

**BOARD OF ZONING ADJUSTMENT
STAFF REPORT****Date: January 3, 2011****CASE NUMBER**

5652

APPLICANT NAME

Gulf Coast Office Products

LOCATION

863 Lakeside Drive
(East side of Lakeside Drive at the East terminus of
Lakeside Court)

VARIANCE REQUEST

PARKING: Parking Variance to allow a 4,000 square-foot office/warehouse addition to an existing 5,500 square-foot office/warehouse building with six on-site parking spaces in a B-3, Community Business District.

LANDSCAPING: Landscaping Variance to allow 205 square feet of frontage landscaping in a B-3, Community Business District.

TREE PLANTING: Tree Planting Variance to allow eleven total new trees to be planted on site in a B-3, Community Business District.

**ZONING ORDINANCE
REQUIREMENT**

PARKING: The Zoning Ordinance requires twelve on-site parking spaces for a 9,500 square-foot office/warehouse building in a B-3, Community Business District.

LANDSCAPING: The Zoning Ordinance requires 1,596 square feet of frontage landscaping in a B-3, Community Business District.

TREE PLANTING: The Zoning Ordinance requires twelve total new trees to be planted in a B-3, Community Business District.

ZONING

B-3, Community Business

AREA OF PROPERTY

0.5± Acre

**TRAFFIC ENGINEERING
COMMENTS**

No comments.

CITY COUNCIL
DISTRICT

District 4

ANALYSIS

The applicant is requesting Parking, Landscaping, and Tree Planting Variances to allow a 4,000 square-foot office/warehouse addition to an existing 5,500 square-foot office/warehouse building with six on-site parking spaces, 205 square feet of frontage landscaping, and eleven total new trees to be planted on site in a B-3, Community Business District; the Zoning Ordinance requires twelve on-site parking spaces for a 9,500 square-foot office/warehouse building, 1,596 square feet of frontage landscaping, and twelve total new trees to be planted in a B-3, Community Business District.

The site was developed at some time in the 1960's or early 1970's in a nonconforming aspect with regard to its parking. Landscaping and tree planting requirements were not within the Zoning Ordinance at that time, and the site has operated in a legal nonconforming status since. It is currently used for office products sales and operates in an existing 5,500 square-foot office/warehouse building. The applicant proposes to add a 4,000 square-foot warehouse addition to the rear of the existing building. There are currently 2,770 square feet of office space and 2,730 square feet of warehouse space in the existing building. The addition would be totally warehouse space. There are currently six parking spaces provided in front of the building, and access/maneuvering area is non-compliant. The existing office space requires one parking space per 300 square feet, or ten parking spaces. The warehouse requires one parking space per three employees based on a three-shift operation. In this case two employees are calculated into a one-shift operation, requiring two parking spaces. Therefore, the total number of parking spaces required on-site is twelve. However, the site has no space available for a compliant parking expansion or even access to such, and there is insufficient area in front of the building for modifications to make the existing parking, maneuvering, and access compliant.

The applicant states that the site cannot be brought into compliance with respect to parking, landscaping, and frontage tree requirements due to existing conditions and parking cannot be met due to the lack of available site area. Inasmuch as the proposed addition would not cause the site coverage to exceed the 50% site coverage allowed in a B-3 district, the shape of the lot does not lend itself to a building expansion when it cannot accommodate the parking requirements for the existing building.

Since the proposed building addition amounts to more than a 50% expansion of the existing building and the site is not currently compliant with the landscaping and tree planting requirements of the Zoning Ordinance, full compliance would be required. With regard to the requested frontage landscaping and tree planting variances, such would be justified due to the unavailability of frontage area to bring the site into compliance. Any shortages could be compensated for in the rear of the property as there is sufficient area there to meet the total requirements for the site. However, if the parking variance is denied, the building addition cannot be constructed, and the landscaping and tree planting variances would be moot.

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.

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.

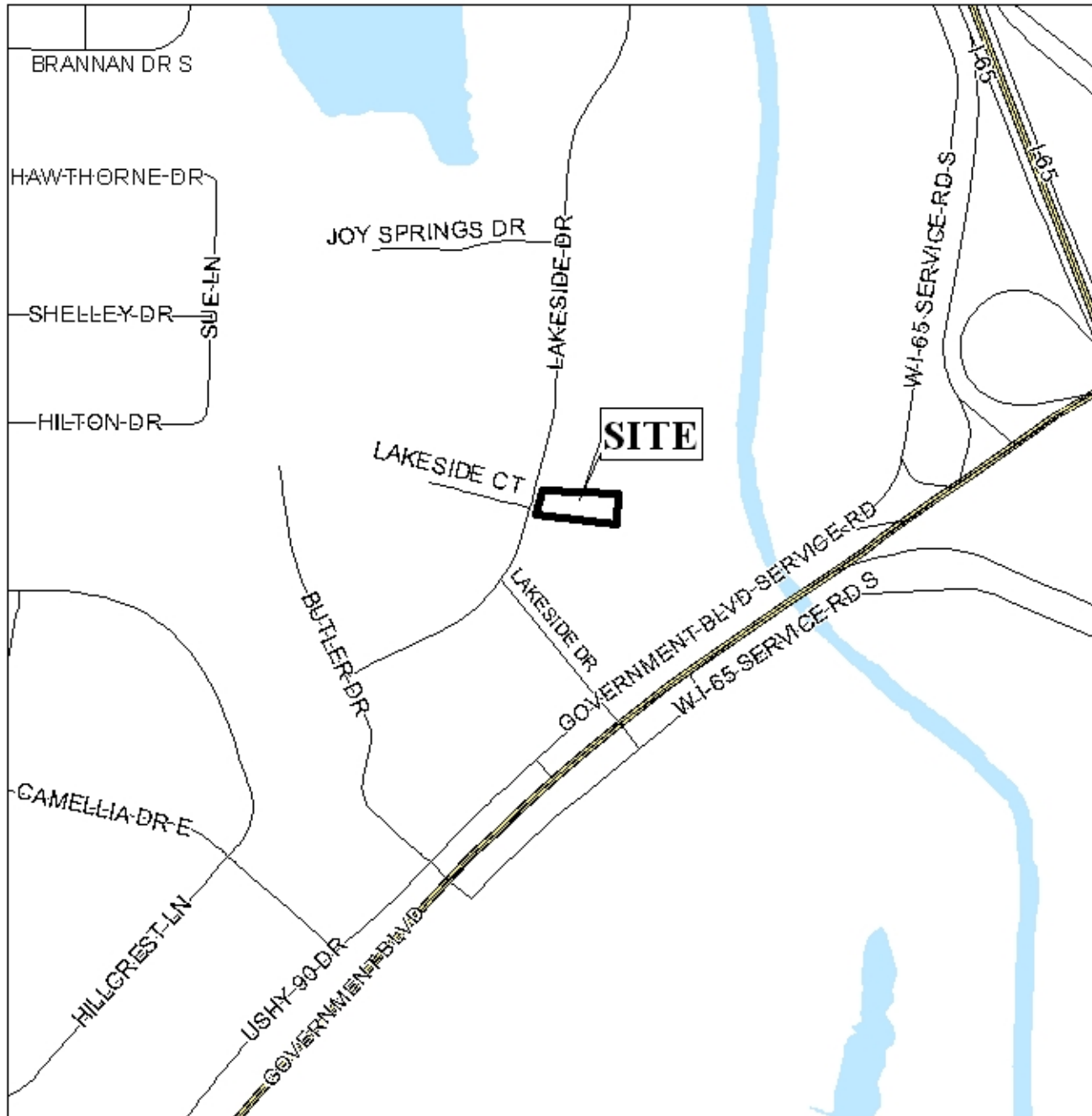
The applicant is simply proposing to over-develop the site. In light of the fact that the site is currently non-compliant with regard to parking requirements for the existing building and there is insufficient area to bring it into compliance for such, the approval of the parking variance for further expansion would only exacerbate the parking situation and the request should be considered for denial. The landscaping and tree planting variance requests would, therefore, be moot points.

RECOMMENDATION:

Based on the preceding, this application is recommended

for denial.

LOCATOR MAP



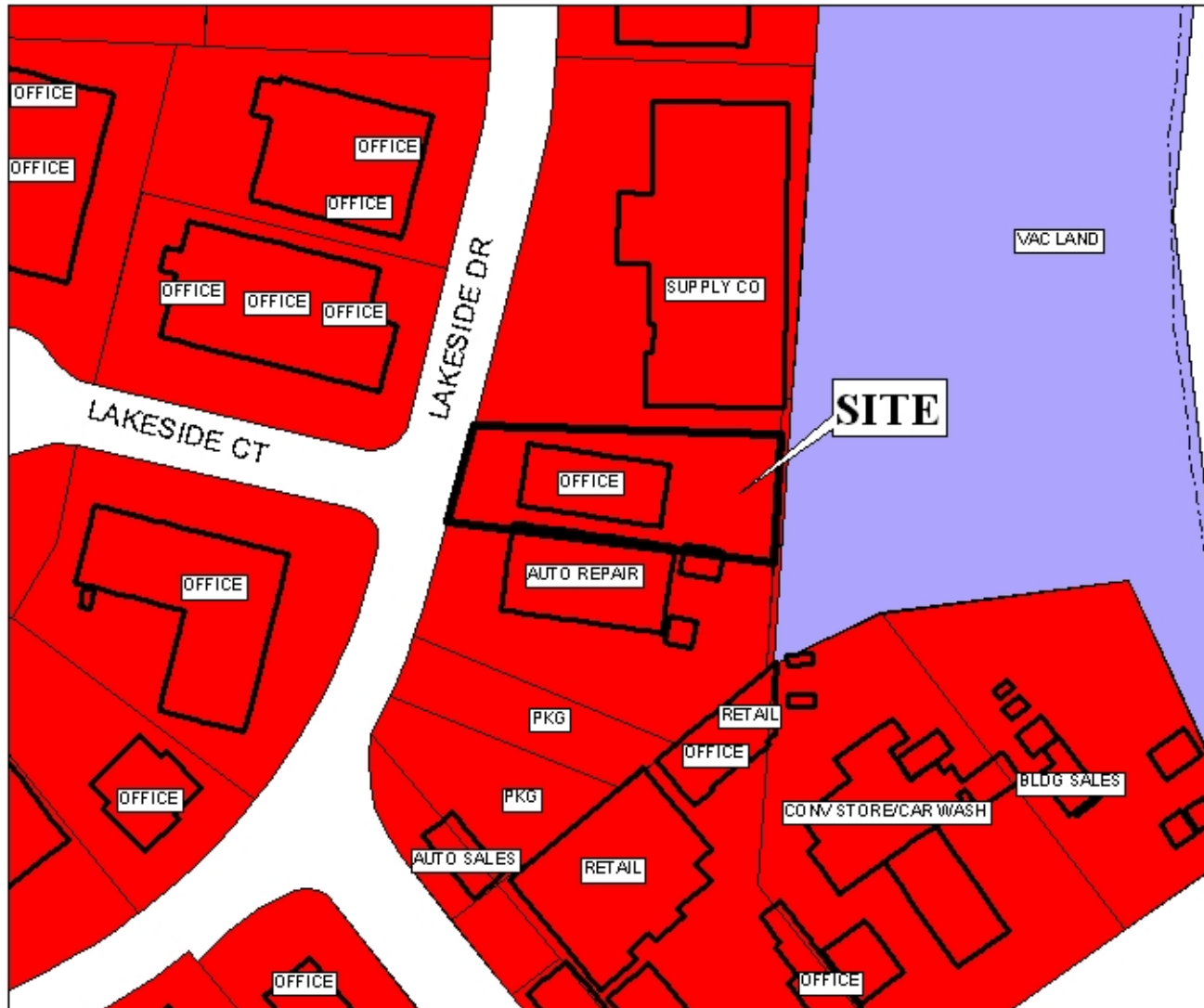
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APPLICANT Gulf Coast Office Products

REQUEST Parking, Landscaping, and Tree Planting Variances



BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



There is an auto repair business to the south of the site, offices to the west, a supply company to the north and vacant land zoned I-1 to the east.

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LEGEND

R-1	R-2	R-3	R-A	R-B	H-B	T-B	B-1	LB-2	B-2	B-3	B-4	B-5	I-1	I-2
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BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



There is an auto repair business to the south of the site, offices to the west, a supply company to the north and vacant land zoned I-1 to the east.

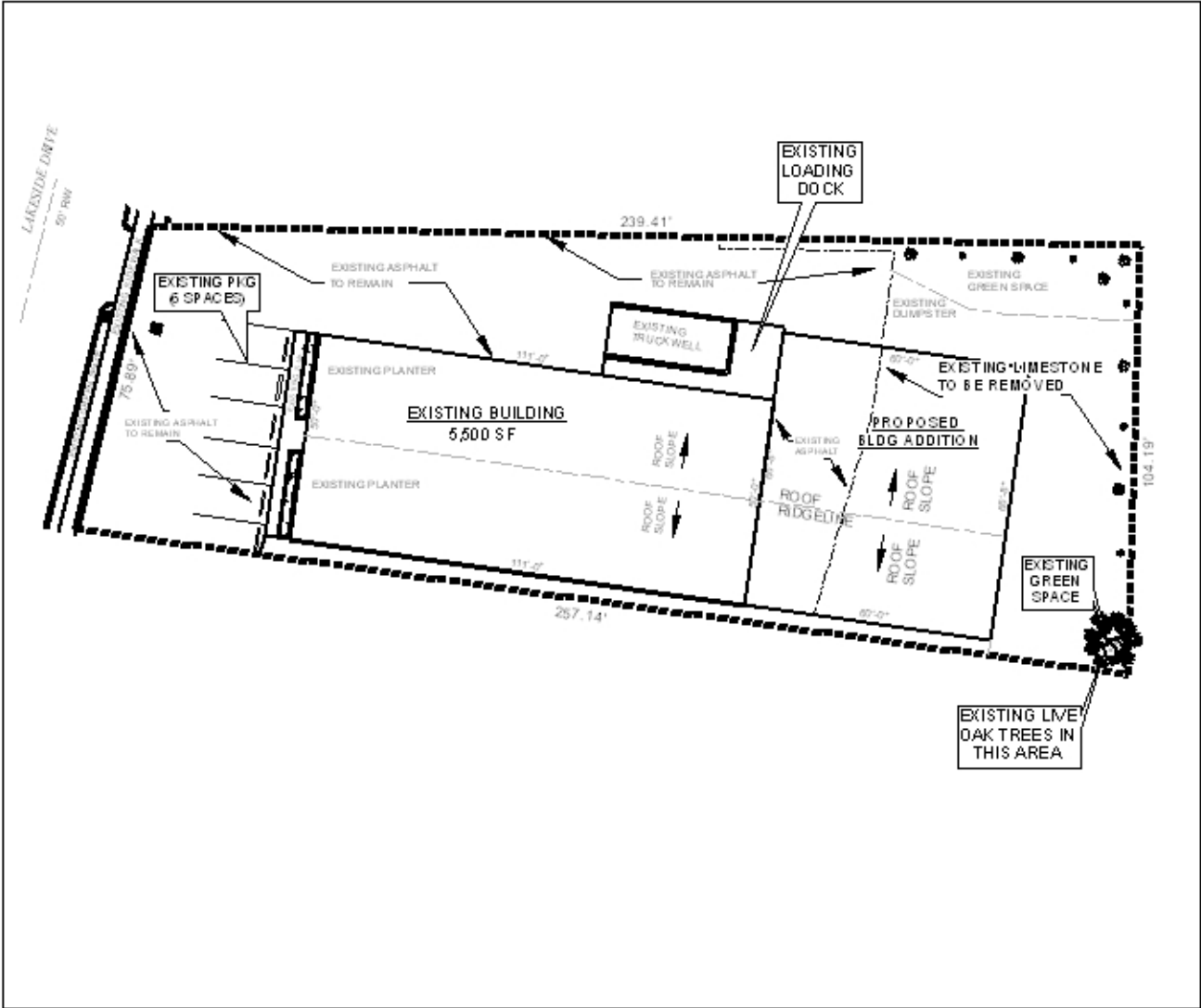
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NTS

SITE PLAN



The site plan illustrates the existing building and parking as well as the proposed addition.

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