

EXHIBIT 7

The Enclave

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

Variance:

Reduced Side Yard Setback Variance: From 25 ft. total, minimum of 10 ft., to 22 ft. total, minimum of 10 ft., conditioned on the selection of the 3-car garage option.

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

The proposed development will have fourteen (14) elevation options, with seven (7) different floor plan. Six (6) of the seven (7) proposed floor plans offer a three-car garage option. The two-car option homes are 45' wide, and the three-car garage homes are 56' wide. The minimum lot width in the proposed development is 78' (six lots). Therefore, the total minimum side yard setback, on the narrowest lots, would be 33' for the two-car garage plan, 8' greater than required under R1; and 22' for the three-car garage plan, 3' less than required under R1. With this being an age restricted development there would be a higher probability that the two-car garage would be selected, resulting in greater separation of homes.

For the above-stated reasons, the proposed variance is consistent with the general purpose and intent of this title.

- 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.**

Strict enforcement of this title creates a difficulty and imposes an exceptional hardship with the City's initiative to provide for senior housing, which is not found in other properties in same zoning district, which are not age restricted.

- 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 essential character of the neighborhood is single-family detached homes, as is the proposed development. The variance does not alter, and is very consistent with the neighborhood.

Variance:

Reduced Front Yard Setback Variance: From 30 ft. to 25 ft, for lots 4-7.

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

The proposed development contains a cul-de-sac. Maintaining the 30' front yard setback around the "bulb" of the cul-de-sac forces the subject homes substantially back from the sight lines of the homes on the street before the bulb, and closer to the rear lot lines, and closer to existing neighbors. The intent and purpose of the underlying zoning district is to provide for consistent sight lines and minimize impact on neighboring properties. The requested variance provides for a more consistent sight line and greater distance from the rear lot line minimizing impact on existing homes.

For the above-stated reasons, the proposed variance does not undermine the intent and purpose of the underlying zoning district.

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.

Strict enforcement of this title creates a difficulty and imposes an exceptional hardship with the City's initiative to provide for senior housing, which is not found in other properties in same zoning district, which are not age restricted.

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 essential character of the neighborhood is single-family detached homes, as is the proposed development. The variance does not alter, and is very consistent with the neighborhood.

Variance:

Reduced Lot Width Variance: From 85 ft. to a minimum of 78 ft. for lots 2 through 9.

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

With the limited home widths of 45' and 56', as determined by garage selection, the required 85' lot width would result in total side yard setbacks of up to 40', far in excess of the 25' total required in the R1 zoning district. This would be inconsistent with the surrounding development and would defeat the goal of reducing maintenance requirements of an age restricted development. The intent and purpose of the underlying zoning district is to provide for consistent home separation and minimize impact on neighboring properties. The requested deviation provides for a more consistent home separation.

For the above-stated reasons, the proposed variance does not undermine the intent and purpose of the underlying zoning district.

- 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.**

Strict enforcement of this title creates a difficulty and imposes an exceptional hardship with the City's initiative to provide for senior housing, which is not found in other properties in same zoning district, which are not age restricted.

- 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 essential character of the neighborhood is single-family detached homes, as is the proposed development. The variance does not alter, and is very consistent with the neighborhood.

Variance:

90% Rule: Under the 90% Rule, the minimum lot size requirement is 15,425 sq. ft. Eight of the lots, lots 2-9, do not meet the 90% Rule.

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

The unique aspect of this development is that it is age restricted. A key component of age restricted developments is reduced maintenance. Strict adherence to the 90% rule is in direct conflict with the smaller lots required for the planned 45' or 56' wide homes and the amount of maintenance required for larger lots. Furthermore, the age restriction, by nature, limits the number of people living in each home, thus limiting the population and traffic impact on the surrounding community. The impact of age restricted developments are limited and not caused by the Owner or Petitioner.

- 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.**

Strict enforcement of this title creates a difficulty and imposes an exceptional hardship with the City's initiative to provide for senior housing, which is not found in other properties in same zoning district, which are not age restricted.

- 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 limits traffic and population. Thus the deviation, 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.