

APPLICATION NUMBER

**5090**

A REQUEST FOR

**USE VARIANCES TO ALLOW MULTIPLE DWELLINGS  
IN AN R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT,  
AND TO ALLOW A ONE DWELLING TO BE A MOBILE  
HOME; MOBILE HOMES ARE ALLOWED WITH  
PLANNING APPROVAL IN R-1, SINGLE-FAMILY  
RESIDENTIAL DISTRICTS.**

LOCATED AT

**2643 BEAR FORK ROAD**

(West side of Myers Road [private street], 1300'+ South of Bear Fork Road)

APPLICANT

**SHARON D. TOWNSEND**

**BOARD OF ZONING ADJUSTMENT**

JANUARY 2002

The applicant is requesting Use Variances to allow multiple dwellings in an R-1, Single-Family Residential District, and to allow one dwelling to be a Mobile Home; Mobile Homes are allowed with Planning Approval in R-1, Single-Family Residential Districts.

The applicant states that they did not know that the Zoning Ordinance did not allow a mobile home, and that two houses on a single lot were prohibited in R-1, Single-Family Residential districts. When the applicant asked the movers if they needed a permit, the mover stated that a permit was not needed to move a mobile home in the city limits. In addition, the applicant states that the mobile home would only be used on a temporary basis, for approximately 3-5 years until such time a house could be built. The applicant also states the most of the neighbors live in manufactured houses except for two people.

The Zoning Ordinance allows mobile homes in R-1, Single-Family Residential Districts with Planning Approval but two dwellings one lot is prohibited. However the site already has an existing house on site in addition to the mobile home, therefore the submission of this application. The second dwelling on the same lot would also be violation of the Subdivision Regulations.

The applicant states that the mobile home would be used for temporary basis until such time a house is constructed. At that time a subdivision application would be required. By a preliminary review, this subdivision would be recommended for denial because the parcel does not have frontage on a public right-of-way. It does have access through an easement; however, easements are not recognized as public right-of-ways.

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.

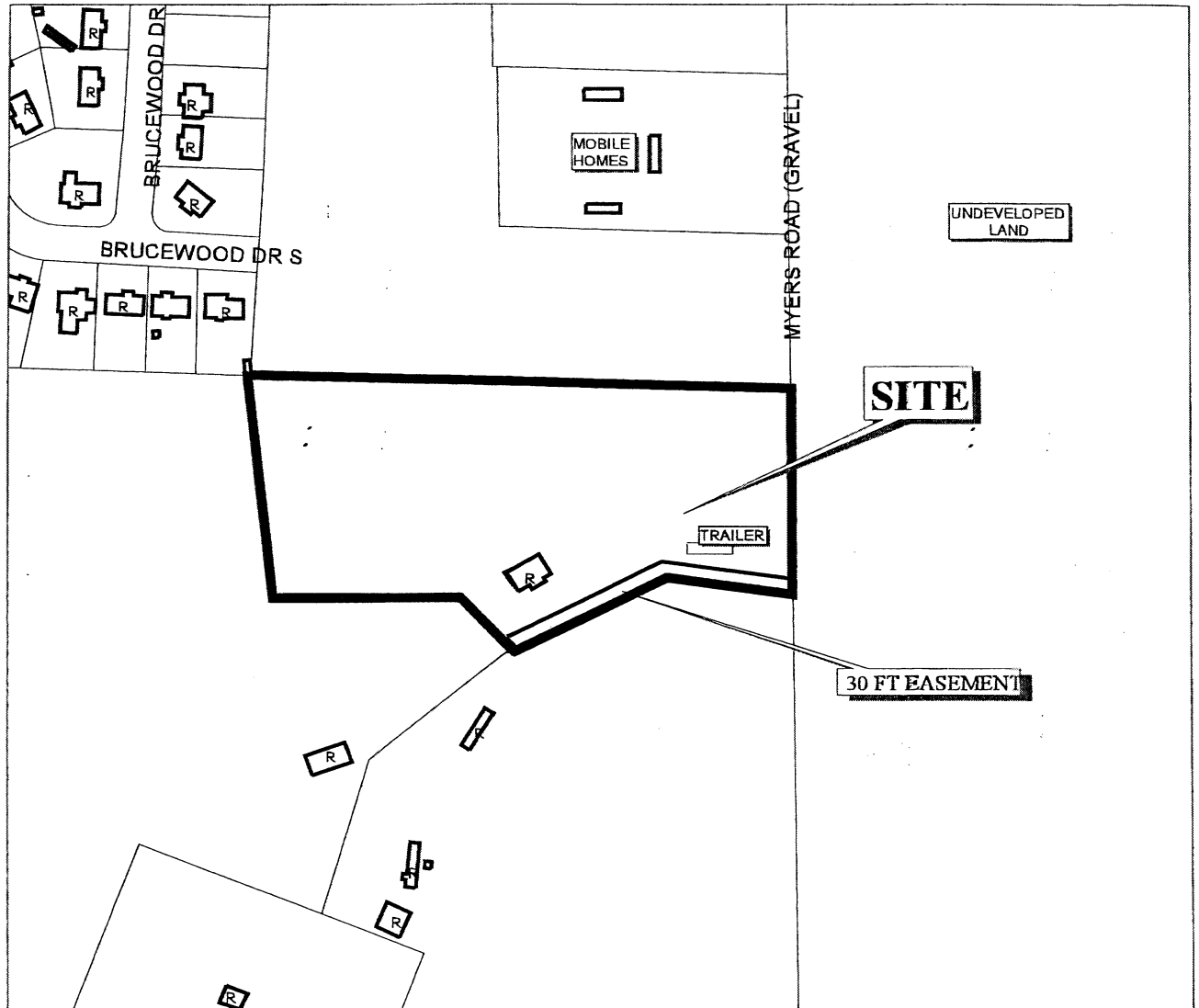
**RECOMMENDATION 5090**

**Date: January 7, 2002**

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

# BOARD OF ZONING ADJUSTMENT VICINITY MAP - EXISTING ZONING



Located to the north, south, and west are various private parcels with residential dwellings. A subdivision is bordered on the northwest corner of the site. Located to the east of the site is a parcel of undeveloped land.

APPLICATION NUMBER 5090 DATE January 7, 2002  
 APPLICANT Sharon D. Townsend  
 REQUEST Use Variance

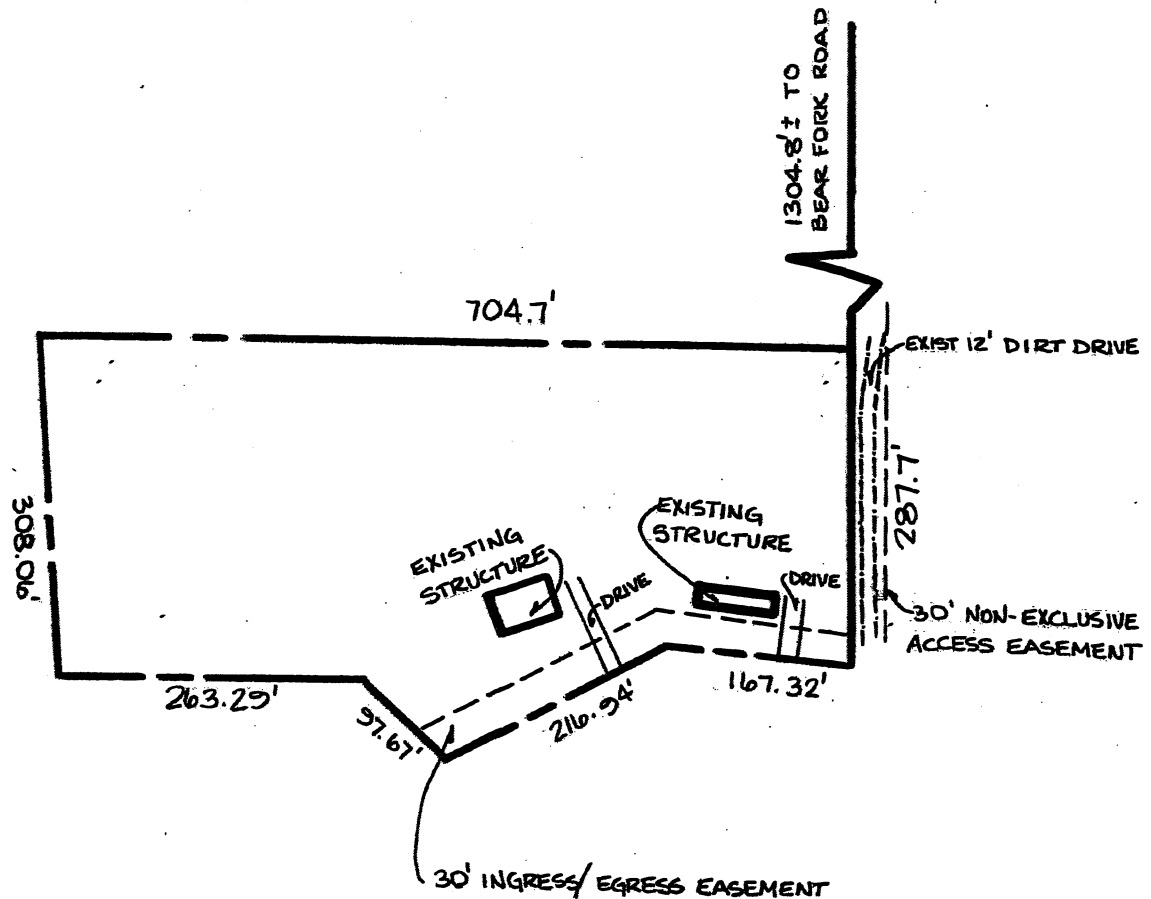
LEGEND

R-1	R-2	R-3	R-B	H-B	B-1	B-2	B-3	B-4	B-5	I-1	I-2



NTS

## SITE PLAN



The site is located on the West Side of Myers Road (private street), 1300' South of Bear Fork Road. The plan illustrates the existing structures, drives, and easements.

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USE/REQUEST Use Variances

