

Standards For a Zoning Variance

Responses

1. The variance is in harmony with the general purpose and intent of this Title; and
 - a. Per the submitted plans, we are building to match same style and materials of existing home but are asking to encroach into the side yard setback by three feet. There is an existing deck 10' wide which also encroaches into the side yard setback. We are asking to build the screened room to the same width as the existing deck, 10'. The existing deck will be removed prior to construction. There will remain an additional five feet of side yard setback.
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
 - a. Our attached neighbor at 395 River Bluff Circle has a three season room which projects into the backyard setback. Our across the street neighbor at 398 River Bluff Circle also has a three season room which projects into their back yard setback. The neighbors have stated that these additions were built in 1988 or 1989 with approval from the City.
 - b. The addition to the side of our home is the best option. We are prohibited from building a screened room into the back yard as the setback extends to the back wall of our home. A variance would be required if the proposed three season room was in the side yard or if it was in the rear yard.
3. The variance, if granted will not alter the essential character of the neighborhood and will not be a substantial detriment to adjacent property.
 - a. We are building to match same style and materials of existing home per submitted plans.
 - b. The three season room is set farther back on the home, it will not easily be seen from the street. Therefore, it will minimally impact the character of the neighborhood.
 - c. Other neighbors have similar screened rooms or 3 season porches; we would like to have one also.
 - d. Please see supporting document from our neighbor most affected by this addition. Diane Carroll of 425 River Bluff Circle has reviewed the plans for our screened porch and has no objections.
 - e. The River Bank Homeowners association has approved the proposed porch.