

Staff Report

Subject: Variance (First District)
Author: Chelsie Fernald, Senior Planner
Department: Development Services
Meeting Date: September 3, 2024

Item Description: **Kenneth Souls** requests a **variance** from ordinance Section 3.21.1 to allow for the occupation of an RV/Camper. Located at 277 Horseshoe Road, zoned AR-1. **[Map# 355A Parcel# 3]**

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/Camper.

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 the occupation of an R/V camper.
- Staff met with the applicant; in that discussion, the applicant stated they are currently renovating a mobile home for their niece. Until the mobile home is ready, she would like to be able to live in the R/V on site.
- At the August 13, 2024, Planning Board meeting, Mr. Ryan Thompson motioned for approval with Staff recommendations. Mr. Brad Smith seconded 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/Camper with the following conditions:
 - Should the renovations take longer than 12 months, the applicant needs to come back before the board to get an extension of time for the occupation of the R/V.
 - Renovation of the Mobile Home shall comply with all Building Codes and permits.
- Deny** the request for a **variance** from ordinance Section 3.21.1 to allow for the occupation of an RV/Camper.

Recommended Alternative: 1

Other Alternative: 2

Department Review: Development Services

FUNDING: N/A

Attachments: 1. Conditional Use application

2. Aerial photograph 3. Deed