



Project No.: PL-1757
Request: Request for a variance to the allowable size of an accessory building
Location: The subject property is located on the north side of E Robinson Street, east of Northview Street, more specifically 54 W Robinson Street in Section 13, Township 3, Range 6
Applicant: Richard Korthauer, the owner of the property.
Date: September 12, 2023

INTRODUCTION:

Mr. Korthauer is requesting to expand an existing detached garage. The expansion is described in the attached exhibits. The subject property is located on the north side of E Robinson Street, east of Northview Street, more specifically 54 W Robinson Street in Section 13, Township 3, Range 6

DISCUSSION:

A Zoning Variance is based upon the concept of “unnecessary hardship.” In other words, whether or not the strict enforcement of the requirements of the Ordinance will impose on the applicant an unnecessary hardship as a result. In considering any Zoning Variance for approval or denial, the Planning Commission must make specific findings concerning the following questions to determine if an “unnecessary hardship” exists:

- 1. That special conditions and circumstances exist that are peculiar to the land, structures, or buildings involved, and are not generally applicable to other lands, structures, or buildings in the same district.**

Applicant Response: I am trying to add a car port in front of my work shop to keep my boat out of the weather. The car port will be 20 FT. x 10FT. x 7 FT tall..

- 2. That the literal enforcement of the provisions of these standards would deprive the applicant of rights commonly enjoyed by other properties within the same district under the terms of this Ordinance.**

Applicant Response: No response

- 3. That the special conditions and circumstances do not result from the actions of the applicant and are not based upon economic considerations.**

Applicant Response: No response

4. That granting the variance requested would not confer on the applicant any special privilege that is otherwise denied by this Ordinance to other lands, structures, or buildings in the same district.

Applicant Response: No response

OTHER COMMENTS:

1. If approved, the applicant shall submit all necessary building permits required for the construction of the building.
2. The applicant has an adjusted area of 2,159 square feet on the principle dwelling. There is an existing 864 sq.ft. building and with the proposed expansion it would create 1,162 sq.ft. of accessory building area. The allowed area is 1,079.50 sq.ft.
3. In accordance with Article XVI §c. ¶ v. Any person or persons aggrieved by any decision of the Planning Commission may appeal within 10 days to the City of Hernando Board of Aldermen, who may affirm, reverse, remand, or modify the decision as may be proper. Parties aggrieved by decisions of the City of Hernando Board of Aldermen may seek review by a Court of Record as provided by law. If an appeal is made, the appeal shall be submitted in writing to the Office of Planning as prescribed above.

PROPOSED MOTIONS:

1. A motion to **approve** a request by Richard Korthauer for a variance to exceed the allowable square footage on a detached building based on the following A-d. The subject property is located on the north side of E Robinson Street, east of Northview Street, more specifically 54 W Robinson Street in Section 13, Township 3, Range 6
 - A. *That the special conditions and circumstances that exist **are** peculiar to the land, structures, or buildings involved, and are not generally applicable to other lands, structures, or buildings in the same district.*
 - B. *That the literal enforcement of the provisions of these standards **would** deprive the applicant of rights commonly enjoyed by other properties within the same district under the terms of this Ordinance.*
 - C. *That the special conditions and circumstances **do not** result from the actions of the applicant and are not based upon economic considerations.*
 - D. *That granting the variance requested **would not** confer on the applicant any special privilege that is otherwise denied by this Ordinance to other lands, structures, or buildings in the same district.*
2. A motion to **deny** a request by Richard Korthauer for a variance to exceed the allowable square footage on a detached building based on the following A-d. The subject property is located on the north side of E Robinson Street, east of Northview Street, more specifically 54 W Robinson Street in Section 13, Township 3, Range 6

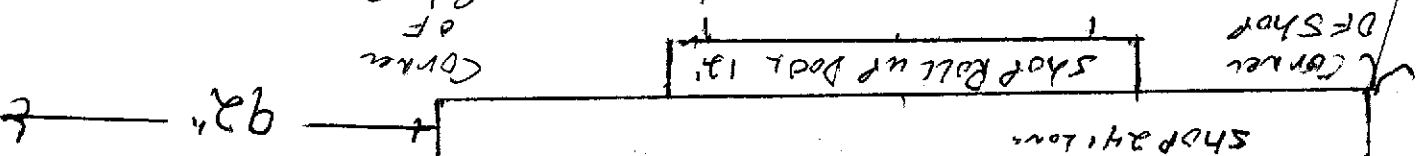
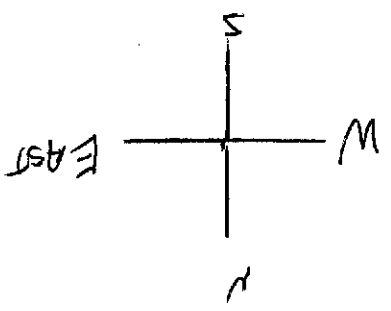
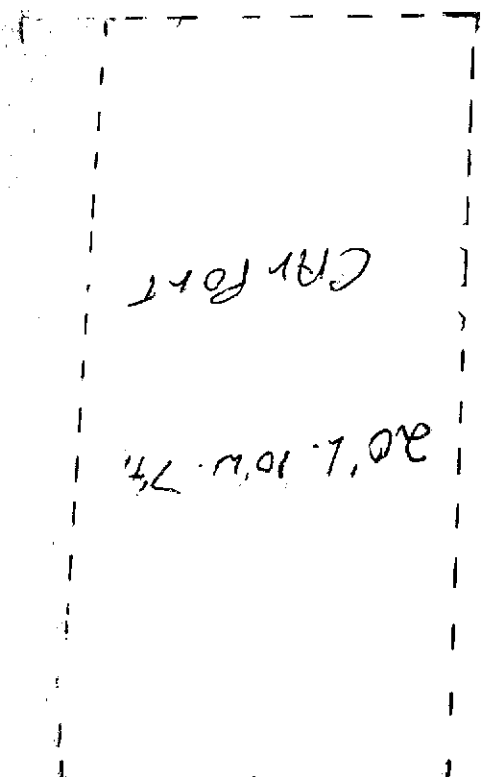
- A. *That the special conditions and circumstances that exist **are not** peculiar to the land, structures, or buildings involved, and **are** generally applicable to other lands, structures, or buildings in the same district.*
 - B. *That the literal enforcement of the provisions of these standards **would not** deprive the applicant of rights commonly enjoyed by other properties within the same district under the terms of this Ordinance.*
 - C. *That the special conditions and circumstances **do** result from the actions of the applicant, and/or are based upon economic considerations.*
 - D. *That granting the variance requested **would** confer on the applicant any special privilege that is otherwise denied by this Ordinance to other lands, structures, or buildings in the same district.*
3. The Planning Commission may wish to **table** the item to the next regularly scheduled meeting in the event the Commission should feel that they need additional information submitted by the applicant or if the Commission feels that they need more time to consider the request.

APPLICANT'S REPORT TO ERECT

Drive Way
22' wide

Richard J. Kothauer
54 W. Robinson St.
Herndon, MS 38632
901-283-9501
Kothauer @ Ball South, MS

Corner
of House
Street



Corner
of
Shop

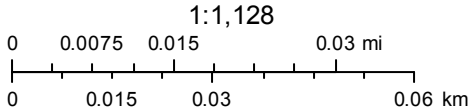
Corner
of Shop

37'

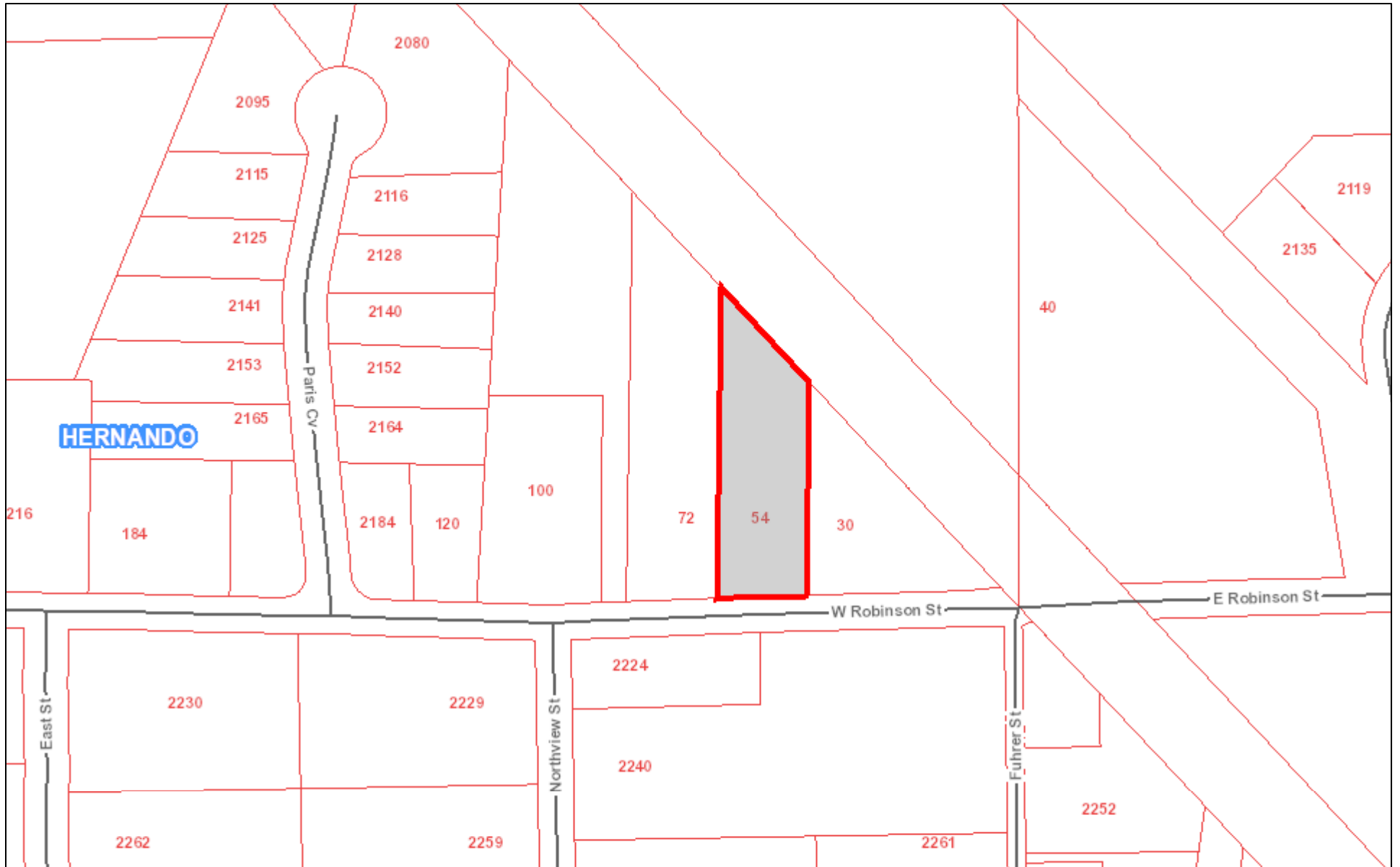
Aerial Map



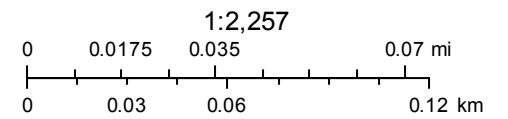
August 29, 2023



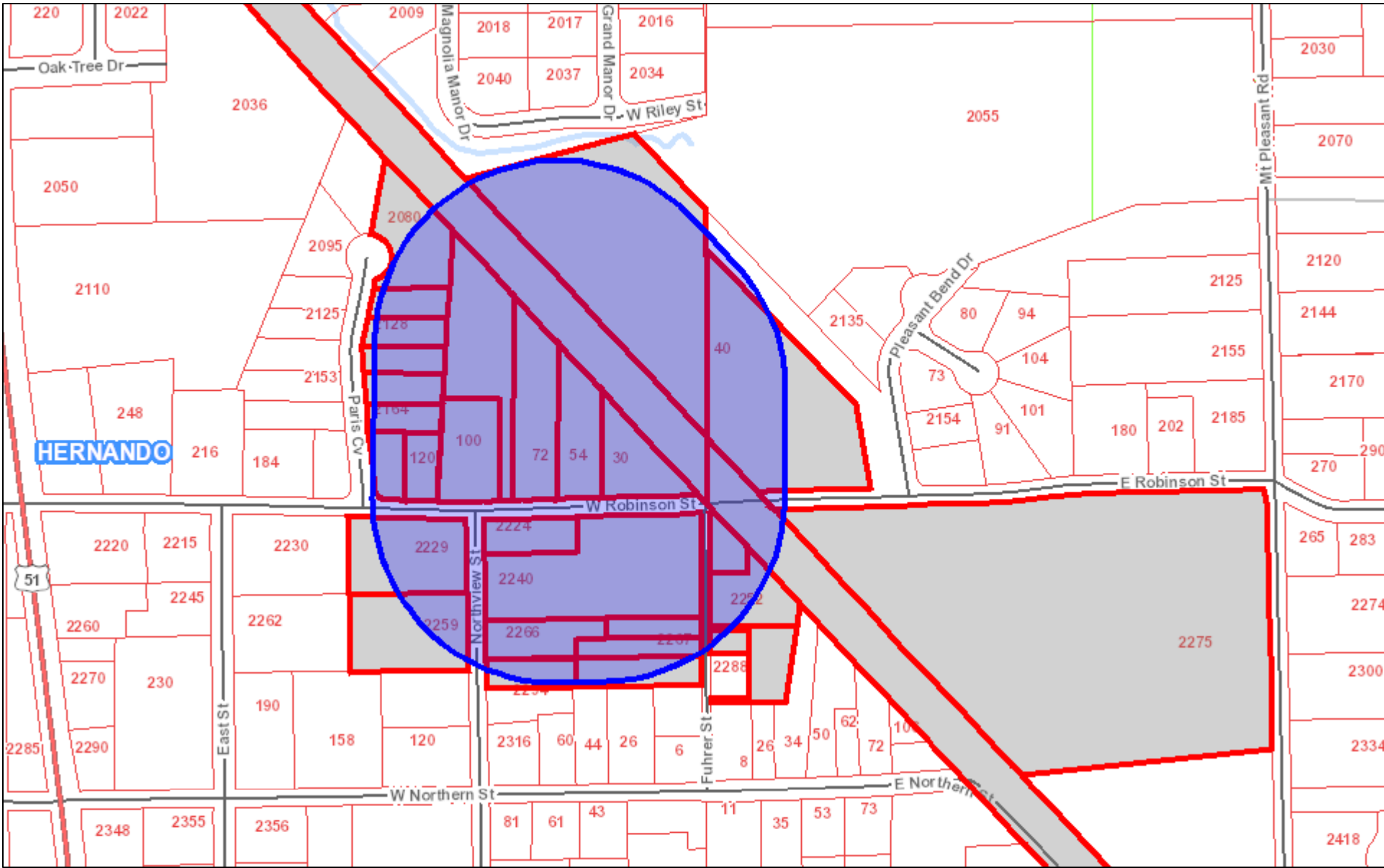
Site Map



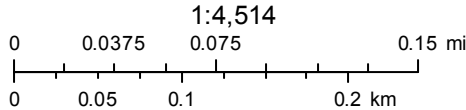
August 29, 2023



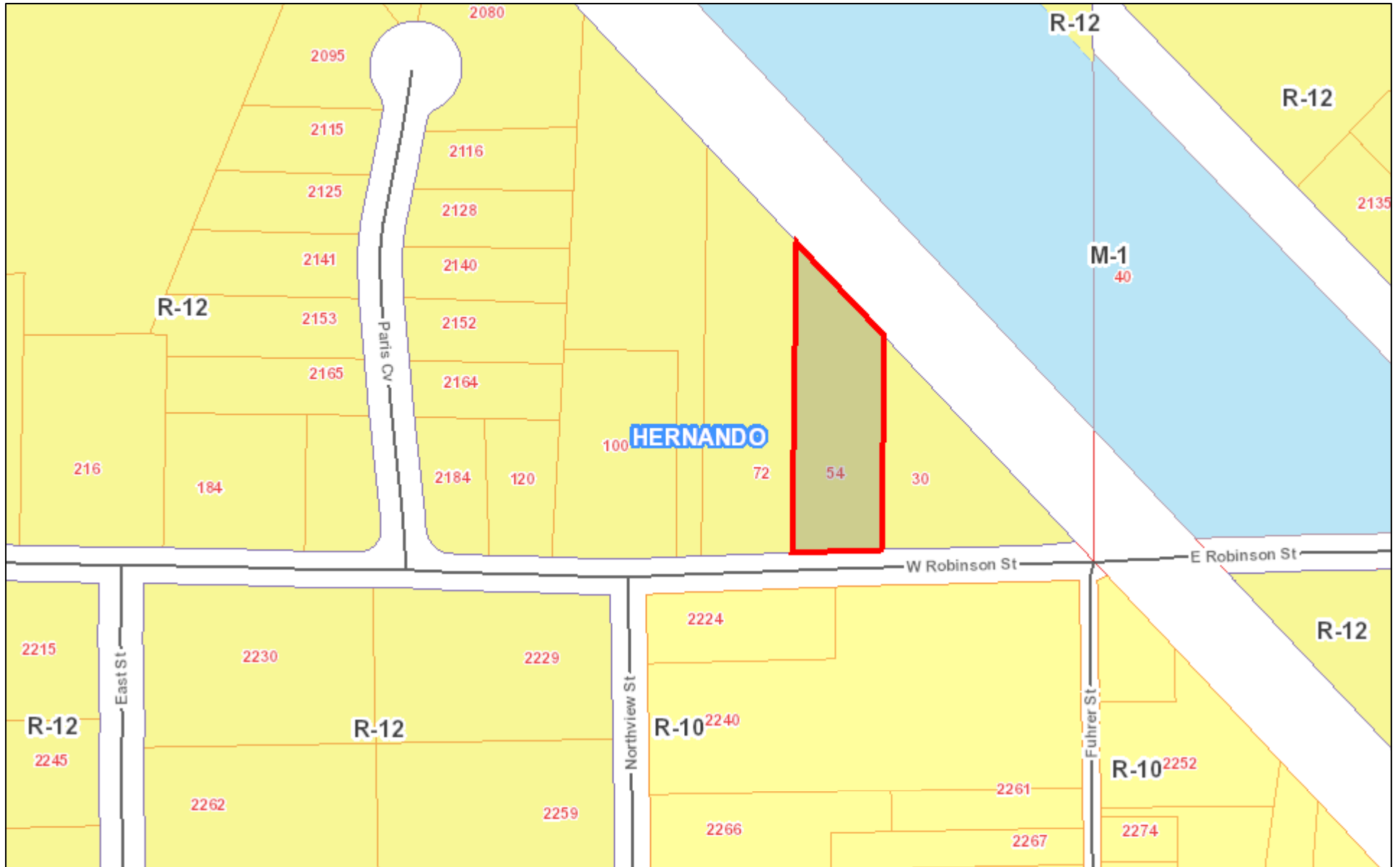
Buffer Map



August 29, 2023



Zoning Map



August 29, 2023

