

Montgomery Planning and Zoning Commission
AGENDA REPORT

Meeting Date: January 2, 2024	Budgeted Amount: N/A
Department: Administration	Prepared By: DMc

Subject

Consideration and possible action on a backyard privacy fence at 820 Caroline Street located in the Historic Preservation District as submitted by Scott and Angela Love.

Recommendation

Staff recommends approval of the fence as presented.

Discussion

Issue:

The owner of 820 Caroline Street is requesting to build a privacy fence in his backyard to screen the property behind him. Site photos, an MCAD map showing property lines and fence locations, along with a description and proposed fence photo.

Rules:

Sec. 98-347. - Approval for alteration or new construction within historic preservation districts or affecting historic landmarks.

No person shall carry out any exterior construction, reconstruction, alteration, restoration, rehabilitation, demolition, or relocation of any historic landmark or any property within an historic preservation district, nor shall any person make any material change to other exterior elements visible from a public right-of-way which will affect the appearance and cohesiveness of any historic landmark or any property within an historic preservation district without receiving approval from the Planning and Zoning Commission.

Historic District Guidelines.

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 4-feet.
- c. Location. Interior side yard fences can be no further forward on the lot than the main building. A fence in a corner side yard must not be directly in front of the corner side façade, except that the building official may allow a fence that is directly in front of the corner side façade 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. 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 must match the masonry and mortar joints of the main building as nearly as practicable.

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- 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. All wooden structural posts must be at least four inches by four inches in diameter (nominal size). Wooden fences facing a public street must present the finished side to the street. Wooden fences may be painted or stained a color that is complementary to the main building.

Analysis & Conclusion:

820 Caroline, while located in the Historic Preservation District, is not an historical structure. From this basis, a review of applicable regulations related to fencing and improvements in the District suggests the proposed fence is in compliance with the city code as submitted. The existing white 3-rail fence has existed on the property since before the Historic Preservation District was created. The proposed wood and metal privacy fence surrounding the backyard has no direct impact on the surrounding properties or character of the district. Staff has no objections to the proposed fence and recommends approval as presented.

Approved By		
Asst. City Administrator and Director Planning & Development	Dave McCorquodale	Date: 12/29/2023