

Exhibit 7

The Enclave on Book Subdivision

Standards for Granting a Zoning Variance Section 6-3-6:2

The board shall not recommend nor shall the city council grant a variance from the regulations of this title unless it shall make findings based upon the evidence presented to in in each specific case that: (Ord. 05-028, 2-15-05)

1. The variance is in harmony with the general purpose and intent of this title.

The general purpose and intent of the Ordinance is to provide for uniform character or appearance in the district. The development property proposed consists of similar lot sizes for single family detached homes. Therefore, the requested variance would be in harmony with the general purpose and intent of the Ordinance.

2. Strict enforcement of this title would result in practical difficulties or impose exceptional hardships due to special and unusual conditions which are not generally found on other properties in the same zoning district.

The unique location of the proposed development, a cul-de-sac surrounded by an existing developed neighborhood, combined with the proposed extra wide 15' public utility and drainage easement, are unique conditions that cause an unnecessary hardship to the site and are not caused by the Owner or Petitioner.

3. The variance, if granted, will not alter the essential character of the neighborhood and will not be a substantial detriment to adjacent property.

The proposed deviation does not lessen the total side yard setback provided in the Title and provides for the exact same total side yard setback as the neighbors. The proposed deviation allows for up to a two foot shift of the minimum side yard setback, which if approved would not alter the essential character of the existing neighborhood, and therefore would not be contrary to the intent and purpose of the provisions of this Title.