

**MAYOR AND CITY COUNCIL COMMUNICATION**

**DATE:** August 6, 2024  
**TO:** Mayor and City Council  
**FROM:** Roque Salinas, Economic Development Director  
**THROUGH:** Crystal Caldera, Ph.D., City Manager

**SUBJECT:** Presentation and Discussion to Consider Approval of an Ordinance Granting a Variance to the Leon Valley Code of Ordinances, Chapter 8 Offenses and Nuisances, Article 8.09 Drains and Drainage Easements, Sec. 8.09.002 Placing Fence or Other Obstacle in Drain or Easement, to Allow the Construction of an Eight Foot (8') Fence on the Property Known as 4921 N.W. Industrial Drive, Being Lot 1, Block 1, CB 4428F, Northwest Industrial Park Unit 1

**PURPOSE**

The purpose of this item is to consider approval of an Ordinance granting a variance to allow the construction of an eight (8') foot high fence on a vacant lot at 4921 N.W. Industrial Drive. The property is located within the floodplain known as Zarzamora Creek and will eventually be used to store vehicles. The Leon Valley Code of Ordinance Article 8.09 Drains and Drainage Easements, Sec. 8.09.002 Placing Fence or Other Obstacle in Drain or Easement states:

*“It shall be unlawful for any person to build or place any fence of any kind, or any other structure or physical obstacle, in, on or across any drainage easement, or any natural or artificial drain, or any stream, creek or channel in the city, or any part thereof, without special permission from the city council, evidenced by an ordinance duly passed, and then only in strict accord with the terms of such permission, if any.”*

The City Engineer has determined that the fence will not cause a rise to Zarzamora Creek, and the applicant has submitted all documents in accordance with LVCC Chapter 3 Building Regulations, Article 3.03 Flood Damage Prevention.

**FISCAL IMPACT:**

The applicant has paid all fees associated with this request and will obtain a fence permit.

**RECOMMENDATION**

After careful review, Staff has no objection to this request.

APPROVED: \_\_\_\_\_

DISAPPROVED: \_\_\_\_\_

APPROVED WITH THE FOLLOWING AMENDMENTS:

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ATTEST:

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SAUNDRA PASSAILAIGUE, TRMC  
City Secretary