

## **Variance Justification:**

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

The four brick pillars (approximately 16-24" wide x 48" tall) and fence/gate (42" tall) would sit back from the road approximately 23' and be within and lower than an existing shrubline and therefore not cause any obstruction of view at the corner of Dorothy and Douglass. After an in-person inspection, Louisville Metro Public Works Traffic Engineering verified that they have no objection to our proposal. They relocated the stop sign and repainted the stop bar to insure good visibility at the four-way stop.

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

By adding the 48" brick pillars that will match the color and style of the house, it will make the fence look architecturally more appealing and consistent with the look of the traditional neighborhood. There are other brick and stone pillars in the neighborhood as well, so this is not a request inconsistent the character of the general vicinity.

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

As indicated by Louisville Metro Public Works Traffic Engineering, the fence and pillars will not cause any obstruction of view given the distance and location of them from the street and existing landscaping.

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

The majority of the fence is in compliance with the zoning requirements and it is only the pillars and portion of the fence at the corner of Dorothy and Douglass for which we are requesting a variance. By adding the pillars we are making the fence look more appealing because we are tying into the architecture of the house. The fence and pillars located approximately 23' away from the street and behind and below an existing shrubline at the corner of Dorothy and Douglass therefore not obstructing the view at the four-way stop.

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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.**

Our property does not have a backyard that has windows through which we can watch our dogs if they are outside. Therefore, we wanted to create a secure place where they can be outside where we can keep an eye on them.

**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.**

If we had to cut the fence at the corner on an angle it would greatly reduce the amount of usable space for our dogs and result in an awkward triangle of unused space behind the existing shrubline. If we reduced the fence height to 25" the dogs would easily jump over it and escape. If we had to reduce the pillar height to 42" we'd have to get a shorter fence because the pillars need to be several inches taller than the fence to allow for proper mounting of the fence to them for maximum stability. A shorter fence could lead to the dogs escaping. If we don't have a fence, the dogs would have to be taken out on a leash every time they needed to go to the bathroom or wanted some fresh air. We're moving here from a location where we had nearly an acre of land and the dogs are accustomed to having a fenced yard so not having one would cause a hardship on them and us.

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

We don't believe so because we haven't taken any action since we purchased the house on September 27, 2019.

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