

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.

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

The requested variance does not have any effect on the public health, safety or welfare.

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

4 Caladonia is a unique lot and is one of only three houses on this short street. There are no homes facing Caladonia across the street and the home at 8 Caladonia faces the side of this property. The block is not long enough to form any continuity of houses up against the 25' front yard setback, and moving the house back on the lot actually creates more cohesiveness between adjacent properties 2 + 8 Caladonia.

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

There is no hazard or nuisance caused by moving the house back on the lot than the 25' front setback; the lot is quite deep and still allows more space behind the house than in front of it. The circular driveway that enters from Caladonia and exits in the alley will allow for easier and safer vehicular flow at this corner.

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

Moving the house back from the front property setback is not detrimental in any way and does not cause any violation of any other zoning requirements. It is what makes sense on this particular lot and is not an unreasonable circumvention.

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 location of this property at the corner of a very short street and a rural alley contributed to the sitting of the house. Also the fact that there are no houses across the street from it, and the neighbor at 8 Caladonia also faces the side of this lot. This lot has a very different feel from even what is right around the corner on S. Bayly, and we feel that the proposed house location takes best advantage of its unique features.

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 house sitting against the standard front yard setback contributes to a tight feeling at the corner and offers consistency only with the house adjacent at 2 Caladonia, and no neighbors across the street or on the other side.

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 circumstances are not a result of any action on our part.

General Waiver Justification:

In order to justify approval of any waiver, the Planning Commission or Board of Zoning Adjustment considers four criteria. Please answer all of the following questions. Use additional sheets if needed. **A response of yes, no, or N/A is not acceptable.**

1. Will the waiver adversely affect adjacent property owners?

No, the waiver will not adversely affect adjacent property owners due to the unique location of the lot.

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2. Will the waiver violate the Comprehensive Plan?

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The waiver does not violate the comprehensive plan but rather adheres to the goals by building a more livable, attractive, efficient + environmentally sensitive home within the Crescent Hill community.

3. Is extent of waiver of the regulation the minimum necessary to afford relief to the applicant?

We feel strongly due to the the location of this particular lot and that parcel 071E01430000 behind our lot, which has been designated a 'permanent no build' due to no street access, that the front garage and parking enhance the continuous greenspace and "parklike" nature of open space behind the house.

4. Has either (a) the applicant incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived (net beneficial effect) or would (b) the strict application of the provisions of the regulation deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant?

Incorporating an attached garage uses a smaller building footprint than a detached garage at rear of house. This green space this affords Crescent Hill within the urban landscape is priceless enabling the growth of a more robust tree canopy.

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