

Mark Ferris  
6406 Royalty Pt  
Leon Valley, TX 78238  
Ph: 210-878-8387  
Email: markmferris@gmail.com

Leon Valley City Council  
6400 El Verde Rd  
Leon Valley, TX 78238

Subject: Fence Height Variance Request for 6406 Royalty Pt.

#### Summary:

This document is a Variance Request to the 44" fence height listed in Section 3.05.005 of the Code of Ordinances. After a review of the information provided below, I hope the City Council will conclude that this variance request will be beneficial to the public health and safety. I also hope that the reviewers will conclude that this variance makes no change to the welfare of my neighbors and will not be injurious to other properties in the area. If the City Council finds the above statements to be true, I hope that I will be granted permission to construct the fence.

#### Background:

6406 Royalty Point is located in a Cul-De-Sac. The current split of fenced to non-fenced area is 38% fenced to 62% non-fenced. The total property area is 0.22 acres (9583 sq. ft.). I am currently paying taxes on a land value of \$78,050 (\$355,000 per acre). By increasing the side yard, I will also increase the usefulness of the property that I am having to maintain and pay taxes on.

Current ordinances allow me to request a permit to construct a 44" tall fence. My dogs will be able to look over a 44" tall fence when they stand on their hind legs. Given enough time of observing loose cats, I suspect that my dogs will figure out how to get over a 44" tall fence. I know with certainty that my dogs can't get over a 72" tall fence.

#### Current Construction:

A 6' fence line currently exists from the front of my building line all the way to the 20' setback on Seneca. The fences in-front of my property line are owned by 5900 Seneca and 5902 Seneca. Figures 1 and 2 below are taken from my driveway that display the existing fence line. Figure 3 below shows a survey of the property.



*Figure 1: Fence line in proximity to 6406 Royalty Pt*



*Figure 2: Fence Line up to Seneca*

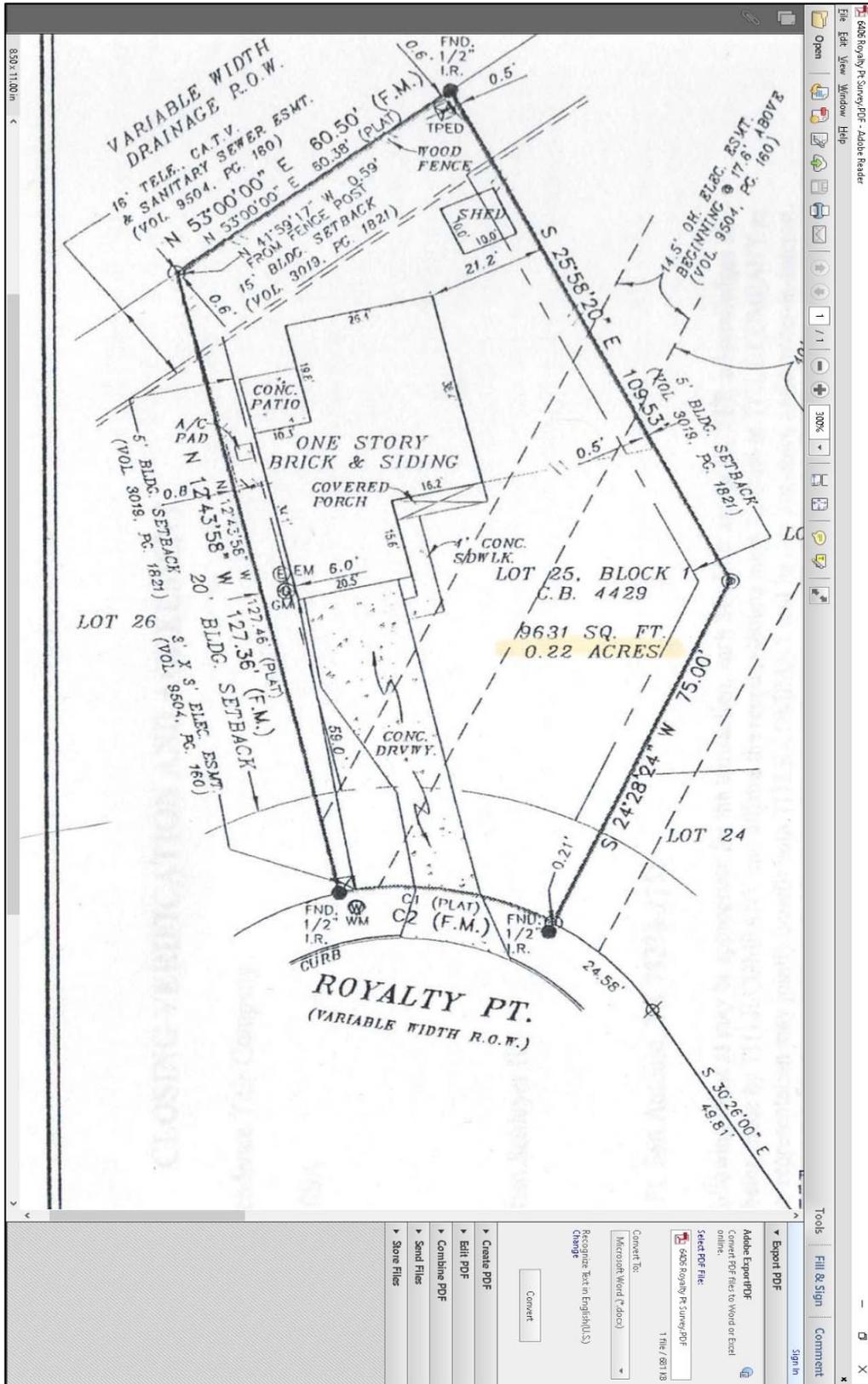


Figure 3: 6406 Royalty Pt Survey

## Requested Variance:

In light of the existing fence line and the background information I am requesting that the City Council allow me to expand my side yard by constructing 6' tall fence. A fence of this height will:

1. Visibly match the existing fence line
2. Insure that my dogs remained contained in the fenced area
3. Make sure that the neighborhood kids don't attempt to stick their hands over the fence to pet the dogs. While I have no problem with my dogs getting attention from my neighbors, I would prefer to be present when this occurs.

If the City Council grants this variance request, it is my belief that a fence of this height will:

1. Benefit the Public Health at Safety by providing non-scalable barrier between my dogs, the neighbors and the neighbors' pets (namely loose cats).
2. Will have no impact on the convenience of my neighbors and the general public.
3. Will not alter the welfare of my neighbors and the general public because a 6' fence line is already visible by any resident or visitor to Royalty Pt.
4. Allow me to make better use of my existing homestead.

Figure 4 below displays the type of fence construction (from the back side. Figure 5 below displays the change that I would like to make to expand the fenced area. Looking at Figure 5, the red line is the fence that I would like to remove. The blue lines are the locations that I would like to construct a new fence.

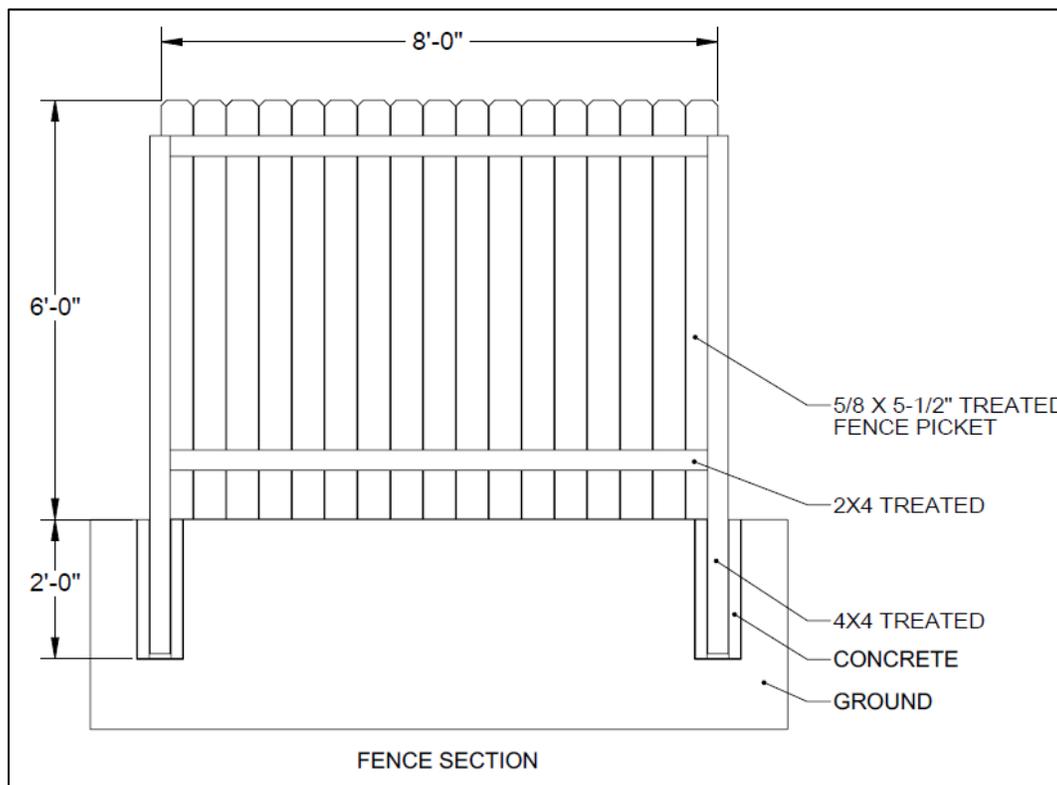


Figure 4: Fence Construction

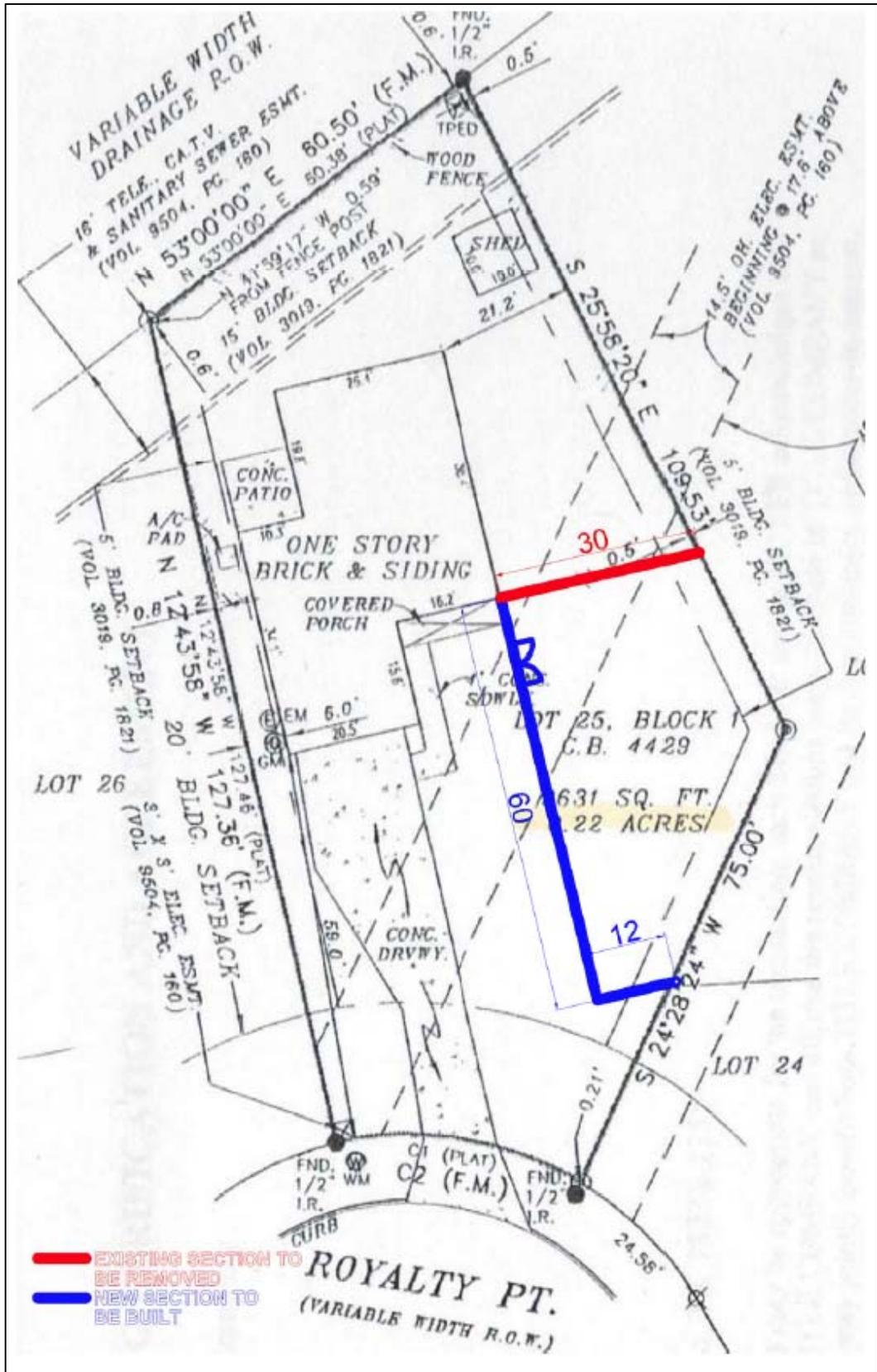


Figure 5: Fence Permit Plan View