

APPLICATION NUMBER

5177

A REQUEST FOR

USE VARIANCE TO ALLOW A 40' X 50' (2,000 SQUARE FEET) ADDITION TO AN EXISTING WOMEN'S CLUB IN AN R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT; MEMBERSHIP CLUBS ARE ALLOWED IN R-B, RESIDENTIAL-BUSINESS AND B-1, BUFFER BUSINESS DISTRICTS WITH PLANNING APPROVAL AND BY RIGHT IN B-2, NEIGHBORHOOD BUSINESS DISTRICTS.

LOCATED AT

400 NORTH CATHERINE STREET

(East side of North Catherine Street, 120'± North of Delusser Street)

APPLICANT

**MAXINE RUFFIN, PRESIDENT
(THE MOBILE CITY FEDERATION OF WOMEN'S
CLUBS, INC.)**

BOARD OF ZONING ADJUSTMENT

MAY 2003

The applicant is requesting a Use Variance to allow a 40' x 50' (2,000 square feet) addition to an existing women's club in an R-1, Single-Family Residential District; membership clubs are allowed in R-B, Residential-Business and B-1, Buffer Business Districts with Planning Approval and by right in B-2, Neighborhood Business Districts.

The applicant states that the addition is needed to add more meeting space and provide handicap restrooms. In addition, the applicant states that the club is a legal non-conforming use.

A major concern of the staff's is that the applicant is illustrating only 20 parking spaces. With the proposed expansion, the site would require a total of 60 parking spaces. This would result in the applicant providing 1/3 of the minimum required parking spaces that is allowed for a meeting hall.

The applicant's site plan illustrates numerous large oak trees (24" and larger). The Urban Forestry Department conducted a site visit and determined that all of the large oak trees on the site are water oaks. The water oaks located within the area of the proposed addition are dying and are in need of removal.

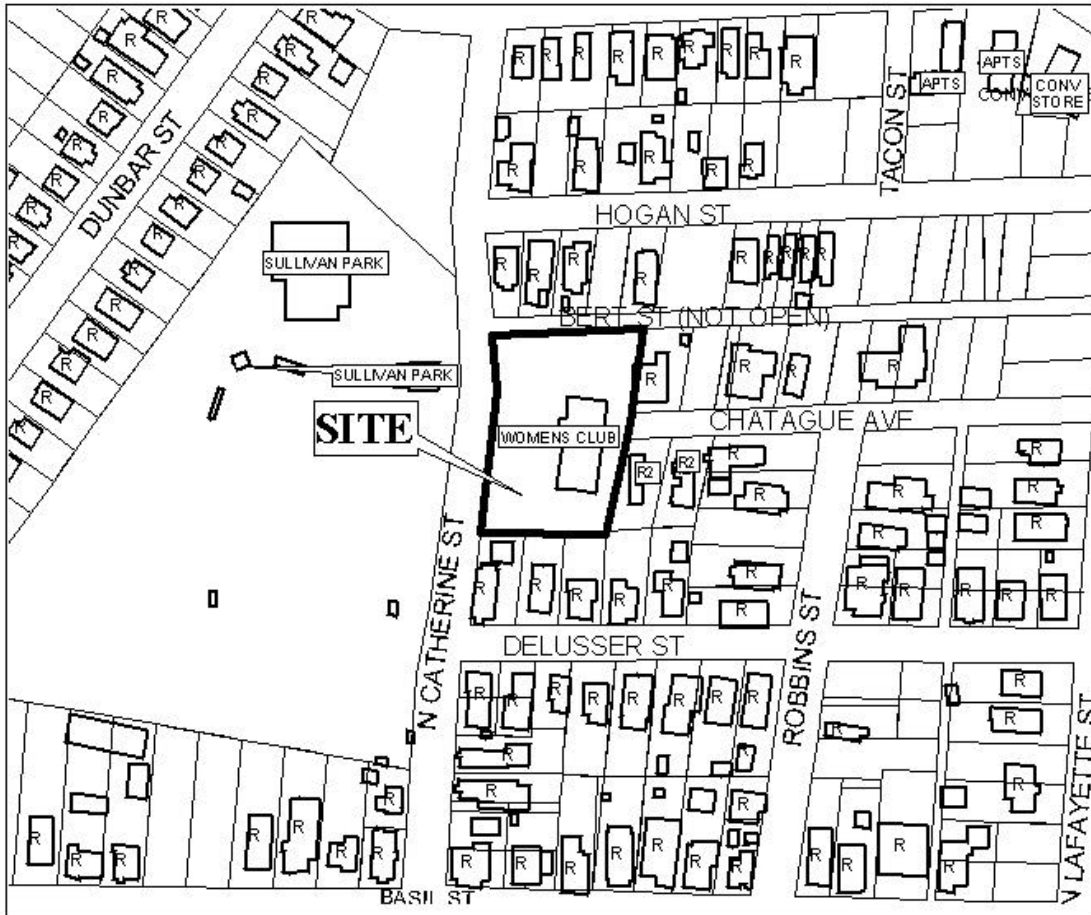
The Zoning Ordinance states that no variance shall be granted where economics are the basis for the application. Additionally, no variance shall be granted unless the Board is presented with sufficient evidence to find that the variance will not be contrary to the public interest, and that special conditions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

The applicant failed to illustrate that a literal enforcement of the Ordinance would result in an unnecessary hardship. It is simply the applicant's desire to build the addition and not provide the required parking.

RECOMMENDATION 5177**Date: May 5, 2003**

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

BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



The site is surrounded by single-family residential units.
Apartments are located to the north of the site. A park
is located to the west of the site.

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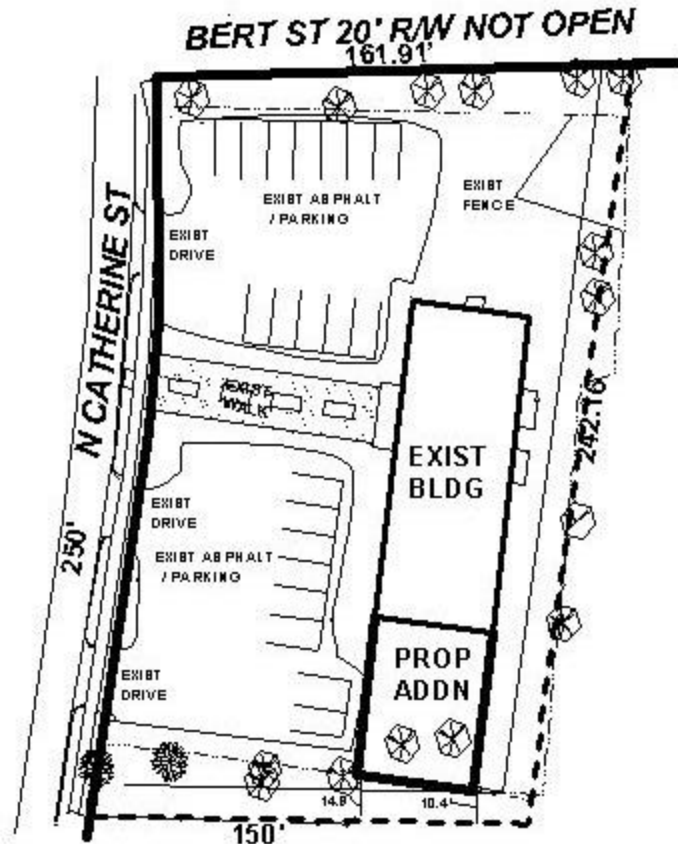
APPLICANT Maxine Ruffin, President (The Mobile City Federation of Women's Clubs, Inc.)

REQUEST Use Variance

LEGEND



SITE PLAN



East side of North Catherine Street, 120' North of Delusser Street, the site plan illustrates the existing buildings, parking, fencing, landscaping and proposed building addition

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APPLICANT Maxine Ruffin, President (The Mobile City Federation of Women's Clubs, Inc.)

USE/REQUEST Use Variance



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