

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.

Addition aligns with Existing Primary Structure that currently encroaches into side yard as is typical in neighborhood. Addition exterior wall is 1-hour fire rated for KBC 2012 and contains no window / openings along applicable side.

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

Addition aligns with Existing Primary Structure that currently encroaches into side yard as is typical in neighborhood. Addition is similar to other two story additions in neighborhood.

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

Addition exterior wall is 1-hour fire rated for KBC 2012. Addition is at rear of existing structure and preserves required open yard area.

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

As is typical in Germantown, lots are narrow and existing structures do not conform to setback requirements. Variance allows addition to align with existing primary structure which already encroach into side yard. This is not unusual for neighborhood.

Additional consideration:

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

Lot is only 25'-0" wide which is typical for this neighborhood. Residences are built along one side of the property line and currently encroach into setbacks. In order for additions to align with primary structure, additions would need to encroach.

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.

Lot is only 25'-0" wide which is typical for neighborhood. Existing structure is located to one side of property which currently encroaches into sideyard setback. Entire width of addition would be required to be reduced by 3'-0" in order to conform.

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 action taken prior to adoption of regulation. Existing primary structure was built prior to adoption of regulation.

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