



Legislation Text

File #: 19-1441, Version: 1

ZV 2019-12, Pines 200 Plaza, 20170 Pines Boulevard, variance request. (Dean)

SUMMARY EXPLANATION AND BACKGROUND:

PROJECT DESCRIPTION / BACKGROUND:

Andrea Keiser, as agent for the owner, is requesting a variance to allow 178 parking spaces instead of the required 238 parking spaces for the Pines 200 Plaza located at 20170 Pines Boulevard.

Pines 200 Site Plan #SP 94-40, was originally approved on November 10, 1994 by the Planning and Zoning Board providing 219 parking spaces. At time of approval the parking ratios were different and caused this property to be non-conforming when the code was amended.

Based on current parking code (adopted by Ordinance #1738 on September 19, 2012), and existing tenants, 238 parking spaces are required. Currently, Pines 200 Plaza has 219 parking spaces on site and is considered existing legal non-conforming.

VARIANCE REQUEST DETAILS:

ZV 2019-07) Allow 178 parking spaces instead of the required 238 parking spaces.

Code Reference: §155.251 AMOUNT OF OFF-STREET PARKING REQUIRED

- (A) Other uses. Minimum parking shall be required as set forth in the matrix below.
- (D) Mixed uses. In the case of mixed uses, the total requirements for off-street parking shall be the sum of the requirements of the various uses computed separately, and off-street parking space for one use shall not be considered as providing the required off- street parking for any other use.

VARIANCE DETERMINATION:

The Planning and Zoning Board shall not grant any non-single-family variances, permits, or make any decision, finding, and determination unless it first determines that:

1. Its decision and action taken is in harmony with the general purposes of the zoning ordinances of the city and is not contrary to the public interest, health, or welfare, taking into account the character and use of adjoining buildings and those in the vicinity, the number of persons residing or working in the buildings, and traffic conditions in the vicinity.
2. In the granting of variances, the Planning and Zoning Board shall determine that the variance granted is the minimum variance that will accomplish the intended purpose (stated above) and:

- A) That there are special circumstances or conditions applying to the land or building for which the variance is sought, which circumstances are peculiar to the land or building and do not apply generally to land or buildings in the neighborhood, and that the strict application of the provisions of the zoning ordinances would result in an unnecessary hardship and deprive the applicant of the reasonable use of the land or building; or
- B) That any alleged hardship is not self-created by any person having an interest in the property nor is the result of a mere disregard for or in ignorance of the provisions of the zoning ordinances of the city; or
- C) That granting the variance is not incompatible with public policy, will not adversely affect any adjacent property owners, and that the circumstances which cause the special conditions are peculiar to the subject property.