



## Legislation Details (With Text)

**File #:** 15-0303      **Version:** 1      **Name:** Discussion and action on variance request  
Northside Family Dentistry

**Type:** Planning Item      **Status:** Passed

**File created:** 7/10/2015      **In control:** Planning Commission

**On agenda:** 7/16/2015      **Final action:** 7/16/2015

**Title:** Setback Variance Request for Northside Family Dentistry

**Sponsors:** Planning Commission

**Indexes:**

**Code sections:**

**Attachments:** 1. Letter and Drawings.pdf

Date	Ver.	Action By	Action	Result
7/16/2015	1	Planning Commission	recommended for approval	

Setback Variance Request for Northside Family Dentistry

### SUMMARY:

Dr. Johnny V. Shanks, DDS, is requesting a five (5) foot setback variance for his property along Dunn Ave. for the construction of a pavilion. He states in his letter that the purpose of the pavilion is to provide an area to accommodate more employee activities. When asked by staff why the pavilion couldn't be rotated to comply with the building setback requirements, they were informed that due to the location of underground utility service lines the pavilion could not be rotated.

The setback from Dunn Ave. is 30 feet. The dentist office is located on the corner of Matherly Street and Dunn Avenue with a 30 foot setback from both.

**VARIANCE REQUEST:** Dr. Shanks is requesting a 5 foot variance from Dunn Ave. bringing the total setback from Dunn to 25 feet instead of 30.

**STAFF RECOMMENDATION:** Based on the existing Subdivision Regulations and the amount of remaining property currently undeveloped that might be another location for their proposed pavilion, and the fact that some underground utilities can be moved or built over, staff recommends denial of the variance request.

**NECESSARY PLANNING COMMISSION ACTION:** Review the request and approve or deny.