

APPLICATION NUMBER

5183

A REQUEST FOR

**SIDE YARD SETBACK VARIANCE TO ALLOW A 13.7' X
18' (247 SQUARE FEET) FAMILY ROOM ADDITION
WITHIN 3.5' FROM THE (NORTH) PROPERTY LINE; A
MINIMUM SIDE YARD SETBACK OF 7.4' IS REQUIRED
FOR A 52' WIDE LOT IN AN R-1, SINGLE-FAMILY
RESIDENTIAL DISTRICT**

LOCATED AT

253 SOUTH GEORGIA AVENUE

(East side of South Georgia Avenue, 55'+ South of Elmira Street)

APPLICANT/OWNER

ANDRE G. RATHLE

BOARD OF ZONING ADJUSTMENT

MAY 2003

The applicant is requesting a Side Yard Setback Variance to allow a 13.7' x 18' (247 square feet) family room addition within 3.5' from the side (North) property line; a minimum side yard setback of 7.4' is required for a 52' wide lot in an R-1, Single-Family Residential District.

The applicant states that the purpose of this variance is to allow the addition of a family room to the rear of the existing dwelling that would encroach within the side yard setback along the (North) side property line. The proposed addition will be "in-line" with the existing dwelling.

The applicant goes on to say that the addition consists of a family room, and that the proposed addition would be in line with the current house. Currently, the house has a small living area and the additional room would maximize the house and make it more comfortable to live in.

The proposed addition would maintain the residential character of the neighborhood and the Board has been mindful of the unique character of the historical districts and older areas when considering site variance applications. It should be noted that the Board has been sympathetic in granting variances in Historic Districts, especially when the addition is "in-line" with the existing structure, and a 5' or greater setback is provided.

As the site is located in the Oakleigh Garden Historic District; any exterior improvements will require Architectural Review Board approval.

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.

RECOMMENDATION 5183**Date: May 5, 2003**

Based upon the preceding, this application is recommended for denial of 3.5' Side Yard Setback but approved for 5' subject to the following conditions: 1) the approval of the Architectural Review Board prior to the issuance of any permits; and 2) provision of gutters and downspouts.

BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



The site is surrounded by single- family residential units.
A church and school are located to the west of the site.

APPLICATION NUMBER 5183 DATE May 5, 2003

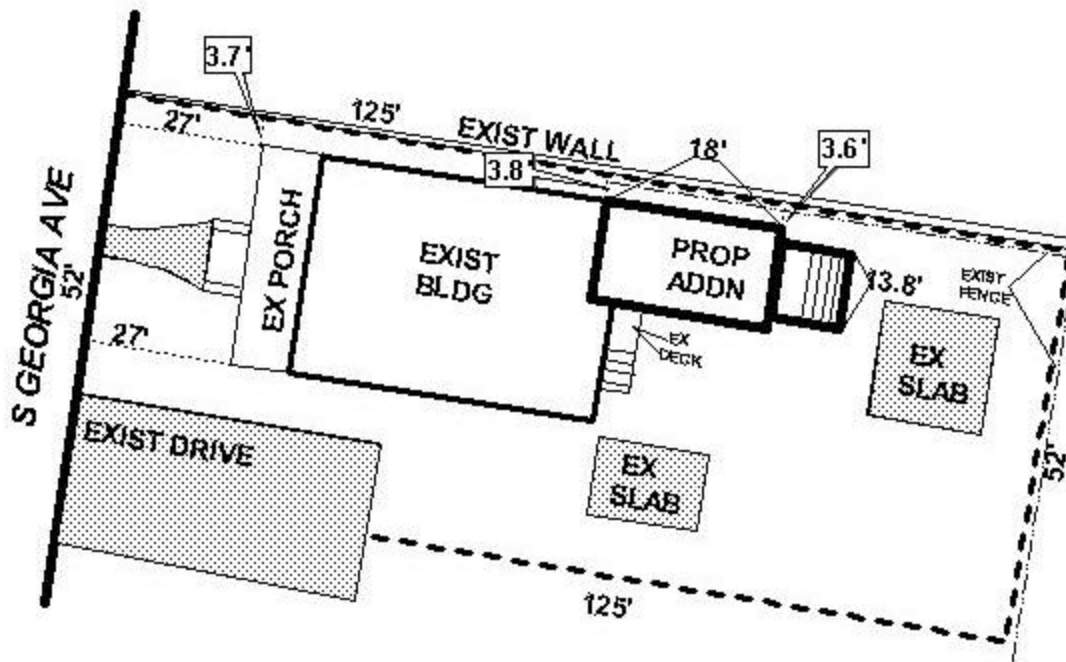
APPLICANT Andre G. Rathle

REQUEST Side Yard Setback Variance

LEGEND



SITE PLAN



East side of South Georgia Avenue, 55' South of Elmira Street, the site plan illustrates the existing concrete, drives, setbacks, and buildings, and proposed setbacks and building additions.

APPLICATION NUMBER 5183 DATE May 5, 2003

APPLICANT Andre G. Rathle

USE/REQUEST Side Yard Setback Variance



NTS