

APPLICATION NUMBER

5303

A REQUEST FOR

**REAR AND SIDE YARD SETBACK VARIANCES TO
ALLOW THE CONSTRUCTION OF A CARPORT AND
LAUNDRY ROOM 4' FROM THE SIDE PROPERTY LINE
AND 4' FROM THE REAR PROPERTY LINE; AN 8'
MINIMUM SIDE AND REAR YARD SETBACK IS
REQUIRED IN AN R-1, SINGLE-FAMILY RESIDENTIAL
DISTRICT**

LOCATED AT

22 LANCASTER ROAD

(Southeast corner of Lancaster Road and York Place)

APPLICANT/OWNER

JOHN ROBERTS

AGENT

M. DON WILLIAMS, III

BOARD OF ZONING ADJUSTMENT

APRIL 2005

The applicant is requesting Rear and Side Yard Setback Variances to allow the construction of a carport and laundry room 4' from the side property line and 4' from the rear property line; an 8' minimum side and rear yard setback is required in an R-1, Single-Family Residential District.

The applicant submitted the same application and was approved by the Board in August 2002. The applicant states that the original wood carport was constructed around the 1940's, when the original carport fell into disrepair, a Beautylite carport was constructed over the original slab. The Beautylite carport was torn down in 2002.

The applicant proposes to construct a 300 square foot, one-car, carport with an attached, enclosed storage room and a 50 square foot laundry room. These improvements would all fall under the same roof within 4-feet from the side yard property line, and 4-feet of the rear yard property line.

As illustrated on the site plan all but 20 square feet of the laundry room would be constructed over the existing slab, which used to be the carport. The lapse in time frame (2-years) for nonconforming structures is the reason for this application.

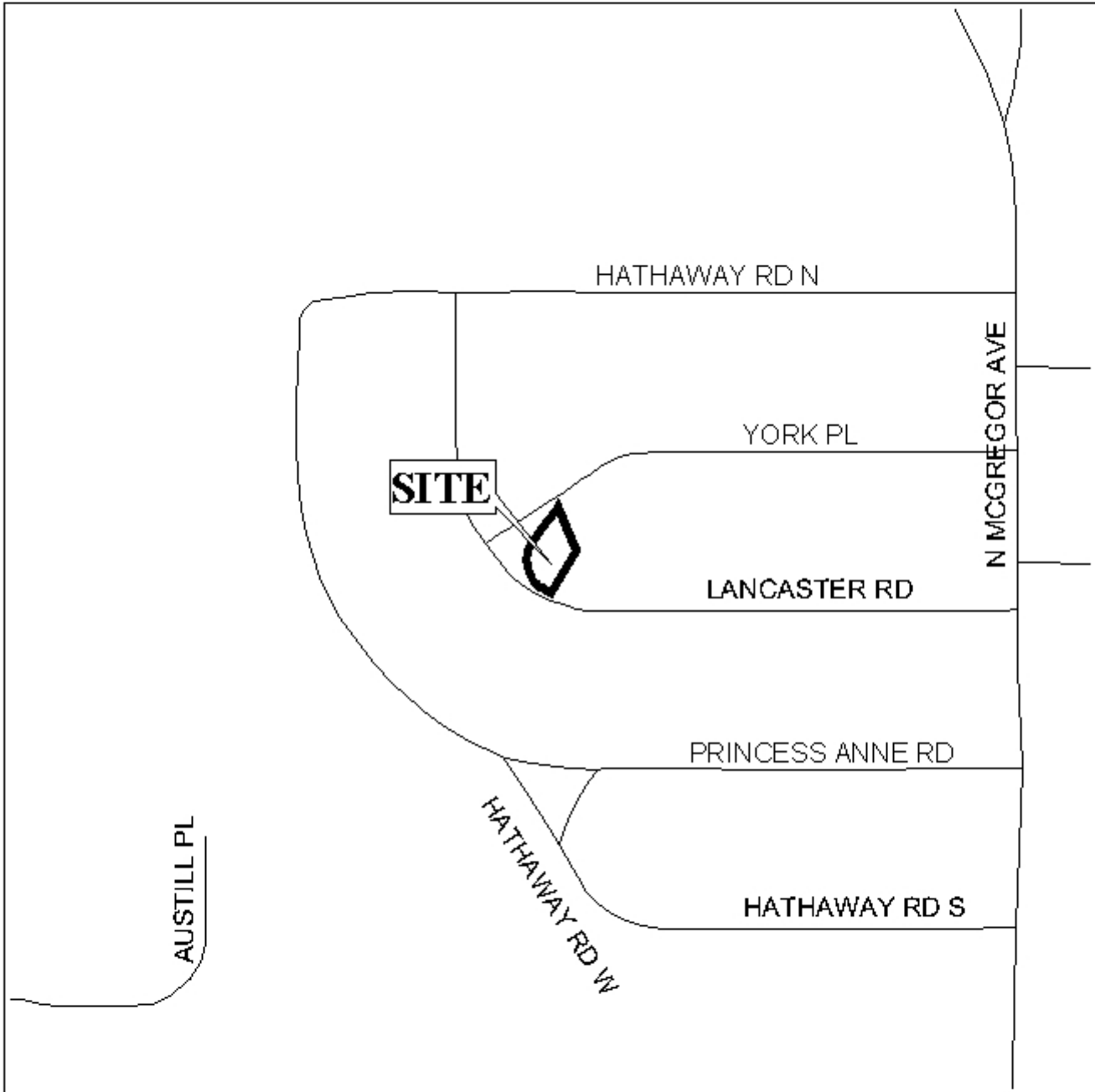
The Zoning Ordinance states that no variance shall be granted where economics are the basis for the application; and, unless the Board is presented with sufficient evidence to find that the variance will not be contrary to the public interest, and that special conditions exist such that a literal enforcement 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.

Whereas there have been no changes in the surrounding area since the previous approval, and the applicant's request is the same, it appears that there maybe special conditions associated with the property that would result in an unnecessary hardship if compliance with setbacks was required.

RECOMMENDATION 5303**Date: April 4, 2005**

Based upon the preceding, this application is recommended for approval subject to the following condition: 1) provision of gutters and downspouts.

LOCATOR MAP



APPLICATION NUMBER 5303 DATE April 4, 2005

APPLICANT M. Don Williams, III (John Roberts, Owner)

REQUEST Rear, Side Yard Setback Variance



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BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



The site is surrounded by single-family residential units

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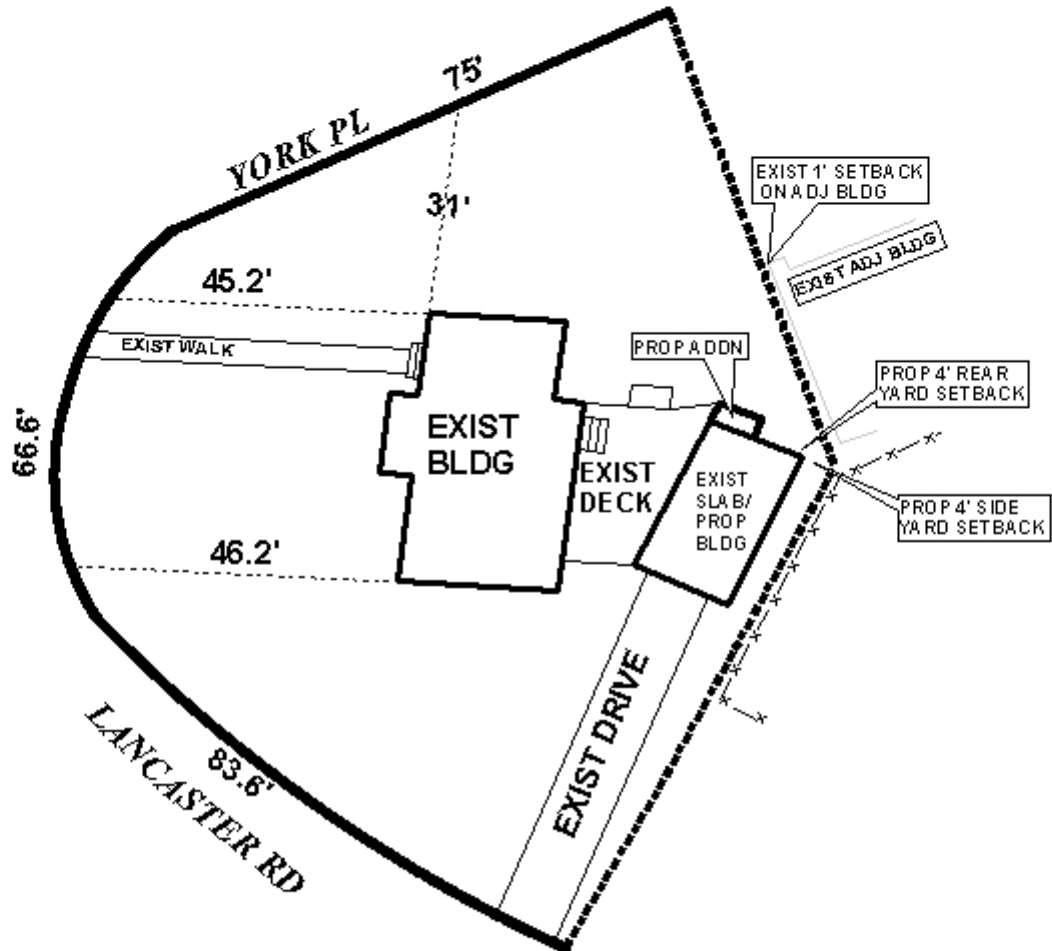
LEGEND

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



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SITE PLAN



The site plan illustrates the existing buildings along with the proposed buildings and setbacks.

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