

MAYOR AND COUNCIL COMMUNICATION

DATE: October 17, 2023

TO: Mayor and Council

FROM: Mindy Teague, Planning and Zoning Director

THROUGH: Crystal Caldera, City Manager

SUBJECT: Discussion and Action to Consider Approval of a Resolution Granting a Variance for 6406 Royalty Pt, CB 4429A BLK 1 Lot 25, Seneca Estates

SPONSOR(S): N/A

PURPOSE

This M & C is to consider approval of a Resolution Granting a Fence Variance

Mr. Mark Ferris, the property owner, is requesting a variance to Chapter 3 building regulations, Article 3.05 fences, Section 3.05.005 Dimensions and Appearance to allow a property owner to construct a 6-foot-tall fence in the front yard. He is requesting the side fence be removed and construct a new fence that would encroach into the front yard.

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.

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

FISCAL IMPACT

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

STRATEGIC GOALS

N/A

SEE LEON VALLEY

- **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.

RECOMMENDATION

Staff recommends denial of the request.
No hardship exists and it is self-imposed.
The owner has a fenced backyard.

APPROVED: _____ DISAPPROVED: _____

APPROVED WITH THE FOLLOWING AMENDMENTS:

ATTEST:

SAUNDRA PASSAILAIGUE, TRMC
City Secretary