

TO: Zoning Board of Adjustment
FROM: Juliet Walker, Planning Department
DATE: July 23, 2015
RE: July 28, 2015 Board of Adjustment Meeting

NEW BUSINESS

1. 19 Woodbury Ave

NEW BUSINESS

Case #7-13

Petitioner:	Jillian Mirandi
Property:	19 Woodbury Avenue
Assessor Plan:	Map 162 Lot 65
Zoning District:	General Residence A
Description:	Replace front entry and add shed in back yard.
Requests:	The Variances necessary to grant the required relief from the Zoning Ordinance, including the following: <ol style="list-style-type: none"> 1. A Variance from Section 10.521 to allow a front yard setback of 2' 10"+/- where 15' is the minimum required and a building coverage of 29.6% where 25% is the maximum allowed. 2. A Variance from Section 10.573.10 to allow a left side yard of 2' and a 2' rear yard where 5' is the minimum required for an accessory structure.

A. Existing Conditions

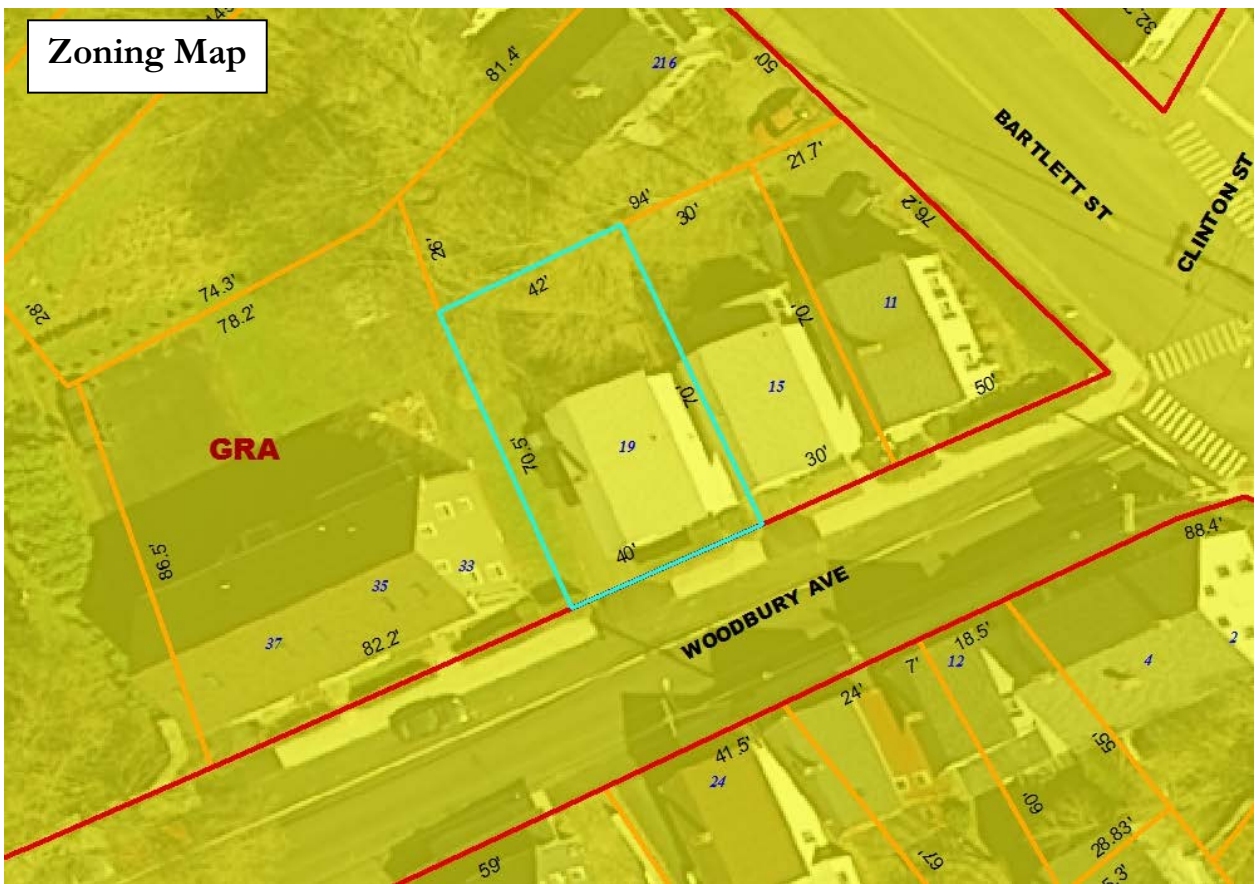
	<u>Existing</u>	<u>Permitted / Required</u>
<u>Land Use:</u>	Single family residential	Primarily residential uses
<u>Lot area:</u>	2,986 sq. ft.	7, 500 sq. ft. min.
<u>Lot Area per Dwelling Unit:</u>	2,986 sq. ft.	7, 500 sq. ft. min.
<u>Street Frontage:</u>	40'	100' min.
<u>Lot depth:</u>	20'	20' min.
<u>Front Yard:</u>	5'	15' min.
<u>Left Yard:</u>	20'	10' min.
<u>Right Yard:</u>	0'	10' min.
<u>Rear Yard:</u>	>20'	20' min.
<u>Height:</u>	<35"	35' max.
<u>Building Coverage:</u>	26.1%	25% max.
<u>Open Space Coverage:</u>	>30%	30% min.
<u>Parking:</u>	1	2 min.
<u>Estimated Age of Structure:</u>	1915	

B. Proposed Changes

	<u>Proposed</u>	<u>Permitted / Required</u>
<u>Front Yard:</u>	2'10"	15' min.
<u>Left Yard:</u>	2' (to shed)	5' min. (per 10.573.10)
<u>Right Yard:</u>	>10' (to shed)	5' min. (per 10.573.10)
<u>Rear Yard:</u>	2'	5' min. (per 10.573.10)
<u>Height:</u>	10'	35' max.
<u>Building Coverage:</u>	29.6%	25% max.
<u>Open Space Coverage:</u>	>30%	30% min.

C. Neighborhood Context

- Surrounding Land Uses: Single family and two-family residential



D. Previous Board of Adjustment Actions

June 23, 1992 The Board granted variances to allow construction of a 12' x 12' rear deck resulting in a 2' right yard, a 21' rear yard, and a building coverage of 25% with a stipulation that the proposed deck would not be enclosed at any time.

E. Review Criteria

This application must meet all five of the statutory tests for a **variance** (see Section 10.233 of the Zoning Ordinance):

1. *Granting the variance would not be contrary to the public interest.*
2. *Granting the variance would observe the spirit of the Ordinance.*
3. *Granting the variance would do substantial justice.*
4. *Granting the variance would not diminish the values of surrounding properties.*
5. *The “unnecessary hardship” test:*
 - (a) *The property has special conditions that distinguish it from other properties in the area.*
AND
 - (b) *Owing to these special conditions, a fair and substantial relationship does not exist between the general public purposes of the Ordinance provision and the specific application of that provision to the property; and the proposed use is a reasonable one.*
OR
 - Owing to these special conditions, the property cannot be reasonably used in strict conformance with the Ordinance, and a variance is therefore necessary to enable a reasonable use of it.*