

**FINDINGS PRO AND CON FOR 7 CROSS STREET
CONDITIONAL USE
BZA CASE #03-21 VCU Zone R-1**

Appellant requests a variance from *Article 7, Section (4) (c)* to increase the volume of a non-conforming structure (manufactured home not on a permanent perimeter foundation and not located in a manufactured home park), a variance from *Appendix 3b Lot Area, Coverage, and Setback Requirements (Table 2)* to permit construction of an enclosed porch with a front yard setback of nineteen (19) feet where twenty-five (25) feet is the required minimum, and approval of a **conditional use permit to construct a portable or temporary carport in a residential zoning district.**

CONDITIONAL USE FOR A PORTABLE OR TEMPORARY CANOPY

Athens Township Zoning Code §6.04 (a) (6) Accessory Buildings

“...A Conditional Use Permit is required for any portable or temporary carport in residential districts...”

The establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, morals or general welfare;

PRO: A carport on private property is not detrimental to nor does it endanger public health, safety, morals or general welfare.

CON: None noted

The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, or will not substantially diminish and impair property value within the neighborhood;

PRO: Parking is a requirement and parking in a garage, for example, is a principally permitted use therefore it must not be injurious to the use and enjoyment of other property in the immediate vicinity nor substantially diminish or impair property value within the neighborhood.

CON: None noted

The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district;

PRO: Parking and parking structures on private property are required and permitted and adequate and protected parking is an asset to the neighborhood .

CON: None noted

Adequate utilities, access roads, drainage and other necessary facilities have been or are being provided;

PRO: Adequate support infrastructure currently exists.

CON: None noted

Adequate measures have been or will be taken to provide ingress and egress so designed to minimize traffic congestion in the public streets; and

PRO: The temporary carport is 18 feet from the paved surface of Cross Street where many properties in the neighborhood currently/actually park on the platted public right-of-way.

CON: None noted

The conditional use will be located in a district where such use is permitted and that all requirements set forth in this Zoning Code and applicable to such conditional use will be met.

PRO: The use is conditionally permitted in residential zones (*§6.04 (a) (6) Accessory Buildings*) and a total of two (2) required parking spaces will be maintained (one covered, one uncovered). No setbacks are required because only accessory structures such as detached residential garages, storage sheds and barns, attached carports and picnic shelters, by definition, require setbacks.

CON: None noted