

## **Relief from item F - Justification**

### **Horizon Sports Complex**

Horizon Sports Complex is the name of the proposed athletic field complex that Valley View Church, the owners have given this site. This property was the site of a former trailer park. Since Valley View Church has acquired the property they have cleared the site of most of the debris, trash, any remaining trailers, as well as securing the one remaining building. This remaining building will be removed as well as the rest of the remaining concrete trailer pads, and other debris that continues to make its way to site regardless of barriers once they receive approval of the Conditional Use Permit and site construction approvals.

The project consists of two softball fields, one special needs t-ball field, one soccer field, one multi use building for concessions, press box and restrooms, and related parking.

The site has been designed in such a way to focus as much of the activities towards the center of the site as possible.

Parking is proposed in one corner of the site near and along the trailer park existing / remaining entrance drive.

The only proposed access is from West Manslick Road along the existing entry drive that was the entry to the former trailer park.

The proposed impervious surface is less than the trailer park concrete pads and drives, which will constitute a decrease in storm water runoff.

There have been two neighborhood meetings. Each was well attended.

Sanitary sewers are available to the site.

Evening hours have been discussed with the neighbors and the Church has agreed to have the lights off and gates closed by 11 pm, with games typically ending around 10 pm.

## **OVERVIEW - SUMMARY**

**A:** To 30 feet, a reduction of 70 feet along the Northern property line. This line is also common to the rear property lines of three single family residential homes. This is a partial relief in so much that only the corner of one softball field, outer edge of one softball field, and fence are encroaching into the required setback.

**B:** To 30 feet, a reduction of 70 feet along the Eastern property line. This line is also common to the rear property line of three single family residential homes. This relief is to allow one softball field's outer edge, parking and fence to encroach into the require setback.

**C:** To 15 feet, a reduction of 85 feet along the Northern property line and also being the South property line of one single family residential home. This is also along the existing drive that is proposed to be reconstructed. This relief is to allow the entrance drive and parking and within the required setback.

**D:** To 3 feet, a reduction of 97 feet along the Southern property line and also being the Northern property line of the property owned by MSD. This request is to allow the entrance drive and parking within the required setback.

**E:** To 34 feet, a reduction of 66 feet along the Eastern property line. This request is to allow parking and maneuvering to encroach into the required setback.

**F:** To 15 feet, a reduction of 85 feet along the Southern property line. This request is to allow a portion of the special needs T-Ball field, a portion of the soccer field and the maintenance building to encroach into the required setback.

**G:** To 15', a reduction of 85' along the railroad. This is a partial relief in so much that only the corner of the soccer field and fence are encroaching into the required setback.

## **Relief for Item F: "Attachment" Justification**

**Relief is requested from item F to allow an athletic field to be located within 100 feet of a residentially zoned property.**

### ***1. Explain how the relief will not affect the public health, safety and welfare.***

Granting the requested relief will not adversely affect public health, safety and welfare. The applicant has designed the proposed project in such a way to minimize the any impact on surrounding properties. The press box, restrooms and concessions are all located within one building which is proposed near the center of the site and away from neighboring properties.

**Requested Relief "A"** is located along the rear property line of three homes. The reason for this request is to allow the outfields and fences for two softball fields to encroach into the required setback. No buildings are proposed in this area. The required plant materials and screening will be provided.

**Requested Relief "B"** is located along the rear property line of three homes. The reason for this request is to allow the outfield and fence for one softball field, and parking to encroach into the required setback. No buildings are proposed in this area. The required plant materials and screening will be provided.

**Requested Relief "C"** is located along the existing drive and one single family residentially zoned and used property. This section of property is only about 60 feet wide. It is impossible to comply with setback in this area due to the lot width. However since this section of property was previously used as the entrance drive to the former trailer park. Using this area as access for the proposed sports complex should have no detrimental impact on the neighborhood. No buildings are proposed in this area. The required plant materials and screening will be provided.

**Requested Relief "D"** is located along the existing drive and one residentially used property that is owned by MSD and is used for stock piling dirt. This section of property is only about 60 feet wide. It is impossible to comply with setback in this area due to the lot width. However since this section of property was previously used as the entrance drive to the former trailer park the use as access for the proposed sports complex should have no detrimental impact on the neighborhood. No buildings are proposed in this area.

**Requested Relief "E"** is located along the Eastern property line common to the property owned by MSD. No buildings are proposed in this area. The required plant materials and screening will be provided.

**Requested Relief "F"** is along the southern property line and is situated adjacent to a large acreage tract. The owners of this acreage tract are providing the use of 50 feet in width or approximately one acre of their property to help make this project happen. This demonstrates that they are clearly in support of the plan and relief. The required plant materials and screening will be provided.

**Requested Relief "G"** is located along the railroad right to way with commercially zoned properties on the other side of the railroad right of way approximately 225 feet. The impact to the site is an encroachment of approximately 80 lineal feet. The required plant materials and screening will be provided.

Further the applicant has had two neighborhood meetings to discuss this proposal with no objections from the neighborhood.

**2. Explain how the relief will not alter the essential character of the general vicinity.**

Granting the requested relief will not alter the essential character of the general vicinity. As stated above the applicant has held two neighborhood meetings, with no objections from the neighborhood. The subject site is a former trailer park, and being frequently used illegally (by others) as a dumping ground for trash and debris. The proposed use is a good alternative use or adaptive reuse for this site.

**3. Explain how the relief will not cause a hazard or a nuisance to the public health.**

The applicant has taken great care to minimize the impact on surrounding properties through the design of the proposed project. Further, since the site is vacant former trailer park and along a railroad line the property receives unwanted visitors / trespassers who illegally dump trash and debris. Granting the application will remove the opportunity for these problems and by result improve, not negatively cause a hazard or create a nuisance to the public health.

**4. Explain how the relief will not allow an unreasonable circumvention of the requirements of the zoning regulations.**

As stated above the applicant has designed the site in such a way that the most intense activities such as restrooms, concessions, and the press box are situated away from adjoining neighbors. In many areas the green space exceeds the required landscape buffer areas. The relief requested have are the minimum necessary to develop this project. As stated previously the applicant has held two neighborhood meetings with no objections to the project. Granting the requested relief will not be an unreasonable circumvention of the zoning regulations.

## **Additional Consideration:**

**1. Explain how the need for relief arises from special circumstances, which do not generally apply to land in the general vicinity.**

This site is the site of a former trailer park. The trailers have been removed but the roadway and one building remain. This accompanied by the unusually shaped lot, lot size, and proximity to several different zoning classes (R-4, R-5, and C-1) and uses are unique to the area.

- 2. Explain how the strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship.**

The applicant owns the property. The property was bought for the specific purpose of creating additional ball fields to serve the youth fellowship. If the request is denied the applicant would likely have to sell the property since that opportunity would no longer exist.

- 3. Are the circumstances the result of actions of the applicant taken subsequent to the adoption of the regulation from which relief is sought?**

The unique circumstances surrounding this project were in part created prior to the current regulations, specifically the lot size, shape, configuration, proximity to railroad, and the fact that this site was formerly a trailer park. However, the decision and actions regarding design are the action of the applicant.

The applicant has gone to great lengths to develop the project in a way to minimize the impact to the neighborhood as well as improving some of the concerns the neighborhood has with the site.