

## 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