

Zoning Board of Appeals
July 22, 2026, Regular Meeting

STAFF REPORT

Subject: ZBA 26-0010; 3630 Terhune Road

Background:

Applicant: Kevin Adkins, Adroom Architecture & Design
Location: intersection of Terhune Road and Lillian Road
Lot Area (approximate): 9801 square feet
Neighborhood: Forestbrooke
Parcel Identification Number: 09-12-02-408-047
Property Owner: Peter & Megan Avram
Year Built: 1961
Zoning District: R1C Single-Family Residential

Request:

Kevin Adkins, representing the property owners, is requesting a seven-foot variance from Table 5.17-1 Single-Family Residential Zoning District Dimensions. If granted, the variance will allow construction of a 466 square foot garage addition and a first and second floor addition to the southwest corner of the residence. The first-floor addition will contain a laundry room and bathroom. The second floor will contain a bedroom, bathroom and walk-in closet. The property is zoned R1C, Single-Family Residential and requires a 30-foot rear yard setback.

	Minimum	Proposed
Rear Setback	30 ft	23 ft

UDC Standards:

TABLE 5.17-1: SINGLE-FAMILY RESIDENTIAL DISTRICTS									
Other use and development standards also apply and may supersede or effect the requirements in this table, such as Sections 5.16 Use Specific Standards, 5.18 Special Dimensional and Site Layout Standards, 5.19 Parking Standards and 5.20 Landscaping, Screening, and Buffering.									
DISTRICT	MIN. LOT AREA PER DWELLING UNIT	MIN. BUILDING SPACING	REQUIRED SETBACK				MAX. HEIGHT	LOT DIMENSIONS	
			MIN. FRONT	MIN. ONE SIDE	MIN. TOTAL OF TWO SIDES	MIN. REAR		MIN. AREA	MIN. WIDTH
AG	100,000 sq. ft.		40 ft. [A][B]	10% of lot width	20% of lot width	50 ft.	30 ft.	100,000 sq. ft.	200 ft.
R1A	20,000 sq. ft.	[C]	40 ft. [A]	7 ft.	18 ft.	50 ft.	30 ft.	20,000 sq. ft.	90 ft.
R1B	10,000 sq. ft.	[C]	30 ft. [A]	5 ft.	14 ft.	40 ft.	30 ft.	10,000 sq. ft.	70 ft.
R1C	7,200 sq. ft.	[C]	25 ft. [A]	5 ft.	10 ft.	30 ft.	30 ft.	7,200 sq. ft.	60 ft.
R1D	5,000 sq. ft.	[C]	25 ft. [A]	3 ft.	6 ft.	20 ft.	30 ft.	5,000 sq. ft.	40 ft.
R1E	4,000 sq. ft.	[C]	15 ft. [A]	3 ft.	6 ft.	20 ft.	30 ft.	4,000 sq. ft.	34 ft.

Variance Standards:

Under State law and the City Charter and Code, the Zoning Board of Appeals (ZBA) has the authority to grant nonuse variances. In considering a variance request, the ZBA shall consider the following criteria in Section 5.29.13.C of the UDC:

1. A variance may be allowed by the ZBA only in cases involving practical difficulties after the ZBA makes an affirmative finding that each of these criteria are met:
2. That the alleged practical difficulties are exceptional and peculiar to the property of the Person requesting the variance, and result from conditions that do not exist generally throughout the City.

APPLICANT RESPONSE: "3630 Terhune is a uniquely shaped lot with a curved front. The lot is very wide, and it is shallow. This shape nets a very small buildable area within the setbacks, less than 50% of the same size lot of normal shape."

3. That the alleged practical difficulties that will result from a failure to grant the variance, include substantially more than mere inconvenience, inability to attain a higher financial return, or both.

APPLICANT RESPONSE: "Without the variance there is very little space to add to the existing home in an area that makes practical sense. A small addition within the existing setback would net little use and is costly per square foot. The room proportions in the proposed addition are larger than typical due to mobility issues."

4. That allowing the variance will result in substantial justice being done, considering the public benefits intended to be secured by this chapter, the practical difficulties that will be suffered by a failure of the Board to grant a variance, and the rights of others whose property would be affected by the allowance of the variance.

APPLICANT RESPONSE: "The property owners are a family who have been in the house and neighborhood for 10+ years. The family is invested in their neighborhood and consider the neighbors their extended family. But the family has outgrown the house and mobility issues required different amenities. A variance would allow the family to make needed changes to the home and stay in the neighborhood."

5. That the conditions and circumstances on which the variance request is based are not a self-imposed practical difficulty.

APPLICANT RESPONSE: "At the time of the purchase of the home, adding to it was not a consideration. Since then, needs have changed and when looking into adding to the home, the owners learned of the setbacks and relatively small buildable area."

6. The variance to be approved is the minimum variance that will make possible a reasonable use of the land or structure.

APPLICANT RESPONSE: "We are asking for a 7' reduction in the rear setback, but most of that space will not be covered by the addition. The rear setback line is not parallel to the house and the addition will consist of steps into the approved setback reduction. The addition steps are the required size to attain the needed function of the home and garage."

Respectfully submitted,

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

Jon Barrett
Zoning Coordinator

