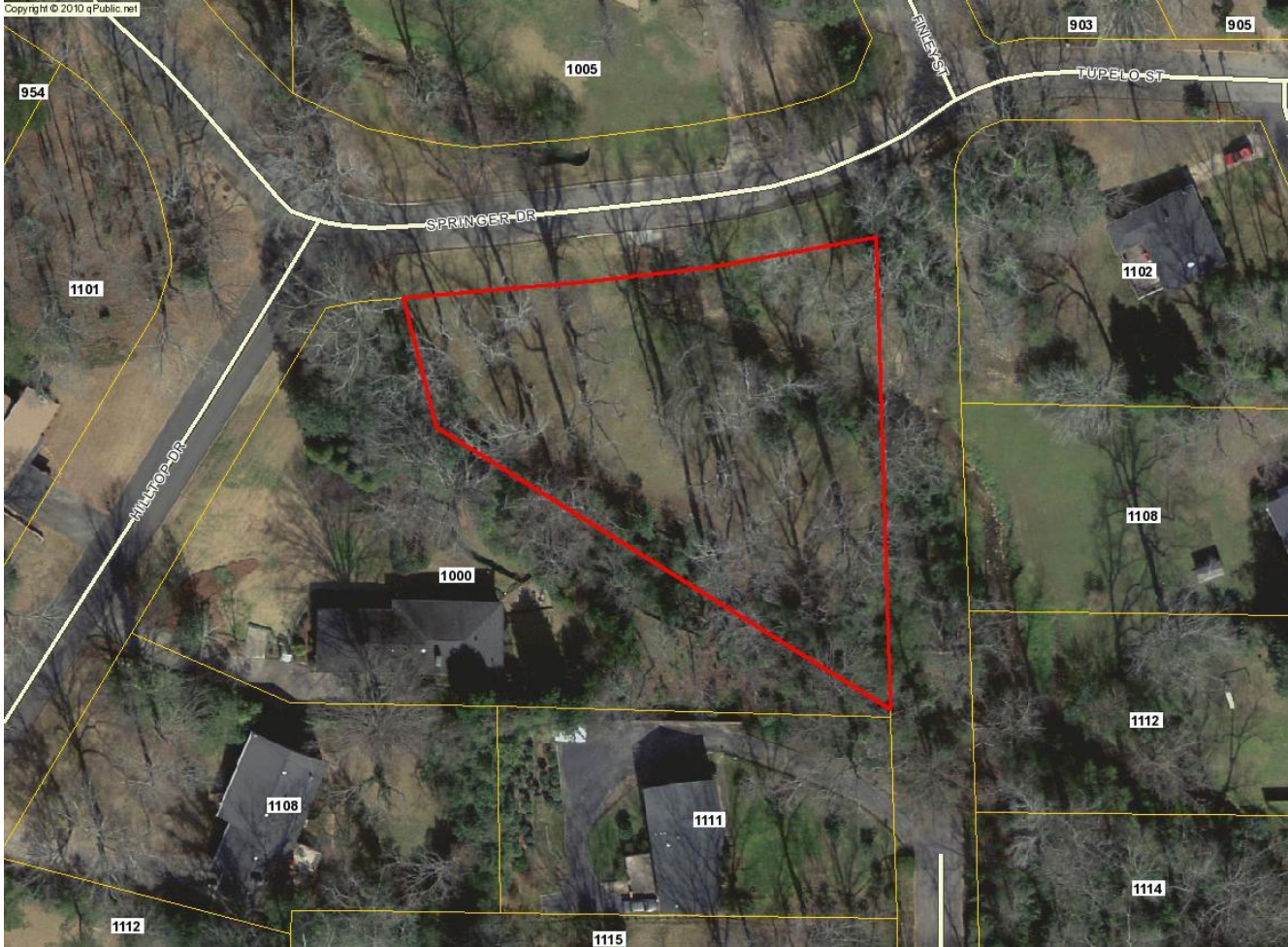


VARIANCE
Lot 1A Springer Dr.
Project No. 15-VAR-03

Applicant: Kenneth M. Moore

Owner: Kenneth M. Moore



Current Land Use Classification	Low Density Residential-B (LDR-B)
Current Zoning	Low Density Residential-B (LDR-B)
Proposed Variance	Reduce front and rear yard setback requirement
Parcel Size	0.79 +/- acres
Map, Block & Lot Number	035 02001A
City Commission	Tuesday, September 8, 2015
District 3 Commissioner	Ryan McLeMore
Citizen Notification	Legal Notice was run in the August 14, 2015 edition of the <i>Griffin Daily News</i> for the City Board of Commissioners Public Hearing. Signage was placed on the property illustrating the purpose, date and time of the meeting on August 12, 2015.

Proposal/Site Location:

The applicant, Kenneth Moore, is requesting a variance to reduce the front and rear yard setback requirements for a new house to be constructed on Lot 1A Springer Drive. The request consists of a reduction from fifty (50) feet to forty four (44) feet in the front yard setback to accommodate a small corner of the house that will encroach and a reduction from twenty five (25) feet to sixteen (16) feet in the rear yard area where the carport, shed and a covered patio will be constructed on the lot.

**Zoning Ordinance Sections applicable to this Application:**

The following sections of the Unified Development Code apply to this variance request:

Article 410	Variances
Article 706	Low Density Residential-B (LDR-B)

Article 410, Variance Standards for Review:

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography;

There are extraordinary and exceptional conditions pertaining to this particular piece of property in question; specifically, the shape of the lot and the fact that there is a stream on the property. Once the setbacks and stream buffers are applied, the remaining buildable lot area is significantly limited. In addition to that, the lot has city sewer running through it. The applicant will be responsible for providing the necessary sewer relocation plans to the City of Griffin Water and Wastewater Department for approval as well as any costs associated with the actual relocation of the sewer lines.

2. The application of these regulations to this particular piece of property would create a practical difficulty or unnecessary hardship.

The application of these regulations to this particular piece of property would create a practical difficulty or unnecessary hardship to the applicant as it relates to the continued use of the property. The property is currently a vacant piece of land and the applicant wishes to develop the property by building a single family home.

3. Such conditions are peculiar to the piece of property involved.

Such conditions are peculiar to the piece of property. The property was subdivided from an adjacent lot in 1994. The lot is a platted lot of record; however, the shape of the lot and the fact that there is a significant amount of floodplain on the lot makes it somewhat unique.

4. Relief, if granted would not cause substantial detriment to the public good or impair the purposes and intent of these regulations, provided, however, that no Variance may be granted for a use of land or building or structure that is prohibited by this Ordinance.

Relief, if granted, will not cause substantial detriment to the public good; the property in question is a previously platted parcel. The applicant is seeking to build a new single family home on the existing lot.

5. A literal interpretation of this Ordinance would deprive the applicant of any rights that others in the same district are allowed.

The literal interpretation of this ordinance would deprive the applicant of rights that others in the same district are allowed. Variances for setbacks have been approved for existing lots of record in the past.

Planning Staff Comments:

Planning Staff has reviewed the applicant's request for a variance with regards to the criteria listed above and the present condition of the property. Staff has found that there are extraordinary circumstances with regards to the applicant's property. The applicant's request for a variance to reduce the front and rear yard setback is necessary for the applicant to build a new home on the existing lot due to the odd shape of the parcel. There is a stream and an area of flood plain on this parcel that will require development coordination with the City of Griffin Storm Water Department. There is city sewer running through the parcel as well. Prior to any development of this parcel a sewer relocation plan must be submitted and approved by the City of Griffin Water and Wastewater Department. The applicant is aware that it will be the responsibility of the property owner to relocate the sewer lines, according to the approved plans. Due to the flood plain issues, the applicant is also aware of the more rigorous development standards that will have to be met to build on the property.

Planning Staff Recommendation:

Planning & Development Staff recommends **APPROVAL** of the variance request (15-VAR-03) submitted by Kenneth Moore to reduce the required front and rear yard setback for property located at Lot 1A Springer Dr. with the following conditions:

Prior to development of this parcel:

1. Submit requirements from residential building permits checklist.
2. Applicant shall provide a plat showing where sewer lines are in relation to the structure.
3. Sewer relocation plans shall be submitted to the City of Griffin Water and Wastewater Department for review.
4. Development plans shall meet the requirements of The City of Griffin Flood Plain Ordinance.

Submitted by:

Toussaint M. Kirk, MURP, Director
Planning and Development Services