

**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.**

Sought guidance from Louisville MSD to ensure that the construction of the proposed garage meets their guidelines which would include no obstruction to water drains or swells.

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

It is common for back lots to contain garages in this area. An additional garage would do nothing to change the essential character of the general vicinity. Garages on back or side lots is common in this area. The owner is seeking, as much as possible, to match the look of the existing house with the proposed garage.

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

Construction of the proposed garage is within the MSD and easement guidelines.

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

Removal of the existing deck allows the proposed construction to fall within the zoning regulations.

*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).**

Construction of a attached/detached garage fits within this neighborhood by enhancing the beauty and property value of the community.

**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 owners are elderly. The proposed garage would offer vehicle shelter to protect them from adverse weather and provide vehicle longevity.

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

Yes, the owner sought and obtained approval from the Park DuValle Property Owners Physical Design Committee.

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