

## Schwager, Zachary D.

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**From:** Weatherby, Jasmine  
**Sent:** Thursday, October 24, 2019 5:09 PM  
**To:** Schwager, Zachary D.  
**Cc:** brandt ford  
**Subject:** 19VARIANCE0057

**Follow Up Flag:** Flag for follow up  
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Hi Zach,

Some neighbors (Including Brandt Ford, copied here) are concerned about this variance and fences in front yards in general. Are there any restrictions in the Land Development Code on how far from the right of way in a front yard a fence must be? Similarly, are their restriction on fence material? Any insight you can give would be appreciated. Brandt – if I have not accurately summed up your questions, please feel free to chime in.

Thank you

Jasmine Weatherby (she/her/hers)  
Legislative Aide  
Councilman Brandon Coan  
District 8  
601 West Jefferson St  
Louisville, KY 40202  
Email: jasmine.weatherby@louisvilleky.gov  
Office: (502) 574-1108

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## **Schwager, Zachary D.**

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**From:** Sherry Cornell <sherrycornell@gmail.com>  
**Sent:** Thursday, October 24, 2019 2:01 PM  
**To:** Schwager, Zachary D.  
**Subject:** Re: 10-VARIANCE-0057

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Thank you for your prompt response. We have some neighbors who are upset about this. (You probably never hear that! Lol!) I am looking at feasible options, if any, for them, and I have come up with a couple of additional questions you may be able to answer.

1. If there are any deed restrictions, would they override the zoning laws? For instance if perchance the deed said that a fence could not be constructed, would that stop the homeowner from putting up a fence? Or would the R5 zoning permit it anyway? Which has final say so to speak.
2. Do neighbors who do not want to see this fence set a neighborhood precedence have any other means of redress in this situation?

Thank you for your time and attention. I do appreciate your help! ~ Sherry

On Wed, Oct 23, 2019 at 2:31 PM Schwager, Zachary D. <[Zachary.Schwager@louisvilleky.gov](mailto:Zachary.Schwager@louisvilleky.gov)> wrote:

Ms. Cornell,

The applicant is proposing a 54 inch fence (masonry pillars will be 54 inches, the fence in between will be 48 inches in height) in the public realm area (front yard). To answer your question, the variance is for the height of the fence because a fence is permitted to be 42 inches in height in the front and street side yards in the Traditional Neighborhood Form District. Let me know if you have any questions.

Thanks,

**Zach Schwager**

**Planner I**

**Planning & Design Services**

**Department of Develop Louisville**

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**From:** Sherry Cornell <[sherrycornell@gmail.com](mailto:sherrycornell@gmail.com)>  
**Sent:** Wednesday, October 23, 2019 2:23 PM  
**To:** Schwager, Zachary D. <[Zachary.Schwager@louisvilleky.gov](mailto:Zachary.Schwager@louisvilleky.gov)>  
**Subject:** 10-VARIANCE-0057

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Dear Mr. Schwager,

A neighbor of mine has posted a variance sign and the variance states:

You are invited to attend a review for a VARIANCE to allow a fence in the front and street side yards to exceed 42 inches in height.

I do not understand if the variance is the location of the fence or the height of the fence or both. Will you please direct me to where I may find this information? I tried the Planning & Design site on [LouisvilleKY.gov](http://LouisvilleKY.gov), but could not locate the answer to my question.

Thank you!

Sherry Cornell, President

Highlands-Douglass Neighborhood Association

(502) 724 - 2361

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