

MVY Radio Zoning Bylaw
Request for Variance and
Special Permit

The proposed scope of work includes two new architectural features which extend into the 30' side yard setback for a Mixed Business district. The building is pre-existing nonconforming. The two planes of existing finished wall on the east side of the building are approximately 28' and 26' from the east property boundary. A system of existing retaining walls and ramps, with an existing above grade perimeter fencing system, allows for handicap accessibility to the basement level, and is approximately 11' from the east property boundary.

The two proposed architectural features are a pergola that outlines the existing entrance to the basement handicap ramp system, and an eave or hood detail that protects a new basement exterior door from precipitation. The pergola is approximately 6' wide, 9' tall, and would be built so it's most extended eastern point will be approximately 5' from the east property boundary. The eave detail will project approximately 2' off the existing sidewall, and will be approximately 27' from the east property boundary.

The eave does not increase the degree of nonconformity, since the retaining wall system is further east. We ask that it be considered for a Special Permit per 11.1-3(A).

The east edge of the pergola will be approximately 5' from the property line. It will meet all the criteria of a Detached Accessory Structure, per zoning bylaw 4.2-2(D), except for the minimum 10 foot setback distance from the lot line. We ask that it be considered for a Special Permit per 4.2-2(D)(4).