

Legislation Text

File #: 2023-576, **Version:** 1

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.