

**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.

Replacing Existing 30+ Year old fence w/ New More sturdy fence. Same location, solely Aesthetic improvement

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

Attached photos show similar height fences of several Neighbors All in keeping w/ consistent privacy fences

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

Not Accessible to the public. Enclosed private property

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

I'm only creating A structure for vines to climb. Nothing EXTRAORDINARY, just A variation on gardening Design

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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).

The Design Requires balance of vine trellis. Aesthetics Are the Reason for the change.

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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.

Unfortunately I did not realize this style of Fence would need A VARIANCE. It is Already built. (see photos) \$15,000 of work would have to be Scrapped.

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

Not that I Am Aware of.

15VARIANCE1044

**NON-PUBLIC HEARING VARIANCE AFFIDAVIT FOR THE SUBJECT PROPERTY OWNER(S): Part 2**

Date: 7/1/15

We have seen a drawing of the proposed (e.g. garage, addition) Fence for Garden  
to be constructed at (address) 1648 Edenside Ave. 40204.

As owners of the property adjacent to the above address, we give our consent and do not object to the planned construction or to the variance that will be required.

**Please note:** If the property is in joint ownership, all owners must sign or an authorized person must sign (authorized persons must also complete the certification statement). If there is a POA, the property owner is deceased or there are extenuating circumstances, please indicate on the signature line. For additional signatures, use additional copies of the affidavit form.

1. Address: 1652 Edenside Ave. Lou, ky 40204

Owner Name: DAVID NABER

Signature: [Signature]

Owner Name: \_\_\_\_\_

Signature: \_\_\_\_\_

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2. Address: 1646 Edenside Lou ky 40204

Owner Name: Anna Murphy

Signature: [Signature]

Owner Name: \_\_\_\_\_

Signature: \_\_\_\_\_

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3. Address: 1647 Easter. Pleny

Owner Name: John Wilkerson

Signature: [Signature]

Owner Name: \_\_\_\_\_

Signature: \_\_\_\_\_

4. Address: GAYLE POWEL 1650 Edenside. (See EMAIL)

Owner Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Owner Name: \_\_\_\_\_

Signature: \_\_\_\_\_

**Certification Statement:** A certification statement **must be submitted** with any application in which the owner(s) of the subject property is (are) a limited liability company, corporation, partnership, association, trustee, etc., or if someone other than the owner(s) of record sign(s) the application.

I, \_\_\_\_\_, in my capacity as \_\_\_\_\_, hereby  
*representative/authorized agent/other*

certify that \_\_\_\_\_ is (are) the owner(s) of the property which  
*name of LLC / corporation / partnership / association / etc.*

is the subject of this application and that I am authorized to sign this application on behalf of the owner(s).

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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My next door neighbor Gayle Pohl (1650 Edenside Ave) primarily lives outside of Kentucky. She not only approves of the fence, she actually has asked me to have my carpenter get a quote for her to potentially build a matching fence (without trellis beams above) for the other side of her yard. She is a professor and I believe she may be travelling for the summer. I have attached an email confirming her approval of the fence as I am unable to get a physical signature from her at this point.

(see attached email copy)

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From: **UNI** (gayle.pohl@uni.edu)  
Sent: Thu 5/21/15 11:04 AM  
To: greg guelda (gguelda@live.com)

Greg,

. Thanks for your email. How much will it cost to fence my driveway side too? I believe it add to the curb appeal o

Sent from my iPhone

- > On May 20, 2015, at 9:53 PM, greg guelda <gguelda@live.com> wrote:
- >
- > Hi Gayle,
- > This is Greg your neighbor in Louisville. I have been deliberating on a few design ideas in my own garden before I c
- >
- > By the way, there was a large pile of debris and weeds in your yard that I will have cleaned up and removed. I will
- >
- > Thanks again, I think you'll be very pleased on your next trip here!
- >
- > Greg-
- > <IMG\_20150519\_145753.jpg>