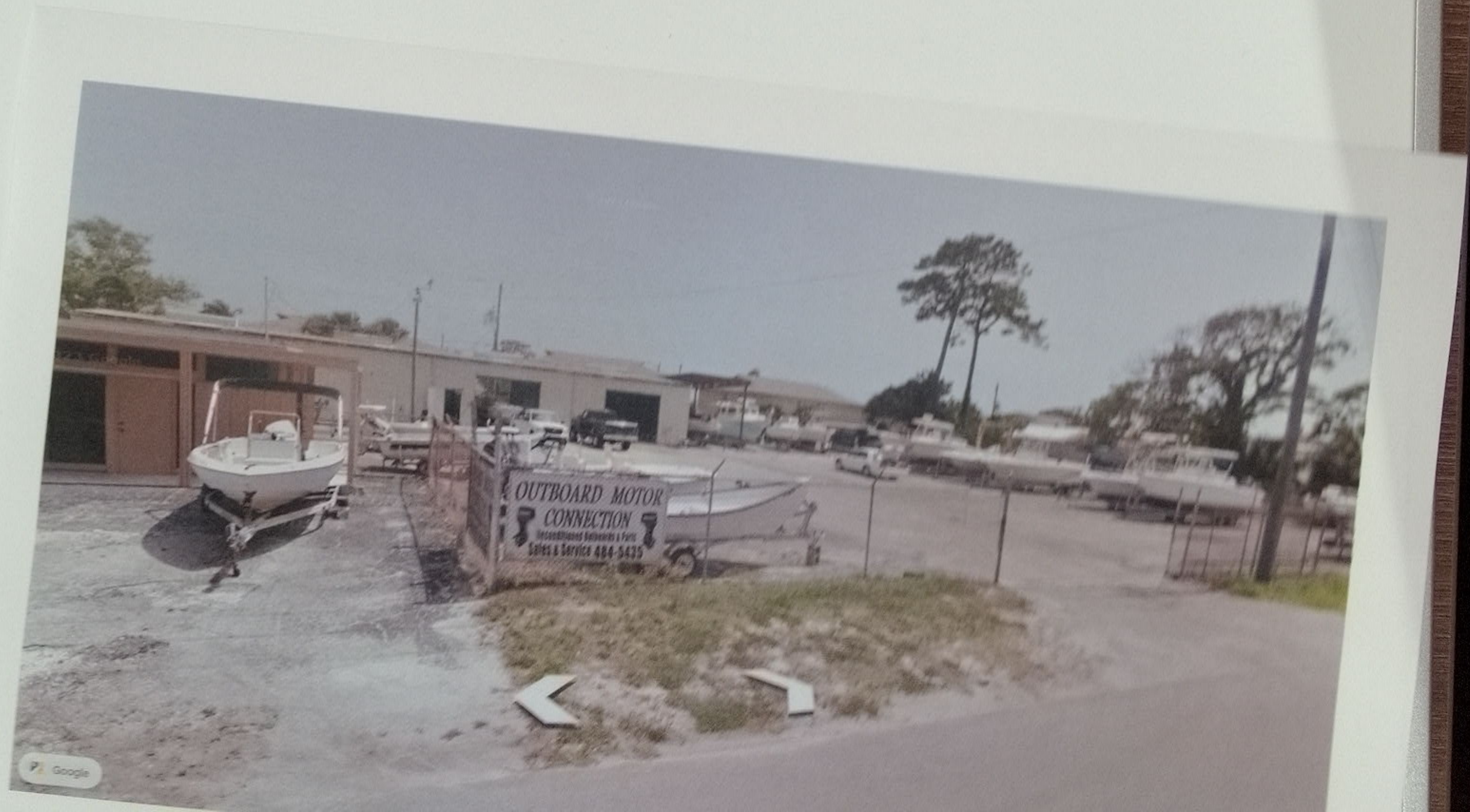


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As stated above, the applicant seeks a variance from the VHP in order to improve the Property and construct a new metal, multi-purpose building to be used by civic organizations and clubs. Under these circumstances, a variance from the VHP is necessary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

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.

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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.

HISTORIC AND ARCHITECTURAL PRESERVATION BOARD APPLICATION Variance Checklist

Variances to Venice Historic Precedent (Section 7.10.13):

The HAPB shall have the authority to grant a variance from the VHP. The burden of proof shall be on the applicant to show that, due to special conditions, a literal enforcement of the regulations will cause an unnecessary and undue hardship on the applicant.

Specific Application Requirements.

☐ Floor plans and elevations for the proposed variance.

☐ A detailed narrative is required that:

1. Cites the specific VHP section from which a variance is being requested.
2. Addresses the proposed variance and provides justification.
3. The Director or HAPB may require any additional information needed to facilitate a review of the variance being sought.

☐ In a separate document, please restate and address each item:

1. Whether special conditions and circumstances exist that are peculiar to the structure or building involved;
2. The degree to which the structure in question is constructed in the VHP Style;
3. The degree to which structures in the immediate area are constructed in the VHP Style;
4. The visibility of the proposed improvement from the street and adjoining properties; and
5. The cost of compliance with the regulations compared to the cost of the improvement with the variance and the value of the existing structure.

In granting any variance, the board may prescribe appropriate conditions and safeguards, including but not limited to, time limits for the work to commence or be completed. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of Section 7.10.13.C. A variance granted for one structure shall not be a precedent of grounds for a variance for another structure.

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commercial and residential uses have historically co-existed within the Airport Avenue corridor, including a variety of more intensive commercial uses and a range of residential densities. The Airport Avenue district is intended to validate this existing mix of uses while providing opportunities for more compatibility among residential and non-residential properties in the future. Lot coverage and building placement standards are more flexible here than in the downtown mixed use districts. Building heights in this district are limited due to the presence of the airport, although the district does not include the Venice Municipal Airport facilities, which are governed by the Airport Master Plan.

Figure 2.3.6.1. Airport Avenue Regulating Map

