

Bobbi Strait Typed:

Landsverk/Vinduska Issues:

1. Houses are too close together to meet setback requirements in Ag Zoning. Although each home could be split off onto individual 3 acre lots, splitting multiple lots requires subdivision compliance. All setback restrictions must be met in order to make any lot splits.
2. A variance is not an option because ALL of the following must be met in order to approve a variance:
 1. The variance requested arises from such condition which is unique to the property in question and which is not ordinarily found in the same zone or district; and is not created by an action or actions of the property owner(s) or of the applicant;
 2. The granting of the permit for the variance will not adversely affect the rights of adjacent property owners or residents;
 3. The strict application of the provisions of the zoning regulations of which variance is requested will constitute unnecessary hardship upon the property owner represented in the application;
 4. The variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare, and;
 5. That granting the variance desired will not be opposed to the general spirit and intent of these Regulations.
3. Variances in the yard requirements may be granted so long as the variation is only for reasons of demonstrable and exceptional hardship as distinguished from variations sought by applicants for purposes or reasons of convenience, profit or caprice.
4. According to David Brazil, at the time permits were issued and the homes were being constructed, he advised them to allow enough space for lot splits. The owners told him they were not going to split the lots at that time or in the future because the land was in one ownership with joint tenancy and would remain in a trust for all the family to enjoy in the future. The family did not feel any splits were necessary so separation distances recommended for fire protection was the only restriction that was placed on the locations.