

Application to  
**ZONING BOARD OF APPEALS**  
Town of Harrison

Date of Disposition \_\_\_\_\_ Calendar No. Z 12-015  
Disposition \_\_\_\_\_ Dated Filed: 5/17/12

Street Address of Property 1 Timber Trail, Rye NY

Tax Assessment Map Block: 0601. Lot: 049.

Zoning District: \_\_\_\_\_

Applicant: Robert N and Jennifer Pomroy

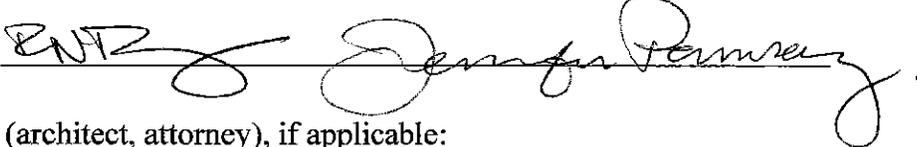
Applicant's Address: 1 Timber Trail, Rye NY

Applicant's Telephone Number: 914 921 4169.

Property owner: Robert N and Jennifer Pomroy

Address: 1 Timber Trail Rye NY

Telephone No.: 914 921 4169 Fax No: —

Signature of property owner: 

Person presenting application (architect, attorney), if applicable:  
Homeowner. Title: \_\_\_\_\_

Address: Above.

Telephone No: \_\_\_\_\_ Fax No: \_\_\_\_\_

Requested Action:  Area Variance \_\_\_\_\_ / Use Variance \_\_\_\_\_ / Other \_\_\_\_\_  
Basis of Jurisdiction: \_\_\_\_\_ / Appellate \_\_\_\_\_ / Original \_\_\_\_\_ / Other \_\_\_\_\_  
Date of Denial letter: \_\_\_\_\_ (You must attach a copy of the denial letter)

What Section(s) of the Harrison Town Code is (are) in question?

235-26 (c)



Jennifer and Neal Pomroy  
1 Timber Trail  
Rye NY 10580

5/17/12

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The decision to install a 6' pool fence was made for the following reasons:

1. The grade along Polly Park is not flat. In certain areas, where the ground dips and rocks and tree stumps are built up, that a 4' fence would only provide a 2.5' barrier. (see attached photos.) A 6' fence provides the required 4' barrier.
2. It has been determined that a minimum of 6' is required to keep deer off the property. We have a child that contracted life-threatening meningitis as a result of deer-borne Lyme disease. We feel it is imperative to keep deer away from our children and pets.

The fence we have chosen (chain link 1.25" x 1.25" black mesh) is an attractive, nearly invisible style. We have already planted 55 4'-6' Norway spruce along Timber Trail and Polly Park to mask the fence. Our intent is to continue to plant so that eventually you will no longer see the fence or our property from the road.

Our main objective is the safety of the children in the neighborhood and our own children. We feel a 6' fence ensures their safety and outweighs any aesthetic objection.



View of fence from Timber Trail



View of fence from Polly Park



Measures  
4 1/2'

- View from our side of pool
- one of the areas on the property where grade is such that a 4' fence would only provide a 2.5" barrier.  
(current 6' fence provides required 4' barrier)



View from Polly Park



View from 1 Timber Trail



**TOWN OF HARRISON  
VILLAGE OF HARRISON**  
ALFRED F. SULLA, JR. MUNICIPAL BUILDING  
BUILDING DEPARTMENT  
1 HEINEMAN PLACE  
HARRISON, NEW YORK 10528



Telephone: (914) 670-3050  
Fax: (914) 835-7491

May 21, 2012

POMROY ROBERT N & JENNIFER R  
1 TIMBER TRL  
RYE, NY 10580

Re: 1 TIMBER TRL, 0601-049.  
12-00020542

Dear POMROY ROBERT N & JENNIFER R:

Pursuant to a review of the site plan and plans submitted for the proposed swimming pool fence, your application is hereby denied for the following reason.

*The property is located in the more restrictive R-1 Zone with regard to the minimum required front yard setback of (50) feet and a minimum side yard setback of (50) feet. The property is also located on a corner lot abutting a side street.*

*Pursuant to §235-26 (C) (1) of the Zoning Ordinance of the Town/Village of Harrison no fence located in a front yard shall have a height greater than (4) feet.*

*The proposed fence is indicated to have a height of (6) feet along the front property lines at Timber Trail and Polly Park Road. Therefore a variance of (2) feet is required.*

An application for a variance to the Zoning Board of Appeals shall be taken within sixty (60) days of this rejection and notice of such appeal specifying the grounds and therein must be filed with the Secretary of the Board of Appeals, at this address in accordance with section 235-58 of the Zoning Ordinance for a Public Hearing.

Very truly yours,

Rocco Germani  
Assistant Building Inspector

Cc: Zoning Board of Appeals

