

1121 N. Lake Park Blvd.
Carolina Beach, NC 28428
Phone (910) 458-2999
Fax (910) 458-2997



Permit # _____

TOWN OF CAROLINA BEACH FENCE PERMIT 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. **For questions and Final Inspection, please call (910-707-2042) (\$50 Zoning Fee applies - payment due at time of permit pick-up)**

Project Location _____

Property Owner _____

Property Owner Address (if other than project location) _____

Property Owner Phone # _____

Applicant (if other than property owner) _____

Applicant's Address (if other than property owner) _____

Applicant's Phone # _____

Contact person for project _____ Phone # _____

Email Address _____

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

Residential _____ Commercial _____ Height of fence/structure _____ ft. Construction Cost \$ _____

NOTE: Fill dirt is NOT allowed to be used to build up the height of a fence.

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 _____ Date Submitted _____

Signature of owner or authorized agent _____

***** SUBMIT PERMIT INFO TO: permits@carolinabeach.org *****

Sec. A. Purpose.

All fences shall be considered *structures* as defined in this ordinance. This ordinance provides standards for the erection, construction, location, and maintenance of fences and ensures that hazardous or nuisance situations do not result from said erection, construction, location or maintenance; and, furthermore, the provisions of this ordinance shall be applicable to all fences constructed on property located within the municipal limits of the town.

Sec. B. Permitted location of fences.

Fences are permitted in the required setbacks *subject to the provisions provided herein*. All fences shall be located at least 36" from fire hydrants. Fences may be erected on the property line at the property owner's risk. No "as built" surveys are required by the town for fences.

Sec. C. Location of fences to prevent hazardous traffic situations.

No fence shall be erected in any location that interferes within a sight distance triangle of motorists utilizing public or private roadways. A sight distance triangle shall be the visually unobstructed area of a street/driveway corner as determined by measuring a distance of thirty (30) feet along the intersecting curblines, or edges of pavement of the intersecting street/driveway if curbs are not present, and connecting the two (2) points by a straight line to form a triangular shaped area over the corner.

Sec. D. Height restrictions.

(1) Measurement

- (a) Height shall be measured at the highest point, not including columns or posts, after any fill or grading to the site. The point of measurement shall be along the outside of the fence adjacent to the abutting property. If the fence is adjacent to a right-of-way the height shall be measured from the grade at the right-of-way line.
- (b) Columns or post shall not extend more than eighteen (18) inches above the built height of the fence. Columns or posts shall be separated by a horizontal distance of at least four (4) feet, except at gates.
- (c) Any retaining wall or berm below the fence shall be considered as part of the overall height of the fence. Bulkheads that are adjacent to estuarine waters are exempt from this regulation

(2) With the exception of fences located in the industrial zoning district no fence shall exceed six (6) feet in height.

(3) No fence shall exceed four (4) feet in height when located in the front yard setback.

(4) Exemptions: Town facilities, utilities, and all uses specifically identified as having an allowance for fencing exceeding (6) feet shall be exempt from the height requirements provided herein.

Sec. E. Zoning permit required for all fences.

No fence shall be erected by any person until a permit for same has been issued by the *UDO administrator*. A building permit shall also be required for all fences exceeding six (6) feet in height. Properties located in an Area of Environmental Concern (AEC) require a CAMA permit. Sand fences and silt fences are exempt from these permit requirements.

Sec. F. Maintenance required.

All fences shall at all times be kept in good repair. If at any time a fence should become unsafe or poorly maintained, the *building inspector* or code enforcement officer shall notify the owner of such condition, and upon failure of the owner to correct such situation within a thirty-day period, the *building inspector* or code enforcement officer shall take appropriate legal action to have such fence(s) repaired or removed.

Sec. G. Construction standards.

All fences permitted in all districts shall meet the structural requirements of the North Carolina State Building Code and other wind resistant construction requirements that may be specified or suggested by the *building inspector*. Fences shall be constructed so that the finished (sheathed) side is oriented toward adjoining *lots* or the public right-of-way.

Sec. 3.6G. Fencing for outdoor swimming pools is required.

- (1) Private swimming pools: All outdoor *private swimming pools* shall be enclosed by a fence or other permanent *barrier* which discourages climbing and is designed so as to minimize the possibility of unauthorized or unwary persons entering the pool area. Entrances through the *barrier* shall be provided with self-closing gates having simple positive self-latching closure mechanisms with hardware provided for padlocking. The *barrier* shall not be less than forty-eight (48) inches in height above the adjacent ground surface outside the *barrier*. Fencing will be required around all sides of the swimming pool. All private swimming pool enclosures shall be completely installed within thirty (30) days of the pool completion.

- (2) Swimming pool setbacks. For the purpose of this ordinance, setbacks provided herein shall also be applicable to private hot tubs.
 - a) Setbacks for swimming pools less than 30 inches above the ground level of the graded lot:
 - i) Front setback: As required for the zoning district
 - ii) Side setback: Five (5) feet
 - iii) Corner setback: 7.5 feet
 - iv) Rear setback: Five (5) feet
 - b) Setbacks for swimming pools more than 30 inches above the ground level of the graded lot:
 - v) Front setback: As required for the zoning district
 - vi) Side setback: Five (5) feet
 - vii) Corner setback: 7.5 feet
 - viii) Rear setback: Five (5) feet

Sec. 10.9. Non-conforming fences.

Fences erected before adoption of this section, which violate the provisions of this article, shall be considered non-conforming. If more than 50% of a non-conforming fence is destroyed or removed for any reason, then only that portion of the fence shall comply with the provisions of this article.