

Supplemental Information - Justification for BOZA Docket No. _____

186 N Bellaire Avenue

Zoning of Site is R5A Form District Traditional Neighborhood

Existing and Proposed Use is Residential

1 Variance Requested

REQUESTED VARIANCE

Variance Right (North) Side Yard Set Back Minimum is 3 feet

Request a variance from 3 feet to 1.2 feet on the east side yard setback to match existing house side yard setback for a new rear screened porch.

LDC Chapter 5 Part 2 Table 5.2.2.

The current landowner desires to put a new screened in rear porch on his Clifton area home. There is an existing one story rear room (currently the kitchen) which the new porch will directly attach to on both ends replacing an older small wooden landing and staircase to the rear yard. The design requires a side yard variance because the original house only sits 1.2 feet off the side yard.

This house was originally constructed in about 1900. The lot was reconfigured from the original late 1800s plat and is only 33 feet wide. The house currently sits from 1.49 to 1.21 feet off the north side property line. The neighbor's driveway is placed directly adjacent to the property line and serves the house to the north.

The variance is requested to allow the new rear screened porch to be flush with the existing side of the house and be visually appealing and structurally sound.

An application for Certificate of Appropriateness was submitted to the Clifton Historical Overlay District on August 3, 2016.

Question 1A.

The requested variance will not adversely affect the public health, safety or welfare of neighboring landowners. In this area, the houses from the early 1900s are on lots from 33 to 45 feet wide lots and all sit in close proximity. Although the depth is changing for the rear of the house, the existing side yard setback, which is what requires the variance, remains the same. The completion of the renovation will improve the current rear facade of the house. Further, the houses on both sides of the subject house constructed similar additions on their rear. (See attached photos).

No different public health or safety issues are raised by this new construction. The rear yard has a retaining wall and access from the alley is not possible because of grade changes. The neighbor's driveway is along the east side of the property, thus granting

access from that point. For these reasons, the variance will not adversely affect the public health, safety or welfare of neighboring landowners.

Question 1B

The variance will not alter the character of the general vicinity. The houses on the 33 to 45 foot wide lots all sit in very close proximity to each other. The existing set backs are not being altered, only the depth of the rear portion of the house which will increase by about 15 feet. Other houses in this area have rear yard additions. The private yard requirement is being met. This addition will be not impact the character of the neighborhood and is consistent with other back yard additions and amenities on the block.

Question 1C

The variance will not cause a hazard or nuisances to the public. The public is not impacted by this side yard variance in the rear portion of a home. No new hazards are presented by this extended length. The setbacks are the same.

Question 1D

The variance will not allow an unreasonable circumvention of the zoning regulations. The purpose of setbacks is to establish consistent building placement. In this situation, the placement of the house with a 1.2-foot side yard setback is existing, longstanding and not changing.

Question 2a

This variance request arises from special circumstances which do not generally apply to land in the general vicinity which is that this proposed variance is small in magnitude and meets and conforms with existing longstanding setbacks in the neighborhood.

Question 2b

The strict application of the provision of the regulation as to R5A setbacks would require the applicant to create a rear yard addition which comes in 1.8 feet from the side of the house. This is architecturally awkward and structurally a little more difficult to build. Further, the proposed rear porch comes straight out from the existing rear one story addition (currently the kitchen) and this is the most aesthetic and logical way to build this addition. The current side yard setback is already 1.2 feet and this is consistent with the historical design of the Clifton area.

This is a request for Board's equitable powers to allow the historical "grandfathered in" existing side yard setbacks to apply to a rear yard addition.