

APPLICATION NUMBER

5506/4711/4661

A REQUEST FOR

**USE VARIANCE TO AMEND A PREVIOUSLY APPROVED
USE VARIANCE TO ALLOW A YOUTH OUTREACH
COMMUNITY CENTER IN AN R-1, SINGLE-FAMILY
RESIDENTIAL DISTRICT: THE ORDINANCE REQUIRES
PLANNING APPROVAL FOR A YOUTH OUTREACH
COMMUNITY CENTER IN AN R-1, SINGLE-FAMILY
RESIDENTIAL DISTRICT**

LOCATED AT

6110 GRELOT ROAD

(Northwest corner of Grelot Road and Macarthur Place Court)

APPLICANT

TEAM FOCUS

OWNER

SCI OREGON FUNERAL SERVICES, INC

BOARD OF ZONING ADJUSTMENT

NOVEMBER 2008

The applicant is requesting a use variance to amend a previously approved use variance to allow a youth outreach community center in an R-1, Single-Family Residential District: the Ordinance requires Planning Approval for a youth outreach community center in an R-1, Single-Family Residential District.

As stated by the applicant, Mobile is the home office for Team Focus. Besides office use for local staff members, the facility will be an educational center which will have a computer lab where the young men are able to work on school projects and play educational games. Tutoring in all subjects is offered 6 days a week, and mothers and guardians meet monthly as a support group.

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 site in question was approved in 1997 for a funeral home, which was in operation for several years. The proposed use of an educational center is actually allowed in an R-1 Zoning District with Planning Commission Approval, whereas a funeral home requires a minimum of a B-3 Zoning District. With that said, the Board may consider the educational center a less intense use in the area in justifying its approval.

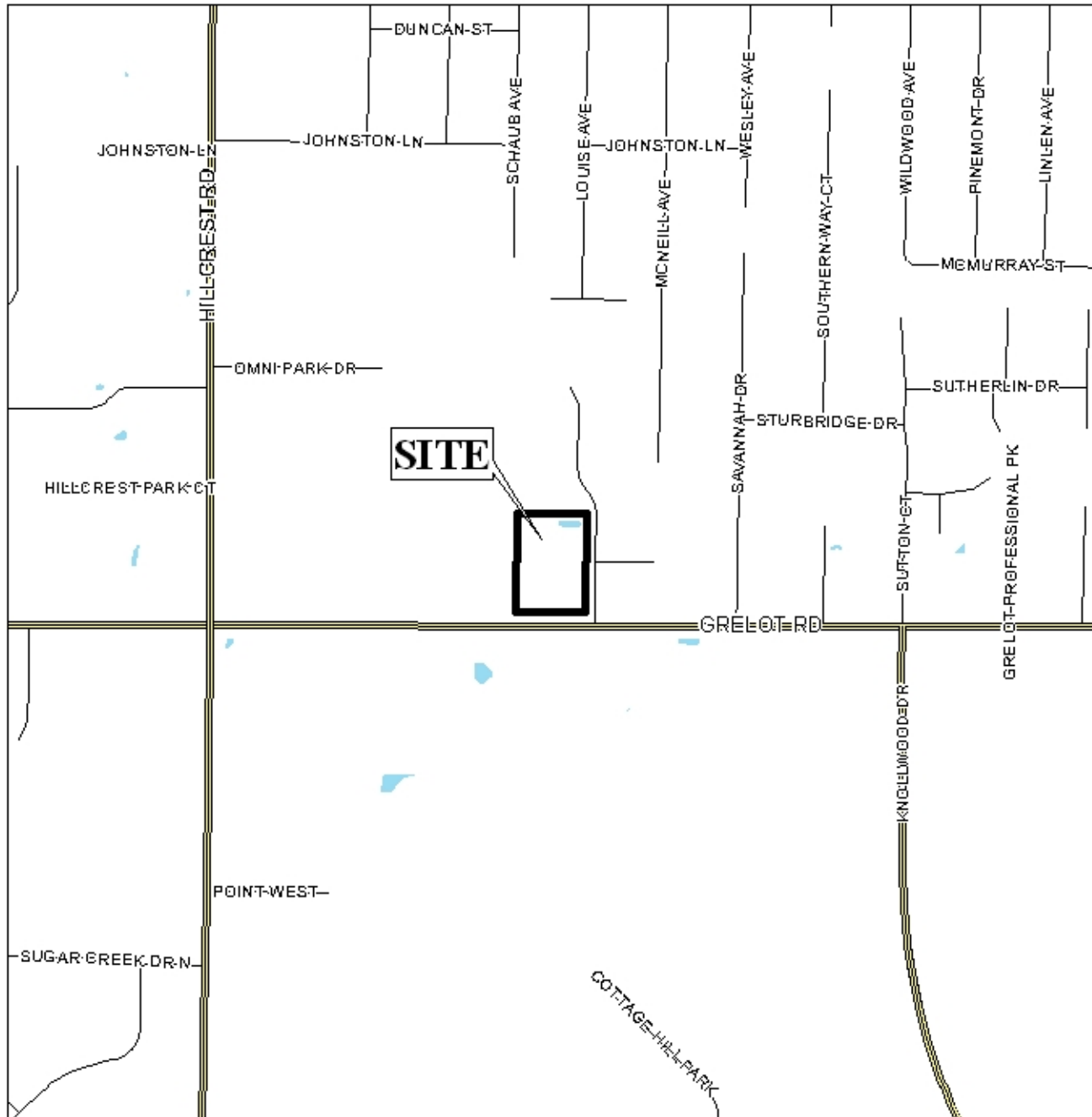
The previous variance approval and subsequent construction make residential use impractical, thereby resulting in a property that could be considered no longer residential in nature. Thus, the applicant has illustrated that a literal enforcement of the Zoning Ordinance would place an unnecessary hardship on the property.

RECOMMENDATION 5506/4711/4661

Date: November 3, 2008

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

LOCATOR MAP



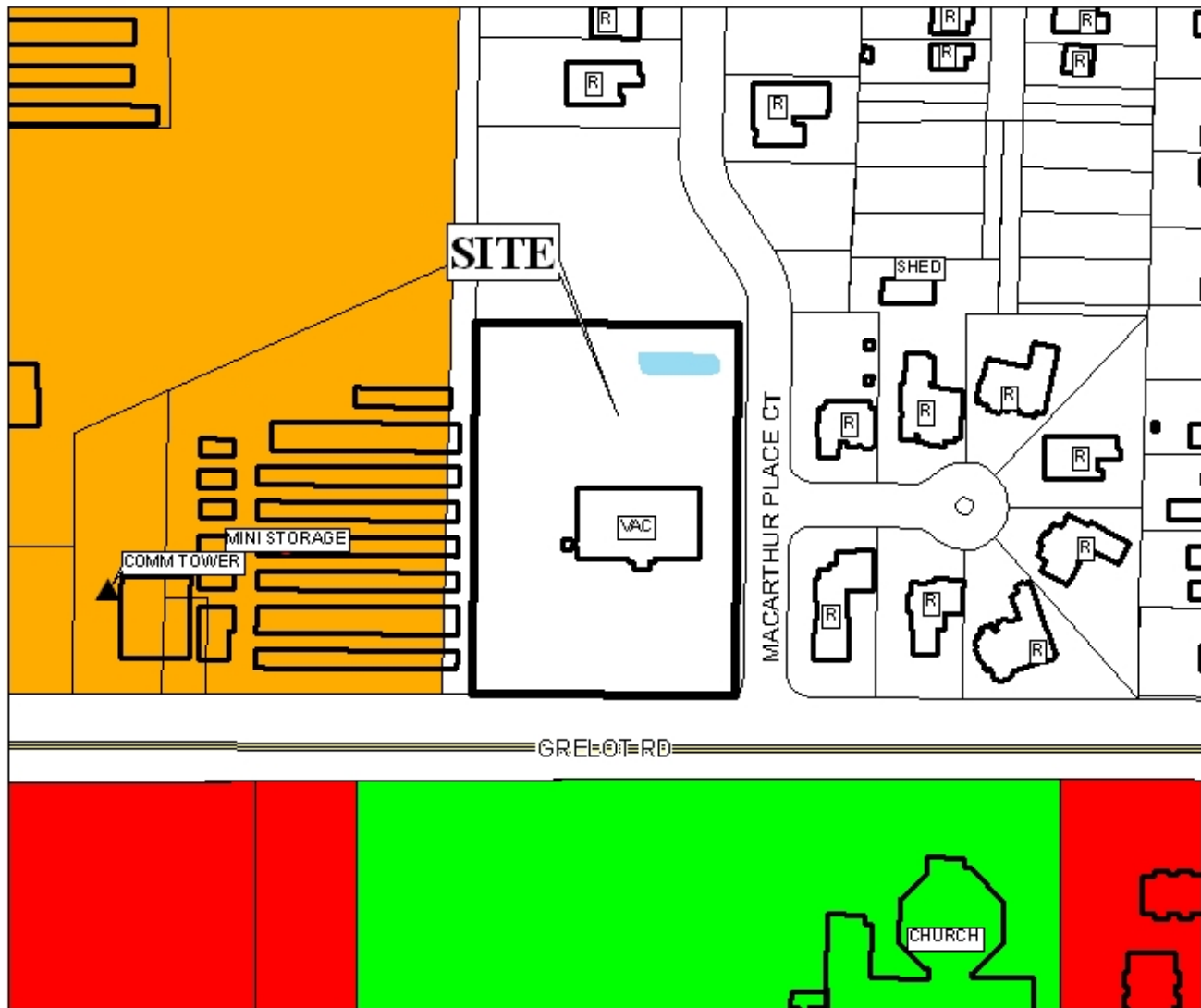
APPLICATION NUMBER 5506/4711/4661 DATE November 3, 2008

APPLICANT Team Focus

REQUEST Use Variance



BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



This site is surrounded by miscellaneous land use.

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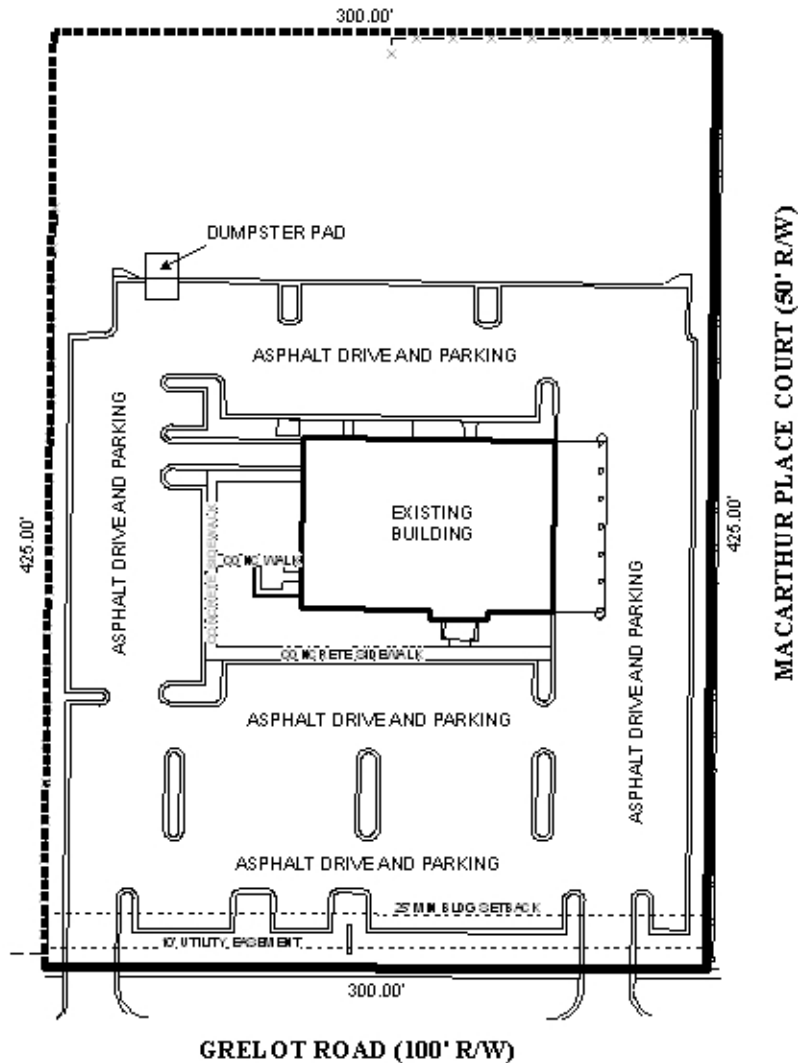
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LEGEND

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
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SITE PLAN



This site plan illustrates existing lot configuration.

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