

**BOARD OF ZONING ADJUSTMENT
STAFF REPORT****Date: August 3, 2015****CASE NUMBER**

5989/5778/5729/5585

APPLICANT NAME

Wright Transportation

LOCATION2333 Dauphin Island Parkway
(North side of Dauphin Island Parkway, 220' ± North of
Rosedale Road).**VARIANCE REQUEST****SITE:** Site Variance to amend the site plan of a previously approved Variance to allow a new office building with parking expansion for an existing trucking company in a B-3, Community Business District.**ZONING ORDINANCE
REQUIREMENT****SITE:** The Zoning Ordinance requires that changes to a site plan of a previously approved Variance must be approved via a new Variance in a B-3, Community Business District.**ZONING**

B-3, Community Business

AREA OF PROPERTY

3.11 ± Acres

TRAFFIC ENGINEERING**COMMENTS**

Dauphin Island Parkway is an ALDOT maintained roadway. Driveway number, size, location and design to be approved by ALDOT (where applicable) and Traffic Engineering, and conform to AASHTO standards. The proposed driveway appears to extend into the frontage of the adjacent property owner. A letter of consent will be required from the adjacent property owner at time of permitting, or the driveway will have to be adjusted. Any new on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance.

**CITY COUNCIL
DISTRICT**

District 3

ANALYSIS

The applicant is requesting a Site Variance to amend the site plan of a previously approved Variance to allow a new office building with parking expansion for an existing trucking company in a B-3, Community Business District; the Zoning Ordinance requires that changes to a site plan of a previously approved Variance must be approved via a new Variance in a B-3, Community Business District.

This site was most recently heard by the Planning Commission at its July 9, 2015 meeting to create one legal lot of record from a metes-and-bounds parcel. One of the conditions listed in the Letter of Decision reads as follows: *“1) submission of extensions for the previous variances granted by the Board of Zoning Adjustment, or submission of applications for Rezoning, Planned Unit Development, and 1 or 2-lot Subdivision to the Planning Commission, or new variance applications prior to any new construction or expansion of the site”*. The applicant(s) decided to amend the previous variance request, thus the reason for this application.

In addition to the previous variance requests, this site appeared before the Board in December, 2009 where the Board approved Use, Access, Parking Surface, Tree Planting, and Buffer Variances to allow the applicant to expand an existing trucking company in a B-3, and R-1 District, both sites adjacent to each other fronting Dauphin Island Parkway. In January, 2012, the Board approved Use and Surface Variances to allow the expansion of the trucking company in an R-1 District for semi trailer parking on aggregate surface at the Southwest corner of Military Road and Cassie Lane. This site also appeared before the Board of Zoning Adjustment in September, 2012, where the applicant(s) requested Surface, Access, and Shared Access Variances to allow shared access between two building sites by use of a sub-standard access way with aggregate surfacing in a B-3, Community Business District and R-1, Single Family Residential District. The Surface and Shared Access Variances were approved with conditions; however, the Access Variance to allow a sub-standard access way was denied.

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(s) state the following:

“The proposed use of this property is for a corporate office and parking facility for a trucking company. The company has approximately 20 on-site employees. Office hours are 8 hours per day, 5 days per week. Trucks have access to the property 24 hours per day, 7 days a week. The tractor trailers are stored on an adjacent site which is presently under construction. This site will be limited to thru-traffic to the truck storage are, parking for employees and parking of truck cabs.

This business is presently operating under an existing variance, however, since the site is being modified, we were informed by the City Land Use Department that a new variance application would be required.”

The proposed total amount of parking spaces meets the minimum parking requirements. However, the provision of bumper stops or wheel stops along the outside perimeter of the truck parking spaces will be required to prevent encroachment into the landscaping area and prevent the trucks from extending beyond the parking facility and across the property lines.

It should be noted that the demolition and new construction of the site would not typically trigger full tree and landscaping requirements considering the development would result in less than a 50% change; given the amount of improvements to the site and the fact that a variance is required, it is recommended that frontage trees be provided along Dauphin Island Parkway and Pillans Lane. Landscape area information should also be provided.

Also, it is recommended that the application be heldover so that a site plan of the entire trucking site, including the area at Cassie Lane and Military Road (to include the previously required tree and landscape planting) with the expanded site area, additional labels and postage should be provided for appropriate notifications.

RECOMMENDATION: Staff recommends that this application be heldover until the September 14th meeting, with the following due by August 12th :

1. Revision of a site plan that depict all properties that were included in the previously approved variance requests;
2. Provision of revised mailing labels, and mailing and notification fees for the overall site;
3. Revision of the site plan to include bumper stops or wheel stops along the outside perimeter of the truck parking spaces;
4. Revision of the site plan to depict frontage trees along Pillans Lane and Dauphin Island Parkway; and
5. Revision of the site plan to depict all improvements and tree and landscaping requirements for the entire trucking site as previously approved.

LOCATOR MAP



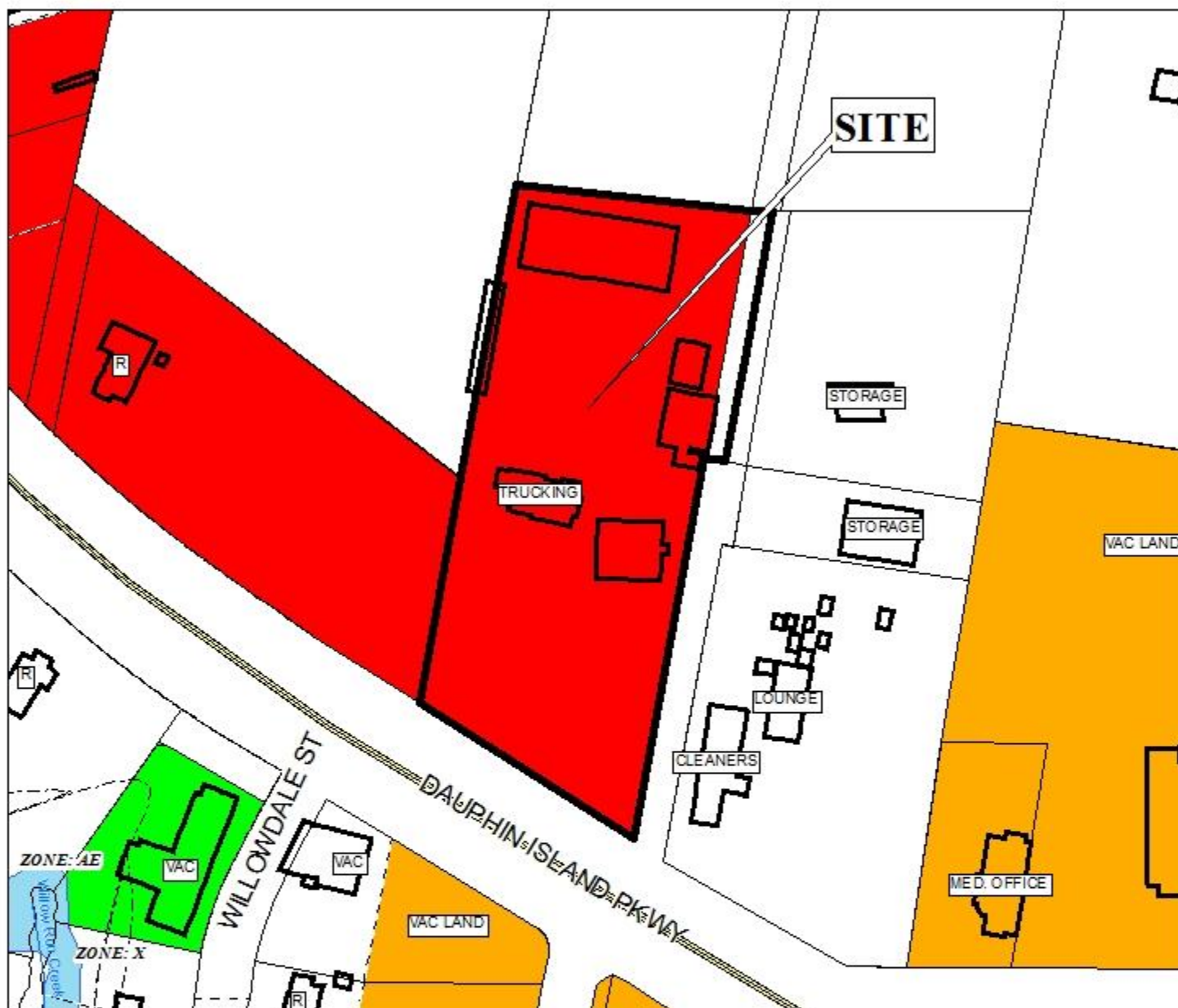
APPLICATION NUMBER 5989 DATE August 3, 2015

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REQUEST Site Variance



BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



This site is surrounded by commercial units to the east and residential units to the west.

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R-A	R-3	T-B	B-2	B-5	MUN	SD-WH	T5.1
R-1	R-B	B-1	B-3	I-1	OPEN	T3	T5.2
R-2	H-B	LB-2	B-4	I-2	SD	T4	T6



BOARD OF ADJUSTMENT

VICINITY MAP - EXISTING ZONING



This site is surrounded by commercial units to the east and residential units to the west.

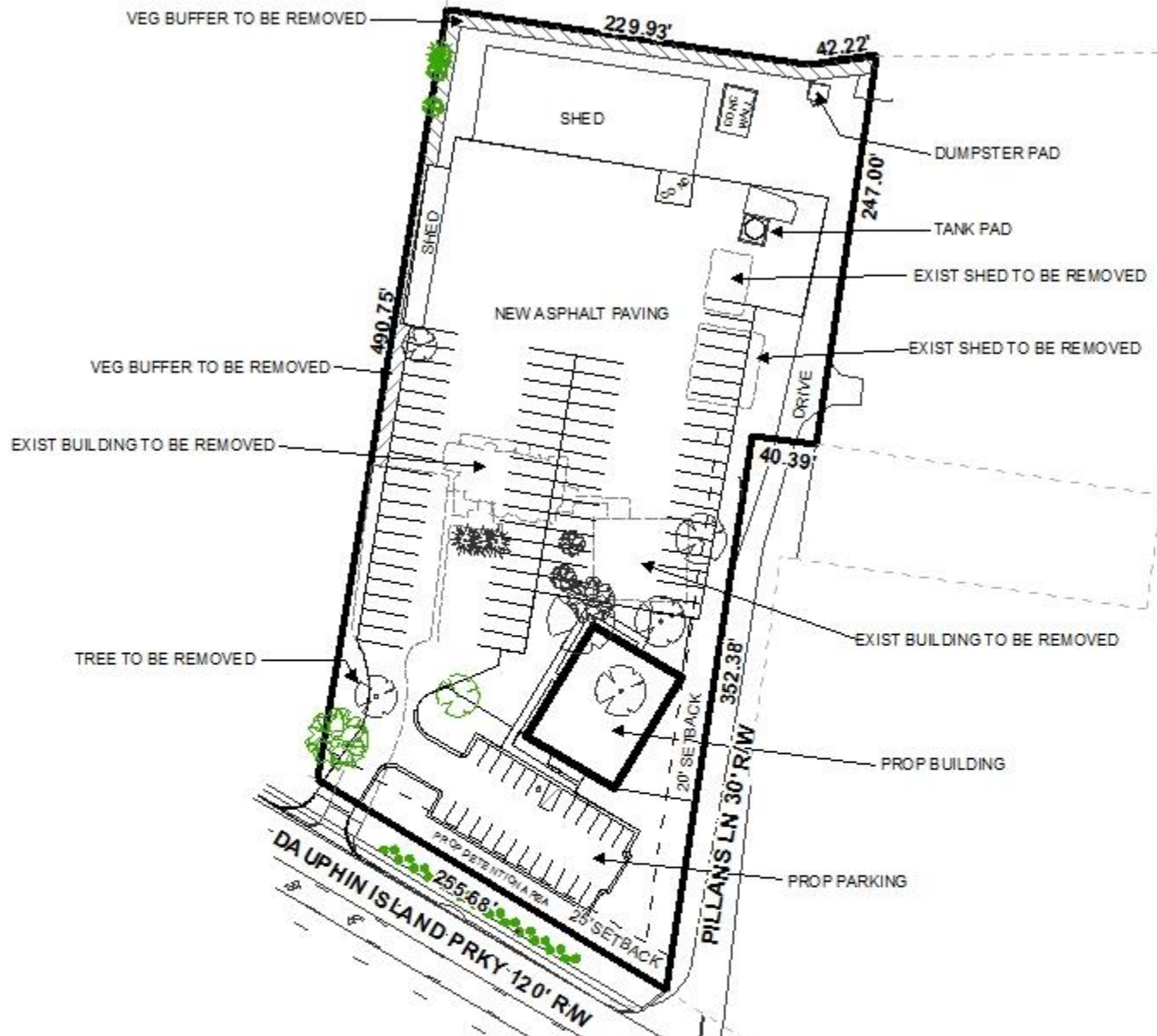
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SITE PLAN



The site plan illustrates the existing buildings, the buildings to be removed, the proposed parking, and the proposed building.

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