

Staff Report

Subject: Variance (Second District)
Author: Kimberly Barlett, Community Planner
Department: Development Services
Meeting Date: June 17, 2025
Item Description: **Dora Hamilton** requests approval for a **variance** to allow for a decrease in accessory structure setbacks. Located at **159 Huger Street**, zoned **R-1**. [Map# 466A Parcel# 212]

Executive Summary/Background

- Pursuant to Appendix C-Zoning Ordinance, Article VII-Planning Board, Section 7.1.8, variances may only be granted if the following findings are made:

That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness, of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property, and that the unnecessary hardship is due to such conditions, and not to circumstances or conditions generally created by the provisions of the zoning ordinance in the neighborhood or district in which the property is located; and

That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the zoning ordinance, and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.
- The request for approval of a **variance** is a requirement of **Article III Section 3.3.1 Accessory structures in residential districts**. The purpose of this article is to:

3.3 - Accessory structures in residential districts.

3.3.1 Accessory structures in the AR-1, AR-2, R and PD-R residential districts may be erected within a side or rear yard, provided they conform to the following:

(b) An accessory structure shall not be less than five feet from the rear property line and not less than five feet from interior side setback lines.

c) An accessory structure shall not be less than ten feet from a principal structure.

(d) Not more than two accessory structures, including a detached garage, shall be located in any R or PD-R district, on one lot.
- The applicant is requesting a variance for a decrease in accessory structure setbacks.
- The applicant's property is located within the Goshen Villa Subdivision.
- The property is currently located on a 1.05-acre lot zoned R-1.
- Currently the County Ordinance enforces Section 3.3.1 which allows an accessory structure to be 5 feet from property lines. The applicant intends to construct a carport. The carport will be attached to the house but it will be approximately 1 to 1.5 feet from the property line. Which will require a variance for about 4 feet.

Determination:

Staff has reviewed the application, and it is complete.

Department Review: Development Services
N/A

FUNDING:

Attachments: 1. Variance Application 2. Aerial Photograph 3. Deed