

Variance Findings

1) Will the granting of this variance be detrimental to other properties or land uses in the area or substantially interfere with the present or future ability to use solar energy systems?

No. The fence height will be kept at 6' so will not interfere with future solar energy plans.

2) Are there exceptional or extraordinary circumstances or conditions applicable to the property or to the intended use that do not apply to other properties in the same district or vicinity?

I am requesting a variance for my fence at 58238 Alta Mesa Drive for several reasons. I request that my home is allowed a fence of 6' high on all 4 lot lines.

My home is on the corner of a major north-south thoroughfare Balsa Ave. This main road creates undue safety issues for my home. Having a 40" high fence does not provide adequate protection from theft and break ins. As the only two story home in the nearby area, my home is quite noticeable. Prior to installing this fence in 2021, I had over \$1,000 of construction goods stolen from my front yard. With a high volume of traffic who are not neighborhood residents, Balsa provides unique visibility and access to my home that homes on less busy roads do not experience. In addition, this high volume of traffic creates additional dust and soot that would not be the case on streets with less traffic.

My home was built in 1981 when Yucca Valley was significantly less populated. The home was constructed exactly at the default 50' set back. At that time, this was not a concern as the neighborhood was less built up, safer and more calm. As a corner lot, my home is exposed both in safety and privacy from both my south and west corner lot lines. The placement of my home, greater setbacks not applicable on non-corner lots, and traffic volume of the street does not allow my home the privacy and safety other homes in the area are afforded. As my home is at the 50' set back, I am not currently allowed any form of increasing privacy or security behind the fence that other properties would have the opportunity to implement.

Lastly, the homes on the south site line of the house are at a higher elevation than my home sits at. With the home being two stories and this increased elevation across the street, privacy and security are decreased in comparison to other homes in Yucca Valley. When in the home or yard of a neighbor, you have a clear site line into my yard and home that a 40" fence would not prevent.

In addition to protection for my home, this fence is one of many steps that I have taken in being a responsible STR operator. The fence provides a noise barrier for neighbors.

Lastly, this fence protects the neighborhood children. As there is a public school bus stop directly in front of my home, this fence provides privacy, ensuring school age children are not viewing into my home and yard. People on my property may be engaging in legal alcohol and marijuana consumption as well as tanning in bathing suits during daytime hours. While legal and the right of a property owner to partake in, these activities could be ones that parents prefer their children not to see on a daily basis.

Due to my interpretation of "visibility", I have had this fence up at 6' for over 3 years. During that time, I have had no security or privacy issues on my property. I have been able to maintain great relationships with nearby neighbors, hosting their baby showers, welcoming them into my home for meals, and overall being a welcomed part of the neighborhood. Traffic on Balsa and Alta Mesa have had no negative impact from my fence.

3) Will the strict application of the land use district regulations deprive such property of privileges enjoyed by other properties in the vicinity or in the same land use district?

Yes. Other properties in the area are able to provide safety and privacy to their homes. Fence heights on many properties in the area are permitted to be up to 6'. This height is permitted on other corner lots across Yucca Valley (please see photos for examples). These photos show other properties in similar situations who are not required to lower fences to the same height as proposed on my lot.

Other properties are not directly in front of a school bus stop so can enjoy legal activities without having to take school-aged children's daily visibility into the property into account.

4) Is the variance request in conformance with the objectives, policies, and programs specified in the General Plan and any applicable plan?

Yes.