

Project Overview**#2189567****Project Title:** 6ft fence variance**Application Type:** 5.4) Variance**Workflow:** Staff Review**Jurisdiction:** City of Fayetteville**State:** NC**County:** Cumberland**Project Location****Project Address or PIN:** 2213 BRAGG BLVD (0428404373000) **Zip Code:** 28303

Please see checklist for instructions for multiple buildings on a single parcel submittals

Is it in Fayetteville? A Fayetteville mailing address does not mean it is in the jurisdictional boundaries of the city. If you're not sure, click this link: [Cumberland County Tax Office GIS system](#)

E911 Addressing confirmation, please ensure that new developments have an address assigned by Cumberland County E911 before submitting. There may be delays and penalties for not doing so.

GIS Verified Data**Project Address:** 2213 BRAGG BLVD**Variance Request Information****Requested Variances:** Height**Describe the nature of your request for a variance and identify the standard(s)/requirement(s) of the City Code proposed to be varied.:**

I am requesting a variance in the code to allow me to build a six foot fence in my front yards, both the one adjacent to Bragg Boulevard and the one touching Mcpherson Avenue, as opposed to the standard limitation of front yard fences being a maximum of four feet in height. There will still be at least a ten foot standoff distance from any public thoroughfare. This request is to prevent passers by from tossing trash from their vehicle or from their person into my yard which has been a common occurrence since moving to this address. The proposed fence on the Mcpherson Avenue side is replacing a preexisting chain link fence which fell into disrepair before I purchased the property. The chain link fence that is being replaced was also six feet in height. This is keeping to the spirit of the law since the yard on the Mcpherson Avenue side does not run parallel with the street and only has one entrance from the street; the beginning of this fence is also

Section of the City Code from which the variance is being requested.: 30-5.D.4. Height Requirements for Fences and Walls**Identify the zoning district designation and existing use of land for all adjacent properties, including those across the street.:**

Three of four adjacent lots of land currently have houses on them (2215 Bragg Boulevard, 417 Mcpherson Avenue, 421 Mcpherson Avenue). The fourth lot of adjacent land, 2211 Bragg Boulevard, is currently vacant. The lot of land across Bragg Boulevard, 2509 Pecan Drive also has a residential address. The lot of land across the street on McPherson is the parking lot for Epicenter Church (2512 Fort Bragg Road).

inset from the street into the 2213 Bragg Boulevard property.
Both fences will be constructed of wood and adhere to 5.c.

Justification for Variance Request - Use this and the following pages to answer the questions (upload additional sheets if necessary).

The Variance Standards states: A variance application shall be approved only upon a finding that **all** of the following standards are met.

1. Strict application of the Ordinance requirements results in practical difficulties and unnecessary hardships; it shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property;
2. Any practical difficulties or unnecessary hardships result from unique
3. circumstances related to the land, such as location, size, or topography, and are not the result from conditions that are common to the neighborhood or the general public be the basis from granting a variance;
4. The Variance is the minimum action that will make possible a reasonable use of land or structures;
5. The Variance is in harmony with the general purpose and intent of this Ordinance and preserves its spirit; and
6. In the granting of this Variance, the public safety and welfare have been assured and substantial justice has been done.

Please complete the following five (5) questions to verify the evidence that all the required standards are applicable to your property and/or situation.

Please describe how strict application of the Ordinance requirements results in practical difficulties and unnecessary hardships. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.:

On the Bragg Boulevard side of my house, it is a regular occurrence for people to discard their trash onto my property both from their vehicle and while walking past. A gate will be built on this side to allow public workers access to any utility or area that they are required to get to. On the Mcpherson side, I would like to have a place to let my dog out and only a small section of the property butts onto the street which makes it more akin to a backyard even though it technically is a corner lot.

Please describe how any practical difficulties or unnecessary hardships result from unique circumstances related to the land, such as location, size, or topography, and are not the result of the actions of the landowner, nor may hardships resulting from personal circumstances as well as hardships resulting from conditions that are common to the neighborhood or the general public be the basis for granting a variance.:

Please refer to the prior passage.

Please describe how the Variance is the minimum action that will make possible a reasonable use of land or structures.:

This variance will prevent people from throwing their trash onto my property.

Please describe how the Variance is in harmony with the general purpose and intent of this Ordinance and preserves its spirit.:

The land on the Mcpherson Avenue side has minimal contact with the road making it more akin to a backyard.

Height of Sign Face : 6

Height of Sign Face: 6

Square Footage of Sign Face : 0

Square Footage of Sign Face: 0

Please describe how, in the granting of the Variance, the public safety and welfare have been assured and substantial justice has been done.:

This variance will lead to a decrease in the opportunity for people to easily litter. No risk to the public safety and welfare will be imposed by the construction or existence of this fence.

Height of Sign Face: 6

Square Footage of Sign Face: 0

Square Footage of Sign Face: 0

Square Footage of Sign Face: 0

Square Footage of Sign Face: 0

Please refer to the attached site plan for questions regarding dimensions.

Square Footage of Sign Face: 0

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Square Footage of Sign Face: 0

Square Footage of Sign Face: 0

Primary Contact Information

Project Owner

Mayer Mitchell

2213 Bragg Boulevard

Fayetteville, NC 28303

P:3142231364

sunbro112358@outlook.com

Indicate which of the following project contacts should be included on this project: Other

Project Contact - Agent/Representative

Mayer Mitchell

2213 Bragg Boulevard

Fayetteville, NC 28303

P:3142231364

sunbro112358@outlook.com

As an unlicensed contractor, I am aware that I cannot enter into a contract that the total amount of the project exceeds \$40,000. :

NC State Electrical Contractor #1 License Number:

NC State Electrical Contractor #2 License Number:

NC State Electrical Contractor #3 License Number:

NC State General Contractor's License Number:

NC State Mechanical Contractor's #1 License Number:

NC State Mechanical Contractor's #2 License Number:

NC State Mechanical Contractor #3 License Number:

NC State Plumbing Contractor #1 License Number:

NC State Plumbing Contractor #2 License Number:

Other

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