

# HALIFAX

**Case 21429: Variance Hearing  
PID 40304198  
St. Margaret`s Bay Road, Head of St.  
Margaret`s Bay**

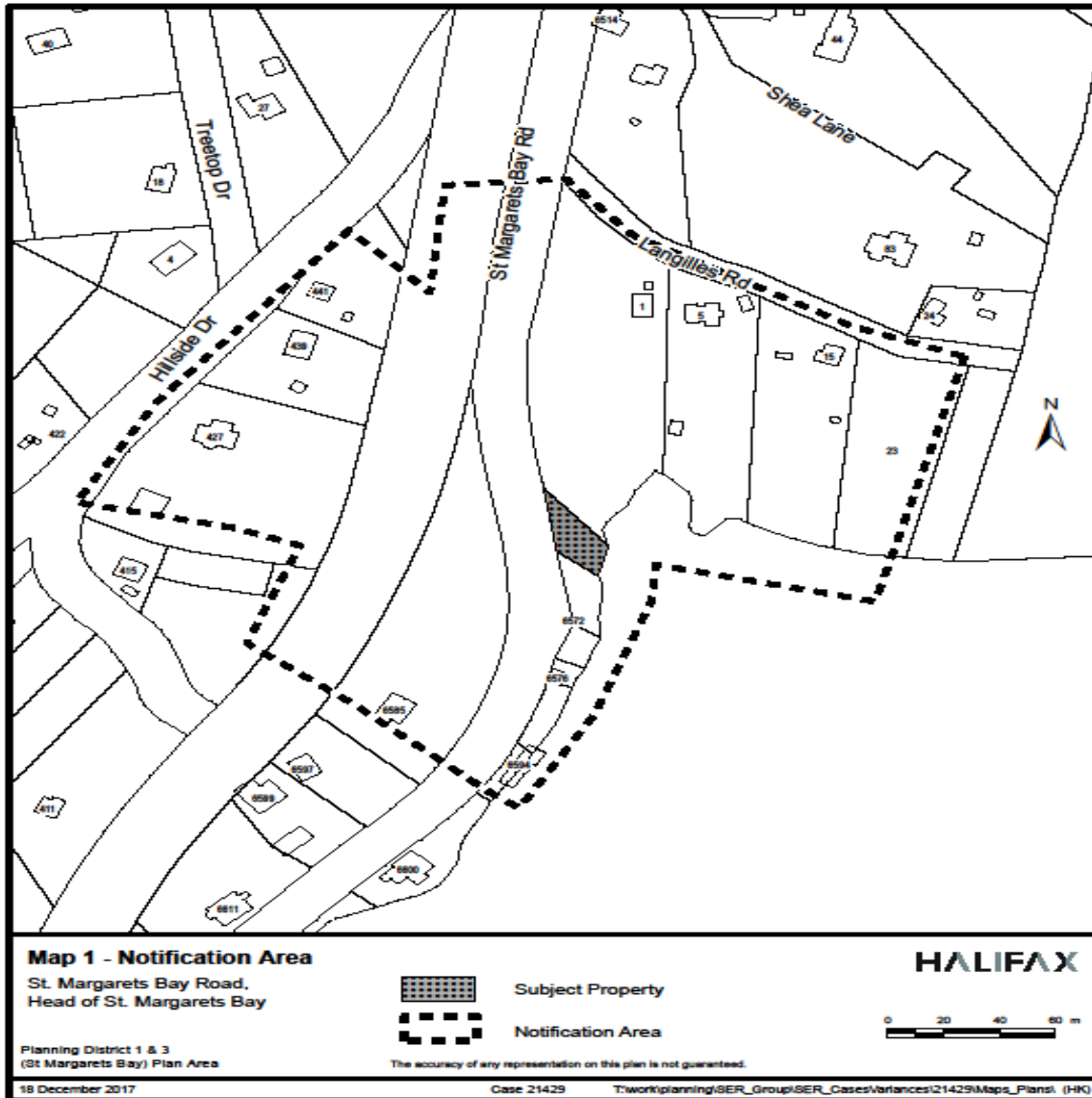
North West Community Council

October 1, 2018

# Background

- The subject property is zoned MU-2 Mixed Use Zone under the Planning District 1 & 3 Land Use By-Law.
- The existing lot is vacant and undersized from current land use requirements.
- A request was made to reduce the required front yard setback requirements from 20 feet to 8 feet.

# Location Map

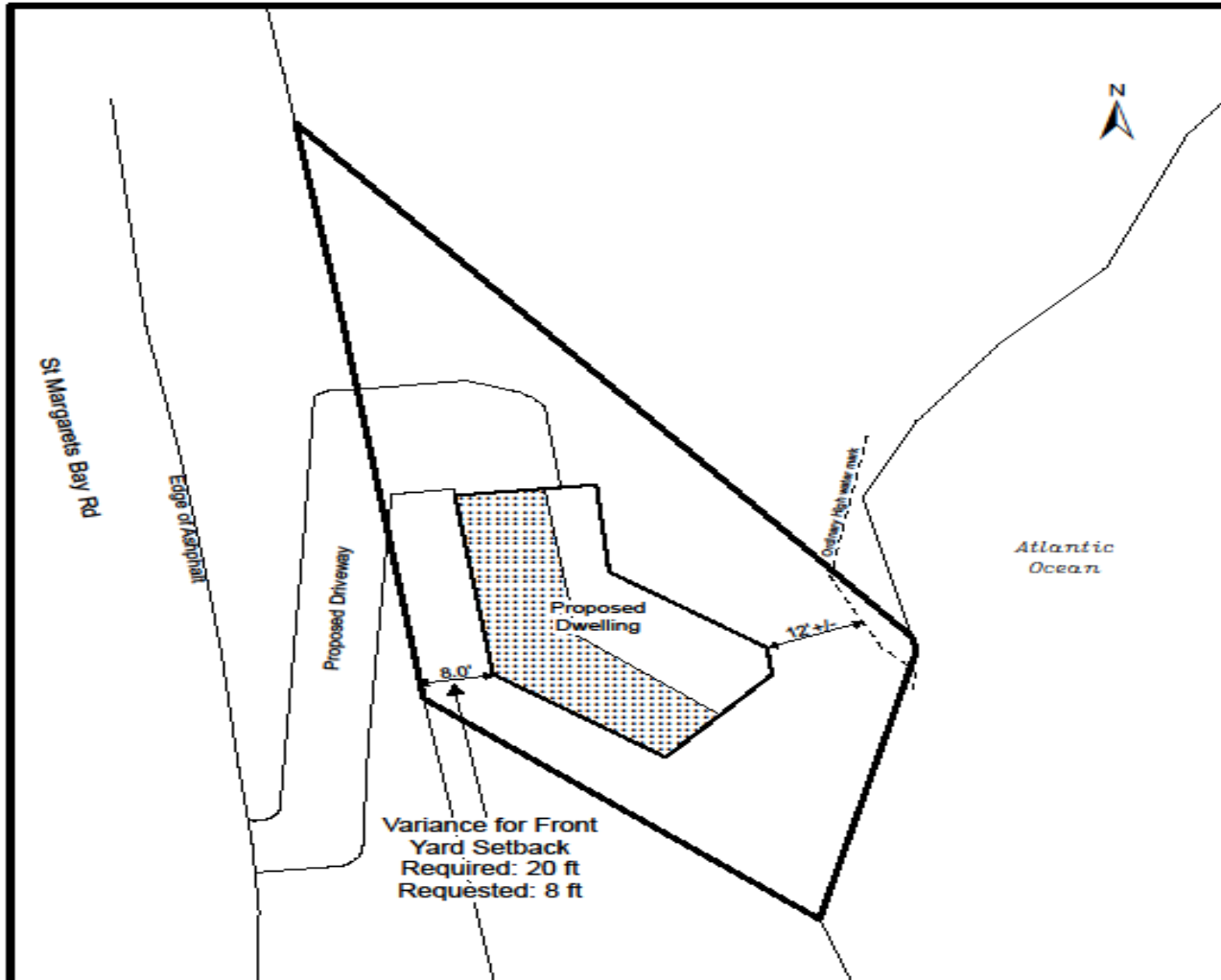


# Variance Request

**Required Front Yard    20 feet**

**Proposed                            8 feet**

# Site Plan



## Map 2 - Site Plan

St. Margarets Bay Road,  
Head of St. Margarets Bay

Planning District 1 & 3  
(St Margarets Bay) Plan Area



Subject Property

Area of Proposed Variance

HALIFAX



The accuracy of any representation  
on this plan is not guaranteed.





# Photos of Site



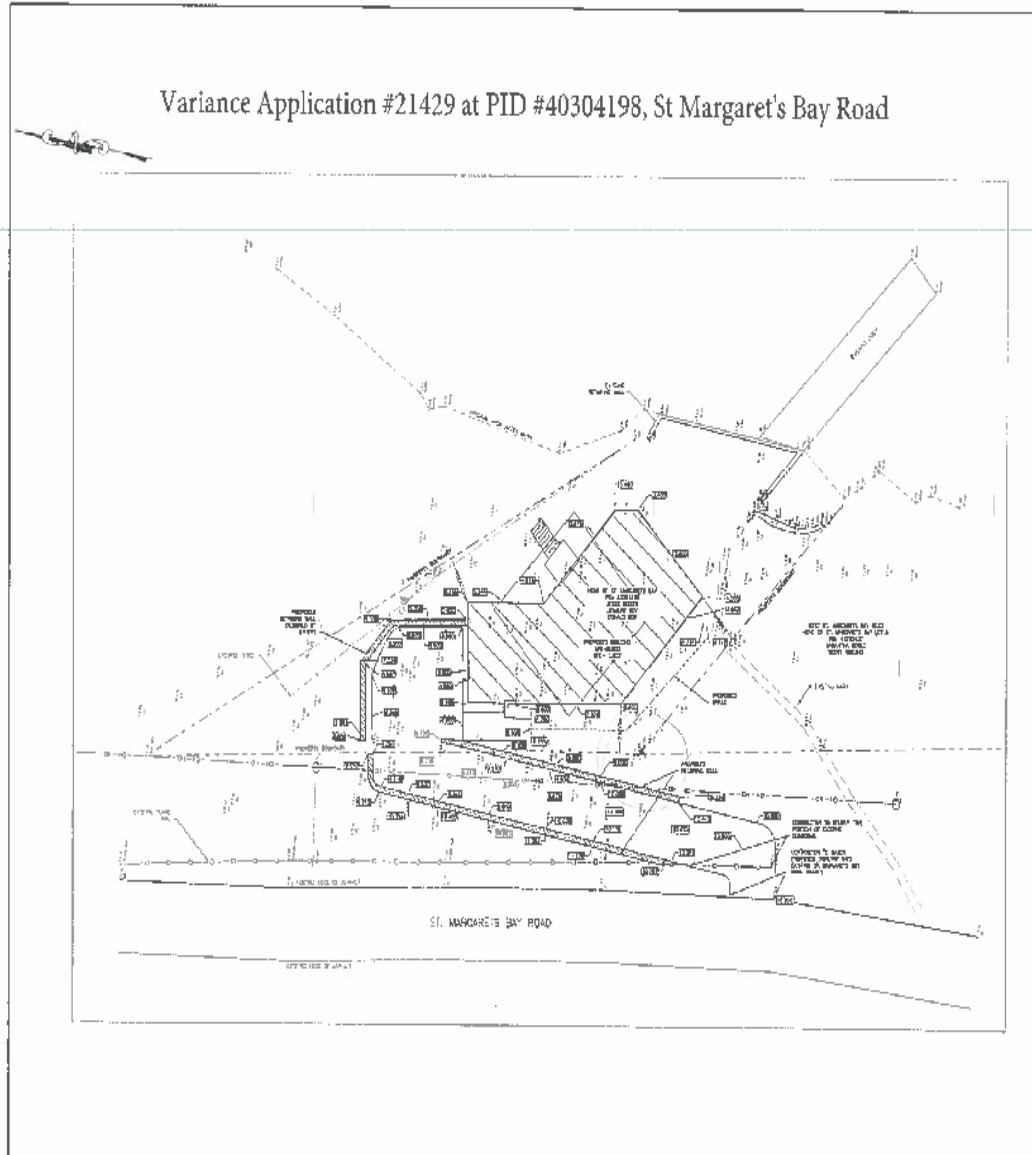


# Photos of Site



# Grading Plan

Variance Application #21429 at PID #40304198, St Margaret's Bay Road



### LEGEND

SYMBOL	DESCRIPTION
---	EXISTING CURB
---	PROPOSED CURB
---	EXISTING SIDEWALK
---	PROPOSED SIDEWALK
---	EXISTING DRIVE
---	PROPOSED DRIVE
---	EXISTING ROADSIDE
---	PROPOSED ROADSIDE
---	EXISTING DRIVE
---	PROPOSED DRIVE
---	EXISTING DRIVE
---	PROPOSED DRIVE
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---	EXISTING DRIVE
---	PROPOSED DRIVE

1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF NASSAU COUNTY, FLORIDA, ZONING ORDINANCE AND ANY APPLICABLE ORDINANCES.
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1	REVISION	DATE
2		
3		
4		

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HEAD OF ST. MARGARET'S BAY  
PID#40304198  
HEAD OF ST. MARGARET'S BAY, NASSAU COUNTY

### DRAWING PLAN

Rev. No.	Description	Date
1	ISSUED FOR PERMIT	JAN 14, 2021
2	REVISION	JAN 14, 2021



# Photos of Site

















# Consideration of Proposal

250 (3) A variance may **not** be granted where

- (a) the variance **violates the intent** of the development agreement or land use by-law;
- (b) the difficulty experienced is **general to properties in the area**;
- (c) the difficulty experienced results from an **intentional disregard** for the requirements of the development agreement or land use by-law.

# Appeals

- Noted items:
  - NSTIR approval granted on November 8, 2017
  - Variance Approval – January 9, 2018
  - Septic approval – Dept. of Environment
  - Coastal Elevation – Development Permit Requirement
  - Watercourse buffer – reduction approved by Development Officer as per land use bylaw
  - Permit for Construction and a Development Permit have not been issued

# Alternatives

- The alternatives before Community Council are:
- If North West Community Council approves the appeal the Variance will be refused.
- Should North West Community Council deny the appeal this would result in the Variance being granted. This is the recommended alternative.