

APPLICATION NUMBER

5311

A REQUEST FOR

**USE AND SUBSTANDARD ACCESS VARIANCES TO
ALLOW A BED AND BREAKFAST (FOUR GUEST BEDS),
A 9-FOOT WIDE DRIVEWAY, IN AN R-1, SINGLE-
FAMILY RESIDENTIAL DISTRICT; A BED AND
BREAKFAST REQUIRES A MINIMUM OF A B-1, BUFFER
BUSINESS WITH PLANNING APPROVAL, AND A 24-
FOOT DRIVEWAY IS REQUIRED FOR A TWO-WAY
DRIVE**

LOCATED AT

501 MONROE STREET

(Southwest corner of Monroe Street and South Lawrence Street)

APPLICANT/OWNER

DORA F. FINLEY

BOARD OF ZONING ADJUSTMENT

JULY 2005

The applicant is requesting Use and Substandard Access Variances to allow a bed and breakfast (four guest beds), with a 9-foot wide driveway, in an R-1, Single-Family Residential District; a Bed and Breakfast requires a minimum of a B-1, Buffer Business with Planning Approval, and a 24-foot wide driveway is required for a two-way drive.

The applicant proposes a Bed and Breakfast facility to allow four bedrooms to be used for rental purposes. The applicant proposes to utilize the existing driveway entrance to the site with asphalt parking to accommodate five vehicles. The applicant states that the close proximity of the site to the downtown area weigh against the continued use as a single-family dwelling.

A Bed and Breakfast requires two parking spaces for the dwelling and seven parking spaces per ten guest rooms; therefore, the proposed number of spaces would be adequate and would comply with the Zoning Ordinance requirement of three parking spaces dedicated for the four guest rooms. Traffic Engineering recommends that the driveway width for commercial sites (as measured behind the sidewalk) is 24' with a 20' radius. A 20' radius for typical passenger vehicles.

The residence is located in the Church Street East historic district; however, the dwelling is not considered a historic structure. The city completed a thorough study on the church Street East historic district. Prior to 1998 the majority of the district was zoned R-B, Residential Business. Several residents of the district bounded by Church Street, Jefferson Street, Canal Street and Broad Street wanted more dwelling where the primary use was residential versus the trend of turning residential dwelling into professional offices which are allowed in R-B districts. Moreover, the city rezoned this area to R-1, Single-Family Residential with reduced setbacks to favor setbacks more in line with previous downtown residential development.

The applicant applied to the Board in July 2004 requesting a Use Variance to allow the conversion of a Single-Family dwelling into a duplex unit in a R-1, Single-Family Residential District, after strong neighborhood opposition the Board denied the variance.

The Ordinance states that no variance shall be granted where economics are the basis for the application. Additionally, no variance shall be granted unless the Board is presented with sufficient evidence to find that the variance will not be contrary to the public interest, and that special conditions exist such that a literal enforcement of the Ordinance will result in an unnecessary hardship. The Ordinance also states that a variance should not be approved unless the spirit and intent of the Ordinance is observed and substantial justice done to the applicant and the surrounding neighborhood.

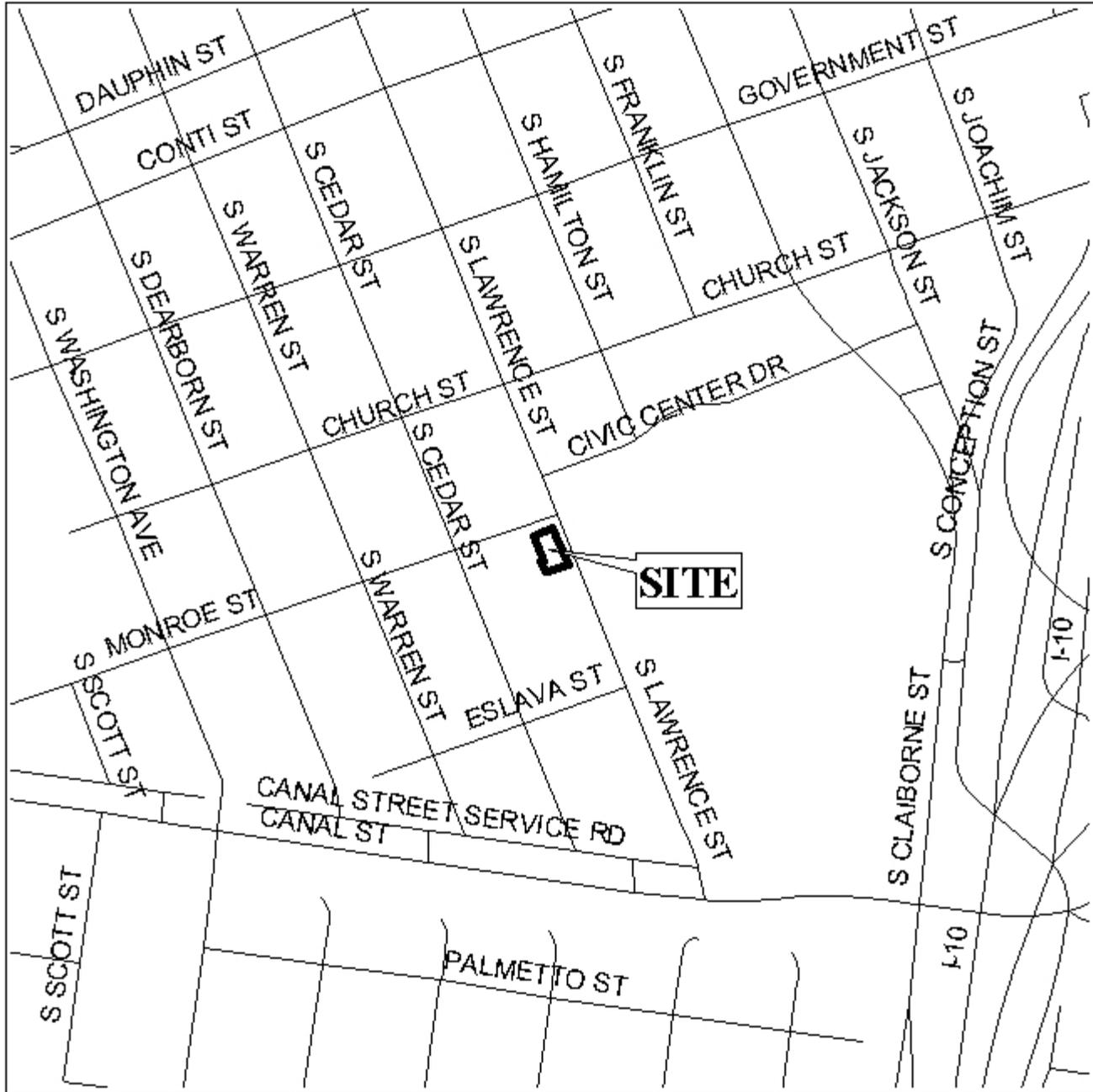
The applicant failed to illustrate that a literal enforcement of the Zoning Ordinance would result in an unnecessary hardship. It is simply the applicant's desire to have a Bed and Breakfast facility in a R-1, Single-Family Residential district.

RECOMMENDATION 5311

Date: July 11, 2005

Based upon the preceding, this application is recommended for denial.

LOCATOR MAP



APPLICATION NUMBER 5311 DATE July 11, 2005

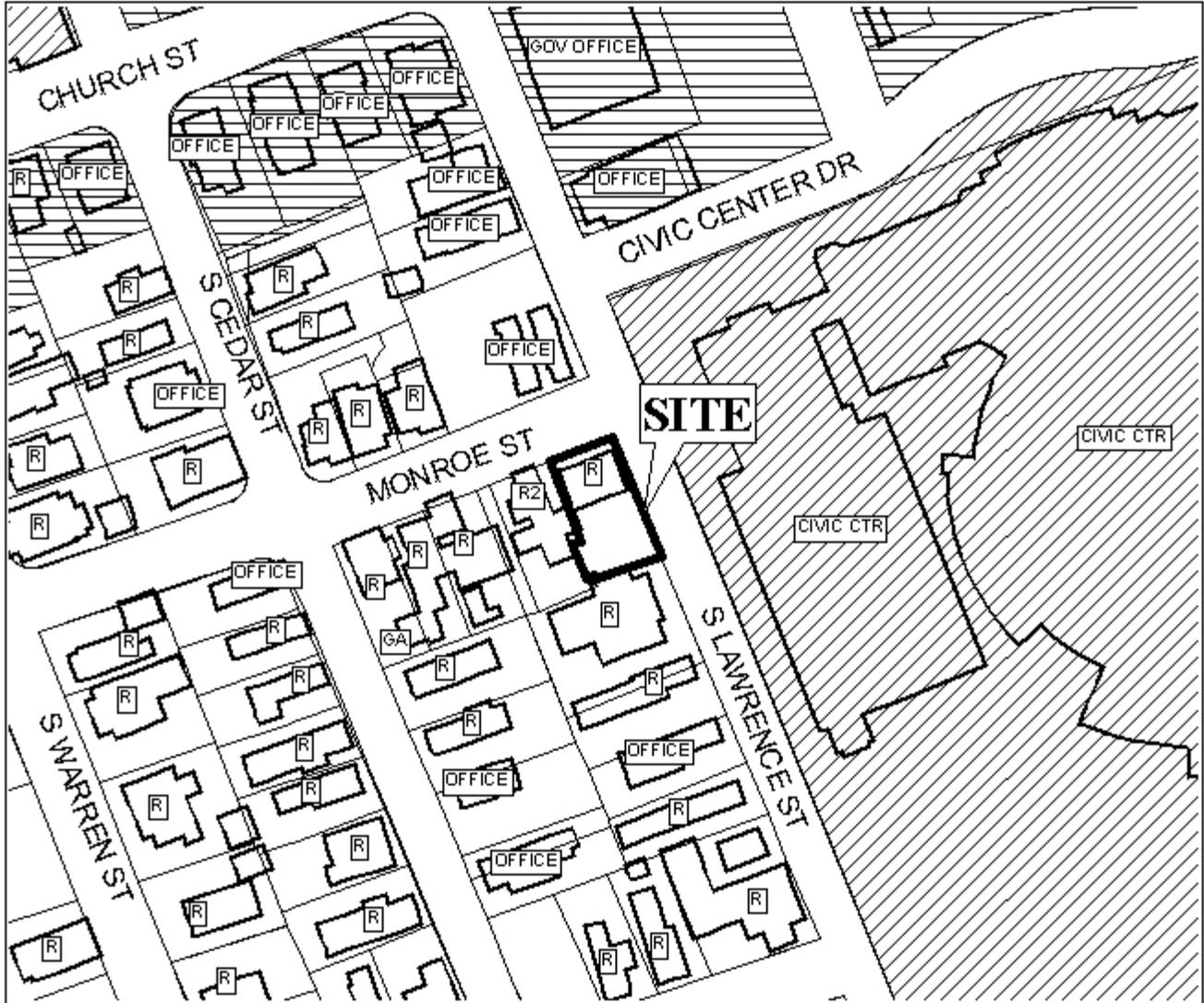
APPLICANT Dora F. Finley

REQUEST Use and Substandard Access Variances



NTS

BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



The site is located in an area of mixed residential and commercial land use.

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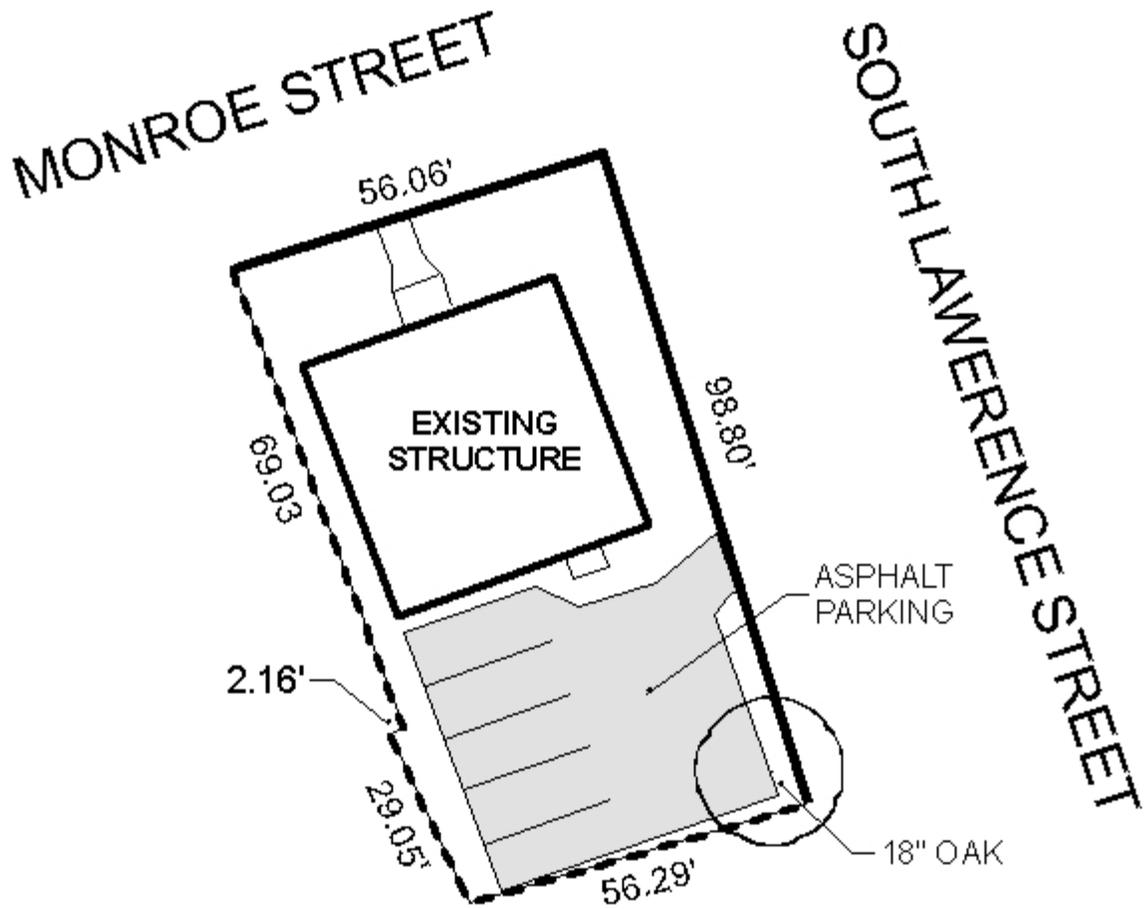
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LEGEND														
	R-1	R-2	R-3	R-A	R-B	HB	B-1	LB-2	B-2	B-3	B-4	B-5	I-1	I-2



SITE PLAN



The site is located at the Southwest corner of Monroe Street and South Lawrence Street. The plan illustrates the existing structure and parking.

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