

APPLICATION NUMBER

**5393**

A REQUEST FOR

**FRONT YARD SETBACK AND SITE COVERAGE  
VARIANCES TO ALLOW THE EXPANSION OF AN  
EXISTING SINGLE-FAMILY DWELLING WITHIN 7' OF  
THE FRONT PROPERTY LINE AND TO ALLOW 40%  
SITE COVERAGE; A 25' FRONT YARD SETBACK AND A  
MAXIMUM SITE COVERAGE OF 35% ARE ALLOWED  
IN AN R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT.**

LOCATED AT

**3755 SHEIPS LANE**

(South side of Sheips Lane, 535'± East of North McGregor Avenue)

APPLICANT/AGENT/OWNER

**ARLO INVESTMENTS, INC.**

**BOARD OF ZONING ADJUSTMENT**

JANUARY 2007

The applicant is requesting Front Yard Setback and Site Coverage Variances to allow the expansion of an existing single-family dwelling within 7' of the front property line and to allow 40% site coverage; a 25' front yard setback and a maximum site coverage of 35% are allowed in an R-1, Single-Family Residential District.

Most of the existing single-family dwelling on the subject site is proposed to be removed by the applicant and replaced with a new, larger single-family dwelling. The existing garage extends toward Sheips Lane to within 7' of the front property line. It is proposed that the garage portion will remain and be expanded 4' to the East maintaining the 7' setback from the front property line. The new living area portion of the dwelling will be attached to the South of the garage, as is the existing, but will be larger than the existing giving a total site coverage of 40%. The applicant has stated that the increased site coverage is needed in order to build a single-family home appropriate for the neighborhood. Other than the front yard setback, all other property line setbacks are proposed to be met, and the living area portion of the dwelling would exceed the required front yard setback.

The subject property was apparently created via a metes and bounds parceling of properties prior to the adoption of the Subdivision regulations and the Zoning Ordinance. It is a substandard size (4,380 square feet vs. the required 7,200 square feet), and the total proposed ground floor area is 1,734 square feet.

Although not in a historic district, a large portion of the neighborhood predates zoning in the City of Mobile. The proposed 4' extension of the garage, maintaining the existing 7' setback off the front property line, would be in keeping with the existing character of the property and neighborhood, as other older structures encroach into the required front yard setback. With regard to site coverage, most residences within the immediate neighborhood of the subject property do not appear to exceed the 35% maximum allowable, but again, increased site coverage would be in keeping with that of the older areas of Spring Hill.

In the past, the Board has been mindful of the unique character of older neighborhoods when considering similar site variance applications. Furthermore, the Board has been sympathetic in granting variances in urban areas of the city, especially when the addition is "in-line" with the existing structure.

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.

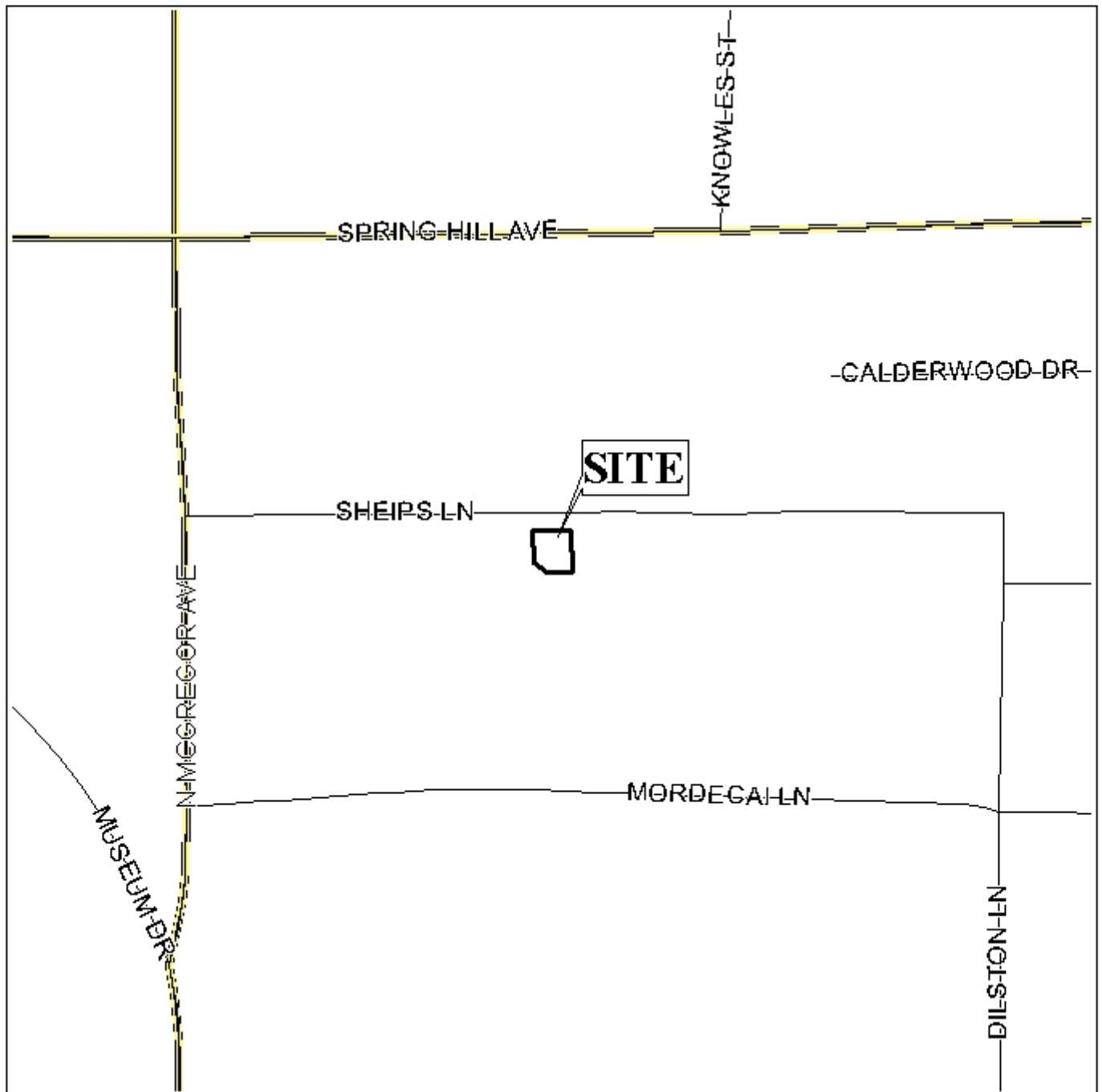
Variances are not intended to be granted frequently. The applicant must clearly show the Board that the request is due to very unusual characteristics of the property and that it satisfies the variance standards. What constitutes unnecessary hardship and substantial justice is a matter to be determined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

The proposed garage extension maintaining the current front yard setback, and the increased site coverage to 40%, would be in keeping with the aesthetic quality of the property and neighborhood.

**RECOMMENDATION 5393****Date: January 8, 2007**

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

# LOCATOR MAP

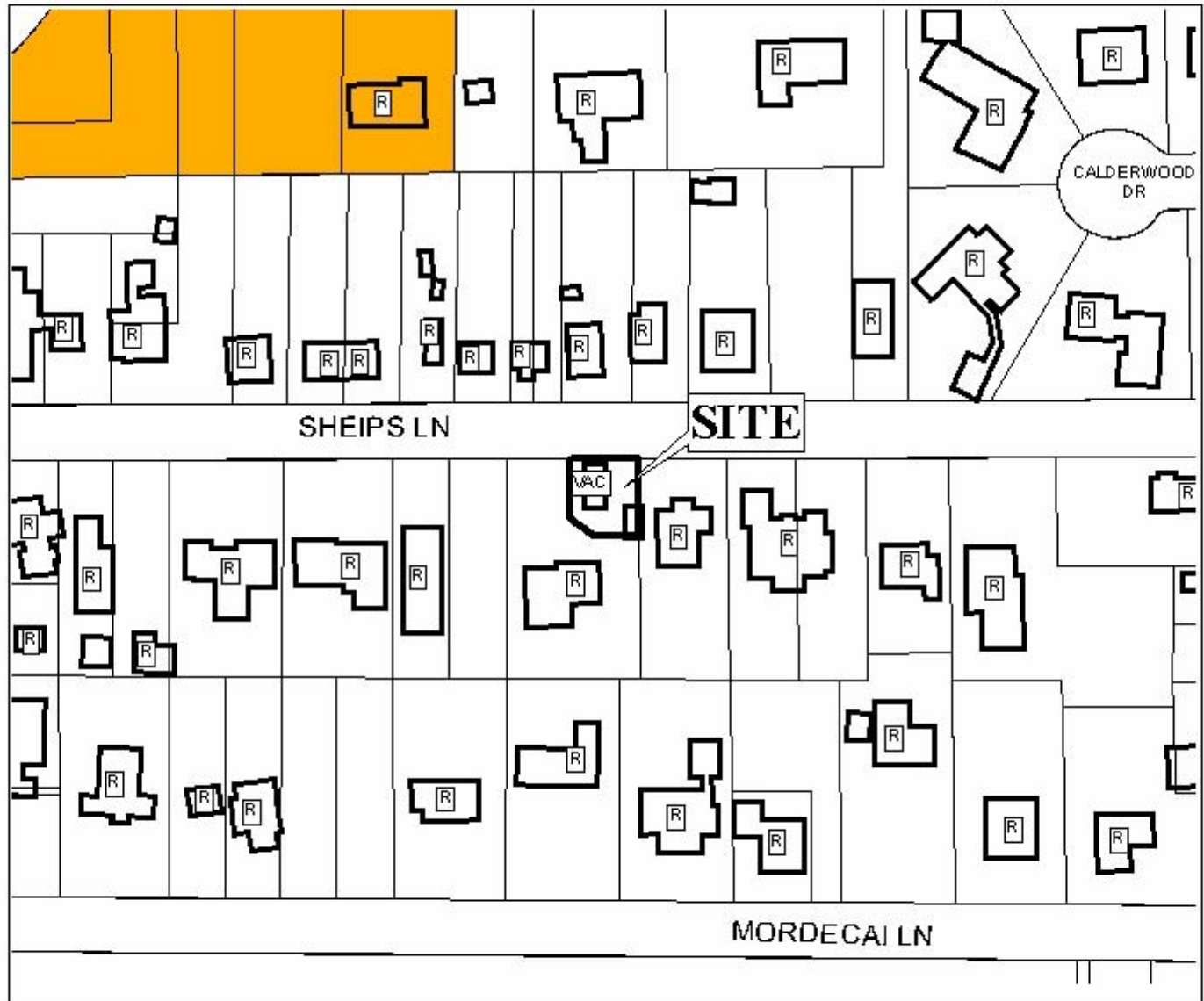


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REQUEST Front Yard Setback, Site Coverage Variance



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# BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



The site is surrounded by single-family residential units

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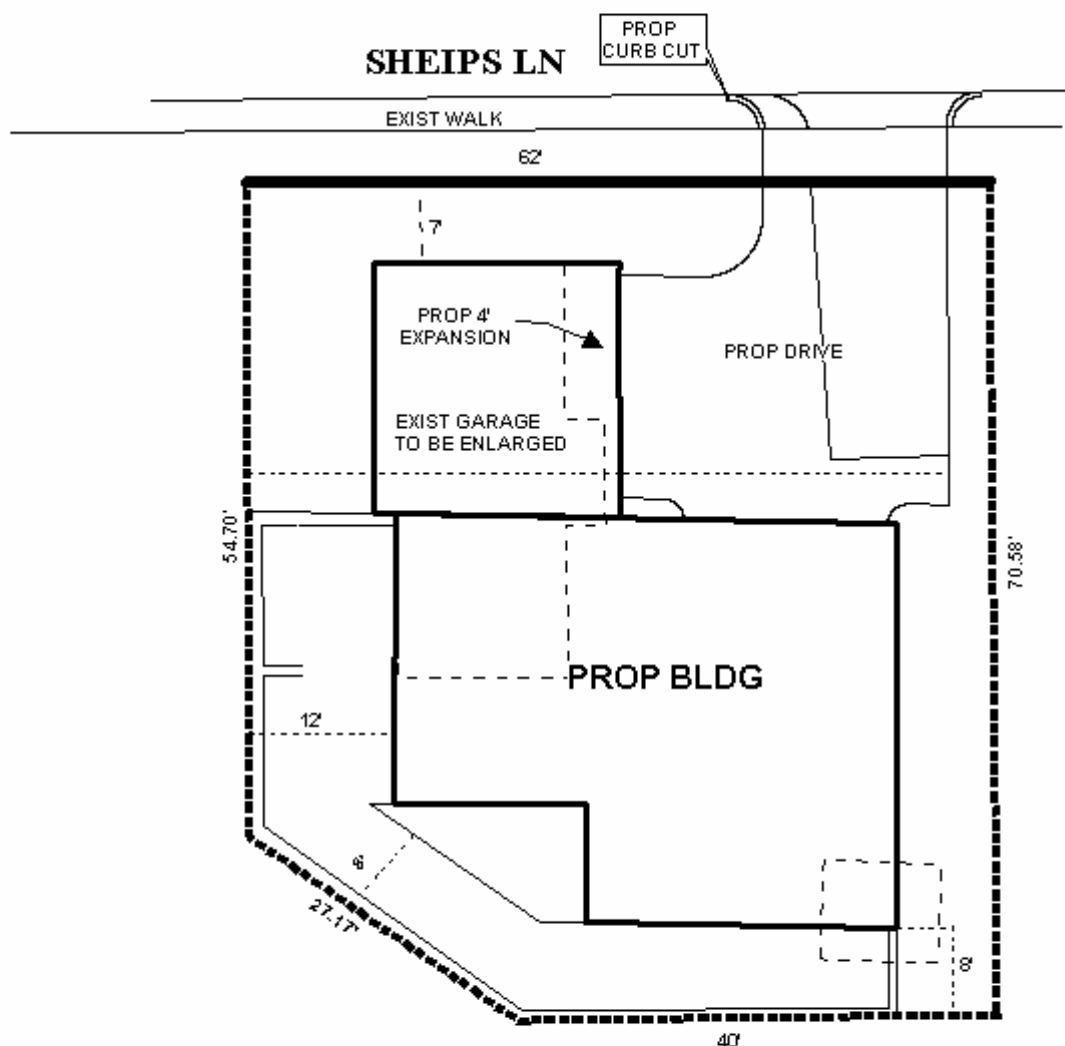
LEGEND

<span style="display: inline-block; width: 15px; height: 15px; border: 1px solid black; background-color: white;"></span> R-1	<span style="display: inline-block; width: 15px; height: 15px; background-color: yellow;"></span> R-2	<span style="display: inline-block; width: 15px; height: 15px; background-color: green;"></span> R-3	<span style="display: inline-block; width: 15px; height: 15px; background-color: cyan;"></span> R-A	<span style="display: inline-block; width: 15px; height: 15px; background-color: orange;"></span> R-B	<span style="display: inline-block; width: 15px; height: 15px; background-color: pink;"></span> H-B	<span style="display: inline-block; width: 15px; height: 15px; background-color: blue;"></span> B-1	<span style="display: inline-block; width: 15px; height: 15px; background-color: purple;"></span> LB-2	<span style="display: inline-block; width: 15px; height: 15px; background-color: gold;"></span> B-2	<span style="display: inline-block; width: 15px; height: 15px; background-color: red;"></span> B-3	<span style="display: inline-block; width: 15px; height: 15px; background-color: brown;"></span> B-4	<span style="display: inline-block; width: 15px; height: 15px; background-color: darkblue;"></span> B-5	<span style="display: inline-block; width: 15px; height: 15px; background-color: lightblue;"></span> I-1	<span style="display: inline-block; width: 15px; height: 15px; background-color: gray;"></span> I-2
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# SITE PLAN



The site plan illustrates the proposed building, drive, and setbacks

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