



Memorandum

TO: Richard McNabb, Mayor
City Council Members

FROM: Jay Dale, Planner

CC: Stevie Cox, City Manager

DATE: 10/03/2023

REF: **Appeal and Variance Requests.**

Summary:

APPEAL

Chad Long of Archdale, North Carolina wishes to place a duplex on a number of lots that he owns in the Lake Darr community. Mr. Long is appealing the determination of the Zoning Official in the interpretation of the City of Trinity Zoning Ordinance **Article IX Section 9-2** (Nonconforming Lots of Record) which states:

When a lot has an area which does not conform to the dimensional requirements of the district where they are located, but such lot was of record at the time of adoption of this Ordinance or any subsequent amendment which renders such lot nonconforming, then such lot may be built upon if compliance is achieved with regard to setback dimensions, width, and pother requirements, regardless of lot area. Lots that cannot meet the setback, width, and/or buffering requirements of the Ordinance may seek a variance from the Board of Adjustment.

The Zoning Official determined that the larger lot size of 50,000 square feet required for a Two-Family home (duplex) in RA (Residential Agricultural) zoned property versus 40,000 square feet for Single-Family laid out in **Section 12-4** of the City of Trinity Zoning Ordinance is a buffer. Therefore, a variance would be necessary to place a duplex on Mr. Long's lots. The lots in question are PIN 7717088465 (16,117 sq. ft. lot on Warren Lane), 7717194038 (20,473 sq. ft. lot on Lake Darr Rd), 7718005511 (18,295 sq. ft. lot on Libby Rd), 7717088835 (15,681 sq. ft. lot on Lake Darr Rd), 7717197008 (10,454 sq. ft. lot on Lake Darr Rd), and 7717197058 (10,018 sq. ft. lot on Lake Darr Rd). Mr. Long is asking for the same relief determination for lots at PIN 7718006409 (19,166 sq. ft. lot

on Libby Rd), 7717085855 (20,037 sq. ft. lot on Lake Darr Rd) owned by GMPC RP LLC.

VARIANCE

Should the City Council reverse the decision of the Zoning Official, Mr. Long is requesting a variance from the minimum side yard setback regulations for R-40 (Residential Agricultural) laid out in Section **12-4** of the City of Trinity Zoning Ordinance for lots: PIN 7717099160 and 7717088835. The current side setback for RA zoned property is 10 feet. Mr. Long is asking for a variance of .59 feet for lot PIN 7717099160 and .8 feet for lot PIN 7717088835.

Recommendation:

No recommendations needed.

Attachments:

APPEAL

- Request for appeal letter from Mr. Long
- Letter explain the zoning determination to Mr. Long
- Maps of properties owned by Mr. Long
- Article IX
- Section 12-4

VARIANCE

- Copy of Variance Applications.
- Map of lot PIN 7717099160
- Map of lot PIN 7717088835