

Board of Adjustment Agenda

December 21, 2023 – 5:00 p.m.

Council Auditorium

City Hall, 103 N. Perry St.

BOARD OF ADJUSTMENT MEMBERS

John Stanley, *Chairman*

George Howell, *Vice-Chairman*

Quentin Burke

Beau Holmes

Blake Markham

Bart Prince

Barry Robinson

Pickett Reese

Jennifer Shaw

Land Use Division

Warren Adams

Executive Secretary

III. Chairman's Message

IV. Approval of Minutes from the November 16, 2023 meeting.

December 21, 2023

<u>Item</u>	<u>File</u>	<u>Petitioner</u>	<u>Zone</u>	<u>Location/Request</u>	<u>Page</u>
1.	2023-052	Mario Salazar	AGR-2	Boswell Road (Mobile home)	1
2.	2023-050	Angelina Rosales-Lopez	FH	10870 Rhodes Lane (Mobile home)	2
3.	2023-051	Missouria Pinkston	AGR-1	3023 Cantelou Loop (Mobile home)	3
4.	2023-053	Jo Mortara	R-60-s	1637 Madison Avenue (Privacy fence)	4

The next Board of Adjustment meeting is on January 18, 2024

1. BD-2023-052 **PRESENTED BY:** Mario A. Salazar

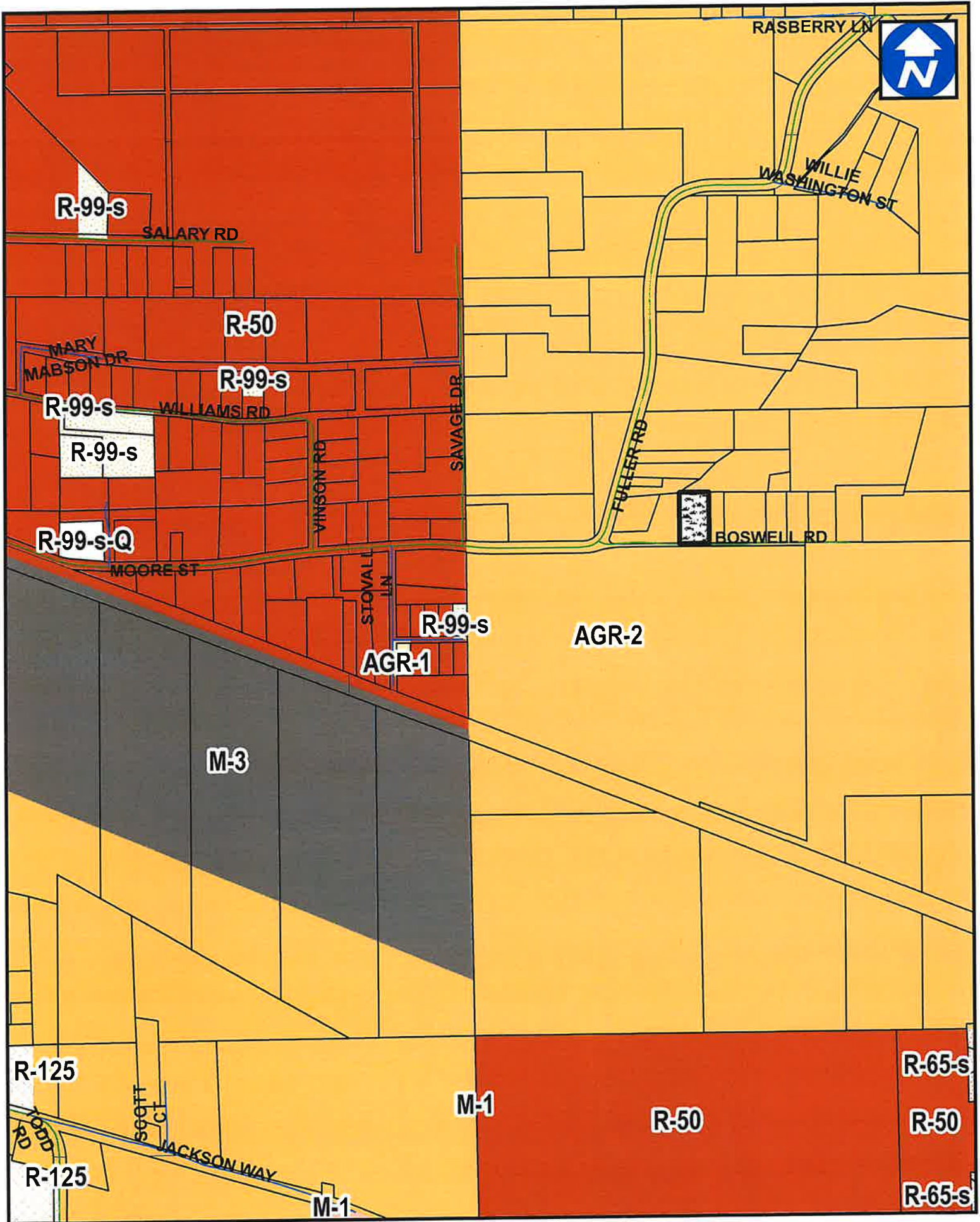
REPRESENTING: Same

SUBJECT: Request a special exception for a mobile home for living purposes to be located on the north side of Boswell Road, approximately 400 ft. east of Fuller Road, in an AGR-2 (General Agriculture) Zoning District.

REMARKS: This request is being made to give the petitioner permission to place a mobile home for living purposes on a 0.8-acre parcel of land.

The request is a special exception for a mobile home for living purposes.

CITY COUNCIL DISTRICT: 2



SITE 

1 inch = 600 feet

Item 1A



Proposed mobile home



SITE 

1 inch = 100 feet
Item 1B

2. BD-2023-050 **PRESENTED BY:** Angelina Rosales-Lopez

REPRESENTING: Same

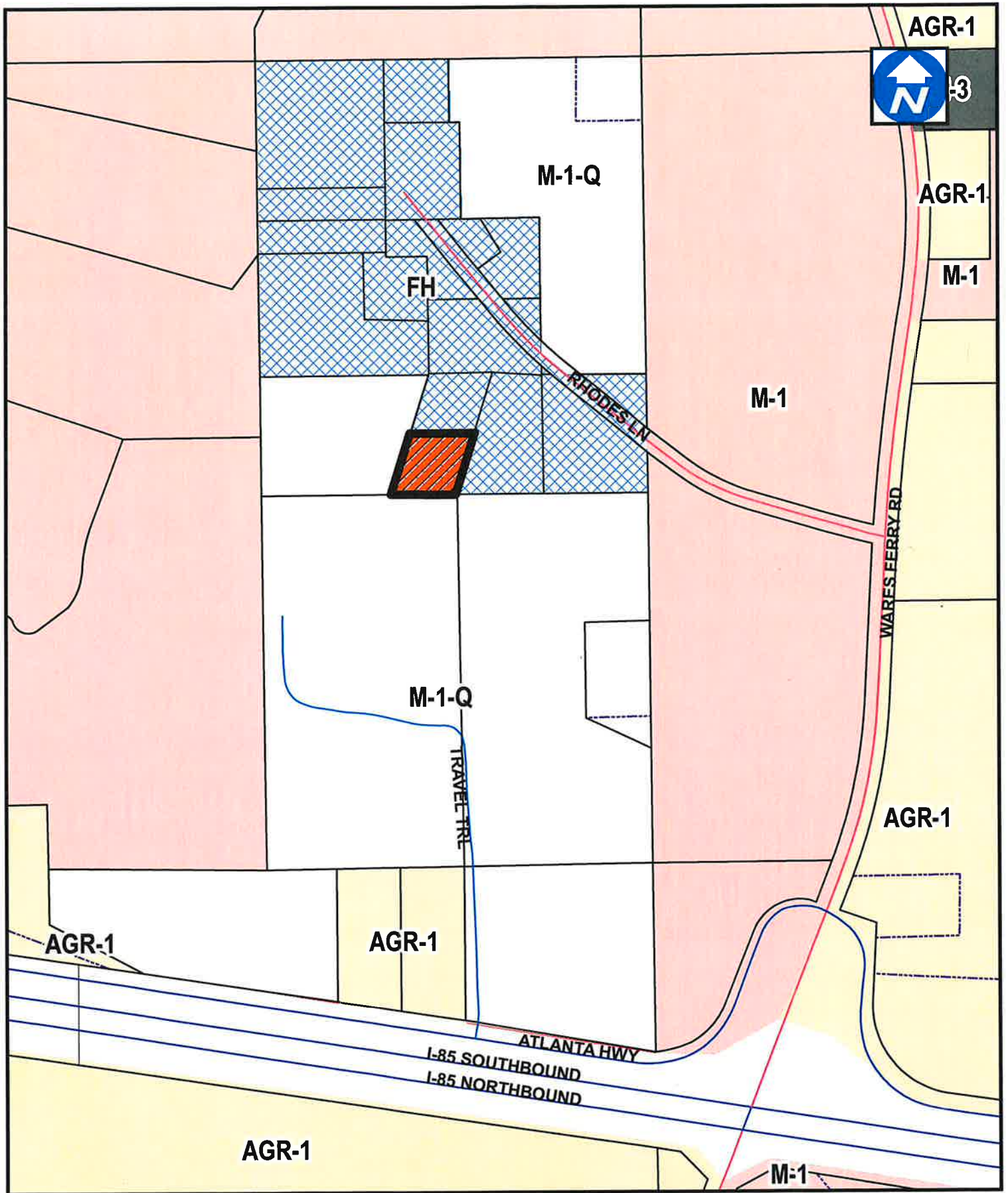
SUBJECT: Request a special exception for a mobile home for living purposes to be located at 10870 Rhodes Lane in a FH (Flood Hazard) Zoning District.

REMARKS: This request is being made to give the petitioner permission to place a mobile home for living purposes on a 0.95-acre parcel of land. The mobile home will be approximately 100 ft. from the existing dwelling and 25 ft. from the side property line

The request is a special exception for a mobile home for living purposes.

CITY COUNCIL DISTRICT: Planning Jurisdiction

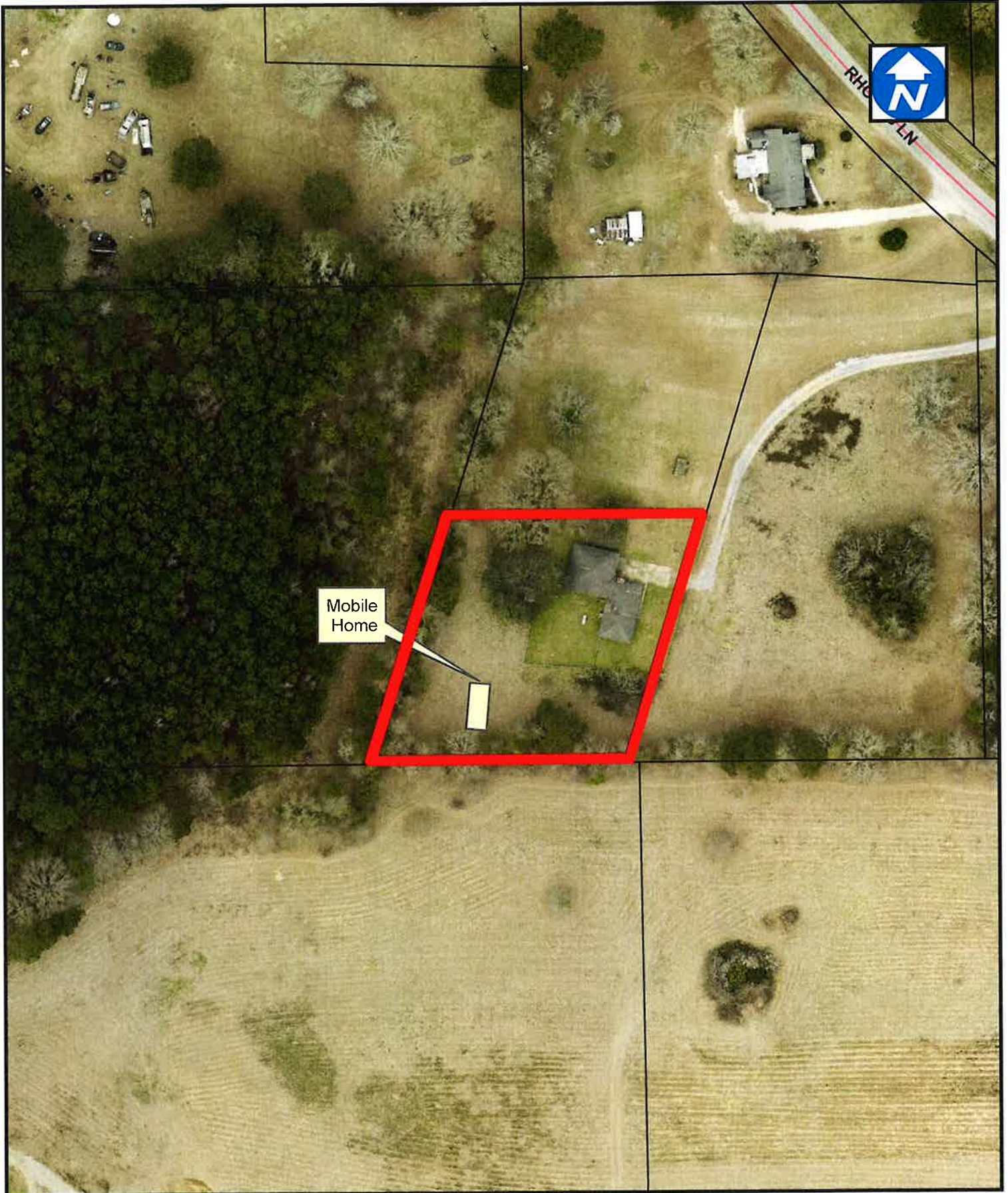
COUNTY COMMISSION DISTRICT: 5



Site 

1 inch = 400 feet

Item 2A



Site 

1 inch = 100 feet
Item 2B

3. BD-2023-051 **PRESENTED BY:** Missouriia Pinkston

REPRESENTING: Same

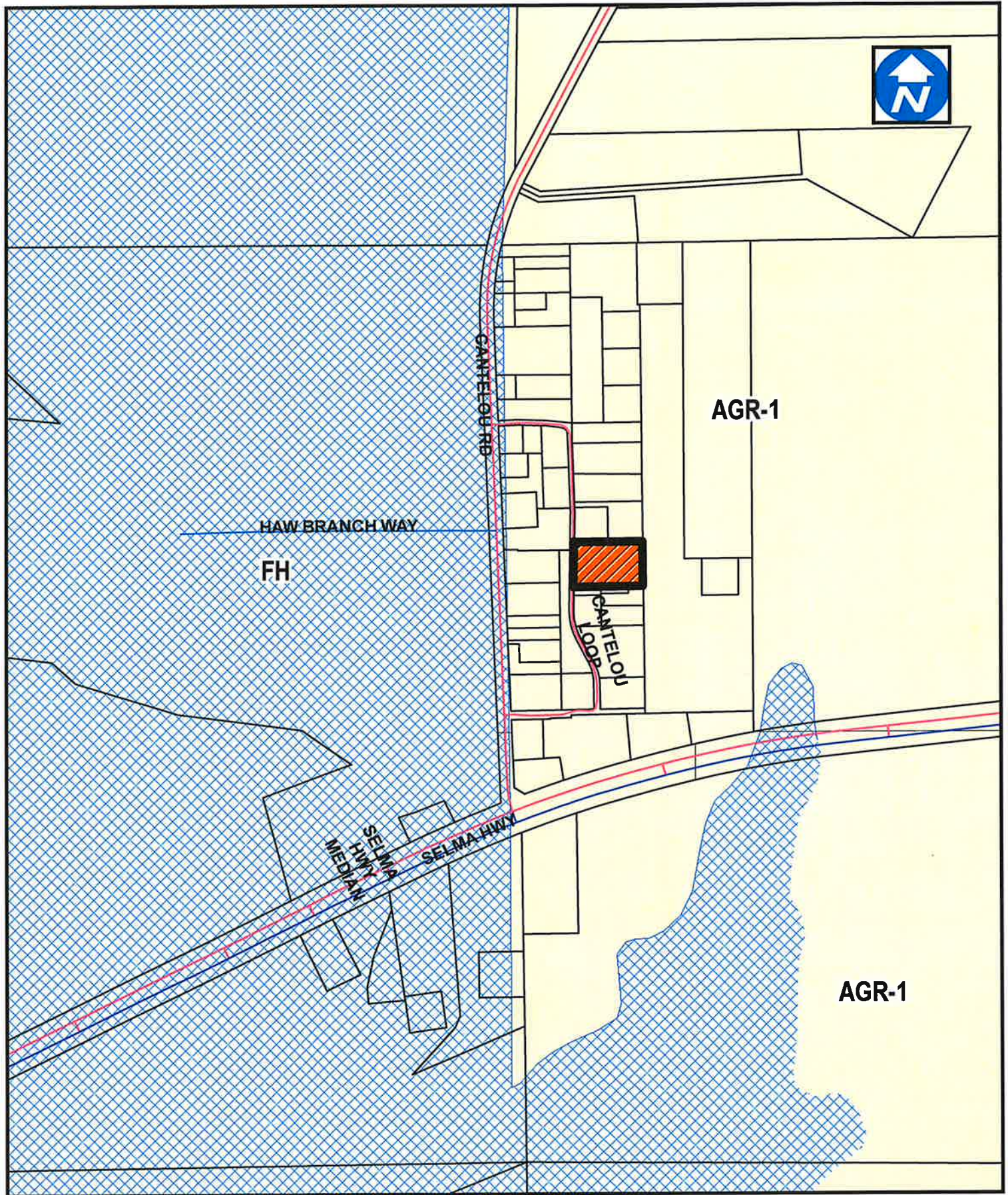
SUBJECT: A special exception for a mobile home for living purposes to be located at 3023 Cantelou Loop in an AGR-1 (Residential Agriculture) Zoning District.

REMARKS: This request is being made to give the petitioner permission to place a mobile home on a 2.2-acre parcel of land. The permanent dwelling was destroyed by fire. The mobile home will be approximately 150 ft. from the front property line.

The request is a special exception for a mobile home for living purposes.

CITY COUNCIL DISTRICT: Planning Jurisdiction

COUNTY COMMISSION DISTRICT: 2



Site 

1 inch = 700 feet

Item 3A



Mobile Home

CAMELOUT LOOP

Site 

1 inch = 100 feet
Item 3B

4. BD-2023-053 **PRESENTED BY:** Jo Mortara

REPRESENTING: Same

SUBJECT: Request a height variance and street side yard variance for a new privacy fence to be located at 1637 Madison Avenue in a R-60-s (Single-Family Residential) Zoning District.

REMARKS: This request is being made to give the petitioner permission to install a 6 ft. tall privacy fence that will come to the street side yard property line (North Capitol Parkway), whereas 3 ft. height is allowed and a 20 ft. side yard is required.

The request is a 3 ft. height variance and a 20 ft. street side yard variance for a privacy fence.

CITY COUNCIL DISTRICT: 3

Variance Request

Part II

Physical Location: 1637 Madison Ave

A variance is a deviation from the terms of the Zoning Ordinance that apply to a particular property. Variances may be appropriate where strict application of the regulations would create a hardship on the owner, due to unusual circumstances such as parcel shape, size or topography.

To aid staff in determining that the required hardship findings can be made in this particular case, please answer the following questions with regard to your request. **These findings must be made by the Board of Adjustment in order for a variance to be granted** (please attach a separate sheet if necessary).

Article III, Section 3 (c) requires you to demonstrate that a hardship exists by providing all of the following:

1. What special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district?

The home was built in 1925. It is a historic home located within the Capitol Heights Hist. Dist. The home was built prior to our current code and encroaches on the required street side yard, sitting approx. 8' from the side property line. At the time it was built, there were no traffic lights, heavy foot traffic and no vehicle traffic that back up along N. Capitol Pkwy along side of the property. I am proposing an enclosure of the glass Florida room to reduce visual and physical vulnerability.

2. What literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of the Zoning Ordinance?

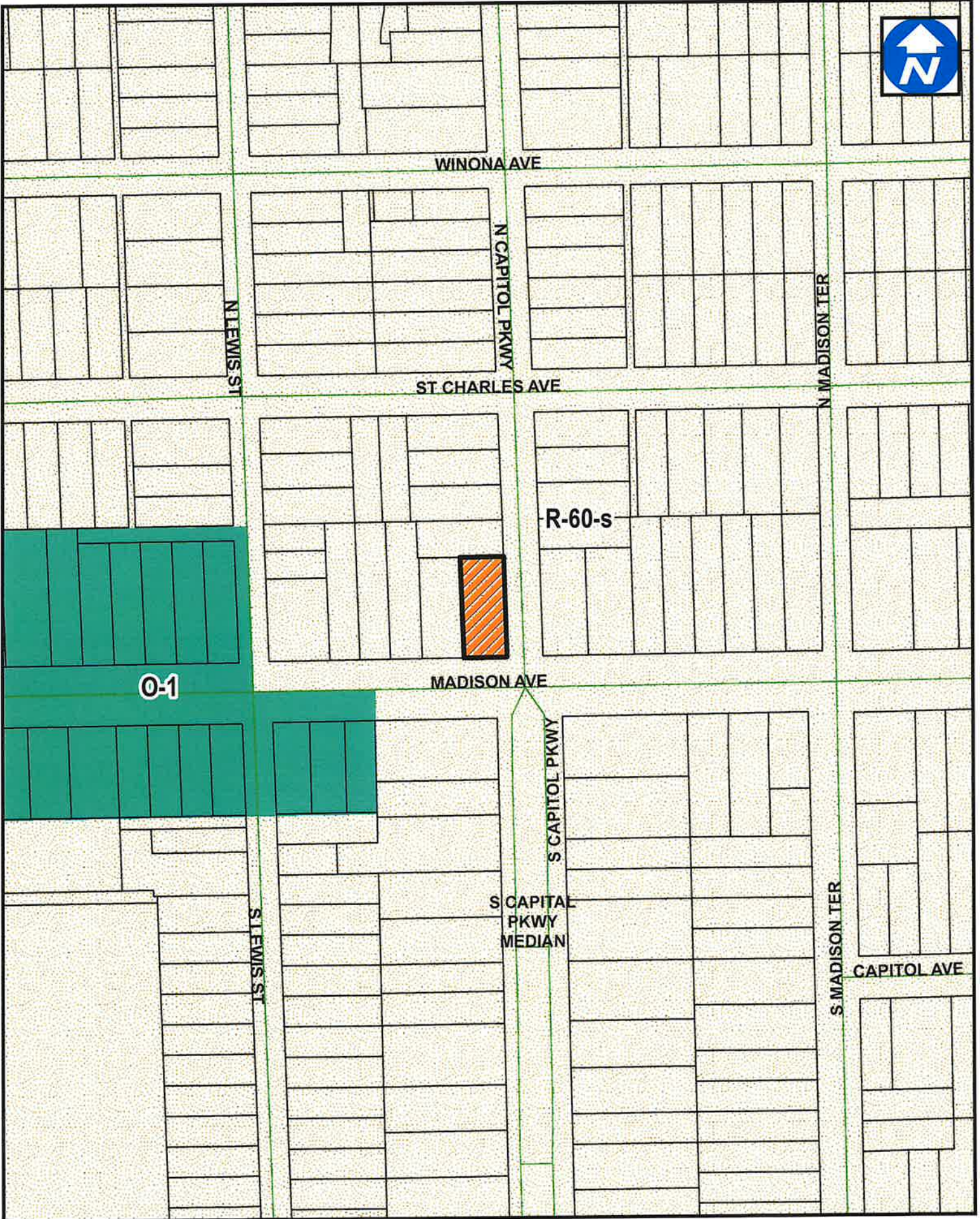
If this were not a corner lot, a variance would not be required.

3. Does the special conditions and circumstances result from the actions of the applicant?

No

4. By granting the variance requested, will it grant to the applicant any special privilege that is denied by the Zoning Ordinance to other lands, structures, or buildings in the same district?

No



SITE 

1 inch = 200 feet

Item 4A



SITE 

1 inch = 40 feet
Item 4B