

APPLICATION NUMBER

5386

A REQUEST FOR

**USE VARIANCE TO ALLOW A TEMPORARY DISASTER
RELIEF VOLUNTEER CAMP (KITCHEN, DINING,
SLEEPING AND SHOWER TRAILERS) IN AN R-1,
SINGLE-FAMILY RESIDENTIAL DISTRICT; THE
ZONING ORDINANCE DOES NOT ALLOW DISASTER
RELIEF CAMPS OR HABITABLE TRAILERS IN R-1,
SINGLE-FAMILY RESIDENTIAL DISTRICTS.**

LOCATED AT

1764 RIVERSIDE DRIVE

(North side of Riverside Drive, 400'± West of Club House Road)

APPLICANT/OWNER

WAY OF LIFE COMMUNITY CHURCH

AGENT

JERRY KLASSEN

BOARD OF ZONING ADJUSTMENT

NOVEMBER 2006

The applicant is requesting a Use Variance to allow a temporary disaster relief volunteer camp (kitchen, dining, sleeping and shower trailers) in an R-1, Single-Family Residential District; the Zoning Ordinance does not allow disaster relief camps or habitable trailers in R-1, Single-Family Residential Districts.

The subject property currently contains a single-family residential structure and is located adjacent to the West side of the Mennonite Church on Riverside Drive. The Mennonite Disaster Services (operating as Way of Life Community Church) are currently participating in post-Hurricane Katrina home cleanup and repair assistance in Bayou la Batre and Prichard. The applicant states that they will soon be assisting in the Dog River area and, due to travel costs, wish to locate the camp near the work sites. The existing dwelling is proposed to remain on site, and four trailers to be used as a kitchen, dining hall, bunkhouse, and shower facilities respectively will be placed on site. Several recreational vehicles which the church owns will also be placed on the site for volunteer housing. No other improvements to the site are proposed, and all other vehicle parking is proposed to be at the adjacent, existing church. The site is proposed to house approximately thirty volunteer workers for approximately one year beginning in the fall of 2006.

It is the intent of the Zoning Ordinance to, among other things, conserve the value of buildings by encouraging the most appropriate use of the land by districting according to the peculiar suitability of the land for particular uses. All zoning in the immediate vicinity is R-1, Single-Family Residential, and, except for the church and a convenience store across Riverside Drive from the church, all uses in the immediate vicinity are single-family residential. The Zoning Ordinance does not list a specific use such as a "Temporary Disaster Relief Volunteer Camp", but the closest classifications would be "Campground" (by staff determination), allowed in B-3 with Planning Approval; "Mobile Home Park", allowed in R-3 with Planning Approval; and "RV Park", allowed in B-3 with Planning Approval. The proposed use does not fall under the normal use classifications within the Ordinance, nor does it fall into a zoning district of its closest-related classifications.

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.

However, given the nature of the use, post-disaster volunteer worker housing, the fact that it is temporary, and that it is an outreach program of the church, additional consideration may be appropriate.

RECOMMENDATION 5386**Date: November 6, 2006**

Based on the preceding, this application is recommended for approval.

LOCATOR MAP



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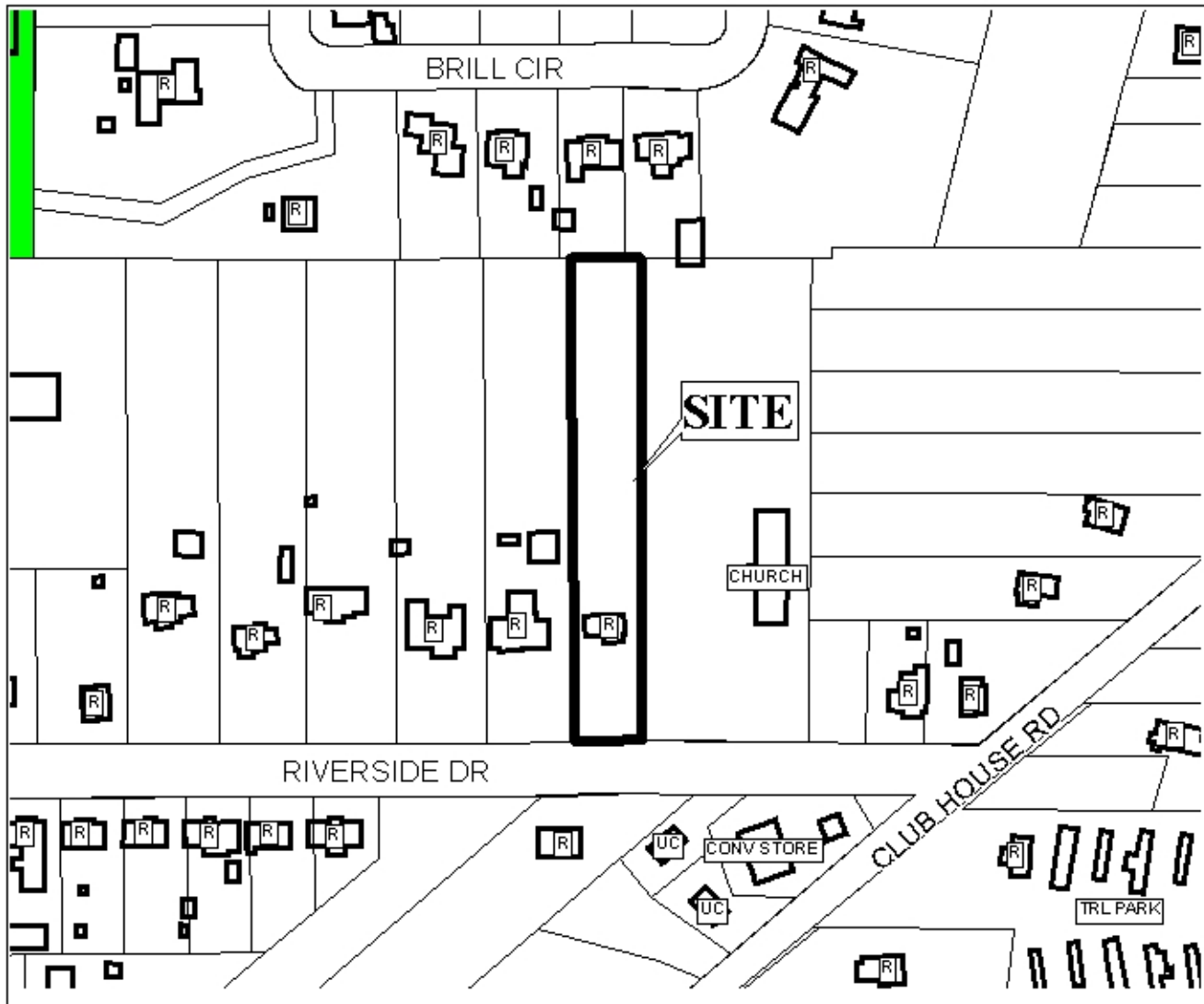
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BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



The site is surrounded by residential units. A church is located to the east of the site. A convenience store is located to the south of the site.

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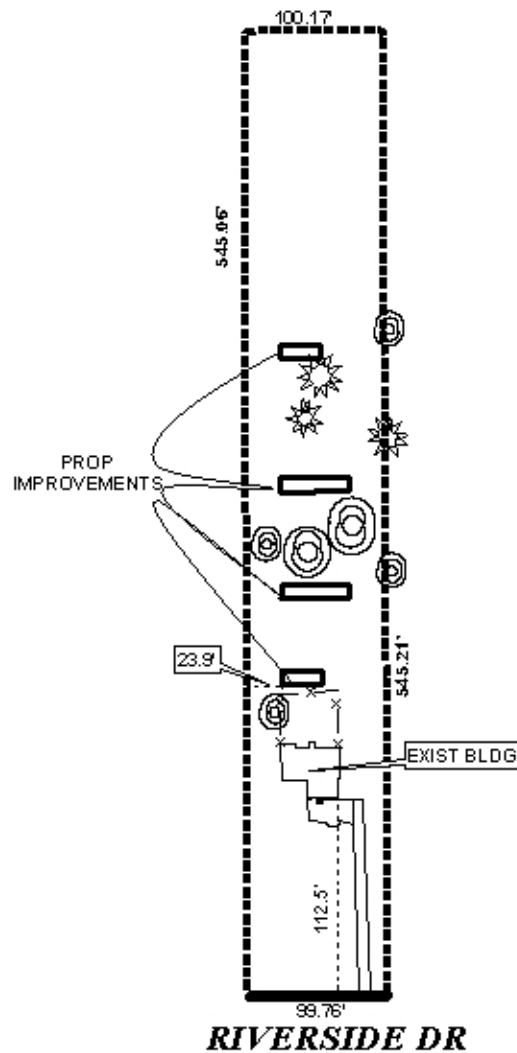
LEGEND

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



The site plan illustrates the existing building and drive, along with the proposed improvements

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