



Legislation Text

File #: 21-0085, **Version:** 1

ZV 2020-08, Village of Mayfair (Finger Lickin), 1458 S Hiatus Road, variance request (Dean).

SUMMARY EXPLANATION AND BACKGROUND: PROJECT DESCRIPTION / BACKGROUND:

Synalovski Romanik Saye Architects, as agent, is requesting a parking variance for the Village of Mayfair shopping center, generally located north of Pembroke Road and west of Hiatus Road. The proposed parking variance is being requested in order to accommodate an existing restaurant expansion.

The applicant recently submitted a site plan amendment application to staff (SP 2020-09) which contemplates a 3,167 square foot addition to the Finger Lickin restaurant within the Village of Mayfair. The proposed Finger Lickin restaurant addition will expand the kitchen area only and will result in no changes/alterations to the existing restaurant layout or customer service areas. This application is currently under staff review.

The restaurant expansion will result in a required shopping center parking demand of 456 parking spaces where only 424 parking spaces currently exist within the center.

The related site plan amendment application will require future Planning and Zoning Board review should this variance receive a favorable outcome.

VARIANCE REQUEST DETAILS:

ZV 2020-08) To allow 424 parking spaces instead of the required 456 parking spaces.

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

The off-street parking required by this subchapter shall be provided and maintained on the basis of the following minimum requirements:

(A) Other uses. Minimum parking shall be required as set forth in the matrix below. *

(Refer to code section in its entirety)

(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.