

**AN ORDINANCE AMENDING SECTION 505.010 OF THE CRYSTAL LAKE PARK CITY  
CODE PERTAINING TO FENCE REGULATIONS**

**WHEREAS**, the City of Crystal Lake Park wishes to amend Section 505.010 of the Crystal Lake Park City Code to authorize any property owner to seek a variance from the terms of Section 505.010, or appeal any administrative determination made by a City officer under Section 505.010, by application to the Board of Adjustment.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERPERSONS OF CRYSTAL LAKE PARK, MISSOURI AS FOLLOWS:**

**Section One.** Section 505.010, Fences of Chapter 505, General Construction Provisions, of the Crystal Lake Park City Code is hereby amended to read as follows (new language is *emphasized* and deleted language is **stricken**, with no other portion of Section 505.010 being amended in any way):

**Section 505.010      Fences.**

- A. Any property owner or lessor of property desirous of constructing a fence in accordance with this Section shall be required to secure a building permit from the Building Commissioner.
- B. All fences shall be at least twenty-five percent (25%) visually open when viewed along a line perpendicular to said fence, except as hereinafter provided. The finished side of fences must face out or fences must be double-sided, except as hereinafter provided. No chain link fences shall be allowed except as specific enclosures for swimming pools or dog runs, said dog runs not to exceed an area of two hundred (200) square feet maximum. The maximum height of any fence, except as outlined in Subsection (C) hereof, shall be forty-eight (48) inches.
- C. Privacy fences may be built to enclose a patio as long as they do not exceed one-half ( $\frac{1}{2}$ ) perimeter of the patio not including that portion of patio adjoining house. The maximum height of a privacy fence shall be seventy-two (72) inches and privacy fences are not required to be visually open.
- D. Fences erected on side lot lines may not extend in front of the front building line.
- E. No fences parallel to the front building line will be allowed in front of said line.
- F. Fences existing as of June 1, 2019, that do not comply with these regulations may remain as legal non-conformities and may be repaired or replaced as provided in this Subsection.
  - 1. Legal non-conforming fences may be maintained and repaired without obtaining a permit.
  - 2. Up to twenty-five percent (25%) of the total length of a damaged legal non-conforming fence may be replaced; provided that: (a) the owner shall obtain a permit, and (b) the owner shall not be permitted to replace the entire fence with subsequent fence permits seeking to incrementally replace the entire fence. Any replacement of a legal non-conforming fence in excess of twenty-five percent (25%) of the total length of the fence shall be subject to Subsections (F)(2) and (3) hereof.

3. A legal non-conforming fence may be replaced with another fence of similar design, materials, and color, or with a dissimilar non-conforming fence, provided a building permit is obtained after review and approval in accord with Chapter 423 of this (Code Architectural Review Board). Any replacement fence approved pursuant to this Section shall be considered a legal non-conforming fence.
4. Notwithstanding anything herein to the contrary: (a) a legal non-conforming fence consisting of chain link or wire mesh may not be replaced with anything other than a conforming fence or a non-conforming fence approved in accord with Chapter 423 of this Code (Architectural Review Board), and (b) the replacement of a legal non-conforming fence shall conform to the location requirements of Subsections (D) and (E) hereof and the height limitation of Subsection (C) hereof, but the height limitation shall not apply to permitted privacy fences.
5. Any non-conforming replacement fence approved as provided herein shall be considered a legal non-conforming fence.

**G 6.** Any property owner or lessor of property may seek a variance from the terms of this Section, or may appeal any administrative determination made by a City officer under this Section ~~maybe appealed to the Architectural Review Board~~, by application to the Board of Adjustment.

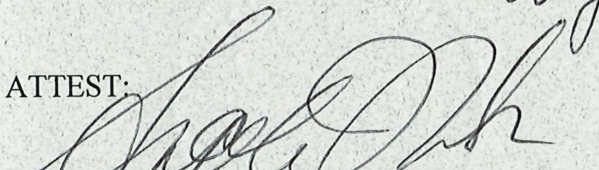
**H G.** Privacy fences adjacent and parallel to Two Mile Creek south of Country Club Drive may be:

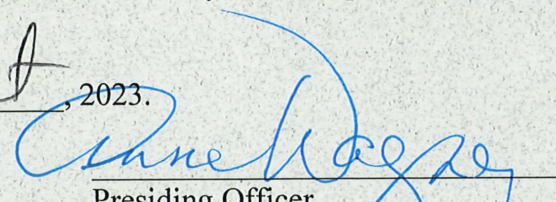
1. Seventy-two (72) inches high;
2. The unfinished side may face the creek; and
3. Are not required to be visually open.

**Section Two.** This Ordinance shall be effective immediately after its passage and approval as provided by law.

PASSED THIS 28<sup>th</sup> DAY OF August, 2023.

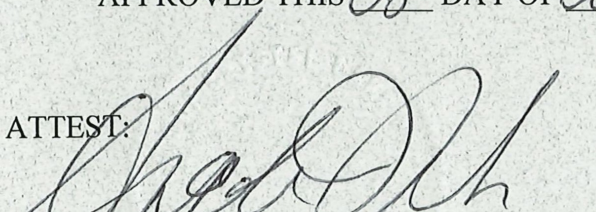
ATTEST:

  
 Angela McCormick, City Administrator/Clerk

  
 Presiding Officer

APPROVED THIS 28<sup>th</sup> DAY OF August, 2023.

ATTEST:

  
 Angela McCormick, City Administrator/Clerk

  
 ANNE WAGNER, MAYOR