



## Legislation Details (With Text)

**File #:** 210046. **Version:** 1 **Name:**  
**Type:** Petition **Status:** To Be Introduced  
**File created:** 5/26/2021 **In control:** Historic Preservation Board  
**On agenda:** 6/1/2021 **Final action:**  
**Title:** Obtain COA for fencing installed around the side and back yard of a single-family dwelling (B)

Petition HP-21-42. Nestor Perez, owner. Certificate of Appropriateness to gain approval of installed fencing along the side and rear of a single-family dwelling. Located at 236 NW 3rd Avenue. This building is a contributing structure to the Pleasant Street Historic District.

### Project Description

The applicant is seeking the approval of a six foot tall wood picket fence that was installed without receiving a Certificate of Appropriateness (COA) for the proposal. The owners have been cited by the Code Enforcement Division for a fence installation without receiving a COA. The front of the structure faces NW 3rd Avenue with a highly visible side and rear yard on NW 3rd Street. This petition makes the request that the installed fence remain in place. The fence begins at a point almost 4 feet from the front wall plane of the house. It provides privacy to the back yard for the family on the west side and in the rear. The applicants feel that the fence is consistent with many other vertical wood picket fences found throughout the Pleasant Street neighborhood. The applicants consider the six foot high fence to be a privacy fence, requested to provide some useable private family area in the back yard.

The six foot tall wood picket fence does not extend in to the front yard beyond the front wall of the house, but this property is a corner lot with a highly visible side and rear yard. The two sides of the fence on the west and the north, are highly visible from the right-of-way. The wood fence for the west elevation is not more than six feet in height and is an appropriate material. The rear elevation fencing meets the City of Gainesville's Historic Preservation Rehabilitation and Design Guidelines for fencing because it is constructed of wood and is no greater than six feet in height.

In the past the HPB has heard discussion about fencing on corner lots in the historic districts. Design considerations at these times included consideration of a six foot fence that was solid for four feet in height and then more of an open design for the remaining two feet in height, and location of the fence relative to the sidewalk. On this segment of NW 3rd Street, the east side of the street does not have a sidewalk. The six foot tall fence is approximately 39 inches off of the back of the curb. The corner lot is on the northeast corner of NW 3rd Avenue and NW 3rd Street. NW 3rd Avenue is a major east-west route through the neighborhood from NW 6th Street to the heart of downtown while NW 3rd Street is a way to get through the neighborhood from NW 8th Avenue to West University Avenue, meaning that this corner gets vehicle traffic as well as pedestrian traffic. The board should deliberate on the height issue of the fence located along the east side of NW 3rd Street.

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. 210046\_HP-21-00042\_Fence@236NW3rdAve\_StaffRprt

Date	Ver.	Action By	Action	Result
6/1/2021	1	Historic Preservation Board		

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Staff recommends approval of the application.