

Overview

Edgemere Development is proposing to construct a 48-unit multi-family 4-story building with a 13,500 +/- SF footprint containing a mix of one and two-bedroom apartments, as well as community space, 42 parking spaces, and associated site improvements.

One additional variance from the Form Based Code is required:

Discussions with Town Staff identified an additional variance that is hereby requested:

Item	Required	Proposed	Comment
Section VI Mixed Use Development Subarea Required Façade within Build-to Zone	75% min	56%	Street being curved and utility easement preclude additional façade within Build-to Zone

Tests for Granting Area Variances

- 1) *Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created.*

The neighboring property is Trolley Station Apartments, a 48-unit income restricted development; Parkside Apartments will not have a deleterious effect on the neighborhood.

The building will also be architecturally pleasing and a visual benefit to the neighborhood.

- 2) *Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance.*

Increasing the amount of the façade within the Build-to Zone to the required minimum is not possible:

- Parkside Drive along the lot frontage is not straight; it curves southward
- The building has an angle point so that visually it appears to follow the right-of-way curvature (setbacks are 20.0 feet at the western corner 18.1 feet at the angle point, and 21.1 feet at the eastern corner).

- There is a pre-existing 15-foot utility easement to RG&E as measured from the Right-of-Way. The building is placed as close as possible to the southern edge of the easement after taking into account the space required to construct the footers/foundation of the building.

3) *Whether the requested area variance is substantial.*

Minimum Transparency Requirement

Code requires: *minimum of 75% Façade within Build-to Zone*

Request: 56 %

Although the additional 19% of the façade outside the Build-to Zone could be considered substantial, the maximum building setback is 23 +/- feet versus the required 20 feet. This difference is not substantial. As the street is curved and the building angled, this variance will not be apparent to the casual observer.

4) *Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.*

The proposed variance minimally affects a portion of the façade of the proposed building and has no impact on the physical or environmental conditions in the neighborhood.

5) *Whether the alleged difficulty was self-created, which consideration shall be relevant to decision of the ZBA, but shall not necessarily preclude the granting of the area variance.*

This difficulty is not self-created, as the 15-foot easement that consumes most of the Build-to Zone is pre-existing.