

APPLICATION NUMBER

5333

A REQUEST FOR

**COMBINED SIDE YARD AND SITE COVERAGE
VARIANCES TO ALLOW THE CONSTRUCTION OF A
SINGLE-FAMILY DWELLING A COMBINED SIDE YARD
TOTAL OF 16' AND TO ALLOW 45% SITE COVERAGE;
A MINIMUM 20' COMBINED SIDE YARD TOTAL AND A
MAXIMUM SITE COVERAGE OF 35% IS ALLOWED ON
A 70' WIDE LOT IN A R-1, SINGLE-FAMILY
RESIDENTIAL DISTRICT**

LOCATED AT

(East side of Drury Lane, 575+ North of Wimbledon Drive West)

APPLICANT/OWNER

MICHAEL H. & MELISSA A. DUNNAM

BOARD OF ZONING ADJUSTMENT

DECEMBER 2005

The applicant is requesting Combined Side Yard and Site Coverage Variances to allow the construction of a single-family dwelling a combined side yard total of 16' and to allow 45% site coverage; a minimum 20' combined side yard total and a maximum site coverage of 35% is required for a 70' wide lot in an R-1, Single-Family Residential District.

The applicant is requesting relief from the combined side yard setback and site coverage requirements due to the size of the property in relationship to the neighboring properties. The applicant states that reducing the side yard setback will benefit, rather than harm, the neighboring properties. The applicant goes on to say the structure will be characteristic of other homes and garages in the area. The applicant also states that with the limited space, the dwelling will need to be 8-feet from the side property lines.

As illustrated on the Vicinity Map, several of the primary dwellings and accessory structures appear to encroach into the required side and rear yards within this neighborhood. However, while there are many new homes in the area, there are a few older, legal, nonconforming structures as well. Additionally, the plan consists entirely of new construction and the width of the site (70-feet) is 10-feet wider than a standard width lot (60-feet) upon which standard setbacks are based.

It should be noted when the parent parcel was subdivided into 4 lots, the Planning Commission allowed the two lots fronting Drury Lane a 15-foot front setback, which excluded the dedication of 10-foot additional right-of-way to the City of Mobile.

Three of the primary concerns relating to side yard setbacks are the potential for the spread of fire from one property to another, water run-off onto adjacent properties, and the ability to properly maintain the proposed structure. Other concerns relate to privacy and adequate circulation of light and air.

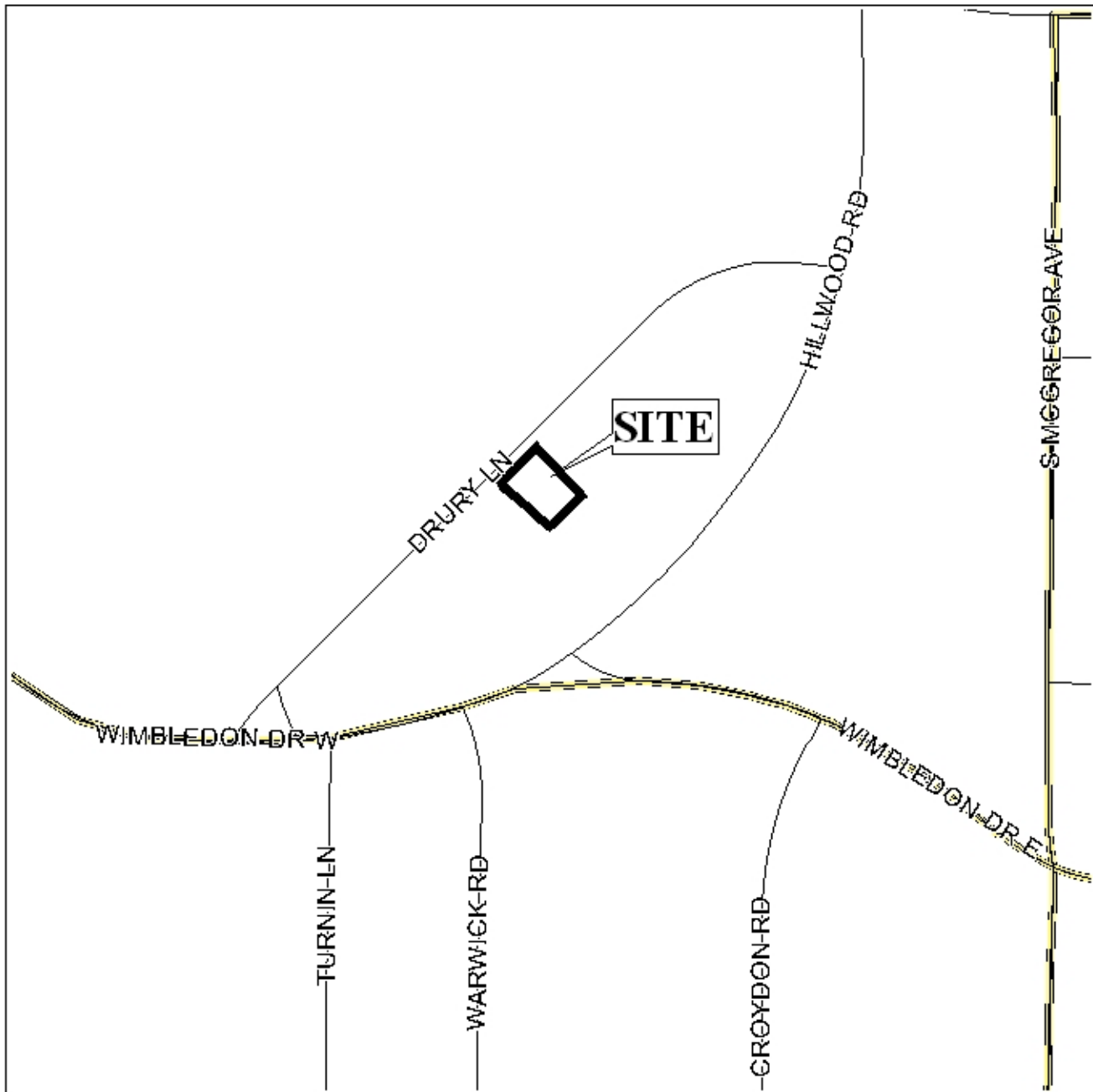
The Zoning Ordinance states that no variance shall be granted where economics are the basis for the application; and, unless the Board is presented with sufficient evidence to find that the variance will not be contrary to the public interest, and that special conditions exist such that a literal enforcement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

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 construct a dwelling within 8-feet from the (North) side property line, to allow a combined side yard total of 16' and to allow 45% site coverage.

RECOMMENDATION 5333**Date: December 5, 2005**

Based on the preceding, it is recommended that this application be denied.

LOCATOR MAP



APPLICATION NUMBER 5333 DATE December 5, 2005

APPLICANT Mike H. & Melissa A. Dunnam

REQUEST Side, Combined Side, Site Coverage Variance



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BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



The site is surrounded by single-family residential units. A country club is located to the west of the site.

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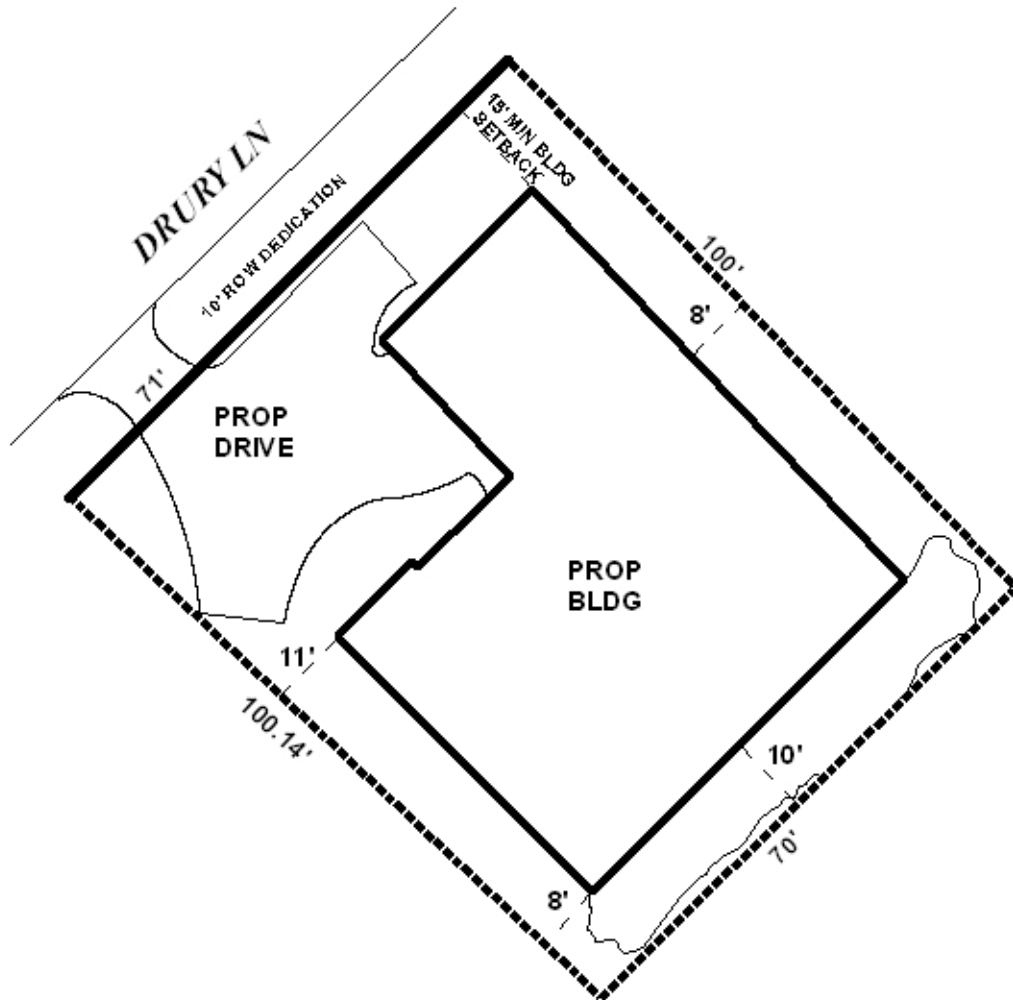
LEGEND

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 proposed building, drive, and setbacks

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