

Staff Report

Subject: Variance (Fourth District)
Author: Chelsie Fernald, Senior Planner
Department: Development Services
Meeting Date: November 19, 2024

Item Description: **Charles Thompson and Nan Branch** requests a **variance** from ordinance Section 5.1.4, to allow for the reduction in required building setbacks. Located at 819 Ralph Rahn Road, zoned AR-1. **[Map# 411 Parcel# 36]**

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 5.1.4, to allow for the reduction in required building setbacks.
- The applicant would like the home to face Ralph Rahn Road. Due to the irregular size of the lot, the proposed home will not meet the required setbacks for AR-1, which are as follows:
 - Front – 50'
 - Rear – 50'
 - Side – 25'
- This home will replace a home that is no longer on the property.
- The Future Land Use Map (FLUM) has this parcel designated as Agricultural-Residential.

Determination

Staff has reviewed the application, and if approved, the variance will meet the criteria of the current ordinance with the following conditions:

1. A Building Permit shall be obtained and shall adhere to all regulations set forth by the International Building Code.

Department Review: Development Services

FUNDING: N/A

Attachments :

1. Variance Application

2. Aerial Photo

3. Deed