

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