

PAID - \$200.00 FEE

Application No. _____



CITY OF WILMINGTON
STATE OF NORTH CAROLINA

APPLICATION FOR APPEAL FROM DETERMINATION OF THE CODE ENFORCEMENT
OFFICER and/or PETITION FOR AN INTEPRETATION OF THE LAND DEVELOPMENT
CODE

TO THE BOARD OF ADJUSTMENT:

I, Nicole Jones, hereby appeal to the Board of Adjustment from the following adverse determination of a Code Enforcement Officer of the City of Wilmington: (State the decision)

Violation: 18-325(A) 9. Within residential zoning districts, the following shall apply. (a) & (b)....
Violation: 18-325(c) 1. In all zoning districts, chain link....

This adverse decision was made with respect to property described herein or on the attached sheet.

646 Long Leaf Acres Drive

Also known as Tax Parcel No. R05011-017-003-000

I, Nicole Jones, hereby request an interpretation of:

- Wilmington's Official Zoning Maps as specified herein;
- the following section(s) of the text of the Land Development Code:

insofar as the map and/or the ordinance relate to the use of the property described herein or on the attached sheet.

STATEMENT BY THE APPELLANT

In the space provided below or on the back of this form, write your interpretation of the Land Development Code provision in question and state your reasons for your interpretation. State the **facts** you are prepared to prove to the Board of Adjustment in support of your interpretation that the determination of the Code Enforcement Officer was erroneous. Attach a copy of correspondence from the Code Enforcement Officer, with the determination you are appealing.

please see attached

The violations listed in this case are referencing the structure as a fence. According to Oxford dictionary, the word "fence" refers to a barrier, railing, or other upright structure, typically of wood or wire, enclosing an area of ground to mark a boundary, control access, or prevent escape. The structure in question does not fulfill the characteristics to deem it a fence. It is not enclosing an area, it is not controlling access to or from the property, nor is it preventing the escape of anyone. It is simply an upgraded version of the structure that has been there for nearly the past 4 years and is intended to only be there while our children our training at our home.

To elaborate on the purpose of the structure and the necessity for the more rigid structural upgrade I would like to share a little information about our family. We have lived in our home since 2012 and have owned it since 2015. Our children have grown up there and we know the majority of our close neighbors rather well. Our kids have always been "outside kids" and as they got older and joined different sports teams the front yard has always been their "practice zone." Our house has been and still is the site for neighborhood pickup basketball games to this day. In 2019 our two older children fell in love with lacrosse; our son became a midfielder and our daughter stepped into the hardest job on the field, goalie. Quickly life began to revolve around the sport and our yard was littered with temporary backstops, goals, and bounce backs. Our neighbors never complained and encouraged the kids as they watched them grow in the sport they love as they practiced every day.

These countless practices in the front yard have allowed our children to achieve a number of athletic accomplishments over the years and if it remains will continue to do so for many more. Our son, earned himself a full ride to college. None of that would have been possible without him putting in work and practicing at home 2 sometimes 3 times a day over the last several years. He was recruited to play D2 lacrosse and has an 85-90mph shot currently. Our daughter, became the first female lacrosse goalie to win the Jeff Latta Goalie Award multiple times and the only player (male or female) to win it all three years of middle school. She currently plays at the national level in club lacrosse and started on the Hoggard Varsity team her freshman year of high school. She is currently a starting sophomore and is projected to go D1 with ease come September 1 and we hope will also earn herself a full ride to college.

Now, to further paint the picture of the intended use of the structure with that information. Prior to this structures upgrade, and as you can see in the photo that I provided from google satellite, the structure consisted of some rather unsightly fence posts and a double layer of baseball netting. The backstop did its job for a number of years protecting the neighbors from being littered with lacrosse shots as the kids trained. As they got older and stronger, the reliability of the structure declined, and when 35mph shots turned into 85mph shots the lacrosse balls ripped right through the structure. In 2025, Summer and Fall practices in the yard led to loud ball impacts on houses, rouge lacrosse balls many houses away, and what could have been a lot of angry neighbors. But that wasn't the case. We had gentle suggestions that it was time for a backstop upgrade but mostly congratulations on our son's full ride to college as they dropped the balls back in our yard during their daily walks.

After months of research on a practical way to protect our neighbors that would not be an "eye sore" and after looking into whether there were any restrictions on backstops in residential areas, we opted to use my Christmas bonus to structurally upgrade the backstop, not just for our kids but to protect the neighbors who have so wonderfully supported our kids over the years. We spoke with everyone within eye sight of our

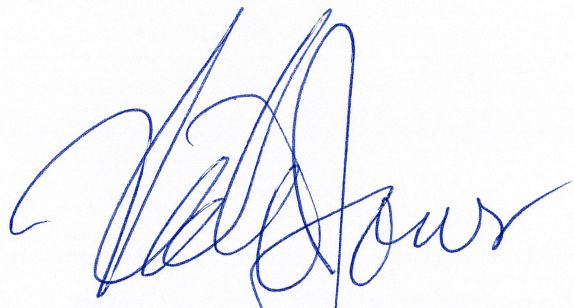
property about our plan and there were zero objections. We took extra care to angle and layout the structure to protect our closest neighbor's air conditioning unit, the side of their house, and to cut off the angle of the side arm shots that would cause a missed shot to travel down the road or hit houses across the street. We also spent extra money to purchase stronger black chain link fencing so that it would blend into its surroundings and did not obstruct anyone's' view while driving or walking by our/or any neighboring properties; while still easily holding up to the 85mph shots being released from our son's stick. Our hard work paid off and the structure came out beautifully. People from the neighborhood stopped to admire it and thank us for the new upgraded protection. We got numerous compliments and even had people say they didn't even notice the chain-link from a distance at all!

As a property owner, I understand the responsibility of the city to enforce its zoning regulations to maintain order and keep our city beautiful. But this particular situation arose from a complaint from an anonymous individual that most likely did not know the context of the structure and a city worker placing a violation on what he deduced to be a "fence" solely because part of the structure involved a material that is commonly used for fencing. As you can see with the information that I have provided. The structure, by definition of the word "fence" is not a fence and is not used as anything but a lacrosse backstop. The structure is not unsightly, it is not creating any visual obstructions, and it is not a nuisance to anyone in our neighborhood; it is in fact the opposite because it is eliminating a potential nuisance.

I beg of you to reconsider the city's interpretation of the word fence and take into consideration the clear intended use of the structure, the fact that it is not a nuisance, and that even the exceptions section of Section 18-325 states that the height restriction does not apply to sports backstops. Furthermore, Section D, #5 states that "in a hearing the request for a height variance, the board of adjustment shall consider all technical evaluations, relevant factors, standards specified in this section..."

At the end of the day, we are just an average, middle income family, long time residents of this beautiful city (I personally have lived here since 1988) who are trying to make our kids dreams come true. Once they have lived out their lacrosse days in college there will be no need for the lacrosse backstop and our intent is to remove the structure and perhaps donate the materials to a younger family trying help their kids with their athletic dreams.

Thank you for your time and consideration.



Nicole Mujos Jones

February 20, 2026

To Whom it May Concern,

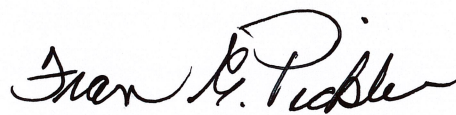
The lacrosse backstop that was recently upgraded at 646 Long Leaf Drive is a structure that had previously been in place for the last several years. The prior structure was comprised of metal fencing poles and double-layered baseball netting. Over the years the backstop lost its ability to do its job and the homeowners opted to update the rigidity of the structure in order to protect our surrounding properties from rogue lacrosse balls while the kids practiced.

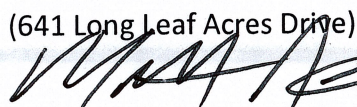
They took extra care designing the project in order to assure the site looked much better than the prior structure. They painted everything black and upgraded the chain-link material used to black in order to make the structure more visually pleasing and to assure there was no obstruction of vision for anyone. The materials that were used are intended to withstand the 85 mph shots coming from their son to assure the lacrosse balls don't end up in anyone else's yard or hits anyone else's personal property. Since it has been constructed the structure has done its job and everyone is pleased with the upgraded protection.

The structure is temporary while their children are preparing/participating in high school and college lacrosse and is not negatively impacting aesthetic or safety standards, nor is it in the street or on an easement. It is in place to protect neighboring properties and is not a nuisance to any of us.

Sincerely,

The Neighbors of 646 Long Leaf Acres Drive
(637 Long Leaf Acres Drive)



(641 Long Leaf Acres Drive)

(642 Long Leaf Acres Drive)

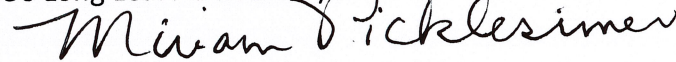
(645 Long Leaf Acres Drive)



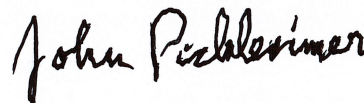
(649 Long Leaf Acres Drive)



(650 Long Leaf Acres Drive)



(654 Long Leaf Acres Drive)



Within 5 business days of submitting an application, applicants shall be responsible for providing payment for adjacent property owner notification in the amount of \$0.85 per required notice. Adjacent properties are all properties abutting the site and properties immediately across the street from it. Planning staff will provide the applicant with a list of adjacent property owners and confirmation that notices were mailed.

I certify that all of the information presented by me in this Application is true and correct to the best of my knowledge, information and belief.

2/25/20
Date


Signature of Applicant

Mailing address: 646 Long Leaf Acres Drive

Telephone #: 910-622-9002

* referenced in statement *

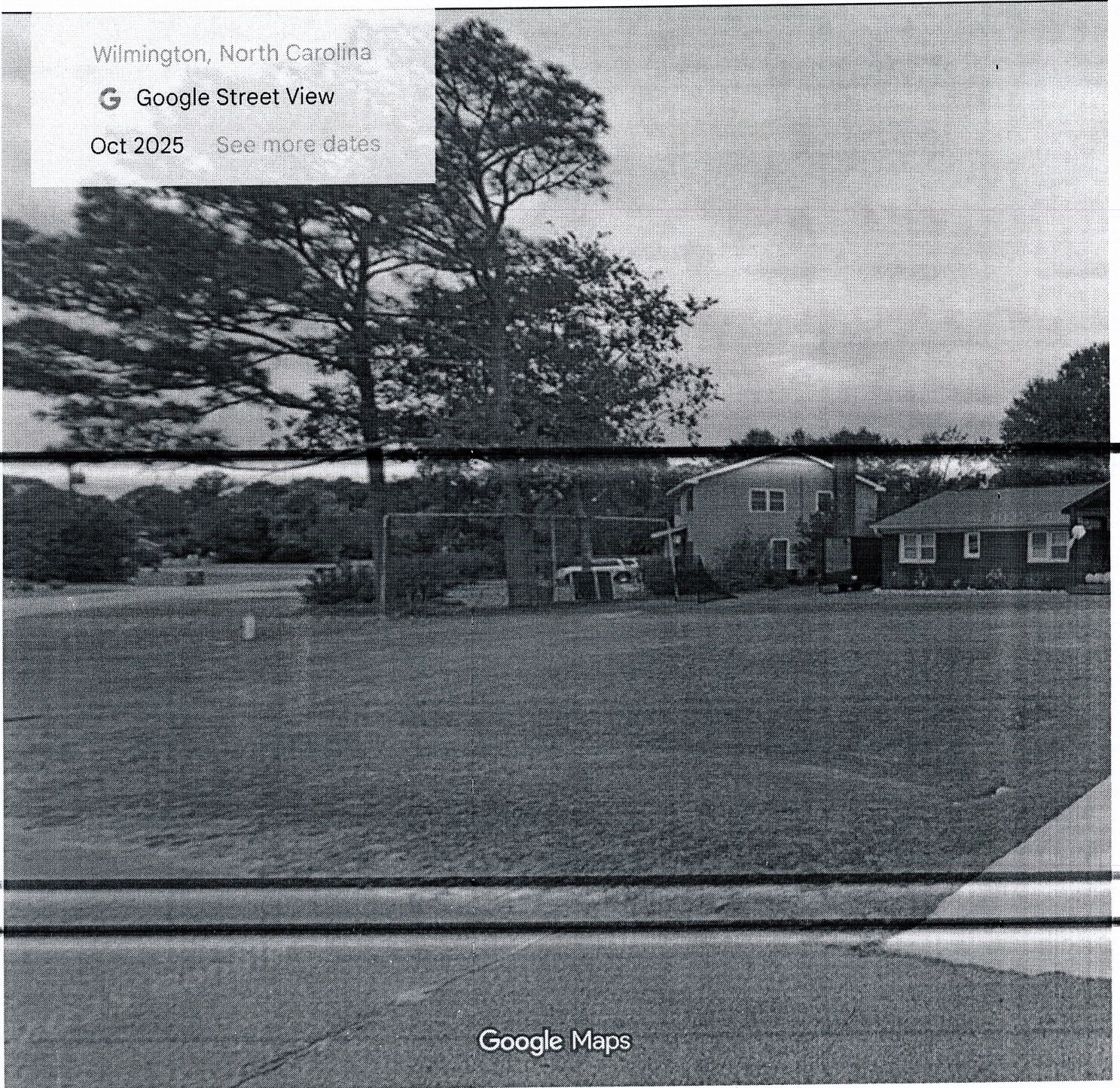
Google Maps

646 Long Leaf Acres Dr

Wilmington, North Carolina

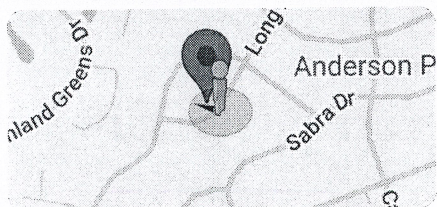
 Google Street View

Oct 2025 [See more dates](#)



Google Maps

Image capture: Oct 2025 © 2026 Google





**Zoning Violation
Planning & Development
Zoning Division**

Violation Notice	Case Number: ZEGV-013710-2026
	Case Type: ZE - General Violations
	Date of Inspection: 01/30/2026 Date of Next Inspection: 03/09/2026

Property Owner: NICOLE DARRELL G JONES

Mailing Address

NICOLE DARRELL G JONES
646 LONG LEAF ACRES DR
WILMINGTON, NC 28405

Notice of Violation for the following location:

Address	Parcel
646 LONG LEAF ACRES DR WILMINGTON, NC 28405	R05011-017-003-000

This office received a complaint regarding a fence within the front yard of the referenced property. An inspection conducted on January 30, 2026, revealed a chain-link fence with the structural posts facing the adjacent property and exceeding the allowable height. Measurements confirmed that the fence exceeds twelve (12) feet in height. Photographs documenting the violation were taken at the time of inspection.

Per zoning regulations, fences must have their posts facing the interior of the lot. Within the front yard, fences may not exceed four (4) feet in height and may increase to a maximum of eight (8) feet only after the required front setback is met.

[The property is located within the R-15 zoning district, which requires a 20-foot front setback from the front property line. In residential zoning districts, fences, walls, and non-vegetative screens, including their posts, may not exceed the allowable heights stated above. Additionally, chain-link fences are prohibited within front setbacks in all zoning districts.

This violation may be corrected by following the conditions stated above. Please contact our department if you have any questions or require further clarification.

<p>Violation: 18-325 (A) - Fences walls & non-vegetative screens (A)</p> <p>Section 18-325: Fences, walls, and non-vegetative screens</p> <p>A. General standards</p> <ol style="list-style-type: none"> 1. A fence, wall, or non-vegetative screen for the purposes of privacy or security may be installed in any yard if the following standards are met. <ol style="list-style-type: none"> a. The vision clearance requirements of Section 18-667: Vision clearance, are met. b. In nonresidential districts, no fence, wall, or screen shall exceed three feet in height in any yard adjacent to a street, unless the fencing above three feet in height is at least 50 percent transparent above three feet. c. The fence height standard of Section 18-669: Fence height standard is met. 2. A fence, wall, or screen shall not impede access by emergency services. 3. The structural framework of a fence, wall, or screen shall not be installed facing adjacent properties or rights-of-way. 4. Within historic districts and overlays: <ol style="list-style-type: none"> a. When fences are subject to design review, fence height shall be established by the historic preservation commission. b. If fences are not subject to design review in an overlay, fence height shall be subject to the standards of the applicable zoning district. 5. Within residential zoning districts, the following shall apply. <ol style="list-style-type: none"> a. Within any side or rear yard, the maximum height for any fence shall be eight feet. b. Within front yards, the height of fences, walls, and screens shall be limited to four feet.
<p>Corrective Action: Meet general standards requirements for fences, walls, and non-vegetative screens</p>
<p>Compliance Date: 03/09/2026</p>

<p>Violation: 18-325 (C) - Fences wall & non-vegetative screens (C)</p> <p>Section 18-325: Fence, walls, and non-vegetative screens</p> <p>C. Prohibited fence options and design</p> <ol style="list-style-type: none"> 1. In all zoning districts, chain link, woven wire, and electric and barbed wire fences, walls, and screens shall be prohibited in front setbacks, except on bona fide agricultural uses, electric and gas substations, and government facilities.



**Zoning Violation
Planning & Development
Zoning Division**

Case Number: ZEGV-013710-2026	
Violation Notice	Case Type: ZE - General Violations
	Date of Inspection: 01/30/2026
	Date of Next Inspection: 03/09/2026

2. Fences, walls, and screens of exposed concrete block, tires, junk, or other discarded materials shall be prohibited.
3. No open wire fence of a type that could inflict injury from casual contact, such as barbed wire or electric fencing, shall be permitted below a height of six feet. Such fences shall not be permitted within any residential district. Other types of open wire fencing (such as hurricane and chain link fencing) may be erected in any side or rear yard.
Corrective Action: Meet requirements regarding prohibited fence options and design for fences, walls, and non-vegetative screens
Compliance Date: 03/09/2026

Please see the following page(s) for relevant code sections to apply when taking the necessary corrective action(s). Corrective actions must be completed no later than **March 09, 2026**. Land Development Code Section 18-648 sets forth a civil penalty citation of one hundred dollars (\$100.00) for the initial violation and two hundred dollars (\$200.00) for each subsequent continuing violation. Every day the violation persists constitutes a separate offense. Should there be any circumstances that prevent you from complying within the above noted time frame, please call **Devontae Smith, Zoning Officer** as soon as possible to discuss the matter at **(910) 341-5808**.

You may appeal this determination to the Board of Adjustment pursuant to NCGS §160D-705 and Land Development Code Section 18-615 within thirty (30) days from the date of this letter. Please contact the Department of Planning and Development to inquire about the appeals process by calling (910) 254-0900, or by emailing Zoning@wilmingtonnc.gov

Sincerely,

Devontae Smith
Zoning Officer
(910) 341-5808
Devontae.Smith@wilmingtonnc.gov

City of Wilmington Zoning Division
PO Box 1810, 929 N Front St.
Wilmington, NC 28402
(910) 254-0900
www.wilmingtonnc.gov
Dial 711 TTY



**Zoning Violation
Planning & Development
Zoning Division**

Violation Notice	Case Number: ZEGV-013710-2026
	Case Type: ZE - General Violations
	Date of Inspection: 01/30/2026 Date of Next Inspection: 03/09/2026

Mailing Address

Current Occupant
646 LONG LEAF ACRES DR
WILMINGTON, NC 28405

Notice of Violation for the following location:

Address	Parcel
646 LONG LEAF ACRES DR WILMINGTON, NC 28405	R05011-017-003-000

This office received a complaint regarding a fence within the front yard of the referenced property. An inspection conducted on January 30, 2026, revealed a chain-link fence with the structural posts facing the adjacent property and exceeding the allowable height. Measurements confirmed that the fence exceeds twelve (12) feet in height. Photographs documenting the violation were taken at the time of inspection.

Per zoning regulations, fences must have their posts facing the interior of the lot. Within the front yard, fences may not exceed four (4) feet in height and may increase to a maximum of eight (8) feet only after the required front setback is met.

[The property is located within the R-15 zoning district, which requires a 20-foot front setback from the front property line. In residential zoning districts, fences, walls, and non-vegetative screens, including their posts, may not exceed the allowable heights stated above. Additionally, chain-link fences are prohibited within front setbacks in all zoning districts.

This violation may be corrected by following the conditions stated above. Please contact our department if you have any questions or require further clarification.

<p>Violation: 18-325 (A) - Fences walls & non-vegetative screens (A)</p> <p>Section 18-325: Fences, walls, and non-vegetative screens</p> <p>A. General standards</p> <ol style="list-style-type: none"> 1. A fence, wall, or non-vegetative screen for the purposes of privacy or security may be installed in any yard if the following standards are met. <ol style="list-style-type: none"> a. The vision clearance requirements of Section 18-667: Vision clearance, are met. b. In nonresidential districts, no fence, wall, or screen shall exceed three feet in height in any yard adjacent to a street, unless the fencing above three feet in height is at least 50 percent transparent above three feet. c. The fence height standard of Section 18-669: Fence height standard is met. 2. A fence, wall, or screen shall not impede access by emergency services. 3. The structural framework of a fence, wall, or screen shall not be installed facing adjacent properties or rights-of-way. 4. Within historic districts and overlays: <ol style="list-style-type: none"> a. When fences are subject to design review, fence height shall be established by the historic preservation commission. b. If fences are not subject to design review in an overlay, fence height shall be subject to the standards of the applicable zoning district. 5. Within residential zoning districts, the following shall apply. <ol style="list-style-type: none"> a. Within any side or rear yard, the maximum height for any fence shall be eight feet. b. Within front yards, the height of fences, walls, and screens shall be limited to four feet. <p>Corrective Action: Meet general standards requirements for fences, walls, and non-vegetative screens</p> <p>Compliance Date: 03/09/2026</p>

<p>Violation: 18-325 (C) - Fences wall & non-vegetative screens (C)</p> <p>Section 18-325: Fence, walls, and non-vegetative screens</p> <p>C. Prohibited fence options and design</p> <ol style="list-style-type: none"> 1. In all zoning districts, chain link, woven wire, and electric and barbed wire fences, walls, and screens shall be prohibited in front setbacks, except on bona fide agricultural uses, electric and gas substations, and government facilities. 2. Fences, walls, and screens of exposed concrete block, tires, junk, or other discarded materials shall be prohibited. 3. No open wire fence of a type that could inflict injury from casual contact, such as barbed wire or electric fencing, shall be



**Zoning Violation
Planning & Development
Zoning Division**

Violation Notice	Case Number: ZEGV-013710-2026
	Case Type: ZE - General Violations
	Date of Inspection: 01/30/2026
	Date of Next Inspection: 03/09/2026

permitted below a height of six feet. Such fences shall not be permitted within any residential district. Other types of open wire fencing (such as hurricane and chain link fencing) may be erected in any side or rear yard.
Corrective Action: Meet requirements regarding prohibited fence options and design for fences, walls, and non-vegetative screens
Compliance Date: 03/09/2026

Please see the following page(s) for relevant code sections to apply when taking the necessary corrective action(s). Corrective actions must be completed no later than **March 09, 2026**. Land Development Code Section 18-648 sets forth a civil penalty citation of one hundred dollars (\$100.00) for the initial violation and two hundred dollars (\$200.00) for each subsequent continuing violation. Every day the violation persists constitutes a separate offense. Should there be any circumstances that prevent you from complying within the above noted time frame, please call **Devontae Smith, Zoning Officer** as soon as possible to discuss the matter at **(910) 341-5808**.

You may appeal this determination to the Board of Adjustment pursuant to NCGS §160D-705 and Land Development Code Section 18-615 within thirty (30) days from the date of this letter. Please contact the Department of Planning and Development to inquire about the appeals process by calling (910) 254-0900, or by emailing Zoning@wilmingtonnc.gov

Sincerely,

Devontae Smith
Zoning Officer
(910) 341-5808
Devontae.Smith@wilmingtonnc.gov

City of Wilmington Zoning Division
PO Box 1810, 929 N Front St.
Wilmington, NC 28402
(910) 254-0900
www.wilmingtonnc.gov
Dial 711 TTY