BOARD OF ADJUSTMENT MEETING

STAFF MEMORANDUM

MAY 15, 2023

CASE 3

Property Address:	**24 White Oak Road**
Property Owner:	**Jerry Douglas**
Request:	**Special Use Permit request for Fencing in Rear Yard and Variance Request for Encroachment into Side & Rear Setbacks**
Site Visit:	**3:30 PM – Monday, May 15, 2023**

Background

The applicant requests permission to install a fence within the rear and side yard. The proposed fence is four (4) feet tall and would attach to an existing fence already located along the rear property line. The proposed material, black powder coated aluminum, complies with the Town's requirements and an example is shown in the attached documents. There are two gates associated with the project as well.

Special Use Permit Request

The Town's Zoning Ordinance regulates fences and gates in Chapter 153.049. This regulation is attached to the memorandum and provides additional information regarding the requirements for fence installations. The fence itself is proposed to be 78' on the south side of the property and 80' on the north side of the property. As noted above, the fence will run into the rear yard setback and connect to an existing fence on the rear property line.

Variance Request

The fence is requested to be constructed within the side yard setbacks though not necessarily on the property line. The fence proposal also would result in a further intrusion into the rear yard setback to connect to the existing fence. The Town's Zoning Ordinance requires that fences be installed in compliance with setbacks unless the Board issues a variance.