

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 6' stockade fence will enclose the back corner side lot of my yard that is adjacent to the side walk and the driveway at the rear of my home. It probably will provide more of a safety barrier to those who run, bike or drive by my home then what exists. My home is located just beyond the Douglass Blvd curve onto Norris Place curve. The fence may avoid distractions to what might be going on in my yard. The stretch between Douglas Blvd and Richmond Dr. is a very busy and cars move fast.

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

Along Norris Place from Douglass Blvd to Shady Lane there are 6 homes/apartments and 1 school that have fences that are at least 6' and that are adjacent to their sidewalks enclosing their yards. Of these 6 are corner lots, let mine. Attached are pictures of these fences.

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

The fence won't be impeding the sidewalk. There will be at least 2 feet between the side walk and the fence line.

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

As a corner lot, I have a small side yard that has a dogwood tree, grass, two lilac bushes to be planted in June and my air conditioner condenser. This lot is currently divided from my patio by a dilapidated 3 ft fence. I would like to enclose the corner side yard and patio back yard by one 6' fence to make it more private.

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 proposed fence is to be 6' tall would run from my driveway which is behind my house along Norris Place to my sunroom. The 6' fence would match a previously installed fence in a neighbor's yard that borders my other side property line.

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 fence would provide added privacy and safety from very busy car traffic along Norris Place, and provide me a quieter usage of the backyard of my home.

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

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1. Explain how the variance will not adversely affect the public health, safety or welfare.

The request for the variance is to allow the expansion of the kitchen by 5' x 18' and an addition of a screened in porch of 10' x 18'. Both of these additions will be adjacent to the back of my house into the back yard-private area of the property. They won't be affecting any public health, safety or welfare

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

The design for the variance will be for the expansion of the kitchen and the screened porch which will follow the same size and dimensions of the existing house and garage roof line. The entire new construction will be in the private area of the property.

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

The variance request will not cause any hazard or nuisance to the public as it will be located in the back yard of private area of the residence as an expansion to existing property. It will not encroach any roads.

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

My rear yard- private area is shorter than the other properties on my street and neighborhood. The variance will not allow due to 437 Square feet UNDER the required private area for my yard.

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).

My yard is shorter than my neighbors' yards, and because mine is a corner lot, much of the rear yard is garage and driveway

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.

Applicant wouldn't be allowed to utilize the private yard space for expansion to home, because of lot size and corner lot.

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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

Please submit the completed application along with the following items:

Project application and description

- ☒ Land Development Report¹
- ☒ A copy of the current recorded deed² (*must show "End of Document" stamp on last page*)
- ☒ Legal description on a separate 8.5 x 11" sheet of paper This information in the deed. Cut and post on plain sheet of paper.

Site plan, drawings, and photographs

- ☒ One elevation drawing for new construction (including home additions, garage additions, and fences)
- ☒ Six copies of the site plan or building rendering (whichever is applicable), including the following elements. LOJIC maps are not acceptable. *See site plan example on the last page.*
 - ☐ Plan drawn to a reasonable scale [engineer's scale (1" = 20') or architect's scale (1/8" = 1')]
 - ☐ Vicinity map that shows the distance from the property to the nearest intersecting street
 - ☐ North arrow
 - ☐ Street name(s) abutting the site
 - ☐ Property address, parcel ID, and dimensions
 - ☐ Building limit lines
 - ☐ Electric, telephone, drainage easements with dimensions
 - ☐ Existing and proposed structures with dimensions and distance from property lines
 - ☐ Highlight (in yellow) the location of the variances

Supplemental documentation

- ☐ A copy of Refusal Letter from citing official, if applicable (**required** if a STOP WORK ORDER or CITATION has been received)
- ☐ If the proposed structure encroaches into an easement (MSD, LG&E, or Bell South), then the applicant must submit written documentation from the utility company indicating approval for the encroachment

Mailing labels to notify Adjoining Property Owners (APOs)³

- ☒ One set of legible mailing label sheets for: 1st tier APOs and those listed on the application
- ☒ One copy of the APO mailing label sheets

Requirements for Non-Public Hearing Applications Only

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