

Variance Justification Form

Variances Requested – State variance(s) requested specifically in detail. Please attach separate sheet(s) as necessary.

To allow for the off-sale of alcohol within 100 feet of residences

Required Findings – Answer each of the following questions “YES” or “NO” and then explain your answer in detail. Questions 1 & 2 must be answered “YES” and 3 & 4 “NO” to justify granting of a variance. Attach written details if insufficient space is provided on this form. Economic hardship is not an allowable justification for a variance.

1. Will the strict application of the provisions of the Zoning Code result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the Zoning Code? (In other words, explain why it would be difficult to comply with the development standards) *Explain in detail.*

Yes. In order to operate an ARCO AMPM we are required to allocate seven refrigerator doors for the sale of beer and wine. We are also required to comply with AMPM's plan-o-gram and promotions in sale of beer and wine. In fact, beer and wine are hallmark offerings of all convenience stores, without which they can not operate, rendering mute the intent of the Zoning Code.

2. Are there special circumstances or conditions applicable to your property or to the intended use or development of your property that do not apply generally to other property in the vicinity and under the identical zoning classification? (In other words, explain what special circumstances this specific property has that would justify the deviation from the development standards) *Explain in detail.*

Yes, The proprietary products and services provided by ARCO AMPM are different and unique to the area. In addition our franchise fee and royalties contribute toward funding for Mothers Against Drunk Driving (MADD) and high school and college education programs geared toward teaching the dangers of alcohol abuse.

3. Will the granting of such variance prove materially detrimental to the public welfare or injurious to the property or improvements in the zone or neighborhood in which your property is located? (In other words, explain how approving such deviations from the standards will not impact the public). *Explain in detail.*

No. Granting of this variance will have no negative impact to the neighborhood. We have significant experience managing sale of beer and wine in our convenience stores. We use state of the art cash registers, an extensive surveillance system and require our managers to attend Licensee Education on Alcohol and Drugs (LEAD) training and then train all other employees. In addition we restrict the sale of beer and wine from 2 AM to 6 AM.

4. Will the granting of such variance be contrary to the objectives of any part of the General Plan? (In other words, explain how the requested variance is in compliance with the goals, policies and objectives of the General Plan 2025? *Explain in detail.*

No. Some of the stated goals in the general plan 2025 are for the City to be a place for employment. We anticipate creating many new jobs for the community. In addition, we hope to capture the entrepreneurial spirit of the City by contributing to the local business of the neighborhood.