

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.

This will be more than 30' from the intersection and will not obstruct traffic or visibility in any way. This will be an open structure and should blend with the existing homes and generally accepted standards in the neighborhood

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

Many of the homes in the area have similar porches, detached garages, and other structures that have been added throughout the years and this should be of the same nature. The carport will add to the character of the home and will be much like an open porch with roof.

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

This will only accommodate one car and will be open. There won't be any storage area and this will only be for the owner of the home to park one car. Again, this will be of the same character and nature of many of the home currently in the same neighborhood

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

Because the house is a corner lot, the side yard setback is the same as the front and there appears to be plenty of room to accommodate the structure. Other homes have similar side porches that extend past the setbacks and they have roofs over as would this structure.

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).

See #4. Many of the homes already have varied from the standards because of past precedent and because the size of the lots. This carport should be treated no different

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 garage was made into living space and without this carport, there can be no covered parking on the lot. The carport could be placed behind the old garage/new living space but they would have to relocate the driveway and this would be an additional expense that they cannot afford

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

In a way yes. The homes in St. Matthews were modified as needed for many years as the owner's desired and as their lots allowed. The LDC adopted does not reflect this and many owners are granted variances as needed so that they may enjoy the use of their property as they deem fit.

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