

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.

New structure will allow off street parking, so welfare should be improved.

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

Existing adjoining structures (and the existing structure that will be demolished) are at a 5' set back. This will align the new structure to them.

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

Structure is on private property with no access to general public.

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

The reduced front setback allows the rear private yard to conform to zoning requirements. Existing adjoining structures (and the existing structure that will be demolished) are at a 5' set back.

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 lot has been subdivided from the adjacent lot leaving a small lot. Older structures were not built to current regulations. Existing adjoining structures (and the existing structure that will be demolished) are at a 5' set back.

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.

Without parking this does not meet the needs of the owner.

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

We will seek a waiver and variance before construction.

General Waiver Justification:

In order to justify approval of any waiver, the Planning Commission or Board of Zoning Adjustment considers four criteria. Please answer **all** of the following questions. Use additional sheets if needed. **A response of yes, no, or N/A is not acceptable.**

1. Will the waiver adversely affect adjacent property owners?

Having more parking will help the adjacent property owners.

2. Will the waiver violate the Comprehensive Plan?

I think not. Bishop Street was once an alley and functions more as an alley than a street.

3. Is extent of waiver of the regulation the minimum necessary to afford relief to the applicant?

Yes, it addresses the major problem with the site, which is lack of parking.

4. Has either (a) the applicant incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived (net beneficial effect) or would (b) the strict application of the provisions of the regulation deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant?

We have tried to incorporate features to the design to help it fit in visually to the adjoining houses. For the owner to have this function for his lifestyle, the waiver is required.

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