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JUL 31 2018  
PLANNING &  
DESIGN SERVICES

### **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.**

The 12ft. by 6 ft. wood panel does not affect public health, safety, vision impairment, or anyone's welfare. It only protects our privacy from semi-trucks and other traffic that has increased recently. It also serves as a barrier to the disgruntled neighbor who placed the complaint. See attachment.

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

The wood panel adds to the ambiance of the neighborhood. We have attached a sheet signed by neighbors saying they do not object to it. This complaint was lodged by only one anonymous complaint. Even the mayor of Kingsley complimented us on the professional look.

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

Same as reason 1. The panel is on our property and in no one's way. It is not a nuisance, but affords us privacy and safety,

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

If the wood panel is only 48" in height, cars and people can still be seen. This will not afford the necessary privacy needed. The panel is not offensive. It is made out of vertical planks of pine and adds a unique look to a well-cared for lawn and house.

*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 variance to extend the height to 6ft will give us privacy and safety. We have a great reputation in the neighborhood and all neighbors were upset that this complaint was lodged against us. We have lived here 20 years and have never had one complaint. Our yard is immaculate.

**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.**

As I have stated, this wood panel affords us a little privacy from semi-trucks. It is not offensive or blocking anything. It does not create a hardship to anyone. We made a point to have it professionally built and ok'd the project with the Mayor of Kingsley.

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

This complaint comes from one disgruntled neighbor who has made false accusations about us on other occasions. It is personal, not about the panel itself. I can explain in much more detail if it is necessary, but now it involves spending more money and lots of personal time to fight this.