

From: Terry Wyckoff Phixital@outlook.com  
Subject: Fwd: Private Pickle Ball Court  
Date: August 3, 2021 at 11:57 AM  
To: Kelly Wyckoff barkoff6559@icloud.com

Sent from my iPhone

Begin forwarded message:

From: Chris Conway <daddyboats@att.net>  
Date: August 3, 2021 at 11:07:14 AM EDT  
To: phixital@outlook.com  
Subject: Private Pickle Ball Court  
Reply-To: Chris Conway <daddyboats@att.net>

To whom it may concern,

I am writing to address the subject of the pickle ball court located at 209 Peninsula Drive, Carolina Beach, NC 28428. I would like to voice my support for the private pickle ball court and believe that it is an enhancement to the neighborhood and preferred use of the property.

Chris Conway

262 Silver Sloop Way  
Carolina Beach, NC 28428  
910.538.1225

**From:** Kelly Wyckoff barkoff6559@icloud.com  
**Subject:** Re: Email regarding the private pickle ball court on Peninsula Drive  
**Date:** August 3, 2021 at 2:20 PM  
**To:** Terry Wyckoff Phixitall@outlook.com

Thats awesome! Thanks for sharing . I will email her and thank her!

Sent from my iPhone

On Aug 3, 2021, at 1:51 PM, Terry Wyckoff <Phixitall@outlook.com> wrote:

Sent from my iPhone

Begin forwarded message:

**From:** Margaret Mensch <maggie\_mensch@icloud.com>  
**Date:** August 3, 2021 at 1:31:48 PM EDT  
**To:** phixitall@outlook.com  
**Subject:** Email regarding the private pickle ball court on Peninsula Drive

Hello There-

I wanted to begin by saying that I am so appreciative to have the opportunity to lend my opinion to this matter- As a member of the Carolina Beach community for 13 years, I have watched many wonderful things happen here. As a group we are so strong and able to come together in times of need for our neighbors- even strangers- It makes me so proud to live here.  
In regards to the pickle ball court on Peninsula Drive-

One of our generous neighbors has created a space to encourage gathering and relationship building- It seems to me that we should encourage this rather than make it more difficult. Mr. Wyckoff and his wife have been open about their hope that all will come and use the space, including the private pickleball court, to begin to work on community development and connection. I feel very strongly that when we have those type of spaces in this community it helps all of us feel more connected and willing to help each other.

Please allow them to continue with the work on the court and encourage them to continue their generosity and love in this community.

Thank you for your time-

Maggie Mensch  
262 Silver Sloop Way

**From:** Terry Wyckoff Phixital@outlook.com  
**Subject:** Fwd: Lot  
**Date:** August 5, 2021 at 11:45 AM  
**To:** Kelly Wyckoff barkoff6559@icloud.com



Sent from my iPhone

Begin forwarded message:

**From:** Brent Cousins <bcousins51@icloud.com>  
**Date:** August 5, 2021 at 11:30:45 AM EDT  
**To:** Terry Wyckoff <Phixital@outlook.com>  
**Subject:** Lot

To Whom it may Concern:

I am a property owner within 500 ft of Terry Wyckoff's Peninsula Dr lot. Based on his proposed improvements to the lot, I have no objection to a pickleball court being located there. I have known Mr Wyckoff for several years and have no doubt that he will build and maintain this in a first class manner.

Thank you.  
Brent and Cindy Cousins  
102 Teakwood Dr  
Carolina Beach  
919-618-5653  
[bcousins51@icloud.com](mailto:bcousins51@icloud.com)

**From:** Terry Wyckoff Phixitall@outlook.com  
**Subject:** Fwd: August 14th Pickle court meeting (Stewarts 201 Peninsula Dr)  
**Date:** August 5, 2021 at 10:22 AM  
**To:** Kelly Wyckoff barkoff6559@icloud.com

Sent from my iPhone

Begin forwarded message:

**From:** Terry Wyckoff <Phixitall@outlook.com>  
**Date:** August 5, 2021 at 10:10:10 AM EDT  
**To:** jstewart@midatlanticdrilling.com  
**Subject:** Re: August 14th Pickle court meeting (Stewarts 201 Peninsula Dr)

Thank you  
Terry Wyckoff

Sent from my iPhone

On Aug 5, 2021, at 6:14 AM, jstewart@midatlanticdrilling.com wrote:

Mr. Wyckoff

Thank you for taking the time out to schedule a meeting with the neighbors to discuss the pickle court,

unfortunately we are unable to attend the meeting on August 14<sup>th</sup>, but please accept this email as an acceptance to the addition you have provided to our neighborhood. In my opinion it adds value and character to Pleasure Cay and we appreciate your kindness in sharing this with all of us.

Let me know if you need any further information at this time – Sincerely the Stewarts  
201 Peninsula Dr Carolina Beach

**Thanks so much!**

**Jennifer A Stewart**

**Jennifer A Stewart-President**

Mid-Atlantic Drilling, Inc. <img alt="envelope icon" data-bbox="358 618 398 632"/>  
(DBE/WBE business in NC, SC, GA, & VA)

**PO Box 315**

**Carolina Beach NC 28428**

**[www.midatlanticdrilling.com](http://www.midatlanticdrilling.com)**

**(910) 458-5020 (o)**

**(910) 458-9136 (f)**

**(910) 619-2335 (c)**

From: Terry Wyckoff [Phixitali@outlook.com](mailto:Phixitali@outlook.com)  
Subject: Fwd: Propose Private Pickle Ball Court  
Date: Aug 10, 2021 at 12:41:35 PM  
To: Kelly Wyckoff [barkoff6559@icloud.com](mailto:barkoff6559@icloud.com)

Sent from my iPhone

Begin forwarded message:

From: Alejo J Cruz <[ual312@aol.com](mailto:ual312@aol.com)>  
Date: August 10, 2021 at 11:05:44 AM EDT  
To: [phixitali@outlook.com](mailto:phixitali@outlook.com)  
Subject: Propose Private Pickle Ball Court  
Reply-To: Alejo J Cruz <[ual312@aol.com](mailto:ual312@aol.com)>

Hello Terry,

We received your notice dated August 1st regarding the proposed private pickle ball court at 209 Peninsula Dr, Carolina Beach and the notice of the public meeting to be held on August 14, 2021 from 8:30 to 9:00 am. We are neighbors and live across from your house at 1542 Island Marina Dr.

Unfortunately, we will be out of town on the date of the meeting but we wanted to make sure you knew our thoughts on the proposal. We are completely in favor of the project and are extremely happy that you have chosen to make this available to our community/neighborhood. You and your family are very generous to undertake this endeavor at your own expense and it is clearly something that will enhance our community even more. The community garden that you established on the same lot prior to this new project was well received and is proof of how a neighborhood can come together for the benefit of all. I also want to say how much we appreciate your efforts to keep us informed of your plans for the pickle ball court and your solicitation of feedback from your neighbors.

We wish you the best of luck in obtaining the necessary permissions from the City of Carolina Beach and if you need additional support please do not hesitate to ask.

Respectfully,

Alejo and Barbara Cruz  
1542 Island Marina Dr  
Carolina Beach, NC 28428  
[ual312@aol.com](mailto:ual312@aol.com)

From: Terry Wyckoff Phixitall@outlook.com  
Subject: Fwd: Private Pickle Ball Court on Peninsula  
Date: Aug 13, 2021 at 8:46:54 AM  
To: Kelly Wyckoff barkoff6559@icloud.com

Sent from my iPhone

Begin forwarded message:

From: Sherry Clinard <[sherry@telexpressinc.com](mailto:sherry@telexpressinc.com)>  
Date: August 13, 2021 at 8:41:02 AM EDT  
To: [phixitall@outlook.com](mailto:phixitall@outlook.com)  
Subject: Private Pickle Ball Court on Peninsula

To Whom it May Concern:

I am writing this letter in regards to the Private Pickle Ball Court on Peninsula at Carolina Beach. Unfortunately I will not be in town for the meeting being held tomorrow morning, but I wanted to add my input.

I am a home owner in Harbour Point, which sits behind Peninsula Dr. (1528 Island Marina Drive)

Over the last several months of 2021, I have greatly enjoyed watching the progress that has been made on the lot where the pickle ball court now resides. The transformation from an empty lot to what now houses a beautiful vegetable and flower garden, and the new pickle ball court, has been magnificent. What a generous and incredible gift the Wyckoffs have given the neighborhood. And what a great sense of community pride and spirit this offers to us all. I have been fortunate to meet new neighbors as I have walked or rode by to check on the progress. As I have run into these new friends also checking on the progress, everyone seems to have such an enthusiastic attitude towards this masterpiece that has been created. I have not heard of any negative responses.

I ask that the city of Carolina Beach please allow zone permitting to take place so

that we all can continue to enjoy the garden, and be able to finally start enjoying the pickle ball court that we all have been anxiously awaiting.  
If noise is a large concern for the permit, could we designate certain hours that are only allowable for play?

I think we all agree, please let's raise the Net!

**Sherry Clinard**

1528 Island Marina Dr  
Carolina Beach, NC

336-442-2365 mobile  
sherry@telexpressinc.com

From: Terry Wyckoff Phixitall@outlook.com  
Subject: Fwd: Pickle Court 209 Peninsula Drive  
Date: August 13, 2021 at 7:09 PM  
To: Kelly Wyckoff barkoff6559@icloud.com

TW

Sent from my iPhone

Begin forwarded message:

From: Bryson Faggart <brysonwf@gmail.com>  
Date: August 13, 2021 at 7:04:18 PM EDT  
To: phixitall@outlook.com  
Subject: Re: Pickle Court 209 Peninsula Drive

Resending this message because I will be unable to make the Saturday August 14th 2021 meeting.

We still like the pickleball court.

On Fri, Jun 11, 2021, 3:19 PM Bryson Faggart <brysonwf@gmail.com> wrote:  
Bryson Faggart & Kaitlyn Henderson  
220 Peninsula Dr, Carolina Beach, NC 28428  
Owners since 2018

We like the pickle court.

Notable factors:

- Pickle Court is within viewing distance of my property.

Thanks!  
Bryson Faggart  
brysonwf@gmail.com  
910 227 9766 (910-2-BRYSON)



On Fri, Aug 13, 2021, 4:02 PM Anne Fore <[annedfore@gmail.com](mailto:annedfore@gmail.com)> wrote:  
To all Homeowners in Pleasure Cay -

First, we would like to apologize if this email does not apply to you. We are working off an old email list. Also, if you know of anyone who is new to the area and interested in preserving the covenants of our community, please pass this along to them.

We live on Peninsula Drive and are members of the Pleasure Cay HOA. We understand that there are Pleasure Cay homeowners that do not know about the pickleball court or are unaware that there is a meeting tomorrow morning.

There is a public meeting concerning a non-permitted pickleball court at 209 Peninsula Dr. This court was built without approval from the HOA and without approval from the city. The owners are currently in-process of obtaining a conditional use permit from the city. The conditional use permit is required because pickleball courts are not normally allowed to be built within a residential neighborhood. We understand that the courts generate excessive noise that greatly exceeds the town's noise limits.

The pickleball court violates the single-family home restriction of Pleasure Cay's restricted covenants which will expose all owners to future violations. There are additional rules that are likely to be broken such as signage and fencing rules. Once these rules are exempted for one person, they will be more difficult to enforce against other parties.

This pickleball court has already been shared on various social media platforms as a "community" court that is open for anyone to attend. During the first meeting there were representatives from other neighborhoods who stated there were lots of people in their community who are anxious for this court to open. A typical pickleball game is played by four people often with others watching, and it's currently the "fastest growing sport" in the US. This will lead to increased traffic in and out of the neighborhood by people who are not normally in our neighborhood. Furthermore, the only parking available is street parking, which is already limited in the cul-de-sac area. The city has multiple pickleball courts for citizens to play pickleball, there is no reason to transition those people into our neighborhood because they prefer to play at a waterfront court.

The value and rights of the properties adjacent to the court are at risk (which will reflect poorly on all homes in the Pleasure Cay neighborhood). These properties need support to maintain the covenants and their rights.

## Protecting Pleasure Cay

### Pleasure Cay Board of Directors –

We are very concerned about the pickle ball court that has been illegally constructed at 209 Peninsula Drive. Specific concerns include noise, traffic, parking, and reduced value of our property. Mr. Wyckoff appears to have intentionally circumvented the Declaration of Restrictions for Pleasure Cay as well as the building permit process of the Town of Carolina Beach.

Mr. Wyckoff has not followed the set rules and guidelines. We understand that there are five steps to approval:

1. Must comply with the restrictions of the Pleasure Cay Homeowners Association. By way of purchasing 209 Peninsula Drive, Mr. Wyckoff has knowledge of the covenants.
2. A community meeting. It is our understanding that this requires a two-week notice. Mr. Wyckoff held such a meeting on June 14<sup>th</sup> after sending out notices postmarked June 11<sup>th</sup>. He is now planning to hold another community meeting on Saturday, August 14<sup>th</sup> at 8:30 am on the property. Members of the Board need to attend this meeting.
3. Technical Review Meetings are required by the Town of Carolina Beach to get answers to possible issues. We understand that on July 15<sup>th</sup> a technical review meeting was held concerning the pickleball court. The meeting was specifically for Mr. Wyckoff to answer questions, but he did not attend the meeting. Several concerned homeowners attended the meeting and were asked for input but could not speak for Mr. Wyckoff since they did not know the details of his plans. Possible questions to be answered included proposed drainage, lighting, hours of operation, proposed ADA requirements, toilets, increased traffic, parking, Pleasure Cay covenant violations, and most important, noise from (and potential mitigation for) both the paddles contacting the pickleballs and the participants and spectators yelling. The Town needs to reschedule this meeting.
4. Planning and Zoning Commission meeting where the public can comment. The pickleball court was to be a topic on the agenda during the meeting scheduled on August 12<sup>th</sup>. Since Mr. Wyckoff did not send out timely notification for the community meeting and did not attend the Technical Review Meeting, we understand that this item was removed from the agenda of the August meeting.
5. Town Council meeting. The pickleball court was to be a topic on the agenda during the meeting scheduled for September 14<sup>th</sup>. Once again, this may have been postponed.

Although the pickleball court is now being described as "private", word has apparently spread via FaceBook and other social media that there will be a new public pickleball

court at this location. From what we understand, "private" just means that the land is owned by an individual, but that it

still may be open to public use. We would like to know the definition of private, who would have use of the court, and who will be monitoring it.

If the pickleball court is allowed, it is obvious that the Town Council members have no respect for the Pleasure Cay covenants, specifically the single family one- or two-story housing restrictions. This means that homeowners could, in theory, construct a duplex or other form of multi-family housing or rental unit. Note that duplexes were allowed in the original Declaration of Restrictions.

Another issue is a fence. There will probably be a proposed fence around the pickleball court. We have read that for noise reduction there should be an acoustical engineered fence around the court. The height would probably exceed both the Pleasure Cay covenants and the Town of Carolina Beach, both of which have a maximum fence height of 6'. In addition, the Declaration of Restrictions for Pleasure Cay Subdivision state that no fence shall be located nearer the front lot line than the rear corners of the house constructed on the lot. This would mean that a fence around the pickleball court would not be allowed.

When the condominiums were built across from the cul-de-sac, there was a great increase in traffic. The access was barricaded to stop this. Now, if the pickleball court is allowed, we are voluntarily increasing traffic. And with a potential for eight or more vehicles at any and all times, parking will definitely be an issue.

The road at 209 Peninsula has been compromised. It appears that it was due to utility lines run under the road to support the activities on the property. The road has not been repaved and, with the current rains, has developed large potholes. This needs to be addressed.

We would like to know what the current and/or previous Board of Directors have done in connection with the use of this property. Has anyone communicated with Mr. Wyckoff pertaining to the covenants and his intended use of the property? It appears, based on an email that I received from Vinson Lutheran telling me he thinks that I should mind my own business, that some or all members of the previous Board had some communication with Mr. Wyckoff.

If Mr. Wyckoff is allowed to continue, we feel that there is a high probability that the HOA will be facing an expensive lawsuit by homeowners in Pleasure Cay and/or adjacent communities who will also be subjected to the noise from the pickleball court.

We believe that the BoD needs to support the community by 1) contacting Mr. Wyckoff to determine the actual proposed plan; 2) ensuring that, prior to any further meetings, everyone in Pleasure Cay has knowledge of the potential consequences of having a pickleball court in their neighborhood (including noise and traffic), and; 3) attending the four listed meetings to oppose the change of zoning from single family housing.

We understand that the information on this meeting was not widely publicized, although potential lawsuits and property value would impact everyone in the community. If you want further information on the pickleball court, please try to attend this meeting.

Additional Information is provided in the attachment.

Donald and Anne Fore

From: Terry Wyckoff Phixitall@outlook.com  
Subject: Fwd: 209 Peninsula Drive  
Date: August 14, 2021 at 10:58 AM  
To: Kelly Wyckoff barkoff6559@icloud.com

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Sent from my iPhone

Begin forwarded message:

From: Bonnie Quattlebaum <bonnieq214@gmail.com>  
Date: August 14, 2021 at 8:50:24 AM EDT  
To: phixitall@outlook.com  
Subject: 209 Peninsula Drive

We think the pickle ball court at the above address is a great addition to our community. The Wyckoff's have generously provided their lot for the enjoyment of the neighborhood and we agree to whatever is needed to proceed.

Karl and Bonnie Quattlebaum  
214 Peninsula Drive  
Carolina Beach

Sent from my iPhone