

File No.: Z-10006
Owner: Thomas W. Ferstl Living Trust
Applicant: Michael A. Darr
Address: 4824 Hillcrest Avenue
Legal Description: Part of Lots 6 & 7, Block 5, Hillcrest Addition
Current Zoning: R-2
Present Use: Single-Family Residential
Proposed Use: Single-Family Residential
Variance(s) Requested: A variance is requested from the fence provisions of Section 36-516 to allow a fence which exceeds the maximum height allowed.
Justification: The applicant's justification is presented in an attached letter.

STAFF REPORT:

A. Planning and Development Civil Engineering Comments:

No comments received.

B. Landscape and Buffer Comments:

No comments.

C. Building Codes Comments:

No comments received.

D. Analysis:

The R-2 zoned property located at 4824 Hillcrest Avenue is occupied by a two-story frame single family residence. The property is located at the northeast corner of Hillcrest Avenue and Monroe Street. A small carport structure is located at the northeast corner of the property. An alley right-of-way is located along the east property line.

The applicant proposes to construct a fence within the front yard area, between Monroe Street and the residence, as noted on the attached site plan. The proposed fence along the north property line, beginning at the northwest corner of the site, will be a 6 foot – 11 inch solid wood fence. The proposed fence along the front (west) property line, which will tie into the southwest corner of the residence, will be a 4 foot – 6 inch solid wood fence with a 1 foot – 6 inch tall decorative top. There will be a driveway at the northwest corner of the property which will have a 6 foot high ornamental iron gate.

Section 36-516 (e) (1) a. of the City’s Zoning Ordinance is as follows:

“(a) Between a required building setback line and a street right-of-way, the maximum height shall be four (4) feet. Other fences may be erected to a maximum height of eight (8) feet.”

Therefore, the applicant is requesting a variance from this section to allow the fence between the front building setback and the Monroe Street right-of-way to be taller than four (4) feet.

Staff is supportive of the requested variance. Staff feels the request is reasonable and will not have an adverse impact upon the life, health, safety, or welfare of the public, or the surrounding properties in the general area.

E. Staff Recommendation:

Staff recommends approval of the requested fence height variance, subject to a building permit being obtained prior to any construction.