

VARIATION POINTS

- I. The property is subject to increased traffic, and onlookers, due to its adjacency to Vollrath Park and the family that resides there. This has increased due to the construction on-site. During construction we see people come by the site in great numbers and some try to get into the site. A taller fence with less opacity at Vollrath will help dissipate interest if the site is less visible.
- II. Vollrath Park lies directly across from the property. The fence does not face a private residential property. There is no neighboring homeowner on the south side whose view, light, or privacy is directly affected by the proposed fence height. The fence height and opacity requirements designed to protect neighboring residential uses are not applicable - this is a unique condition along Vollrath. Towards the adjacent neighbor to the west the fence is an open fence.
- III. The public right-of-way along Vollrath Boulevard is substantially wider than a typical Sheboygan residential street right-of-way. The actual distance between the subject property's legal south property line and the nearest travel lane of Vollrath Boulevard is greater than the 1-foot setback required by ordinance. The fence will sit at a substantial distance from the roadway. The height and opacity of the fence will not detract from traffic safety, sight lines, or public access to the park or beach at the turn around at the end of Vollrath.
- IV. The proposed fence materials — cedar and stone masonry — are high-quality materials consistent with the architecture of the principal buildings and character of the broader streetscape. Granting the requested variance will not introduce materials or fence types that are inconsistent with the surrounding area. The fence design has been developed in concert with the architectural design team to ensure visual consistency with the property's buildings.

V. Standards for Variance Approval

- a. Unnecessary hardship / practical difficulty:
 - i. Strict compliance with the 4-foot height limit and 50% opacity requirement in the street side yard would prohibit privacy fencing along Vollrath Boulevard — a street bordered entirely by a public park rather than neighboring residential uses. This is a unique condition that creates practical difficulty not encountered by typical lots in the district.
- b. Not self-created:
 - i. The street side yard designation arises from the location of the public right-of-way and the corner lot configuration, not from any action of the applicant.

- c. Consistent with intent of ordinance:
 - i. The opacity and height restrictions in street yards are designed to protect the public streetscape and adjacent property owners. Neither purpose is frustrated here — the fence faces a public park, the right of way is oversized, and there are no private residential properties on the south side of the street facing the property.
- d. No harm to public safety:
 - i. The proposed fence will not obstruct traffic sight lines, impede emergency access, or create hazards. All automated gates are equipped with emergency override provisions for fire and emergency services.
- e. No adverse effect on neighborhood character:
 - i. The fence materials and design are high-quality and consistent with the character of the estate and the broader area. Granting the variance will not set a precedent for substandard fencing — it is specific to this unique site condition.

Regards,

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