

April 4, 2022
FINDINGS OF FACT AND RESOLUTION
BOARD OF ZONING APPEALS

The APPEAL of Bradley and Pattilyn Barret for a Dimensional Variance from section 22.26(7)(b) and 22.26(7)(c) of the zoning code. If granted the variance will allow construction of a new combination attached garage, family room, and porch addition at 1046 E. Wabash Ave. with a side yard setback of 5 feet and a rear yard setback of 36 feet, when there shall be a side yard on each side of all buildings of not less than 10 feet in width and there shall be a rear yard of not less than 40 feet.

- 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)1a 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 otherwise be enjoyed) _____

Dissent (the same property rights can be enjoyed without 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)1c 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