

## Tree Variance Criteria

808.045(d) Approval criteria. A tree variance shall be granted if either of the following criteria is met:

(1) Hardship.

(A) There are special conditions that apply to the property which create unreasonable hardships or practical difficulties which can be most effectively relieved by a variance; and

(B) The proposed variance is the minimum necessary to allow the otherwise lawful proposed development or activity; or

(2) Economical use.

(A) Without the variance, the applicant would suffer a reduction in the fair market value of the applicant's property, or otherwise suffer an unconstitutional taking of the applicant's property;

**Applicant Response: The proposed development is bounded on the south by the stub of La Jolla Drive NW. The applicant is proposing to extend La Jolla Drive NW as a new public street to the northern boundary of the proposed development site.**

**There are 3 existing trees that would be impacted by the proposed street extension as shown on the tree plan provided herein. This creates a hardship as there is no practical way to construct the road extension without impacting the 3 existing trees.**

**The removal of these three (3) existing trees is the minimum action necessary to facilitate the proposed road extension.**

If you have any questions, please contact me by phone at (503) 399-1090 or [samt@lenityarchitecture.com](mailto:samt@lenityarchitecture.com)

Sincerely,



Sam Thomas

Senior Land Use Specialist

Lenity Architecture, Inc.