

APPLICATION NUMBER

5194/4688/2653/2517

A REQUEST FOR

**USE VARIANCE TO REOPEN A PREVIOUS VARIANCE
TO ALLOW MEDICAL SALES WITH ASSOCIATED
WAREHOUSING IN AN R-1, SINGLE-FAMILY
RESIDENTIAL DISTRICT; MEDICAL SALES IS
ALLOWED BY RIGHT IN A B-2, NEIGHBORHOOD
BUSINESS DISTRICT.**

LOCATED AT

154 RANDOLPH STREET

(East side of Randolph Street, 50' ± North of Jenkins Street)

APPLICANT

KWIK KARE, INC.

BOARD OF ZONING ADJUSTMENT

AUGUST 2003

The applicant is requesting Use Variance to reopen a previous variance to allow medical sales with associated warehousing in an R-1, Single-Family Residential District; medical sales is allowed by right in a B-2, Neighborhood Business District.

The applicant states that the intended use of the property is to house durable medical equipment, power wheelchairs, hospital beds, scooters and manual wheelchairs, and other similar items. There will be two employees to handle deliveries from 8:30 AM – 5:00 PM; the anticipated customer count is approximately two to five per day.

The site was previously granted a variance for printing shop in 1970 with the following conditions:

- 1) the variance be restricted to the applicant;
- 2) the variance be restricted to the use requested by the applicant;
- 3) that there shall be no exterior alterations that would change the residential appearance of the building;
- 4) that the grounds be maintained in a residential manner;
- 5) a sign shall be restricted to 1' x 2', unlighted, and affixed to the building;
- 6) that parking be off-street and restricted to the rear of the property; and
- 7) that employees are limited to seven.

The application that is now in front of the Board to amend condition number one and two to allow a different use and owner. It should be noted that conditions three, four, and six were amended to allow the construction of a 4,500 square foot metal building by a 1972 variance.

It should be noted that the variance is to the property; therefore, condition number one is not really applicable.

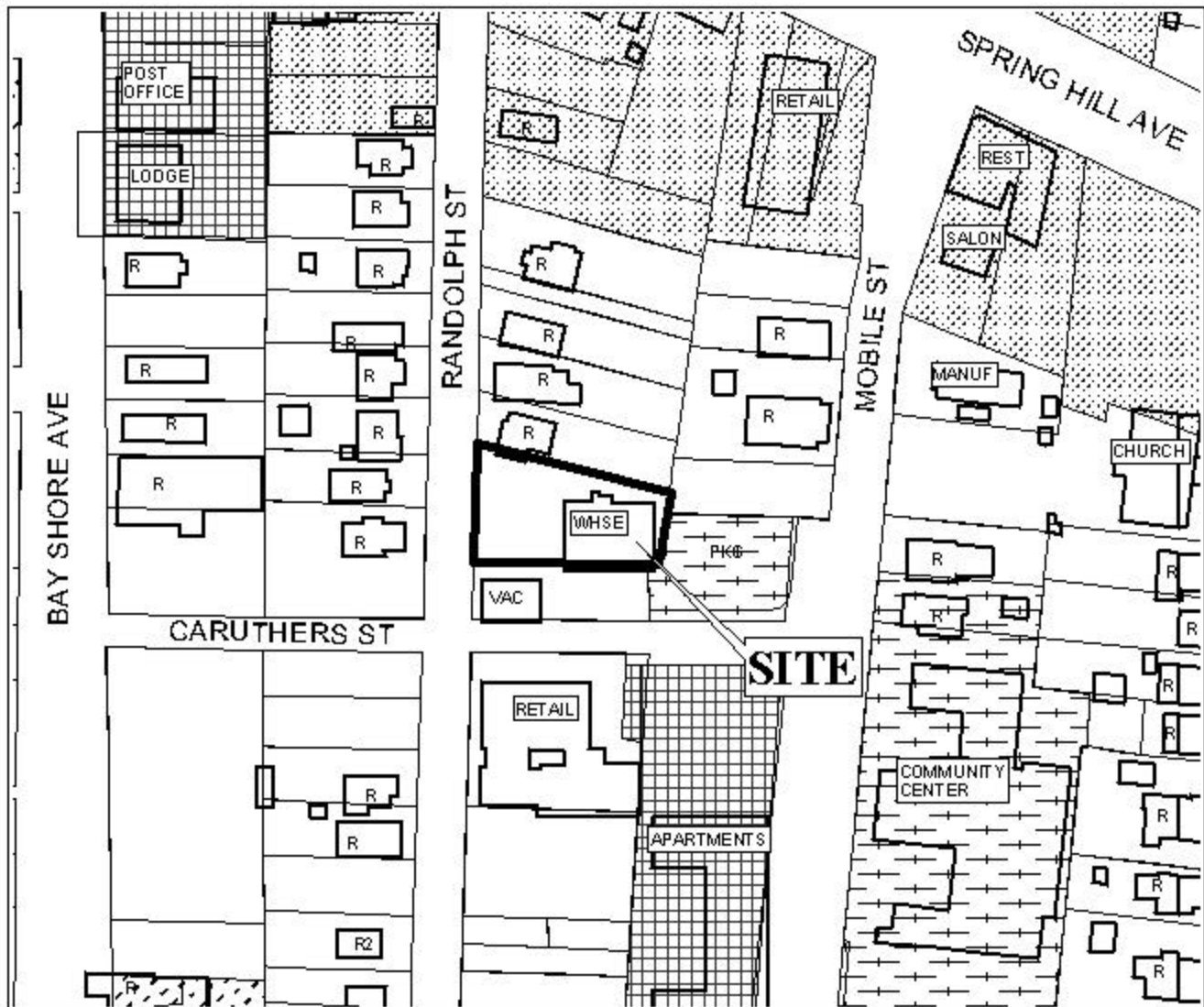
The Zoning Ordinance states that no variance shall be granted where economics are the basis for the application. Additionally, no variance shall be granted unless the Board is presented with sufficient evidence to find that the variance will not be contrary to the public interest, and that special conditions 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.

The change in use would be similar in scope and with appropriate conditions should not negatively impact the surrounding area.

RECOMMENDATION 5194/4688/2653/2517**Date: August 4, 2003**

Based upon the preceding, this application is recommended for approval subject to the following conditions: 1) the provision of bumper stops for all parking spaces; 2) that all of the parking spaces are to be striped; 3) the driveway be widened 24-foot wide for two way traffic; 4) a sign shall be restricted to 1' x 2', unlighted, and affixed to the building; 5) the provision of a privacy fence where the site adjoins residential property; and 6) full compliance with the landscaping and trees.

BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



The site is surrounded by single family residential dwellings, with retail located to the South.

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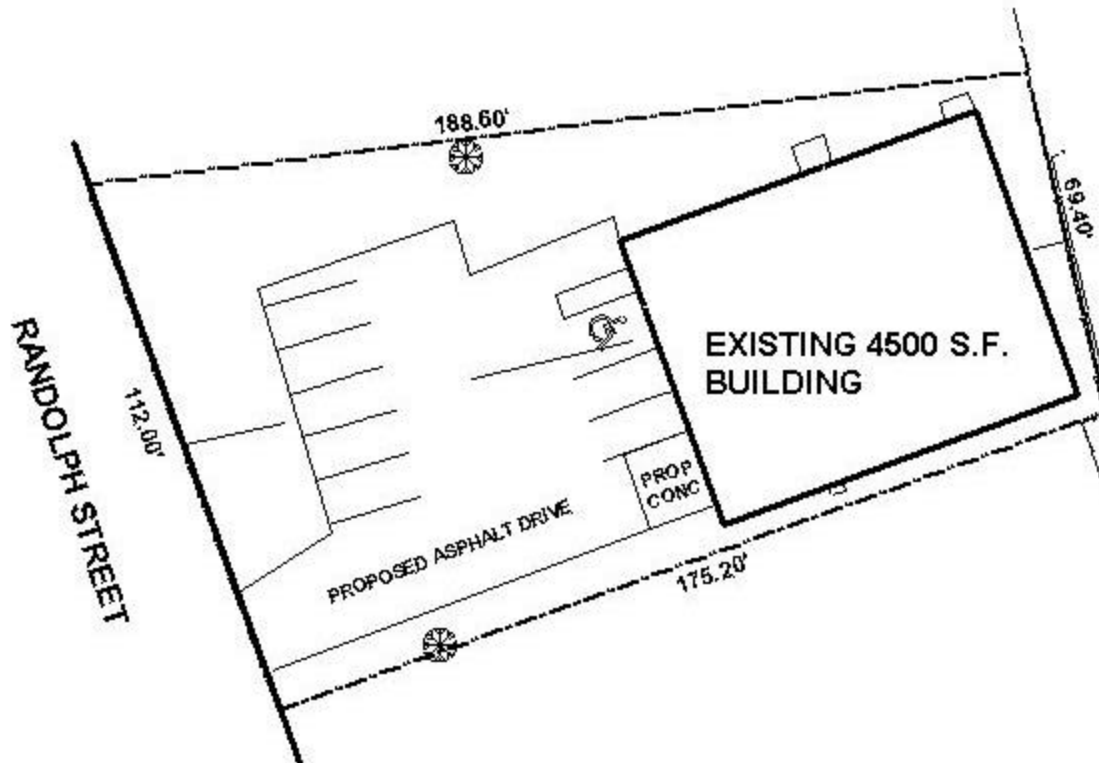
APPLICANT Kwik Kare, Inc.

REQUEST Use Variance

LEGEND



SITE PLAN



The site is located on the East side of Randolph Street, 50' North of Davenport Street. The plan illustrates the existing building and proposed parking.

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APPLICANT Kwik Kare, Inc.

USE/REQUEST Use Variance



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