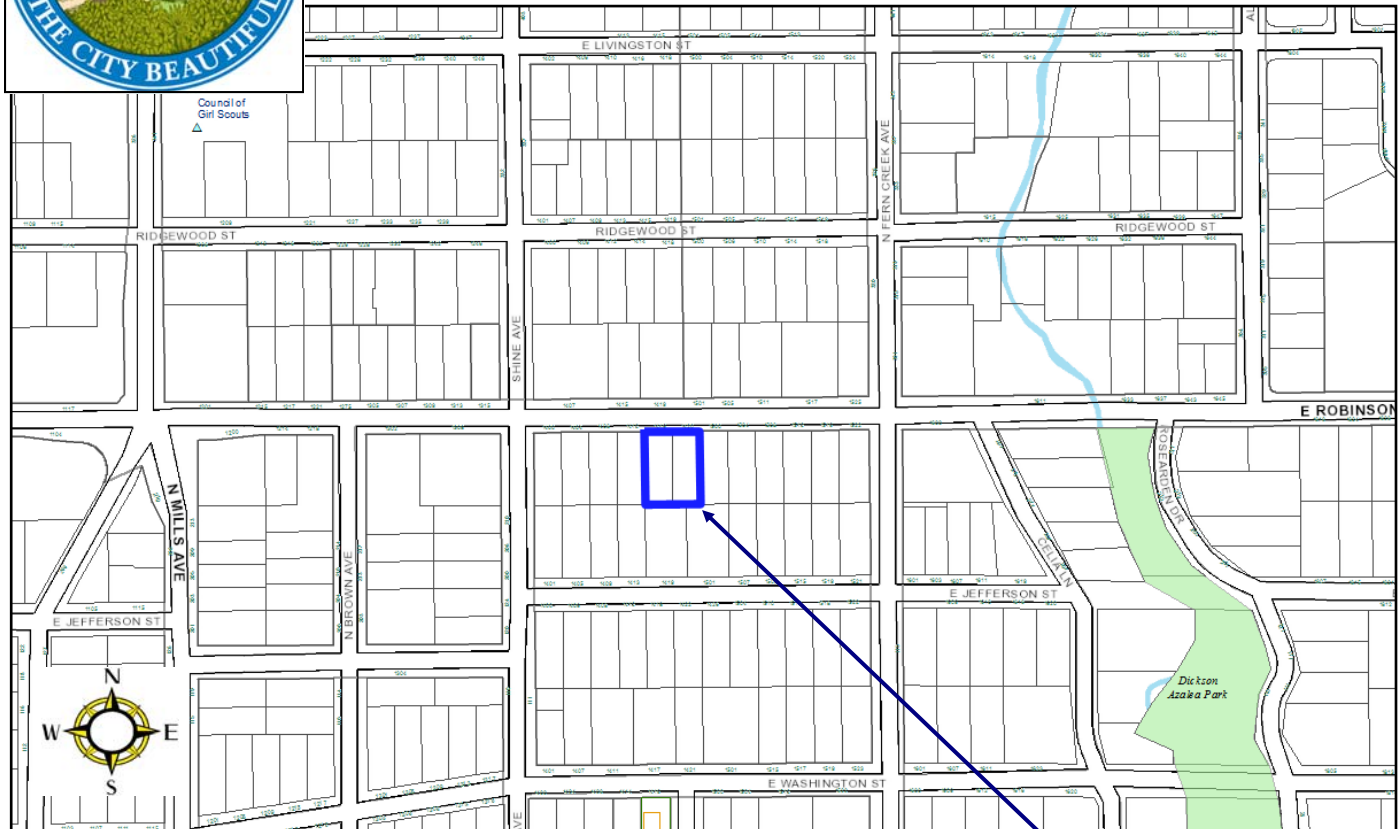




1416-1420 E. ROBINSON ST. OFFICE FRONT PARKING



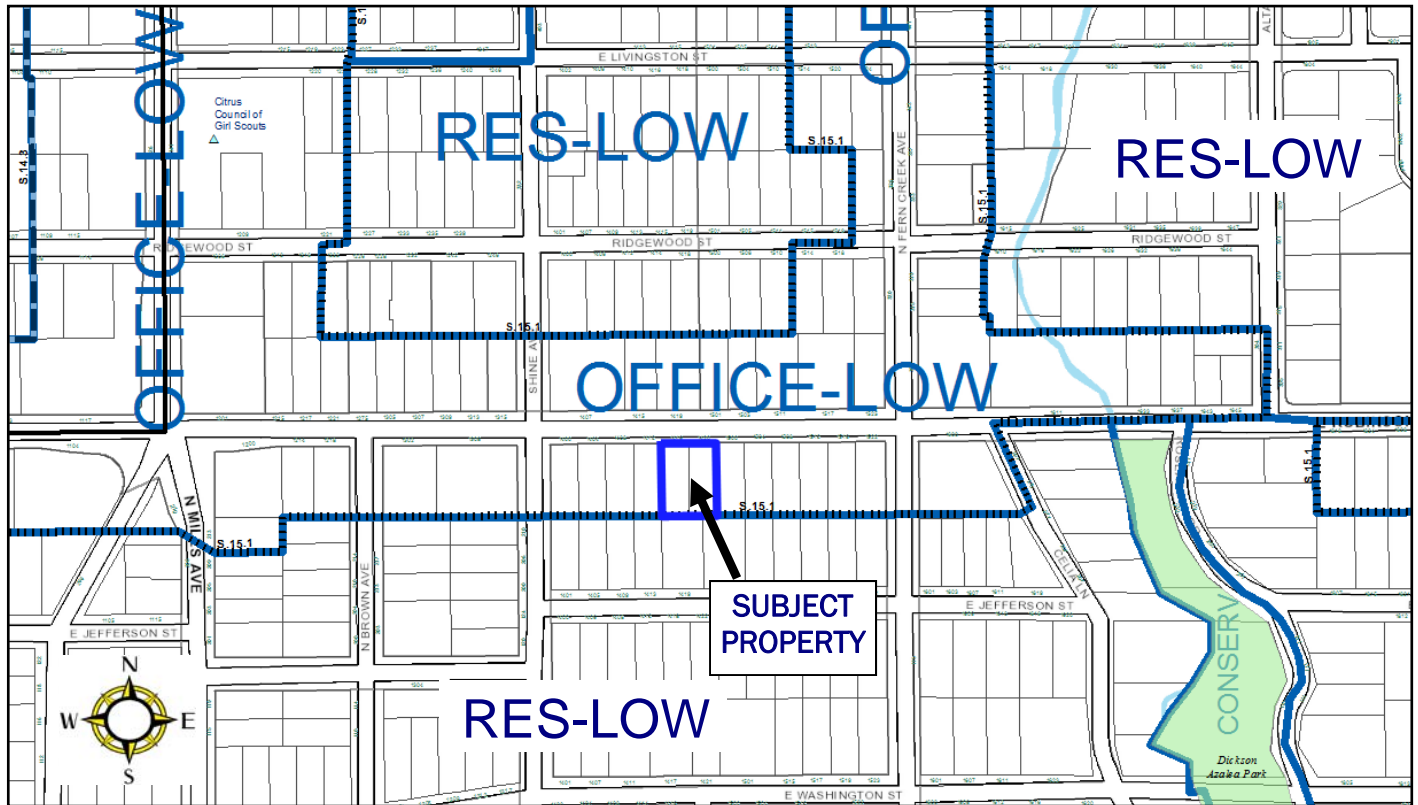
Location Map

 Subject Site

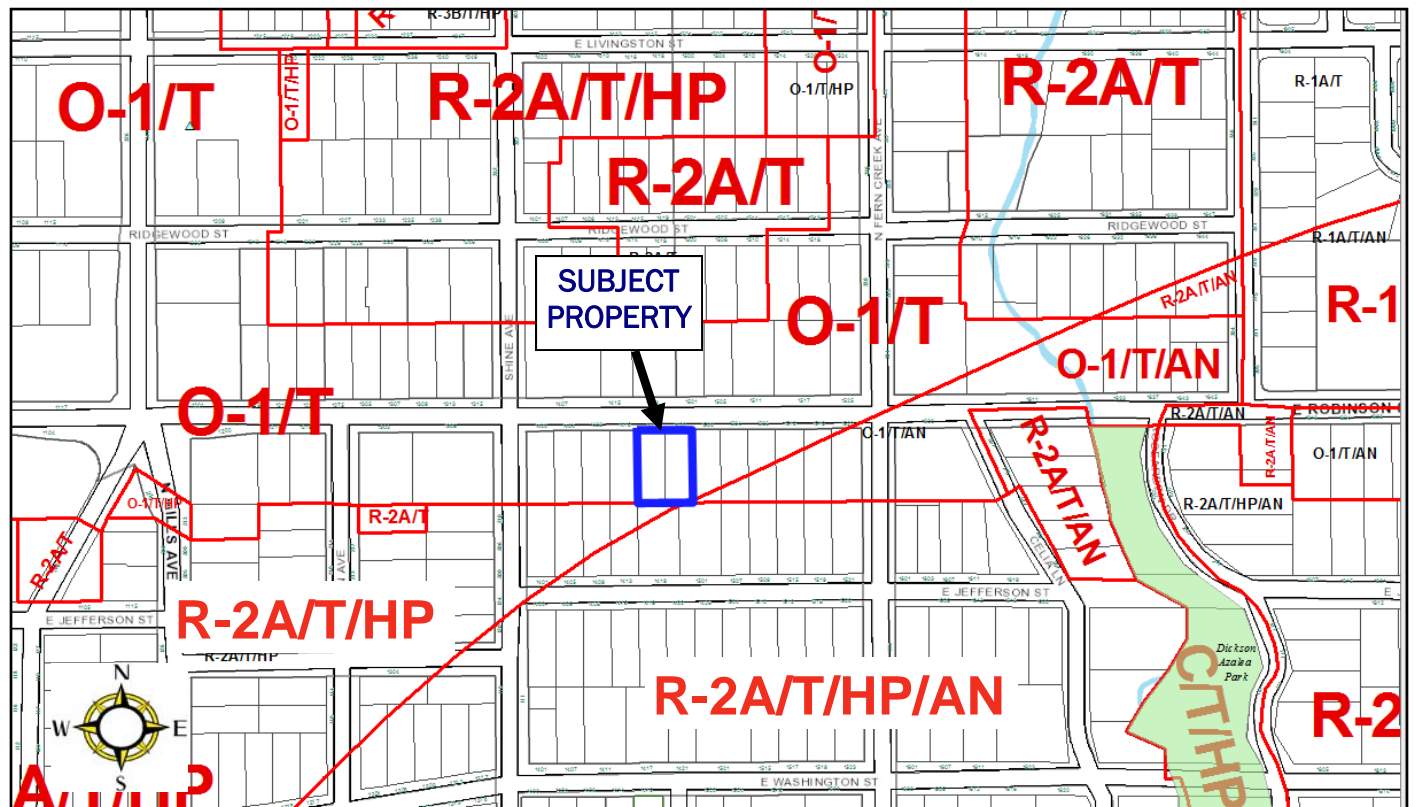
SUMMARY

<p>Applicant Christopher Deverell</p> <p>Owner Jose & Geraldine Cardenas</p> <p>Project Planner Jim Burnett, AICP</p> <p>Updated: February 15, 2016</p>	<p>Property Location: 1416-1420 E. Robinson St. (Parcel ID #25-22-29-1012-01-070 & -080, on the south side of E. Robinson St., between Shine and N. Fern Creek Aves.)(±0.30 acres, District 4).</p> <p>Applicant's Request: The applicant is requesting parking and impervious surface-related variances as a result of a code enforcement complaint on two (2) existing professional offices in the O-1/T zoning district, as follows:</p> <ul style="list-style-type: none"> A. Design Variance to allow accessory parking between the front lot line and the principal building facades; and B. Variance of 7% to allow 47% front yard impervious surface coverage, where limited to 40% for each lot or collectively. 	<p>Staff's Recommendation: Approval of Design Variance A and Variance B, per the conditions in the staff report.</p> <p>Public Comment Courtesy notices were mailed to property owners within 300 ft. of the subject property the week of February 8, 2016. As of the published date of this report, staff has not received any comments from the public concerning the variance requests.</p>
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FUTURE LAND USE MAP



ZONING MAP



PROJECT ANALYSIS

Project Description

The owner of two (2) existing single-story office buildings on E. Robinson St. was recently cited by Code Enforcement for parking and impervious surface coverage issues for the total property, which were constructed without variances or permits prior to the current acquisition of the property. The owner desires to retain two (2) parking spaces in front of each building, requiring the following variances:

- A. Design Variance to allow accessory parking between the front lot line and principal building facade, where parking is required to be located behind the principal building façade or behind the front setback in the Traditional City Overlay; and
- B. Variance of 7% to allow the front yard impervious surface coverage to not exceed 47%, where currently limited to 40% coverage.

The property is zoned O-1/T (Low Intensity Office - Residential, Traditional City (T) Overlay) and is designated as Office Low Intensity on the City's Future Land Use Map. Adjacent uses, zoning and future land use designations are per Table 1 below.

Table 1 - Project Context			
	<i>Future Land Use</i>	<i>Zoning</i>	<i>Adjacent Use</i>
North	(Across E. Robinson St.) Office Low Intensity/Residential (OFFICE-LOW)	O-1/T (Low Intensity Office - Residential, Traditional City Overlay)	Professional Offices
East	OFFICE-LOW	O-1/T	Professional Office
South	Residential Low Intensity (RES-LOW)	R-2A/T/HP (One- and Two-Family Residential, Traditional City Overlay, Lake Eola Heights Historic Preservation District)	Single-Family Home
West	OFFICE-LOW	O-1/T	Professional Office

Previous Actions:

1921: Property platted as a part of the Buena Vista Subdivision.

1925: 1.5 single-family home constructed at 1416 E. Robinson St.

1940: 1,064 sq. ft. single-family home constructed at 1420 E. Robinson St.

1984: Properties purchased by Robinson St. Partners (homes converted to office uses prior to 1984 (no permit histories)).

6/1985: Variances requested to allow parking in front of the two (2) buildings, lot width reduction tied to conversion of homes to offices, removal of eastern 5 ft. buffer for additional front parking space, and to allow driveway on 1416 E. Robinson St. to serve both properties; all variances denied by Board of Zoning Adjustment, with City Council approval of BZA minutes on 6/17/85.

10/1985: Properties rezoned to O-1 (made nonconforming relative to lot dimensions and setbacks)

4/2005: Properties cited by Code Enforcement (CE) (Citation #180119) for adding additional pavement to 1416 E. Robinson St. without variances or permits.

5/2005: Engineering permit ENG2005-01152 retroactively requested to remove asphalt and replace with brick; permit not issued.

12/2005: Building permit BLD2005-14304 retroactively requested to install new landscaping; CE case closed; permit not issued, no further CE action taken.

9/2014: Current owners purchased the two (2) properties; Building permit BLD2014-07190 requested for work within 1416 E. Robinson St. to add exam rooms for Women's Care Specialist (medical office use); permit issued, CO issued 4/2015.

12/2015: Property cited for previously installed site improvements with no previous variances or permits (CE #420561).

Conformance with the LDC

As previously noted, the property is zoned O-1 and is located in the Traditional City (T) overlay, which denotes those areas located in the older areas of the city platted or developed prior to WW2. With lot dimensions of 50 ft. wide x 131 ft. deep (6,553 sq. ft.), each of the two (2) 0.15-acre lots was made legally non-conforming when the property was rezoned to O-1/T (requires a wider side yard setback). Development standards for the two (2) lots are provided in Table 2 at right.

Analysis

Per Land Development Code (LDC) Section 62.604, "parking shall not be permitted between the principal building and the street

Table 2 Development Standards (O-1/T)					
<i>Principal Setbacks</i>	<i>Front</i>	<i>Sides</i>	<i>Rear</i>	<i>ISR</i>	<i>FAR</i>
Min./Max. Allowed	25 ft. min.	10 ft. min.	25 ft. min.	70% max.	0.40 max.
1416 E. Robinson	30 ft.	3.8 ft. W 10.5 ft. E	34.2 ft.	±98.2%	0.45 existing
1420 E. Robinson	29.7 ft.	4.9 ft. W 6.8 ft. E	69 ft.	±85.5%	0.16 existing
Proposed	same	same	same	69%	same

or within the required front yard setback.” At some point prior to 1992 (per a photo from a Florida Master Site File for 1420 E. Robinson St.), much of the front yard was paved or paved over, without an approved variance (a 1985 variance was denied) or approved site permit. The front yard of 1416 E. Robinson St. was also paved over in 2005, without an approved variance or approved site permit (again, an after-the-fact permit was applied for in 2005 but never approved or issued).

Per LDC Section 61.322 Figure 27, the two (2) professional (non-medical) office uses are collectively required to have a minimum 10 and maximum 16 parking spaces, all to be located in the rear, and not in the front yard. Having medical offices increases the minimum to 11 spaces and the maximum to not more than 21 spaces, again, all to be located in the rear (see Table 3 at right). While a ramp is located behind the office at 1416 E. Robinson St., the site currently has no handicapped parking spaces.

The applicant has provided a site plan, with the intent of retaining two (2) 9 ft. wide by 18.5ft. deep parking spaces in front of each office building (4 spaces total), with retention of twelve (12) spaces in the rear parking areas. The Board has fielded two (2) similar variance requests in 2015, when the owner of the adjacent law office @ 1500 E. Robinson St. needed variances to retain two (2) existing front yard parking spaces that had also not been previously approved. In that instance, staff recommended approval of only 1 front parking space with a front buffer, but the Board recommended approval of both front spaces and a minimal 2-ft. wide buffer, and City Council approved the variance in July 2015. The pavers have since been installed on the adjacent 1500 E. Robinson St. property but the buffer has yet to be installed. Most recently, the adjacent law office at 1412 E. Robinson St. also requested to retain two (2) front parking spaces. Again, staff recommended approval of only one front parking space and the Board recommended approval of staff’s recommendation. The applicant/owner has since appealed that recommendation.

The distance between the front lot line and the front entry of both offices is deep enough to allow two (2) nine (9) ft. wide by 18.5 ft. deep parking spaces and a code required 7.5 ft. front buffer adjacent to the front sidewalk. However, LDC Section 61.302(f2) only allows a maximum 40% impervious surface coverage within the front yard setback (see Table 4 below). Given that the applicant is willing to reduce the number of front parking spaces from 7 to 4, staff recommends **approval** of Design Variance A, provided that a full 7.5 ft. front buffer is provided (per Code).

With the removal of three (3) existing parking spaces and a certain amount of pavers and asphalt, the corresponding front impervious area will be reduced from 74% to 47%. Thus, Staff also recommends **approval** of Variance B for the increased front impervious surface coverage, not to exceed 47%.

To further eliminate unnecessary impervious surfaces, the applicant/owner intends to remove a former driveway along the east side of 1420 E. Robinson St. and also intends to remove additional paved / bricked areas in the rear side and rear yards and to place a Code-compliant buffer along the south lot line, where the uses abut single-family homes to the south.

It was noted in the variance report for 1412 E. Robinson St. that the subject property and 1412 E. Robinson were once under common ownership, which is evidenced by a south-pointing entry arrow on the driveway on 1416 E. Robinson St., while the adjacent driveway (at 1412 E. Robinson St.) has an exit arrow pointing north towards E. Robinson St. Consistent with a condition placed on both variances for the adjacent properties at 1412 & 1500 E. Robinson, staff further recommends that cross-access be located and installed along the east and west lot lines behind the office buildings to legally afford continued through-access to the office uses to the east and west. This cross-access may result in fewer turning movements into and out of driveways for office uses on the south side of E. Robinson St.

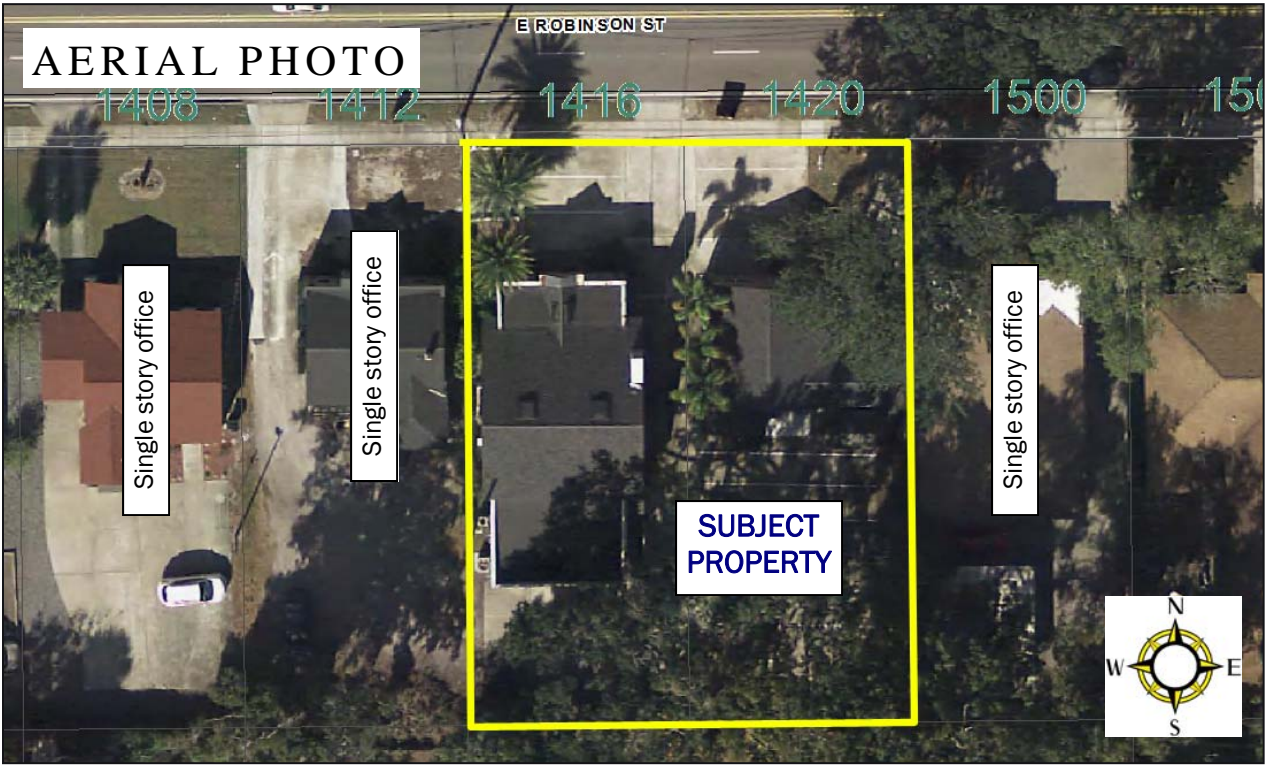
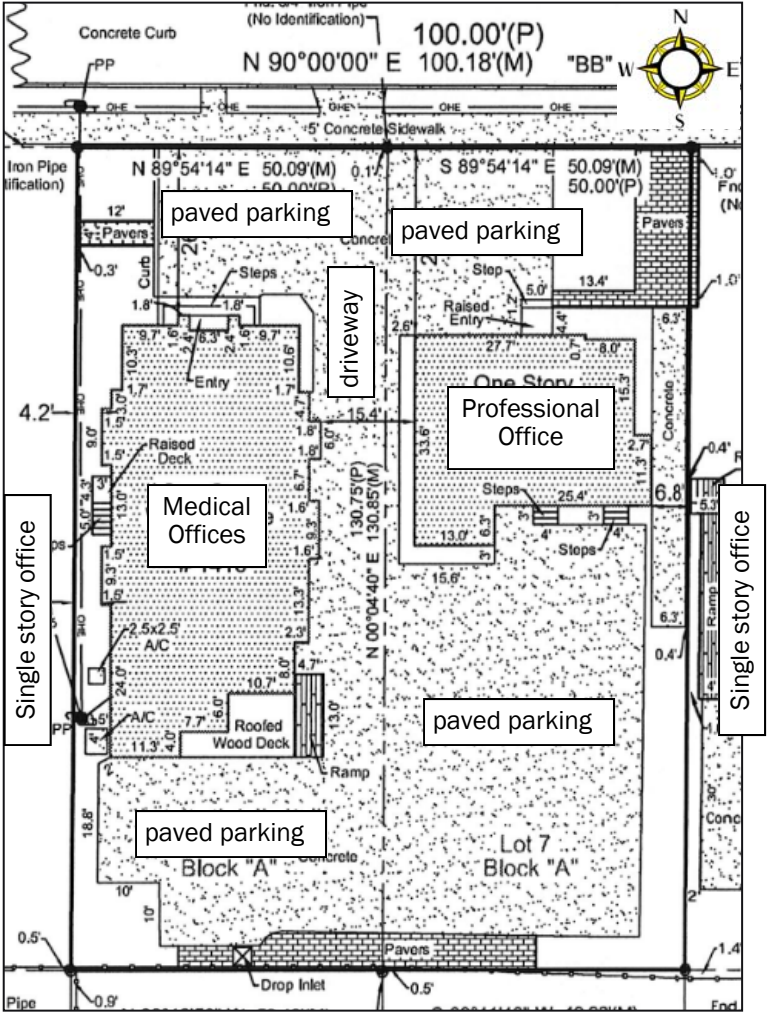
Table 3 - Parking Requirements (per LDC Section 61.322)

<i>Existing Uses</i>	<i>Minimum / Maximum Parking Ratio</i>	<i>Parking Requirement</i>	<i>Spaces Provided</i>
General Office (4,036 sq. ft.)	2.5 spaces / 1,000 sq. ft. Gross Floor Area (GFA) 4.0 spaces / 1,000 sq. ft. GFA	10 spaces (min.) / 16 spaces (max)	22 spaces (existing)
Medical Office	2.8 spaces / 1,000 sq. ft. GFA 5.3 spaces / 1,000 sq. ft. GFA	11 spaces (min.) / 21 spaces (max.)	16 spaces proposed

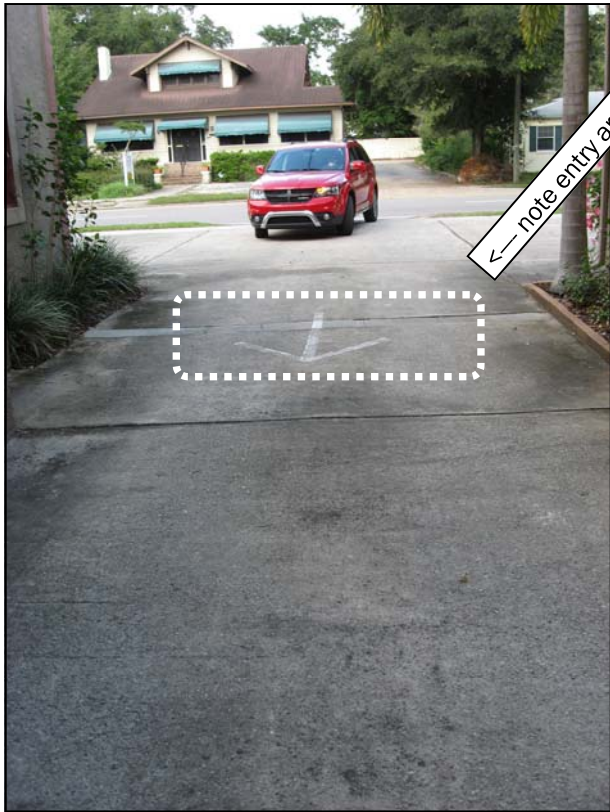
Table 4 Front Parking Impervious Surface

Existing Front Yard Areas 1416 & 1420 E. Robinson St.	2,985 sq. ft.	Front IS Coverage
Max. impervious surface (IS) coverage	1,194 sq. ft.	(40%)
Existing Front Yard Impervious Area (7 existing front spaces, 3 on west lot, 4 on the east lot)	2,205 sq. ft.	(74%)
+4 front parking spaces (9 x 18.5 space, 2x lot)	1,400 sq. ft.	(47%)

2014 SURVEY



SITE PHOTOS



Design Variance A needed to retain front parking;
Variance B needed to increase front yard impervious surface coverage.



SITE PHOTOS



Existing front parking areas for subject property, with front driveway separating the two parking areas. Note lack of required front buffer.

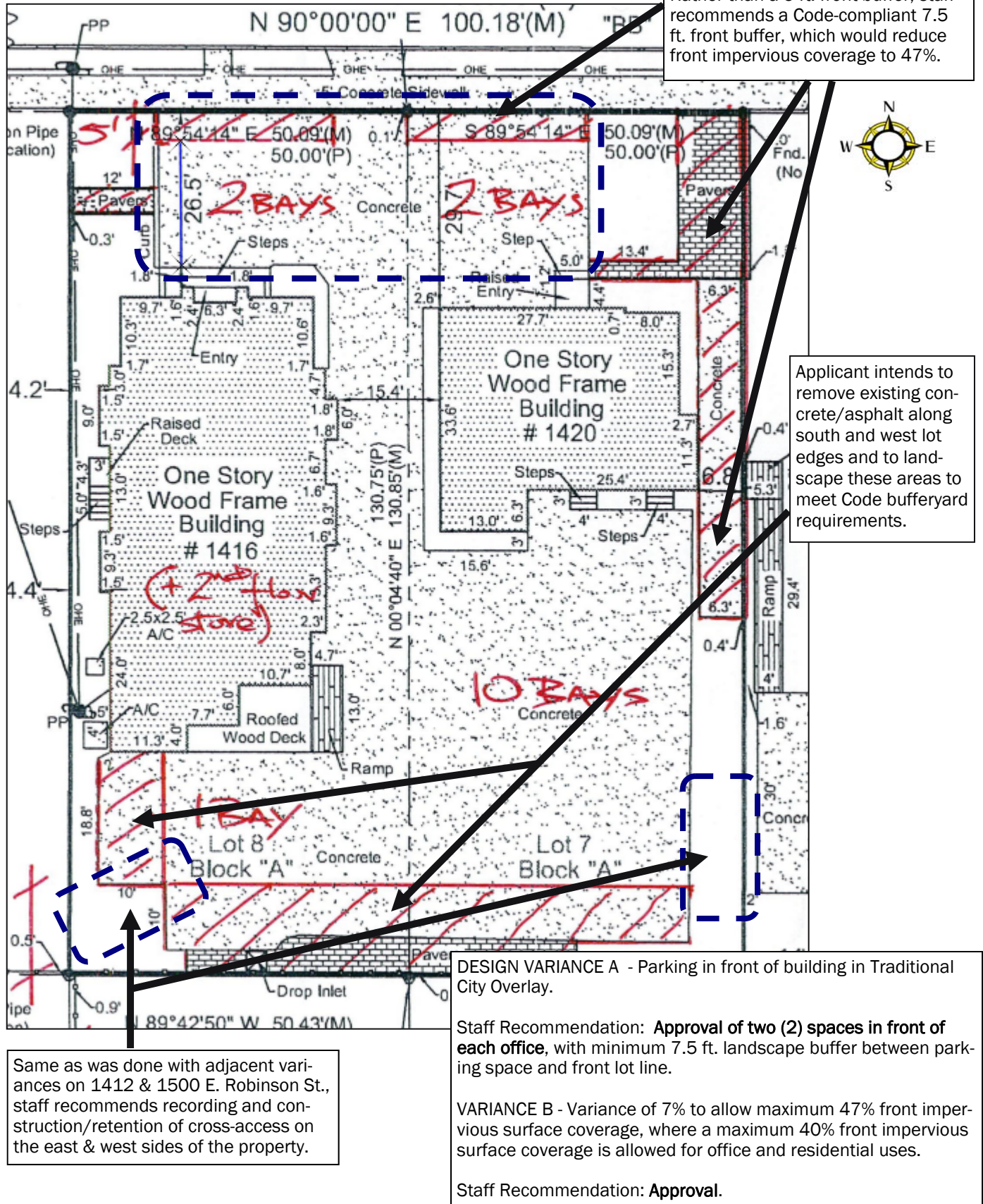


Rear tandem parking (10 spaces) behind 1420 E. Robinson St. (White vehicle is the rear parking area of 1500 E. Robinson St., with new PVC fence (condition of previous variance).)



Rear parking (4 spaces) behind 1416 E. Robinson St. (Parking cone is entry onto 1412 E. Robinson St., with dashed area being subject to ponding during heavy rains).)

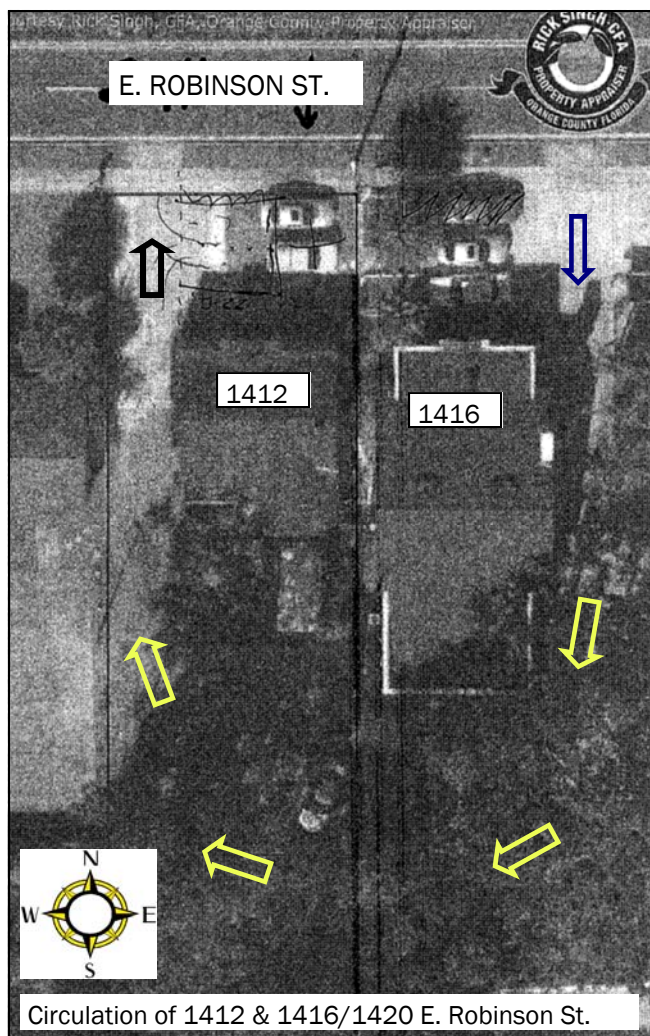
OWNER-PROVIDED SITE PLAN



SITE PHOTOS



Property at 1500 E. Robinson St., with new pavers but no required front buffer strip (required as a condition of approval).



Property at 1419 E. Robinson St., with approved gravel parking but no buffer strip (currently in for permit).

FINDINGS AND RECOMMENDATIONS

VARIANCES FOR FRONT PARKING AND FRONT IMPERVIOUS COVERAGE

- A. Design Variance to allow parking in the front yard setback, where parking is required to be behind the principal building facade or front setback (per LDC Section 62.604); and
- B. Variance of 7% to allow the front yard impervious surface coverage to not exceed 47%, where currently limited to 40% (per LDC Section 61.302(f2)).

Staff Recommendation: Approval of Design Variance A, based on the finding that said design variance meets at least 51% of the applicable standards for approval of a design variance; and approval of Variance B, based on the finding that said variance meets all six (6) standards for approval of a variance, per the conditions below:

1. Development shall be in strict conformance with all conditions and the site plan and photographs found in this report, subject to any modification by the Board of Zoning Adjustment (BZA) and/or City Council. Minor modifications to the approved variance may be approved by the Zoning Official. Major modifications, as determined by the Zoning Official, shall require additional review by the BZA.
2. All applicable City, county, state or federal permits must be obtained before commencing development.
3. Appearance Review will be required during permitting to ensure compliance with the variance conditions.
4. Not more than two (2) front parking spaces shall be allowed per office building, for a maximum front impervious coverage of 47%.
5. No vehicles shall back onto E. Robinson St. All turning movements shall be within the property.
6. A minimum 7.5-ft. deep landscape area is required between the property boundary along E. Robinson St. and the proposed front parking spaces for both offices (1416 & 1420 E. Robinson St.). This landscape area shall be screened with low growing plantings and or shrubs, including African Iris (*Dietes iridioides*), Dwarf Yaupon Holly (*Illex vomitoria 'Nana'*), or Indian Hawthorn (*Raphiolepis indica*).
7. A Bufferyard B with a minimum 8 ft. deep buffer is required along the rear yard; under Option A, said buffer shall be planted with 80% tree coverage, and a continuous 6-ft. high fence, or (under Option B) a 10 ft. deep buffer with 80% tree coverage, evergreen shrubs and vegetative cover over the remainder of the bufferyard.
8. A direct pedestrian access walkway shall be provided from the front entrance steps of the principal buildings to the existing driveway and out to the front public sidewalk.
9. The existing driveway at the front lot line shall not exceed 16 ft. in width where shown on the site plan within this report.
10. A minimum 10-ft. wide cross-access easement shall be recorded along the east and west sides of the property to facilitate existing and future connectivity to other rear parking lots on the south side of E. Robinson St.
11. A building permit shall be obtained for all site improvements prior to installation, and final inspections shall be requested in order to close out said permits and any open Code Enforcement cases.
12. Pre- and post-construction calculations of the impervious surface area shall be provided at time of permitting to illustrate how existing stormwater will be addressed.

Note to Applicant: The proposed variance only addresses the Land Development Code standards expressly represented in this staff report and any relief to such standards as approved. The relief granted through the variance is restricted to the subject property as noted in the staff report and is not transferable to other parcels of land.

The next step in this variance request is City Council consideration of the Board of Zoning Adjustment's recommended action (provided it is not appealed) at an upcoming City Council meeting. Possible City Council approval of this variance request does not constitute final approval to carry out the development proposed in this application. The applicant shall comply with all other applicable requirements of the Land Development Code, including any additional review requirements, and shall receive all necessary permits before initiating development. Please contact the Permitting Services Division of the City of Orlando to inquire about your next steps toward receiving a building permit. Also, please provide a copy of the Variance approval letter with conditions of approval with any permits requested for said project.

STANDARDS FOR DESIGN VARIANCE APPROVAL	DESIGN VARIANCE A: ALLOW FRONT PARKING IN THE TRADITIONAL CITY OVERLAY
<i>Conformance to the Code and the GMP</i>	Meets Standard Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Pedestrian-, not vehicle-, oriented design is consistent with the Growth Management Plan and Land Development Code.
<i>Logic of Design</i>	Meets Standard Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Maximum allowed parking, based on general and medical office uses, requires minimal use of the front parking pads (with reduction of spaces from 7 to 4).
<i>Exterior Space Utilization</i>	Meets Standard Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Placement of two (2) parking spaces in the front yard for each office, with removal of 3 other spaces, would be a beneficial use of exterior space for the office uses.
<i>Attractiveness</i>	Meets Standard Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Allowing not more than two (2) paved front parking spaces per office, with appropriate landscaping, will greatly enhance the attractiveness of this property.
<i>Materials Selection</i>	Meets Standard Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Removal of excess front parking spaces and planting of the required front buffer would blend with existing materials used in the office buildings.
<i>Compatibility with Surrounding Properties</i>	Meets Standard Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Six (6) other office uses along this portion of E. Robinson St. have front parking spaces and three (3) of those site have received variances, determinations or permits allowing parking in the front yard.
<i>Circulation & Parking, Vehicular & Pedestrian</i>	Meets Standard Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Two (2) front parking spaces per office, between the buildings and the front lot line, will assist with vehicle circulation within the overall office site.
<i>Accepted Architectural Principles</i>	Meets Standard Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> The front parking spaces will adhere to accepted architectural principles.
<i>Protection of Property Values</i>	Meets Standard Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Placement/retention of two (2) front parking spaces per office will serve to protect neighborhood property values.
<i>Revitalization of Depressed Areas</i>	Meets Standard Yes <input type="checkbox"/> No <input type="checkbox"/> Not applicable - not a depressed area.

STANDARDS FOR VARIANCE APPROVAL	VARIANCE B: FRONT IMPERVIOUS COVERAGE OF 47%, WHERE CURRENTLY LIMITED TO 40%
<p><i>Special Conditions and Circumstances</i></p> <p>Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures or buildings in the same zoning district. Zoning violations or nonconformities on neighboring properties shall not constitute grounds for approval of any proposed Zoning Variance.</p>	<p><i>Meets Standard</i> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>The property consists of two (2) office buildings on O-1/T zoned lots on E. Robinson St. in the Lawsons/Fern Creek neighborhood. The owner/applicant is currently parking on seven (7) paved or paved spaces in front of the office uses but proposes to remove 3 of the 7 spaces to come closer to meeting Code. The overall site is below the maximum ISR but permitted improvements to the front of the site will increase the front yard impervious surface coverage.</p>
<p><i>Not Self-Created</i></p> <p>The special conditions and circumstances do not result from actions of the applicant. A self-created hardship shall not justify a Zoning Variance; i.e., when the applicant himself by his own conduct creates the hardship which he alleges to exist, he is not entitled to relief.</p>	<p><i>Meets Standard</i> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>The owner purchased the property in 2014 “as is”, not realizing that pre-existing front parking spaces were never allowed or permitted.</p>
<p><i>No Special Privilege Conferred</i></p> <p>Approval of the Zoning Variance requested shall not confer on the applicant any special privilege that is denied by this Chapter to other lands, buildings, or structures in the same zoning district.</p>	<p><i>Meets Standard</i> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>Approval of the variance should not confer a special privilege, based on the special conditions and circumstances of the property, and given that vehicles are parked on semi-pervious pavers or more durable surfaces on other adjacent office properties.</p>
<p><i>Deprivation of Rights</i></p> <p>Literal interpretation of the provisions contained in this Chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this Chapter and would work unnecessary and undue hardship on the applicant. Financial loss or business competition shall not constitute grounds for approval of any variance. Purchase of property with intent to develop in violation of the restrictions of this Chapter shall also not constitute grounds for approval.</p>	<p><i>Meets Standard</i> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>Denial of the variance would require that the owner remove additional or all front parking space(s), at additional cost to himself. Other property owners in the area and in a similar situation have been allowed, via approved variances and determinations, to retain 1-2 front parking spaces per building.</p>
<p><i>Minimum Possible Variance</i></p> <p>The Zoning Variance requested is the minimum variance that will make possible the reasonable use of the land, building or structure.</p>	<p><i>Meets Standard</i> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>The variance requested is the minimum possible variance to allow the continued use of two (2) front parking spaces for each office building.</p>
<p><i>Purpose and Intent</i></p> <p>Approval of the Zoning Variance will be in harmony with the purpose and intent of this Chapter and such Zoning Variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.</p>	<p><i>Meets Standard</i> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>Approval of the variance would be viewed as being harmonious with the purpose and intent of the Code. Continued use of the property within Code requirements will promote the appearance and character of the immediate neighborhood. Granting the variance would not be detrimental to the public welfare.</p>

APPLICANT'S EXPLANATION OF SITE ISSUES

1416 and 1420 E. Robinson St, Orlando FL32806

Explanation of existing parking issues

1. The Owners purchased the Property in the Summer of 2014 as a single parcel.
2. The concrete paved parking areas that currently exist were in place at the time of the purchase.
3. The use of the two buildings upon the Property are as follows:
 - 1416: Medical office +/- 2450sf
 - 1420: General office +/- 1100sf
4. The City Ordinances permit a maximum total of 17 parking bays for this size and type of office use.
5. As will be seen from the survey, the configuration of the site is such that the parking available involves double stacked parking bays at the rear. Given this configuration and the fact that the medical office's clients are pregnant women often accompanied by young children in strollers, the parking bays need to be oversized, in the order of 10' x 20' to allow safe access.
6. The City Code Enforcement staff brought to the attention of the Owners that the front parking areas that currently exist (again,in place prior to purchase) did not comply with City Codes.
7. The Owners are making this application for a variance to allow the retention a total of 4 parking bays at the front of 1416 and 1420 such to provide an adequate number of parking bays.
8. The Owners are proposing to remove those areas of concrete paving shown on the attached plans to provide landscaped buffer areas at the front, sides and rear of the Property.
9. The remaining concrete paved areas will provide 15 parking bays and will meet the impervious surface limits.

APPLICANT'S RESPONSES TO DESIGN VARIANCE

CONFORMANCE TO THE CODE AND THE GMP	Describe how the proposed design meets the intent of the Code and the Growth Management Plan (GMP). <u>THE PROPOSED CHANGE IN REDUCING THE EXISTING AREA OF PARKING / PARKING TO MORE CLOSELY ADHERE TO CITY CODES.</u>
LOGIC OF DESIGN	Explain the logic of the proposed design, and why the proposed design cannot meet the Code's design standards. <u>SEE ATTACHED NARRATIVE.</u>
CONFORMANCE TO THE CODE AND THE GMP	Describe how the proposed design meets the intent of the Code and the Growth Management Plan (GMP). <u>THE PROPOSED CHANGE IN REDUCING THE EXISTING AREA OF PARKING / PARKING TO MORE CLOSELY ADHERE TO CITY CODES.</u>
LOGIC OF DESIGN	Explain the logic of the proposed design, and why the proposed design cannot meet the Code's design standards. <u>SEE ATTACHED NARRATIVE.</u>
ATTRACTIVENESS	Describe how the proposed design will provide an attractive alternative to the required design standards. <u>THE INCREASE IN LANDSCAPED AREAS TO THE FRONT, REAR, AND SIDES OF THE PROPERTY WILL ENHANCE THE STREETSCAPE AND PROVIDE A BUFFER BETWEEN ADJOINING PROPERTIES.</u>
MATERIALS SELECTION	Describe the proposed materials and how they were selected. <u>LANDSCAPE MATERIALS INCLUDING SOIL AND PLANTS WILL BE SELECTED FOR DROUGHT RESISTENT PROPERTIES.</u>
COMPATIBILITY WITH SURROUNDING PROPERTIES	Describe how the proposed design is compatible with the surrounding properties on the block face and in the neighborhood. <u>SURROUNDING PROPERTIES HAVE BOTH FRONT AND REAR PARKING.</u>
CIRCULATION AND PARKING--VEHICULAR AND PEDESTRIAN	Does the proposed design consider vehicular and pedestrian circulation on the subject site? How is parking provided? <u>YES. SEE ATTACHED NARRATIVE</u> <u>PARKING IS PROVIDED FRONT AND</u>
ACCEPTED ARCHITECTURAL PRINCIPLES	Describe how the proposed design adheres to accepted architectural principals. <u>N.A.</u>
PROTECTION OF PROPERTY VALUES	Would the proposed design protect or enhance the property values of the subject site and surrounding properties? <u>YES</u>
REVITALIZATION OF DEPRESSED AREAS	Does the proposal contribute to the revitalization of depressed areas? <u>THE INTRODUCTION OF NEW LANDSCAPED AREAS WILL ENHANCE THE APPEARANCE OF THE PROPERTY.</u>

APPLICANT'S RESPONSES TO VARIANCE REQUESTS

SPECIAL CONDITIONS AND/OR CIRCUMSTANCES

approval of any proposed zoning variance. WHAT ARE THE SPECIAL CONDITIONS AND CIRCUMSTANCES UNIQUE TO YOUR PROPERTY?

SEE ATTACHED NARRATIVE

NOT SELF CREATED

The applicant must prove that the special conditions and circumstances do not result from the actions of the applicant. A self created hardship shall not justify a variance; i.e. when the applicant himself by his own conduct creates the hardship he alleges to exist, he is not entitled to relief. HOW WERE THE SPECIAL CONDITIONS NOTED ABOVE CREATED?

THE ATTACHED SURVEY SHOWS THE EXTENT OF PARKING / PAVING THAT EXISTS AND WAS IN PLACE PRIOR TO THE PURCHASE OF THE PROPERTY BY THE OWNER

MINIMUM POSSIBLE VARIANCE

The applicant must prove that the zoning Variance is the minimum variance that will make possible the reasonable use of the land, building or structure. CAN YOU ACCOMPLISH YOUR OBJECTIVE IN ANOTHER WAY? LIST ALTERNATIVES YOU HAVE CONSIDERED AND EVIDENCE AS TO WHY THEY ARE NOT FEASIBLE.

THERE WAS A CHANGE IN USE TO MEDICAL & GENERAL OFFICE WHEN THE PROPERTY WAS ACQUIRED. THE BUYER MEDICAL PRACTICE REQUIRES THE MAXIMUM PERMITTED PARKING SPACES WHICH INCLUDES SPACES AT THE FRONT OF THE PROPERTY.

NO SPECIAL PRIVILEGE CONFERRED

(based on special conditions)
(no)

Confer on the applicant any special privilege that is denied by this Chapter to other lands, buildings, or structures in the same zoning district. WOULD APPROVAL OF THIS VARIANCE ALLOW YOU TO DO SOMETHING THAT OTHER PROPERTY OWNERS IN THE SAME SITUATION WOULD NOT BE ALLOWED TO DO?

No

DEPRIVATION OF RIGHTS

Denial or purchase of property with intent to develop in violation of the restrictions of the Chapter shall not constitute grounds for approval. WOULD DENIAL OF THIS VARIANCE DEPRIVE YOU OF RIGHTS COMMONLY ENJOYED BY OTHER PROPERTY OWNERS IN SIMILAR SITUATIONS?

THE DENIAL OF PARKING AT THE FRONT OF THE PROPERTY WOULD PREVENT THE PROVISION OF READILY ACCESSIBLE PARKING TO THE PERMITTED NUMBER OF SPACES FOR A MEDICAL OFFICE.

PURPOSE AND INTENT

injurious to the neighborhood and otherwise detrimental to public welfare. WHAT EFFECTS WILL APPROVAL OF THE VARIANCE HAVE ON ADJACENT PROPERTIES OR THE SURROUNDING NEIGHBORHOOD? (FOR EXAMPLE: ADEQUATE LIGHT, AIR, ACCESS, USE OF ADJACENT PROPERTY, DENSITY, COMPATIBILITY WITH SURROUNDING LAND USES, TRAFFIC CONTROL, PEDESTRIAN SAFETY, ETC)

THE INTENT OF THE PROPOSED CHANGES IS TO REMEDY CODE INFRINGEMENTS THAT EXISTED PRIOR TO THE ACQUISITION OF THE PROPERTY BY THE OWNER WHILST STILL ALLOWING THE OWNER TO USE THE PROPERTY FOR THE INTENDED PURPOSE.