

## COUNCIL ACTION FORM

Meeting Date: May 14, 2026

Staff Contact: Michael McCoy

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**Agenda Item:** Consider fence variance request for 2203 W. 47th Ter.

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### Background/Description of Item

On April 29, 2026, City staff received an application for a fence variance for 2203 W. 47th Terrace. Homeowner Pauline Gracik is proposing to replace an existing 4' tall chain link fence with 55' of new 5' tall powder coated steel centurion.

This application requires a variance for:

Westwood Zoning Ordinance 4.3.9.A.2 requiring fences over 4' in height to be constructed from wood.

The City Council may approve fence variances pursuant to Westwood Zoning Ord. Section 4.3.9.F, and as set forth below.

### 4.3.9 Fence and Wall Standards

F. Fences or walls which would fail to comply with any other requirement of this Ordinance may be constructed and maintained, contingent upon the following:

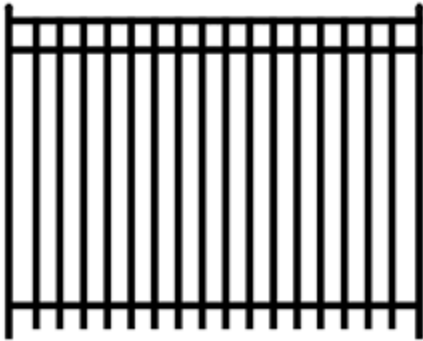
1. Application shall be made to the Governing Body, which shall study said application to determine the following:
  - a. the fence or wall will not adversely affect the general welfare of the immediate neighborhood in which the fence or wall is to be erected, taking into consideration factors including, but not limited to, the value of the property and the safety of residences in said neighborhood;
  - b. The appearance, location, and purpose of the proposed fence or wall;
  - c. The effect on adjoining properties;
  - d. The size of the area to be enclosed; and
  - e. The desirability of open views with regard to beauty, value and safety of the neighborhood; and
  - f. With respect to any fence on a lot adjacent to a street, a variance shall not be granted if the proposed fence would interfere with a safe view of the street for vehicular traffic, or would impair the view from any nearby driveway, or would extend closer to the street than the adjacent front yard setbacks.
2. Said application must be approved by at least four of the five members of the Governing Body.

An illustration of the location of the proposed fence.



## Proposed Fence

An image of the proposed fence material is provided below.



The applicant desires to add a 5' fence to match the neighbor's new fence. The new fence would be built along the side yards of the real property. A strict application of the zoning regulations would require that the fence not exceed the 4' in height for this desired material type.

Images of current conditions are included below.

### *Eastern border*



*Western border looking North*



*Western border looking South*



*Southern border (Irrelevant to request)*



**Staff Comments/Recommendation**

Pursuant to previous City Council direction, City staff evaluated the following factors:

- a. Neighbor acknowledgement/consent – Applicant has coordinated with neighbors to the east and south with no concerns received;
- b. ROW impediment – No;
- c. Established tree impact/removal –No, volunteer and nuisance vegetation will be removed with fence replacement; and
- d. Resulting sight lines issues - No.

Staff does not have any objections to the requested variance.

***Suggested Motion***

*I move to approve the requested fence variance at 2203 W. 47<sup>th</sup> Ter. to allow a 5' fence on the side yard perimeter of the property as described in the application.*