

Agenda
Florence County Board of Zoning Appeals
Tuesday, June 5, 2012
City-County Complex, Room 803
6:30 p.m.

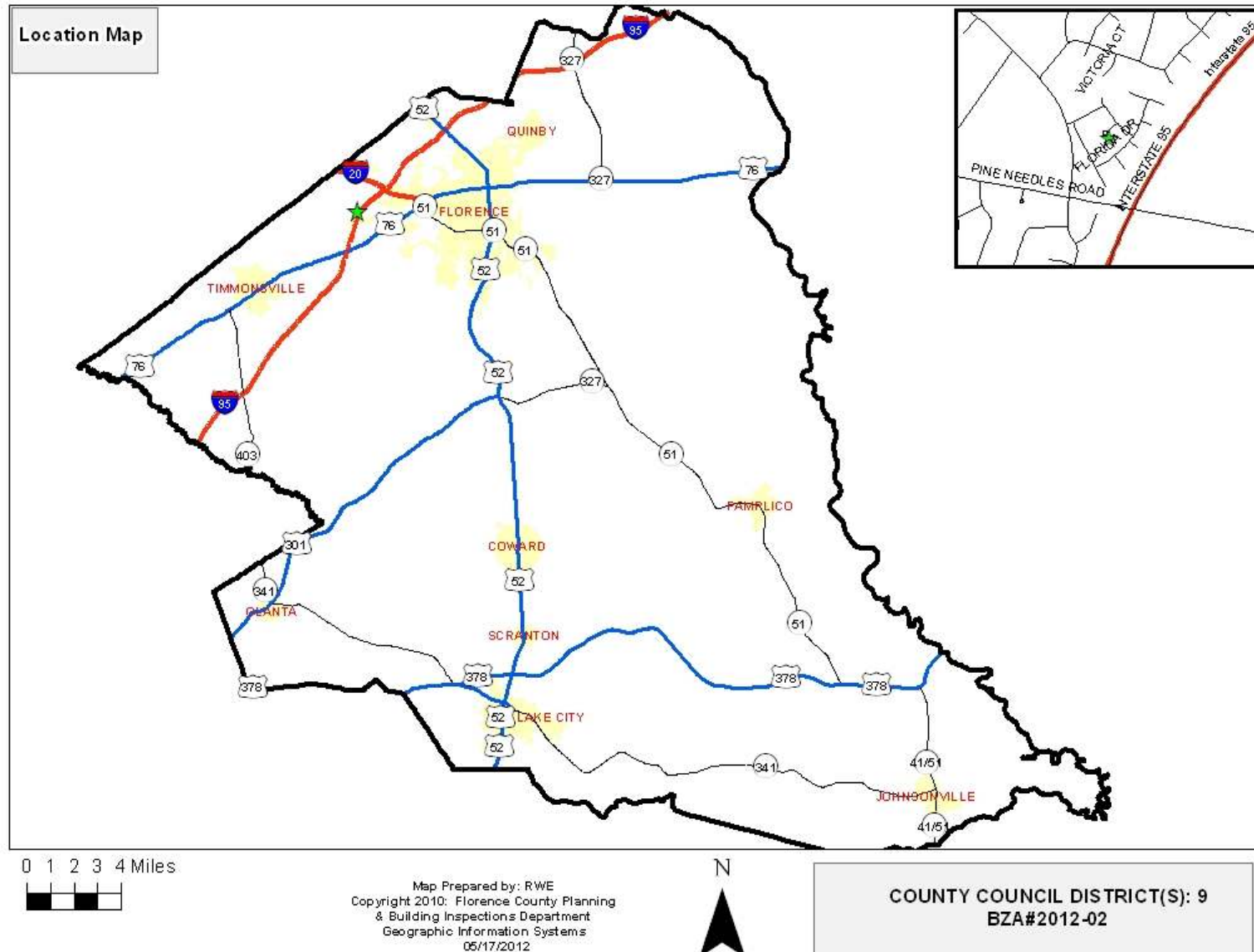
The Florence County Planning Department staff posted the agenda for the meeting on the information boards at the main entrance and the back entrance of the City-County Complex and on the information board at the entrance of the Planning, Zoning and Building Inspection Department building. The agenda was also mailed to the media.

- I. Call to Order
- II. Review and Motion of Minutes
 - Meeting of February 7, 2012
- III. Public Hearings:
 - BZA#2012-02 A variance request by Robin C. Miller for a decrease in the minimum setback requirements of Section 30-30, Table III: Zoning setbacks of the Florence County Code of Ordinances for property located at 690 Arizona Way, Florence shown on Florence County Tax Map No. 741, Block 1, Parcel 14. (Lilac)
- IV. Other Business:
- V. Adjournment

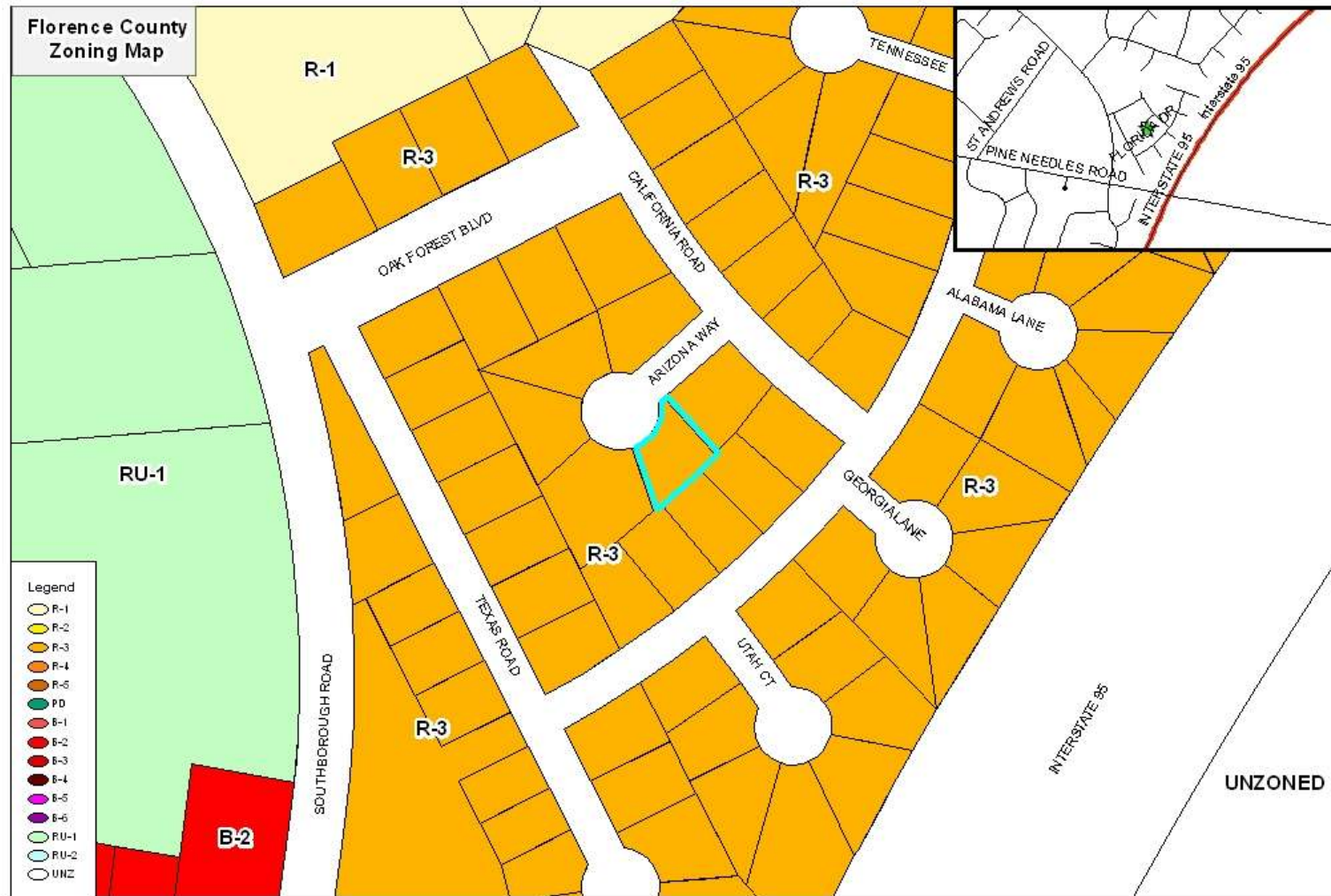
BZA#2012-02

- **SUBJECT:** Variance request for a decrease in the rear yard setback requirement.
- **LOCATION:** 690 Arizona Way
- **TAX MAP NUMBER:** 00741-01-014
- **COUNCIL DISTRICT(S):** 9; County Council
- **OWNER OF RECORD:** Robin C. Miller
- **APPLICANT:** Robin C. Miller
- **LAND AREA:** .01717
- **VARIANCE REQUESTED:** Decrease of 7 ft. in the rear yard setback requirement.

BZA#2012-02-Location Map



BZA#2012-02-Zoning Map



0 185 370

Map Prepared by: RWE740 Feet
Copyright 2010: Florence County Planning
& Building Inspections Department
Geographic Information Systems
05/17/2012



COUNTY COUNCIL DISTRICT(S): 9
BZA#2012-02

BZA#2012-02-Aerial Map

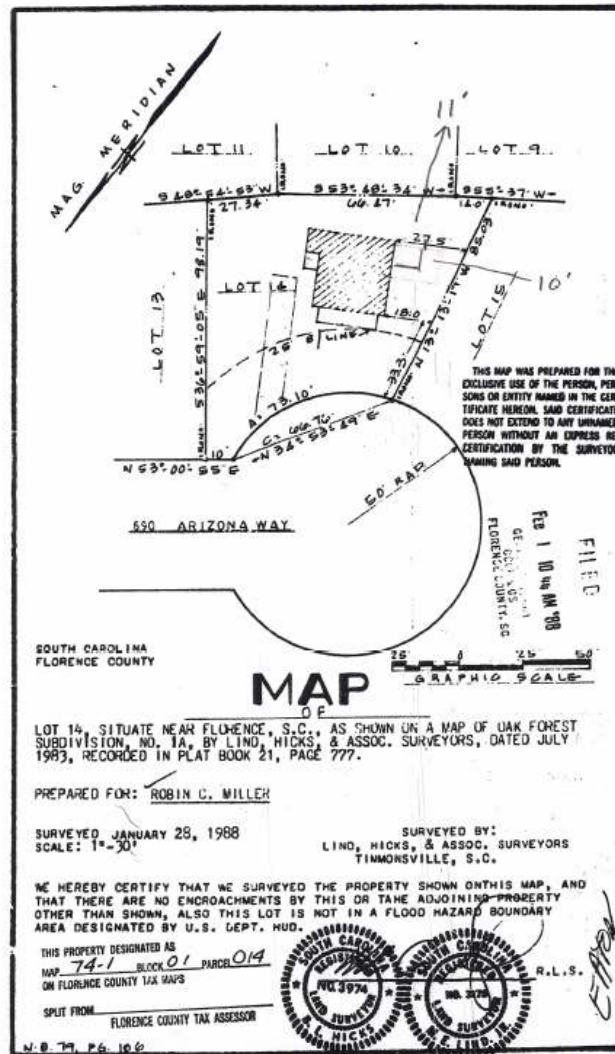


Map Prepared by: RWE
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COUNTY COUNCIL DISTRICT(S): 9
BZA#2012-02

BZA#2012-02-Site Plat



BZA#2012-02-Site Pictures



BZA#2012-02-Site Pictures



BZA#2012-02-Site Pictures



BZA#2012-02-Site Pictures



BZA#2012-02-Site Pictures



BZA#2012-02-Adjacent Property-West



BZA#2012-02-Adjacent Property **Across Arizona Way to the Northwest**



BZA#2012-02-Properties to the Northeast Across California Way



BZA#2012-02-Staff Analysis

Existing Land Use and Zoning:

- The subject property is currently occupied by a single-family residence and is zoned R-3, Single-Family Residential District in Florence County.
- The applicant wishes to construct an addition of a bathroom to the side of the house keeping the proposed addition in line with the rear of the house.
- The proposed addition will meet the side yard setback requirement of 5 feet for the R-3 zoning district but will not meet the rear yard setback requirement of 25 feet.
- The house exists non-conforming in rear yard setback due to the current setback existing at 18 feet.

BZA#2012-02-Staff Analysis

Surrounding Land Use and Zoning:

- North: Single-family residential/R-3/Florence County
- South: Single-family residential/R-3/Florence County
- West: Single-family residential/R-3/Florence County
- East: Single-family residential/R-3/Florence County

BZA#2012-02-Variance Request

- A. The **applicant** hereby appeals to the Board of Zoning Appeals for a variance from the strict application to the property described in the Notice of Appeal (Form 1) of the following provisions of the Zoning Ordinance:

**That said home does not meet existing setback requirement of 25 feet.
Rear of home setback approximately 18ft existing.**

- B. Chapter 30-Zoning Ordinance of the Florence County Code of Ordinances establishes that the minimum rear yard setback requirement for the R-3, Single-Family Residential District is 25 feet.

BZA#2012-02-Applicant's Response

- C. The following is extracted from the submitted variance application:
- a. There are extraordinary and exceptional conditions pertaining to the particular piece of property as follows:

Applicant's Response:

Home was built on a cul-de-sac with odd angle property lines which restrict front and rear yard setback.

- b. These conditions do not generally apply to other property in the vicinity as shown by:

Applicant's Response

On the Arizona Way cul-de-sac, my property has an odd angle of measurement. The property parcel at 690 Arizona Way is the smallest and limits my options for any additions to my house

BZA#2012-02-Applicant's Response-Cont'd.

- c. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property as follows:

Applicant's Response:

For owner in later years to have a larger bath with easier access. To have a shower with a low threshold for easier access.

- d. The authorization of the variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance for the following reasons:

Applicant's Response:

It will not affect the view of neighbors home & not encroach any further than already exist.

Chapter 30-Zoning Ordinance

Section 30-293 (c, 2, d)Board of Zoning Appeals

- The board may not grant a variance, the effect of which would be to allow the establishment of a use not otherwise permitted in a zoning district, to extend physically a nonconforming use of land or to change the zoning district boundaries shown on the official zoning map. The fact that property may be utilized more profitably, if a variance is granted, may not be considered grounds for a variance.

BZA#2012-02
STAFF RECOMMENDATION

Staff recommends denial of the variance request by the Board of Zoning Appeals based on the rear yard setback not being in compliance with Chapter 30-Zoning Ordinance-Sec.30.30.-Table III: Zoning setbacks for the R-3, Single-Family Zoning District.

ADJOURNMENT