

APPLICATION NUMBER

5460/5373

A REQUEST FOR

**PARKING RATIO VARIANCE TO AMEND THE SITE
PLAN OF A PREVIOUSLY APPROVED USE VARIANCE
TO ALLOW 18 ON-SITE AND 21 OFF-SITE PARKING
SPACES (39 TOTAL) FOR A 160-MEMBER CHURCH IN
AN R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT; THE
ZONING ORDINANCE REQUIRES A TOTAL OF 40 ON-
SITE PARKING SPACES FOR A CHURCH IN AN R-1,
SINGLE-FAMILY RESIDENTIAL DISTRICT.**

LOCATED AT

1350 CHINQUAPIN STREET

(East side of Peach Street, extending from Chinquapin Street to Spruce Street)

APPLICANT/OWNER

GREATER MACEDONIA BAPTIST CHURCH

AGENT

REGINALD HASTEN, DEACON

BOARD OF ZONING ADJUSTMENT

FEBRUARY 2008

The applicant is requesting a Parking Ratio Variance to amend the site plan of a previously approved Use Variance to allow 18 on-site and 21 off-site parking spaces (39 total) for a 160-member church in an R-1, Single-Family Residential District; the Zoning Ordinance requires a total of 40 on-site parking spaces for a church in an R-1, Single-Family Residential District.

In 2006, the applicant was granted a Use Variance to allow 21 off-site parking spaces for the expansion of its parking lot. Part of the approved site plan included 19 on-site parking spaces, making a total of 40 parking spaces, the required number for a 160-member congregation. A few minor site plan changes to accommodate stairs and a landing at the front of the proposed building addition caused an encroachment into a parking area which reduced the allowable parking spaces. To make up the loss, the site plan was revised to relocate some of the parking to a vacant area to the rear of the site, but with one less parking space than was previously planned. Since variances are site plan specific, the amended site plan requires a further variance, as does the allowance of one less parking space from the previously approved total, hence this application. No changes are proposed to the off-site parking area located on the South side of Chinquapin Street, across from the church. In addition to this variance request to amend the previous approval, the church has also submitted a Planning Approval application to the Planning Commission to amend the previous approval.

The landing is indicated on the site plan to provide access to a wheelchair ramp which was not indicated on the original variance. Due to the inclusion of the landing, it, and the entrance stairs had to be extended into the proposed parking area which caused the loss of parking, and a slight building setback encroachment. But due to the requirement for handicap access, a hardship could be considered imposed on the property which required the site plan modifications. The resultant loss of one over-all parking space from the required number is not of significant consequence, especially when considering the fact that many inner-city churches operate with a much greater discrepancy. The modified site plan now indicates a curb cut to Spruce Street for the relocated parking area; this should be approved by Traffic Engineering, and conform to AASHTO standards.

The Zoning Ordinance states that no variance shall be granted where economics are the basis for the application. Furthermore, the applicant must present 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.

Variances are not intended to be granted frequently. The applicant must clearly show the Board that the request is due to very unusual characteristics of the property and that it

satisfies the variance standards. What constitutes unnecessary hardship and substantial justice is a matter to be determined from the facts and circumstances of each application.

Although any hardship imposed is due to a combination of design oversight and site over-development, the minimal shortage of required parking would not be inconsistent with other churches in the area, and the Board should consider this application for approval, subject to conditions.

RECOMMENDATION 5460/5373**Date: February, 11, 2008**

Based on the preceding, this application is recommended for approval subject to the following conditions: (1) the applicant obtains the necessary approvals from the Planning Commission and compliance with any conditions thereof; and (2) approval of the proposed curb cut to Spruce Street by Traffic Engineering and conformance to AASHTO standards.

LOCATOR MAP



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APPLICANT Greater Macedonia Baptist Church

REQUEST Parking Ratio Variance



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BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



The site is surrounded by residential units

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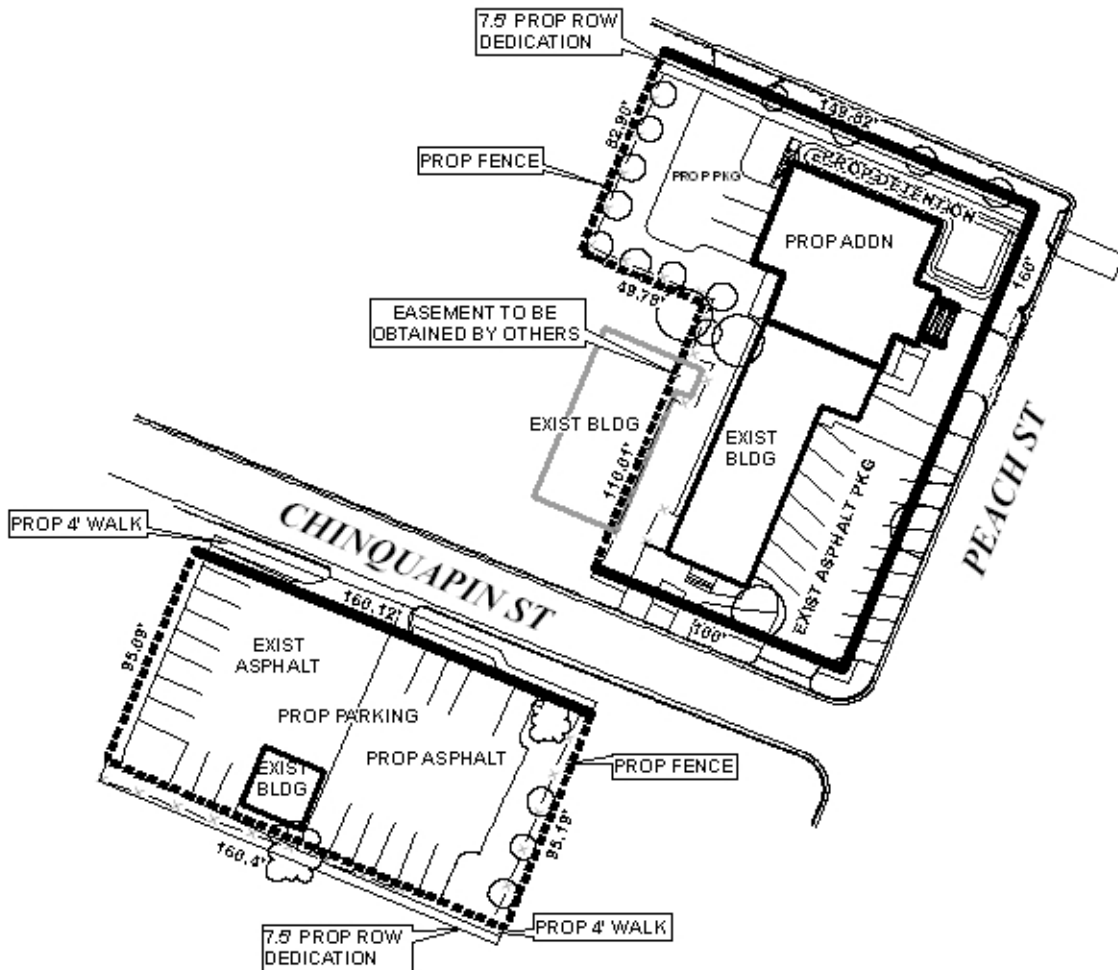
REQUEST Parking Ratio Variance

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 buildings, parking, along with the proposed buildings, and parking

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