

Dear Stevenson City Council,

Before I begin, I would like to acknowledge my previous statement to this council in opposition to the proposal to change the setback regulations currently in place for the city of Stevenson's SR Zoning District. I will defer reiterating too much of that statement during this session. I would, however, like to iterate some salient points that should be a part of city records in conjunction with this proposal and my respective objection.

I acknowledge the inclination for this council to take the City's Planning Committee recommendations in implementing changes to existing codes and regulations. I further acknowledge that this is generally prudent. It affirms that committee's authority and expertise. It should not go unnoticed, however, that Planning has stipulated that this recommendation came to council on a 2 to 1 vote (its committee having one vacant seat and one absence). The dissenting vote outlined some of the concerns I make in this statement.

The existing SR Zoning District's setback provisions have been in place for many years. No one has really asked why. They were put in place when the Hidden Ridge, Osprey Ridge and Morning Wood plats were conceived. The vision entailed the construction of sidewalks, city street lights, and underground utilities which include city sewer, city water, natural gas, as well as conduits for broadband cabling. The intent in adopting the city's dimensional standards currently in place for our development (as I have previously stated) was to ensure a quality standard that would negate development and intrusion both physically and visually of buildings that would take away from the aesthetic quality and appearance of our neighborhood. Neighbors should not have to look at 12ft high structures in their backyards across a 6ft fence line. The fact remains, these regulations were appropriately adopted by our city. They were in place before any home was even built in the Hidden Ridge Development. They were in force when my wife and I built our shed. They were in place when other sheds were constructed on Freedom Court. In fact, one neighbor actually paid good money to have his shed relocated because its original construction was not in compliance with these setback regulations.

I would like to point out that it is the city's responsibility to enforce its own regulations. It is not the responsibility of any individual homeowner to monitor their neighbors. The city has inadvertently pitted homeowner against homeowner in this omission. Homeowners seeking relief from such regulations need to petition the city in writing for waiver, variance, or exclusion BEFORE any construction begins (city code 2.14.050).

We find ourselves in a very precarious situation because neighbors have not availed themselves of the city's requirements, and the city has done nothing to enforce them.

Code Enforcement Services as outlined on the city's website...**responds to concerns from citizens that affect the quality of life within the city, such as zoning, overgrown lots or yards, inoperative vehicles, maintenance of structures, illegal signs, and public nuisances. Systematic inspections are also performed throughout the city to ensure properties are in compliance with the city code.**

Sheds continue to be constructed in violation of these setback requirements, one in particular not even given the 5ft setback proposed in the changes before you. Instead, we are being asked to make a blanket accommodation for those violations and all future construction of a similar nature.

One of our neighbors even felt compelled to sell their house and move because of improprieties committed by the city. They made a simple inquiry to the city regarding these setback provisions. The city then notified homeowners that they had received a "complaint" from this neighbor...telling them who it was. This is a city matter that should have been handled by Code Enforcement discreetly. This individual was even referenced in the city's planning meeting on February 14, 2022. There were emails circulating the neighborhood, and I even heard a rumor of a go-fund-me page for one neighbor to seek relief in the event they had to move their shed.

To conclude my statement, I would like to simply say the city needs to do more in terms of enforcing existing city codes rather than changing them to meet the requirements of a few. As I have previously stated at the City Council Meeting on February 17, 2022, there is no need to change the city's setback requirements for the SR Zoning District. They are in place for a reason, and we have provisions in place should any constituent choose to petition the city for relief. It would be my hope that affected homeowners, whose structures are already constructed, be granted relief from the city as long as affected adjacent property owners have no objection. Barring that, homeowners should not be allowed to use ignorance of any such code as an excuse to abrogate the city's agreements and implied contracts with existing constituents that choose to abide by them.

Respectfully submitted,
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