

Staff Report

Subject: Variance (First District)
Author: Kimberly Barlett, Community Planner
Department: Development Services
Meeting Date: July 1, 2025
Item Description: **Kelsey Knight** requests approval for a **variance** to allow for a decrease in required building setbacks. Located at **335 Old Rail Road**, zoned **R-1**. [Map# 303A Parcel# 173]

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 V- Section 5.3.3 Lot and building requirements**.
- The applicant is requesting a variance for a decrease in building setbacks.
- The property is currently located on a 0.52-acre lot zoned R-1, in Cypress Lakes subdivision.
- The applicant is constructing an addition to their home. The addition's total under roof is 1356 sqft.
- Currently, the County Ordinance enforces Section 5.3.3, the minimum side yard (street) setback is 25 feet. Due to the irregular shape of the parcel, the addition will require a variance of 5 feet. The variance will allow for the addition to be 20 feet from the side street property line.

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