

Narrative Statement

1. Describe whether conditions apply to the property that do not apply generally to other properties in the same zone or vicinity, which conditions are a result of lot size, shape, topography, or other circumstances over which the applicant has no control. BCRC 12-234(a) Explain why it is not possible to comply with the ordinance standards. Example: A site may have excessive slopes that prevent a structure from meeting the required setbacks.

The existing cabin on the property is a grandfathered structure that was built prior to the current setback requirements. When rebuilding, the structure was shifted approximately seven feet farther away from the property line in order to improve the setback and move it closer to compliance with current standards.

The cabin initially sustained significant storm damage from large fallen trees, which prompted the insurance company to inspect the structure. During that process, it was determined that the cabin had sustained structural damage as a result of the storm. Because of this damage, the insurance company would not insure the structure and considered the cabin to be condemned. Due to the extent of the structural damage caused by the storm, rebuilding was the only feasible option.

The surrounding conditions have also changed since the original cabin was built. A neighboring property constructed a boathouse that now blocks the view that the cabin previously had. Rebuilding the structure with an additional story allows the cabin to regain the views that historically existed from the property.

This property also has a long history dating back to the early 1900s, including the presence of the Midas Inn. Over time, several cabins that once existed on the property have been removed, and there are now only two living structures remaining on the property: the cabin and the small main house.

These conditions are specific to this property and the pre-existing location of the grandfathered cabin, and they limit the ability to fully comply with current ordinance standards.

2. Explain how special conditions and circumstances do not result from the actions of the applicant. BCRC 12-234(b) Example: Did the applicant reduce the size of his/her parcel, thereby creating an "unbuildable" parcel?

Special conditions and circumstances affecting this property were not created by the actions of the applicant. The conditions are the result of the property's long history and the physical characteristics of the site, not any recent changes made by the current owner.

The applicant has not altered the parcel size, created any additional lots, or taken any actions that would create an unbuildable condition. The special circumstances associated with the property are therefore the result of historical development patterns and the long-standing layout of the property, rather than any action taken by the applicant.

3. Explain how granting the variance is not in conflict with the public interest in that it will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity of the subject parcel or lot. BCRC 12-234(c) Explain how the proposed use is compatible with adjoining land uses. Example: Will approval of the variance result in a potential obstruction of public access or cause a safety hazard? Are there effects of elements on adjoining property such as noise, light glare, odor, fumes and vibration?

The requested variance will not conflict with the public interest and will not be detrimental to public health, safety, or welfare, nor will it be materially injurious to nearby properties or improvements. The proposed relocation of the cabin and new construction have been discussed with the adjoining neighbors, and both neighboring property owners are in agreement with the plan.

The property is privately owned, and the proposed variance will not obstruct or impact any form of public access. Additionally, the project will not create any safety hazards or adverse impacts such as excessive noise, light glare, odor, fumes, or vibration that would affect surrounding properties.

The proposed use remains residential in nature and is consistent with the existing use of neighboring properties in the area. As such, the project is compatible with adjoining land uses and will not negatively impact the surrounding neighborhood.