



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

**ZONING APPLICATION/FINAL SIGN OFF - Fence**

(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.**

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 # \_\_\_\_\_

**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 \_\_\_\_\_ ft. Location of fence/structure \_\_\_\_\_

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 \_\_\_\_\_

**For Office Use Only**

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**Zoning Administrator's Approval**

Height of structure (fence, shed) \_\_\_\_\_ ft. Sq. ft. of structure \_\_\_\_\_

Location (fence /structure) \_\_\_\_\_

Approved by \_\_\_\_\_ Date \_\_\_\_\_

**Zoning Administrator's Notes:**

\_\_\_\_\_  
\_\_\_\_\_

Zoning Fee \$ \_\_\_\_\_

Permit Fee \$ \_\_\_\_\_

**ARTICLE 10. FENCE REGULATIONS\***

\*Editor's note: Article 10, Fence Regulations of the Town of Carolina Beach (adopted as Ordinance No. 92-306 on December 12, 1992, and subsequently amended) is hereby incorporated into this zoning ordinance as Article 10.

**Sec. 10.1. Purpose.**

Fences include structures and landscaping materials used as buffers, enclosures, boundaries or barriers. This ordinance provides standards for the erection and maintenance of all fences constructed on property located within the municipal limits of the town to ensure the adequate provision of required buffers and to ensure that hazardous or nuisance situations do not result from such erection and maintenance of fences. (Ord. No. 00-463, 10-10-00)

**Sec. 10.2. Location of fences to allow maintenance.**

No fence shall be erected in any location that prohibits the owner of the property on which said fence is erected from having access, for maintenance purposes, to all sides of such fence. (Ord. No. 00-463, 10-10-00)

**Sec. 10.3. Location of fences to prevent hazardous traffic situations.**

In order to maintain an acceptable and safe line of sight for motor vehicle drivers, no fences shall be permitted within a sight distance triangle. 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 curb lines, 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. (Ord. No. 00-463, 10-10-00)

**Sec. 10.4. Buffers (required fences).**

Where zoning district regulations require the erection and maintenance of a fence as a buffer, such buffer shall be constructed to the following standards:

- (a) Structural fences. Structural materials installed to meet buffer requirements shall provide one hundred (100) percent opacity.
- (b) Landscaped fences. Landscaping materials installed to meet buffer requirements shall be installed at an initial height of not less than four (4) feet, with an initial opacity of sixty (60) percent. These materials shall be of such a type or species to grow to a height of six (6) feet and provide eighty (80) percent opacity within two (2) years after the date of installation.
- (c) [Eighty (80) percent opacity.] A combination of items (a) and (b) above which exceeds eighty (80) percent opacity at the time of construction and planting.

**10.4.1 Height restrictions.**

The following height restrictions shall apply to fences to be erected with said height being measured from ground level to the top of the fence. All residential zoning districts,

- a. Side lot lines from the building setback line to the rear property line, and the rear property line equals six (6) feet.
- b. Side lot line from the street right-of-way line to the building setback line, and front property line equals four (4) feet and not more than sixty (60) percent opacity.
- c. Exceptions to subsection b. above:
  - 1. Where extended height is needed to provide visual barrier to the public view as applicable to utilities and services (i.e., pump house, trash containers) as determined by the building inspector.
  - 2. Where a perimeter development fence is utilized to define a total development as determined by the building inspector.
  - 3. All other zoning districts:

- i. Side lot lines from the building setback line to the rear property line, and the rear property line equals eight (8) feet.
- ii. Side lot line from the street right-of-way line to the building setback line, and front property line equals four (4) feet.

For fences exceeding the following height restrictions, a conditional use permit shall be required; fences intended solely for enclosure of tennis courts shall be exempt from the maximum height requirements of this section.

TABLE INSET:

Zoning District	Height of Fence
Residential Districts (building setback line to the rear property line)	Six (6) feet
Residential Districts (street right-of-way line to the building setback line)	Four (4) feet
MB-1, NB, HB	Six (6) feet
CBD, MX	Six (6) feet

(Ord. No. 00-463, 10-10-00)

**Sec. 10.5. Building permit required for all fences.**

No fence shall be erected by any person until a permit for same has been issued by the building inspector. (Ord. No. 00-463, 10-10-00)

**Sec. 10.6. 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.

(Ord. No. 00-463, 10-10-00)

**Sec. 10.7. 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.(Ord. No. 00-463, 10-10-00)

**Sec. 10.8. Fencing for outdoor swimming pools is required.**

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. All private swimming pools shall have a walk or deck around the entire perimeter of the pool of a minimum of three (3) feet of unobstructed clear distance.

Public swimming pools: All outdoor swimming pools shall be enclosed by fencing and contain adequate walk or deck around the pool perimeter in compliance with New Hanover County Health Department standards (rules governing swimming pools 15A-NCAC 18A .2500).

(Ord. No. 00-463, 10-10-00)