



Legislation Text

File #: 21-0975, **Version:** 1

ZV(R) 2021- 28 - 30, Carlos Rodriguez, 7131 SW 6 Street

SUMMARY EXPLANATION AND BACKGROUND: **PROJECT DESCRIPTION / BACKGROUND:**

Carlos Rodriguez, owner, has submitted three variance requests for existing driveways. ZV(R) 2021-28 is to allow 60% front lot coverage for existing driveways on a Typical Residential Lot instead of the allowed 35%; ZV(R) 2021-29 is to allow 56% width of lot for existing driveways instead of the allowed 40% width and ZV(R) 2021-30 is to allow a 9' wide driveway instead of the required minimum 10' wide.

There is no Homeowner's Association associated with this property.

The existing driveways, built without a permit by previous homeowner, is currently under Code Compliance Correction No. - #127781. Code Violation began against previous homeowner on 4/28/2020. Current owner took possession of property on 4/11/2021 and Code Compliance recited current owner on 5/20/2021 to update owner information.

VARIANCE REQUEST DETAILS:

ZV(R) 2021-28 to allow 60% front lot coverage on a Typical Lot instead of the required 35% total front lot coverage for existing driveways.

Code Reference: **Table 155.620 Accessory Building and Structures.**

Driveway, Typical Lot, Maximum Dimensions:
35% front lot coverage

ZV(R) 2021-29 allow a 56% width of lot instead of the required width of 40% for existing driveways;

Code Reference: **Table 155.620 Accessory Building and Structures.**

Driveway, Typical Lot:
40% width of lot

ZV(R) 2021-30 allow a 9' wide driveway;

Code Reference: **Table 155.620 Accessory Building and Structures.**

Driveway, Typical Lot:
10' minimum width

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 follow Section 155.301(O)

Variance:

1. Purpose: To allow for the provision of relief from certain development standards of this LDC for one or more of the following reasons:
 - a) 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) 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) 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.