

**BOARD OF ZONING ADJUSTMENT
STAFF REPORT**

Date: January 7, 2013

CASE NUMBER 5718

APPLICANT NAME Joe Mason

LOCATION 1412 & 1416 Wolf Ridge Road
(East side of Wolf Ridge Road, 200' ± North of Moffett Road).

VARIANCE REQUEST **FRONT LANDSCAPING AREA:** Allow 2,435 square feet of front landscaping area to be provided for a 94,510 square-foot lot.

ZONING ORDINANCE REQUIREMENT **FRONT LANDSCAPING AREA:** 60% of the 12% total landscaping area must be provided between the street line and the building wall facing the street; for a 94,510 square-foot lot, 6,804 square feet of front landscaping area would be required.

ZONING B-3, Community Business District

AREA OF PROPERTY 2.17± Acres

CITY COUNCIL DISTRICT District 1

TRAFFIC ENGINEERING COMMENTS *Please schedule an onsite meeting with Traffic Engineering, 251-208-2960 to ensure that there will be no line of sight issues resulting from the locations where the trees are to be planted.*

ANALYSIS The applicant is requesting an extension of approval for a Front Landscaping Area Variance to allow 2,435 square feet of front landscaping areas on a 94,510 square foot lot; the Zoning Ordinance requires 6,804 square feet of front landscaping area for a lot 94,510 square feet in a B-3, Community Business District.

The site was recommended for rezoning from B-2, Neighborhood Business, to B-3, by the Planning Commission in April, 2011, and approved by the City Council in June, 2011. A condition of that rezoning is that the site plan be revised to indicate all required landscaping area and tree planting as being on the site, outside of the right-of-way or any required dedication area. The applicant also submitted Voluntary Conditions and Use Restrictions prohibiting the use of

the property for any B-3 use, except those uses allowed in B-2 districts and automobile and truck sales and service. A one-lot subdivision was approved at the June 7, 2012 Planning Commission meeting, but the Final Plat has not been signed or recorded.

Since only a portion of the site is proposed to be developed, the applicant was granted the subject variance on November 7, 2011; with a six month extension granted at the Board of Zoning Adjustment's June 4, 2012 meeting. The applicant states that a building permit for such development will not be able to be obtained prior to expiration of the variance, hence this extension request. The applicant obtained a building permit in October 2012 for repairs to an existing structure on the site, which may indicate that the applicant does not plan to develop the site as proposed. Extensions for variance approvals are not uncommon for appropriate reasons, and further time to complete the subdivision process and obtain permits would be considered an appropriate request. However, as variance approvals are good for a six-month period, such is also the case for extensions. If an extension is granted, it should be noted that this will be the last extension for this property.

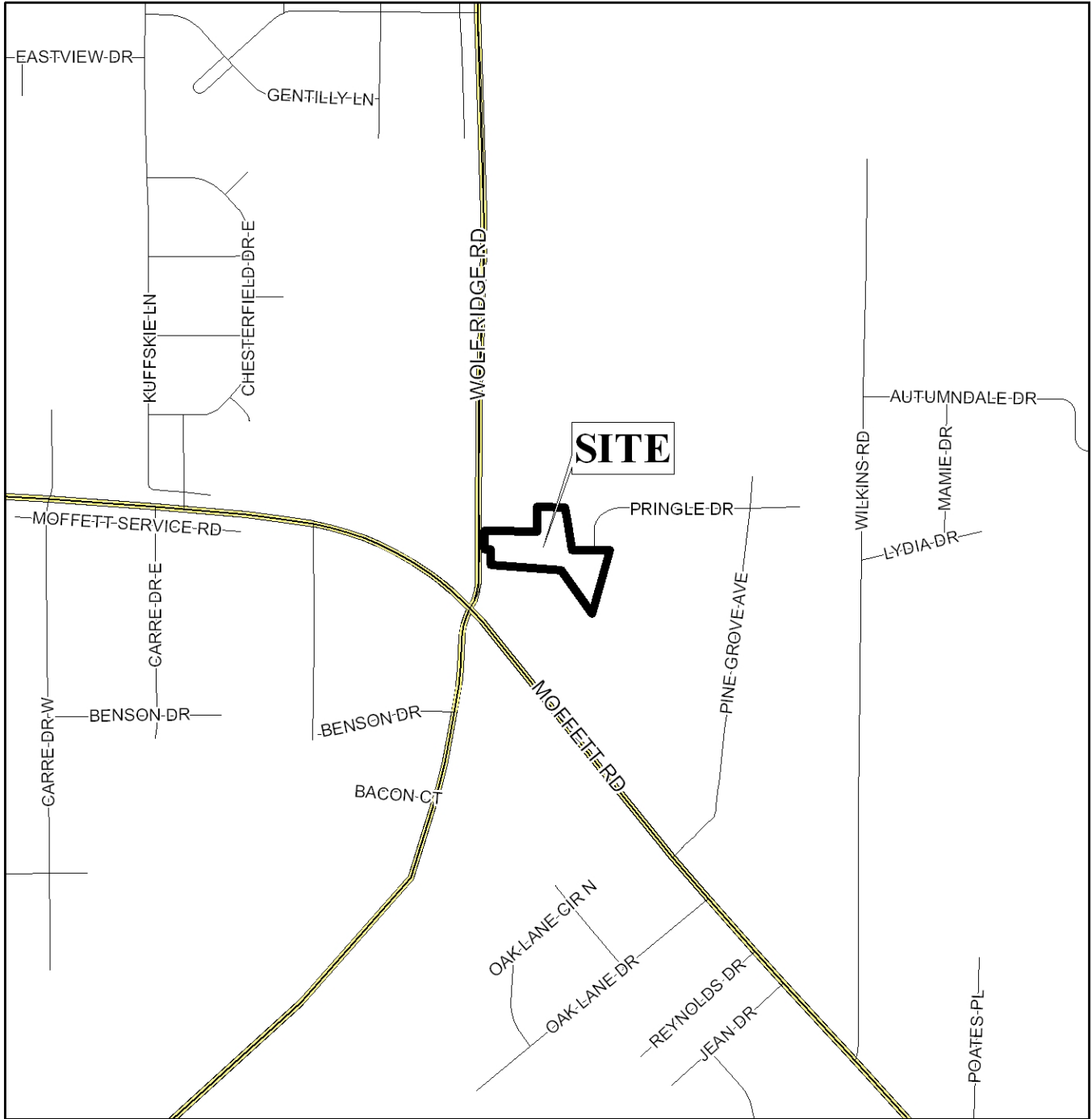
RECOMMENDATION: Based on the preceding, this application is recommended for denial.

Revised for the February 4, 2013 meeting:

The application was heldover from the January 7, 2013 meeting at the Board's request. The applicant has not submitted any additional or revised information, therefore the original recommendation stands.

RECOMMENDATION: Based on the preceding, this application is recommended for denial.

LOCATOR



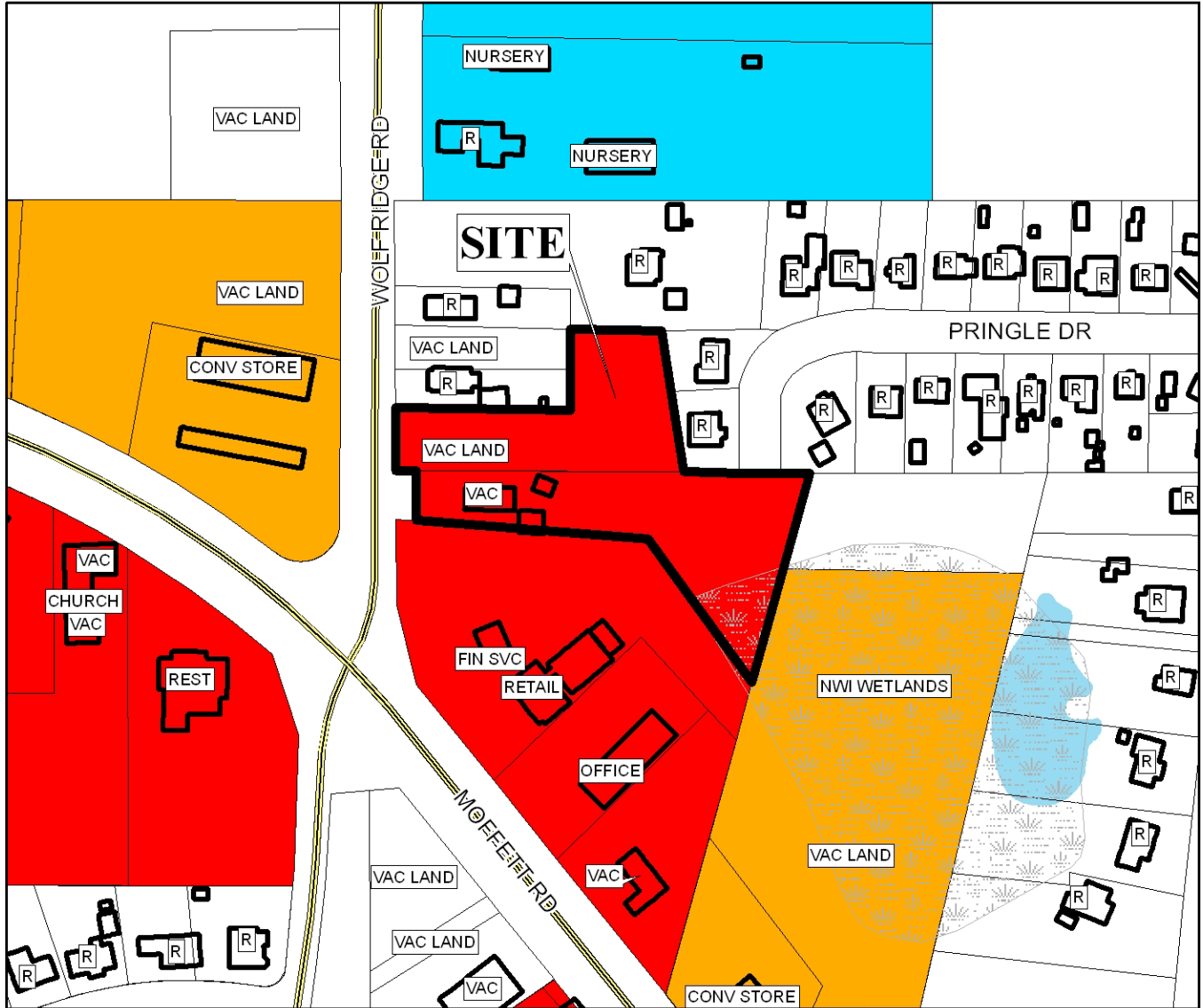
APPLICATION NUMBER 5718 DATE February 4, 2013

APPLICANT Joe Mason

REQUEST Front Landscaping Variance



BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



This site is surrounded by miscellaneous land use.

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LEGEND															
	R-1	R-2	R-3	R-A	R-B	H-B	T-B	B-1	LB-2	B-2	B-3	B-4	B-5	I-1	I-2



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**BOARD OF ADJUSTMENT
VICINITY MAP - EXISTING ZONING**



This site is surrounded by miscellaneous land use.

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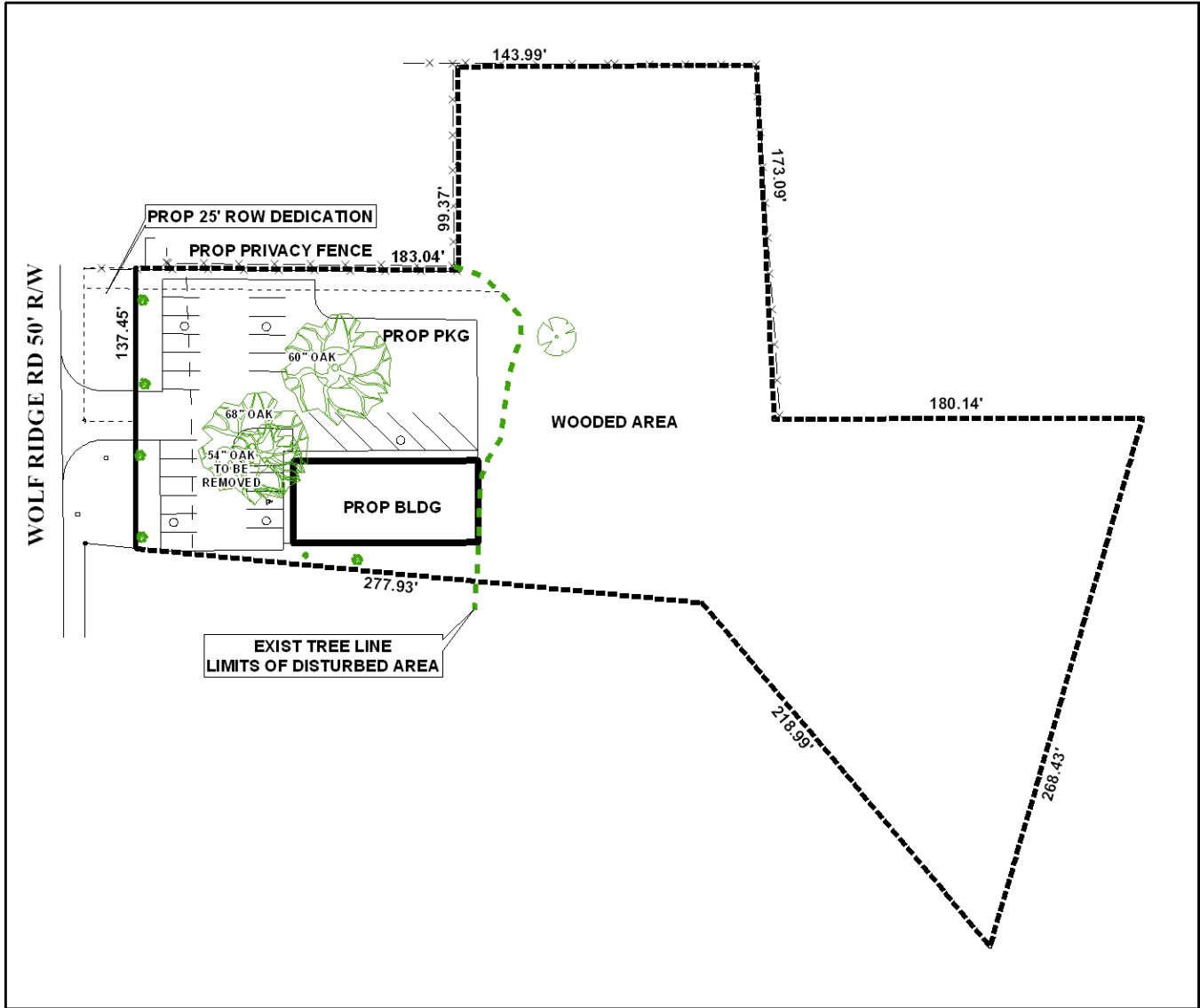
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SITE PLAN



The site plan illustrates the proposed improvements.

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