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PLANNING & DESIGN SERVICES

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.

This variance will allow for the new front entry addition, as well as rebuilt side deck, to extend into the side yard setback 4-1/2" to align with the existing side of house. LDC requires SYS to be 10% of lot width (2'-6"). The existing house sits 2'-1 1/2" away from property line. (cont. below)

Additionally, this var. will allow for exist. side exterior walls to be rebuilt in their existing locations, which are within side yard setback

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

(cont.) We are not compromising public health, safety, or welfare simply because we aren't increasing extension into setback any more than what is already there. Also, because we aren't increasing the extension into the setback, we aren't altering the essential character of the general vicinity.

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

The new front entry addition, which extends only 4-1/2" over the side yard setback will not cause a hazard or be a nuisance to the public because it is within the property lines, and it will not extend further beyond the setback than the existing house structure already does. ✓

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

This variance would not permit an unreasonable circumvention of the zoning regulations because the addition will not extend further beyond the side yard setback than the existing home structure does already. Moreover, all of the home structures on this street block extend over the side yard setbacks.

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 circumstance for this variance is related to a new entryway addition, which is part of a larger renovation project to update this property. This variance condition is no more significant than the surrounding properties which also have structures that extend over the side yard setbacks.

as well as rebuilding existing side exterior walls.

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.

If the provision was enforced to prevent this variance request, it would deprive the homeowner of reasonable use of their land and prevent them from improving their home condition and property value. Moreover this special circumstantial provision has been granted to all surrounding properties.

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 only action the applicant has taken is the design of new structure and application for a variance, which would permit the new front entry addition to extend 4-1/2" over the side yard setback, a condition that already exists on the current home structure, and that exists for all surrounding homes.

As well as rebuilding existing side exterior walls.