

Variance Justification Form

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

① Open space variance

② Front setback variance

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. The courtyard above WAMP is not "legally" considered to be an open space. In reality, the courtyard is open space. The front setback is to allow better pedestrian access and consistent with the city's preferred design.

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. There is existing city-built retaining wall at the front of property which shall be kept intact & there are stairs access to the property. So the development is pushed forward to be consistent. The development will provide more than required minimal open space area with the Green Roof concept.

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. The front setback will be good for the public because it provides better access & aesthetic. Open space has no impact to the public because it is just another of "legal" formula. The actual open space still present.

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. The variance will allow a better development & provides more housing supply for the general public.