

**Description:** We request a variance to the following ordinance:

*The maximum height of a fence in the front yard or exterior side yard on a corner lot shall be (3) feet. Only decorative fencing may be built in these yards.*

We are replacing our chain-link fence with a privacy fence and need our deck area to be within the fence, which would require using some of the side yard. We are asking that we be allowed to start our new fence off the front corner, as opposed to the back corner, of our house as the current fence does.

**Consideration #1:** The original footprint of our house has the deck located in our exterior side yard (see photos 1 and 2), which is on a corner lot. Logically, our chain-link fence includes the deck area. Most homes either have a bare wall or a garage on the side, so a fence is not needed there. In our case, there is a deck in the side yard that needs to be within the fence. Our house also sits much further from the street than many corner houses.

**Consideration #2:** Our house sits far from the street, and our side yard is not near any houses. Starting the new fence off the front corner of the house, where the current fence has been located for many years, should make no difference to our neighbors.

**Consideration #3:** The exterior side of the house was built to accommodate a deck. This was done before we moved in 10 years ago. We removed the original deck to make repairs to the house, with the intention of rebuilding it. There is a window and an electrical outlet that are at an abnormal height without the deck. The siding and base of our house do not look nice (see photo 2) because they are meant to be covered by the deck. Because of this, we intend to rebuild the deck off the house in its original location – the side yard (permit has been approved).

Our current chain-link fence goes around the deck area and side yard, as we need it to. However, because we have two young daughters and 55th Street has become very busy over the years, we want to replace the chain link with a privacy fence. The chain-link fence is also old and does not look nice anymore. Replacing it would improve the appearance of our property. Due to the current ordinance, we cannot replace the fence in its current location, and any new fence would not go around our deck. We would have a deck that is on the outside of our fence, which is impractical and would look odd. We could connect a three-foot fence to the six-foot fence in the side yard portion, but we feel this would look very odd. It would also not provide privacy and may not adequately contain our dog.

We always intended to replace the deck and fence in their original locations and do not want to unnecessarily change the footprint. We think keeping the fence and deck in their original locations would make our home look its best, which is to the advantage of the whole neighborhood.

**Consideration #4 and #5:** Our property has had a fence in the exterior side yard since before we moved in 10 years ago. We simply want to put in a nicer and more private fence where a fence has always been. We will voluntarily bring the fence back approximately 15 feet from the sidewalk/street. The fence will not be intrusive, and there will be a significant amount of our yard on the outside of the fence – more so than there is now. The fence will look nice, will set back from the street, and will keep our daughters protected while they play.

Thank you for your consideration. If we are not granted a variance, we ask for an explanation of the reasoning. We do not understand why extending our fence to a portion of the side yard would be an issue for the city or our neighbors.