



## DRAPER CITY HALL

Community Development | 1020 E. Pioneer Rd. Draper, UT 84020

April 11, 2022

### **Draper City Planning Division Administrative Interpretation**

**RE: Smith Fence**

This letter clarifies where fencing is allowed on a corner lot. The property under question is located at 804 East Draper View Rd., parcel number 34-08-302-019. The zoning for the property is R3 (Single-family Residential, 13,000 square foot lot minimum). The property contains 0.57 acres. While addressed off of Draper View Rd, the house actually faces Draper Heights Way. Specifically, the front door faces Draper Heights Way and the garage faces Draper View Rd.

Draper City Municipal Code (DCMC) Section 9-27-080 covers fencing. Section A limits fencing within the front yard setback to 4-feet in height and allows fencing of 6-feet in height behind the front wall plane of the house. Section B requires a reduction in height for any fencing that is within 12-feet of a driveway to preserve a clear view area, and Section C addresses clear view areas at a street intersection.

#### **9-27-080: FENCES AND VISUAL OBSTRUCTIONS:**

*Any fence, wall and other similar structure or landscaping which is a visual obstruction shall meet all of the following requirements:*

*A. Height: A fence, wall, or other visual obstruction, excluding trees, shall comply with the following:*

- 1. When located within the required front yard a fence, wall, or other visual obstruction, not including trees shall not exceed four feet (4') in height unless a greater height is allowed by a conditional use permit or as otherwise permitted in this title.*
- 2. When located behind the front wall plane a fence, wall, or other visual obstruction, not including trees, shall not exceed six feet (6') in height unless a greater height is allowed by a conditional use permit or as otherwise permitted in this title.*

*B. Driveways: No obstruction to view in excess of three feet (3') in height shall be placed at any driveway or automobile accessway within the triangular area formed by connecting the points of intersection of the side driveway or accessway line and the property or side street line with points twelve feet (12') along the property line and twelve feet (12') along the driveway line.*

- C. Corner Lots: In all zones which require a front yard, no obstruction to view in excess of three feet (3') in height shall be placed on any corner lot within a triangular area formed by the right of way boundary and the line connecting them at points thirty feet (30') from the intersection of the right of way boundary line, except for:*
- 1. A reasonable number of trees pruned high enough to permit unobstructed vision to an automobile driver; or*
  - 2. Monument identification signs when permitted by this title.*
  - 3. For purposes of locating fences, walls, landscaping and other similar visual obstructions, a corner lot shall have one "front", which is defined as parallel with the side of the residential structure which contains the primary entrance.*

DCMC Section 9-27-080(C) states that corner lots have one front in regards to fencing. The front is the yard area that runs parallel with the side of the house that contains the front door. In the case of the subject property, this means that the front setback area is the south property line running parallel to the front door and Draper Heights Way. Fencing in this area has to be 4-feet in height or less within the required 25-foot front setback. Outside of the 25-foot front setback, the fence can be increased to 6-feet in height.

The east property line, running parallel to the Draper View Rd. is not considered a front yard area for purposes of locating a fence and a 6-foot tall fence can be located within this area, subject to the clear view area restrictions.

It is the Zoning Administrators position that the applicants proposed fencing as submitted with this application does comply with the fencing standards. A redlined and stamped approved version is attached which outlines where fencing is allowed to be and what height limit is required in the different areas of the yard.

There are a couple options available to you if you do not agree with this determination. You may seek a text amendment in order to change the code, or you may appeal this determination. An appeal is subject to DCMC Section 9-5-180 and shall be made within 10 days of the decision which is appealed. Applications for all options can be found on the city's website.

If you have further questions, please contact me at [jennifer.jastremsky@draperutah.gov](mailto:jennifer.jastremsky@draperutah.gov) or at 801-576-6328.

Respectfully,



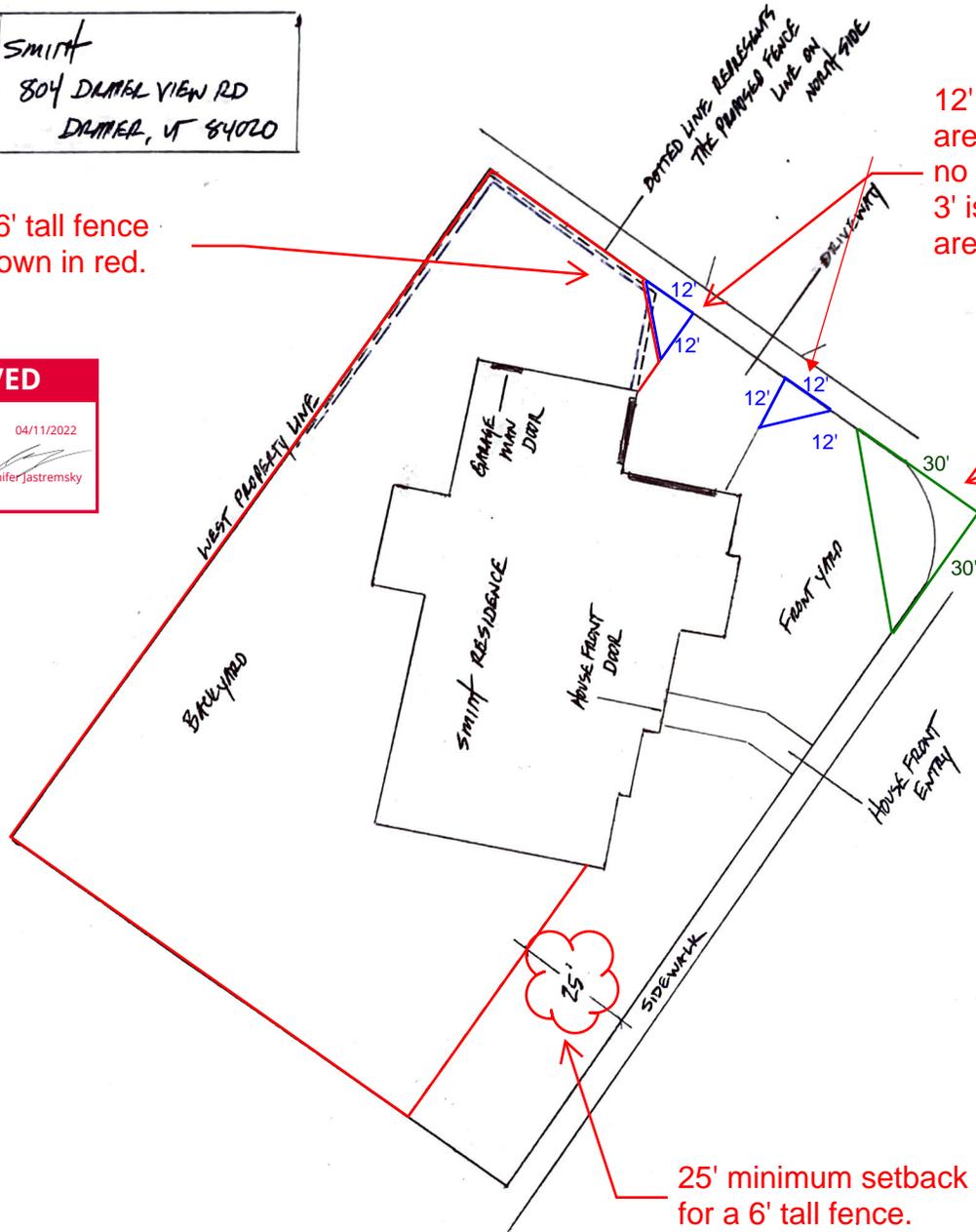
Jennifer Jastremsky, AICP  
Planning Manager / Zoning Administrator  
Community Development Department

SMITH  
804 DANIEL VIEW RD  
DANVER, VT 05420

Allowed 6' tall fence areas shown in red.

12' clear view triangle area shown in blue - no fencing taller than 3' is allowed in this area.

30' clear view triangle area shown in green - no fencing taller than 3' is allowed in this area.



Any fencing in the front yard and 25' setback area is limited to 4' in height. Per DCMC Section 9-27-080: A corner lot shall have one "front", which is defined as parallel with the side of the residential structure which contains the primary entrance.

25' minimum setback for a 6' tall fence.