



The Town of Sunset Beach

700 Sunset Blvd • Sunset Beach • NC • 28468

Phone: (910) 579-6297 or (910) 579-0075 • Fax: (910) 579-1840

**Agenda Item 8e**

April 4, 2016

**DRAFT**

Terence Friedman  
Assistant Attorney General  
North Carolina Attorney General's Office  
PO Box 629  
Raleigh, NC 27602-0629

RE: Flood Elevation and Height Requirement Study

Dear Mr. Friedman:

This letter serves to provide comments to the proposed study being conducted regarding the establishment of a uniform building height standard relative to flood plain management criteria. Specifically, the proposal to establish a uniform height standard based upon a structure's Base Flood Elevation (BFE) if located within a designated Special Flood Hazard Area (SFHA). The Town of Sunset Beach wishes to express its disapproval to the proposal for a number of reasons. Those reasons are listed below:

1. The measurement of height of structures should be a local standard. Each community, even when located in the same general physiographic region of the state, has its own unique geographic, geologic, and topographic characteristics; not only relative to its overall location, but within its borders as well.
2. The BFE can change within a community. Flood zones have defined boundaries and can change throughout the community. A site can have a specific BFE on one side of the street and a dramatically different BFE on the other. By allowing heights to be measured based upon a site's BFE, the height standards might be uniform for the community as a whole, but the application of such standard would yield dramatically different results in the applicable neighborhoods and even with neighboring properties. You would be entitling pockets of the community to higher standards or different standards over their neighbors.
3. If a structure is built to a specific height based upon the BFE and the FIRM maps change, it could have noticeable impacts on zoning and financing of homes. The FIRM maps produced by FEMA are the documents which outline the required BFE for a structure. If a home is built to a height based upon a certain BFE and the maps change (as they periodically do every few years), the home could then be considered nonconforming to the height requirement of the community and could have problems securing financing from lending institutions. Basing height of structures relative to changing maps could have far reaching impacts throughout the community.



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4. By having a specified height standard for structures located within the SFHA, it creates an inconsistency with the remaining homes in the community that are not located in the SFHA. For those homes not impacted by the BFE requirement, there would have to be a separate height standard. Flood plain boundaries can meander through neighborhoods and even between homes.

Whereas the Town certainly understands the intent of having an easier to understand height standards for the development community, the secondary impacts of the proposal could create animosity between neighbors and neighborhoods, inconsistent aesthetic standards for the community, and create unfair entitlements for specific portions of the population.

The Town believes that having separate standards throughout the community is not sound public policy and creates an undue burden on our citizens by applying standards to development that are not static in nature, are relevant only to a targeted population within the community, and have potential long-term financial and land use impacts.

Thank you for hearing our concerns.

Sincerely,

**TOWN OF SUNSET BEACH**