

Case No: _____

Date Application & Fee Received By: 3/24/19

Application Fee: \$300

Reviewed By: Frank Hopkins

Application for Variance Board of Zoning Appeals City of Harrisonburg, Virginia

www.harrisonburgva.gov/variances-appeals

PROPERTY INFORMATION

Location (Street Address):	<u>720 CHICAGO AVE. HARRISONBURG VA</u>
Tax Map Number Sheet:	<u>39</u> Block: <u>R</u> Lot: <u>4</u>
Existing Zoning District:	<u>B2</u>

PROPERTY OWNER INFORMATION

Property Owner's Name	<u>JAVIER ANGEL RODRIGUEZ & LETICIA SANDOVAL RODRIGUEZ</u>		
Mailing Address:	<u>3762 TRAVELER RD</u>	Email:	<u>751 lamorena@gmail.com</u>
City:	<u>ROCKINGHAM</u>	State:	<u>VIRGINIA</u> Zip: <u>22801</u>
Telephone Work:	<u>540 810 1484</u>	Fax:	<u>—</u> Mobile: <u>SAME</u>

APPLICANT INFORMATION (IF DIFFERENT FROM PROPERTY OWNER)

Applicant's Name	<u>FRED BOSSEMAN / APR ASSOCIATES</u>		
Mailing Address:	<u>286 E. MARKET ST.</u>	Email:	<u>fred@aprassoc.com</u>
City:	<u>HARRISONBURG</u>	State:	<u>VA</u> Zip: <u>22801</u>
Telephone Work:	<u>540 434 9807</u>	Fax:	<u>—</u> Mobile: <u>540 810 3304</u>

VARIANCE REQUESTED

Nature of Request (e.g. lot area, lot width, setback):	Code Section	Variance Requested
SETBACK REDUCTION TO BE EQUAL TO LINE OF EXISTING BLDG	10.3.92 AREA AND DIMENSIONAL REGULATIONS	CHICAGO AVENUE: VARIANCE OF 7'6" FROM REQUIRED 30' SETBACK (MATCH EXISTING BUILDING)
SETBACK REDUCTION TO BE EQUAL TO LINE OF EXISTING BUILDING	10.3.92 AREA AND DIMENSIONAL REGULATIONS	GRANT STREET: VARIANCE OF 20' FROM REQUIRED 30' SETBACK (MATCH EXISTING BUILDING)

HOW THE BOARD OF ZONING APPEALS EVALUATES CASES

Per Section 15.2-2309 of the Virginia State Code to grant a variance, the BZA shall make specific findings based on the evidence before it that the application satisfies all of the following enumerated requirements:

1. The strict application of the Zoning Ordinance would unreasonably restrict the utilization of the property.
2. Such hardship is not shared generally by other properties in the same zoning district and the same vicinity.
3. The authorization of such variance will not be of substantial detriment to adjacent property and that the character of the district will not be changed by the granting of the variance.
4. The property for which the variance is being requested was acquired in good faith.
5. Any hardship was not created by the applicant for the variance.
6. The relief or remedy sought by the variance application is not available through any other process available in this chapter such as modifications to this chapter or through approval of a special use permit.

VARIANCE QUESTIONNAIRE

The Board of Zoning Appeals can grant a variance only if the applicant proves certain legal requirements have been met. The following questions are intended to help the applicant show that granting a variance is appropriate. Please answer all five questions as completely as possible. Attach additional pages if necessary.

1. How does the zoning ordinance unreasonably restrict the use of this property?

SEE ATTACHMENT 3/22/19
ANSWERS TO VARIANCE QUESTIONNAIRE

2. What physical conditions of the property make the variance necessary?

SEE ATTACHMENT 3/22/19
ANSWERS TO VARIANCE QUESTIONNAIRE

3. Was the hardship created by the applicant?

SEE ATTACHMENT 3/22/19
ANSWERS TO VARIANCE QUESTIONNAIRE

4. Is the condition or situation unique to this property, or is it common among other property in the area?

SEE ATTACHMENT 3/22/19
ANSWERS TO VARIANCE QUESTIONNAIRE

5. How would this variance affect the practical use or character of the neighborhood?

SEE ATTACHMENT 3/22/19
ANSWERS TO VARIANCE QUESTIONNAIRE

REQUIRED ATTACHMENTS

- Plat of the property drawn to scale showing all dimensions and the relation of the proposed improvement to existing or proposed conditions. The plat must be prepared by a surveyor, engineer, or other person duly authorized by the State of Virginia.

Certification: *I certify that the information supplied on this application and on the attachments provided (maps and other information) is accurate and true to the best of my knowledge. In addition, I hereby grant permission to the agents and employees of the City of Harrisonburg to enter the above property for the purposes of processing and reviewing this application. I also understand that, when required, public notice signs will be posted by the City on any property.*

Signature: _____
[Handwritten Signature]
Property Owner

3-29-19 _____
Date

Signature: _____
[Handwritten Signature]
Applicant
(if different from Property Owner)

3/28/19 _____
Date

FOR BOARD OF ZONING APPEALS USE ONLY

___ Approved ___ Denied ___ Conditions Attached ___ Withdrawn

Recording Secretary _____ Date: _____

Chairman _____ Date: _____

Answers to Variance Questionnaire: 720 Chicago Avenue
March 29, 2019

1. As a triangular lot, the subject property is approximately 11,162 S.F. of land area, approximately 117' wide at the side to which the 30' is not imposed as a setback. Imposing a 30' setback requirement on both street frontages reduces the subject property to approximately 1900 S.F. of buildable area, approximately 17% of the land area for which taxes are being paid.
 - a. The existing building is approximately 60' long, already extending approximately 7'6" into the 30' setback on the Chicago Avenue side, and extending approximately 20' into the setback on the Grant Street Side.
 - i. To accomplish any kind of additional based improvement to this property requires an addition to be within the lines of a triangle and pushing far enough into the existing parking such that it subsequently eliminates any ability to make that addition by pushing the parking farther into the narrower lines of the triangle which are too narrow to add the parking within those lines.
2. The property's triangular shape and narrow lot lines, combined with having streets requiring 30' setbacks on 2 of the three property lines.
3. This hardship was not created by the client. The property came with this shape and street frontage as part of its condition.
4. This condition is not common to multiple other properties in the area, except for those periodically located at intersections of other streets tying into Chicago Avenue at an angle.
5. This variance would have no consequential effect(s) on the practical use or character of the neighborhood. For the sake of this one project, it does nothing but
 - a. Build out in both the direction of Chicago Avenue and Grant Street the same as is currently built out to, 7'6" in the direction of Chicago Avenue, and 20 feet in the direction of Grant Street, imposing the building no closer to either street than it is already imposed on those streets.
 - b. There are other buildings on the Chicago Avenue street that are the same distance or closer at various points along its route.

Filename: 19002-A0.1 Variance Application Exhibit.dwg Plotted: 3/29/2019 9:50:25 AM Plot Device: \\server\Gestefner D5m6456456 PCL 6 Page Setup: APR Arch B (11x17) - Gestefner Plotted by: Amanda L. Smith

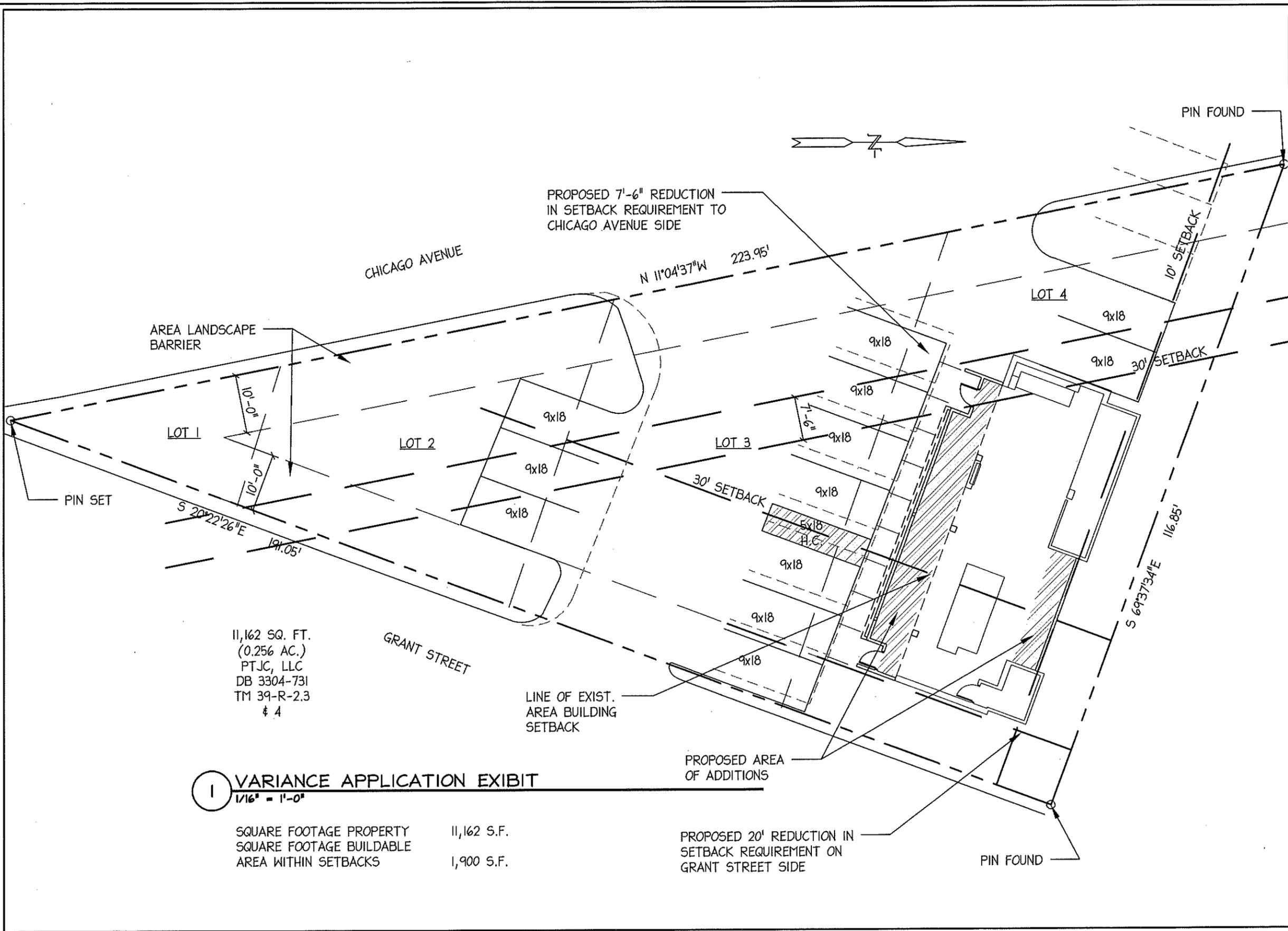
APR
ASSOCIATES

Architecture
& Planning
Resources
286 East Market Street
Harrisonburg, Virginia
(540) 434-9807

VARIANCE APPLICATION EXHIBIT
CLEAN LAUNDRY, LLC
720 CHICAGO AVENUE
HARRISONBURG, VIRGINIA

Date: 3/29/2019
Project: 19002

A0.1



11,162 SQ. FT.
(0.256 AC.)
PTJC, LLC
DB 3304-731
TM 39-R-2.3
4

1 VARIANCE APPLICATION EXHIBIT
1/16" = 1'-0"

SQUARE FOOTAGE PROPERTY	11,162 S.F.
SQUARE FOOTAGE BUILDABLE AREA WITHIN SETBACKS	1,900 S.F.

PROPOSED 20' REDUCTION IN
SETBACK REQUIREMENT ON
GRANT STREET SIDE

NOTICE: DRAWINGS PLOTTED FROM ADOBE READER PDF FILES ARE NOT 100% TO SCALE, THEREFORE DO NOT SCALE OFF SUCH DRAWINGS.