

TEMPLATE MOTIONS

VARIANCE #1 – HOURS OF OPERATION

Approval

Move to APPROVE the variance application for auto wash hours of operation between 7 a.m. and 10 p.m. at the subject property, 29022 Stephenson Highway, after the required public hearing, based upon the following findings:

- 1) The variance request meets the criteria for approving a variance contained in Section 10.804 of the Zoning Ordinance. In particular:
 - a. The strict application of the regulations would result in an exceptional practical difficulty for the business owner; and
 - b. The literal interpretation of the provisions of this ordinance deprives the applicant of rights commonly enjoyed by others in the same zoning district; and
 - c. Such relief may be provided without substantial detriment to the public good and without substantially impairing the intent and purposes of the Zoning Ordinance.

Denial

Move to DENY the variance application for auto wash hours of operation between 7 a.m. and 10 p.m. at the subject property, 29022 Stephenson Highway, after the required public hearing, based upon the following findings:

- 1) The variance request does not meet the criteria for approving a variance contained in Section 10.804 of the Zoning Ordinance. In particular:
 - a. The requested variance does not arise from the presence of an exceptional or extraordinary condition of the subject property; and
 - b. The strict application of the regulations does not result in an exceptional practical difficulty for the business owner; and
 - c. The literal interpretation of the provisions of this ordinance does not deprive the applicant of rights commonly enjoyed by others in the same zoning district; and
 - d. In the absence of the requested variance, the property could be used in a manner permitted by the Zoning Ordinance.

VARIANCE #2 – PROPERTY SETBACK

Approval

Move to APPROVE the variance application for a 10-foot setback from the property line adjacent to W. 12 Mile Road as shown on the conceptual site plan at the subject property, 29022 Stephenson Highway, after the required public hearing, based upon the following findings:

- 1) The variance request meets the criteria for approving a variance contained in Section 10.804 of the Zoning Ordinance. In particular:
 - a. The variance request arises from the presence of a unique shape and condition of the subject property; and
 - b. The strict application of the regulations would result in an exceptional practical difficulty for the business owner; and
 - c. Such relief may be provided without substantial detriment to the public good and without substantially impairing the intent and purposes of the Zoning Ordinance.

Denial

Move to DENY the variance application for a 10-foot setback from the property line adjacent to W. 12 Mile Road as shown on the conceptual site plan at the subject property, 29022 Stephenson Highway, after the required public hearing, based upon the following findings:

- 1) The variance request does not meet the criteria for approving a variance contained in Section 10.804 of the Zoning Ordinance. In particular:
 - a. The strict application of the regulations does not result in an exceptional practical difficulty for the business owner; and
 - b. The requested variance is not the minimum variance necessary; and
 - c. The requested variance results from the applicant's chosen site plan layout and building footprint; and
 - d. The literal interpretation of the provisions of this ordinance does not deprive the applicant of rights commonly enjoyed by others in the same zoning district.

VARIANCE #3 – CHAIN LINK FENCE

Approval

Move to APPROVE the variance application for landscaping in lieu of the required chain link fence at the subject property, 29022 Stephenson Highway, after the required public hearing, based upon the following findings:

- 1) The variance request meets the criteria for approving a variance contained in Section 10.804 of the Zoning Ordinance. In particular:
 - a. The literal interpretation of the provisions of this ordinance deprives the applicant of rights commonly enjoyed by others in the same zoning district; and
 - b. Such relief may be provided without substantial detriment to the public good and without substantially impairing the intent and purposes of the Zoning Ordinance; and
 - c. The special conditions are not the result of the applicant.

The variance is granted with the following conditions:

- 1) The Landscape Plan submitted with the site plan shall be substantially consistent with the preliminary plans submitted with the Special Approval and ZBA Variance applications, except for any required modifications placed as conditions of approval.

Denial

Move to DENY the variance application for landscaping in lieu of the required chain link fence at the subject property, 29022 Stephenson Highway, after the required public hearing, based upon the following findings:

- 1) The variance request does not meet the criteria for approving a variance contained in Section 10.804 of the Zoning Ordinance. In particular:
 - a. The requested variance does not arise from the presence of an exceptional or extraordinary condition of the subject property; and
 - b. The strict application of the regulations does not result in an exceptional practical difficulty for the business owner; and
 - c. The literal interpretation of the provisions of this ordinance does not deprive the applicant of rights commonly enjoyed by others in the same zoning district; and
 - d. In the absence of the requested variance, the property could be used in a manner permitted by the Zoning Ordinance.

VARIANCE #4 – OUTDOOR VACUUMING AND DRYING

Approval

Move to APPROVE the variance application for outdoor vacuuming and hand towel drying at the subject property, 29022 Stephenson Highway, after the required public hearing, based upon the following findings:

- 1) The variance request meets the criteria for approving a variance contained in Section 10.804 of the Zoning Ordinance. In particular:
 - a. The strict application of the regulations would result in an exceptional practical difficulty for the business owner; and
 - b. The literal interpretation of the provisions of this ordinance deprives the applicant of rights commonly enjoyed by others in the same zoning district; and
 - c. Such relief may be provided without substantial detriment to the public good and without substantially impairing the intent and purposes of the Zoning Ordinance.

This variance is granted with the following conditions: Vacuums shall be turned off no later than 10 p.m., consistent with the closure of the auto wash tunnel.

Denial

Move to DENY the variance application for outdoor vacuuming and hand towel drying at the subject property, 29022 Stephenson Highway, after the required public hearing, based upon the following findings:

- 1) The variances request does not meet the criteria for approving a variance contained in Section 10.804 of the Zoning Ordinance. In particular:
 - a. The strict application of the regulations does not result in an exceptional practical difficulty for the business owner; and
 - b. The requested variance is not the minimum variance necessary; and
 - c. The requested variance results from the applicant's chosen site plan layout; and
 - d. The literal interpretation of the provisions of this ordinance does not deprive the applicant of rights commonly enjoyed by others in the same zoning district; and
 - e. In the absence of the requested variance, the property could be used in a manner permitted by the Zoning Ordinance.