
F D Communities, LLC
APPLICANT RESPONSE STATEMENT
VARIANCES

1) Explain requested variance.

Variance to LDO Sec. 18.409 to allow the driveway to be 20 feet wide.

2) There are exceptional and extraordinary conditions pertaining to the particular piece of property in question, due to its size, shape or topography.

The property is zoned for the subject lots to be front loaded. However, the driveway width limitation makes the properties unmarketable because of parking and turning requirements for most homeowners. Therefore, the applicant seeks a variance for only those homes that are front loaded to have a 20 foot wide driveway.

3) The application on these regulations to this particular piece of property would create a practical difficulty or unnecessary hardship.

The narrow driveways would have to flare out to accommodate access to the garages creating an odd look and impractical turning movements.

4) Such conditions are peculiar to the particular piece of property involved.

The variance lots are only the front loaded lots that are on the southern edge of the property. These lots create a peculiar condition requiring the variance.

5) A literal interpretation of this ordinance would deprive the applicants of any rights that others in the same district are allowed.

The applicant is not seeking any variances that increase the density of the project but only result in a development that will be attractive and in keeping with the land use plan and underlying zoning category.

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- 6) **Relief, if granted, would not cause substantial detriment to the public good, or impair the purposes and intent of this ordinance.**

The applicant is not seeking any variances that increase the density of the project but only result in a development that will be attractive and in keeping with the land use plan and underlying zoning category.

- 7) **Special circumstances or conditions applying to the building or land or building and land in question are peculiar to such premises and do not apply generally to other land or buildings in the vicinity.**

The subject property is unique and the requested variances only relate to the unique features of the property.

- 8) **Granting of the application is necessary for the preservation and enjoyment of a property right and not merely as a convenience to the applicant.**

The applicant has a right to develop the property in a reasonable fashion and the proposed variances are minor and only relate to unique features of the property.

- 9) **The condition from which relief or a variance is sought did not result from willful action by the applicant.**

The applicant did not subdivide the property into its configuration which created the necessity for the proposed variances.

- 10) **Authorizing the variance will not impair adequate supply of light and air to adjacent property or unreasonably increase the congestion of public streets, increase danger of fire, imperil the public safety, unreasonably diminish or impair established property values within the surrounding areas or in any other respect impair the health, safety, comfort, morals or general welfare of the inhabitants of the City.**

The proposed variances do not impair the rights of adjacent properties nor does it create a burden on the public infrastructure. The variances do not increase the density allowed by the underlying zoning or encouraged by the comprehensive plan and future development map.