

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.

The Brownfield project, property remediation, and demolition along with real estate improvements will improve the site, street, right-of-way.

Additionally, the redevelopment will provide new jobs, enhance the tax base, and not be a burden to the city and/or school district.

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.

The substantial investment in the property including remediation, demolition, and real estate improvements will likely increase the value of this property and adjoining real estate.

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

This site is particularly burdened by the pre-existing condition of the property, Prairie Creek flood way, flood fringe, and Prairie Creek Regulated Drain Easement. Due to the current zoning classification, there are substantial building setbacks which affect the ability of the petitioner to maximize the redevelopment of the real estate.
