

## JUSTIFICATION

To justify approval of any variance, the Planning Commission considers the following criteria. Please answer **all** the following items. Use additional sheets if needed. Responses of **yes, no, or n/a** will **not** be accepted.

→ SEE RES-NEW-23-00803 ←

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

The proposed garage will be built to comply with all building codes, including fire-rated construction where required, and all land development codes, except where relief is requested. Adjacent property owners will be duly notified as to this request.

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

The garage will be built in a manner and style in keeping with the essential character of the general vicinity.

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

The garage will be constructed to comply with all building codes and will not cause obstructions to drivers or pedestrians.

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

The existing garage (to be demolished) is situated in the center of the private yard area and is located with one side at a 0 foot setback. The proposed garage will be located to double the contiguous private yard area and will also be built with a 0 foot setback on one side.

**Explain how the variance arises from special circumstances, which do not generally apply to land in the general vicinity (please specify/identify).**

There are no special circumstances that apply. It is common for setbacks to be less than what is required by the development code. The house at this address has 0 foot setbacks for both side walls, and the existing garage (to be demolished) has one side wall with a 0 foot setback.

**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.**

A strict application would prohibit the applicant from constructing a two-car garage while maintaining a reasonable width for a pedestrian passage from the private yard area to the ally. If built to meet the regulation, the width will be very tight for two cars and the pedestrian passage would be very narrow.

**Are the circumstances the result of actions of the applicant taken *after* the adoption of the regulation from which relief is sought?**

The relief sought is not the result of actions taken after the adoption of the regulation from which relief is sought.

RECEIVED

JUL 17 2023

PLANNING & DESIGN  
SERVICES

23-VARIANCE-0102