

### **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 will not adversely affect the public health, safety or welfare, as it is aligned with the existing primary structure sideyard setback.

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

The variance will not alter the essential character of the general vicinity, in fact if the variance is granted it will be more in keeping with the essential character and pattern of existing building setbacks of the general vicinity.

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

The variance will not cause a hazard or a nuisance to the public as it will grant the new setback to be aligned with the existing primary structure and neighboring home setback pattern.

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

The variance will not allow an unreasonable circumvention of the requirements of the zoning regulations, in fact it will ensure the intent of the zoning regulations which is to uphold the character and distinct patterns of the form district and existing neighborhood 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).**

Existing homes in this area have a very specific sideyard setback character (one side of the house is directly on the property line and the other side is a 3ft setback) - this pattern is almost every single home on the street. These neighborhood specific dimensions are not captured in the LDC.

**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 lots in this area are only 20 ft wide. The additional 2' sideyard setback requirement reduces the size of the addition down to less than 15 ft. wide. This greatly limits the comfort of the interior residential space layout and is also in contrast to the existing pattern of sideyard setbacks in the area.

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

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