

RECOMMENDED FINDINGS

Variance

1. Because of exceptional or extraordinary circumstances or conditions applicable to the property, or use, including size, shape, topography, location or surroundings, the strict application of the ordinance is found to deprive the property owner or privileges enjoyed by other properties in the vicinity and within the same zoning district. [Finding met].

Exceptional circumstances apply to this property because it is a large (46,175-square-foot) parcel developed with a community athletic facility rather than a single-family residence, even though it is located in the R-1 residential zone. The property's recreational function requires shade structures to serve athletes and spectators, and the strict application of the 800-square-foot accessory structure limit would deprive the facility of reasonable amenities that are necessary for its intended community use. The two proposed shade structures, totaling 1,752 square feet and designed to be 50 percent open on top, are proportional to the lot size (about 3.8 percent of total area) and appropriate for the facility's public-serving purpose. Therefore, the strict application of the ordinance would deprive the property of privileges enjoyed by other properties of similar scale and use.

2. The granting of the Variance will not be materially detrimental to the public welfare or injurious to the property, improvements or uses within the immediate vicinity and within the same zoning district. [Finding met].

The granting of the variance will not be detrimental to the public welfare or injurious to adjacent properties. The proposed shade structures are open, low-profile, and located farther from nearby single-family homes than the existing improvements, thereby minimizing any visual or privacy impacts. The partially open design reduces shadowing and massing, and the use is consistent with the site's established community athletic function. The project will continue to comply with all applicable building, safety, and noise regulations, ensuring no adverse effects on neighboring properties.

3. Upon granting of the Variance, the intent and purpose of the ordinance will still be served and the recipient of the Variance will not be granted special privileges not enjoyed by other surrounding property owners within the same zoning district. [Finding met].

The intent of the zoning ordinance to limit the size and bulk of accessory structures in residential areas and to protect adjacent residential uses, is still met. The structures are accessory and open in design, and their location and scale are appropriate for a large community-serving parcel. Granting this variance does not confer any special privilege, as other large community or institutional properties within residential zones could seek similar relief under comparable circumstances.