
City of Aurora, MO

Memorandum

From: Carrie Howlett, Community Development Director

Re: 816 Terrace Drive

In October 2020, Michael Weber, resident at 816 Terrace Drive contacted my office regarding placement of a privacy fence on his property. I advised Mr. Weber of our City Code regarding fences. Mr. Weber's property meets Terrace Drive to the front of his primary structure and meets Lakeview Drive to the back of his primary structure. I consulted City Attorney Ken Reynolds regarding the unique layout of the lot(s). Mr. Reynolds advised me the original plat reflects two separate lots, one facing Terrace Drive and the other facing Lakeview Drive. Consequently, the Eastern most side of the parcel should be considered a front yard in relation to Lakeview Drive.

City Manager Jon Holmes and myself met with Michael Weber advising him that per Aurora City Code a fence could be constructed on the property so long as the maximum height of the fence is 6 feet, except the maximum height shall be 3 feet within the front yard measured from the front building line. No primary structure was constructed on the original platted lot abutting Lakeview Drive therefore, the front building line was determined by neighboring lots to the North and South.

Mr. Weber advised that he would compromise for the time being and construct his fence at 6 feet in height in the rear yard of his primary structure with decline in height down to 3' in line with the front building lines neighboring his property. Building permit was issued on October 21, 2020 for said fence.

Mr. Weber contacted my office March 9, 2021 advising the fence 3 feet tall is not adequate for his property and he would like to construct the fence to 6 feet on all sides of his backyard. Mr. Weber contends that his property was purchased as one parcel and the lot identified by original plat is one with the lot which bears his primary

structure. I advised Mr. Weber that I cannot issue a permit for construction of the 6 foot tall fence in that area of the yard. Mr. Weber requested an appeal to the Board of Zoning Adjustment and requests approval to construct his fence to 6 feet in height.

I have also spoken with Lisa Marto, property owner, regarding this issue. Ms. Marto is in agreement with Mr. Weber.