

19 Linden Road – Variance Application Updates

Site Plan: Attached Separately

Part 4: Character of the Neighborhood

The 6ft fence would not be out of place in the neighborhood because multiple homes in the area (on street corners) also have a 6ft privacy fence on the side lawn, including the house across the street. Also the proposed fence will be 7ft in from the side walk and will not cover the entire side lawn.,

Addresses nearby with 6ft tall, 100% opacity fence:

- 39 Kakely
- 298 S Manning Blvd
- 219 Lenox Ave
- 213 Lenox Ave
- 22 Marion Ave
- 73 Brookline Ave
- 174 S Manning Blvd
- 36 Buckingham Drive

Part 5: Alternatives Considered

The benefit would be that this fence would enclose an existing outdoor patio and would give more privacy. The fence would also more effectively keep in pets. My wife and I discussed putting in a 4ft fence lined with trees. We are worried about using trees for 2 reasons: roots ruining the sidewalk on our property, and roots interfering with the utility pipe underground (marked on map). We would also like to put a gate on the sidewalk and that would create a gap in the line of trees. A 6ft tall fence with a gate would create a continuous 6ft tall, 100% opaque barrier.

We also discussed fencing a smaller area, say just the backyard and patio. Our concerns with this were that the various plans would either cut across existing landscaping, or cut up the property in a way that would not be desirable to future buyers. Having the patio area enclosed in a small box would not create a pleasant setting.

Putting the fence closer to the patio cuts off much of the flatter area of the yard and would render much of the yard on the other side unusable. When we say unusable we are referring to activities a home owner would normally do in a fenced area (ie. play with pets, children, enjoy the company of friends, etc).

The proposed location of the fence would maximize the amount of 'backyard' for the property, more effectively benefiting from the location of the house on the double lot.

Part 6: Substantiality

The current regulation would already allow us to put in a 4ft fence backed by 6ft+ evergreen trees. This would create a 6ft+, 100% opaque barrier. Using a 6ft fence that is 100% opaque instead achieve the same result.

The proposed fence also still leaves about 75% of the property's frontage un-fenced.

Part 7: Impact of Environment

The fence will end quite far from the intersection (as shown in the site plan), so it won't have any impact on traffic turning at that corner. We amended our original proposal to address the concerns of the board regarding pedestrians and traffic safety. The proposed fence is now located at an angle with the neighboring property starting at the existing tree to ensure that the proposed fence would not impact negatively on the line of sight from the neighbor's driveway. The angle was chosen so that there is approximately a car length from the tree to the sidewalk and a car length from the neighbor's driveway to where the fence would meet the property line and start running parallel to Marion Ave. This would ensure pedestrian safety at the approach of the neighbor's driveway. The fence would also have no negative impact on traffic.

Part 8: Self-Created Difficulty

The need for the variance was not self created because we did not build the patio on the side lawn. It was there when we purchased the property in 2018. The property also does not have a traditional backyard that can be used for normal backyard activities. This is because the yard behind the house has a steep slope through the center of it. The only large, flat portion of yard is by the patio. The part of the side lawn above the sidewalk has a slight slope down towards Marion. This slope makes a 4ft fence less effective at keeping pets in than a 6ft fence.