

Legislation Text

File #: ID 20-0387, **Version:** 1

South Main Mini Storage Variance Request - 610 12th Street South - Construct a concrete valley gutter in place of the 5 foot landscape buffer

Summary:

The applicant is seeking a variance to the landscaping requirements to construct a concrete valley gutter in place of the 5 foot landscape buffer. The Ordinance requires a 5 foot landscaped area in the side yard of a B-3 District property.

Background:

The property is located south of 12th Street South on the back half of a developed lot. The applicant is proposing to construct a warehouse facility and maintain the west building wall in line with the existing structure to the north. By maintain the building alignments, a 20 landscaped area exists on the west side of the proposed structure. The proposed structure will include truck loading docks which requires the drainage to flow east and then south. The site has minimal slope and a concrete valley gutter will accommodate drainage flow to the south.

Variance Criteria:

- 1. Due to special conditions, a literal enforcement of the provisions of this ordinance will result in unnecessary hardship, and the variance shall not violate the spirit of the ordinance and substantial justice may be achieved as a result of the variance.**

The valley gutter is an integral part of the overall site drainage. The west side of the building will still maintain a landscape area as well as the area east of the existing parking area.

- 2. Unique circumstances apply to the property which do not apply to other properties in the same vicinity or district.**

Additions and redevelopments can create challenges in complying with the various zoning regulations. In this case, the north half of the lot is developed and the applicant is proposing to maintain uniformity with the building structures. In order to properly manage the storm water from the site, a concrete valley gutter is necessary to ensure drainage flows in areas of minimal slope.

- 3. The variance is necessary for the preservation of a property right that is substantially the same as that possessed by other owners of other property in the same district.**

Adjacent commercial properties were developed prior to the landscaping regulations. In some instances, adjacent properties are built to the property line or have impervious materials to the property line. In this case, some greenspace areas are being maintained along the east and west property lines.

4. The variance requested is the minimum variance which would alleviate the hardship.

The 80 foot long concrete valley gutter begins at the northeast corner of the proposed building and runs south to the property line. North of the valley gutter will maintain existing greenspace.

5. Reasonable use of the property is not permitted under the terms of this chapter.

In this case, the property is useable without the valley gutter, however the structure would need to decrease in size.

Staff Recommendation

Staff recommends approval of the variance request as presented.

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Attachments:

Notice
Site Plan
Aerial Map