



Legislation Text

File #: 22-0423, **Version:** 1

ZV(R) 2022-10, Sybil Williams; 875 NW 135th Terrace

SUMMARY EXPLANATION AND BACKGROUND: PROJECT DESCRIPTION / BACKGROUND:

Sybil Williams, owner, has submitted Zoning Variance Request ZV(R) 2022-10 to install a hard roofed screen enclosure.

Ms. Williams is requesting a 3 foot side (north) setback to install a hard roofed screen enclosure, as shown in the attached property survey.

Ms. Williams has submitted required building permits for review and approval. She is aware zoning approval is required to complete the building application approval process.

Approval by her Homeowner's Association, Antigua at Pembroke Falls HOA, is attached.

VARIANCE REQUEST DETAILS:

The following Zoning Variance Request is submitted as follows:

ZV(R) 2022-10: to allow a 3 foot side setback instead of the required 5 feet side setback for a hard roofed screen enclosure.

City Code Reference: Table 155.620: Accessory Buildings and Structures

Type, Screen Enclosure, Setback, Side, 5 feet

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.