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JAN 25 2018

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MAGUIRE PROPERTIES, LLC

VARIANCE JUSTIFICATION

The proposed variance, which will allow the proposed vehicle use area (VUA) to encroach on the required 25' street side yard setback along Elmwood Avenue, will not adversely affect the public health, safety or welfare. The proposed variance will permit the applicant to remove the existing parking lot from its current location in the right of way and relocate it adjacent to the existing building, as intended in the original plan for the property. The relocation of the parking lot will restore the right of way and create a new 10' landscape buffer along Elmwood Avenue. The elimination of pull-in/pull-out parking from the right of way will improve the safety of through traffic along Elmwood Avenue and the safety of vehicles parking at the property.

The variance will not alter the essential character of the general vicinity as the proposed use of the property as a medical office is appropriate for the current C-1 commercial zoning and is consistent with the current use as an interior design office. The proposed variance will allow the applicant to improve the appearance of the property by removing the existing gravel parking lot from out of the right of way and creating a new 10' landscape buffer.

The variance will not cause a hazard or nuisance to the public. The relocation of the parking lot will improve the safety of through traffic along Elmwood Avenue by restoring the right of way and improve the safety of vehicles parking at the property by providing parking that is separated from the right of way by the new 10' landscape buffer.

The variance will not allow an unreasonable circumvention of the requirements of the zoning regulations. The variance will allow the applicant to substantially improve the existing parking lot by moving it out of the right of way and paving it, as was contemplated when the plan was approved in 1981.

The variance arises from special circumstances that do not generally apply to land in the vicinity of the project. The variance is the result of the current location of the parking lot within the right of way on Elmwood Avenue, and the applicant's proposal to move the parking lot entirely onto the subject property. The variance is necessary to create a new paved parking lot between the existing building and the Elmwood Avenue right of way that is large enough to permit proper vehicle circulation and maneuvering space.

The strict application of the regulations would create an unnecessary hardship because it would force the applicant to reconfigure the proposed parking lot. The proposed variance will permit the applicant to significantly improve the current configuration, which provides no landscape buffer and has a parking lot located within the right of way.

The circumstances are not the result of actions taken by the applicant subsequent to the adoption of the zoning ordinance but are, instead, the result of the currently non-conforming location of the parking lot. The variance will restore the right of way and create a new 10'

landscape buffer along Elmwood Avenue, which will improve the safety of through traffic and vehicles parking at the property.

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