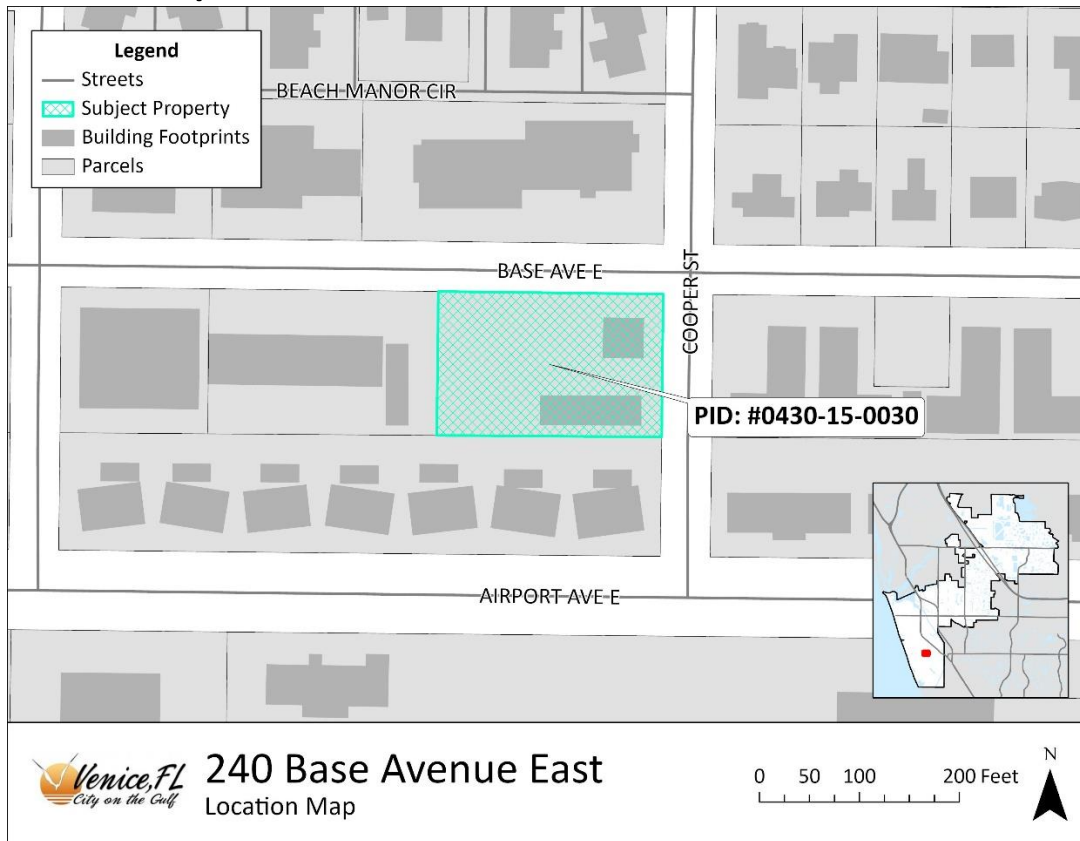


25-22VZ 240 Base Avenue East

Staff Report



GENERAL INFORMATION

Address:	240 Base Avenue East
Request:	Seeking variance from Sec. 87-2.3.6 requiring the Venice Historic Precedent architectural style in the Airport Avenue zoning district
Owner/Applicant:	Walt Kitonis/Technology Development Properties, LLC
Agent:	Annette M. Boone, Esq., Boone Law Firm
Parcel ID:	0430150030
Parcel Size:	0.74 ± acres
Future Land Use:	Mixed Use Corridor
Zoning:	Airport Avenue

I. VARIANCE REQUEST AND SUBJECT PROPERTY INFORMATION

The subject property is located at 240 Base Avenue East, and the applicant is requesting relief from the architectural requirements of the Airport Avenue zoning district contained in Sec. 87-2.3.6. The current use of the property is to occasionally house Reef Rovers' marine equipment for storage and maintenance, though the property is typically unused. The applicant intends to build a new industrial building on the site and has provided a conceptual rendering.

Site Photographs





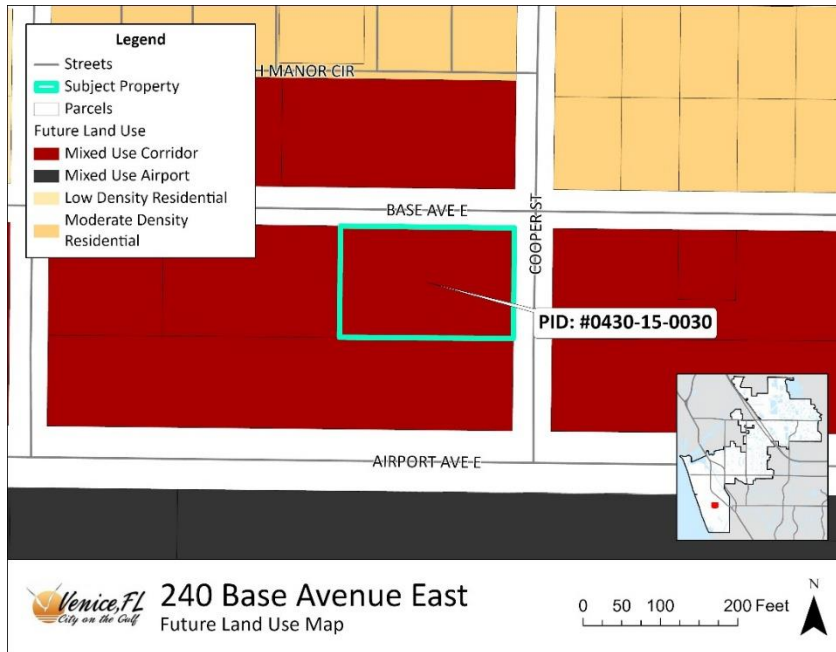
Aerial Map



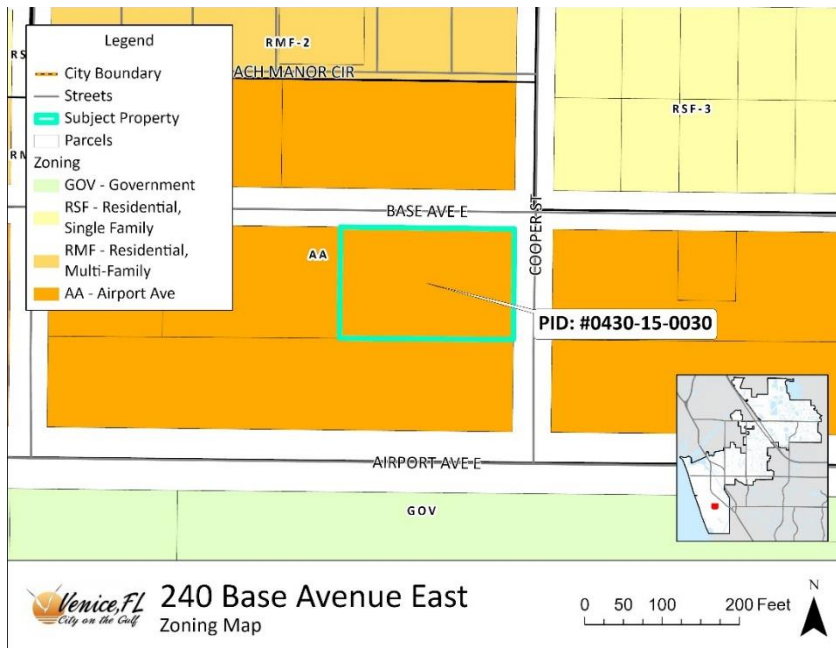
Future Land Use and Zoning

This property is surrounded by Mixed Use Corridor Future Land Use (FLU) designations on all sides. It is also surrounded by the same zoning district as the property itself, Airport Avenue.

Future Land Use Map



Zoning Map



II. PROCEDURAL REQUIREMENTS FOR VARIANCE REVIEW

The procedural requirements contained in Chapter 87 Section 1.2 concerning receipt of written petition, notice of public hearing and scheduling of hearing have been satisfied. Chapter 87- Section 1.13.3 specifies that the Planning Commission shall, based upon substantial and competent evidence, make an affirmative finding on each consideration in granting a variance application or find that variance will correct a bona fide staff error that has led to design or construction that does not comply with the LDR:

- 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.**

Applicant's Response: 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.**

Applicant's Response: 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.**

Applicant's Response: 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, it was it was created as a result of a bona fide error.**

Applicant's Response: 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.**

Applicant's Response: 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.**

Applicant's Response: 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.**

Applicant's Response: The property cannot be put to the reasonable use of a pool cage without the proposed variance.

Summary Staff Comment: Included in the agenda attachments are a rendering and site plan provided by the applicant. These documents are supplementary and not approved through a variance request. The responses provided here are sufficient to allow the Planning Commission to take action on the subject petition.