

Applicant requests a Special Exception under Section 2.16.050 C (Rear Yard Setback) in an R-4 (Residential) zone.

This would permit an addition of which a 20' by 5' portion (100 square feet) is proposed to encroach 5' into the required rear yard setback and to be located to within 15' of the rear property line.

The required front and rear yard setback cumulative total is 45 feet in the R-4 zone district.

BACKGROUND

The applicant began work on a patio but decided she wanted to enclose the entire patio. She is requesting the Special Exception for the encroachment in the rear yard.

CALCULATIONS

Permitted area of encroachment = 350 sq. ft. (23.3 [70' ÷ 3] x 15 [3/5 of 25])

Requested area of encroachment = 100 sq. ft. (20' x 5')

Required rear yard setback = 20'

Requested rear yard setback = 15'

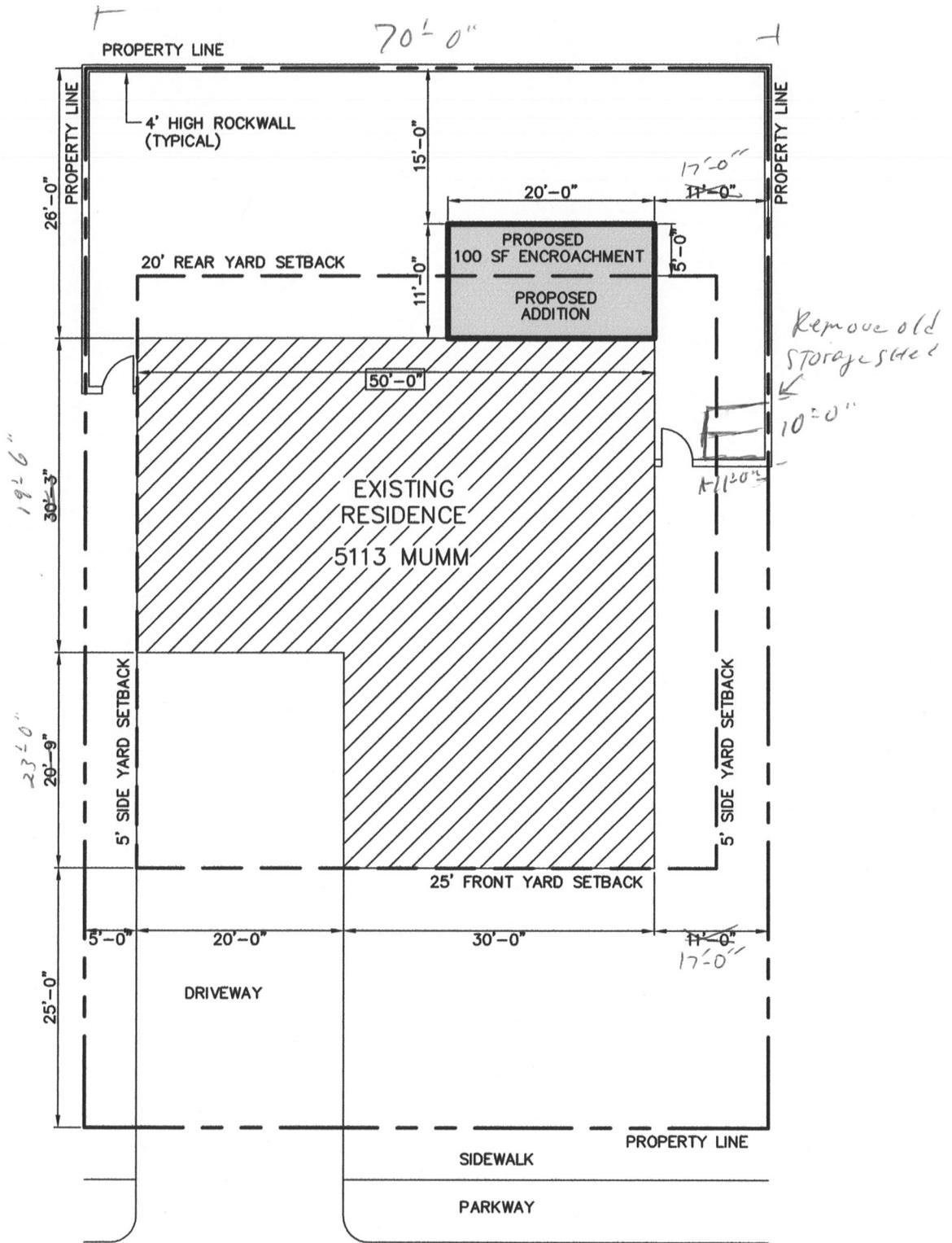
STAFF RECOMMENDATION

Staff recommends approval of the request for the Special Exception.

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.

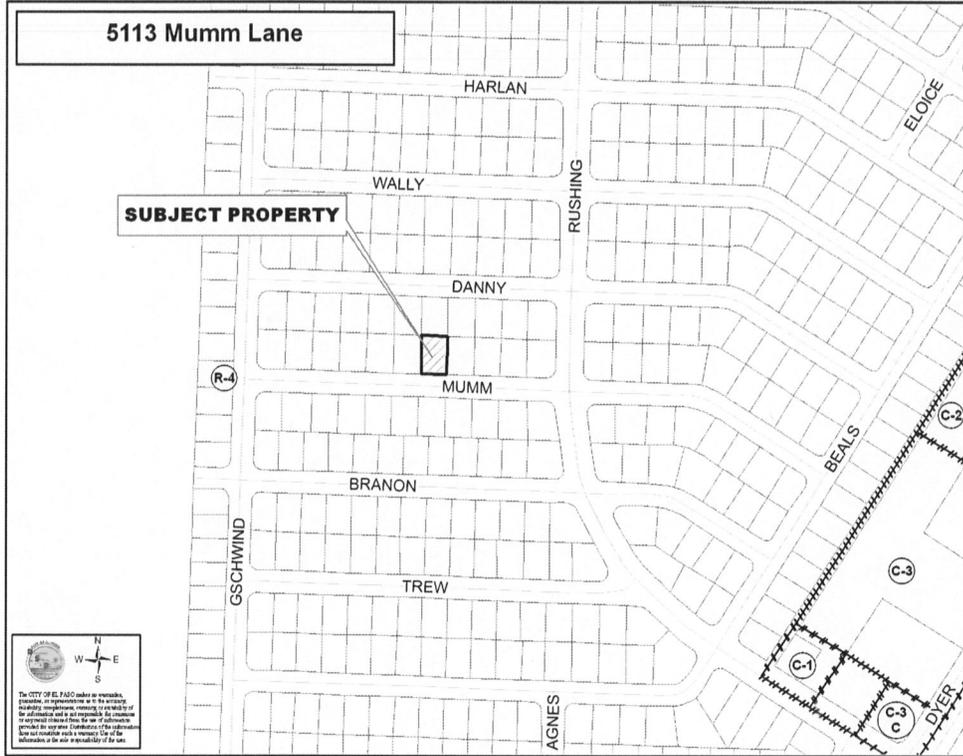


SITE PLAN

SCALE: 1'-0" = 15'-0"
5113 MUMM



ZONING MAP



NOTIFICATION MAP

