

## JUSTIFICATION

To justify approval of any variance, the Planning Commission considers the following criteria. Please answer **all** the following items. Use additional sheets if needed. Responses of **yes, no, or n/a** will **not** be accepted.

### Explain how the variance will not adversely affect the public health, safety, or welfare.

The property in question is a private, residential yard which already has a guest house structure located behind the main residence. We received a COA approval from the ARC to demolish the existing structure, and replace it with a new 2-car garage with a studio on the 2nd floor. We are asking for approximately 15% of the yard to be a private yard instead of the 20% as laid out in Section 4. We will have a privacy fence, just as we do now, around our property.

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

There is an existing, original structure in the same general area. A carriage house was original to the home, and many of our neighbors also have carriage/guest houses. Residential homes with a secondary structure, such as a garage or guest house, are very common on our street and in our neighborhood.

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

The tier 1 neighbors who live around us are used to looking at a structure in our yard because there is an existing carriage house today. There is a privacy fence dividing our properties from any adjoining neighbors. Since the structure will be new, it will be a big improvement from dilapidated existing structure which is unsightly and ill-kept.

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

The existing structure is about 20' from our main house and the new structure will be approximately 12' of distance. The existing "private yard" is actually a gravel lot and deck. Our intent is to keep a similar maintenance-free yard by decking most of the property between the main house and the new structure.

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

Our situation is unique in that our back yard backs up to a neighbor instead of to an alley. So the structure being closer to the main house doesn't pose any issue with traffic or pedestrian traffic.

### 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.

Because today we have very little usable yard between the main house and the secondary structure, the property is best used as indoor living space, which we hope to achieve with a 2-car garage and studio for guests. Our main home is only a 2-bedroom home and we have no place for guests and currently park on the street. We can best use the yard space and increase the value of our property by adding a 2-car garage. If we do not get the variance approval, then the structure will not include a 2-car garage, reducing the value add to our property.

### Are the circumstances the result of actions of the applicant taken *after* the adoption of the regulation from which relief is sought?

NO, this section does not pertain to our circumstances