



Legislation Text

File #: 22-0427, Version: 1

ZV(R) 2022-0015 & 0016, Joel Oceguela, 7861 NW 11 Court

SUMMARY EXPLANATION AND BACKGROUND: PROJECT DESCRIPTION / BACKGROUND:

Joel Oceguela, owner, has submitted two Variance requests for an existing driveway:

Zoning Variance Application #ZV(R) 2022-0015 is to allow a 69.1% total front lot coverage for a Typical Single Family Residential Lot instead of the allowed 35% total front lot coverage for an existing driveway.

Zoning Variance Application #ZV(R) 2022-0016 is to allow 55% total width instead of the allowed 40% for total driveway width for an existing driveway.

The existing driveway, built without a permit, is currently under Code Compliance Notice of Violation No. #21080056. This violation began on August 12, 2021.

Mr. Oceguela knows building permits still need to be obtained, and completed, in order for the property to come in compliance.

There is no Homeowners Association, however, Mr. Oceguela has supplied letters of support from his neighbors.

VARIANCE REQUEST DETAILS:

ZV(R) 2022-0015 to allow a 69.1% total front lot coverage for a Typical Single Family Residential Lot instead of the allowed 35% total front lot coverage for an existing driveway.

ZV(R) 2022-0016 to allow a 55% total width instead of the allowed 40% for total driveway width for an existing driveway.

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

Type, Driveway, Circular*, Maximum Dimensions, 35% front lot coverage

Type, Driveway, Circular*, Maximum Dimensions, 40 % width of lot

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.