

Variation

Pursuant to §11-10-5 of the Zoning Code, a variation may be authorized where, due to exceptional conditions of a specific property, the strict application of the Zoning Code would result in practical difficulties or particular hardship, and where the requested relief will not be detrimental to the public health, safety, or welfare. Based upon the evidence presented at the public hearing, the Planning and Development Commission makes the following findings:

1. Practical Difficulties / Hardship

The Commission finds that, due to the existing configuration of the Property and the placement of the principal structure, strict application of the side yard setback requirements would result in practical difficulties or particular hardship upon the Property.

2. Not Merely a Convenience

The Commission finds that the requested Variation is necessary to alleviate the identified practical difficulties or hardship and is not sought solely to serve as a convenience.

3. Protection of Light, Air, and Public Safety

The Commission finds that the granting of the requested Variation will not impair an adequate supply of light and air to adjacent properties, will not unreasonably increase congestion in public streets, will not increase the danger of fire, and will not otherwise endanger public safety.

4. Protection of Property Values / Neighborhood Character

The Commission finds that the granting of the requested Variation will not unreasonably diminish or impair established property values within the surrounding area and is consistent with the general character of the neighborhood.

5. Public Health, Safety, and Welfare

The Commission finds that the granting of the requested Variation will not impair the public health, safety, comfort, morals, or welfare of the inhabitants of the Village.

6. Unique Conditions of the Property

The Commission finds that the conditions upon which the request for the Variation is based are unique to the Property and are not generally applicable to other similarly situated properties.

7. Harmony with the Zoning Code

The Commission finds that the requested Variation is in harmony with the general purpose and intent of the Thornton Zoning Code.

Summary and Recommendations:

After deliberation and review of the evidence and testimony presented, the Planning and Development Commission recommends that the Village President and Board of Trustees of the Village of Thornton approve the requested Variation to reduce the required side yard setback from

