

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 new deck cover will not adversely affect others in the rear yard. It will provide shade & protection from the elements for the owners use on a daily basis, and allow a more comfortable outdoor space as they age in place.

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

Because the property is a lot & a half, there is a lot of open yard space between house and garage. Most of the lots in the neighborhood are less than 6000 SF & require only 20% Private Yard Area. With this variance, this yard will have 19% open space between house & garage plus additional uninterrupted side yard space.

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

The cover for the rear deck is completely behind the house & pulled away from the West Property line so will not be a hazard or nuisance to anyone.

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

A variance is not unreasonable because open yard space is preserved in other areas alongside house & garage because of the larger lot. A variance is reasonable to allow homeowners to entertain family & friends @ home because as they age, it is not a safe alternative to go out to visit as much as when they were younger.

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).

There is a small amount of shade on rear deck during morning hours right up against house. The afternoon & evening sun makes the deck unusable. The new roof will allow a much more comfortable outdoor space that is more private and larger than the covered front porch.

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 homeowners are retired & one is unable to drive & unsteady on her feet so her entertainment now is viewing her roses, watching birds, reading & receiving visitors on the rear deck. Covering & screening the deck will allow their use and allow homeowners to stay in their home as long as possible to remain members of their long time community.

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

The Private Yard Area was not required when garage was built & the bathroom addition does not encroach into space between house & garage. So the circumstances are not a result of applicants subsequent actions.