

APPLICATION NUMBER

**5207**

A REQUEST FOR

**FRONT YARD SETBACK VARIANCE TO ALLOW A NEW DWELLING UNIT TO BE CONSTRUCTED 9' FROM THE FRONT (EAST) PROPERTY LINE IN AN R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT; A MINIMUM FRONT YARD SETBACK OF 25' IS REQUIRED IN AN R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT**

LOCATED AT

**258 MARINE STREET**

(West side of Marine Street, 125'± North of Augusta Street)

APPLICANT/OWNER

**OAKLEIGH VENTURE REVOLVING FUND**

AGENT

**DOUGLAS B. KEARLEY**

**BOARD OF ZONING ADJUSTMENT**

NOVEMBER 2003

The applicant is requesting a Front Yard Setback Variance to allow a new dwelling unit to be constructed 9' from the front (East) property line in an R-1, Single-Family Residential District; a minimum front yard setback of 25' is required in an R-1, Single-Family Residential District.

The applicant states the Oakleigh Venture Revolving Fund intends to build a 1,484 square foot single-family residence on a vacant lot. The applicant also states that the reduced front yard setback will correspond to the setbacks of the surrounding dwellings and will help the new dwelling fit in with the Oakleigh Garden Historic District neighborhood.

The residential construction as proposed would further strengthen the existing residential character of the neighborhood. Furthermore, the Board has been mindful of the unique character of older areas, especially historic districts, when considering site variance applications. Moreover, the Board has been sympathetic in granting variances in older urban areas and the historic districts of the city, especially when the construction was compatible with the existing structures in the immediate vicinity.

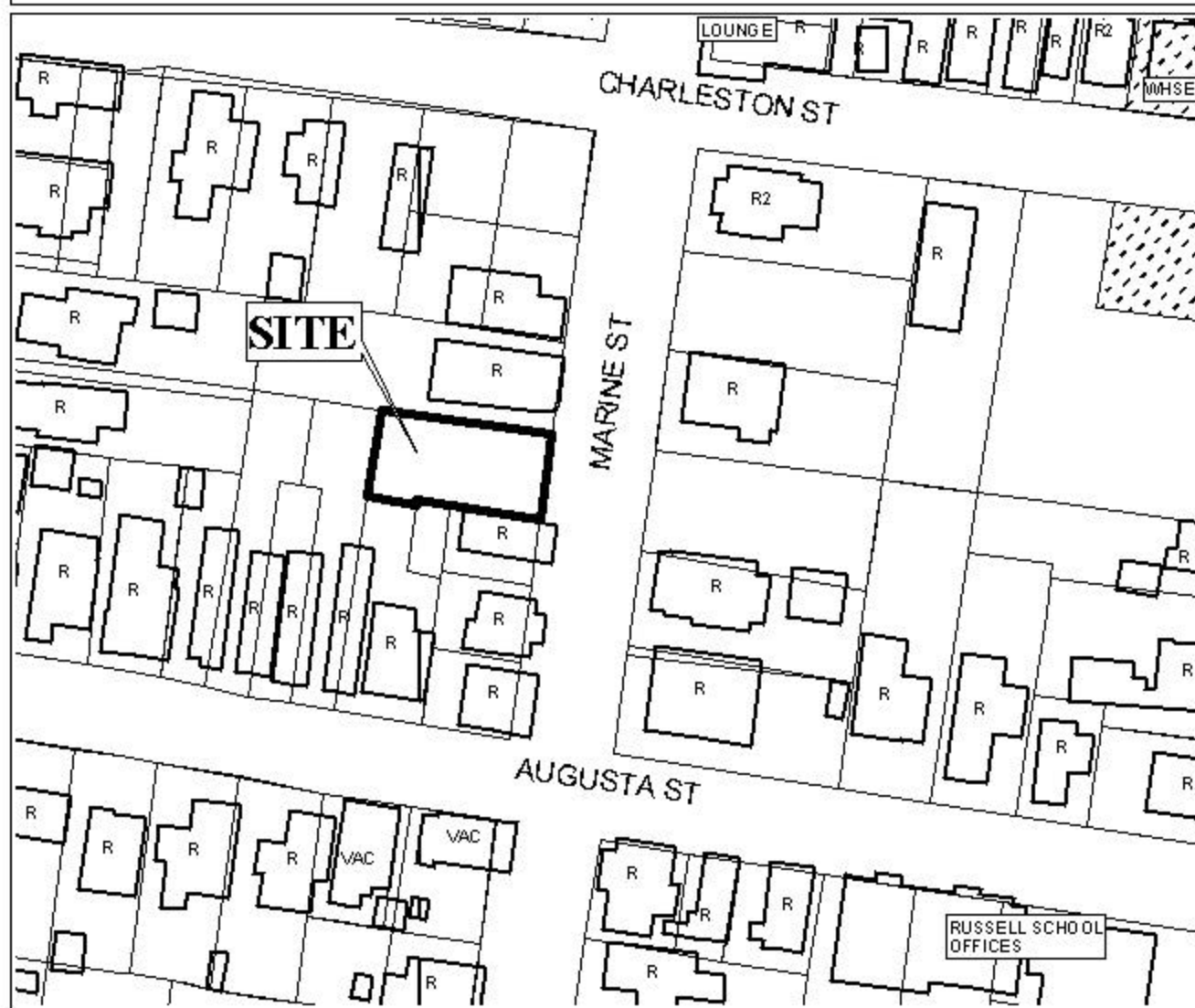
The Zoning Ordinance states that no variance shall be granted where economics are the basis for the application; and, unless the Board is presented with sufficient evidence to find that the variance will not be contrary to the public interest, and that special conditions exist such that a literal enforcement 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 Vicinity Map, the proposed dwelling with setbacks proposed corresponds to the existing dwellings on adjacent properties and will create a harmonious streetscape along Marine Street.

**RECOMMENDATION 5207****Date: November 3, 2003**

Based upon the preceding, this application is recommended for approval subject to the following condition: 1) the approval of the Architectural Review Board prior to the issuance of any permits.

# BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



The site is surrounded by single and multiple family residential dwellings.

APPLICATION NUMBER 5207 DATE November 3, 2003

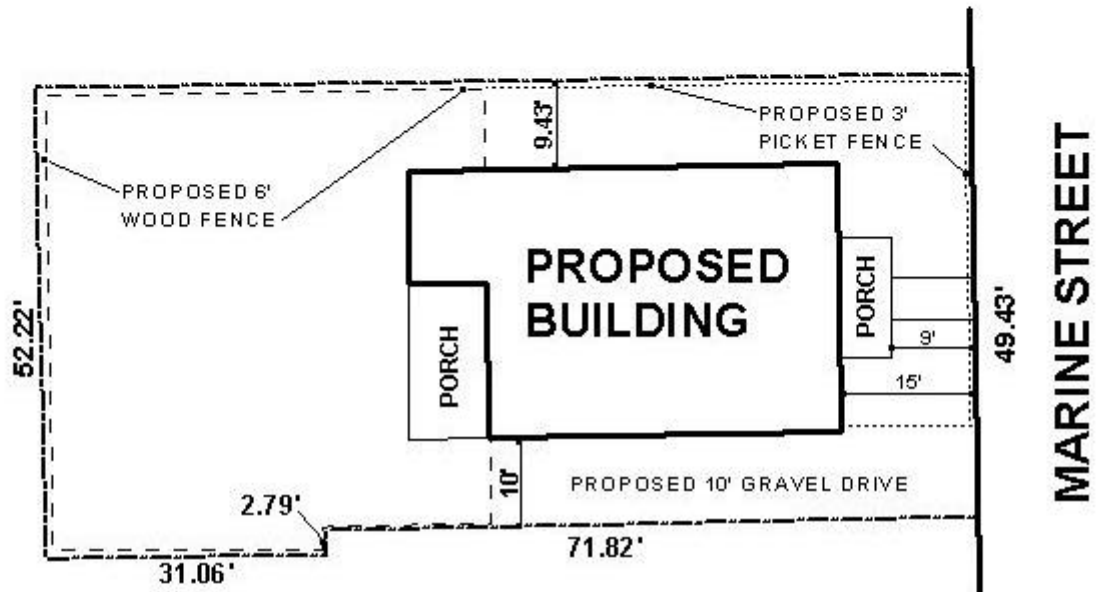
APPLICANT Oakleigh Venture Revolving Fund

REQUEST Front Yard Setback Variance

LEGEND



## SITE PLAN



The site is located on the West side of Marine Street, 125' North of Augusta Street. The plan illustrates the proposed building, drive, and fence.

APPLICATION NUMBER 5207 DATE November 3, 2003  
APPLICANT Oakleigh Venture Revolving Fund  
USE/REQUEST Front Yard Setback Variance



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