

APPLICANT RESPONSE STATEMENT- VARIANCES

The applicant finds that the following standards are relevant in balancing the interest in promoting the public health, safety, morality, or general welfare against the right to unrestricted use of property and shall govern the exercise of the zoning power.

If this application is in response to a variance, please respond to the following standards in the form of a written narrative. In the case of concurrent variances, a response to the standards below should be provided for each variance requested.

1. Explain requested variance.
 - a. Reduce the buffer adjacent to residential from 75 feet to 20 feet for a proposed self-storage facility.
 - b. Increase the allowed height within the Highway 92 Overlay from 40 feet to 44.5 feet.
2. There are exceptional and extraordinary conditions pertaining to the particular piece of property in question, due to its size, shape or topography.
 - a. The property is relatively narrow and has steep topography making a buffer reduction necessary to develop the property. The use is quiet compared to other GC uses so the larger buffer isn't needed to protect the residential neighbors from noise, light or other impacts.
 - b. The topography creates a situation where the average mean height is inconsistent and the increase in the height is needed to handle the building on the subject property.
3. The application of these regulations to this particular piece of property would create a practical difficulty or unnecessary hardship.
 - a. The property is relatively undevelopable without the reduction in the buffer because of the properties narrow shape.
 - b. The topography creates the situation that requires the height variance.
4. Such conditions are peculiar to the particular piece of property involved.

The width and topography of the property is unique to this property and both conditions lead to the proposed variance.
5. A literal interpretation of this ordinance would deprive the applicants of any rights that others in the same district are allowed.

The subject property is zoned GC and the applicants would be deprived of a reasonable use of their property if the variances aren't granted.
6. Relief, if granted, would not cause substantial detriment to the public good, or impair the purposes and intent of this ordinance.

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The proposed use is quiet and the variances would not cause any detriment to the public good or impair the intent of the ordinance.

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 narrow and has topography and these conditions are peculiar to the subject property.

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

The applicant is entitled to a reasonable use of the property that is zoned GC and the variances only allow the applicant to enjoy this property right.

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

The applicant did not create the conditions that relate to 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 the 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 applicant proposes an enhanced landscaped buffer to create the separation between the quiet self-storage facility and the existing residential property. The variances will not impair any property rights for the adjacent property owners or nearby property owners.