



Legislation Details (With Text)

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Title: Variance Request - Carl Odde - 1905 Half Moon Rd.
Sponsors:
Indexes:
Code sections:
Attachments: 1. Notice, 2. Application, 3. Site Plan, 4. Area Map

Date	Ver.	Action By	Action	Result
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Variance Request - Carl Odde - 1905 Half Moon Rd.

Summary:

This variance request is for an expanded driveway at 1905 Half Moon Rd that will exceed the maximum width of 36 feet.

Background:

The applicant, Carl Odde, has expanded his driveway with gravel and will require a variance due to its nonconformity with Section 94-343 which states that the width of a driveway may be expanded, proportionally, to match a garage that has a width of 24 to 36 feet. This restriction only applies within the minimum front yard setback area established for the district.

The applicant has expanded his driveway within the minimum front yard setback, which is 30 feet in the R1-B district. The expanded area includes a triangular area (see site plan) which begins at the side walk and expands to a maximum width of 14 feet. The existing driveway is 35 feet wide, meaning the variance would be for roughly 13 additional feet of driveway.

The home is located on Lots 83 and 84, Santee Village of Indian Hills Addition. The double lot includes double frontage on Half Moon Rd at 152 feet. The typical frontage along Half Moon Rd is 80 - 90 feet.

Variance Criteria: (Sec. 94-44)

- 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.

There is no unnecessary hardship due to the literal enforcement of this ordinance.

- 2) Unique circumstances apply to the property which do not apply to other properties in the same

vicinity or district.

The lot is a double lot with nearly twice the frontage as other homes along Half Moon Rd. This creates a wider front yard and additional space between the garage and side lot line.

- 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.

A similar variance was granted in October by the Board of Adjustment at 1834 Ranger Circle. This variance granted a 12' expansion of a driveway with similar triangular design leading a side yard parking area.

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

This variance is the minimum needed. The triangular design allows access to the side yard parking area without expanding the width of the driveway at the sidewalk.

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

Reasonable use of the property is permitted regardless of the variance.

Staff recommends approval of the variance.

Attachments:

Notice

Application

Site Plan

Aerial