



## Legislation Text

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**File #:** MISC-11-19-5766, **Version:** 1

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**Agenda Item Title:**

Development Code Interpretation

**Presenter:**

Brian McCuiston

**Description/Background:**

Mr. Jeff Nilsen is requesting that the Planning Commission review the official interpretation by the Community Development Director regarding lattice work that has been erected along a property line. This is related to property located at 9663 S. 2980 E.

**BACKGROUND**

In June 2019, the applicant was given a notice of correction for the lattice work that was erected within inches from his east property line. After meeting with the property owners on several occasions, staff was asked to give an official interpretation of whether the lattice work would be identified as a stand-alone arbor, fence or structure.

On November 7, 2019 the Community Development Director interpreted the lattice work to be either a fence or an accessory structure, depending upon the location. The justification for this interpretation is included in the attached letter.

The applicant is claiming that he built the lattice work as a stand-alone arbor under provisions of the Development Code Section related to accessory structures (21-11-2(a)(4)(h)).

**Recommended Action and/or Suggested Motion:**

Staff recommends that the Planning Commission review the attached information and decide whether the interpretation from the Community Development Director is correct.