

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.

Public health safety & welfare is not adversely affected because building will comply with all building codes & fire codes

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

General vicinity character is not altered because new garage has same function as old garage removed.

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

No hazard or nuisance to general public because construction will comply with all building codes.

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

No unreasonable circumvention of zoning reg requirements because the garage will be accessed from alley.

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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)

Special Circumstances is the Backyard is not large enough for family needs & usage. The added green space is needed for family activities. The property size is too small.

PLEASE NOTE: NEW GARAGE IS IN BETTER COMPLIANCE THAN OLD GARAGE (REMOVED WITH SETBACK). EVEN THOUGH IT IS A LARGER STRUCTURE.

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.

Unnecessary hardship is created from a smaller amount of green space - Safety issues arise when the children played in the alley. More green space would help accommodate the needs of the family & children in a safer, protected environment. The new garage takes up more room in the yard being 2 cars.

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

Circumstances are not the result of actions by applicant because the garage has not yet been constructed; and the owner has not determined the original property size & shape.