



NOTICE OF BOARD OF ADJUSTMENTS AND APPEALS MEETING

April 18, 2023

Members of the public are invited to attend remotely or in person through the options listed below. Public comment is welcome for items appearing on the agenda or on any matter of BOA concern. Each speaker is allotted a maximum of five minutes to speak.

Individuals wishing to comment on an agenda item must register in advance by contacting boaplanning@auroragov.org

View or Listen Live

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<https://auroragov.webex.com/auroragov/j.php?MTID=m3ba7397866600a0a3b802d6811141572>

Event Password: Aurora2020

Call-in Participation

Call 720.650.7664

Access Code: 2499 759 3707

Event Password: 28767220

In-person Participation

Aurora Municipal Center
Aspen Room, 2nd Floor
15151 E Alameda Parkway
Aurora, CO 80012

Knock to be granted access to the building by security.

Translation/Accessibility

If you are in need of an interpreter, please contact the Office of International and Immigrant Affairs at 303-739-7521. Si necesita un intérprete, comuníquese con la oficina de asuntos internacionales e inmigrantes al número 303.739.7521.

For more information regarding Board of Adjustments & Appeals meetings, please contact Planning & Development Services at boaplanning@auroragov.org.



AGENDA

Board of Adjustment and Appeals

Tuesday, April 18, 2023

6:00 p.m.

Hybrid Meeting

Aurora Municipal Center

15151 E Alameda Pkwy, 2nd Floor

Aurora, CO 80012

Pages

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF MINUTES
 - 3.a Draft 03-21-2023 BOA Meeting Minutes 2
4. ADOPTION OF AGENDA
5. GENERAL BUSINESS
 - 5.a 04-23 - 1209 N Lansing Street 6

A request by the property owner, Desiree Trujillo, for the following Single Family Dwelling Variance(s): To allow a fence in the front yard that does not meet setback or transparency requirements.
6. OTHER BUSINESS
7. ADJOURNMENT

Planning Department
City of Aurora, Colorado

SUMMARY OF BOARD OF ADJUSTMENT AND APPEALS ACTIONS

BOA Hearing Date: March 21, 2023
Hearing Location: Hybrid Public Hearing, held via WebEx and in-person
Case Manager: Rachid Rabbaa

Board Members Present: Lynn Bittel
Kari Gallo
Richard Palestro
Marty Seldin
Gary Raisio

Case Number: 03-23 – 4464 S Pagosa Way

Description:

Request by the property owner, Jimmy Garcia for the following Single-Family Dwelling Variance:

- An adjustment to the requirement of Section 146-4.7.9.L, to allow a replacement of a corner lot fence that does not meet setback (4 feet from the sidewalk) or street frontage fencing requirements which limit the height of solid fencing (solid fencing no taller than 18 inches).

Recommendation from staff to deny the variance as requested, that the privacy fence be moved to its original setback (4 feet from the sidewalk) and the front yard fence include the required open design.

Case Presentation Given at the Hearing:

Staff gave a presentation describing the applicant's request, the context of the neighborhood and the subject property, and an analysis of the request with respect to the Code Criteria of Approval. The applicant's request would allow a replacement corner lot fence that does not meet code requirements.

Ms. Gallo asked that staff confirm they have recommended the fence be moved back 4 feet from the sidewalk and the front yard fence be an open design.

Mr. Rabba confirmed that this is correct.

Ms. Gallo asked for the height of the front section of the fence.

Mr. Rabbaa replied the fence exceeds 18 inches.

Ms. Gallo asked staff to confirm that the back 6 ft fence can stay if it is 4 feet from the sidewalk.

Mr. Rabbaa replied that was correct.

Mr. Palestro commented that the front portion of the fence should not exceed 3 feet, must be 50% open, and moved back 4 feet.

Mr. Rabbaa indicated that the code allows the front yard fence height to be up to 42 inches, setback 18 inches from the sidewalk, and 50% open-style.

Mr. Bittel noted that the back portion of the fence adjacent to the mailbox appears to have a gate that opens outward onto the sidewalk. Mr. Bittel commented that the gate should open inwards in addition to the setback changes. Mr. Bittel asked the staff if the applicant had room for the gate to open inwards.

Mr. Rabbaa commented that this was an issue raised by the Traffic Department.

Jimmy Garcia, 4464 S Pagosa Way, Aurora, CO, 80015, applicant, was available for questions. Mr. Garcia responded to Mr. Bittel noting that the gate cannot open inwards. This is due to renovations of the site to create an enclosed garage for vehicle storage. Mr. Garcia commented that vehicle thefts have occurred on his property. Mr. Garcia stressed that the replacement fence was of the same height and setback with an outward opening gate as the initial fence. The fencing was replaced due to its poor condition. Mr. Garcia noted that due to multiple vehicles parked along the street adjacent to the property, visibility is an issue regardless of the fencing. Concerns were expressed on the upkeep of landscaping adjacent to the fence if fencing were setback further.

General discussion ensued.

Mr. Gallo noted that the board would need to consider the back fence, front fence, and gate when making their decision.

Mr. Raisio commented that vehicle parking was also a code issue the board should take into consideration due to the impact on right-of-way visibility at the site. Mr. Bittel agreed.

General discussion ensued.

Jerryca Garcia, 4464 S Pagosa Way, Aurora, CO, 80015, applicant, was available for questions. Ms. Garcia stated that the City of Aurora was called prior to the replacement of the fence. Information was provided by staff that the fence could be replaced but not with wrought iron or ore.

Mr. Bittel responded that staff may have assumed the fence would be replaced with the same material. Therefore, key information was missing from that conversation.

Ms. Garcia responded that the fence was replaced with newer wood. Concerns were expressed that surrounding neighbors have similar fencing as well. Mr. Garcia agreed.

Public Comment Given at the Hearing:

William Reese, 4461 S Pagosa Way, Aurora, CO 80015, abutting property owner, spoke in favor of the request for a variance. Mr. Reese commented on the condition of the previous fence. Mr. Rees attested that the prior fence was rotted and in poor condition. Mr. Reese stressed that the new fence appears to have been placed in the same position as the prior fence.

General discussion ensued.

Brandon Cammarata, Planning Department Manager, advised the board to receive all testimony from the applicant and the public and to ask any questions from them and staff that would be needed to make their decision on the variance.

Mr. Garcia and Ms. Garcia commented that they are new to the area and the ordinances for the city. Mr. Garcia expressed concern that rules were not clearly communicated during conversations with the city.

Mr. Seldin stated that regardless of whether the board approved the variance, visibility at the site is a car issue that was raised by the Traffic Department.

Mr. Bittel noted the importance of adding to the discussion the 15-foot rule pertaining to vehicle parking.

Mr. Seldin commented that the addition of a stop sign at the site may be appropriate.

Daniel Money, City Attorney, asked the staff if the fence is in the right of way and if there are utility easements that the fence is over.

Mr. Rabbaa replied that the Traffic Department noted that the fence is in the right of way. Mr. Rabbaa indicated the fence does not appear to be encroaching on any utility easements.

Mr. Money indicated that nothing could block the right of way and that this is an issue that the board cannot provide a variance or waiver on. Mr. Money stressed that a license agreement with Public Works would be required for anything to extend into the right of way. Mr. Money cautioned that Public Works would be unlikely to grant a license agreement for a fence. Mr. Money also cautioned that most sidewalks at the site are narrower than the Americans with Disabilities Act (ADA) requires. If the site is not redeveloped, ADA does not require the sidewalk to be extended. If someone could not pass the sidewalk because it is obstructed or too narrow that would open both the city and the homeowner to a potential lawsuit.

Mr. Money asked the staff if they could confirm how wide the sidewalk is.

Mr. Rabbaa noted that, based on his measurements, the sidewalk is 3.91 feet wide.

General discussion ensued.

Mr. Money cautioned that the board can only rule on waivers or variances, they cannot give advice. Mr. Money advised the applicant that if they are considering removing a tree from their property or something of that nature to always check with the city and find what the proper permits are and rules for that work to commence.

Mr. Money advised the board to defer to the applicants' request for waiver, the criteria to judge that request, and to decide on the request for waiver.

Board of Adjustment and Appeals Results

A motion was made by Mr. Palestro and seconded by Ms. Gallo.

Move to deny the variance request because the proposal complies with the required findings of Code Section 146-5.4.4.B.3, and:

- It is not consistent with the existing neighborhood character and adjacent properties;
- The fence appears to be within the right of way; and,
- It adversely impacts the public sidewalk and street.

Action Taken: Denied

Votes for the Waiver: 0

Votes against the Waiver: 5

Absent: 2

Abstaining: None

Other Topics Discussed at the Hearing:

Draft Board of Adjustments and Appeals Meeting Minutes for February 21, 2023, were approved.

Mr. Seldin expressed concern about conducting site visits without an official way to identify himself as a member of the Board of Adjustments and Appeals with the City of Aurora. Mr. Bittel requested that staff provide the full board with name tags to use during site visits. Staff confirmed that name tags would be ordered for the full board.

Mr. Bittel expressed concerns that the public may not be aware that they need to check with the City of Aurora before making property changes. Mr. Palestro and Mr. Seldin agreed.

Mr. Money voiced understanding of the concern, however, he noted that homeowners are responsible for knowing the rules of the city before commencing work on their property.

Mr. Bittel recommended that the city conduct public outreach on this issue. Mr. Raisio agreed.

Mr. Money cautioned that there will always be people who do not know the law or willfully act in violation of the law. Mr. Money noted that this is a responsibility of being a homeowner as opposed to living within a rental or Homeowners Association (HOA) property. Mr. Money reviewed the functions of the Board of Adjustments and Appeals.

SUMMARY OF PROCEEDINGS PREPARED AND SUBMITTED BY: Rachid Rabbaa

Lynn Bittel, Chairman

Rachid Rabbaa, City of Aurora



Planning Division
 15151 E. Alameda Parkway, Ste. 2300
 Aurora, Colorado 80012
 303.739.7250

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MEMORANDUM

To: Lynn Bittel, Board of Adjustment Chairman
 Board members: Andris Berzins, Kari Gallo, Ron Swope, Gary Raisio, Richard Palestro, Marty Seldin

From: Rachid Rabbaa, Planner, Board of Adjustment staff liaison

Date: April 6, 2023

Hearing Date: April 18, 2023

Subject: BOAA Case No. 04-23 – 1209 N. Lansing St.

Notification: The Notice of Variance Request was mailed to abutting property owners on April 07, 2023, and a notice of virtual public hearing sign was posted on the property on the same day in accordance with Code.

Summary: Request by the property owner, Desiree Trujillo, for the following Single-Family Dwelling Variance:

- A request by the property owner, Desiree Trujillo, for the following Single Family Dwelling Variance(s): An adjustment to the requirement of Section 146-4.7.9.L Table 4.7-4, which requires that the setback in the front yard of residential properties be 18 inches minimum from the back of the sidewalk with an open -style design fence.

Background Information: The subject property is located at 1209 N Lansing Street in the Del Mar Parkway neighborhood, within the Aurora Heights subdivision. The property is approximately 0.15 acres with an approximate 1,158 square foot primary residence, constructed in 1951 according to the Arapahoe County Assessor’s records. The subject property and surrounding neighborhood are zoned Original Aurora Low Density Residential District (OA-R-1) and is made up of primarily single-family homes. This zone district is intended to create a low-density single-family detached residential character, with minimum lot sizes and setback requirements to ensure this character is maintained. Code requires a minimum fence setback from the back of sidewalk and an open style fence. **(See Exhibit A – Vicinity Map).**

The applicant has constructed a 42-inch-high non-code compliant *closed style* opaque wooden fence in the front setback, extending approximately 5-inches from the back of the sidewalk. The city code limits opacity of the fence to 50% and requires a minimum 18-inch setback from the back of the sidewalk. The applicant’s stated reason for constructing this fence is to provide more privacy for her family. The applicant was directed by Code Enforcement on January 31, 2023, to apply for a variance with the City of Aurora. **(See Exhibit B– Application and Justification).**

Analysis: The requirement for the minimum fence height and the minimum setback from the back of the sidewalk in the front yard of residential districts is in part, to ensure that residential areas maintain an open and attractive street presence and public realm throughout Aurora’s low and medium density neighborhoods. Fence setbacks are measured from the back of the sidewalk and intended to preserve the functionality of the public infrastructure, providing a clear zone adjacent to the sidewalk. This is particularly relevant on narrow attached sidewalks where pedestrians are also trying to stay out of the street and avoid cars parked along the street. The existing 42-inch high fully opaque front yard fence does not meet the intent of the code. The fence location at approximately 5-inches from the back of the sidewalk could inhibit pedestrian travel and could inhibit potential sidewalk improvements. Code requirements are there to support the functionality of the sidewalk and the neighborhood character.

Required Findings: According to Section 146-5.4.4.B.3 (Exhibit D), the Board of Adjustments and Appeals can grant variances based on the following criteria:

1. Effect on adjacent properties. The proposed variance will not adversely affect adjacent properties or the surrounding neighborhoods.

Staff Analysis: The proposed variance does not present an adverse effect on adjacent properties or the surrounding neighborhood.

2. The proposed variance is consistent with the majority of the criteria as follows:

a. Improved Design

Staff Analysis: Staff finds that the fence does not achieve internal efficiency of design, diminishing the design and functionality of the public realm.

b. Consistency with Neighborhood Character

Staff Analysis: Staff finds the front yard fence design is not compatible with the surrounding neighborhood.

c. Compatibility with Adjacent Development

Staff Analysis: The immediate surrounding properties do not have existing closed style wood fences up to the back of the sidewalk. The applicant’s fence is not compatible with this pattern.

d. Impact on existing city infrastructure and public improvements

Staff Analysis: The existing fence at its current setback could be an impediment to potential future public sidewalk improvements.

e. Internal efficiency of design

Staff Analysis: The location of the fence could pose an impediment to pedestrians. As such, staff finds that the fence does not achieve internal efficiency of design.

f. Control of external effects

Staff Analysis: The proposal may generate a negative external effect on pedestrians.

Conclusion:

Based on the required findings of Code Section 146-5.4.4.B.3, staff finds the variance request does not meet the criteria because:

- It is not consistent with the existing neighborhood character and adjacent properties;
- The fence is not meeting the setback or design requirements; and,
- The fence adversely impacts the public realm by potentially inhibiting pedestrian travel and future sidewalk improvements.

Staff Recommendation:

Staff recommends **denial** of the proposed variance and recommends that the fence be moved 18 inches from the back of sidewalk, and that the front yard fence be modified to meet code with a maximum 50% opacity for front yard fences.

ATTACHMENTS:

Exhibit A – Vicinity Map

Exhibit B – Application and Justification

Exhibit C – Site Photos

Exhibit D – City Code Section 146-5.4.4.B.3





PLANNING DEPARTMENT

15151 E. Alameda Pkwy., 2nd Floor
 Aurora, Colorado 80012
 303-739-7250
 FAX: 303-739-7268

Board of Adjustments and Appeals

The Board of Adjustments and Appeals (or BOA) is a volunteer-based Board comprised of 7 residents of the City of Aurora. They have the authority to deliberate on and approve or deny Variance requests.

So, what does that mean for me?

- The BOA is the deciding body for requests from Aurora homeowners who wish to make any alteration or improvement to their residential property which does not meet applicable standards of the Unified Development Ordinance (UDO).
- What are some examples of Variance requests?
 - A proposed new detached garage which would exceed the maximum allowable square footage.
 - A fence which was built and exceeds the maximum allowable height.
 - A proposed home addition which encroaches into the rear yard setback.

How do the hearings work?

- The BOA meets at 6 pm on the 3rd Tuesday of every month.
- Important information for applicants:
 - The 2022 application fee is \$150 and is non-refundable once the hearing occurs, even if your request is denied.
 - A completed application form and fee payment must be received by the City by the first Friday of the month, one month prior to the target hearing date. (for example, if you wish to have your request heard at the August hearing, your application is due the first Friday of June)
 - 10 days before the hearing, you must post a Notice of Public Hearing sign on your property.
 - 10 days before the hearing, mailed notices summarizing your request will be sent to the owners of each property adjacent to yours.
- At the hearing, your request will be presented to the BOA. The request should include how your application complies with the Criteria of Approval in Section 146-5.4.4.A.3 (Hardship) or Section 146-5.4.4.B.3 (Single-Family) and will be voted to approve or deny by the Board.
- The BOA Members are finders of fact and have the authority to interpret compliance with the Criteria of Approval.

CASE # _____

BOARD OF ADJUSTMENT & APPEALS
CITY OF AURORA
APPLICATION FOR VARIANCE

- 1. **A complete application with a check for \$150.00, payable to the City of Aurora, must be received no later than the first Friday of the month to be included in the agenda for the following months' hearing.**
- 2. Please type or print clearly when filling out the application. After completing the application, schedule an appointment by emailing **boaplanning@auroragov.org**.
- 3. **An appointment needs to be scheduled by the first Friday of the month.**
- 4. When meeting with the applicant, staff will review the application for completeness and will provide instruction on the procedures of the hearing.
- 5. The Planning Department will prepare a public hearing sign for the applicant to post the property a minimum of ten days prior to the hearing. **(Do not remove the sign prior to the hearing.)** The sign must be posted through the entire hearing process.

HEARING DATE:



CASE # _____

APPLICATION TO THE BOARD OF ADJUSTMENT & APPEALS
VARIANCE

ADDRESS OF PROPERTY AFFECTED: _____

Zone District _____

Applicant Name: Desiree Trujillo


Address: 1209 Lansing St. Aurora Co 80010

Phone #: 720-917-4247 email dt.daisy7@gmail.com

Property Owner: Name: Desiree Trujillo

Address: 1209 Lansing St. Aurora Co 80010

Phone #: 720-917-4247 email _____

Signature 

Variance requested:

The above request does not conform to Section(s) _____ of the Aurora City Code, which requires _____

CASE # _____

Type, or print clearly, the name and complete address (including zip code) of each abutting property owner:

ABUTTING PROPERTY ADDRESS:

NAME & ADDRESS OF PROPERTY OWNER

GWEN KENNEDY TRUST
1208 LANSING ST
AURORA CO 80010

PATRICIA ENRIQUEZ
1217 LANSING ST
AURORA CO 80010-3717

LYNN & ROSALIND BOCK
1180 KINGSTON ST
AURORA CO 80010

WONGEL AYENOUEM
1180 LANSING ST
AURORA CO 80010-3716

ERNESTO RAMIREZ
1200 LANSING ST
AURORA CO 80010

TSM ESTATE LLC
5799 S QUATAR CIR
CENTENNIAL CO 80015-3553

CORY CHILD
1190 LANSING ST
Aurora, CO 80010

ALEXANDER NARSIA
1201 LANSING ST
AURORA CO 80010-3717

NICHOLAS FINOCCHIARO
1216 KINGSTON ST
AURORA CO 80010

VARECO SFR LLC
2243 CURTIS ST
DENVER CO 80205-2520

JOHN FOSTER
1170 KINGSTON ST
AURORA CO 80010-3712

DOUGLAS CLARK
1175 LANSING ST
AURORA CO 80010-3715

EZEQUIEL RAMOS
1224 LANSING ST
AURORA CO 80010-3718

KRISHNA LAMSON
1208 KINGSTON ST
AURORA CO 80010-3714

ANNE SIROVATKA
1185 LANSING ST
AURORA CO 80010-3715

LUIS & MARIA GUTIERREZ
1771 ARGONNE ST
AURORA CO 80011-5208



CITY OF AURORA
Neighborhood Support Division
15151 E. Alameda Pky 4th Floor
Aurora, CO 80012
Code Officer: Sharyn #117 at 303-739-7298
Office: 303-739-7280 Fax: 303-739-7191
Email: svelleng@auroragov.org

Courtesy Notice

ADDRESS: 1209 N LANSING ST AURORA 800103717

NAME:

Code Area

Section

Fences	Fence Requirements 146-4.11.1 D 2
Fences	Fence Setback 146-4.7.9 L 1
Fences	Front Yard Req 146-4.7.9 L 1

Officer Comments

FENCES ERECTED IN THE FRONT YARD CAN NOT EXCEED 4 FEET IN HEIGHT AND MUST BE 50% OPEN (EVERY OTHER PICKET REMOVED).
 THANK YOU

This courtesy notice has been issued to advise you a code violation(s) listed above has been observed on your property. Please make the necessary corrections within **14** day(s). The property will be re-inspected on **02/06/2023**.

DATE/TIME SERVED: January 31, 2023

IF YOU HAVE QUESTIONS OR NEED MORE INFORMATION PLEASE CALL CODE OFFICER: Sharyn #117 at 303-739-7298

Neighborhood Services: Code Enforcement Photo Sheet : Other Photo



Folder RSN: 1680223
Location: 1209 N LANSING ST
Inspector: Sharyn #117
Date: Wednesday, December 28, 2022
Image: 1 of 4



See comments on final page.

Neighborhood Services: Code Enforcement Photo Sheet : Other Photo



Folder RSN: 1680223
Location: 1209 N LANSING ST
Inspector: Sharyn #117
Date: Wednesday, December 28, 2022
Image: 2 of 4



See comments on final page.

Neighborhood Services: Code Enforcement Photo Sheet : Other Photo



Folder RSN: 1680223
Location: 1209 N LANSING ST
Inspector: Sharyn #117
Date: Wednesday, December 28, 2022
Image: 3 of 4



See comments on final page.

Neighborhood Services: Code Enforcement Photo Sheet : Other Photo



Folder RSN: 1680223
Location: 1209 N LANSING ST
Inspector: Sharyn #117
Date: Wednesday, December 28, 2022
Image: 4 of 4



See comments on final page.

Neighborhood Services: Code Enforcement Photo Sheet : Other Photo



Folder RSN: 1680223
Location: 1209 N LANSING ST
Inspector: Sharyn #117
Date: Wednesday, December 28, 2022

Comments:
PHOTOS 1 - 4 DEPICT THE NEW FENCE IN THE FRONT YARD.

Neighborhood Services: Code Enforcement Photo Sheet : Other Photo



Folder RSN: 1680223
Location: 1209 N LANSING ST
Inspector: Sharyn #100
Date: Tuesday, January 31, 2023
Image: 1 of 5



See comments on final page.

Neighborhood Services: Code Enforcement Photo Sheet : Other Photo



Folder RSN: 1680223
Location: 1209 N LANSING ST
Inspector: Sharyn #100
Date: Tuesday, January 31, 2023
Image: 2 of 5



See comments on final page.

Neighborhood Services: Code Enforcement Photo Sheet : Other Photo



Folder RSN: 1680223
Location: 1209 N LANSING ST
Inspector: Sharyn #100
Date: Tuesday, January 31, 2023
Image: 3 of 5



See comments on final page.

Neighborhood Services: Code Enforcement Photo Sheet : Other Photo



Folder RSN: 1680223
Location: 1209 N LANSING ST
Inspector: Sharyn #100
Date: Tuesday, January 31, 2023
Image: 4 of 5



See comments on final page.

Neighborhood Services: Code Enforcement Photo Sheet : Other Photo



Folder RSN: 1680223
Location: 1209 N LANSING ST
Inspector: Sharyn #100
Date: Tuesday, January 31, 2023
Image: 5 of 5



See comments on final page.

Neighborhood Services: Code Enforcement Photo Sheet : Other Photo



Folder RSN: 1680223
Location: 1209 N LANSING ST
Inspector: Sharyn #100
Date: Tuesday, January 31, 2023

Comments:

PHOTOS 1 - 5 DEPICT THE FENCE AROUND THE FRONT YARD - FRONT SETBACK IS BETWEEN 3 - 6 INCHES OFF THE BACKSIDE OF THE SIDEWALK

FENCE HEIGHT IS BETWEEN 40 - 43.5 INCHES













B. Single-Family Dwelling Variance

All applicable provisions of Section 146-5.3 (Common Procedures) apply unless specifically modified by the provisions of this Section 146-5.4.4.B.

1. Applicability

This Section 146-5.4.4.B applies to all applications for a variance from the standards and of provisions of this UDO or to the provisions of Chapter 90 as they relate to the modification of an existing single-family dwelling or the lot on which it is located that do not qualify for approval as a Minor Amendment under Section 146-5.3.15.A. This section may not be used to vary the standards or provisions of this UDO for single-family homes that have not yet obtained a certificate of occupancy or Manufactured Homes that have not yet been installed in accordance with Chapter 90.

1. Procedure

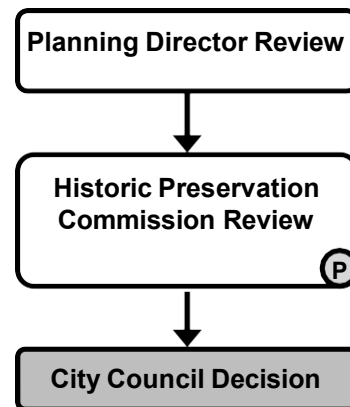
- a. Planning Director shall review the application and forward a recommendation to the Board of Adjustment and Appeals pursuant to all applicable provisions of Section 146-5.3 (Common Procedures).
- b. The Board of Adjustment and Appeals shall conduct a public hearing on the application and shall make a decision on the application pursuant to all applicable provisions of Section 146-5.3.

2. Criteria for Approval

An application for a Single-family Dwelling Variance shall be approved if the Board finds that the proposed variance will not adversely affect adjacent properties or the surrounding neighborhoods and a majority of the following criteria have been met.

- a. The proposed variance results in improved design.
- b. The proposed variance does not adversely affect the character of lower density residential areas.
- c. The proposed variance will result in development that is compatibility with adjacent land development.
- d. The proposed variance will not result in undue or unnecessary burdens on existing infrastructure and public improvements, or arrangements have been made to mitigate those impacts.
- e. The proposed variance results in development that achieves internal efficiency for its residents and does not endanger public health or convenience.
- f. The proposed variance results in development that controls external effects on nearby land uses, movement and congestion of traffic, noise generated, arrangement of signs and lighting to prevent nuisances, landscaping, and features to prevent detrimental impacts on public health, welfare, safety or convenience.

**Historic
Landmark/District
Adjustment**



(P) Indicates Public Hearing Required