

Applicant requests a Special Exception under Section 2.16.050 B (Front Yard Setback) in an R-3 zone.

This would permit the addition of a bathroom of which a 7' by 3' portion is proposed to encroach 3' into the required front yard setback.

The required cumulative front and rear yard setback total is 50' in an R-3 (Light Density Residential) zone.

BACKGROUND

The applicant is constructing an addition of which a 7' by 3' portion is encroaching into the required front yard setback. There are several homes within the block that do not conform to the required front yard setback. The proposed addition is less nonconforming than the other nonconforming properties within the block. It should be noted that there is also a 10' parkway located at the front of the properties within the Kern Place Addition. The home was registered nonconforming for the existing attached garage located 0' from the side and rear yard setback.

CALCULATIONS

Requested width of encroachment = 7'

Required front yard setback = 25'

Requested front yard setback = 22'

STAFF RECOMMENDATION

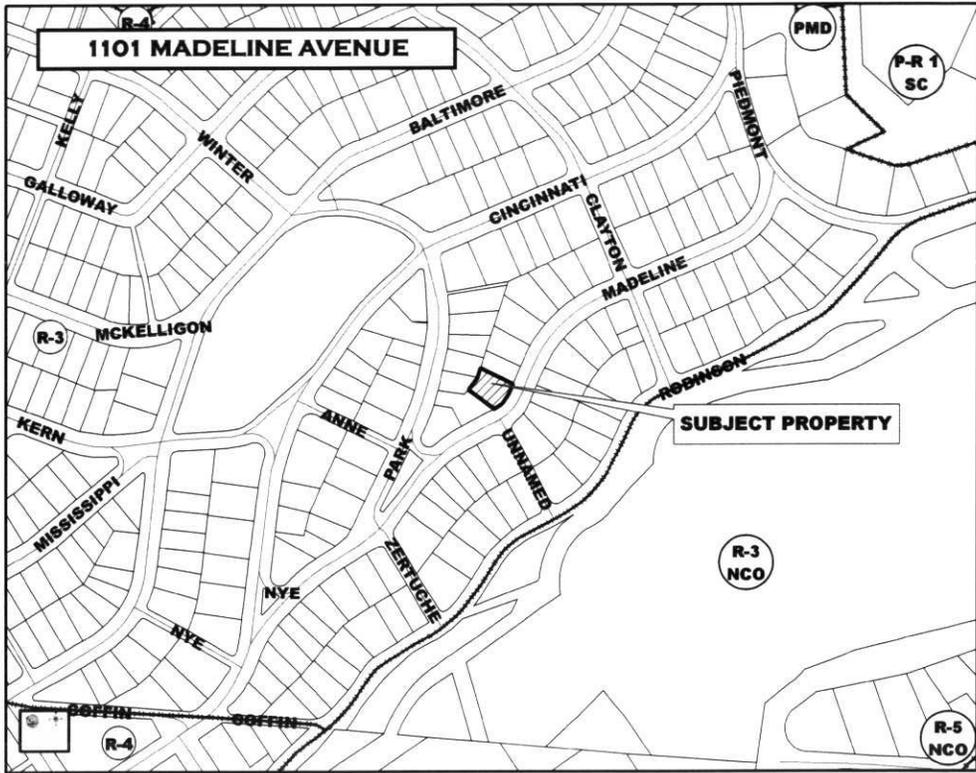
Staff recommends **Approval** as the request meets the requirements of the Special Exception B.

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

“Permit the modification of setback requirements as the board deems necessary to secure an appropriate development of a lot; provided, however, that:

1. The lot is in a legally recorded and developed subdivision of at least ten years; and,
2. There are two or more lots that do not conform to Title 20 located within the same block on the same side of the street or within the block directly across and abutting the street; and,
3. The modifications are in the same nature as the existing nonconforming lots and do not permit construction less conforming than the least conforming of the nonconforming lots, and,
4. If the subject lot is located at the intersection of two streets (a corner lot), then nonconforming lots within the same block on the same side of either intersecting street or directly across and abutting either intersecting street, but not lots located diagonally from the subject lot, may be used in determining the nonconforming lot restrictions of this special exception”.

ZONING MAP



NOTIFICATION MAP

