

Pavilion Park

Variance Justification

April 2, 2015

1. The proposed variance is the result of a requirement that the existing shared stub road, which is a 30' wide easement, be amended to a width of 50 feet. The proposal does not include any new construction, so this variance will not result in any change in the physical appearance of the Villas or the surrounding area. The proposed variance will not adversely affect the public health, safety or welfare, as the variance will allow for the rezoning to occur but will not result in any physical changes to the site.

2. The proposed variance will not alter the essential character of the general vicinity as it is part of the overall application to allow for the existing condominium units to remain but to be platted as individual units to be located on individual lots.

3. The variance will not cause a hazard or nuisance to the public because it will not result in any new construction and is only the result of the proposal to modify the ownership structure of the existing units.

4. The variance will not allow an unreasonable circumvention of the requirements of the zoning regulations. The variance is due to dramatic changes in the residential real estate market that have led the new developer and the owners of the existing condominium units to cooperate in a plan to redevelop the undeveloped portion of Pavilion Park.

5. The proposed variance arises from special circumstances in that the proposed redevelopment requires Crestline Road to be a 50' public access easement, creating the need for narrower front yards. As stated above, the proposal includes no new construction.

6. Holding the proposed development to the current regulations would prevent the developer and condominium owners from achieving their mutual plan of redevelopment of Pavilion Park, a plan that would allow the condominium owners to create lots on which their units sit, making them potentially more valuable.

7. The circumstances are the result of the developer and condominium owners' desire to overlay individual lots where there was once a single condominium lot.

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