



Project: 104 Alba Street West
Variance Petition No. 16-5VZ

Staff Report

Applicant: Jacques & Gayle Famy

Parcel ID #: 0430-14-0051

Address: 104 Alba Street West

Project Acreage: 8,023 sq. ft.

Existing Zoning: Residential, Single Family-3 (RSF-3)

Future Land Use Designation: Low Density Residential

Summary of Variance Petition:

The applicant is requesting a variance from Section 86-81(h)(1)b to exceed the RSF-3 district maximum lot coverage standard of 35% of the lot area as summarized below.

Maximum Lot Coverage: 35%

Proposed Lot Coverage: 37.5%

Proposed Improvement:

The applicant proposes to enlarge an existing lanai located along the rear wall of the single family structure.

Technical Review:

The Technical Review Committee (TRC) reviewed the proposed building addition for compliance with the Land Development Code. The TRC identified no issues related to technical compliance.

I. INTRODUCTION/OVERVIEW

The subject property was platted in 1957 as part of the Beach Manor, Unit No. 1 subdivision. According to the Sarasota County Property Appraiser records the single family residential structure was originally constructed in 1959. In 2011 pursuant to Building Permit No. 2001-526, the 13' x 16' lanai at the back of the house was constructed.

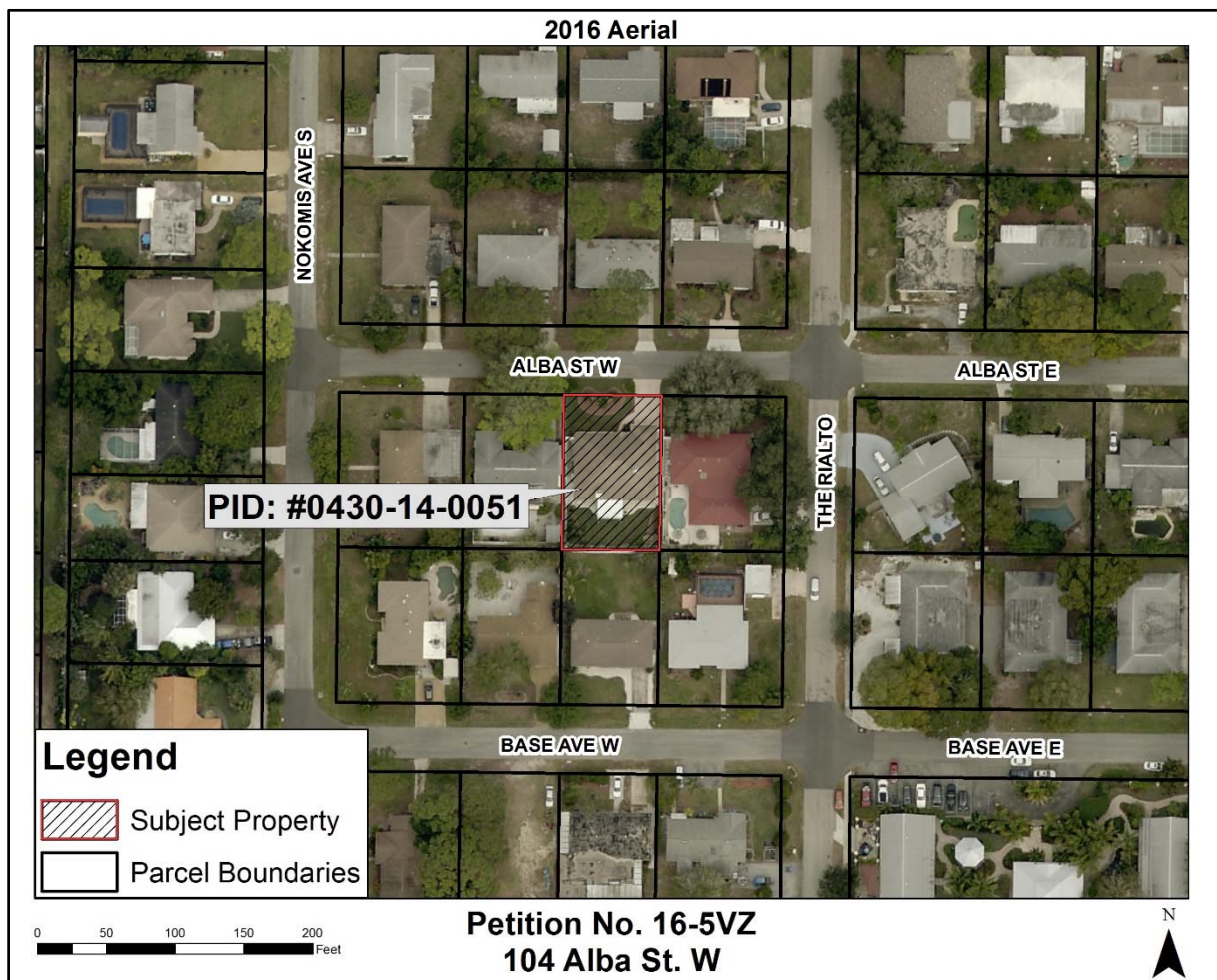
The subject property is in a Residential, Single-Family 3 (RSF-3) zoning district which has a maximum lot coverage standard of 35 percent. Lot coverage is considered the combined area of hard-roof structures, generally measured from the exterior wall of the structures, which in the RSF-3 district cannot exceed an area equal to 35 percent of the subject property's lot area.

Taking into consideration all structures which constitute lot coverage (the single family structure, the hard-roofed lanai and the shed), the subject property has an existing lot coverage 2,713 square feet which equals 33.8 percent of the property's lot area. The proposed 294 square foot expansion of the existing lanai would increase the combined lot coverage to 3,007 square feet or 37.5 percent of the lot area. The proposed 37.5 percent lot coverage exceeds the maximum lot coverage of 35 percent, thereby necessitating the requested variance from the RSF-3 maximum lot coverage standard.

II. SUBJECT PROPERTY/SURROUNDING PROPERTY INFORMATION

The subject property is located at 104 Alba Street West. The property is located on a corner lot with street frontage on Gulf Manor Drive, a private street, and Hunter Drive, a public street. Map 1 provides aerial photography which shows the existing conditions of the subject property and surrounding adjacent properties.

Map 1: Aerial Photograph



A closer look at existing on and off-site conditions is provided by the photographs on the following page.



View of the existing single-family residential structure; the proposed lanai expansion is located behind the house on the left side.



The location of the proposed lanai expansion which will extend to the side wall of the house.



View of the abutting single family residential property to the east with a six-foot high fence along the shared side property line.



View of the abutting single family residential property to the south with a six-foot high fence along the shared rear property line.

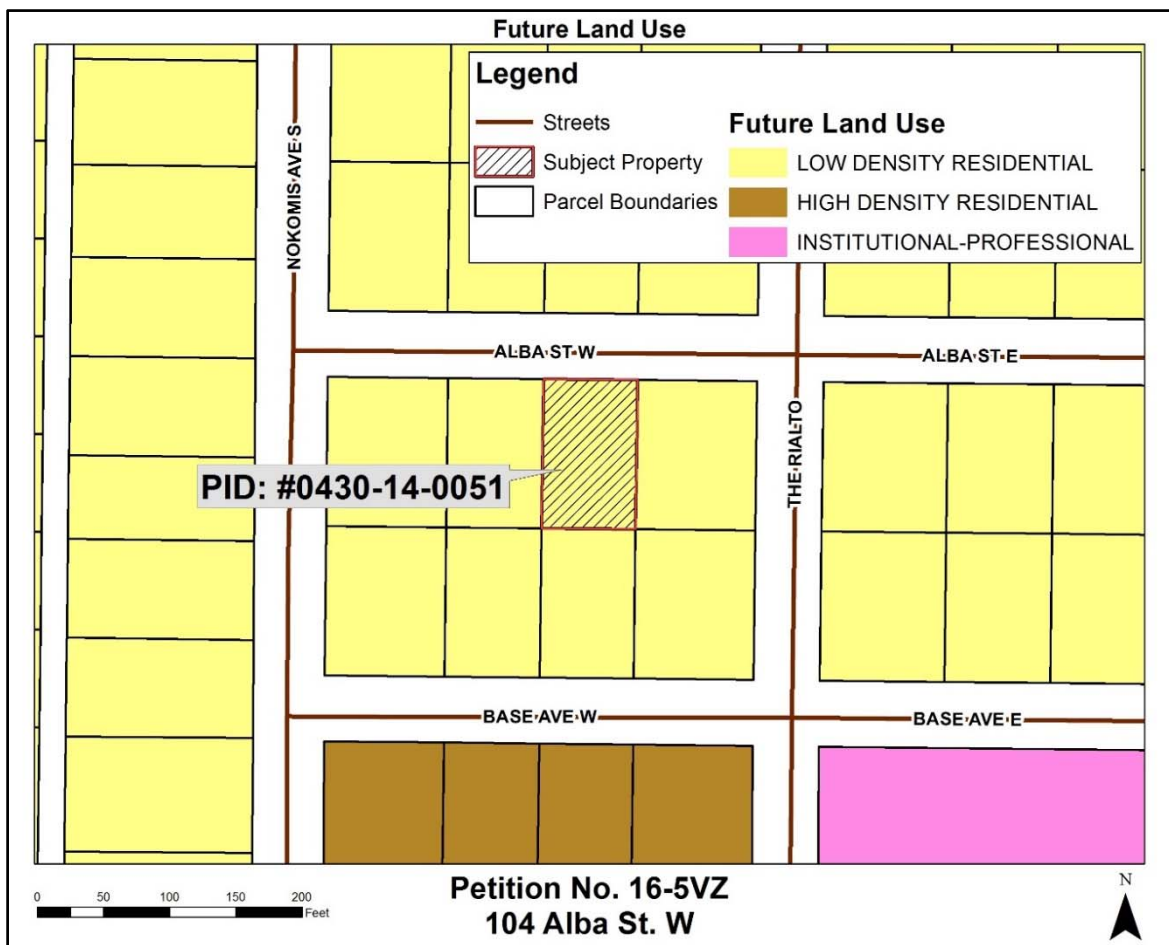
Flood Zone Information:

The FEMA Flood Insurance Rate Map (FIRM) shows the subject property with two flood zone designations, both of which are not identified as a Special Flood Hazard Area. The subject property has Zone X and Zone X (shaded) FIRM designations which have moderate to low flooding risk and no minimum finished floor elevation requirement.

Future Land Use:

The future land use map (Map 2) shows the subject and all properties having a Low Density Residential designation. High Density Residential and Institutional-Professional designations are located south of Base Avenue.

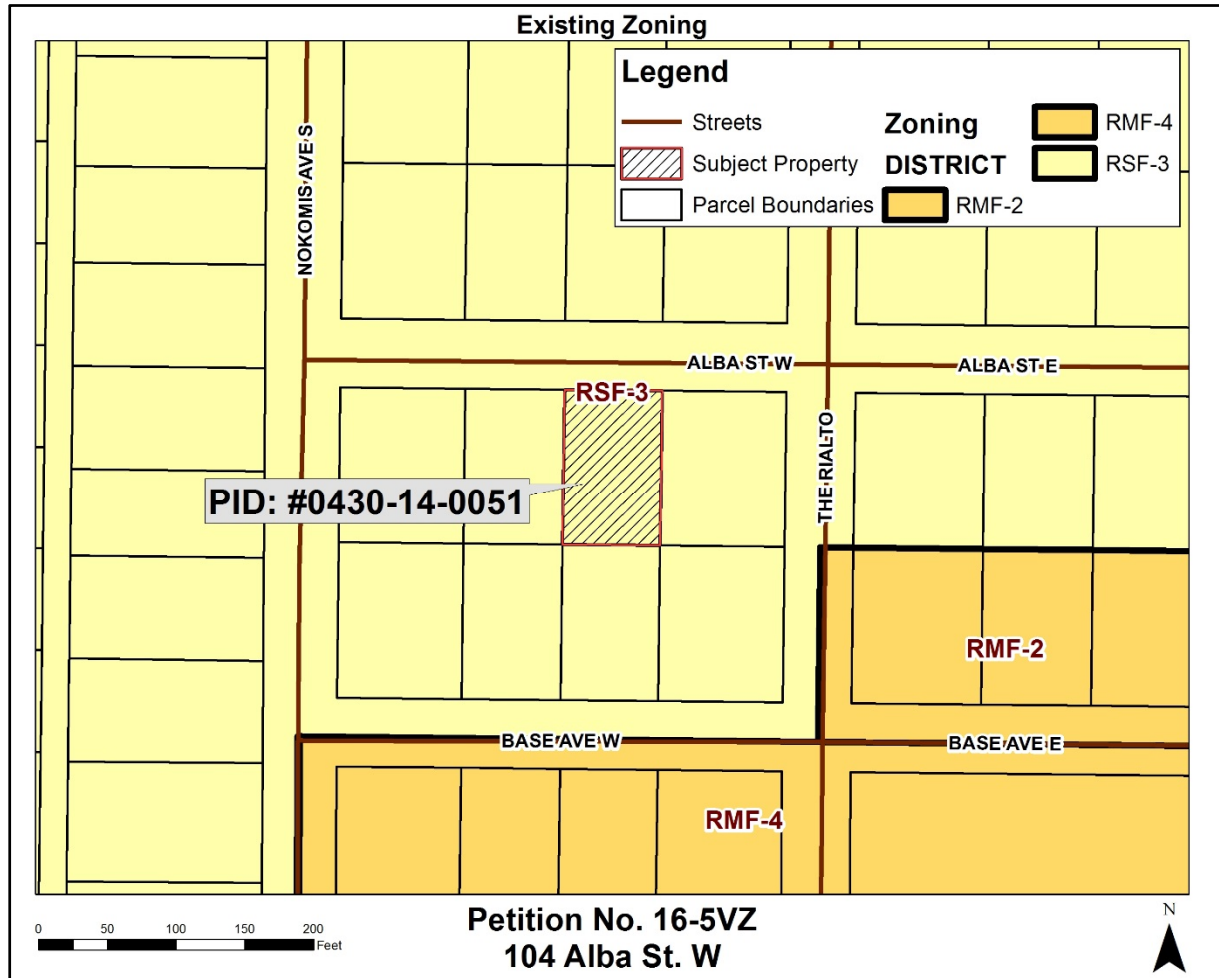
Map 2: Future Land Use Map



Existing Zoning:

Map 3 on the following page shows the existing zoning of the subject and surrounding properties. The subject property and all abutting properties are located in a Residential, Single Family 3 (RSF-3) District. Residential, Multiple Family (RMF) zoning districts are located to the east and south of the subject property; a RMF-2 district is located east of The Rialto and a RMF-4 district is located south of Base Avenue.

Map 3: Existing Zoning Map



III. PROCEDURAL REQUIREMENTS FOR VARIANCE REVIEW

The procedural requirements contained in Section 86-46(a) concerning receipt of written petition, notice of public hearing and conduct of hearing have been satisfied. Section 86-46(a)(4) specifies that the Planning Commission shall consider the following matters in making a determination on a variance petition. To assist the Planning Commission in its review and final action on the subject variance petition, staff has provided a comment on each of the following variance considerations. The applicant has also provided a written response to each consideration as part of the submitted application material.

- a. *Special circumstances exist in relation to the land, structures, or buildings as compared to other land, structures, or buildings in the same zoning district and the special circumstances are not the fault of the applicant.*

Applicant's Response: As stated above, the lot in question is a non-conforming lot. See Exhibit 1, which is a map of surrounding properties in Block 352, Lot 10 of the Beach Manor Subdivision. This block is comprised of four unequally divided lots with the largest square footage given to the two end lots which are 91 feet wide. The two middle lots were subdivided into two smaller width lots of 72 and 71 feet respectively. If these lots were

equally subdivided, each width would equal 81 foot frontage and 113 feet in depth resulting in 9,153 square foot properties. The properties were subdivided in this district many years prior to the applicant's purchase of the property.

Staff Comment: The subject is legally non-conforming with regard to minimum lot width. Section 86-81(g)(1)c requires a minimum lot width of 75 feet in the RSF-3 zoning district; the subject property has a lot width of 71 feet. It is not uncommon for corner lots to have a greater lot width than lots located in the interior of a block. Generally corner lots have a greater lot width to, in part, compensate for the two 20-foot front yards that are required for corner lots.

- b. *The literal interpretation of the provisions of this chapter would result in unnecessary and undue hardship to the property.***

Applicant's Response: If the variance is not granted it will deprive the Applicant of rights enjoyed by owners of the end parcels of each block. The Applicant is proposing to build a 22.6 X 13 foot composite roof screened enclosure as a lateral extension of the current screened enclosure. (See Exhibit 2 picture of lanai extension area.) This structure would not encroach on the rear setback of 22 feet and the side setback of 7.5 feet as shown in the Boundary & Topographic Survey.

Staff Comment: Based on the site plan provided by the applicant, the proposing lanai extension will be setback 7.4 feet from the east side property line in compliance with the RSF-3 side yard setback requirements.

- c. *The variance, if granted, is the minimum variance necessary to meet the requested use of the land, building or structure.***

Applicant's Response: The Applicant is proposing to extend a covered screen enclosure adding 293.8 square feet to the total lot coverage of 2,713 square feet. The addition of 293.8 sq. ft. would result in the total square feet of 3,007 sq. ft. or 37.5%. Included with the application is a design drawing by Bishop's Aluminum for this enclosure (Exhibit 3). This addition would make possible reasonable use of the screened enclosure.

Staff Comment: The requested lot coverage of 37.7 percent exceeds the maximum lot coverage by 2.5 percent which, on a relative basis, is 7.1 percent greater than the maximum lot coverage standard of 35 percent. The variance, if granted, would be the minimum variance needed to meet the requested use of the land, in this case being the expansion of an existing lanai.

- d. *The grant of the variance will be in harmony with the general intent and purpose of this chapter, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare; and***

Applicant's Response: The granting of this variance is in harmony with the neighborhood and the community and will not be injurious to the neighborhood. The Applicant is not requesting a variance to any setback requirement, thus the adjoining properties will not be adversely affected. The extension will not be visible because of a 6 foot privacy fence surrounding the back yard. Included area: Exhibit 4 picture of the rear yard privacy fence

and the Boundary Survey as of 11/09/16 indicating Lot Area, Lot Coverage and Proposed Lot Coverage.

Staff Comment: The photographs provided in Section II of this report show the existing six-foot high fencing in relation to the abutting residential properties to the east and south. To date, staff has received no written correspondence from neighboring property owners expressing concern over the proposed variance.

Summary Staff Comment: The responses and comments provided above are sufficient to allow the Planning Commission to take action on the subject petition.