



ZBOA Agenda Item # 3

JANUARY 8, 2019

Variance Request by Wiley Myers

File #: APP-2018-09

Wiley Myers is requesting a variance to LDR Chapter 214 Table 1 as it relates to rear yard setbacks for an addition. The subject property consists of 0.23 acres located at 2528 Melrose Drive and is zoned R-10. The applicant wants to extend the roof line of his house to cover an existing patio, as well as connect an existing accessory structure via the roof extension. The roof addition will be 38 feet in length by 18 feet in width. The applicant also intends to add on a 12 ft by 16 ft room.

The parcel has a house with 2600 heated square feet, an attached garage of 450 square feet, and a concrete patio of 560 square feet, with a brick fireplace/chimney in the back yard, as well as an existing 12 ft by 16 ft accessory structure in the rear yard. The roof extension is required to meet setbacks. (The current concrete slab of the patio is NOT required to meet setbacks.) The rear yard setback for a R-10 lot is 25 feet. The addition is proposed to be 11 feet 7 inches from the rear property line; therefore, the applicant is asking for a rear yard variance of 13 feet 5 inches, which is more than staff can consider for an administrative variance. (The proposed additions meet side yard setbacks of 10 feet).

Variances are intended to give relief in situations beyond design's control. The applicant is asking for a larger variance; the "need" for the variance is design driven rather than driven by hardship beyond design's control. The applicant has reasonable use of the property with no roof over the patio. Additionally, the room addition can meet setbacks. Staff reviewed the request and found no hardship.

Staff Recommendation: Find inconsistent with the Variance Review Criteria and **deny** the variance request.