



AGENDA

ORMOND BEACH BOARD OF ADJUSTMENT AND APPEALS

March 7, 2018

ORMOND BEACH CITY COMMISSION CHAMBERS

7:00 P.M.

I. ROLL CALL

II. APPROVAL OF THE MINUTES

A. February 7, 2017

III. NEW BUSINESS

A. **Case 2018-038: 241 South Halifax Drive, Side Corner Yard (attached garage addition), Rear Yard (attached garage addition), and Yard Encroachment (unenclosed staircase) variances.**

This is a request by Brian Fredley, President, BPF Design Incorporated, authorized representative on behalf of Rick and Reghan Taylor, property owners of 241 South Halifax Drive, for three variances to construct an attached garage addition and an unenclosed staircase at 241 South Halifax Drive. The subject property is zoned R-3 (Single Family Medium Density). The variances are as follows:

1. **Side Corner Yard Variance (attached garage addition):** Section 2-15(B)(9)(d) of the Land Development Code requires a minimum side corner yard setback of 20' from the side corner property line under the R-3 (Single Family Medium Density) zoning district. The applicants are seeking to allow an attached garage addition with the edge of the north wall of the garage within the side corner yard to be at a side corner yard setback of 16.75', requiring a 3.25' variance to the 20' required side corner yard standard.
2. **Rear Yard Variance (attached garage addition):** Section 2-15(B)(9)(b) of the Land Development Code requires a minimum rear setback of 20' from the rear property line under the R-3 (Single Family Medium Density) zoning district. The applicants are seeking to allow an attached garage addition with the edge of the east wall of the garage to be at a rear yard setback of 9.92' consistent with the building plane of the existing house, requiring a 10.08' variance to the 20' required rear yard standard.
3. **Yard Encroachment Variance (unenclosed staircase):** Section 2-41(8), yard encroachments, states that unenclosed stairs and landings may extend up to 4' into any required front or rear yard. The applicant is seeking to have a deck on top of the proposed garage and is seeking access to the deck via the proposed unenclosed stairs. The required setback for unenclosed stairs is 16'. The applicants are seeking to allow construction of an unenclosed staircase within the rear yard with the edge of the staircase setback 6' from the rear property line, requiring a 10' variance from the required 16' stair setback.

B. Case 2018-042: 427 North Beach Street, calculated average waterfront rear yard setback variance.

This is a request for a calculated average waterfront rear yard variance submitted by Josif Atanasoski, property owner of 427 North Beach Street. The property at 427 North Beach Street is zoned as R-1 (Residential Estate). The applicant is requesting the variance to allow the construction of a new single-family home. Section 2-12(B)(11)(b) of the Land Developed Code requires an average calculated waterfront rear yard setback for lots abutting the Halifax River. A.A. Wilbert Jr. Land Surveying, Inc. has performed a survey showing the calculated waterfront rear yard setback to be 174.17' for the property at 427 North Beach Street. The applicant is requesting a waterfront rear yard setback of 135', which would require a 39.17' variance to the calculated waterfront rear yard setback standard.

C. Case 2018-47: 94 North Beach Street, rear yard variances.

This is a request for two (2) variances related to the replacement of an existing garage submitted by Paul Viscomi, President, Viscomi Construction, Inc., as authorized agent of the property owner, Dr. Ashley Lentz. The variance application seeks to allow a one-story garage to be demolished and replaced with a ground floor garage and a second story living area of 962 square feet. The variance application also seeks to allow an unenclosed stairway to be located within the rear yard setback. The property at 94 North Beach Street is zoned R-2 (Single-Family Low Density) along North Beach Street and R-3 (Single-Family Medium Density) on the rear portion of the property. The two variances are as follows:

1. **Variance #1: Rear yard setback.** The existing garage structure is one story (780 square feet) and is located 13' from the rear property line. The variance application seeks to allow a two-story structure (962 square feet) and is proposed to be constructed 12.42' to the rear property line. Section 2-15(B)(9)(b) of the Land Development Code requires a 20' rear yard setback. The applicant is requesting a rear yard setback of 12.42', which would require a variance of 7.58' to the required 20' rear yard setback.
2. **Variance #2: Unenclosed stairway.** The variance application seeks to allow an unenclosed stairway to be located 10.58' from the rear property line. Section 2-15(B)(9)(b) of the Land Development Code requires a 20' rear yard setback. Section 2-41(8) of the Land Development Code states, "Unenclosed stairs and landings may extend up to four feet into any required front or rear yard." The applicant is requesting an unenclosed stairway setback of 10.58', which would require a variance of 5.42' to the required 16' setback for unenclosed stairs and landings.

IV. OTHER BUSINESS

V. PUBLIC COMMENTS

VI. ADJOURNMENT