

APPLICATION NUMBER

**5188**

A REQUEST FOR

**FENCE HEIGHT VARIANCE TO ALLOW THE  
CONSTRUCTION OF AN 8' MASONRY WALL ON THE  
FRONT PROPERTY LINE (McGREGOR AVENUE); A 25'  
FRONT YARD SETBACK IS REQUIRED FROM THE  
FRONT PROPERTY LINE FOR A WALL OR FENCE  
HIGHER THAN 3-FEET IN AN R-1, SINGLE-FAMILY  
RESIDENTIAL DISTRICT.**

LOCATED AT

**101 HILLWOOD ROAD**

(East side of Hillwood Road, 175' ± South of Vickers Place, extending to McGregor  
Avenue)

APPLICANT

**STEVE & RHONDA REED**

**BOARD OF ZONING ADJUSTMENT**

JUNE 2003

The applicant is requesting a Fence Height Variance to allow the construction of an 8' masonry wall on the front property line (McGregor Avenue); a 25' front yard setback is required from the front property line for a wall or fence higher than 3-feet in an R-1, Single-Family Residential District.

The applicant states that there is an existing metal fence with a thick landscaping shrub line along the right-of-way line of McGregor Avenue. The applicant is proposing to remove this fence and vegetation and replace it with an 8' masonry wall. The applicant also states that a greater physical security for the yard is needed, and that the property is a double fronting lot.

As illustrated on the Vicinity Map, the residence to the North has three street frontages, the residences to the South front Hillwood Road, and this residence faces Hillwood Road and McGregor Avenue. The Board has granted setback variances in the vicinity; however, four-feet was the smallest setback approved.

Furthermore, while the Board has granted fence height variances to provide privacy for a lot, in this situation the fence would be located in front of the residences to the south and would create an extremely uneven streetscape.

Traffic Engineering has conducted a site visit and stated that the wall would not cause a line of sight problem.

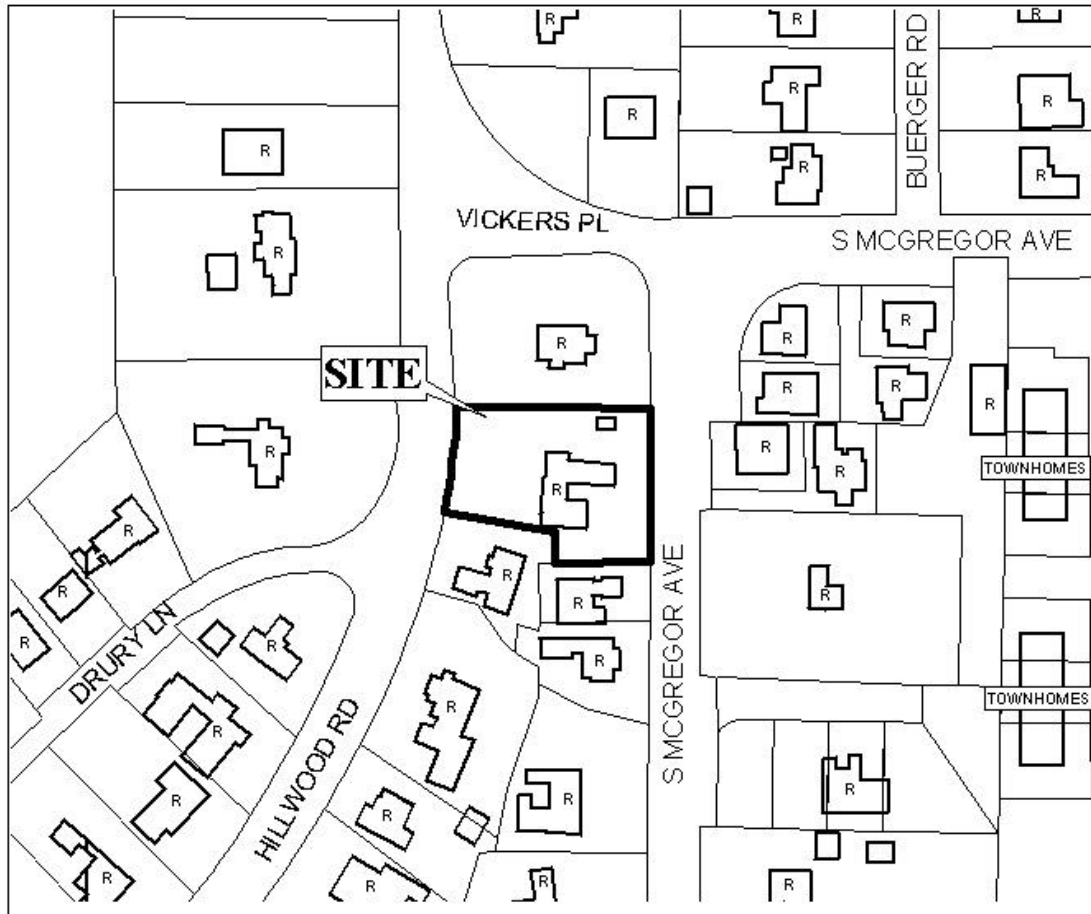
The Zoning Ordinance states that no variance shall be granted where economics are the basis for the application. Additionally, no variance shall be granted unless the Board is presented with sufficient evidence to find that the variance will not be contrary to the public interest, and that special conditions 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.

The applicant failed to illustrate that a literal enforcement of the Ordinance would result in an unnecessary hardship. It is simply the applicant's desire to build an 8' masonry wall on the front property line.

**RECOMMENDATION 5188****Date: June 2, 2003**

Based upon the preceding, this application is recommended for denial.

# BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



The site is surrounded by single-family residential dwellings.

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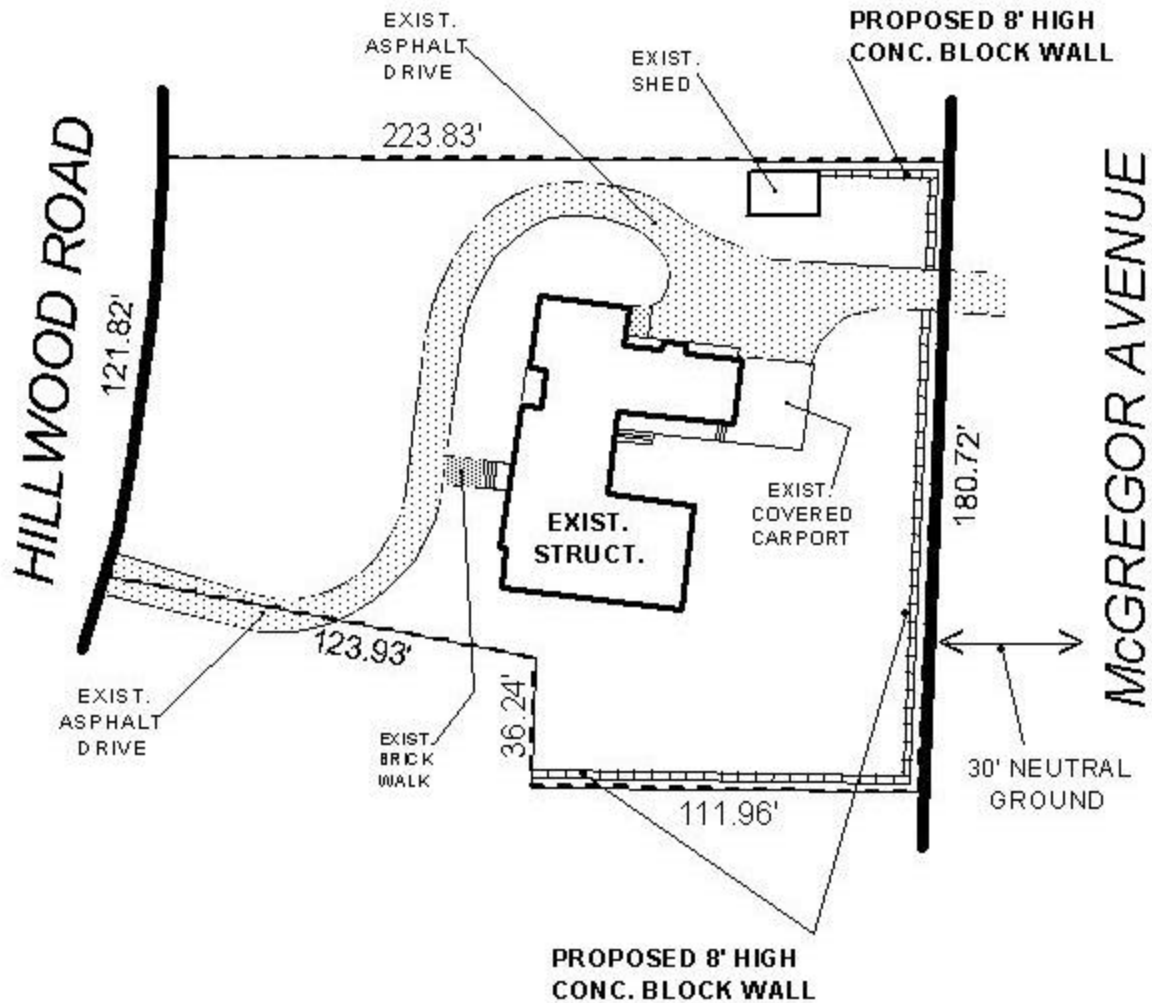
APPLICANT Steve & Rhonda Reed

REQUEST Fence Height Variance

LEGEND



# SITE PLAN



The site is located on the East side of Hillwood Road, 175' South of Vickers Place, extending to McGregor Avenue. The plan illustrates the existing and proposed structures.

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 APPLICANT Steve and Rhonda Reed  
 USE/REQUEST Fence Height Variance

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