

APPLICATION NUMBER

5604

A REQUEST FOR

**USE VARIANCE TO ALLOW A FOUR-UNIT APARTMENT
BUILDING IN AN R-1, SINGLE-FAMILY RESIDENTIAL
DISTRICT; THE ZONING ORDINANCE REQUIRES A
MINIMUM R-3, MULTI-FAMILY RESIDENTIAL
DISTRICT FOR A MULTI-FAMILY RESIDENTIAL USE.**

LOCATED AT

429 LINCOLN BOULEVARD

(Southwest corner of Lincoln Boulevard Twelfth Street)

APPLICANT

WILLIAM T. PARTRIDGE

BOARD OF ZONING ADJUSTMENT

MARCH 2010

The applicant is requesting a Use Variance to allow a four-unit apartment building in an R-1, Single-Family Residential District; the Zoning Ordinance requires a minimum R-3, Multi-Family Residential District for a multi-family residential use.

The applicants have submitted an application to the Mobile City Planning Commission to combine five (5) 25-foot wide legal lots-of-record into one legal lot of record, demolish the existing single family residential structure on the lot, and construct a four (4) unit apartment complex with parking on the site.

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.

Variations 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.

This site was annexed into the City of Mobile in 2007 and was subsequently zoned R-1, Single-Family Residential. The area is substantially developed with a mixture of single-family residences, mobile homes, and religious facilities. It should be noted that the land use survey reveals an apartment complex at the Southeast corner of Lincoln Boulevard and Twelfth Street which is directly across Lincoln Boulevard from this site.

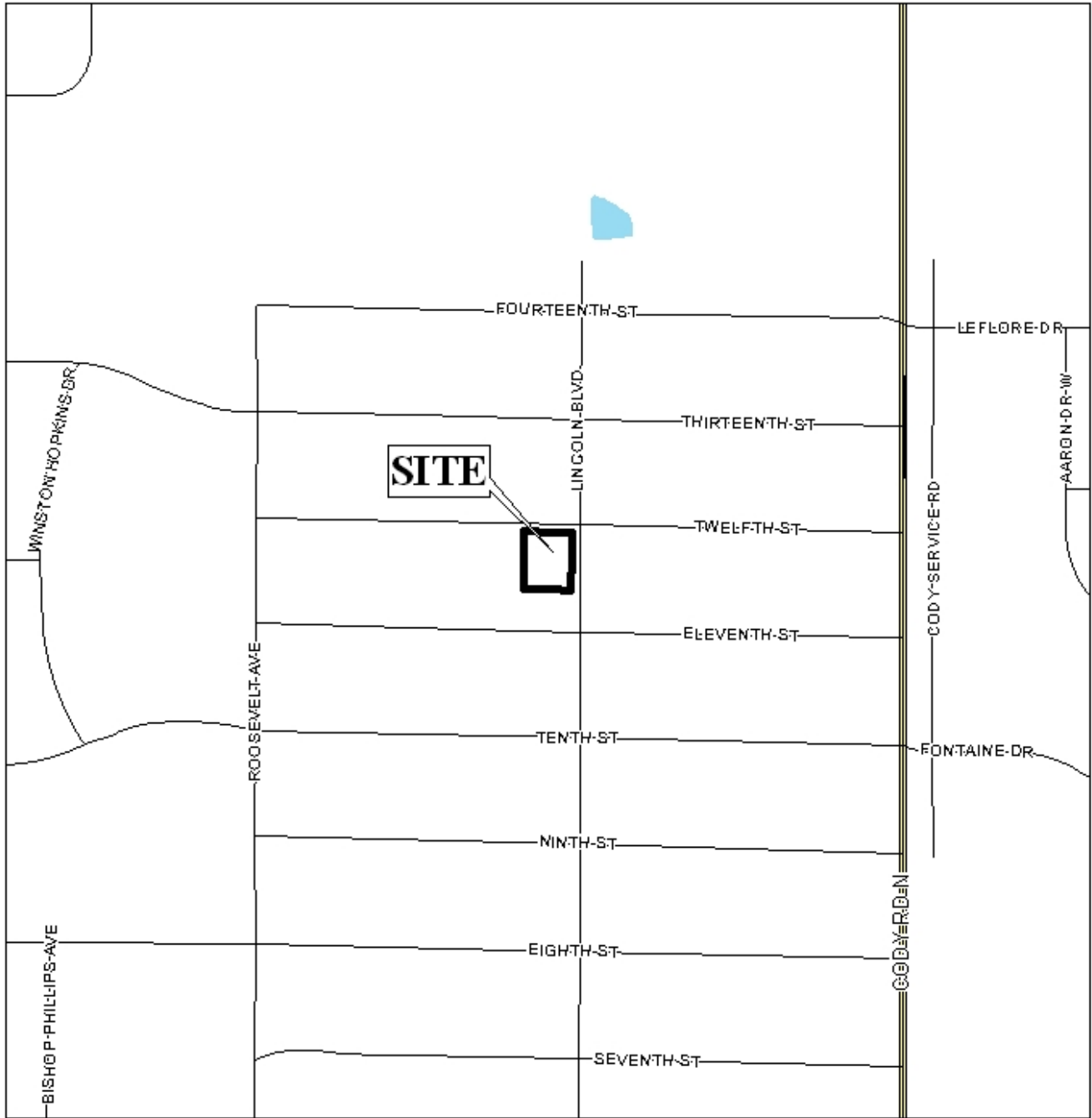
The applicant did not state what, if any, hardship exists on the property, and none is readily apparent. As such, there is no basis for granting a variance.

RECOMMENDATION 5604

Date: March 1, 2010

The variance request is recommended for denial.

LOCATOR



APPLICATION NUMBER 5604 DATE March 1, 2010

APPLICANT William T. Partridge Jr.

REQUEST Use Variance



BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING

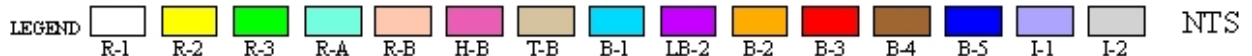


This site is surrounded by residential land use with a church to the east.

APPLICATION NUMBER 5604 DATE March 1, 2010

APPLICANT William T. Partridge Jr.

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**BOARD OF ADJUSTMENT
VICINITY MAP - EXISTING ZONING**



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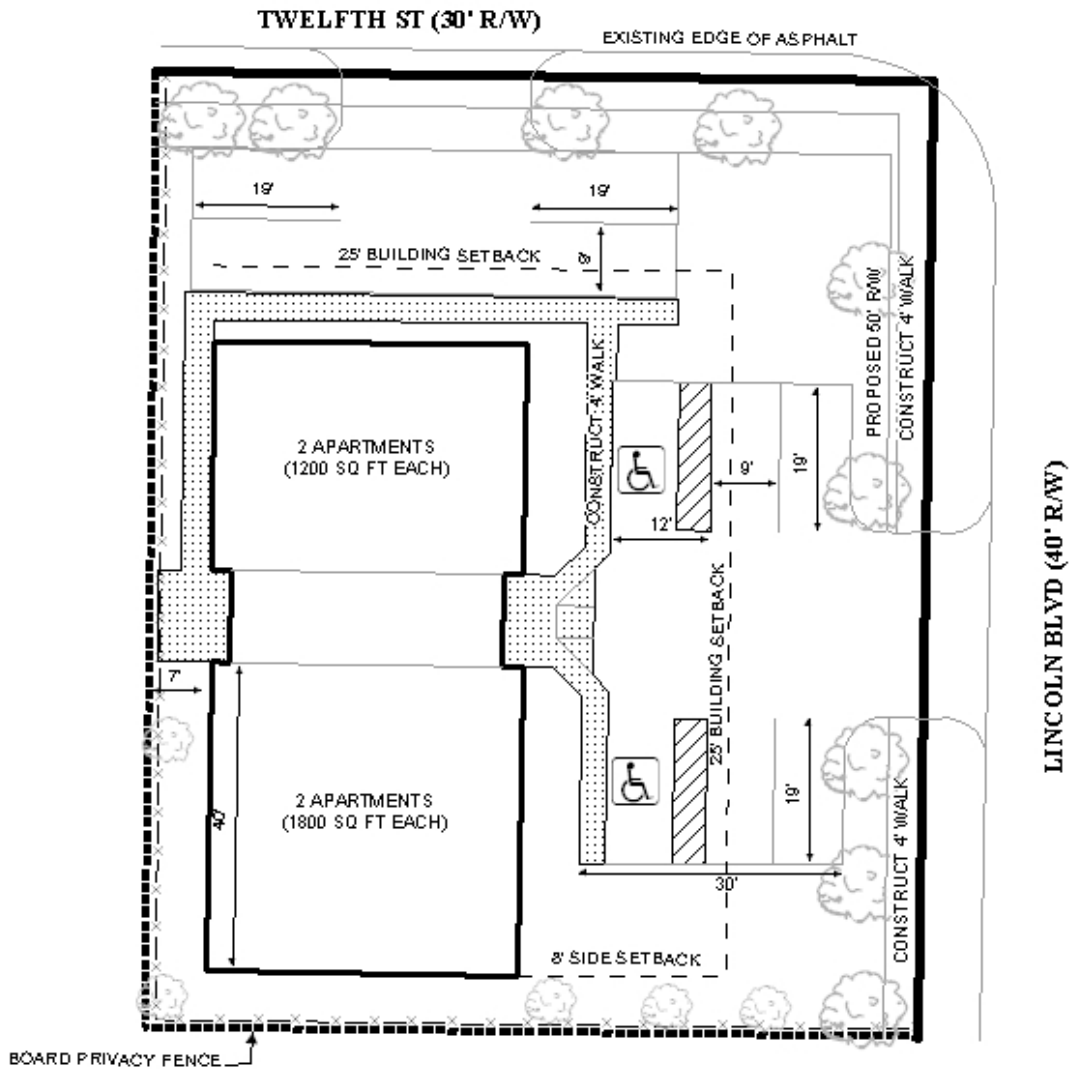
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SITE PLAN



This site plan illustrates the proposed apartment complex and associated parking.

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