

To Whom It May Concern:

The existing six foot privacy fence at 2703 Wolf River Ct was built in 1994 by previous owners of the property. At the time, it was fully compliant with the Municipal Code and received a standard fence permit to be built.

We purchased the house in 2011 and recently applied for a new permit to replace the aging fence with with a new fence of the same type, size, and location. Our permit was denied because the existing / proposed fence line no longer meets an updated fence setback requirement.

We are seeking variance to the current fencing codes because our home, yard, trees, and landscaping has been built up over the past 24 years around the path of the existing fence line. To be asked to alter it now seems to be an unnecessary hardship. Structurally, the existing fence could probably last another 10+ years, but we would like replace the fence to benefit our home and the neighborhood as a whole.

We have been told that the main intent and purpose of the setback guidelines are to maintain visibility around the property. As a corner lot, the rules also ensure that oncoming traffic from both intersecting streets can see around the corner. Our fence does not block any sight lines or impede traffic visibility in any way.

If, instead, this rule exists to maintain a certain aesthetic or uniformity within the neighborhood - we would argue that our fence doesn't look at all out of place. It looks nearly identical to many other fences that were constructed from around the same time. Replacing the aging fence would improve curb appeal while not at all altering the characteristic feel of the neighborhood.

On the Fox River Lane side of the property, a new fence that complies with the 30 foot setback line would have to be installed straight through landscaped brick path and a fully grown, 20+ year old crabapple tree. In order to spare this tree, we would be forced to sacrifice more backyard area and push the fence back even further away from the street. In the end, the side of our house would be fully exposed - leaving the air conditioner condenser and multiple exhaust pipes open to street view. Meanwhile, the backyard would lose the large tree and a nicely landscaped area that our children like to safely play in.

On the Wolf River Court side, it is much of the same thing. Landscaping elements (including 2 crabapple trees, 1 birch tree, and one 45-foot pin oak tree) were fully grown and established along both sides of the fence line long before we purchased the property. To force us to now push the fence back might endanger the health of the trees while also “relocating” them all into the front yard. The altered backyard will have shrunk to the point where we would have to consider removing our swing set for safety reasons, and the front yard would be a large, empty mulch bed without a purpose.

As a homeowner on a corner lot with two young children running around in the backyard daily - privacy and security are important to us. The privacy fence was a factor we appreciated when we decided to purchase our house. We were upset to find out we would have so much trouble trying to replace it with a new one. If this variance were to be denied, it is likely we would decide to leave the aging, unpleasant fence in place for as long as possible (i.e. until it falls apart). We would rather do that than pay thousands of dollars for a new, compliant, fence that we were ultimately unhappy with.

Thank you for your time and consideration.