

EXTENSION

APPLICATION NUMBER

5599

A REQUEST FOR

**USE VARIANCE TO ALLOW A MOBILE HOME IN AN
R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT; THE
ZONING ORDINANCE ALLOWS MOBILE HOMES IN AN
R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT WITH
PLANNING APPROVAL.**

LOCATED AT

175 2ND AVENUE

(Northwest corner of 2nd Avenue and Avenue C)

APPLICANT/OWNER

CHARLES BOGGAN

BOARD OF ZONING ADJUSTMENT

SEPTEMBER 2010

EXTENSION

ANALYSIS APPLICATION 5599

Date: September 13, 2010

The applicant is requesting a six-month extension of a previously approved Use Variance to allow a mobile home in an R-1, Single-Family Residential District; the Zoning Ordinance allows mobile homes in an R-1, Single-Family Residential District with Planning Approval.

The applicant moved a mobile home onto the site without any approvals or permits and complaints were filed for such. A Planning Approval and one-lot Subdivision application were submitted to the Planning Commission. The Subdivision was approved (but has not yet been completed), but the Planning Approval request was denied by the Planning Commission in December, 2009, due to opposition, and the applicant was advised to submit a Use Variance to allow the mobile home on the site. The variance was approved by the Board in February, 2010, but due to public opposition, it was subject to a six-month allowance until August 15, 2010.

The applicant is requesting a six-month extension of the variance. A building permit to locate the mobile home on the property until August 15, 2010, was issued later in February; however, not all other required permits were obtained. An electrical permit was never issued, and a plumbing permit was never requested. The applicant states that economics is the reason for the mobile home not having been removed from the site, as required.

With regards to the applicant's request, it should be noted that economics is not a justifiable hardship when asking for a variance; such shall also be the case for extensions. Furthermore, it was specifically stated in the Letter of Decision of the February granting of the variance that it was a time-limited approval.

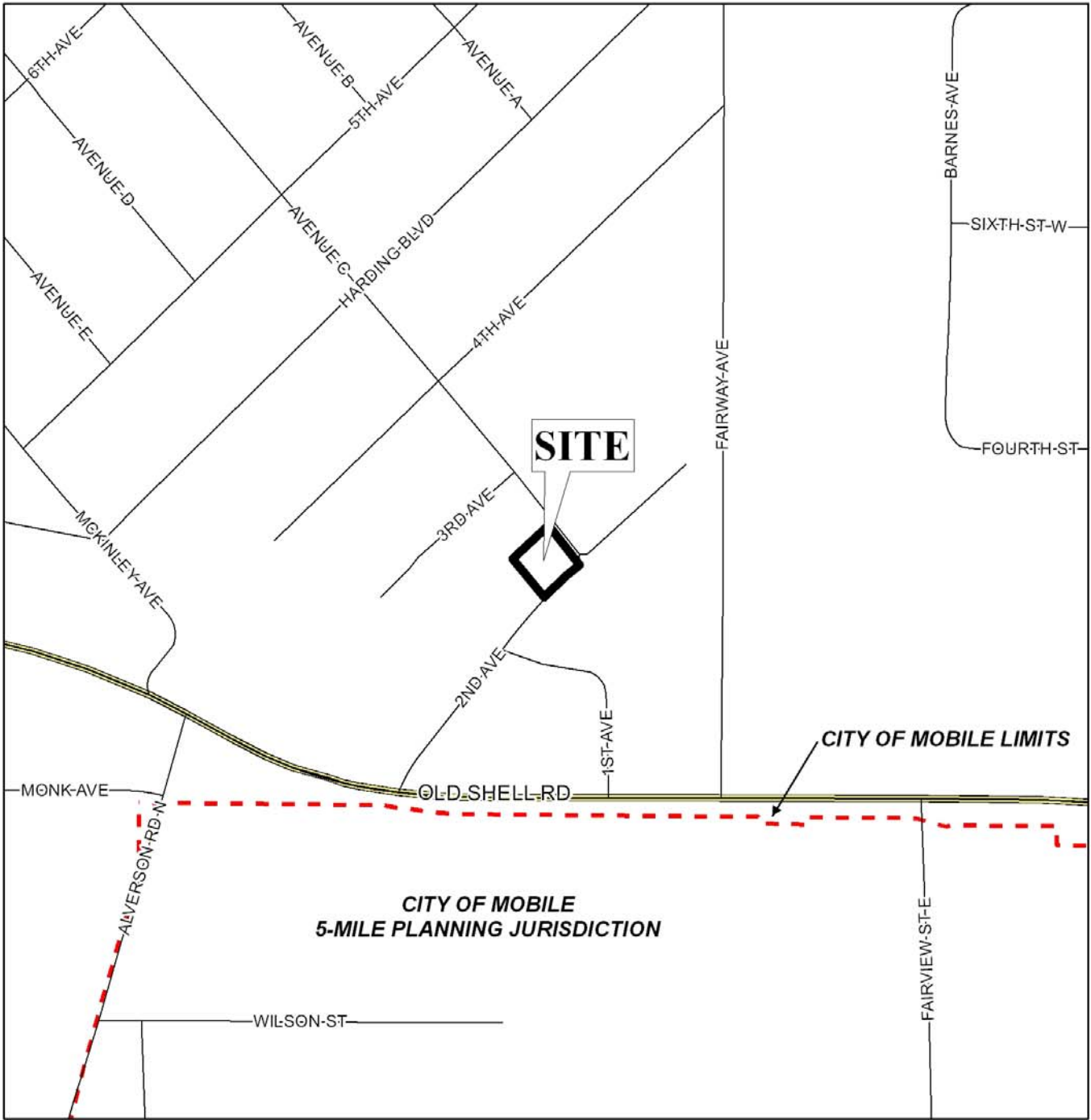
EXTENSION

RECOMMENDATION 5599

Date: September 13, 2010

Based upon the preceding, it is recommended that this request for a six-month extension be denied.

LOCATOR



APPLICATION NUMBER 5599 DATE September 13, 2010

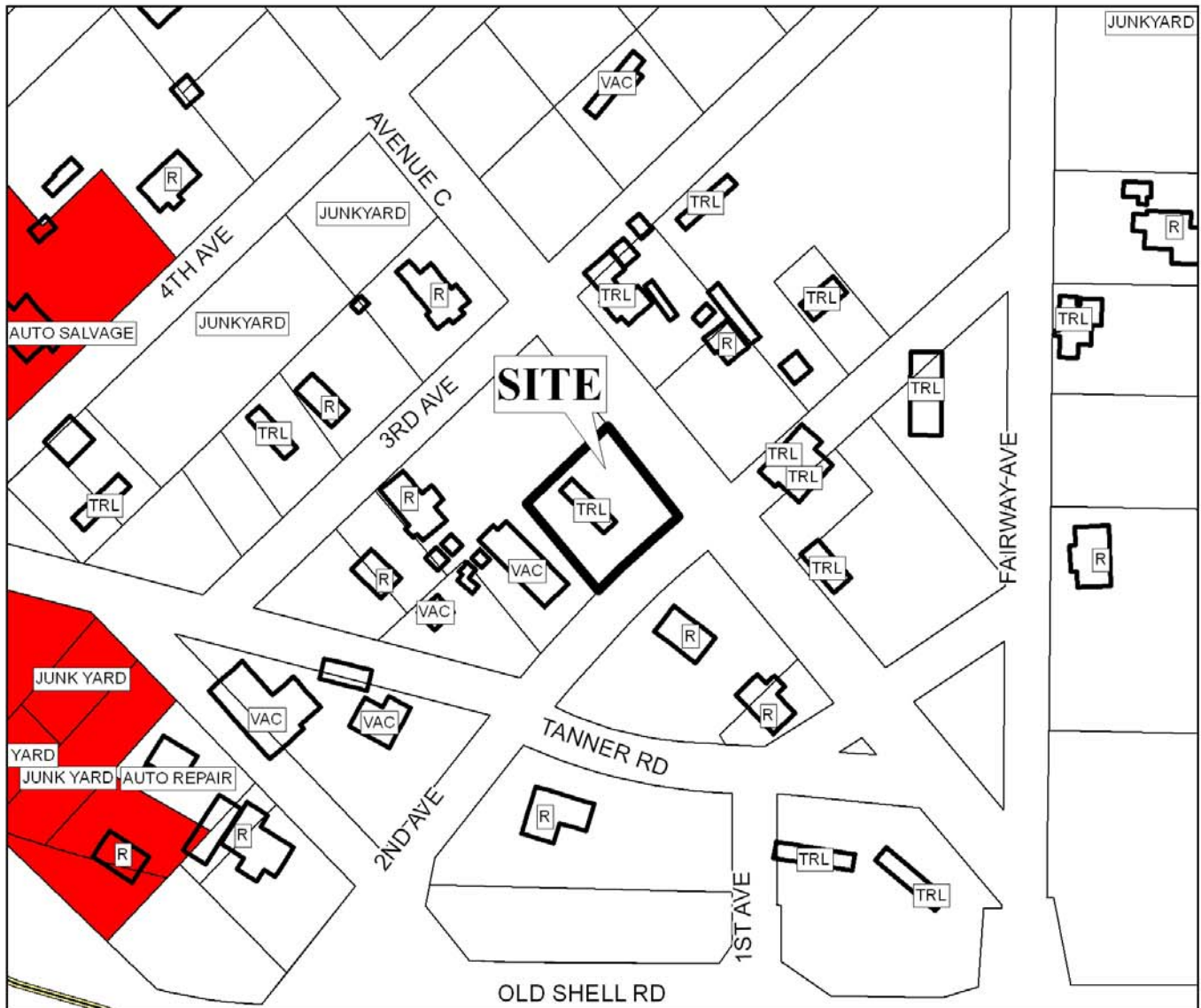
APPLICANT Charles Boggan

REQUEST _____ Use Variance _____



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BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



This site is surrounded by residential with business land use to the west.

APPLICATION NUMBER 5599 DATE September 13, 2010

APPLICANT Charles Boggan

REQUEST Use Variance

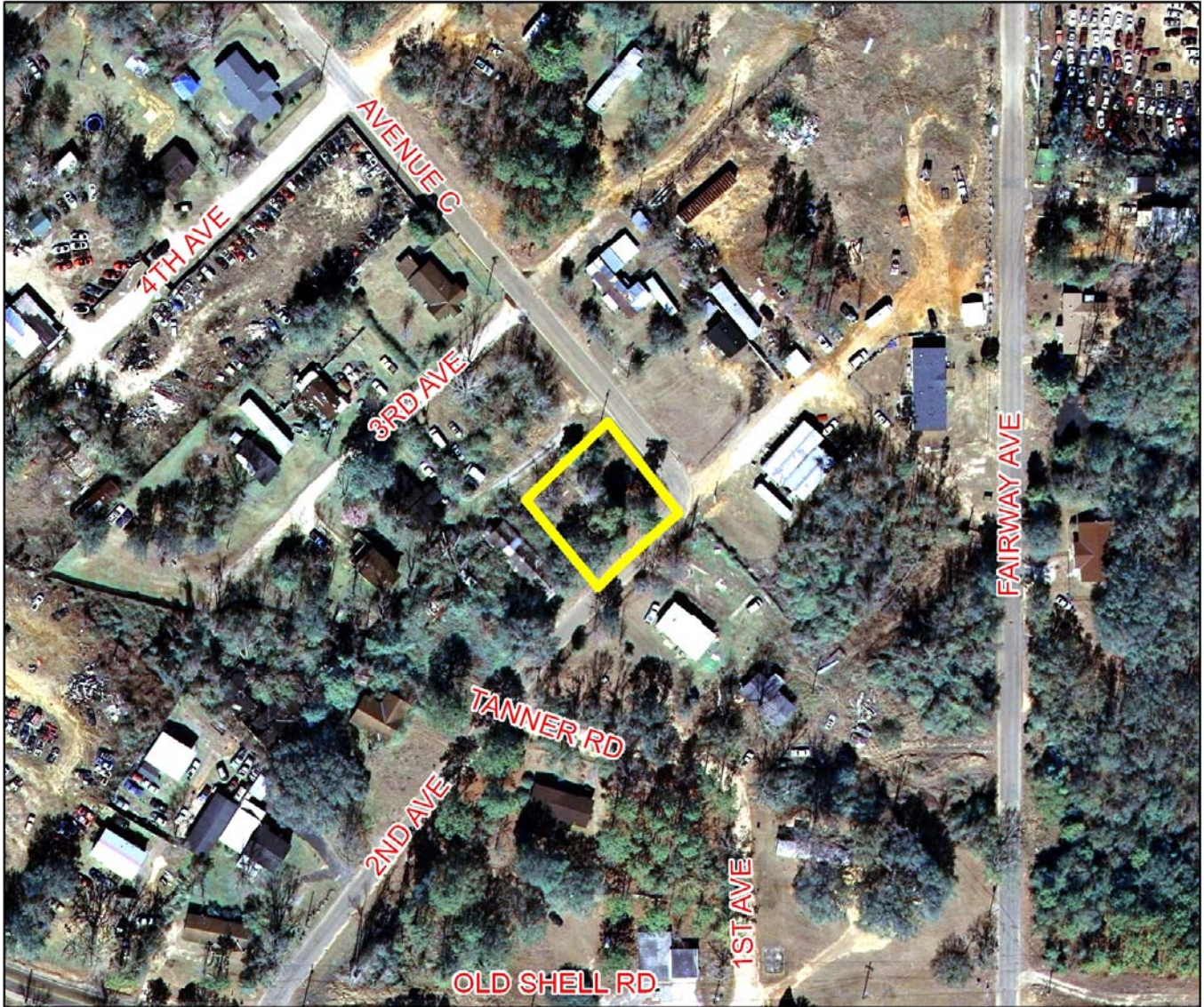
LEGEND

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



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BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



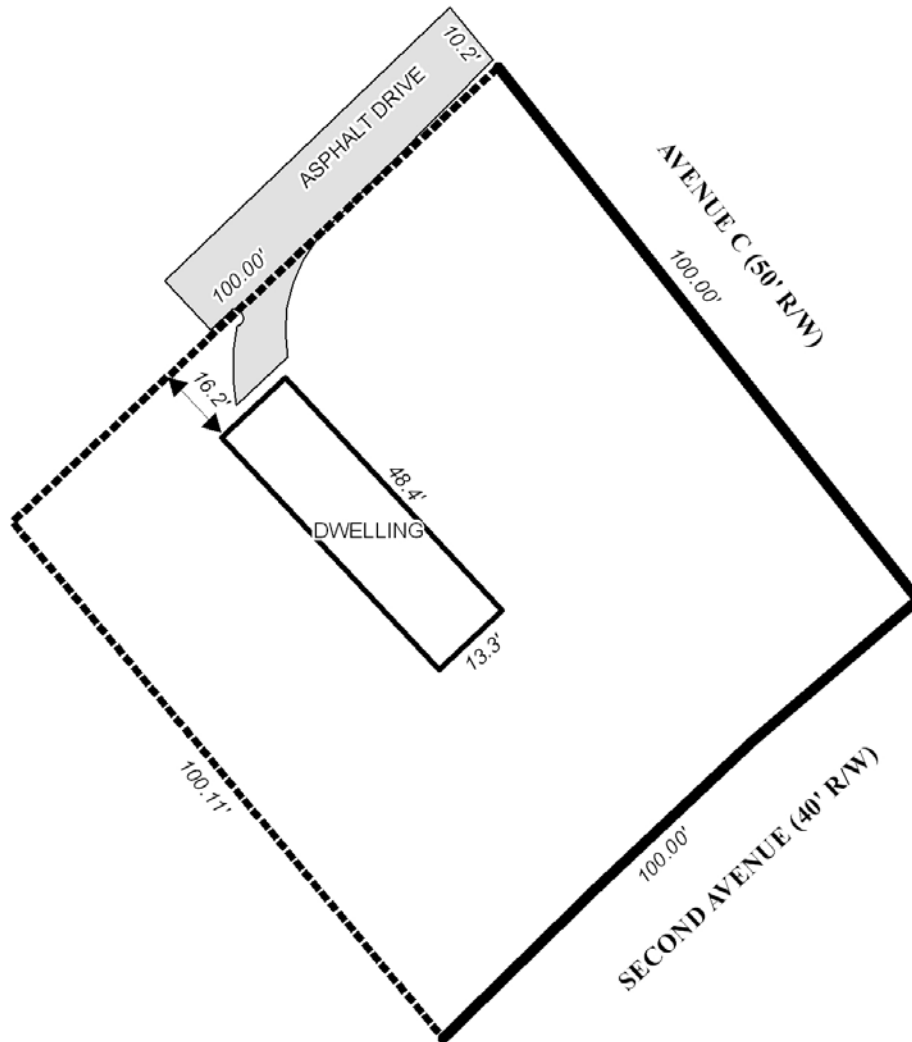
This site is surrounded by residential with business land use to the west.

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NTS

SITE PLAN



This site plan illustrates the proposed mobile home and existing lot configuration.

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REQUEST Use Variance

