

CAROLINA BEACH

Board of Adjustment Meeting

Monday, July 17, 2023 – 6:00 PM

Council Chambers, 1121 N. Lake Park Boulevard, Carolina Beach, NC



AGENDA

CALL TO ORDER

APPROVAL OF MINUTES

1. June 19th, 2023 – BOA Minutes

PUBLIC HEARING

2. Variance to Chapter 40. Article VII. Fence Regulations from the required 4' height limitation for fences located within the 20' front yard setback for 300 S Lake Park Blvd.

DISCUSSION ITEMS

NON-AGENDA ITEMS

ADJOURNMENT



AGENDA ITEM COVERSHEET

PREPARED BY: Gloria Abbotts, Senior Planner

DEPARTMENT: Planning &
Development

MEETING: Board of Adjustment – July 17th, 2023

SUBJECT: June 19th, 2023 – BOA Minutes

Action:

Approve the June 19th, 2023 Minutes

CAROLINA BEACH

Board of Adjustment Meeting

Monday, June 19, 2023 - 6:00 PM

Council Chambers, 1121 N. Lake Park Boulevard, Carolina Beach, NC



MINUTES

CALL TO ORDER

Chairman Hartsell called the meeting to order at 6:00 PM.

PRESENT

Chairman Wayne Hartsell
Vice Chairman Patrick Boykin
Board Member Ken Thompson
Board Member Tim Howard

ABSENT

Board Member Jullena Shelley
Board Member Paul Levy
Board Member David Marshall

ALSO PRESENT

Planning Director Jeremy Hardison
Senior Planner Gloria Abbotts

APPROVAL OF MINUTES

1. May 2, 2023 – BOA Minutes

ACTION: Motion to accept the minutes

Motion made by Vice Chairman Boykin, seconded by Board Member Thompson

Voting Yea: Chairman Hartsell, Vice Chairman Boykin, Board Member Thompson, Board Member Howard

Motion passed 4-0

DISCUSSION ITEM

2. Variance to Chapter 40. Article VII. Fence Regulations from the Required 4-Foot Height Limitation for Fences Located Within the 20-Foot Front Yard Setback for 300 South Lake Park Boulevard

Applicant Pleasure Island Holdings LLC is requesting a variance to allow fencing over 4 feet within the 20-foot front yard setback from Sec. 40-204. - Height Restrictions, which requires that no fence shall exceed 4 feet in height when located in the front yard setback. The property is located at 300 South Lake Park Boulevard and is in the MX zoning district. The Dry Dock Inn and its pool are located on the property.

Gator Strong Services, a fence contractor, applied for a fence permit on behalf of the property owner in March 2022 to replace the fencing surrounding the pool located on the property. The application and supporting site plan materials proposed a 54-inch fence. Gator Strong Services was advised by the planning reviewer that the fencing within the front setback could not exceed 4 feet. They were told they would need to provide an updated site plan with an adjusted fence height to meet Town ordinance regulations. Danny Vulin from Gator Strong Services inquired about any fence exceptions or variance process. Mr. Hardison and Planner Haley Moccia advised Mr. Vulin there were no exceptions in the ordinance and spoke to him about the variance process. Mr. Vulin did not indicate a desire to apply for a variance at the time and was told to submit an updated site plan with a conforming fence height for fence permit approval.

No updated site plan was submitted, and the fence permit was left unissued. It was discovered in March 2023, through a code enforcement audit of all the unissued and open permit applications, that a fence was installed surrounding the pool at the Dry Dock Inn without an issued permit. The fence height surrounding the pool measured 56.5 inches. Town staff contacted Mr. Vulin, the fence contractor, and Deanna Lanni, the property owner listed on the fence application, to inform them the fence was too tall within the front setback, and it would need to be reduced to 48 inches to meet the Town's 4-foot fence height requirements. Mr. Vulin said the owner contacted the County, who sent the N.C. Administrative Code addressing fence requirements surrounding pools. Ms. Lanni said she sent the information from the County to Mr. Vulin and was unaware he proceeded without a permit.

Mr. Vulin and the owner of the Dry Dock Inn met on site to determine appropriate avenues to meet the Town ordinance. It was suggested they could alter or replace the section of fencing located within the front setback to meet the fence height requirements.

To resolve the situation, the applicant is seeking a variance to the required 4-foot fence height limitation for fences located within the 20-foot front yard setback for 300 South Lake Park Boulevard. If approved, the fence would not need to be replaced or altered to meet the 4-foot fence requirement.

Chairman Hartsell asked the applicant and applicant representative to see him. After some discussion, Mr. Hartsell said they would like to move the meeting to another time. Mr. Hardison said July 17 would be the next date on the schedule, so staff will check to see if everyone can make it then.

NON-AGENDA ITEMS

None

ADJOURNMENT

ACTION: Motion to adjourn

Motion made by Vice Chairman Boykin

Voting Yea: Chairman Hartsell, Vice Chairman Boykin, Board Member Thompson, Board Member Howard

Motion passed 4-0

The meeting adjourned at 6:05 PM.



AGENDA ITEM COVERSHEET

PREPARED BY: Haley Moccia, Planner

DEPARTMENT: Planning &
Development

MEETING: Board of Adjustment – July 17th, 2023

SUBJECT: Variance to Chapter 40. Article VII. Fence Regulations from the required 4’ height limitation for fences located within the 20’ front yard setback for 300 S Lake Park Blvd.

BACKGROUND:

The applicant, Pleasure Island Holdings, LLC, is requesting a variance to allow fencing over 4’ within the 20’ front yard setback from Sec. 40-204. - Height restrictions that requires no fence shall exceed four feet in height when located in the front yard setback.

The property is located at 300 S Lake Park Blvd and is in the MX zoning district. The Dry Dock Inn and its pool are located on the property. The property consists of one 15,379 sq ft lot. This property is a corner lot adjacent to Fayetteville Ave. and S Lake Park Blvd. The building and pool on the lot are considered legal non-conforming structures since they do not meet the minimum setback standards for the zoning district. Due to its nonconforming status, either Fayetteville Ave or S Lake Park Blvd could be established as a front setback. The favorable side to establish the front setback would be S Lake Park Blvd since it would impact the least amount of fencing (see attachment 2).

The pool decking the fence is located on is raised above the natural grade of the lot. The town ordinance requires fence height to be measured from the highest point of the fence, not including columns or posts, to the existing natural grade. NC Building Code requires, “the top of the barrier shall be at least 48 inches above grade measured on the side of the barrier that faces away from the swimming pool.” Since the elevated pool deck is raised above the natural grade of the lot and could be used as a step to climb a shorter fence, the fence height would need to be measured from the height of the raised pool deck. Therefore, the town would approve a 4’ fence measured from the pool deck rather than the natural grade because the NC Building Code requires an adequate barrier.

Gator Strong Services, a fence contractor, applied for a fence permit (see attachment 3) on behalf of the property owner in March 2022 to replace the fencing surrounding the pool located on the property. The application and supporting site plan materials proposed a 54” fence. Gator Strong Services was advised by the planning reviewer that the fencing within the front setback could not

exceed 4'. They were told they would need to provide an updated site plan with an adjusted fence height to meet the town ordinance regulations. Danny, from Gator Strong Services, inquired about any fence exceptions or variance process. Jeremy Hardison and Haley Moccia advised Danny there were no exceptions in the ordinance and spoke to him about the variance process. Danny did not indicate a desire to apply for a variance at the time and was told to submit an updated site plan with a conforming fence height for fence permit approval.

No updated site plan was submitted, and the fence permit was left unissued. It was discovered in March 2023, through a code enforcement audit of all the unissued and open permit applications, that a fence was installed surrounding the pool at the Dry Dock Inn without an issued permit. The fence height surrounding the pool measured 56.5". Town staff contacted Danny, the fence contractor, and Deanna Lanni, the property owner listed on the fence application, to inform them the fence was too tall within the front setback, and it would need to be reduced to 48" to meet the Town's 4' fence height requirements. Danny stated the owner contacted the county, who sent the North Carolina Administrative Code addressing fence requirements surrounding pools (15A NCAC 18A .2528 FENCES). Deanna stated she sent the information sent from the county to Danny and was unaware he proceeded without a permit (See attachment 4).

Danny and the owner of the Dry Dock Inn met onsite to determine appropriate avenues to meet the Town ordinance. It was suggested they could alter or replace the section of fencing located within the front setback to meet the fence height requirements.

To resolve the situation the applicant is seeking a Variance to the required 4' fence height limitation for fences located within the 20' front yard setback for 300 Lake Park Blvd. S. If approved, the fence would not need to be replaced or altered to meet the 4' fence requirement.

REQUIRED FINDINGS:

When unnecessary hardships would result from carrying out the strict letter of a zoning ordinance, the board of adjustment shall vary any of the provisions of the ordinance upon a showing of all of the following:

1. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
2. The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.
3. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist

that may justify the granting of a variance shall not be regarded as a self-created hardship.

4. The requested variance is consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and substantial justice is achieved.

CONDITIONS:

In granting any variance, the Board may prescribe reasonable and appropriate conditions and safeguards, in conformity with this ordinance. Violation of any such conditions or safeguards, when made part of the terms under which the variance is granted, shall be deemed a violation of this ordinance and punishable under Article 19 of the Zoning Ordinance:

If the board supports the findings staff recommends the below condition for the variance

The variance is granted for the proposed pool fencing only and any new fencing on the property shall conform to the setback requirements.

Attachments

1. Variance Application
2. Setback Site Plan
3. Fence Permit Application
4. Email Communications
5. Photos



Application for Variance
TOWN OF CAROLINA BEACH, N.C.

Item 2.

Permit Number: _____

Each application must be printed or typewritten and have all information answered. **It is strongly recommended that the applicant set up a meeting with Planning Staff prior to the submission deadline to ensure the application is complete.** The Town of Carolina Beach requires a licensed attorney to appear in a representative capacity to advocate the legal position of another person, firm, or corporation who is the applicant/owner of record.

Fee: \$450.00 to be submitted with application

This petition will be scheduled for the next possible regular Board of Adjustment meeting. The applicant or a representative should be present at the meeting to answer any questions the Board may have. Board of Adjustment meetings are held on the third (3rd) Monday of each month at 6:00 P.M. in the Council Room at the Municipal Administration Building, 1121 N. Lake Park Boulevard, Carolina Beach, NC 28428. Applicants will be informed of any changes in date, time, or location of meetings. Applications and supplementary time for processing and postings are required by the General Statutes of North Carolina.

Applicant

Name: Dry Dock Inn

Applicant Mailing Address:

300 Lake Park Blvd S. Carolina Beach NC 28428

Street Address City State Zip

Applicant Phone Number: mobile/work/home (circle one): 910-408-8390

Applicant Email Address:

deanna@reachprop.com

Property Owner

Name: Pleasure Island Holdings LLC

Property Owner Mailing Address:

1001 Military Cutoff Rd Ste 101 Wilmington, NC 28405

Street Address City State Zip

Property address of variance being requested:

300 Lake Park Blvd S. Carolina Beach NC 28428

Property Size: 6848 sq. ft. Zoning Designation: Commercial

1. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made from the property.

- (1) This was an honest and actual mistake where both the General Manager of Dry Dock and Gator Fencing both actually believed that New Hanover County had the ability to approve.
- (2) The 54" fence that was constructed looks great, is not obstructive, and it's not even noticeable from the street that it's higher than 48".
- (3) 54" is a generally accepted **minimum** height for swimming pool safety to keep young children from drowning. The new fence looks great, isn't obstructive and is far more safe.
- (4) There are many fences along Lake Park Blvd that are over 48", including the fence directly across the street which appears to be fairly new and is 78" (see picture).
- (5) The fence was custom made and can not reasonably be modified or moved. Requiring owner of Gator Fencing to move the fence would cost more than \$15,000.

2. The hardship results from conditions that are peculiar to the property, such as location, size or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.

- (1) Because a pool for a fairly large motel borders the street, this presents a clear public safety hazard. It is a well accepted safety code nationally that 54" is the minimum height requirement for swimming pool fencing.
- (2) The fence was custom made and can not reasonably be modified or moved. Requiring the owner of Gator Fencing to move the fence would cost more than \$15,000.
- (3) The swimming pool next to the street makes it peculiar and allows more safety by following the swimming pool safety guidelines.

3. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.

- (1) As discussed in Background Statement (attached), property owner and Gator Fence both actually believed that New Hanover County had the ability to authorize the fence, AND believed that 54" was required due to swimming pool safety.

4. The requested variance is consistent with the spirit, purpose and intent of the ordinance, such that public safety is secured and substantial justice is achieved.

- (1) The new fence looks much better than the 8' wooden privacy fence it replaced (see pictures) and it provides much better visibility than the previous fence.
- (2) The property owner has spent significant money and time renovating and beautifying the Dry Dock Motel, staying open year round, hiring local workers, and helping to beautify this area of Carolina Beach.
- (3) Because a swimming pool is next to the street and right next to the sidewalk, the safety of visitors and children is served by allowing the 54" fence to remain.
- (4) Neighboring fences and many fences along Lake Park Blvd are greater than 48" and it's doubtful that anyone would ever know

We (local owners/investors) purchased the Dry Dock in December 2021. It was an older, dilapidated motel that needed a ton of work. It's on the main street and very close to the lake and was considered by most to be an "eyesore." We've invested well over \$500,000 in renovations (interior, exterior, and staffing) that have made it much more attractive and we now keep it open year round. We found out (the hard way) that prior owners didn't permit much of the work. We've done everything 100% by the book, always pulling the appropriate permits for our permits.

However, with the fence on the pool facing Lake Park Blvd (the "new fence"), a mistake was made. This was an honest mistake, and we're providing the background so that the Board can understand this was an honest mistake by all parties involved, and we're asking that the Board allow the current fence to remain in place.

The new fence replaced an old 8' wooden fence that totally blocked visibility from Lake Park Blvd. We wanted our guests to be able to see out, and we wanted passers by to be able to see our new and improved pool and overall motel accommodations. In doing so, we hired Gator Fencing, a locally owned, highly reputable company. We made sure Gator would apply for a fence permit with the town, and they did. There was confusion about the size of the fence. In our permitting with the motel renovations, we've dealt with both the Town of Carolina Beach and New Hanover County. Specifically with the pool, we've had to work with New Hanover County for pool safety. Back on March 31, 2022, Gator Fence applied and was denied a permit for the new fence of 54". At the same time, our general manager Dee Lanni was dealing with New Hanover County on the pool safety and inspections (as well as Danny) and got approval from New Hanover County for a 54" fence. Note that our group has experience dealing with hospitality and rentals and pools. Generally speaking, 54" is the required height for pool code safety and we were assuming this nationally accepted standard of 54" for pool safety would prevail. In any event, New Hanover County approved the 54" pool fence height, and we let Gator Fence know that the County approved it. At that time, both our General Manager and Danny, the owner of Gator Fencing, both believed that the County was in charge of the pool and that it had approved the 54" fence. We realize now that this was an error, however, for the reasons below we're asking that the Board grant a variance.

4/18/23, 11:04 AM



Margaret Cratch
Content may be subject to copyright





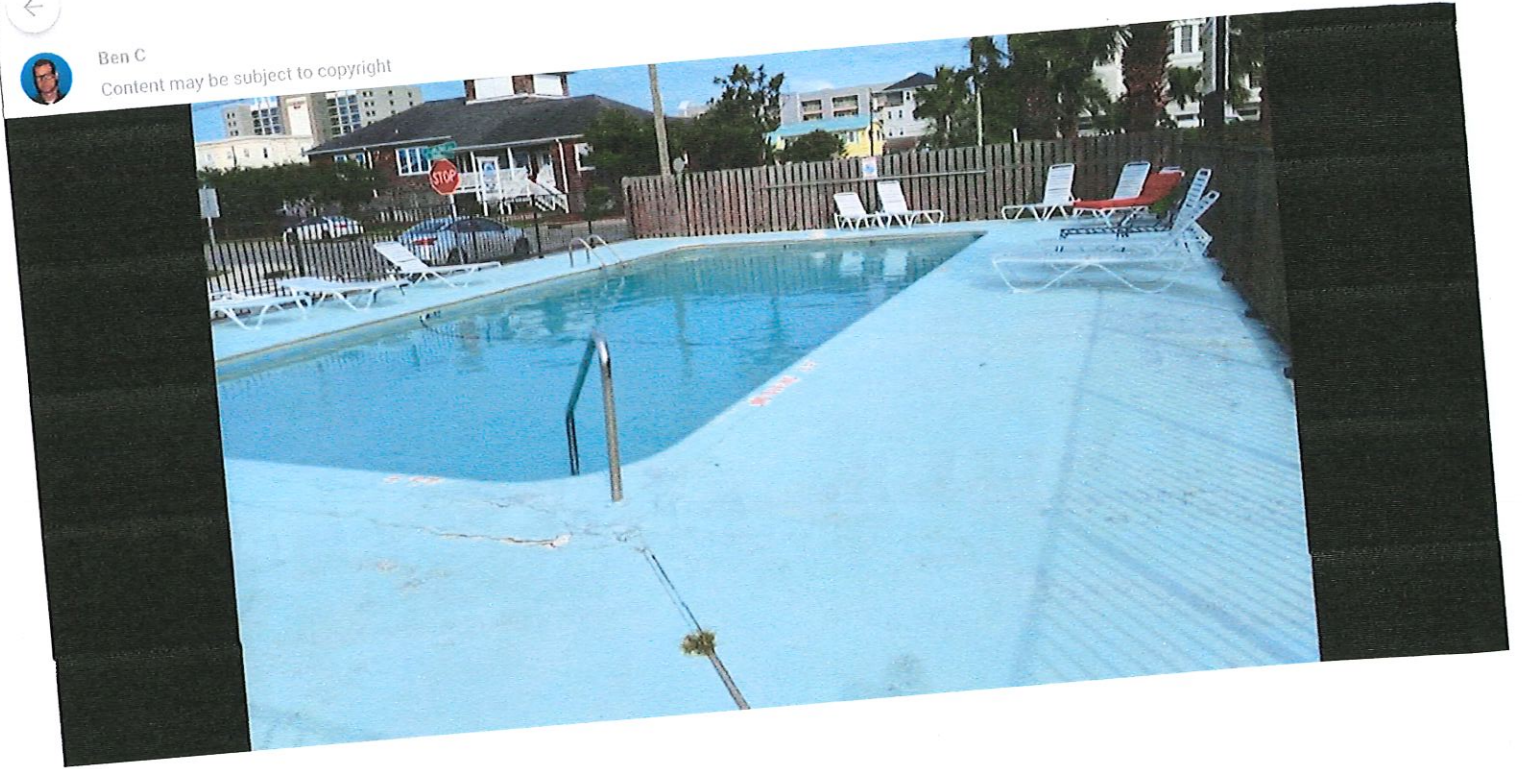
Item 2.

4/18/23, 11:04 AM



Ben C

Content may be subject to copyright



4/18/23, 11:04 AM



Diane Kempisty
Content may be subject to copyright







300 Lake Park Blvd s, Carolina E X



Show search results for 300 Lake Park...

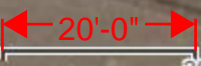


Item 2.

FAYETTEVILLE



20'-0"



20ft

-77.896 34.031 Degrees

16

Esri Community I



Town of Carolina Beach
Planning/Inspections Department
1121 N. Lake Park Boulevard
Carolina Beach, NC 28428
Tel (910)458-2978 or Fax (910)458-2997

Permit # _____

FENCE APPLICATION

(Applications must be printed or typewritten and have all information answered. Please include a copy of the property plat illustrating the placement of the structure/fence). This APPLICATION is hereby presented for a Zoning permit to erect a fence/structure in accordance with the Town Ordinance. If you have any questions you can call our Zoning Administrator at (910)-458-2991. After construction, please call (910) 458-2991 for a Final Inspection. There is a \$25 Zoning Fee.

Project Location DRY DOCK MOTEL - 300 LAKE PARK BLVD SOUTH

Property Owner DEE LANNI

Property Owner Address (if other than project location) _____

Property Owner Phone# 910.408.8390

Applicant (if other than property owner) Gator Strong Services

Applicant's Address (if other than property owner) 6319-A Carolina Beach Rd Wilmington NC 28412

Applicant's Phone# 910-520-3297

Contact person for project Dylan, Erin Phone # 910.520.3297

Email Address erin@gator-strong.com

Fill dirt is NOT allowed in order to build up the height of a fence.

Description of Proposed Construction (please include height and location of fence/structure in the description):

Height of fence/structure 54" Location of fence/structure Front Pool (closest to Lake Park Rd)

Residential _____ OR Commercial

Construction Cost \$ 10,346.⁰⁰

I hereby certify that I have examined this complete application and the statements are therein true and correct and meet all Zoning requirements.

Print Name ERIN SCOTT Date Submitted 3/28/22

Signature of owner or authorized agent

**** Please submit all permit applications, plans, and additional materials to ****
permits@carolinabeach.org



www.Gator-Strong.com

(910) 520-3297

HURRICANE SHUT

Customer: **Dec Lanny**

Phone: **910-408-8390**

Date: **3/3/22**

Address: **300 Lake Park**

City: **CB**

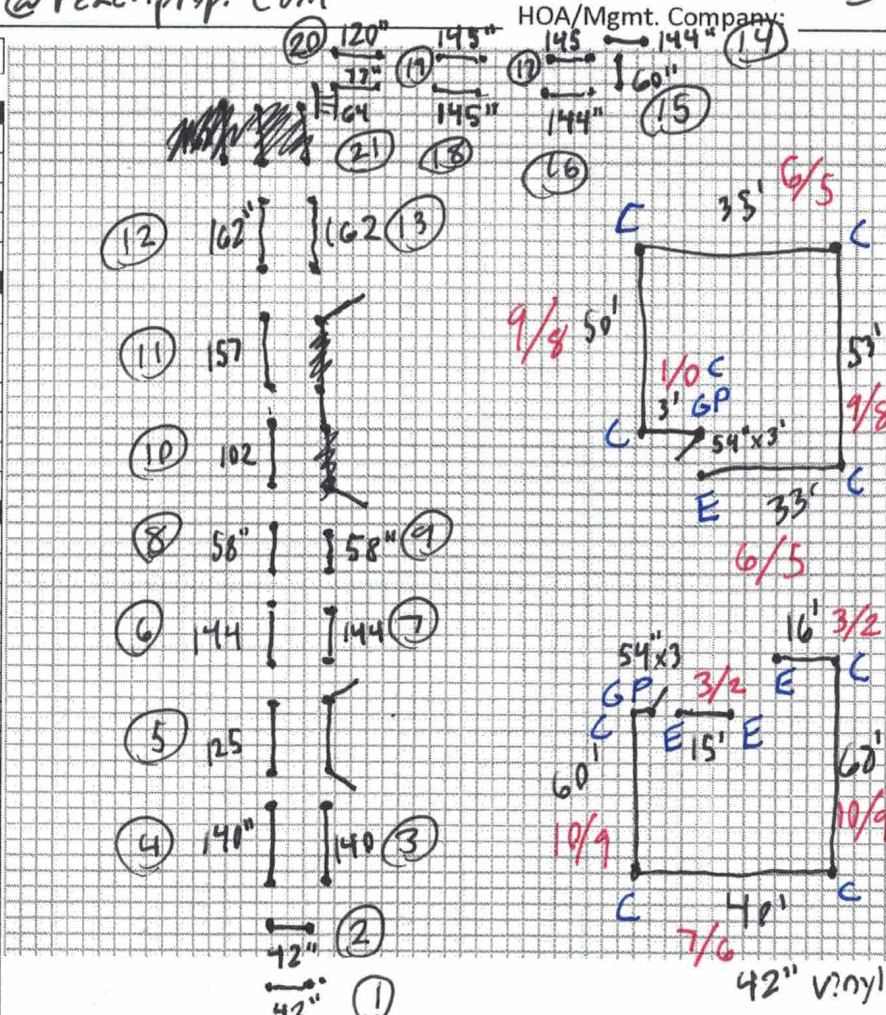
Zip: **29428**

Subdivision: _____

Email: **Vienna@reachprop.com**

HOA/Mgmt. Company: _____

| POOL CODE |
|----------------------------|
| VINYL PRIVACY |
| Top Style |
| Height |
| Color |
| Gates / / |
| Total Ft. |
| VINYL SEMI PICKET |
| Top Style |
| Picket Size 1.5" / 3" / 6" |
| Spacing <2" / <4" |
| Height |
| Color |
| Gates / / |
| Total Ft. |
| ALUMINUM |
| Grade FS or Com. |
| Style 54" 7 rail |
| Spacing Std PP / DP |
| Bottom Std Flush |
| Height 54" |
| Color B/K |
| Gates (2) 54" x 3' |
| Total Ft. |
| CHAIN LINK |
| Grade |
| Height |
| Color |
| Gates / / |
| Total Ft. |
| WOOD |
| Material |
| Style |
| Posts |
| Height |
| Gates / / |
| Total Ft. |



| LOCATION | |
|------------------------|--|
| Stakes | |
| Plot/Survey | |
| Steep Grade (Add'l \$) | |
| INSTALLATION | |
| Follow Ground | |
| Level Top | |
| Clearance Under Fence | |
| ADDITIONAL COSTS | |
| Permits | |
| HOA | |
| Core Drill | |
| Blacktop/Concrete | |
| Deck Mount | |
| Missile Post | |
| Fence Removal | |
| Dirt Removal | |
| UPGRADES | |
| Pool Hardware | |
| Post Caps | |
| Finials | |
| Scrolls | |
| Circles (O-rings) | |
| Butterflies | |
| Solar Lights | |
| UTILITIES | |
| Water | |
| Electric | |

ADDITIONAL NOTES:

| PROJECT COST |
|--------------|
| Total: |
| Deposit: |
| Balance*: |

*does not include any additional fees.

PLEASE NOTE: This quote is good for 15 days from date signed and becomes an agreement once executed by the Customer. This agreement is contingent on supplier prices staying the same. **Due to COVID-19 and a low supply – high demand market, our vendors have advised us to let all our customers know that price increases MAY increase weekly. If this occurs, customers will be responsible for the difference in material cost.**

Item 2.



Comments

Add Comment

Item 2.

▼ **hmoccia**



03/31/2022 4:59 PM

The height of the fence around the pool can only be 4 ft, not 54", because the pool is located within the front setback of the property. Therefore, I need new plans which show the pool fencing will only be 4 ft.

Additionally, the Gator Strong Services document seems to show 2 pools getting new fencing. If this is the case, then you will need to get a second fence permit for the other Dry Dock Motel pool that is addressed to 201 Fayetteville. Since these pools are technically on 2 separate parcels, we need two permits.

Please email me confirming the height of the fence at 300 Lake Park Blvd. S. - haley.moccia@carolinabeach.org. And if you are doing the second pool off of Fayetteville, please apply for a second fence permit.

Best,

Haley

haley.moccia@carolinabeach.org

20

Close

Haley Moccia

From: Haley Moccia
Sent: Monday, March 13, 2023 9:43 AM
To: Deanna Lanni
Subject: RE: Dry Dock Fence

Hi Deanna,

Based off building code, the fence needs to be a minimum of 48" and since the pool is located within the front setback it can be no taller than 48". Therefore, the fence height will need to change to be 48". If you can modify the fencing material to bring it down to 48" inches, we would accept that, but either way it needs to be reduced. The posts can stay the same since our ordinance allows posts to be at most up to 18" above the fence.

Before any modification can occur, we will need new plans showing the fence will be 48" and the permit will need to be paid.

Best,

Haley

From: Deanna Lanni <deanna@reachprop.com>
Sent: Friday, March 10, 2023 5:42 PM
To: Haley Moccia <haley.moccia@carolinabeach.org>
Subject: Re: Dry Dock Fence

Be Advised: This email originated from outside of the Town of Carolina Beach, NC

Andrea Thomas was who I was originally going back and forth with. And I saw in all of her emails that I have gone back through that she had forwarded all of the codes to us, which I directly forwarded right to Gator Strong. They are definitely trying to deny responsibility here and I'm not sure what to do. These were the specs we received:

15A NCAC 18A .2528 FENCES

(a) Public Swimming pools shall be completely enclosed by a fence, wall, building, or other enclosure, or any combination thereof, which encloses the swimming pool area such that all of the following conditions are met:

(1) The top of the barrier shall be at least 48 inches above grade measured on the side of the barrier that faces away from the swimming pool. The maximum vertical clearance between grade and the bottom of the barrier shall be two inches measured on the side of the barrier that faces away from the swimming pool;

(2) Openings in the barrier shall not allow passage of a four-inch-diameter sphere and shall provide no external handholds or footholds. Solid barriers that do not have openings shall not contain indentations or protrusions except for normal construction tolerances and tooled masonry joints;

(3) Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is 45 inches or more, spacing between the vertical members shall not exceed four inches. Where there are decorative cutouts within the vertical members, spacing within the cutouts shall not exceed 1.75 inches in width;

(4) Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is less than 45 inches, the horizontal members shall be located on the swimming pool side of the fence. Spacing between the vertical members shall not exceed 1.75 inches in width. Where there are decorative cutouts within the vertical members, spacing within the cutouts shall not exceed 1.75 inches in width;

(5) Maximum mesh size for chain link fences shall be a 2.25 inch square unless the fence is provided with slats fastened at the top or the bottom that reduce the openings to no more than 1.75 inches;

(6) Where the barrier is composed of diagonal members, the maximum opening formed by the diagonal members shall be no more than 1.75 inches;

(7) Access gates shall comply with the dimensional requirements for fences and shall be equipped to accommodate a locking device. Effective April 1, 2011, pedestrian access gates shall open outward away from the pool and shall be self-closing and have a self-latching device except where a gate attendant and lifeguard are on duty. Gates other than pedestrian access gates shall have a self-latching device. Where the release mechanism of the self-latching device is located less than 54 inches from the bottom of the gate, the release mechanism shall require the use of a key, combination or card reader to open or shall be located on the pool side of the gate at least three inches below the top of the gate, and the gate and barrier shall have no openings greater than 0.5 inch within 18 inches of the release mechanism; and

(8) Ground level doors and windows opening from occupied buildings to inside the pool enclosure shall be self-closing or child protected by means of a barrier or audible alarm.

On Fri, Mar 10, 2023 at 4:48 PM Haley Moccia <haley.moccia@carolinabeach.org> wrote:

Hi Deanna,

Could you provide me with the County contact who told you it needed to be higher? Or any documentation from someone stating it needed to be the height it currently is?

Best,

Haley

-----Original Message-----

From: Deanna Lanni <deanna@reachprop.com>
Sent: Friday, March 10, 2023 4:44 PM
To: Haley Moccia <haley.moccia@carolinabeach.org>
Subject: Re: Dry Dock Fence

Be Advised: This email originated from outside of the Town of Carolina Beach, NC

Haley,

First of all I apologize on behalf of Dry Dock Inn. We are new at this business and did not realize we were responsible for pulling a permit for the pool fence from the Town of Carolina Beach, hence why I hired Gator Strong and thought that they were handling that with you- and it looks like they did start the permit process and were explicitly told it had to be 4'. I never saw that email till today. I in the meantime was working last year with the county who had come by and told us that our current fence did not meet code and would not pass county inspection and therefore would not be able to open on time if we didn't have a taller fence, not realizing it was already at the required height for the Town of Carolina Beach. So as it stands now, if we lower the fence we won't pass inspection for the county to open the pool because then it will not meet the height requirements again- is there anything we can do??

Sent from my iPhone

> On Mar 10, 2023, at 2:16 PM, Haley Moccia <haley.moccia@carolinabeach.org> wrote:

>
> Here are all the communications I have about the fence height.

>
> Best,

>
> Haley

>
> -----Original Message-----

> From: Danny Vulin <danny@gator-strong.com>
> Sent: Friday, April 1, 2022 10:04 AM
> To: Haley Moccia <haley.moccia@carolinabeach.org>
> Subject: Re: Dry Dock Fence

>
> Be Advised: This email originated from outside of the Town of Carolina Beach, NC

>
>
>
> Thank you

>

> Sent from my iPhone

>

>> On Apr 1, 2022, at 9:44 AM, Haley Moccia <haley.moccia@carolinabeach.org> wrote:

>>

>> Hi Danny,

>>

>> I couldn't find any exceptions in our ordinances to allow over 4 ft, but I will wait until Jeremy is back from Vacation next week to ask him if he is aware of anything. I'll let you know what I find out early next week.

>>

>> Best,

>>

>> Haley

>>

>> Haley Moccia

>> Planner

>> Town of Carolina Beach

>> 1121 N. Lake Park Blvd.

>> Carolina Beach, NC 28428

>> 910-707-2042

>> www.carolinabeach.org

>>

>>

>>

>> ** Please submit all permit applications, plans,

>> and additional materials to permits@carolinabeach.org **

>>

>> -----Original Message-----

>> From: Danny Vulin <danny@gator-strong.com>

>> Sent: Friday, April 1, 2022 8:49 AM

>> To: Haley Moccia <haley.moccia@carolinabeach.org>

>> Subject: Dry Dock Fence

>>

>> Be Advised: This email originated from outside of the Town of Carolina Beach, NC

>>

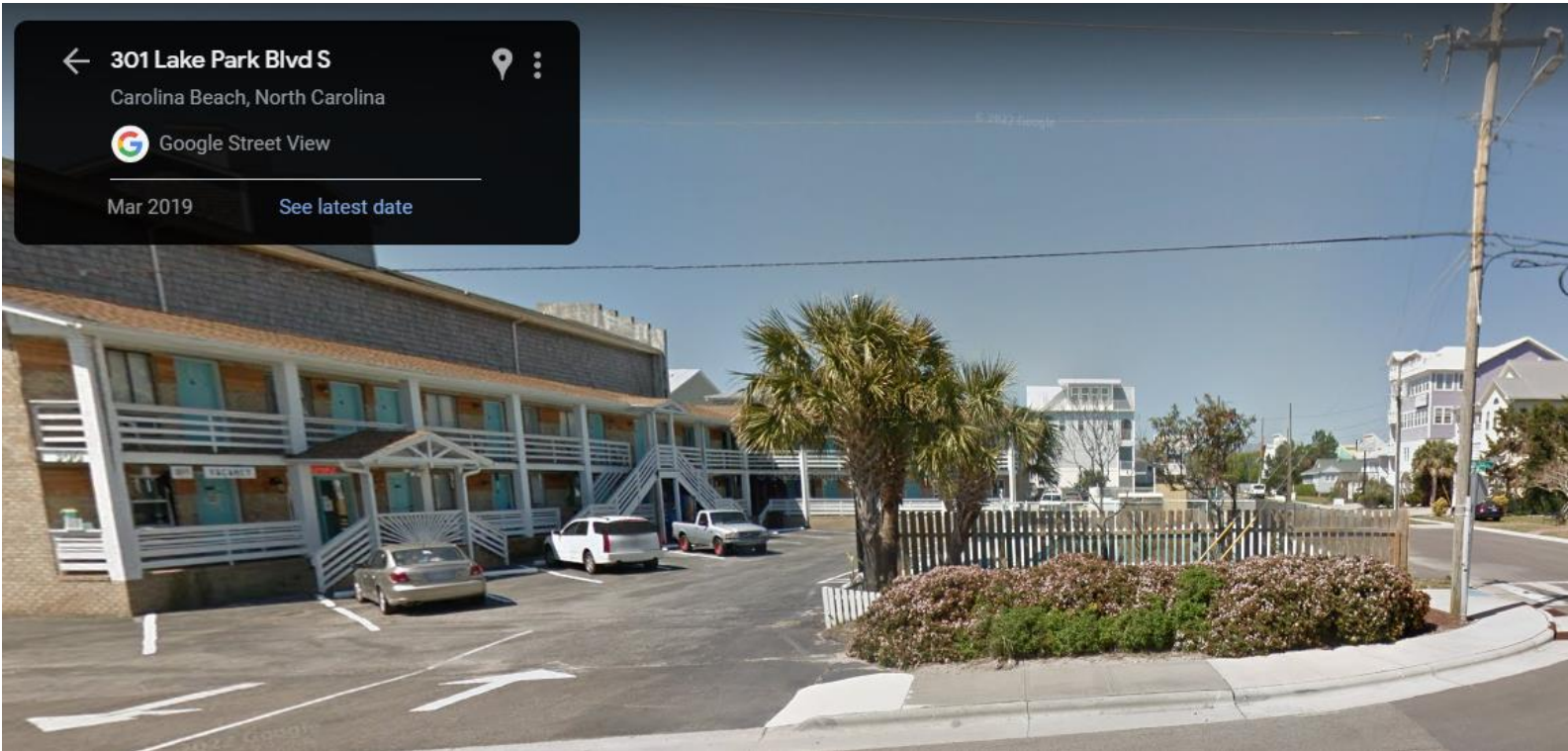
>>

>>

>> Can you please give me a call about this. 910-619-0039 thank you

>>

>> Sent from my iPhone





2019 Fencing Compared to Brick Pump House



Current Fencing Compared to Brick Pump House





2019 Fencing:



Current Fencing:

