



**CITY COUNCIL AGENDA ITEM**

**To:** Mayor Graham and City Council

**From:** Ted Shekell, Planning Director  
Walter Denton, City Administrator

**Date:** December 15, 2008

**Subject:** A **MOTION** to reaffirm the decision of the Zoning Hearing Officer to approve variance at 117 North Lincoln Avenue to Section 6.040 of the Zoning Code of Ordinances for permission to rebuild a house and/or detached garage in the existing footprint s) in the event the structure(s) is/are damaged more than 50% of the structural value.

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**List of committees that have reviewed:** The Community Development Committee reviewed and unanimously concurred reaffirming the Zoning Hearing Officer's decision to approve the variance at their meeting on December 8, 2008.

**Background:** The Zoning Hearing Officer approved the Variance to Section 6.040 of the Zoning Code of Ordinances for permission to rebuild a house and/or detached garage in the existing footprint s) in the event the structure(s) is/are damaged more than 50% of the structural value on November 26, 2008. The City Council has 21 days right-of-review on the decision, which would end on December 17, 2008.

The findings of fact and decision are attached for your review.

**Legal Considerations:** None

**Staff Recommendation:** Reaffirm the ZHO's decision as presented.