

## 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.**

We believe building our privacy fence will not adversely affect the public health, safety or welfare of the surrounding neighborhood because it is on a small parcel of land that has little bearing on the subdivision at large, and is not planned to be large enough to put anyone at risk.

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

Our neighborhood is dotted with privacy fences, already making them part of the character of the area. In fact, our immediate rear alley neighbor has a 6' privacy fence that is our current view when looking out our back door. They've become a very common back yard feature in Clifton and building one would in no way alter the general character of the neighborhood.

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

Building a privacy fence around our small parcel of land will not cause a hazard or nuisance to the public (unless you're a dog owner who prefers not to pick up your pet droppings, of which we see many). It will not block any rights of way or become a danger to cyclists, pedestrians or drivers.

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

We're requesting a 6' privacy fence around a rear yard, which will add fence to a small (less than a third of a block) area on a side street that's near an alley; that is to say it's not a prominent public area and so will not provide a drastic visual disruption. The two properties in view of the rear of our house have privacy fences around their rear yards, so it wouldn't be adding a foreign feature to install one.

*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).**

We have two small children and since moving to our beloved house in Clifton, we've been diligent about making sure they're safe when they're playing outside. Without a fenced-in space on a moderately trafficked corner, that's been very difficult. Our youngest daughter, Lila, has Down Syndrome and requires additional layers of safety. We know she'll be playing in our yard for many years to come and for safety and privacy reasons, would prefer a fence tall enough to offer those.

**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 our family is looking to create a small, private space where our children can safely play, any fence smaller than 6' would not offer the noise reduction we seek (particularly from city trucks), wouldn't offer the privacy we seek on our property, and does not offer the property value increase equitable to the cost of building the fence.

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

If I understand this question correctly, we haven't taken any action on this area of the property since purchasing the house. No changes have been made to the relevant area.