



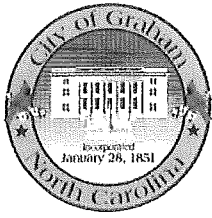
Board of Adjustment

Meeting Agenda

February 16, 2016 following the Planning Board
Council Chambers, 201 S Main St

1. Approve minutes of the December 15, 2015 meeting
2. New Business
 - A. VR1601 Washington Lots – An application for a variance from the setback requirements for the creation of two new lots.
3. Old Business
4. Public comment on non-agenda items

A complete agenda packet is available at www.cityofgraham.com



Application for a VARIANCE

Received
1/6/16
Page

P.O. Drawer 357
201 South Main Street
Graham, NC 27253
(336) 570-6705
Fax (336) 570-6703
www.cityofgraham.com

Variance requests are heard by the Board of Adjustment. This is a quasi-judicial process, meaning that it is similar to a court of law. Decisions are based on evidence and testimony presented during the hearing. Applicants should submit enough evidence to support the request for a variance. Types of evidence might include maps, drawings, pictures, cost estimates, or other information that will clearly demonstrate that the four criteria for a variance, listed below, are met. Applicants should also refrain from discussing the request with any member of the Board of Adjustment.

Property on which a Variance is sought

Street Address: 909 Washington Street
Tax Map#: 145679 GPIN: 8884084619
Current Zoning District(s): I-1
Overlay District, if applicable:
 Historic S Main St/Hwy 87 E Harden St/Hwy 54
Current Use: Manufacturing and Storage
Property Owner: Washington Properties II, LLC
Mailing Address: 913 Washington Street
City, State, Zip: Graham, NC 27253

Purpose of Variance Request

Describe the purpose of this variance request. *What are you trying to do that the Development Ordinance is prohibiting? Attach evidence to illustrate and support your case.*

Owner wants to divide the property for a future sale. The distance between the two buildings on the current property is 16 feet which does not meet the side setback requirement of 20 feet. Access easements will be provided for both buildings in the rear of the building from North Main Street and between the buildings where the variance is being requested.

Nature of Variance Request

List the specific part(s) of the *Development Ordinance* from which you are seeking a variance (for example, setbacks).

I-1 side yard setback.

Applicant

Property Owner Other _____
Name: Washington Properties II, LLC
Mailing Address: 913 Washington Street
City, State, Zip: Graham, NC 27253
Phone # (336) 570-2282
Email: rs_csm@bellsouth.net

Criteria for a Variance

When unnecessary hardships would result from carrying out the strict letter of the ordinance, the Board of Adjustment shall vary any of the provisions of the ordinance upon a showing of all of the following:

- (a) Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
- (b) The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.
- (c) The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.
- (d) The requested variance is consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and substantial justice is achieved.

I, the applicant, hereby petition the Board of Adjustment for a variance from the strict letter of the *Development Ordinance*, as described in this application.

I certify that all of the information presented by me in this application is accurate to the best of my knowledge, information and belief.

[Signature] 1-5-2016
Signature of Applicant Date

Office Use Only. DEVID#





STAFF REPORT

Prepared by Nathan Page, City Planner

Variance for Side Yard at 909 Washington St (VR1601)

Type of Request: Variance

Meeting Dates

Board of Adjustment on February 16, 2016

Contact Information

Washington Properties II, LLC
913 Washington St, Graham, NC 27253
336-570-2282; rs_csm@bellsouth.net

Summary

This is a request for a variance from the required side yard setback, which is 20 feet in the I-1 zoning district. The stated purpose of this request is as follows: "Owner wants to divide the property for a future sale. The distance between the two buildings on the current property is 16 feet which does not meet the side setback requirement of 20 feet. Access easements will be provided for both buildings in the rear of the building from North Main Street and between the buildings where the variance is being requested."



Project Name

Variance for Side Yard at 909 Washington St (VR1601)

Location

909 Washington St
GPIN: 8884084619

Current Zoning

Light Industrial (I-1)

Current Use

Recycling Center

Surrounding Zoning

R-7, B-3, I-1 & I-2

Surrounding Land Uses

Single Family Dwellings,
Neighborhood Businesses,
Light Industry, Cemetery,
Railroad

Attached is a **draft of a Resolution for the Board to consider** when making its decision. This draft Resolution should be modified as the Board sees fit and is only provided by staff as a template.