

Roy Meachum

Fence war heat



4/1/88

No subject upon which I've written the past four springs has generated the outpouring of support that readers have given the Meachums' struggle to keep our fence.

Every day, in letters and phone calls, we hear from people encouraging us to persevere against City Hall. To a man, and woman, readers have let us know that they consider the attempted destruction of our fence as a threat to their rights as citizens.

In several instances, we have been informed about other fences that apparently break the law. One lady sent a carefully drawn map. She meant to show there was precedent. She hoped the information would cause the zoning office to relent in our case.

Before proceeding, let me make clear: None of this information about other fences has been passed along to City Hall. We have no desire to bring the bureaucratic furies swooping down on other homeowners. Neither Sharon nor I wish the grief we've gone through to anyone else.

However, it may already be too late to prevent Mayor Ronald Young's "great Frederick fence war," as a former *Washington Post* colleague calls it, from spreading to those innocent of any offense against His Honor.

In effect, City Hall has been forced into cracking its long-dusty enforcement whip because of the failure of its publicity campaign to crank up a general outcry against the Meachums. A splattering of personal attacks through Letters to the Editor hardly makes a landslide.

Sharon and I joined those astonished to find our fence on the front page in December. I have sought no explanation for why my appearance before the Board of Zoning Appeals appeared a full day after a round-up report on that hearing. The answer was provided in the second front-page story (March 16), which spoke of the Meachum fence as the target of the mayor's wrath for things I have written about him in this space.

The publicity spotlight turned on in Mr. Young's behalf made it virtually impossible for City Hall to duck the fact that his administration's enforcement of the fencing ordinance has been "spotty," as I pointed out in last week's columns. As an attorney who specializes in zoning cases said to me: "If your fence belonged to anyone else, they would have had no problem."

As a result of the mayor's machinations, the city's planning and zoning

office has already begun a scramble to bring in line any and all fences and front-yard structures that might be in violation of the law.

While enforcement efforts are aimed first at recent (post-1980) housing developments, it is only a matter of time until each fence, flagpole and rose trellis in Frederick comes under official scrutiny. Any fence or structure built after 1964 is subject to the ordinance.

Offenders will be invited to apply for permits, but with no guarantee of approval. Our first letter from the planning office seemed to suggest our fence presented no problem and that a permit would be ours for the asking.

In any event, the planning administrator was kind enough to suggest bases for an appeal. That kindness gave hope that quickly disappeared in the ensuing furor.

My best advice, based on our experience, is for no homeowner to rush for official consideration of his fence or front-yard structure. There is the matter of possible self-entrapment. In addition, the act of applying for a permit, at this point, is premature, at the least.

Sometime, within the near future, the process must begin on Walter Rooney's effort to get the city to adopt changes in the ordinance. When? Mr. Rooney has no idea. Nothing has happened since mid-November when the planning office promised to work out a text amendment. Public hearings are integral to the process. I will let you know when the first one is scheduled.

Additionally, as a part of our appeal process, Sharon and I stand prepared to pick up any slack not covered by Mr. Rooney. It is a bad law that must be changed. Since our course of action is now in the hands of a very competent attorney, I am enjoined from detailing our future actions.

At any rate, violation notices handed out now that rely on the old ordinance make no sense.

In my mind, the current hurry-up enforcement constitutes harassment by a mayor desperate to prove his power. Above all, the man wants to show nobody can fight City Hall.

While I refused for months to respond to the attacks by the mayor's sycophants against our right to due process for our fence, my silence was broken last week.

At this stage, I must publicly object to Mr. Young's campaign to sideswipe other people in his feud against me.

Dirty pool, Mr. Mayor.