

CONCURRENT VARIANCE REQUEST

SITE PLAN AMENDMENT

RZ 06-05

REQUEST TO REDUCE 30% OPEN SPACE REQUIREMENT TO 25%

1. There are extraordinary and exceptional conditions or practical difficulties pertaining to the particular piece of property in question because of its size, shape, topography that are not applicable to other lands or structures in the same district.

Our proposed use for the property is less intense than the currently approved proposed use. Due to the majority of the site being planned for single family detached product we are unable to meet the 30% requirement.

2. Any information whereby a literal interpretation of the provisions of this ordinance would effectively deprive the applicant of rights commonly enjoyed by other properties in which the applicant's property is located.

It is our belief that the intent of the ordinance is to promote open areas for use by the entire development. The proposed plan has taken this intent into consideration and provided pocket parks, trails, and pedestrian connectivity throughout the community to accommodate this requirement.

3. Any information supporting that granting the variance requested will not confer upon the property of the applicant any special privileges that are denied to other properties of the district in which the applicant's property is located.

The overall density has decreased from the currently approved plan thus there are no special privileges granted in this case.

4. Any information that the requested variance will be in harmony with the purpose of the intent of this ordinance and will not be injurious to the neighborhood or to the general welfare.

The granting of this variance will not be injurious to the neighborhood or general welfare.

5. Any information that special circumstances are not the result of the actions of the applicant.



The site is currently in the planning phase thus granting of this variance is not the result of any past actions.

6. Any information that the variance request is the minimum variance that will make possible the proposed use of the land, building, or structure in the use district proposed.

We are requesting the minimum variance that will allow our proposed land plan to adhere to City ordinances.

7. Any information that the variance shall not permit a use of land, buildings, or structures, which is not permitted by right in the zoning district or overlay district involved.

All proposed uses for the parcel are currently permitted within the zoning district.

