

APPLICANT RESPONSE STATEMENT

ANNEXATIONS AND REZONINGS

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 an annexation and/or rezoning, please respond to the following standards in the form of a written narrative:

1. Explain the intent of the requested zoning. *INCREASE LOT AREA TO TRANSITION GRADE AND ALLOW CONSTRUCTION OF HOMES ON LOTS 1 THROUGH 5.*
2. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property. *THE VARIANCE REQUEST DOES NOT IMPACT THE USE AND SUITABILITY OF THE EXISTING PROJECT*
3. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property. *NO IMPACT TO ADJACENT PROPERTIES*
4. Whether the property to be affected by a proposed zoning has a reasonable economic use as currently zoned. *ECONOMIC IMPACT OF LOTS 1-5 WILL BE GREATLY DIMINISHED WITHOUT THIS VARIANCE*
5. Whether the proposed zoning will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. *NO BURDEN*
6. Whether the proposed zoning is in conformity with the policy and interest of the land use plan. *THE VARIANCE IS IN CONFORMITY WITH THE INTENT OF THE LAND USE PLAN.*
7. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approved or disapproval of the proposed zoning. *THE TRANSITION OF GRADES FROM DUPREE ROAD TO THE LOT ELEVATION MAKES IT EXCESSIVELY DIFFICULT TO CONSTRUCT A SINGLE FAMILY HOME ON LOTS 1-5 WITHOUT BUILDING A SIZABLE WALL AND THE CURRENT DEPTHS OF THE LOTS RENDER THEM DIFFICULT TO BUILD WITH MY CURRENT PLAN PORTFOLIO.*

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. *5' SIDE SETBACKS ALLOW MINIMAL FLEXIBILITY IN SITING THE HOUSE ON EACH LOT. 0' SIDE SETBACKS GIVES US THE FLEXIBILITY NEEDED*
2. There are exceptional and extraordinary conditions pertaining to the particular piece of property in question, due to its size, shape or topography. *LOTS ARE SMALL AND THE BUILDING TOLERANCES ARE VERY TIGHT.*
3. The application of these regulations to this particular piece of property would create a practical difficulty or unnecessary hardship. *THERE IS NO APPRECIABLE DIFFERENCE IN WHAT EXISTS AND WHAT I AM REQUESTING FROM AN APPEARANCE STANDPOINT.*
4. Such conditions are peculiar to the particular piece of property involved. *SIDE SETBACKS ARE STANDARD*
5. A literal interpretation of this ordinance would deprive the applicants of any rights that others in the same district are allowed. *THERE ARE OTHERS USING A 0' SIDE SETBACK WITH A 10' DISTANCE BETWEEN BUILDINGS*
6. Relief, if granted, would not cause substantial detriment to the public good, or impair the purposes and intent of this ordinance. *NONE AT ALL*
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. *LOTS ARE SMALLER*
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. *ALLOWS FOR MORE FLOORPLAN DESIGN FLEXIBILITY AND SITING OF HOUSE DUE TO TOPOGRAPHIC CHARACTERISTICS*
9. The condition from which relief or a variance is sought did not result from willful action by the applicant *EXISTING TOPOGRAPHY IS THE CHALLENGE*
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.

NO

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. *ALLOWS MORE ROOM / AREA ON THE FRONTS OF THE LOTS TO TRANSITION FROM PORCH AND FRONT STAIRS TO SIDEWALK AT LOWER ELEVATION.*
2. There are exceptional and extraordinary conditions pertaining to the particular piece of property in question, due to its size, shape or topography. *TOPOGRAPHY IS MAKING IT DIFFICULT TO PLACE STAIRS OUTSIDE OF THE SIDEWALK.*
3. The application of these regulations to this particular piece of property would create a practical difficulty or unnecessary hardship. *CURRENT PLAN PORTFOLIO WOULD HAVE TO BE SIGNIFICANTLY REDESIGNED TO FIT LOT AREA*
4. Such conditions are peculiar to the particular piece of property involved. *TOPOGRAPHICAL NATURE OF THE LOTS REQUIRES SIGNIFICANT ELEVATION TRANSITION.*
5. A literal interpretation of this ordinance would deprive the applicants of any rights that others in the same district are allowed. *THE IMPACT IS ECONOMIC AND AESTHETIC*
6. Relief, if granted, would not cause substantial detriment to the public good, or impair the purposes and intent of this ordinance. *NONE AT ALL.*
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. *TOPOGRAPHY IS ALWAYS PROPERTY SPECIFIC.*
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. *IT IS A MATTER OF PRACTICALITY FROM AN CONSTRUCTIONAL STANDPOINT.*
9. The condition from which relief or a variance is sought did not result from willful action by the applicant *BALANCING GRADE TRANSITIONS / TOPOGRAPHY IS THE REASON FOR THIS REQUEST*
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.
NOT IN ANY MANNER WHATSOEVER.

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. *SIDEWALK AND PLANTING STRIP REDUCTION ALLOWING MORE ROOM FOR THE CONSTRUCTION OF A RESIDENCE WHILE BETTER TRANSITIONING GRADES*
2. There are exceptional and extraordinary conditions pertaining to the particular piece of property in question, due to its size, shape or topography. *TOPOGRAPHY ELEVATES THE LOTS 3-6 ABOVE DUPRE ROAD*
3. The application of these regulations to this particular piece of property would create a practical difficulty or unnecessary hardship. *I WOULD BE UNABLE TO BUILD MY CURRENT PLAN PORTFOLIO AND WOULD HAVE TO INSTALL AN EXPENSIVE, ~~PROPOSING~~ AND UNATTRACTIVE WALL*
4. Such conditions are peculiar to the particular piece of property involved. *EXTREME TRANSITION OF TOPOGRAPHY*
5. A literal interpretation of this ordinance would deprive the applicants of any rights that others in the same district are allowed. *THE IMPACT IS ECONOMIC AND AESTHETIC*
6. Relief, if granted, would not cause substantial detriment to the public good, or impair the purposes and intent of this ordinance. *NONE AT ALL*
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. *TOPOGRAPHY IS ALWAYS PROPERTY SPECIFIC*
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. *2-3 LOTS MAY BE UNBUILDABLE.*
9. The condition from which relief or a variance is sought did not result from willful action by the applicant *EXISTING TOPOGRAPHY IS THE OBSTACLE, ORIGINALLY TOO HIGH.*
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.

NO

AUG 07 2015