

Statement of Practical Difficulty

A. Explain special conditions or circumstances that exist which are peculiar to the land or structure involved and which are not applicable generally to other lands or structures in the same Zoning District. (examples of this are: exceptional irregularity, narrowness, shallowness or steepness of the lot, or adjacency to nonconforming and inharmonious uses, structures or conditions):

The unusual characteristic of this lot is the placement of the home. It is set far back on the property with two huge front yards (both facing Coventry and North Park Blvd) because it is a corner lot. This leaves only a 30 to 36' foot back yard (which is considered a side yard). Because of the size of the home, the back yard is long and narrow. In addition, there are no doors exiting the home (or living spaces practical for exiting) on the north side of the house – which is considered the back yard of this home by zoning code. In addition, the garage entry is from behind the home, requiring driveway space, further shrinking the available space for outdoor living.

B. Explain how the property in question would not yield a reasonable return or there could not be any beneficial use of the property without the variance.

Being a corner lot – there are two front yards. The back yard of the house is considered a side yard, which is the only area with any privacy. Currently a driveway connects North Park with South Park and traverses the already narrow back yard. There is literally no space for outdoor living. Since outdoor living spaces are important to most people these days, it severely impacts the value of this home in its current state. Our wish is to eliminate the driveway in the back yard and create an outdoor living space which would be expected and desired with this size home were it to be sold.

C. Explain whether the variance is insubstantial

There is currently 61% lot coverage of the existing driveway, hot tub and patios in the current back (side) yard. With the pool the lot coverage would be 69%, not a significant difference. We are proposing a substantial evergreen screen between this back yard and the neighbor to the east – where no evergreen screen exists currently, and a large evergreen screen along North Park Blvd. Currently, the existing hot tub and patios are on the property line – so pushing the pool and patios 10' away is an improvement.

D. Explain whether the essential character of the neighborhood would be substantially altered or adjoining properties would suffer a substantial detriment as a result of the variance.

What is proposed to be built will be much more attractive than the current existing landscape. Because of the distance from the edge of the house to North Park is around 115' there is plenty of room to have a pool house and fencing. In addition, a significant evergreen screen is proposed for the property line along North Park, screening both the pool house and proposed fence. The fence suggested is black aluminum and will blend in nicely with the house and neighborhood. In addition, the style of the pool house is to match the existing house style and will blend in with the surrounding neighborhood.

E. Explain whether the variance would adversely affect the delivery of governmental service (e. g., water, sewer, garbage)

There should be no interruption of governmental service. The driveway along Coventry Road will remain the same.

F. Did the applicant purchase the property without knowledge of the zoning restriction?

The homeowner has owned the property for many years and put up with the insufficient space to entertain outdoors. She has a large family and desires more space. Currently she walks out the back door to a driveway. She is older and it is not practical for her to consider, or anyone else to walk around the house 150' to an entertaining area.

G. Explain whether the special conditions or circumstances (listed to question A above) were a result of actions of the owner.

The garage and driveway configuration were adopted by the homeowner from the previous owner and have existed that way for 100 years. The house location and driveway has not changed.

H. Demonstrate whether the applicant's predicament feasibly can be resolved through a method other than the variance (e.g., a zone-conforming but unworkable example)

We looked at putting the pool house on the north side of the property – but that makes no sense because 1) this would cut off access to the garage 2) Since there are no doors on the north side of the house, the homeowner would need to walk a minimum of 150' to get to the pool and patio space which is impractical 3) would need to cut down a large 4' diameter Oak 4) Overhead electrical lines servicing the house would need to be buried and relocated. In the location suggested, no trees will be removed. In addition, since the proposed pool lines up with the south side of the house, it is impossible to contain the pool fence in the side yard. With the pool house, a more conservative approach, placing the fence between the pool house and pool, would be impractical, cutting off access to the pool house. Additional pavement would be needed in this location as well, requiring patio in the front yard.

I. Explain whether the spirit and intent behind the zoning requirement would be observed and/or substantial justice done by granting the variance.

The improvements planned are in character, will be very private and should not bother anyone especially with the screening suggested.

J. Explain whether the granting of the variance requested will or will not confer on the applicant any special privilege that is denied by this regulation to other lands, structures, or buildings in the same district.

Since no one would want to walk 150+ feet to use their pool or patio, granting of this request will only allow the homeowner the same privilege allowed other homeowners – a practical outdoor living space that can be enjoyed.