

APPLICATION NUMBER

5161/4932/4866/3018

A REQUEST FOR

**USE AND PARKING VARIANCES TO RE-OPEN AN
EXISTING VARIANCE TO ALLOW THE EXPANSION OF
AN EXISTING DAYCARE IN AN R-1, SINGLE-FAMILY
RESIDENTIAL DISTRICT, TO ALLOW AN AGGREGATE
SURFACE PARKING LOT, AND SUBSTANDARD
DRIVEWAYS; A DAYCARE IS ALLOWED WITH
PLANNING APPROVAL IN A B-1, BUFFER BUSINESS
DISTRICT OR BY RIGHT IN A B-2, NEIGHORBORHOOD
BUSINESS DISTRICT, THE ZONING ORDINANCE
REQUIRES ALL PARKING TO BE ASPHALT, CONCRETE
OR AN APPROVED ALTERNATIVE PAVING SURFACE,
AND A 12' WIDE DRIVE IS REQUIRED FOR ONE WAY
ACCESS.**

LOCATED AT

2910 PLEASANT VALLEY ROAD

(North side of Pleasant Valley Road, 110' ± East of Lundy Lane)

APPLICANT

KIMBERLY S. GARRIS

BOARD OF ZONING ADJUSTMENT

FEBRUARY 2003

The applicant is requesting Use and Parking Variances to re-open an existing variance to allow the expansion of an existing daycare in an R-1, Single-Family Residential District, to allow an aggregate surface parking lot, and substandard driveways; a daycare is allowed with Planning Approval in a B-1, Buffer Business District and by right in a B-2, Neighborhood Business District, the Zoning Ordinance requires all parking to be asphalt, concrete or an approved alternative paving surface, and a 12' wide drive is required for one way access.

The site was granted Use and Parking Variances in June 2000 for an expansion of the daycare. The variance has expired hence this application.

The applicant now proposes to construct a 1,200 square foot detached building instead of a building addition as approved in the 2000 variance. The applicant states that if approved, the proposed additional building would enhance the productivity of the business and landscaping will also be provided.

The property has been used as a day care since 1975, and since that time, the character of the area has changed to a more commercial and high density residential development, thus it is improbable that the property will ever be occupied with a residential use.

Regarding the parking variance request, the site is currently developed with a small gravel area in front of the building that does not provide adequate parking or drive width. As proposed, ample parking would be provided, and with the development of paved parking, the overall parking proposal would be an improvement. Additionally, it should be noted that with the additional parking and building, compliance with the City's Flood Plain Land Use Ordinance would be required.

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.

RECOMMENDATION 5161/4932/4866/3018**Date:February 3, 2003**

Based upon the preceeding, this application is recommended for approval subject to the following conditions: 1) compliance with the City's Flood Plain Land Use Ordinance; 2) full compliance with the landscaping and tree planting requirements of the Ordinance; and 3) the provision of a buffer around the West, North and East property lines.

BOARD OF ZONING ADJUSTMENT VICINITY MAP - EXISTING ZONING



Located to the North and East of the site are multi family residential dwellings; to the South is a daycare, single and multiple family residential dwellings. Located to the West of the site are single family residential dwellings.

APPLICATION NUMBER 5161/4932/4866/3018 DATE February 3, 2003
 APPLICANT Kimberly S. Garriss
 REQUEST Use Variance

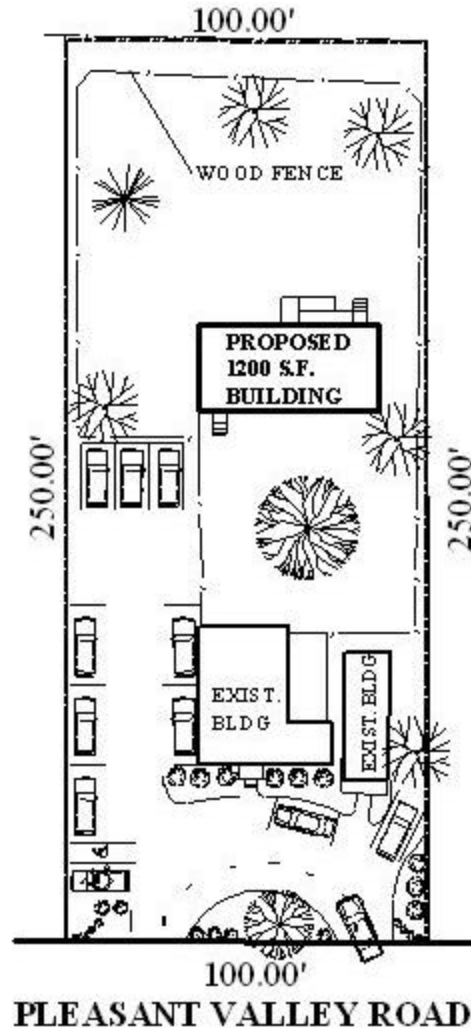
LEGEND

R-1	R-2	R-3	R-B	H-B	B-1	B-2	B-3	B-4	B-5	I-1	I-2



NTS

SITE PLAN



The site is located on the North side of Pleasant Valley Road, 110' East of Lundy Lane. The plan illustrates the existing structures, along with the proposed structure, parking, and landscape.

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APPLICANT Kimberly S. Garis

USE/REQUEST Use Variance

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