



Consider Request for Approval of a Resolution Granting a Fence Variance

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Director of Planning & Zoning

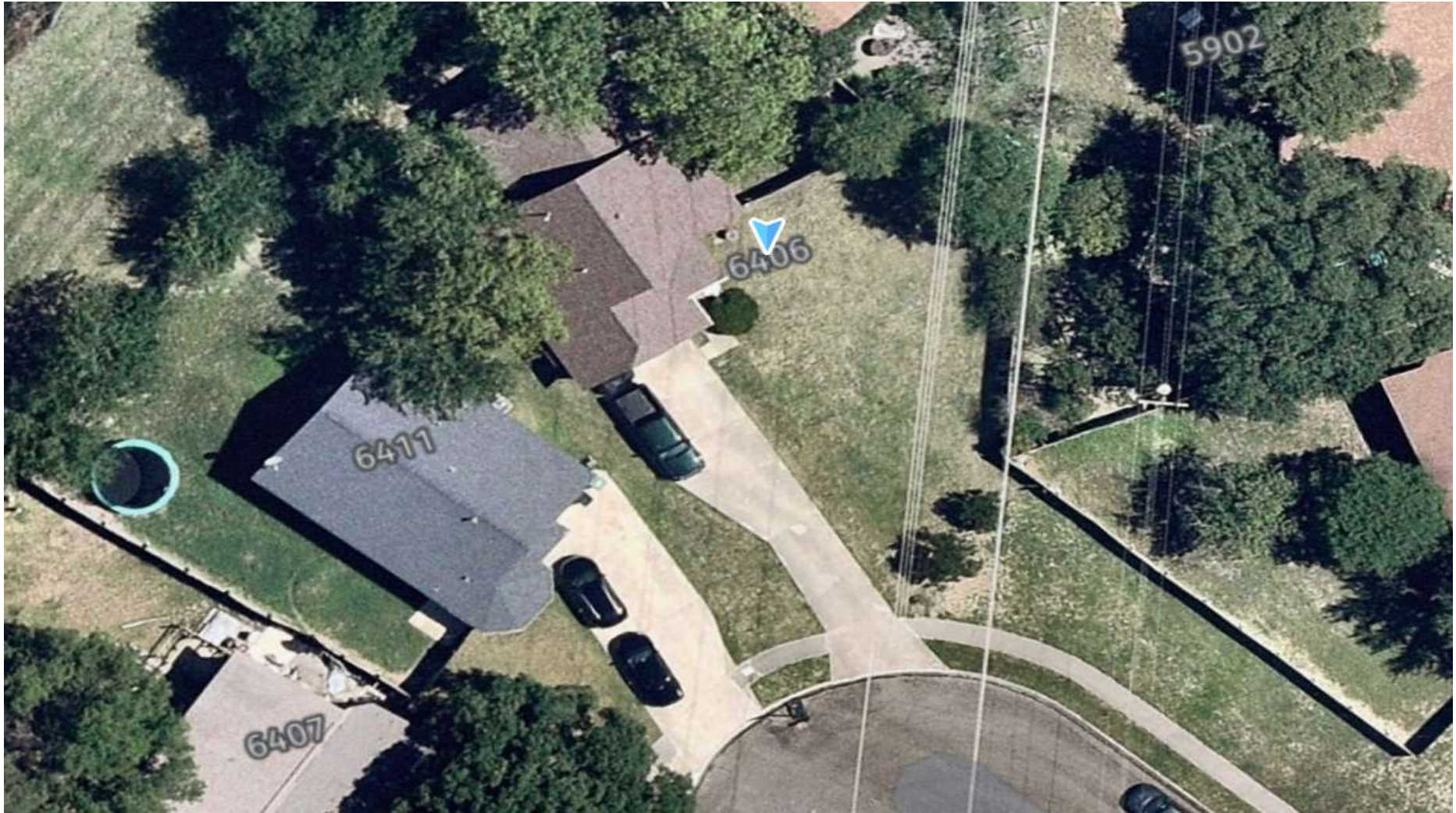
City Council Meeting

November 7, 2023

Request

- Owner – Mark Ferris, 6406 Royalty Point
- A Variance to LVCC Chapter 3 Building Regulations, Article 3.05 Fences, Section 3.05.005 Dimensions and Appearance, Subsection (a) (1) (A) to allow a property owner to construct a 6-foot tall fence in the front yard

Subject Property



Proposed Fence Location

- Removed
- New Fence

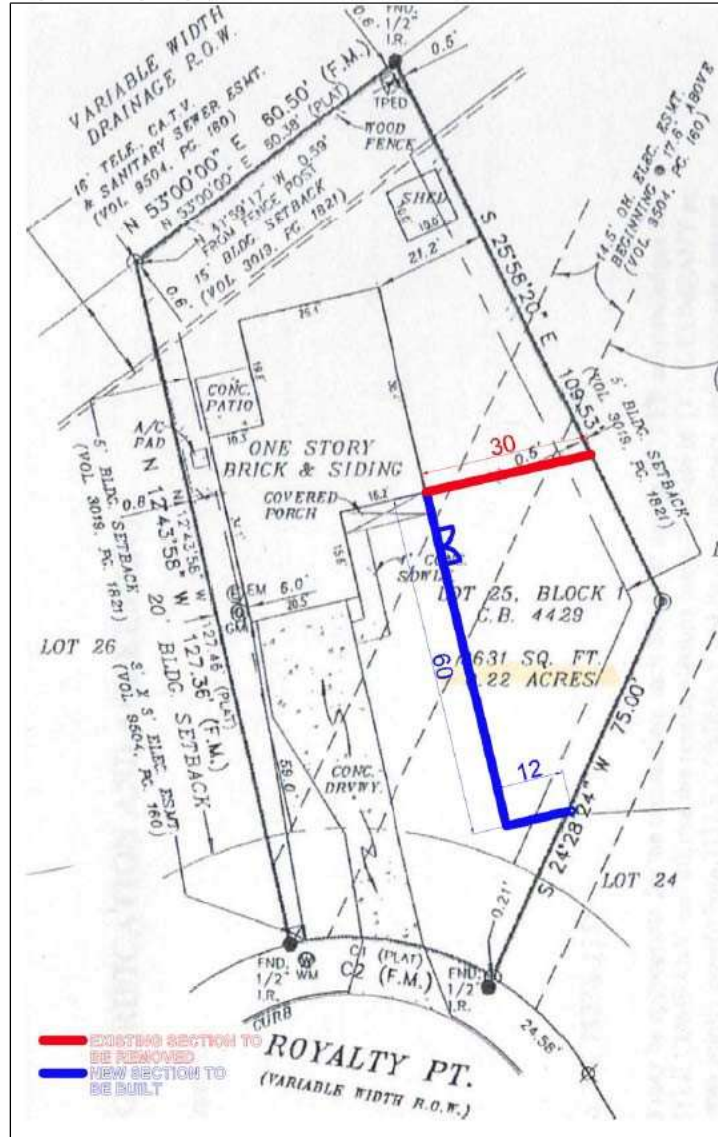


Figure 5: Fence Permit Plan View

Summary:

- Mr. Ferris's currently has a 6-foot tall fence that is located from the side of the home to the 20' setback on Seneca
- He is requesting to remove the side fence and construct a new fence that would encroach into the front yard
- The proposed fence would be 6 ft high

Summary:

- LVCC Chapter 3 Buildings, Article 3.05 Fences, Section 3.05.005 Dimensions and Appearances (a) states:
 - (1) *Residential fences in the R-1, R-2, R-4, R-6, and R-7 districts:*
 - (A) *Shall not exceed six (6) feet in the height in the side or rear yards or forty-four inches (44") in height in the required front yard. The finished side shall face toward the public viewpoint or public right-of-way.*

Purpose

- Council has the authority to consider variances where strict enforcement due to special conditions or where literal enforcement would result in unnecessary hardship.

Recommendation:

- Staff recommends denial of the request:
 - No hardship exists
 - Self-imposed – owner has a fenced backyard

Fiscal Impact

- The applicant paid the fees for fence variance consideration
- If approved, there will be an additional fee for the fence permit prior to construction

S.E.E Statement

- **Social Equity** – It is fair and equitable to offer residents processes and alternatives for variances where conditions exist which may require special consideration
- **Economic Development** – Indirectly nice, well-maintained fences and housing stock add to the attractiveness of a community to a potential resident which supports economic development
- **Environmental Stewardship** – The variance request is not applicable to environmental stewardship