

APPLICATION NUMBER

**5271**

A REQUEST FOR

**BUFFER PROTECTION VARIANCE TO ALLOW NO  
FENCE OR WALL TO SERVE AS A BUFFER  
PROTECTION; A MINIMUM 6' HIGH SOLID WOODEN  
FENCE IS REQUIRED IN ALL COMMERCIALY ZONED  
DISTRICTS THAT ADJOIN RESIDENTIALLY ZONED  
DISTRICTS**

LOCATED AT

**2701 AIRPORT BOULEVARD**

(South side of Airport Boulevard, 180'± West of Grant Street)

APPLICANT/OWNER

**THE MOBILE MEDICAL ENDOWMENT TRUST, INC.**

**BOARD OF ZONING ADJUSTMENT**

NOVEMBER 2004

The applicant is requesting a Buffer Protection Variance to allow no fence or wall to serve as a buffer protection; a minimum 6' high solid wooden fence is required in all commercially zoned districts that adjoin residentially zoned districts.

The applicant states that construction of a new office building for The Mobile Endowment Trust is almost complete and that the requirement of a buffer separation requiring a minimum of a 6-foot high solid wooden fence should be waived due to the fact that a Fire Station is located on the adjacent property to the West.

The purpose of the buffer protection is so that adjacent or neighboring residentially zoned properties will not be negatively impacted by such things as a parking facility, lights, trash and debris.

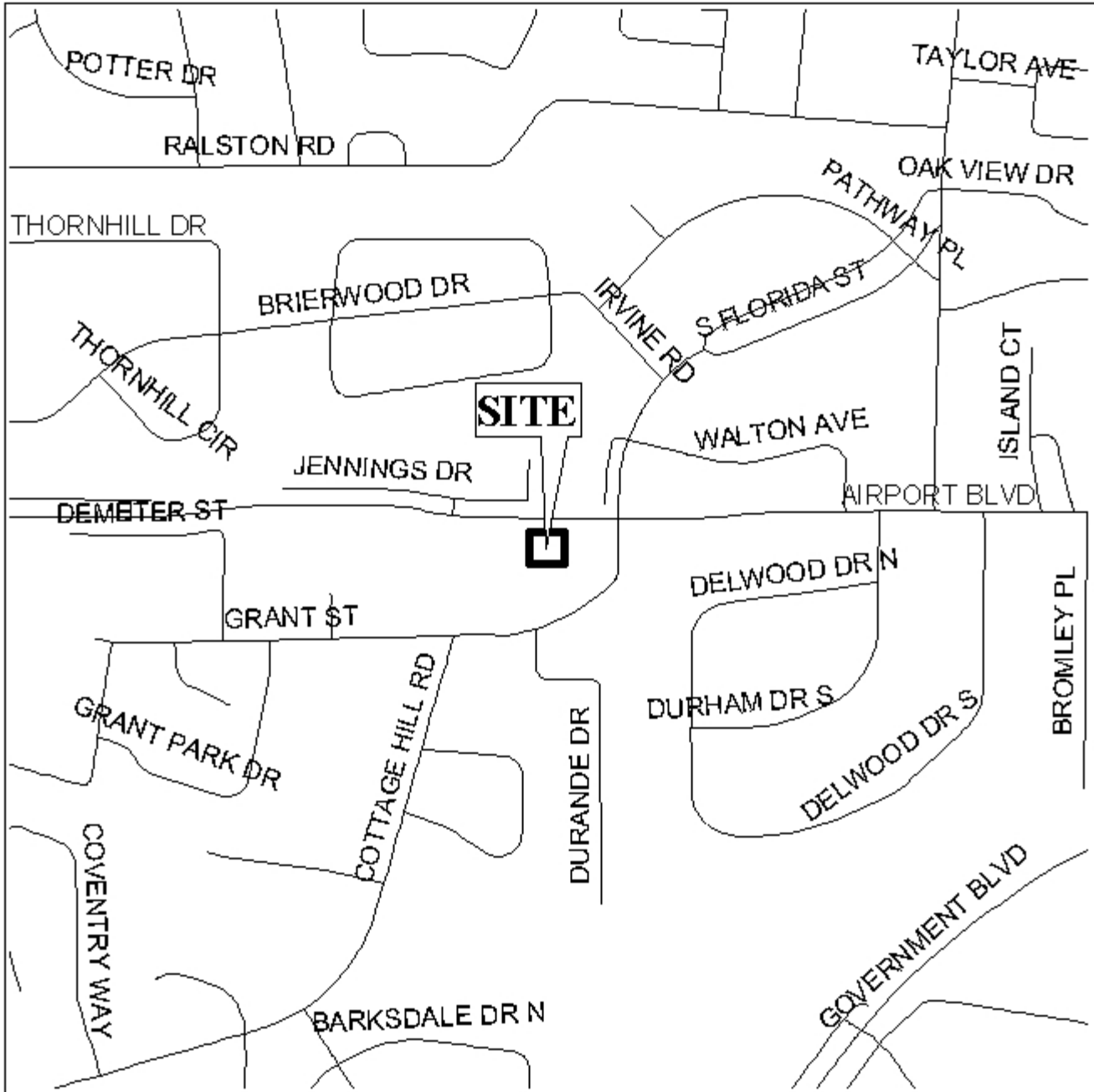
In the past, the board has heard applications and has taken adjacent, undeveloped residential property into consideration. In these instances, the Board has granted the relief subject to the proviso that if the adjacent property is ever developed residentially, the required buffer will be installed at that time. While the property to the West is currently used as a fire station, fire stations are allowed by right in an R-1, Single-Family Residential District.

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.

**RECOMMENDATION 5271****Date: November 1, 2004**

Based on the preceding, it is recommended that this application be approved subject to the following condition: 1) if the fire station property is ever developed residentially a buffer must be provided.

## LOCATOR MAP



APPLICATION NUMBER 5271 DATE November 5, 2004

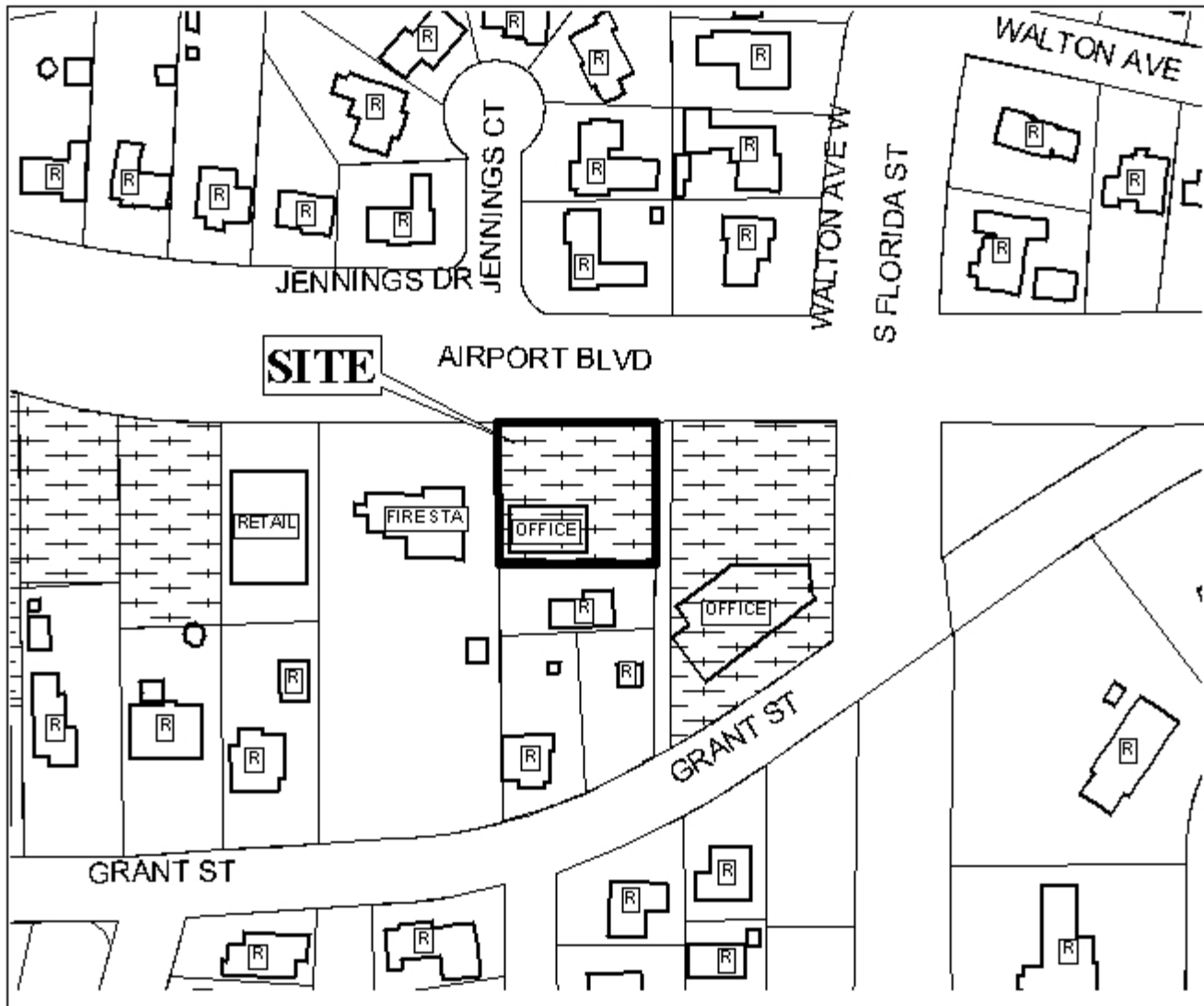
APPLICANT Mobile Medical Endowment Trust, Inc.

REQUEST Buffer Protection Variance



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# BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



The site is located in an area of mixed land use.

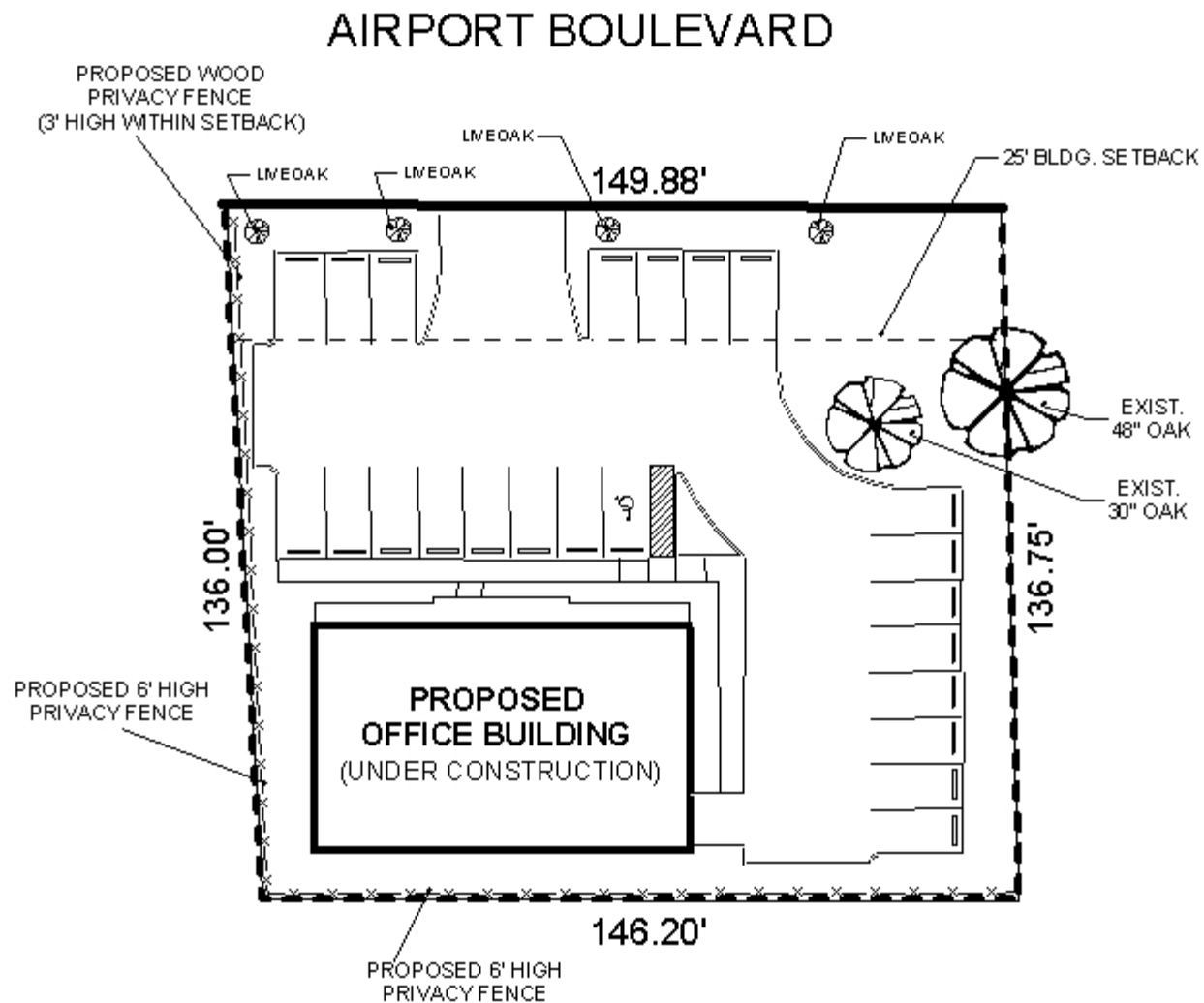
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LEGEND

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



# SITE PLAN



The site is located on the South side of Airport Boulevard, 180' West of Grant Street. The plan illustrates the proposed structure and parking.

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