



## Legislation Details (With Text)

<b>File #:</b>	ID 20-0385	<b>Version:</b>	1	<b>Name:</b>	
<b>Type:</b>	Action Item	<b>Status:</b>		Other Business	
<b>File created:</b>	9/8/2020	<b>In control:</b>		Board of Adjustment	
<b>On agenda:</b>	9/17/2020	<b>Final action:</b>		9/17/2020	
<b>Title:</b>	Theodosopoulos Variance Request - 1314 Parkway Boulevard - Expand a driveway wider than 36 feet within the front yard setback				
<b>Sponsors:</b>					
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. Notice, 2. Site Plan, 3. Aerial Map				

Date	Ver.	Action By	Action	Result
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Theodosopoulos Variance Request - 1314 Parkway Boulevard - Expand a driveway wider than 36 feet within the front yard setback

### Summary:

The applicant is seeking a variance to expand a driveway to a total width of 50.5 feet within the front yard setback. The ordinance allows a maximum width of a driveway to 36 feet within the front yard setback.

### Background:

The property is located on a cul-de-sac at the end of Parkway Boulevard. Cul-de-sac's present unique challenges with development as the front yards are generally much narrower than the remainder of the lot. The house is set back 33.5 feet from the front property line.

The existing driveway is 37.5 feet wide and the applicant is proposing to expand the driveway an additional 13 feet to the east. The expansion within the front yard setback would lead to the side of the garage for a 12 foot parking pad. The applicant is proposing to angle the driveway expansion starting near the property line and gaining width as the driveway gets closer to the garage.

### Variance Criteria:

- 1. Due to special conditions, a literal enforcement of the provisions of this ordinance will result in unnecessary hardship, and the variance shall not violate the spirit of the ordinance and substantial justice may be achieved as a result of the variance.**

Property owners are allowed to have driveways leading to their side or rear yards. In this particular case, there is not adequate room to extend the existing driveway beyond the front yard setback to gain access to the side yard.

- 2. Unique circumstances apply to the property which do not apply to other properties in the same vicinity or district.**

Cul-de-sacs have minimal street frontage at the front property line and do not provide much area for on-street parking.

**3. The variance is necessary for the preservation of a property right that is substantially the same as that possessed by other owners of other property in the same district.**

The homes in the immediate area have both two and three-stall garages. A few have parking pads consistent with the zoning regulations.

**4. The variance requested is the minimum variance which would alleviate the hardship.**

An alternative to provide a driveway off of Christine Avenue to the rear yard of the property exists, however, Christine Avenue is a busy street with access to Camelot Intermediate School and it is the intention of the City to minimize access points along this street. In addition, a storm sewer inlet exists on Christine Avenue and would require the driveway to be in close proximity to the neighbor to the south. The applicant is proposing to angle the driveway, providing a gradual widening of the driveway to provide access to the side yard.

**5. Reasonable use of the property is not permitted under the terms of this chapter.**

In this case, the property is useable without the driveway expansion.

**Staff Recommendation**

Staff recommends approval of the variance request as presented.

**Body2**

**Attachments:**

Notice  
Site Plan  
Aerial Map