

Board of Adjustment
August 23, 2023
BOA-2324-2

STAFF REPORT

GENERAL INFORMATION

APPLICANT	Heather & Mike Beckham
LOCATION	4415 Bellingham Lane
ZONING	R-1, Single Family Dwelling District
REQUESTED ACTION	Variance to 36-514(c)(1) of 5' to the 25' front yard setback
SUPPORTING DATA	Location Map Application with attachments Site Plan

SYNOPSIS: The applicant is requesting a variance of 5' to the 25' front yard setback to allow for construction of a new single-family residence.

The location map, site plan, and the Existing Variance Conditions form are attached for your review.

VARIANCE CRITERIA PER SECTION 570(k):

A variance from the terms of this ordinance shall not be granted by the Board of Adjustment unless and until:

- (1) An applicant shall submit to the Board of Adjustment a written application indicating:
 - (a) That special conditions and circumstances exist that are peculiar to the land, structure, or building involved and are not applicable to other lands, structures, or buildings in the same district;
 - (b) That the literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this ordinance;
 - (c) That the special conditions and circumstances do not result from the actions of the applicant;
 - (d) That granting the variances requested will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structure, or buildings in the same district;

No non-conforming use of neighboring lands, structures, or buildings in the same district and no permitted use of lands, structures, or buildings

in other districts shall be considered grounds for the issuance of a variance.

DISCUSSION: The applicant purchased this lot in June of this year. The lot is a corner lot and of an odd configuration, as is the case with corner lots more often than not. The applicant would like to utilize the house plans as designed but it will not fit the configuration of the lot and still meet the required setbacks. The adjacent lot, to the south, fronts Bellingham Lane, just as this one will too if approved. The required front yard setback on the adjacent lot is 25'; the location of this house at 20' will not negatively impact the adjacent lot, as it will not be going over the already designated 20' setback as shown on the plat. In addition, the location of this house will not be out of line with the house to the north, across Bellingham Court.

The proposed site plan shows the proposed structure will meet all other R-1 setbacks and will be at approximately 37% building coverage, which is under the maximum of 40%, and approximately 55% impervious coverage, which is under the maximum of 65%.

CONCLUSION: Staff forwards this request for a variance to the front setback and BOA-2324-2 to the Board of Adjustment for consideration.