

6. Carly and Mike Lovely

1961 Hampton Rd

Variance: To install a black mesh corner side yard fence vs only ornamental fences shall be permitted within the corner side yard. Per Section: 1153.15 (j)(4).

1153.15 ACCESSORY USES AND STRUCTURES.

(j) Fences, Walls, and Planting Screens. Fences shall comply with Schedule [1153.15](#) and shall be constructed, located, and maintained in conformance with the standards set forth below:

(4) Fences on a Corner Lot Within the Required Corner Side Setback. For lots located on a corner, fences may be located in the required corner side setback provided such fences are located behind the front wall of the principal building and setback five (5) feet from the corner side lot line. **Only ornamental fences shall be permitted within the corner side yard** to a maximum height of forty-two inches. A Zoning Certificate shall be required for a fence in the corner side yard, and such Certificate shall be approved by the Zoning Administrator. The Architectural Review Board is authorized to grant an exception to this sub-section. The Architectural Review Board may grant a complete exception from this standard, or it may modify the standard in view of the peculiarities of the site. The Architectural Review Board may also impose reasonable conditions, such as the planting of landscaping, when approving such an exception. In evaluating a request for an exception, the Review Boards shall consider:

CHAPTER 1123

Definitions

D. Ornamental. "Ornamental fence" means a fence constructed for its beauty or decorative effect and when viewed at a right angle, has not less than seventy-five percent (75%) of the area of its vertical plane, the area within a rectangular outline enclosing all parts of the fence in its plane, open to light and air. Ornamental fences include:

(i) "Rail fence" or "split-rail fence" means a fence constructed of narrow, whole or split, wooden timbers placed horizontally between upright supporting posts; and,

(ii) Wrought iron fences, decorative steel fences, and aluminum fences.