

**Zoning Board of Appeals
July 24, 2024, Regular Meeting**

STAFF REPORT

Subject: ZBA 24-0024; 911 Miller Avenue

Summary:

Theresa Angelini of Angelini & Associates, representing the property owner, is requesting relief from Section 5.32.2 Alteration to a Nonconforming Structure to construct a second floor addition to the existing nonconforming residence. The second floor will contain a new bedroom and bathroom. The residence is nonconforming for the front setback along Arborview Boulevard and the average front setback along Maple Ridge Street. The property is zoned R1D, Single-Family Dwelling District.

Background:

The subject property is located on the south side of Miller Avenue in the Arborview neighborhood. The property has frontage along three streets, Miller Avenue, Arborview Avenue and Maple Ridge Street. The home was built in 1930 and is approximately 1,436 square feet in size. The property is 5,488 square feet in area.

Description:

The residence is a single-family use and will remain as such. The property currently encroaches seven feet into the front setback along Arborview Avenue and 12 feet nine inches into the 29.63 average front setback along Maple Ridge Street. The proposed second story will not encroach further into the front setbacks or increase the nonconformity of the property or residence.

Standards for Approval- Alteration to a Nonconforming Structure

The Zoning Board of Appeals has all the power granted by State law and by Section 5.32.2, Application of the Variance Power from the UDC. The following criteria shall apply:

- A) The alteration is approved by the Zoning Board of Appeals upon a finding that it complies as nearly as practicable with the requirements of this chapter and that it will not have a detrimental effect on neighboring property.

The applicants had the following response regarding potential detrimental effects to neighboring properties:

"The property is a single family residence located at the corner of Miller, Arborview, and Maple Ridge, and has three front yard setbacks. The use will continue to be a single family residence. The one story west side of the house is built beyond the setback - 7 feet of it extends into the 25 ft front yard setback along Arborview. The southwest side of the house is built 12'-9" within the averaged 29.63 foot front yard setback along Maple Ridge. The proposed second floor addition is located above the existing non-conforming first floor, built out to the west face of the existing structure and is set back approx. 3 feet

Zoning Board of Appeals
July 24, 2024

from the north and south faces of the house to respect the roof pitch of the existing house. The site is across from Mack School and the street width at the Arborview perpendicular intersection with Miller is wide as it turns to then run roughly parallel to Miller. The addition would not shade any neighbors or block views. The proposed addition would allow this family to grow within this small two-bedroom home that is currently 1454 SF to 1707 SF."

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Jon Barrett". The signature is stylized with a large, loopy "J" and "B".

Jon Barrett
Zoning Coordinator