

City Clerk Statement of facts to the Zoning Board of Appeals to place a 6' Vinyl Fence in front yard of #1 Locust Hills Woods

Zoning Board of Appeal Members

1. Levi and Pam Rodney reside at #1 Locust Hills Woods.
2. They applied for a fence permit to place a 6 foot fence on their front yard. This request was denied because it didn't meet our code requirements. Fences in the front yard must be only 4 feet tall. Only side yards falling behind the front house and rear fences may obtain the height of 6 feet.

Also, the placement of the fence came into question in relationship to the street and utility easements. The fence shown in the picture seems to be on street easement. The easement for that section of road is a 60 foot strip and then a 30 foot strip, according to the platbook at City hall and the St. Clair County Assessor's Office. It is the responsibility of Mr Rodney to provide a survey showing his property lines and their relationship with the surrounding area.

3. The problems were explained to Mr Rodney and after some consideration he decided to pursue trying to get a variance. His application is dated October 31, 2023.
4. The Notice of a Public Hearing was place in the O'Fallon Weekly newspaper on November 15, 2023. That day falls within the requirement that a Notice be place in a newspaper a minimum of 15 days before the hearing. A letter was sent to residents within 250 feet of this property explaining the request for a variance so that they may voice their opinion in favor of or against.
5. The agenda and supporting documents were posted to the website on 11/22/ 2023 and also made available at city hall.
6. It is the recommendation of this office to deny this request based on the above stated facts and the mission statement of the Zoning Board of Appeals which states "Variances to this chapter shall be permitted by the zoning board of appeals only when they are in harmony with the general purpose and intent of this chapter, and only in cases where there are practical difficulties or particular hardship in the way of carrying out the strict letters of these regulations relating the use of the land or to the use, construction, or alteration structures". (Sec. 36-878 and Sec 36-879 )

Respectfully,

Luanne Holper, City Clerk  
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