

Variance Description:

We are requesting that the 10 ft buffer required on both sides of the property at 15811 US Hwy 17 be eliminated. The property is substantially smaller than the surrounding properties. The property measures only 50 ft wide. The buffer would reduce the amount of usable land from side to side to only 30 ft. We are trying to purchase this property for our small car lot. We wanted to display our inventory along the sides of the property near the front so they would be visible from the highway. While performing our due diligence we were made aware of the 10 ft buffers that are required on all sides of the property. We were informed that parking or placing anything on the buffers was prohibited. If the buffers remain we will have to reconsider the purchase of the lot as the intended use will no longer be possible.

Findings:

1) 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;

- The unnecessary hardship that would occur if the variance is not removed is that the amount of usable land would be greatly reduced and the intended use for the land would not be possible.

2) The hardship results from conditions that are peculiar to the property, such as location, size, 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;

- The hardship results from the size of the property.

3) 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 granting of a variance shall not be regarded as a self-created hardship;

- The size of the property is the cause of the hardship and neither the applicant or the property owner created that hardship.

4) 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.

- If the variance is granted public safety and justice will not be affected.