

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 this is on private property. New garage will be built according to code & the general public is not allowed on property.

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

Essential character is not altered because the new garage design is of similar materials, size, shape, proportion & use of what all ready exists in the vicinity.

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

No hazard or nuisance to general public because the general public will not be using the area in question. It is a private residence.

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

The circumvention of zone regulations is not unreasonable. It will allow neighbor to have more yard space for plantings. It is a typical condition in the neighborhood; and the owner to have more rear yard for living activities.

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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).

Special circumstances - Keeping the 5' Rear Setback only creates a dead zone between neighbor property & garage. With variance more green space will be appreciated by neighbor.

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 occurs when the owners garage takes up more space in his rear yard. Living & enjoying the yard to its greatest ability.

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 new garage is not built yet. It will be built to code. The existing carport to be removed is already occupying some space in rear yard setback.

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