



# City of Harrisonburg, Virginia

## Department of Planning & Community Development

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Building Inspections  
Engineering  
Planning & Zoning

To: Board of Zoning Appeals  
From: Frank Hopkins, Zoning Inspector  
Date: October 7, 2019  
Re: Variance Request – 990 Summit Avenue

### **Summary:**

A request by Michael and Elizabeth Goertzen for a variance of 1.9 feet from the required 10-foot side setback and a variance of seven feet from the required 30-foot front setback of Section 10-3-41 - Area and dimensional regulations of the R-2, Residential District. If granted, the variance would allow for an addition to be built 8.1 feet from the side property line to the north and 23 feet from the front property line to the west. The property is located at 990 Summit Avenue and identified by tax map parcel 49-A-20.

### **Relevant Sections and Definitions:**

#### **Section 10-3-41, Area and dimensional regulations for R-2, Single-Family Residential District**

MINIMUM FEET						MAXIMUM
Lot Area Sq. Ft.	*Lot Width	Lot Depth	Front Yard	**Side Yard	Rear Yard	Stories
Single-Family: 7,000	60	100	30	10	20	3

### **Staff Report:**

The property at 990 Summit Avenue is a single-family detached dwelling located on a hill which slopes from the front property line to the rear property line. The overall drop from the front of the property to the rear is +/- 30 feet with a slope of +/- 21%. The applicant would like to create an addition on the north side of the house that includes a roof over the existing driveway and retaining wall. The proposed addition would not meet the side yard setback requirements for principal structures because this area of the driveway is, at the closest, 8.1 feet from the side property line on the north side of the property. Principal structures must be located a minimum of 10 feet from side property lines. The addition also conflicts with the required 30-foot front setback. In order to accommodate the desired addition, the applicant is seeking a variance of 1.9 feet from the required 10-foot setback of the side property line on the north side of the property and a variance of 7 feet from the required 30-foot front setback.

### **Alternatives:**

- (a) **Approve the request:** Approving the request means that the BZA finds a restriction on the reasonable utilization of the property which would be alleviated by a variance of 1.9 from the required 10-foot side yard setback and a variance of 7 feet from the required front yard setback. The new front yard setback along Summit Avenue would be 23 feet. The new side yard setback along the northern property line would be 8.1 feet.
- (b) **Deny the request:** Denying the request means that the BZA finds no restriction on the reasonable utilization of the property. The required front yard setback would remain at 30 feet and the required side yard setback would remain at 10 feet.

**Community Engagement:**

As required, the request was published in the local newspaper twice advertising for the Board of Zoning Appeals’s public hearing. The advertisement was published as shown below:

“A request by Michael and Elizabeth Goertzen for a variance of 1.9 feet from the required 10-foot side setback and a variance of seven feet from the required 30-foot front setback of Section 10-3-41 - Area and dimensional regulations of the R-2, Residential District. If granted, the variance would allow for an addition to be built 8.1 feet from the side property line to the north and 23 feet from the front property line to the west. The property is located at 990 Summit Avenue and identified by tax map parcel 49-A-20.”

In addition, adjoining property owners were notified of the public hearing; the property was posted with signage advertising the request; and a notice was provided on the City’s website at <https://www.harrisonburgva.gov/public-hearings>.

**Attachments:**

1. Site map (1)
2. Application, applicant letter, other application documents (5)
3. Notification of adjoining property owners (3)