

Please provide a narrative statement establishing and substantiating the justification for the variance. A practical difficulty exists whenever a zoning standard unreasonably deprives a landowner of a permitted use of their property. All of the factors set forth in this section do not need to be satisfied; rather, they shall be weighed together in the analysis. The factors to be considered and weighed in determining whether a property owner seeking an area variance has encountered practical difficulties in the use of his property include, but are not limited to:

1. Whether special conditions and circumstances 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 such special conditions or circumstances are exceptional irregularity, narrowness, shallowness or steepness of the lot, or adjacency to nonconforming and inharmonious uses, structures or conditions;

There are no special conditions. However, regarding applicability to "other lands or structures in the same zoning district," 30% of the homes in the zoning district DO NOT conform to the variance being applied for.

2. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance;

If the variance is not granted, the home will remain a rental property. Therefore, the benefit for granting the variance is that the property will be converted to a primary residence.

3. Whether the variance is substantial and is the minimum necessary to make possible the reasonable use of the land or structures;

*The variance is not substantial nor out of character of the zoning district; there are already 43 other homes that fall **under** the required 8,000 sq. ft. lot minimum and the lot in question would have ~ 2,200 sq. ft. **larger** than the new development on Garfield Street at Milford South*

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

The essential character of the neighborhood will not be substantially altered, nor will the adjoining properties suffer detriment. The lot changes were taken into effect over 7 years ago with the construction of a fence. All localized neighbors have had positive feedback of the changes to both properties resulting from the fence/landscaping.

5. Whether the variance would adversely affect the delivery of governmental services such as water, sewer, and trash pickup;

None. Not applicable.

6. Whether the property owner purchased the property with knowledge of the zoning restrictions;

No. The property was purchased to operate as a long-term rental. The tenant wishes to buy the property and make it his permanent home. We are only willing to sell the property with the new lot lines.

7. Whether special conditions or circumstances exist as a result of actions of the owner;

No.

8. Whether the property owner's predicament feasibly can be obviated through some method other than a variance;

No.

9. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting a variance;

We are confused by the spirit and intent of the current code, considering the lot sizes in the zoning district range between 4,000 sq.ft. to over 10,000 sq. ft.

10. Whether the granting of the variance requested will confer on the applicant any special privilege that is denied by this regulation to other lands, structures, or buildings in the same district.

No.