

Variance Application ZP-22-596 - Applicant's report

- **This variance, total of 47.5 sq ft (only 0.8% of the total lot size) will:**

- 1) Allow the residents of a four-bedroom duplex park their vehicles safely off street, leaving more on-street parking available for those who need it;
- 2) Provide the ability to reverse the vehicles safely in the back and avoid backing out into the busy traffic area. This will eliminate the risk of hitting one of the structures or one of the cars while backing out with limited visibility and space;
- 3) Eliminate the risk of any further property damage (see attached photos for the damage caused) and dangerous driving conditions;
- 4) Save the tree that is in the way of a currently approved parking plan;
- 5) Finally, remove the need for the unnecessary earth disturbance of apx. 600 sq ft to otherwise satisfy City's lot coverage requirements (replacing the asphalt in the shared driveway with a ribbon driveway).

- **Parking Extensions and Gravel**

Gravel that was deposited into the parking area is scheduled to be removed on January 2 (prior to this hearing). The parking spot extensions do not have to be filled with gravel if that is the City's decision factor in order to grant this variance. Gravel, as a material, should not shift the focus away from the main point of this variance application which is: **a safety issue due to very tight and unsafe parking and driving conditions, that have been causing property damage to at least two buildings and pose a high risk of more damage, including house crashes and car crashes.**

- **Variance requested:** Grant 47.5 sq ft of impervious lot coverage extension (only 0.8% of the total lot size) for safe parking in the back, based on the criteria listed below.

Special circumstances

All properties on my block have private driveways, except for our driveway at 170 Park St which is shared with 166 Park St (see Legal documents and Easements attached). Said driveway leads to a large garage belonging to 166 Park St, which is only 8ft away from my property - directly on the property line, without a setback. This placement makes it very difficult to get in and out of the tight parking area directly behind my house, especially in wintertime.

Similar variances exist elsewhere in the community

Properties bordering mine have excess lot coverage, have structures put in without the required 5ft setback, and so on. Since those properties all were able to receive a variance or zoning exception, I believe so should my property, given the unsafe conditions caused by the special circumstances of mine and my neighbors' property plans. All we are asking for is to let us keep the cars safely off the street, which is ultimately good for the City and the community. Please consider this application based on the five separate statutory criteria below.

1. Unique features: Unlike other properties on my street with private driveways, our driveway is shared with the neighboring house but mainly located on my property lot. The shared

part is taking over 7% out of 40% allowed standard lot coverage (leaving only 33% for the house and all other structures). Lack of setbacks and extremely close proximity of the neighbors' garage make it even harder for the vehicles to safely maneuver, especially in wintertime.

2. No possible way to develop: Because of the above, shared driveway cannot be used for parking. Garage cannot be moved out of the way. Neighbors' vehicles' path of travel cannot be blocked.

3. Existing hardship: Because of the above, vehicles parked directly behind my house currently have to back out into the main driveway (and into the busy main road) via a narrow passage, under a very challenging angle. We have experienced hardship using the parking area safely. The current parking layout is extremely tight and unsafe with limited visibility and insufficient backup space, especially in local weather conditions. Significant property damage has been occurring for many years. Both houses get constantly hit by the service vehicles or moving trucks.

4. Character preservation: The essential character of the neighborhood or district will not be altered.

5. Minimum impact: Requesting standard lot coverage credit of 47.5 sq ft (only 0.8% of the total lot coverage) to compensate for the above with the safe parking area in the back. Without this variance, the only way to achieve this result with under 40% lot coverage, would be to remove asphalt from the shared driveway (which is in good condition and will last for many more years) and replace it with a ribbon driveway. This would be an unnecessary earth disturbance of apx. 600 sq ft only to satisfy City's lot coverage requirements. Most houses on my street have ribbon gravel driveways, where gravel can spill into the main road, and we are trying very hard to avoid that. In addition, this variance will allow us to save a tree that otherwise will have to be removed (see Site plan below).

