

From: [Deb Hill](#)
To: [Ani Paval](#)
Cc: [Rogers Bay Office](#); [Kate Winzler](#)
Subject: RE: § 10.02.01 DEVELOPMENT WITHOUT A PERMIT 4021 Island Dr Lot 15G Oar St
Date: Monday, July 22, 2024 8:14:00 PM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)

As I stated, I am unable to approve your request.
You may ask the Rogers Bay Board if they would consider applying for a text amendment.
They can have the manager apply online. The fee is \$500.00 to request the text amendment.

Deborah J. Hill MPA AICP CFM CZO
Planning Director & Zoning Administrator
Town of North Topsail Beach
2008 Loggerhead Ct.
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dhill@northtopsailbeachnc.gov



From: Ani Paval <anetapaval@yahoo.com>
Sent: Monday, July 22, 2024 4:51 PM
To: Deb Hill <dhill@northtopsailbeachnc.gov>
Subject: Re: § 10.02.01 DEVELOPMENT WITHOUT A PERMIT 4021 Island Dr Lot 15G Oar St

Ms. Hill,
I applied for another permit for the fence to change the existing fence into a different one which is acceptable to NTB, for example a shadowbox fence. Or, could you tell me how this solid fence can be changed not to be considered solid? What do I need to do to have this permit approved?

Best Regards,
Aneta Paval

On Friday, July 19, 2024 at 02:22:52 PM EDT, Deb Hill <dhill@northtopsailbeachnc.gov> wrote:

Rogers Bay Manager: please forward to your board members.

Mrs. Paval: my recommendation is for you to request your Rogers Bay Board Members if they would consider submitting an application for a text amendment to 4.03.11 to be reviewed by the Planning Board and a decision be determined by the Board of Aldermen. Otherwise, I am unable to approve your fence application in a B-1 zone for Travel Trailer Park site.

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From: Deb Hill
Sent: Friday, July 19, 2024 2:13 PM
To: Ani Paval <anetapaval@yahoo.com>
Cc: Rogers Bay Office <rogersbayoffice@embarcmail.com>; Kate Winzler <kwinzler@NORTHTOPSAILBEACHNC.GOV>; Ralph Allen <rallen@NORTHTOPSAILBEACHNC.GOV>; Chad Soward <csoward@NORTHTOPSAILBEACHNC.GOV>
Subject: RE: § 10.02.01 DEVELOPMENT WITHOUT A PERMIT 4021 Island Dr Lot 15G Oar St

Rogers Bay Manager: please forward to your board members.

Mrs. Paval: I am aware that there are fences throughout Rogers Bay Campground, none that have been recently permitted since we've used CitizenServe. I'll ask Kate if she will check also. I do not know if they obtained permits at the time or not.

Please find attached the guidelines for § 4.03.11 OPERATING STANDARDS FOR EXISTING TRAVEL TRAILER PARKS. § 4.03.11 (H)(1) lists the attachments or improvements permissible.

- a. Any addition built into the travel trailer by the manufacturer...
- b. Decks...
- c. Storage sheds...
- d. Landscaping and vegetation which does not interfere with the immediate removal of the travel trailer.

The use standards for fences are

§ 4.03.07 FENCES.

Ornamental fences not over four feet high may project into or may enclose any front or side yard, and fences enclosing rear yards may be six feet high. **In nonresidential districts, an open fence through which clear vision is possible from one side to the other on a horizontal plane, and such openings occupy 50% or more of the area of the fence, may be erected in the rear yard to a maximum height of ten feet.** Fences intended solely for enclosure of tennis courts, batting cages or other similar structures shall be exempt from the maximum height requirements of this section. In no event shall any electrified or barbed wire fence be erected or retained. Fences must be maintained in sound condition such that they are fully standing. No fence shall be erected in any location that interferes with the line-of-sight of motorists using public or private roadways. A zoning permit must be obtained from the Zoning Administrator for any fence erected in the town.

(Ord. passed 11-2-2011)

Roger's Bay is in a non-residential district, B-1. Individual sites are not considered yards.

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From: Ani Paval <anetapaval@yahoo.com>
Sent: Friday, July 19, 2024 1:23 PM
To: Deb Hill <dhill@northtopsailbeachnc.gov>
Subject: Re: § 10.02.01 DEVELOPMENT WITHOUT A PERMIT 4021 Island Dr Lot 15G Oar St

What do you mean if it can even be permitted? I have seen a lot of white vinyl fences and wooden fences in the campground. My fence is a simple fence from Lowe's and no different than any other fence here.

On Friday, July 19, 2024 at 01:12:21 PM EDT, Deb Hill <dhill@northtopsailbeachnc.gov> wrote:

Before you go to that expense, let me check and see if it's even something that can be permitted

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From: Ani Paval <anetapaval@yahoo.com>
Sent: Friday, July 19, 2024 12:46:50 PM
To: Rogers Bay Office <rogersbayoffice@ambermail.com>; Deb Hill <dhill@northtopsailbeachnc.gov>
Cc: Kate Winzler <winzler@northtopsailbeachnc.gov>
Subject: Re: § 10.02.01 DEVELOPMENT WITHOUT A PERMIT 4021 Island Dr Lot 15G Oar St

The permit is for 14G Oar St, not 15G Oar St.

I already called several engineers to ask for a V-zone certification. In the alternative, I submitted a picture of a white vinyl shadowbox fence.

Best Regards,
 Aneta Paval

On Friday, July 19, 2024 at 12:14:15 PM EDT, Deb Hill <dhill@northtopsailbeachnc.gov> wrote:

Rogers Bay Manager: please forward email to your Board members. I request that they encourage Ms. Paval to comply with § 4.03.11 OPERATING STANDARDS FOR EXISTING TRAVEL TRAILER PARKS.

Mrs. Aneta Paval: I hope that the information in this email answers any questions you may have. If not, feel free to contact me directly.

As of 7/19/2024, no permit has been issued for [FNC24-000008](#), as your application is incomplete. The Permit Specialist advised you on 7/19/2024 that, "The uploaded fence panel image appears to be a solid-board fence. Per <https://www.northtopsailbeachnc.gov/buildinginspections/page/fencegate-application> if the proposed fence is solid, or is prone to trapping debris: V-Zone Certificate prepared by a qualified registered design professional demonstrating no harmful diversion of floodwaters or wave runoff and wave reflection that would increase damage to adjacent buildings and structures."

PERMIT PROJECT
 FILE #: 24-000633
 4021 ISLAND DR LOT 14G OAR NORTH TOPSAIL BEACH NC 28460
 BUILDING A WHITE SOLID-BOARD PRIVACY FENCE 6FT TALL AND 18FT LONG ON 14G OAR STREET NORTH TOPSAIL BEACH NC 28460

PERMITS REVIEWS INSPECTIONS DOCUMENTS VIOLATIONS CONTACTS ACTIVITIES NOTES FILE FEES

ROUTE NAME	PERMIT #	STATUS
FENCE PERMIT ROUTE	FNC24-000008	ON HOLD. SEE REVIEW COMMENTS

ACTIVITY TYPE	DEPARTMENT	ASSIGNED TO	STATUS	DUE	COMPLETED
Initial Review	North Topsail Beach	Kate Winzler	On Hold. See Review Comments	07/19/2024	07/19/2024
Permit Review	North Topsail Beach	Kate Winzler			
Zoning Review	North Topsail Beach	Deborah Hill			

• Re-Submission Required: The uploaded fence panel image appears to be a solid-board fence. Per <https://www.northtopsailbeachnc.gov/buildinginspections/page/fencegate-application> if the proposed fence is solid, or is prone to trapping debris: V-Zone Certificate prepared by a qualified registered design professional demonstrating no harmful diversion of floodwaters or wave runoff and wave reflection that would increase damage to adjacent buildings and structures.

V-Zone requirements are not new to Rogers Bay Campground. Since 2000, the Town of North Topsail Beach Board of Aldermen adopted **both** V zone and AE zones as Coastal High Hazard Area.

The requirement for V-Zone Certification **by registered professional engineer or architect** is not new, as a solid board fence can act as obstructions to the free flow of water and waves, and is included in Section XI: Other Development on the V-Zone Certification **required by FEMA/NFIP and NC Department of Public Safety:**

SECTION XI: OTHER DEVELOPMENT	
<p>Note: This section must be certified by a registered professional engineer. Bulkheads, seawalls, retaining walls, revetment, solid fences, privacy walls, docks, piers, and other development activities:</p> <p>a) No other development activity has taken place on the site; or</p> <p>b) Any other development activity as designed and constructed will not cause the wave reflection that would increase damage to adjacent buildings and structures.</p>	
SECTION XII: CERTIFICATION	
Name of Certifier	Title
Firm Name	License Number
Phone Number	Address

Solid board fences are addressed in FEMA's Technical Bulletin 5 Free-of-Obstruction Requirements for Buildings Located in Coastal High Hazard Areas in accordance with the National Flood Insurance Program, on p. 21.

Fences and Privacy Walls

Fences and privacy walls (including walls separating one property from another) may obstruct or divert flood flow and waves. They must be analyzed for their effects on flood conditions and the effects of debris generated by fence/wall failure during flood events. For floodplain management purposes, it can be presumed that open fences (e.g., wood/plastic/metal slat fencing with generous openings, etc.) will not lead to harmful diversion of floodwaters or wave runup and reflection. Fences with smaller openings, and solid fences and walls, may be prone to trapping debris.

Solid fences and privacy walls, and fences prone to trapping debris, must be designed and constructed to fail under base flood conditions without causing harm to adjacent NFIP-compliant buildings. Where building or fire codes require ground level walls for tenant fire separations, efforts should be made to satisfy code requirements while minimizing potential adverse effects due to flood diversion.

Siting of new buildings near existing fences or walls should be reviewed carefully. Figure 16 shows an example of a shore-perpendicular solid wall that failed during a coastal flood event and damaged the pile foundation of an adjacent elevated building.



Figure 16. Shore-perpendicular reinforced masonry wall failed and collapsed into the foundation of an adjacent building, contributing to failure of the corner foundation piling and pile cap/beam.

North Topsail Beach Flood Damage Prevention Ordinance (June 4, 2020)

§ 7.04 ADMINISTRATION. (B) Floodplain development application, permit and certification requirements. (3) Certification requirements.

(f) V-Zone certification. A V-Zone certification with accompanying design plans and specifications is required **prior to issuance of a floodplain development permit** within coastal high hazard areas. It shall be the duty of the permit applicant to submit to the Floodplain Administrator said certification to ensure the design standards of this article are met. **A registered professional engineer or architect shall develop or review the structural design, plans, and specifications** for construction and certify that the design and methods of construction to be used are in accordance with accepted standards of practice for meeting the provisions of this article. This certification is not a substitute for an elevation certificate. Prior to the certificate of compliance/occupancy issuance, the Floodplain Administrator may require that a registered professional engineer or architect certify the finished construction is compliant with the design, specifications and plans for VE Zone construction.

§ 7.05 Provisions for flood hazard reduction. SECTION G. Coastal high hazard areas (Zones VE and AE)

(G) **Coastal high hazard area (Zones VE and AE)**. Coastal high hazard areas are special flood hazard areas established in § 7.03(B), and designated as Zones VE and AE. These areas have special flood hazards associated with high velocity waters from storm surges or seismic activity and, therefore, all new construction and substantial improvements shall meet the following provisions, in addition to the provisions of § 7.05 (A) and (B):

(9) A registered professional engineer or architect **shall certify that the design, specifications and plans** for construction are in compliance with the provisions of §§ 7.04(B) and 7.05(G)(3) and (4), on the current version of the North Carolina V-Zone Certification form or equivalent local version. Prior to the certificate of compliance/occupancy issuance, the Floodplain Administrator may require that a registered professional engineer or architect certify the finished construction is compliant with the design, specifications and plans for VE Zone construction.

§ 7.06 LEGAL STATUS PROVISIONS.

(B) (5) **A registered professional engineer or architect shall certify that the design, specifications and plans for construction are in compliance with the provisions of §§ 7.04(B) and 7.05(G)(3) and (4), on the current version of the North Carolina V-Zone certification form or a locally developed V-Zone certification form.**

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