

**VARIANCE JUSTIFICATION STATEMENT
FOR
NAGA, LLC (1133 Reutlinger Avenue)**

The variance will not adversely affect the public health, safety or welfare because it is for a small (1.5 feet) overhang that encroaches into the required side yard. This small encroachment will not have any adverse impact on the area as many of the lots in the area are substandard with small side yards.

The variance will not alter the essential character of the general vicinity. The subject property is located in the Germantown neighborhood, a neighborhood typified by small lots with a variety of building designs. Many of the lots are 25 feet in width, and many of the homes are less than 2 feet from the adjacent property line. The proposed home is to be located at least 1 foot from the adjacent property on the second floor only, with a 3 foot side yard observed on the first floor.

The variance will not cause a hazard or nuisance to the public. The proposed home on the subject property will be designed to meet all requirements of the building code, therefore, there should be no hazard to the general public.

The variance will not allow an unreasonable circumvention of the requirements of the zoning regulations. The proposed home design includes two upstairs bedrooms. In order to accommodate these bedrooms in a portion of the second floor of the house, a small encroachment into the side yard is required.

The variance arises from special circumstances, in that the proposed lot is 24 feet wide, making a home design difficult to accommodate within the required yards.

The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of his land. The applicant is attempting to create a two-bedroom home on a substandard lot. Allowing this small encroachment will allow the two bedrooms on the second floor to be adequately sized.

The circumstances are not the result of actions taken by the applicant but are, instead, the result of the substandard lot.

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AUG 21 2017

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