



Legislation Text

File #: 21-0215, **Version:** 1

ZV(R) 2020-38, Alber Araujo, 10660 NW 20 Street

SUMMARY EXPLANATION AND BACKGROUND: PROJECT DESCRIPTION / BACKGROUND:

Alber Araujo, owner, has submitted variance request ZV(R) 2020-38 to allow 65% total front yard coverage with a proposed driveway and walkway. Proposed design includes 4" artificial turf joints thru out the driveway for drainage.

There is not a Homeowner's Association for this community.

At the March 4, 2021 Board of Adjustment Meeting the Board moved to defer this variance to the April 1, 2021 meeting for Mr. Araujo to present a reduced request. Based on the Board's questions, comments and discussion, Mr. Araujo is proposing the removal of 260 square feet of driveway that was previously proposed. Details are shown on new exhibit attached. The result of this reduction is the proposed front lot coverage is now 54%.

VARIANCE REQUEST DETAILS:

ZV(R) 2020-38 allow a 65% total front lot coverage instead of the required 35% total front lot coverage for a proposed 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; or

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.