An *automatic sprinkler system* installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R *fire area*, except as provided for in Section 903.2.8.5.

**Exceptions:**

5. An *automatic sprinkler system* is not required in the following Group R-3 buildings not more than three *stories above grade plane* in height with a separate *means of egress*:

5.1. Detached one- and two-family *dwelling*s.

5.2. Attached one- and two-family *dwelling*s separated with fire walls complying with Section 706 and containing no other occupancy classification.

*Comment: An exception is specifically added to Section 903.2.8 to address detached one- and two-family dwellings and townhouses not more than 3 stories above grade plane with a separate means of egress because the expectation is that the NCBC applies when more than one of these dwellings is located on a single parcel of land. The NCRC can then be used for the construction of the actual dwelling, but the requirements of exception #5 and NCBC, Table 602, footnotes i and j must be met.*

NCBC, Section 2308.1 - General states:

**2308.1 General.** The requirements of this section are intended for *conventional light-frame construction*. Other construction methods are permitted to be used, provided a satisfactory design is submitted showing compliance with other provisions of this code. Interior nonload-bearing partitions, ceilings and curtain walls of *conventional light-frame-construction* are subject to the limitations of Section 2308.2. Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories above grade plane in height with a separate means of egress and their accessory structures shall comply with the *International Residential Code*.

*Comment: If the NCBC was not being used for multiple dwellings on a single parcel of land there would be no need for the final sentence of Section 2308.1 (underlined here for clarity).*

NCRC, Section R302.1.1 – Soffit Protection states in part:

**R302.1.1 Soffit protection.** In construction using vinyl or aluminum soffit material the following application shall apply. Soffit assemblies located on buildings with less than a 10 feet (3048 mm) fire separation distance shall be securely attached to framing members and applied over fire retardant treated wood, 23/32-inch (18.3 mm) wood sheathing or 5/8-inch (15.9 mm) exterior grade or moisture resistant gypsum board. Venting requirements shall be provided in both soffit and underlayments. Vents shall be either nominal 2-inch (51 mm) continuous or equivalent intermittent and shall not exceed the minimum net free air requirements established in Section R806.2 by more than 50 percent. *Townhouse* construction shall meet the additional requirements of Sections R302.2.5 and R302.2.6.

**Exceptions:**

4. Soffits between buildings located on the same lot.

*Comment: The body of the paragraph uses the word “building” (underlined here for clarity) as does exception #4*

**Conclusions:**

1. The dwellings appear to be detached single-family dwellings 3-stories or less in height which the NCRC would allow if there were only one such dwelling on the site and as would be allowed by the NCBC for multiple such dwellings on a site.
2. No, NCAC, Section 101.3.2.1 is only intended as a general description of each of the NC codes and is not intended as “scoping” for each of the codes. This is proven by the fact that the NCAC does not include any of the exceptions that occur in the NCRC and NCBC “scoping” sections.
3. Yes, because the NCBC is the applicable code for multiple dwellings on a single lot (see answer #4 below) the “occupancy classification” is Group R-3 from NCBC, Section 310.5. However, occupancy classification Group R-3 can also be a detached one-family dwelling.
4. The NCRC is not a standalone code. It functions in conjunction with other NC State Building Codes. As shown in the “Code Analysis” section above, the NCBC is expecting to control the construction of multiple one- and two-family dwellings and townhouses located on a single parcel of land. The NCBC then allows use of the NCRC for multiple detached one- and two-family dwellings and townhouses on a site with limits regarding separation of buildings or

automatic fire sprinkler systems. The result is that the NCRC is limited to a single one- or two-family dwelling on a parcel of land unless the building separation or automatic fire sprinkler system requirements of the NCBC are met. The definition of “townhouse” in the NCRC limits townhouses to a single dwelling unit on a parcel of land.

- a. The NCRC allows the construction of a single detached one- or two-family dwelling or a townhouse on a site along with multiple accessory buildings and structures. According to NCRC, Section 302.1, exception #2 there is no separation requirement between a dwelling and the associated accessory buildings on the same lot; so, “imaginary separation lines” become a nonissue.
  - b. See the explanation provided above.
5. My response assumes you are asking about detached one-family dwellings. Yes, NCRC, Section R302.1.1, exception #4 would apply to multiple detached one-family dwellings on the same parcel of land if the provisions of the NCBC for multiple detached one-family dwellings is met. It would also apply to multiple two-family dwelling (duplex) buildings on the same parcel of land but not to the separation of the two dwellings in the same building. Likewise, the exception does not apply to connected townhouses, but would apply to detached townhouse buildings.

**Remarks:**

The “scoping” sections of the NCRC and the NCBC are not as clear as they could be on the matter of application of multiple detached one- and two-family dwellings on a single parcel of land; therefore, it is the recommendation of DOI that the 2024 NC editions of the NCRC and NCBC be amended to clarify the scope of each.

Please call if you have comments or questions.

Sincerely,



Carl Martin, RA  
Deputy Commissioner  
Division Chief of Engineering

cc: File  
Bridget Herring, Chair – BCC  
Danny Priest, Vice-Chairman – BCC  
David Smith, Chairman – BCC Residential Standing Committee

## ATTACHMENT A



August 6th, 2021

Mr. Carl Martin, RA  
Deputy Commissioner of Engineering  
Interim: Chief Code Consultant  
NC OSFM  
325 N. Salisbury Street  
Raleigh, NC, 27603

**RE: Request for Formal Interpretation for Cape Cottages, Leland NC**

Dear Mr. Martin

Please accept this letter as a request for Formal Interpretation. It was advised by Mr. Pak Yip that we submit to you a request for formal interpretation in the email chain dated July 30th 2021. I have attached the email chain as well as drawing exhibits of the project.

The Cape Cottages project is a single 30.41 acre site composed of 315 detached single family residential cottages that are designed for and occupied by not more than one family and having no roof, wall or floor in common with any other dwelling unit. In addition to the 315 cottages, there are several permanent ancillary structures that are part of this residential neighborhood. These structures include a mail kiosk, maintenance shed, storage sheds, facilities for waste removal and a neighborhood amenity.

In the email chain dated July 30th, 2021, it does not appear that the occupancy classification of the structures was ever questioned, and that they meet the requirements of a single family dwelling not more than three stories above grade plane in height with separate means of egress. According to the 2018 North Carolina Administrative Code 101.3.2.1, it specifically notes that detached one- and two-family dwellings & townhouses are an exception to the 2018 North Carolina Building Code. The NC Administrative Code goes on to say in 101.3.2.10 that the provisions of the Residential Code shall apply to detached one family dwellings.

**101.3.2.1 North Carolina Building Code.**

The provisions of the Building Code shall apply to the construction, alteration, repair, equipment, use and occupancy, location, movement to another site, removal and demolition, or any appurtenances connected or attached to every building or structure, other than one- or two-family dwellings and townhouses.

**101.3.2.10 North Carolina Residential Code.**

The provisions of the Residential Code shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal and demolition of detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories in height with a separate means of egress and their accessory structures.

In addition to the Administrative Code, the approved amendments for the NC Building Code provides some additional elaboration on the scope in 101.2 Scope, and again provides an exception for detached one-family dwellings.

**101.2 Scope.**

The provisions of this code shall apply to the construction, alteration, relocation, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.

**Exceptions:** If any of the following apply the building or structure is exempt from the provisions of this code:

1. Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories above grade plane in height with a separate means of egress, and their accessory structures not more than three stories above grade plane in height, shall comply with the International Residential Code.

In the email chain dated July 30th, 2021 Mr. Pak Yip offered his opinion that the NCRC is intended for a maximum of 1 two-family dwelling on a site or a 2 single-family dwelling on a site, and that if it has more it is expected to be constructed under the provisions of the NCBC as Group R-3 dwelling unit. He went on to say that the NCRC does not address 'assumed property lines' and does not expect one-two family dwelling on a single lot, but that the NCBC does.

We disagree with this opinion since it appears that both the NCBC and the NCRC address imaginary separation lines between buildings in the definitions chapter of both code books. Both the Building Code and the Residential Code have the same definition for Fire Separation Distance and include language for an imaginary line between buildings on the same lot.

**Fire Separation Distance.** The distance measured from the building face to one of the following:

1. To the closest interior lot line.
2. To the centerline of a street, an alley or public way.
3. To an imaginary line between two buildings on a lot.

Since accessory buildings already have an exception for the fire resistant rating when located on the same lot (see Residential Code R302.1 Exception2), that would suggest that the imaginary line would be intended to be between different dwellings on the same lot. Additionally, when the NCRC requires soffit protection (see R302.1.1 Exception 4), it provides an exception for soffits between buildings located on the same lot. Again, this would suggest that multiple separate one-family dwellings on the same lot can be expected and is acceptable under the provisions of the NCRC.



Therefore, we seek formal interpretation on the following items:

1. Do the cottages of this project meet the classification of one-family dwellings of not more than 3 stories above grade plane in height with a separate means of egress as required by NCRC section R101.2?
2. Are the single family dwellings exempted from the standards of the NCBC by the virtue of the language contained in 101.3.2.1 of the Administrative Codes?
3. Does the occupancy classification for a structure change from that of a one-family dwelling under section R101.2 of the NCRC because of the number of detached dwellings on a lot?
4. Does the NCRC expect or have a maximum number of one- and two- family dwellings that can be permitted on a lot?
  - a. Does the NCRC allow for several structures on the same parcel with the use of 'imaginary separation lines' between buildings?
  - b. If the NCRC does expect a maximum, can you identify the provision of the code that would quantify that expectation?
5. If multiple one-family dwellings are permitted to be on the same lot, will they be expected to meet the requirements of R302.1.1 for Soffit Protections, or would Exception #4 apply?

Your prompt attention to this request would be greatly appreciated, if we can provide any further information, please let me know.

Sincerely,

A handwritten signature in blue ink that reads 'Andrew Reece'.

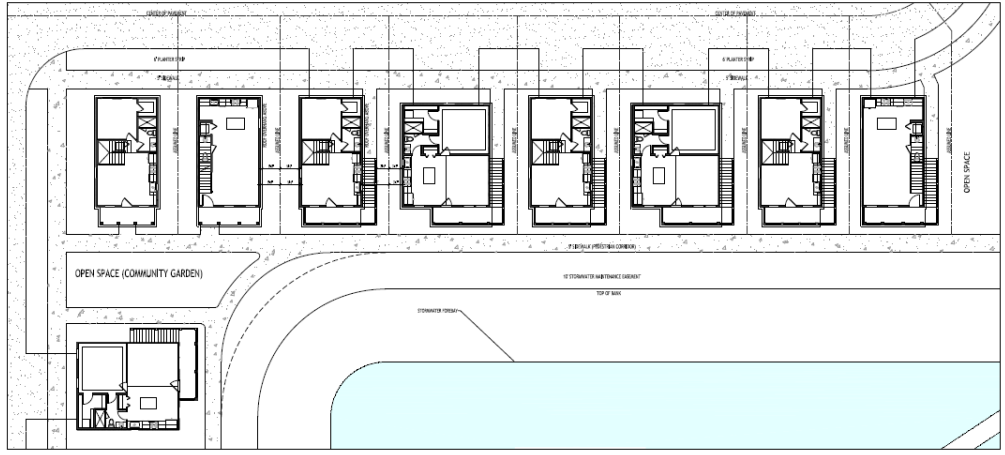
Andrew Reece  
Architectural Designer



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 133 W. JACKSON AVE  
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 704.333.4447  
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**WESTGATE COTTAGES**  
 TOWN OF LELAND, NC



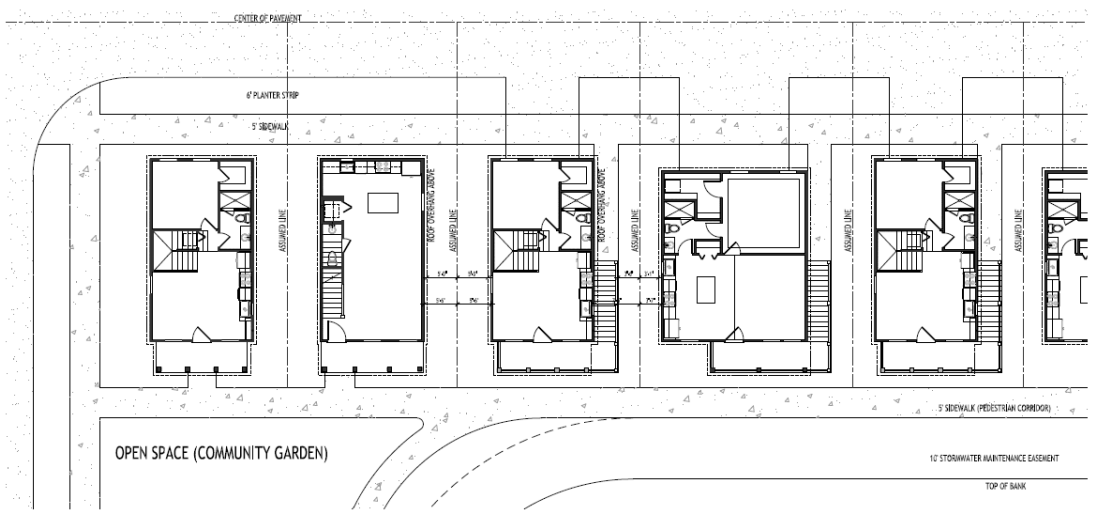
**ASSUMED LOT LINES**

|           |               |
|-----------|---------------|
| REVISIONS |               |
|           |               |
|           |               |
|           |               |
| DATE      | June 19, 2020 |
| PROJECT   |               |
| DRAWN     | CHECKED       |
| AMR       | KV            |

C3 Studio, LLC  
 133 W. MADISON AVE  
 FAYETTEVILLE, NC 28404  
 910-486-4447  
 www.C3StudioLLC.com



**WESTGATE COTTAGES**  
 TOWN OF LELAND, NC



|           |               |
|-----------|---------------|
| REVISIONS |               |
| DATE      | June 18, 2020 |
| PROJECT   |               |
| DRAWN     | CHECKED       |
| AMR       | KV            |

**ASSUMED LOT LINES**



Andrew Reece <[andrew.reece@c3studiollc.com](mailto:andrew.reece@c3studiollc.com)>

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## RE: [External] NC Residential Code Interpretation

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Yip, Pak <[pak.yip@ncdoi.gov](mailto:pak.yip@ncdoi.gov)>  
To: Andrew Reece <[andrew.reece@c3studiollc.com](mailto:andrew.reece@c3studiollc.com)>  
Cc: "Martin, Carl" <[Carl.Martin@ncdoi.gov](mailto:Carl.Martin@ncdoi.gov)>

Fri, Jul 30, 2021 at 10:50 AM

Andrew,

I would suggest that you request a formal interpretation from our Chief Code Consultant from our department regarding the code interpretation for the limitation of 1-2 family dwelling on a parcel.

Carl Martin, RA

Deputy Commissioner of Engineering (interim: Chief Code Consultant)

[Carl.martin@ncdoi.gov](mailto:Carl.martin@ncdoi.gov)

Per NC Admin Code Section 203.2.1.2

**203.2.1.2 Formal interpretations.** Any person may request in writing a formal interpretation of the code.

The request shall be addressed to the Chief Code Consultant for the Department of Insurance. The request

shall be specific and shall reference the code sections in question. All formal interpretations shall be in writing.

A formal interpretation shall be binding on all parties unless appealed to the Building Code Council as specified in Section 201.9.2. Formal interpretations determined to be of a general nature may be posted on the department web site. (General Statute 143-140)

I hope the information above is helpful to you. Please let me know if you have any questions.

Pak Keung Yip, P.E.

Chief Building Code Consultant

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N.C. Department of Insurance

8/3/2021

c3studiollc Mail - RE: [External] NC Residential Code Interpretation



Office of State Fire Marshal

1202 Mail Service Center

Raleigh, NC 27699-1202

919.647.0007

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**From:** Andrew Reece <[andrew.reece@c3studiollc.com](mailto:andrew.reece@c3studiollc.com)>  
**Sent:** Friday, July 30, 2021 10:10 AM  
**To:** Yip, Pak <[pak.yip@ncdoi.gov](mailto:pak.yip@ncdoi.gov)>  
**Subject:** Re: [External] NC Residential Code Interpretation

**CAUTION:** External email. Do not click links or open attachments unless you verify. Send all suspicious email as an attachment to [Report Spam](#).

Good Morning Pak,

Thanks for your response. I have a couple follow up questions/comments.

The NCRC mentions property lines for required exterior wall fire separations distances, but in addition to that, the NCRC also allows for an imaginary line between buildings on a lot for the purposes of determining the Fire Separation Distance according to the definitions chapter for Fire Separation Distance. Isn't the 'assumed property lines' the same thing as the imaginary line between buildings addressed in the NCRC?

Since accessory buildings already have an exception for the fire resistant rating when located on the same lot, that would suggest that the imaginary line would be intended to be between different dwellings on the same lot. Additionally, when the NCRC requires soffit protection, it provides an exception for soffits between buildings located on the same lot. Again, since accessory buildings already have an exception earlier in Section R302, that would suggest that these would be between separate one-family dwellings and that the NCRC expects it as well.

Based on the above, I've found at least two different instances where the NCRC acknowledges imaginary lines and multiple buildings on the same lot. However I've not seen any quantifiable limitation on the number of single family dwellings on the same lot, or where if it goes over that number it would be expected to be regulated under the requirements of the NCBC.

Thanks,

<https://mail.google.com/mail/u/0?ik=dd62b79d07&view=pt&search=all&permmsgid=msg-f%3A1706721699021441619&simpl=msg-f%3A1706721699...> 2/10

Andrew

On Thu, Jul 29, 2021 at 4:37 PM Yip, Pak <pak.yip@ncdoi.gov> wrote:

Andrew,

Sorry for the delayed response again. Your email was well received and here is our interpretation.

The NCRC is intended for a maximum of 1 two-family dwelling on a site or 2 single-family dwellings on a site. A site that has more than 1 two-family dwelling (duplex) located on the site is expected to be constructed to the NCBC as Group R-3 dwelling units.

R101.2 set a limitation in the scope of the code apply to only one-two family dwelling and townhouse, as long as they are 1) not more than 3 story in height, 2) separate means of egress and 3) the accessory structures not more than 3 stories. So, if you have a 4 story town house, it will not conform with the scope of the residential code and the 4 story townhouse will have to construct under the provision of the NCBC.

The NCRC only mentions property lines in terms of distance from property lines relating to required exterior wall fire separation distance. Likewise, it does not address " assumed property lines", but NCBC does address assumed property lines. That is because NCRC is not expecting more than one-two family dwelling on a parcel and the NCBC is expecting more than one.

Before the code change , All group R occupancy require sprinkler system per Section 903.3. With the code amendment approved by the NC Building Code Council in 2019, it exempt certain Group R-3 dwellings from sprinklers. Basically it exempts Group R-3 dwellings that would otherwise be constructed under the NCRC if it were not for the fact they fall under the scope of the NCBC. In order for the amendment to exempt Group R-3 dwellings from sprinkler applied, each dwelling must be treated as a separate building except that duplexes are allowed to be treated as a building.

From Amendment to R903.2.8

*5. An automatic sprinkler system is not required in the following Group R-3 buildings not more than three stories above grade plane in height with a separate means of egress:*

*5.1. Detached one- and two-family dwellings.*

*5.2. Attached one- and two-family dwellings separated with fire walls complying with Section 706 and containing no other occupancy classification.*

And Amendment to Table 602 footnote:

i. For Group R-3 detached one- and two-family dwellings of any construction type and not more than three stories above grade plane in height with a separate means of egress, a fire separation distance of 5 feet or less shall be 1-hour fire-resistant rated and shall be 0-hour fire-resistant rated for distances greater than 5 feet.

j. For Group R-3 attached one- and two-family dwellings of any construction type separated with fire walls complying with Section 706, containing no other occupancy classification, and not more than three stories above grade plane in height with a separate means of egress, a fire separation distance of 5 feet or less shall be 1-hour fire-resistant rated and shall be 0-hour fire-resistant rated for distances greater than 5 feet.

Amendment to the current NCBC can be view from the following link:

<https://www.ncosfm.gov/media/407/open>

I hope the information above is helpful to you. Please let me know if you have any questions.

**Pak Keung Yip, P.E.**

**Chief Building Code Consultant**



**N.C. Department of Insurance**

**Office of State Fire Marshal**

1202 Mail Service Center

Raleigh, NC 27699-1202

919.647.0007

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**From:** Andrew Reece <[andrew.reece@c3studiollc.com](mailto:andrew.reece@c3studiollc.com)>  
**Sent:** Thursday, July 29, 2021 1:42 PM  
**To:** Yip, Pak <[pak.yip@ncdoi.gov](mailto:pak.yip@ncdoi.gov)>  
**Cc:** Hal Funderburk <[hal@sandsbuildinggroup.com](mailto:hal@sandsbuildinggroup.com)>; Nathan McClellan <[nathan@sandsbuildinggroup.com](mailto:nathan@sandsbuildinggroup.com)>; Daniel Knoch <[dknoch@townofeland.com](mailto:dknoch@townofeland.com)>  
**Subject:** Re: [External] NC Residential Code Interpretation

**CAUTION:** External email. Do not click links or open attachments unless you verify. Send all suspicious email as an attachment to [Report Spam](#).

Good Afternoon!

Just wanted to check in to be sure that my email had been received, and if there's any additional information/questions you have about the project.

8/3/2021

c3studiollc Mail - RE: [External] NC Residential Code Interpretation

Thanks,  
Andrew

On Wed, Jul 28, 2021 at 10:55 AM Andrew Reece <[andrew.reece@c3studiollc.com](mailto:andrew.reece@c3studiollc.com)> wrote:

Good Morning Pak,

Can you help us understand more about why a lot that has more than two single-family detached dwellings would need to meet the requirements of the NCBC? Our understanding is that if there are 3 or more dwellings in a single building, then that would exceed the scope of R101.2. Each one of our buildings (small cottages) will contain a single dwelling. As far as I have been able to determine in the scopes of both the NCRC and the NCBC, the lot and how it's subdivided (or not) is not specified or elaborated on. In addition to the lot requirements not being specified in the scope, the NCRC hints that multiple buildings on the same lot is a common/acceptable occurrence so long as the provisions of Table R302.1 are met.

Currently we're in a pretty advanced stage of this project, and every step of the way it had been determined by the local AHJ that the cottages would fall under the NCRC requirements. We're hoping that this can be resolved/interpreted, so that we can see how this will affect the current project as well as other ongoing projects as well.

Please see the attached pdfs with highlighted areas that explains our understanding of what's expected.

Thanks,  
Andrew

On Tue, Jul 27, 2021 at 2:21 PM Yip, Pak <[pak.yip@ncdoi.gov](mailto:pak.yip@ncdoi.gov)> wrote:

Andrew,

Sorry for the delayed response.

Before I jumped into the soffit issue, let's review the code for this project.

The NC Residential Code is intended for a maximum of 1 two-family dwelling on a parcel or 2 single-family dwellings (sometimes refer to Duplex) on a parcel. A parcel that has more than 1 two-family dwelling located on the site is expected to be constructed to meet the provisions of NC Building Code as Group R-3 dwelling units.

There is always a question whether a sprinkler system is required. In 2019 the NC Building Code Council approved a code amendment to exempt certain Group R-3 dwellings from sprinklers. Basically it exempts Group

R-3 dwellings that would otherwise be constructed under the NCRC if it were not for the fact they fall under the scope of the NCBC.

Please see the following link to download the NCBC amendments: <https://www.ncosfm.gov/2017-2021-approved-amendments-201310-building-code>. The effective date of the amendment is January 1, 2021.

Please note, accessibility requirements might apply to public access area if constructed under NCBC.

I hope the information above is helpful to you. Please let me know if you have any questions.

**Pak Keung Yip, P.E.**

**Chief Building Code Consultant**



**N.C. Department of Insurance**

**Office of State Fire Marshal**

1202 Mail Service Center

Raleigh, NC 27699-1202

919.647.0007

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**From:** Andrew Reece <[andrew.reece@c3studiollc.com](mailto:andrew.reece@c3studiollc.com)>  
**Sent:** Thursday, July 15, 2021 10:22 AM  
**To:** Yip, Pak <[pak.yip@ncdoi.gov](mailto:pak.yip@ncdoi.gov)>  
**Cc:** Hal Funderburk <[hal@sandsbuildinggroup.com](mailto:hal@sandsbuildinggroup.com)>; Nathan McClellan <[nathan@sandsbuildinggroup.com](mailto:nathan@sandsbuildinggroup.com)>  
**Subject:** Re: [External] NC Residential Code Interpretation

**CAUTION:** External email. Do not click links or open attachments unless you verify. Send all suspicious email as an attachment to [Report Spam](#).

Good Morning Pak.



8/3/2021

c3studiollc Mail - RE: [External] NC Residential Code Interpretation

Thanks for looking into this for us. We look forward to hearing whatever determination you're able to uncover.

Thanks,  
Andrew

On Tue, Jul 13, 2021 at 1:43 PM Andrew Reece <[andrew.reece@c3studiollc.com](mailto:andrew.reece@c3studiollc.com)> wrote:

Pak,

That's correct, there will be multiple single family dwelling units within the same lot. The units will also be owned by the same entity.

Thanks,  
Andrew

On Tue, Jul 13, 2021 at 1:37 PM Yip, Pak <[pak.yip@ncdoi.gov](mailto:pak.yip@ncdoi.gov)> wrote:

Hi, Andrew,

Let me make sure one thing before I answer your question.

Is it a project that contains multiple single family dwelling within a lot ?

Pak Keung Yip, P.E.  
Chief Residential Code Consultant



N.C. Department of Insurance  
Office of State Fire Marshal  
1202 Mail Service Center

Raleigh, NC 27699-1202

919.647.0007

**From:** Andrew Reece <[andrew.reece@c3studiollc.com](mailto:andrew.reece@c3studiollc.com)>  
**Sent:** Tuesday, July 13, 2021 1:30 PM  
**To:** Yip, Pak <[pak.yip@ncdoi.gov](mailto:pak.yip@ncdoi.gov)>; Hal Funderburk <[hal@sandsbuildinggroup.com](mailto:hal@sandsbuildinggroup.com)>; Nathan McClellan <[nathan@sandsbuildinggroup.com](mailto:nathan@sandsbuildinggroup.com)>  
**Subject:** [External] NC Residential Code Interpretation

**CAUTION:** External email. Do not click links or open attachments unless you verify. Send all suspicious email as an attachment to [Report Spam](#).

Good Afternoon Pak,

We were advised by the Chief Building Official from the town of Leland to contact the NCDOI to see what the NCDOI would think of our situation and provide us with an answer about how [R302.1.1 Soffit Protection 2018 NC Residential Code](#) would be interpreted and enforced. Let us know if this is something you can provide us, or if there is another means by which we should ask for clarification on our question.

Project information:

- Located within the town of Leland, NC.
- The project is a 30 acre commonly owned lot with several detached single family dwelling units as well as a pool house amenity (pool house will be well over 50' from any dwelling units).
- Dwelling unit separation between units measured from wall to wall will range from 7'-4" to 10'-0".
- All dwelling units and lot will be under the same ownership.

According to the highlighted exception #4 (see attached image), it appears that we are excluded from being required to have Soffit Protection since all of our buildings will be located on the same lot. Our building official indicated that that exception may have had an unspecified intention of being between primary and secondary buildings on the same lot (where our project would be all 'primary').

Let us know if there's any additional information needed about the project in order to provide a determination on how this ought to be interpreted and enforced.

Thanks,

Andrew

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Andrew Reece  
Architectural Designer  
 [www.c3studiollc.com](http://www.c3studiollc.com)