

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 effect the public health, safety or welfare, first because the reduction will not be an obvious change, it allows for the provision of utilities in front of the home, but most importantly it is needed due to the existing steep grade to keep the homes from being >2 stories tall at the rear.

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

A 5' reduction of the front yard will barely be noticable especially since it will extend across 8 lots on the east side of Street A beginning at the recreational open space, 4 of which are further separated from the street by a wide median, and 4 lots on west outside curve with open space between 2 lots.

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

The 5' reduction in the front yard does not negatively impact the ability to provide utilities, will barely be noticeable and will reduce the height of the rear wall of the homes (a 1 story with a lower level walkout) and will therefore enhance the neighborhood rather than cause a hazard or nuisance.

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

Since the request is due to ex. constraints in the steepness of the grade of the property, where the 5' reduction in the front yard allows for the development of a standard walkout without the need for retaining walls & no neg. impact, the request is not an unreasonable circumvention of the reqmts.

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 request is due to existing constraints of the site in the steepness of the grade of the land at the back of the lots such that without the additional 5', the homes might have 2 lower levels or at least a much taller rear wall than required for a standard walkout.

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 regulation without the reduction in the front yard would create an unnecessary hardship in the construction of the homes on these lots.

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

The topography of the site was existing prior to the adoption of the regulations. The request is specific to this site and not the result of any action by the applicant subsequent to the adoption of the regulations.