

File No.: Z-9990

Owners: Frank and Alix Michel

Applicant: Stephen Eifling, Oasis Construction

Address: 19 Haywood Court

Legal Description: Lot 78, Block 136, Chenal Valley Addition

Zoned: R-2

Present Use: Single-family Residence

Proposed Use: Single-family Residence

Variance(s) Requested: A variance is requested from area regulations of Sec. 36-254 to allow a rear yard setback in the R-2 district.

Justification: The applicant's justification is presented as per the attached letter.

STAFF REPORT

A. Planning and Development Civil Engineering Comments:

No Comments.

B. Buffering and Landscape Comments:

No Comments.

C. Building Codes Comments:

No Comment.

D. Staff Analysis:

The property at 19 Haywood Court is in a predominantly R-2 zoned neighborhood, within the Chenal Valley "Falstone Court" Subdivision. The existing 2-story frame home occupying the property is located on the south side of Haywood Court and was constructed in 2021 with an existing utility easement along the south perimeter of the property. The immediate neighboring properties are also populated with single family homes.

The house faces west towards Haywood Court and vehicular access is located at the northeast corner of the home. An entrance drive is provided in this area and

connects a two-car garage with the public right-of-way. The garage is located at the east side of the structure.

The applicant is proposing a 12-foot x 18-foot wood frame deck addition at the rear (south) side of the structure which extends to the southeast towards the existing utility easement. The deck addition connects to the primary residence and extends into the rear yard approximately 12-feet and into the rear yard setback approximately 5-feet.

Section 36-254(d)(3) states "There shall be a rear yard setback having a depth of not less than twenty-five (25) feet. "The applicant requests a variance to allow the extension of the primary structure into the rear yard setback reducing the setback to no less than 20-feet.

Staff finds the request to generally be in conformance with the development pattern in the neighborhood and nearby area. Based on the above assessment and analysis, staff finds the requested variance to be reasonable.

E. Staff Recommendation:

Staff recommends approval of the requested rear yard setback reduction from twenty-five (25) feet to a minimum of 20-feet, with the following conditions:

1. A building permit being obtained for all construction.

Board of Adjustment

(MAY 16, 2024)

Staff recommends that the application be deferred to the June 20, 2024, agenda, as the applicant failed to submit additional information to staff. There was no further discussion. The item remained on the consent agenda for deferral. The vote was 5 ayes, 0 nays and 0 absent.

Board of Adjustment

(JUNE 20, 2024)

The applicant was not present. Staff informed the Board that the applicant failed to send notifications to surrounding property owners as required. Staff recommended the application be deferred to the July 18, 2024 agenda. The item remained on the consent agenda for deferral. The vote was 4 ayes, 0 nays, 1 absent.