

3. Granting the application *will/will not* be detrimental or injurious to property or improvements in the vicinity of the development site, or to the public health, safety, or general welfare.

PICTURES





Recommended Action:

Approval. The property owner, Diane Bercegeay, is requesting a variance at 393 North Hillcrest Drive that will allow her to install a 6 ft. wooden fence that runs a short distance along the side property line, which will project in front of her house in the front side yard. The subject property is zoned R4 (Single Family Residential – 4 units/acre) and is located in a residential neighborhood where single-family houses along the same side of the street are zoned R4 (Single Family Residential – 4 units/acre) and the houses located on the opposite side of the street are zoned R2 (Single Family Residential – 2 units/acre).

The Zoning Ordinance requires that fences or walls located in side yards of residentially zoned properties between the street and the front edge of the house shall not exceed 4 ft. in height, that the fence must be made of decorative material (wood, brick, stone, or wrought iron), and also requires that the finished side of the fence must face the exterior.

As depicted in the pictures above, a wooden fence currently exists along the side lot line from the rear yard to the front edge of the house. The applicant would like to further extend the existing fence approximately 10 ft. to 15 ft. to a point beyond the front edge of the house. Ms. Bercegeay has stated that the proposed extension of the fence will provide more shading and privacy along the south side of the subject property.

One reason that the variance is necessary is due to the fact that the houses are not evenly set back from the road. The neighbors' house sits substantially closer to the road than the applicant's house. If the houses were evenly set back, such a fence between neighbors would not require a variance. The applicant is proposing to continue the fence beyond the front of her house, but not beyond the front of the adjacent house.

The proposed fence will be an extension of the existing fence that is currently along the southern property line, and the material will be similar. The variance is necessitated by the uneven building setbacks of the two houses, but should not negatively impact either house. The proposed fence should not be detrimental to public safety, the surrounding properties, or overall community and as such, *staff recommends approval of this variance request.*