April 7, 2004 BZA

REQUEST ANALYSIS
AND
RECOMMENDATION

04AN0220

Old Gun Properties, LLC by Stevenson and Hestand, Inc.

Dale Magisterial District
3610 Courthouse Road

REQUEST: A 24.4 foot Variance to the fifty (50) foot setback requirement for parking in a Neighborhood Business (C-2) District.

RECOMMENDATION

Recommend approval of this request for the following reasons:

A. The granting of this Variance should not create any adverse impact on the area in general.

B. This Variance will not reduce or impair the value of the buildings or property in the surrounding area.

GENERAL INFORMATION

Location:

Property is located at 3610 Courthouse Road. Tax ID 749-685-4480 (Sheet 10).

Existing Zoning:

C-2

Size:

1 acre

Existing Land Use:

Commercial

Adjacent Zoning and Land Use:

North - C-5; Commercial
South - C-3; Commercial
East - C-5; Commercial
West - C-3; Commercial

Utilities:

Public water and sewer

Transportation:

This request will not cause a sight distance problem along Courthouse Road.

General Plan:

(Northern Area Land Use and Transportation Plan) General commercial use

DISCUSSION

The applicant is proposing to convert an existing childcare facility into an office/bakery. The applicant has indicated the parking will be located 25.6 feet from the front property line. The Zoning Ordinance requires a fifty (50) foot setback requirement. Therefore, the applicant requests a 24.4 foot Variance (see attached site plan).

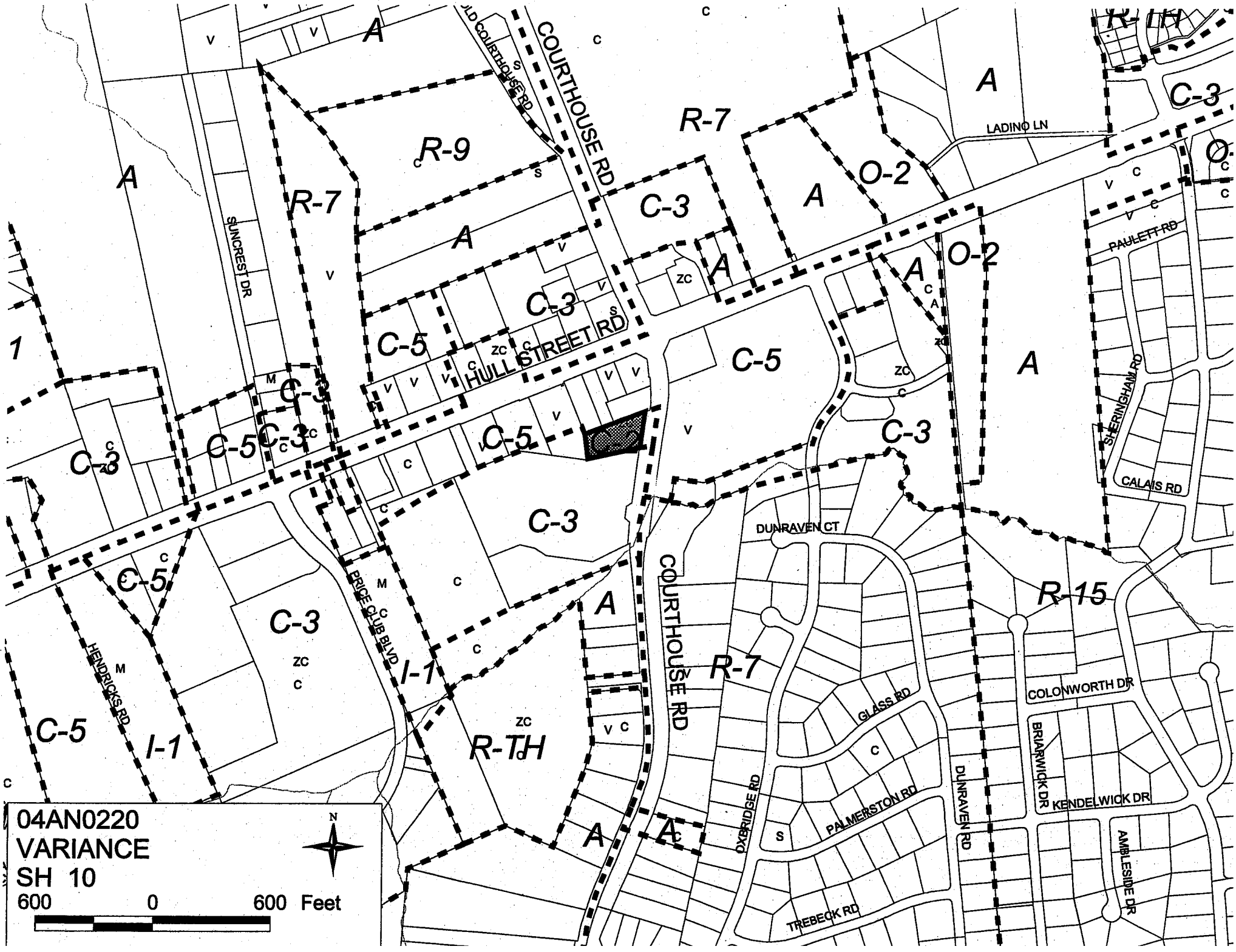
The applicant provides the following justification in support of this request:

> There is limited space available to construct additional paved area to meet minimum parking requirements (twenty-five (25) spaces). The required right of way setback will not be met and a Variance is hereby requested to be granted. The amount of frontage available to meet setback requirements has been reduced as a result of the widening of Courthouse Road.

Staff notes this request is within the boundaries of the Northern Area Land Use and Transportation Plan which suggests the property is appropriate for general commercial use. The proposed improvements and land use is representative of, and compatible with, existing and anticipated development within this portion of Route 360 and Courthouse Road.

Staff also believes that a hardship exists. The location of the building on the subject property prevents access to the rear of the property where additional parking could be located. Therefore,

because parking can only be provided in front of the building, staff recommends approval of this request.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VARIANCE
SH 10
600 0 600 Feet
N
COURTHOUSE RD
OLD COURTHOUSE RD
HULL STREET RD
LADINO LN
PAULETT RD
SHERINGHAM RD
CALAIS RD
SUNCREST DR
HENDRICKS RD
PRICE CLUB BLVD
DUNRAVEN CT
DUNRAVEN RD
GLASS RD
PALMERSTON RD
DYKERIDGE RD
TREBECK RD
COLONWORTH DR
BRIARWICK DR
KENDELWICK DR
AMBLESIDE DR
R-9
R-7
C-3
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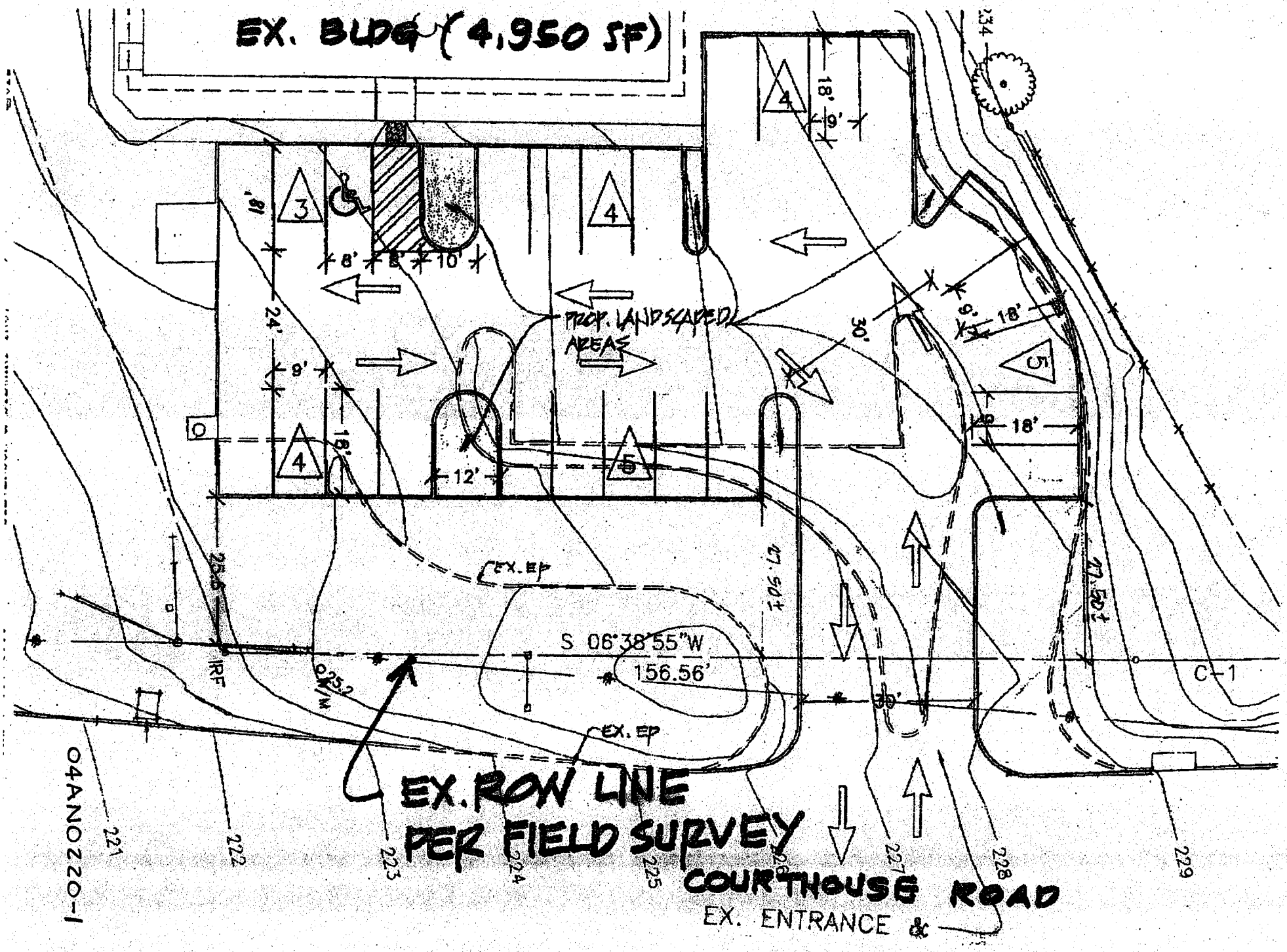
A
I-1
R-TH
R-15


EX. BLDG (4,950 SF)
PROP. LANDSCAPED AREAS
EX. EP
S 06°38'55"W
156.56'
EX. ROW LINE
PER FIELD SURVEY
COURTHOUSE ROAD
EX. ENTRANCE &
C-1
IRF
25.6
25.2
27.50±
30'
18'
9'
8'
10'
24'
12'
221
222
223
224
225
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