

# Attachment A Zoning Variance Application



## Narrative

Charise and John Eliason have owned our home at 160 Innsbruck Drive in the Hyak Estates in Snoqualmie Pass, Kittitas County, for approximately 19 years. Century Link serves our home for communications. The home is served by water and sewer by Snoqualmie Pass Utility District. There is no septic system on the property. We have a covered propane tank on the property for heat served by Genesee Energy. The size of our property is 0.18 Acres. Our home was built without a garage, is fixed and currently exceeds current setback requirements. We are requesting a modification to the front setback criteria for our property to build up to a 24 feet by 22 feet garage with enclosed stair. The applicant requests a variance to front setback criteria of 5 feet from our property line. The basis for our variance request includes our unusual property circumstances, to preserve our enjoyment, safety and property right, improve the look and feel of the community and not be detrimental and not adversely affect the comprehensive development pattern.

### A. Unusual Circumstances or Conditions that Apply to our Property

Our property has some special conditions. Our home was built without a garage and is fixed. The front setback to the existing structure currently exceeds 25 feet from the front property line. Our access roadway, Innsbruck Drive, was built significantly to the west, away from our property, within the 60 feet wide right of way. On our north property boundary, the eastern edge of pavement is built only 1 foot to the east of the centerline of the right of way. Refer to the attached plans with background provided by a survey from ESM. Attached also is our property survey by ESM that shows the constructed road built to the west within the right of way. As shown in the attached site plan the property across the street to the west has only an 6 feet distance between the right away and the pavement edge. This is the basis for requesting approval for a variance to 5 feet from our front property line to face of the proposed garage. The variance would create a similar setback look for the structures on each side of the road instead of our property on the east being set back significantly from the pavement edge compared to the west side creating odd and uneven street appeal.

Our existing home is built with the finish floor approximately 11.5 feet below the existing roadway. This elevation difference has caused a significant safety challenge for our guests and ourselves with our 60 feet long driveway at an approximate 25% slope. We have family members, visitors and friends slip and fall on the steep slope on our approximate 60 feet long driveway and path to get to our front door when there is snow or ice in the winter. In the summer, cars parked in our driveway on the steep slope, are at risk of breaking free and injuring someone or smashing into our home. Our neighbor gave us tire chucks because he was afraid one of our cars would break loose and injure or kill. Building a garage with a covered stair transition to our front door would reduce the potential for injury and mitigate the significant elevation difference between the road and our front door. The addition of a garage is not feasible without the front property setback variance approval.

Our property contains 2 recorded easements which reduce buildable area and represent public benefit for drainage, utility and additional snow storage. On our north property boundary, there is a 5 feet wide easement that parallels the entire property length east west for drainage. Refer to the attached existing condition plan for this drainage easement that provides over 600 square feet of public drainage benefit and snow storage. On our eastern property line there is a 20 feet wide easement that parallels the entire property length north to south for sewer. Refer to the attached existing condition plan for this sewer easement that provides over 1000 square feet of public benefit and snow storage. Both easements represent over 1600 square feet of unbuildable property, public benefit and additional snow storage. The applicant is requesting approximately 500 square feet of additional buildable area for the garage footprint with this variance application. This additional square feet of buildable area is only 50% of the drainage area easement that provides both public benefit and also snow storage. Overall snow storage for street plowing does not change with this variance application.

**B. Preservation and enjoyment of substantial property right of the applicant possessed by other owners of other properties in the same vicinity**

We met with the Hyak Property Owner Association Board (HPOA) and presented our garage addition plan in June of 2019 and they orally approved our plan with the exception of a required setback variance

approval required from Kittitas County. We were warned by the HPOA Board how challenging and expensive the variance process was but there was significant support from the Board to move forward with the application. There is a desire from the HPOA and the community that homes are built with a garage or homes without a garage find ways to add a garage. We need the variance to 5 feet front setback from our front property line to the face of an up to 24-foot wide garage matching our home. Our planned garage addition is not feasible without this variance. Refer to the attached plan for proposed build area. There are no public utilities in the setback area that would be impacted. Utilities including water and sewer are all built to the west within the roadway to the western portion of the right of way. There would be no public harm and only positive benefit in approving this variance to the front setback for our property.

The last 4 homes constructed on our street have been built with garages. All of these newer homes have much less setback requirement because the centerline of the street is built closer to the center of the right of way and allows for a reasonable setback to the face of their garage from pavement edge. The new homes also have a low percentage slope to their front doors, that allow for easier plowing, less snow storage and safer entry to their front doors in both the winter and the summer. Without a garage, and allowance for this setback variance, the applicant's property has a significant decrease in enjoyment, safety and property right. Other property owners in the vicinity have utilized this right to build garages with safe slopes with reasonable setback criteria from the edge of pavement.

I have attached pictures of some of the recent homes built in Hyak Estates taken from the pavement edge with approximately 30 feet deep driveways from the pavement edge to their front face and garage. These homes represent a similar look as our property would have with the approved variance and 30 feet deep driveway to the front face of the garage. Refer to the attached site plan showing the approximately 30 feet driveway proposed with the 5 feet front setback variance approval. These example home pictures show the possessed substantial property right that other property owners have that the applicant's property does not have unless this variance is approved.

C. That authorization of a variance will not be materially detrimental to the public welfare or injuries to the property vicinity.

Currently, during the winter, we plow snow for a 60 feet deep, 12 feet wide and 25 percent sloped driveway path to our front door from the edge of the pavement. We also plow a 22 feet wide driveway area to park our 2 cars on the street level. With this variance and approval there would be less snow removal, more off street parking and a safe entrance to our home with covered stair. Recently constructed homes on the street have garages along with safe driveway entry slopes. The setback challenge makes our home less desirable without a garage for the enjoyment of our property, safety, parking and overall ability to use our property compared to the other homes on the street.

Snow storage would be overall less and a benefit to the public as we currently clear our upper driveway and the steep slope to the cabin at 60 feet from the edge of pavement. We currently plow snow for approximately 1000 square feet of area that is dangerous and sloped for our driveway and front door access. With the variance the parking driveway would be plowed at approximately 600 square feet of safe and flat driveway area and combined entrance to our home. There would also be no reduction in area available for street snow plowing as this area would not change. With a garage and associated low slope driveway public interest would be improved with small snow storage and safer access to our home. Reduction in slip and fall chances represent a large improvement to public safety on our property for our family and guests.

D. Granting of the variance will not adversely affect the realization of the comprehensive development pattern.

Over all off-street parking with up to 2 cars parked in the garage and as many as 4 in the driveway would be improved from the current 2 spaces that are feasible at the roadway edge during the winter. Approval of this variance meets master planning elements from the comprehensive plan with additional off-street parking and less snow storage necessary for the overall development. Recreational use is maintained with no fences planned and less snow storage required. This variance will enhance the street appeal, reduce required snow storage and not be detrimental but enhance public welfare. There would be no injury to adjacent property and would provide greater street appeal for the community with more equal setbacks both east and west of the constructed street from the edge of pavement. There would be increased public safety by eliminating the

steep slope and long 60' entry to our home and replacing with a 30 feet deep low slope driveway and internal garage stair for our home entry.

Overall street appeal would be better with matching setbacks from edge of pavement for homes both east and west. Our home is approximately 60 feet from the edge of pavement. Approval of the variance and building a garage for our property would have the result in creating an equal street setback appeal for both properties east and west of approximately 21 feet from edge of pavement creating a street appeal that is consistent. Refer to the pictures attached of homes that would look similar to ours with 30 feet deep and low slope driveways to the face of garage. These homes meet the comprehensive development plan. With approval of this variance our home could also better meet the comprehensive development plan.

The driveway approach from the edge of the pavement for our property with this decreased setback from the current requirement would be over 30 feet deep from the edge of pavement to the face of garage. Without the setback variance there exists a significant additional depth for our driveway of current 60 feet. Without our requested variance, the longer depth of 60 feet driveway creates a significant amount of needed additional snow storage for our property just to clear our driveway in the winter.

With the approval of this variance and building a garage there is no conflict with the comprehensive development pattern. Recreation is not impeded and additional off-street parking is created. The approved variance would allow for the construction of a garage which is desirable for the community and already orally approved from the HPOA pending this variance approval. Street appeal is improved with more equal setbacks from the constructed roadway pavement edges. Snow storage is less and unbuildable property from easements already mitigates street snow removal. The property and community are improved from a 25 percent slope driveway of over 60 feet to a lesser slope driveway that is approximately 2 percent slope and over 30 feet and much safer from ice and snow slips and falls.

The applicant requests approval for this variance request and has demonstrated a strong basis for approval. The variance request meets the criteria including unusual property circumstances, to preserve our

enjoyment, safety and property right, improve the look and feel of the community and not be detrimental and not adversely affect the comprehensive development pattern. The community and the HPOA would benefit from this variance approval. The health and safety would be improved with this variance approval. The HPOA has already orally approved this plan with the added requirement for the approval of this variance from Kittitas County.