

TYPICAL VARIANCE SHEET

Please check appropriate box and answer questions as directed.

	Check as Applicable	VARIANCE STANDARD
Any functional, land or building USE not specifically permitted in either a particular zoning district, or otherwise not permitted by the Development Code	☐	(Use) Unnecessary Hardship
ADDITIONS & BUILDINGS: <i>(Complete Building Permit Application)</i>		
Rear, side & front setbacks	☐	(Area) Practical Difficulties
Coverage (>28%)	☐	(Area) Practical Difficulties
DRIVEWAYS: <i>(Complete Building Permit Application)</i>		
Width	☐	(Area) Practical Difficulties
Distance from property line	☐	(Area) Practical Difficulties
Circular if		

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).

This 2,925sf tenant suite in the plaza is required to provide off-street parking and there is no space to expand the existing shared parking area for the plaza. Parking agreements have been secured to offset some parking pressure. Per the zoning code calculations for parking, there would only be 9 free parking spaces available for this tenant to use when factoring in the shared parking agreements.

- 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 a variance for parking, the tenant space would be forced to remain vacant.

- 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

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

Approving this parking variance to allow a new tenant to occupy the vacant suite in the plaza would not impact the governmental services to the plaza, as it is already set up to serve all tenants.

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

The property owner is aware of the parking guidelines laid out in the zoning code. It would be reasonable to expect the existing plaza was originally constructed to be compliant with all zoning codes and to provide adequate parking to be able to occupy all tenant suites in the plaza.

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

The plaza building footprint was not altered or expanded by the owner, and the existing parking lot should be sufficient to serve all businesses within the plaza as it was originally designed/constructed.

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 only other solution to viably occupy this tenant suite without a parking variance would be to require limited hours of operation for this tenant outside of peak hours, which would drastically limit the economic viability of a business in this tenant space.

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