

**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.**

The variance allows for the creation of two lots, which would have 25' of rear yard off Eastern Ave. and side setbacks that are consistent with other structures in the area.

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

The variance will not alter the character of the general area because the area is made up of lots of various sizes and shapes. House locations vary in the area as well as some that sit near the rear of properties.

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

It will not cause a hazard or a nuisance to the public because it is creating a pattern that fits the area and is better suited for the building of a single family residence rather than building on an existing 25' wide lot.

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

The variance will not allow an unreasonable circumvention of the requirement of the zoning regulations because if the required yards were determined from Eastern Ave. instead of Country Club Rd., the requirements would be met.

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*Additional consideration:*

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

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The variance arises because the existing structure is on a corner lot in which the structure sits back off the road and utilizes the side road for primary entrance.

**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.**

Strict application would create unnecessary hardship because it would not allow for the creation of a lot that is better suited for building a single family residence than the existing vacant lot.

**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 variance is a result of actions proposed by the applicant to improve the existing conditions that were created by the small substandard lots created by the record subdivision plat.

VARIANCE 1108