

July 6, 2020

Zoning Board of Appeals  
Land Use Office  
5 Linsley Street  
North Haven, CT 06473

Dear Zoning Board of Appeals Members,

We are applying for a variance to regulation 8.6.2.1. Our property at 1 Windsor Road East technically has two front yards as it is a corner lot. Along the side of the house that borders Homewood Avenue, we would like to place a 4.5' fence on our property, 1.5' above the 3' required height. The plot map clearly shows that the front of the house and primary front yard face Windsor Road East. The current regulations as they are written requiring the 50' setback for a 4.5' high safety fence on two sides of the house make it impossible to place the safety fence in a compliant location, creating a hardship.

The topography of our lot and location of the house also lead to an additional hardship. As shown in Exhibit 1, our rear yard is composed of a steep slope that cannot be fenced and makes it unusable land. Thus, the only portion of our property that is available to be properly fenced with a safety fence is the part of the yard adjacent to Homewood Avenue (Exhibit 4).

The final hardship is safety. We recently adopted a puppy (currently four months old, German Shepherd mix, Exhibit 2) and he is expected to grow to be up to 70 pounds. We need the increased height to protect him from cars on the busy road so that he can safely be outside and exercise. Given his expected height and weight, a 3' fence is insufficient to contain him and keep him safe. We are also not comfortable with other options such as an electric fence. He will be able to run through the electric fence if he sees a tempting distraction, leading him into a busy road. Additionally, we hope to be fortunate enough to have children in the future. A fence higher than 3' will be required for their safety and wellbeing.

Exhibit 3 illustrates the style of the proposed fence that will be made of black aluminum. The transparent nature of this style will be visually appealing and allow clean lines of sight consistent with a 3' fence and what I believe to be the intention of regulation 8.6.2.1.

We thank you for your consideration and hope that you will help us keep our puppy and future children safe.

Sincerely,

The block contains two handwritten signatures in black ink. The first signature, on the left, is 'Edward DeArias' and the second, on the right, is 'Alexandra Lesenskyj'. Both are written in a cursive, flowing style.

Edward DeArias and Alexandra Lesenskyj  
978-460-3550  
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**Exhibit 1: Rear Yard**

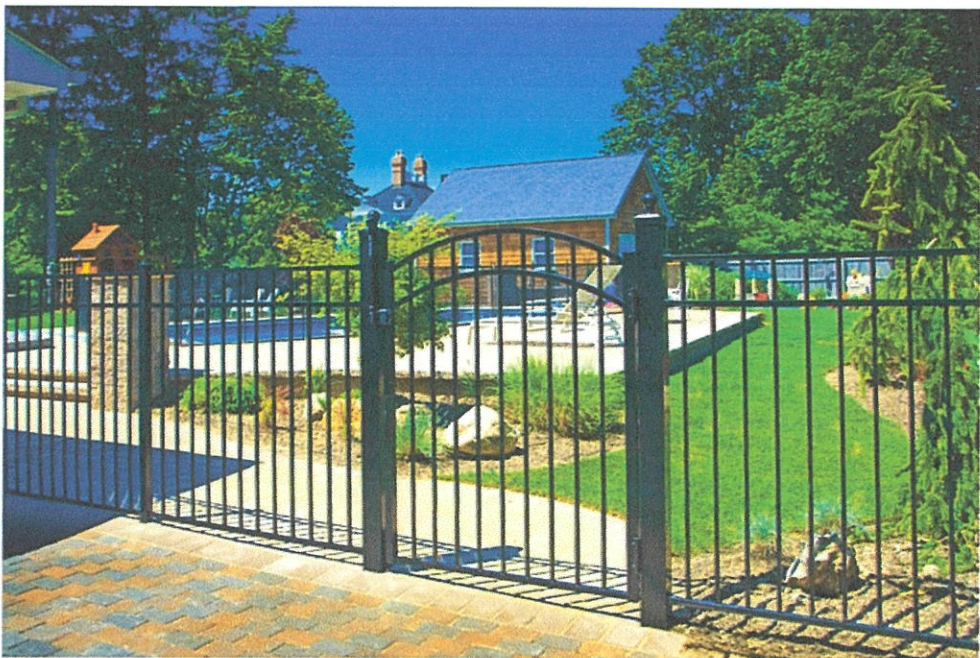


**Exhibit 2: Howie (our puppy) – Please Help Keep Him Safe!**





**Exhibit 3: Fence Style – 4.5' Black Aluminum Fence**



Eastern Ornamental Aluminum Style E054202-BK/BZ is a 54 inch high three rail fence that meets the national BOCA pool requirement and offers a smooth top rail that covers each of the pickets. Decorative arched accent gates are also available.  
#fenceideas #backyardideas #poolfence  
Image 3 of 6

CLOSE X

**Exhibit 4: View From Front-Right Portion Fence**

