



Legislation Text

File #: 20-0792, **Version:** 1

ZV(R) 2020-25
Jenny Lopez, 20808 NW 17 Street

SUMMARY EXPLANATION AND BACKGROUND: PROJECT DESCRIPTION / BACKGROUND:

Jenny Lopez, owner, has submitted a variance request for an existing roofed patio. Requested variance ZV(R) 2020-24 is to allow an existing roofed patio to be 6.9' rear yard setback instead of the allowed 15' rear yard setback.

The roofed structure has been cited by Code Compliance under case #120797. The concrete slab was built at time of construction of house and is shown on Final Survey dated 3/20/1998.

Homeowners Association approval and petition in favor of requested variance, signed by neighbors, are attached to the application.

VARIANCE REQUEST DETAILS:

ZV(R) 2020-20 allow a 6.9' rear yard setback instead of the required 15' rear yard setback for an existing roofed patio.

Code Reference: Chapel Trail Planned Unit Development (PUD) Guidelines.

VARIANCE DETERMINATION:

The Board of Adjustment shall not grant any single-family residential 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 single-family residential variances, the Board shall determine that the single-family residential variance granted is the minimum variance that will accomplish the intended purpose in accordance with 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.