

5. Michael Klingensmith

19000 Rockcliff Rd

Variance: To install an 8-foot-tall privacy fence vs the 6 feet that is permitted. Per Scheduled: 1153.15 (K)(7)D.

1153.15 ACCESSORY USES AND STRUCTURES.

(7) Privacy Fences. Basket weave, woven, louver, ventilating, stockade, palisade fences, and other fences whose vertical surface is less than twenty-five percent (25%) open to light and air shall comply with the following:

A. Height & Location. Such fences shall have a height not to exceed six (6) feet provided that the fence shall not enclose more than two (2) sides of an area and shall not be located within the front or side setback established for the principal building nor within the rear setback established for an accessory building, except as provided for in sub-sections 1153.15 (j) (7) B. - D. below.

B. Privacy Fences on Rear Yards Adjacent to and Abutting Route I-90. On lot lines contiguous with the easement or right-of-way of I-90, privacy fences whose vertical surface is less than twenty-five percent (25%) open to light and air shall be permitted to a height not to exceed eight (8) feet

C. Privacy Fence on Rear and Side Yards Adjacent to and Abutting the Norfolk Southern Railroad Tracks. On lot lines contiguous with the easement or right-of-way of the Norfolk Southern railroad tracks through the City, privacy fences whose vertical surface is less than twenty-five percent (25%) open to light and air shall be permitted to a height not to exceed eight (8) feet; provided, however, that should such contiguous lot line be a side lot line, such privacy fence may not extend on such lot line beyond any front setback line which may exist as the regulations thereon are contained in these Codified Ordinances.

D. Privacy Fence Adjacent to Other Districts. Privacy fences shall be permitted to a height of (6) feet along the side and rear lot lines of lots in the R-1 District which abut a zoning district other than R-1, provided that such privacy fences shall not extend closer to any public right-of-way than the front wall of the main building.