

TYPICAL VARIANCE SHEET

Please check appropriate box and answer questions as directed.

	Check as Applicable	VARIANCE STANDARD
<ul style="list-style-type: none"> • Any functional, land or building USE not specifically permitted in either a particular zoning district, or otherwise not permitted by the Development Code 	<input type="checkbox"/>	(Use) Unnecessary Hardship
ADDITIONS & BUILDINGS: <i>(Complete Building Permit Application)</i>		
<ul style="list-style-type: none"> • Rear, side & front setbacks 	<input type="checkbox"/>	(Area) Practical Difficulties
<ul style="list-style-type: none"> • Coverage (>28%) 	<input type="checkbox"/>	(Area) Practical Difficulties
DRIVEWAYS: <i>(Complete Building Permit Application)</i>		
<ul style="list-style-type: none"> • Width 	<input type="checkbox"/>	(Area) Practical Difficulties
<ul style="list-style-type: none"> • Distance from property line 	<input type="checkbox"/>	(Area) Practical Difficulties
<ul style="list-style-type: none"> • Circular if lot width is <90' 	<input type="checkbox"/>	(Area) Practical Difficulties
SIGNS: <i>(Complete Sign Permit Application)</i>		
<ul style="list-style-type: none"> • Area allowed (maximum sq. ft.) 	<input checked="" type="checkbox"/>	(Area) Practical Difficulties
<ul style="list-style-type: none"> • Height 	<input type="checkbox"/>	(Area) Practical Difficulties
<ul style="list-style-type: none"> • Front setback 	<input type="checkbox"/>	(Area) Practical Difficulties
<ul style="list-style-type: none"> • Lot width <100' 	<input type="checkbox"/>	(Area) Practical Difficulties
<ul style="list-style-type: none"> • Number of items of information 	<input type="checkbox"/>	(Area) Practical Difficulties
<ul style="list-style-type: none"> • On side of building 	<input type="checkbox"/>	(Area) Practical Difficulties
FENCES: <i>(Complete Fence Permit Application)</i>		
<ul style="list-style-type: none"> • Height or Openness 	<input type="checkbox"/>	(Area) Practical Difficulties
<ul style="list-style-type: none"> • Front Yard (in setback) 	<input type="checkbox"/>	(Area) Practical Difficulties
ACCESSORY BUILDINGS (Play Structures, Storage Sheds: <i>(Complete Accessory Structure Permit Application); Detached Garages:</i> <i>(Complete Building Permit Application)</i>		
<i>Note: Total square footage of all accessory buildings, including detached garages, is not to exceed 600 square feet.)</i>		
<ul style="list-style-type: none"> • Height 	<input type="checkbox"/>	(Area) Practical Difficulties
<ul style="list-style-type: none"> • Setback from property line 	<input type="checkbox"/>	(Area) Practical Difficulties
<ul style="list-style-type: none"> • Square footage 	<input type="checkbox"/>	(Area) Practical Difficulties
Air Conditioners and Generators: <i>(Complete HVAC Permit for A/C or Electrical Permit for Generators)</i>		
<ul style="list-style-type: none"> • In side yard <10' from property line or in front yard 	<input type="checkbox"/>	(Area) Practical Difficulties
Parking: <i>(Complete Building Permit Application)</i>		
<ul style="list-style-type: none"> • < the number of spaces required 	<input type="checkbox"/>	(Area) Practical Difficulties
<ul style="list-style-type: none"> • Setback from property line 	<input type="checkbox"/>	(Area) Practical Difficulties

PRACTICAL DIFFICULTIES

ALL QUESTIONS REQUIRE A COMPLETE RESPONSE

R.R.C.O. 1133.17(c)(1). In order to grant an area variance, the following factors shall be considered and weighted by the Board of Appeals to determine practical difficulty:

A.) Describe what special conditions and circumstances exist which are peculiar to the land or structure involved and which are not applicable generally to other land or structures in the same zoning district (i.e., exceptional irregularity, narrowness, shallowness or steepness of the lot; or proximity to non-conforming and inharmonious uses, structures or conditions).

The building faces direct, unobstructed westward-facing orientation with extensive storefront glazing and subjects the building's interior to intense, low-angle afternoon sunlight and thermal heat gain.

Requested variance for installation of perforated window film is necessary to mitigate this condition

B.) Explain whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance (discuss use limitations without the variance).

Without the requested variance, the property cannot yield a reasonable return, and its beneficial use will be severely compromised. The primary commercial utility of this space is dedicated to indoor golf simulation technology, which relies entirely on controlled lighting environments for clear image projection.

C.) Explain whether the variance is substantial and is the minimum necessary to make possible the reasonable use of the land or structures (demonstrate how much the variance request deviates from Code requirements, i.e., coverage is 1 or 2% above Code, or setback is 1 or 2 feet less than Code requirement).

Per the zoning code, the total area of window signage is limited to twenty-five percent (25%) of the total window area. To mitigate the severe afternoon sun glare washing out the internal simulator screens, the proposed design requires the installation of perforated window film covering 100% of the storefront glazing

D.) Explain whether the essential character of the neighborhood would be substantially altered and whether adjoining properties would suffer substantial detriment as a result of the variance (discuss the increase of value, use, and aesthetic appeal for both your property and adjoining properties, together with any negative impact to adjoining properties).

From the exterior, the perforated film presents a clean, uniform, and highly professional appearance that seamlessly integrates with the surrounding commercial district. It avoids the cluttered, disorganized look of temporary interior blinds or makeshift sunshades. Because it is perforated, it maintains a clean architectural facade while allowing occupants inside to see out, preserving the active feel of the streetscape.

E.) Explain whether the variance would adversely affect the delivery of governmental services, such as water, sewer, or trash pickup.

The proposed modification is entirely non-structural and is strictly confined to the application of perforated film on the existing storefront windows. The project does not alter the physical footprint of the building

F.) Explain whether the property owner purchased the property with knowledge of the zoning restrictions.

The applicant was aware of the general zoning regulations of the district at the time of acquisition.

However, the specific hardship encountered is not self-imposed; it is a unique operational conflict resulting from the physical orientation of the existing structure and uncontrollable environmental factors.

G.) Explain whether special conditions or circumstances exist as a result of actions of the owner.

The special conditions and circumstances dictating the need for this variance are absolutely not the result of any actions taken by the owner.

H.) Explain whether the property owner's predicament feasibly can be obviated through some method other than a variance (why other means and methods of property improvements or enhancements would not suffice).

The interior layout cannot be altered. Installing standard interior blinds or shades eliminate all natural ambient light and create maintenance and safety issues.

I.) Explain whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting a variance (discuss the positive impact of your improvement on your property and on the surrounding neighborhood).

The proposed use of perforated window film directly honors this intent. Because the film is professionally designed and utilizes micro-perforations, it maintains a clean, uniform, and high-end aesthetic from the exterior.

J.) Explain whether the granting of the variance requested will confer on the applicant any special privilege that is denied by this regulation to other lands, structures, or buildings in the same district. The granting of the requested variance will absolutely not confer any special privilege upon the

applicant. It provides the property with equal standing and the same opportunity for reasonable, permitted commercial use enjoyed by other properties in the same zoning district.

K.) Explain whether a literal interpretation of the provisions of this Code would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Code. Yes, a literal interpretation and strict enforcement of the 25% window coverage provision would

deprive the applicant of rights commonly enjoyed by other properties in the same district. The most fundamental right shared by commercial tenants and property owners under this Code is the right to fully utilize the interior square footage of their premises for a permitted use during standard operating hours.

PLEASE NOTE: A separate Permit Application and fee will be due prior to issuance of the Building Permit. NO CONSTRUCTION IS TO BEGIN until the Building Permit has been issued.