

APPLICATION NUMBER

5246

A REQUEST FOR

**SIDE YARD SETBACK VARIANCE TO ALLOW THE
ADDITION OF AN 11.5' X 24.75' OPEN CARPORT TO BE
CONSTRUCTED 11' FROM A SIDE (SOUTH) STREET
PROPERTY LINE IN AN R-1, SINGLE-FAMILY
RESIDENTIAL DISTRICT**

LOCATED AT

701 SOUTH LAWRENCE STREET

(Northeast corner of South Lawrence Street and Delaware Court)

APPLICANT/OWNER

DELAWARE STREET MISSIONARY BAPTIST CHURCH

BOARD OF ZONING ADJUSTMENT

JULY 2004

The applicant is requesting a Side Yard Setback Variance to allow the addition of an 11.5' x 24.75' open carport to be constructed 11' from a side (South) street property line in an R-1, Single-Family Residential District; a 20-foot side yard setback is required along a side street in an R-1, Single-Family Residential District.

The applicant states the proposed addition will consist of an 18.5' x 24.75' open carport along Delaware Court that would be located over an existing concrete parking pad. The applicant further states that the carport addition is necessary to provide elderly parishioners a drop-off and pick-up point during bad weather.

In this particular instance, the applicant is requesting a canopy to protect parishioners as they enter and exit their vehicles. The location of the proposed canopy would allow adequate queuing for vehicles entering and exiting after church services.

In the past, the Board has been somewhat lenient and understanding in its consideration of variance requests for canopies over existing access areas. However, in considering those applications the Board also takes into consideration access to the site, location of the canopy and maneuvering within the site.

It should be noted that the canopy is located as close to the building as possible as not to obstruct the placement of the footings that are required for the canopy. These footings cannot be placed any closer to the existing building due to the location of the existing concrete parking pad.

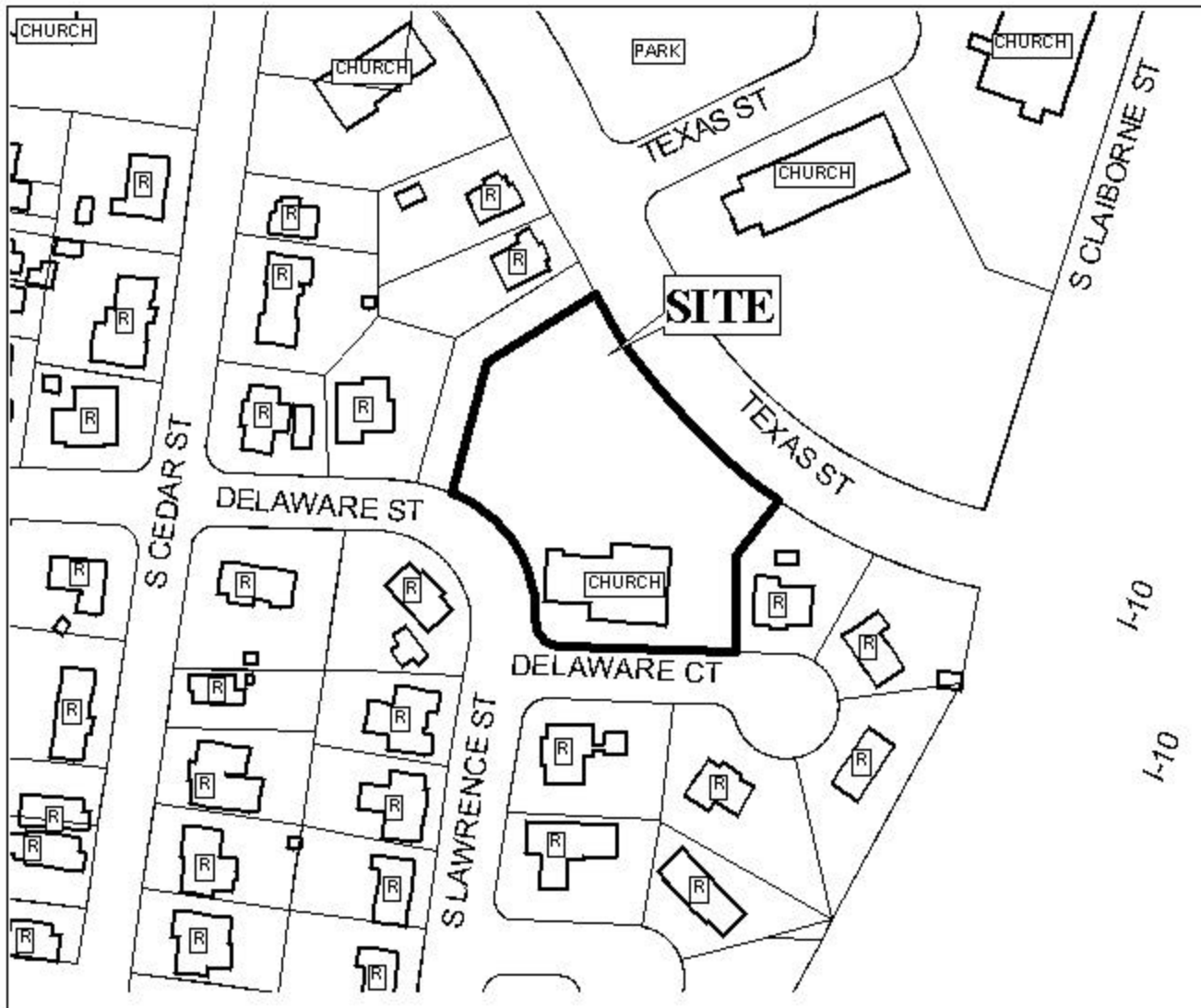
The Zoning Ordinance states that no variance shall be granted where economics are the basis for the application; and, unless the Board is presented with sufficient evidence to find that the variance will not be contrary to the public interest, and that special conditions exist such that a literal enforcement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

As illustrated on the site plan, the proposed addition of the canopy would have minimum negative impact and would be considered necessary, with the type of weather the area receives.

RECOMMENDATION 5246**Date: July 12, 2004**

Based upon the preceding, this application is recommended for approval.

BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



The site is located in a residential area with churches located to the North.

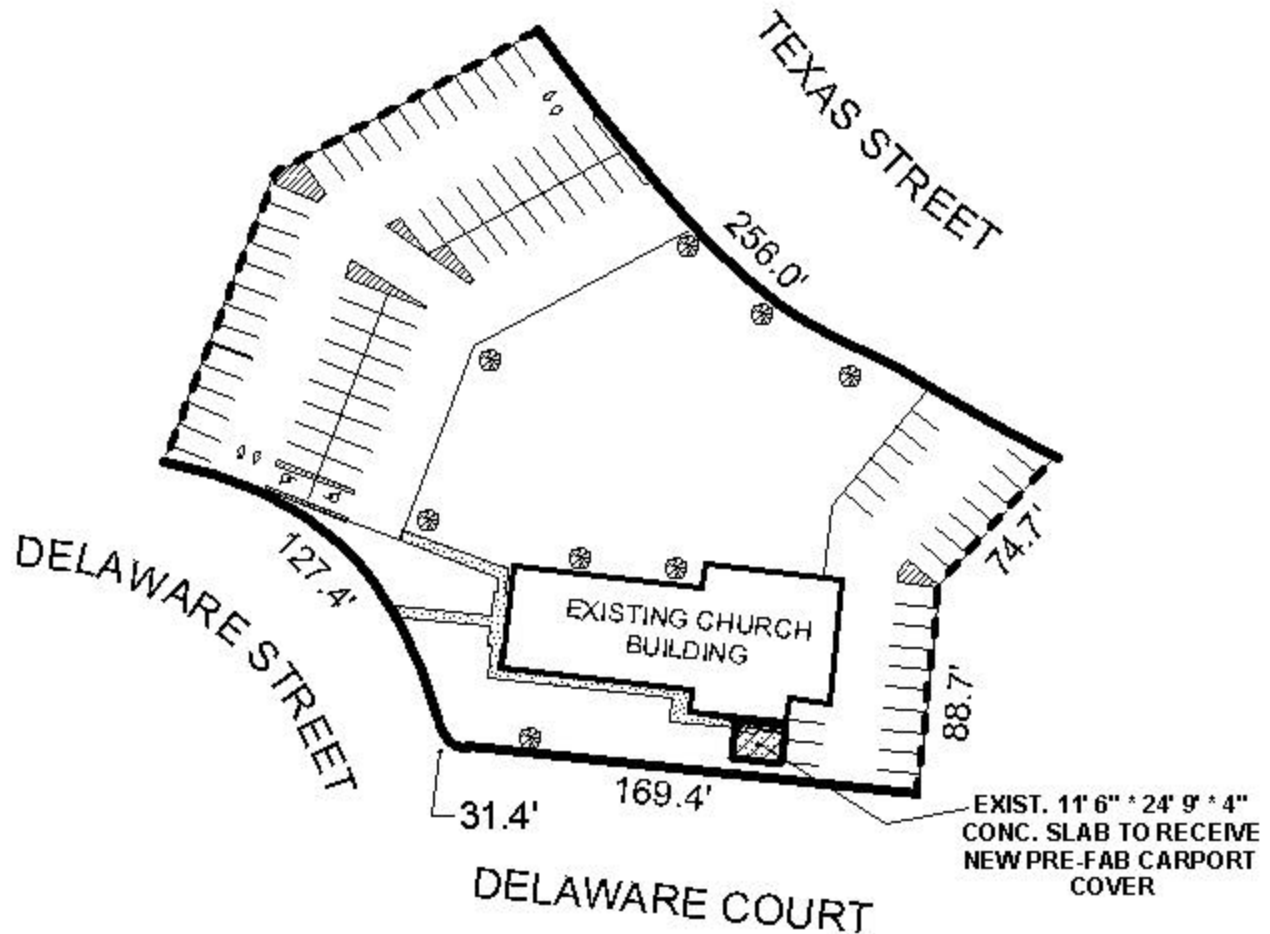
APPLICATION NUMBER 5246 DATE July 12, 2004
 APPLICANT Deleware Street Missionary Baptist Church
 REQUEST Use / Site

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 is located at the Northeast corner of South Lawrence Street and Delaware Court.
The plan illustrates the existing and proposed structures and parking.

APPLICATION NUMBER 5246 DATE July 12, 2004
APPLICANT Delaware Street Missionary Baptist Church
REQUEST Side Yard Setback Variance

