

Legislation Text

File #: ID 20-0217, **Version:** 1

Gorder Variance Request - 166 & 170 1st Avenue South - Variances for reduced landscape buffer, number of driveways, driveway spacing, and driveway width

Summary:

The first variance request is for a 10 foot landscape area buffer. The second request is for two (2) driveways along 1st Avenue South. The third request is for driveway spacing distances from the corner of West 2nd Street South to 1st Avenue South and Division Avenue. The fourth request is a larger driveway width. The ordinance requires a 50 foot landscape buffer, permits one (1) access drive to 1st Avenue South, requires a 60 foot driveway spacing offset from a major collector street, and restricts commercial driveway widths to 30 feet.

Background:

The property is located at the northwest corner of 1st Avenue South and West 2nd Street South with Division Avenue adjacent on the west side. The applicant is seeking multiple variances in order to redevelop the property for an auto detailing shop and for auto sales. The land is zoned B-3 and has three (3) street frontages. The property abuts vacant residential zoned property to the north. The ordinance requires a 50 foot landscaped area abutting residential property. In this case, the applicant's property is limited in size at 100' x 140'.

The applicant is proposing a 10 foot landscaped buffer rather than the required 50 foot buffer. The owner would like to have two (2) separate driveways with one for the detailing shop and another for auto sales area. The ordinance requires a frontage distance of 150' or greater to have two (2) driveways onto 1st Avenue South. If two (2) driveways are allowed onto 1st Avenue South, the spacing requirements will need to be reduced from the corner in order to fit both driveways along the property. The owner would like the proposed access drive to extend from 1st Avenue South to Division Avenue, which will require a reduction in the spacing offset to align with the driveway along 1st Avenue South. The applicant is also requesting a wider driveway to the proposed shop.

Variance Criteria:

1. Due to special conditions, a literal enforcement of the provisions of this ordinance will result in unnecessary hardship, and the variance shall not violate the spirit of the ordinance and substantial justice may be achieved as a result of the variance.

The size of the property makes it very difficult to redevelop as a commercial lot with the 50' foot landscaped buffer requirement and the front yard setbacks associated with the lot. The landscape buffer and setbacks significantly reduce the buildable area.

2. Unique circumstances apply to the property which do not apply to other properties in the same vicinity or district.

The property is unique because of the size and location with three (3) street frontages.

3. The variance is necessary for the preservation of a property right that is substantially

the same as that possessed by other owners of other property in the same district.

Without a variance, the property will be difficult to redevelop for a commercial business.

4. The variance requested is the minimum variance which would alleviate the hardship.

The variance request seems reasonable.

5. Reasonable use of the property is not permitted under the terms of this chapter.

In this case, reasonable use of the property is limited by 50 foot landscape buffer.

Staff Recommendation:

Staff recommends approval of all the variances, with the following contingencies:

1. Driveways shall have a minimum of 30 foot spacing offset from West Second Street South for safety purposes.
2. Landscape screening shall be installed along the north property line to help mitigate impacts to the abutting residential property.

Attachments:

Notice

Application

Zoning Map

Site Plan

Aerial Map