

MEMORANDUM

TO: Members of the Board of Zoning Appeals
FROM: Brent N. Damman, Zoning Administrator
SUBJECT: AutoZone front yard green belt variance 1212 N. Scott St.
HEARING DATE: February 13, 1996 at 4:30 PM
HEARING #: BZA 96/01

BACKGROUND

An application for variance has been filed by Gary Gregory on behalf of Auto Zone 60 Madison Ave. Memphis, TN 38103. The applicant is proposing to construct an auto parts store at the location of 1212 N. Scott Napoleon. The variance request is to the front and side yard green belt requirements of the City's Zoning Code. The subject property is located in a "C-4" Planned Commercial Zoning District.

RESEARCH AND FINDINGS

1. The applicant has requested green belt variances to the north, south and west side property lines. (see attached site drawing).
2. The majority of the commercial businesses along N. Scott St. do not have green belts at all.
3. The City has asked the owner for additional right of way along Lagrange St., this has contributed to the need for variance along this side of the property.

ADMINISTRATIVE OPINION

The proposed facility appears very well planned and should be an asset to our community. Therefore, I am recommending the Board approve the variances requested as shown on the plans submitted.

CONSIDERATIONS

The Board shall not render a decision on this request until it has reviewed the following standards for variation.

The standards for variation to be considered are as follows:

- (a) That there are exceptional or extraordinary circumstances or conditions applicable to the property or to the intended use that do not apply generally to the other property or use in the same vicinity or district.

- (b) That such Variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity or district but which is denied to the property in question.
- (c) That the granting of such Variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity or district in which the property is located.
- (d) That the granting of such a Variance will not alter the land use characteristics of the vicinity of district, diminish the value of adjacent land and improvements or increase the congestion in the public streets.

N. SCOTT ST. (S.R. 108)

RES. 67 THEODORE & MARGERY BOSTELMAN
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N 89°41'08" E 168.01'

AutoZone

BUILDING = 65'
PARKING SPACES = 41
HANDICAP PARKING = 2
TOTAL SPACES = 43

OHIO GAS EASEMENT
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S 89°41'08" W 8' X 30' X 35' 145.48'

LAGRANGE ST. (40' R/W)

