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Variance Justification:

In order to justify approval of any variance, the Board of Zoning Adjustment considers the following criteria. Please answer all of the following items. Use additional sheets if needed. A response of yes, no, or N/A is not acceptable.

1. Explain how the variance will not adversely affect the public health, safety or welfare.

The variance will not adversely affect the public health, safety, or welfare due to the property line being added for financial purposes only and shall only affect the subject site not the general public.

2. Explain how the variance will not alter the essential character of the general vicinity.

The variance shall not alter the character of the general vicinity due to the subject site's character being similar to other properties in the area. The proposed property line is for financial purposes and not truly a subdivision of properties.

3. Explain how the variance will not cause a hazard or a nuisance to the public.

The variance will not cause a hazard or nuisance to the public, the proposed property line is for financial reasons and the site shall be retained and ran as one entity.

4. Explain how the variance will not allow an unreasonable circumvention of the requirements of the zoning regulations.

The variance will not allow an unreasonable circumvention of zoning regulations, the property line is for financial purposes and does not constitute a subdivision of uses or owners. The entire property shall act as the facilities for both buildings.

Additional consideration:

1. Explain how the variance arises from special circumstances, which do not generally apply to land in the general vicinity (please specify/identify).

The land in the general vicinity of the subject site is mainly residential, there are some similar properties located across Interstate 264 that have similar circumstances. This property is one entity however the proposed property line is needed for construction financing.

2. Explain how the strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create unnecessary hardship.

The strict application of the regulation would create unnecessary hardship on the applicant due to the site constraints and the required size of the proposed detention basin and parking lot.

3. Are the circumstances the result of actions of the applicant taken subsequent to the adoption of the regulation from which relief is sought?

The circumstances are not the result of actions subsequent to the adoption of the regulation.

General Waiver Justification:

In order to justify approval of any waiver, the Planning Commission or Board of Zoning Adjustment considers four criteria. Please answer **all** of the following questions. Use additional sheets if needed. **A response of yes, no, or N/A is not acceptable.**

1. Will the waiver adversely affect adjacent property owners?

The requested waiver shall only affect the two properties being created with this Revised Development Plan and corresponding Minor Plat. The existing perimeter property boundary between the subject properties and the adjacent property owners has an existing stand of trees and screening privacy fence which screens the area of waiver from all adjacent property owners.

2. Will the waiver violate the Comprehensive Plan?

The waiver does not violate the Comprehensive Plan due to the site, while separate, being the same land use, conditional use, intensity, and form district. Both facilities are compatible uses with one another, the property line addition is for construction financial purposes.

3. Is extent of waiver of the regulation the minimum necessary to afford relief to the applicant?

The waiver of the regulation is the minimum necessary to give relief to the applicant due to the limited space on the subject site for the required site elements such as the proposed parking and detention basin.

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4. Has either (a) the applicant incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived (net beneficial effect) or would (b) the strict application of the provisions of the regulation deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant?

The strict application of the provision would deprive the applicant from reasonable use of the land. The developer has met and worked with the City of Northfield and the adjacent property owners to create a site layout plan and proposed building that is acceptable and fitting the surrounding neighborhood context. The limitations of the site require the proposed parking and detention basin to be located within the area that the required landscape buffer yard would go.