



Variance #2023-07-0014
Staff Report
Land Development Review Board (LDRB)
August 17, 2023

Case: Variance #2023-07-0014
Applicant: Trinity Church of Christ LLC
Address: 5413 George Street and SW corner of George St and Meadowlane St
Request: An increase in the distance for off-site parking lot
Proposed Use: Church parking
Staff Contact: Lisa Algieri, Senior Planner, 727-853-1050
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Statements of Fact

Property Location: West side of George Street
Zoning: Office
Future Land Use: Residential/Office
Existing Use: Office and vacant lot
Code References: Section 7.10.00 and Section 5.03.00 of the Land Development Code

Analysis

Existing Conditions: The 0.25 acre property is located on Southwest corner of George Street and Meadowlane Stree. It is a vacant lot zoned for Office and is located approximately 306' from 5413 George Street. The number of parking spaces at 5413 George Street is 35.

Proposal: The applicant is proposing to utilize the building at 5413 George Street for a church which is a permitted use in the Office zoning district. However, the property has insufficient parking for their assembly. Section 11.05.00(1) of the Land Development Code allows off street parking when the property is located within 200' of the primary use. The request is for a variance to extend the distance for off street parking from 200' to approximately 306'.

Analysis: The required number of spaces required for an assembly of 183 seats is 61 parking spaces. The vacant lot can accommodate 47 spaces allowing the applicant to meet the parking requirements.

Criteria

In order to authorize any variance from the terms of an ordinance, the following criteria shall be used as a guideline to determine a hardship:

1. That special conditions or circumstances that exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district;

- There are no special conditions or circumstances that are peculiar to the land.

2. That the special conditions and circumstances do not result from the actions of the applicant;

- The applicant did not create the location of the properties.

3. That granting the variance requested will not confer on the applicant any special privilege that is denied by this ordinance to other lands, buildings or structures in the same zoning district;

- Granting of the variance will confer a special privilege of allowing off-site parking beyond 200’.

4. That literal interpretation of the provisions of the ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the ordinance would work unnecessary and undue hardships on the applicant;

- Literal interpretation of the city code will deprive the applicant the right to use the property as a church since there is insufficient parking.

5. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure;

- The applicant can pursue off-site parking within the 200’ requirement.

6. That the grant of the variance will be in harmony with the general intent and purpose of the ordinance and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

- Granting a variance will not be in harmony with the general intent of the ordinance. The established 200’ distance is intended for pedestrians to have a relatively short distance to walk. The requested 306’ is more than 50% further than allowed and may be difficult for some pedestrians to use.

The Development Review Committee reviewed the request and found a hardship does not exist. The DRC **recommends denial** of the request.

LDRB Review

The Board is to conduct a quasi-judicial review of this case at its August 17, 2023 meeting. Ex parte communication shall be disclosed at the beginning of the meeting. The Board may approve the request, approve with conditions, or deny the request.

Attachments:

- Variance Application VAR2023-07-0014