



**TOWN OF PALMER LAKE  
BOARD OF ADJUSTMENT - AGENDA MEMO**

<b>DATE:</b> December 7, 2021	<b>ITEM NO.</b>	<b>SUBJECT:</b>
<b>Presented by:</b> Town Administrator/Clerk		Variance Request for 35 Mystic Ln

**Background**

Following an inquiry about the front setback of the house built on 35 Mystic Lane, staff followed up with the property owner for a final ILC. It was learned that the front setback is in fact less than 25 ft; therefore, it is the recommendation of staff to assist the property owner to comply to a setback with the variance process.

Staff had further discussion with the contractor and there was no malice intended but unclear communication of the front setback. It was understood by the contractor, and evidenced because of the building, that the setback is 25 ft from the property line to the foundation. Staff reviewed the land use permit application and agreed that this requirement to be measured from the furthest overhang could be clearer on the application documents.

It currently states the following –

- SETBACK DIMENSIONS - clearly show the distance **from the proposed structure** to the property lines. Staff intends to revise the application to state “from the furthest overhang (ie., eaves) of the proposed structure..”

Enclosed is the variance request as well as a copy of the final ILC.

Due to this request being along the lines of an administrative clean up, and that the property owner bore the cost of an additional ILC, it is requested by staff that the Board consider waiving the application fee, except for the actual cost of publication (\$38.04) to the town.