

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 shed is located between the drive-way and the fence which separates the property from the neighbor's, set-back 30' from the lane, shaded by evergreen trees. It is metal, unobtrusive, and always locked. Size: 16.2' l x 12.2' w x 10' h.

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

Property bounded on west by Savage St, north by Waterson Expy, east by only one other house on the Lane, and fronted on the south by Stowers Lane, a quiet residential neighborhood in the Shively area. Set back from the lane, the shed has not evoked a complaint to me in 4 years.

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

Stowers was disrupted by construction of the Expressway, now ends at the backside of the Cemetery, has only one other house on the north side and seven on the south, all small, frame. The shed extends only 3 feet beyond the facade of the house.

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

A Shively inspector has been on the property several times and never mentioned the shed. It is secure, unobtrusive and extends only 3 feet beyond the front of the house which is 8 feet away, separated by a carport and driveway.

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).

I am an 88-year-old retired seminary professor and Baptist minister who needs someone to share my residence. In allowing a Nigerian family, whose father is working for a seminary degree, to share AND CARE FOR THE RESIDENCE WE NEED THIS ADDITIONAL STORAGE SPACE. (Please pardon my poor typing. It is better than my hand-writing!)

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.

Since the storage space is essential to our living circumstance, selling it is not an acceptable option. To move it back would require the destruction of the carport and part of the residence. Moreover the cost of moving is beyond my means which are dependent upon Social Security.

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

I was not aware of any such restrictions when I purchased the shed 4 years ago to contain furnishings displaced by the residence of a niece who moved in to care for me. It has become increasingly essential to my living conditions.

