



## West Central Neighborhood Association Variance Application Procedure

### **Introduction and Purpose**

Business uses in the residential areas, primarily west of Van Buren, South of Main Street, and North of Taylor Street, can be very disruptive to the residential character of the neighborhood, as a result, WCNA is not in favor of new businesses which would require a variance for legal operation. In order to conserve and promote the tranquility of the neighborhood, the West Central Neighborhood Association (WCNA) has established this policy as a guide to determining their position of support, neutrality, or opposition to business uses proposed in these areas through the City Board of Zoning Appeals or through rezoning through the Plan Commission. This procedure is in *addition to* not a replacement of BZA or Plan Commission approval.

- **If support is granted, the WCNA will write a letter of approval to the BZA to show support. Regardless of outcome, a copy of the application will be forwarded to the BZA.**

### **Issues:**

The following issues must be addressed in writing by the applicant at least 1 month prior to asking the Association to render a decision (see attached application form). The proposed use must be judged against the following criteria:

#### **Noise**

- Proposed use should not generate noise levels greater than would be expected in a normal residential environment. The times of noises generated should not be unsympathetic with hourly shifts in noise levels normally found in residential areas.

#### **Discharge of Dust, Odors, Other Pollutants**

- Proposed use should generate no noxious dust, odors, pollutants.

#### **Traffic and Parking**

- Proposed use should require no more parking than can be provided by existing parking on the site.
- Proposed use should not bring additional employees to the site from off-site.
- Deliveries should be kept minimal, kept to standards similar to any residence.
- The proposed use should not have regular business hours.
- The proposed business must comply with the City's restrictions for client/customer traffic as allowed in a "Home-based Business" (per city zoning ordinance).

### **Appearance**

- Proposed use should not make external site or building appearance changes incompatible with the residential character of the surrounding area. Any changes must receive an HPRB certificate of appropriateness within the designated historic district boundaries.
- Exterior signage should be constrained to that allowed in R-1 zoning district in the City.
- Proposed user must agree to maintain the property in a well-kempt, attractive appearance.

### **Function**

- If the proposed use involves existing residences, changes should not preclude reuse as a private residence(s) after the proposed use is finished. The structure should maintain the basic elements of a residence, including but not limited to a kitchen and bath.
- After the proposed user is finished at the proposed site, the user should be agreeable to return the property to residential use. The Board of Zoning appeals may be able to make this a condition as defined in the ordinance. The BZA must grant use variances to go with the land permanently, as approval is based on peculiarities of the subject property that make it less desirable for the zoned use in the long run. Neighborhood support of use variances will be extremely cautious, as it represents a long-term change in the approved use of property.

### **Neighborhood Involvement, et al**

- Applicant should have been a dues paying member of the Association for a minimum of one (1) year prior to application.
- Applicant must be a resident of West Central during the period of operation of the business.
- If approved, the applicant must become a business member of the Association for duration of operation.
- If approved, the applicant must report to the Association annually to evaluate any adverse effects on the neighborhood.

Any businesses which have received business variances prior to the adoption of this process will be grandfathered.