

VARIANCE JUSTIFICATION STATEMENT

LDG Development, LLC

6600 Cooper Chapel Road

Case No. 20-ZONE-0066

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 the subject property into twelve (12) apartment buildings, with an overall total of 288 apartment units. The height variance is sought for the three-story apartment buildings, which will each be 38 feet in height to allow for higher ceilings in the proposed apartments. The requested variance from the maximum building height will not alter the proposed density or otherwise result in any adverse impacts on public health, safety, for welfare.

The variance will not alter the essential character of the general vicinity as the proposed height variance will permit the proposed apartment buildings to exceed the maximum building height by only three feet. The area includes other multi-story multi-family developments.

The variance will not cause a hazard or nuisance to the public. The proposed variance will permit the proposed apartment buildings to exceed the maximum height by only 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 proposal will allow the applicant to exceed the maximum building height by only three feet to provide 288 high-quality apartment units to the area.

The variance arises from special circumstances that do not generally apply to land in the vicinity of the project. The proposal calls for development of 12 apartment buildings, which requires a variance of only three feet from the maximum building height.

The strict application of the regulations would create an unnecessary hardship because 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 actions taken by the applicant subsequent to the adoption of the zoning ordinance as the applicant has not yet developed the subject property.

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