

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.

Variance will allow the Owner to improve the existing residence by making a small alteration to the exterior of the house along the side of the house facing a neighbor's driveway and upgrading construction of the alterations and existing bay extension to conform with current Codes.

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

The variance is to allow for a bay extension to be squared off and enlarged by roughly 3.5 square feet. The squared off bay extension is seen on houses in this area. The materials and detailing to be used for the bay extension are also seen in the neighborhood and present elsewhere on the property.

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

The proposed small alteration does not face a public street. The current bay window does not provide adequate fire separation, whereas the construction of the alterations and existing bay extension will be upgraded to a 1-hour rated wall in conformance with Current Codes.

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

The construction of the house pre-dates the adoption of the Land Development Code. The proposed alteration is small and will not encroach on the property line any farther than the current bay window. The proposed alteration will increase safety by providing a 1-hour fire rated wall construction.

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 variance will allow for a small alteration to be made to the existing older home constructed prior to the adoption of the Land Development Code that is in keeping with precedents throughout the neighborhood.

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 primary structure was built prior to the land development code along one side of the property and unfortunately has a current non-conforming condition. The Owner wishes to upgrade and make the older home more functional with the proposed small alterations.

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.

