

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.

By enclosing patio it will not only provide privacy it will also remove the distraction at a four way stop of activities of entertaining, grilling, smoking meats, etc. Distractions are dangerous for drivers.

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

Proposed 6 foot wooden fence including lattice top would be like one a couple of blocks away on the corner of Leland Ave and St Matthews Ave. preserving existing trees.

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

The variance will not cause either a hazard or nuisance to the public. If anything it should make it safer by removing potential distractions.

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

The existing requirements allow a 4 ft fence where the proposed fence would be or a 6 ft fence 15 ft from building edge. This would barely enclose existing patio and would not allow for expansion or room for dog to run or safely enjoy yard.

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).

Being a corner lot with only 11 feet behind the house to property line (no backyard) the patio was built on the side of the house. It is common to have some privacy on a patio and in your yard, which in this case needs to be fenced, removing potential distractions at 4 way stop.

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.

Strict application would prevent privacy and reasonable use of most of our yard. Note, after proposed fence there is close to an additional 4 ft from the fence to the road.

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

We are requesting the variance to prevent such action

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