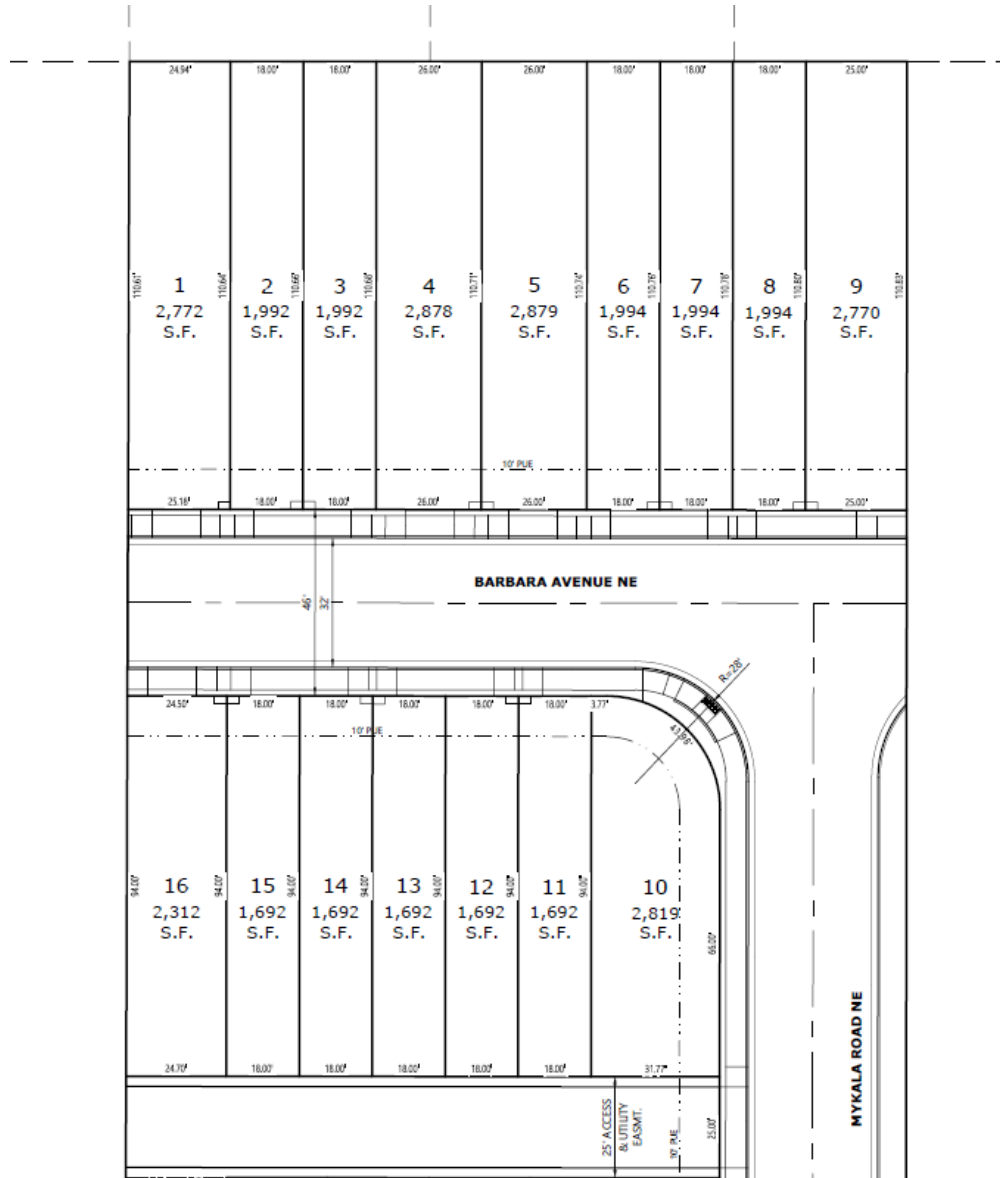


# Clear Lake Commons

## *Minor-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 width of 20 feet for townhome lots. The applicant has requested a variance to lot width for Lots 2, 3, 6, 7, 8, 11, 12, 13, 14, and 15.

\*Lot Width Required  
20'

Proposed Lot Depth (Average)

Lot 2- 18'

Lot 3- 18'

Lot 6- 18'

Lot 7- 18'

Lot 8- 18'

Lot 11- 18'

Lot 12- 18'

Lot 13- 18'

Lot 14- 18'

Lot 15- 18'

- 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 dwelling while meeting the minimum lot requirements and providing the minimum setbacks.

The site is narrow and makes it difficult to provide street connections through the site and meet the lot width requirements. The applicant looked at all options for the site and found that in order to provide required internal street connections and maximize density, that this was the best and most efficient layout.

The proposed subdivision is for townhome dwellings, which are narrow in design. A site plan showing the building envelopes has been provided and shows how each lot will accommodate a dwelling along with all the required setbacks.

Therefore, the intent of the code is met.

***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: The minor variance is for about 10% lot width reduction. A 10% lot reduction in width will have no impact on how those lots can be developed, since the lots are large enough to accommodate all required setbacks for a townhome dwelling.

As shown on the site plan, an adequate building envelope can be provided on all the lots proposed, while meeting the setback requirements.

The proposed development will have access onto an internal street and provide required setbacks. The required setbacks are still able to be met even with the reduced lot width. 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 10% lot width reduction for Lots 2, 3, 6, 7, 8, 11, 12, 13, 14, and 15. 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.