

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.

1. Explain how the variance will not adversely affect the public health, safety or welfare.

Fence borders back yard of 1203 Blue Vale Way and West side of my property at 8407 LaGrange Road. Extends to existing fence at LaGrange Road. Has no effect on driver visibility in area. Does not obstruct pedestrian views or present in any way, increased hazard to pedestrians.

2. Explain how the variance will not alter the essential character of the general vicinity.

Fence line had not been cleared in almost 50 years. Massively overgrown brush, scrub trees/bamboo. Cleared fenceline/new fence improves the essential character of the vicinity. I have received many compliments on the improvement I have made to 1203 Blue Vale and specifically the fence.

3. Explain how the variance will not cause a hazard or a nuisance to the public.

As explained in 1 and 2 above, the fence at current height present no hazard nor nuisance to the public. Rather it compliments the work being done on both properties. There are hundreds of feet of 6' fence directly across the RR tracks. Adjacent Autumn Ridge has fence over 48" as do neighbors.

4. Explain how the variance will not allow an unreasonable circumvention of the requirements of the zoning regulations.

1204 Blue Vale has a fence along LaGrange Road exceeding the 48" limit. 8303 LaGrange Road and adjacent property have fences exceeding 48". These are all with in the 20' easement and 15' allowance (if I understand correctly). Therefore my fence would not present unreasonable variance.

Additional consideration:

1. Explain how the variance arises from special circumstances, which do not generally apply to land in the general vicinity (please specify/identify).

Recently had a locked landscape trailer stolen from my property and in the past a chainsaw was taken. The fence was placed in part to limit view and access from the busy road.

2. Explain how the strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create unnecessary hardship.

I will be honest and admit strict enforcement will not present unnecessary hardship. That said, I believe the variance request is reasonable for the reasons stated above.

3. Are the circumstances the result of actions of the applicant taken subsequent to the adoption of the regulation from which relief is sought?

They are not..