

O R D I N A N C E

AMENDING SECTION 6.5.I.6 OF THE CITY OF BEAUFORT UNIFIED DEVELOPMENT ORDINANCE TO PERMIT FRONT FENCES SEVEN FEET IN HIGH ON RESIDENTIAL LOTS ON RIBAUT ROAD

WHEREAS, the Unified Development Ordinance currently restricts fences within the front building setback to four feet in height; and

WHEREAS, City Council desires to allow taller fences on Ribaut Road due to the amount of traffic, particularly truck traffic, that this road carries; and

WHEREAS, staff has prepared an amendment to the Unified Development Ordinance to allow front fences seven feet in height on residential lots on Ribaut Road; and

WHEREAS, this amendment has been presented to the City of Beaufort-Town of Port Royal Joint Municipal Planning Commission and the Commission recommended approval with conditions; and

WHEREAS, a public hearing before the Beaufort City Council was held regarding this ordinance amendment on August 25, 2009, with notice of the hearing published in *The Beaufort Gazette* on August 10, 2009;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Beaufort, South Carolina, duly assembled and by authority of same, pursuant to the power vested in the Council by Section 6-29-760, *Code of Laws of South Carolina, 1976*, that *The Unified Development Ordinance of the City of Beaufort, South Carolina* be amended as follows:

Revise Section 6.5.I.6 of the Unified Development Ordinance “Measurement and Exceptions, Yards, (Setbacks)” by replacing the current paragraph 6, “Features Allowed Within Setbacks,” and replacing it with a new paragraph 6 to read as follows:

6. Features Allowed Within Setbacks

The following features may be located within a required setback subject to the provisions of Section 7.6.B, “Sight Triangles.”

- a. Trees, shrubbery or other landscape features.
- b. Fences and walls, provided that in residential and commercial districts, the support structures for fences shall be located on the inside of the fence and that no fence, wall or hedge shall exceed:
 - (1) Four feet in height when located within any front or street side setback, except for residential lots which front Ribaut Road, where fences may be seven feet in height on the condition that such fences are set back from the front property line one foot for every foot increase in height above four feet;
 - (2) Six feet in height when located in an interior side or rear setback of a residential zoning district; or

- (3) Eight feet in height when located in an interior side or rear setback of a nonresidential zoning district.
- c. Driveways may be located in front and street side setbacks and in rear setbacks if an alley is provided.
- d. Sidewalks may be located within any required setback.
- e. Utility lines, wires and associated structures, such as power pole.
- f. Uncovered porches, uncovered steps to building entrances, uncovered patio decks and uncovered balconies may extend up to five feet into any required front, rear or street side setback.
- g. A covered porch may extend up to 8 feet into a front yard setback, but shall not extend into a side yard setback. Any covered porch extending into the setback shall not be enclosed.
- h. Openwork fire balconies and fire escapes may extend up to five feet into any required setback.
- i. Sills, belt courses, cornices, buttresses, eaves and other architectural features may extend up to two feet into any required setback.
- j. Chimneys and flues may extend up to two feet into any required setback.
- k. Satellite dish antennas may be placed in required rear setbacks.
- l. Roof overhangs such as rafters may extend beyond the buildable area a distance not to exceed two feet.
- m. See Section 5.4.G for setbacks for accessory structures.

This ordinance shall become effective immediately upon adoption.

BILLY KEYSERLING, MAYOR

(SEAL) Attest:

SHIRLEY D. HUGHES, ACTING CITY CLERK

1st Reading _____

2nd Reading & Adoption _____

Reviewed by: _____
WILLIAM B. HARVEY, III, CITY ATTORNEY