

Dutch Bros Variance Statement

The Applicant respectfully submits the following narrative in support of the requested five 6 foot variance from the required seventy-five (75) foot setback for audible electronic devices and menu board from a residential district. The proposed speaker and associated menu boards are located approximately 69 feet from the adjacent residential property line.

A. Special Conditions and Circumstances

The subject property is constrained by site layout, access requirements, and building placement, which limit feasible speaker locations while maintaining safe circulation and operational functionality. These conditions are peculiar to the property due to the depth of the lot and are not generally applicable to other properties within the same zoning district.

B. Not Self-Created

The conditions necessitating the variance result from the existing site configuration and applicable development requirements, and are not the result of actions taken by the Applicant.

C. Beneficial Use of the Property

Strict application of the seventy-five (75) foot setback requirement would unreasonably restrict placement of necessary site elements and impair the functional use of the property as permitted within the zoning district.

D. Minimum Relief Necessary

The requested variance is minimal in nature, representing only a 6 foot deviation. This is the least amount of relief necessary to accommodate the site design and intended use.

E. No Alternative Method

Given the site constraints and required layout elements, the difficulty cannot be resolved through redesign or relocation without creating conflicts with circulation, access, or other code requirements.

F. Neighborhood Character and Impact

The 6 foot reduction in setback will not substantially alter the essential character of the neighborhood nor cause substantial detriment to adjoining properties.

G. Governmental Services

The requested variance will not adversely affect the delivery of governmental services, including water, sewer, stormwater management, emergency access, or refuse collection.

H. Harmony with Zoning Intent

Granting the variance remains consistent with the general purpose and intent of the zoning requirement, as the deviation is minor and does not compromise public health, safety, or welfare.

I. No Special Privilege

Approval of this limited variance will not confer a special privilege, but rather allows reasonable use of the property under site-specific conditions while remaining consistent with the overall zoning framework.

For these reasons, the Applicant respectfully requests approval of the 6 foot variance from the required seventy-five (75) foot setback for the drive-thru speaker and menu board.