

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 is addressing dimensional requirements between accessory structure and principal structure to the rear of the lot and therefore out of public use, view and right of way areas.

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

The reduction request is to the rear of the lot and is typical lot development for the neighborhood. The proposed addition is on the opposite side of the lot from the garage, maintaining views and open air in the rear yard from yard access.

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

The dimensional reduction variance is concealed to the rear of the principal structure and out of view from general public. Neighbors have signed affidavit and have no contest to the proposed work.

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

The proposed addition to the rear of the house is allowed within the development code and the Floor Area Ratio (F.A.R.) limits of the lot. It is precededented in the Bellwood Subdivision neighborhood to have detached garages closer to the rear of the house than 15'-0".

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).

R4 permits a 30'-0" front yard setback. Subject property and the Leland Road homes are set at 40'- which reduces available rear lot depth by 10'-0" (SEE ATTACHED SURVEY). If the 10'-0" were available, the proposed addition would be further than 15'-0" from garage. No variance needed.

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.

The proposed addition keeps the primary structure well within the size limits of the Zoning district for the lot size as defined under the Development Code. Updating the home to modern living standards would be drastically compromised. See #1 above

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

No

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