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WRITTEN PETITION FOR VARIANCE

WRITE YOUR ANSWERS IN THE SPACE PROVIDED AFTER EACH STATEMENT. PLEASE COMPLETE ALL REPLIES USING A SENTENCE FORM. A VARIANCE FROM THE TERMS OF THESE REGULATIONS SHALL NOT BE GRANTED BY THE BOARD OF ADJUSTMENT UNLESS A WRITTEN PETITION FOR A VARIANCE IS SUBMITTED JUSTIFYING THE FOLLOWING:

A. Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings with the same zoning classification and land use area.

Applicant's justification:

This carport was built 2014 with all required permits and inspections and received a Certificate of Occupancy. It was legally approved under the regulations at that time, but current setback requirements have since changed.

B. The special conditions and circumstances do not result from the actions of the applicant.

Applicant's justification:

The carport was built before we purchased the property with county approval and inspections. We did not build or modify the structure.

C. Literal interpretation of the provisions of applicable regulations would deprive the applicant of rights commonly enjoyed by other properties with the same zoning classification and land use are under the terms of said regulations and would work unnecessary and undue hardship on the applicant.

Applicant's justification:

Granting the variance would simply allow us to keep a structure that was legally built and approved in 2014, not a special privilege beyond what was allowed under the rules at that time.

D. The Variance, if granted, is the minimum Variance that will allow the reasonable use of the land, building or structure.

Applicant's justification:

LITERAL ENFORCEMENT would require demolition of a legally approved structure causing unnecessary hardship and financial loss, despite the fact that the structure complied fully with the code at the time of construction.

E. Granting the Variance requested will not confer on the applicant any special privilege that is denied by these regulations to other lands, buildings or structures in the same zoning classification and land use area.

Applicant's justification:

Yes, this request is the minimum variance needed to allow the existing carport to remain as constructed in 2014.

F. The granting of the Variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

Applicant's justification:

Yes, the variance would be in harmony with the intent of the regulations, since the carport was built safely, inspected and approved by the county, and does not pose harm to neighboring properties.