

APPLICATION NUMBER

5518

A REQUEST FOR

**REAR YARD SETBACK VARIANCE TO ALLOW A 6.2'
REAR YARD SETBACK IN A PROPOSED SUBDIVISION
IN AN R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT;
THE ORDINANCE REQUIRES AN 8' REAR YARD
SETBACK IN AN R-1, SINGLE-FAMILY RESIDENTIAL
DISTRICT**

LOCATED AT

1711 WILLIAM STREET

(West side of William Street, 100'± North of Carter Avenue)

APPLICANT

JOSEPHINE DICKINSON

AGENT

WATTIER SURVEYING, INC.

BOARD OF ZONING ADJUSTMENT

JANUARY 2009

This is a companion application to Application Number 5517 regarding the Apostolic Pentecostal Holy Church of God. The applicant is requesting a Rear Yard Setback Variance to remedy the encroachment of an existing church building into this separate, already developed lot.

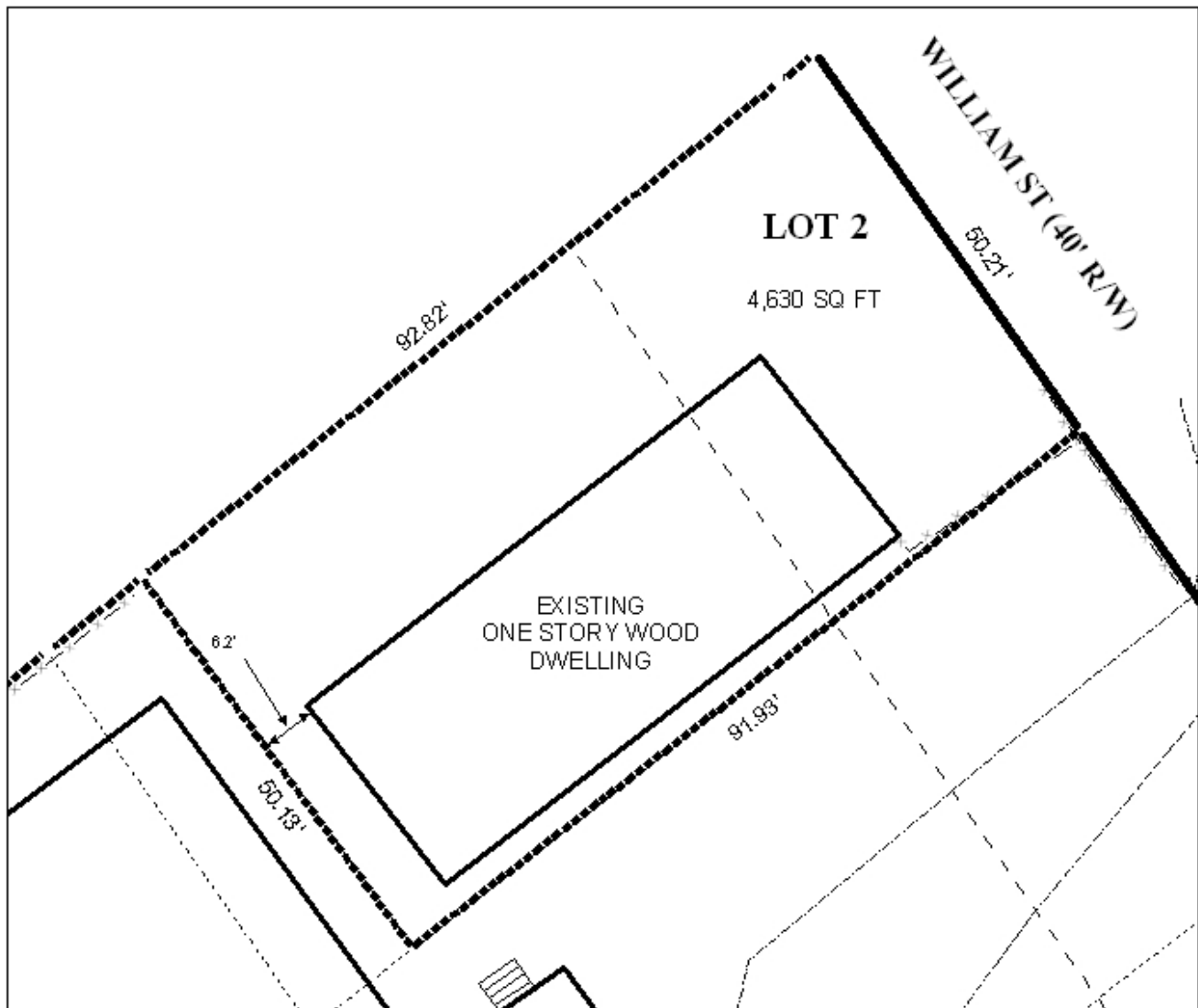
According to Nonconforming Use Documentation on file with the Planning Section of the Urban Development Department, the church building of the Apostolic Pentecostal Holy Church of God has been on this site since 1963. The church building is encroaching upwards of 7.8 feet on the subject property. The encroachment was discovered when the Church commissioned a survey in preparation for a parking lot addition. The applicant and the Church have submitted a Subdivision application to the Mobile City Planning Commission, and the Subdivision application was granted preliminary approval at the December 18, 2008, meeting. Due to the existing encroachment by the existing church building, there is not enough area to provide the required 8 foot setback for each structure. At the narrowest point between the two structures, there are 12.4 feet of area. Dividing the distance equally between the two lots of the approved subdivision, a 6.2 foot rear yard would be left for both structures, 1.8 feet less than the 8 foot rear yard which is required. As this is an existing condition, and the subdivision and variances appear to be the best remedies to the situation, the rear yard setback variance may be appropriate. The granting of the variance should be made contingent upon the completion of the Subdivision process with the Mobile City Planning Commission.

RECOMMENDATION 5518**Date: January 5, 2009**

Based on the preceding, the 1.8 foot rear yard variance is recommended for approval subject to the following conditions:

- 1) Completion of the Subdivision process already started with the Mobile City Planning Commission; and
- 2) Compliance with all municipal codes and ordinances.

SITE PLAN



This site plan illustrates proposed lot configuration.

APPLICATION NUMBER 5518 DATE January 5, 2009

APPLICANT Josephine Dickinson

REQUEST Rear Yard Setback Variance



BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



This site is surrounded by residential land use.

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LEGEND

															NTS
R-1	R-2	R-3	R-A	R-B	H-B	T-B	B-1	LB-2	B-2	B-3	B-4	B-5	I-1	I-2	



BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



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