



**STAFF REPORT
GREENFIELD ZONING BOARD OF APPEALS
THURSDAY, JUNE 27, 2024**

5:30 PM

ROOM 100 – 7325 W. FOREST HOME AVE., GREENFIELD, WI 53220

- 1. Roll Call**
- 2. Approval of the minutes from the May 23, 2024 meeting.**
- 3. Zoning Special Exception petition for construction of an 8ft. tall fence, to be located at 4199 S. 121st St., submitted by Jim and Dawn O'Boyle, owners. (Tax Key No. 565-0028-000)**

The property owners, Jim and Dawn O'Boyle, are requesting a variance for the construction of an 8ft. tall fence along their western property line. The property currently has a 6ft. solid fence and the applicants are seeking to add lattice to the current fence to increase screening between them and the property immediately to their west.

The property is zoned R-1 Single-Family Residential District. Per Section 21.04.0802.D.2.a. of the Municipal Code, fences in residential districts are restricted to a height of six (6) feet or less. The requested waiver is regarding the height of the fence.

Mr. and Mrs. O'Boyle have submitted the following narrative explanation for the variance request:



We are writing to seek a zoning variance to add an additional 20-24 inches of lattice to our current fence for our single-family home at 4199 S. 121 Street, Greenfield, Wisconsin. Currently we have partially installed additional the lattice is because our home is below grade and the original fence did not provide much privacy, as our lot is on a downward slope.

We respectfully request to add the two additional feet being that of lattice.

Please note that we have reached out to our neighbor about our fence variance. We wish to be considerate in reaching out for their opinion, approval and support. We have received support from our adjacent neighbor behind us located at 4200 S. 122nd Street, who is supportive and enjoys the fence.

For Exceptional Circumstances, our lot line is approximately 5 feet below grade, our home sits lower than the home adjacent from ours. We spend much of our time in our back yard and put up a 6 foot wooden privacy fence. Once the fence was put up we found that it didn't provide much privacy as the adjacent home is on higher ground. In conversation with our neighbor we share lot line, we both were in agreement to the additional lattice. Please note we used lattice as we wished for the fence to look decorative and tasteful, and feel that it goes well with both parties landscaping and our lovely neighborhood. We are tucked away in the Helen Heights neighborhood surrounded by many trees and the fence is also wood, nicely maintained not very visible to the rest of the neighborhood, primarily between ourselves and our adjacent neighbor.

Please view the supportive photos.

Below: Full side view of lattice 4199 S. 121 Street. (lattice 18 inch height – see red arrows)
NOTE: Notice that lattice overlaps the top of the dog ear fence, so additional height of lattice is 18"



Below: 4200 S. 122nd Street Backyard View of Fence
Added lattice height on left 24" and lattice height on right 18".



Below: Full backyard view on 4199 S. 121 Street
Added lattice height on left 18" and lattice height on right 24".



I hope you agree that our request would produce an aesthetically proper addition. Should you have any questions, please do not hesitate to contact us at (414) 897-XXXX.

Thank you for your thoughtful consideration of this request.

In June 2023, the Zoning Board of Appeals heard a request for approval of an 8ft. solid fence to be located at 3653 S. 52nd St. That submittal was similar to the current request as both applications cite a difference in grade as reasoning for why the variance should be approved. Of note, the fence variance from 2023 involved the applicant being two (2) feet above grade from their neighbors whereas the current application is due to the applicant being five (5) feet below grade from their neighbors. The 2023 application was for a solid 8ft. tall fence whereas the current application is for modification of a 6ft. solid fence with 2ft. of lattice.



The Zoning Board of Appeals voted unanimously to deny the 2023 petition for construction of an 8ft. tall fence to be located at 3653 S. 52nd St. expressing concern that “approval of the petition would set a precedent for fences in residential districts” and that the petition “did not meet all exceptional circumstances identified”.

Staff recommends denial of the variance request to modify the existing fence with lattice, resulting in an 8ft. tall fence.

4. Adjournment.