

APPLICATION NUMBER

5107

A REQUEST FOR

**OFF-SITE PARKING, ACCESS/MANUEVERING AND
PARKING SURFACES VARIANCES TO ALLOW AN OFF-
SITE (GRAVEL) PARKING FACILITY FOR AN
ADJACENT CHURCH CONTAINING 18 SPACES WITH
SUBSTANDARD AISLE WIDTH IN A B-2,
NEIGHBORHOOD BUSINESS DISTRICT; ALL PARKING
MUST BE ON SITE, A MINIMUM AISLE WIDTH OF 24' IS
REQUIRED AND ASPHALT OR CONCRETE ARE
REQUIRED PARKING SURFACES IN A B-2,
NEIGHBORHOOD BUSINESS DISTRICT.**

LOCATED AT

1809 DUNCAN STREET

(Southeast corner of Duncan Street and Lesesne Street)

APPLICANT

THE CHRISTIAN BIBLE TEACHINGS CHURCH

OWNER

JAMES & ESSIE CRAWFORD

**BOARD OF ZONING ADJUSTMENT
MARCH/2002**

The applicant is requesting Off-Site Parking, Access/Maneuvering and Parking Surface Variances to allow an off-site (gravel) parking facility for an adjacent church containing 18 spaces with substandard aisle width in an B-2, Neighborhood Business District; all parking must be on site, a minimum aisle width of 24' is required and asphalt or concrete are required parking surfaces in a B-2, Neighborhood Business District.

The applicant states that due to the small size of the site and a small membership, they do not have enough property and financial resources to improve the parking facilities. In addition, the applicant states that the required number of spaces is excessive since some of the members walk to church.

The applicant has submitted a Planned Unit Development and Subdivision application that was approved at the February 21st Planning Commission meeting. A condition of the approval required that the proposed parking facilities be asphalt or concrete. As with any application submitted to the Planning Commission, the Commission typically requires that the site be brought into full compliance with all municipal codes and ordinances. If the Board does grant this variance, it would not be in harmony with the previous approvals passed by the Planning Commission.

As indicated by a lease agreement with the adjacent property owner, this lease is from month to month and may be terminated for any reason with 30 days notice. Essentially, this would allow the applicant to get temporary approval for the additional parking that is required and then terminate the lease, leaving the site in non-compliance.

As with any variance application, the hardship must be with the property, not the applicant's financial situation. There have been numerous sites that the Board has not granted relief because of financial hardships.

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.

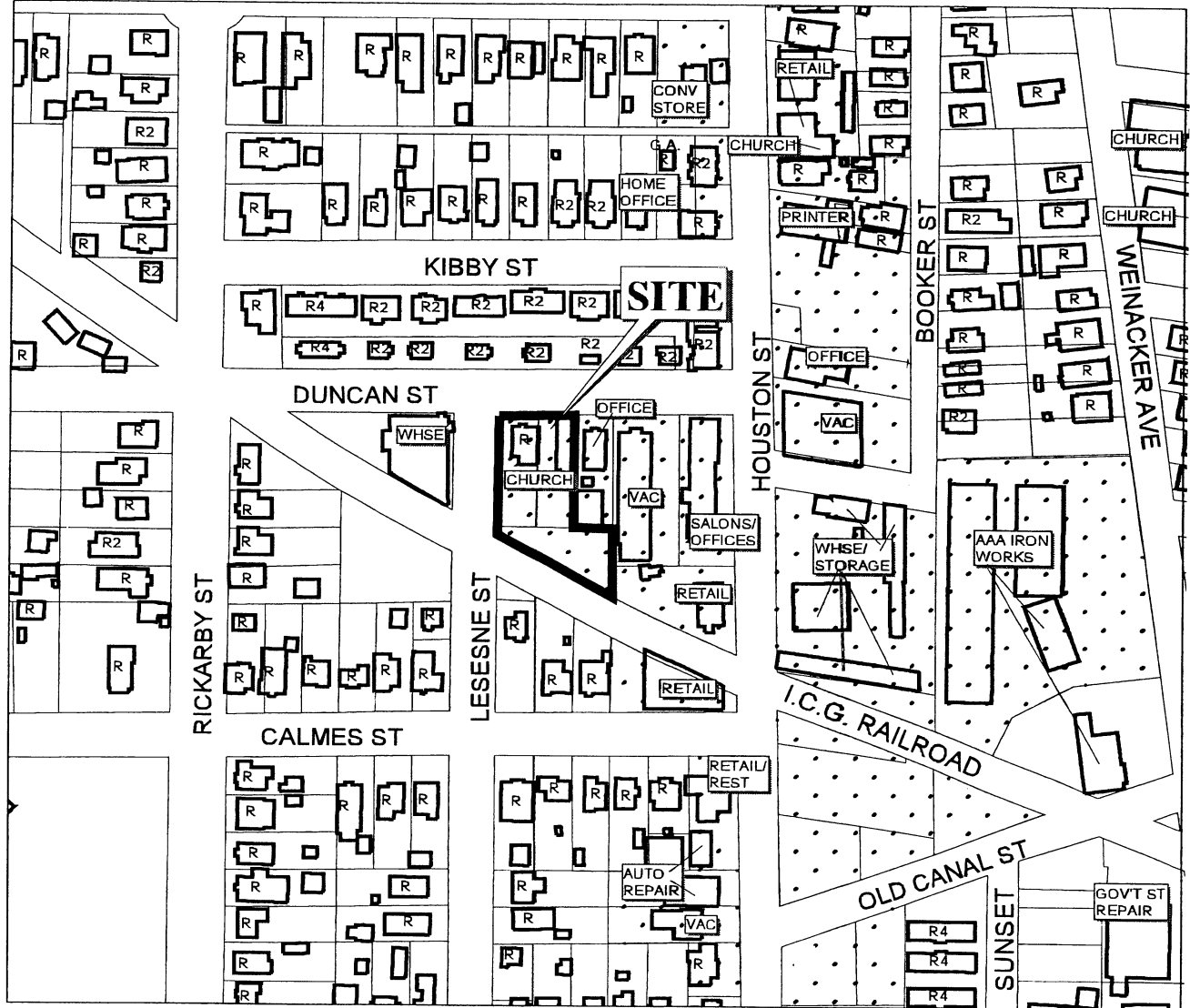
It is simply the applicant's desire to develop the site and not be in compliance with the Zoning Ordinance.

RECOMMENDATION 5107

Date: March 4, 2002

Based upon the preceding, this application is recommended for denial.

BOARD OF ZONING ADJUSTMENT VICINITY MAP - EXISTING ZONING



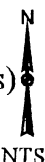
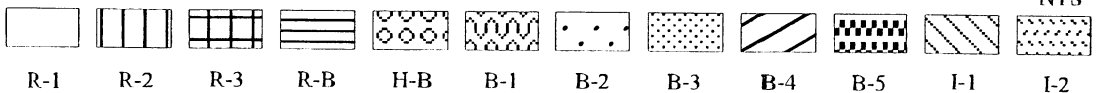
Located to the North of the site are multi-family residential dwellings; to the East are miscellaneous retail, and industrial services. Located to the South of the site are single family residential dwellings and retail, to the West is a warehouse.

APPLICATION NUMBER 5107 DATE March 4, 2002

APPLICANT The Christian Bible Teaching Church (James & Essie Crawford, Owners)

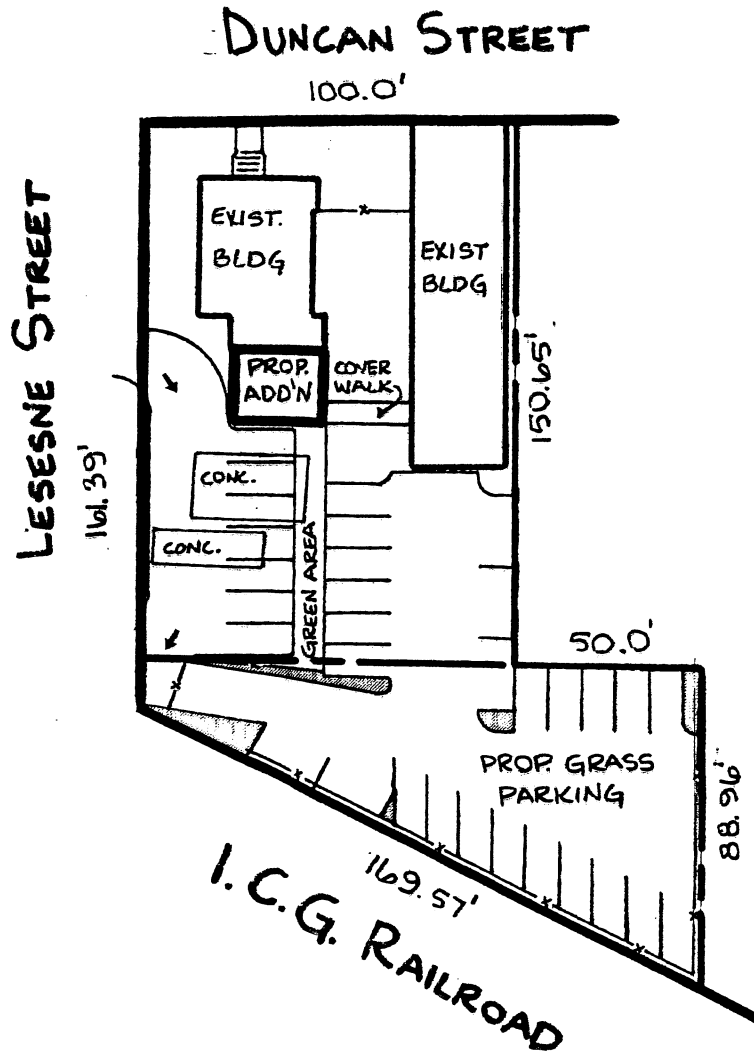
REQUEST Off-Site Parking, Access/Maneuvering and Parking Surface Variances

LEGEND



NTS

SITE PLAN



The site is located on the Southeast corner of Duncan Street and Lesesne Street. The plan illustrates the existing structures along with proposed parking.

APPLICATION NUMBER 5107 DATE March 4, 2002
 APPLICANT The Christian Bible Teaching Church (James & Essie Crawford, Owners)
 USE/REQUEST Off-Site Parking, Access/Maneuvering and Parking Surface Variances



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