

ADMINISTRATIVE RELIEF MINUTES
Central Permitting Conference Room
April 7, 2016

Call to Order

Zoning Administrator called the meeting to order at 3:00 p.m. on Thursday, April 7, 2016, in the Central Permitting Conference Room

Roll Call

Zoning Administrator Presiding

Michael Sandy

Staff Attending

Tim Swarrigen, Zoning Code Enforcement Officer
Bob Remsburg, Planner, I

Others Present

Charles Jones – Property owner

Zoning Administrator Sandy reviewed the purpose of the hearing which was to consider reducing the required 40 foot front yard setback to 33 feet. Mr. Sandy asked those testifying to raise their right hand to be sworn in. Charles Jones, Tim Swarrigen and Bob Remsburg were sworn in by the Zoning Administrator.

Zoning Administrator Sandy asked the Clerk to present the case, ZV 16-03.

Bob Remsburg, Clerk, stated that the lot has an unusual shape due to curve in the right-of-way of Woodland Drive. Mr. Jones purchased the property last year with the existing unfinished residence. In order to provide access to the second floor, a deck with steps is necessary. Mr. Jones has presented the design which will complete the structure with a deck. The deck encroaches into the front yard setback by a bit more than 6 feet; therefore it was decided to request an encroachment of 7 feet. The deck structure and other improvements will complete the building which has been unfinished for at least 10 years. The R-20 district requires a setback of 40 feet in the front yard. The upgrades to the building will meet all other required setbacks and will be in compliance with all other regulations. The closeness to the lot line will not negatively affect the value of this or adjoining properties.

Zoning Administrator Sandy stated that, if there were no other questions or comments, that he would review the findings of fact. Clerk Bob Remsburg read the findings of fact, and the Zoning Administrator found as follows:

1. That the applicant cannot secure a reasonable return from or make reasonable use of this property without the Variance.

Based on the staff report the Zoning Administrator found this to be true.

2. That a hardship exists resulting from unique circumstances related to applicant's land, such as location, size or topography.

Based on the staff report the Zoning Administrator found this to be true.

3. That the existing hardship is not the result of applicant's own actions.

Based on the staff report the Zoning Administrator found this to be true.

4. That the variance is consistent with the spirit, purpose, and intent of the ordinance such that public safety is secured, and substantial justice is achieved.

Based on the staff report the Zoning Administrator found this to be true.

Having approved the Findings of Fact, Zoning Administrator Michael Sandy ruled that the Variance ZV16-03 would be approved and issued the order for approval.

There being no further business, Zoning Administrator Michael Sandy adjourned the meeting at 3:20 PM.

Michael Sandy, Zoning Administrator

Bob Remsburg, Clerk