

A REQUEST FOR A VARIANCE FROM LAND DEVELOPMENT CODE SECTION 5.5.1.A.2 TO ALLOW THE PROPOSED STORAGE SHED TO BE LOCATED FURTHER THAN 5-FEET FROM BOTH SOUTH JACKSON STREET AND SOUTH PRESTON STREETS IN THE TRADITIONAL WORKPLACE FORM DISTRICT.

1375 SOUTH JACKSON STREET

1. State the reasons that the granting of the variance:

A. WILL NOT ADVERSELY AFFECT THE PUBLIC HEALTH, SAFETY OR WELFARE.

The proposed storage building is proposed to be situated toward the rear of the site. If granted, the variance will not affect any issue or concern relating to public health, public safety or the general welfare. It is anticipated that the proposal will receive the approval of Transportation Review, which will demonstrate that the location of the building does not adversely affect the public health, safety or welfare.

B. WILL NOT ALTER THE ESSENTIAL CHARACTER OF THE GENERAL VICINITY.

The proposed building encroaches into the minimum rear yard setback. The proposed storage building is in character with the surrounding industrial uses, while at the same time a much lower impact, both visually and materially. The current site is largely vacant. Any development on the site would be more in character with the general vicinity.

C. WILL NOT CAUSE A HAZARD OR A NUISANCE TO THE PUBLIC.

The proposed variance will not cause a hazard or nuisance to the public because the location of the building causes no potentially threatening condition nor does it cause any nuisance related to excess lighting, noise, dust, visual or otherwise.

D. WILL NOT ALLOW AN UNREASONABLE CIRCUMVENTION OF THE REQUIREMENTS OF THE ZONING REGULATIONS.

The proposed variances will not allow an unreasonable circumvention of the requirements of the zoning regulations because the building is proposed to be situated near the rear of the property, allowing for future development on the site. There is an existing building holding the corner in a manner

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intended by the regulation. Thus, the granting of the variance will not allow an unreasonable circumvention of the requirements of the zoning regulations,

2. Additional consideration:

- B. 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 strict application of the provisions of the regulation would deprive the Applicant of the reasonable use of its land because it would disallow the use of the property as part of the operations of the adjacent business.

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**A REQUEST FOR A VARIANCE FROM LAND DEVELOPMENT CODE SECTION
5.2.5.C.3.c TO ALLOW THE PROPOSED STORAGE SHED TO ENCROACH INTO
THE REQUIRED 20-FOOT REAR YARD SETBACK IN THE TRADITIONAL
WORKPLACE FORM DISTRICT.**

1375 SOUTH JACKSON STREET

1. State the reasons that the granting of the variance:

**A. WILL NOT ADVERSELY AFFECT THE PUBLIC HEALTH, SAFETY
OR WELFARE.**

The proposed storage building is proposed to be situated toward the rear of the site. If granted, the variance will not affect any issue or concern relating to public health, public safety or the general welfare. It is anticipated that the proposal will receive the approval of Transportation Review, which will demonstrate that the location of the building does not adversely affect the public health, safety or welfare.

**B. WILL NOT ALTER THE ESSENTIAL CHARACTER OF THE
GENERAL VICINITY.**

The proposed building encroaches into the minimum rear yard setback. The proposed storage building is in character with the surrounding industrial uses, while at the same time a much lower impact, both visually and materially. The current site is largely vacant. Any development on the site would be more in character with the general vicinity.

C. WILL NOT CAUSE A HAZARD OR A NUISANCE TO THE PUBLIC.

The proposed variance will not cause a hazard or nuisance to the public because the location of the building causes no potentially threatening condition nor does it cause any nuisance related to excess lighting, noise, dust, visual or otherwise.

**D. WILL NOT ALLOW AN UNREASONABLE CIRCUMVENTION OF THE
REQUIREMENTS OF THE ZONING REGULATIONS.**

The proposed variances will not allow an unreasonable circumvention of the requirements of the zoning regulations because the building is proposed to be situated near the rear of the property, allowing for future development on the site. The rear of the proposed storage shed would back up to the rear

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of the adjacent building. Landscaping will still be provided in more appropriate areas on the site. Thus, the granting of the variance will not allow an unreasonable circumvention of the requirements of the zoning regulations,

2. Additional consideration:

B. 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 strict application of the provisions of the regulation would deprive the Applicant of the reasonable use of its land because it would disallow the use of the property as part of the operations of the adjacent business.

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