

26-01VZ 161 CANOE  
BEND AVE

# General Information

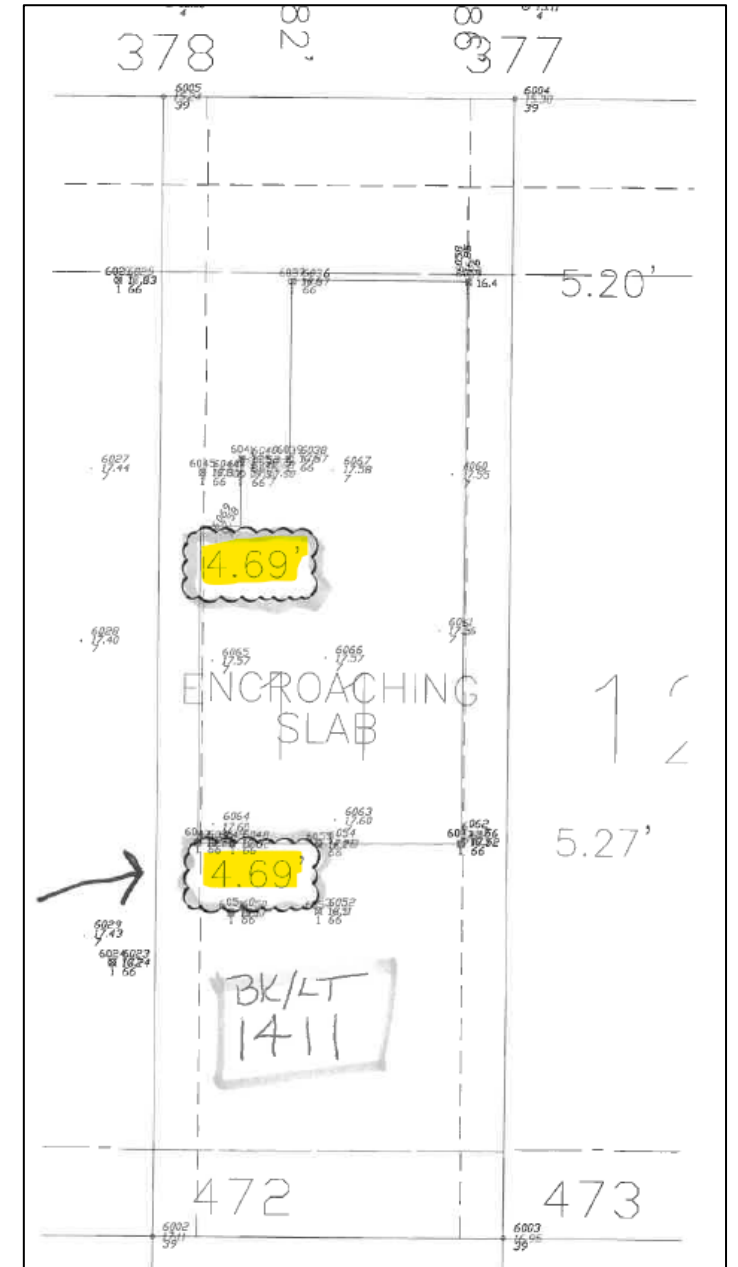
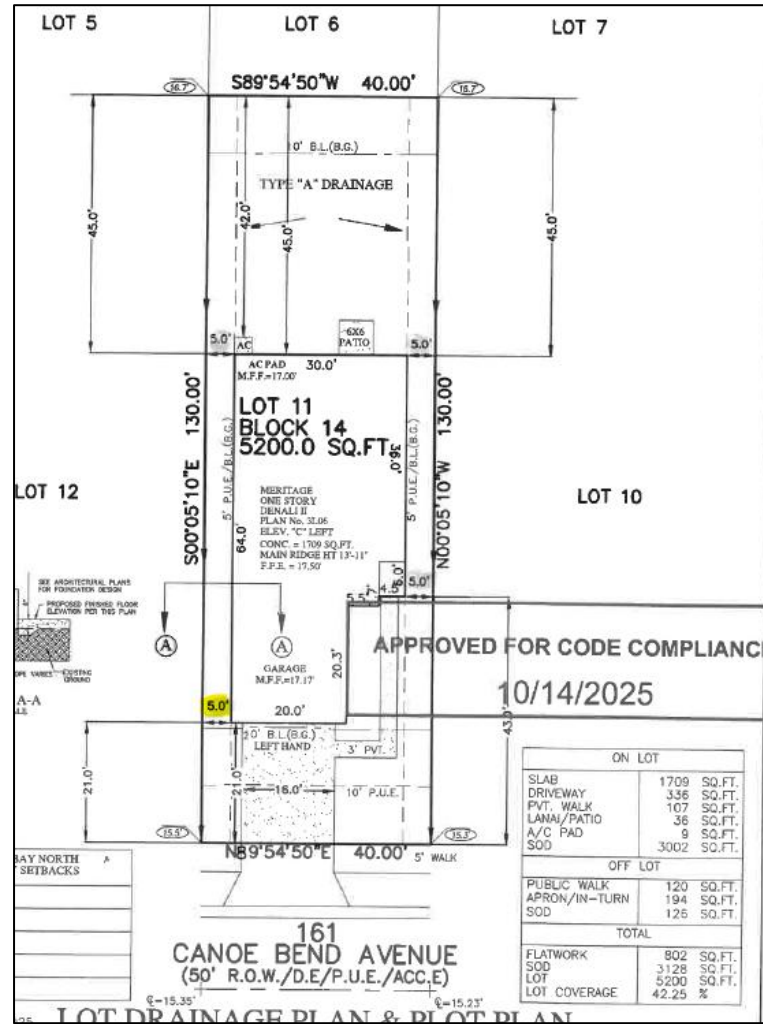
<b>Address:</b>	161 Canoe Bend Ave
<b>Request:</b>	Seeking variance from the Rustic Road Binding Master Plan requirement for 5' primary structure setbacks for single-family detached homes
<b>Owner:</b>	Meritage Homes
<b>Agent:</b>	Katrina DeJesus, Meritage Homes
<b>Parcel ID:</b>	0361150075
<b>Parcel Size:</b>	5,199± square feet
<b>Future Land Use:</b>	Mixed Use Residential
<b>Zoning:</b>	Planned Unit Development
<b>Comprehensive Plan Neighborhood:</b>	Knights Trail Neighborhood
<b>Application Date:</b>	December 29, 2025

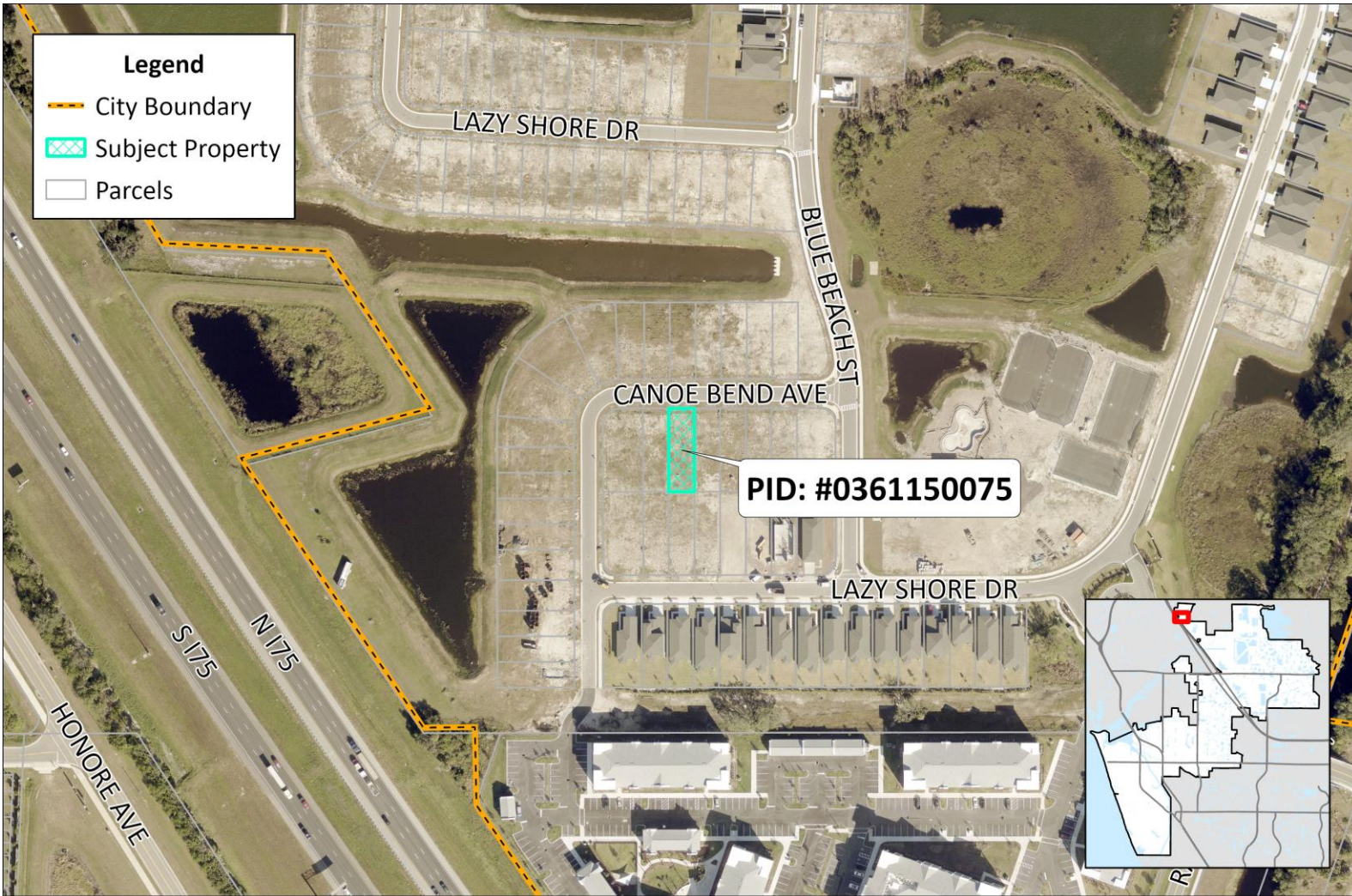
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# PROJECT DESCRIPTION

- Magnolia Bay North development (Rustic Road PUD)
- Binding Master Plan requires 5' side setback; permit was approved based on site plan showing compliance
- Slab was poured at 4.69' from side property line
- House has been constructed since time of initial application for variance

# SITE PLAN VS. EXISTING





161 Canoe Bend Ave

Aerial Map

# AERIAL MAP

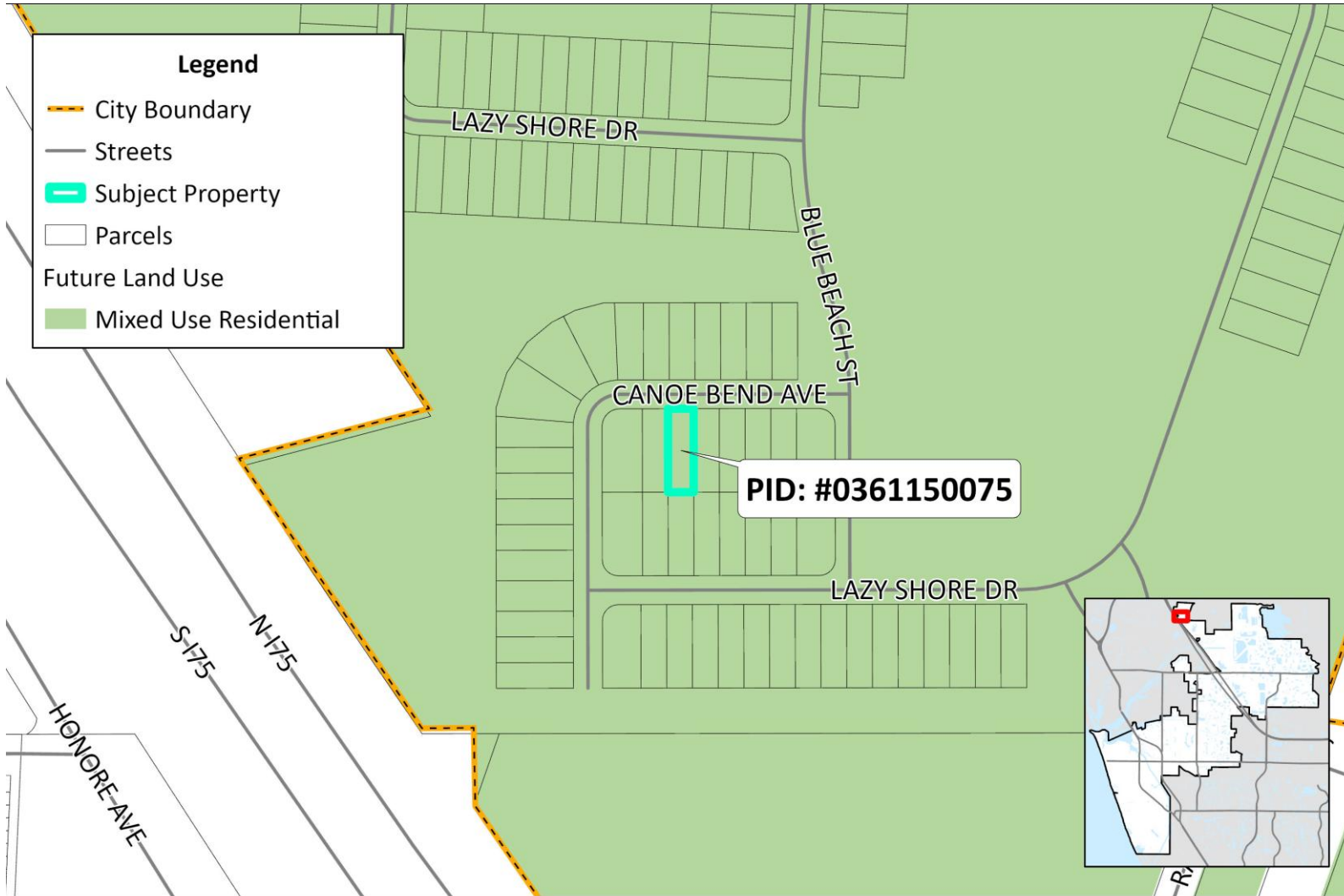




**EXISTING  
CONDITIONS**

**FUTURE LAND  
USE MAP,  
ZONING MAP,  
SITE PHOTOS**





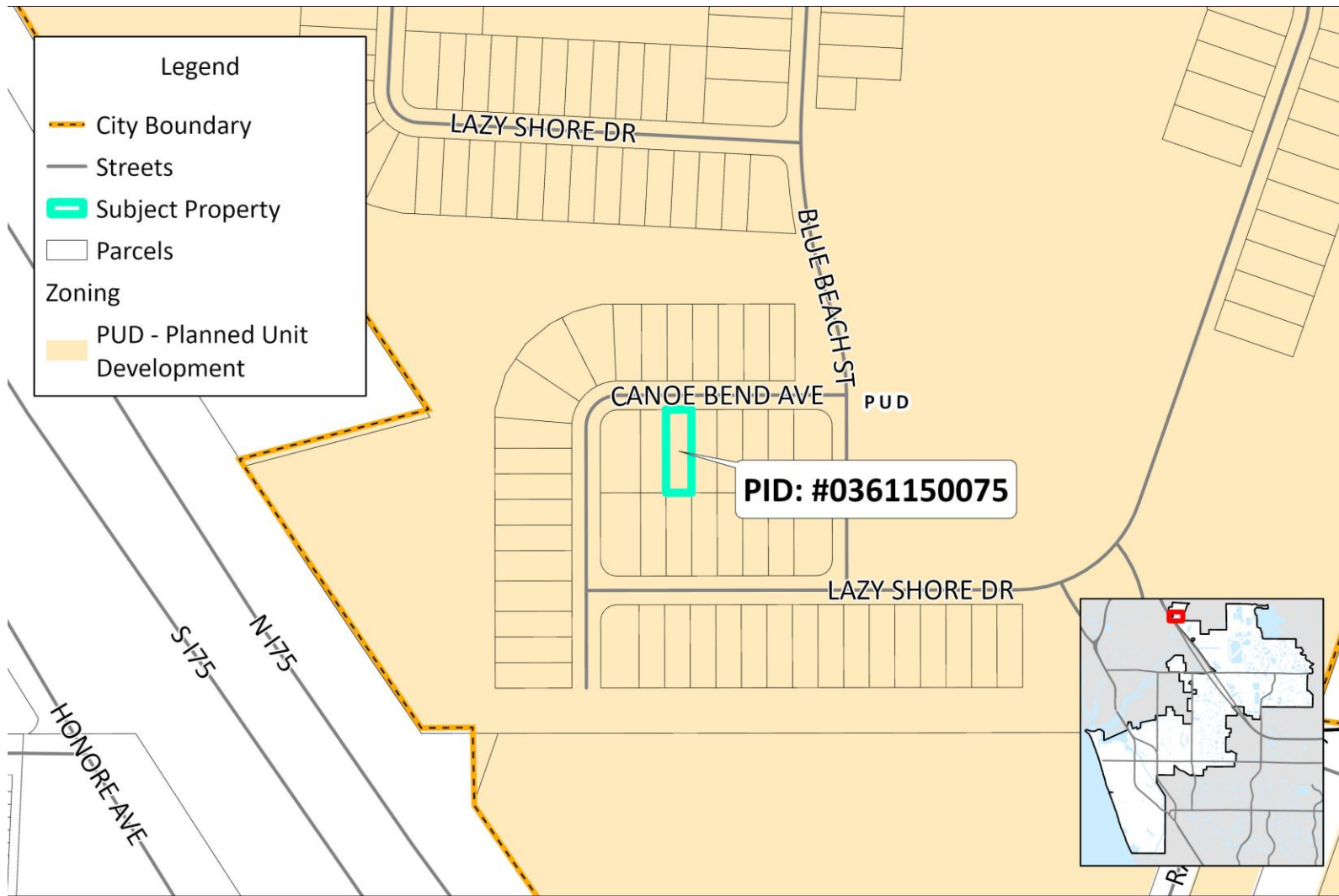
# FUTURE LAND USE MAP



**161 Canoe Bend Ave**  
Future Land Use Map

0 125 250 500 Feet

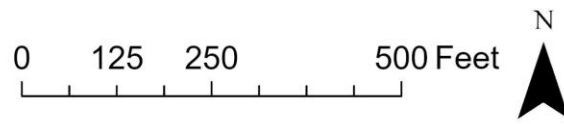




# ZONING MAP



**161 Canoe Bend Ave**  
Zoning Map





# SITE PHOTOS



# PLANNING ANALYSIS

LAND  
DEVELOPMENT  
CODE



# COMPLIANCE WITH THE LAND DEVELOPMENT CODE

- The procedural requirements in Chapter 87 Section 1.2 have been satisfied
- Chapter 87, Section 1.13.3 specifies that the Planning Commission shall make an affirmative finding on each consideration in granting a variance application, or find that variance will correct a bona fide staff error that has led to design or construction that does not comply with the LDR
  - Applicant indicates the deviation from approved permit was simply an error

## I.10.C DECISION CRITERIA

1. The particular physical surroundings, shape, topographical condition, or other physical or environmental condition of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.
2. The conditions upon which the request for a variance is based are unique to the parcel and would not be applicable, generally, to other property within the vicinity;
3. The variance is not based on any conditions, including financial, occupational, or ability, which are personal to the applicant as applied to the property involved in the application;
4. The alleged hardship has not been created by any person presently having an interest in the property or, if it was, it was created as a result of a bona fide error;
5. The granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the vicinity;
6. The variance granted is the minimum variance that will make possible the reasonable use of the property; and
7. The property cannot be put to a reasonable use which complies fully with the requirements of the Code unless the variance is granted.

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# CONCLUSION

- Upon review of the petition and associated documents, Comprehensive Plan, Land Development Code, staff report and analysis, and testimony provided during the public hearing, there is sufficient information on the record to take action on Variance Petition No. 26-01VZ.
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