



## Legislation Details (With Text)

**File #:** RLH OA 16-5 **Version:** 2

**Type:** Resolution LH Other Appeal **Status:** Passed  
Type

**In control:** City Council

**Final action:** 7/6/2016

**Title:** Appeal of Kay Owen, Owen Masonry on behalf of Michelle Wessely & Tim Mick to a Denial of a Fence Variance at 565 ARLINGTON AVENUE WEST.

**Sponsors:** Amy Brendmoen

**Indexes:** Fence, Ward - 5

**Code sections:**

**Attachments:** 1. 565 Arlington Avenue W.appeal.05-12-16, 2. 565 Arlington Ave W.Owner photo.5-24-16, 3. 565 Arlington Ave W.Maczko Email.6-16-16, 4. 565 Arlington Ave W.Masonry Ltr.6-13-16

Date	Ver.	Action By	Action	Result
7/8/2016	2	Mayor's Office	Signed	
7/6/2016	2	City Council	Adopted	Pass
6/7/2016	1	Legislative Hearings	Referred	
5/24/2016	1	Legislative Hearings	Laid Over	
5/17/2016	1	Legislative Hearings	Laid Over	

Appeal of Kay Owen, Owen Masonry on behalf of Michelle Wessely & Tim Mick to a Denial of a Fence Variance at 565 ARLINGTON AVENUE WEST.

**Saint Paul Legislative Code 33.07 Height of fences.** No fence shall be erected exceeding six (6) feet six (6) inches in height above the sidewalk or finished grade of any lot in a residence district or on any lot occupied for residential purposes. The applicant shall ensure that fences and all supporting structures shall be completely within the boundaries of such lot with no portion encroaching onto adjacent property. All fences erected between the front property line and the front setback line as defined in section 60.207 of the Saint Paul Legislative Code shall be no more than four (4) feet in height. On a corner lot at two intersecting streets in a residential zoning district, no fence, wall or other structure shall be allowed above a height of two (2) feet from sidewalk grade in the triangular area of the lot included within ten (10) feet of the corner along each lot line unless the structure is more than 80 % open. Fences for nonresidential uses in residential zoning districts shall not exceed eight (8) feet in height, except fences around tennis courts, which shall not exceed twelve (12) feet in height, back stop fences, which shall not exceed twenty (20) feet in height, and golf range fences, which shall not exceed thirty (30) feet in height. The selvage end of chain link or metal fences shall be smooth; knuckled ends are permitted, twisted ends are not permitted.

WHEREAS, in the matter of the Appeal of Kay Owen, Owen Masonry on behalf of Michelle Wessely & Tim Mick to a Denial of a Fence Variance at 565 ARLINGTON AVENUE WEST, the Legislative Hearing Officer has reviewed the appeal and considered the testimony of City staff and the appellant; and

WHEREAS, the Legislative Hearing Officer recommends that the City Council deny the appeal; Now, Therefore, Be It

RESOLVED, that the Saint Paul City Council hereby accepts and adopts the Legislative Hearing Officer's recommendation in this matter.