Agenda Item: Zoning Petition 2021-738, Meadows at Matthews Change in Zoning Conditions to use the flexible design standards available in the R-VS zoning district to allow for a six-foot-tall fence in the front yard setback.

TO: Matthews Board of Commissioners
DATE: October 5, 2021
FROM: Robert Will, Senior Planner

Background/Issue
- The applicant requests to use the flexible design standards available in the R-VS zoning district to allow for a six-foot-tall fence in the front yard setback.
- Notice of Violation issued for 105, 109 and 133 Matthews Township Parkway for having a six-foot fence in the front yard setback (fences are permitted in the front yard but only up to 4 feet).
- The three owners applied for variances for each lot to allow for a six-foot fence in the front yard setback. At their meeting on December 3, 2020 the Board of Adjustment denied variances for each lot.
- The three owners were informed that another possible solution was to pursue a text amendment, and subsequently worked with staff to bring forward a narrowly crafted amendment that would impact around 30 properties along Matthews Township Parkway.
- At the public hearing for the text amendment, The Board brought up the possibility of applying the flexible design standards available in the R-VS zoning district in order to tailor the request for a six-foot fence in the front yard setback to these seven properties.
- Upon investigation of the UDO, staff determined that fences and walls are specifically permitted to be adjusted per the flexible design standards, and the correct procedure would be a zoning change of conditions.
- Applicants submitted the paperwork for a change in zoning conditions to allow a six-foot fence in the front yard setback for the seven lots in the Meadows at Matthews.

Proposal/Solution:
No changes have been proposed since the public hearing, however at the Planning Board meeting it was brought up that the fences should be consistent and not have a variety of styles.

Recommended Motion/Action
Approve zoning Application 2020-738 to use the flexible design standards available in the R-VS zoning district to allow for a six-foot-tall fence in the front yard setback.

Board of Commissioners
APPROVED
October 11, 2021
Lori Canapino, Town Clerk

R-VS Change of Conditions
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