

HOLDOVER

APPLICATION NUMBER

5212

A REQUEST FOR

**PARKING RATIO, PARKING SURFACE AND
ACCESS/MANEUVERING VARIANCES TO ALLOW THE
CONVERSION OF AN EXISTING RESIDENTIAL (3,129
SQUARE FEET) DWELLING TO A PROFESSIONAL
OFFICE, TO ALLOW 5 ON-SITE PARKING SPACES, AN
AGGREGATE SURFACE PARKING LOT, AND A
SUBSTANDARD (7.5') WIDTH DRIVEWAY; THE ZONING
ORDINANCE REQUIRES 11 ON-SITE PARKING SPACES,
PARKING TO BE ASPHALT, CONCRETE OR AN
APPROVED ALTERNATIVE PAVING SURFACE, AND A
12' WIDE DRIVE IS REQUIRED FOR A ONE-WAY DRIVE
IN A B-2, NEIGHBORHOOD BUSINESS DISTRICT**

LOCATED AT

1107 DAUPHIN STREET

(South side of Dauphin Street, 150'± West of South Hallett Street)

APPLICANT/OWNER

WILLIAM G. ANDERSON

BOARD OF ZONING ADJUSTMENT

NOVEMBER 2003

The applicant is requesting Parking Ratio, Parking Surface and Access/Maneuvering Variances to allow the conversion of an existing residential (3129 square foot) dwelling to a professional office, to allow 5 on-site parking spaces, an aggregate surface parking lot, and a substandard (7.5') width driveway; the Zoning Ordinance requires 11 on-site parking spaces, parking to be asphalt, concrete or an approved alternative paving surface, and a 12' wide drive is required for a one-way drive in a B-2, Neighborhood Business District.

The applicant states that the property has been used as a duplex and that now an attorney's office is proposed. The applicant goes on to state that the attorneys feel that the existing parking is adequate for their practice.

The structure is a two-story structure with 3129 square feet of floor space, thus 11 parking spaces are required. Only five parking spaces are proposed, less than one half the required number of spaces. Furthermore, on street parking is prohibited, thus if inadequate parking is provided, there is nowhere in the area for customers or employees to park. An additional consideration is that the driveway is only 7.5-feet wide, and thus does not even comply with the minimum width for one-way traffic.

Another consideration is the parking surface. The parking lot is gravel, and parking for a commercial entity must be paved with asphalt or concrete. Hard surface paving is required because gravel tends to shift and move outside the intended parking area and drive.

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 applicant failed to illustrate that a literal enforcement would result in an unnecessary hardship. It is simply the applicant's desire to occupy the existing building without adequate parking facilities.

RECOMMENDATION 5212**Date: November 3, 2003**

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

