APPLICATION 2021-738 STAFF REPORT
MEADOWS AT MATTHEWS, CHANGE IN ZONING CONDITIONS

Pre Public Hearing Staff Analysis • September 2021
**Location**
Seven lots located along NC 51 near the intersection with Sardis Rd.

**Ownership/Applicant**
Various owners are also the applicants

**Zoning**
Existing: R-VS  Proposed: R-VS

**Use**
Existing: Single Family Residences  
Proposed: No Change

**Request Summary**
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.
STREET VIEW

LOOKING ALONG NC 51 AT THE CORNER OF SARDIS RD.
**Site Summary**

The seven lots that make up The Meadows at Matthews are all developed with single family homes. They are unique in that the driveway access is from Sardis Rd. but all of the lots front Matthews Township Parkway.

There is a Brick wall that extends across five of the lots along Matthews Township Parkway but the two lots on the corner do not have the wall on their property.

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**Previous Zoning Actions**

In 2020 three of the owners in The Meadows received a notice of violation for having a six foot privacy fence in the front yard setback. They were subsequently denied variances and had worked with staff on a text amendment.
PROPOSED SITE PLAN

- No proposed change in any of the existing single family homes.
- Requesting an increase in fence height from 4 feet to 6 feet that is allowed in the front yard setback.
- The request is being made under the flexible design standards provisions.
- No change in zoning.
• Notice of Violation issued for 105, 109 and 133 Matthews Township Parkway for having a 6 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.
STAFF COMMENTS AND OUTSTANDING ISSUES

Planning Department
1. None

Police
No Concerns

Fire
No Concerns

Public Works
No Concerns

Parks and Rec
No Concerns