

Applicant requests a Special Exception under Section 2.16.050 C (Rear Yard Setback) in an R-5/c/sp (Residential/Condition/Special Permit) zone.

The request is for a 35' by 22'6" addition of which 187 square feet is proposed to encroach in the required rear yard setback.

The required rear yard setback is 21' in the R-5/c/sp zone district.

BACKGROUND

The applicant is requesting the Special Exception for the addition of second story bedrooms and bath above a patio, proposed to encroach into the required rear yard setback to within 13 feet of the rear property line. There is a 10' by 10' accessory building that is located to within 2 feet of the side street property line.

CALCULATIONS

Required rear yard setback = 21'

Requested rear yard setback = 13'

Permitted square feet encroachment = 227.80 sq. ft. (18.08' [54.24' lot width ÷3] x 12.60' [3/5 of 21'])

Requested square feet encroachment = 187 sq. ft.

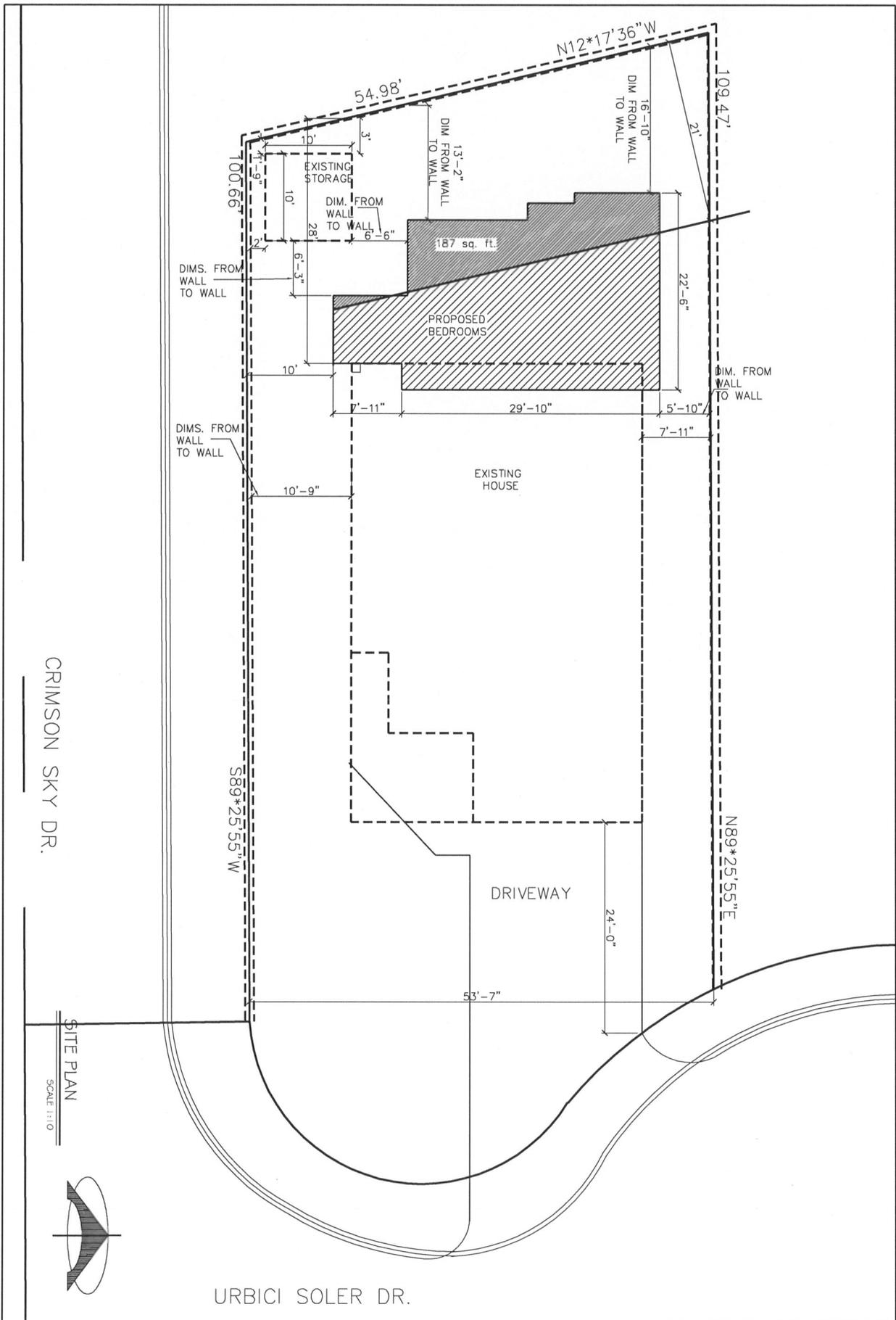
STAFF RECOMMENDATION

Staff recommends approval of the request as it meets the requirements of the Special Exception, with the condition that the accessory building shall be relocated or reduced in size to be 5 feet from the side street property line.

The Zoning Board of Adjustment is empowered under Section 2.16.050 C to:

“Permit an extension of a single-family residential structure into the required rear yard, which shall be measured to the rear property line, not to the centerline of the alley, if one exists; provided, however, that:

1. The residence has been in existence with a valid certificate of occupancy for one continuous year;
2. The maximum square footage allowed shall not exceed the result of multiplying one-third of the average width of the lot by three-fifths of the required rear yard;
3. A minimum ten foot rear yard setback shall be required;
4. The minimum side and side street yards shall not be reduced;
5. The total floor area of all detached accessory structure(s) existing or later constructed on the site shall not exceed one hundred eighty square feet;
6. Unless otherwise provided in this section, all remaining areas of the required rear yard shall be permanent open space; and
7. The extension shall not permit the creation of an additional dwelling unit for rental purposes.”



CRIMSON SKY DR.

SITE PLAN
SCALE 1/10



URBICI SOLER DR.

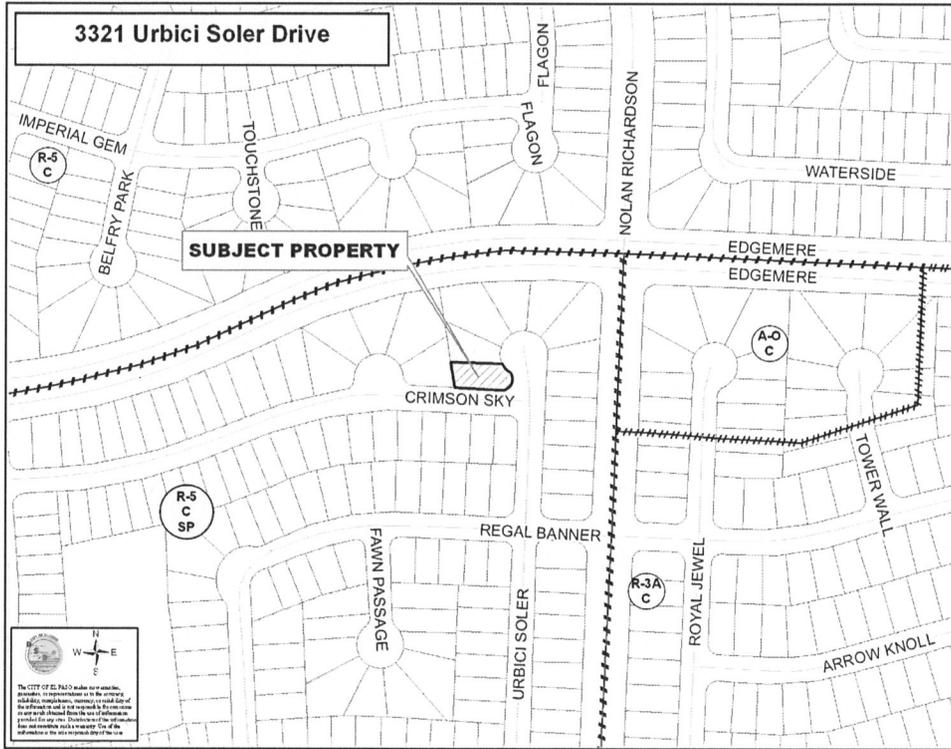
Date: MARCH - 2010
 SCALE: 1/10
 Project No.:
 SHEET #
 1 OF 1

SITE PLAN

3321 URBICI SOLER DRIVE
 ADDITION



ZONING MAP



NOTIFICATION MAP

