

1. This deviation of the code does not undermine the intent and purpose of the underlying zoning district. We are requesting a deviation for the purpose of safety. Our current patio has 3 1/2 feet from the edge of the pool to the fence. We request to move the fence back 5 feet it would allow our son to safely maneuver his wheelchair around the pool. He is not proficient in navigating his chair and in addition this extra space would allow anyone with my son the ability to maneuver in a safe way. See pictures.
  
2. This deviation would not be a detriment to the provision of municipal services and infrastructure. The variance request would be a 5ft encroachment into the 15' corner side yard setback. There are 2 other houses on Feldott Lane that have their fences 10 ft. from the sidewalk, NW corner of Wildflower Court and Feldott Lane and NE corner of Wintergreen Circle and Feldott Lane. The intersection of Caraway Court and Feldott Lane does not impede the drivers view when making a left turn out of Caraway Court onto Feldott Lane. See pictures.
  
3. This deviation is consistent with other houses in the development that have similar lots and their fences are in a similar manner erected. See pictures.



EXHIBIT D



KHIBIT D