

## Legislation Text

---

**File #:** ID 20-0155, **Version:** 1

---

Mann Variance Request - 1431 Yosemite Lane - Construct covered landing 25' from front property line

### **Summary:**

The applicant is requesting a variance to construct a covered landing five (5) feet into the front yard setback. The landing will be 25 feet from the front property line and the ordinance requires a 30-foot front yard setback.

### **Background:**

The property is located along Yosemite Lane in Boulevard Park Addition and is zoned R-1B. The owners would like to replace their landing and front steps with a covered landing. The proposed landing will be 37 inches in height and will have decorative columns.

### **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.**

*The residence is constructed at the 30-foot front yard setback so there is not sufficient room for a covered patio.*

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

*There are other residences that are constructed at the front yard setback 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.**

*The property at 909 Yosemite Lane, which is in close proximity, received a variance in 2016 for a covered landing 25-feet from the front property line.*

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

*The request appears to be the minimum amount necessary to alleviate the hardship.*

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

*There is reasonable use of the property without the addition; however, the covered patio is a reasonable request and will be an aesthetic improvement to the property.*

### **Staff Recommendation:**

Staff recommends approval of the variance request.

### **Attachments:**

Notice  
Application  
Site Plan  
Elevation Drawings