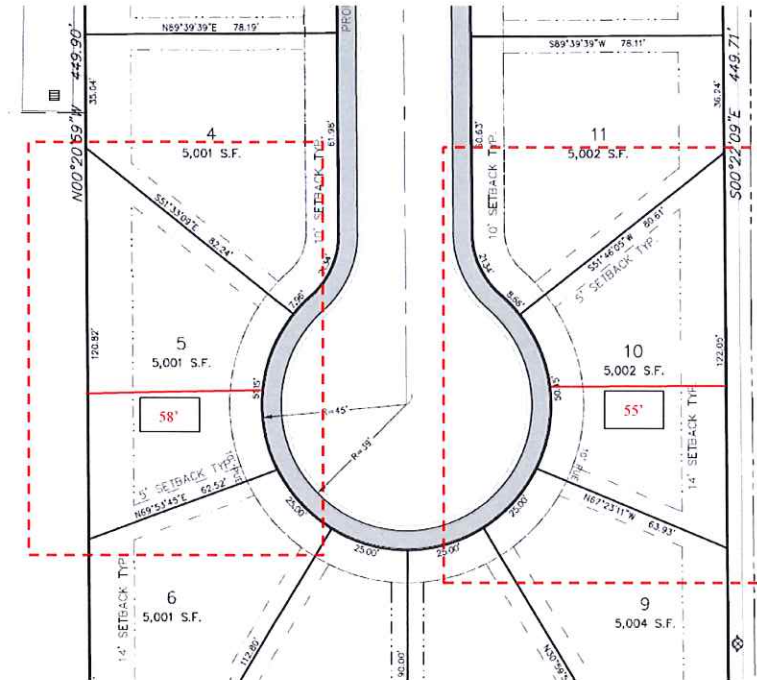


# Tepper Lane Variance



## Variance Criteria:

The applicant is requesting a variance to KDC Section 2.102.05(A) Minimum Lot Dimension and Height Requirements, which requires a minimum average lot depth of 70 feet. All proposed lots meet the minimum average lot depth (70') requirements, except for Lots 5 and 10. All dimensions are shown on the tentative plan.

\*Lot Depth (Average) Required  
70'

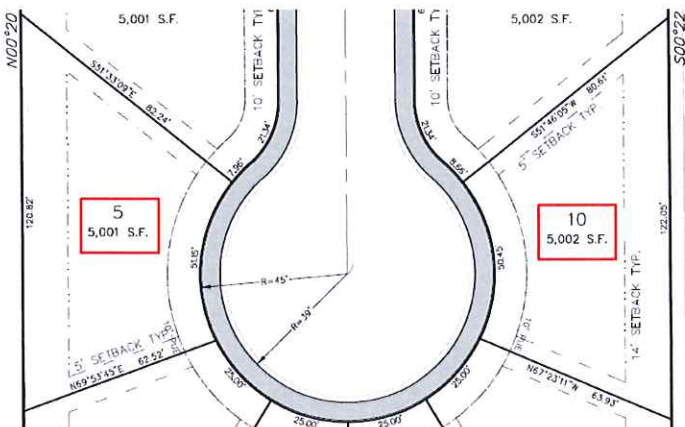
Proposed Lot Depth (Average)  
Lot 5-58'  
Lot 10-55'

Therefore, a variance to lot depth is being requested.

- A. **1. The intent and purpose behind the specific provision sought to be varied is either clearly inapplicable under the circumstances of the particularly proposed development; or**
- 2. The variance requested is consistent with the intent and purpose of the provision being varied; or**
- 3. The applicant in good faith is unable to comply with the standard without undue burden which is grossly disproportionate to the burden born by others affected by the specific provisions of the code sought to be varied;**

Applicant Response: The intent of the lot dimensions is to create a lot that can accommodate a single-family dwelling while meeting the minimum lot requirements and providing the minimum setbacks.

Lot 5 is 5,001 square feet and Lot 10 is 5,002 square feet in range in size. The building envelopes for Lots 5 and 10 are outlined on the site plan. As shown on the site plan, all setbacks for a one-story dwelling can be met for the development of those lots. Therefore, the intent of the code is met.



The site is narrow and make is difficult to provide a local street with a cul-de-sac and meet the lot depth requirements for Lots 5 and 10. The applicant looked at all options for the site and found that in order to provide a required internal street and maximize density, that this was the best and most efficient layout. Therefore, in good faith was unable able tot meet lot depth for Lots 5 and 10.

**B. *The impact of the development due specifically to the varied standards will not unreasonably impact adjacent existing or planned uses and development; and***

Applicant Response: Lot 5 has an average lot depth of 58 feet and Lot 10 has an average lot depth of 55 feet.

The minor variance is for about a 17% lot size reduction. A 17% lot reduction will have no impact on how those lots can be developed, since the lots are large enough to accommodate all required setbacks for a one-story dwelling.

As shown on the site plan, an adequate building envelope can be provided on Lots 5 and 10, while meeting the setback requirements.

The proposed development will have access onto an internal local street and provide required setbacks. The required setbacks are still able to be met even with the reduced lot depth. Therefore, eliminating any impact on adjacent existing uses.

**C. *The minor variance does not expand or reduce a quantifiable standard by more than 20 percent and is the minimum necessary to achieve the purpose of the minor variance; and***

Applicant Response: The minor variance is for a 17% lot depth reduction for Lots 5 and 10. Therefore, the request does not reduce the lot depth by 20% or more.

**D. *There has not been a previous land use action approved on the basis that a minor variance would not be allowed.***

Applicant Response: No previous land use actions have been approved on the basis that a minor variance would not be allowed.