

## APPLICATION: RESIDENTIAL ZONING REVIEW

**Zoning Variance or Amendment.** Describe any requested zoning relief or changes below.

- 1) Request to exceed the requirement that a maximum of 30% of the lot's square footage can be occupied by principal and accessory buildings.; and 2) Request to exceed the requirement that a maximum of 40% of the lot's square footage can be covered by impervious surfaces.

### PROPOSED DEVELOPMENT

Lot Size: 8,130 S.F.

#### **Description:**

This is a new development. It is a single family detached dwelling with an internal accessory dwelling unit, an attached garage, a detached garage, and a shed.

<u>Principal Structure</u>	<u>Building Footprint</u>	
Single family detached dwelling	1,554	S.F.

<u>Accessory Structures</u>	<u>Area</u>	
Accessory dwelling unit, internal	591	S.F.
Garage, attached	412	S.F.
Garage, detached	540	S.F.
Shed	144	S.F.

<u>Impervious Surfaces</u>	<u>Area</u>	
Driveway	1,439	S.F.
Walkways	88	S.F.
Other:		
Front Porch	40	S.F.
Rear Stoop and Steps	29	S.F.
Garbage Receptacle Pad	12	S.F.

<u>Impervious Lot Coverage</u>	<u>Area</u>	
Total Impervious Area	4256.7	S.F.
Percentage of Total Site Area	52.4%	

<u>Lot Building Coverage</u>	<u>Area</u>	
Total Building Coverage	2,650	S.F.
Percentage of Total Building Coverage	32.6%	

## **Building Coverage**

Request to exceed the zoning requirement that a maximum of 30% of the lot's square footage can be occupied by principal and accessory buildings.

- 1. Can the property in question yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located?** *Describe why you cannot comply with the zoning regulations and how it impacts the property value.*

Constructing a single family detached dwelling with an internal accessory dwelling; a garage that meets the zoning requirement's number of off-street parking spaces per Table 44-05-01(C); and an outdoor storage shed as permitted per 44-04-14-B-4-a, will require a variance that allow the property's building coverage area to exceed the amount permitted by the zoning regulation. If this variance request is not approved, the property will not have compatible structural amenities as neighboring properties, which will reduce the monetary value and usefulness of the property.

- 2. Is the plight of the owner due to unique circumstances?** *Describe why this request is unique to you; would it apply to your neighbors as well?*

This lot is in a R1 zoning district and must comply with the R1 bulk and dimension standards. However, the lot's square footage and its width do not conform with the R1 zoning lot standard minimum per Table 44-03-01. This lot is 2,270 square feet smaller and 20 feet shorter in width than the area size and width prescribed by the R1 standards. What is being proposed is comparable with the characteristics of neighboring properties. Their properties were constructed before the current zoning requirements went into effect. In this case, the R1 zoning requirement is overly restrictive.

- 3. If granted, will the variance alter the essential character of the locality?** *Describe how the property, with this relief, will compare to the surrounding properties.*

The floor coverage area of this primary structure is similar in size to its neighboring primary structure's floor coverage areas. Because this is a single-family detached dwelling with an internal accessory dwelling, the zone regulation requires that there be a total of three (3) off-street parking spaces per Table 44-05-01(C). This property's off-street parking garage is similar in size to its neighboring parking structures. The neighboring garage east of my property exceeds the size of the garage that is being proposed. Additionally, the zone ordinance prescribes that one (1) shed shall be allowed per lot per 44-04-14-B-4-a.

4. **Do the particular physical surroundings, shape, or topographical conditions of the subject property pose a particular hardship upon the owner, as distinguished from a mere inconvenience, under the strict application of these regulations?** *Describe the unique characteristics of the site that limits use or development without the requested relief.*

This lot is in a R1 zoning district and must comply with the R1 bulk and dimension standards. However, the lot's square footage and its width do not conform with the R1 zoning lot standard minimum per Table 44-03-01. This lot is 2,270 square feet smaller and 20 feet shorter in width than the area size and width prescribed by the R1 standards.

5. **Would the conditions upon which the request for variance is based be generally applicable to other property within the same zoning classification?** *Do your neighbors have the same circumstances?*

The neighbors do not have the same circumstances. Their properties were constructed before the current zoning requirements went into effect.

6. **Has the alleged practical difficulty or particular hardship been created by any person presently having an interest in the property?** *Provide information about any personal gains related to the hardship.*

This hardship was not created by any person presently having an interest in the property. There are no personal gains related to this hardship.

7. **If granted, will the variance be detrimental to public welfare or injurious to other neighboring properties?** *Describe any potential negative impacts on neighboring properties and mitigation efforts.*

An increase in the lot's building coverage area will increase the potential for flooding. This property has a very steep slope running along the south side of the property and a gentler slope running along the east side of the property, which will contribute to the potential for flooding. The potential for area flooding will be mitigated using rainwater collection barrels and the development of a drain system that will direct storm water to move west of the site towards Golfview Ave.

8. **If granted, will the variance: impair an adequate supply of light and air to adjacent property; substantially increase the danger of fire or otherwise endanger the public safety; or, substantially diminish or impair values of neighboring property?** *Explain how the requested relief will not create a hazard or de-value adjacent property.*

The coverage area variance will allow the construction of the garage and shed in the site's buildable rear area of the property. The materials used to construct these buildings will comply with the zoning regulations. These guidelines will ensure that the structure does not create hazardous conditions for the adjacent properties. Allowing this variance will increase the value of the neighboring properties.

## **Impervious Surfaces Coverage**

Request to exceed the zoning requirement that a maximum of 40% of the lot's square footage can be covered by impervious surfaces.

- 1. Can the property in question yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located?** *Describe why you cannot comply with the zoning regulations and how it impacts the property value.*

Constructing a direct ingress to and egress from the required off-street parking spaces requires a driveway that exceeds the prescribed impervious surface zoning requirements. Because of the irregular lot dimensions, the off-street parking must be located in the rear of the property, which will require a driveway that exceeds the zone impervious surface limitation. Neighboring properties have driveways that lead to the rear of their properties. Not being allowed to have this amenity will reduce the monetary value and usefulness of the property.

- 2. Is the plight of the owner due to unique circumstances?** *Describe why this request is unique to you; would it apply to your neighbors as well?*

This lot is in a R1 zoning district and must comply with the R1 bulk and dimension standards. However, the lot's square footage and its width do not conform with the R1 zoning requirement. This lot is 2,270 square feet smaller and 20 feet shorter in width than the area size and width prescribed by the R1 standards. What is being proposed is comparable with the characteristics of neighboring properties. Their properties were constructed before the current zoning requirements went into effect. In this case, the R1 zoning requirement is overly restrictive.

- 3. If granted, will the variance alter the essential character of the locality?** *Describe how the property, with this relief, will compare to the surrounding properties.*

Approval of this variance will allow the property to have a driveway similar to surrounding neighbor's driveways that lead to the rear of their properties.

- 4. Do the particular physical surroundings, shape, or topographical conditions of the subject property pose a particular hardship upon the owner, as distinguished from a mere inconvenience, under the strict application of these regulations?** *Describe the unique characteristics of the site that limits use or development without the requested relief.*

This lot is in a R1 zoning district and must comply with the R1 bulk and dimension standards. However, the lot's square footage and its width do not

conform with the R1 zoning lot standard minimum per Table 44-03-01. This lot is 2,270 square feet smaller and 20 feet shorter in width than the area size and width prescribed by the R1 standards.

5. **Would the conditions upon which the request for variance is based be generally applicable to other property within the same zoning classification?** *Do your neighbors have the same circumstances?*

The neighbors do not have the same circumstances. Their properties were constructed before the current zoning requirements went into effect.

6. **Has the alleged practical difficulty or particular hardship been created by any person presently having an interest in the property?** *Provide information about any personal gains related to the hardship.*

This hardship was not created by any person presently having an interest in the property. There are no personal gains related to this hardship.

7. **If granted, will the variance be detrimental to public welfare or injurious to other neighboring properties?** *Describe any potential negative impacts on neighboring properties and mitigation efforts.*

An increase in the use of impervious surfaces will increase the potential for flooding. This property has a very steep slope running along the south side of the property and a gentler slope running along the east side of the property, which will contribute to the potential for flooding. The potential for area flooding will be mitigated by the development of a drain system that will direct storm water to move west of the site towards Golfview Ave. Using permeable material in place of concrete was considered. However, the cost of using permeable material is \$20 per square foot more than the cost of using concrete.

8. **If granted, will the variance: impair an adequate supply of light and air to adjacent property; substantially increase the danger of fire or otherwise endanger the public safety; or, substantially diminish or impair values of neighboring property?** *Explain how the requested relief will not create a hazard or de-value adjacent property.*

The impervious surface variance will allow the construction of the garage and shed in the site's buildable rear area of the property. The materials used to construct the driveway will comply with the zoning regulations. These guidelines will ensure that the structure does not create hazardous conditions for the adjacent properties. Allowing this variance will increase the value of the neighboring properties.