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WETTIG PROPERTIES, LLC

16 CUP 1025

~~VARIANCE JUSTIFICATION~~
Relief from item c.

The proposed variance, which will allow the proposed parking and vehicle use area to encroach into the required setbacks and yards, will not adversely affect the public health, safety or welfare. In fact, the proposal will improve public safety and welfare by bringing the subject property into compliance with the Land Development Code (LDC) while maximizing off-street parking on the subject property. The applicant proposes to pave and stripe the existing gravel parking pad and to provide landscaping where none exists today. The proposal would create 14 off-street parking spaces and a new curb cut and access point along Lynn Street. Along Preston Street, the proposal would remove the existing non-conforming access point, restore the verge at the current access point, and create two on-street parking spaces.

The variance will not alter the essential character of the general vicinity as the proposed parking use matches the current and historical use of the subject property. The proposed variance will allow the applicant to improve the appearance and safety of the subject property by paving and striping the existing gravel parking pad, and by restoring the verge along Preston Street.

The variance will not cause a hazard or nuisance to the public. The proposal would improve public safety by paving and striping the parking area, and adding a compliant access point along Lynn Street, which is a one-way street. The proposal would eliminate the existing non-conforming access point along Preston Street, which will eliminate the need for vehicles traveling south on Preston Street to make a left turn close to the intersection with Lynn Street to access the subject property.

The variance will not allow an unreasonable circumvention of the requirements of the zoning regulations. The proposal balances the need to maximize the amount of off-street parking with the size limitations of the subject property. The variance will allow the applicant to bring the existing parking area more into compliance with the LDC by paving and striping the lot, and adding a conforming access point along Lynn Street.

The variance arises from special circumstances that do not generally apply to land in the vicinity of the project. The variance is the result of the need to maximize the amount of off-street parking within the size limitations of the subject property.

The strict application of the regulations would create an unnecessary hardship because the size of the subject property limits the possible configurations of conforming parking spaces. Strict application of the regulations would force the applicant to reconfigure the proposed parking lot and significantly reduce the number of parking spaces. The proposed variance will permit the applicant to bring the existing parking area into compliance with the code by paving and striping the lot, and adding a conforming access point along Lynn Street.

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The circumstances are not the result of actions taken by the applicant subsequent to the adoption of the zoning ordinance but are, instead, the result of misapplication of the setback and yard requirements to this small property bordered by two roadways and a house owned by the applicant. The variance will permit the applicant to create 14 LDC-compliant parking spaces with a conforming access point.

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