

July 8, 2024

**FINDINGS OF FACT AND RESOLUTION
BOARD OF ZONING APPEALS**

The APPEAL of Filogonio Trujillo-Medina for a dimensional variance from Section 22.56(1)(a) of the Zoning Code. If granted, the variance would allow for the construction of stairs leading to the front door in the front yard within one (1) foot of the sidewalk at 211 Union St, when uncovered stairs, landings, and fire escapes shall not be closer than three (3) feet to any lot line.

- 1) That there are exceptional or extraordinary circumstances or conditions applying to the property in question, or to the intended use of the property, that do not apply generally to other properties or classes of uses in the same zoning district. (Sec. 22.68(3)(b)(1)(A) Zoning Code).

Affirm (it is exceptional) _____

Dissent (it is general or not exceptional) _____

- 2) That such variance is necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same zoning district and in the same vicinity. (Sec. 22.68(3)(b)(1)(B) Zoning Code).

Affirm (equal property rights
could not otherwise be enjoyed) _____

Dissent (the same property rights
can be enjoyed without a variance) _____

- 3) That a variance is not being requested solely on the basis of economic gain or loss, and that self-imposed hardships are not being considered as grounds for the granting of a variance. (Sec. 22.68(3)(b)(1)(C) Zoning Code).

Affirm _____

Dissent _____

- 4) That the authorizing of such variance will not be of substantial detriment to adjacent property and will not materially impair the purpose and intent of the Zoning Code or public interest (Sec. 22.68(3)(b)(1)(D) Zoning Code).

Affirm (adjacent property and/or
public interest will not be detrimented) _____

Dissent (adjacent property and/or public
interest will be impaired if the variance
is granted) _____

On the basis of the foregoing Findings of Fact, the Board took the action indicated in the minutes.

ATTEST _____
Secretary to the Board