

30 Salem Street - Statement Supporting Front-Yard Setback Variance for Five-Foot Fence

We request a variance from Section 10.515.13 and the applicable front-yard setback requirement to permit the like-for-like replacement of all portions of the existing five-foot-high wooden fence located within the front-yard area at our home at 30 Salem Street. The requested relief includes the fence running generally along the Salem Street frontage and the short adjoining portions of the side fence runs located between the front lot line and the five-foot front-yard setback line, as shown on the revised variance plan. The replacement will be a cedar fence in the same location, at the existing five-foot height, and with substantially the same design.

Section 10.515.13 exempts fences no higher than four feet from front-yard requirements. Because the replacement fence will retain the existing five-foot height, the requested variance would permit all affected portions of the fence within the front-yard area to remain in their existing alignment rather than be relocated to meet the otherwise applicable five-foot front-yard setback. This request concerns only the portions of the five-foot fence located within the front-yard area, as depicted on the revised variance plan.

Purpose of Retaining the Existing Height and Location

The existing five-foot fence provides privacy, a clearly defined boundary, and an added measure of residential security. We estimate that it has occupied its current location for approximately twenty years. Our proposal would preserve its existing height, location, and general design.

Our home is situated in a railroad corridor and mixed-use neighborhood where people regularly pass through the area. The solid fence provides separation between this public activity and our private residential space. Retaining the existing five-foot height preserves a more substantial privacy screen and visible boundary than a four-foot replacement would provide.

We are two older women and visible members of the LGBTQ community, and we proudly display a pride flag at our home. The possibility of discriminatory harassment or targeted hostility contributes to our concern for personal safety. The existing fence provides reassurance and helps us feel secure and comfortable at home. We seek to preserve this established protection.

Relocating the affected portions of the fence to meet the applicable five-foot setback from the property line is not practicable throughout the front-yard area. The space available among the property line, house, driveway, sliding gate, established landscaping, gas meter, and enclosed outdoor areas varies along the frontage and adjoining side fence runs. Retaining the current fence alignment preserves the established relationship among these features and the use of the enclosed residential space.

1. The Variance Will Not Be Contrary to the Public Interest

The proposal is limited to replacing the affected portions of the existing fence within the front-yard area at their current height and location. It would maintain the established separation between private residential space and the public sidewalk without increasing the fence's height, extending its footprint, or changing the residential use of the property.

The replacement would retain the existing driveway opening, the fence's current relationship to the public sidewalk, and the existing connections between the frontage fence and the adjoining side fence runs. No change to the driveway access or existing fence alignment is proposed. The limited setback relief requested would therefore preserve, rather than materially alter, the established conditions within the front-yard area.

2. The Spirit of the Ordinance Will Be Observed

The requested relief is limited to permitting the existing five-foot fence within the front-yard area to remain in its established alignment. A like-for-like wooden replacement of substantially the same height, location, material, and design would preserve the existing appearance of the frontage and its relationship to the home, landscaping, and adjoining fence runs.

Preserving this established residential boundary is consistent with the Ordinance's purposes of protecting health, safety, general welfare, and neighborhood character. The proposal maintains the existing enclosure and access arrangement while permitting replacement of an aging wooden fence with a sound cedar fence.

3. Substantial Justice Will Be Done

Reducing the affected portions of the replacement fence to four feet would eliminate the need for setback relief, but it would also reduce the privacy and sense of security that the existing fence provides. Relocating the five-foot fence segments within the

front-yard area to meet the applicable setback would conflict with the constrained physical arrangement of portions of the property, require changes to existing features and fence connections, and compromise usable enclosed space.

Allowing the affected portions of the five-foot replacement fence to remain in their existing alignment throughout the front-yard area would preserve these residential benefits while maintaining the established dimensions and appearance of the enclosure. The loss to the property owners from reducing or relocating the affected fence segments would outweigh any public benefit obtained by requiring those changes under the particular conditions of this property.

4. The Values of Surrounding Properties Will Not Be Diminished

The proposed replacement would retain the existing fence's height, location, material, and general design. It would not create a larger enclosure, increase the extent of the dimensional relief, or introduce a different property use.

The proposal would replace an aging wooden fence with a sound cedar fence while preserving an established feature of the streetscape. The replacement would maintain the appearance and function of the existing residential boundary, and there is no reason to expect that it would diminish the values of surrounding properties.

5. Literal Enforcement Would Result in Unnecessary Hardship

The space available between the property boundary and the existing house, gas meter, driveway, sliding gate, landscaping, and enclosed outdoor areas varies throughout the front-yard area. The varying depth and constrained physical arrangement of the front-yard area constitute special conditions of this property. These conditions make it impracticable to establish a continuous and uniform fence alignment meeting the applicable five-foot setback without conflicting with existing features, disrupting the connections among the fence segments, or compromising usable enclosed space.

The sliding gate illustrates one such conflict. Its operating assembly includes two substantial galvanized steel posts embedded in the ground and associated hardware. Relocating this assembly would involve substantial work and could affect the paved driveway. The setback presents additional constraints elsewhere within the front-yard area, including where the frontage fence connects with the adjoining side fence runs. Retaining the existing fence alignment preserves the established enclosure, functioning gate, and use of the residential space.

Traci and Dani Clever Beaumont

30 Salem Street, Land Use Application, Front-Yard Setback Variance for Five-Foot Fence

September 19, 2026 (Revised September 29, 2026)

These conditions must be considered together when applying the front-yard requirement to this property. Reducing the affected portions of the fence to four feet would diminish their established privacy and protective functions. Relocating the five-foot fence segments within the front-yard area to meet the applicable setback would disrupt the property's existing physical arrangement and reduce usable enclosed space. Given these special property conditions and the limited scope of the proposed replacement, no fair and substantial relationship exists between the general public purposes of the setback requirement and requiring the existing fence arrangement within the front-yard area to be altered at this property.

Replacing the affected portions of the existing residential fence like-for-like at the same five-foot height and location is a reasonable proposal. The requested variance would preserve the established enclosure and its residential function while limiting the relief to the portions of the five-foot fence located within the front-yard area, as depicted on the revised variance plan.

Property Location and Boundaries



Property Information

Property ID 0144-0035-0000
Location 30 SALEM ST
Owner CLEVER BEAUMONT REV TRUST



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Geometry updated 09/15/2026

Print map scale is approximate.
Critical layout or measurement
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this resource.

 : Property Boundary

Location of Existing Wooden Fence



Property Information

Property ID 0144-0035-0000
 Location 30 SALEM ST
 Owner CLEVER BEAUMONT REV TRUST

- : Property Boundary
- : Existing 5-Foot Wood Fence Along Property Boundary



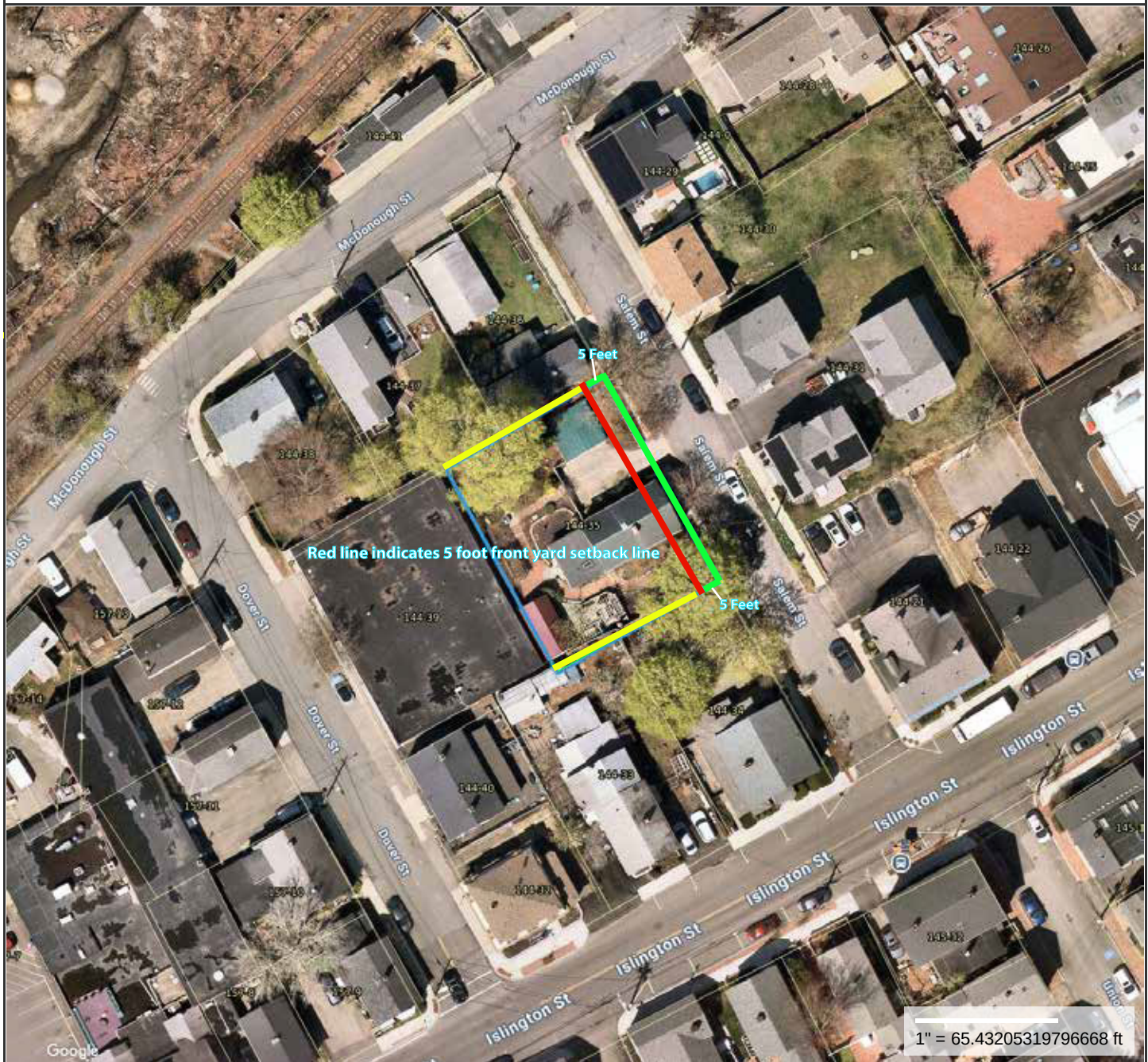
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Variance Request Fence Location



Property Information

Property ID 0144-0035-0000
 Location 30 SALEM ST
 Owner CLEVER BEAUMONT REV TRUST

- : Property Boundary
- : Front Yard 5 Foot Setback
- : Existing 5-Foot Wood Fence Along Property Boundary
- : Existing 5-Foot Wood Fence in Relief Area



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Image illustrating the general style of the 5-foot high cedar colonial replacement fence that would be installed.



Our property frontage depicting existing 5-foot cedar fence and sliding gate.



Our property frontage depicting existing 5-foot cedar fence and sliding gate.



Existing 5-Foot cedar fence along our property frontage on the right side of our driveway.



Existing 5-Foot cedar fence along our property frontage on the left side of our house.



Steel sliding gate operating assembly for 5-foot cedar wooden gate.