

## Legislation Text

---

**File #:** 2024-6385, **Version:** 1

---

**Application #PL2024-155 - Variance to Unified Development Ordinance (UDO) Article 6, Section 6.040, Table 6-3, Rear Yard Setback - 4105 NE Edgewater Ct; Tyler Burns, applicant**

Issue/Request:

The applicant proposes to replace the existing partially covered deck with another partially covered deck. The proposed deck is composed of three (3) 16'-wide segments of varying depth. The segments range from 7' to 16' in depth. The uncovered portion will be set back 11' from the rear property line at its closest point, which is 4' closer than the existing deck. The covered portion will maintain the same dimensions and same 20' setback from the rear property line as the existing deck.

Proposed BZA Motion:

I move to approve a 14' variance to the minimum 25' rear setback requirement for an uncovered deck in the R-1 zoning district, to allow an uncovered deck to maintain an 11' setback from the rear property line.

I move to approve a 10' variance to the minimum 30' rear setback requirement for a covered deck in the R-1 zoning district, to allow a covered deck to maintain a 20' setback from the rear property line.

Tyler Burns, Applicant  
Hector Soto, Jr., AICP, Senior Planner

Recommendation:

The Development Services Department recommends **APPROVAL** of a 14' variance to the minimum 25' rear setback requirement for an uncovered deck in the R-1 zoning district, to allow an uncovered deck to maintain an 11' setback from the rear property line.

The Development Services Department recommends **APPROVAL** of a 10' variance to the minimum 30' rear setback requirement for a covered deck in the R-1 zoning district, to allow a covered deck to maintain a 20' setback from the rear property line.