

Variance Justification

This Variance Application is for the construction of two stone pillars with limestone caps at a height not to exceed six (6) feet, two (2) inches, with a mechanical gate at a height not to exceed five (5) feet, six (6) inches, and pillar light fixtures not to exceed an additional two (2) feet, six (6) inches (the total pillar height with light fixtures will not exceed eight (8) feet, eight (8) inches). Further, there will be a four board wooden fence, which will not exceed four (4) feet in height. Location of the aforementioned improvements will be set back from the right of way along Greten Lane, on the properly commonly known as 2407 Greten Lane (the "Property"). Please see the attached site plan and gate elevation design as a reference. The Variance has already been approved and is supported by the City of Anchorage.

In connection with this Variance Application, we submit the following statements of justification:

1. The granting of this Variance will not adversely affect the public health, safety, or welfare because none of the pillars, gate, or fencing will intrude upon or otherwise obstruct the right of way along Greten Lane, nor will these improvements create a distraction that might affect users of the right of way along Greten Lane. Further, construction of the pillars, gate, and fencing will prevent trespass on the Property, further preventing injury or the commission of crimes on the Property.
2. The granting of this Variance will not alter the essential character of the general vicinity because the pillars, gate, and fencing have been designed to coordinate with the aesthetic features of surrounding residential homes and improvements, and will further comply with any applicable design requirements under the Louisville Metro Land Development Code or the Anchorage Development Code. In their approval of the variance, the City of Anchorage considered the existence of several other similar gate structures in the vicinity of the Property.
3. The granting of this Variance will not cause a hazard or nuisance to the public because it will be appropriately set back from the right of way along Greten Lane, meaning there will be no intrusion upon, obstruction of, or distraction from such right of way. Further, construction of the pillars, gate, and fencing will prevent trespass on the Property, further preventing injury from hazards that may exist on the Property or the creation of nuisances that may arise from crimes committed against the Property.
4. The granting of the Variance will not allow an unreasonable circumvention of the requirements of the zoning regulations because it is a minor variation from the applicable height restrictions. The City of Anchorage considered the existence of similar gate improvements in the area of the Property. Further, the Variance has been approved and is supported by the City of Anchorage, which demonstrates that the Variance is reasonable in nature and does not unduly violate applicable regulations.
5. This Variance arises from special circumstances which generally do not apply to land, namely a special need for privacy and security. The owner of the Property is the President of a Louisville-based consumer products company. Given the status of the owner, it is

important that the Property be adequately protected by gates and fencing to enhance security and prevent trespass.

6. The pillars as designed are necessary to properly support the gate, which will allow for automatic entry, a significant enhancement of privacy and security of the Property and its owner. The prevention of this proposed gate is unnecessary because the neighborhood includes other similar gates that have been found to be attractive improvements to the neighborhood, as indicated by the decision of the City of Anchorage.
7. No.