

APPLICATION NUMBER

5291

A REQUEST FOR

**USE, PARKING RATIO, AND ACCESS/MANEUVERING
VARIANCES TO ALLOW A BARBER SHOP IN A B-1,
BUFFER BUSINESS DISTRICT WITH TWO (2) ON-SITE
PARKING SPACES AND A 13' WIDE TWO-WAY DRIVE;
THE ZONING ORDINANCE REQUIRES A MINIMUM OF
A B-2, NEIGHBORHOOD BUSINESS DISTRICT, EIGHT (8)
ON-SITE PARKING SPACES FOR A 2,400 SQUARE FOOT
BUILDING, AND A 24' WIDE DRIVE FOR TWO-WAY
TRAFFIC**

LOCATED AT

652 WESTERN DRIVE

(East side of Western Drive, 60' ± North of Cotton Street)

APPLICANT/OWNER

NAPMAR, LLC

BOARD OF ZONING ADJUSTMENT

FEBRUARY 2005

The applicant is requesting Use, Parking Ratio, and Access/Maneuvering Variances to allow a barber shop in a B-1, Buffer Business district with two (2) on-site parking spaces and a 13' wide two-way drive; the Zoning Ordinance requires a minimum of a B-2, Neighborhood Business District, eight (8) on-site parking spaces for a 2,400 square foot building, and a 24' wide drive is required for two-way traffic.

The only information provided by the applicant is that one of the units is proposed as a barbershop. The application also included a site plan.

Several points must be brought to the Board's attention concerning this variance application. The proposed plan does not illustrate any delineated parking spaces for this site. The site plan illustrates two points of access, which only allows for the parking of two vehicles thus providing only 25% of the required parking spaces.

Based upon the lack of information from the applicant and in reviewing the surrounding development patterns, it does not appear the property is unique; nor are there any noticeable hardships associated with the site that would prohibit it from being used for a conforming B-1 use.

The Zoning Ordinance states that no variance shall be granted where economics are the basis for the application; and, unless the Board is presented with sufficient evidence to find that the variance will not be contrary to the public interest, and that special conditions exist such that a literal enforcement of the Ordinance will result in an unnecessary hardship. The Ordinance also states that a variance should not be approved unless the spirit and intent of the Ordinance is observed and substantial justice done to the applicant and the surrounding neighborhood.

The applicant failed to illustrate that a literal enforcement of the Zoning Ordinance would result in an unnecessary hardship. It is simply the applicant's desire to use this site as a barbershop with insufficient parking. Additionally, the applicant did not provide any evidence to illustrate a hardship associated with the property.

RECOMMENDATION 5291**Date: February 14, 2005**

Based upon the preceding, this application is recommended for denial.

LOCATOR MAP



APPLICATION NUMBER 5291 DATE February 14, 2005

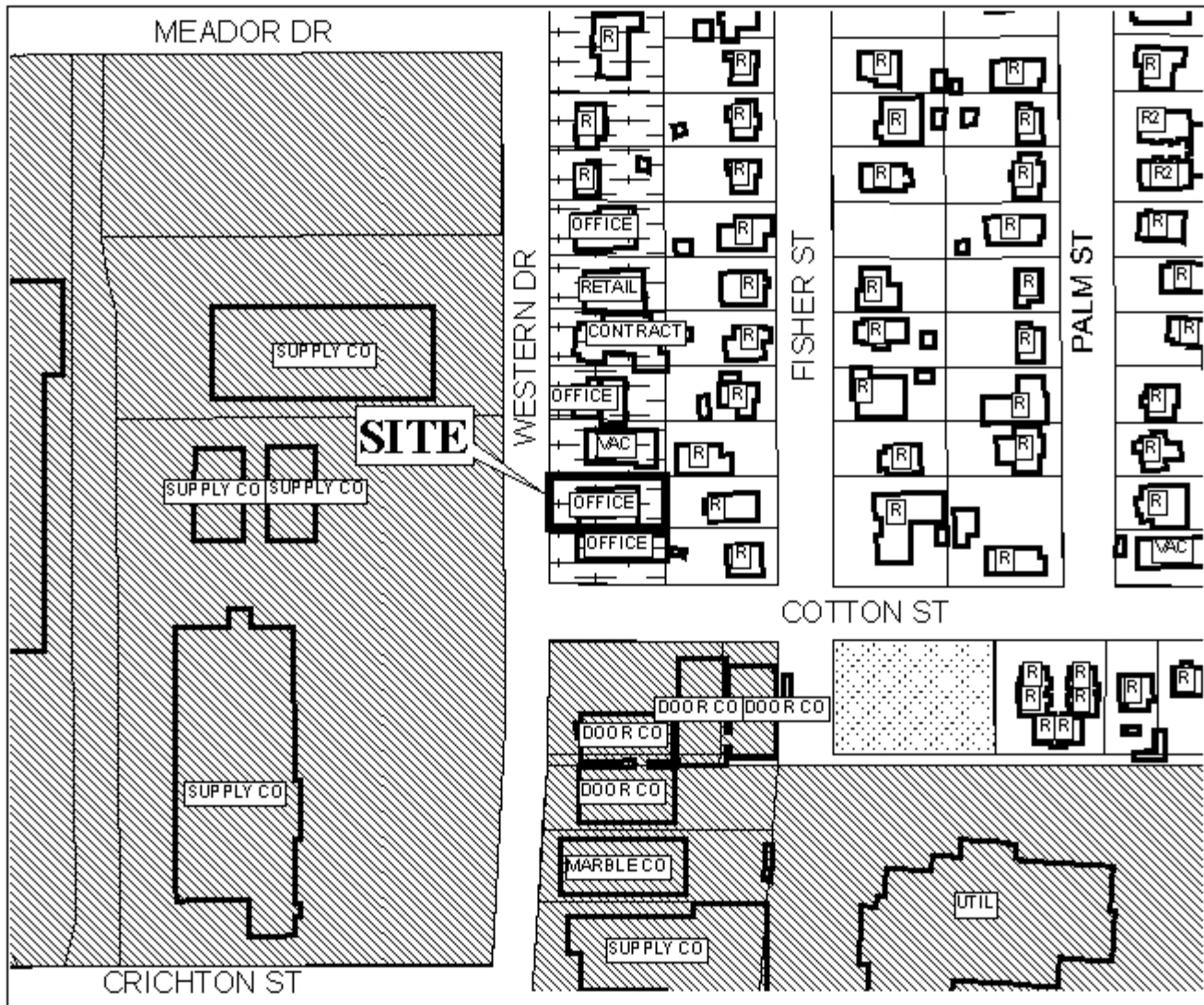
APPLICANT Napmar, LLC

REQUEST Use, Parking Ratio, Access/Maneuvering Variances



NTS

BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



Single-family residential units are located to the north and east of the site.
Commercial sites are located to the north, west, and south of the site.

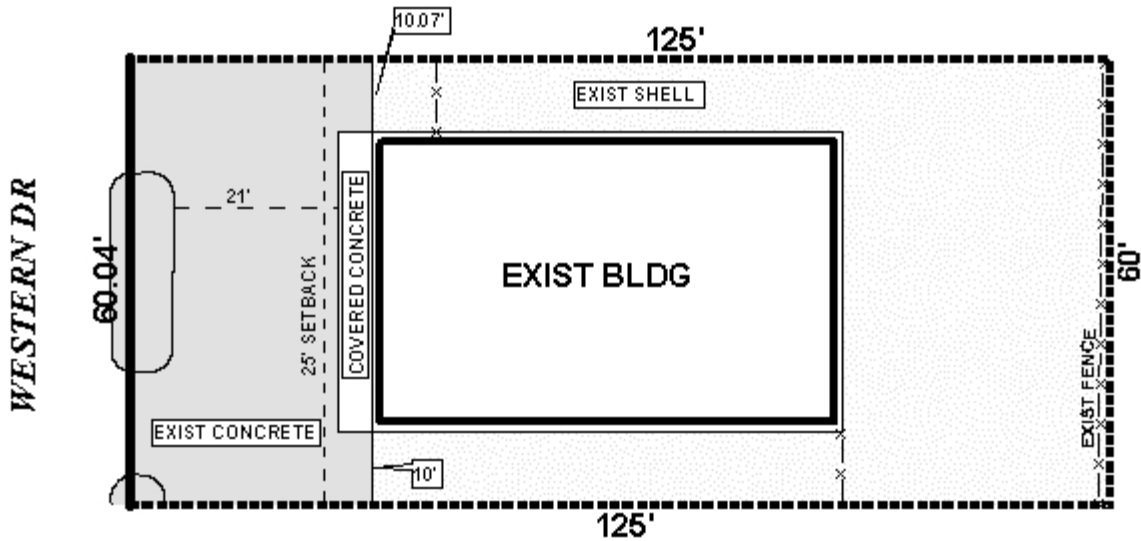
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LEGEND

R-1	R-2	R-3	R-A	R-B	H-B	B-1	LB-2	B-2	B-3	B-4	B-5	I-1	I-2
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SITE PLAN



The site plan illustrates the existing building, drives, and surfaces

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