

HEARING NO.: BA-13-2017


SECTION OF CODE: 3.14(16)

Code prohibits installing a fence in the front yard of any property within a commercial, mixed use, or industrial zoning district. Petitioner is requesting permission to erect a six foot tall chain link fence within the front yard.

The Margate CRA is constructing a covered athletic field facility as a community amenity with the intention of transferring ownership of the facility to the City of Margate when the CRA sunsets. Since the City of Margate will eventually own and operate this facility, it must be designed to function as public property. This particular facility will primarily cater to children. Fencing the perimeter is required in order to provide adequate safety. It will deter criminal activity, while keeping children who visit the facility safely away from the adjacent roadway. Furthermore, the City of Margate is currently in the process of rezoning this property to S-1 Recreational District. Once the rezoning is completed, the proposed fence will comply with City code as there is no prohibition of fences in front yards on S-1 properties.

Staff finds a practical hardship exists due to the nature and operational characteristics of the proposed use. Staff finds that the granting of this variance will not create a nuisance to the City, and would otherwise result in a hardship for the applicant if this request was denied. **Staff recommends approval of this variance.**

RECOMMENDATION:	APPROVE	APPROVE WITH CONDITIONS	DENY
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Director of Economic Development.

24 May 17
Date