

Summary:

This request is to vary the number of parking spaces required for a dental and/or medical office from the required thirty-four spaces to twenty-six spaces for an existing development at 11777 Gravois Road. The property is located on the northwest corner of Gravois Road and Sunlind Drive. The property is currently zoned C-1 Commercial District. The properties to the east and south are also zoned C-1. The properties to the north are zoned R-2 Single Family Residential – 20,000 square foot minimum lot size and the properties to the west are zoned R-4 Single Family Residential – 10,000 square foot minimum lot size.

Project overview:

- Location: The project area consists of 0.60 acre on the northwest corner of Gravois Road and Sunlind Drive.
- Existing zoning: C-1 Commercial District
- Requirement from which variation is being sought: Appendix B, Section 6.5.
- Current use and requirement: General office; one (1) space for each 200 square feet of floor area, or one (1) space for every two (2) employees, whichever is greater; plus one (1) space for each motor vehicle used in conjunction with the operation of the business.
- Proposed use and requirement: Medical office; six (6) spaces for each 1000 square feet of floor area plus 1 space for every employee plus 1 space for each motor vehicle used in conjunction with the operation of the business = 34 spaces.
- Current number of parking spaces: There are twenty-six (26) existing parking spaces.

Staff analysis:

The commercial structure on this property was constructed circa 1982. Since that time, it has served as an office building. The prospective buyer is requesting a variance from the required number of parking spaces for a chiropractic practice and speech therapy practice. Appendix B Zoning Regulations, Section 6.5 Minimum required off-street parking and loading requirements states: six (6) spaces for each 1000 square feet of

floor area plus (1) space for every employee plus (1) space for each motor vehicle used in conjunction with the operation of the business.

There are currently twenty-six parking spaces on the property. According to the above requirement, thirty-four parking spaces are required. As the Petitioner will explain, both practices employ part time staff and employees would not be on site at the same time and is requesting a variance from the requirement.

Per Appendix B Zoning Regulations, Section 9.3-2 Findings: The Board of Adjustment may grant variances from the strict application of this Ordinance when by reason of the strict application of this Ordinance or Amendments thereto would result in unusual difficulty or unreasonable hardship upon the owner of said property; provided that such variance can be granted without substantial impairment of the intent, purpose and integrity of this ordinance. It is further provided that this provision shall not permit the board of adjustment to permit a use of land not authorized by the provisions of this ordinance for a specific zoning district or to increase the height or volume of a building or structure or to increase the density of development beyond that permitted by this ordinance for any particular zoning district.

Before granting a variance, there must be a finding by the Board of Adjustment that all of the following conditions exist:

(A) That if the owner complied with the provisions of this ordinance, the owner would not be able to make any reasonable use of the property which is permitted in the district in which the property is located.

If the owner complied with the provisions of this ordinance, they would be able to make use of the property as it currently exists.

(B) That the difficulties or hardships are peculiar to the property in question in contrast with those of other properties in the same district.

The difficulties and hardships could be considered peculiar to this property. The property is narrow, limiting the area available for expansion while meeting other requirements of Appendix B.

(C) That the hardship was not the result of the applicant's own action and is not merely financial or pecuniary.

The hardship is the result of the applicant's own action. The hardship is not financial or pecuniary.

(D) That the issuance of a variance will not be detrimental to the public welfare or health or injurious to other property.

Based on the information provided by the Petitioner, this variance should not be detrimental to the public welfare or health or injurious to other property.

If the Board believes that application of this Ordinance would result in unusual difficulty or unreasonable hardship upon the owner of said property, this appeal should be approved.