

**STAFF REPORT**

**GENERAL INFORMATION**

<b>APPLICANT</b>	Hymer Hall #4, L.L.C. and Carol A. Iman
<b>LOCATION</b>	1300 Lindsey Plaza Drive
<b>ZONING</b>	C-2, General Commercial District
<b>REQUESTED ACTION</b>	Variance to 22:431.4(1)(a) – the exterior appearance requirement for all exterior walls, exclusive of windows, doors, roofs, glass, or sidewalk and walkway covers, to be constructed using masonry material covering at least eighty (80) percent of said walls.
<b>SUPPORTING DATA</b>	Location Map Application with attachments Site Plan

**SYNOPSIS:** The applicant is requesting a variance to the exterior materials requirement in C-2, General Commercial District, which requires 80% of all exterior walls, exclusive of windows, doors, walkway covers, etc. be constructed using masonry materials. The applicant first presented at the January 2023 meeting, where applicant decided to request postponement to this meeting in order to revise its requested variance. The applicant requests to construct a metal building to match the existing building on the property and proposes to cover the front exterior walls (existing and new) with dry stack stone wall panels that will constitute a total of 27% masonry, considering both buildings as a whole.

The application and the site plan are attached for your review. The building's exterior facades are included in your packet.

**VARIANCE CRITERIA PER SECTION 441.11:**

A variance from the terms of this ordinance shall not be granted by the Board of Adjustment unless and until:

- (a) An applicant shall submit to the Board of Adjustment a written application indicating:

**Please see the applicant's responses to each of the below criteria in the attached document.**

- (1) That special conditions and circumstances exist that are peculiar to the land, structure, or building involved and are not applicable to other lands, structures, or buildings in the same district;
- (2) That the literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this ordinance;
- (3) That the special conditions and circumstances do not result from the actions of the applicant;
- (4) That granting the variances requested will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structure, or buildings in the same district;

No non-conforming use of neighboring lands, structures, or buildings in the same district and no permitted use of lands, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.

**Before any VARIANCE can be granted, the Board shall make a finding that the four requirements have been met by the applicant. Please see the attached letter from the applicant detailing their justification for their request.**

**DISCUSSION:** This development began construction prior to the adoption of the Exterior Masonry requirements in 2005. The exterior materials utilized in this general area vary from a mix of metal, EIFS and brick.

The building reflected in this application was constructed with metal siding. The applicant plans to continue this with the expansion of the building but will modify the existing and new building's front exterior walls to have dry stack stone wall panels. This will give the building a variance to 27% masonry instead of the 80% required by ordinance.

**CONCLUSION:** Staff forwards this request for BOA-2223-10 to the Board of Adjustment for consideration.