

APPLICATION NUMBER

5151

A REQUEST FOR

**SIDE YARD, COMBINED SIDE YARD AND SITE
COVERAGE VARIANCES TO ALLOW THE
CONSTRUCTION OF A 35.3' X 19' (868 SQUARE FOOT)
ADDITION WITHIN 5' OF THE (EAST) SIDE PROPERTY
LINE, TO ALLOW A COMBINED SIDE YARD TOTAL OF
17' AND TO ALLOW 37.5% SITE COVERAGE; A
MINIMUM SIDE YARD SETBACK OF 7.7', 18' COMBINED
SIDE YARD TOTAL AND A MAXIMUM SITE COVERAGE
OF 35% IS REQUIRED FOR A 54' WIDE LOT IN AN R-1,
SINGLE-FAMILY RESIDENTIAL DISTRICT**

LOCATED AT

1916 OLD GOVERNMENT STREET

(North side of Old Government Street, 500' ± East of Williams Street)

APPLICANT

MARK D. FILLERS

OWNER

GRADY RAY PALMER, JR.

BOARD OF ZONING ADJUSTMENT

JANUARY 2003

The applicant is requesting Side Yard, Combined Side Yard and Site Coverage Variances to allow the construction of a 35.3' x 19' (868 Square foot) addition within 5' of the (East) side property line, to allow a combined side yard total of 17' and to allow 37.5% site coverage; a minimum side yard setback of 7.7', 18' combined side yard total and a maximum site coverage of 35% is required for a 54' wide lot in an R-1, Single-Family Residential District.

The applicant states that the purpose of these variances is to allow an approximately 868 square foot addition to the rear of the existing dwelling that would encroach within the side yard setback along the (East) side property line, encroach into the combined side yard total setback, and exceed the maximum 35% site coverage. However, the proposed addition will be "in-line" with the existing dwelling.

The applicant goes on to say that the addition consists of a guest bedroom, laundry room, master bedroom, bath and closet, and that the proposed addition would be in line with the existing residence. Currently, the residence is not accommodating for visiting family members and the additional rooms would maximize the house and make it more comfortable to live in.

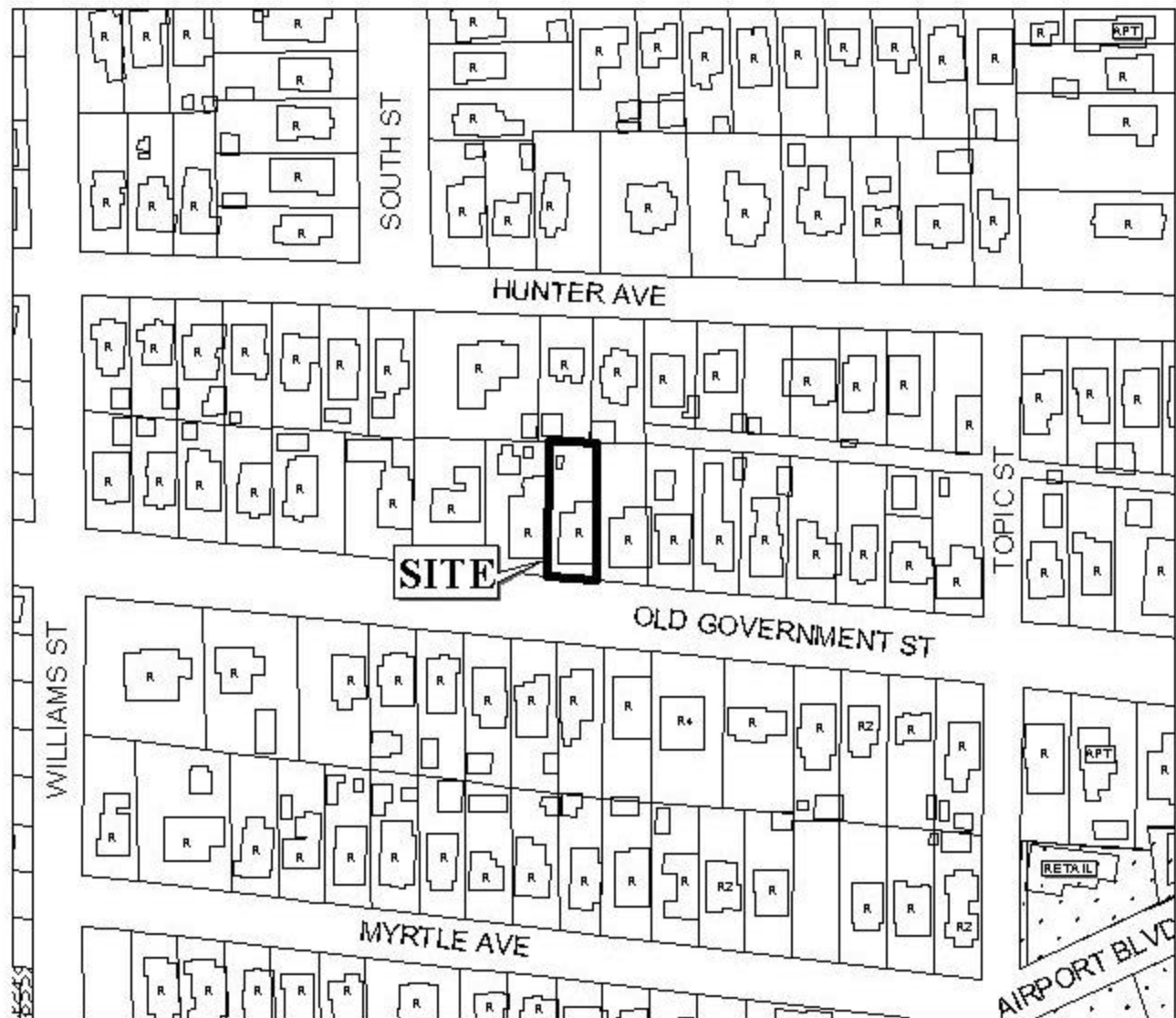
The proposed addition would maintain the residential character of the neighborhood and the Board has been mindful of the unique character of older areas when considering site variance applications. It should be noted that the Board has been sympathetic in granting variances in the older urban areas of the city, especially when the addition is "in-line" with the existing structure, and a 5 feet or greater setback is provided.

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 5151**Date: January 6, 2003**

Based upon the preceding, this application is recommended for approval subject to the following condition: 1) provision of gutters and downspouts.

BOARD OF ZONING ADJUSTMENT VICINITY MAP - EXISTING ZONING



The site is surrounded by single family residential dwellings.

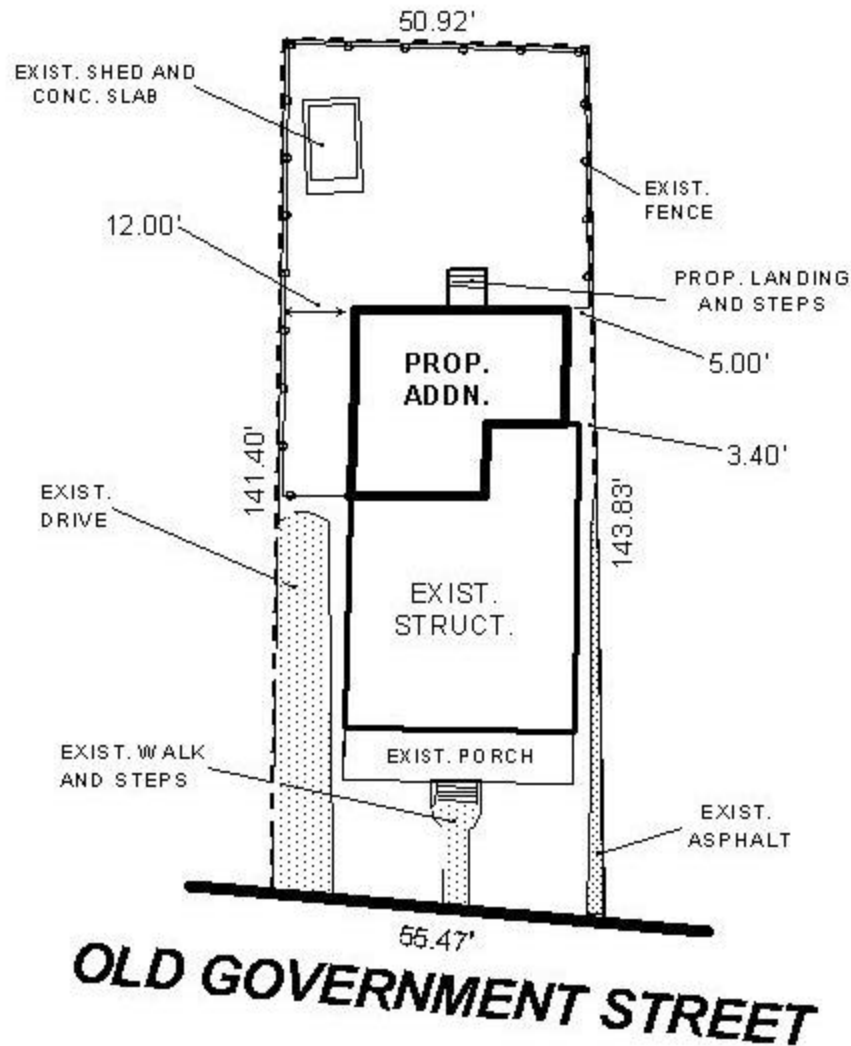
APPLICATION NUMBER 5151 DATE January 6, 2003
 APPLICANT Mark D. Fillers (Grady Ray Palmer, Jr., Owner)
 REQUEST Side Yard, Combined Side Yard and Site Coverage Variances

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

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NTS

SITE PLAN



The site is located on the North side of Old Government Street, 500' East of Williams Street. The plan illustrates the existing and proposed structures.

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 USE/REQUEST Side Yard, Combined Side Yard and Site
Coverage Variances



NTS