

AGENDA

WYOMING ZONING BOARD OF APPEALS

CITY COUNCIL CHAMBERS

June 20, 2016

1:30 P.M.

- 1. Call to Order
- 2. Roll Call
- 3. Approval of Minutes
- 4. Public Hearings:

Appeal #V160017

Applicant: VAN WYK, KENRIC & CAROL  
Location: 5322 NAPLES CEDAR DR S.W. (Zoned R1)

Request: The petitioner requests two variances from the City of Wyoming Zoning Code as follows:

Zoning Code Section 90-403A Development Standards requires residences to have a 35 foot rear yard setback, and a combined 20 foot side yard setback, in this R-1 Single Family Residential district. The petitioner desires to construct an addition to the rear of the home. The addition would come to within 29 feet of the rear (east) property line. Also, the addition would come to within 8 feet 10 ¾ inches from the side (south) property line. That proposed side yard setback, in combination with the opposing 10 foot 4 inch side yard setback, results in a combined side yard setback of 19 feet 2 ¾ inches. The requested variances are to authorize a reduction of 6 feet from the required 35 foot rear yard setback, and a reduction of 9 ¼ inches from the required 20 foot combined side yard setback. P.P. #41-17-34-127-007

Tabled	_____	Closed	_____
Granted	_____	Denied	_____
Motion by	_____		
Seconded by	_____		
Yeas	_____	Nays	_____

5. Public Comment:

6. New Business:

<b>Application No.:</b>	<u>V160017</u>	<b>STAFF RECOMMENDATION</b>
<b>Applicant:</b>	<u>Kenric &amp; Carol Van Wyk</u>	<b>Approve:</b> <u>X</u>
<b>Address:</b>	<u>5322 Naples Cedar Drive, SW</u>	<b>Deny:</b> _____

**FINDINGS OF FACT SHEET**

1. That there are exceptional or extraordinary circumstances or conditions applicable to the property or to the intended use that do not apply generally to other property or class of use in the same vicinity and district because:

The petitioner proposes to construct a three season room to the rear of the residence. The addition would come to within 29 feet of the rear property line and 8 feet 10 3/4 inches from the side property line. The Zoning Ordinance requires a 35 foot rear yard setback (a 6 foot reduction requested) and a 20 foot combined side yard setback (a 9 1/4 inch reduction requested). The property behind this residence is a large wooded wetland area that is restricted from development. The likelihood of residential development in that area is remote. The proposed additions side yard encroachment of 9 1/4 inches is negligible.

2. That such variance is necessary for the preservation and enjoyment of substantial property rights because:

The petitioner is otherwise entitled to enlarge the residence. The authorization of the requested variance allows this to occur.

3. That the granting of such variance will not diminish the marketable value of adjacent land and improvements, or unduly increase congestion in the public streets because:

The proposed improvement to the property will contribute to the overall marketability of the neighborhood. The improvements will have no impact on traffic.

4. That the condition or situation of a specific piece of property, or the intended use of said property, for which the variance is sought is not of so general or recurrent a nature as to make reasonably practicable the formulation of a general regulation for such condition or situation because:

The large wetland property to the rear of the residence, and the nominal reduction in the side yard setback, is a situation that would not make practicable the formulation of a general regulation.