

**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 in the rear yard of the property and is surrounded by a 6' ft privacy fence.

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

The deck cannot be seen from the road or any adjacent properties as it is surrounded by a 6' ft privacy fence.

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

The deck is in the rear yard and has no access to the public.

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

All we are asking is to cover an existing patio that has been there since the house was built. All we are changing is the aesthetics of the patio as the existing patio already encroaches the setbacks.

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*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).**

This house was built with an existing patio that encroaches the setbacks. This patio has existed since the house was built.

**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 deck will eliminate steps coming directly from the first floor of the home.

**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 we are simply trying to cover an existing patio that already encroaches the side yard with a deck.