

## Jeremy Barnhart

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**From:** Peter Lanpher  
**Sent:** Friday, July 15, 2016 12:01 PM  
**To:** Jeremy Barnhart  
**Cc:** Peter Lanpher  
**Subject:** Fwd: Practical Difficulties Documentation Form (responses) -

### Practical Difficulties Documentation Form (responses)

1. Yes. We are planning to use the property in a reasonable manner. Our request for a height variance is to afford us better privacy than that of what we currently have and what is desperately needed.

2. Unique circumstances:

Most lots down in the area are unique in such that Rest Point Road is a narrow one lane road. Lots have small narrow side yards and street setbacks. Our neighbors house in which we are asking for side fence height variance for the first 30 feet is only 8 feet from the property line. The picket fence along the street is only 23 to 30 inches from the street.

3. The variances being asked for will not alter the essential character of the locality. There are other non conforming fences on our road of the same nature and size that already exist. What is being proposed is generally consistent with those existing fences that in part reflect the current character of the area and will not impact other neighbors.

- Our neighbor directly across the street has similar lap fence.
- Our direct uphill neighbor just replaced their cedar lap fence with a new one.
- Neighbor at end of Rest Point Road has same style of fence as well.

4. N/A

5. N/A

6. N/A

7. N/A

8. Yes. Special conditions are peculiar to this property. Narrow lots and need of additional height proves necessary for greater privacy.

9. Like conditions have applied in the past and a variance was granted for our neighbor directly across the street. (1996 Copy of Variance)

10. Yes. This additional height for the fences is necessary for the preservation and right for privacy and personal enjoyment of our property.

11. This variance will not in any way impair health, safety, comfort, morals or in any other respect be contrary to the intent of the zoning code. There is an existing 10 to 12 foot arborvitae hedge directly behind both existing fences on the property. Current fence regulations generally apply to preserve openness and visibility in R areas. Our requests will not impede those goals.

12. In this matter we are not circumventing the City's authority, but working with them to alleviate the unique circumstances surrounding these two nonconforming fences.

My wife and I purchased our home in August 2004 and moved in in March 2005. We were never told that these two fences were nonconforming at time of purchase or at any time after until I inquired to the City in the Fall of 2012. Melanie Curtis then informed me that they were both non-conforming and that a complaint had recently been filed.

We did not install these two fences on OUR property. Originally installed by a previous owners in 1999 and another owner redid the street side fence in 2002.

We will provide pictures and history of our unique circumstances in another attachment named Practical Difficulties Statement.