

**AD-09-95**

**LOCATION: 4201 Yacht Club Road**

**REAL ESTATE NUMBER: 102104-0000**

**DEVIATION SOUGHT: 1. Reduce required yard along the northwest property line from 5 feet to 4 feet**

**Proposed Carport**

**PRESENT ZONING: RLD-90**

**CURRENT LAND USE: LDR**

**PLANNING DISTRICT: 4**

**COUNCIL DISTRICT: 14**

**SIGNS POSTED: 1**

**OWNER: Pamela O. Haubrich  
4201 Yacht Club Road  
Jacksonville, FL 32258**

**AGENT: None**

**STANDARDS, CRITERIA AND FINDINGS**

<p><b>1. Is this situation unique or similar to other properties in the neighborhood?</b></p>	<p><b><u>Recommendation:</u></b></p> <p>The situation is similar to other properties in the neighborhood. Evidence indicates that there are similar carport additions in the neighborhood. The survey indicates that the proposed carport will be located in front of the existing garage and encroaching one foot into the required side yard on the northwest property line. Further, the carport by being in front of the existing garage will not inhibit the flow of air and light and would have limited effect on the surrounding area.</p> <p><b><u>Findings:</u></b></p>
<p><b>2. There are practical and economic difficulties in carrying out the strict letter of the regulation in that...</b></p>	<p><b><u>Recommendation:</u></b></p> <p>As it is the intent of the Code to enforce required yards to promote the feel and perception of open spaces between structures, it is impractical in this instance to follow the strict letter of the regulation. As this is the case, the proposed structure will have no vertical walls on the side, but just the rear of the structure, therefore it will not act as a barrier to the feel and perception of open spaces between structures and thus it is impractical to follow the strict letter of the Code.</p> <p><b><u>Findings:</u></b></p>

<p><b>3. The request is not based exclusively upon a desire to reduce the cost of developing the site, but would accomplish a result that is in the public interest.</b></p>	<p><b><u>Recommendation:</u></b></p> <p>This structure was built in 1949, as were most of the structures on this block. The reduction of the required yard by one foot does not decrease the costs associated with the proposed improvement. It is within the public interest to allow a property owner the maximum enjoyment of their land provided there is no injury or interference with the rights of other property owners.</p> <p><b><u>Findings:</u></b></p>
<p><b>4. The proposed deviation will not substantially diminish property values in, nor alter the essential character of the area surrounding the site and will not substantially interfere with or injure the rights of others whose property would be affected by the deviation, in that...</b></p>	<p><b><u>Recommendation:</u></b></p> <p>Since there are similar carport additions in the immediate area that have existed for years without evidence of complaint, the grant of this deviation will not diminish property values, alter the character of the surrounding area, or injure the rights of surrounding property owners.</p> <p><b><u>Findings:</u></b></p>
<p><b>5. The proposed deviation will not be detrimental to the public health, safety, or welfare, result in additional public expense, the creation of nuisances, or conflict with any other applicable law, in that...</b></p>	<p><b><u>Recommendation:</u></b></p> <p>The proposed deviation will not be detrimental to the public health, safety, or welfare, result in additional public expense, the creation of nuisances, or conflict with any other applicable law.</p> <p><b><u>Findings:</u></b></p>
<p><b>6. The effect of the proposed deviation is in harmony with the spirit and intent of the Zoning Code.</b></p>	<p><b><u>Recommendation:</u></b></p> <p>The effect of this deviation is in harmony with the spirit and intent of the Zoning Code in that the character of the neighborhood is maintained, the addition does not block the flow of air and light, and the addition will not create a hazard or harm other property owners.</p> <p><b><u>Findings:</u></b></p>
<p><b>7. The City landscape architect (has/has not) recommended the proposed deviation.</b></p>	<p>N/A</p>
<p><b>8. The existing violation was not created by the applicant with an intent to violate the Zoning Code.</b></p>	<p>None</p>

**PLANNER RECOMMENDATION: Approval**

**DATE OF REPORT: 11/06/09**

**ZONING ADMINISTRATORS DECISION:  
DATE:**