

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 requested variance will not adversely affect the public health, safety or welfare, because this is a second story addition directly above the existing primary structure, at the same distance from side yard property line and will be constructed to comply with all building codes & fire codes.

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

The requested variance will not alter the essential character of the general vicinity as there are several other properties in the area with similar designs and the proposed second story addition is directly above the existing exterior walls, no change to the existing side yard setback.

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

The variance will not cause a hazard or a nuisance to the public because the structure must be constructed to comply with building codes and the addition is aligned with the existing primary structure and common/similar neighboring home setback patterns.

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

The requested variance will not allow an unreasonable circumvention of the requirements of the zoning regulations. It will ensure the intent of the land development code regulations which is to uphold the character and distinct patterns of the form district and existing neighborhood setbacks.

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).

Existings homes in this area have a very specific sideyard setback pattern and the proposed design is to upholding the existing pattern established by the existing house and neighboring homes. These neighborhood specific dimensions are not captured in the LDC.

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.

Requiring the 2nd level addition to step in 1'-3" from the existing exterior wall creates a difficult construction method (off-stepped exterior walls). The strict application of the regulation also greatly limits the use of an already narrow single family home on a narrow 20 ft. 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?

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