

Exhibit (6)

Zoning code relevant sections:

10-7 Fences and Walls

24" Berm curb: I interpret this is not a fence or wall. The 24" high berm curb is not visible from the front yard. Earth from the front yard is sloped at 3:1 so that flowers can be seen sloping down from the top of the curb for a nice look from the street. The stone curb can only be seen from the sidewalk. See detail, Exhibit A.

18-7 Adjustments to PUD Plan

We are requesting a minor modification. We believe our request maintains substantial conformity with the intent of the original PUD approval.

18-9.1 Minor Adjustments

I assume our request shall be considered based on the procedure defined in 18-8. We believe our request shall achieve a more functional and desirable use of the property than was initially anticipated in 1985. The market has changed since then and we feel it is important to be able to change and adapt to it as best we can. We further believe the intent of the buffer yard was to buffer parking lots and their automobiles and trucks: Since we are maintaining green space in front of the building, we believe our idea for increased building visibility aligns with the intent of code and meshes well with the existing conditions of nearby properties. We believe this unusual circumstance has created a precedence in our neighborhood that occurs along the Kemper Road corridor for some distance to the east and west of our property. The precedence is that other buildings without parking spaces in front of their buildings do not have streetscape buffers in front of their buildings. The special significance being that there is no parking in their front yards. In other words, where nearby properties have no parking in the front yard, there is also no streetscape buffer. Some examples have in-front parking and also have no streetscape buffer as I view the corridor.