

## Staff Report

**Subject:** Variance (Third District)  
**Author:** Chelsie Fernald, Senior Planner  
**Department:** Development Services  
**Meeting Date:** July 16, 2024

**Item Description:** **Amy Wilson** as agent for **Sandra Hutcheson** requests a **variance** from ordinance Section 3.21.1, to allow for the occupation of an RV during home construction. Located at 569 Little McCall Road, zoned AR-1. [Map# 320 Parcel# 51]

### Summary Recommendation

Staff has reviewed the application and recommends **approval** of the request for a **variance** from ordinance Section 3.21.1, to allow for the occupation of an RV during home construction.

### 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 Section 3.21.1, to allow for the occupation of an RV during home construction.
- The applicant is currently looking at permanent home options for the property. A building permit has not been applied for yet.
- AR-1 zoning does allow a secondary dwelling for immediate family members.
- The Future Land Use Map (FLUM) does show this parcel as agriculture/residential.
- At the June 11, 2024, Planning Board meeting, Mr. Alan Zipperer made a motion for approval with the following condition:
  - The applicant can stay in the mobile home for up to 12 months, should that time need to be extended, the applicant would need to come back before the Board of Commissioners for approval.
- Mr. Peter Higgins second the motion and it carried unanimously.

### Alternatives

- Approve** the request for a **variance** from ordinance Section 3.21.1, to allow for the occupation of an RV during home construction.
  - The applicant can stay in the mobile home for up to 12 months, should that time need to be extended, the applicant would need to come back before the Board of Commissioners for approval.
- Deny** the request for a **variance** from ordinance Section 3.21.1, to allow for the occupation of an RV during home construction.

**Recommended Alternative: 1**

**Other Alternatives: 2**

**Department Review:** Development Services

**FUNDING:** N/A

**Attachments:** 1. Conditional Use application

2. Aerial photograph 3. Deed