

APPLICATION NUMBER

5347

A REQUEST FOR

**USE AND OFF-SITE PARKING VARIANCES TO ALLOW
25 OFF-SITE (PAVED) PARKING SPACES IN A B-1,
BUFFER BUSINESS DISTRICT FOR AN ADJACENT
(ACROSS THE STREET) NAMAN'S MIDTOWN MARKET;
A MINIMUM OF B-2, NEIGHBORHOOD BUSINESS IS
REQUIRED AND ALL PARKING IS REQUIRED TO BE ON
SITE**

LOCATED AT

153 NORTH FLORIDA STREET

(East side of North Florida Street, 240'± North of Old Shell Road)

APPLICANT/AGENT

SAAD & VALLAS REALTY GROUP

OWNER

DR. LAMAR SNOW

BOARD OF ZONING ADJUSTMENT

MARCH 2006

The applicant is requesting Use and Off-Site Parking Variances to allow 25 off-site (paved) parking spaces in a B-1, Buffer Business District for an adjacent (across the street) Naman's Midtown Market; a minimum of B-2, Neighborhood Business District is required and all parking is required to be on site.

The applicant proposes to construct off-site parking for the employees of the proposed Naman's Midtown Market redevelopment. The applicant states that off-site parking is only allowed in B-4 zoning districts and is not conducive to stimulate inner city development as part of the Smart Growth concept. The applicant goes on to state by allowing the proposed small, off-site, parking lot, the redevelopment of the proposed Naman's Midtown Market at the northeast corner of Old Shell Road and North Florida Street into a market and restaurant would be vital to the redevelopment efforts in the area.

The applicant states that the proposed project entails the ongoing renovation of five dilapidated buildings into a retail-shopping district as part of a renewal project near the Ashland Place Historic District. The applicant states that it would be in the best interest of the entire area to allow off-site parking at this location.

As illustrated on the Vicinity Map, the majority of this area is developed commercially and only three structures on the west side of North Florida Street in this block are residential dwellings. Additionally, parking lots are allowed in B-1 districts; however, the applicant seeks to provide additional parking for its employees across the street from the proposed development.

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.

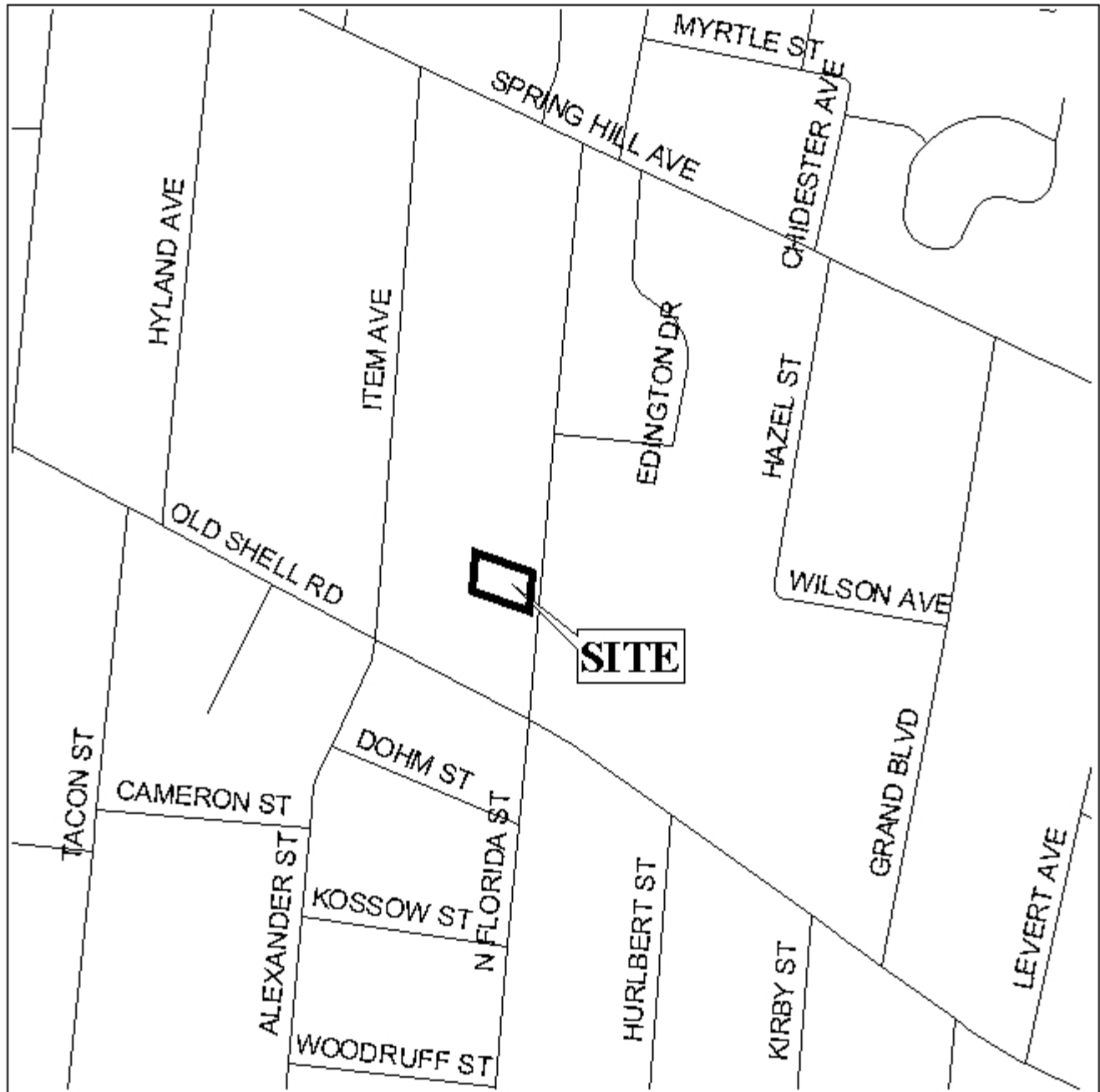
In terms of the overall development, the site is across the street from the proposed Naman's Midtown Market and could be considered orderly expansion. Furthermore, the site would be used by employees of the Naman's Midtown Market and should be clearly marked with a pedestrian crosswalk approved by Traffic Engineering.

The applicant has submitted information indicating that the redevelopment of this site to provide more parking for the businesses located within walking distance of this development may not be contrary to the public interest.

RECOMMENDATION 5347**Date: March 6, 2006**

Based upon the preceding, this application is recommended for approval subject to the following conditions: 1) full compliance with the landscaping and tree planting requirements of the ordinance; 2) full compliance with all municipal codes and ordinances; 3) the provision of a buffer where the site adjoins residential property; and 4) the parking design and pedestrian crosswalk to be approved by the Traffic Engineering Department.

LOCATOR MAP



APPLICATION NUMBER 5347 DATE March 6, 2006

APPLICANT Saad & Vallas Realty Group. L.L.C. (Dr. Lamar Snow)

REQUEST Use And Off-Site Parking Variances



BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



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

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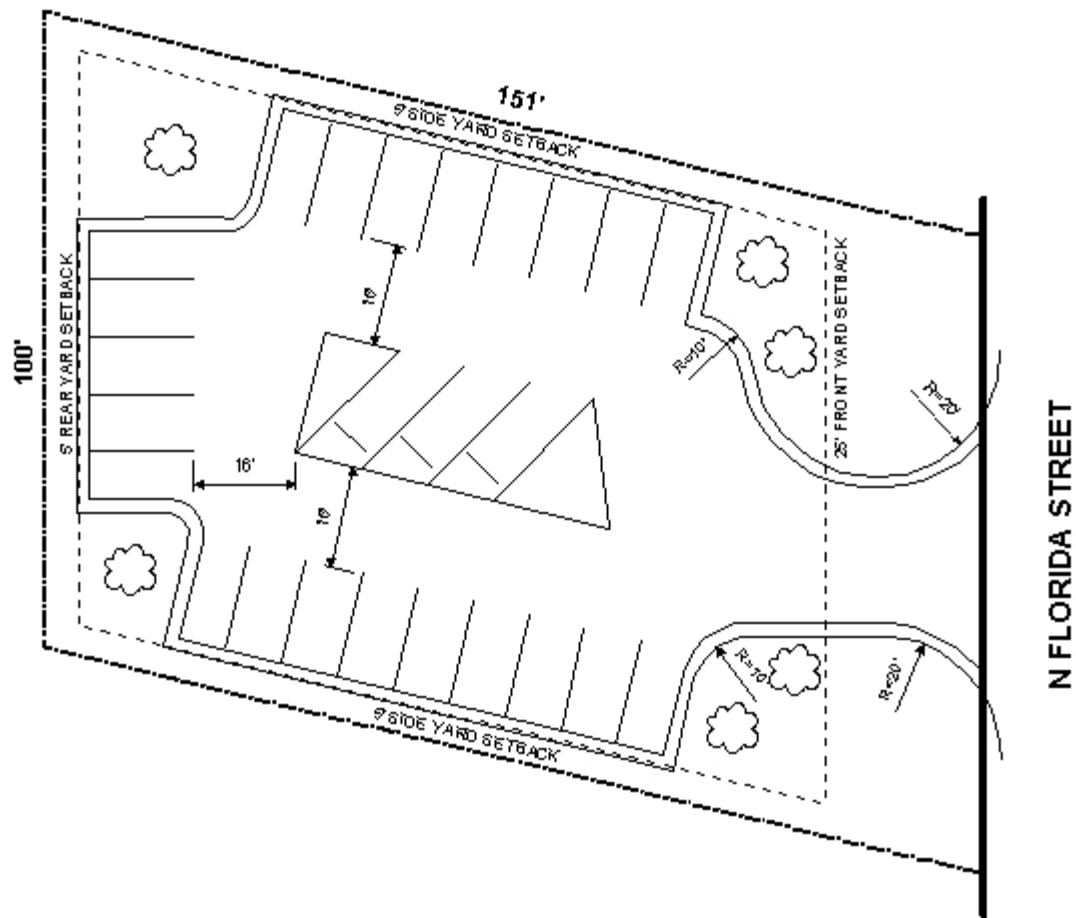
REQUEST Use and Off-Site Parking Variances

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



SITE PLAN



The site is located on the West side of Florida Street, 240' North of Old Shell Road. The plan illustrates the proposed parking lot.

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