



determined to have adequate exits for the capacity of each business at any given time. The variance is to enable the 1911 Grill to be open for business, while SIK is closed. The owners are not able to completely close and protect the valuables of SIK unless the doors to SIK are locked, completely preventing the entry of people from 1911 Grill during the time that 1911 Grill is open. At the time that SIK is closed, the only occupancy in the building is that of 1911 Grill, which has appropriate exits for the capacity.

DEMONSTRATION THAT PUBLIC HEALTH, SAFETY, AND WELFARE ARE PROTECTED:

1=Non-compliance with the rule will not be adverse to the public health, safety or w

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2= Applicant will undertake alternative actions in lieu of compliance with the rule to ensure that granting of the variance will not be adverse to public health, safety, or welfare. Explain why alternative actions would be adequate (be specific).

Facts: When the building was designed in 2015, several exits were installed to provide for both businesses to exit the building independently. During state and local inspections, the approximate restaurant portion (approx 8,400sq.ft) as opposed to the remainder of the building (approx 63,000sq.ft) was verified as a portion of the building that could be operational independently if these locks were installed.

DEMONSTRATION OF UNDUE HARDSHIP OR HISTORICALLY SIGNIFICANT STRUCTURE:

Imposition of the rule would result in an undue hardship (unusual difficulty) because of physical limitations of the construction site or its utility services.

Imposition of the rule would result in an undue hardship (unusual difficulty) because of major operational problems in the use of the building or structure.

Imposition of the rule would result in an undue hardship (unusual difficulty) because of excessive costs of additional or altered construction elements.

Imposition of the rule would prevent the preservation of an architecturally or a historically significant part of the building or structure

Facts: If the owners are unable to prevent customers from entering into the SIK space when it is closed, they not only risk liability of theft, but also harm to the customer, risk to the other customers by damages that could be incurred and/or harm to the employees.