



Memorandum

January 20, 2026

TO: Zoning Board of Adjustment

FROM: Israel B. Roberts, AICP
Planning Manager

SUBJECT: Public hearing on a variance to fence height requirements

BACKGROUND: This is a request for approval of a variance to allow an 8-feet tall fence in lieu of a 6-feet tall fence. The 1.0-acre site is located at 521 Ashwood Lane and is zoned for the (RE-1) One-acre Ranch Estate District. Owner/applicant: James Williams.

STATUS OF ISSUE: In October 2025, the applicant rebuilt an existing fence without a permit. The original fence was a 6-foot tall, solid wooden screening fence. This fence has been in existence since before the town adopted our current open fence requirements. The prohibition on solid privacy fence was first adopted in 1998, but exempted all sub-divisions that were established before January 1998. Sycamore Place was established before 1985, therefore the existing solid fence would have been built legally.

In 2005, the fence regulations were amended, and the exemption for the older sub-divisions was deleted from the code. Therefore, any new fence must comply with current regulations, regardless of when the neighborhood was established. At that point, all existing solid privacy became non-conforming. Under non-conforming rules, a non-confronting structure may be repaired and maintained. Typically, when a non-confronting structure is replaced, the new structure must meet current regulations (For example, a new fence would need to meet the 50% openness requirement). However, in this case, when the subject fence was replaced, they used the existing poles from the older fence. Since they used the existing poles, that allows them to maintain non-conforming rights to privacy fencing. However, those rights are vested to the original height of 6-feet.

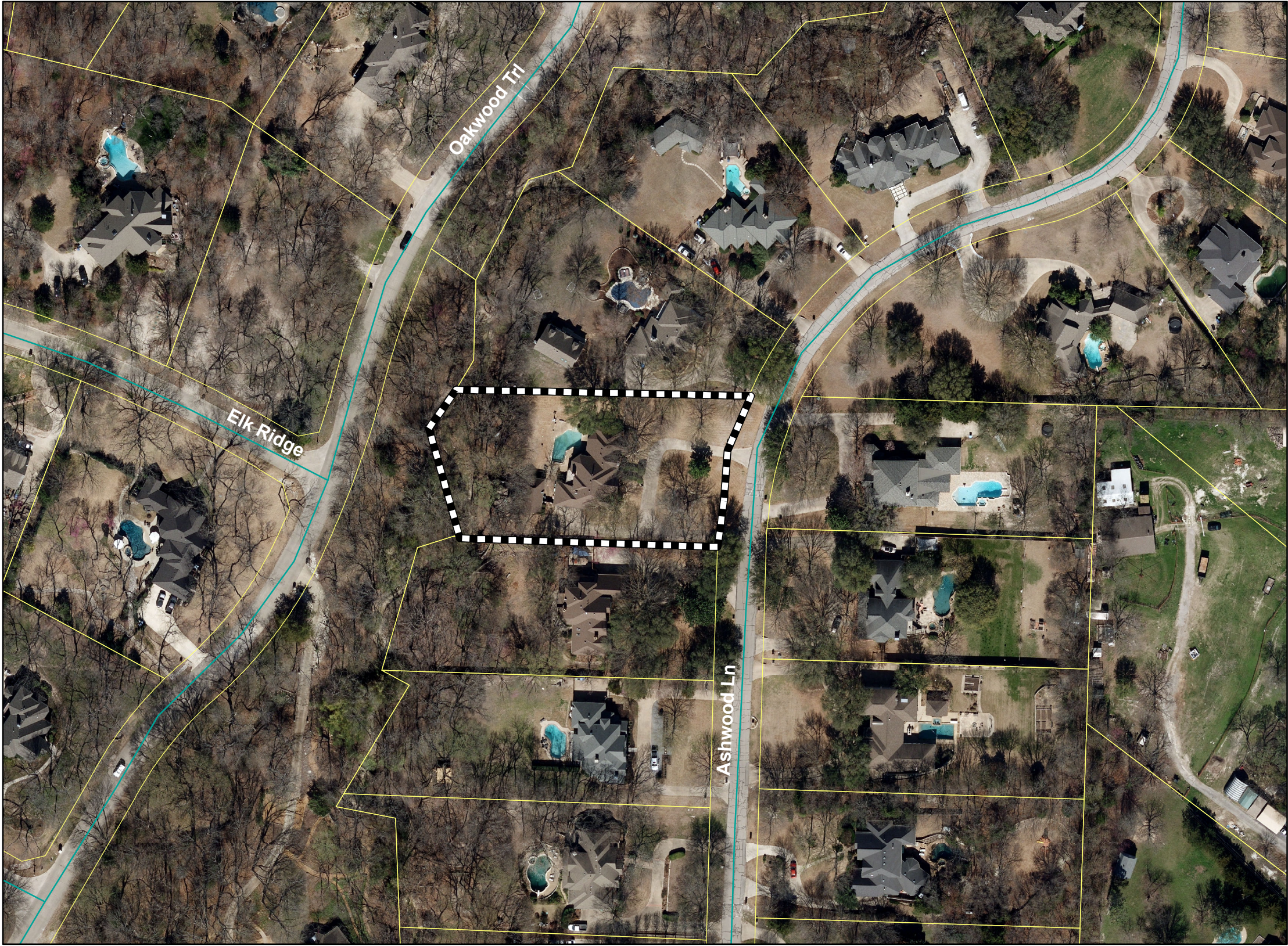
In this case, when the fence was rebuilt, they increased the height from 6-feet to 8-feet. As such, the applicant is requesting a variance to allow the increased 8-foot tall fence height.

ATTACHMENTS:

Aerial

Applicant's Statement

Exhibits



Oakwood Trl

Elk Ridge

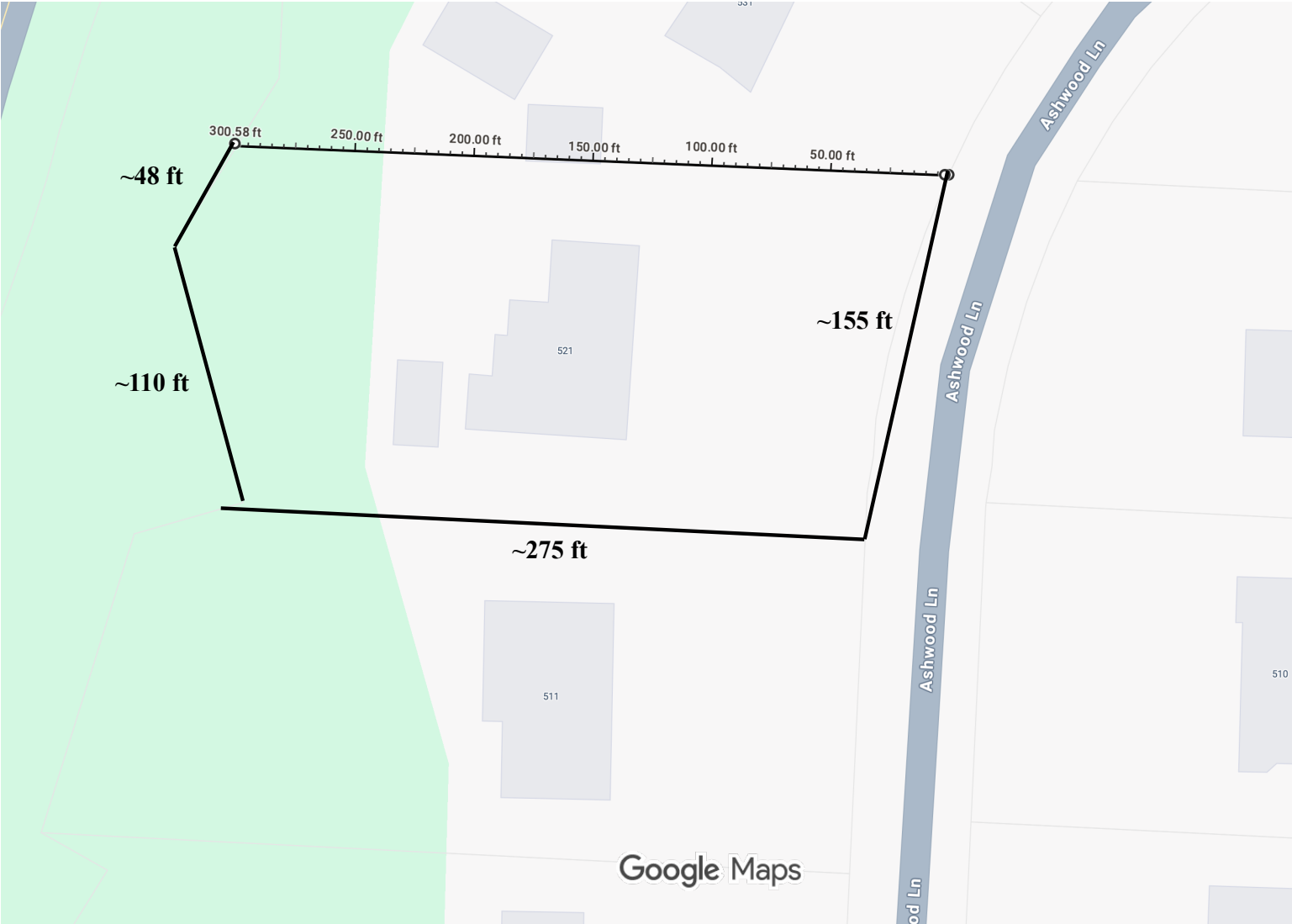
Ashwood Ln

To Whom It May Concern:

Our Home is located at 521 Ashwood Lane. The house was built in 1986 and purchased by us in 1995. We have lived here for 30+ years. The wooden fence that we repaired this fall was already Present on the property when me moved here in 1995. Our previous neighbors built a 3 car garage accessory building next our property line and fence some time ago. The new neighbors converted this original Accessory Building into a guesthouse. The guesthouse now has two windows, a door way as well as a garage facing our property line. This guesthouse is higher than normal, is less 30 ft away, and is situated at an angle that looks directly into our back yard, our swimming pool, and our living room. Additionally, there is a camera attached to the Southeast corner of this guesthouse that looks right into our living room. This close proximity is a physical hardship, like having someone else's guesthouse in our own back yard. According to section 14.02.011, minimum setback for accessory buildings for any building more than 480 sq. ft. in area but less than 900 sq. ft. in area is, at a minimum, to be 30 feet away from a property line or fence. This house is closer than the 30 ft. setback in section 14.02.011. To protect family privacy, when repairing my fence this fall, I added 2 ft. in height to the 6 foot tall wooden fence on the East side to screen my property from this overly close guesthouse.

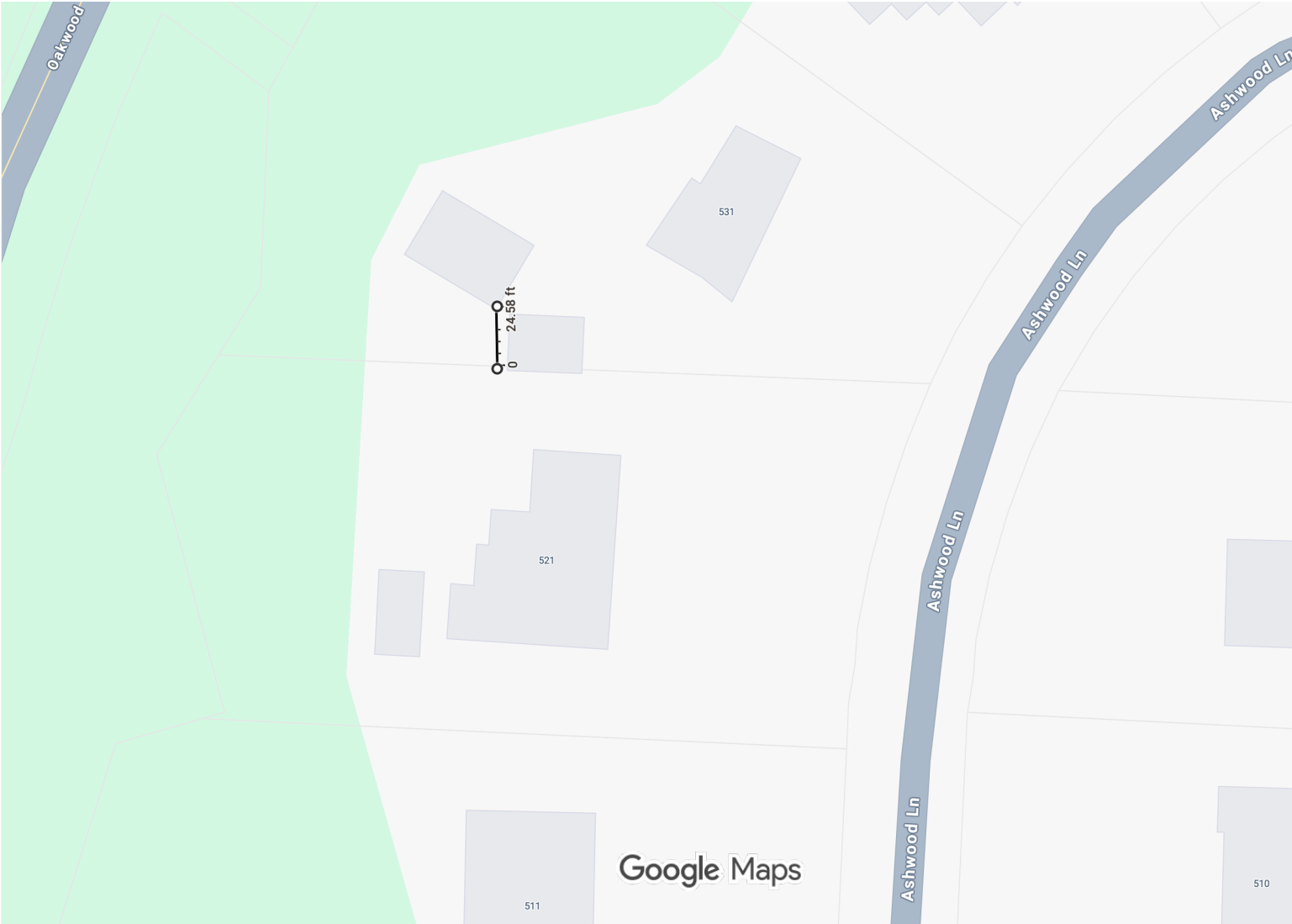
Sincerely,

James E. Williams



Map data ©2025 20 ft

Measure distance
Total distance: 300.58 ft (91.62 m)



Map data ©2025 20 ft

Measure distance

Total distance: 24.58 ft (7.49 m)



Imagery ©2025 Airbus, Map data ©2025 20 ft

Measure distance
Total distance: 24.58 ft (7.49 m)





