

Staff Report

ACTION ITEM: Request for a 5-foot variance from the required 5-foot setback for an accessory building related to both side and rear lot lines at 1100 Trail Ridge Drive, as submitted by Terry W. Young.

APPLICANT: Terry W. Young

APPLICANT STATUS: Property Owner

PURPOSE: To allow the shed to remain in its current location.

SIZE: N/A

PRESENT USES: Single-Family Residential

PROPOSED USE: Accessory Building

PROPERTY ZONING: R-2 Single Family Residential

SURROUNDING ZONING: R-2 Single Family Residential District: North, South, and West.
R-1 Single Family Residential District: East

HISTORY: The small portable shed was placed in its current location without a permit. It was found to be noncompliant when the rear neighbor surveyed their yard for a land exchange. During the land exchange process with the neighbors, the shed was noticed in an aerial photo as being on an easement. Contact was made with Mr. Young, and he asked for the easement to be abandoned by the Board of Aldermen. For the shed to remain where it is, Mr. Young had to ask for a variance because it was on the property line, and our ordinance requires them to be at least five (5) from a property line.

TRANSPORTATION AND PARKING: All required parking and street frontage currently exist.

CODE SECTION REQUESTED TO BE VARIED: Zoning Code (Chapter 65)

Sec. 65-20. - Accessory building, use, and structure regulations.

- (2) Accessory buildings or structures shall not occupy more than thirty (30) percent of a required rear yard, shall not be nearer than five (5) feet to any side or rear lot line, and shall not be located over any public easement or right-of-way.

2009 COMPREHENSIVE PLAN: Single Family Residential

MAJOR STREET PLAN: Does not interfere with the major street plan.

FLOODPLAIN INFORMATION: This property is not in the floodplain per FEMA panel 29031C0232E, dated 9/29/11.

PHYSICAL CHARACTERISTICS: This is a corner lot, and the house faces Trail Ridge Drive, which is west. The shed is in the rear yard facing Smith Trail.

COMMENTS: There are no City utilities in this easement. The Board of Aldermen is waiting for the ZBOA's response before they decide to abandon the easement. Mr. Young said he couldn't place the shed anywhere else in his yard because of the terrain.

ACTION REQUIRED: The Board shall approve or deny this request based on the criteria for granting variances.