

APPLICATION FOR VARIANCE

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The undersigned, requests that a VARIANCE from the provisions of Ordinance No. 367 be granted, pursuant to Section 16.20 of said Ordinance, and hereby certifies as follows:

OWNER'S NAME: CHRISTINE BOTTARO & GARY PETERSEN

ADDRESS: 320 PARK AVENUE PHONE: 821-238-4506

LOCATION OF SUBJECT PROPERTY: 320 PARK AVENUE

ASSESSOR'S PARCEL NO 005.420.16 ZONE: R1 PRESENT USE: RESIDENCE

NATURE OF REQUESTED VARIANCE: ENCROACHMENT INTO BUILDING SETBACK & CREEK SETBACK FOR NEW STEPS & DECK.

STATEMENT OF HARDSHIP (Note: The Planning Commission is not authorized to grant a variance if the result would be to confer a special privilege inconsistent with the limitations placed upon other properties in the same zone):

(a) The following special circumstances or conditions applicable to subject property (including size, shape, topography, location or surroundings) do not generally apply to other properties in the same zone.

1. Adjacency to Little Deer Creek: The center of the creek is approximately 21' outside of the southwest property line and curves toward the south corner of the property, resulting in the majority of the property being within the 100' creek building setback.
2. Lack of a secondary safe egress: Currently, there is one safe egress from the property, located on the Park Avenue side of the property. An existing gate is located on the southeast side of the property, connecting to Pioneer Park. Here the terrain is steep and frequently covered in blackberry and does not present safe egress from the property.

(b) The granting of a variance would not be materially detrimental to the health, safety or welfare of other persons residing in the vicinity of the subject property, or to other property or improvements in the vicinity, for the following reasons:

We believe that proposed improvements will have no impact on health, safety, and welfare of persons and properties in the vicinity. The proposed deck and steps are considered minor improvements and would encroach fifteen feet into the 100' creek setback, uphill from the creek.

ATTACH MAP or SKETCH showing boundary lines of subject property, adjacent streets, and other relevant facts. SUBMIT 10 COPIES OF APPLICATION AND ACCOMPANYING DOCUMENTS.

1.6.20  
Date

[Signature]  
Signature of Applicant