

Montgomery Planning and Zoning Commission
AGENDA REPORT

Meeting Date: May 4, 2021	Budgeted Amount: N/A
Prepared By: Dave McCorquodale	Exhibits: Description of work and property survey from owner; excerpt from Design Guidelines on fences

Subject

Consideration and possible action regarding a proposed wood privacy fence at 825 College Street in the Historic Preservation District.

Description

You will recall this item being tabled at the April's meeting to allow the applicant to provide more information and preferably attend the meeting to speak directly to the Commission. The applicant has not responded to inquiries as to whether he plans to attend the meeting and pursue approval for the proposed privacy fence.



No action is needed on the item, although the Commission may choose to act if desired. Staff brought the item back for two reasons:

1. The item was tabled at the April meeting. Proper meeting procedure is to bring a tabled item back up for action, even if the resulting course is to take no action.
2. Staff would like to provide the Commission with an excerpt on fences from the Historic District Guidelines, which will be included in all future fence requests.

Recommendation

Staff recommends taking no action on the item unless the applicant is in attendance and confirms he wishes to pursue the project.

Approved By

Asst. City Administrator	Dave McCorquodale 	Date: 04/30/2021
City Administrator	Richard Tramm 	Date: 04/30/2021

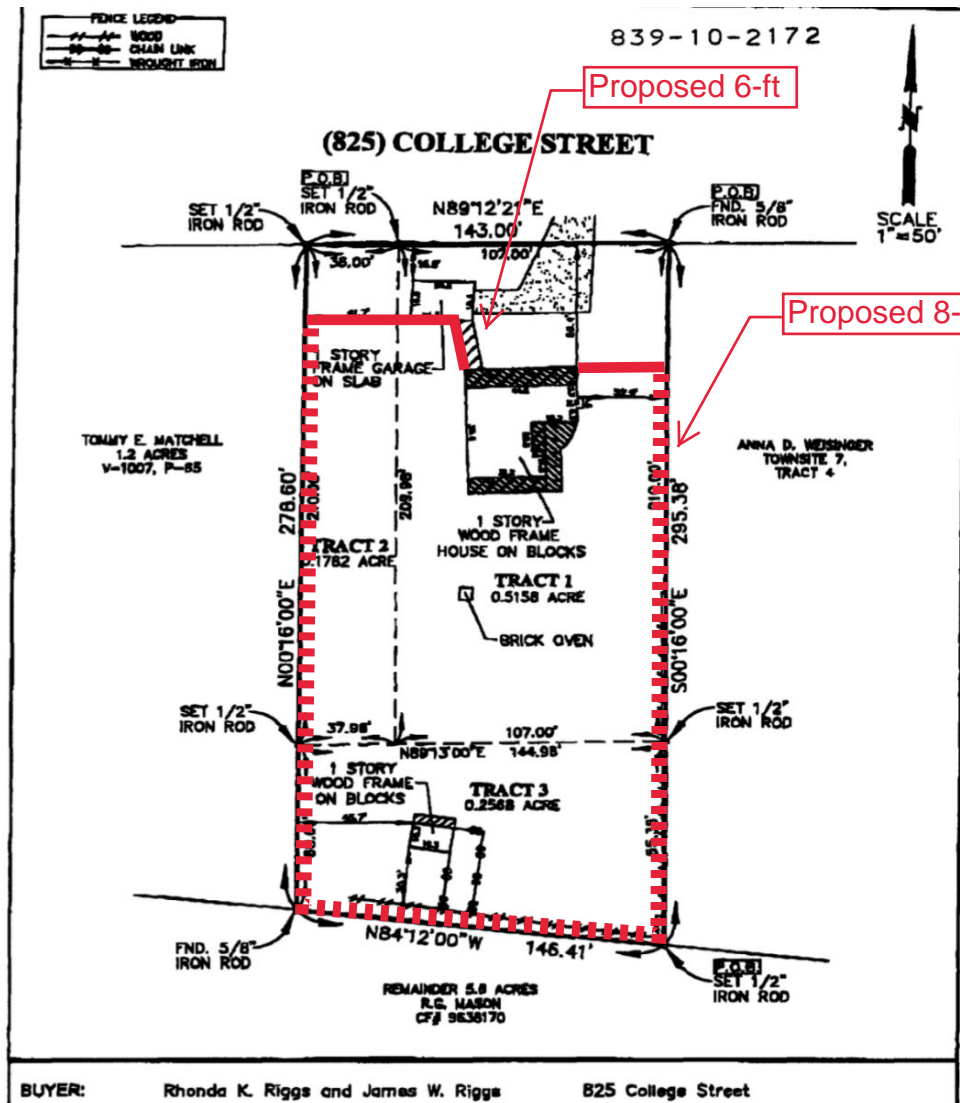
Address: 825 College Street

Owners: James & Rhonda Riggs; property is maintained by family member Justin Elliott

Property Info: 0.95-acres; zoned R1 – Single Family Residential

Owner proposes to build a wood privacy fence along the sides and rear of the property:

- 6 ft in the front
- 8 ft on the sides and rear of property
- The rear of property has an old privacy fence in place
- The left side of the property line is heavily wooded
- The right side has a chicken wire fence
- Survey stakes have been located
- In the past neighbors have talked about splitting the cost to put a privacy fence up





Views of the west property line; left picture shows the midpoint of the line; right picture shows looking back to College St and the front of the property.



Views of the east property line looking from front to rear.

(i) *Front facade openings.*

- 1) *Glass.* Clear, decorative stained, beveled, etched, and clear leaded glass may be permitted in any window opening. Reflective, tinted, opaque, and mirrored glass and plastic are not permitted in any opening. Translucent glass is not permitted, except in bathrooms, front doors, sidelites, specialty windows and commercial storefronts. No glass pane may exceed sixteen (16) square feet in area unless part of the original design or in commercial storefronts in which case a pane may not exceed fifty (50) square feet.
- 2) *Screens, storm doors, and storm windows.* A screen, storm door, or storm window on a front or side facade of a main building may be permitted only if:
 - a) Its frame matches or complements the color scheme of the main building; and
 - b) It does not obscure significant features of the window or door it covers.
- 3) *Security and ornamental bars.* Security and ornamental bars are permitted pending review by the P & Z Commission on any side of a main or accessory building abutting a street.
- 4) *Style.*
 - a) All windows, doors, sidelites, and shutters in the front or side facade of a main building must be proportionally balanced in a manner typical of the style and period of the building.
 - b) The size and proportion of window and door openings located on the front and side facades of a main building must be typical of the style and period of the building.
 - c) The frames of windows should be trimmed in a manner typical of the style of the building.

2. *Fences.* Fences must be consistent with the same period of the main building.

- a. *Form.* Fences must be constructed and maintained in a vertical position.
- b. *Height.* Within a front yard, no fence or wall shall be erected to exceed a height of four (4) feet.
- c. *Location.*
 - (i) A fence in an interior side yard must be located no further forward on the lot than the front of the main building.
 - (ii) A fence in a corner side yard must not be directly in front of the corner side facade, except that the building official may allow a fence that is directly in front of the corner side facade if:
 - 1) More screening is necessary to insure privacy due to unusually high pedestrian or vehicular traffic; and
 - 2) The fence does not screen all or any portion of a significant architectural feature of the main building.
 - (iii) A fence must run either parallel or perpendicular to a building wall or lot line.
- d. *Materials.* A fence in a front or corner side yard must be constructed of wrought iron, wood or brick. Concrete block fences are not permitted.
- e. *Masonry columns and bases.* The color, texture, pattern and dimensions of masonry and the color, width, type and elevation of mortar joints in a fence column or base must match the masonry and mortar joints of the main building as nearly as practicable.
- f. *Metal fences.* Wrought iron and metal fences must be compatible with the style and period of the main building. Non-decorative chain link, barbed and razor wire fences are permitted only in back yards and must not be visible from adjacent properties or abutting streets.
- g. *Wooden fences.*
 - (i) All wooden structural posts must be at least four (4) inches by four (4) inches in diameter (nominal size).
 - (ii) Wooden fences facing a public street must present the finished side to the street.

- (iii) Wooden fences may be painted or stained a color that is complementary to the main building.
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3. *Nonconforming uses and structures.* Except as otherwise provided in this document, the Zoning Ordinance of the City of Montgomery relating to nonconforming uses and structures applies to all historic districts and all properties designated as a historic landmark.
4. *Rebuilding damaged or destroyed buildings or structures.* If a lawful nonconforming building or structure in a historic district is damaged by fire, explosion, act of God or other calamity, the building or structure may be rebuilt or repaired at the same location with the approval of the P & Z Commission as long as the building is consistent with the original structure. New construction that is not consistent with the original structure must comply with the design guidelines provided in this section.
5. Excellent photographic examples of buildings and structures to be constructed in the historic district, or on a property designated as a historic landmark, are attached to these guidelines as Appendix "A", and are incorporated herein by reference. These photographs include appropriate guidelines and standards for roofs and porches, front facade openings, home details, chimneys, dormers, fences, accessory buildings, garages, and other features, as well as commercial structures. The examples reflect the architectural style, form, scale, materials, colors, details and treatments of buildings and other structures constructed in the period between 1830 and 1941, and in which the City is seeking to preserve and maintain, in its effort to maintain economic viability, protect property values, and to preserve the integrity and character of the historic district, and properties designated as historic landmarks, in a manner of quality indicative of the City of Montgomery.