

Petition for Zoning Variance
Section 6-3-6:2
Exhibit 1

This petition addresses the three standards used to consider a zoning variance. Standard 2, that strict enforcement of this title would cause practical difficulties or impose special hardship is not applicable.

Standard 1: The variance is in harmony with the general purpose and intent of this Title and the adopted comprehensive master plan.

Petitioner Response: A currently standing attached garage, which was part of the original 1950's construction is within 12 feet of the lot line, 18 feet short of the current 30 foot setback requirement. The screened porch addition for which the variance is requested is set back even further from the requirement than the garage (7 feet, total 19 feet) of the setback requirement. This is consistent with the original – city approved - design of the home which has caused no difficulty in over 60 years.

Standard 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.

The reason for locating the screen porch in its proposed location is that any other location of the porch would require major remodeling of the existing structure. Specifically:

- The porch could not be placed on or near the north side of the property because of potential flooding from the existing swale. Further the structure could potentially interfere with the swale.
- The porch could not be placed on the west side of the property as it would either require relocation of the main entrance to the home, reconstruction of major interior spaces in the home or movement of the garage.
- The porch could not be placed on the east side of the property within the setback requirement as it would potentially interfere with a 200 year old oak tree or would require major changes to the existing interior design of the property.
- The proposed porch location and design is consistent with that of the original property. Please note that the original property is one of the homes defining the essential character of the neighborhood despite the fact that the garage that was built in the 1950s is not currently within setback requirements.

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

Petitioner Response: The proposed addition has been designed to blend with the current property in terms of screen colors, siding, rooflines and other architectural features. Further, it presents no drainage problem or other engineering issue. The proposed addition would not impact pedestrians on the Prairie Street sidewalk or any traffic.

Visually the three nearest properties are across the side yard street (Prairie Street) – more than 50 feet from the subject property. The fourth nearest house is more than 200 feet from the proposed addition. If completed it will be difficult to distinguish the addition from the original construction. Finally, this property is among the original homes that established the essential character of the neighborhood when it was built in the 1950's.