

Zoning Board of Appeals  
5915 Milwaukee St P.O Box 110  
McFarland , WI 53558

RECEIVED  
AUG 27 2020  
VILLAGE OF McFARLAND

Dear Members of the Zoning Board of Appeals:

I am writing to seek a fence variance for my single-family home at 5410 Valley Dr in McFarland, WI. Current zoning laws say that fences must be no more than 4 feet tall; I respectfully request to install a fence that is 6 feet tall.

Earlier this summer our family applied for and was granted permission to install a pool within our existing 4-foot fence. The pool itself is installed partially into the land; as the land itself is graded. Despite this, the pool height is higher than the height of the fence. Unfortunately, the pool is now clearly visible from the street. Our home lies on the corner of Ridge Rd and Valley which is a busy intersection and is often used by the neighborhood to walk, bike and drive to Pick-n-Save and/or other Hwy 51 businesses.

Seven years ago, when we applied for the building permit for the existing fence, we requested a 6-foot fence. We were denied but told at the time that there were circumstances in which a 6-foot fence would be permissible. One of those circumstances as we understood was if we had a pool. We understand it is our responsibility to view current zoning restrictions, however, if we had known, we would have requested this variance before we built the pool.

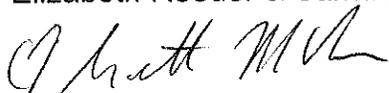
Due to the fact that our house lies in a high traffic area and is clearly visible from the street, the pool now qualifies as an attractive nuisance. Despite the self-closing latch, the fence as it sits is extremely easy to hop over or climb. We fear that children, teens or other trespassers in the area might take the opportunity to climb in the pool. The current situation creates a financial liability issue but more importantly poses the risk of loss of human life or injury.

We understand the desire for the neighborhood to look beautiful and well-kept for various reasons including property values. Since we have resided in this home, we have focused greatly on making sure our property looks attractive and have already made landscaping choices that will ensure the fence will not look unattractive. We, in fact feel the pool is an eye-sore when in clear view from the street. In addition, we have taken the time to discuss the matter with our neighbors to ensure we are in agreement about the changes we wish to make.

I hope you agree that my request would produce an aesthetically proper addition to our neighborhood in addition to ensuring safety. Should you have any questions please do not hesitate to contact me. Thank you for your thoughtful consideration.

Respectfully yours,

Elizabeth Reeder & Samuel Riddle



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AUG 27 2020

VILLAGE OF McFARLAND

**Notice of Appeal and Application for Review**

**TO: The Board of Zoning Appeals, Village of McFarland, WI**

\$380.00 filing fee required with each application.  
Applicant is responsible for publication fees and notification charges, plus actual legal, engineering and financial consulting costs incurred by the Village, to be billed later. No permits can be issued until all monies owed are paid. Filing fee is non-refundable.

1) **Name of Appellant/Applicant** Elizabeth Reeder & Samuel Riddle  
**Address** 5410 Valley Dr McFarland WI 53558  
**Phone** 608-345-3382 / 608-345-3547

2) **Address of Property Street** 5410 Valley dr McFarland WI 53558  
**Parcel No.** 154-0710-344-4356-3  
**Lot** 6 **Block:** 7

**Present use of property** Single-family home  
**Proposed use of property** Increase fence height from 4 to 6 feet where  
**Zoning classification** fence is adjacent to pool on Ridge and Valley Dr  
**Owner's name/address** \_\_\_\_\_  
*(if other than shown in #1)* \_\_\_\_\_

3) **Has a previous appeal or application been made with respect to this property?**  Yes  No **If "yes", state nature of previous appeal:**

\_\_\_\_\_

**Disposition of previous appeal:** \_\_\_\_\_

**Date of decision in previous case:** \_\_\_\_\_

4) **Date of decision or order of administrative official from which appeal is taken:**

\_\_\_\_\_

\_\_\_\_\_

**Date of notice of such decision received by applicant** \_\_\_\_\_

5) **Purpose and grounds of appeal.**  
**Check below the relief requested by this appeal.**

(A) Request for interpretation of zoning ordinance and reversal of order, requirement, decision, or determination of administrative official. Use the lines provided below stating the reasons why you claim this order, requirement, decision, or determination is erroneous.

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(B) **Request for variance.**

- Use lines below each item for the purpose of explanation.
- For the Board of Appeals to grant a variance, it must find that all six items are met:

1. Why the denial of the variance may result in hardship to the property owner due to physiographical consideration. There must be exceptional, extraordinary or unusual circumstances or conditions applying to the lot or parcel, structure, use or intended use that do not apply generally to other properties or uses in the same district and the granting of the variance would not be of so general or recurrent nature as to suggest that the Zoning Code should be changed.

Due to the busy location of the lot, and graded land, denial could result in financial liability and/or loss of life. The pool is an attractive nuisance.

2. The hardship must not be self-created.

Permit was granted for installation of the pool.  
We were unaware that we would not be able to install a higher fence around the pool due to information given to us at an earlier time.

3. The conditions upon which a petition for a variance is based are unique to the property for which the variance is being sought and that such variance is necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same district and vicinity.

Property is on a busy intersection increasing likelihood of trespassers. The land is graded increasing acessibility to pool.

4. The purpose of the variance is not based exclusively upon a desire to increase the value or income potential of the property.

The variance is intended to protect public welfare and to be more aesthetically pleasing than current fence.

5. The granting of the variance will not be detrimental to the public welfare or injurious to the other property or improvements in the neighborhood in which the property is located.

The new fence would provide safety from potential drowning.

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6. The proposed variance will not undermine the spirit and general and specific purposes of the Zoning Code, specifically the purpose in Subdivision II – Conditional Uses – Section 62-105.

~~Despite the fence ordinance there are several fences on our street and in the area that are also 6 ft. specifically surrounding pools. We therefore believe the fence would be substantially uniform. In addition we have spoken to several neighbors and it seems the height increase would not pose a negative impact to their use of the land.~~

(C) Other: \_\_\_\_\_

State relief requested on the lines given below giving reasons why appellant is entitled to such relief.

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- 6) Do you grant permission for the Board of Zoning Appeals and staff, either individually or as a group, to enter onto the subject property for a site inspection?  Yes  No

Please inform us prior to inspection so we can assure our pets are secured.

Each application for appeal must be accompanied by a scale drawing showing the location and size of property, existing improvements, all abutting properties and improvements thereon and the requested change or addition.

I hereby swear that all of the above statements and the statements contained in any papers or plans submitted herewith are true to the best of my knowledge and belief.



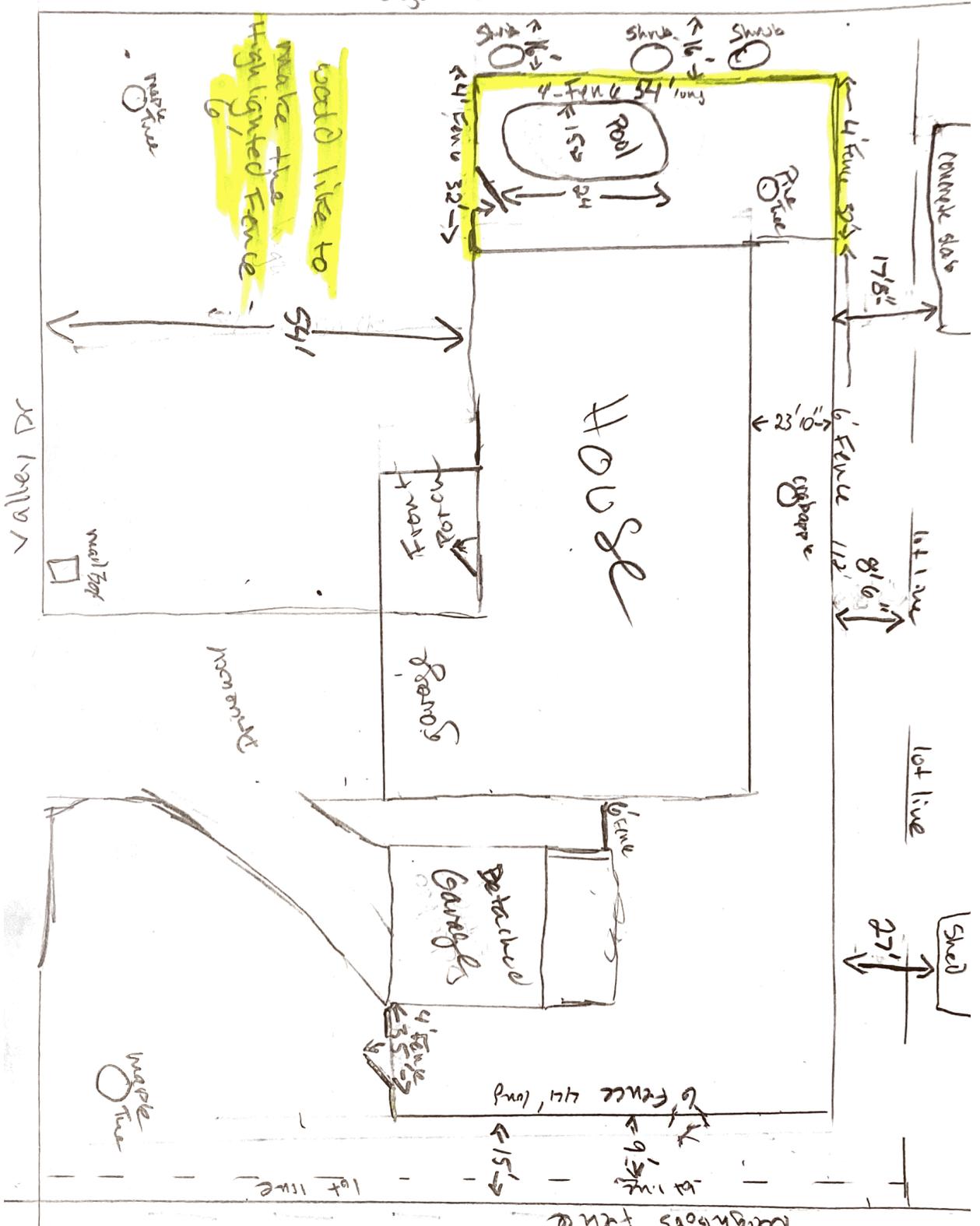
Signature of Applicant

8.23.20

Date

Office Use Only	
Received By	
Date Received	
Fee Received	
Hearing Date	
Notice Published	
Notice Mailed	
Billed	

Kridge rd.



could like to make the highlighted fence

Valley Dr

HOUSE

Front porch

Garage

Detached Garage

concrete slab

lot line

lot line

Shed

neighbors fence

Maple tree

mud

garage

garage

tree

shrub

shrub

shrub

4' Fence 32'

pool 15' x 24'

4' Fence 54' long

17'5"

23'0"

8'6"

27'

6' Fence 44' long

15'

9'

lot line

54'

maple tree