

**CITY OF BRIGHTON
ZONING BOARD OF APPEALS
AGENDA
JUNE 14, 2012**

Blue Sky Session – 7:15 p.m.

Regular Session – 7:30 p.m.

1. Call to Order
2. Roll Call
3. Approval of the May 10, 2012 Meeting Minutes

Old Business

New Business

4. **Dionysus Theatre and Performing Art Academy, LLC, 301 Appian Way**, is appealing the Planning & Zoning Administrative Official's interpretation that their proposed use is not permitted under Section 98-597. The applicant seeks a determination that their proposed use is not prohibited. Sec. 2-199. The zoning board of appeals shall hear and decide questions that arise in the administration of the zoning ordinance, including the interpretation of the zoning maps, and may adopt rules to govern its procedures sitting as a zoning board of appeals. The zoning board of appeals shall also hear and decide on matters referred to the zoning board of appeals or upon which the zoning board of appeals is required to pass under a zoning ordinance adopted under this Act. It shall hear and decide appeals from and review any administrative order, requirement, decision, or determination made by an administrative official or body charged with enforcement of a zoning ordinance adopted under this Act. For special land use and planned unit development decisions, an appeal may be taken to the zoning board of appeals only if provided for in the zoning ordinance. The applicant is requesting an interpretation of Section 98-597 from the Zoning Board of Appeals to permit their proposed use.

The applicant is requesting the Zoning Board of Appeals permit variation or modification of the required location of off-street parking facilities and in the amount of off-street parking facilities for their proposed use. The applicant is proposing to utilize off-site parking spaces in adjoining parking lots as spaces that count toward the total of its required parking (66 off-site spaces) and a variance from providing 4 parking spaces. **Section 98-81** states any building, structure or use of land that is constructed, established or enlarged, or which use changes, shall provide on-site, well-designed, landscaped and illuminated vehicle parking and loading areas that meet the following minimum provisions. **Section 98-85 Parking Space Requirements** states that a theatre use requires one parking space for each three seats plus one for each two employees on the largest work shift, a manufacturing, utility, research, and development facility requires one parking space for each employee on the largest work shift plus one for each 200 square feet of office reception area and general business office uses require one parking space per 200 square

feet of GFA. A variance to modify the required location of off-street parking facilities and a variance of 4 parking spaces is being requested.

The applicant is requesting the Zoning Board of Appeals permit variation or modification in the amount of off-street parking facilities for their proposed use. The application of the shared parking calculations results in a requirement of 106 parking spaces for the site. The site would have 77 parking spaces after required barrier free changes are made. **Section 98-85 Parking Space Requirements** states that a theatre use requires one parking space for each three seats plus one for each two employees on the largest work shift, a manufacturing, utility, research, and development facility requires one parking space for each employee on the largest work shift plus one for each 200 square feet of office reception area and general business office uses require one parking space per 200 square feet of GFA. A variance of 29 parking spaces is being requested subject to the condition that Planning Commission and City Council approve the shared parking calculations through the site plan approval process.

5. Staff Updates
6. Call to the Public
7. Adjournment