

Overview

The applicant proposes to remove some existing asphalt currently used for parking and construct an 890-square foot detached garage. Four variances will be required:

Variance:	REQUIRED	PROPOSED
1) Min Front Setback (Garage)	60.0'	30.5'
2) Max Garage Height	16'0"	19'9"
3) Building Location (yard)	Side	Front
4) Max Lot Coverage	25%	32%

For the lot coverage variance, it should be noted the lot size used is calculated using the tie line, rather than using the Mean High Water Mark MHW) – they are separated by distance that varies from 25 feet to 48 feet across the 243 feet lot width. Using the MHW would change the percentage significantly as 0.198 acres would be added to the denominator.

Tests for Granting Area Variances

- 1) Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created.*

The garage building has been designed to complement the original house structure. The proposed structure is smaller than many other accessory structures located on Davidson Landing Drive. After construction is completed, the parcel and its buildings will be similar in appearance to the other properties in the neighborhood. The project will not have a deleterious effect on the neighborhood, rather it will enhance its character.

Sight lines will be unaffected or minimally affected. There are no neighbors across Davidson Landing Drive. The property is extensively landscaped – the area around the proposed garaged will also be landscaped. Therefore, no detriment to nearby properties will be created.

- 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.*

One alternative would be to change the site of the proposed garage. Regardless of where the garage is placed on the lot, area variances will be required. The structure will still require variances from either front or side setback requirements, a height variance, and be situated in the front yard.

Another alternative would be to reduce the size of the garage, but a material reduction in its size would cause a corresponding material change in the function/benefit. Therefore, a meaningful change in the size of the building will not achieve the same desired result.

- 3) *Whether the requested area variance is substantial.*

Min Front Setback (Garage)

Code requires: 60.0 foot setback

Request: 30.5 foot setback

The garage is situated to maximize the front setback as much as practicable, without adding additional impervious area (driveway). It should be noted the existing shed has a 2.8 foot setback. Additionally, the setback is calculated from Davidson Landing Drive, which, as a private street, could be considered similar to a shared driveway commonly found in a side yard.

Max Garage Height

Code requires: 16 feet

Request: 19 feet 9 inches

The average height of the building from elevation is 19'9" (maximum 25'4", minimum 15'0"). Although the structure extends beyond 16 feet, a very small percentage of the overall bulk of the building extends beyond that amount given that the roof is gabled. Because the building is partially "embedded" into the ground, its visual impact from the south and west (i.e., the road) is significantly diminished.

Building Location (yard)

Code requires: Side Yard

Request: Front Yard

Locating the garage in the side yard would require adding additional impervious area (driveway), increasing the lot coverage numbers.

Max Lot Coverage

Code requires: 25%

Request: 32%

The use of a garage reduces the appearance of clutter on the lot by providing space for the storage of cars and other goods. It should be noted the site is fully landscaped and the reduction in lot coverage will not be discernable to the casual observer.

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

Other than during construction, there will be no additional traffic, dust, noise, or odors as a result of the proposed garage. There will be no adverse effect or impact on the physical or environmental conditions in the neighborhood.

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

The current lot configuration was not created by the current owner; the requested variances were therefore not self-created.