

## Request for Variance

May 30, 2013

Re: O'Reilly Auto Parts  
Ivy Street  
Junction City, OR

Code: 17 35.100. B – Windows

Burden of Proof-

**Request: A variance is requested to omit windows on two building facades, one facing West 5<sup>th</sup> Avenue and one facing Ivy Street/Highway 99 due to a hardship imposed based on site layout and three street frontages imposed on this lot.**

*A. Exceptional or extraordinary conditions apply to the property that do not apply generally to other properties in the same zone or vicinity, which conditions are a result of the lot size, topography or other circumstances over which the applicant has not control.*

This proposed project is located on a site which has three street frontages, one along West 4<sup>th</sup> Avenue, one along West 5<sup>th</sup> Avenue, and one along Ivy Street/Highway 99. The configuration of the retail store is such that all walls are necessary to obtain maximum retail space and must be used for shelving. The buildings main entrance will face West 4<sup>th</sup> Avenue and the window requirements are being met on this elevation. The layout of the site will have parking on both the north and south sides of the building and in order to maintain a clear delineation of the main entrance, windows would only be beneficial along 5<sup>th</sup> Ave. Additional windows/storefront will cause confusion to the orientation of the entry; therefore we request a variance to not provide windows on the other two street facing elevations and propose to provide canopies and trellis with planting materials to soften the elevation and make for a more pleasing façade on those sides.

*B. The variance is necessary for the preservation of a property right of the applicant substantially the same as is possessed by owners of other property in the same zone or vicinity.*

Many businesses around the area of the proposed O'Reilly development site do not conform to the ordinance requiring additional windows. The surrounding businesses also only conform to one street side with windows. There would be no undue hardship to the surrounding businesses by allowing the O'Reilly Development to only conform to one side with windows.

*C. The authorization of the variance shall not be materially detrimental to the purpose of this title, be injurious to the property in the zone or vicinity in which the property is located, or be otherwise detrimental to the objectives of any development pattern or policy.*

The exterior of the facades facing West 5<sup>th</sup> Avenue and Ivy Street/Highway 99 will make use of materials that pull from the surrounding residential horizontal siding, and nearby brick accents. This in combination with extensive landscaping along the North and East of the building will contribute to the enhancement of the pedestrian experience along Ivy Street. The new development will be an improvement to the surrounding areas and should increase the property values of the neighboring existing developments.

*D. It is impractical to maintain the zoning ordinance requirements and, at the same time, building, erect or use the structure as desired.*

In order to maximize product shelving within the building, the area behind the facades facing West 5<sup>th</sup> Avenue and Ivy Street consist of closely spaced shelves of auto parts. Windows looking into this space would not create a pleasing view for pedestrians walking along West 5<sup>th</sup> Avenue and Ivy Street/Highway 99. Also, shelving and structural columns within the office and adjacent space would make constructing windows impractical in this space. The functions of the building layout necessary to maximize the retail area of the building pose for rows of shelving along both of these street frontages. It would be a detriment to the function of the building to put windows in front of product shelves.