

From: [Austin Powers](#)
To: [Planning](#)
Subject: RE: Notice of Public Hearing Case#: VAR2024-013 and VAR2024-014
Date: Friday, January 24, 2025 10:13:08 AM

Good morning,

I'm writing to formally express my opposition to the proposed variance applications (VAR2024-013 and VAR2024-014) for the development located at 1300 E US 290.

During the application for Conditional Use Permit process, there were several concerns raised about the future development including, but not necessarily limited to, the following:

1. Preserving the privacy, value and aesthetic standards of the surrounding residences.
2. Maintaining zero light pollution from the proposed development
3. Reducing sound pollution from the proposed development.

Currently, my property located to the south of this development at 186 Leafdale Trail, is affected by light, noise and visual pollution from the development. The existing metal fence does not create a harmonious use of land nor does it meet the material requirements set forth in Section 5(B) 5.16 of the Zoning Ordinance.

The applicant states that "no issues have been raised about this fence". That is simply not true as I brought this up during the consideration for approval of the Conditional Use Permit. Furthermore, I spoke to the developer directly about this fence before he installed it.

Due to the unique site topography with the development being higher in elevation than residences to the south, it was determined that an 8' opaque and stone masonry wall would help mitigate some of the concerns listed in the items noted above. I see no reason to change those recommendations as no hardship exists for this requirement.

Additionally, the variance request to reduce the setback from 15' to 10' would have a negative impact on the uniformity of development in the area. It would also create an unwanted precedent for future development within the City. Maintaining the 15' setback would not create a hardship for the developer and this request should be denied.

Also, while not directly related to the variance requests, I want to reiterate the need for appropriate sizing and maintenance of the water quality pond. The additional impervious coverage will generate more runoff that could create adverse flooding effects if not properly sized and maintained.

Thank you for your attention to this matter and I urge staff to deny approval for VAR2024-013 and VAR2024-014.

Thank you,
Austin Powers
186 Leafdale Trl