

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 variance only affects the property owner and does not adversely affect public health, safety or welfare.

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

The variance request is located behind the principle structure and will not alter the essential character of the neighborhood.

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

The variance only affects the property owner and does not cause a hazard or nuisance to the public.

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

Without the variance being granted the property owner could not expand the development to provide additional housing needs in this diverse neighborhood.

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Additional consideration:

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1. Explain how the variance arises from special circumstances, which do not generally apply to land in the general vicinity (please specify/identify).

When the LDC went to a form based development code there was additional restriction placed on property owner therefor this request arose from the adoption of additional regulations.

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 the variance being granted the property owner could not expand the development to provide additional housing needs in this diverse neighborhood.

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

When the LDC went to a form based development code there was additional restriction placed on property owner therefor this request arose from the adoption of additional regulations.