

PICTURES



17 Rock Street from adjacent site (parking lot)



17 Rock Street & 515 Roswell Street



Rock Street frontage

Recommended Action:

Approval. Michael Kahn is requesting a variance to use the property located at 515 Roswell Street to satisfy the parking requirements for a new business, an antique retailer, located at 17 Rock Street. Both properties, along with all the surrounding parcels, are zoned CRC (Community Retail Commercial). Michael Kahn has stated that he owns both 17 Rock Street and 515 Roswell Street but does not wish to combine the two properties at this time. Prior to the occupation of the building by the new tenant, this property was likely used as an office for 515 Roswell Street, which is now occupied by Tuscan Impressions, a retail building materials facility. There is no record that 17 Rock Street has ever been used as a retail facility. Only 0.096 acres (4,164 s.f.) in size, 17 Rock Street does not contain enough area to provide on-site parking.

The applicant is requesting to share the 17 spaces provided on 515 Roswell Street with 17 Rock Street. Section 716.07 (A) states that "*if vehicular parking or storage space required cannot be reasonably provided on the same lot on which the principal use is conducted, the Board of Zoning Appeals may permit such space to be provided on other off-street property, provided such space lies within 400 feet of the main entrance of such principal use...*" Parking requirements are determined by activity and both businesses appear to be retail based, which require one space for every 250 s.f. Between the two, only 15 spaces are required and 17 spaces are provided. As a result, if both 17 Rock Street and 515 Roswell Street were combined into one parcel, there would be sufficient parking. Should the variance be approved, staff recommends requiring the recording of an access easement in case the property owner decides to sell one or both properties.



Department of Development Services
205 Lawrence Street
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Brian Binzer, Director

The use of existing and underutilized parking facilities, even if located on another parcel, should be encouraged. Without the ability to use the parking facility at 515 Roswell Street, the business at 17 Rock Street would likely suffer or cause employees and patrons to park vehicles haphazardly. In addition, the same parking configuration would likely occur if the two sites were formally combined into one and, therefore, should not have a detrimental effect on any surrounding properties.

Staff recommends approval of this variance with the following stipulation:

- *That the property owner file and record an access easement to allow 17 Rock Street the use of the parking facility at 515 Roswell Street.*