



Legislation Text

File #: 18-1420, **Version:** 1

ZV(R) 2018-24 Vicky Castro, 1394 NW 139 Terrace

SUMMARY EXPLANATION AND BACKGROUND:

PROJECT DESCRIPTION / BACKGROUND

Vicky and Rob Castro, Owners, have submitted a variance request to allow a Front Yard Lot Coverage of 71% for a driveway and walkway instead of the allowed 35% Front Yard Lot Coverage for a driveway and walkway. They live on a pie shaped lot.

VARIANCE REQUEST DETAILS:

ZV(R) 2018-24) Allow a Front Yard Lot Coverage of 71% for a driveway and walkway instead of the allowed 35% Front Yard Lot Coverage for a driveway and walkway.

Code Reference: § 52.26 DRIVEWAYS ACROSS SWALE AREAS.

(H) No driveway may:

- (1) Exceed a 35% of the total front lot coverage in a single family residential home;

VARIANCE DETERMINATION:

The Planning and Zoning Board shall not grant any variances, permits, or make any decision, finding, and determination unless it first determines that:

Its decision and action taken is in harmony with the general purposes of the zoning ordinances of the city and is not contrary to the public interest, health, or welfare, taking into account the character and use of adjoining buildings and those in the vicinity, the number of persons residing or working in the buildings, and traffic conditions in the vicinity.

In the granting of variances, the Planning and Zoning Board shall determine that the variance granted is the minimum variance that will accomplish the intended purpose (stated above) and:

- A) That there are special circumstances or conditions applying to the land or building for which the variance is sought, which circumstances are peculiar to the land or building and do not apply generally to land or buildings in the

neighborhood, and that the strict application of the provisions of the zoning ordinances would result in an unnecessary hardship and deprive the applicant of the reasonable use of the land or building; or

- B) That any alleged hardship is not self-created by any person having an interest in the property nor is the result of a mere disregard for or in ignorance of the provisions of the zoning ordinances of the city; or
- C) That granting the variance is not incompatible with public policy, will not adversely affect any adjacent property owners, and that the circumstances which cause the special conditions are peculiar to the subject property.