

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 PROPOSED VARIANCE HAS NO IMPACT ON PUBLIC RIGHT-OF-WAY OR PUBLIC HEALTH, SAFETY OR WELFARE.

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

THE PROPOSED SCREENED PORCH ENHANCES THE APPEARANCE OF THE SIDE ELEVATION FACING DOVER ROAD. THE ROOF IS DESIGNED TO COMPLEMENT THE EXISTING HISTORIC HOUSE. THE CONSTRUCTION OF THE PORCH POSITIVELY AFFECTS THE CHARACTER OF THE NEIGHBORHOOD.

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

THE PROPOSED SCREENED PORCH IS A MINIMUM OF 7'-6" FROM THE SIDE PROPERTY LINE AND WILL NOT PRESENT A HAZARD OR NUISANCE TO THE PUBLIC.

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

THE 17'-6" ENCROACHMENT LEAVES 7'-6" TO THE SIDE PROPERTY LINE AT THE CLOSEST POINT. THIS IS MORE THAN THE 5'-0" REQUIRED IN R-5 FOR A SIDE YARD, BUT LESS THAN THE 25'-0" REQUIRED FOR A STREET SIDE YARD SET BACK. MANY HOUSES IN THE AREA HAVE SMALL SIDE YARD

Additional consideration: SET BACKS.

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

THE PROBLEM ARISES PRIMARILY BECAUSE THE SITE IS A CORNER LOT. THE ADJACENT LOT IS A SIMILAR SIZE BUT IS NOT HINDERED BY A 25'-0" REQUIRED STREET SIDE YARD SET BACK.

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.

THE BEST PLACE FOR A SCREENED PORCH IS AS PROPOSED. A SCREENED PORCH ON THE FRONT WOULD DETRACT FROM THE APPEARANCE. A SCREENED PORCH ON THE BACK WOULD

3. Are the circumstances the result of actions of the applicant taken subsequent to the adoption of the regulation from which relief is sought? TOO MUCH OF THE REAR YARD WHICH SHOULD BE MAINTAINED AS GREEN SPACE.

NO, THE APPLICANT HAS NOT TAKEN ANY ACTIONS EXCEPT TO REQUEST THIS VARIANCE.

RECEIVED

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