



AGENDA ACTION ITEM

DATE: October 10, 2023

TO: Planning & Zoning Commission

FROM: Jade Kreuger, Planning Administrator

ITEM TITLE: **5:10 PM PUBLIC HEARING: Millie Bates Variance for Wetland Setbacks.** This Variance request is for a proposed addition of roughly 496 sf, located at 1979 S Bates Road to encroach approximately 15' to the northwest into the 50' wetland setback. A majority of the 20 acres parcel is encumbered by wetlands and the existing home is also partially located in the 50' wetland setback. Test pits were dug for a new leachfield as shown on the wetland site plan and we were given approval from EIPH. The proposed addition is located adjacent to the existing home. Overlays include Priority Wetland Habitat-NWI and Songbird/Raptor Breeding and Wintering Habitat and Wetland.

Legal Description: RP04N45E033002; TAX #6961 SEC 3 T4N R45E

SUGGESTED MOTION:

APPROVAL

Having concluded that the Review Criteria of a Variance found in Chapter 4-9 of the Land Development Code can be satisfied (with the inclusion of the following conditions of approval, (if any...))

I move to APPROVE the Variance for TCC 5-2-5 (c) and TCC 5-4-3 (c) as requested in the application materials submitted December 12, 2022.

DENIAL

Having concluded that the Review Criteria of a Variance found in Chapter 4-9 of the Land Development Code have not been satisfied, as requested in the application materials submitted December 12, 2022

I move to DENY the Variance for TCC 5-2-5 (c) and TCC 5-4-3 (c) as requested, for the following reasons:

1. ...

ATTACHMENT(S):

[Millie Bates Wetland Variance Staff Report_101023.pdf](#)

[A\) Application.pdf](#)

[B\) Narrative.pdf](#)

[C\) Army Corps Form.pdf](#)

[D\) Army Corps Letter.pdf](#)

[E\) EIPH Letter.pdf](#)

[F\) Site Plan.pdf](#)

[G\) Vicinity Map.pdf](#)

[H\) Wetlands Map.pdf](#)

[I\) Warranty Deed.pdf](#)

