

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 private yard area is in the rear of the property and will not be accessible to the public to negatively affect their health, safety or welfare.

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

There are many properties in the vicinity that have less of a private yard % than required. This property does not currently have the required private yard area as it currently is. This variance is in the rear of the property and will not be visible to the general public.

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

The variance area will not be accessible or visible to the public.

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

The project does not meet the requirements the way the private yard is measured in the zoning regulations. In reality the actual private yard space is 36% which is 6% over the required space. This is not unreasonable circumvention due to the property layout and actual private yard area.

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).

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 lot does not currently have the required private yard %, therefore the applicant would not be able to make any addition/change to the building without a variance.

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