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TO: Zoning Board of Appeals Members **MEETING DATE:** Tuesday, September 17, 2024
LOCATION: 4552 Lakeshore Road **PARCEL #:** 74-20-015-3002-000
ZONING: R-1A Single Family Residential **MASTER PLAN:** Single Family Residential
OWNER(S): Lakeshore Cottage FG LLC **APPLICANT(S):** John D. Adair

Request: 8' west side yard setback variance, a 1' north front yard setback variance, and a Class A Designation for a proposed addition to the existing attached garage.

Findings of Facts:

- This parcel is a lawfully existing conforming unplatted lot.
- This property is not within a High-Risk Erosion Area.
- The structure is not within a Special Flood Hazard area, FEMA FIRM 07/19/2022, Panel 0237E.
- The lot width is 112' and exceeds the minimum required 75'.
- The home is estimated to have been built in 1957 and currently exceeds all setback requirements.
- No hardship has been demonstrated.
- The property to the east has a fence, and the proposed addition will limit access to the rear yard on the east side.
- The roadway is a shared easement and is within the property line. Generally, the 35' setback is from the structure to the property line, with any road being outside of that. In this case, the driveway easement is within the property, as shown in the aerial and on the survey. The proposed addition will leave between 15' and 20' from the garage to the concrete. A typical parking space is a minimum of 19' deep. Off-street parking cannot be provided in the driveway.



Location	Required	Proposed	Request
Front/North	35'	34'	1' north front yard setback variance
Side/East	10'	2'	8' east side yard setback variance

Reasons for Decision:

- A request may be **granted** upon findings that:*
- (1) Continuance thereof would not be contrary to public health, safety, or welfare.
 - (2) The structure does not and is not likely to significantly depress the value of nearby properties.
 - (3) The use or structure was lawful at the time of its inception.
 - (4) No useful purposes would be served by strict application of the provisions or requirements of this chapter with which the use or structure does not conform.
- A request may be **denied** upon finding that:*
- (1) Public services cannot be adequately provided; i.e. water, sewer, gas, electric.
 - (2) The proposed construction could hinder public safety response and put the property and surrounding properties at additional risk.
 - (3) A hardship (non-financial in nature) or practical difficulty (such as a natural feature of the land) has not been demonstrated.

Contacts/Communications/Correspondence:

No correspondence has been received.

Recommendations:

- The building official recommends approval with the condition that one-hour fire rating materials be used on the new construction.
- The department of public works recommends approval with no conditions.
- The fire chief recommends approval with no conditions.