

Anthony's Place

Variance

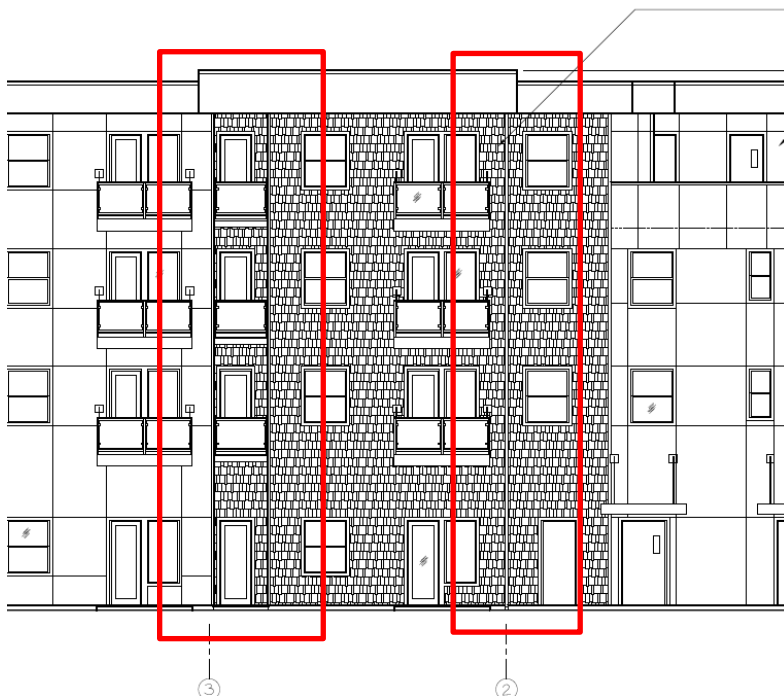
Proposal:

The subject property is Lot 2 of SUB-ADJ19-07 (Anthony's Place). The subject property is 2.93 acres in size. The applicant is proposing a mixed-use development consisting of 71 residential units and about 11,998 square feet of commercial space. The subject property is zoned CR (Commercial Retail) and the mixed-use development is permitted within the CR zone with Conditional Use approval.

On December 7, 2020, CU20-08 was approved for the subject property. Condition 4 requires building offsets that cannot be met for this type of mixed-use building:

Condition 4: An offset of at least 4 feet in depth shall be provided along all exterior walls greater than 75 feet in length or width at 40-foot intervals but shall not be required on the first floor.

The mixture of uses requires different space needs, therefore, requiring the proposed style building. Therefore, offsets as required by Condition 4 can't be met. A variance to this Condition of Approval has been requested.



Variance Criteria Section 245.005(d):

(1) There is an unreasonable hardship or practical difficulty created by the physical characteristics of the land.

Findings: Due to the size of the lot, the existing development, along with the type of building (mixed-use), creates a practical difficulty in providing a building with 4 foot off sets every 40-feet.

Offsets have been provided on the upper floors as shown on the attached building elevations. Due to the type of building, this standard is harder to meet. This standard is intended for craftsman style apartment buildings. The building proposed is a modern style mixed-use building. The mixture of uses requires different space needs, therefore, requiring the proposed style building. Offsets have been provided.

Without the variance to allow eliminate this condition, the applicant will be required to resign the building, which will result in the loss of residential units and commercial use. Therefore, resulting in a hardship for the applicant and housing needs.

(2) The variance will not result in adverse effects that are unreasonably detrimental to the public health, safety, and welfare or to property or improvements in the vicinity.

Findings: The granting of the variance will not affect the public health, safety, and welfare, or the comfort and convenience of owners in the vicinity of the proposed subdivision. The design of the building meets the Site Plan Review requirements and provides a visually appealing building.

The purpose Condition 4 is to avoid a box like building. As shown on the building elevations, the building is not a box, it provides offsets, balconies, awnings, and architectural features that help to meet the intent of Condition 4.

Therefore, not providing 4-foot offsets every 40-feet will not result in adverse effects that are unreasonably detrimental to the public health, safety, and welfare or to property or improvements in the vicinity.

