

APPLICATION NUMBER

5391

A REQUEST FOR

**SITE COVERAGE VARIANCE TO ALLOW THE
CONSTRUCTION OF A SINGLE-FAMILY DWELLING
WITH 38% SITE COVERAGE; A MAXIMUM SITE
COVERAGE OF 35% IS ALLOWED ON A SINGLE-
FAMILY DWELLING SITE IN AN R-1, SINGLE-FAMILY
RESIDENTIAL DISTRICT.**

LOCATED AT

6605 RED MAPLE DRIVE

(South side of Red Maple Drive, 110'± West of Magnolia Grande Drive)

APPLICANT/OWNER

MICHAEL DAVIS

AGENT

M. DON WILLIAMS

BOARD OF ZONING ADJUSTMENT

NOVEMBER 2006

The applicant is requesting a Site Coverage Variance to allow the construction of a single-family dwelling with 38% site coverage; a maximum site coverage of 35% is allowed on a single-family dwelling site in an R-1, Single-Family Residential District.

A dwelling of 4800± sf is proposed to be built on a 12,600± sf lot, thereby creating 38% site coverage. All required building setbacks are proposed to be met. The applicant states that the lots in the subdivision (The Grande at Magnolia Grove) are not estate-sized, but the existing residences in the neighborhood are relatively large in comparison to lot sizes and that there is a mix of single story and two story residences. It is further stated that the applicant, who is confined to a wheelchair, must have a single story residence with adequate interior turning areas and that the proposed residence is compatible with the neighborhood.

A review of site plans on file for existing residences along Red Maple Drive indicate that few approach the 35% limitation, and no other site coverage variances have been requested in the neighborhood. Granted, most of the lots along Red Maple Drive are larger than the subject lot and would allow for residences larger than the applicant's, but proposed residences should be designed to fit onto a lot within the coverage allowances.

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.

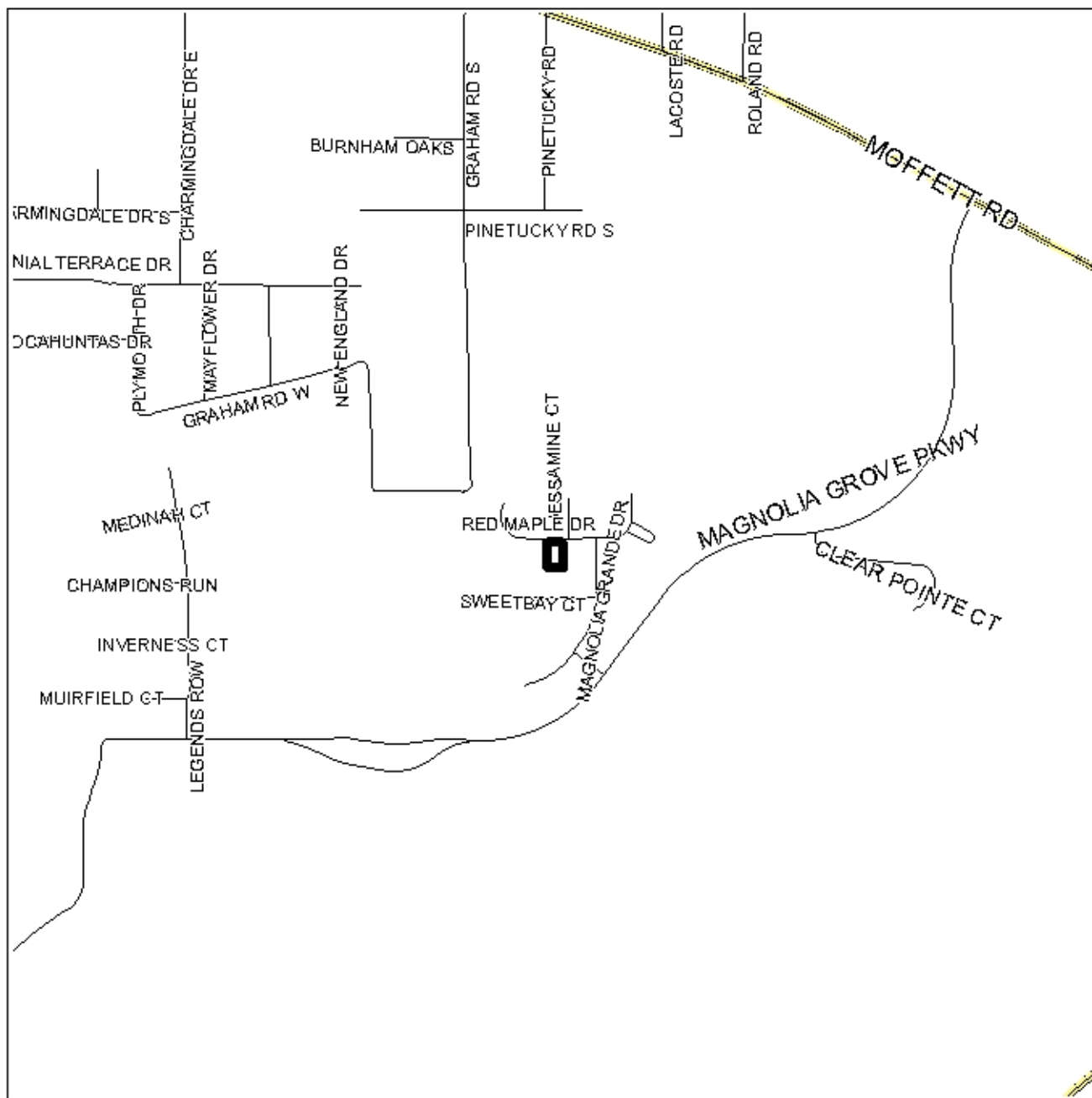
Variances are not intended to be granted frequently. The applicant must clearly show the Board that the request is due to very unusual characteristics of the property and that it satisfies the variance standards. What constitutes unnecessary hardship and substantial justice is a matter to be determined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

The applicant has not furnished supporting documentation to establish a hardship imposed by the property and it appears that the proposed residence was simply designed slightly too large to meet the 35% maximum site coverage limitation and it is simply the applicant's desire to build to 38% site coverage.

RECOMMENDATION 5391**Date: November 6, 2006**

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

LOCATOR MAP



APPLICATION NUMBER 5391 DATE November 6, 2006

APPLICANT Michael Davis

REQUEST Site Coverage Variance



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BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING




The site is surrounded by single family residential units and empty lots.

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REQUEST Site Coverage Variance

LEGEND

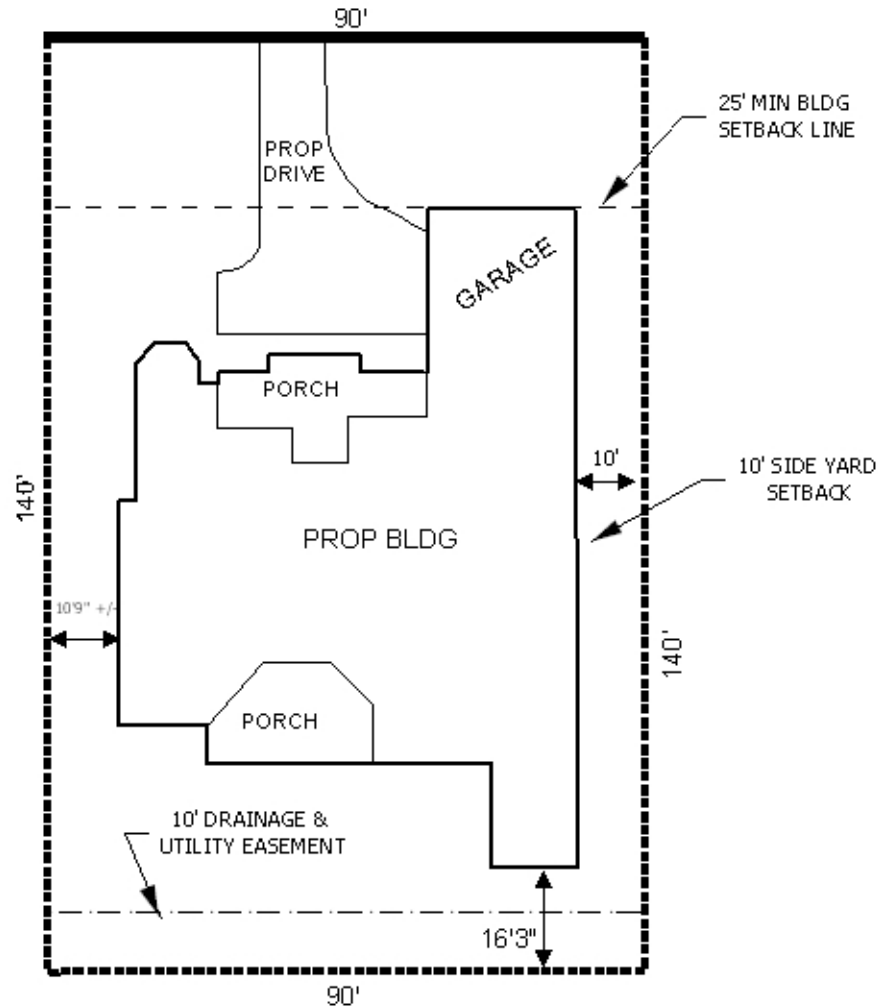
													
R-1	R-2	R-3	R-A	R-B	H-B	B-1	LB-2	B-2	B-3	B-4	B-5	I-1	I-2



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SITE PLAN

RED MAPLE DR



The site plan illustrates existing setbacks, easements, proposed building and drive.

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