

## Legislation Details (With Text)

<b>File #:</b>	2023-576		
<b>Type:</b>	Public Hearings - Quasi-Judicial	<b>Status:</b>	Passed
<b>File created:</b>	5/15/2023	<b>In control:</b>	Board of County Commissioners
<b>On agenda:</b>	6/13/2023	<b>Final action:</b>	6/13/2023
<b>Title:</b>	Valley Creek Run (1252) Board of Adjustment Appeal - Appeal of the Board of Adjustment decision to deny the request for a side street (west) setback variance from twenty-five (25) feet to six (6) inches for a fence in the R-1A (Single Family Dwelling) district, more particularly known as 1252 Valley Creek Run; (Marta Barcia, Appellant) District1 - Dallari (Angi Gates, Project Manager).		

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Exhibit A - BOA Denial Development Order, 3. Exhibit B - Notice of Appeal, 4. Exhibit C - BOA Meeting Minutes, 5. Exhibit D - BOA Agenda Memo, 6. Property Record Card, 7. Neighboring Support Signatures, 8. BCC Development Orders.pdf

Date	Ver.	Action By	Action	Result
6/13/2023	1	Board of County Commissioners	grant	Pass

**Title:**

**Valley Creek Run (1252) Board of Adjustment Appeal - Appeal of the Board of Adjustment decision to deny the request for a side street (west) setback variance from twenty-five (25) feet to six (6) inches for a fence in the R-1A (Single Family Dwelling) district, more particularly known as 1252 Valley Creek Run; (Marta Barcia, Appellant) District1 - Dallari (Angi Gates, Project Manager).**

**Division:**

Development Services - Planning and Development

**Authorized By:**

Rebecca Hammock

**Contact/Phone Number:**

Angi Gates 407-665-7465

**Motion/Recommendation:**

1. Uphold the Board of Adjustment decision to deny the request for a side street (west) setback variance from twenty-five (25) feet to six (6) inches for a fence in the R-1A (Single Family Dwelling) district; or

2. Overturn the Board of Adjustment decision to approve the request for a side street (west) setback variance from twenty-five (25) feet to six (6) inches for a fence in the R-1A (Single Family Dwelling) district; or
3. Continue the request to a time and date certain.

### **Background:**

On April 24, 2023, the Board of Adjustment denied a variance request for a side street (west) setback variance from twenty-five (25) feet to six (6) inches for a fence as set forth in the Denial Development Order attached hereto as Exhibit A.

On May 4, 2023, Marta Barcia, Appellant, filed a Notice of Appeal of the Board of Adjustment Decision (see Exhibit B).

The attached BOA Staff agenda memorandum provides a full background of the request (see Exhibit D).

### **Staff Recommendation:**

Based on the information, findings, and conclusions included and referenced in the Agenda Memorandum prepared in association with the original action taken by the Board of Adjustment at its meeting on April 24, 2023 (attached hereto as Exhibit D), and the testimony presented at the aforementioned meeting (the minutes of which are attached hereto as Exhibit C), Staff recommends the Board of County Commissioners uphold the decision of the Board of Adjustment to deny the request for a side street (west) setback variance from twenty-five (25) feet to six (6) inches for a fence in the R-1A (Single Family Dwelling) district.