



Monday, May 15, 2018  
City Council Meeting

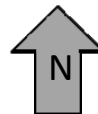
## Item I-2

Consider a resolution for a variance to the Unified Development Code, Section 8.11 (J), Fencing Requirements in Residential Zoning Districts, to allow a six-foot (6') top grade cedar fence with reinforced galvanized metal poles and structural components to face the exterior of the lot; with cedar top trim, six inch (6") wide cedar pickets, cedar rails top boards, adjacent to a public alley, located on 0.198-acres, on the east side of Lakeview Drive, being Lot 27, Block 2, Lakes of Highland Oaks Addition, at 1511 Lakeview Drive, and zoned SF-8.4 (Single Family Residential- 8,400 square-foot lot size minimum). Ross and Maryann Adams, owner/applicant. (UDC-18-007)

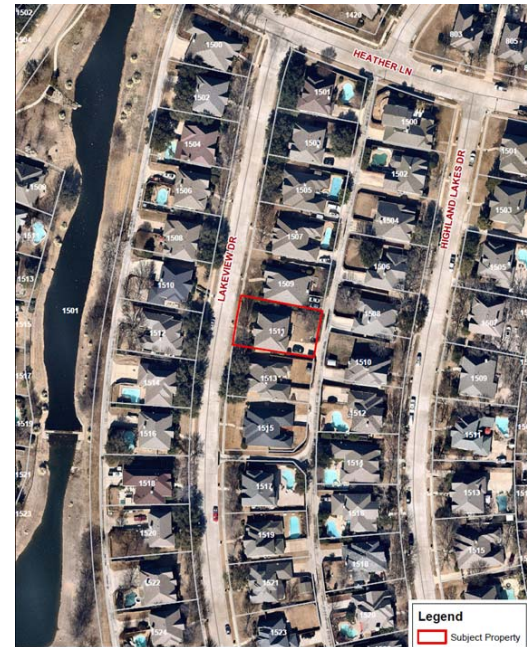
Item I-2  
Zoning Map



I-2 Maps



Item I-2  
Aerial View






I-2 Neighboring Fencing in Lakes of Highland Oaks



## I-2 Applicant's Fence



## I-2 (Fence Inspection Report)

<p>1100 Bear Creek Pkwy Keller, Texas 76248 Phone (817) 743-4110 Fax (817) 743-4199</p>	 <b>City of KELLER</b> <b>INSPECTION TICKET FENCE PERMIT</b> <b>03/13/18</b>	<p>Inspection Request Line (817) 743-4120 Online Inspection Request <a href="http://www.cityofkeller.com">www.cityofkeller.com</a></p>
<p>Permit No: <b>F17-0310</b>          Location: <b>1511 LAKEVIEW DR</b>          Subdivision: <b>LAKES OF HIGHLAND OAKS, THE</b>          Contractor: <b>AMBASSADOR FENCE COMPANY</b>          Contact Phone No.:          Service Provider:</p>		
<p>Expiring Permits: 1994-17262 FENCE PERMIT          1994-10588 IRRIGATION</p>		
<p>Notes:</p>		
<p><b>**FENCE FINAL</b></p> <p>PASS <span style="border: 1px solid black; border-radius: 50%; padding: 2px;">FAIL</span></p>		
<p><input type="checkbox"/> If this box is checked, a \$50.00 RE-INSPECT FEE is required. No further inspections until fee is paid.</p> <p><input type="checkbox"/> If this box is checked, the inspection has failed due to Improper Erosion Control. An Erosion Control re-inspection is automatically scheduled for _____. For questions, please call Public Works Administration at 817-743-4080.</p> <p><input type="checkbox"/> If this box is checked, the Erosion Control inspection has failed for the second time. A STOP WORK ORDER is placed on this property and a \$50.00 re-inspection fee is assessed. NO FURTHER WORK may take place until the Erosion Control is corrected and the STOP WORK removed by the Inspector.</p> <p><i>Fence Hardware must be on the inside while the smooth side facing the public alleyway.</i></p> <p><i>Please call 817-743-4120 to schedule a re-inspection</i></p> <p><i>If you have any questions please call Code Enforcement at 817-743-4111</i></p>		



## Item I-2 Analysis

Section 2.07 A(2) of the UDC states that when considering a UDC variance request, City Council shall consider the following factors:

1. That there are special circumstances or conditions affecting the land involved such that the strict application of the provisions of this Code would deprive the applicant of the reasonable use of his land.
2. That the granting of the variance will not be detrimental to the public health, safety or welfare, or injurious to other properties in the area.
3. That the granting of the variance will not have the effect of preventing the orderly subdivision of other lands in the area in accordance with the provisions of this Code.
4. That the granting of the variance will not constitute a violation of any other valid ordinance of the City of Keller.
5. That strict compliance with the regulations, and/or that the purpose of the regulations will be served to a greater extent by the alternative proposal.

## Item I-2 Professional Opinion

The purpose of requiring the finished side of a wood fence to face a public street, school, park, or other public space is to maintain uniformity, to help deter the criminal element, and to be aesthetically appealing. It is the opinion of staff to **deny** this variance and the compromised solution of cedar pickets to cover the metal posts and hardware inserts, keeping it from the public view and displaying only the wood.

Staff forwards this UDC variance to City Council for their consideration with the following condition:

The variance request to allow a compromise solution, in which the galvanized metal poles on the existing fence would remain and be enclosed by cedar pickets, keeping the poles and hardware from the public view.



## Item I-2 Planning and Zoning Action

On April 23, 2018, the Planning and Zoning Commission voted 7-0 to approve the UDC variance to allow the smooth side of the fence to front the applicant's property.

## Item I-2 City Council Action

City Council has the following options when considering a UDC Variance

- Approve as submitted
- Approve with modified or additional condition(s)
- Tabling the agenda item to a specific date with clarification of intent and purpose
- Deny



**Questions?**  
**Susan Kenney**  
**817-743-4130**

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