

August 7, 2023

Dear Members of the Village of Cayuga Heights Zoning Board of Appeals,

I hope you are enjoying the end of a relaxing summer. My name is Jessica Levin Martinez, and together with my husband and two children, we reside at 201 Cayuga Heights Road, here in the Village of Cayuga Heights. I am writing to address the application and variance to build a fence at 203 Cayuga Heights Road, a matter of concern that directly impacts my property and our neighborhood's sense of community and harmony.

I wish to express support for enforcing our Village's zoning code and requiring that the proposed fence at 203 Cayuga Heights Road be located beyond the required setback of 15 inches from the property line. We have strong reservations and oppose a variance that would allow the project to be built as proposed. After careful consideration, we firmly reject this proposal for the following reasons:

1. Preservation of Aesthetics and Natural Landscape:

The setback area, as it currently stands, contributes to the open and natural landscape characteristic of Cayuga Heights. The proposed installation of a six-foot fence within this zone would present an unsightly view from our home, disrupting the aesthetic harmony that defines our neighborhood and imposes an unnecessary feeling of confinement. Our community prides itself on maintaining an environment that reflects the beauty of our surroundings, and the introduction of such a fence would detract from this unique characteristic.

2. Environmental Considerations:

The setback area serves as a valuable habitat for local wildlife, contributing to the ecological balance of our surroundings. Last year, my husband planted a pollinator garden which our neighbor opposed even though it was within our property and nowhere near the setback. This year we have been visited by monarchs, hummingbirds, and other pollinators. Constructing a fence within this zone could disturb the delicate ecosystem and contribute to habitat fragmentation. I urge you to consider the potential impact on local flora and fauna, both in the long-term and during construction which would disturb our property far beyond the setback.

3. Potential Erosion and Drainage Concerns:

The setback area's existing function in preventing soil erosion and facilitating proper drainage during rainfall cannot be overstated. Any alterations to this area, including the installation of a fence, could disrupt natural water flow and exacerbate erosion-related issues, affecting not only my property but potentially the broader neighborhood as well. We do not object to our neighbor staying within the zoning codes and building on her property of course, but we are concerned that longer term implications have not been considered.

4. Exploration of Alternative Solutions:

We see alternative solutions that address our neighbor's concerns without encroaching upon the setback area. Hedges, trees, a fence that wraps around whatever obstacles have necessitated this request could be placed within her property and would not require continued negotiation with us on the design, construction, and maintenance of a new fence. We are asking that our neighbor explore fencing options or landscaping modifications that maintain our property rights while respecting the need for a setback.

5. Potential Impact on Future Projects:

The proposed fence installation could potentially limit our ability to implement future property improvements on our side of the property. For example, the location of any fence that encroaches into the setback would negatively impact our ability to maintain or perhaps even to gain access to the back of our garage. Future plans for landscaping and other projects would surely be impacted by a fence in the setback, too. And finally, we have concerns that a variance that unnecessarily places a fence in the setback could be used as a reason for continuing this variance all the way down to the street, effectively shifting the whole of our property line.

We kindly urge the Village to consider these implications and uphold the zoning code before deciding on the variance requested. As responsible stewards of our community, it is essential that we prioritize the well-being of our neighborhood, our relationships, and the natural environment that we share.

I thank you for your time and consideration of this matter.

Sincerely,

A handwritten signature in cursive script that reads "Jessica Levin Martinez". The signature is written in black ink and is positioned above the typed name.

Jessica Levin Martinez
201 Cayuga Heights Road