

Lot Background



Applicant Observation: The stop sign, narrow lot, and transition from curb and gutter drainage system to open ditch drainage system present many design issues.

Section 4.623 - Permitted Driveway & Pedestrian Access within Public ROW

Subject to the provisions of this article, a **property owner may cause or permit the construction**, installation or placement of a **single point of access driveway**, pedestrian walkway, and related culvert facilities **within public drainage right-of-way for purposes of providing a driveway access**, not to exceed a combined twenty-two (22) feet in width (exclusive of curve/curb returns) with a minimum driveway width of ten (10) feet, and a walkway for pedestrian access, not to exceed six (6) feet in width. **If a property owner proposes to construct a circular driveway, then such property owner shall be allowed two (2) points of driveway access**, not to exceed a combined total of thirty (30) feet in driveway width (exclusive of curve/curb returns); otherwise, such access shall be limited to one (1) point of driveway access and one (1) point of pedestrian access. There must be at least ten (10) feet of open ditch without a culvert between the inner access points of any circular driveway. The pedestrian access may not be contiguous to any driveway or circular driveway. A driveway access may have an additional five-foot turning radius added to each side of the driveway access where it meets the paved surface of the street only. The total number of feet of the width of the driveway and any walkway where it meets the paved street shall not exceed fifty (50) percent of the front property line length (exclusive of curve/curb returns). A property owner will be allowed one (1) driveway access of twenty-two (22) feet in width (exclusive of curve/curb returns) even if the width of the driveway exceeds fifty (50) percent of the front property line length.

A driveway shall be installed preferably perpendicular (at right angle) to the street, otherwise, the minimum driveway angle to the street shall be sixty (60) degrees (acute angle measured from the edge of pavement to the centerline of driveway). An exception from the perpendicular/right angle requirement may be allowed only in cases where public safety and/or existing topographic features such as street layout, drainage easements, trees protected by city ordinance, street lights, fire hydrants, sign posts, etc., prevent the driveway to be perpendicular to the street. If an exception to the perpendicular/right angle requirement is allowed, then the walkway and driveway width (including driveway flares and/or radiuses) shall not exceed a total of ten (10) feet over the fifty (50) percent of the front property line length. If a request for an exception is denied, the applicant will have the right to appeal to city council.

For stability and erosion control measures, driveway and/or walkway culverts may extend beyond the driveway/walkway width, so long as it meets the following criteria:

1. Driveways and/or walkways may have an additional two (2) feet maximum wide grass shoulder on each side; and
2. The maximum culvert length on each end of the driveway and/or walkway shall be determined using a maximum side slope of 3.0 (H) to 1 (V) when grading the terminal end of the ditch around the culvert's extensions; or
3. Alternatively, retaining walls may be used at each end of a driveway and/or walkway culvert for stability and erosion control measures; provided, the retaining wall height shall not exceed six (6) inches above the driveway/walkway finish elevation.

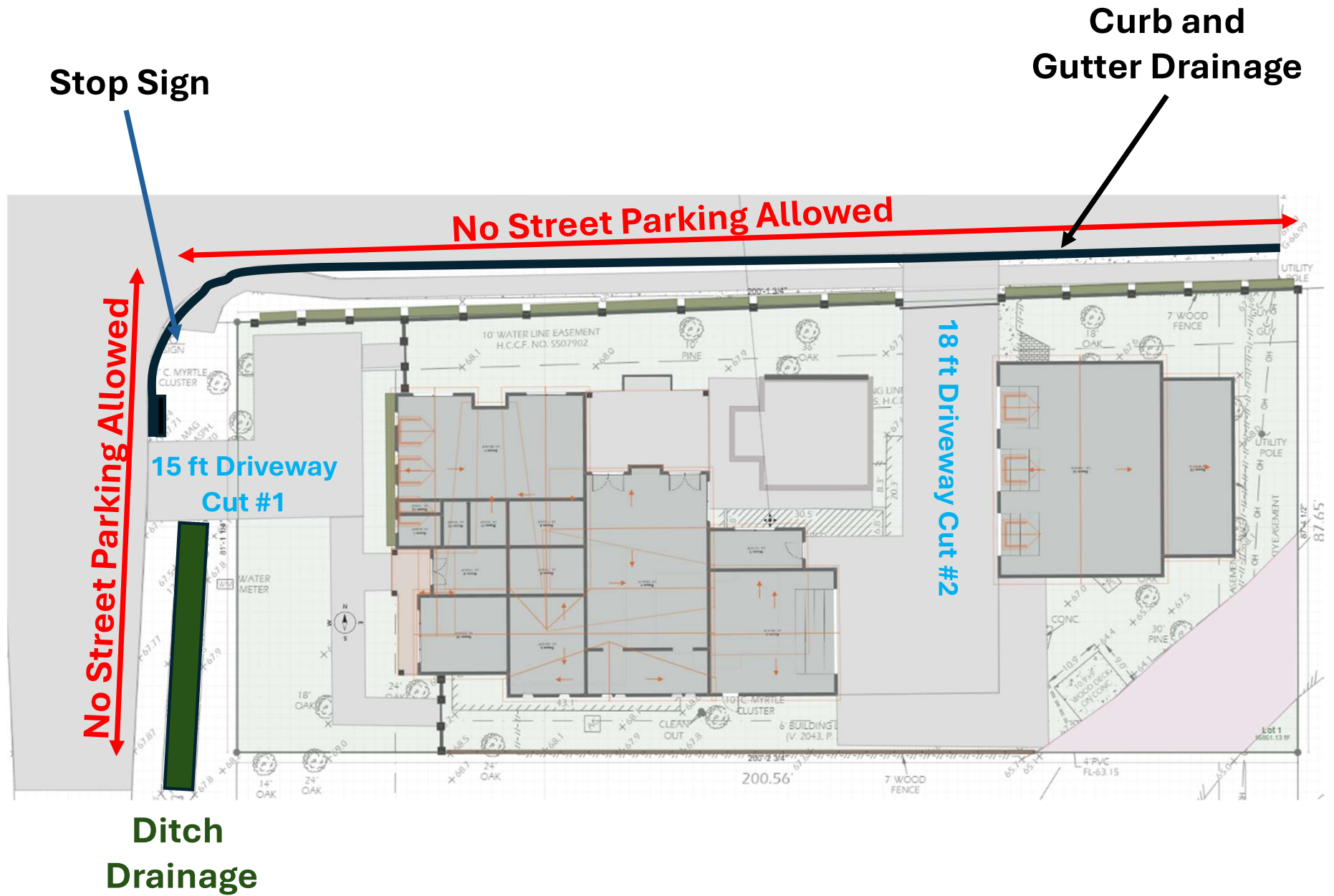
All driveway, pedestrian, and related culvert facilities shall be approved by the city building official and/or the city engineer and conform to all city standards and regulations. It is the intention of the city that the integrity of the city's open ditch drainage system shall be maintained.

Applicant Observation: The ordinance only permits two points of access if a circular driveway is installed. Due to the stop sign, narrow width of the lot, and transition of drainage systems, a front facing circular driveway is not feasible on the lot.

1326 Ridgeley Drive: Variance Request Summary

- **New Residential Development Project is being proposed at 1326 Ridgeley Dr.**
- **Lot is at the intersection of Ridgeley and Westview, which does not allow for street parking on either street.**
- **Under Section 4.623, only one access point is allowed (two access points are allowed if a circular driveway is installed).**
- **The combination of a narrow 81 ft wide lot, stop sign, and “curb and gutter” drainage system that transitions to an “open ditch” drainage system, presents many design issues for a circle driveway at the front of the residence.**
- **To remedy guest parking concerns, Applicant is designing the residence to have an 18 ft wide gated driveway/garage entrance on Westview to allow for “planned” guest parking (Access Point #1), and a parking pad at the front for “ad hoc” guests (e.g., repairmen, house cleaner, lawn care service company, short term guests, etc.)(Access Point #2).**

Proposal: Two Access Points



Proposal: Ridgeley Dr. Access Point for “Ad Hoc” Parking



Applicant Observation: “Ad hoc” parking would be used by repairmen, cleaning service, short-term guests, etc. (i.e., guests that we wouldn’t open the Westview sliding gate for).

Proposal: Westview Dr Access Point for Residents and “Planned Guests”



Applicant Observation: “Planned Guest” parking would be used by the residents and overflow parking from the front (e.g., holiday parking).

Variance Request

- **Requirement #1: The variance is not contrary to the public interest.**
 - **Comment:** It is in the public interest to have optimized parking in Hilshire Village due to the city's narrow streets and open ditch drainage system. Having another driveway access point for this residence will allow for easier traffic flow at a critical entry point into the city.
- **Requirement #2: Due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship.**
 - **Comment:** There are very few lots in Hilshire Village that are corner lots, and even fewer that are corner lots on Westview Drive, and even fewer that are lots as narrow as this lot (81 ft vs most lots on Ridgeley that are 100 ft+ wide). Limiting the lot to just one access point given the stop sign, and drainage system transition results in unnecessary hardship for the applicant.
- **Requirement #3: By granting the variance, the spirit of the ordinance will be observed and substantial justice will be done.**
 - **Comment:** The spirit of the ordinance to ensure minimal disruption to the city's open drainage ditch system. By allowing two access points (one on each street), the spirit is still maintained.
- **Requirement #4: The variance will not substantially injure adjacent conforming property or alter the essential character of the street.**
 - **Comment:** The proposed development is supported by the neighbors we were able to contact and is a dual access point (other than a circle driveway) has been permitted by the city at other locations.