

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 variance is for a 9 inch change in the left side yard setback. The house next door was built over 14 ¾ feet from the side property line. There is no public health, safety or welfare issue created by this variance.

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

The requested variance is small (9 inches) and the houses in the new neighborhood are spaced similarly with minimal setbacks. The difference will not be apparent when viewing from the street.

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

There is no hazard or special nuisance created from the house being 4 feet 3 inches rather than 5 feet from the side property line. The house to the immediate north is placed 14 ¾ feet off the side property line which minimizes any issues of the houses being too close together

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

The request for the variance is due to an error during construction. The house was turned a little during placement of the side entry garage making the left front corner 9 inches into the side yard setback. The houses on both sides are constructed. It is a small area and will not alter 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).

The special circumstances are a small error during construction in a new subdivision to accommodate a side entry garage.

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 strict application would be a hardship and cost a large amount of money to move or remove a finished house front corner over 9 inches.

3. Are the circumstances the result of actions of the applicant taken subsequent to the adoption of the regulation from which relief is sought?

The variance is for a mistake made during construction in 2016.

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