

CITY OF HOMER
HOMER, ALASKA

ORDINANCE 86-1

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF HOMER, ALASKA, AMENDING SECTION 21.60.040, FENCES, AND ADDING SECTION 21.60.041, CONDITIONAL FENCE PERMIT, HOMER MUNICIPAL CODE

WHEREAS, the City of Homer currently regulates fence height and placement; and

WHEREAS, it has become necessary to clarify the height limitation and placement of fences to avoid blocking the sight-distance triangle in the setback area; and

WHEREAS, it is reasonable to add a section providing for a conditional fence permit when circumstances warrant the need to construct a fence to heights in excess of those allowed; and

WHEREAS, the Homer Advisory Planning Commission held a public hearing on December 18, 1985.

NOW THEREFORE, THE CITY OF HOMER ORDAINS:

Section 21.60.040, Fences, is amended and Section 21.60.041, Conditional Fence Permit, is added to the Homer Municipal Code to read as follows:

21.60.040 Fences. Fences may be constructed at the lot line; provided, however, that front yard fences in residential zoning districts shall not exceed four feet in height nor shall any fence within residential zoning districts exceed four feet in height within the 20 foot setback area. No fence may block any sight distance triangle which may be required by the ordinance codified in this chapter or other ordinances.

21.60.041 Conditional Fence Permit. Fences may be constructed to heights in excess of those allowed ... only when a conditional fence permit is first obtained from the Planning and Zoning Department. Prior to granting such a permit, the applicant must demonstrate and the Homer Advisory Planning Commission must find that:

- a. The issuance of such a permit is reasonably necessary, by reason of unusual or special circumstances or conditions relating to the property, for the preservation of valuable property rights for full use and enjoyment of the property;
- b. The fence will not create a safety hazard for pedestrians or vehicular traffic;

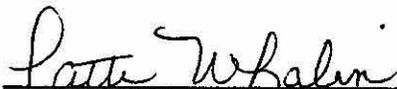
- c. The appearance of the fence is compatible with the design and appearance of other existing buildings and structures within the neighborhood;
- d. The fence is a planned architectural feature to avoid dominating the site or overwhelming the adjacent properties and structures;
- e. The orientation and location of the fence is in proper relation to the physical characteristics of the site and the surrounding neighborhood.
- f. The fence will be of sound construction and located so as not to create a safety hazard.

21.60.042 Exception. Under no circumstances will a conditional fence permit be considered for a fence in the sight distance triangle.

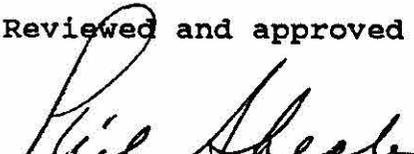
CITY OF HOMER


John P. Calhoun, Mayor

ATTEST:


Patti Whalin, City Clerk

Reviewed and approved as to form and content.


Phil C. Shealy, City Manager
Date: 3/17/86

A. Robert Hahn, City Attorney
Date: _____

First reading: 2/10/86
Public hearing: 2/24/86
Second reading: 3/10/86
Effective date: 3/11/86