

	<p>the age of the building. The moving of the property line by 4'2" and the expansion of a portion of the building by 8'8" technically trigger the need for variances even though the property is currently already nonconforming. Furthermore the variance is also required for the pharmacy to expand to comply with federal law. This was also not a self created condition, but a regulation imposed on the pharmacy by the federal government.</p>
<i>Staff:</i>	The condition is not created by the LDR.
	<p><b>(5) The granting of the variance will not impair or injure other property or improvements in the neighborhood in which the subject property is located, nor impair an adequate supply of light or air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, create a hazard to air navigation, endanger the public safety or substantially diminish or impair property values within the neighborhood.</b></p>
<i>Applicant:</i>	<p>The granting of the variances requested will not have any effect on the neighborhood or other properties in the neighborhood, other than the adjacent building. Oak Center is an older development that predated our current LDR requirements and the vast majority, if not all, of the properties in this development are non-conforming. The adjacent building is a speech therapy clinic that is leased by Speech &amp; Swallowing Solutions, LLC and is owned by Dr. Howard (the building was previously Dr. Howard's dermatology practice.) Dr. Howard has agreed to transfer the 4'2" portion of his property necessary for the lab improvements at no consideration other than resurfacing a portion of the parking lot that benefits both of the properties. Therefore, he has consented to the proposed expansion and variances.</p>
<i>Staff:</i>	There will be no direct impact on adjacent properties from a Zoning standpoint.
	<p><b>(6) The variance requested is the minimum variance that will make possible the reasonable use of the land, building, or structures.</b></p>
<i>Applicant:</i>	<p>The variances requested are the minimum variances that will allow the building and structures to continue to be reasonably used as a pharmacy, the practice of which includes compounding. The requested building expansion of 8 feet 8 inches is the minimum necessary to enable the pharmacy to comply with the new federal law requirements. The applicant is not requesting anything more than what is required under these specific requirements for compounding laboratories.</p>
<i>Staff:</i>	The variances requested are larger variances.
	<p><b>(7) The requested variance will not be inconsistent with the general spirit and intent of the LDR or the purpose and intent of the Comprehensive Plan.</b></p>
<i>Applicant:</i>	<p>The proposed variances are consistent with the general spirit of Title 2 as well as the policies of the City of Valdosta Comprehensive Plan. Title 2 was enacted for the purposes of promoting the uses of buildings, structures, and land for trade, industry, and other purposes so as to promote the health, safety, morals, convenience, order, prosperity, and general welfare of the city, conserve the value of buildings, and encourage the most appropriate use of land and buildings throughout the City of Valdosta. The most appropriate use of this land and building is the same use that it has been put to for the last 30 years—a full service pharmacy. The requested variances will allow Hogan's Pharmacy to continue to operate as it always has, and to do so at the same locale. This will further promote the general welfare and prosperity of the City, as it will support the growth and viability of one of its long-established businesses.</p> <p>The proposed variances are also consistent with the policies in the Comprehensive Plan, specifically the Sense of Place Objective, Infill Development Objective, and the Heritage Preservation Objective. The sense of Place Objective strives to preserve historic and distinctive characteristics of the community, so that visitors "know when they have arrived in the community." Hogan's Pharmacy has been a fixture in the community for over 30 years, and therefore the preservation of its business, at its historic locale, would support the objective. Similarly, the Infill Development Objective encourages the community to maximize the use of existing infrastructure and buildings, rather than leaving such buildings vacant. The proposed variances would allow Hogan's Pharmacy to maintain the use of their existing building by continuing to use it as a full service pharmacy. The Heritage Preservation Objective strives to protect the traditional character of the community by preserving and revitalizing historic areas and encouraging new development that is compatible with the traditional features of the community. The approval of these</p>