

TO: Zoning Board of Appeals
DATE: March 16th, 2026
SUBJECT: A variance request for 1426 Stoneridge Dr.

A request by Tiarra Detert and Jacob Fisher, for a variance to the rear yard setback requirements under §550-24F(2)(d)[5]. Parcel PIN(s): 291-0915-3411-075

SITE DETAILS:

Acres: 0.30
Current Zoning: Single-Family Residential (SR-4)
Existing Land Use: Single-Family Residential
Future Land Use Designation: Single-Family Residential

BACKGROUND AND APPLICATION DESCRIPTION:

The applicant is seeking variance approval for a reduction of the rear yard setback requirements under §550-24F(2)(d)[5] of the Zoning Ordinance. The applicant would like to construct a deck within nine (9) feet of the rear lot line. During the home's construction, the builder changed the grade of the rear yard to address erosion and surface water discharge concerns on the lot due to the existing topography and slope of the lot. This change left the rear patio door approximately 4 ft above grade rather than at-grade as originally planned. Original plans also included an at-grade concrete patio outside the patio door. The applicants are requesting to build an elevated deck in place of the at-grade concrete patio due to the grade change in the rear yard.

STAFF EVALUATION:

Variance Findings

§550-147D(3)

(3) *The Zoning Administrator shall also evaluate the application to determine whether the requested variance is in harmony with the recommendations of the City of Watertown's Comprehensive Plan, particularly as evidenced by compliance with the standards of Subsection D(3)(a) through (f) below:*

(a) *What exceptional or extraordinary circumstances or special factors are present which apply only to the subject property? The response to this question shall clearly indicate how the subject property contains factors which are not present on other properties in the same zoning district. Specifically:*

[1] *The hardship or difficulty shall be peculiar to the subject property and different from that of other properties and not one which affects all properties similarly. Such a hardship or difficulty shall have arisen because of the unusual shape of the original acreage parcel, unusual topography or elevation, or because the property was created before the passage of the current applicable zoning regulations, and is not economically suitable for a permitted use or will not accommodate a structure of reasonable design for a permitted use if all area, yard, green space and setback requirements are observed.*

Finding: There is a hardship in that the property (lot) as created by the previous platting of this area has slope and drainage issues that required the builder to adjust the grading plan for the property. The change to the grading plan resulted in the rear patio door to be located approximately 4ft above grade.

[2] *Loss of profit or pecuniary hardship shall not, in and of itself, be grounds for a variance.*

Finding: Not applicable.

[3] Self-imposed hardship shall not be grounds for a variance. Reductions resulting from the sale of portions of a property, reducing the remainder of said property below buildable size or cutting off existing access to a public right-of-way, or deed restrictions imposed by the owner's predecessor in title are considered to be such self-imposed hardships.

Finding: Not applicable.

[4] Violations by or variances granted to neighboring properties shall not justify a variance.

Finding: Not applicable.

[5] The alleged hardship shall not be one that would have existed in the absence of a zoning ordinance. (For example, if a lot were unbuildable because of topography in the absence of any or all setback requirements.)

Finding: Not applicable.

(b) In what manner do the factors identified in Subsection D(3)(a) above prohibit the development of the subject property in a manner similar to that of other properties under the same zoning district? The response to this question shall clearly indicate how the requested variance is essential to make the subject property developable so that property rights enjoyed by the owners of similar properties can be enjoyed by the owners of the subject property.

Finding: The proposed variance is essential to provide proper ingress and egress from the rear patio door and the functional use of the rear yard.

(c) Would the granting of the proposed variance be of substantial detriment to adjacent properties? The response to this question shall clearly indicate how the proposed variance will have no substantial impact on adjacent properties.

Finding: The proposed variance would not be of substantial detriment to adjacent residential properties. The combination of the proposed 9ft rear yard setback and the existing 8ft side yard setback on the adjacent property will exceed the combined side yard setback minimum of 16ft between structures.

(d) Would the granting of the proposed variance as depicted on the required site plan [see Subsection C(4) above] result in a substantial or undue adverse impact on the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property or rights-of-way, or other matters affecting the public health, safety or general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of the intent, provisions and policies of this chapter, the Comprehensive Plan, or any other plan, program, map or ordinance adopted or under consideration pursuant to official notice by the City or other governmental agency having jurisdiction to guide growth and development? The response to this question shall clearly indicate how the proposed variance will have no substantial impact on such long-range planning matters.

Finding: The proposed variance would not have a substantial or undue adverse impact. The residential home on this property with the proposed deck would be largely indistinguishable from other similar properties in the neighborhood. The City's Comprehensive Plan calls for this area to be residential in nature in the future, the reduction of the rear yard setback as proposed does not impede that planning goal.

(e) *Have the factors which present the reason for the proposed variance been created by the act of the applicant or previous property owner or their agent (for example: previous development decisions such as building placement, floor plan or orientation, lotting pattern, or grading) after the effective date of this chapter (see § 550-11)? The response to this question shall clearly indicate that such factors existed prior to the effective date of this chapter and were not created by action of the applicant, a previous property owner or their agent.*

Finding: The current situation with the property's slope and drainage was created by the previous platting of the area and the creation of the lot and was not created by the applicant.

(f) *Does the proposed variance involve the regulations of Article IV? The response to this question shall clearly indicate that the requested variance does not involve the provisions of the article.*

Finding: The proposed variance does not involve the regulations of Article IV. The proposed variance involves a standard (rear yard setback) in Article II.

ZONING BOARD OF APPEALS OPTIONS:

The following are possible options for the Zoning Board of Appeals:

1. Deny the variance, based on failure to meet the required findings.
2. Approve the variance, based on successfully providing substantial evidence to meet the required findings.

STAFF RECOMMEDATION:

- Staff recommends approval of the variance request.

ATTACHMENTS:

- Application materials.