

Relief from item

Variance Justification: C.

In order to justify approval of any variance, the Board of Zoning Adjustment considers the following criteria. Please answer all of the following items. Use additional sheets if needed. A response of yes, no, or N/A is not acceptable.

1. Explain how the variance will not adversely affect the public health, safety or welfare.

The requirement is based on the conditional use permit for off-street parking. An 8' screen will be provided along the property lines that are adjacent to the proposed conditional use permit. Adequate lighting will be provided within the parking lot to maintain health, safety and welfare

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

The general vicinity is characterized by a commercial corridor along Dixie Hwy. The variance will allow for this property to function as part of that commercial corridor and maintain the character of the vicinity.

3. Explain how the variance will not cause a hazard or a nuisance to the public.

The variance will not cause a hazard or nuisance to the public as the proposed parking will be screened from the adjacent properties by the installation of an 8' screen.

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

The variance will not allow an unreasonable circumvention of the requirements of the zoning regulations, as this is the minimum variance required for reasonable use of the property due to the irregular shape of the property lines.

Additional consideration:

1. Explain how the variance arises from special circumstances, which do not generally apply to land in the general vicinity (please specify/identify).

The irregular shape of this property is a special circumstance, as the rear of this property would be mostly undevelopable if strict application of LDC was applied. Also, the adjacent residential zone that triggers the setback contains a commercial use and a church; neither are residential uses.

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 unnecessary hardship.

Strict application of the regulation would deprive the applicant of reasonable use of the land as the rear of the property would be mostly undevelopable due to the irregular shape of the property.

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

RECEIVED

SEP 18 2017

PLANNING & DESIGN SERVICES