

**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 will not adversely affect the public health, safety or welfare because the garage is existing and currently falls within the setback.

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

The variance will not alter the essential character of the general vicinity because the garage is existing, and abuts a commercial property that is heavily screened with fencing and trees.

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

The variance will not cause a hazard or a nuisance to the public because the existing landscape buffer on the commercial property adjacent to this fully screens this location.

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

The variance will not allow an unreasonable circumvention of the requirements of the zoning regulations because the garage is existing and currently encroaches into the side yard setback.

*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 adjacent lots were previously residential lots that were converted to a commercial property.

**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 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 the existing garage would have to be torn down or modified from it's current structure.

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

No, the garage is existing and falls within this side yard setback.

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