

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 private yard area is in the rear of the property and will not be accessible to the public to negatively affect their health, safety or welfare.

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

This is a unique walking court. There are many properties in the vicinity that have less of a private yard % than required. The view from Floral Terrace walking court will not be altered. This variance is in the rear of the property and will not be visible to the general public.

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

The variance area will not be accessible to visible to the public.

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

Though there will not be a private yard area per the zoning regulation specifications, in actuality there is a private side yard space which is 24% of the lot area. This is 4% over the required 20% private yard area for lots under 6,000 s.f. This lot is wider than the typical lots on Floral Terrace.

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 need for parking in the rear of the lot accessed by the alley. Floral Terrace is a walking court, so there is no adjacent street parking available.

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.

Even if the proposed garage was detached rather than attached to the existing home as proposed, there would still not be room for a private yard area if measured per zoning regulation specifications. Parking via the alley is necessary since Floral Terrace is a walking court with no adjacent parking.

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