

VARIANCE JUSTIFICATION

1. The deck structure, louvered side walls and pergola will NOT adversely affect the public health, safety or welfare because it will be contained within the fenced-in backyard and not accessible by the public. The deck and structure are approximately the same size as the previous deck. It is aligned with the back, right corner of the house within the limits of the property. It will be constructed to meet proper building code methods and be an improvement from the original structure.
2. The deck structure, louvered side walls and pergola will NOT alter the essential character of the general vicinity because the materials and design are consistent with the design integrity of the home and surrounding homes. The design intent has a COA from the Historic Landmarks and Preservation Districts Commission.
3. The deck structure, louvered side walls and pergola will NOT cause a hazard or nuisance to the public because it is contained within the fenced in backyard and not accessible by the public. Due to the close proximity of neighboring houses, the proposed improvements are not visible from the road. It will be constructed to meet proper building code methods and be an improvement from the original structure.
4. The deck structure, louvered side walls and pergola will NOT allow an unreasonable circumvention of the requirements of the zoning regulations because it will be constructed within the framework of the original deck, roof cover and house setback. The pergola structure will be an open-air structure what will not have a roof over the top or exceed the first-floor height and will allow for adequate light and visual trespass as to not obscure the structure.

Additional Consideration

1. Due to the limited right-side yard space, the existing deck structure/roof structure was prior constructed off the back-right corner in line with the right side of the house. The house along the right side of the property is .4' way from the property line. The existing roof structure layout and finished asphalt roof is proposed to remain as is from prior construction. The roof structure is similarly constructed to the neighbor along the North side of the property who has a covered porch structure constructed off the back-right corner of their home very close to the property line with a similar setback.

The pergola structure will be an open-air structure covering a portion of the deck. Since the pergola will not have a roof we request that it NOT be considered as a solid roof structure, thus allowing us to meet our non-roofed area requirements for the rear yard.

2. If we were to follow the strict application of the provisions of the regulation it would create unnecessary hardship because we are trying to preserve the existing roof structure. The existing roof structure directly correlates to the position of the deck and louvered privacy panels. To remove and replace the roof structure would cause a large expense to our client. If we were to move the deck structure further away from the property line the louver panels or any type of structural roof support against the house would interfere with the existing windows.
3. We started the restoration of the deck and roof structure with intent to keep the existing structural framing intact. After removing the deck surface, it was determined it would be most beneficial for our client to remove and replace the deck structure due to wood rot. The new decking was kept in the same position because of the existing roof structure. The existing roof structure would have to be reconstructed if the deck were reduced in size.

RECEIVED

MAY 08 2019

PLANNING &
DESIGN SERVICES

19 Variance 1048