

Staff Report

Subject: Variance (Third District)
Author: Chelsie Fernald, Senior Planner
Department: Development Services
Meeting Date: October 15, 2024

Item Description: **Marla Wallace** requests a **variance** from ordinance Section 3.3.2, to allow for an accessory structure in the front yard. Located at 2554 Courthouse Road, zoned AR-1. **[Map# 345A Parcel# 7]**

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 applicant requests a variance from ordinance Section 3.3.2, to allow for an accessory structure in the front yard.
- The applicant would like to place a two-car metal garage with a concrete foundation in the front-side yard.
- Due to the wetlands on the property (based on the National Wetlands Inventory) this would be the only location the accessory structure would be able to go.

Determination

Staff has reviewed the application, and if approved, the variance will meet the criteria of the current ordinance.

Department Review: Development Services

FUNDING: N/A

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