



Staff Report

VAR24-45542

Board of Adjustment: March 18, 2024

Petitioner: 4 Sister Land Holdings, LLC
Property Owner: 4 Sister Land Holdings, LLC
Agent: Toby Kelly
Project Planner: Breah Miller, Planner II
Applicant Request: Variance to reduce the rear setback from twenty-five (25) feet to nine (9) feet to in R-3, Multi-Family Residential.

Parcel Information

Acres: +/- 0.19 acres
Parcel(s) #: 2820-027-009
Location: 122 SE Wenona Avenue
Future Land Use: Neighborhood
Zoning District: R-3, Multi-Family Residential
Existing Use: Single-Family Residence

Adjacent Property Information

<u>Direction</u>	<u>Future Land Use</u>	<u>Zoning District</u>	<u>Current Use</u>
North	Neighborhood	RBH-3, Residential Business Historic- 3	Quadplex (Ocala Historic District)
East	Neighborhood	R-3, Multi- Family District RO, Residential Office District	Attorneys at Law; Richard & Powers (Ocala Historic District) Single Family Residence (Ocala Historic District)
South	Neighborhood	R-3, Multi- Family District	Single Family Residence (Ocala Historic District)
West	Neighborhood	R-3, Multi- Family District	Single Family Residence (Ocala Historic District)

Background:

The subject property, identified by Parcel Identification Number 2820-027-009, contains an approximate +/- 0.19 acres, and is generally located in the northwest area of the Ocala Historic District at the intersection of SE Wenona Avenue and SE 2nd Street, 122 SE Wenona Avenue. The

subject property is a corner lot that is approximately 80-feet wide and 103-feet long with a home that has an approximate 1,863 square feet of ground floor area. The existing home has a frame Victorian influence building style home that was built in 1912.

On January 4, 2024, the applicant received approval from the Ocala Historic Preservation Advisory Board for a twenty-four (24) feet by thirty-feet, five-inch (30'5") carport addition. The approval was based on the following:

1. Ocala Historic Code: Sec. 94-82(g)(1) – Exterior alterations shall not diminish the architectural or historic character of the building or building site.
2. Ocala Historic Code: Sec. 94-82(g)(4) – Landscaping, signs, parking and site development should be sensitive to the individual building and should be visually compatible with the buildings and environment with which they are visually related.
3. The Secretary of the Interior's Standards for Rehabilitation: Additions (pg. 35) – Recommended – Designing and constructing new additions to historic buildings when required by the new use. New work should be compatible with the historic character of the district or neighborhood in terms of size, scale, design, material, color, and texture.

Staff Analysis

R-3, Multi-Family Residential, has a setback requirement of 20-feet in the front yard, 8-feet in the interior side yard, 20-feet in the street side yard, and 25-feet in the interior rear. The front yard is located along SE Wenona Avenue with the interior side yard located along the northern boundary of the property. The south elevation makes up the street side yard of the home and currently sits approximately 13-feet from the street side property line. The street side yard setback of 20-feet will not be met if the variance is approved; however, the existing nonconformity is not increased. The addition is proposed at 18-feet from the street side property line and will not create a negative impact due to the existing condition of the primary structure. The proposed addition also encroaches into the rear yard. A 16-foot reduction of the 25-foot rear yard setback is being requested. If the carport were to be detached, the structure could be three feet away from the rear property line.

The home adjacent to the west of the subject property is approximately nine feet away from the property line. The west property line is the rear yard for 122 SE Wenona Avenue; the proposed carport will be placed in this portion of the property. The applicant has proposed a two-car carport with a width of approximately 22-feet. The intent of the carport is to provide additional parking located away from the street. If the carport was limited to a single car, additional vehicles would not have ample space to park without potentially impacting the right-of-way. The Florida Building Code requires a minimum building separation of 10-feet from another structure. The applicant proposes 18-feet of separation from the proposed structure and the neighboring home to the west.

The reduction will be consistent and compatible with the surrounding uses and districts. The homes in the surrounding area were built in the early and mid-1900s. All in which have nonconforming setbacks. Should this request be approved, it will not be detrimental to the public interest.

Variance for Historic Property Standards for Approval (Section 122-93):

The Code states that the Board of Adjustment shall authorize, upon appeal from the decision of the building official, in specific cases, such variance from the terms of this chapter as will not be

contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this chapter would result in practical difficulties. An applicant for a variance within a designated historic district or property need not demonstrate a practical difficulty, but shall show only that the project is not detrimental to the public interest:

The addition will only affect one side of the property with a 16- foot reduction from a rear yard requirement of 25-feet to nine feet. The neighboring site will have a building separation of 18- feet which meets the regulations of the Florida Building Code. The addition also received approval from the Ocala Historic Preservation Board on January 4th, 2024. Therefore, a variance to reduce the rear setback from twenty-five (25) feet to nine (9) feet to in R-3, Multi-Family Residential will not be detrimental to the public instrest.

Recommended Conditions of Approval:

1. A Certificate of Occupancy shall be issued within 2 years of the date of approval by the Board of Adjustment or this Variance shall expire.
2. Improvements must be consistent with the approved plans submitted to the Ocala Historic Preservation Advisory Board (OHPAB).
3. Apply for an Administrative Variance to allow the street side setback of 18-feet instead of the permitted 20-feet or revise the size/location of the home addition to meet the required side yard setback.

Staff Recommendation: Approval with Conditions
