

**Jared & Emily Greenberg**  
**Variance Application**  
**P22-239**

Planning and Zoning Board

March 7, 2023

Bethany Grubbs, Planner III



# Request Summary

**Applicant / Property Owner:** Jared Greenberg

**Address:** 702 SW Abode Avenue

**Request:** The applicant is requesting a variance from Section 158.217(C)(1) of the City's Code of Ordinance to allow a 0.49 setback from the rear property line for an existing 21.50-foot by 24-foot (516 sf2) covered playhouse.



# Background

- This is an active Code case.
- A notice of hearing was issued on August 2, 2022.
- On September 7, 2022, the property owner was ordered by the Special Magistrate to bring the property into compliance by October 14, 2022.
- There was a Finding of Facts and Order Imposing Fines executed on December 7, 2022, at which time the property owner was ordered to pay a fine in the amount of \$50.00 per day for each day the violation continues.

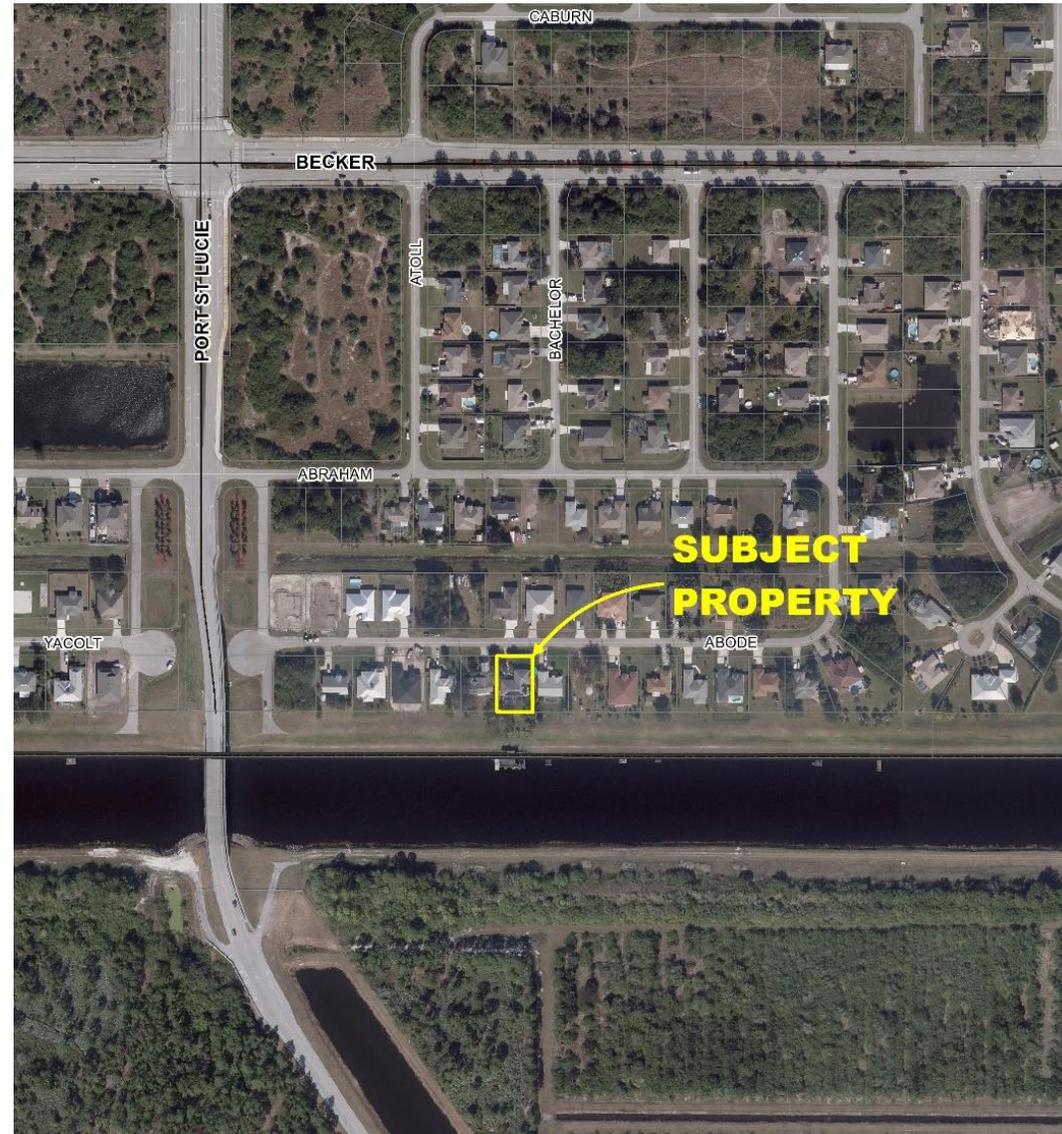
# Background

- The cure is for the property owner to receive a variance for the structure OR relocate the structure out of the required rear setback area.
- The property owner submitted a variance application on August 23, 2022, which was revised multiple times for sufficiency through December 13, 2022.
- If the variance is approved, the property owner will be required to have the 10' rear drainage and utility easement abandoned by the Public Works Department.
  - ***Should the Board desire to approve the variance staff recommends conditioning the approval as follows:  
The applicant shall obtain formal abandonment of the utility and drainage easement prior to obtaining a building permit, and within 120 days of the variance approval. If the applicant fails to comply with this condition the variance will be deemed null and void.***
- If the variance is approved, the property owner will be required to obtain a building permit for the structure.
  - ***Failure of the applicant to obtain a building permit for the structure will cause the Code case to remain active.***



# Aerial

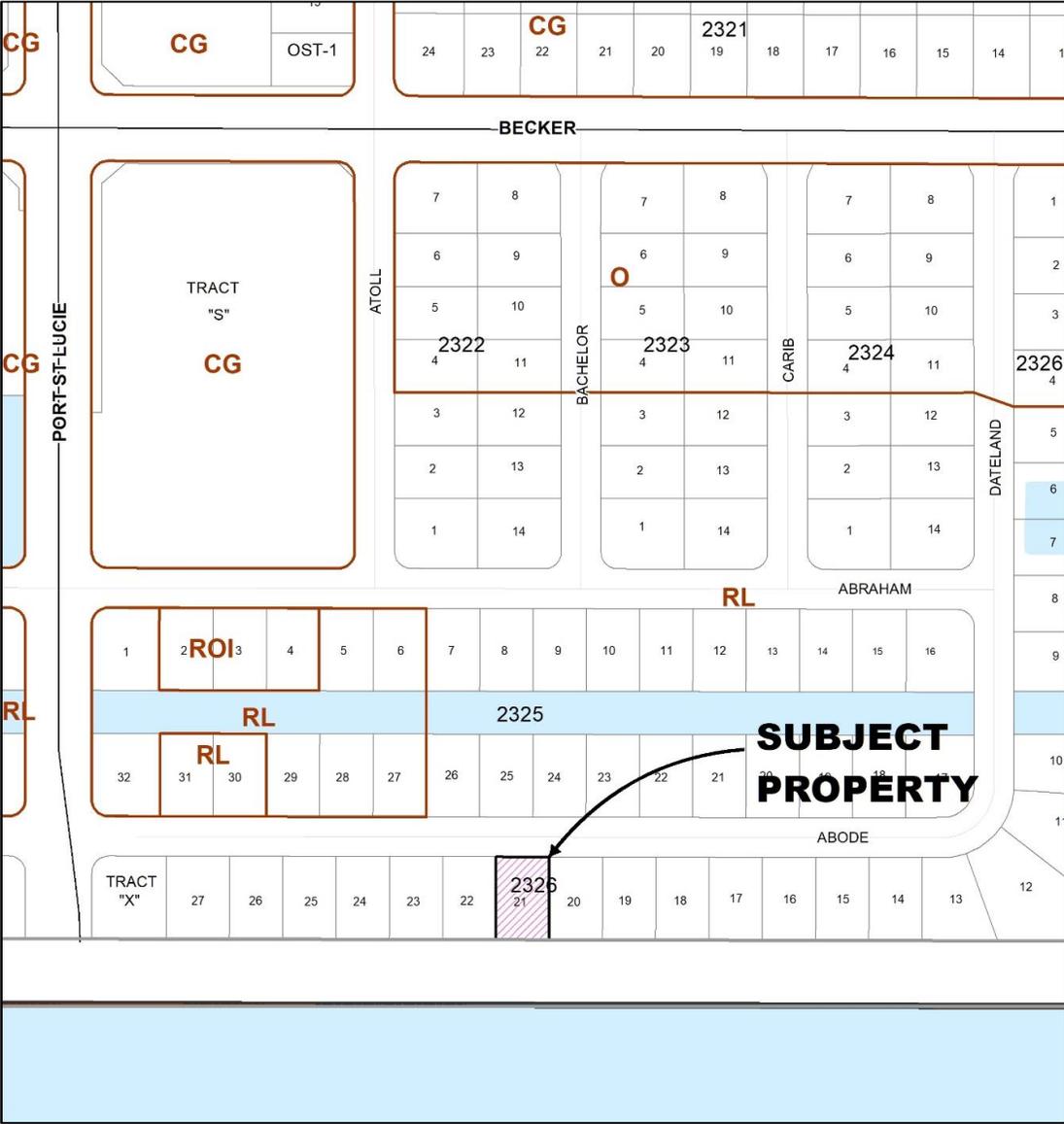
Direction	Future Land Use	Zoning	Existing Use
North	RL	RS-2	Single-Family Residence
South	N/A	N/A	County Line Canal (Martin)
East	RL	RS-2	Single-Family Residence
West	RL	RS-2	Single-Family Residence



# Land Use

## RL (Low Density Residential)

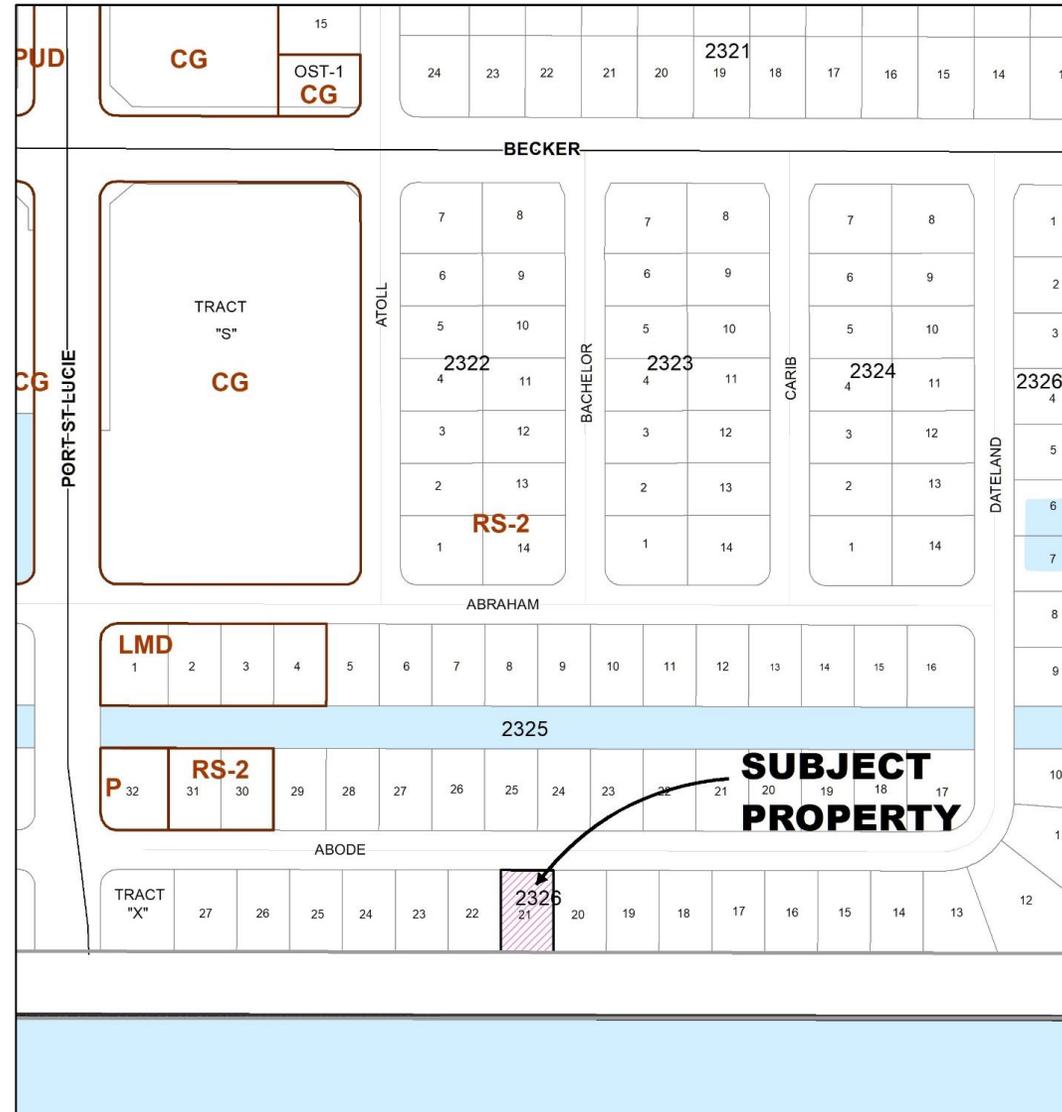
Direction	Future Land Use	Zoning	Existing Use
North	RL	RS-2	Single-Family Residence
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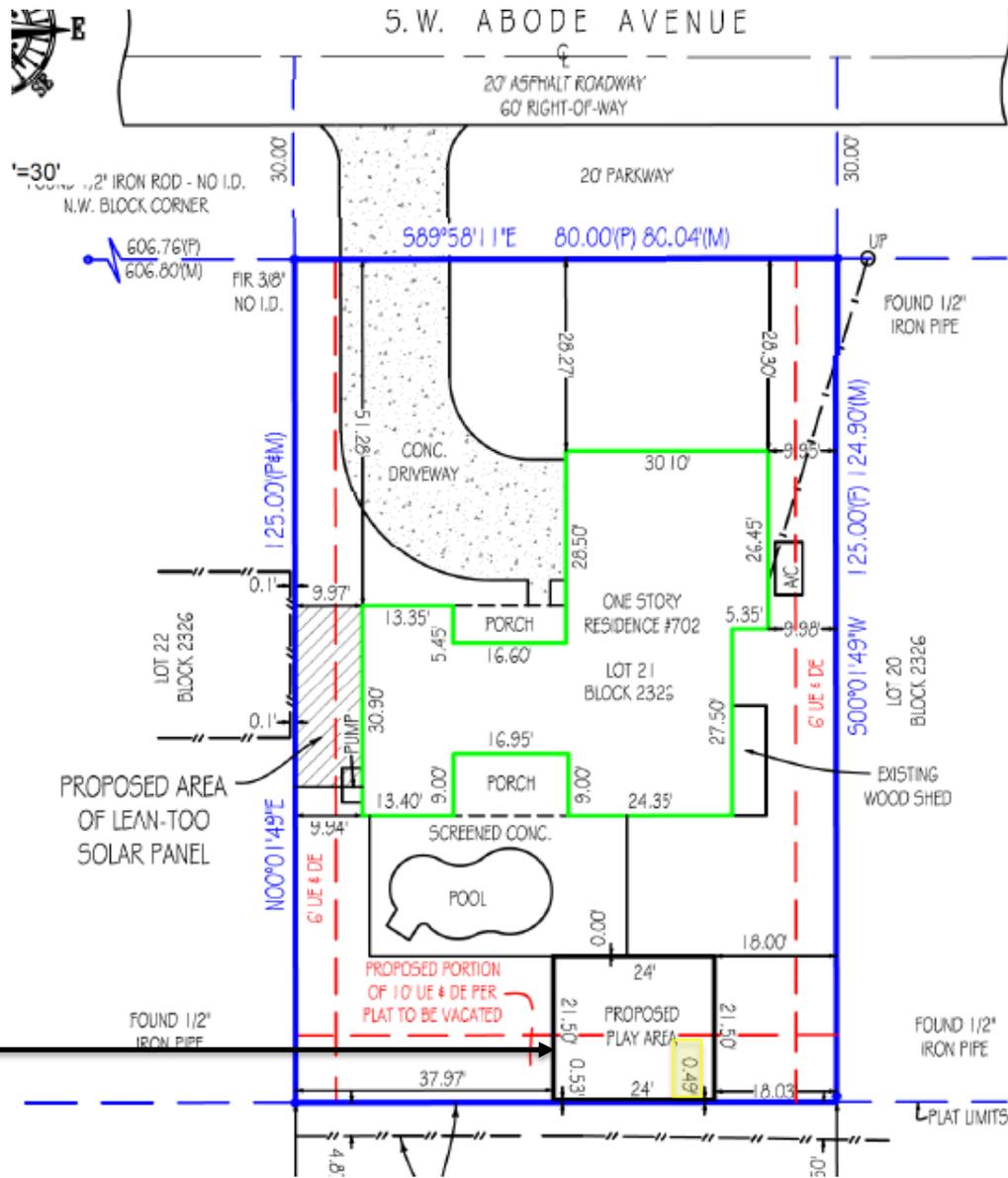
# Zoning

## RS-2 (Single-Family Residential)

Direction	Future Land Use	Zoning	Existing Use
North	RL	RS-2	Single-Family Residence
South	N/A	N/A	County Line Canal (Martin)
East	RL	RS-2	Single-Family Residence
West	RL	RS-2	Single-Family Residence



# Boundary Survey



Variance Request



# Site Photo



# Questions or Comments?

## Planning and Zoning Board Action Options:

- Make a motion to approve
- Make a motion to approve with conditions
- Make a motion to deny
- Make a motion to table

