



For office use:

Case #:	Submission Date:	Planner Assigned:
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Where the Planning and Zoning Commission finds that undue hardships or practical difficulties may result from strict compliance with the City's Subdivision Regulations, it may recommend and the Council may approve variances so that substantial justice may be done and the public interest secured, provided that any such variance shall not have the effect of nullifying the intent and purpose of the Subdivision Regulations.

The Commission shall not recommend variances unless it finds and determines that the following criteria are met¹. Please explain how the requested variance complies with each of the below requirements:

1. The granting of the variance will not be detrimental to the public safety, health or welfare or injurious to other property or improvements in the neighborhood in which the property is located.

We are requesting that no additional ROW be dedicated along College Avenue since we have been informed by City Officials that College Avenue has reached its ultimate buildout per MoDOT. This variance will not effect public safety since adequate sidewalks are currently in place.

2. The conditions upon which the request for a variance is based are unique to the property for which the variance is sought, are not applicable generally to other property, and are not self-imposed.

Since College Avenue has reached its ultimate build-out, additional ROW will not improve the conditions adjacent to the property.

3. Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations was carried out; and

The Owner desires to provide as much on-site parking as possible to help reduce the congestion on Lee and Bouchelle. Dedicating additional ROW will further reduce, due to setback requirements, the amount of parking that can be provided.

4. The variance will not in any manner abrogate the provisions of the comprehensive plan of the City.

Since College Avenue has reached its ultimate build-out and adequate pedestrian facilities are already provided, the intent of the comprehensive plan is currently met.

¹ Per Section 25-20: Variances and exceptions