



PINECREST

Building and Planning Department

DATE: June 3, 2026

TO: Yocelyn Galiano, ICMA-CM
Village Manager

FROM: Pat Janisse, AICP, LEED-GA
Acting Planning Director

RE: Appeal of Administrative Decision
Address: 5800 SW 107 Street
Permit Number: BL2023-1703 – 1 Story house, deck, chain-link fence front columns,
aluminum fence and gate

Issue: Minimum spacing between aluminum pickets for fence and gate are 3.5 inches - as-built fence and gate, built at 3-inch spacing.

Village of Pinecrest Land Development Code Division 5.5: Fences, walls and hedges.

- (h) *Height in RU and EU districts.* The height of any wall or fence shall not exceed six feet in height. However, walls and fences along streets, roads, and right-of-way, and walls or fences on a side property line within the required front yard setback shall be restricted to a maximum of 36 inches of solid construction with an additional 36 inches of open non-masonry fencing, pickets, or other decorative feature above, excluding columns which shall be spaced a minimum of eight feet apart.

The open, non-masonry portion of the fence shall consist of unobstructed openings that shall measure no less than 3.5 inches in width and solid structural elements that are no wider than the unobstructed openings such that a minimum of 50 percent openness is achieved.

Alternative designs that are in substantial compliance with this requirement and allow a minimum of 50 percent openness may be permitted if approved by the administrative official.

The permit for front fence and gates was approved under Building Permit BL2023-1703. The fence was approved with 4-inch spacing between pickets, and the gate was approved with 3.5-inch spacing.

On May 19, 2026, the zoning inspector visited the property to conduct a zoning inspection. There was no access to the property; however, as a courtesy, the inspector noted on the zoning inspection that the front fence and gate did not have the minimum required spacing of 3.5 inches. The inspector further noted that when the contractor schedules the zoning inspection for the front fence and gate, that the inspections would not be approved by zoning because the fence and gate are not in compliance with the Land Development Code.

The resolution is for the contractor to comply with the approved plans by providing the minimum spacing of 3.5 inches between pickets.

In summary, the contractor of the property wishes to appeal the administrative decision to seek approval of the as-built fence and gate with spacing of 3 inches, where the minimum spacing is 3.5 inches.