



CRITERIA FOR APPROVAL OF A ZONING VARIANCE (ZONING CODE, SECTION 19.04.1404(B))

Your answers to the following questions will be used in the decision on your application. Please respond fully to all of the following questions (attach extra sheets, if necessary). It is the applicant's responsibility to show the Hearing Examiner that all four of the variance criteria are satisfied.

1. Describe the special circumstances applicable to the lot or tract (e.g. size, shape, topography, location or surroundings, trees or vegetation, other physical conditions, installation of a solar energy system, or the orientation of a building for the purposes of providing solar access.

THE LOT WILL REMAIN ALL OF ITS PRE-EXISTING CHARACTERISTICS, EXCEPT THAT BOUNDARY WILL BE ADJUSTED SO THAT HOUSE ON LOT TO THE NORTH DOES NOT ENCRUMB, NOR WILL SUBJECT LOT EXTEND TO THE NORTH OF THE SOUTH END OF THE ADJACENT HOUSE.

2. Explain why the variance would neither alter the character of the neighborhood nor impair the use or development of adjacent property.

VARIANCE TO PURE PRE-EXISTING CONDITION - THE NEW LOT LINE WILL ONLY RECOGNIZE ~~OLD~~ BOUNDARY AS IT NOW IS RECOGNIZED. ADJACENT PROPERTIES ARE FULLY DEVELOPED, SO VARIANCE WILL NOT AFFECT DEVELOPMENT, WILL CLEAR BOUNDARY PROBLEM, ALLOWING PROPERTIES TO BE SOLD WITHOUT LITIGATION.

3. Explain why the variance would not be detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which the subject property is situated.

VARIANCE ONLY RECOGNIZES COMPLETED FACT OF ADVISE POSSESSION, AND ADJUSTS BOUNDARY SO OUR LOT DOESN'T EXTEND BEYOND NEIGHBOR'S HOUSE SO IT WILL HELP SOLVE OTHERWISE UNRESOLVED BOUNDARY PROBLEM. IF WE CAN'T SETTLE PROBLEM, WE'D HAVE TO HAVE LAWSUIT. THIS IS BEST SOLUTION, NOTHING WILL CHANGE.

4. Explain why the variance would not conflict with the general purposes and objectives of the Comprehensive Plan.

VARIANCE DOESN'T CONFLICT BECAUSE IT DOESN'T CHANGE ANYTHING VISIBLE TO EYE. MAKES LOTS UNIFORM INSTEAD OF IRREGULAR, WHICH IRREGULARITY WAS CAUSED BY BUILDER'S MISPLACEMENT OF HOUSES IN 1976 WHEN BOTH LOTS WERE DEVELOPED.