

# Board of Zoning Appeals

July 17, 2019

7:00 PM

# Requirements for granting a variance

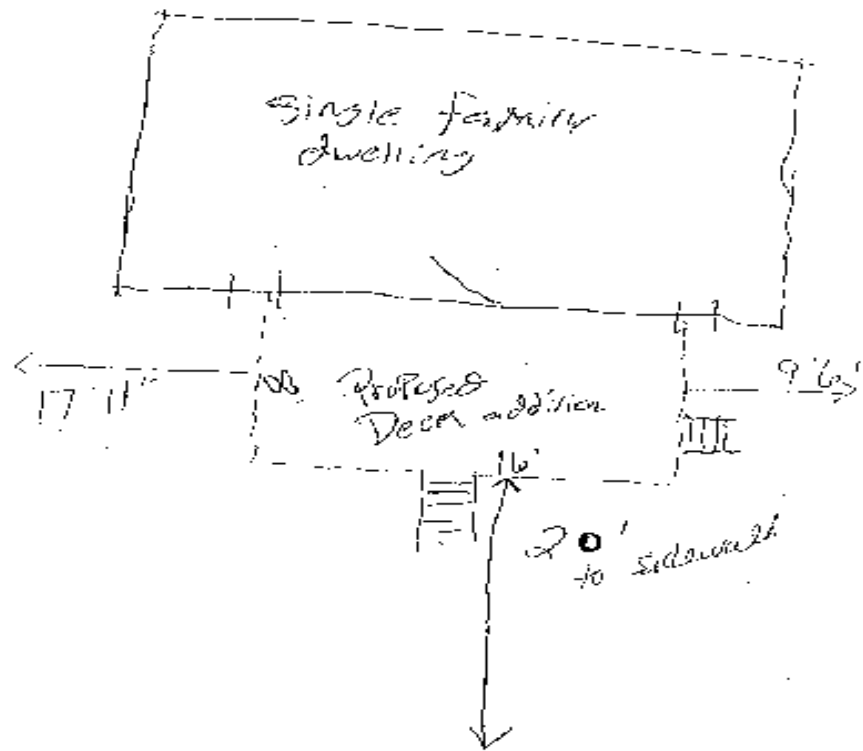
- Unnecessary Hardship
- Hardship Due to Unique Property Limitations
- No Harm to Public Interests
- All three must be met for a variance to be granted.

# 1647 Charles St.

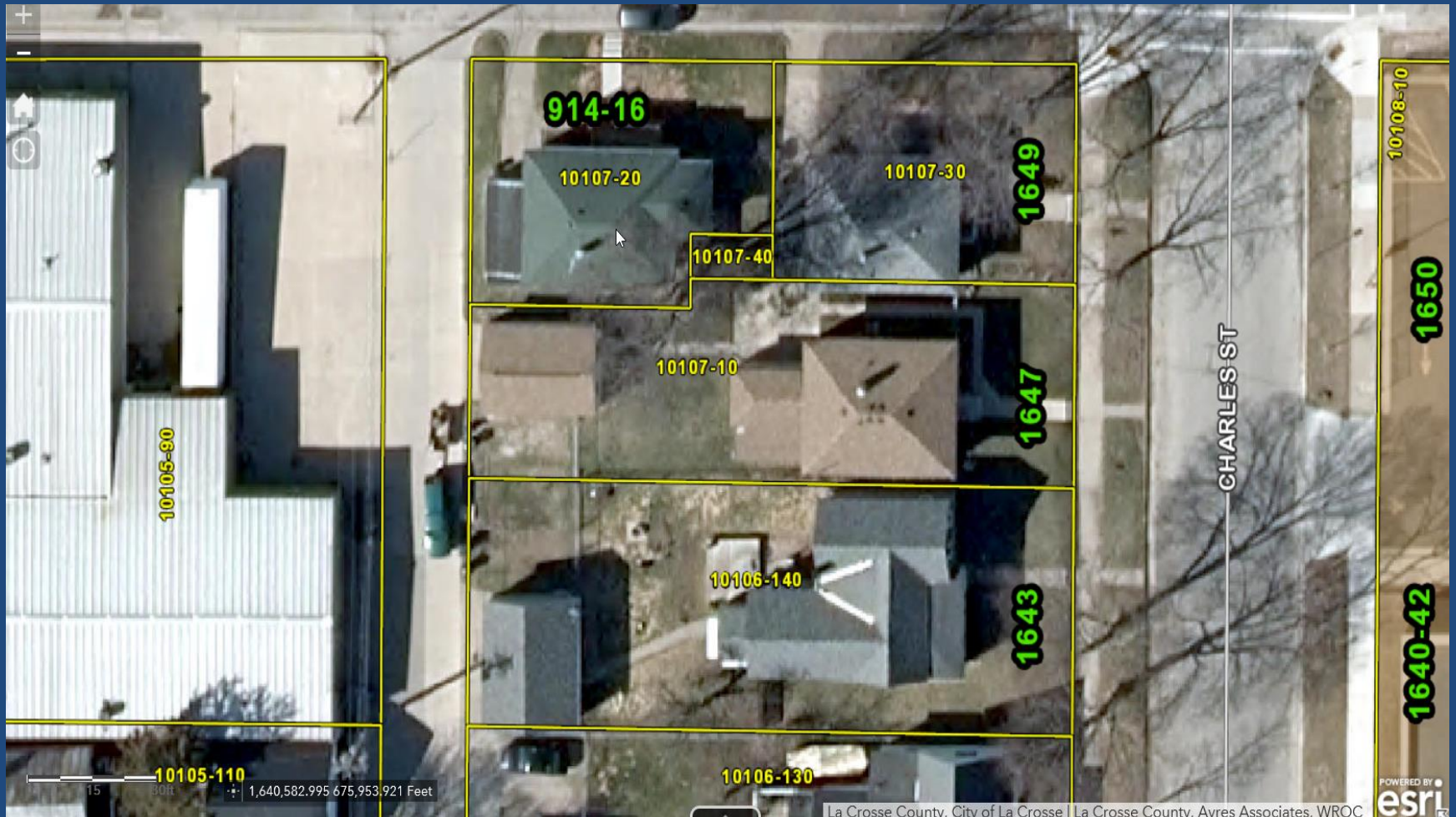
- The owner is proposing to build a new deck in the front yard.
- Per municipal code section 115-143(c)(2) states that shall be a front yard setback of 25' or the average of the neighboring main structures.
- The owner is proposing a 19' front yard setback.
- For this project to proceed as proposed the board would have to grant a variance of 4'-11" to the required 25'.

# 1647 Charles St.

Plans Submitted



# 1647 Charles St.

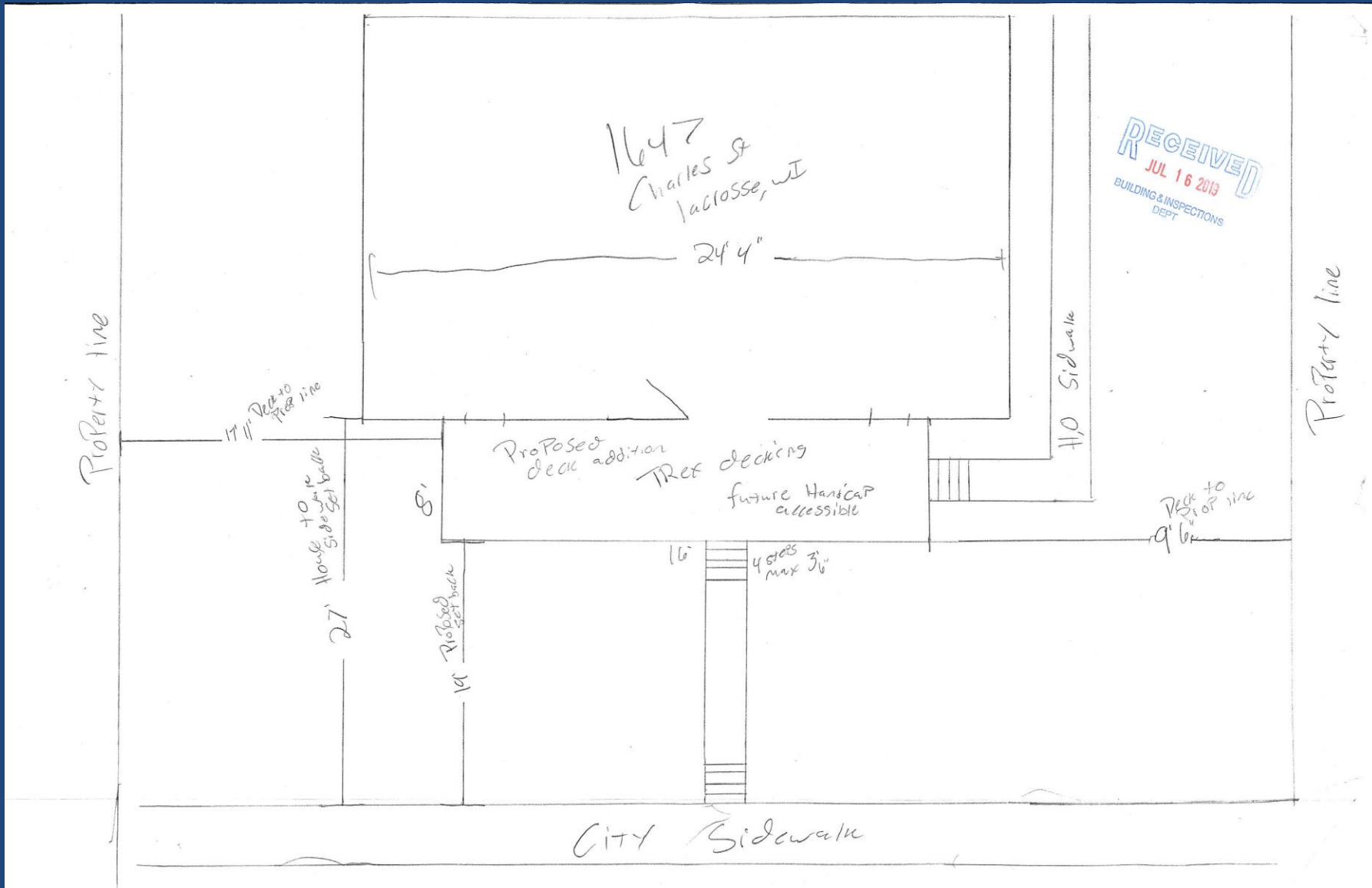




# 1647 Charles St.



# 1647 Charles St.



# 1647 Charles St.

## **Set Backs Down 1600 Charles St**

1637 Charles- 7' 5"

1633 Charles- 19'

1627 Charles- 12' 8'

1623 Charles- 12'

Right of the house

1649 Charles- 22' 10"

1703 Charles- 15'

1707 Charles-14' 7"

Deck next door is 1649 Charles is  
4' 2"x13'



# 1647 Charles St.

- The Code states the front yard setbacks of the dwellings on either side can be averaged for the required setback.
- The plot plans submitted do not show this.
- A measurement for 1649 Charles has been provided however. The setback is 22'-10"

# 1647 Charles St.

- There is still not a measurement provided for the setback of the dwelling to the south with the address of 1643 Charles St.
- So a 25' setback is assumed.
- With the information provided the average setback requirement is 23'11"
- The setbacks of any other lots on Charles St. are irrelevant.

# 1647 Charles St.





# 1647 Charles St.



# Requirements for granting a variance

- \* No hardship. This is a self created hardship. The same deck or larger can be built in the rear yard to meet all the accommodations listed in the variance application.
- \*There are no unique property limitations. This is a typical City lot.
- \*There is no harm to public interest.
- \*This request does not meet the criteria for granting variances.



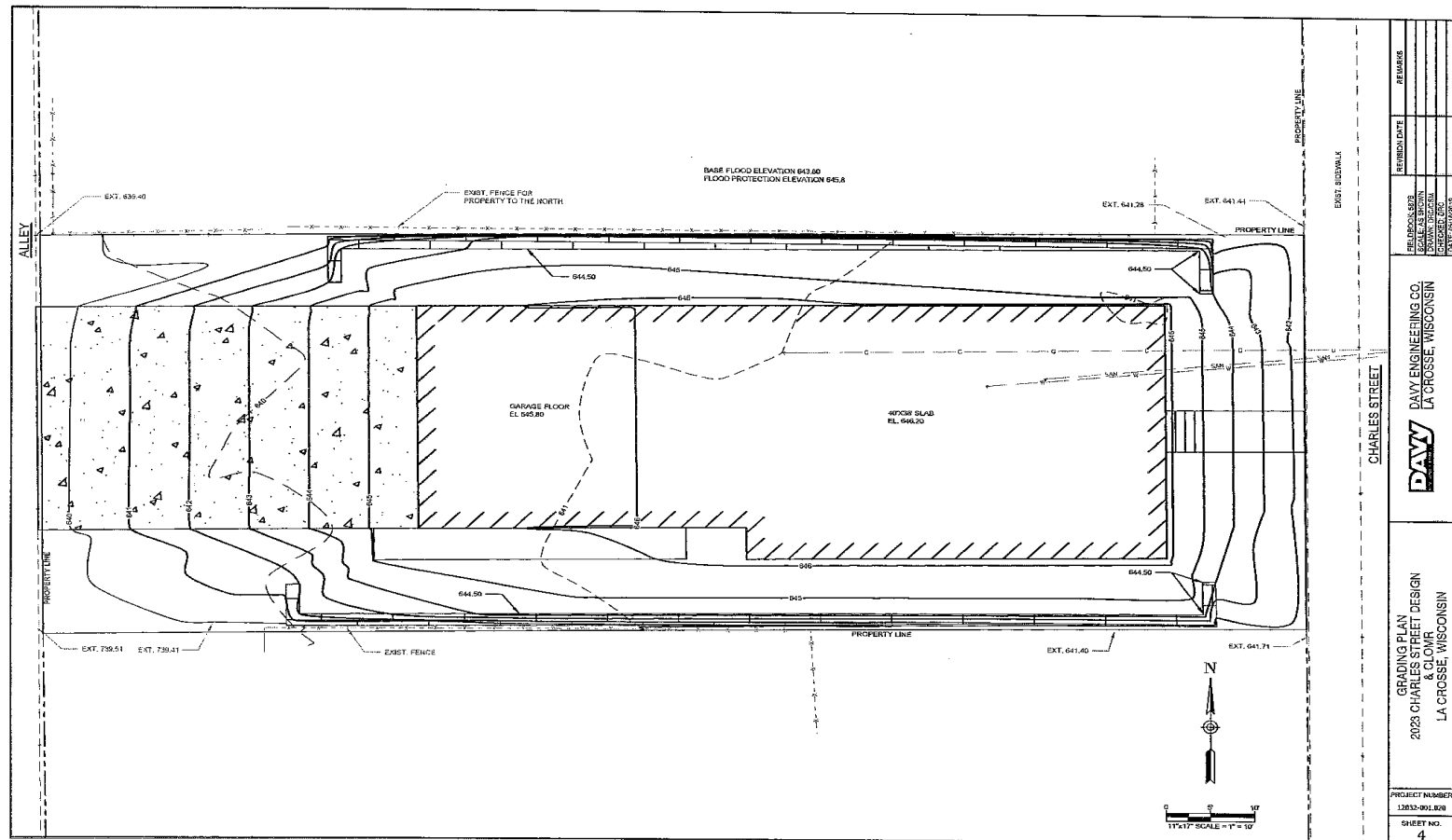
# 2023 Charles St.

- The owner has proposed to construct a new dwelling at this address which is located in the regulated flood plain.
- Municipal code 115-281 states that the elevation of the lowest floor shall be at or above the flood protection elevation on fill. The fill shall be one foot or more above the regional flood elevation extending at least 15 feet beyond the limits of the structure.
- This project would need 4 variances granted to allow construction as it has been proposed.

# 2023 Charles St.

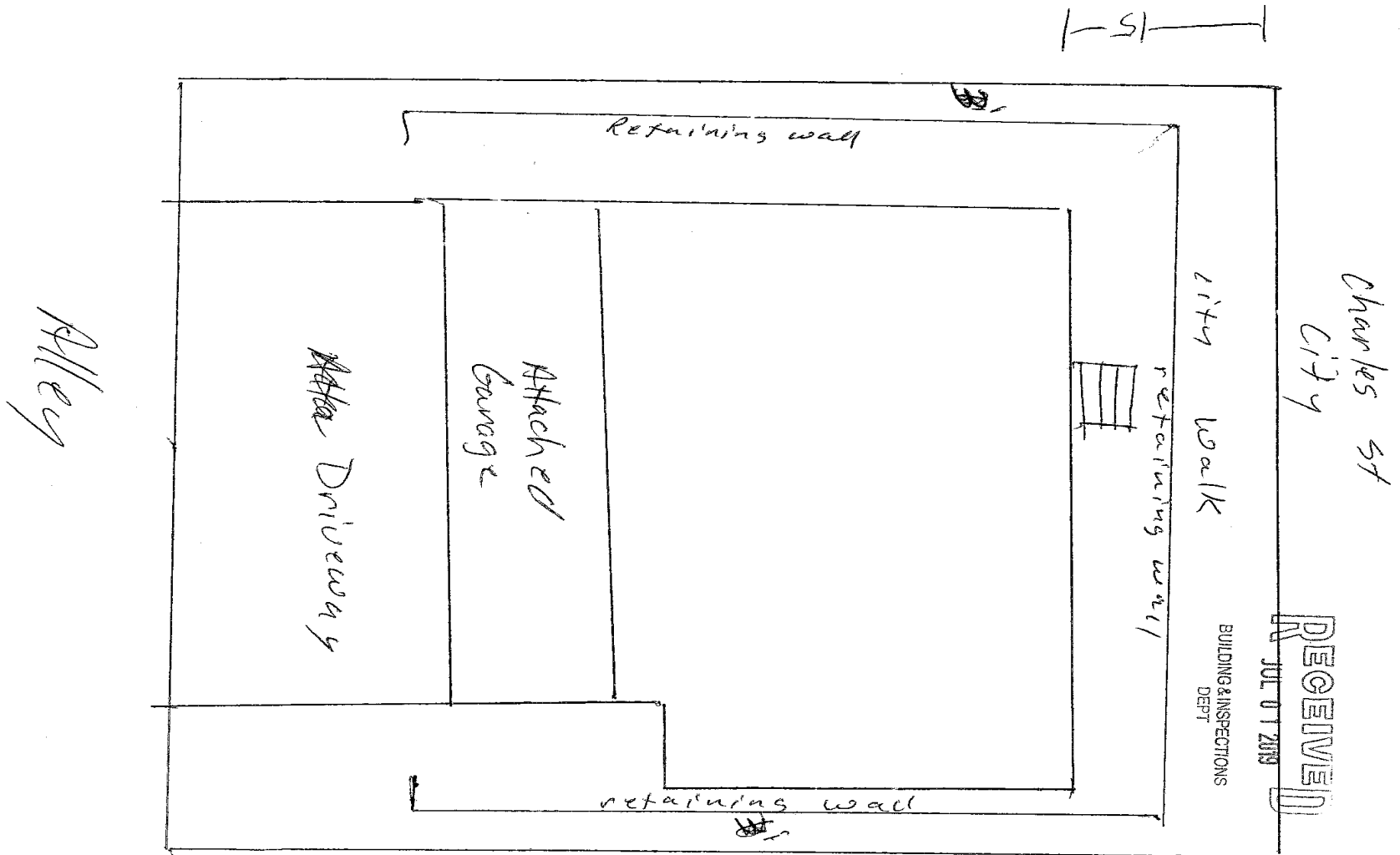
- 1) A variance of 9 feet on the north side of the building.
- 2) A variance of 9 feet on the south side of the building.
- 3) A variance to allow the steps to be placed in the 15 foot fill requirement on the east side.
- 4) A variance to allow the driveway to be placed in the 15 foot fill requirement on the west side.

# 2023 Charles St.



original plan emailed on 5/16/2019

# 2023 Charles St.

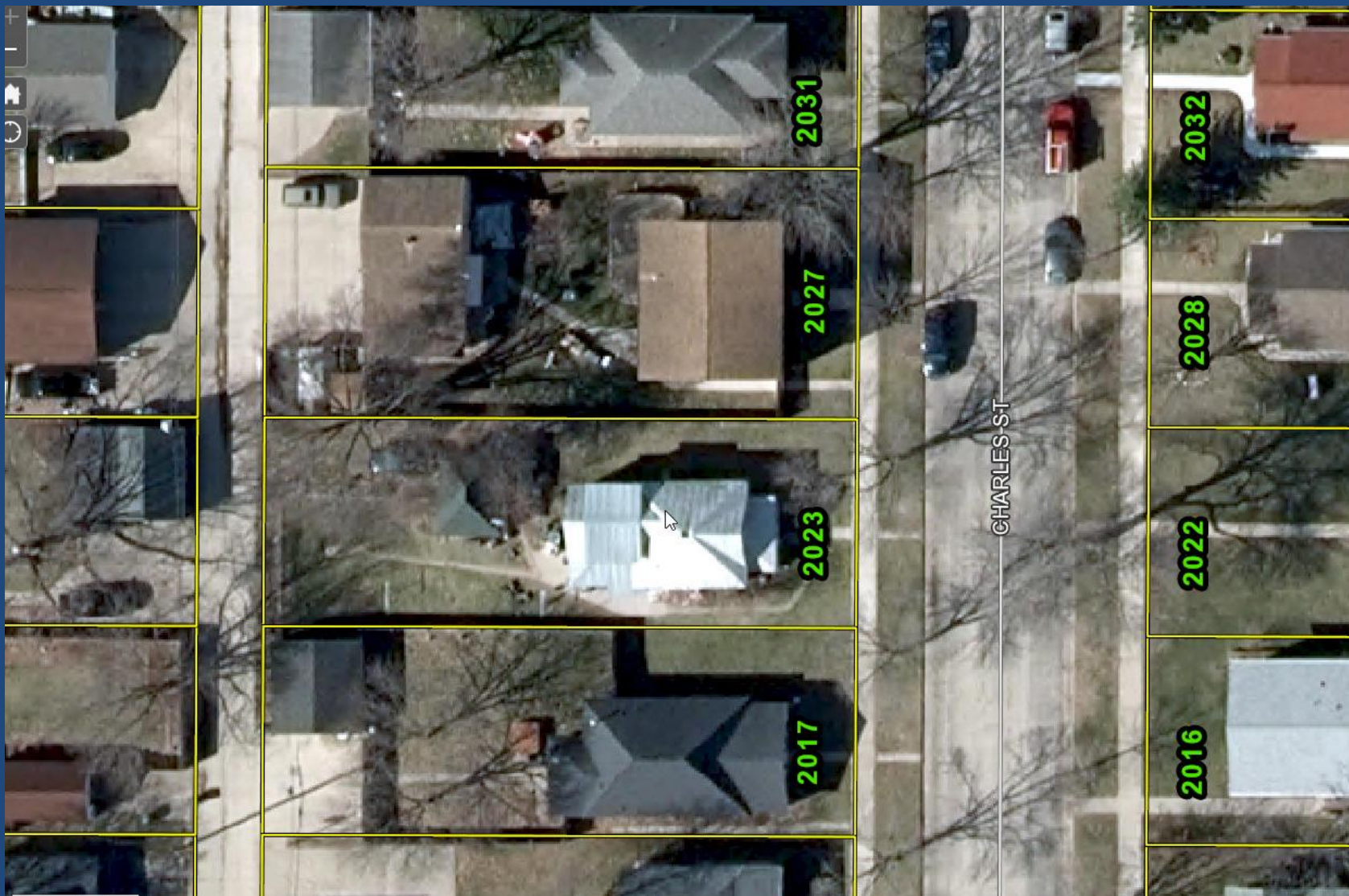


# 2023 Charles St.





# 2023 Charles St.



# Requirements for granting a variance

- Please add this presentation as part of the minutes for this meeting.