

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

5710

APPLICANT NAME

Joseph N. Asarisi, P.E.

LOCATION279 North Washington Avenue
(Southwest corner of North Washington Avenue and
Congress Street)**VARIANCE REQUEST****PARKING RATIO:** Variance to allow 38 parking spaces to serve an emergency shelter facility with 100 beds, a 3,925 square foot medical clinic, a 1,549 square foot dining area, and 7,541 square feet of office space**ZONING ORDINANCE
REQUIREMENT****PARKING RATIO:** Requires at 53 parking spaces be provided for these uses within the Hank Aaron Loop**ZONING**

B-4, General Business District

AREA OF PROPERTY

1.52± Acres

**ENGINEERING
COMMENTS**

No comments

**TRAFFIC ENGINEERING
COMMENTS**

DRIVEWAY RADII MUST BE AT LEAST 20'. If you will be working in the roadway or performing any activities that will affect traffic, you must submit a Traffic Control Plan at least two working days prior to proceeding.

**CITY COUNCIL
DISTRICT**

District 2

ANALYSIS

The applicant is requesting approval for a Parking Ratio Variance to allow 38 parking spaces to serve an emergency shelter facility with 100 beds, a 3,925 square foot medical clinic, a 1,549 square foot dining area, and 7,541 square feet of office space; the Zoning Ordinance requires 53 parking spaces be provided for these uses within the Hank Aaron Loop.

The applicant currently operates an emergency shelter facility at a different location and is wishing to relocate and expand operations to include a dining area as well as a medical facility and office space. The applicant illustrates a total of 38 parking spaces to be provided resulting in

a shortfall of 15 parking spaces. The applicant states that the majority of clientele that visit the site will be homeless and not have vehicles, so the reduction in the number of required parking spaces could be appropriate.

It should be noted that the applicant has an additional structure on the Southwest corner of the site, however it will serve as a covered area to play basketball and eat at picnic tables, and therefore would not require any additional parking.

It should also be noted that the applicant is requesting these variances for a location which currently consists of six metes-and-bounds parcels, and is proposed to have two buildings and a covered recreation area. The applicant has currently submitted an application for a 1-lot subdivision which is scheduled to be on the Planning Commission's October 6, 2011 meeting agenda, however no planned unit development (PUD) application has been submitted to allow multiple buildings on a single building site. In addition, the operation of an emergency shelter facility requires planning approval in a B-4, General Business District. Before any permits can be issued relating to this variance, applications for subdivision, planning approval and PUD must be submitted and approved by the Mobile City Planning Commission.

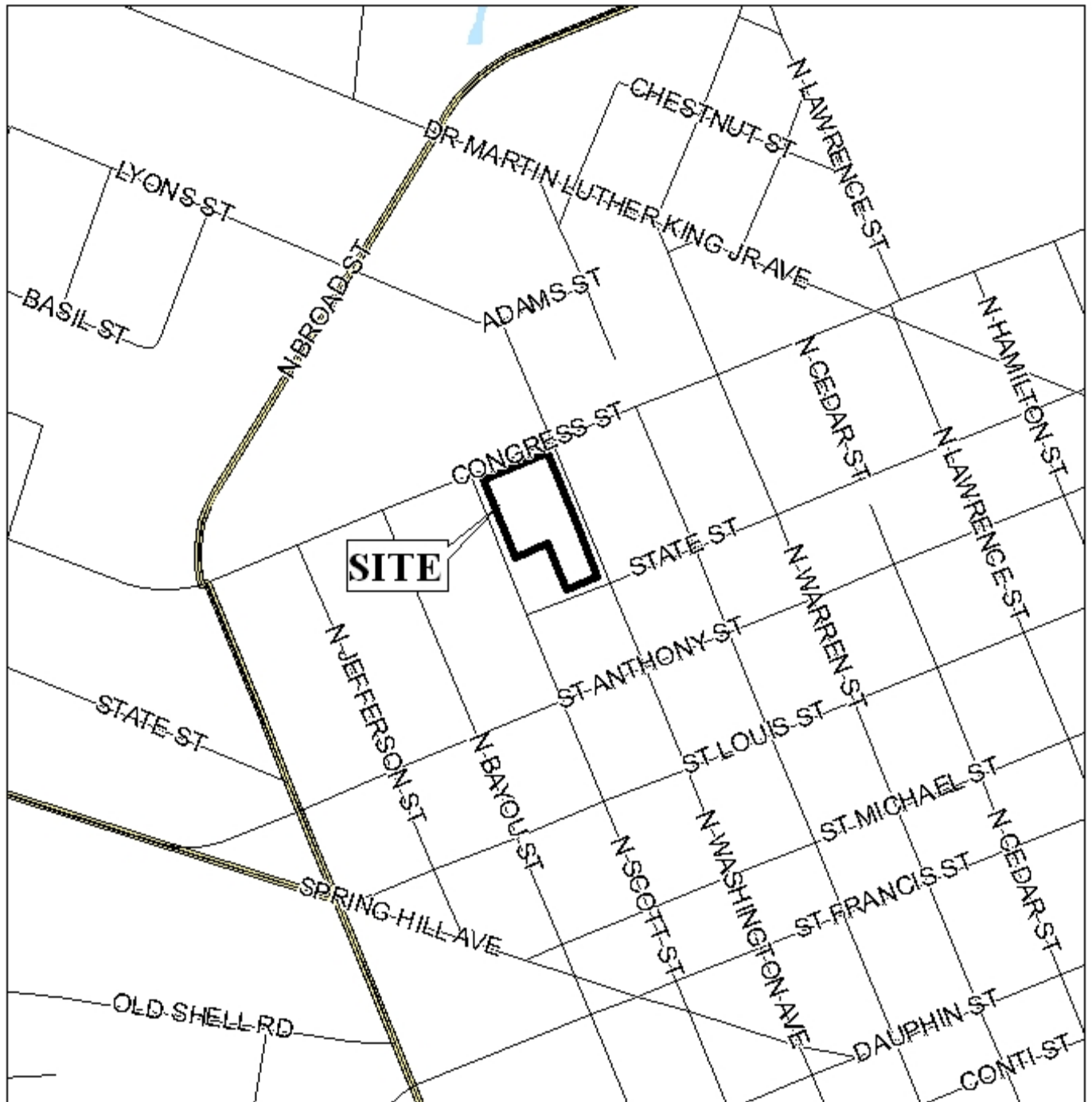
The Zoning Ordinance states that no variance shall be granted where economics are the basis for the application. Furthermore, the applicant must present sufficient evidence to find that the variance will not be contrary to the public interest, and that special conditions exist such that a literal enforcement 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.

RECOMMENDATION: Based on the preceding, this application is recommended for approval subject to the following conditions:

- 1) completion of a subdivision for the site;
- 2) successful application for planning approval to operate an emergence shelter facility in a B-4, General Business District;
- 3) development limited to an approved Planned Unit Development (PUD); and
- 4) full compliance with all municipal codes and ordinances.

LOCATOR MAP



APPLICATION NUMBER 5710 DATE October 3, 2011

APPLICANT Joseph N. Asarisi, P.E.

REQUEST Parking Ratio Variance



BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



There are offices to the west and northwest of the site, a single family residential unit is to the southwest, and vacant structures are 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



BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING

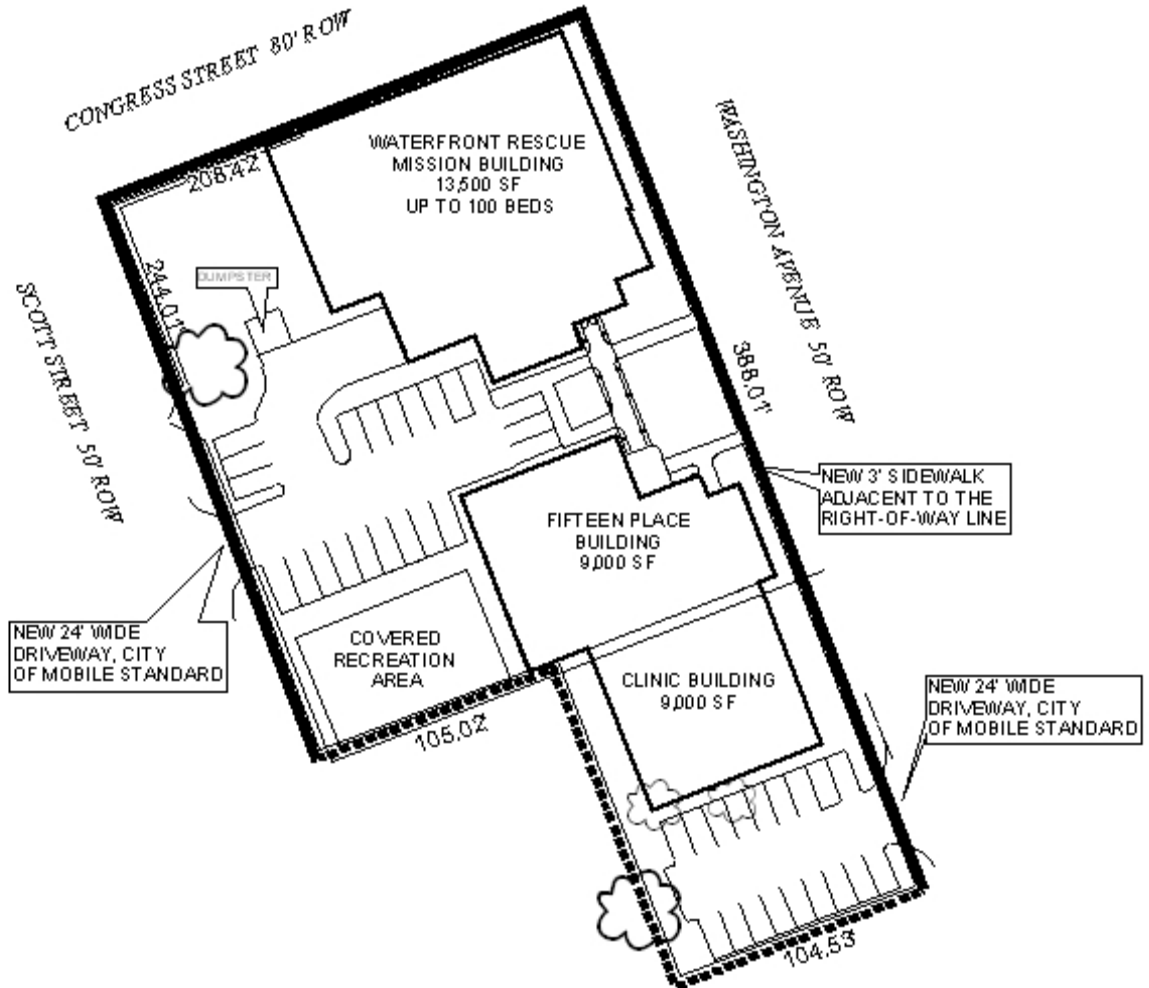


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SITE PLAN



The proposed buildings and parking are illustrated in the site plan.

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NTS