



Legislation Text

File #: 23-0282, **Version:** 1

ZV(R)2023-0036 - 37, Armando & Sarah Albaladejo, 19010 SW 4 Street

SUMMARY EXPLANATION AND BACKGROUND: PROJECT DESCRIPTION / BACKGROUND:

Sarah Albadalejo, owner, submitted two residential zoning variance requests for a proposed driveway for the single family residence located at 19010 SW 4 Street in the Estancia neighborhood which is zoned R-1Z (Residential Single-Family Zero Lot Line).

The applicant is requesting:

- ZV(R) 2023-0036 is to allow 58% front lot coverage instead of the allowed 40% for a proposed driveway in a zero lot.
- ZV(R) 2023-0037 is to allow 43% instead of the allowed 40% of the lot's width for a proposed driveway in a zero lot.

The applicant is aware that the Board consideration of a residential variance request does not preclude the property owner from obtaining all necessary development related approvals or permits.

The subject property is in the Estancia Home Owners Association (HOA) and the applicant has not provided approval from the HOA.

VARIANCE REQUEST DETAILS:

ZV(R) 2023-0036: to allow 58% front lot coverage instead of the allowed 40% for a proposed driveway in a zero lot.

ZV(R) 2023-0037: to allow 43% instead of allowed 40% of the lot's width for a proposed driveway in a zero lot.

Code References:

Table 155.620 Accessory Building and Structures:

ZV(R) 2023-0036)

Type, Driveway, Zero Lot Line, Maximum Dimensions, 40% front lot coverage

ZV(R) 2023-0037)

Type, Driveway, Zero Lot Line, 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.