

Parking Reduction

1. Reasonable Return

The property in question cannot yield a reasonable return if to be permitted to be used only under the regulations of district in which it is located.

The subject development is a proposed childcare facility that is required to provide 4 parking spaces for every 1,000 sq ft of the gross floor area. As such the requirement for our property once removing the areas dedicated to storage or utilities is 50 spaces. The childcare operator believes that 35-40 spaces is the appropriate amount for their demand. However, the site plan can accommodate 45 spaces. The amount provided exceeds the tenant-desired amount and will sufficiently cover their needs.

2. Unique Hardship or Practical Difficulty

The shape, topography or other conditions of the land is such that it is extremely difficult to comply with the regulations generally applicable to the property.

The subject property has significant setbacks requirements including 50 ft in the rear of the property. The parking lot cannot expand any further without impacting the rear setback compliance.

3. Character of the Area

The applicant must show that the variation requested will not be materially detrimental to the public welfare or materially injurious to the enjoyment, use or development of property or improvements permitted in the vicinity; will not materially impair an adequate supply of light and air to properties and improvements in the vicinity; will not substantially increase congestion in the public streets due to traffic or parking or increase the danger of flood or fire; will not unduly tax public utilities and facilities in the area; or will not endanger the public health, safety or welfare. (Ord. 95-28, 5-1-1995)

The proposed parking lot is 90% in compliance with the required parking amount. It will not negatively impact the nearby properties in any way. The public welfare, air and light, public streets, stormwater, public utilities, facilities, and public health, safety or welfare will not be negatively impacted.

4. Minimum Variation

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Any variation considered by the Planning and Zoning Commission shall be considered the minimum variation necessary for the reasonable use of the land. (Ord. 95-79, 12-18-1995)

The proposed parking lot is 90% in compliance with the requirement. Any expansion of the parking lot would impact compliance with setback regulations, so the proposal is the minimum variation needed for a reasonable use of the land.