

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 proposed fence will be 60 inches in height. The variance will not affect sight distance and will not affect public health and safety or welfare. The purpose of the fence is for security and to maintain two dogs.

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

The variance will not alter the essential character of the surrounding area. Several adjoining properties have fences of similar height, specifically the property at 2201 South Shelby St. which is also a corner lot and has a fence that is at least 60 inches in height.

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

The proposed variance will not affect sight distance and is to maintain two dogs, provide security and will be constructed very well and maintained at all times

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

The variance request is not unreasonable as the fence is similar to other fences in the area specifically the adjoining corner lot.

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).

The subject property is on a corner lot and the variance is for the street side. The request will allow the owner to put up a fence 60 inches in height to provide security and protection and will maintain 2 dogs.

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 strict application would limit the owner from putting up a much needed fence of 60 inches in height for security, and protection for owner and pets

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 the owner has not constructed the fence yet.

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AUG 13 2018

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VARIANCE 1074