

VARIANCE JUSTIFICATION STATEMENT

LDG Land Holdings LLC

3500 Lees Lane

The proposed variance, which will permit the applicant to exceed the maximum building height by three feet, will not adversely affect the public health, safety or welfare. The applicant proposes to develop this vacant property into a mixed residential community in a series of phases. The proposed variance is necessitated by the slopes on the subject property and the desire to provide more volume in each of the units.

The variance will not alter the essential character of the general vicinity. The subject property is located adjacent to residential neighborhoods and Farnsley Middle School. The proposed variance will enhance the essential character of the general vicinity because a residential community is more in keeping with surrounding land uses and infrastructure. The proposed development will also minimize the disturbance of waterways and include a significant amount of preserved tree canopy on the subject property.

The variance will not cause a hazard or nuisance to the public. The proposed variance will permit the proposed multi-family structures to exceed the maximum height by three feet. The variance will not have any adverse impact on the sightlines of adjacent property owners.

The variance will not allow an unreasonable circumvention of the requirements of the zoning regulations. The applicant proposes to exceed the height requirement as minimally as necessary. The proposed development will allow the applicant to exceed the maximum building height by only three feet to provide additional high-quality multi-family units to the area.

The variance arises from special circumstances that do not generally apply to land in the vicinity of the project. The proposed development calls for the erection of thirteen multi-family structures, which requires a variance of only three feet from the maximum building height.

The strict application of the regulations would create an unnecessary hardship as the applicant is requesting only a three foot variance from the maximum building height. Strict application of the regulations would force the applicant to redesign its buildings to lower the ceilings in each unit.

The circumstances are not the result of the actions taken by the applicant subsequent to the adoption of the zoning ordinance as the applicant has not yet developed or taken any action with respect to the property.

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DEC 23 2022

**PLANNING &
DESIGN SERVICES**

22-VARIANCE-0171