

VARIANCE 1: TABLE 12.A: T5: STANDARDS, BUILDING PLACEMENT

1. Explain requested variance.

Variance from Table 11.A: T4 Standards, Building Placement. T4 transect district requires a 18' maximum front setback for primary, 10' front setback for secondary, 6' minimum side setback and 3' minimum rear setback. The Applicant would like to request a variance to exceed the maximum building setbacks as shown on the site plan.

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

The existing steep topography of the site, in addition to a large quantity of subsurface rock, prohibit the building location from complying with the T5 transect district requirements.

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

The proposed use on this site is for a 148,000 +/- Costco Warehouse retail store. There are extreme development constraints existing on the site, specifically the topography and rock materials prohibit a building of the size from meeting the literal interpretation of the code. The Applicant also finds that by meeting the literal interpretation of this code section would put the safety of pedestrians at risk due to vehicular traffic at the store front.

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

The conditions identified in the response #2 and #3 above are peculiar to the particular piece of property due to existing topographical constraints and unsuitable development materials on the property involved.

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

A literal interpretation of Table 11.A: T4 Standards, Building Placement would deprive the Applicant of rights that others in the same district are allowed. There is a significant hardship placed on the Applicant by requiring the Applicant to meet the literal interpretation of the table due to existing conditions on the site. Furthermore, following the literal interpretation of the Table would put the safety of pedestrians at significant risk due to vehicular traffic at the store front.

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

Relief from the literal interpretation of Table 11.A would not cause substantial detriment to the public good, or impair the purposes and intent of 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.**

There are special conditions applying to the building and land in questions that do not apply generally to other buildings and lands in the vicinity. The land is burdened by extreme topography and unsuitable soil materials that create a hardship on the Applicant to comply with the literal interpretation of the code. The hardship created by Table 11.A is further exacerbated by the size of the building. The building size, which is proposed at 148,000 +/- square feet, was not contemplated during the writing or approval of the Ordinance. As such, the Applicant believes particular variances from Table 11.A should be considered to maintain the health, safety and welfare of pedestrians.

- 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.**

Granting the request for a variance in the setback requirements of Table 11.A is necessary for the preservation and enjoyment of a property right and not merely to serve as a convenience to the applicant.

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

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

- 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.**

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