

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 less PYA will not affect public health, safety or welfare

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

The variance will not alter the essential character of the vicinity as the additional PYA surface area could be accommodated by moving the accessory structure closer to the south alley. The overall impact of impervious surface area remains the same as the additional PYA is in the rear yard now.

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

The variance actually lessens possibly nuisance to the public or any safety hazards that may be created if the accessory building were to sit closer to the alley as permitted.

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

The variance is reasonable as the current accessory building could be located on the property in compliance with the LDC, the request to move the building further away from the rear alley creating is to provide separation between the structure and the utilities/traffic in the alley.

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).

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.

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

VARIANCE 1037