

**BOARD OF ZONING ADJUSTMENT  
STAFF REPORT**

**Date: December 5, 2011**

**CASE NUMBER**

5725

**APPLICANT NAME**

Zion Baptist Church

**LOCATION**

2514 Halls Mill Road  
(Northwest corner of Halls Mill Road and Pollard Lane)

**VARIANCE REQUEST**

**SURFACING:** Surfacing Variance to allow a grass parking area for a church in an R-1, Single-Family Residential District.

**ACCESS AND MANEUVERING:** Access and Maneuvering Variances to allow a 10'-wide asphalt drive.

**PARKING RATIO:** Parking Ratio Variance to allow no designated parking spaces for a church.

**ZONING ORDINANCE  
REQUIREMENT**

**SURFACING:** The Zoning Ordinance requires parking areas to be paved with asphalt, concrete, or an approved alternative paving surface for a church in an R-1, Single-Family Residential District.

**ACCESS AND MANEUVERING:** The Zoning Ordinance requires two-way drive aisles to be a minimum of 24' wide.

**PARKING RATIO:** The Zoning Ordinance requires designated parking spaces equal to one space per four seats for a church.

**ZONING**

R-1, Single-Family Residential, and B-3, Community Business (R-1 rezoning proposed)

**AREA OF PROPERTY**

4.1± Acres

**TRAFFIC ENGINEERING  
COMMENTS**

No comments.

**CITY COUNCIL  
DISTRICT**

District 4

**ANALYSIS**

The applicant is requesting Surfacing, Access and maneuvering, and Parking Ratio Variances to allow a church with a grass parking area, no designated parking spaces, and a 10-foot wide asphalt drive in an R-1, Single-Family Residential District; the Zoning Ordinance requires designated parking spaces equal to one space per four seats surfaced with asphalt or concrete, with two-way drive aisles a minimum width of 24 feet for a church in an R-1, Single-Family Residential District.

The site is also the subject of Subdivision, Planned Unit Development, Planning Approval, and Rezoning applications which were heard at the November 17<sup>th</sup> Planning Commission meeting. These applications were all heldover to the Commission's December 15<sup>th</sup> meeting due to a lack of sufficient information presented to conduct thorough reviews and analyses. Since the same narrative and site plan was submitted for this application as for the Planning Commission applications, the same deficiencies exist preventing a thorough and accurate review of the variance requests.

The applicant simply states that the property has been in continued use for over 160 years and would like to continue to function the way it has since its establishment. It is further stated that the parking is currently on the side street (Pollard Lane?) and on the grass located next to the church that is accessed by the asphalt drive, and it is asked that the variance be allowed for the church to continue its operation under the current layout. But this statement is invalidated by two issues. First, the subdivision of the property into two lots, one proposed for sale, would discontinue the current layout. Second, the narrative states that the church sanctuary is approximately 11,000 square feet and holds 300 people at full capacity, which would be the large building on proposed Lot 2 of the Subdivision, which is the lot proposed for sale according to the narrative. As it is further stated that the church will continue to use the building (current use not disclosed) and cemetery on proposed Lot 1, with such building being only about 2,650 square feet, it is certainly not large enough to seat 300 people. Therefore, the narrative needs to be clarified as to what is proposed and to which proposed lot this variance request applies. And as no hardship has been presented as justification for the granting of the variances requested, the narrative should be revised to include such.

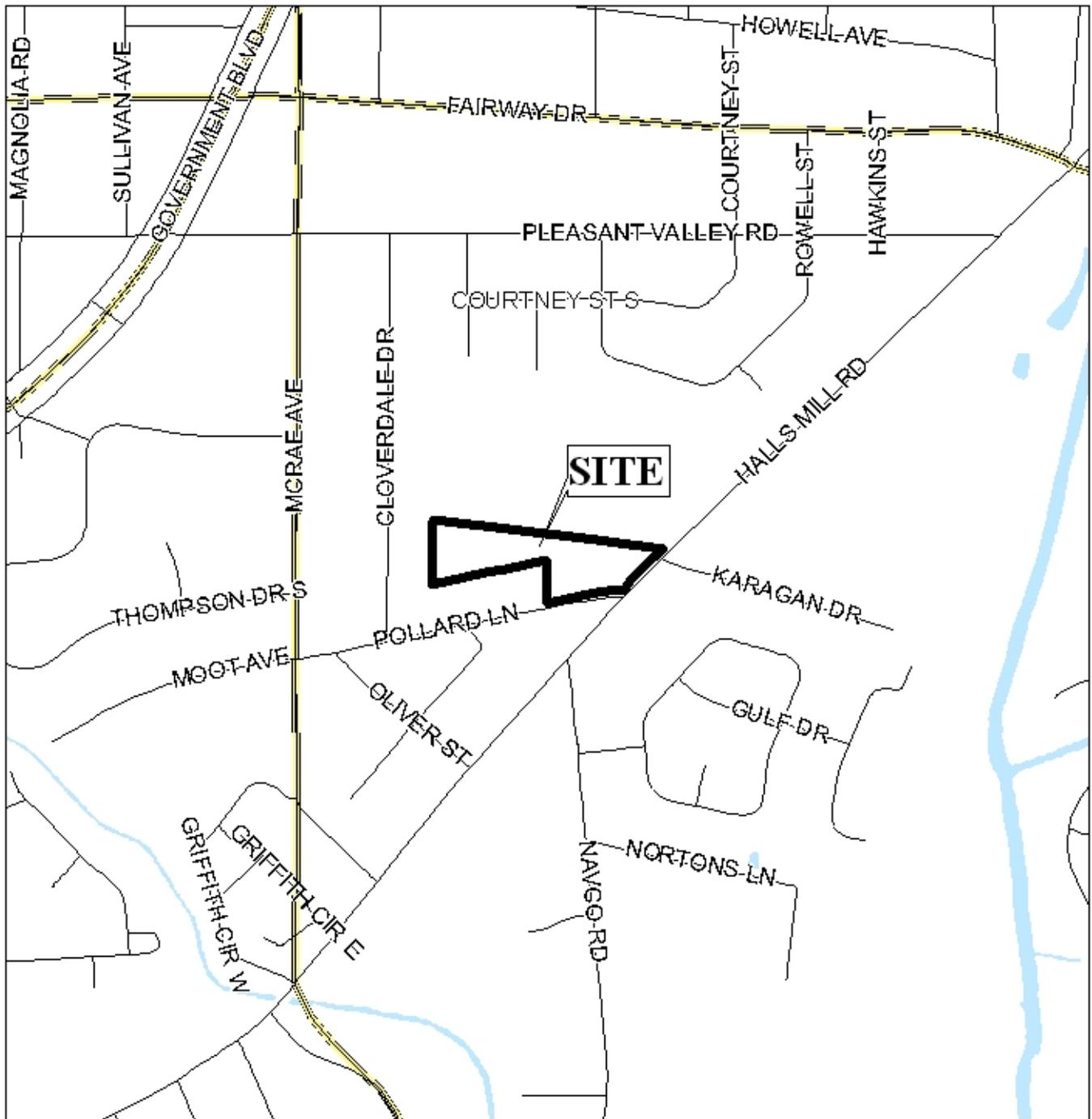
The site plan needs to be revised to indicate where the parking area currently is that is the subject of the Surfacing and Parking Ratio Variance requests. The revised site plan should also take into consideration concerns of the Planning Commission reports such as required street frontage dedication and adjusted 25' minimum building setback line, lighting, buffering and the provision of dumpster facilities. Also, landscaping and tree plantings should be shown along with the appropriate calculations. If other non-compliance beside the surfacing, access and maneuvering, and parking ratio are indicated on the revised site plan, this application should be revised to include such as variance requests with revised request fees and mail-out notification fees.

Finally, it should be pointed out that the Americans with Disabilities Act may require the provision of wheelchair accessible parking, which may consequently require some paving. The design professional should verify ADA parking requirements and revise the site plan accordingly.

**RECOMMENDATION:** Based on the preceding, this application is recommended for holdover to the January 9, 2012, meeting, with revision due by December 19<sup>th</sup>, to allow the applicant to address the following items:

- 1) revision and clarification of the narrative to identify which site the variance requests pertain to and illustration of some hardship imposed by the property which would justify the granting of the requests;
- 2) revision of the site plan to illustrate which area the Surfacing and Parking Ratio Variance requests pertain;
- 3) revision of the site plan to take into consideration concerns of the Planning Commission reports such as required street frontage dedication and adjusted 25' minimum building setback line, lighting, buffering and the provision of dumpster facilities;
- 4) revision of the site plan to illustrate landscaping and tree planting areas along with the appropriate calculations;
- 5) revision of this application to also include any other non-compliant aspects of the revised site plan as additional variance requests with associated request fees and mail-out notification fees; and
- 6) revision of the site plan to comply with any parking requirements of the Americans with Disabilities Act.

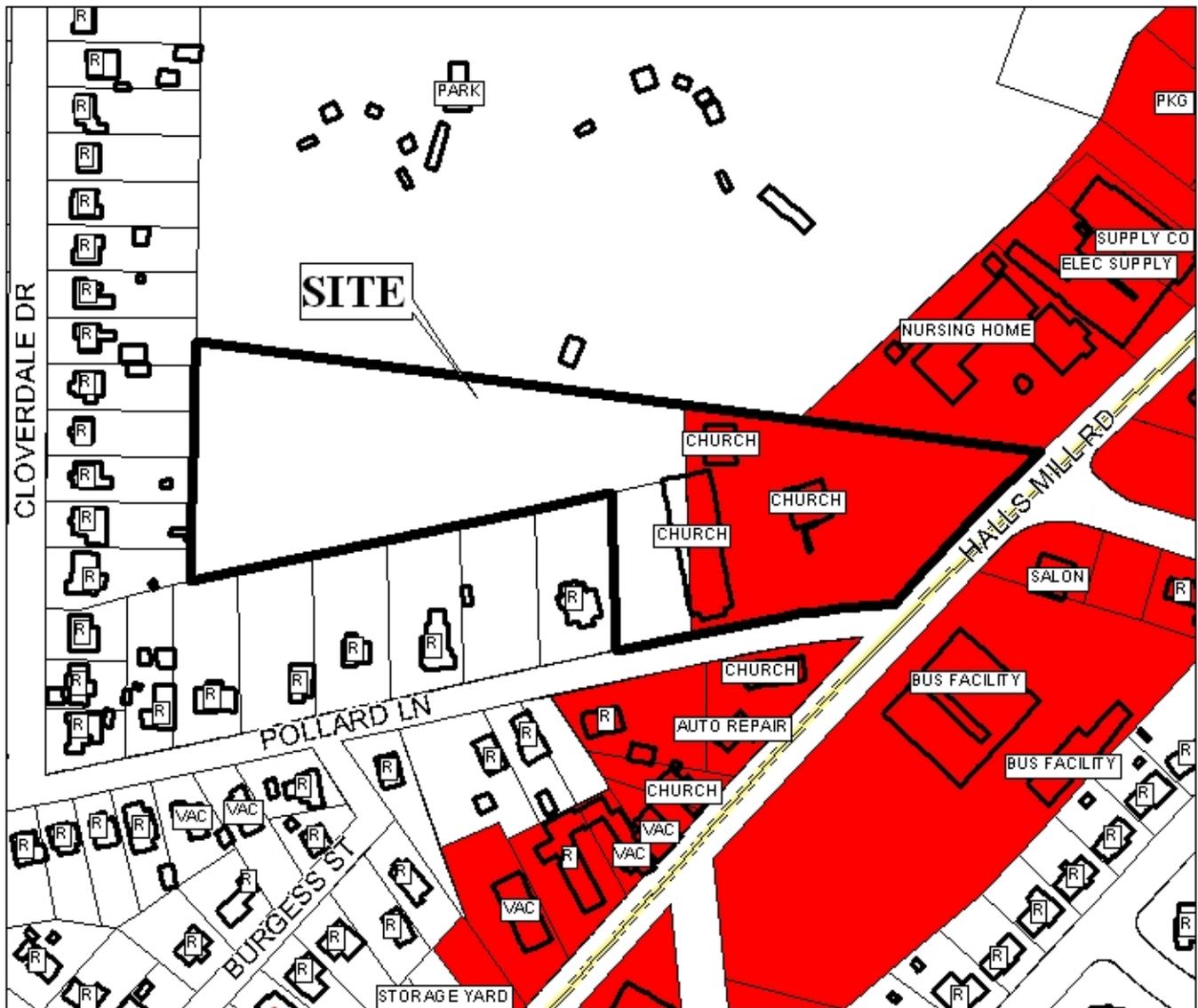
# LOCATOR MAP



APPLICATION NUMBER 5725 DATE December 5, 2011  
APPLICANT Zion Baptist Church  
REQUEST Surfacing, Access And Maneuvering, and Parking  
Ratio Variance



# BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



There are single family residential units to the west of the site, a nursing home to the northeast, and auto repair business as well a church facility to the south.

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LEGEND

|     |     |     |     |     |     |     |     |      |     |     |     |     |     |     |
|-----|-----|-----|-----|-----|-----|-----|-----|------|-----|-----|-----|-----|-----|-----|
|     |     |     |     |     |     |     |     |      |     |     |     |     |     |     |
| R-1 | R-2 | R-3 | R-A | R-B | H-B | T-B | B-1 | LB-2 | B-2 | B-3 | B-4 | B-5 | I-1 | I-2 |



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**BOARD OF ADJUSTMENT  
VICINITY MAP - EXISTING ZONING**

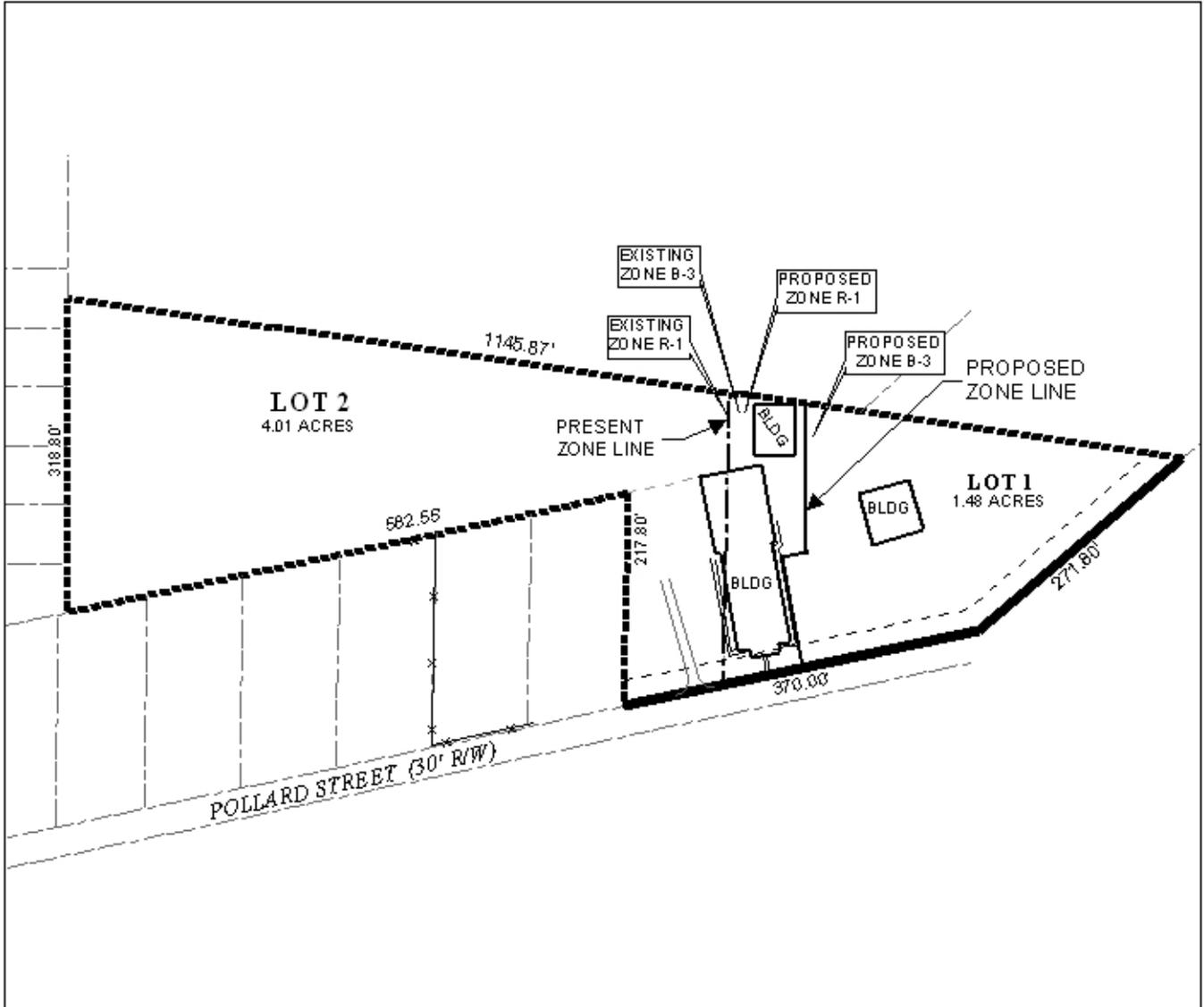


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# SITE PLAN



The site plan illustrates existing and proposed zoning, building location and, proposed lot configuration.

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