

August 1, 2022
FINDINGS OF FACT AND RESOLUTION
BOARD OF ZONING APPEALS

The APPEAL of Paul Cotton for multiple dimensional variances from Section 22.58 of the zoning code. If granted the variances will allow an oversized detached garage and two sheds which were constructed in the rear yard at 310 E. Main St. to remain, when accessory structures shall be located so that the foundation is no closer than five feet to a lot line, shall not exceed two in number when there is no attached garage, the garage shall not exceed 1,152 square feet in area, and all accessory structures shall not occupy more than 20% of the rear yard area.

- 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)1b 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)1d 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