

Question # 10.

A. Unusual circumstances or conditions applying to the property and/or intended use that do not apply generally to other property in the same vicinity or district such as topography.

The previous 15-foot variance was instrumental in enabling us to optimize the building plan for our pie-shaped lot. However, due to the unique characteristics of Winter Park Lane and the topography of our lot, ensuring compliance with all variances and codes presented a significant challenge. To my knowledge, there are no other lots of similar size with comparable topography, dimensions, drainage field percolation, and intersecting road configurations as ours (intersecting Via Kachess Way and Winter Park Lane). The recent adjustment to a 25-foot variance has a profoundly impacts us specific this project.

B. Such variance is necessary for the preservation and enjoyment of a substantial property right of the applicant possessed by the owners of other property owners in the same vicinity.

I am not aware of any neighbors facing a similar issue with blocked garage access. Our neighbors are able to utilize their garages year-round without hindrance, thanks to their roof lines, protective overhangs, or extended decks. Unfortunately, due to the limitations of our lot, we were unable to design the roof differently to accommodate similar features. Given that we are full-time residents, maintaining year-round garage access is paramount for us. The construction of the new overhang would not pose an issue if the previous 15-foot variance were still in effect.

Presently, we already have an existing cement wall and small overhang encroaching into the new 25-foot variance. However, the small overhang proves ineffective in addressing our garage access issue. Moreover, only about a quarter of the new overhang will extend into the 25-foot variance. The sole reason for this impact is the curvature of Winter Park Lane, which affects my driveway – the intended location for the new overhang.

C. That authorization of such variance will be materially detrimental to the public welfare or injurious to property in the vicinity.

The installation of the new overhang will significantly enhance public safety. Currently, the existing overhang slopes toward my driveway, posing a risk of falling snow and creating a snow blockade. In contrast, the new overhang will direct snow away from the driveway onto my property, mitigating these risks and ensuring unobstructed garage access. This safer design not only facilitates year-round access but also serves a crucial role in emergency situations within the

community. With year-round garage access, essential tools such as snow blowers, large power tools can be readily accessed, enabling swift responses to community emergencies. The implementation of this new overhang will undoubtedly contribute to public welfare by enhancing safety for both the property and all individuals and animals in the vicinity.

D. That the granting of such variance will not adversely affect the realization of the comprehensive development pattern.

The construction of the new overhang will not have any impact on surrounding developments, neither at present nor in the future. The location for this new overhang is on my driveway, affected by the curvature of Winter Park Lane and the new 25-foot variance. It's important to note that we are not building over, near, or adjacent to any drainage ditch. Furthermore, only approximately a quarter of the overhang falls within the new 25-foot variance. Currently, the existing small overhang and cement wall already encroach into the new variance by about 11 feet 11 inches. The new overhang will simply extend by another 6 feet or so (refer to the attached documents for visual reference).

Finally, hindsight offers clarity. It was only upon becoming full-time residents that we fully grasped the ramifications of a blocked garage, as well as the implications of the new 25-foot variance on our distinctive lot size and shape. We are grateful for your consideration in granting a variance exemption, solely to enable us to construct this new overhang. Its implementation will have minimal impact on the issues outlined in Question #10, but rather, it will bring about a profoundly positive effect for both us and our community.