

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.

VARIANCE REQUESTED IS TO THE REAR OF THE EXISTING HOUSE AND WILL HAVE NO IMPACT ON PUBLIC HEALTH, SAFETY OR WELFARE.

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

MANY HOUSES IN THE IMMEDIATE VICINITY HAVE HAD REAR ADDITIONS. THIS PROPOSED ADDITION IS NO LARGER THAN OTHERS NEARBY.

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

A REAR ADDITION ENCROACHING 1'-8" X 11'-0" INTO SIDE YARD SET BACK WILL NOT CAUSE A HAZARD OR A NUISANCE TO THE PUBLIC.

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

THE EXISTING HOUSE IS IN LEGAL NON-COMPLIANCE 2'-0" INTO 6'-0" REQUIRED SIDE SET BACK ON WEST SIDE. THE PROPOSED REAR ADDITION CONTINUES INTERIOR WALL LINE USING A THINNER

WALL CONSTRUCTION (FRAME INSTEAD OF BRICK.) THEREFORE THE PROPOSED ADDITION ENCROACHES LESS INTO THE REQUIRED 6'-0" SIDE SET BACK (1'-8" FOR ADDITION INSTEAD OF 2'-0" EXISTING HOUSE.)

1. Explain how the variance arises from special circumstances, which do not generally apply to land in the general vicinity (please specify/identify).

MANY BUILDINGS IN THE HIGHLANDS ENCROACH INTO REQUIRED SET BACKS. SINCE THE EXISTING HOUSE ENCROACHES, IT IS NECESSARY FOR THE ADDITION TO ENCROACH AS WELL.

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.

TO MAINTAIN A 6'-0" SET BACK FOR THE ADDITION WOULD CREATE AN OFFSET IN THE WALL OF THE PROPOSED KITCHEN, WOULD CAUSE PROBLEMS IN CABINETRY AND THE USE OF THE KITCHEN.

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 EXIST INDEPENDENT OF THE OWNER OR APPLICANT.

RECEIVED

MAR 14 2022