

1. Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance.

I do not believe so. The proposed addition is largely below existing grade. The side setback is the same as the existing structure and the front setback is still larger than many properties in the immediate area (3554, 3564, 3589, 3591, 3595, 3597, 3670, 3674, 3682.) It also improves safety as the property is on the inside corner of WLR and the driveway is dangerous as it exists today (steep slope, risk for vehicles sliding in to the road and individuals getting hurt falling on ice.) Homeowner's insurance carrier has asked us to resolve the risk of personal injury with the driveway during a prior claim when the emergency brake of a vehicle failed and it rolled down across the road and hit the boathouse across the street (winter 2017.)

2. Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance.

No it is not otherwise possible. After consulting with multiple established contractors the ability to perform this project in a different location on the property is logistically and financially not viable based on topography and existing structures. The side setbacks are limiting for driveway placement, the back yard is steep and largely inaccessible to construction machinery and placing the garage at the rear of the house doesn't address the existing driveway pitch.

3. Whether the requested area variance is substantial.

I do not believe so. This project will add 4% to the finished livable square footage of the house (96 SF vs 2431 SF.)

4. Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

The area consumed by the proposed addition will reclaim area covered by asphalt driveway today, which will result in a net zero change to total lot coverage. It also provides an opportunity to address issues with storm runoff today where downspouts from the house are ducted to the surface, where it then pools and runs in sheets across CR16 and causes wash out issues on the opposite side of the road.

5. Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the ZBA, but shall not necessarily preclude the granting of the area variance.

It is self-created in that some of the limitation is related to the pre-existing non-conforming house built in 1936. We were not aware of the driveway issues and personal injury risk prior to purchase.

Additional Comments:

This addition will resolve multiple safety issues with both the curve in the road limiting visibility to the north of the property as well as erosion challenges from storm run off across the street and the personal injury risk to residents and visitors due to a very steep driveway and the potential for snow, black ice, etc.

Nearby properties that don't meet the setback minimum by more than our proposed addition, all on CR16: 3554, 3564, 3589, 3591, 3595, 3597, 3670, 3674, 3682, and others.

There are also several examples which are also closer to the property line than our existing house, most of which are immediately south of the intersection of CR16 and Butler Rd.



