

**CITY OF FLORENCE
RESOLUTION NO. 12, SERIES 2014**

A RESOLUTION UPHOLDING PLANNING COMMISSION RESOLUTION PC 14 08 APP 01, AFFIRMING AN ADMINISTRATIVE DECISION TO REQUIRE FRED CALOSSO, APPLICANT, TO REMOVE A SHEET METAL FENCE AT 1231 18TH PLACE FROM THE KINGWOOD STREET RIGHT-OF-WAY AS PART OF CONDITION #3 OF ADMINISTRATIVE DECISION AR 14 03 DR 02.

WHEREAS, application was made by Fred Calosso, as required by FCC 10-1-1-4, FCC 10-2-1, FCC 10-34-5-D, and FCC 10-34-5-F; and

WHEREAS, approval for the existing lengths of sheet metal fencing, as well as approval for additional unconstructed lengths of sheet metal fencing was issued on April 25, 2014 as approval AR 14 03 DR 02, with the condition that the existing fencing be removed from the Kingwood Street right-of-way within an approved timeline; and

WHEREAS, Fred Calosso filed an appeal of administrative decision AR 14 03 DR 02 per FCC 10-1-1-7 stating that the City should honor a Private Use of a Public Right-of-Way Agreement submitted on April 12, 2013; and

WHEREAS, the Planning Commission/Design Review Board met in a duly advertised public hearing on May 27, 2014 to consider the appeal of administrative decision AR 14 03 DR 02, evidence in the record and testimony received as per FCC 10-1-1-7; and

WHEREAS, the Planning Commission/Design Review Board determined per FCC 10-1-1-7, after review of the application, testimony, and evidence in the record, to affirm the administrative decision, requiring that the applicant remove his fencing from the Kingwood Street right-of-way within the approved timeline; and

WHEREAS, Fred Calosso filed an appeal of the Planning Commission's decision per FCC 10-1-1-7 stating that the City should honor a Private Use of a Public Right-of-Way Agreement submitted on April 12, 2013; and

WHEREAS, the City Council met in a properly noticed public hearing on July 7, 2014 and has considered the appeal, the evidence in the record including the staff report dated April 25, 2014 and the testimony presented; ·

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Florence, which finds as follows:

Section 1. Based on the findings attached hereto as Exhibit A, the City Council affirms the approval of AR 14 03 DR 02, upholding Condition #3 requiring the removal of the sheet metal fence from the right-of-way.


Section 2. This decision shall be final and conclusive per FCC 10-1-1-7-H.

PASSED BY THE CITY COUNCIL THIS 7TH DAY OF JULY, 2014.



Nola Xavier, Mayor

ATTEST:



Kelli Weese, City Recorder

STAFF REPORT & FINDINGS OF FACT
FLORENCE COMMUNITY DEVELOPMENT DEPARTMENT
Exhibit "A"

Date of Report: April 16, 2014
Application: AR 14 03 DR 02

Planning Technician:
Glen Southerland

I. PROPOSAL DESCRIPTION

Proposal: An application for an Administrative Design Review for a sheet metal fence.

Applicant: Fred Calosso

Property Owner: Fred Calosso

Location: 1231 18th Place
Assessor's Map 18-12-27-10, Tax Lot 00158

General Location: Airport Center building. Northeast corner of intersection of Kingwood Street and 18th Place.

Comprehensive Plan Map Designation: Business/Industrial Park

Zone Map Classification: Limited Industrial

Surrounding Land Use / Zoning:

Site: Limited Industrial
North: Lane County Maintenance Yard / Limited Industrial
South: Siuslaw Glass and Mirror / Limited Industrial
East: Industrial buildings / Limited Industrial
West: Florence Municipal Airport / Limited Industrial/Public Use Airport

II. BACKGROUND/NARRATIVE

Eggert Madsen first submitted a land use application for the Airport Center building on August 6, 1986. The 6,000 square foot Airport Center building was approved by the Planning Commission on August 19, 1986 through Resolution 86-8-19-38. Construction was first permitted in November 1986. Resolution 04-05-25-17 approved a garage and restroom, which was added to the site in June 2004. Despite the building being completed and in use since the late 1980s, the final building inspections were never completed and no Certificate of Occupancy was issued until the owner contacted the Building Department for final inspections on December 8, 2009.

A caretaker unit, which was part of the original application submitted in August 1986, was required to be submitted as part of a separate application for a conditional use permit in September 1986. The caretaker unit was approved at the October 21, 1986 Planning Commission meeting as Resolution 86-10-21-45.

The current applicant, Fred Calosso, purchased the property in November 2012. The sheet metal fence that currently exists on the site was discovered by Building Official Carl Dependahl on February 20, 2013. The owner was informed that sheet metal as a fencing material was prohibited in Florence through City Code. Mr. Calosso, represented by attorney Greg Freeze, applied for a legislative amendment to the Florence City Code on August 2, 2013. After approval by the Planning Commission, City Council heard and approved the legislative amendment during their November 18, 2013 and December 9, 2013 meetings.

The current application, an Administrative Design Review, required as part of the review process for a sheet metal fence, was submitted February 12, 2014 and the submittal deemed complete on April 1, 2014.

The applicant is requesting approval of previously installed fencing and additional fencing.

Approval for previously installed fencing:

- a 16-foot long fence including a gate along 18th Place,
- a 76-foot length of sheet metal fencing between the applicant's property and the neighboring property,
- and a 56-foot total length of sheet metal fencing along Kingwood Street.

Approval for additional fencing not yet installed:

- a 19-foot long sheet metal gate along Kingwood Street, replacing a plywood gate,
- and a 43-foot and 29-foot length of sheet metal fencing along the northern lot line.

III. NOTICES & REFERRALS

Notice: Noticing was performed in accordance with FCC 10-1-1-6-D. Notice was sent to surrounding property owners within 100 feet of the property on April 3, 2014 and a sign was posted on the property on April 3, 2014. As of this writing, the city received no comments.

Referrals: Referrals were sent on April 4, 2014 to the Florence Building Department, Florence Police Department, Siuslaw Valley Fire and Rescue, Florence Public Works and Florence Urban Renewal Agency. The City has received comments from Public Works regarding the placement of the fence in the Kingwood Street Right-of-Way. Public Works Director Mike Miller has asked that the fence be moved out of the Kingwood ROW, as it interferes with a storm water culvert and utilities placed between the sidewalk and the property line.

IV. APPLICABLE REVIEW CRITERIA

Florence City Code, Title 10:

- Chapter 1: Zoning Administration, Section 1-6
- Chapter 6: Design Review, Sections 3 thru 6
- Chapter 20: Limited Industrial District, Sections 5-B and 5-E
- Chapter 34: Landscaping, Section 5
- Chapter 35: Access and Circulation, Section 2-14

Realization 2020 Florence Comprehensive Plan

- Chapter 2: Land Use, Policies 1 and 3, Industrial Policy 6

V. FINDINGS

The criteria are listed in bold followed by the findings of fact.

FLORENCE CITY CODE

FCC TITLE 10: CHAPTER 1: ZONING ADMINISTRATION

10-1-1-6: ADMINISTRATIVE REVIEW:

- A. **The Planning Director, or designated planning staff may make administrative decisions. The administrative procedure is used when there are clear and objective approval criteria and applying City standards require no use of discretion.**
- B. **Administrative Decisions are based upon clear compliance with specific standards. Such decisions include, but are not limited to the following:**
 - 9. **Administrative Review is required for all new construction, expansions, change of use and remodels within the Limited Industrial District and Pacific View Business Park District, except city staff may approve the following changes without going through the administrative review process:**
 - a. **Change of use from a less intensive use to a greater intensive use, which does not increase the building's square footage and does not require more than five additional parking spaces.**
 - b. **Modification to an approved Design Review of less than 1,500 square feet or less than 25% of the building square footage, whichever is less.**

- c. **A change in setbacks or lot coverage by less than 10 percent provided the resulting setback or lot coverage does not exceed that allowed by the land use district.**
- d. **A change in the type and/or location of access-ways, drives or parking areas not affecting off-site traffic.**

The proposed fence is located within the Limited Industrial District and does not involve any of the listed changes for the administrative review process. FCC 10-34-5-F allows sheet metal as a permitted material with Administrative Design Review. Clear approval criteria and specific standards exist for sheet metal fencing through FCC 10-34-5.

FCC TITLE 10: CHAPTER 6: DESIGN REVIEW

10-6-3: GENERAL APPLICABILITY:

- A. The Design Review Board shall:**
 - 1. **When required by the zoning district, review new construction, alterations to the exterior of structures or additions involving twenty-five percent (25%) or more of the floor area of a building, and changes of use from less intensive to greater intensive use not eligible for administrative review (see Chapter 1-1-6-B). This review shall be completed prior to the issuance of a building permit;**
 - 2. **Determine whether the proposed development is appropriate to the character of the neighborhood, according to the general criteria listed in Section 10-6-5;**
 - 3. **Have authority to require changes in the planned appearances of proposed buildings, structures, and alterations in accordance with Section 10-6-1; and,**
 - 4. **The Design Review Board shall review any proposed external alteration, demolition, or change of use for any building shown on the historic resources map of the Comprehensive Plan. The Board may delay action on such a permit for a period of ninety (90) days to explore with the owner options for rehabilitation and preservation of the structure. (Ord. 680, 1-11-83)**

Design Review is required by FCC 10-34-5-F-2 in the Limited Industrial District. The Design Review will review the sheet metal fencing with the established criteria for fencing material in the Limited Industrial District.

- B. The requirements of individual zoning districts shall prevail where the applicability of this chapter and individual zoning districts conflict.**

Design Review General Criteria, in most cases, considers the site as a whole, whereas FCC 10-34-5 applies specific requirements for fencing that uses sheet metal as a material. The applicable Design Review General Criteria shall be addressed as well as the applicable criteria from FCC 10-34.

10-6-4: DRAWINGS TO BE APPROVED: No permit for a new use, structure or exterior alteration or enlargement of an existing use or structure that is subject to design review, as prescribed in this Title, shall be issued until the drawings required by this Chapter have been approved by the Design Review Board. (Ord. 625, 6-30-80)

Since the fence is partially installed at the time of application, the applicant has submitted photos and a written statement of changes that will be made to the appearance of the fencing in lieu of drawings. Staff has determined that the submitted application materials are sufficient for the purposes of evaluating the sheet metal fencing.

10-6-5: GENERAL CRITERIA: The Planning Commission or Design Review Board may require any of the following conditions it deems necessary to secure the purpose and intent of this Chapter. The Board shall, consider the effect of its action on the availability and cost of needed housing. The Board shall not use the requirements of this Section to exclude needed housing types. However, consideration of these factors shall not prevent the Board from imposing conditions of approval if the costs of such conditions shall not unduly increase the cost of housing. The Board shall have no authority to affect dwelling unit densities. The Board shall consider the following criteria reviewing applications and may set conditions or standards which regulate and limit the following: (Ord. 680, 1-11-83)

A. Setbacks, yards, height, density and similar design features according to the underlying zoning district.

The Limited Industrial District requires a minimum lot area of 7,500 square feet and a minimum lot width of fifty feet. The site meets both of these requirements. Fences may be property line-tight if the property line is known. The applicant has discovered the corner survey pins for the affected length of fence along Kingwood Street. Currently, part of the fence is encroaching upon the Kingwood Street right-of-way. Since this side of the lot is a rounded line of 100.55 feet, with a radius of 1043.75 feet, the straight line between the located pins will be within the property line of the site. The applicant should contact a surveyor in order to ensure that the fence is not located in the right-of-way in the future.

Public Works Director Mike Miller has requested that the applicant remove the fence from the right-of-way (please see Exhibit E). The fencing prevents access to essential utilities that are routed along the east side of Kingwood Street between the edge of the sidewalk and the property line. The applicant shall remove the fencing

from the right-of-way and may replace it inside the property line. (Condition 3)

B. Lot area, dimensions and percentage of coverage according to the underlying zoning district.

The maximum allowed coverage for the Limited Industrial District is 85%. At the time of the approval of Resolution 04-05-25-17, the Limited Industrial District allowed 100% lot coverage.

C. Installation and maintenance of fences, walls, hedges, screens, and landscaping according to standards set forth in FCC 10-34 Landscaping, and any requirements of the underlying zoning district.

The applicant has proposed an addition to the lengths of sheet metal fencing previously installed. Segments of sheet metal fencing exist along Kingwood Street, between the applicant's building and the neighboring structure, and along the side property line between the applicant's property and the adjacent Lane County property. These lengths of fencing were installed prior to the inclusion of sheet metal as a fence building material by Florence City Council Ordinance No. 4, Series 2013. The applicant has proposed changes to existing fencing and new fencing that will meet the requirements of FCC 10-34. The applicant shall obtain the necessary building permits for the existing fencing and any additional fencing as required by the Building Official. (Condition 4)

D. The location and design of access and egress points for vehicles and pedestrians, including access points along State highways according to standards set forth in FCC 10-35 Access and Circulation, and any requirements of the underlying zoning district.

The applicant proposes that primary access to the building will be through the main entrance on 18th Place and that the gates will be closed and locked throughout the day. Use of the entrance and exit gates shall meet standards set forth in FCC 10-35 Access and Circulation, reviewed later in the report.

E. Noise, vibration, smoke, dust, odor, light intensity and electrical interference's.

Neither the existing fence nor the proposed fence will cause any of the above nuisances. The maintenance of the fence shall prevent any of the nuisances listed in FCC 10-6-5-E from occurring. However, given the proximity of the Florence Municipal Airport, light intensity is an especially important nuisance to prevent. The applicant shall finish the fencing in non-reflective materials and maintain the fence to prevent underlying reflective metals from becoming a nuisance to aviation. (Condition 5)

G. Architectural quality and aesthetic appearance, including compatibility with adjacent buildings.

This site is located in the Limited Industrial District. The applicant proposes to maintain the compatibility of the fencing related to materials and color scheme to surrounding buildings. The fencing is currently colored in darker, muted tones that complement the building and the applicant proposes to add a visual break that will match the exterior color of the Airport Center building. The material is compatible with the adjacent buildings, which are constructed of the same material, but are of different colors. The fencing is aesthetically and architecturally compatible with buildings of the Limited Industrial District.

I. Exterior Lighting and Security

The applicant has not proposed any changes to the exterior lighting of the building, which previously was sufficient for safety and security. The existing and proposed fencing is intended to improve the security of the site and screen the contents from view.

K. Public health, safety and general welfare.

The existing and proposed fencing will have the effect of increasing the security of the site. The existing and proposed fencing will have no effect on the health, safety, and general welfare of the public if properly maintained. FCC 10-34-5 requires that the fence be properly maintained in a rust-free condition to prevent the fencing from becoming a public nuisance. The manufacturer's warranty has included instructions for cleaning in a coastal climate. The applicant has provided a copy of the manufacturer's warranty and shall follow the instructions contained therein to prevent the deterioration of the fencing. (Condition 6)

L. Requiring a time period within which the proposed use or portions thereof shall be developed.

The applicant shall be required to obtain any necessary building permits for the existing segments of fencing along Kingwood Street, 18th Place, and the eastern property line within six months of approval. The applicant has indicated that he will be building a wooden fence prior to building a sheet metal fence due to financial constraints. The applicant shall be given an extended timeframe to obtain building permits for the additional fencing. The applicant shall also be required to obtain building permits for the proposed lengths of fencing along the northern lot line within two years of approval. (Condition 7)

M. Requiring bonds to insure performance of special conditions. (Ord. 625, 6-30-80)

There are no special conditions required with the proposed development; therefore bonds to insure performance are not necessary. No public infrastructure improvements are required for this project; therefore, no performance agreement, petition or bond for improvements shall be required.

10-6-6: DRAWING SUBMITTAL: The owner or authorized agent shall submit the following drawings to the City for review:

- D. Additional information may be required by the City if necessary to determine whether the purposes of this Chapter are being carried out or may authorize omission of any or all the drawings required by this Chapter if they are not necessary. The City shall specify the number of copies of each drawing to be submitted**

The applicant has submitted a site plan illustrating the location of all conditions on-site, including the location of existing structures and parking. The applicant has determined all survey pins of consequence to his project and included the location of those pins on his site plan. The applicant has not provided a landscape plan, nor will be required to, as the site is a pre-existing non-conforming use with regard to landscaping requirements. The applicant has provided photos of the existing fencing and a description of proposed changes to the existing fence, which staff has deemed adequately illustrative of the proposal.

FCC TITLE 10: CHAPTER 20: LIMITED INDUSTRIAL DISTRICT

10-20-5: SITE AND DEVELOPMENT PROVISIONS:

- B. Fences, Hedges, Walls or Landscaping: Refer to 10-34 of this Title for general requirements. Landscaping and trees shall not obstruct the airport's approach path.**
- E. Vision Clearance: Refer to Section 10-1-4 and 10-35-2-13 of this Title for definition and requirements.**

The proposal will be checked for compliance with the applicable sections of FCC 10-34 and FCC 10-35-2-13.

FCC TITLE 10: CHAPTER 34: LANDSCAPING

10-34-5: FENCES AND WALLS: Construction of fences and walls shall conform to all of the following requirements:

- A. General Requirements. All fences and walls shall comply with the height limitations of the respective zoning district and the standards of this Section. The City may require installation of walls and/or fences as a condition of development approval, in accordance with land division approval, approval of a conditional use permit, or design review approval. When required through one of these types of approvals, no further land use review is required. (See also, Section 10-34-3-6 for landscape buffering and screening requirements.)**

FCC 10-34-5-B and 5-D allows for sheet metal fencing up to eight feet in height in the Limited Industrial District. The City is not requiring installation of the fencing as a condition of approval of a development, conditional use permit, or other design review procedure.

B. Dimensions.

- 2. Commercial and Industrial Zones: Except as provided below, the height of fences and walls in any required front yard shall not exceed three (3) feet as measured from the grade and no greater than eight (8) feet elsewhere on site.**

The applicant has proposed fencing no greater than eight feet in height. The front yard of the Airport Center building site is along the southern lot line facing 18th Place. This portion of the site is built property line-tight with the Airport Center building. There is no fencing in the "front yard" of the property; all fencing is along the side and rear property lines. This fencing may be no greater than eight feet in height as a result.

D. Specific Requirements

- 2. Fences and walls shall comply with the vision clearance standards of FCC 10-35-2-13.**

The fencing shall be reviewed against the standards of FCC 10-35-2-13 for vision clearance.

- 3. Retaining walls exceeding four (4) feet in height and freestanding walls or fences greater than six (6) feet in height require a building permit**

The existing fencing extends to a height of seven feet and the proposed fencing will extend to a height of eight feet. Building permits will be required for both the existing and proposed fencing. The applicant has been in contact with Building Official Dave Mortier in order to determine what will be required for the building permits.

- 4. Sheet Metal Fencing (as permitted) shall meet the following criteria:**
 - a. Must have appropriate weatherization coating to address vulnerability to rust in Florence's coastal climate.**

The applicant has installed fencing with appropriate weatherization for the coastal climate. The paint given on the ColorGuard 25 Warranty provided by the applicant is rated for 25 years without fading, color changes, cracking, checking, or peeling.

- b. Must be installed and maintained as per warranties to ensure longevity. Warranty documentation must be submitted to the Planning Director before approval.**

The applicant shall install and maintain in accordance as per the warranty provided as a provision of Condition of Approval 6 of this Administrative Review.

- c. Shall be maintained in good condition (rust and hole free, non-peeling, and absent of similar signs of disrepair), or otherwise replaced by the property owner.**

The applicant shall be responsible for any repairs or maintenance associated with the sheet metal fencing. The applicant shall not allow the fence to show signs of disrepair such as rusting, holes, peeling, etc. The fencing, prior to reaching this state, shall be replaced or repaired by the applicant. (Condition 8)

- d. Sheet metal fencing, due to its manufacturing design, will be either horizontally or vertically dominant depending on the manner of installation. To break up the dominant vertical or horizontal orientation, the fence design along streets shall incorporate variable architectural detail. This can be accomplished through one or more of the following a minimum of every eight (8) feet;**

- 1. Addition of vertical siding trim strips and cap trim of colors different yet complimentary to the fence color.**
- 2. Change in orientation of sheet metal.**
- 3. Vertical offsets (staggered fence line).**

The applicant proposes to add a vertical dark grey metal gap at intervals along the length of the fence to match trim on the building. This variable architectural detail will break up the dominant orientation of the fencing and meet the requirements of FCC 10-34-5-4-D. The applicant shall install a variable architectural detail meeting FCC 10-35-5-4-D on all sections of fence that have been or will be installed. (Condition 9)

F. Materials.

- 2. Materials permitted with Administrative Design Review: Sheet metal is permitted within the Limited Industrial District with Administrative Design review Approval.**

The applicant has proposed sheet metal fencing, in accordance with FCC 10-34-5, permitted with Administrative Design Review.

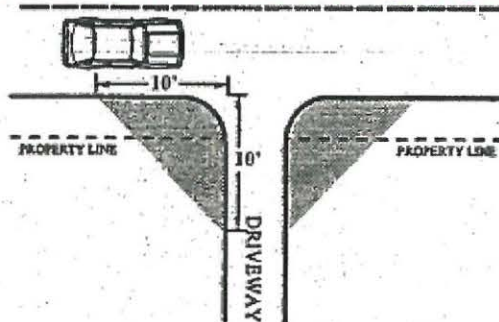
FCC TITLE 10: CHAPTER 35: ACCESS AND CIRCULATION

10-35-2-14: Vision Clearance. No visual obstruction (e.g., sign, structure, solid fence, or shrub vegetation) shall block the area between two and one-half feet (2 ½') and eight (8) feet in height in "vision clearance areas" on streets, driveways, alleys, mid-block lanes, or multi-use paths where no traffic control stop sign or signal is provided, as shown in Figure 10-35(4). The following requirements shall apply in all zoning districts:

- B.** At the intersection of an alley or driveway and a street, the minimum vision clearance shall be ten feet (10').

The sides of the minimum vision clearance triangle are the curb line or, where no curb exists, the edge of pavement. Vision clearance requirements may be modified by the Public Works Director upon finding that more or less sight distance is required (i.e., due to traffic speeds, roadway alignment, etc.). This standard does not apply to light standards, utility poles, trees trunks and similar objects. Refer to Section 10-1-4 of this Title for definition.

**Figure 10-35(4): Vision Clearance Areas
(solid lines indicate curbs or edge of pavement)**



The fence and gate must be moved out of the Kingwood Right-of-Way. Previously, the sheet metal fence and gate interfered with the vision clearance area depicted above. The applicant shall place the fencing and gate so that no portion interferes with the sightline triangle pictured in Figure 10-35(4).

The 18th Place south gate to the property, spanning a large portion of the 16-foot driveway, is too narrow to support two-way traffic. However, the design of the site allows proper unmodified vision clearance from this driveway.

The applicant shall utilize the driveways as permitted by the available vision clearances. The reinstated fence shall conform to vision clearance standards set forth in FCC 10-35-2-14. (Condition 10)

CHAPTER 2: LAND USE

Policy 1. Designation and location of land uses shall be made based on analysis of documented need for land uses of various types, physical suitability of the lands for the uses proposed, adequacy of existing or planned public facilities and the existing or planned transportation network to serve the proposed land use, and potential impacts on environmental, economic, social and energy factors.

The Limited Industrial District was created to provide areas for manufacturing, assembly, packaging, warehousing and related activities that do not create a significant detrimental impact on adjacent districts. The fencing, complementary to an industrial use in the Limited Industrial District, serves the proposed land use and further protects the surrounding areas from potential impacts.

Policy 3. The quality of residential, commercial and industrial areas within the City shall be assured through the enforcement of City zoning, design review, applicable conditions of development approval, parking and sign ordinances, and the enforcement of building, fire, plumbing and electrical codes.

The quality of industrial areas and the safety of citizens shall be assured by the enforcement of the conditions of approval of this design review. The quality of the installation and the safety of surrounding tenants and properties shall be assured by the enforcement of building codes.

Industrial

Policy 6. New industrial development shall observe the City's performance standards regulating noise, glare, dust, odor, and fire hazards to insure that the City's clean air, water and other natural resources are not adversely affected by such development.

The applicant shall limit the glare of the fencing to prevent hazards to aviation as well as the general public in accordance with Condition of Approval 5. In addition, the fencing will help prevent possible noise and dust from entering or escaping the industrial site.

VI. Conclusion:

Staff finds the application, as presented meets or can meet applicable City codes and requirements, provided that the following conditions of approval are met:

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1. Approval shall be shown on:

"A" Findings of Fact
"B" Site Plan
"C" Statement from Fred Calosso Describing Project
"D" Pictures of Existing Fencing
"E" Referral Comments from PWD Miller

Findings of Fact attached as Exhibit "A" are incorporated by reference and adopted in support of this decision. Any modifications to the approved plans or changes of use, except those changes relating Building Codes, will require approval by the Community Development Director or Planning Commission/Design Review Board.

2. Regardless of the content of material presented for this application, including text and exhibits, staff reports, testimony and/or discussions, the property owners agree to comply with all regulations and requirements of the Florence City Code which are current on this date. The property owner shall submit to the Community Development Department a signed "Agreement of Acceptance" of all conditions of approval **prior to issuance of building permit.**
3. The applicant shall remove the fencing from the Kingwood Street right-of-way. The applicant shall have six months from the date of this approval to remove the fence along the Kingwood Street frontage of the site.
4. The applicant has proposed changes to existing fencing and new fencing that will meet the requirements of FCC 10-34. The applicant shall obtain the necessary building permits for the existing fencing and any additional fencing as required by the Building Official.
5. The applicant shall primarily finish the fencing in non-reflective materials and maintain the fence to prevent underlying reflective metals from becoming a nuisance to aviation.
6. The applicant has provided a copy of the manufacturer's warranty and shall follow the instructions contained therein to prevent the deterioration of the fencing.
7. The applicant shall be required to obtain building permits for the existing segments of fencing along Kingwood Street, 18th Place, and the eastern property line within six months of approval. The applicant has indicated that he will be building a wooden fence prior to building a sheet metal fence due to monetary constraints. The applicant shall be given an extended timeframe to obtain building permits for the additional fencing. The applicant shall be required to obtain building permits for the proposed lengths of fencing along the northern lot line within two years of approval.
8. The applicant shall be responsible for any repairs or maintenance associated with the sheet metal fencing. The applicant shall not allow the fence to show signs of disrepair such as rusting, holes, peeling, etc. The fencing, prior to the fencing reaching this state, shall be replaced or repaired by the applicant.

9. The applicant shall install a variable architectural detail on all sections of fence that have been or will be installed.
10. The applicant shall utilize the driveways as permitted by the available vision clearances. The reinstalled fence shall conform to vision clearance standards set forth in FCC 10-35-2-14.

VII. EXHIBITS

- A. Findings of Fact
- B. Site Plan
- C. Statement from Fred Calosso Describing Project
- D. Pictures of Existing Fencing
- E. Referral Comments from PWD Mike Miller

APPROVED BY THE COMMUNITY DEVELOPMENT DEPARTMENT, this
21st day of APRIL, 2014.



Wendy Farley Campbell
Senior Planner



Glen Southerland
Planning Technician