

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 garage is not used for noisy or intensive activity. A fence prevents adjoining from accessing garage.

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

Existing garages in the vicinity are built very close to property lines.

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

The garage and its use is not a threat to how others in the neighborhood use and enjoy their property.

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

Infill requirements allow side yard setbacks to match existing conditions of neighboring structures, but not for rear yard setbacks. We are asking for the rear yard setback (5') to be waived to match how the existing garage on Lot 7 and other garages of adjoining are situated vis a vis property lines.

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).

The owner wishes to combine three existing lots he owns into 2 to better match existing development goals as well as to transfer property to posterity. In doing so, new regulations impinge on existing conditions. Such regulations were not in force at the time the existing lots were created and developed.

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.

It would prevent the applicant from simplifying and consolidating existing parcel lines to better reflect usage, ownership as well as compliance to modern development standards.

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

No. The garage was built some time ago, before 2006.

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