

**406 S. Julian**

**Standards for Granting a Zoning Variance**

**Section 6-2-3:3.2**

**Variance to Porch Encroachment in Corner Side Yard Setback  
Yard Requirements**

- 1. The variance is in harmony with the general purpose and intent of this title and the adopted comprehensive master plan; and,**

*The general purpose and intent of the Ordinance is to provide for adequate distance from the roadway and consistent sight lines along the street. The proposed covered porch located at the northwest corner of the residence would encroach more than five (5) feet into the existing 30' corner side yard setback. However, this encroachment would be less than five (5) feet into the requested 15' corner side yard setback, if our request for that variance is granted. In other words, the granting of the variance would be compliant with Code, provided that the requested corner side yard setback is granted, and not less than what already exists on neighboring properties.*

*Therefore, the requested variance would be in harmony with the general purpose and intent of the Ordinance.*

- 2. Strict enforcement of this title would result in practical difficulties or impose exceptional hardships due to special and unusual conditions which are not generally found on other properties in the same zoning district; and,**

*Strict enforcement would be inconsistent with the existing code provision allowing up to a five-foot encroachment into the corner side yard setback. Therefore, strict enforcement of the title would impose a hardship on the Petitioner.*

- 3. The variance, if granted, will not alter the essential character of the neighborhood and will not be a substantial detriment to adjacent property.**

*The unique physical characteristics of the Subject Property create setbacks that are not consistent with the surrounding area. Granting of the variance would make the setbacks consistent with neighboring structures.*

*Therefore, the granting of the variance request would be consistent with, and not alter, the essential character of the neighborhood.*