

APPLICATION NUMBER

**5450**

A REQUEST FOR

**FRONT YARD SETBACK, PARKING SURFACE AND  
MANEUVERING, AND LANDSCAPING VARIANCES TO  
ALLOW THE CONSTRUCTION OF A VESTIBULE  
WITHIN 16'-7" OF THE FRONT PROPERTY LINE, TO  
CONTINUE TO USE A GRASS PARKING AREA, AND NOT  
PROVIDE LANDSCAPING FOR A CHURCH EXPANSION;  
A 25' FRONT YARD SETBACK IS REQUIRED, PARKING  
SURFACES MUST BE ASPHALT, CONCRETE, OR AN  
APPROVED ALTERNATIVE SURFACE WITH  
DESIGNATED PARKING STALLS AND MANEUVERING  
AREAS, AND FRONTAGE LANDSCAPING IS REQUIRED.**

LOCATED AT

**200 OGDEN AVENUE**

(East side of Ogden Avenue, 380'± South of Spring Hill Avenue)

APPLICANT/OWNER

**CRICHTON CHURCH OF GOD IN CHRIST**

AGENT

**ELDER ROBERT L. DAVIS, PASTOR**

**BOARD OF ZONING ADJUSTMENT**

DECEMBER 2007

The applicant is requesting Front Yard Setback, Parking Surface and Maneuvering, and Landscaping Variances to allow the construction of a vestibule within 16'-7" of the front property line, to continue to use a grass parking area, and not provide landscaping for a church expansion; a 25' front yard setback is required, parking surfaces must be asphalt, concrete, or an approved alternative surface with designated parking stalls and maneuvering areas, and frontage landscaping is required.

The church proposes to build a vestibule/restroom addition to the front of the existing sanctuary. The applicant states that if the vestibule were to be placed within the existing sanctuary, six pews (three on each side of the aisle) would be lost since the pews start almost immediately upon entering the front doors. Since the existing front wall of the church is at the 25' setback line, and the proposed addition would extend to the front approximately 8'-5", relief for a 16'-7" front yard setback is required; hence this application.

With regard to the front yard setback request, due to the existing layout of the interior of the sanctuary, no area is suitable for restrooms and a vestibule other than to the front. The proposed addition would also accommodate direct wheelchair access into the vestibule, access which is not currently available. Since a hardship has been demonstrated in the locating of the proposed addition, the Board should consider this request for approval, subject to the applicant submitting the necessary Planning Commission applications .

With regard to the Parking Surface and Maneuvering, and Landscaping Variance requests, inasmuch as site compliance would normally be a condition of this type of application, the applicant intends to pursue a parking lot expansion which would also require Planning Commission applications. Therefore, such compliances would be premature at this time, but would most likely be conditions of the Planning Commission applications. The applicant wishes to continue the use of the unpaved parking area until such time as the paved parking lot expansion is completed. In light of such, the Board should also consider these requests for approval, again subject to the applicant submitting the necessary Planning Commission applications.

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.

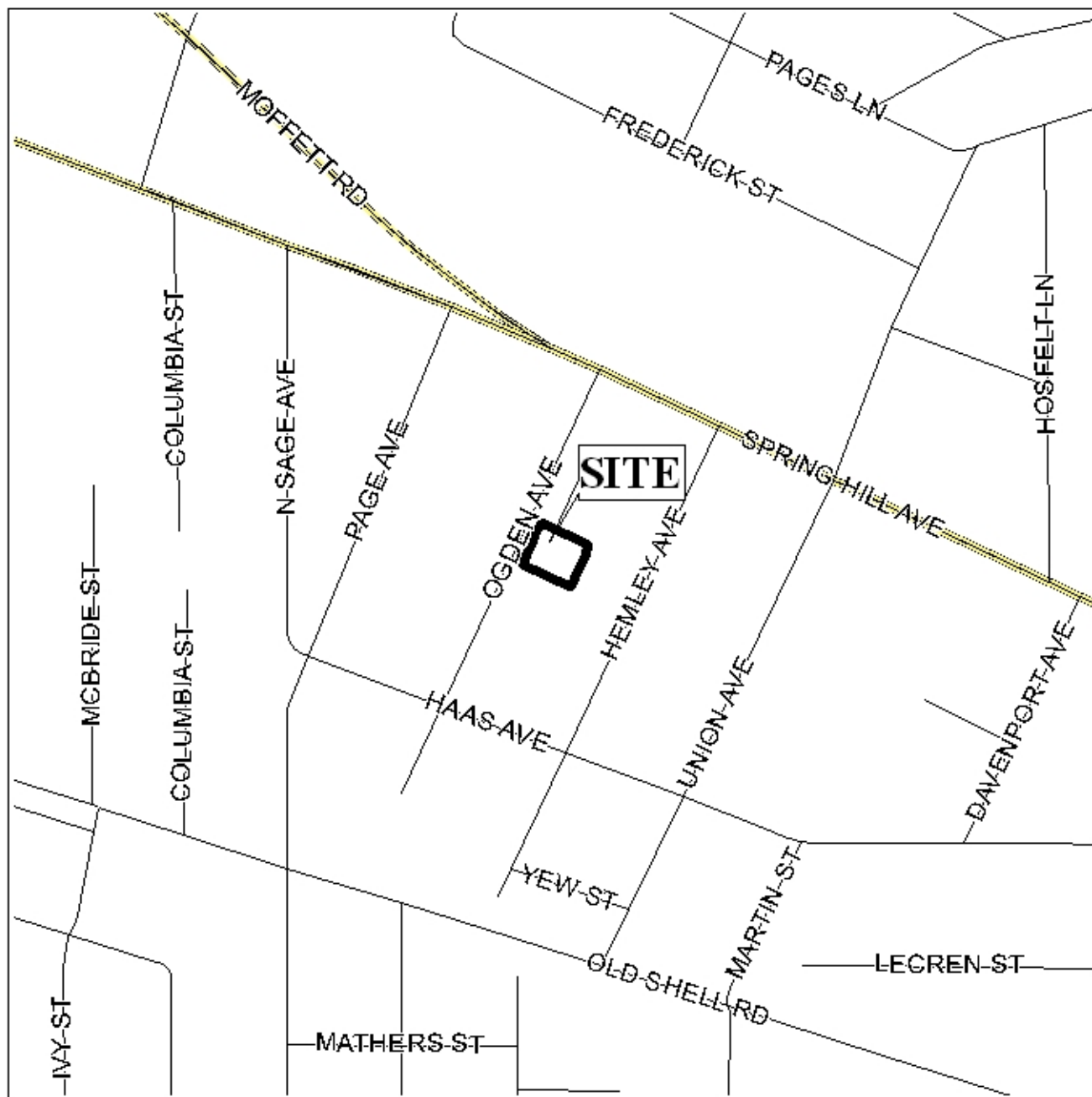
Variances are not intended to be granted frequently. The applicant must clearly show the Board that the request is due to very unusual characteristics of the property and that it satisfies the variance standards. What constitutes unnecessary hardship and substantial justice is a matter to be determined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

The applicant has demonstrated a hardship exists with respect to the required front yard setback. Since this application was submitted with site plans showing all aspects of the proposed vestibule and parking lot expansion suitable for Planning Commission review, approval of this application should be limited to one year with the applicant to submit the required Planning Commission applications within that time period.

**RECOMMENDATION 5450****Date: December 3, 2007**

Based on the preceding, this application is recommended for approval subject to the following condition: (1) the Variance is limited to one year with the applicant to submit the required Planning Commission applications within that time period.

## LOCATOR MAP



APPLICATION NUMBER 5450 DATE December 3, 2007

APPLICANT Crichton Church of God in Christ

REQUEST Front Yard Setback, Parking Surface and Maneuvering, Landscape Variance



NTS

# BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



The site is surrounded by miscellaneous land use

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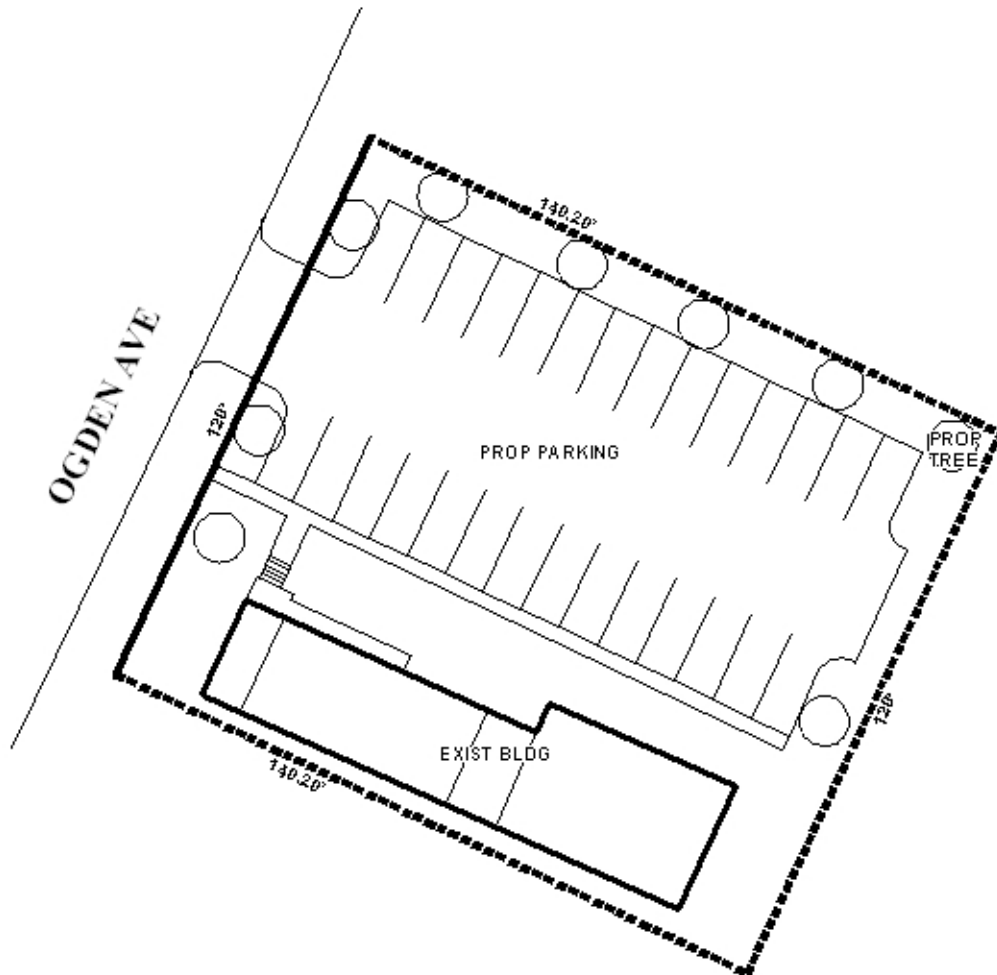
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LEGEND

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	NTS
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## SITE PLAN



The site plan illustrates the existing building, proposed landscaping, and proposed parking

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