

---

## **APPLICANT RESPONSE STATEMENT VARIANCES**

**1) Explain requested variance.**

DT-RO restricts single family residences facing Main Street. The applicant proposes ten (10) single family attached homes with some of the homes facing Main Street. The applicant will be creating the D1 Street on Linton Street and will create a streetscape along Main Street. However, the on-street parking will not be sufficient to support nonresidential uses facing Main Street. If parking is established along Main Street to support non-commercial uses, this would compromise the applicant's ability to establish the requested sidewalk along Main Street. In order to best develop the property and create a streetscape that is attractive and beneficial to the entire area, a variance to allow homes to face Main Street is required.

**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 very narrow and has road frontages on both Main Street and Linton Street. The DT development ordinance requires significant infrastructure improvements which makes redevelopment of the property a financial challenge and a practical challenge with limited property depth. The narrow road frontage along Main Street is not conducive to non-residential development.

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

The market for nonresidential uses this far north on Main Street would make development of the property for nonresidential use impossible. Additionally, the applicant has to recoup the large expenses that relate to the road and sidewalk improvements that are mandated by the DT ordinance.

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

The property is unique in that it is narrow and has a significant amount of road frontage that requires a significant amount of infrastructure improvements.

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

The properties to the north of the subject property on Main Street are all residential. The requirement that would require nonresidential uses on this section of Main Street is impractical.

**JUL 08 2016**

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

The proposed homes will make an attractive streetscape along Main Street and the additional residents will support the retail and restaurants that are located at the center of town.

- 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 property is narrow and has multiple road frontages with a lot of required infrastructure improvements. This property condition is peculiar to the property and does not apply to other properties.

- 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 reasonably develop its property. The variance will allow the applicant to develop the property and to comply with reasonable infrastructure improvements that are part of the DT ordinance.

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

The property in question is narrow and is compromised with multiple road frontages. The applicant did not create this condition.

- 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 variance will not negatively affect the light or air as it relates to adjacent property. The ten homes will not unreasonably increase congestion on the public streets. The variance will only increase the value of nearby properties.