

APPLICATION NUMBER

5171

A REQUEST FOR

**FENCE HEIGHT VARIANCE TO ALLOW
CONSTRUCTION OF A 6'2" MASONRY WALL, 4' FROM
THE STREET SIDE PROPERTY LINE; A 20' SIDE YARD
SETBACK IS REQUIRED FROM A SIDE (SOUTH)
PROPERTY LINE IN AN R-1, SINGLE-FAMILY
RESIDENTIAL DISTRICT.**

LOCATED AT

251 WOODLANDS AVENUE

(Northwest corner of Spring Hill Avenue and Woodlands Avenue)

APPLICANT

DAVID F. SWEET & SUSANNA J. SALTER

BOARD OF ZONING ADJUSTMENT

APRIL 2003

The applicant is requesting a Fence Height Variance to allow the construction of a 6'2" masonry wall, 4' from the street side property line; a 20' side yard setback is required from a side (South) property line in an R-1, Single-Family Residential District.

The applicant states that the fence is needed to provide security and privacy along Spring Hill Avenue and that the masonry wall will replace a four-foot wrought iron fence, which was destroyed in a car accident. In addition, the applicant states that there are several properties along Spring Hill Avenue that have privacy walls.

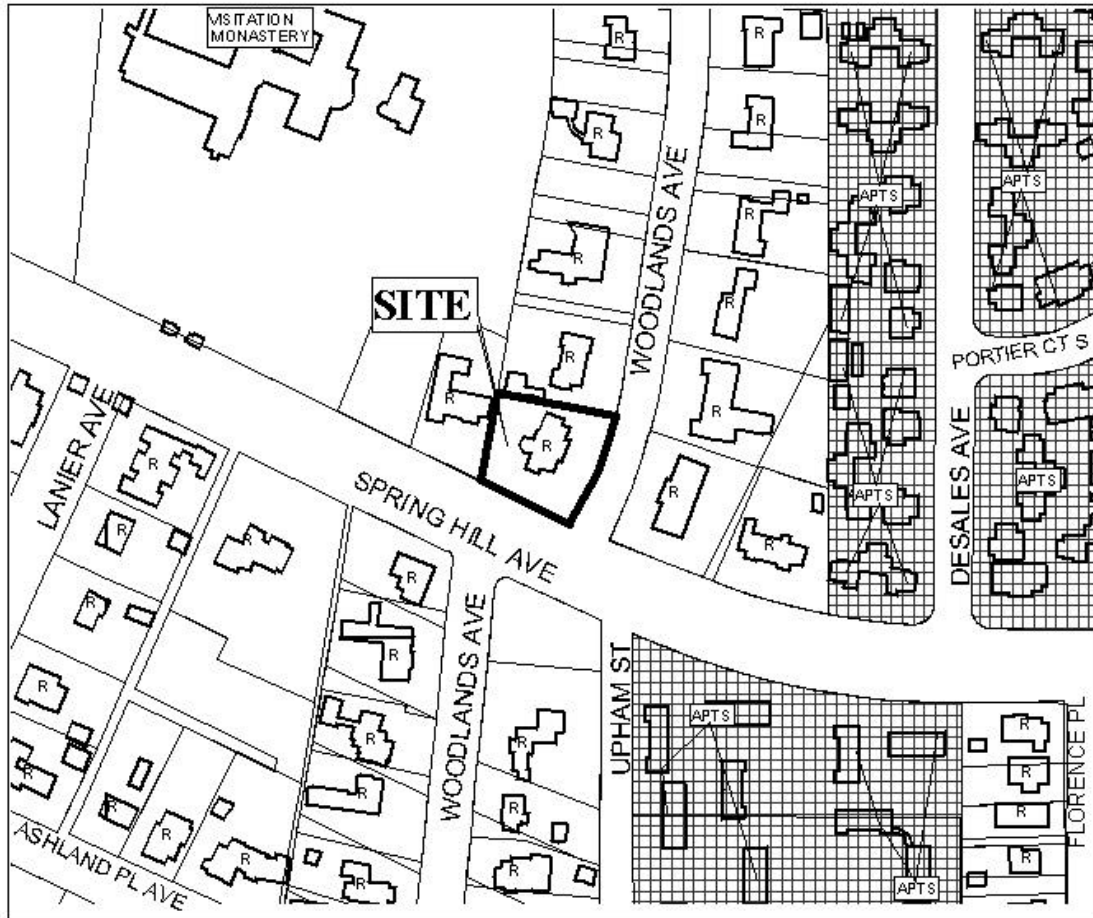
Traffic Engineering conducted a site visit and stated that the wall would not cause a line of sight problem. Additionally, there have been fence variance applications in the area, specifically along Spring Hill Avenue at the entrances into Ashland Place, and the Board granted approval when Traffic Engineering indicated there would not be a line of sight problem.

The Zoning Ordinance states that no variance shall be granted where economics are the basis for the application. Additionally, no variance shall be granted unless the Board is presented with sufficient evidence to find that the variance will not be contrary to the public interest, and that special conditions exist such that a literal enforcement of the Ordinance will result in an unnecessary hardship. The Ordinance also states that a variance should not be approved unless the spirit and intent of the Ordinance is observed, and substantial justice done to the applicant and the surrounding neighborhood.

RECOMMENDATION 5171**Date: April 7, 2003**

Based upon the preceding, this application is recommended for approval subject to the following condition: 1) the exact placement of the wall to be approved by the Urban Development Department and Traffic Engineering.

BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



The site is surrounded by single- family residential units.
Apartments are located to the north and south of the site.
A monastery is located to the west of the site.

APPLICATION NUMBER 5171 DATE April 7, 2003

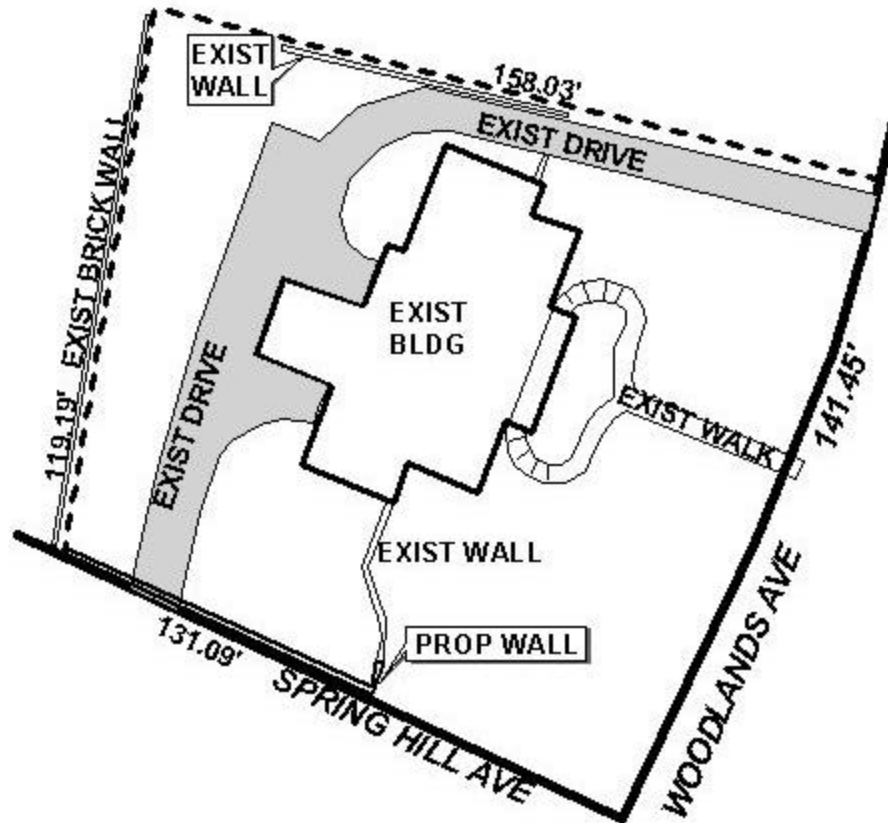
APPLICANT David F. Sweet and Susanna J. Salter

REQUEST Fence Height Variance

LEGEND



SITE PLAN



The site plan illustrates the existing building, existing drive and concrete, existing fencing, and proposed fencing.

APPLICATION NUMBER 5171 DATE April 7, 2003

APPLICANT David F. Sweet and Susanna J. Salter

USE/REQUEST Fence Height Variance



NTS

