

Variance Justification:

In order to justify approval of any variance, the Board of Zoning Adjustment considers the following criteria. Please answer all of the following items. Use additional sheets if needed. A response of yes, no, or N/A is not acceptable.

1. Explain how the variance will not adversely affect the public health, safety or welfare.

This will be part of a multi-family development that will not affect the road frontage on stillmeadow drive and will not affect public health, safety, or welfare.

2. Explain how the variance will not alter the essential character of the general vicinity.

This will be part of a multi-family development that will not affect the road frontage on stillmeadow drive. This will allow stillmeadow drive and the general area to maintain its essential character.

3. Explain how the variance will not cause a hazard or a nuisance to the public.

This will be part of a multi-family development that will not affect the road frontage on stillmeadow drive.

4. Explain how the variance will not allow an unreasonable circumvention of the requirements of the zoning regulations.

This allows the property to be used for multifamily development while also allowing existing trees to remain on the property that would otherwise need to be cut down . This also allows for the building to not encroach into any of the existing protected waterway buffers.

Additional consideration:

1. Explain how the variance arises from special circumstances, which do not generally apply to land in the general vicinity (please specify/identify).

The property is triangular in shape and has protected waterway buffers that would not allow for the building comply. Also this general layout was approved previously to have a building in this location.

2. Explain how the strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create unnecessary hardship.

If this variance was not allowed the applicant would not be able to develop this property as shown in this development plan or the previously approved development plan.

3. Are the circumstances the result of actions of the applicant taken subsequent to the adoption of the regulation from which relief is sought?

The existing shape of the property and existing waterway buffers are the reason for the request for the variance.