

VARIANCE FROM DEVELOPMENT STANDARDS

PROPOSED FINDINGS OF FACT

Pursuant to state statute and the Lebanon Unified Development Ordinance, the Board of Zoning Appeals must find that each of the following conditions is satisfied in order to grant a variance from the development standards in the Ordinance. It is your burden to demonstrate that each of these factors is satisfied. In the space provided, please indicate how you believe the facts or circumstances in your case satisfy each factor.

Attach additional sheets if needed.

1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community.

UDO Section 7.5.C.1 – Parking Lot Paving

The proposed pavement section that is a variation to the design standard will be placed only in locations where the trailers will be stored, and not in traffic areas. There is very little movement in these areas, so the pavement will hold together and will not end up being spread onto nearby city streets.

UDO Section 7.5.C.3 – Parking Area Curbing

The variation from the standard 6" curb will still contain landscape materials, which will prevent landscape materials from leaving the site and adversely impacting the surrounding properties, the community or the environment.

UDO Section 7.8.J.3 – Parking Lot Perimeter Landscaping

The proposed landscape design does not diminish the total number of required plantings and will maintain the overall desired effect and outcome of the ordinance.

UNO Section 7.8.K.2 – Non-Residential Street Buffer

The proposed landscape design accomplishes the desired effect of the ordinance.

2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.

UDO Section 7.5.C.1 – Parking Lot Paving

The property is currently used for farming. The only effect of the new paving will be a reduction in dirt being tracked onto Indianapolis Road during planting and harvest.

UDO Section 7.5.C.3 – Parking Area Curbing

Even with the variance, the new curbing will largely be screened by the proposed landscaping.

UDO Section 7.8.J.3 – Parking Lot Perimeter Landscaping

Even with the variance, the proposed landscape design will only enhance the appearance of the overall area.

UNO Section 7.8.K.2 – Non-Residential Street Buffer

Even with the variance, the proposed landscape design will only enhance the appearance of the overall area

3. The strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property.

UDO Section 7.5.C.1 – Parking Lot Paving

NA

UDO Section 7.5.C.3 – Parking Area Curbing

Curbing is generally not compatible with the movement of semi trucks and trailers.

UDO Section 7.8.J.3 – Parking Lot Perimeter Landscaping

When the landscape requirements of the Single Family Zoning District are combined with the additional landscape requirements of the Thoroughfare Overlay Zone, the total number of plantings becomes impractical.

UNO Section 7.8.K.2 – Non-Residential Street Buffer

When the landscape requirements of the Single Family Zoning District are combined with the additional landscape requirements of the Thoroughfare Overlay Zone, the total number of plantings becomes impractical.