

BOA meeting May 11, 2020

Darryl Dadon
2604 E 6th St

Fence as Accessory Use

- Fence as Accessory Use pursuant to Section 25-2-899(E) of the Code.
- I am requesting a variance from the Land Development Code section 25-2-899 Fences as Accessory Uses for a SF-3-NP residential property for a fence height along the back portion of the property that has an average height of 8ft.

Section 25-2-899(E) of the Code

- A solid fence along a property line may be constructed to a maximum height of eight feet if each owner of property that adjoins a section of the fence that exceeds a height of six feet files a written consent to the construction of the fence with the building official, and:
 - (1) there is a change in grade of at least two feet within 50 feet of the boundary between adjoining properties; or
 - (2) a structure, including a telephone junction box, exists that is reasonably likely to enable a child to climb over a six foot fence and gain access to a hazardous situation, including a swimming pool.

Written Consent from Adjoining Property Owners

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 - I have provided the written consents of each of the adjoining neighbors
 - Allegra Moet Brantly
 - Dave Huberr
 - However, because the back fence adjoins the alley which is owned by the City of Austin, approval from the BOA is also needed which is the purpose of this application.

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Electric Pole & Swimming Pool

- **(2) a structure, including a telephone junction box, exists that is reasonably likely to enable a child to climb over a six foot fence and gain access to a hazardous situation, including a swimming pool.**
- Outside of the fence, there is a utility pole that could be climbed and used to jump over the fence, which is why the fence was built to its current height.
- We are currently constructing a swimming pool in the back yard.
- The back fence is also a sliding gate and may become a hazard.

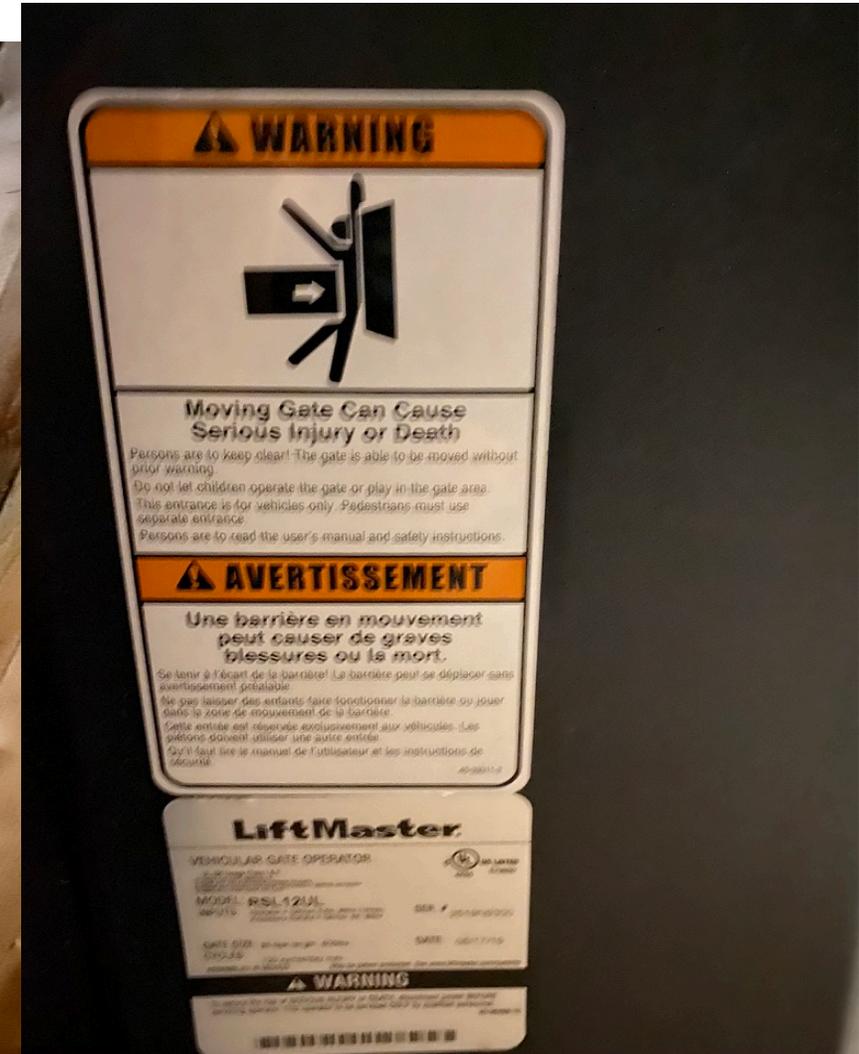
Photo of Electric Pole in Back Alley



Photo of Electric Pole from inside Property



Other hazard – Sliding Gate



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