

BOARD OF ZONING ADJUSTMENT

RESULTS AGENDA

February 6, 2023 - 2:00 P.M.

Auditorium, Government Plaza

I. CALL TO ORDER:

Chairman William Guess

II. ROLL CALL

X	William L. Guess, Chairman
X	Sanford Davis, Vice-Chairman
X	Lewis Golden
X	Adam Metcalfe
X	Jeremy B. Milling
X	Chris Carroll
X	Gregory Morris, Sr.

Staff: Doug Anderson, Margaret Pappas, Marie York, Bert Hoffman, Victoria Burch, George Davis, Marybeth Bergin

III. ADOPTION OF THE AGENDA:

Motion made by Jeremy Milling. Second by Greg Morris. **Adopted.**

IV. HOLDOVERS:

1. #6481

(Case #BOA-002243-2022)

Robert K. Moore and Jacqueline L. Moore

4660 Airport Boulevard

(North side of Airport Boulevard, 200'± West of South University Boulevard).

Parking Ratio Variance to allow reduced parking for a lounge in a B-2, Neighborhood Business District; the Zoning Ordinance requires full compliance with the parking requirements for a lounge in a B-2, Neighborhood Business District.

Council District 6

Motion to holdover by Adam Metcalfe. Second by Sanford Davis. **Heldover.**

After discussion, the Board heldover the application to March 6th to allow the applicant to attend the meeting.

2. #6489/6258/4827/4826/4549/2439

(Case #BOA-002275-2022)

Stephen M. Griffith (Gerald Byrd, Agent)

1260 and 1262 Government Street

(Northeast corner of Government Street and South Ann Street).

Use Variance to allow truck leasing in a B-2, Neighborhood Business District; the Zoning Ordinance does not allow truck leasing in a B-2, Neighborhood Business District.

Council District 2

This application was heldover to the March 6th meeting to allow staff to advertise the request correctly.

3. #6491/6402

(Case #BOA-002279-2022)

Taylor Atchison

755 Monroe Street

(Southeast corner of Monroe Street and South Bayou Street).

Parking Screening Variance to allow reduced tree plantings for a parking lot in a T-5.1 Sub-District of the Downtown Development District; the Zoning Ordinance requires full compliance with parking screening tree plantings in a T-5.1 Sub-District of the Downtown Development District.

Council District 2

Motion to approve William Guess. Second by Sanford Davis. **Approved.**

After discussion, the Board determined the following Findings of Fact for Approval:

- 1) Approving the variance will not be contrary to the public interest;
- 2) Special conditions do exist in such a way that a literal enforcement of the provisions of the chapter will result in an unnecessary hardship to residents in the surrounding area; and,
- 3) The spirit of the chapter shall be observed and substantial justice shall be done to the surrounding neighborhood by granting the Variance.

The approval is subject to the following conditions:

- 1) Installation of an evergreen hedge along the fence where the main site adjoins residential development;
- 2) Install large (three-foot) planters with palm trees or evergreen plants (three to four-foot in height) along the Monroe Street side of parking lot, to create screen—planters

should not interfere with the drainage structures and overhead powerlines along Monroe Street, with proper permits;

- 3) Plant holly or boxwood bushes (designed bed) within the grassy point of the Western edge of the parking lot to create a screen and deter vehicles from entering and exiting the parking lot at that location, with proper permits;
- 4) Plant four large compliant trees along the Canal Street Service Road side of the parking lot to create a screen and deter vehicles from entering and exiting the parking lot on that side—two trees to be planted on either side of the Ice Box sign;
- 5) Utilize the vacant space across Monroe Street (East side of Hophounds) to create additional parking spaces, with a hedge planted along the front/Monroe Street side to create a screen, as long as space this space is available, with properly permitted directional signage;
- 6) Install string lights above the parking lot to provide increased lighting/security;

V. PUBLIC HEARINGS:

4. #6493/2710

(Case #BOA-002335-2022)

Branded Image Group (Robin Smith, Agent)

1395 North University Boulevard

(Southwest corner of North University Boulevard and Overlook Road).

Sign Variance to allow a digital pricing sign within 300 feet of residentially zoned property, and to allow three (3) wall signs for a tenant on a multi-tenant site in a B-2, Neighborhood Business District; the Zoning Ordinance does not allow digital signs within 300 feet of residentially zoned property, and does not allow three (3) wall signs for a tenant on a multi-tenant site in a B-2, Neighborhood Business District.

Council District 7

Motion to approve Greg Morris. Second by Sanford Davis. **Approved.**

After discussion, the Board determined the following Findings of Fact for Approval of the request for a digital pricing sign within 300-feet of residentially zoned property and a total of three wall signs:

- 1) Approving the variance will not be contrary to the public interest in that the Digital Sign Regulations are not, in the Board's opinion, applicable to fuel price signs;
- 2) Special conditions exist and there are hardships which exist (the subject site is not easily visible due to required frontage tree plantings) such that the literal enforcement of the provisions of the chapter will result in an unnecessary hardship; and
- 3) The spirit of the chapter shall be observed and substantial justice shall be done to the surrounding neighborhood by granting the variance because the proposed digital fuel price sign will not be a detriment to the neighborhood, and the allowance of increased wall signage will afford the subject site fair and competitive visibility.

The Approval is subject to the following conditions:

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- 1) obtaining of the necessary sign permits;
- 2) obtaining of the necessary electrical permits; and
- 3) full compliance with all other municipal codes and ordinances.

5. #6494/4763

(Case #BOA-002347-2023)

Michael Cartoski

401 Civic Center Drive

(Northwest corner of Canal Street and South Claiborne Street).

Variations from certain Site and Building Design and Material requirements of the Downtown Development District to allow construction of a new building; specifically variations from Building Setback, Primary Entrance Location, Driveway Width, Dumpster Enclosure Materials, Building Exterior Materials, Streetscreen Height, Streetscreen Access Width, Wall Material, Fence Screening, Ground Floor Transparency, Loading Dock Width and Window Shading requirements, in a T-5.2 Mixed-Use Sub-District of the Downtown Development District. The Zoning Ordinance requires full compliance with all of the Site and Building Design and Material requirements in a T-5.2 Mixed-Use Sub-District of the Downtown Development District.

Council District 2

Motion to holdover by Jeremy Milling. Second by Adam Metcalfe. **Heldover.**

After discussion, the Board heldover the application the March 6, 2023 meeting to allow the applicant an opportunity to provide additional information and clarifications.

6. #6495

(Case #BOA-002351-2023)

Tymon D. Wallace

962 Dr. Martin Luther King, Jr. Avenue

(North side of Dr. Martin Luther King, Jr. Avenue, 155'± West of Davidson Street).

Parking Ratio Variance to allow no required on-site parking in a B-3, Community Business District; the Zoning Ordinance requires compliant parking on-site in a B-3, Community Business District.

Council District 2

Motion to approve by Adam Metcalfe. Second by Greg Morris. **Approved.**

After discussion, the Board determined the following Findings of Fact for Approval:

- 1) Approving the variance request will not be contrary to the public interest due to the fact the site was originally developed with no provision for vehicular access to the rear yard;

- 2) Special conditions exist, including the current site conditions, such that a literal enforcement of the provisions of the chapter will result in unnecessary hardship; and
- 3) That the spirit of the chapter shall be observed, and substantial justice done to the applicant and the surrounding neighborhood by granting the variance due to the fact that the site would be re-vitalized for a viable use.

The approval is subject to the following condition:

- 1) on-street parking cannot be signed or reserved for explicit use by any business or property owner; and
- 2) full compliance with all municipal codes and ordinances.

VI. OTHER BUSINESS:

- Election of officers
 - Vice-Chairman: Sanford Davis
 - Motion by Jeremy Milling
 - Second by Adam Metcalfe
 - Chairman: William Guess
 - Motion by Adam Metcalfe
 - Second by Jeremy Milling