

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 variance will allow reconstruction of the rear room an existing home on the identical, pre-existing footprint. The neighboring home has a lesser depth so there will be no structure extending to the depth of the variance request. Health, safety, and welfare will be enhance with the structurally sound reconstruction that is fire rating compliant.

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

This variance will reinforce the character of the adjacent properties and neighborhood where zero lot line conditions are a normal part of the shotgun vernacular.

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

The variance is applicable only to the rear room of the residence. The room is in line with the zero lot line setback of the rest of the house, was not a hazard or nuisance in its prerenovation location, and improving the quality of construction of the room will not be a detriment to the public.

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

The variance request is based on replacement of a portion of the structure with sideyard setback distance that was a 'grandfathered' condition under the current zoning regulations. No additions are proposed that would add to this grandfathered condition.

Additional consideration:

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

The variance would not have been necessary if the rear room of the house has been more structurally sound. In this case the replacement in lieu of renovation was the property specific appropriate action. Thus these special circumstances triggered the need for the requested variance.

6. 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.

Reasonable use of the land suggests the appropriateness of replacing a rear portion of the existing shotgun home. Increasing the sideboard and setback would create unnecessary hardship for renovation of the home within the limits of a narrow width lot.

7. 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 room being replaced was constructed under the adopted regulations at the time of its original construction which have since been modified.

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