

VARIANCE APPLICATION

240 Base Avenue E.

NARRATIVE AND 1.13.3 DECISION CRITERIA

The Applicant and property owner of 240 Base Avenue E. (the “Property”) hereby seeks approval of a variance for relief from the Venice Historic Precedent architectural standards found in Section 7.10 of the City’s Land Development Regulations (“LDRs”). The Applicant desires to improve the Property to remove the existing, aged structures and construct a new metal, multi-purpose building for civic organizational use and public engagement.

The Property is located on the island of Venice near the airport at the corner of Base Avenue and Cooper Street. The Property has the zoning designation of Airport Avenue, Future Land Use Designation of Mixed Use Corridor, and is located within the Island Neighborhood of the Comprehensive Plan. The Property has two existing structures, one primarily utilized for office and professional use, the other for industrial/commercial-intensive-type use; the property is also used for outdoor storage of automotive and aquatic vehicles.

The Applicant purchased the Property in 2020 with the intention of improving the site and erecting a new multi-purpose building to be used by civic organizations that ultimately provide a benefit to the public and engage the local community. At the time the Applicant purchased the Property, it was zoned Commercial Intensive and used by a local nonprofit organization, Suncoast Reef Rovers, for office/administrative use and aquatic vehicle storage, maintenance and repair.

In July of 2022, the City adopted its new LDRs, which automatically rezoned the Property to the Airport Avenue zoning district; the Applicant states it did not receive notice from the City concerning this automatic rezoning and was unaware of the impacts the LDR adoption would have on the Property, its property rights, and its ability to use and improve the Property. Under the new Airport Avenue zoning district regulations, the Applicant cannot proceed with its original plans for improving the Property.

The Airport Avenue zoning district development standards require compliance with the Venice Historic Precedent architectural standards (the “VHP”), as set forth in Section 7.10 of the LDRs; the Airport Avenue zoning district, by way of its VHP architectural requirement, prohibits the Applicant from constructing a metal, multi-purpose building. However, of the 34 parcels located within Airport Avenue zoning district, only one can be found to potentially comply with the VHP (and this parcel’s building still does not comply with 7.10.6 for garages and 7.10.7 for railings). All other 33 parcels do not come close to satisfying the VHP, and moreover, several adjacent and/or proximate to the Property have metal buildings located thereon.

As stated above, the applicant seeks a variance from the VHP in order to improve the Property and construct a new metal, multi-purpose building to be used by civic organizations and clubs. Under these circumstances, a variance from the VHP is necessary and justified for the following reasons:

- The uses desired and envisioned on the Property by civic organizations and clubs require a large multi-purpose building that can be used as one large space, or can be partitioned into several smaller spaces, and for uses that can have indoor-outdoor components and functions.
- The costs to comply with the VHP are onerous and prohibitive and thereby impede the Applicant's ability to clean up and improve the Property with new construction and use it in a manner that serves the public interest.
- Of the 34 parcels located within the Airport Avenue zoning district, only one comes close to complying with the VHP; and furthermore, several parcels adjacent or proximate to the Property have metal buildings located thereon.
- Comprehensive Plan Strategy LU-IS 1.1.1 – Redevelopment acknowledges the minimal opportunity for new development in the Island Neighborhood and supports the redevelopment of underutilized properties in a manner consistent with the historical character of the Island Neighborhood as it relates to street patterns and building massing, form, layout, and setbacks. This strategy supports the requested variance as it would allow for the redevelopment of an underutilized property in a manner that is consistent with the historic use and character (industrial/commercial intensive with metal buildings and structures) of this property and its surroundings, with specific regard to massing, form, layout, and setbacks.
- LDR Section 2.3.6.A expressly states that the Airport Avenue zoning district has historically had a mix of uses, with more commercial-intensive uses being a part of this mix, and that the zoning district intends to validate the existing mix of uses while providing opportunities for more compatibility among residential and non-residential properties in the future. This LDR section supports the Applicant's variance request. Approval of the variance would validate the historic and existing use of the property, which utilizes and necessitates the metal, multi-purpose structure, and also would allow for greater compatibility in the future as the Property could be improved and provide a benefit to the neighborhood and public at large.
- Without a variance from the VHP, the Property will remain unimproved as the Applicant will only be able to repair the existing structures located thereon.
- Many neighbors of the Property are in support of the Applicant's proposed improvements and use of the Property.

The Applicant seeks a variance from the VHP in its entirety and has proposed to improve the property through constructing the approximately 7,500 square foot building as detailed in the elevations and floor plans submitted with this application.

In further support of this variance request, please find the Applicant's responses to the Section 1.13.3 Decision Criteria in bold font below:

1.13.3. Decision Criteria

1. The particular physical surroundings, shape, topographical condition, or other physical or environmental condition of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out;

The Property is surrounded by properties within the Airport Avenue zoning district and greater neighborhood that do not comply with the VHP. Strict compliance with the VHP would result in a particular hardship to the Applicant as it would prevent the Applicant from constructing the type of building necessary for the intended use of the Property.

2. The conditions upon which the request for a variance is based are unique to the parcel and would not be applicable, generally, to other property within the vicinity;

Unlike other parcels located in the Airport Avenue zoning district or Island Neighborhood that require VHP architecture, the Property is not located along a primary roadway or key thoroughfare. Compliance with the VHP will result in a much greater hardship to the Applicant than any quantifiable benefit to the public.

3. The variance is not based on any conditions, including financial, occupational, or ability, which are personal to the applicant as applied to the property involved in the application;

The variance request is not based on any conditions, including financial, occupational, or ability, that are personal to the applicant as applied to the Property.

4. The alleged hardship has not been created by any person presently having an interest in the property or, if it was, it was created as a result of a bona fide error;

The hardship has not been created by any person having an interest in the Property and rather was created by the City's automatic rezoning of the Property and requiring compliance with the VHP for all properties located in the Airport Avenue zoning district.

5. The granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the vicinity;

The granting of the variance will not be detrimental to the public welfare or injurious to the other property or improvements in the vicinity, but rather, will provide a benefit to the public and vicinity through the Applicant cleaning up and improving the existing state of the property and providing a space for civic organization use and public engagement. Additionally, many residents and owners of properties adjacent to or located within the neighborhood are in support of the Applicant's variance and proposal.

6. The variance granted is the minimum variance that will make possible the reasonable use of the property; and,

The variance granted is the minimum variance necessary for the Applicant to clean up and improve the property so that it may be effectively used by civic organizations and others providing public engagement.

7. The property cannot be put to a reasonable use which complies fully with the requirements of the Code unless the variance is granted.

The Property cannot be put to a reasonable or desirable use in its unimproved state; the desired use of the Property that will clean it up and provide a public benefit requires constructing a new, multi-purpose building. New construction would require compliance with the VHP; however, this is cost-prohibitive and inconsistent with the use desired and intended—the use that will benefit the public. Without the variance, the Property will remain in its existing state.