

JUSTIFICATION

To justify approval of any variance, the Planning Commission considers the following criteria. Please answer **all** the following items. Use additional sheets if needed. Responses of **yes, no, or n/a** will **not** be accepted.

Explain how the variance will not adversely affect the public health, safety, or welfare.

THE PROPERTY WILL REMAIN RESIDENTIAL. THE NEW HOME HAS BEEN APPROVED BY THE HEALTH DEPARTMENT.

Explain how the variance will not alter the essential character of the general vicinity.

NEIGHBORHOOD IS RESIDENTIAL. THE CURRENT NEIGHBORHOOD IS GRADUALLY REPLACING OLDER FLOOD PRONE HOMES WITH NEWER ELEVATED HOMES. ALREADY EIGHT HOMES ARE ABOVE THE HEIGHT RESTRICTIONS DUE TO THE MSD REQUIREMENTS TO ELEVATE THE LIVING SPACE TO BE TWO FEET ABOVE THE 100 YEAR FLOODPLAIN. ADDITIONALLY, THERE ARE TWO CONDOMINIUM BUILDINGS ON THE STREET THAT EXCEED THE HEIGHT RESTRICTIONS.

Explain how the variance will not cause a hazard or a nuisance to the public.

THERE IS NO CHANGE IN USE. PROPERTY REMAINS RESIDENTIAL.

Explain how the variance will not allow an unreasonable circumvention of the requirements of the zoning regulations.

HOME MEETS ALL OTHER REQUIREMENTS AND IS IN KEEPING WITH THE NEIGHBORHOOD.

Explain how the variance arises from special circumstances, which do not generally apply to land in the general vicinity (please specify/identify).

VARIANCE RECEIVED FROM THE FLOOD BOARD REQUIRES THE HOME TO BE TWO FEET ABOVE THE 100 YEAR FLOODPLAIN. IT ALSO LIMITS THE FOOTPRINT OF THE HOME. IN ORDER TO MEET THESE REQUIREMENTS THE HOME MUST BE TALLER.

Explain how the strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create unnecessary hardship.

APPLICANTS WOULD BE UNABLE TO BUILD THEIR HOME.

Are the circumstances the result of actions of the applicant taken *after* the adoption of the regulation from which relief is sought?