

APPLICATION NUMBER

5583

A REQUEST FOR

**BUILDING SITE COVERAGE VARIANCE TO ALLOW
THE CONSTRUCTION OF A SINGLE FAMILY
DWELLING WITH 36% SITE COVERAGE IN AN R-1,
SINGLE FAMILY RESIDENTIAL DISTRICT; THE
ZONING ORDINANCE ALLOWS UP TO 35% BUILDING
SITE COVERAGE IN AN R-1, SINGLE FAMILY
RESIDENTIAL DISTRICT.**

LOCATED AT

2702 EDGEWOOD ST

(North side of Edgewood Street, 50'± West of Mobile Street)

APPLICANT

FRANCES STANTON TATE

BOARD OF ZONING ADJUSTMENT

DECEMBER 2009

The applicant is requesting a Building Site Coverage Variance to allow the construction of a single family dwelling with 36% site coverage in an R-1, Single Family Residential District; the Zoning Ordinance allows up to 35% building site coverage in an R-1, Single Family Residential District.

The applicant is proposing to construct a single family dwelling. The building site is 6,340 square feet, and the maximum allowable building site coverage is 2,219 square feet. The total proposed building site coverage is 2,294 square feet, or 75 square feet over the allowable site coverage. Also, it should be noted that any future addition of an outside storage shed would further exacerbate the site coverage problem.

The Zoning Ordinance states that no variance shall be granted where economics are the basis for the application. Furthermore, the applicant must present 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.

Variances are not intended to be granted frequently. The applicant must clearly show the Board that the request is due to very unusual characteristics of the property and that it satisfies the variance standards. What constitutes unnecessary hardship and substantial justice is a matter to be determined from the facts and circumstances of each application.

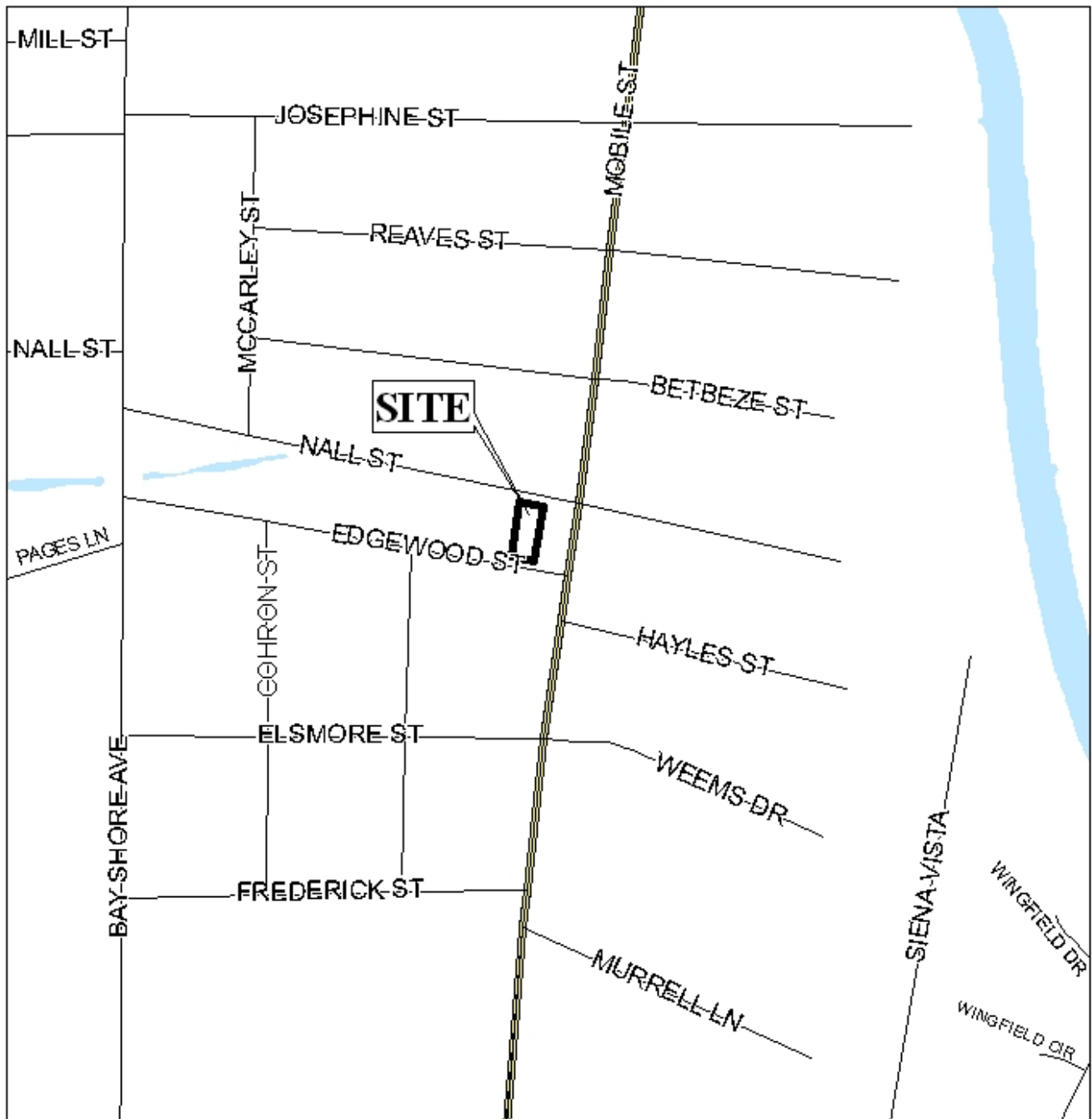
The applicant does not state a hardship in the narrative, only that they decided to roof the patio and front porch which caused the excessive site coverage. The overage in the site coverage could be eliminated by eliminating the covered patio, and there is no reason why a home could not be built on the site to comply with the ordinance.

The applicant has failed to illustrate that a literal enforcement of the ordinance would result in an unnecessary hardship. It is simply the applicant's wish to have a structure with excessive site coverage on the site. It should be further noted that the applicant owns an adjacent lot to the site, and, with a subdivision application to combine the two lots, a variance would be unnecessary.

RECOMMENDATION 5583**Date: December 7, 2009**

Based on the preceding, the application is recommended for denial.

LOCATOR MAP



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APPLICANT Frances Stanton Tate

REQUEST Building Site Coverage Variance



BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



There is an auto repair business to the north of the site and single family residential units to the south, east, and west.

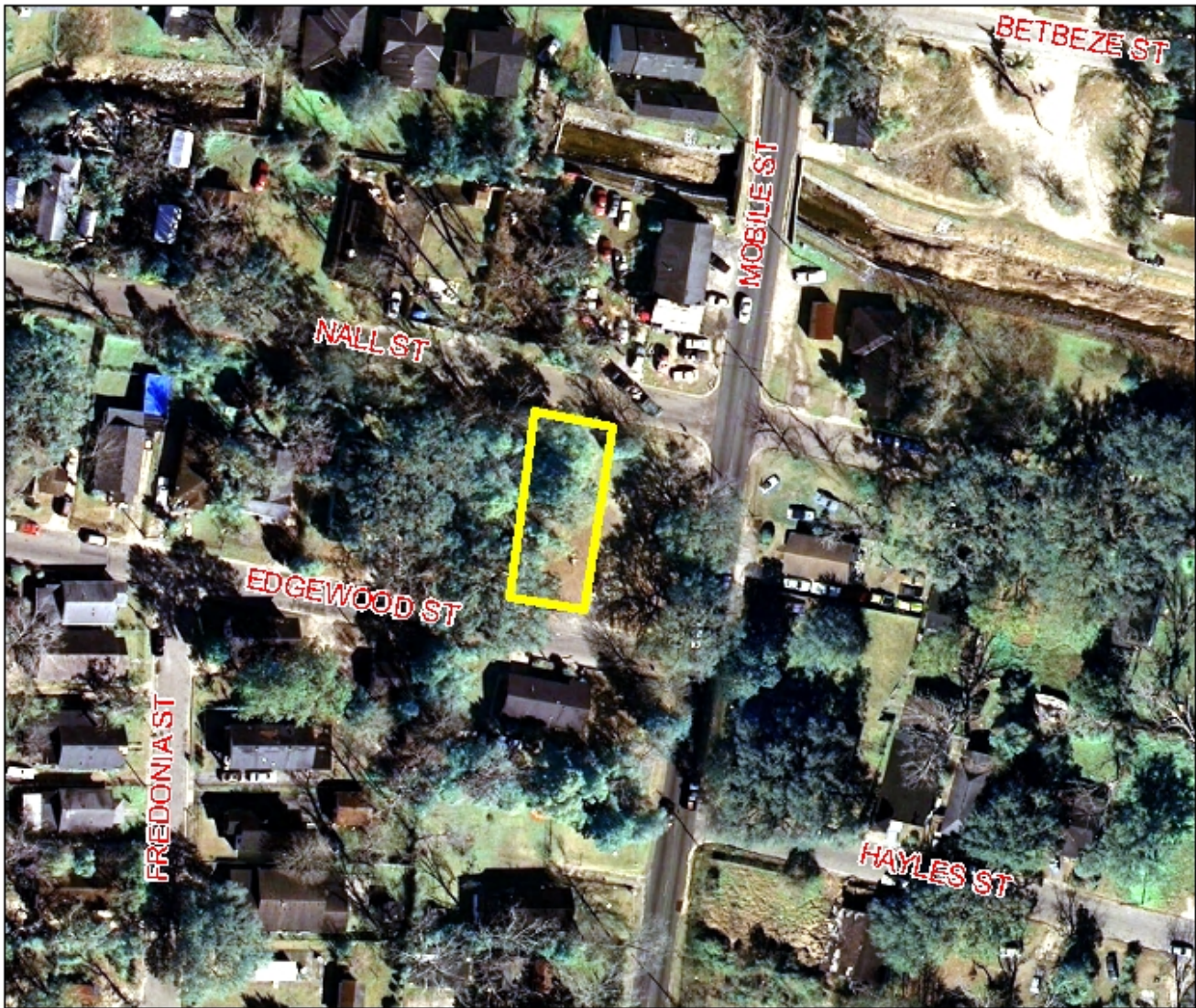
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LEGEND R-1 R-2 R-3 R-A R-B H-B T-B B-1 LB-2 B-2 B-3 B-4 B-5 I-1 I-2 NTS

BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



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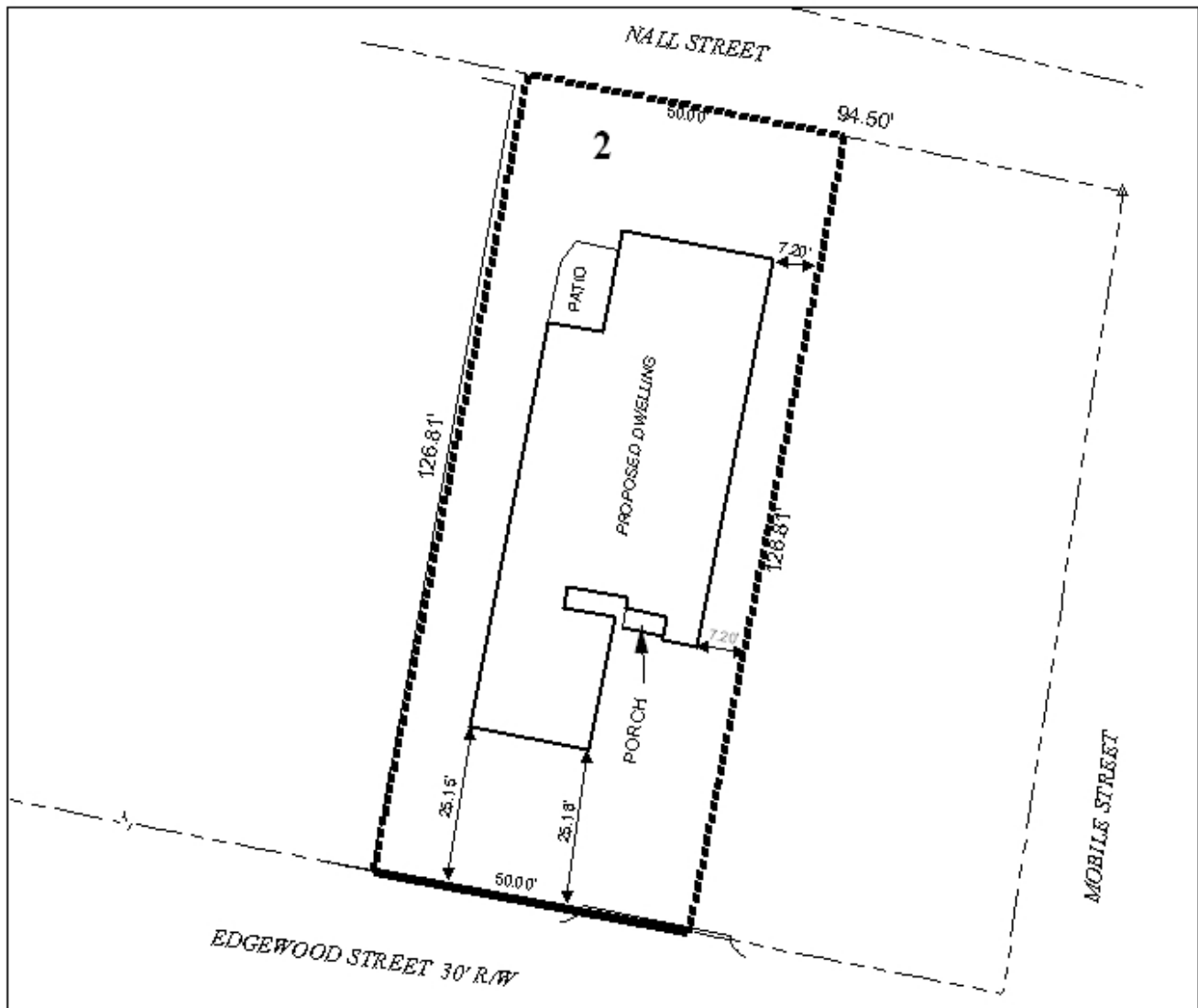
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REQUEST Building Site Coverage Variances



SITE PLAN

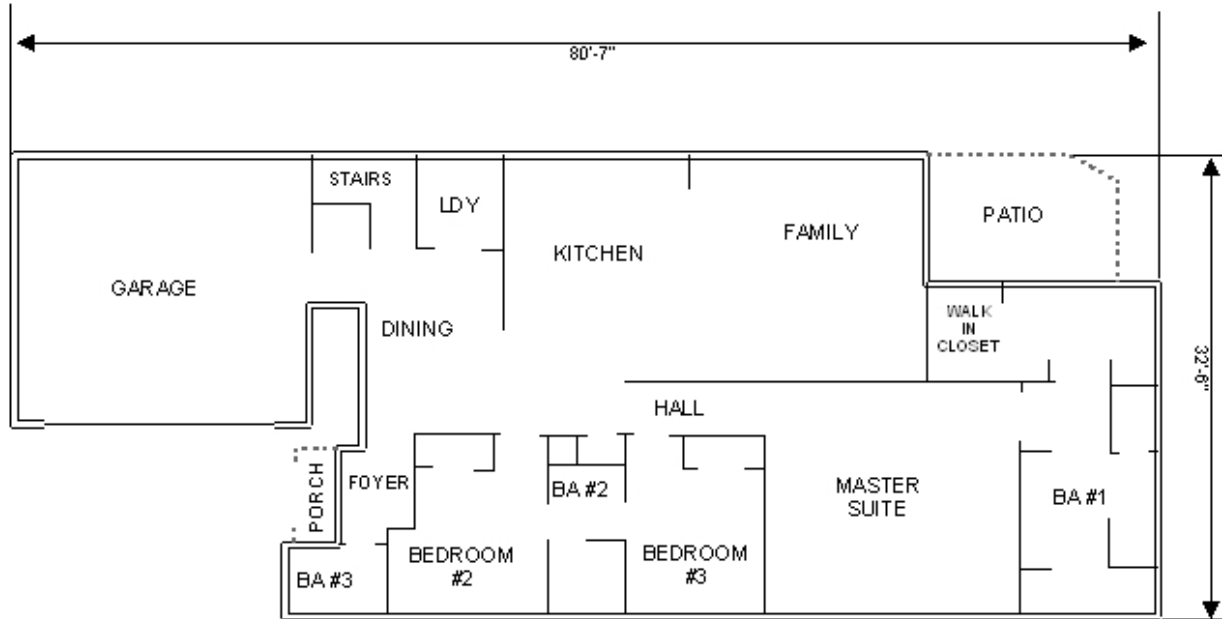


The dwelling and setbacks are illustrated in the site plan.

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FIRST FLOOR DETAIL



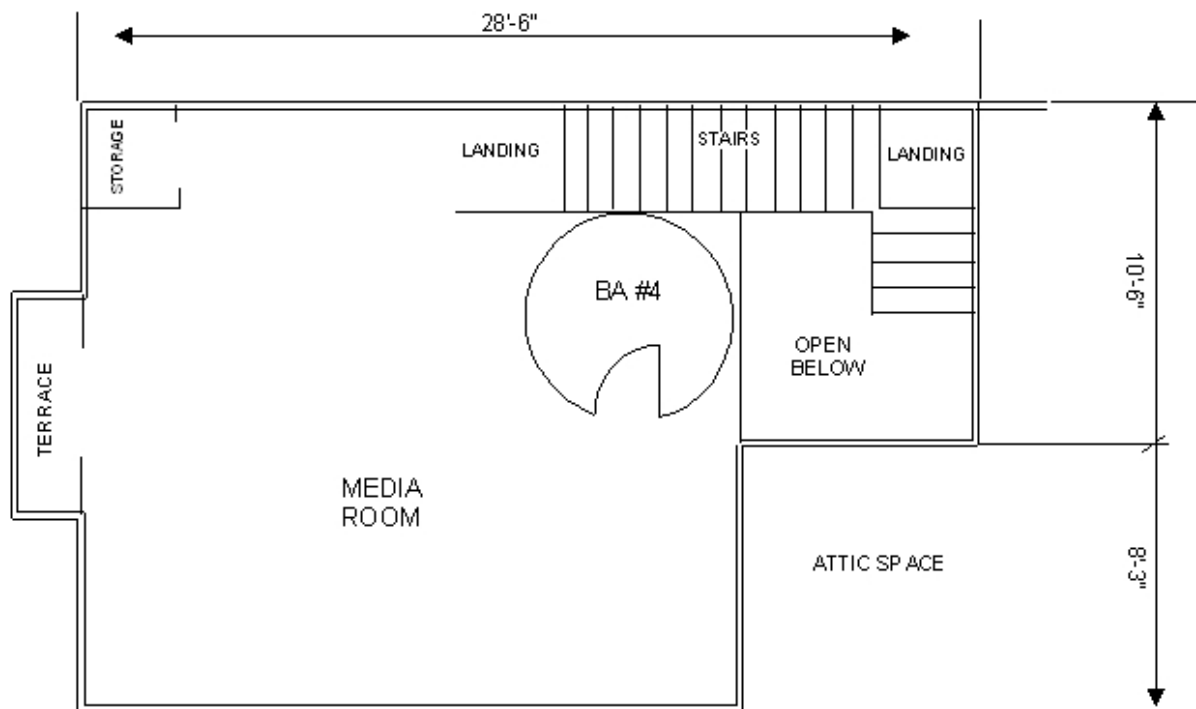
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SECOND FLOOR DETAIL



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APPLICANT Frances Stanton Tate

REQUEST Building Site Coverage Variances

