

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 lot width is <90'	☐	(Area) Practical Difficulties
SIGNS: <i>(Complete Sign Permit Application)</i>		
Area allowed (maximum sq. ft.)	☒	(Area) Practical Difficulties
Height	☒	(Area) Practical Difficulties
Front setback	☒	(Area) Practical Difficulties
Lot width <100'	☐	(Area) Practical Difficulties
Number of items of information	☐	(Area) Practical Difficulties
On side of building	☐	(Area) Practical Difficulties
FENCES: <i>(Complete Fence Permit Application)</i>		
Height or Openness	☐	(Area) Practical Difficulties
Front Yard (in setback)	☐	(Area) Practical Difficulties
ACCESSORY BUILDINGS (Play Structures, Storage Sheds: <i>(Complete Accessory Structure Permit Application); Detached Garages:</i> <i>(Complete Building Permit Application)</i>		
Note: Total square footage of all accessory buildings, including detached garages, is not to exceed 600 square feet.)		
Height	☐	(Area) Practical Difficulties
Setback from property line	☐	(Area) Practical Difficulties
Square footage	☐	(Area) Practical Difficulties
Air Conditioners and Generators: <i>(Complete HVAC Permit for A/C or Electrical Permit for Generators)</i>		
In side yard <10' from property line or in front yard	☐	(Area) Practical Difficulties
Parking: <i>(Complete Building Permit Application)</i>		
< the number of spaces required	☐	(Area) Practical Difficulties
Setback from property line	☐	(Area) Practical Difficulties

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19440 Frazier Drive

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 property has an unusually steep and substantial grade change from Frazier Drive to the waterfront, along with extensive retaining wall construction and multiple structures across the site. The steep slope and configuration of the property significantly limit practical locations for the proposed Frazier Drive construction signs while maintaining the required setback.

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).

The property can be beneficially used without the variance; however, the requested relief is necessary to provide reasonable temporary project identification given the unique site conditions and location of the proposed signs.

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).

The revised variance request has been substantially reduced. The Frazier Drive sign will comply with permitted size and height requirements, with relief only for placement. The river-facing sign has been reduced from 32 sq. ft. to 18 sq. ft. The requested relief is the minimum necessary to provide reasonable project identification.

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).

No. The signs will be temporary and located entirely on the subject property in connection with the active construction project. Their proposed locations and scale are not expected to negatively affect the use, value, or aesthetic character of adjoining properties or the surrounding neighborhood.

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

No. The requested variances will have no effect on the delivery of governmental services, including water, sewer, garbage collection, police, fire, or other public services.

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

It is unknown whether the property owner was aware of the specific temporary construction sign restrictions at the time the property was acquired.

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

No. The steep grade, waterfront location, and physical configuration of the property are inherent site conditions and weren't created by the property 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 difficulty can't be avoided w/o variance relief. The steep slope and configuration limit practical locations for a sign meeting the required setback. It's been reduced to 18.5 ft to provide visibility.

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

Yes. The signs will remain temporary and associated solely with the active construction project. Granting the requested variance would allow reasonable project identification while preserving the intent of the temporary sign regulations and wouldn't create a permanent nonconforming condition.

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.
No. The requested variances are based on the unique physical characteristics of the property and the unusually extensive construction activity occurring on the site. Approval would apply only to these temporary project signs and wouldn't establish a permanent sign right or condition.

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.
No. Granting the requested variances for these temporary construction signs wouldn't restrict or otherwise affect any rights enjoyed by neighboring or other properties within the same zoning district.

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.