



**Attachment to Zoning Application - MASTER PLAN
Proposed Commercial Contractor Units
AP 10 Lot 42
Zoning District: GB 1**

Variance Requests:

1. Article XII, Section 255-1210, C (1): Loading space for use up to 5,000 sf
Required = 1 loading space
Provided = 0 loading space

Justification: The phase 1 improvements will be for the owners use, to relocate his current business, which includes an oil delivery business and an underground tank installation/removal business. The owner's current business location is off Station Street in Coventry, but that location is not large enough for the business trucks and equipment he currently has. With this new layout, there are paved parking areas provided for vehicles and a crushed stone/crushed asphalt area to be used if needed for equipment or extra truck parking. Additional truck parking would also be inside the building. This inside parking would particularly be used to park the oil delivery trucks during the summer. The owner's business does not require a loading space, and to avoid unnecessary pavement area, the owner is requesting not to install designated loading areas. Note; if a loading space was needed in the future, the crushed stone/crushed asphalt area could be paved. The phase 2 improvements would likely also be for the owner's future use to store trucks and equipment. If there is extra space available, some storage can be rented or leased to another party. The nature of the use intended does not require a loading space for either phase

2. Article XII, Section 255-1210, C (2): Additional loading space for additional 10,000 sf (or fraction there 'of) :
Phase 1 Required = 1 additional loading space
Phase 1 Provided = 0 loading spaces

Justification: As mentioned above, the owner's business and nature of the building use does not require a loading space, and to avoid unnecessary pavement area, the owner is requesting not to install designated loading areas.

3. Article XII, Section 255-1220, C, Table 12-3: Parking use = All other types of business (1 space per 300 sf GFA)
Phase 1 Required = 30 spaces
Phase 1 Provided = 16 spaces

Justification: The owner's current business will be relocated to this site within the phase 1 area, and his current staff does not require 30 striped parking areas. 16 painted parking areas are shown. However, there is a paved area in the back of the phase 1 building that is to be used for truck movement and/or truck parking. If there is a future need for additional parking, this area can be striped for parking. The phase 1 building will have large overhead doors on both sides of the building, conducive for the proposed use.

4. Article XII, Section 255-1220, C, Table 12-3: Parking use = All other types of business (1 SPACE PER 300 sf GFA)
Phase 2 Required = 40 spaces
Phase 2 Provided = 8 spaces

Justification: The phase 2 use would be for truck and equipment storage, inside the buildings. The zoning code calculation of 40 spaces for a commercial use (all other types of business). These required spaces are not needed for the use intended for this site. Both buildings have large overhead doors along the pavement edge for truck access into the buildings. The large pavement area between the buildings is for truck movement into the building and for an access drive to Harkney Hill Road. If the future uses of the building change, striped parking rows can be provided in this paved area, on both side of the access drive.

5. Article XII, Section 255-1230, D, Table 12-8 (Minor Arterial Road-Harkney Hill Road)
Required (Driveway to driveway) = 150'
Provided = 112'

Justification: The original layout has been revised to show one driveway to Harkney Hill Road, for both phase 1 and phase 2 uses. This driveway will allow access to Harkney Hill Road.

- This driveway would be used for the owner's current business for trucks traveling west onto Harkney Hill Road, or for trucks traveling north on Nooseneck Hill Road. The trucks going north on Nooseneck will utilize the existing traffic signal at the Nooseneck/Harkney intersection, which is a much safer condition than using the Nooseneck driveway to get to the intersection.
- The 112' driveway separation is to the Dollar General back/loading driveway and has more than adequate sight distance in both directions.
- The proposed phase 1 business use is a very low traffic generator. After employee's arrive, there are approximately 10-15 trucks that leave in the morning and then return in the afternoon, and there may be occasional mid-day use, but this is not a business with consistent traffic flow.

6. Article XII, Section 255-1230, D, Table 12-8 (Principle Arterial-Nooseneck Hill Road)
Phase 1 Required (Driveway to driveway) = 150'
Phase 1 Provided = 66'

Justification:

- This is main driveway for the site and will be a right turn out only. A right turn out movement is a much safer driveway than a full access drive for this roadway
- There is an existing left turn lane in front of the site which would be used for vehicles and trucks turning left into the site
- This business use is a very low traffic generator. After employee's arrive, there are approximately 10-15 trucks that leave in the morning and then return in the afternoon, and there may be occasional mid-day use, but this is not a business with consistent traffic flow.
- The business use is a very low traffic generator, and only a portion of these vehicles will use the Nooseneck Hill Road driveway.

7. Article XVII, Section 255-1730, Table 17-1, Minimum Landscape Buffers
(site improvements are being reviewed as commercial/industrial use)
Required (to Commercial – Dollar General) = 40'
Required (to Industrial – Pro Landscape) = 30'
Provided (to both the Commercial & Industrial) = 10'

Justification:

The proposed site improvements will be landscaped with street trees, parking lot shade trees, evergreen screening along the property lines and decorative shrubs and ground plantings. This site is an allowed use for this zone, and the layout is designed to meet the general characteristics of the surrounding area.

In granting a variance, the Board shall require that evidence to the satisfaction of standards be entered into the record of the proceedings.

- (1) That the hardship from which the applicant seeks relief is due to the unique characteristics of the subject land or structure and not to the general characteristics of the surrounding area; and is not due to a physical or economic disability of the applicant

The hardship is due to the unique shape of the property and limited frontage on both Nooseneck Hill Road and Harkney Hill Road. The owner is proposing to relocate his current business to this location and the improvements proposed are necessary for the business operations. The propose business is an allowed use in the zoning code and is consistent with comprehensive plan and surrounding uses.

- (2) That the hardship is not the result of any prior action of the applicant and does not result primarily from the desire of the applicant to realize greater financial gain.

The Applicant did not take any action to create the hardship. The applicants intended use of the property does not require the number of loading or parking spaces as noted in the Zoning Ordinance. Because of the site's unique shape and limited frontage, the driveways are shown at the most appropriate location on the property, being centralized along the frontage as to not impact the adjacent properties on both side of the lot.

- (3) That the granting of the requested variance will not alter the general character of the surrounding area or impair the intent or purpose of the zoning ordinance or the comprehensive plan;

The requested variance will not alter the general character of the surrounding area. The proposed use is permitted by zone and is consistent with the uses to the south and west of the site.

- (4) That the relief is the least relief necessary;

The requested relief is the minimum necessary to allow the owner to use the property for this specific use, which is to relocate his current business to this location. The proposed use is allowed in the zoning ordinance. If the variance is not granted, the hardship will amount to more than a mere inconvenience, and would not allow the owner to use the site for his current business to this location. The relief sought is minimal for this allowed use.

- (5) In granting the variance the subject land or structure cannot yield any beneficial use if it is required to conform to the provisions of the regulations. Nonconforming use of neighboring land or structures in the same district and permitted use of lands or structures in an adjacent district shall not be considered in granting a use variance;

If the variance is not granted, the hardship will amount to more than a mere inconvenience, and the relief sought is minimal to reasonable enjoyment of a permitted use.

- (6) In granting a dimensional variance, that the hardship suffered by the owner of the subject property if the dimensional variance is not granted amounts to more than a mere inconvenience, which shall mean there is no other reasonable alternative to enjoy a legally permitted beneficial use of one's property.

If the variance is not granted, the hardship will amount to more than a mere inconvenience, and the relief sought is minimal to allow the owners current business to relocate and be operational. The proposes use is an allowed use in this zone.