

**BOARD OF ZONING ADJUSTMENT  
STAFF REPORT****Date: December 6, 2010****CASE NUMBER**

5649

**APPLICANT NAME**

Clarence J. Angelette

**LOCATION**1603 Oak Forest Court  
(In the Regency Oaks neighborhood off Grelot Road near  
University Boulevard.)**VARIANCE REQUEST****SETBACK:** Side Yard Setback Variance to allow an addition to be constructed within 6.75 feet of a side property line for a side yard sum of 16.5 feet in an R-1, Single Family Residential District.**ZONING ORDINANCE  
REQUIREMENT****SETBACK:** 8' minimum building setback from the side property line with a total of 20' in an R-1, Single-Family Residential District.**ZONING**

R-1, Single Family Residential

**AREA OF PROPERTY**

0.37 ± acres

**TRAFFIC ENGINEERING  
COMMENTS**

No Comments

**CITY COUNCIL  
DISTRICT**

District 6

**ANALYSIS**

The applicant is requesting a side yard setback variance to allow an addition to be constructed within 6.75 feet of a side property line for a combined side yard of 16.5 feet in an R-1, Single Family Residential District; the Zoning Ordinance requires a minimum side yard of eight (8) feet and a side yard sum of 20 feet in an R-1, Single-Family Residential District.

The applicant is proposing to build an addition to the existing master bathroom. The addition would be 7' X 19'. The side yard setback is currently nonconforming with 9'9" on either side of the structure for a total of 19'6", where the Zoning Ordinance requires a 20' total side yard.

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.

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.

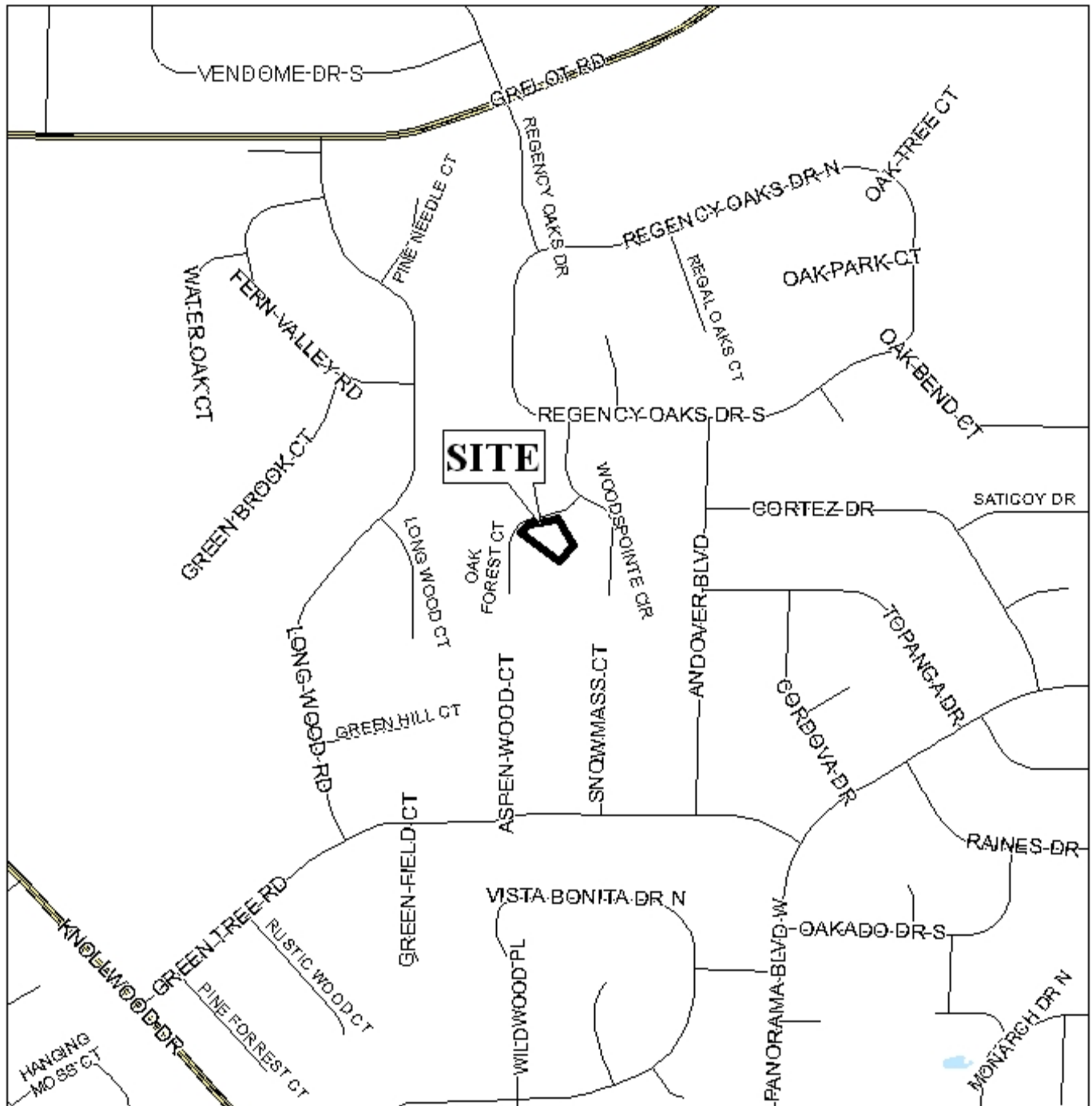
The applicant states that due to the existing nonconformity of the structure, and the existing internal layout of the ground floor of the house, there is no other place to put the proposed addition.

The expansion of an existing master bathroom facility requires access to water and sewer facilities, as well as proximity to the master bedroom. It would appear, therefore, that the addition as proposed is in the only feasible location on the site.

**RECOMMENDATION:** Based on the preceding, this application is recommended for Approval with the following condition:

- 1) Compliance with all municipal codes and ordinances.

# LOCATOR MAP



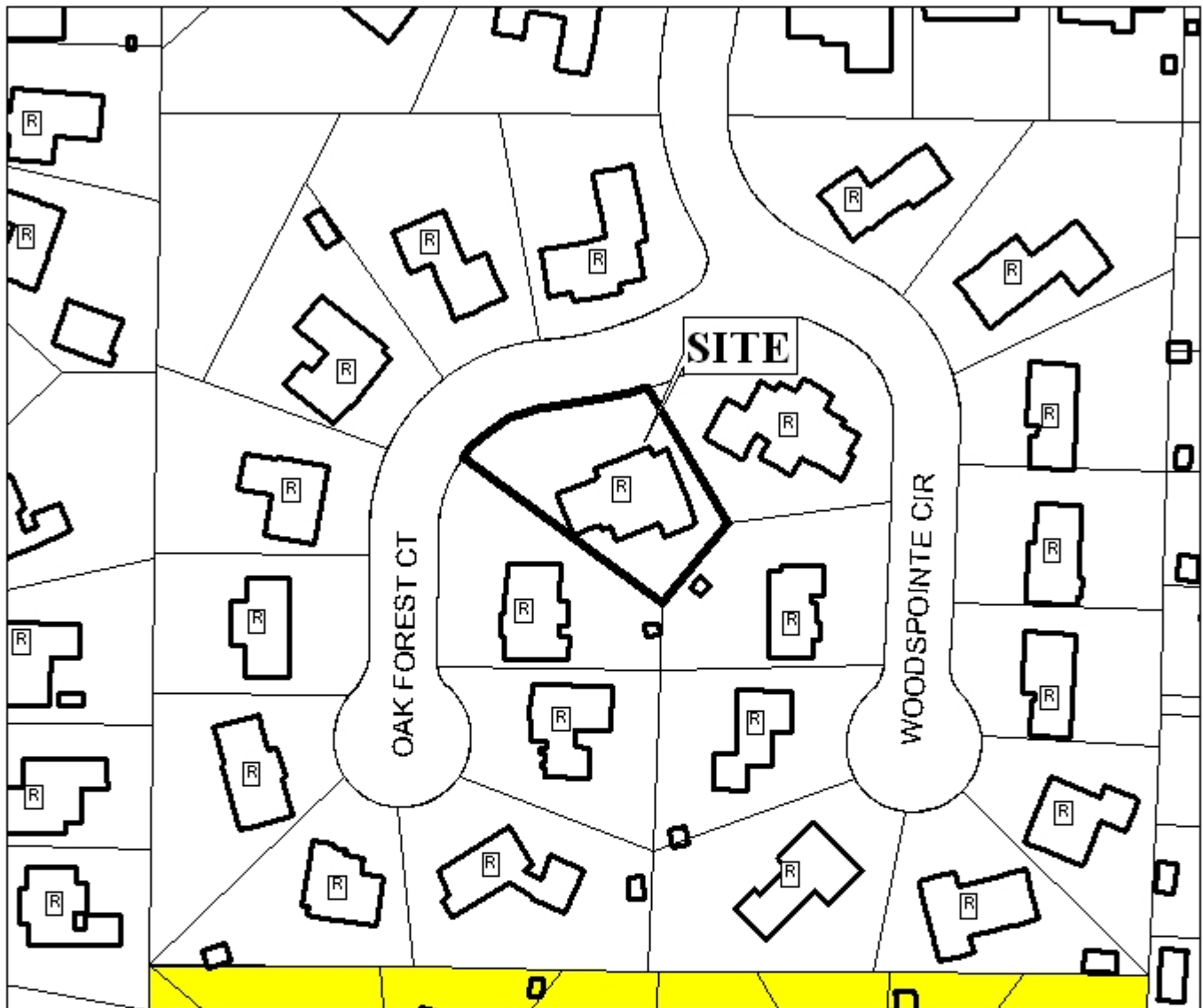
APPLICATION NUMBER 5649 DATE December 6, 2010

APPLICANT Clarence J. Angelette

REQUEST Side Yard Setback Variance



# BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING
















The site is surrounded by single family residential units.

APPLICATION NUMBER 5649 DATE December 6, 2010

APPLICANT Clarence J. Angelette

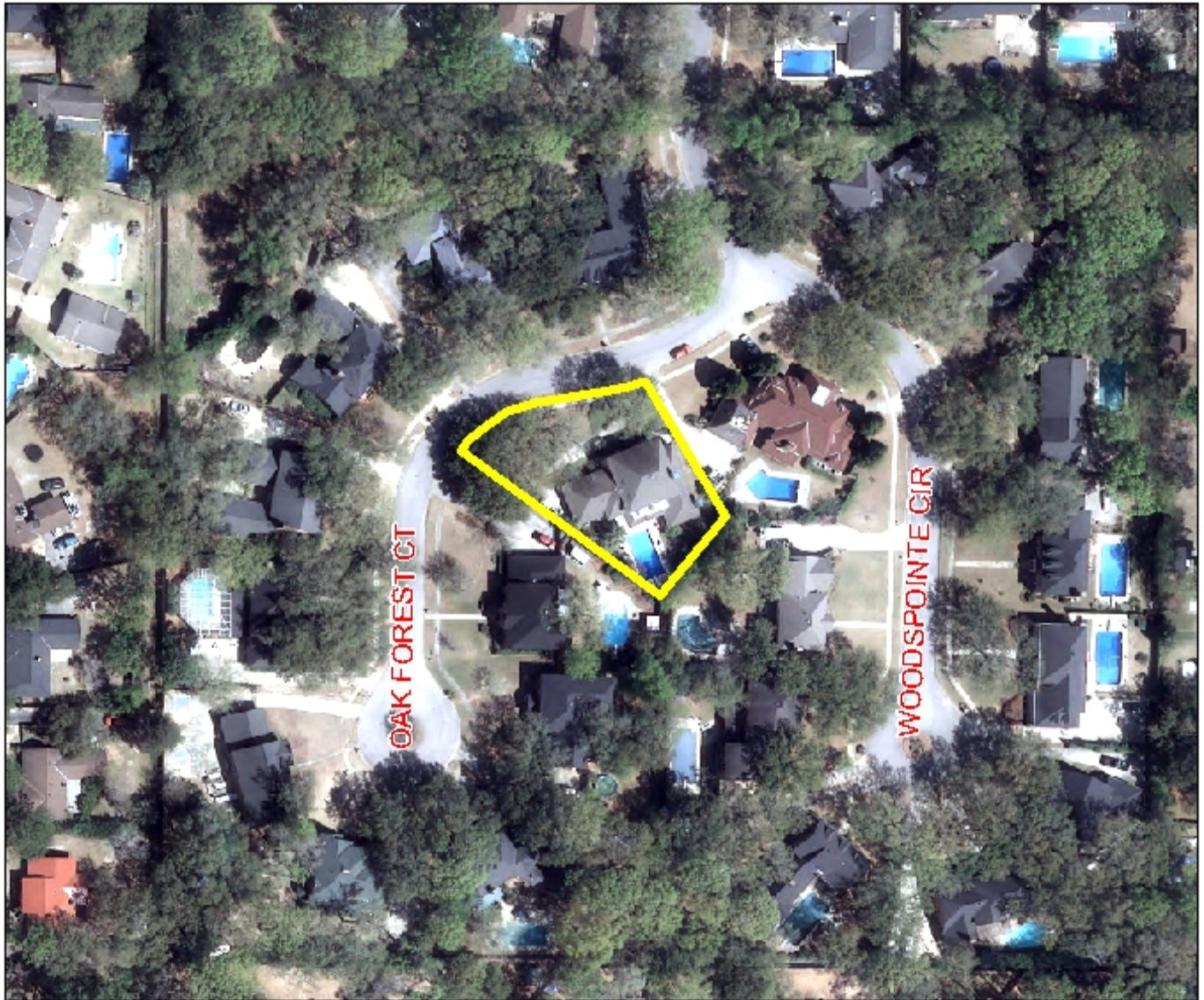
REQUEST Side Yard Setback Variance

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

# BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



The site is surrounded by single family residential units.

APPLICATION NUMBER 5649 DATE December 6, 2010

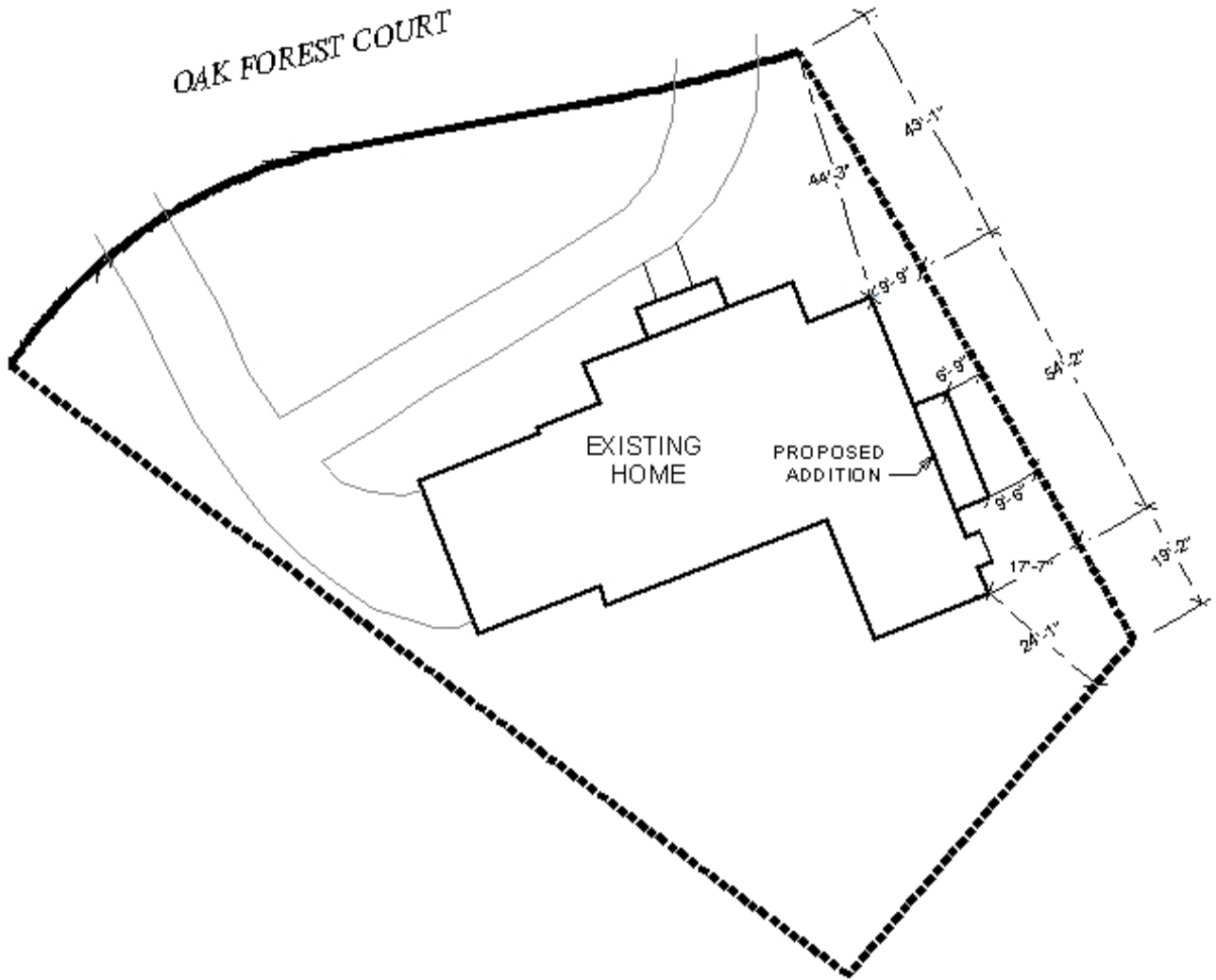
APPLICANT Clarence J. Angelette

REQUEST Side Yard Setback Variance



NTS

## SITE PLAN



The site plan illustrates the lot configuration, existing building, and proposed addition.

APPLICATION NUMBER 5649 DATE December 6, 2010

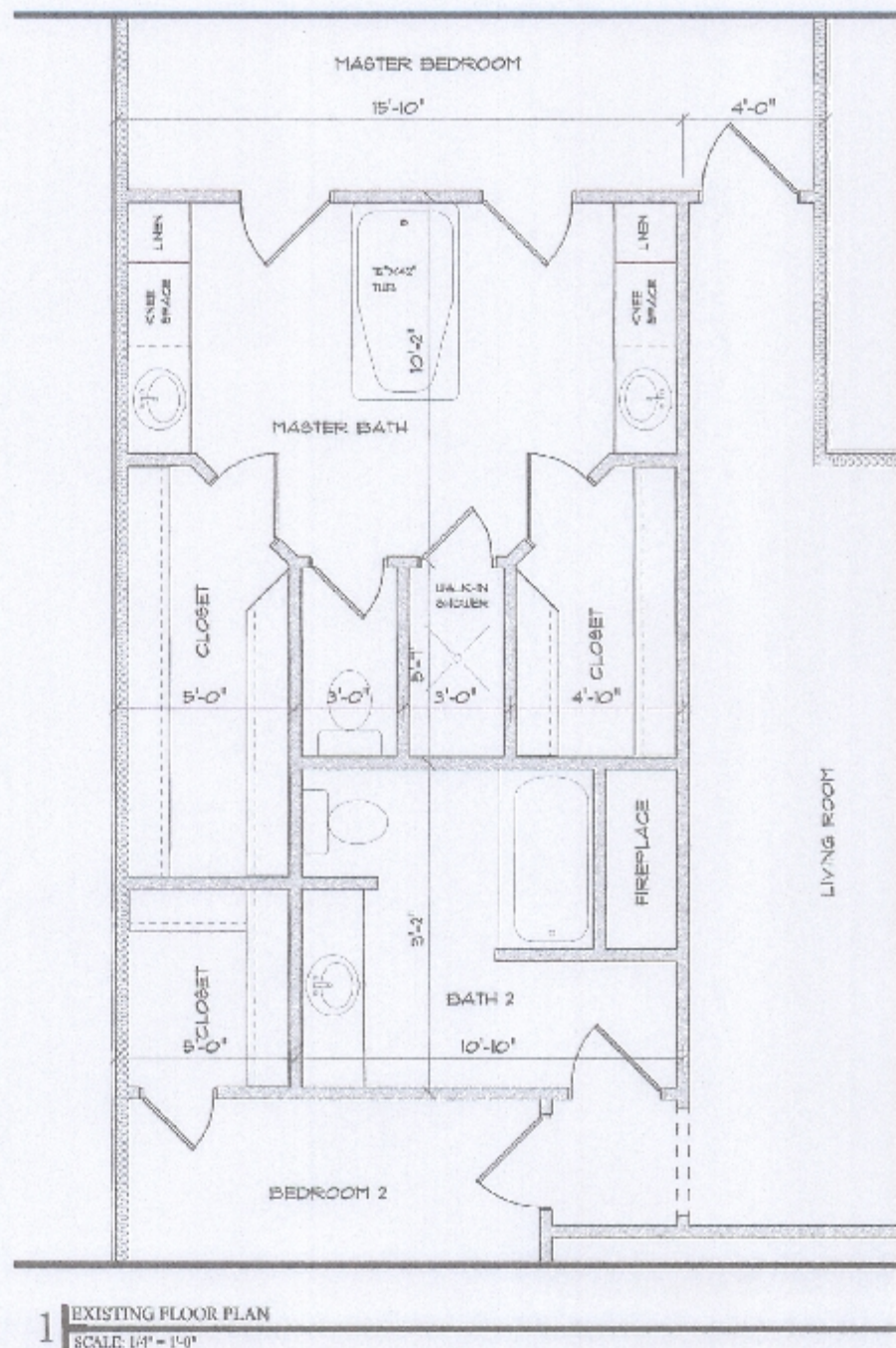
APPLICANT Clarence J. Angelette

REQUEST Side Yard Setback Variance





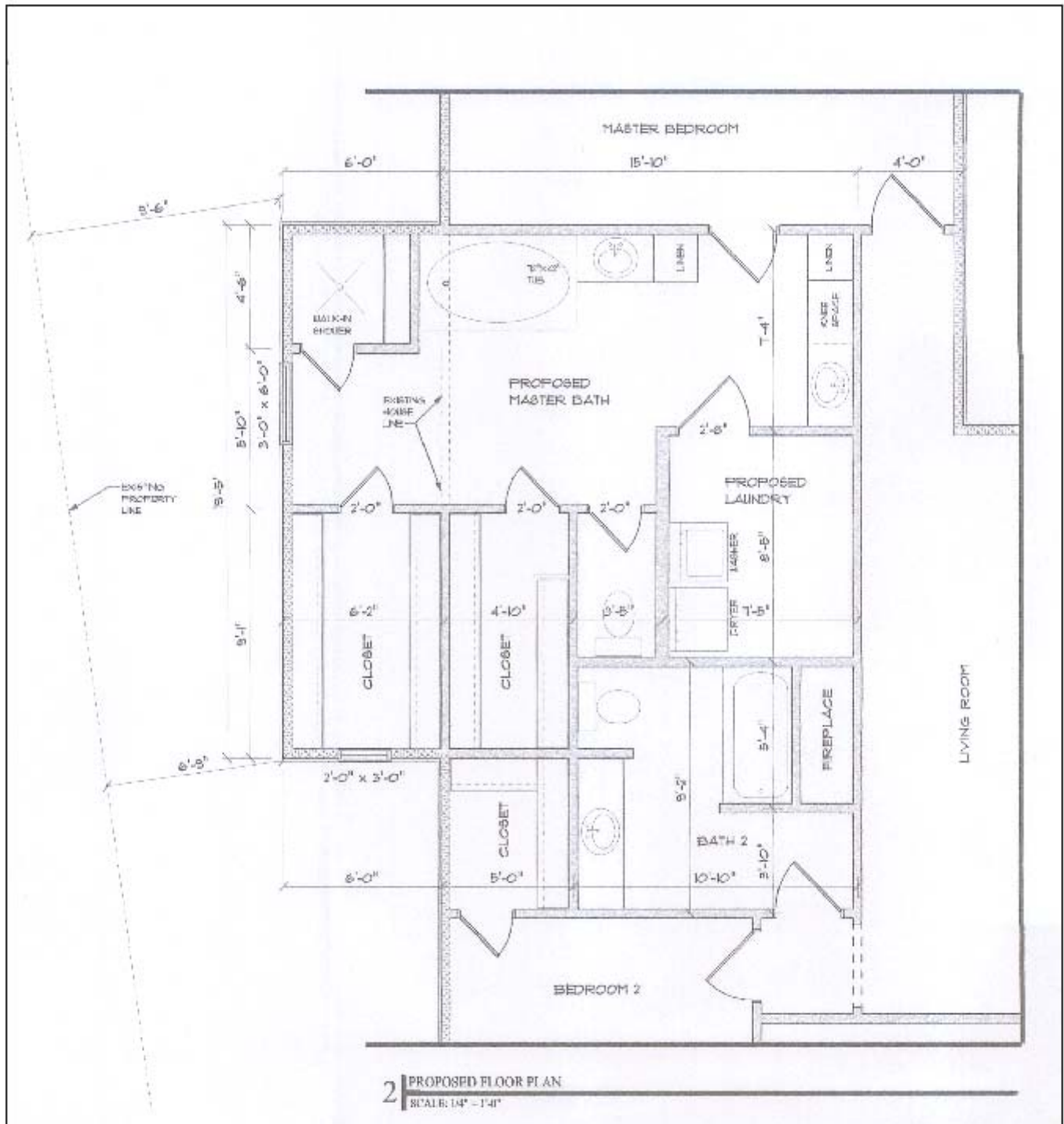
# EXISTING FLOOR PLAN DETAIL



APPLICATION NUMBER 5649 DATE December 6, 2010  
 APPLICANT Clarence J. Angelette  
 REQUEST Side Yard Setback Variance



# PROPOSED FLOOR PLAN DETAIL



APPLICATION NUMBER 5649 DATE December 6, 2010  
 APPLICANT Clarence J. Angelette  
 REQUEST Side Yard Setback Variance

N  
 NTS