



Zoning Board of Adjustment

Variance Request and Justification Information

1. State the section of the Unified Development Code or Describe the regulation for which you are requesting a variance:

I am requesting a variance of Unified Development Code Section 8.11 (SF-8.4 - Single-Family Residential - 8,400 square-foot lot) Section 4 (Area Regulations) Subsection B2 (Minimum Side Yard).

2. Describe how your request will differ from the requirement(s) of the Code:

I am requesting a variance to side yard setbacks of 10% of lot width due to the irregular sized lot. The front of the lot is 130' wide at the building line. As it stands, this lot would require 13' setbacks on each side. I am requesting 7' setbacks on each side. Most properties in this development have 5' side yard setbacks.

I have attached a pdf of how the house would sit on the lot with 7' side yard setbacks. Please note that the front of the current design encroaches a little past the front building line. If side yard variance is approved, our draftsman will be able to shave the front so that it is within the front building parameters.

3. Describe how the situation causing the hardship or difficulty is neither self imposed nor generally affecting all or most properties in the same zoning district:

This hardship is not self-imposed because the lot was platted many years ago with older building requirements.

This situation would not affect adjoining properties as most properties in the neighborhood have 5' side yard setbacks. There are also two homes in the neighborhood that are two stories with 5' setbacks.

4. Describe how literal enforcement of the regulation will create an unnecessary hardship or practical difficulty in the development of this property:

Literal enforcement of this regulation would prohibit development of this irregularly shaped parcel because it would be impossible to build a conforming size home of >1400 square feet with a 25' front building line and a two car garage without encroaching into the 10% lot width and building a two story home.

When this lot was platted many years ago, the front building line was 15', one could build a smaller home than 1400 square feet and one car garages were allowed.

5. Explain how the variance requested will not negatively impact the adjacent property:

Because this build will be two stories, we also have taken into consideration the looming aspect of the design. With wider than normal side yard setbacks, we feel that this is less of an impact on our neighbors who all have 5' setbacks. There are two other homes in this neighborhood that are two stories with only 5' setbacks. The two story home directly across the street, 418 Vicki Street, has 5' setbacks and the two story home at 426 Marsha Street has 5' setbacks. With 7' setbacks, we will have larger sideyards than other houses, including the two storied homes.

6. Explain how the granting of the variance will be in harmony with the spirit and purpose of the regulation:

We have tried our best to fit a modern house on a wedge shaped lot with the least possible need for a variance. We have honored the front building line, even though it was originally platted at 15' and have exceeded the side yard setback width of our neighbors, including the other two story homes in this development.

