

RIVER DISTRICT DESIGN COMMISSION

MEETING OF

AUGUST 8, 2024

Members Present

Peyton Keesee
John Ranson
Andrew Hessler
Adam Jones
George Davis

Members Absent

R. J. Lackey
Courtney Nicholas

Staff

Cynthia Lester
Ryan Dodson
Renee Burton

ITEMS FOR PUBLIC HEARING

1. *Certificate of Appropriateness application PZ24-00378 filed by Hampton Wilkins to install privacy fence inside yard at 515 Memorial Drive (Parcl 23779).*

Mr. Davis opened the Public Hearing.

Ms. Burton stated. The privacy fence is 54 inches tall that would run ultimately from the sidewalk back along the bearer between Amoco and Wilkins Real estate. From the photos here you can see the vehicle have been creeping onto the Wilkins property little by little so this would create a barrier for them.

Mr. Keesee stated. What is going to keep Amoco from hitting his fence?

Ms. Burton stated. I would hope that they move their traffic blocks back, the parking blocks back so they would not hit the fence.

Mr. Keesee stated. They could possibly knock the fence down.

Ms. Burton stated. That would be a civil matter between the two of them at that point. Without the fence it hard to say you have been approached.

Mr. Keese stated. What I would suggest is to put the balances across there, so they won't hit the fence. City inspection might require that, but I don't know that either.

Ms. Burton stated. It would be a civil matter between the two. And if he wanted to move his fence so he would be on his property further and then put baller he could do that. Either fence or baller can be on the line, but he can't cross that property line.

Mr. Jones stated. Does he not have to have any setbacks on the property lines.

Ms. Burton stated. No, not on a fence. Code does require from the sidewalk back in residential area cannot be no taller than 4 ft. from the sidewalk back to the front wall of the house. Now in commercial and industrial zone which we are here the zoning code does allow for an extension to remain 6 ft in the front setback area. If it is a matter of safety or security and in this situation, it is both. It could go up to 6 ft by

zoning code with a waiver, however staff has recommended the conditions from the sidewalk back a minimum of 10 ft and he goes no taller than 4 ft.

Mr. Keesee stated. But there is no sidewalk.

Mr. Jones stated. The sidewalk is on Memorial Drive.

Ms. Burton stated. Yes, the sidewalk on Memorial Drive. The request is for 54 inches, but the zoning code will allow him up to 6 ft.

Mr. Ranson stated. You stated safety and security, but it is really for safety because that fence is not going to keep anyone out.

Ms. Burton stated. True.

Mr. Ranson stated. Are you sure that 4 ft will allow good site lines, seem so tall to me.

Ms. Burton stated. That can be reduced and general practice for the zoning code that is the maximum height in that particular area. I didn't want to restrict him focusing on zoning code more than anyone else. This board can do that, this board could say we feel 36 inches should be the maximum and that restriction can be placed on this particular application.

Mr. Ranson stated. It wouldn't affect the 36 inches, the effectiveness of the fence separating the properties.

Ms. Burton stated. I agree.

Ms. Davis stated. Let's face it if he wants to make the line known and prominent he does not want to look at the cars.

Mr. Keesee stated. 4ft is too tall if you are sitting in your car, you can't see over 4ft.

Mr. Jones stated. A 3 ft fence why bother, he's asking for 54 inches right.

Mr. Keesee stated. You have to have a short fence to see over it and then it goes up.

Mr. Jones stated. Yes, the 10 ft clearance from the sidewalk has to be 48 inches correct.

Ms. Burton stated. It is maximum 48 inches by code.

Mr. Jones stated. Why don't he just run those 48 inches all the way back.

Mr. Ranson stated. Because you can't see over it.

Mr. Jones stated. if he is going to go taller, I say just make it one clean fence.

Mr. Davis stated. I don't think the 4 ft back will cut out all the clutter.

Mr. Ranson stated. I think pedestrians and vehicle safety would overrule, which he is not here to express it.

Mr. Jones stated. The stair steps don't look any better.

Mr. Ranson stated. I am really concerned about the safety; I don't think the 4ft is going to provide that.

Ms. Burton stated. The recommendation was the finished side would be facing Amoco, giving the finish look coming off Parkland and Memorial intersection. If Wilkins decides he wants to leave it unfinished, on his side he is to provide landscaping or he can finish both side and make it a double face fence.

Mr. Hessler stated. Are we sure it looks like this on the other side.

Ms. Burton stated Then you are putting that visual burden on someone else. This is a very attractive fence.

Mr. Davis closed the Public Hearing.

Mr. Ranson a motion to issue a Certificate of Appropriateness PZ24-00378 with recommendation from the city with exception of fence being 3 ft instead of 4 ft. Mr. Keesee seconded the motion. The motion was approved by a 5-0 vote.

APPROVAL OF MINUTES

The June 13, 2024, minutes were approved by a unanimous vote. With no further business, the meeting adjourned at 4:17 p.m.

Approved By: s/Cynthia Lester