



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY PLANNING DIVISION

SUBMITTER: Sam Hayes, Planner II **MEETING DATE:** August 12th, 2025

AGENDA SECTION: New Business **DEPARTMENT:** Community Development

TITLE OF ITEM: 709 Florida Avenue – Variance (25-52-VAR) – Sam Hayes / *Planner II*

SUGGESTED MOTION(S):

<p>1. <u>For Recommending Approval:</u></p> <p>With regard to the request by Andrew Griffin for a variance from <i>Section 5-10-3</i> to:</p> <p>1. <i>Reduce the side setback requirement 5' to 4.3' and reduce the 15' total side setback to 11.1' to allow the construction an addition.</i></p> <p>I move the Board to find that:</p> <ol style="list-style-type: none">1) An unnecessary hardship would result from the strict application of the ordinance.2) The hardship results from the conditions that are peculiar to the property, such as location, size, or topography.3) The hardship did not result from actions taken by the applicant or the property owner.4) The requested variance is consistent with the spirit, purpose, and intent of the regulation, such that public safety is secured and substantial justice is achieved. <p>For the following reasons: [<i>list factual basis for Approval here.</i>]</p> <p style="text-align: center;">[DISCUSS & VOTE]</p>	<p>1. <u>For Recommending Denial:</u></p> <p>With regard to the request by Andrew Griffin for a variance from <i>Section 5-10-3</i> to:</p> <p>1. <i>Reduce the side setback requirement 5' to 4.3' and reduce the 15' total side setback to 11.1' to allow the construction an addition.</i></p> <p>I move the Board to find that:</p> <ol style="list-style-type: none">1) An unnecessary hardship would not result from the strict application of the ordinance.2) The hardship does not result from the conditions that are peculiar to the property, such as location, size, or topography.3) The hardship did result from actions taken by the applicant or the property owner.4) The requested variance is not consistent with the spirit, purpose, and intent of the regulation, such that public safety is not secured and substantial justice is not achieved <p>For the following reasons: [<i>list factual basis for Denial below.</i>]</p> <p style="text-align: center;">[DISCUSS & VOTE]</p>
---	---

SUMMARY:

The Community Development Department has received an application from Andrew Griffin for a variance from Section 5-10-3. – Dimensional requirements in accordance with the definition of “setback” in Section 12-2-2 Definition of Terms to reduce the required 5’ side setback to 4.3’ and to reduce the 15’ total side setback to 11.1’ in order to construct an addition. The subject property is currently zoned MIC, Medical, Institutional and Cultural Zoning District. The specific variance requested is for the following:

Variance Request: The Applicant is requesting a variance from the requirement that side yards shall be a minimum of 5’ wide and that the lot should have a combined 15’ side setback in accordance with Section 5-10-3 of the Zoning Ordinance. The applicant is seeking to build a two-story addition that will include a garage on the ground level and an upstairs apartment. The applicant is also proposing to include a cantilevered front porch on the second story, however, this fits within the front setback. (Exhibit B)

The subject property is .08 acre or a 3,484 square feet lot zoned MIC – Medical Institutional and Cultural. There is a 1,872 square feet building on the property currently. The side setback requirements for MIC is 15’ total for the lot with a minimum of 5’ on any side according to Section 5-10-3. – Dimensional requirements. Other requirements for this district are a 45’ minimum lot width, a front setback of 8’, rear setback of 10’, and a maximum height of 50’.

PROJECT/PETITIONER NUMBER:	25-52-VAR
PETITIONER NAME:	Andrew Griffin (Owner/Applicant)
EXHIBITS:	A. Staff Report B. Application C. Warranty Deed D. Site Photos