



**JOHNSON COUNTY**

Department of Planning and Zoning  
86 West Court Street  
Courthouse Annex  
Franklin, Indiana 46131

Phone: (317) 346-4350  
Fax: (317) 736-4722  
www.co.johnson.in.us

**MEETING AGENDA**

Johnson County Board of Zoning Appeals  
February 25, 2025, 7:00 PM  
Public Auditorium, West Annex Building  
86 West Court Street, Franklin, Indiana

**CALL TO ORDER**

**ROLL CALL**

**APPROVAL of MINUTES**

Approval of minutes from the January 28, 2025 meeting.

**PUBLIC HEARINGS**

**-CONTINUED PETITIONS**

None.

**-NEW PETITIONS**

**V-3-25. David and Diedre Parsley. 4527 S 450 W, Trafalgar IN**

VARIANCE OF DEVELOPMENT STANDARDS of the Johnson County Unified Development Ordinance allows for a 2,822-square-foot accessory dwelling unit (a maximum of 1,000-square-foot accessory dwelling is permitted).

**V-4-25. David and Diedre Parsley. 0.40 acres at the SW corner of SR 135 & South 450 W**

VARIANCE OF USE of the Johnson County Unified Development Ordinance to provide for commercial use of Outdoor Retail Sales (not permitted in the SR (Single Family Residential) Zoning District.

VARIANCE OF DEVELOPMENT STANDARDS of the Zoning Unified Development Ordinance of Johnson County, Indiana to waive

1. parking requirements for commercial use, and
2. landscaping requirement for commercial use

V-5-25. Umbarger and Sons Inc 186 S 600 E, Franklin

VARIANCE OF DEVELOPMENT STANDARDS of the Johnson County Unified Development Ordinance allows for a 410-square-foot wall sign (a maximum of 100-square-foot is permitted).

V-6-25. Marty Cooper. Lot 1 of Nyberg Sub, Franklin IN

VARIANCE OF DEVELOPMENT STANDARDS of the Johnson County Unified Development Ordinance allow for a 10-foot rear setback for a proposed house (Ordinance required 20-foot rear setback).

OLD BUSINESS

None.

NEW BUSINESS

Adoptions of Findings of Facts for V-1-25 Development Standard Variances

REPORTS AND RECOMMENDATIONS

None.

ADJOURNMENT

The next regular meeting of the Johnson County Board of Zoning Appeals is scheduled for Tuesday, March 25, 2025 at 7:00 PM.

*In accordance with American Disabilities Act, any person attending the public meeting in need of reasonable accommodations in order to attend, hear, or present evidence at the public meeting on an agenda item should contact the Johnson County ADA coordinator, Barb Davis, at 86 W. Court St., Franklin, IN 46131, (317) 346-4329, [bdavis@co.johnson.in.us](mailto:bdavis@co.johnson.in.us).*

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# STAFF REPORT

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**CASE NUMBER:** V-3-25  
**ADDRESS:** 4527 S 450 W, Trafalgar, IN  
**PETITIONER:** David and Diedre Parsley

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## **REQUEST**

VARIANCE OF DEVELOPMENT STANDARDS of the Johnson County Unified Development Ordinance allows for a 2,822-square-foot accessory dwelling unit (a maximum of 1,000-square-foot accessory dwelling is permitted).

## **PROPERTY DESCRIPTION**

This 3.26-acre site is zoned SR (Single Family Dwelling Residential District). The property is currently improved with two single family dwelling and an accessory structure.

The property is surrounded by agricultural fields on all four sides with an occasional residence.

## **VARIANCE OF DEVELOPMENT STANDARD**

This Variance of Development Standard, if approved, would allow an existing 2,822 square foot dwelling to remaining on the property. The Unified Development Ordinance allows one accessory dwelling with the maximum square footage of 1,000 square feet of living space.

The Zoning Ordinance states a maximum of 1,000 square feet of building area for an accessory structure. The creation of accessory dwellings standards was intended to allow an opportunity for property owners to provide care for a family member, or to provide accommodations for visiting family or friends, which is generally considered a benign secondary use of residential. A 1,000 square feet is adequate living space to achieve the intent to provide care for a family member while encouraging independent living.

## **RELEVANT ZONING HISTORY**

April of 2021, David and Diedre Parsley applied for a residential building permit for new 5,819 square foot residence on the property. Since the property had an existing dwelling on the property, staff had discussion with Parsley about the plan for the existing dwelling. It was determined at that time the Parsley would demo the existing dwelling prior to occupying the new dwelling. As per ordinance requirements, a letter was sent out to the surrounding neighbor's stating the intended goal. A condition was list on the issued building permit stating "Existing residence must be removed from property 90 days after the date of issuance of Temporary occupancy permit". The Parsley's were issued a Temporary Occupancy permit on 6/21/2024. They were reminded that they will need to demo the existing dwelling.

An status email was sent to the Parsley's on 12/31/2024 reminding them that they were not in compliance with the conditions of the permit nor the zoning ordinance. The Parsley filed for a development standard variance to request the existing dwelling to remain on the property.

**FINDINGS OF FACT: VARIANCE OF DEVELOPMENT STANDARDS**

- 1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community.**

The existing dwelling does not impose public health, safety, and moral concerns.

- 2. The use and value of the area adjacent to the property included in the variance will be affected in a substantially adverse manner.**

A variance of similar requests could be sought by other property owners based on the same findings presented by the petitioner. The precedent would be set.

- 3. The strict application of the terms of the Zoning Ordinance will not result in practical difficulties in the use of the property.**

There is nothing unique to this property or the needs of the petitioners which would preclude an accessory structure from being built within the development standard set forth in the ordinance. The applicant has stated they would face an economic hardship which can not legally be considered as a practical difficulty for granting a variance.

- 4. The variance is for primarily for the economic benefit of the petitioner.**

The distance from the major road makes the building difficult to identify for patrons to The applicants has stated in their submitted findings that it would be economic hardship.

- 5. The variance request is not the minimum deviation that is needed to be aware to the applicant.**

There are other options available to satisfy the ordinance requirement such as, removal of entire structure or partial structure.

- 6. The variance request is due to hardship caused by the current owners of the property.**

The hardship was created after the applicant decided not to remove the existing dwelling from the property.

GENERAL INFORMATION

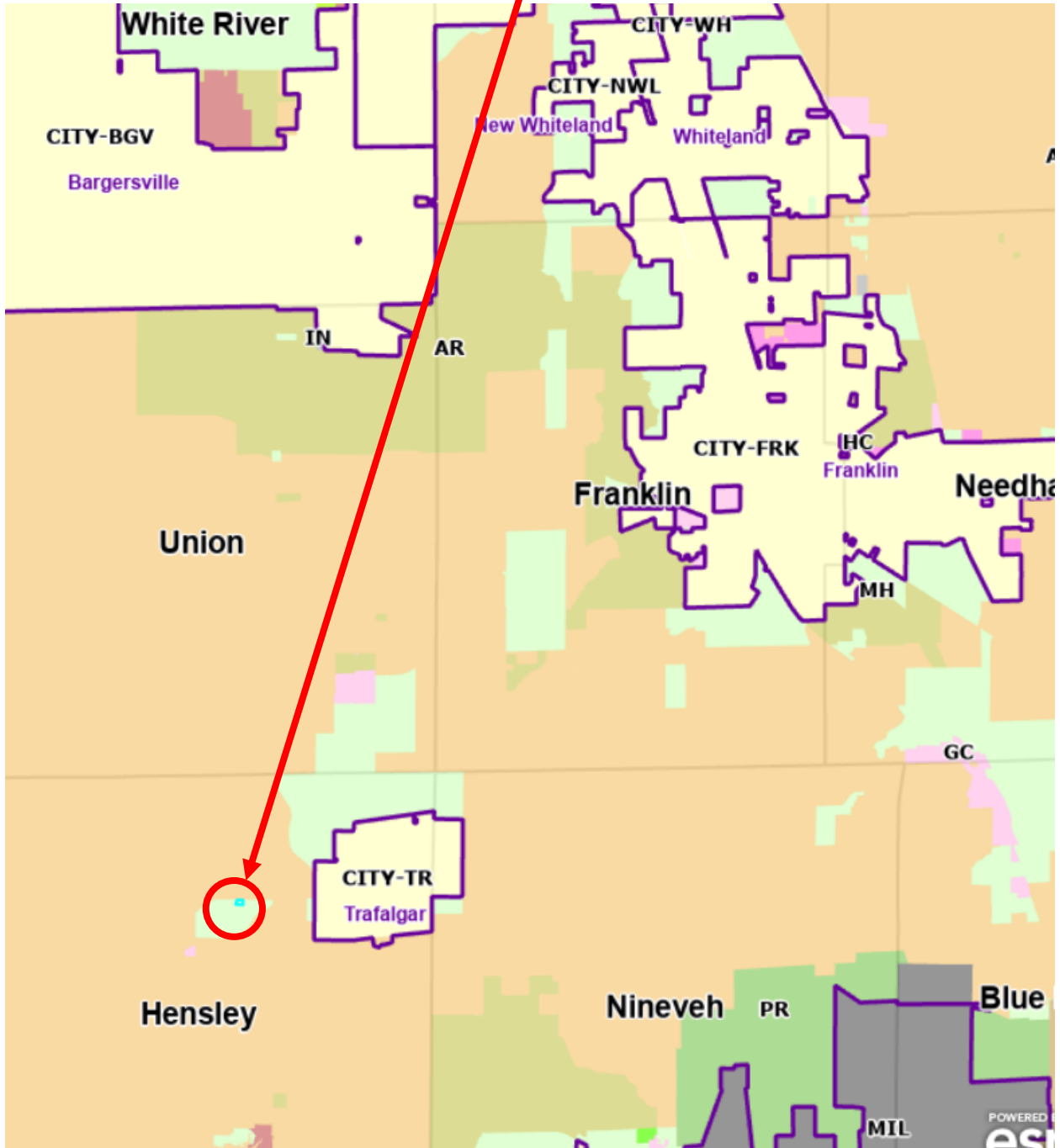
Applicants: David and Diedre Parsley  
4527 S 450 W  
Trafalgar IN

Zoning: SR, Single Family Dwelling  
Land Use: Residential  
Future Land Use: Rural Residential

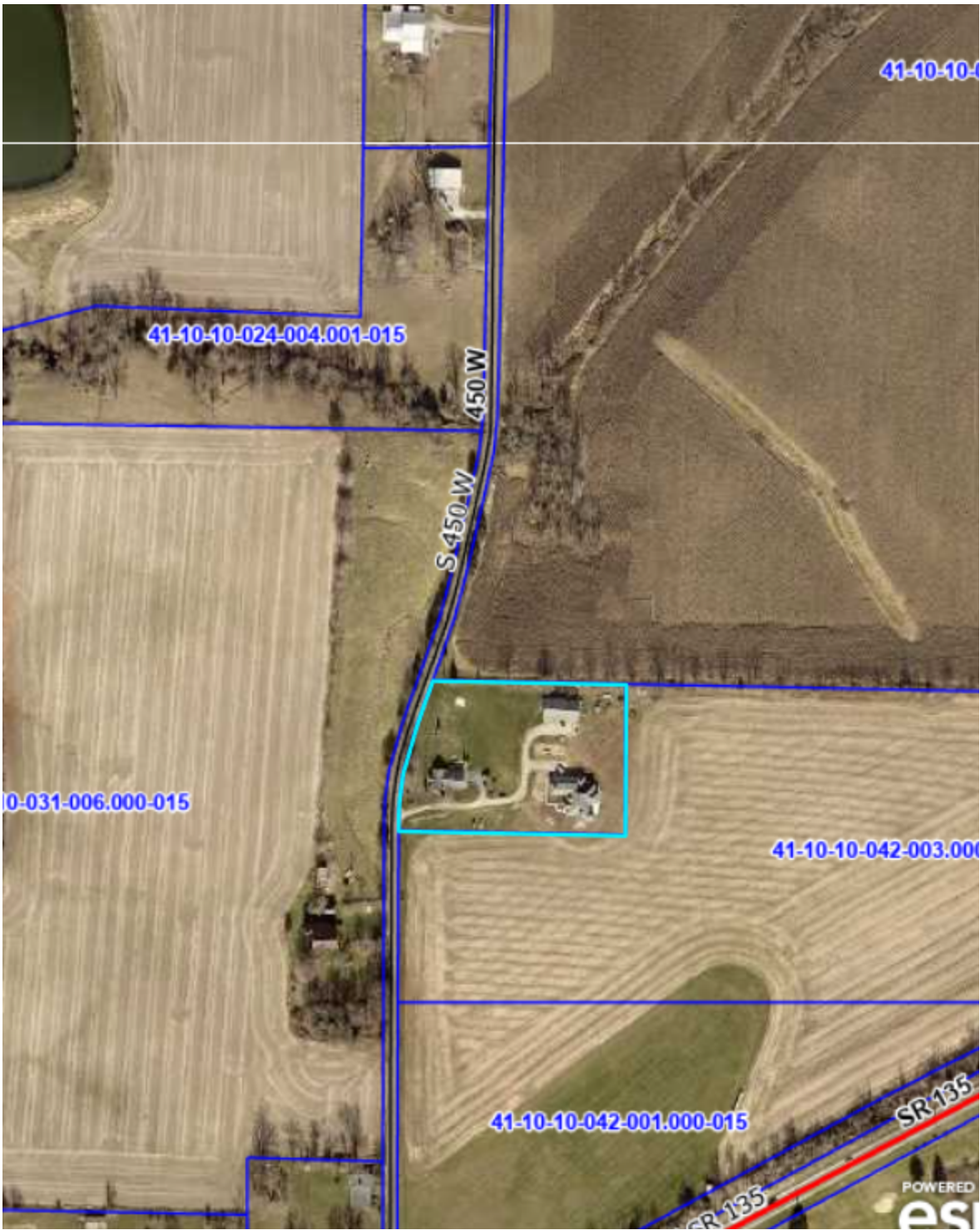
-MNH

# V-3-25 BASE MAP

**SUBJECT SITE**

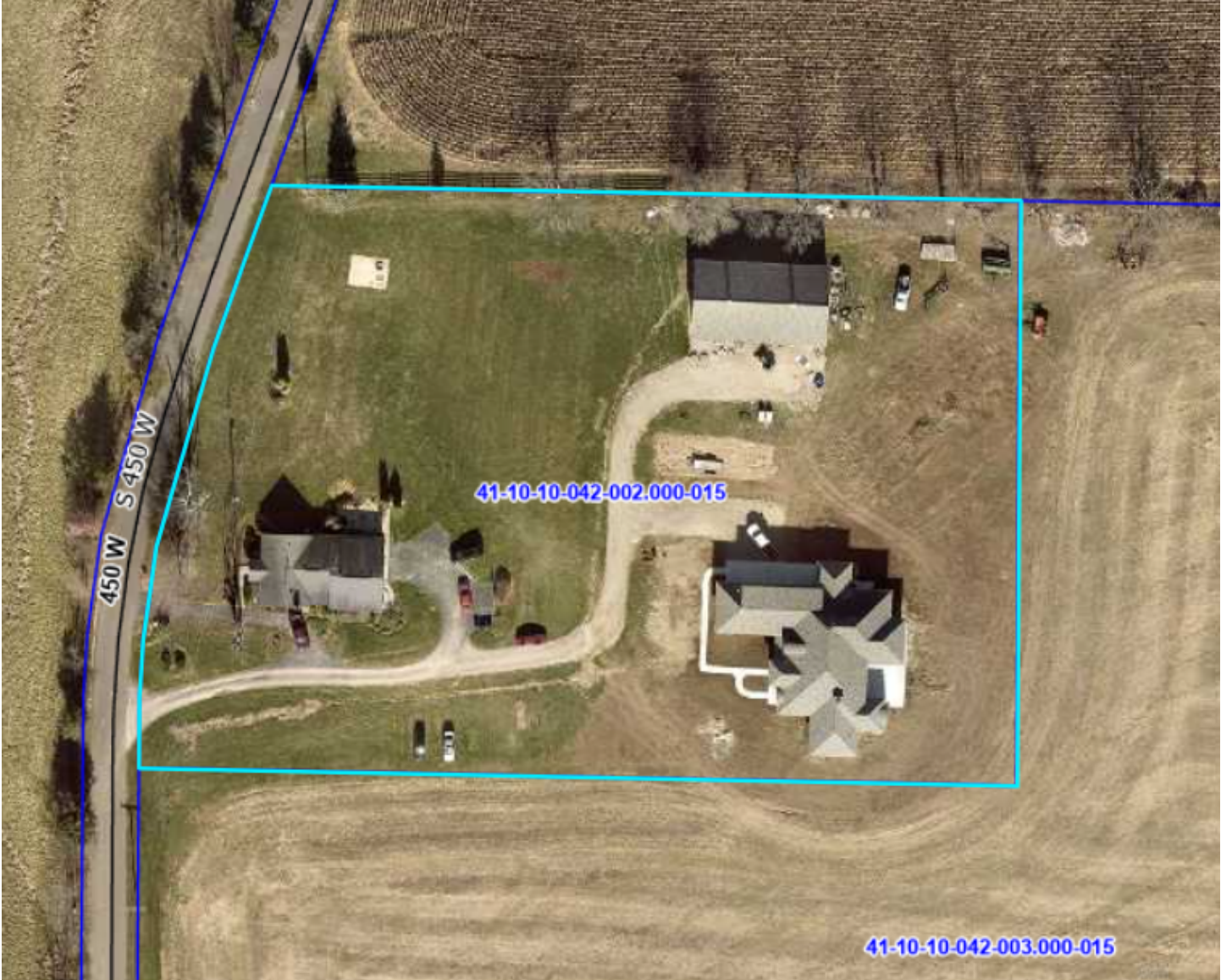


# V-3-25 AERIAL MAP I





# V-3-25 AERIAL MAP II



## V-3-25 Google Street View

<https://maps.app.goo.gl/PPWHUDVU3Vo59dcH9>



V-3-25 SITE PLAN



## V-3-25 PETITIONER'S FINDINGS OF FACT

This is the old Finding of Facts Form, Applicant has been asked to supply a new findings of facts.

### FINDINGS OF FACT, DEVELOPMENT STANDARDS VARIANCE

JOHNSON COUNTY BOARD OF ZONING APPEALS

Case Number: \_\_\_\_\_

1. The approval will not be injurious to the public health, safety, morals and general welfare of the community because:

The house structure is in good condition, meeting all building codes and safety standards. This ensures that the structure is safe for occupancy or intended use, posing no risk to public health or safety.

2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because:

Keeping the residential structure does not interfere with the current or planned uses of adjacent properties. The structure's continued presence supports the existing residential character of the area.

3. The strict application of the terms of the Zoning Ordinance will result in practical difficulties in the use of the property because:

Enforcing the zoning ordinance without flexibility will create significant economic hardships by preventing the property owner from using the structure in a manner that will benefit their business and family hardships. This could lead to financial loss or devaluation of the property.

**Office Use Only: Do Not Write Below This Line**

# STAFF REPORT

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**CASE NUMBER:** V-4-25  
**ADDRESS:** 0.40 acres at the southwest corner of State Road 135 and South 450 W;  
Formally 4796 S 450 W.  
**PETITIONER:** David and Diedre Parsley

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## **REQUEST**

VARIANCE OF USE of the Johnson County Unified Development Ordinance to provide for commercial use of Outdoor Retail Sales (not permitted in the SR (Single Family Residential) Zoning District.

VARIANCE OF DEVELOPMENT STANDARDS of the Zoning Unified Development Ordinance of Johnson County, Indiana to waive

1. parking requirements for commercial use, and
2. landscaping requirement for commercial use

## **PROPERTY DESCRIPTION**

This 0.40-acre site is zoned SR (Single Family Dwelling Residential District). The property is currently unimproved.

To the east is Tameka Woods Golf Course, to the north, south and west single-family dwellings.

## **VARIANCE OF USE**

This Variance of Use request, if approved, would allow the subject property to be used for outdoor retail for storage buildings, patio furniture, pergolas, swing sets, and produce.

According to the Plan of Operation, the property would have two employees. It would be open 7 days a week, from 8 am to 8 pm. No one will hold residency at this locations. Full site plan can be located later in the staff report.

The site plan is also provided later in the staff report. All outdoor items will need to be store outside site visibility areas.

Outside of zoning approval, this use may be subject to other approvals such as local and state Building Permits, driveway permits, stormwater, and/or septic approval. Due to other requirements, the use may not fit within the location.

## **VARIANCE OF DEVELOPMENT STANDARDS – LANDSCAPE REQUIREMENT**

This Variance of Development Standards request, if approved, would waive the landscape requirement for commercial use. This commercial use would require installation landscape

around the parking area, a landscape buffer between the residential district (south, north, and west), and a landscape for the overall lot development.

Overall Lot Development, it is required to have on canopy tree which I believe the applicant can fulfilled with the existing trees.

For landscape buffer between residential districts: 2 deciduous trees, 5 evergreen trees, and 54 evergreen shrubs per 100'

At the time of staff report preparation, the site plan does not show any plans for landscape.

### **VARIANCE OF DEVELOPMENT STANDARDS – PARKING**

This Variance of Development Standards request, if approved, would reduce the overall parking lot requirement for the proposed use. The site plan provided does not show any parking spot. This is a concern as the lot is small and the adjacent local streets are narrow as well. Off Street Parking should be included and required.

Standards that are applicable to this development: The parking lot should be a hard surface, curbed, and striped. The parking spots should be 9 X 20 and have a drive aisle for proper maneuvering.

At the time of staff report preparation, the site plan does not show any details on parking.

Other Requirements: Outside of zoning approval, this use may be subject to other approvals such as local and state Building Permits, driveway permits, and/or septic approval.

### **FINDINGS OF FACT: VARIANCE OF USE**

**State Requirement: The approval will be injurious to the public health, safety, morals, and general welfare of the community.**

Staff Analysis: The driveway location present a concern on entering and existing traffic, in addition to lack of planning for parking.

**State Requirement: The use and value of the area adjacent to the property included in the variance will be affected in a substantially adverse manner.**

Staff Analysis: The traffic and parking shows potential to adversely affect the residents to the south.

**State Requirement: The need for the variance arises from some condition peculiar to the property involved.**

Staff Analysis: This property is surrounded by local roads and State highway, making residential development less desirable for this property.

**State Requirement: The strict application of the terms of the Zoning Ordinance will constitute an unnecessary hardship if applied to the property for which variance is sought.**

Staff Analysis: The future decrease in desirability for residential use due to location of the property near a major intersection. However due to lack of public infrastructure and size, it does not make it suitable for commercial use.

**State Requirement: The approval does not interfere substantially with the Comprehensive Plan.**

Staff Analysis: Future Land Use map of the Comprehensive Plan recommend agricultural.

#### GENERAL INFORMATION

#### GENERAL INFORMATION

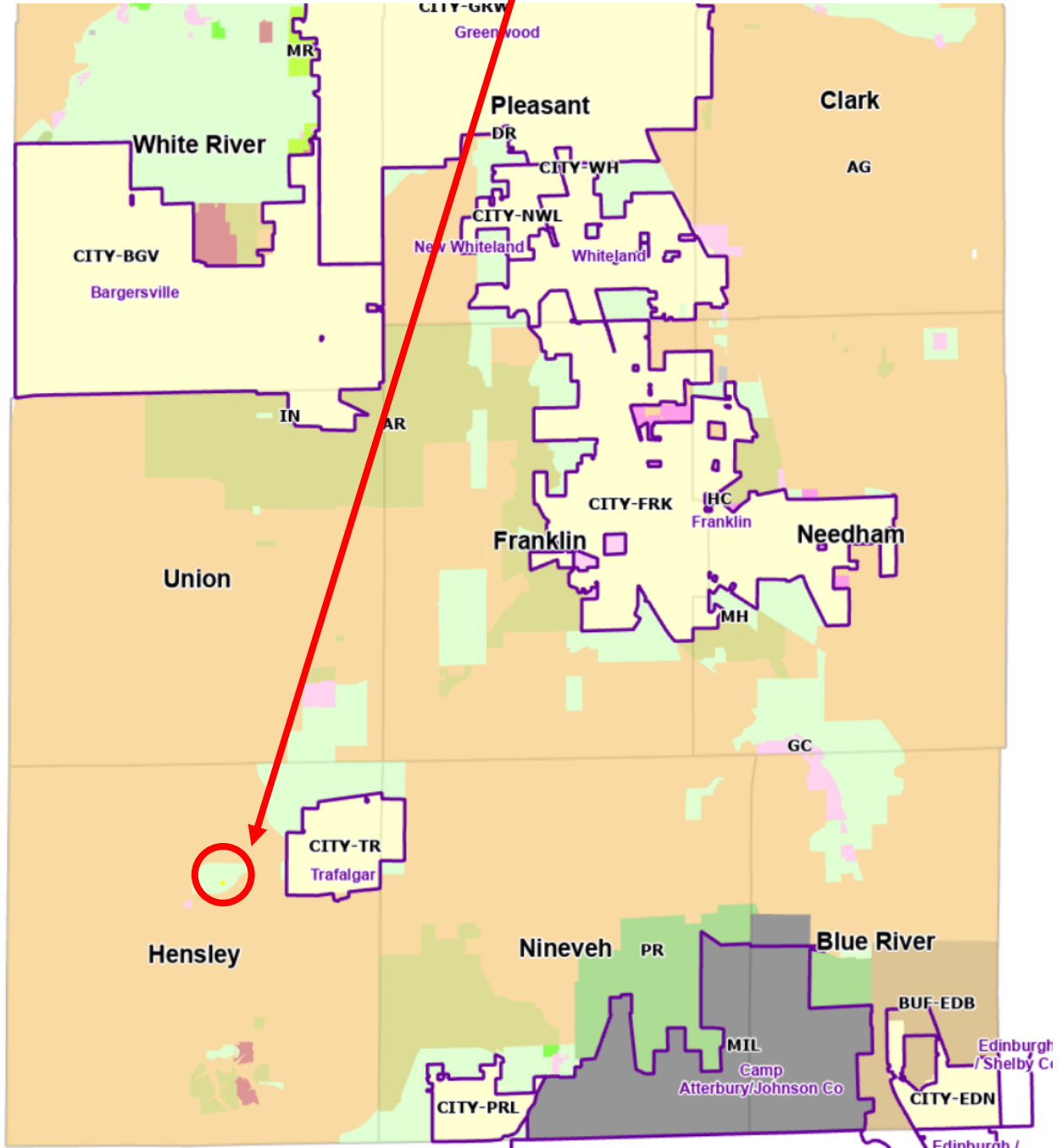
Applicants: David and Diedre Parsley  
4527 S 450 W  
Trafalgar IN

Zoning: SR, Single Family Dwelling  
Land Use: Vacant  
Future Land Use: Agricultural

-MNH

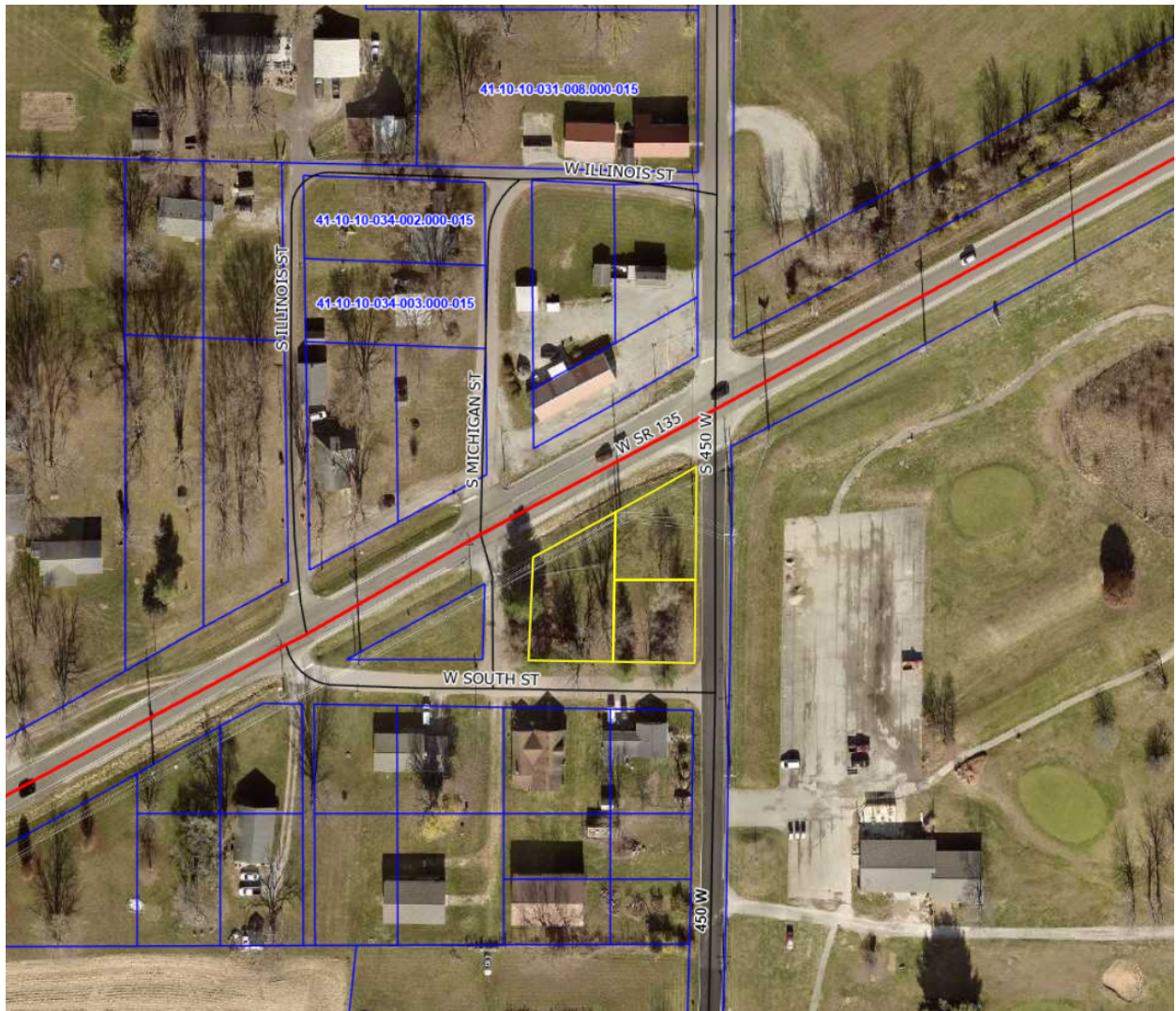
# V-4-25 BASE MAP

**SUBJECT SITE**

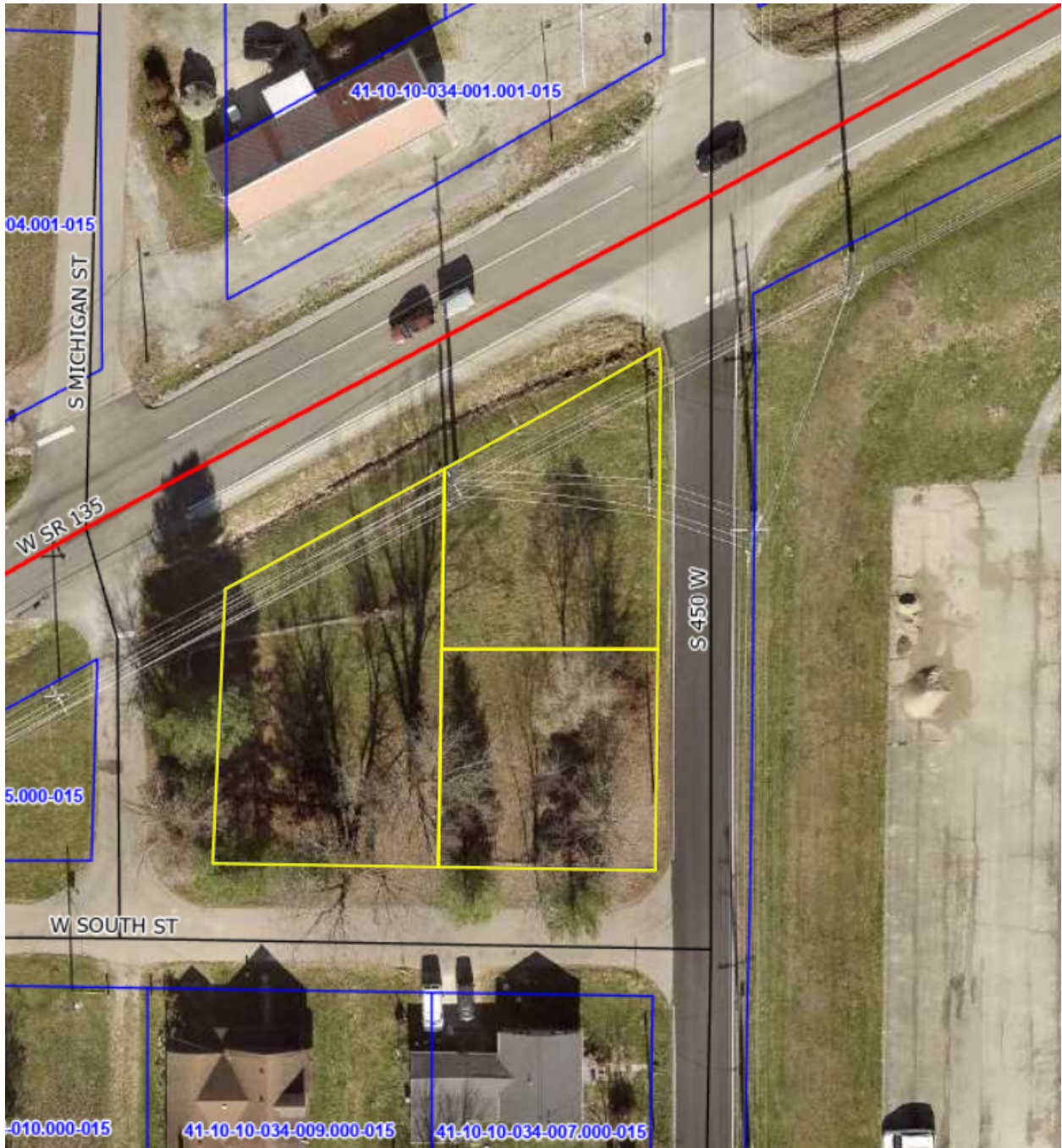




# V-4-25 AERIAL MAP I



# V-4-25 AERIAL MAP II



## V-4-25 Google Street View

<https://maps.app.goo.gl/fv9tBxRkQDcgrcHe7>



# V-4-25 PLAN OF OPERATION

## Plan of Operations for Land Petition

**Purpose:** The purpose of this petition is to request the use of the specified lot for the sale of mini barns, lawn furniture, swing sets, and other seasonal items such as flowers. The business will focus on providing high-quality outdoor products in an aesthetically pleasing and community-friendly environment.

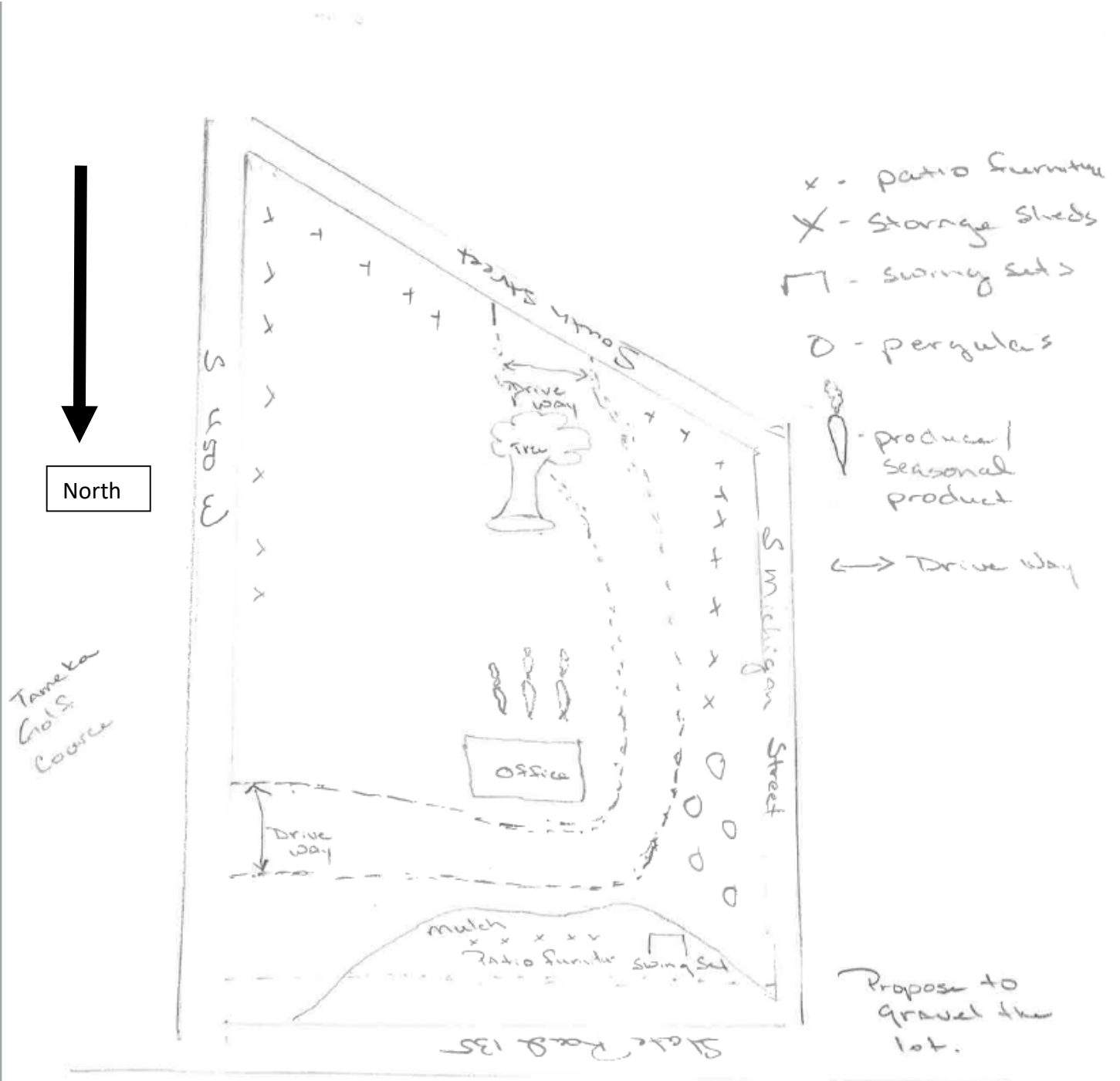
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### Key Details:

1. **Business Description:**
  - Sale of mini barns, small farm equipment, lawn furniture, swing sets, and other outdoor items.
  - Seasonal sales of flowers and decorative items as an additional offering.
2. **Anticipated Customer Traffic:**
  - Estimated number of customers: 10-20 per day.
3. **Employees:**
  - Number of employees: 2.
4. **Hours of Operation:**
  - Open from 8:00 AM to 8:00 PM, Monday through Sunday.
5. **Waste Handling:**
  - There will be no waste handling on-site as part of the operations. Products will be pre-assembled or ready-to-assemble, and there will be no manufacturing processes conducted on the premises.
6. **Materials Used:**
  - Products made of wood and plastic.
  - Seasonal flowers and decorative items may also be offered for sale.
7. **Site Layout and Landscaping:**
  - Products will be displayed in an organized manner on the lot.
  - Landscaping will be incorporated to ensure the area is visually appealing and aligns with community standards. This may include:
    - Gravel pathways for easy customer access.
    - Flowerbeds or planters to enhance the display area.
    - Seasonal decorations as appropriate.
8. **Compliance with Regulations:**
  - The business will comply with all local zoning and land use regulations.
  - Adequate parking spaces will be provided for customers and employees.
9. **Community Impact:**
  - The business aims to positively contribute to the local economy by offering unique outdoor products.
  - Landscaping and the seasonal items will ensure the lot maintains a welcoming and attractive appearance.
10. **Safety Measures:**
  - All displayed items will be securely positioned to ensure customer safety.
  - Clear pathways will be maintained for easy navigation.

**Conclusion:** This plan of operations demonstrates a commitment to responsible land use, compliance with local regulations, and creating a visually appealing and functional retail environment. The anticipated low customer traffic and limited operations ensure minimal impact on the surrounding community while providing a valuable service.

# V-4-25 SITE PLAN



## V-4-25 PETITIONER'S FINDINGS OF FACT

# USE VARIANCE

## FINDINGS OF FACT, USE VARIANCE

JOHNSON COUNTY BOARD OF ZONING APPEALS

Case Number: \_\_\_\_\_

1. The approval will not be injurious to the public health, safety, morals and general welfare of the community because:

The retail lot will comply with local zoning ordinances, safety regulations, etc. The property will be designed & managed to prevent any hazardous conditions and is expected to contribute positively to the local economy.

2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because:

The retail lot will be consistent with the existing mixed-use nature of surrounding area, complementing with neighboring properties. Well maintained retail lot will enhance property values.

3. The need for the variance arises from some condition peculiar to the property involved because:

The property is situated at a strategic location where commercial use is more appropriate and beneficial than residential use due to high visibility & accessibility.

4. The strict application of the terms of the Zoning Ordinance will constitute an unnecessary hardship if applied to the property for which the variance is sought because.

Strict adherence to residential zoning will result in a significant reduction in the property's value compared to its potential value as a commercial lot. This economic loss will constitute an unnecessary hardship for us as property owners.

5. The approval does not interfere substantially with the Comprehensive Plan because:

The proposed retail use aligns with the county's long-term development goals, such as promoting economic growth, enhancing commercial corridors and increasing access to goods and services for local residence

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# STAFF REPORT

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**CASE NUMBER:** V-5-25  
**ADDRESS:** 186 S 600 E, Franklin  
**PETITIONER:** Roy Umbarger & Sons Inc, By Thomas Hopkins

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## **REQUEST**

VARIANCE OF DEVELOPMENT STANDARDS of the Johnson County Unified Development Ordinance allows for a 410-square-foot wall sign (a maximum of 100-square-foot is permitted).

## **PROPERTY DESCRIPTION**

This 24-acre site is zoned AG (Agricultural). The property is currently improved with a feed mill business

The property is surrounded by agricultural fields, to the west there is industrial development within the City of Franklin.

## **VARIANCE OF DEVELOPMENT STANDARD**

This Variance of Development Standard, if approved, would allow the subject property to install a 410 Square foot wall sign on the north side of the mill. The Unified Development Ordinance allows one wall sign per building not to exceed 100 square feet. The property is located approximately 1,600 feet from State Road 44 where the sign on the building will be viewable.

## **RELEVANT ZONING HISTORY**

Prior to 2022, this property was within the Franklin's Extraterritorial Zoning District. Meaning that Franklin's Zoning Ordinance controlled the permitted uses and development standards of this area. The extraterritorial area was relinquished back to the County's control at the end of 2022.

July 2018, Umbarger Show Feed received approval for a Special Exception by the Franklin's BZA along with approved Development Standards Variances. One of the variances granted the use to be allowed signage to be installed consistent with Franklin's Industrial General signs standards. Those standards allow for a maximum of four separate signs with a total of 500 square feet combined. Additionally, each individual sign could not exceed 200 square feet.

The property currently has two permitted wall signs: 155 square-foot on the east side of the warehouse and 34 square foot sign on the north side of the office. Based on Franklin's standards, this current sign would not meet the conditions of their IG sign standards as it exceeds the overall signage size and individual size. Additionally, this proposed sign does not meet the County's Industrial Districts sign regulations.

**FINDINGS OF FACT: VARIANCE OF DEVELOPMENT STANDARDS**

- 1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community.**

The proposed sign does not impose public health, safety, and moral concerns.

- 2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.**

The proposed sign will not have an adverse effect on the adjacent property.

- 3. The strict application of the terms of the Zoning Ordinance will result in practical difficulties in the use of the property.**

The distance from the major road makes the building difficult to be identity within the sign regulations.

- 4. The variance is not primarily for the economic benefit of the petitioner.**

The distance from the major road makes the building difficult to identify for patrons to make safe traffic decisions.

- 5. The variance request is the minimum deviation that is needed to be aware to the applicant.**

The sign vendor has helped establish a sign that is viewable but not oversized.

- 6. The variance request is not due to hardship caused by the current owners of the property.**

Correct, this sign has not been installed or created prior to filing for the variance.

**GENERAL INFORMATION**

Applicants: Thomas Hopkins  
505 Commerce Parkway W. Dr.  
Greenwood IN 46143

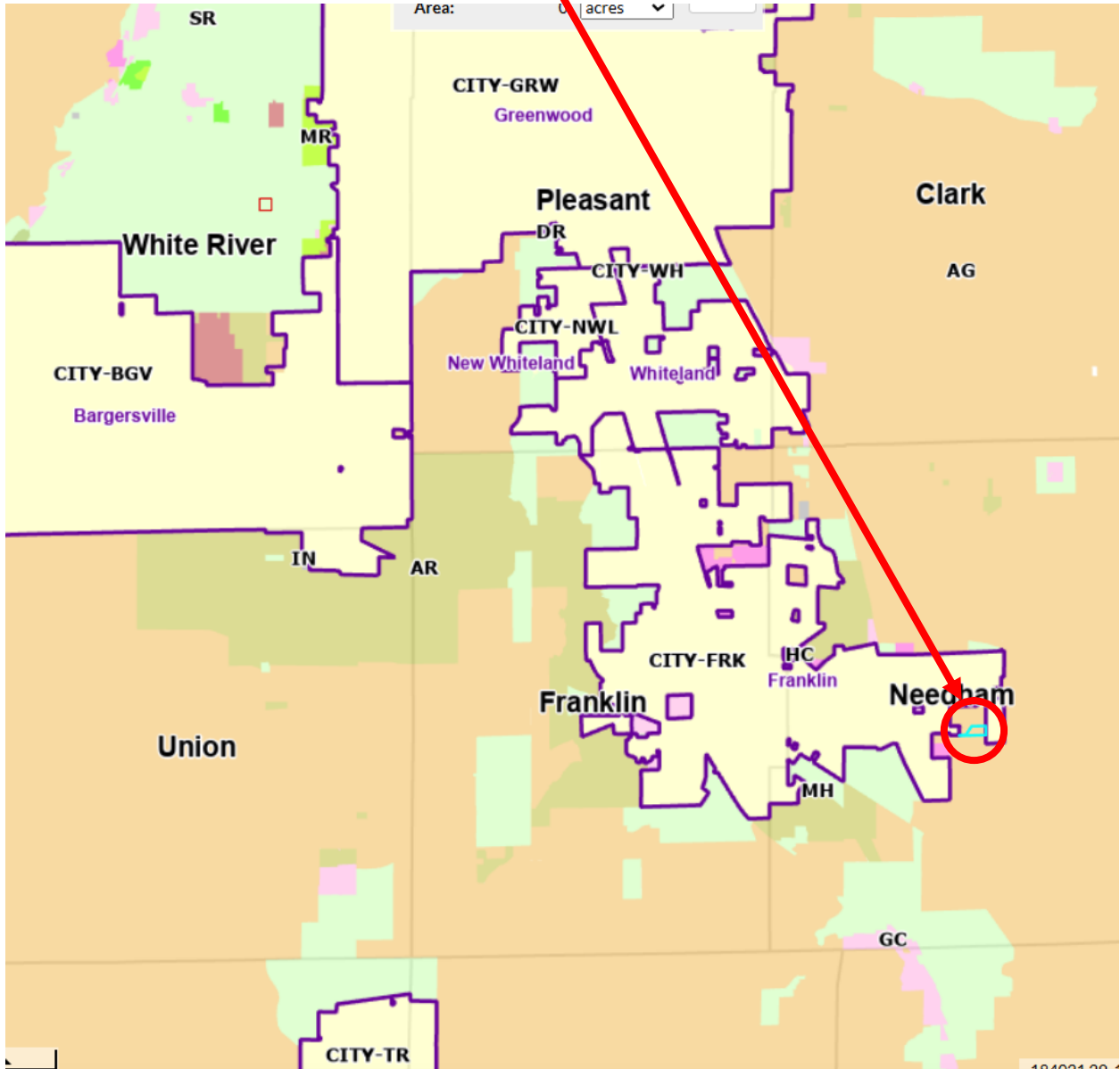
Owners: Roy Umbarger and Sons  
183 S 600 E  
Franklin IN 46131

Zoning: AG, Agricultural  
Land Use: Commercial Feed Business  
Future Land Use: Agricultural



# V-5-25 BASE MAP

**SUBJECT SITE**





# V-5-25 AERIAL MAP II



# V-5-25 Google Street View

<https://maps.app.goo.gl/SPbrGk22NZU8kcdMA>



# V-5-25 Sign Diagram

Illuminated Channel Letter



Original Photo of Site Shown Below



Materials: Illuminated Channel Lettering w/ 4c Flex Face

Colors: 4c Face. White Trim & Returns

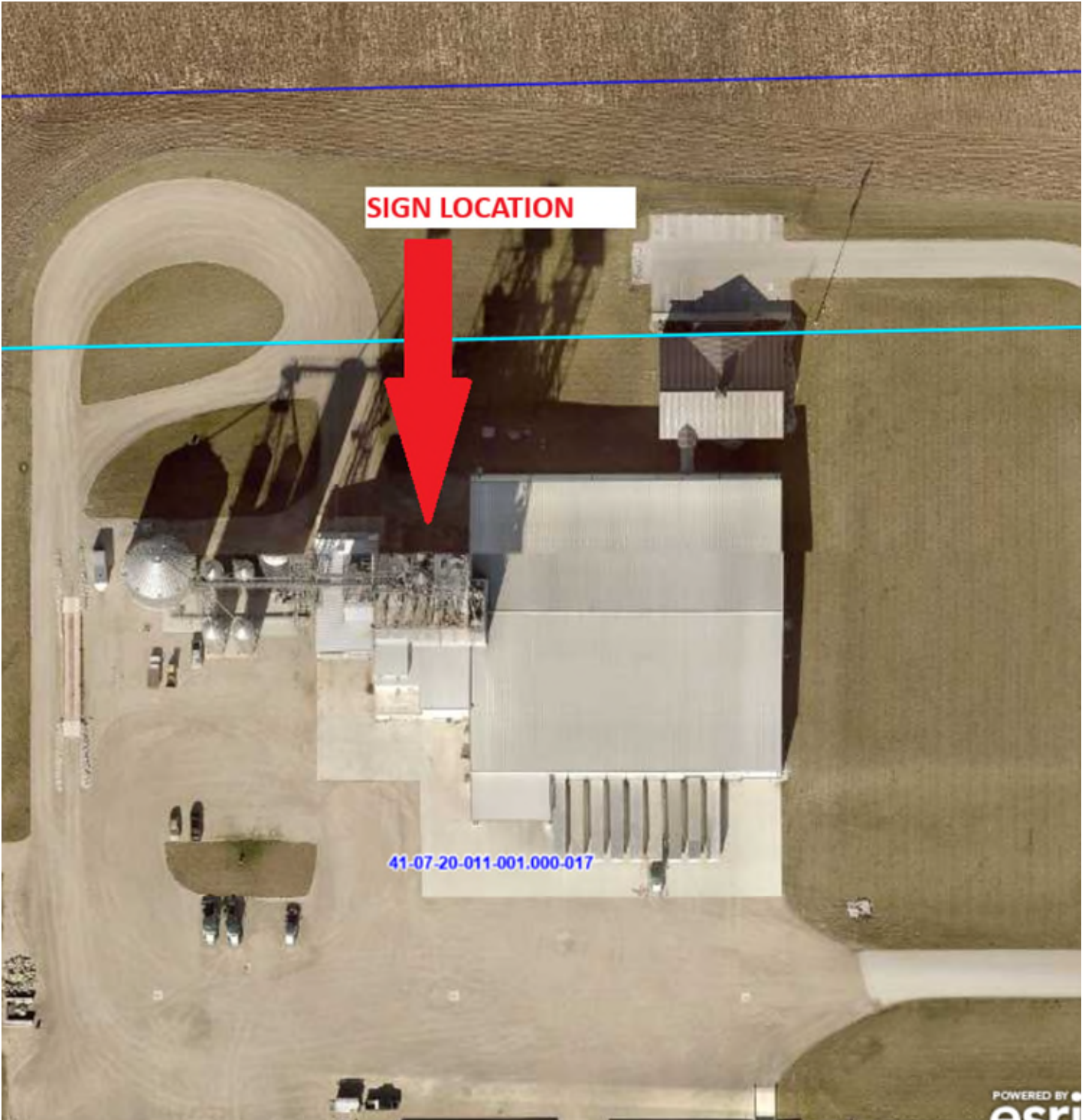
Typestyle: N/A

Mounting: TBD

Quantity: 1 (Single Faced)

C-67	C-76	C-85
K-0	K-0	K-25
V-300	V-300	V-300
K-0	K-0	K-0

## V-5-25 SITE PLAN



**SIGN LOCATION**

41-07-20-011-001.000-017

POWERED BY  
OSRI

## V-5-25 PETITIONER'S FINDINGS OF FACT

### FINDINGS OF FACT, DEVELOPMENT STANDARDS VARIANCE

JOHNSON COUNTY BOARD OF ZONING APPEALS

1. The approval will not be injurious to the public health, safety, morals and general welfare of the community because:

The proposed sign is replacing an outdated sign that was harder to read. It will not block  
any traffic views.

2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because:

The proposed sign will be a more modern logo which will better help identify the property, and  
will not negatively effect the value of the adjacent properties.

3. The strict application of the terms of the Zoning Ordinance will result in practical difficulties in the use of the property because:

The building frontage this sign will be attached to is 1,000 feet away from SR 44. In order to be  
visible, a larger sign is necessary.

4. The variance is not primarily for the economic benefit of the petitioner because:

Should the situation ever arise, the sign will also help emergency services locate the property.

5. The variance request is the minimum deviation that needs to be awarded to the applicant because:

Anything less would be make it difficult to see from SR 44.

6. The variance request is not due to a hardship caused by the current owner of the property.

Correct.

# STAFF REPORT

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**CASE NUMBER:** V-6-25  
**ADDRESS:** Lot 1 in the Nyberg Subdivision, along Betty Lane and E 100 N.  
**PETITIONER:** Marty Cooper

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## **REQUEST**

VARIANCE OF DEVELOPMENT STANDARDS of the Johnson County Unified Development Ordinance allow for a 10-foot rear setback for a proposed house (Ordinance required 20-foot rear setback).

## **PROPERTY DESCRIPTION**

This 0.42-acre site is zoned SR (Single-Family Residential Dwelling). The property is currently unimproved.

The property is surrounded by residential lots to the east and west and agricultural fields to the north and south.

## **VARIANCE OF DEVELOPMENT STANDARD**

This Variance of Development Standard, if approved, would allow the applicant to construct a single family home within 10 feet for the rear property line. The Unified Development Ordinance required an 20 feet rear setback.

This property is Lot 1 of the Nyberg Subdivision. It is the last vacant lot of 1973 approved plat. It is a corner lot that is approximately 18,295 square feet. The setback that applies to this lot 25 feet from the north and west property lines, 10 feet from the south property line and 20 feet from the east property line.

The petitioner plans on constructing an 2,304 square foot home with an 1152 attached garage. Due to the shape of the lot and the layout of the house, the front covered porch on the north west side of the building prevents the structure to adjusted to satisfy the 20 feet setback requirement. This property will also be on a private septic system which will be located north of the dwelling.

The 20 rear setback requirements have been a long standing requirement often use to protect rear drainage and rear utility easements, while providing for back yard that can be utilized by the residence. Additionally, the rear setback requirement also is a safety measure to reduce the spread of fires. The plat does have an 10 feet utility and drainage easement that runs along the east property line. The structure will not encroach into that easement.



**FINDINGS OF FACT: VARIANCE OF DEVELOPMENT STANDARDS**

- 1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community.**

The proposed building does not impose public health, safety, and moral concerns.

- 2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.**

The proposed building will not have an adverse effect on the adjacent properties.

- 3. The strict application of the terms of the Zoning Ordinance will result in practical difficulties in the use of the property.**

Since the property is an triangle-like corner lot that has two front setback requirements, the buildable area is very limited to provide a standard home.

- 4. The variance is not primarily for the economic benefit of the petitioner.**

Without this variance, the property will not be able to be built

- 5. The variance request is the minimum deviation that is needed to be aware to the applicant.**

The proposed building is a standard dwelling that is not oversized for the area.

- 6. The variance request is not due to hardship caused by the current owners of the property.**

Correct, the building has not been constructed prior to filing for the variance.

**GENERAL INFORMATION**

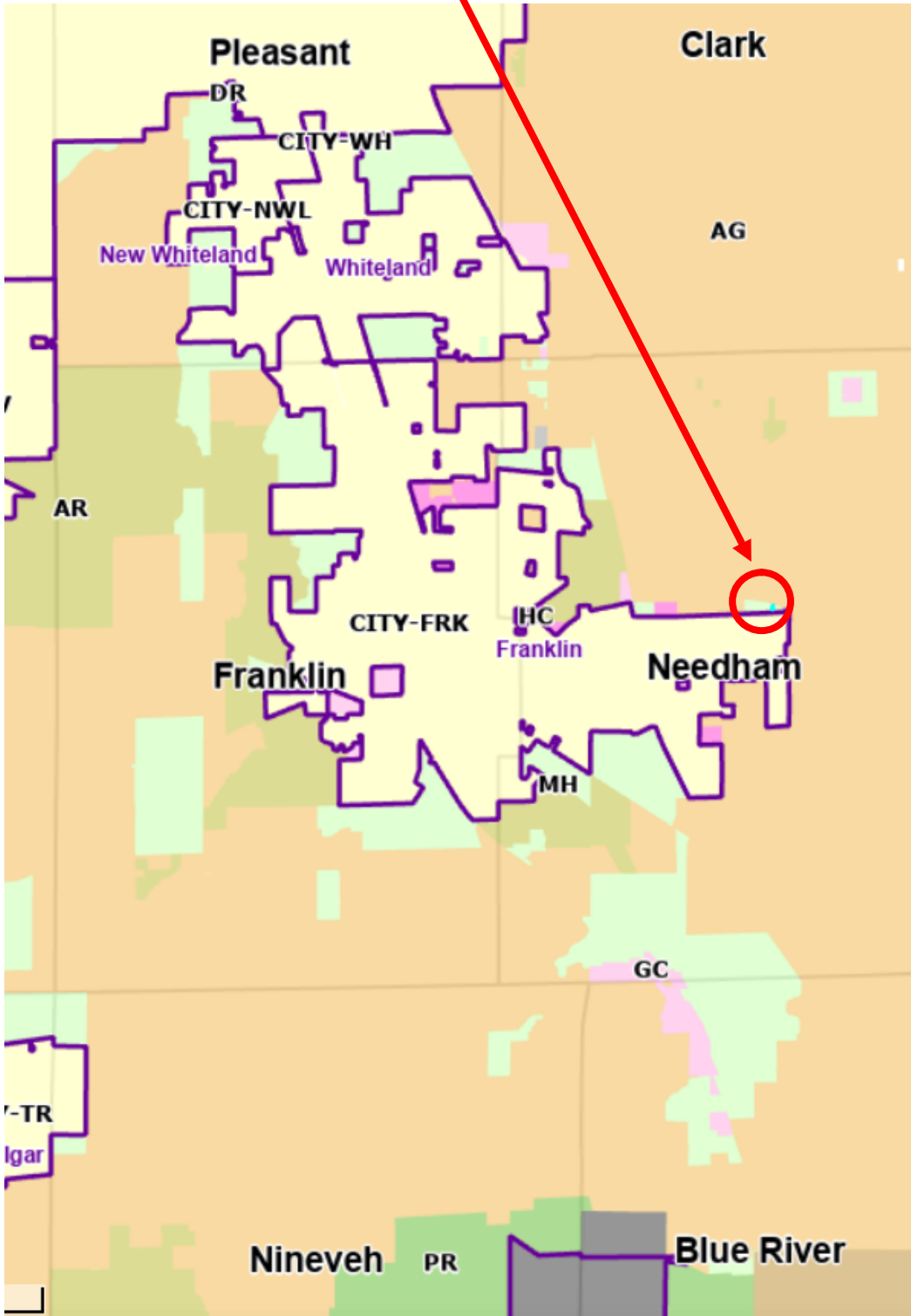
Applicant/Owner : Marty and Lacinda Cooper  
6165 Evelyn Ave  
Franklin IN 46131

Zoning: SR, Single-Family Dwelling Residential District  
Land Use: Residential  
Future Land Use: Residential

-MNH

# V-6-25 BASE MAP

**SUBJECT SITE**



# V-6-25 AERIAL MAP I



# V-6-25 AERIAL MAP II



POWERED BY  
**esri**

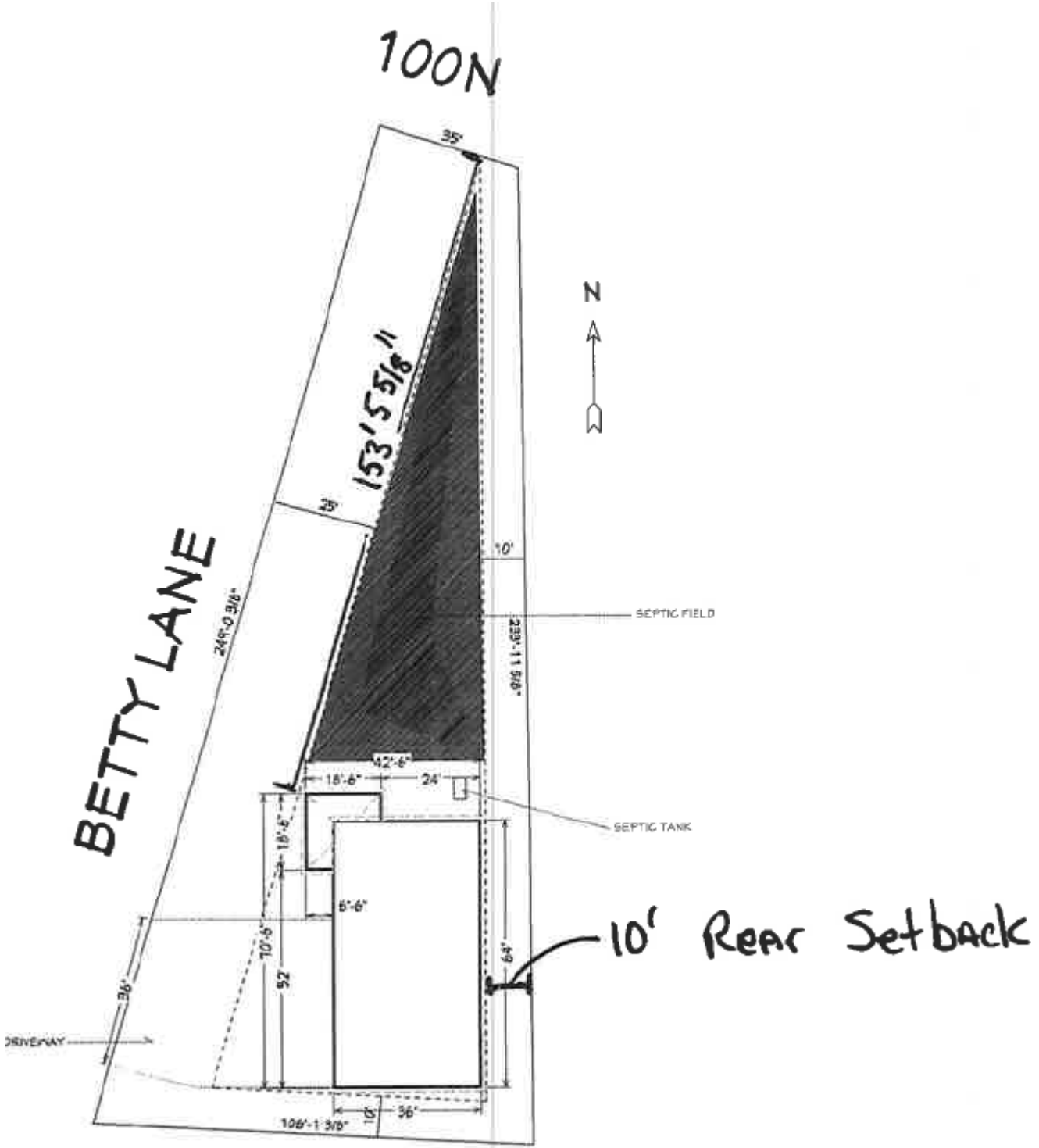
237393.74, 1547264.98

## V-6-25 Google Street View

<https://maps.app.goo.gl/cjnfDWf5whqEihh3A>



V-6-25 SITE PLAN



Plot Plan View

21.11 - 10'

## V-6-25 PETITIONER'S FINDINGS OF FACT

### FINDINGS OF FACT, DEVELOPMENT STANDARDS VARIANCE

JOHNSON COUNTY BOARD OF ZONING APPEALS

1. The approval will not be injurious to the public health, safety, morals and general welfare of the community because:

All construction will be in consideration of adjacent property owners. Privacy will be maintained.

2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because:

Developing lot should increase surrounding property values.

3. The strict application of the terms of the Zoning Ordinance will result in practical difficulties in the use of the property because:

Rear Easement if petitioner has to adhere to the 20' would cause the structure to have to lose its porch, causing a lesser desired appearance.

4. The variance is not primarily for the economic benefit of the petitioner because:

Petitioner is just trying to put the lot to use for a residence.

5. The variance request is the minimum deviation that needs to be awarded to the applicant because:

It will fulfill petitioner's design without deviating from current design.

6. The variance request is not due to a hardship caused by the current owner of the property.

Petitioner didn't create hardship.