

APPLICATION NUMBER

**5308/5289**

A REQUEST FOR

**PARKING SURFACE AND ACCESS/MANEUVERING  
VARIANCES TO RE-OPEN AN EXISTING VARIANCE TO  
ALLOW A GRASS SURFACE PARKING LOT, AND A 12-  
FOOT WIDE, TWO-WAY DRIVEWAY; THE ZONING  
ORDINANCE REQUIRES ALL PARKING TO BE  
ASPHALT, CONCRETE OR AN APPROVED  
ALTERNATIVE PAVING SURFACE, AND A 24-FOOT  
WIDE DRIVE IS REQUIRED FOR TWO WAY ACCESS**

LOCATED AT

**770 SULLIVAN AVENUE**

(West side of Sullivan Avenue at the West terminus of Fairway Drive)

APPLICANT/AGENT

**M. DON WILLIAMS, III**

OWNER

**EMMA PERRYMAN**

**BOARD OF ZONING ADJUSTMENT**

JUNE 2005

The applicant is requesting Parking Surface and Access/Maneuvering Variances to re-open an existing variance to allow a grass surface parking lot, and 12-foot wide, two-way driveway; the Zoning Ordinance requires all parking to be asphalt, concrete or an approved alternative paving surface, and a 24' wide drive is required for two way access.

This site was granted a Use Variance at the Board's January meeting, allowing a drug counseling, including in-residence service in a R-1, Single-Family Residential District with the following conditions: 1) that the design of the parking area and driveway be approved by Traffic Engineering; 2) full compliance with the landscaping and tree planting requirements of the Ordinance; 3) provision of an 8-foot wooden privacy fence where the site adjoins residential property; 4) that no sign(s) be posted on the premises; and 5) that the exterior of the property retain its residential character.

The applicant states the Board approved a Use Variance for the operation of a drug counseling, residential facility within the existing residential structure. The applicant states the site plan that accompanied the application illustrated paved parking for eleven vehicles with a 24-foot wide two-way driveway entrance. The applicant goes on to state the approval was based on the conditions that the design of the parking area and driveway be approved by Traffic Engineering, and that the exterior of the property retain its residential character.

The applicant states that the site cannot retain its residential character with a two-way driveway entrance and eleven paved parking spaces. The applicant proposes to widen the existing driveway to 12-feet for one-way traffic, retain the concrete ribbon strip driveway within the property, and provide a 24-inch wide landing strip for front tires of the vehicles to define the grass parking lot. The applicant states that the three person staff would park on the five existing concrete parking spaces and that the extra grass parking spaces would only be used for visitation on Sunday afternoon. Clients cannot have vehicles on the property during their sessions at the facility. The applicant states that Monday through Saturday, the parking lot will look similar to the front yards of the neighbors.

While there are advantages to asphalt parking lots (aesthetics, drainage, ability to delineate proper parking), there are several disadvantages for allowing parking on a grass surface, such as the inability to delineate parking spaces properly, migration of the soil, and potential damage to the parking areas from conditions after a heavy rainfall. In addition, after months of use, grass becomes "dirt", forming a soft surface that is not beneficial for parking or drainage.

Moreover, there are other alternative parking surfaces allowed by the Zoning Ordinance that would meet most of the needs and desires of the applicant. These options include

interlocking pavers, porous asphalt or grasscrete. Any of these surfaces could be allowed without the need for a variance.

Typically, Traffic Engineering recommends paved parking and access, and the driveway width for commercial sites (as measured behind the sidewalk) is 24-foot wide with a 20-foot radius. A 20' radius for typical passenger vehicles is both desirable and required.

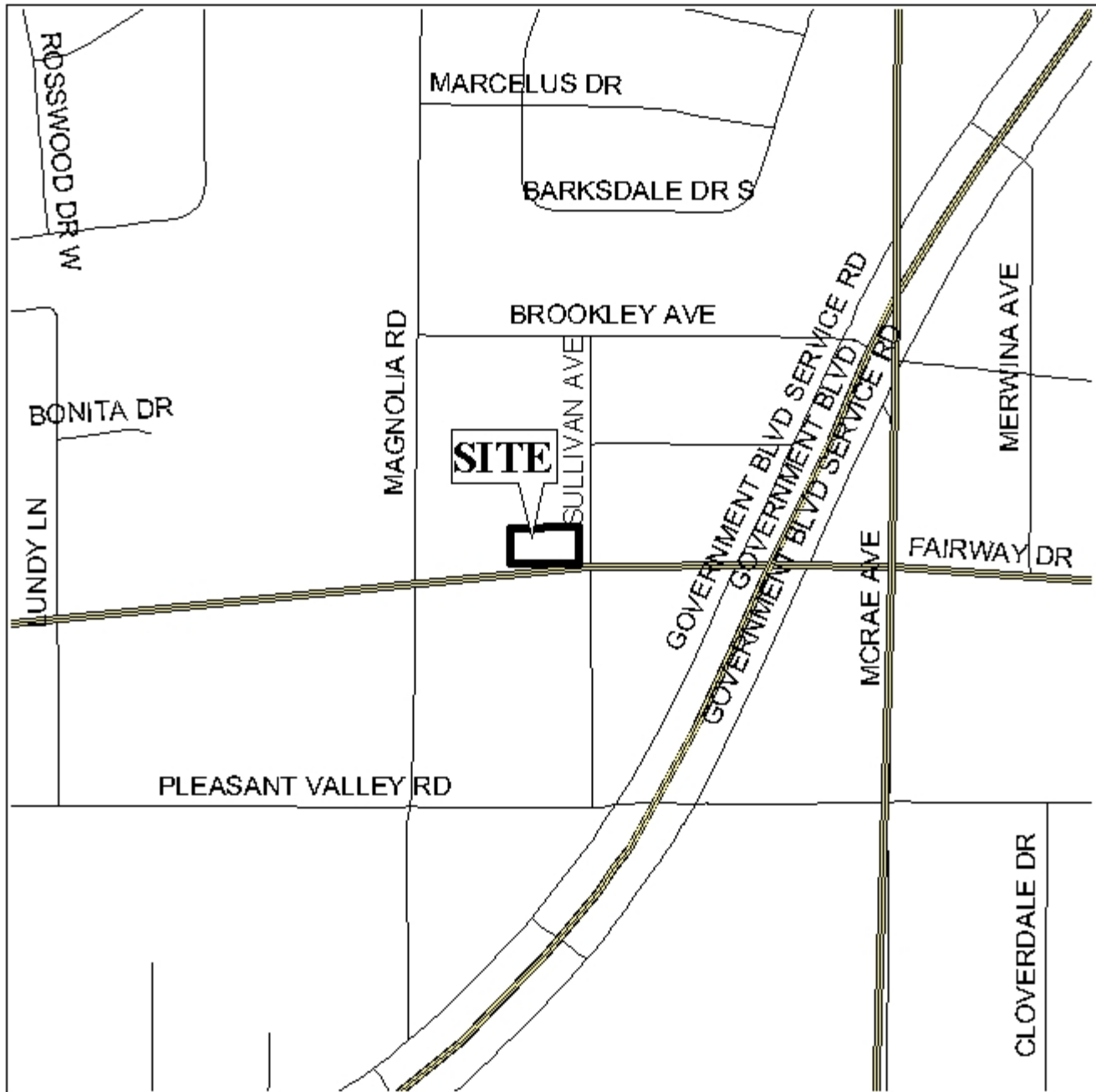
The Zoning Ordinance states that no variance shall be granted where economics are the basis for the application; and, unless the Board is presented with sufficient evidence to find that the variance will not be contrary to the public interest, and that special conditions exist such that a literal enforcement 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 previous conditions required that the design of the parking area and driveway be approved by Traffic Engineering, and the exterior of the property could retain its residential character with asphalt parking. However, 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 not furnish the required parking surface and access/maneuvering area.

**RECOMMENDATION 5308/5289****Date: June 6, 2005**

Based on the preceding, it is the recommendation that the Parking Surface and Access/Maneuvering variances request be denied.

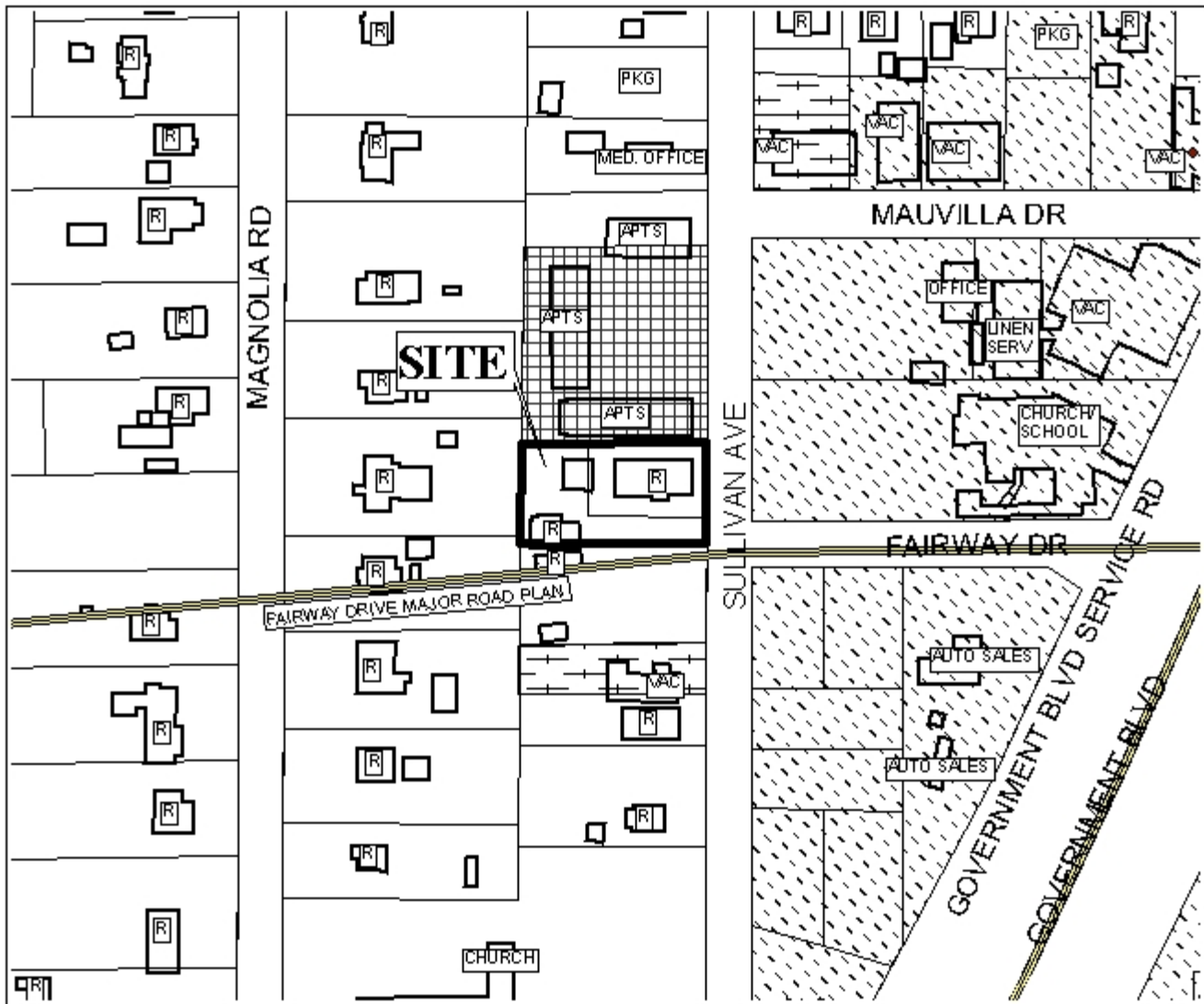
## LOCATOR MAP



APPLICATION NUMBER 5289 DATE June 6, 2005  
APPLICANT Emma's Harvest Home ( Martin J. Corbert, Owner)  
REQUEST Parking Variance



# BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



Located to the North of the site are multiple family residential dwellings; to the East is a church. Located to the South and West of the site are single family residential dwellings.

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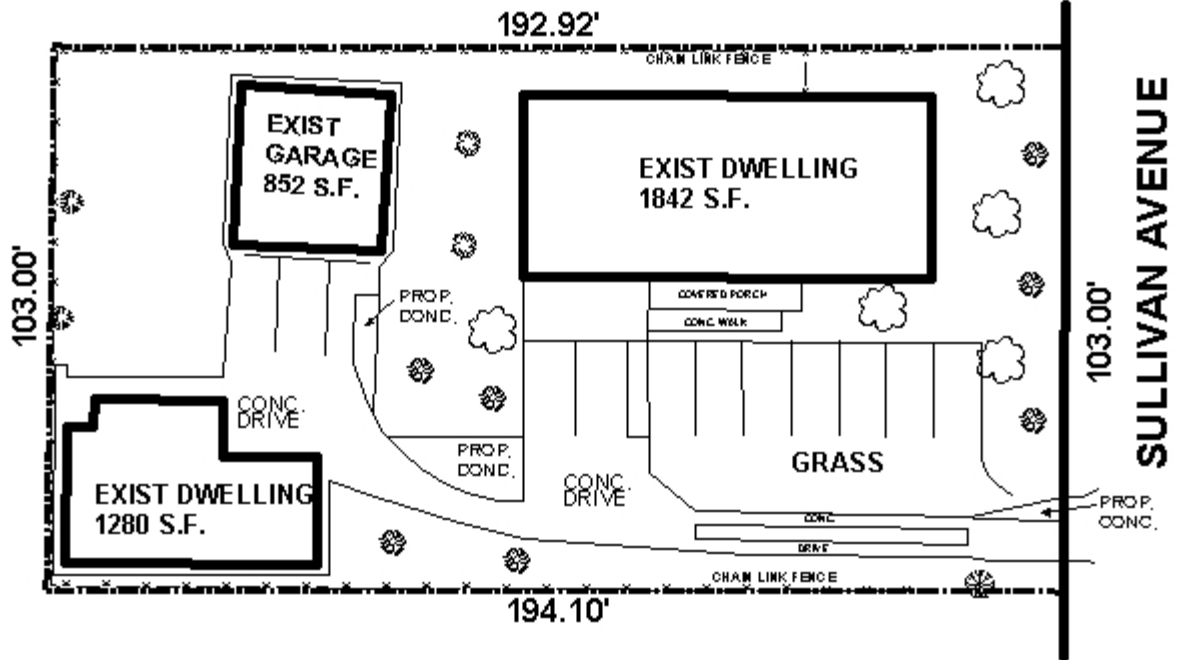
REQUEST Use Variance

LEGEND



NTS

# SITE PLAN



The site is located on the West side of Sullivan Avenue at the West terminus of Fairway Drive. The plan illustrates the existing structures along with parking.

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