



Legislation Details (With Text)

**File #:** VAR-22-087    **Version:** 1    **Name:** VAR-22-087 3167 Delor Avenue  
**Type:** Petition    **Status:** Agenda Ready  
**File created:** 6/15/2022    **In control:** Zoning Hearing  
**On agenda:** 6/29/2022    **Final action:** 6/29/2022

**Title:** VAR-22-087 3167 Delor Avenue Creekmore Construction is requesting a variance from the Unified Land Development Code (ULDC) Section 53-240. - Special structures. A. (6) "Accessory structures over five hundred (500) square feet in total area, other than swimming pools, tennis courts and other similar recreational facilities, shall maintain the same required setback as the principal structure. Section 53-32. - Minimum setback requirements A. Front yard: Thirty (30) feet. & B. Side yard: Twenty-five (25) feet. The request is to allow for a 24-foot front setback where a minimum 30-foot front setback is required and a 23.8-foot side setback where a 25-foot side setback is required. The subject property is located at 3167 Delor Avenue.(QUASI JUDICIAL)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Staff Report with Exhibits, 2. Executed Order Denying Variance, 3. Proof of Service of Order Denying Variance.pdf

Date	Ver.	Action By	Action	Result
6/29/2022	1	Zoning Hearing	approved	
6/29/2022	1	Zoning Hearing	denied	Fail
6/29/2022	1	Zoning Hearing	approved	Pass
6/29/2022	1	Zoning Hearing	denied	Fail

**TO:** Zoning Board of Appeals

**FROM:** Sam Hudson, Planner I

**SUBJECT:** Creekmore Construction is requesting a variance from the Unified Land Development Code (ULDC) Chapter 53-Zoning Regulations, Part 3. - Special District Regulations, Article XX. - Special Circumstance Regulations, Section 53-240. - Special structures. A. (6) "Accessory structures over five hundred (500) square feet in total area, other than swimming pools, tennis courts and other similar recreational facilities, shall maintain the same required setback as the principal structure. The principal structure setbacks are enumerated in Chapter 53-Zoning Regulations, Part 2. - Schedule of District Regulations, Article II. - AG Agricultural District, Section 53-32. - Minimum setback requirements A. Front yard: Thirty (30) feet. & B. Side yard: Twenty-five (25) feet. The request is to allow for a 24-foot front setback where a minimum 30-foot front setback is required and a 23.8-foot side setback where a 25-foot side setback is required. The subject property is located at 3167 Delor Avenue (Lot 12, Block 24 of Second Addition to North Port Charlotte Estates, Section 02, Township 39S, Range 21E, Parcel ID 1939-01-2412).

**Recommended Action**

Deny the applicant's request for a Variance.

**General Information**

Creekmore Construction is requesting a variance from the Unified Land Development Code (ULDC) Chapter 53-Zoning Regulations, Part 3. - Special District Regulations, Article XX. - Special Circumstance Regulations, Section 53-240. -

Special structures. A. (6) "Accessory structures over five hundred (500) square feet in total area, other than swimming pools, tennis courts and other similar recreational facilities, shall maintain the same required setback as the principal structure. The principal structure setbacks are enumerated in Chapter 53-Zoning Regulations, Part 2. - Schedule of District Regulations, Article II. - AG Agricultural District, Section 53-32. - Minimum setback requirements A. Front yard: Thirty (30) feet. & B. Side yard: Twenty-five (25) feet. The request is to allow for a 24-foot front setback where a minimum 30-foot front setback is required and a 23.8-foot side setback where a 25-foot side setback is required.

The variance request was advertised pursuant to the requirements of the ULDC on June 10, 2022, and the property owners were notified of the public hearings by mail.

**Strategic Plan**

N/A

**Financial Impact**

N/A

**Procurement**

N/A

**Attachments:**

1. Staff Report with Exhibits
2. Staff Presentation

**Prepared by:**

Sam Hudson, Planner I  
Lori Barnes, AICP, CPM, Planning & Zoning Division Manager

**Department Director:**

Alaina Ray, AICP, Neighborhood Development Services Director