

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.

No safety concerns, obstructions or additional traffic will be caused due to the construction of a new single family residence.

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

Various homes in the existing area have different characteristics, building esthetics and property amenities.

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

This will be a single family residence. No hazardous or nuisance activities will be included.

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

Zoning regulations will be adhered to. The newly constructed home will be constructed with the current family dynamic in mind and potential space to grow that family.

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 property has a 20'x126' easement granted by the previous owner. That easement is not available to build on. The easement is larger than the minimum required side yard and permission to allow the new structure to be placed 1' outside of that easement is being requested.

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 provisions would deprive the applicant by reducing the buildable area of the lot by over 2,000 sqft. Being able to build as close to the easement as possible will allow the opportunity to use the remaining area without restrictions. Not being able to use the entire property creates hardship.

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

The applicant's decision to construct a new home are not the of their own actions. Relief is being sought in order to provide a sufficient place of living in a limited area of available homes of size.