



BZAP Staff Report

FOR

August 28, 2025

6:00PM

Per 1226.11 Variances.... (c) Area (Non Use) Variances, the following factors shall be considered and weighed by the Board when making a determination upon any area (non-use) variances by a preponderance of the evidence:

- (1) Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance;
- (2) Whether the variance is substantial;
- (3) Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance;
- (4) Whether the variance would adversely affect the delivery of governmental services (e.g., water, sewer, garbage);
- (5) Whether the property owner purchased the property with knowledge of the zoning restriction;
- (6) Whether the property owner's predicament feasibly can be obviated through some method other than a variance;
- (7) Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.

NEW BUSINESS

- 1) App No: BZAP 25-36
Address: 1014 S Roosevelt
Applicant: Cecilia Kanowsky
Owner: Cecilia Kanowsky

REQUEST: The applicant is seeking a variance to allow the existing driveway to not access rear yard parking.

Staff Notes:

- The applicant applied for a fence permit to replace the existing fence not knowing the driveway code requirement.
- Because the property does not conform to the code, it needs a variance for compliance.
- As far back as the aerial photos that I have access, the driveway has stopped before the rear yard.

- Staff sees no issue with this variance as there hasn't been a driveway in 30 years and does not want to put a hardship on property owner to install a driveway to rear yard.

