

## VI. ZONING – Title 19

### 19.911 Variances

We are applying for three Variances, as follows:

**Rear yard setback** – We are applying for a rear yard setback Variance for the existing house in order to get a decent sized new parcel to build on. The existing house sets back from SE King Road 34.5-feet, which is in excess of the 30-foot requirement of the front yard setback along SE King Road. Also, there is a very nice large covered patio attached to the back of the house which is used by the residential home residents, the maximum preferred setback for the rear yard is 10-feet. This will allow some room for a small backyard for some landscaping and useable area, as well provide some space between the existing covered patio and any new house built on Parcel 2. The existing deck at the back of the house will be removed.

Due to the unusual site characteristics and physical conditions with the location of the existing house, this reduced rear yard setback variance is necessary to allow reasonable economic use of the property comparable with other properties in the same area and zoning district, i.e., being able to divide an 11,000 square foot property in the R-5 zone into two parcels. This proposed variance is the minimum variance necessary to allow for reasonable economic use of the property. Increasing the rear yard setback reduces the size of the new parcel and thus also reduces the size of the house that can be built on it. Impacts of this proposed variance will be mitigated to the extent practicable by installing a hedge on the property line, or any other way the City feels may be necessary.

**Lot size** – We are applying for a lot size Variance for Parcel 2 due to the location of the existing house and covered patio. In order to provide for a decent sized new building lot, we propose a 4,301 square foot lot. This is a 14 percent reduction from the required lot area of 5,000 square feet. With a 35 percent maximum lot coverage, this provides for a 1,505 square foot building footprint. With the required 20-foot front and rear yards and the 5-foot side yards we would have 1,653 square feet, so this leaves some flexibility in the placement of the house. Reducing the size of the new parcel any more would not allow for as nice of a new home to be built on Parcel 2.

Requiring the standard 20-foot setback for the existing house on Parcel 1 would reduce the lot area of Parcel 2 to 3,551 square feet. With a 35 percent maximum lot coverage, this provides for a 1,243 square foot building footprint, considerably smaller than the 1,505 square foot building footprint allowed with the Variance. With the required setbacks, we would have 1312 square feet, which still allows for some flexibility in the placement of the house, but not as much as the requested Variance size. Impacts of this proposed variance will be mitigated to the extent practicable by installing a hedge on the property line, or any other way the City feels may be necessary.

**Lot depth** – We are applying for a lot depth Variance for Parcel 2 due to the existing lot configuration. The existing lot is only 74.8-feet wide for the existing house, however, that translates to a 74.8-foot deep Parcel 2, since it fronts on SE 51<sup>st</sup> Avenue. There is no way to increase the lot depth due to current ownership of property, and with the required

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20-foot front and rear yard setbacks that will still be met, there is no impact to adjoining properties.

The cumulative effect of these multiple variances will not be detrimental to surrounding properties, natural resource areas, or public health, safety, or welfare, since standard setbacks will be met on the rear (West) line of Parcel 2 and the side adjacent to Lot 14 of MISSION PARK subdivision to the South.