

**BOA –April 11, 2022**

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7125 & 7129 Dancing Wind  
**C15-2022-0028**

7236 & 7240 Dancing Wind  
**C15-2022-0026**

D-3/2-PRESENTATION



# Variance Request

## 7125 & 7129 Dancing Wind

### MF-2 Front Setback

- 25 ft  20.5 ft
  - 4.5 ft reduction

## 7236 & 7240 Dancing Wind -cul-de-sac

### MF-2 Front Setback

- 25 ft  16.5 ft
  - 8.5 ft reduction

# [Overall Project]

- Single Family Attached home subdivision under construction
  - Limited Purpose City Limits
  - Attached house over two lots
- 47 lots in subdivision
- 94 attached homes

# [ Title 30 vs 25-2 ]

- Conflict with Limited Purpose
  - Title 30 controls subdivision
  - Title 25 controls zoning (MF-2)
- Title 30 - ZAP variance process
  - Subdivision vacation and replat
- Title 25 - BOA variance process



# 7125 & 7129

D-3/6-PRESENTATION 7



# 7125 & 7129

D-3/7-PRESENTATION



# 7236 & 7240

D-3/8-PRESENTATION 7





# 7236 & 7240

D-3/9-PRESENTATION



# [Area Character -Intent Still Met]

- Setbacks intended to provide distance between structures and uniformity
- Side and rear setbacks with yards more important to retain
- Reduced front yard not as impactful
  - No front porches
  - No real yard space – all driveway

# Summary

- Builder discovered after City inspections passed
- Title 30/Title 25 Conflict in Limited Purpose
  - ZAP variance
- Reasonable Use
  - 4 families standing by to close over minor setback issue
- Hardship
  - Unique – minor deviations that do not impact enjoyment of neighboring lots
  - Not general to the area – only 4 lots out of 47 (92 of 94 homes)
- Area Character - Intent Met
  - No material front yard to protect – all driveway
  - Side and rear setbacks still intact where yard exists