



Project: 424 Sunset Drive
Variance Petition No. 16-7VZ
Staff Report

Applicant: Joy L. Brown

Parcel ID #: 0178-09-0007

Agent: Jackson R. Boone, Esq.

Project Acreage: 0.29 acres

Existing Zoning: Residential, Single Family-1 (RSF-1), Sarasota County

Future Land Use Designation: Low Density Residential, City of Venice

Summary of Variance Petition:

1. The applicant is requesting a variance from Section 6.5.6, Sarasota County Zoning Regulations, to increase the maximum building lot coverage to construct a new single-family residential structure:

Required maximum building lot coverage: 30 percent

Requested maximum building lot coverage: 33.1 percent; and increase of 3.1 percent

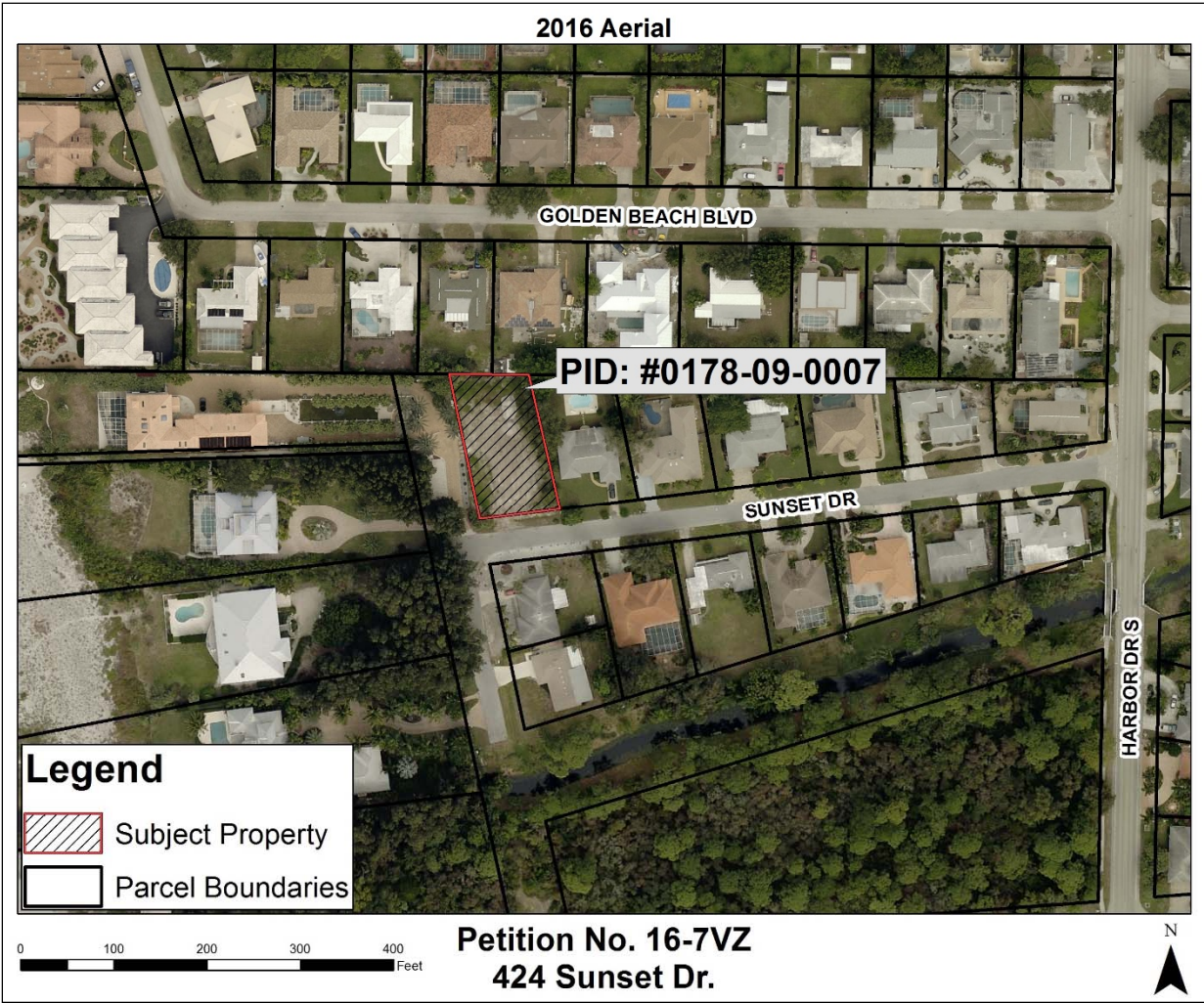
I. PROJECT LOCATION

The applicant is requesting Planning Commission approval of a variance to construct a new single-family residential structure at 424 Sunset Drive. Sunset Drive runs west from Harbor Drive for approximately 700 feet where it forms a “T” intersection with larger single-family homes bordering the Gulf of Mexico. It then splits and forms a northern branch and southern branch that runs parallel to the Gulf. The subject property is located on the north side of Sunset Drive where the road forms the “T” intersection (see Map 1).

The applicant purchased the property in 2014 and had the original single-family structure demolished (property is currently vacant). The original structure faced west and had access along the western border of the property along the northern branch of Sunset Drive.

The property is rectangular in shape and consists of approximately 12,807 square feet (0.29 acres). It has an average width of 85 feet and an average length (depth) of 153 feet. With regards to area, the property is nonconforming based on RSF-1 minimum lot size of 15,000 square feet.

Map 1: Aerial Photograph



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



View of vacant subject property from Sunset Drive (looking north).



Adjacent single-family home east of subject property.

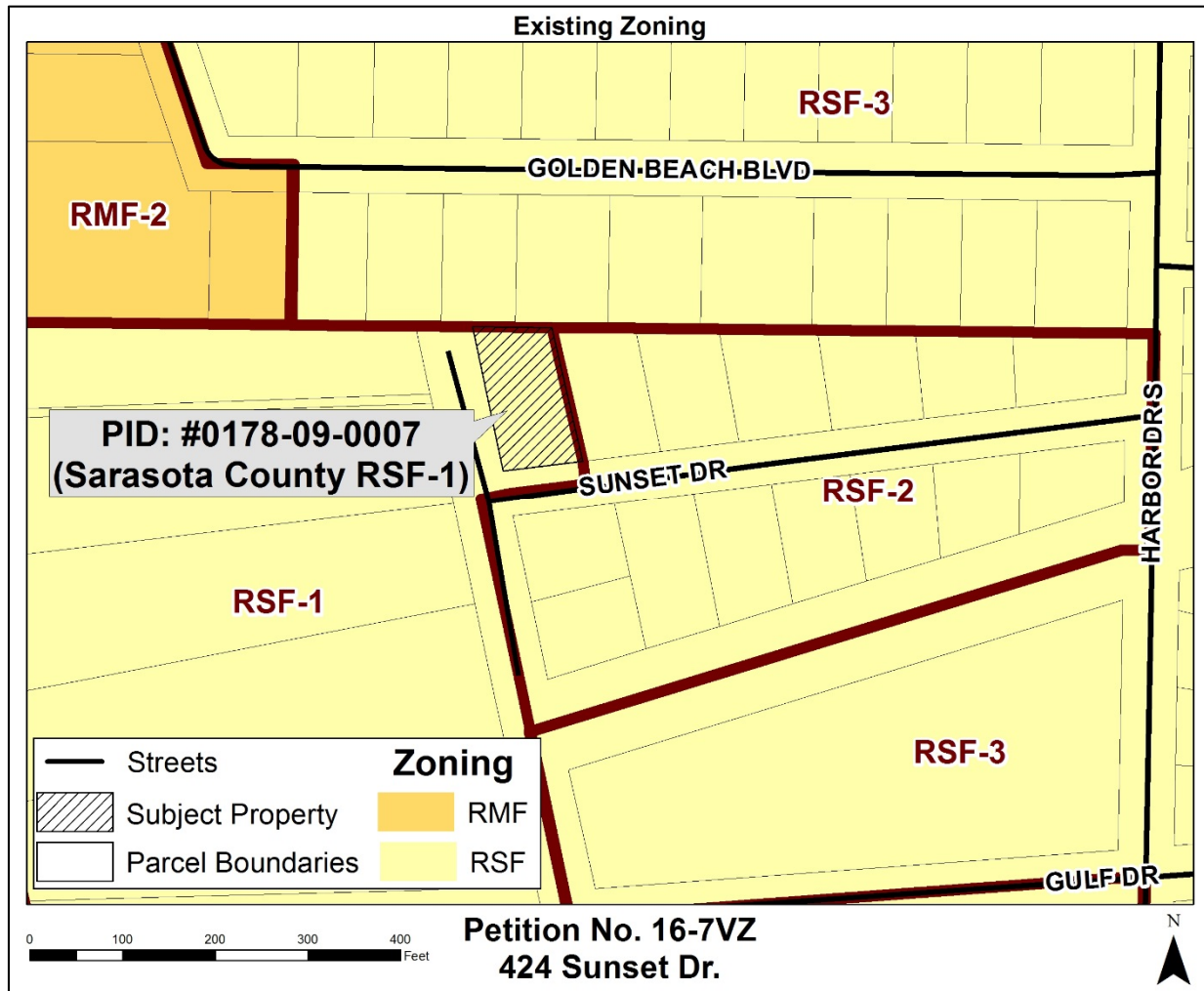


Adjacent, larger single-family homes and condos west of subject property.

II. EXISTING ZONING

Map 2 shows the existing zoning of the subject property and surrounding properties. The subject property has a Sarasota County RSF-1 zoning designation and is surrounded by larger RSF-1 zoned properties to the west; similar sized RSF-2 zoned properties to the south and east; and RSF-3 zones properties to the north. The additional RSF-1 zoned properties to the west are larger lots in excess of 50,000 square feet located along the Gulf of Mexico. The subject property is the only RSF-1 zoned property not located along the Gulf of Mexico. It is more consistent in size, shape, and location with nearby RSF-2 zoned properties along Sunset Drive.

Map 2: Existing Zoning Map



The subject property was annexed to the city from Sarasota County on July 10, 2001. The annexation was approved with Ordinance No. 2001-88. At that time the property retained a Sarasota County Residential, Single-Family 1 (RSF-1) zoning designation and has not changed.¹

The applicant is requesting a variance to Section 6.5.6, Sarasota County Zoning Regulations, to increase the maximum lot coverage from 30 percent to 33.1 percent; an increase of 3.1 percent (see Table 1). The applicant states that the nonconforming lot size results in the inability to build a reasonably sized home and, therefore, greatly diminishes the value of the property. The variance will allow for the construction of the proposed home with a driveway connecting to Sunset Drive along the southern border of the property. All required setbacks along the property lines, including the recently approved 5.4 foot front yard setback along the western edge of the property, will be maintained.

¹ The Sarasota County RSF-1 zoning standards identified in Section 6.5.6, Sarasota County Zoning Regulations, are identical to the City of Venice RSF-1 standards identified in Section 86-81(g)-(j), City of Venice Land Development Regulations. See Table 1.

Table 1. Analysis of Lot Coverage Variance Request

	Sarasota County RSF-1 Zoning Standards	City of Venice RSF-1 Zoning Standards	Existing	Proposed	Variance Requested
Minimum Lot Width (feet)	100 ft.	100 ft.	Approx. 145- 160 ft.	Approx. 145- 160 ft.	No
Minimum Lot Area (feet)	15,000 sq. ft.	15,000 sq. ft.	12,807 sq. ft.	12,807 sq. ft.	No
Maximum Lot Coverage (percent)	30 percent	30 percent	N/A ¹	33.1 percent	Yes

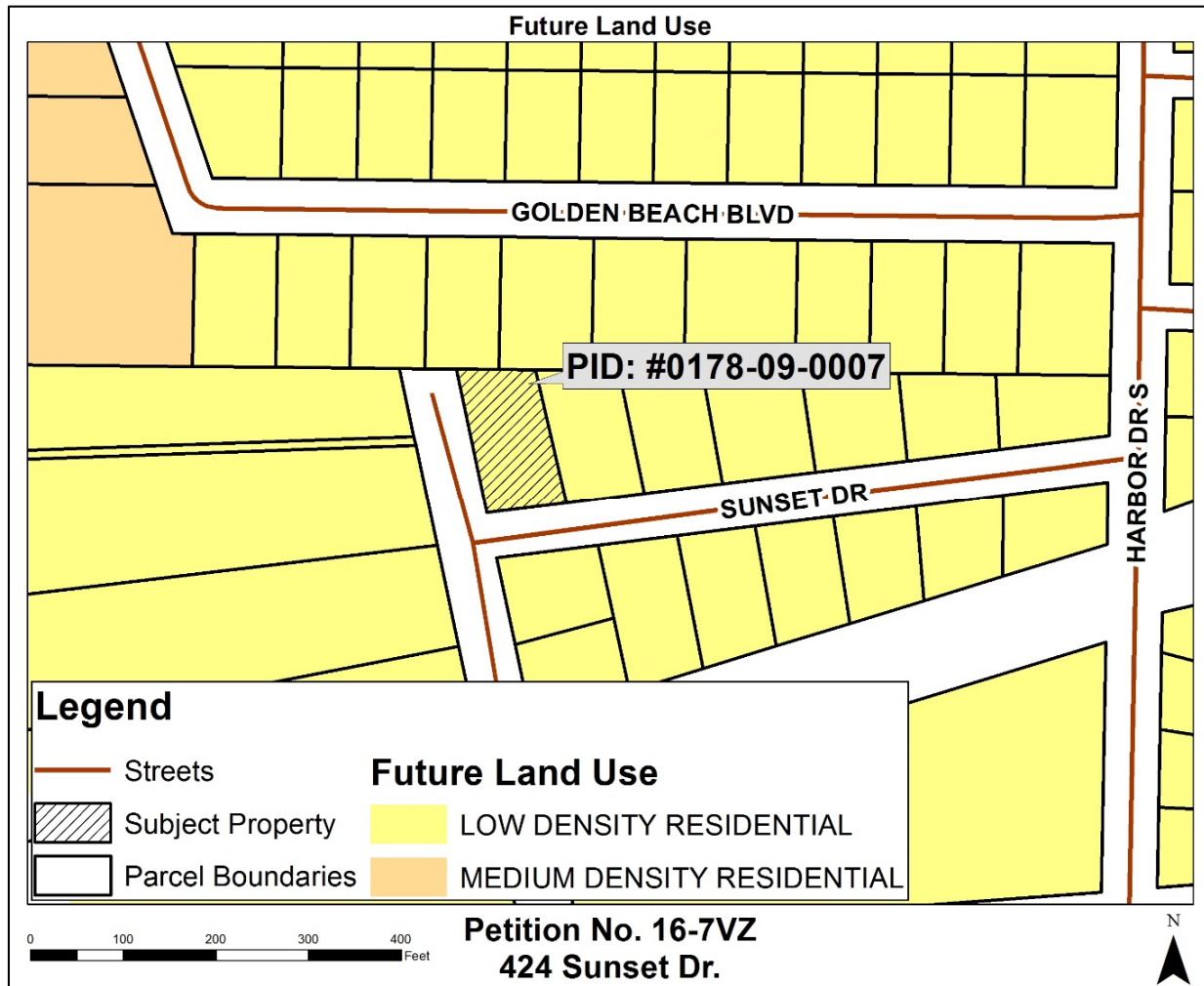
¹ Property is currently vacant.

Source: Sarasota County Zoning Regulations, Section 6.5.6; Venice Land Development Code, Section 86-81(g) through (j).

III. FUTURE LAND USE

Map 3 shows the future land use of the subject property and surrounding properties. The subject property is located in the City of Venice Low Density Residential area.

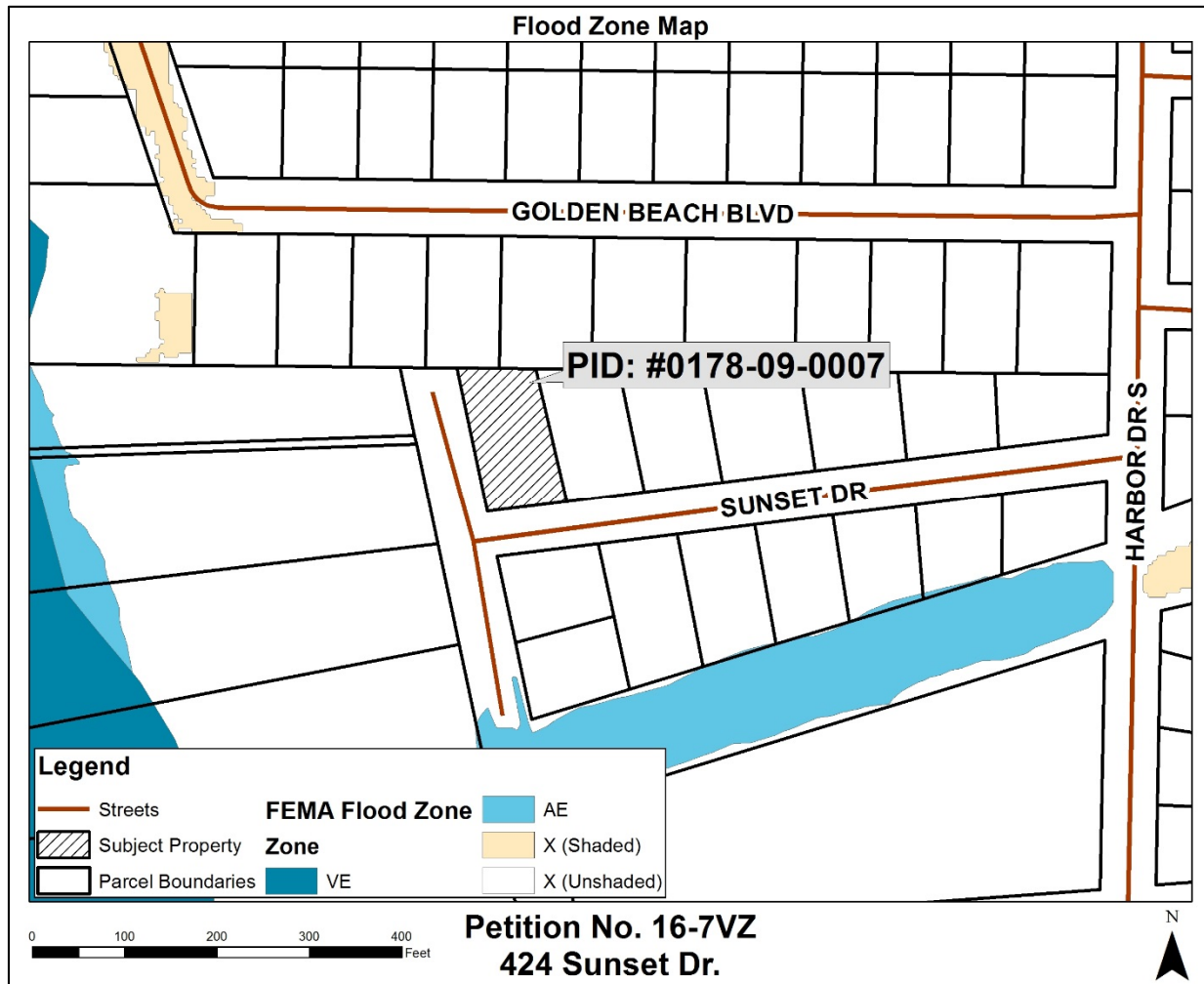
Map 3: Future Land Use Map



IV. FEMA FLOOD ZONE INFORMATION

Map 4 shows the subject property as within FEMA flood zone X (Unshaded), which is an area of minimal flood hazard outside the Special Flood Hazard Area (SFHA) and higher than the elevation of the 0.2-percent annual chance flood (500-year flood). The area has a low flooding risk and no minimum finished floor elevation requirement (see Map 4). Additionally, the subject property is located outside of the Coastal High Hazard Area (CHHA), or “V-zones” as identified with the city’s Floodplain Management Plan.

Map 4: FEMA National Flood Hazard Map



V. PROCEDURAL REQUIREMENTS FOR VARIANCE REVIEW

The annexation of the subject property in 2001 places the property within the city’s jurisdiction. Therefore, the city’s procedures for reviewing a variance, found in Section 86-46(a) of the city’s Land Development Code, apply although the property retains a Sarasota County RSF-1 zoning designation.

The requirements 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, based upon substantial and competent evidence, make an affirmative finding on each of the following considerations in granting 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 building in the same zoning district and the special circumstances are not the fault of the applicant.*

Applicant's Response: The subject parcel is an existing non-conforming lot with regard to lot size in the RSF-1 zoning district. The minimum lot size in the RSF-1 district is 15,000 square feet. The subject parcel is only 12,807 square feet. Houses on a minimum conforming lots in the RSF-1 zoning district are able to have a lot coverage of 4,500 square feet (15,000 square feet x 30%). The proposed total lot coverage for the subject parcel is 4,239 square feet, 261 square feet less than would ordinarily be permitted in the RSF-1 zoning district. However due to the non-conforming lot size of the subject parcel the proposed lot coverage equates to 33.1%.

Staff Comment: Staff concurs that special circumstances exist on the subject property. The property is non-conforming to lot size, which reduces the size of buildable land available to the owner. The applicant is requesting an additional 3.1 percent in lot coverage, which equates to an additional 397 square feet of pervious coverage for a 12,807 square foot lot.

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

Applicant's Response: The limitation of lot coverage below the 4,500 square feet otherwise permitted in the RSF-1 zoning district places an unnecessary and undue hardship on the property.

Staff Comment: Staff concurs that the nonconforming lot size provides a unique circumstance for the subject property. If the property were of similar size to other RSF-1 zoned parcels in the vicinity, the restraint of the maximum lot coverage would be eliminated. The construction of the proposed single-family structure would be under the maximum allowable lot coverage.

- 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 proposed lot coverage of 33.1% equates to variance of 3.1% above the 30% lot coverage permitted within the RSF-1 zoning district and is the minimum variance necessary to meet the requested use of the land.

Staff Comment: Staff concurs that the proposed variance is the minimum necessary to meet the requested use of the land.

- 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.*

Applicant's Response: The grant of the variance will be in harmony with the general intent and purpose of this Chapter. In fact, the building footprint will remain the same as was presented and approved for the previously granted front yard setback.

Staff Comment: Staff concurs that the granting of the variance would not be injurious to the neighborhood or otherwise detrimental to the public welfare. The variance would allow the owner to build a new single-family structure of comparable size and orientation as other structures along Sunset Drive.

Summary Staff Comment: The responses from the applicant and staff comments contained in this staff report are sufficient to allow the Planning Commission to take action on the subject petition.