

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.