

APPLICATION NUMBER

5099/4945

A REQUEST FOR

**SIDE YARD AND SITE COVERAGE VARIANCES TO
ALLOW THE CONSTRUCTION OF A GARAGE
ADDITION TO WITHIN 5' OF A SIDE STREET
PROPERTY LINE; A MINIMUM SIDE YARD SETBACK
OF 20' IS REQUIRED ON A CORNER LOT WHEN THE
LOT TO THE REAR FRONTS THE SIDE STREET; AND
TO ALLOW SITE COVERAGE TO EXCEED 35% IN AN R-
1, SINGLE-FAMILY RESIDENTIAL DISTRICT.**

LOCATED AT

201 TUTHILL LANE

(Northeast corner of Tuthill Lane and The Cedars)

APPLICANT

MR. & MRS. KELLY GRADY

BOARD OF ZONING ADJUSTMENT

MARCH/2002

The applicant is requesting Side Yard Setback and Site Coverage Variances to allow the construction of a garage addition to within 5' of a side street property line; a minimum side yard setback of 20' is required on a corner lot when the lot to the rear fronts the side street; and to allow site coverage to exceed 35% in an R-1 District.

The previous variance expired January 10, 2001, hence this application.

The existing residence was constructed 104 years ago with a 15' setback from the side street property line. The site is located on the corner of Tuthill Lane and The Cedars.

The applicant states the 1,472 square foot garage addition will be used for storage that is currently not provided on the premises.

The applicant states that the smallness of the historical lots in the Springhill area and the fact that the residence is on a corner lot have combined to create a lot inadequate for modern needs.

On the issue of site coverage being over 35%, the applicant states that the existing shed will be removed before construction. The applicant would exceed the maximum site coverage by approximately 60 square feet.

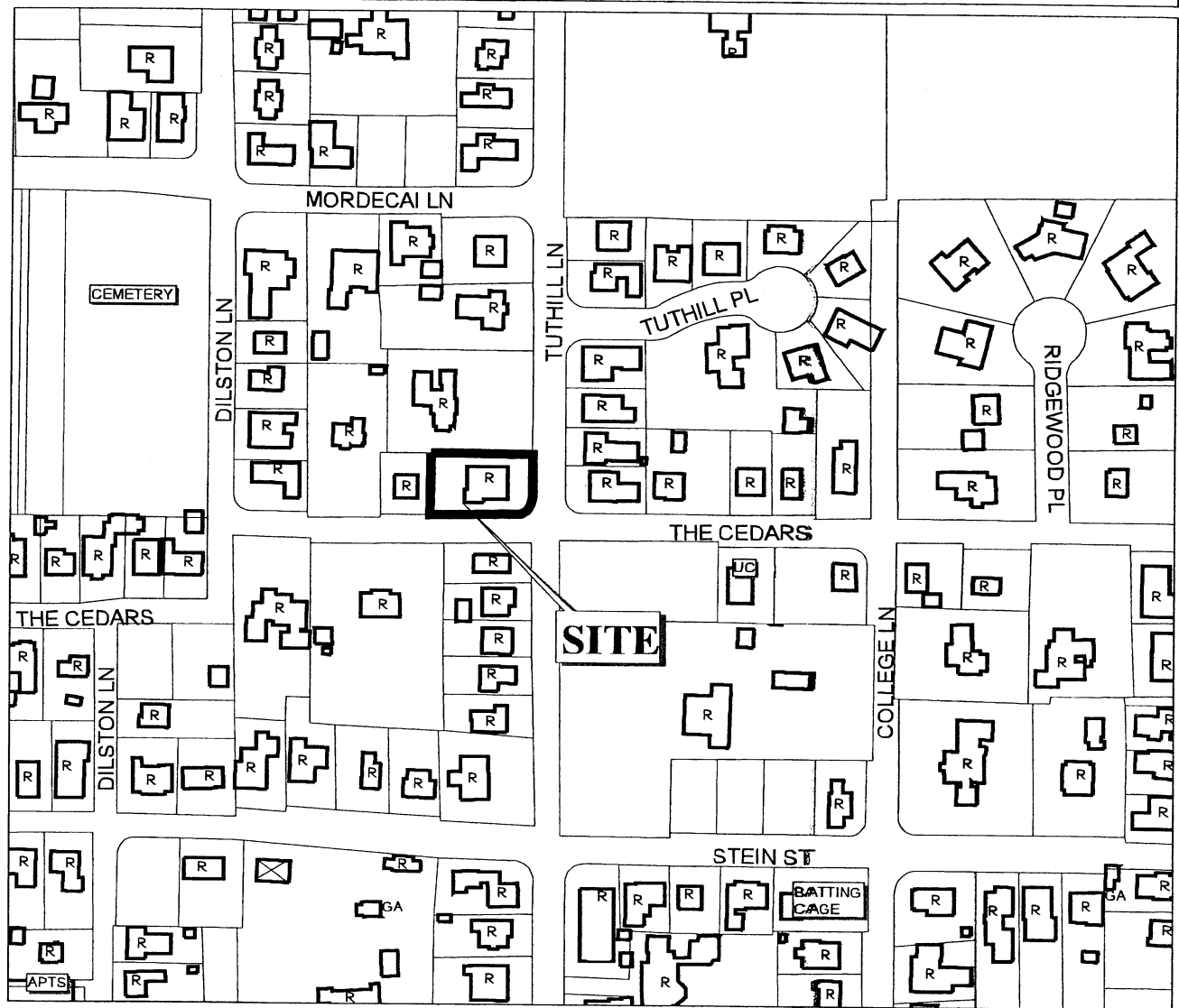
According to the site plan submitted, the existing fence is 7' within the right-of-way. At this time, the applicant is pursuing this situation by applying to the City Council to allow the fence to remain.

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 5099/4945**Date: March 4, 2002**

Based upon the preceding, this application is recommended for approval subject to the following conditions: 1) the moving of the existing privacy fence to within the property line should the City Council deny a request to allow it to remain in the right-of-way; and 2) that no permits be issued until fence is either moved within the property line or City Council grants approval of the fence in the right-of-way.

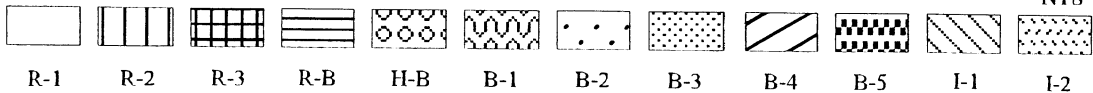
BOARD OF ZONING ADJUSTMENT VICINITY MAP - EXISTING ZONING



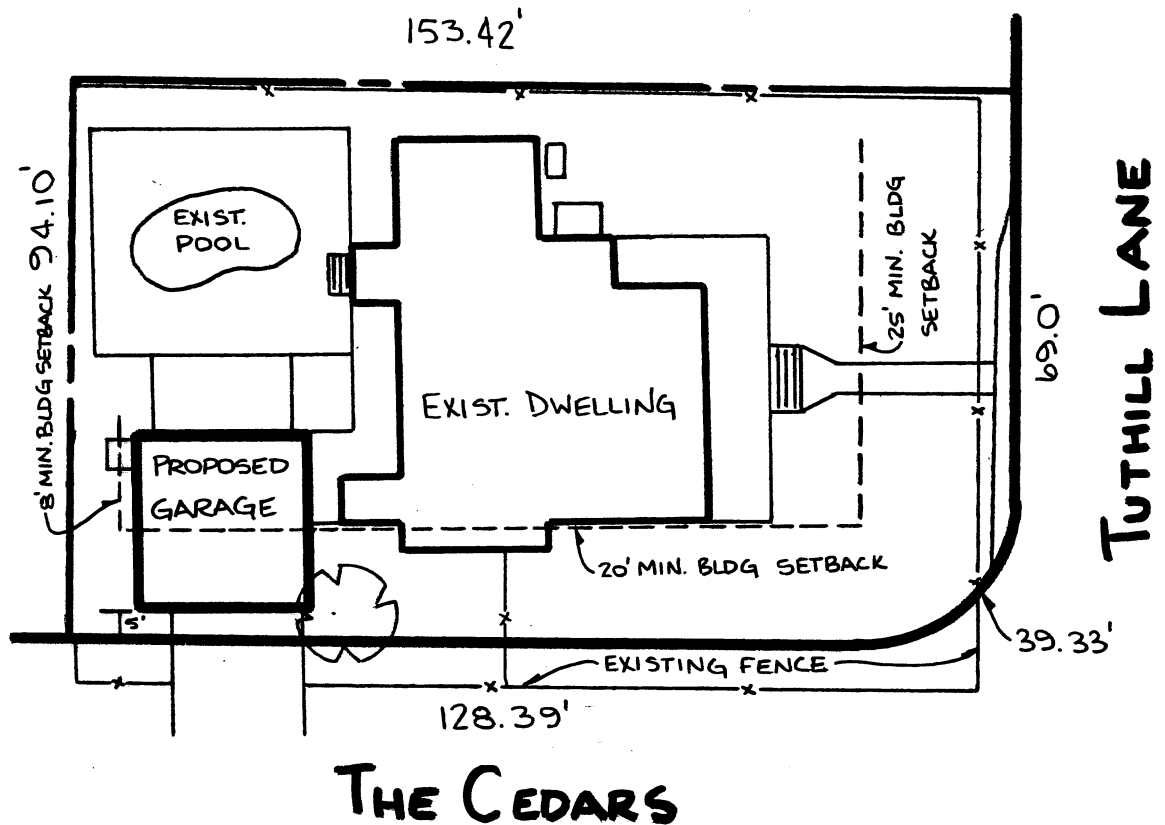
The site is surrounded by single family residential dwellings.

APPLICATION NUMBER 5099/4945 DATE March 4, 2002
 APPLICANT Mr. and Mrs. Kelly Grady
 REQUEST Side Yard Setback and Site Coverage Variances

LEGEND



SITE PLAN



The site is located on the Northeast corner of Tuthill Lane and The Cedars.
The plan illustrates the existing structure, pool, and proposed structure.

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 USE/REQUEST Side Yard Setback and Site Coverage Variances



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