

**BOARD OF ZONING ADJUSTMENT  
STAFF REPORT****Date: September 10, 2012**

<b><u>CASE NUMBER</u></b>	5782
<b><u>APPLICANT NAME</u></b>	Turner Insurance & Bonding
<b><u>LOCATION</u></b>	South side of Professional Parkway, 400'± East of Downtowner Boulevard
<b><u>VARIANCE REQUEST</u></b>	<b>ACCESS:</b> Access Variance to allow a 20' wide entrance drive in a B-1, Buffer Business District
<b><u>ZONING ORDINANCE REQUIREMENT</u></b>	<b>ACCESS:</b> The Zoning Ordinance requires a minimum 24' wide entrance drive in a B-1, Buffer Business District
<b><u>ZONING</u></b>	B-1, Buffer Business District
<b><u>AREA OF PROPERTY</u></b>	18,366 square feet / 0.4±Acres
<b><u>TRAFFIC ENGINEERING COMMENTS</u></b>	No comments
<b><u>CITY COUNCIL DISTRICT</u></b>	District 5

**ANALYSIS** The applicant is requesting an Access Variance to allow a 20' wide entrance drive in a B-1, Buffer Business District; the Zoning Ordinance requires a minimum 24' wide entrance drive in a B-1, Buffer Business District.

The applicant is proposing to construct a new 2,880 square foot office building with a 1,008 square foot covered patio, and 13 parking spaces.

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 site is near the terminus of Professional Parkway, a cul-de-sac composed of various commercial uses in B-1 and B-2 districts. The site itself is undeveloped.

The applicant states that the narrow nature of the site and the existing drainage easements on the site prevent them from providing the required 24-foot wide driveway where it leads to 9 parking spaces to the rear of the building. Furthermore, the applicant states that the parking in the rear will be for employees only.

The Zoning Ordinance requires that two-way drives typically be a minimum of 24-feet in width to provide adequate maneuvering area for two vehicles to safely pass. Such a width will also allow passage even with the inevitable parking that will likely occur in the drive. However, at times a 20-foot wide drive is acceptable when there is no parking directly using the narrowed area, as is the case with the proposed site plan. Therefore, a granting of the variance would not be contrary to the public interest in this case.

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

- 1) The driveway area along the building be striped and/or signed to indicate no parking in the drive adjacent to the building; and
- 2) Signage of the parking spaces in the rear to state parking for employees only.

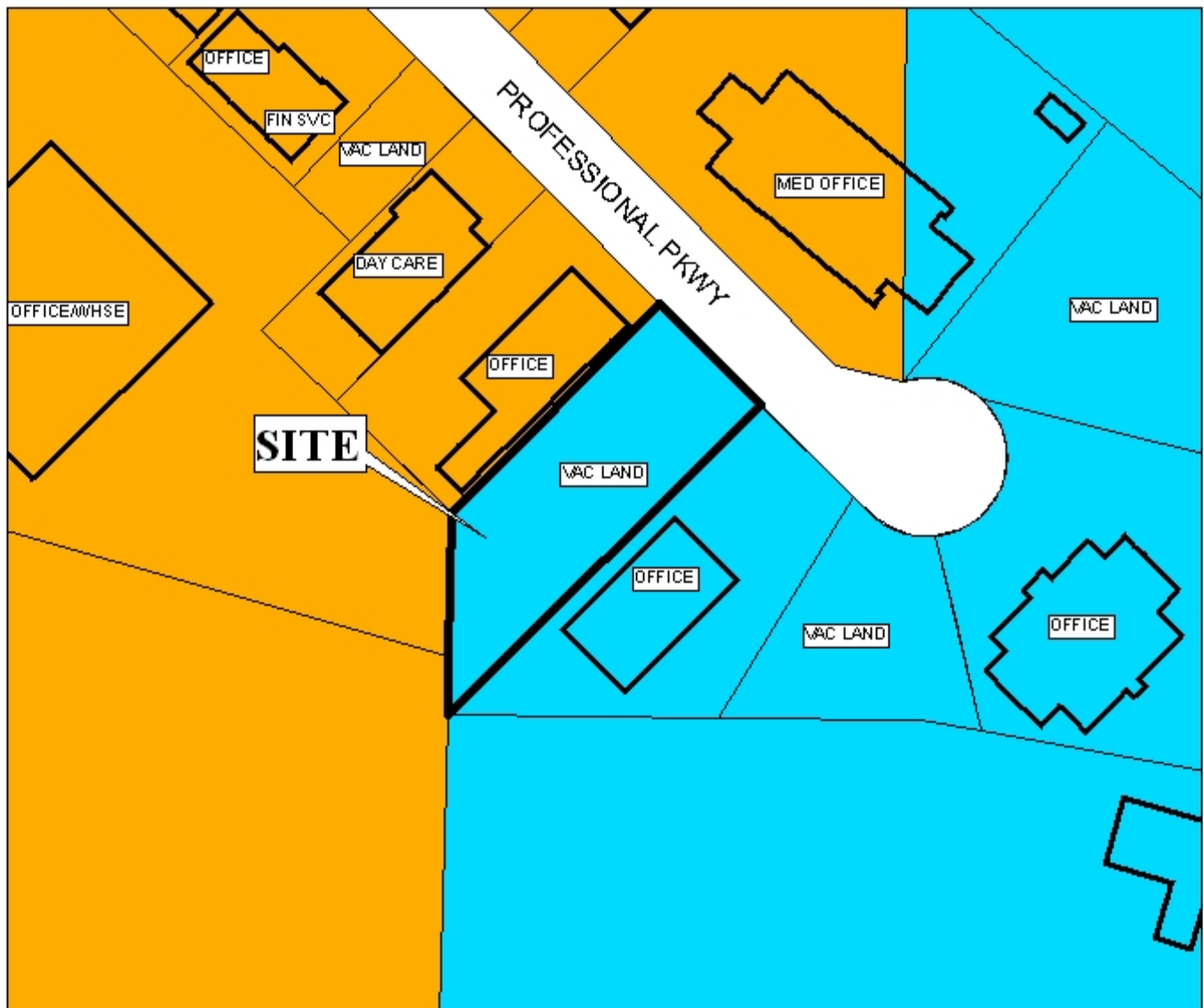
# LOCATOR MAP



APPLICATION NUMBER 5782 DATE September 10, 2012  
APPLICANT Turner Insurance & Bonding  
REQUEST Access Variance



# BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING

















The site is surrounded by commercial land use.

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REQUEST Access Variance

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

N  
NTS

# BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING

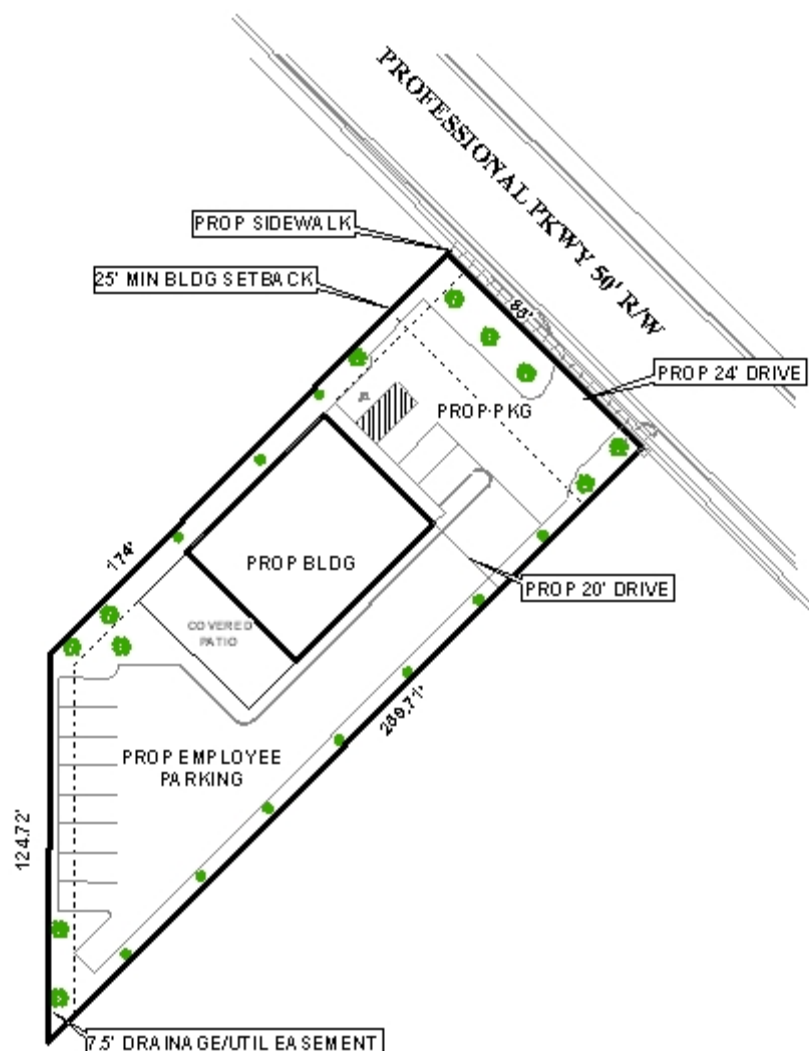


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# SITE PLAN



The site plan illustrates the proposed development.

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