

CASE DESCRIPTION

1616 Croft (23-04)

Hearing date: February 14, 2023

Appeal No. 23-04: The owner of the property known **1616 Croft**, requests the following variances regarding a pergola and impervious surfaces to an existing non-conforming home:

A. Chapter 126, Article 4, Section 4.03(H) of the Zoning Ordinance requires the maximum area of the first floor of any accessory structure in the R2 zoning district is 550.00 SF. The existing detached garage is 528.00 SF. The constructed pergola brings the structures to 662.00 SF. Therefore, a variance of 112.00 SF is being requested.

B. Chapter 126, Article 4, Section 4.03(D) of the Zoning Ordinance requires that an accessory structure shall not be closer than 10.00 feet to the principal building located on the same lot. The constructed pergola is 4.50 feet away from principle house. Therefore, a variance of 5.50 feet is being requested.

C. Chapter 126, Article 4, Section 4.03(A) of the Zoning Ordinance requires that no accessory structure shall be erected in the required front or side open space. This is a corner lot and per Section 6.61(A)1; A Corner lot which has on its side street an abutting an interior residential lot shall have a minimum setback from the side street equal to the minimum front setback for the zoning district in which such building is located. The required is 35.90 feet. The constructed pergola is 2.80 feet. Therefore, a variance of 33.10 feet is being requested.

D. Chapter 126, Article 4, Section 4.30 (C) (3) of the Zoning Ordinance requires that patios, porches or decks may not project into the required side open space. The patio is in the required side open space. Therefore, a variance to permit a patio in the side open space of 35.90 feet is being requested.

Staff Notes: This applicant is seeking approval for the pergola and the patio that was constructed. This location was granted a variance to construct an addition in February 2020 (Minutes attached) regarding the setback along the side street.

This property is zoned R2 – Single family residential.