

Variance Justification:

In order to justify approval of any variance, the Board of Zoning Adjustment considers the following criteria. Please answer all of the following items. Use additional sheets if needed. A response of yes, no, or N/A is not acceptable.

Variance of: 4.4.3 to allow a fence greater than 4 ft in height to be located along the northeast property line

1. The variance will not adversely affect the public health, safety or welfare because at these locations the fence/wall heights are for security and aesthetics purposes and will not cause disruptions to traffic visibility or any other identifiable public safety issues.

2. The variance will not alter the essential character of the general vicinity the screening wall has been interposed per request of the adjoining and the City of Northfield which feels that the fencing helps to mitigate any perceived nuisance problems and which also feels as though the fence is in keeping with the larger contextual design of the area.

3. The variance will not cause a hazard or a nuisance to the public because along neither of these roads will the wall or fence obstruct the views from vehicles along or around corners or at intersections or entrances.

4. The variance will not allow an unreasonable circumvention of the requirements of the zoning regulations but rather the fences and walls are intended for security purposes and are intended to address neighbor security, nuisance and aesthetic issues.

Additional consideration:

1. The variance arises from special circumstances, which do not generally apply to land in the general vicinity because the fence only serves the subject property on its one (northeast) side and its only purpose, where the screening wall is proposed, the fence helps to mitigate any perceived nuisance problems.

2. Strict application of the provisions of the regulation would deprive the applicant of the

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reasonable use of the land or would create unnecessary hardship because it would not be able to provide the security fencing and impact mitigation screening wall that neighbors desire and that will provide for a more secure living environment within the community itself.

3. The circumstances are not the result of actions of the applicant taken subsequent to the adoption of the regulation, but rather are the result of security and aesthetic issues that both the applicant and adjoining residents share in common.

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