

APPLICATION NUMBER

**5321**

A REQUEST FOR

**USE, PARKING SURFACE AND SUBSTANDARD ACCESS  
VARIANCES TO ALLOW A BED AND BREAKFAST  
(FOUR GUEST BEDS), GRAVEL DRIVE-WAY AND  
PARKING AREA, AND AN 11-FOOT WIDE DRIVEWAY IN  
A R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT; A  
BED & BREAKFAST REQUIRES A MINIMUM OF A B-1,  
BUFFER BUSINESS DISTRICT WITH PLANNING  
APPROVAL, ASPHALT, CONCRETE OR AN  
ALTERNATIVE PARKING SURFACE, AND A 24-FOOT  
WIDE DRIVEWAY IS REQUIRED**

LOCATED AT

**12 NORTH LAFAYETTE STREET**

(East side of North Lafayette Street, 250'± North of Dauphin Street)

APPLICANT

**GERALD T. STILL**

OWNER

**TIM REILLY**

**BOARD OF ZONING ADJUSTMENT**

SEPTEMBER 2005

The applicant is requesting Use, Parking Surface and Substandard Access Variances to allow a bed and breakfast (four guest beds), gravel drive-way and parking area, and an 11-foot wide driveway, in an R-1, Single-Family Residential District; a Bed and Breakfast requires a minimum of a B-1, Buffer Business with Planning Approval, asphalt, concrete or an alternative parking surface, and a 24-foot wide driveway is required for a two-way drive.

The applicant proposes a Bed and Breakfast facility to allow four bedrooms to be used for rental purposes. The applicant proposes to provide a gravel driveway and gravel parking area to accommodate six vehicles. The applicant states the gravel parking surface is recommended by the Mobile Historical Commission.

A Bed and Breakfast requires two parking spaces for the dwelling and seven parking spaces per ten guest rooms; therefore, the proposed number of spaces would be adequate and would comply with the Zoning Ordinance ratio requirement of three parking spaces dedicated for the four guest rooms. Traffic Engineering recommends that the driveway width for commercial sites (as measured behind the sidewalk) as 24' with a 20' radius. A 20' radius would be typical for passenger vehicles. The requirement for a 24-foot wide, two-way, driveway is also required by the Zoning Ordinance.

Concerning the gravel driveway and parking area, the Zoning Ordinance requires asphalt, concrete or an alternative parking surface. A gravel driveway and parking surface would be allowed for a residential dwelling within a R-1, Single-Family Residential district; however, the use of a residential dwelling as a Bed & Breakfast would require compliance with the paved parking surface standards. In addition, there are several reasons the Zoning Ordinance requires these types of surfaces such as aggregate shifting into the right-of-way and adjacent properties, parking spaces are not readily delineated, and several safety concerns. Furthermore, without the appropriate compaction of the subsurface materials, benefits toward impeding run-off may not be achieved.

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.

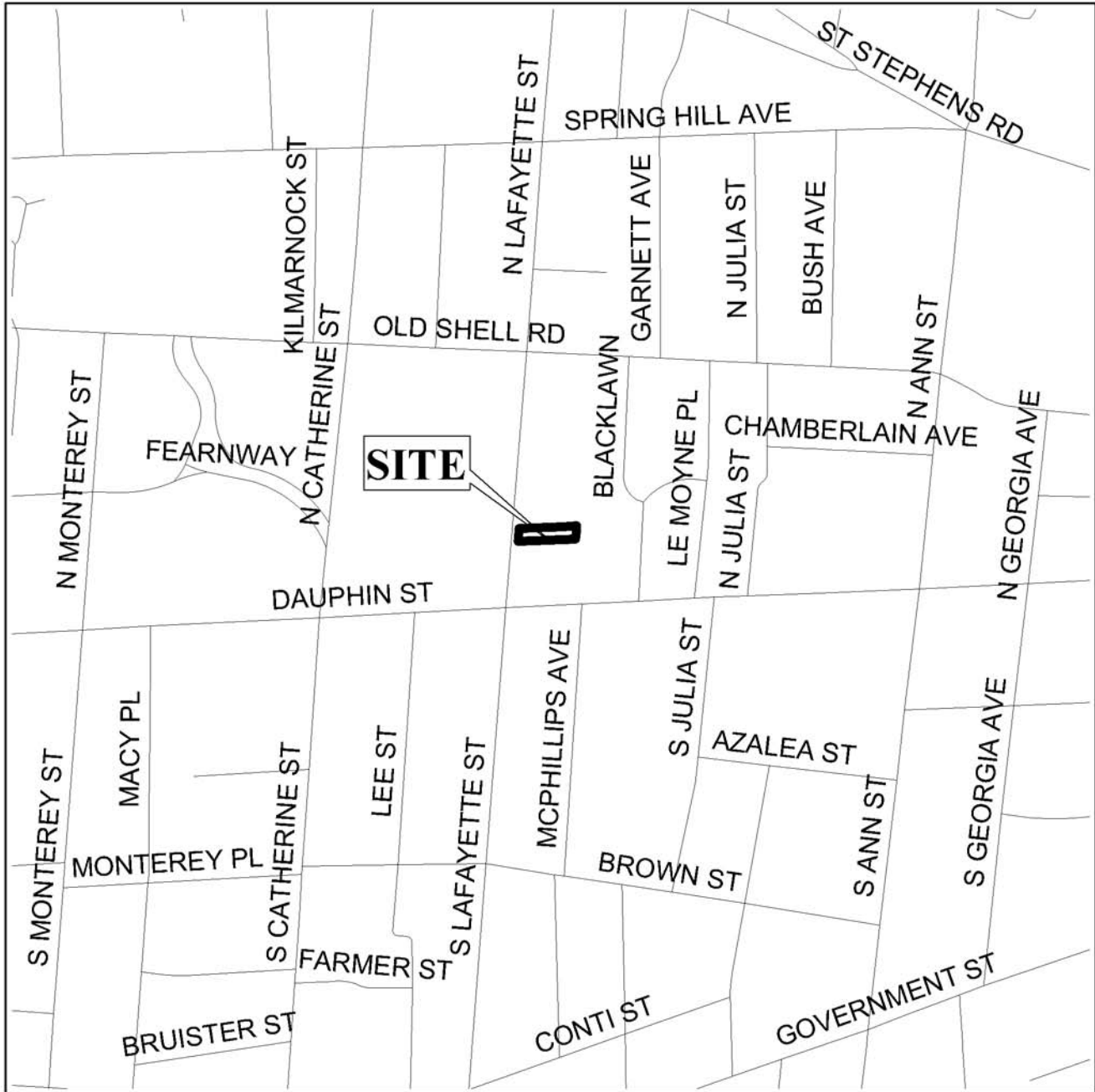
The Ordinance states that no variance shall be granted where economics are the basis for the application. Additionally, no variance shall be granted unless the Board is presented with sufficient evidence to find that the variance will not be contrary to the public interest, and that special conditions 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 have a Bed and Breakfast facility with a gravel driveway and parking area, and an 11-foot wide driveway, in an R-1, Single-Family Residential District

**RECOMMENDATION 5321****Date: September 12, 2005**

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

## LOCATOR MAP



APPLICATION NUMBER 5321 DATE September 12, 2005

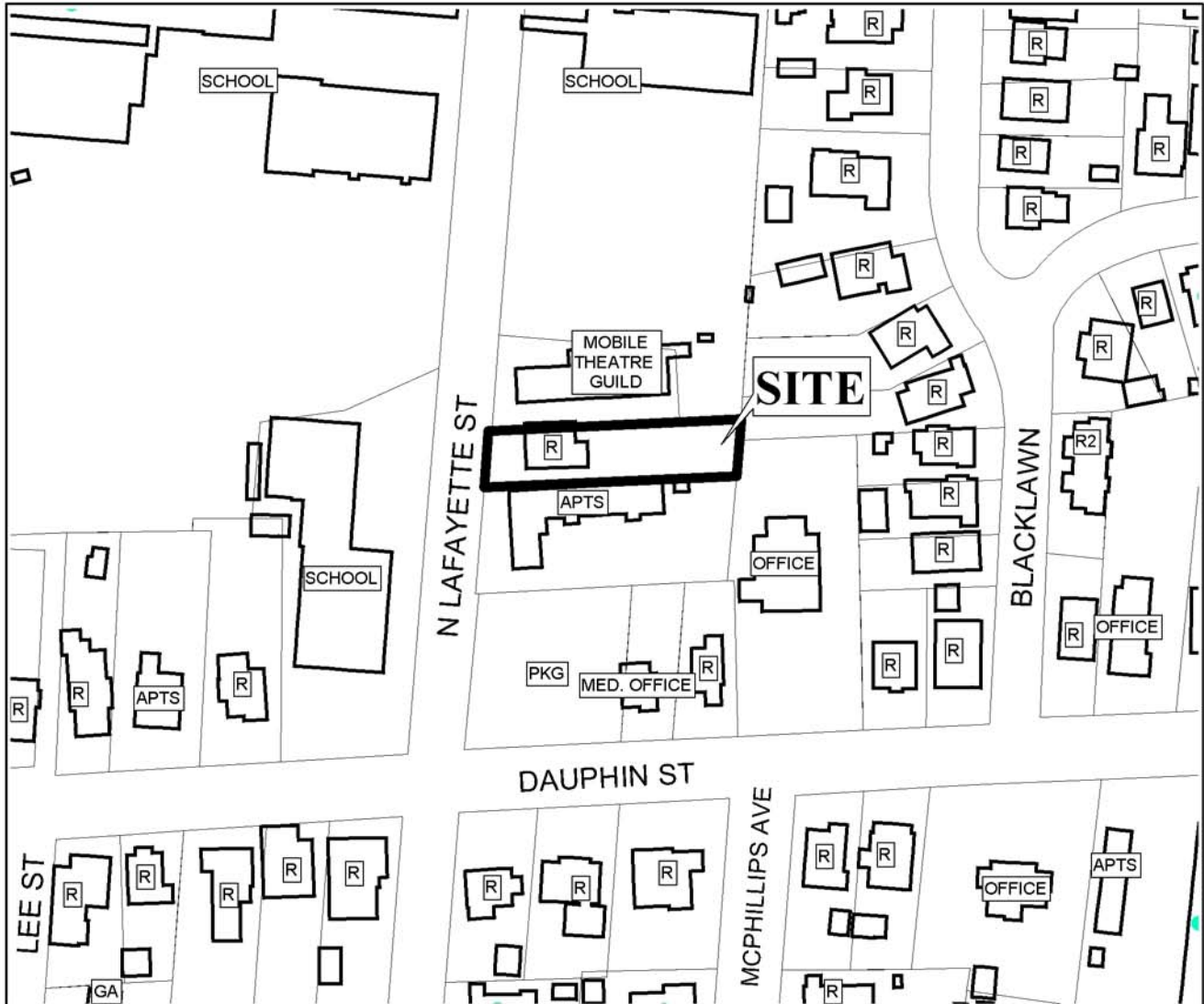
APPLICANT Gerald T. Still (Tim Reilly, Owner)

REQUEST Use, Parking Surface, Substandard Access Variance



NTS

# BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



The site is surrounded by mixed land use.

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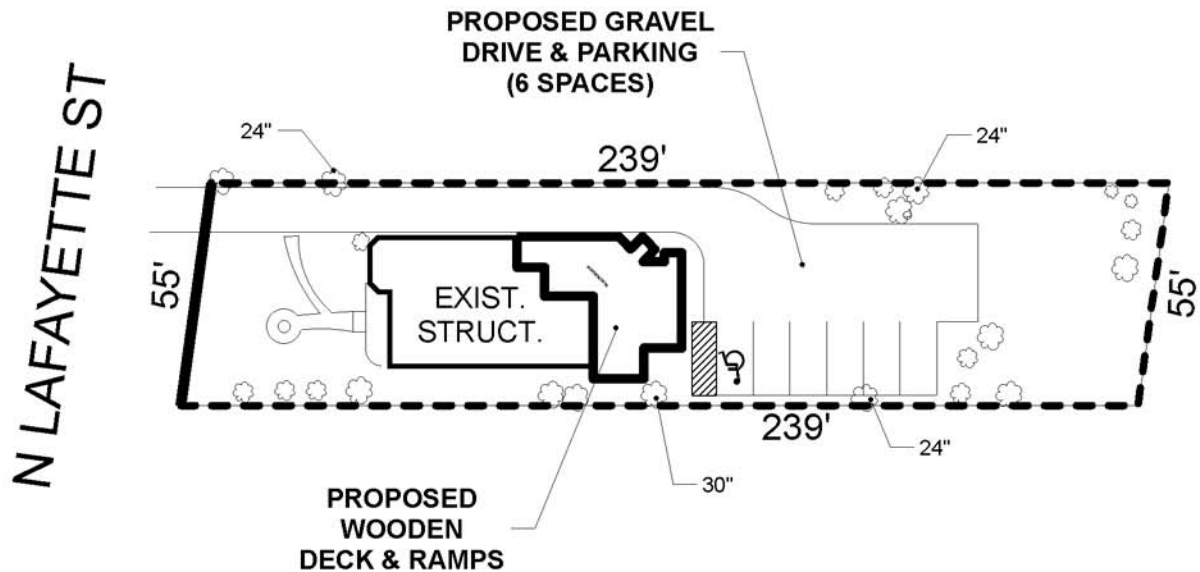
REQUEST Use, Parking Surface, Substandard Access Variance

LEGEND

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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 plan illustrates the existing buildings, proposed building addition, and proposed parking.

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