

APPLICATION NUMBER

5089/4950

A REQUEST FOR

**SIDE YARD SETBACK VARIANCE TO ALLOW A 12' X
20' DRIVE-THRU CANOPY WITHIN 6'4" OF A SIDE
STREET PROPERTY LINE; A MINIMUM SIDE YARD
SETBACK OF 20' IS REQUIRED ON A CORNER LOT
WHEN THE LOT TO THE REAR FRONTS THE SIDE
STREET**

LOCATED AT

6211 AIRPORT BOULEVARD

(Southeast corner of Airport Boulevard and Louise Avenue)

APPLICANT/OWNER

JAGUAR CLEANERS

AGENT

FRANK A. DAGLEY & ASSOCIATIES

BOARD OF ZONING ADJUSTMENT

JANUARY 2002

The applicant is proposing to construct a 12' x 20' drive-thru canopy within 6'4" of a side street property line; a minimum side yard setback of 20' is required on a corner lot when the lot to the rear fronts the side street.

The Board, at the August 2000, meeting approved this application; however, the applicant failed to permit within the 6-month period.

The applicant very simply states that the proposed drive-thru canopy would greatly increase the business volume and to protect customers from inclement weather.

In the past, the Board has been somewhat lenient and understanding in its consideration of variance requests for canopies over existing gas pump islands for service stations not drop off windows. However, in considering those applications the Board also took into consideration access to the site, location of the canopy and maneuvering within the site.

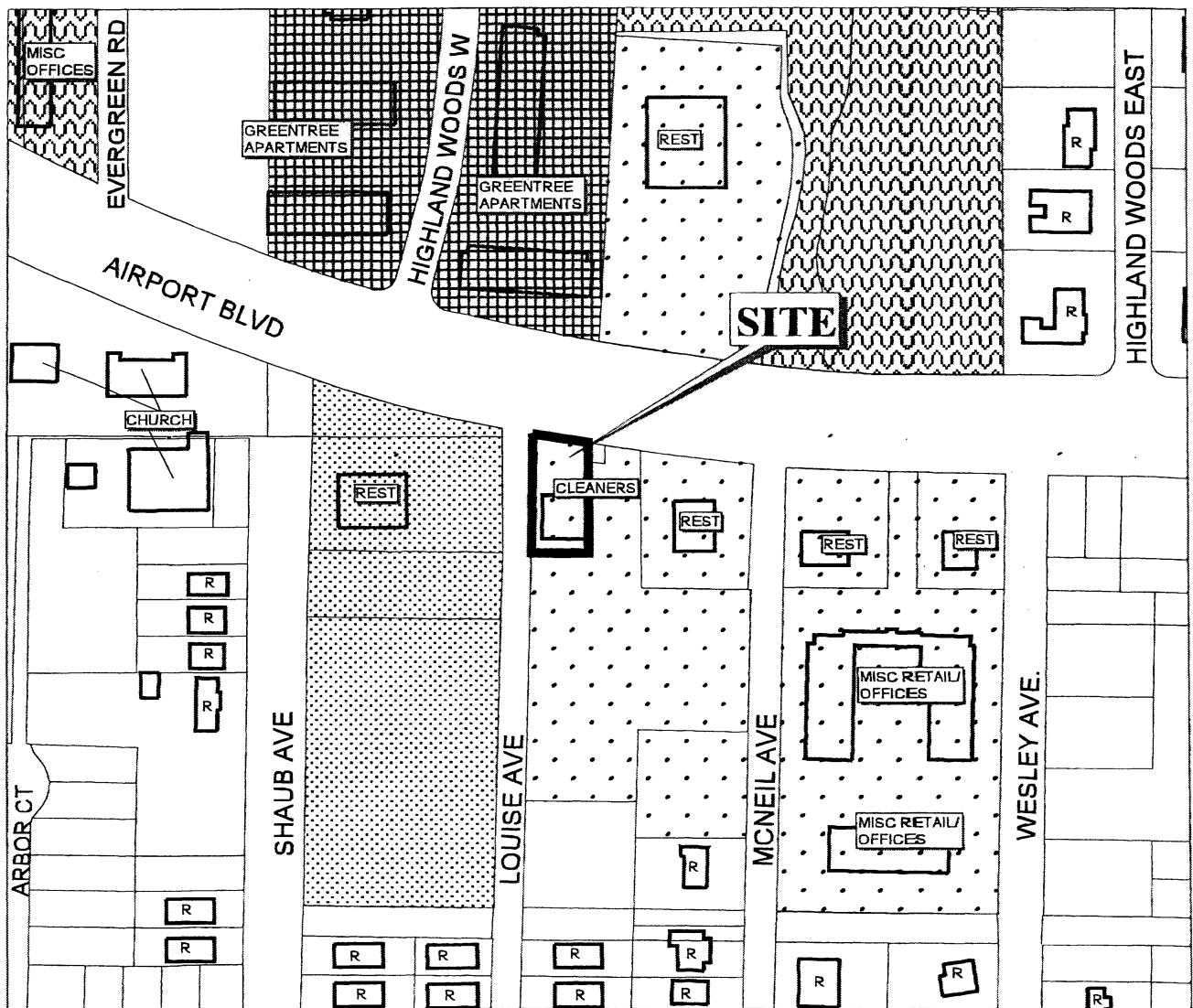
In this particular instance, the applicant is requesting a canopy to protect customers as they drop off clothing to be dry-cleaned. The location of the proposed canopy will allow adequate queuing for vehicles entering and exiting the business after services are rendered.

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.

RECOMMENDATION 5089/4950**Date: January 7, 2002**

Based on the preceding, it is recommended that this application be approved subject to the following conditions: 1) provision of landscaping and tree planting requirements in compliance of Section IV.E.3.a. of the Zoning Ordinance; and 2) full compliance with all municipal codes and ordinances.

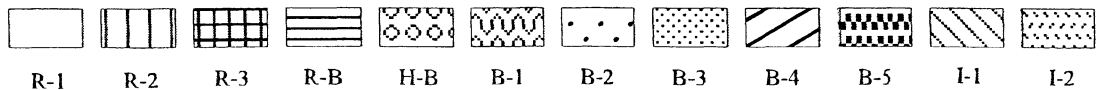
BOARD OF ZONING ADJUSTMENT VICINITY MAP - EXISTING ZONING



Located to the North of the site are an apartment complex and restaurant; to the East are restaurants and miscellaneous retail and offices. Located to the South of the site are single family residential dwellings; to the West are single family residential dwellings, a restaurant, and church.

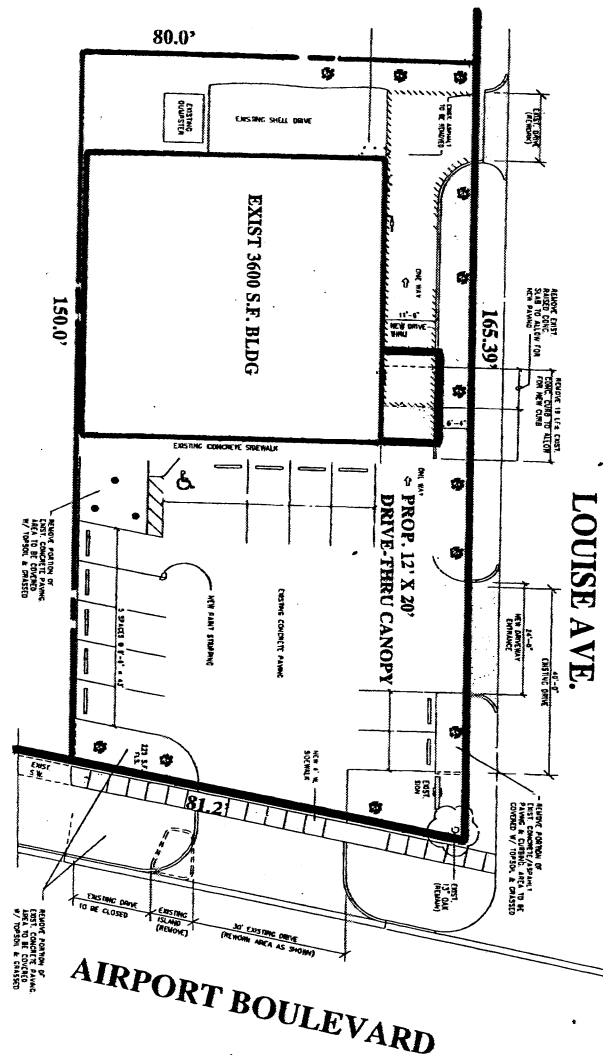
APPLICATION NUMBER 5089/4950 DATE January 7, 2002
 APPLICANT Jaguar Cleaners (Frank A Dagley & Associates, Inc., Agent)
 REQUEST Side Yard Setback Variance

LEGEND



NTS

SITE PLAN



The site is located on the Southeast corner of Airport Boulevard and Louise Avenue. The plan illustrates the existing structure, along with the proposed canopy.

APPLICATION NUMBER 5089/4950 DATE January 7, 2002
 APPLICANT Jaguar Cleaners (Frank A Dagley & Associates, Inc., Agent)
 USE/REQUEST Side Yard Setback Variance



NTS