

Attachment A
Zoning Variance Application

Trace Baron and Pamela Van Buskirk owners of property at 150 Innsbruck Drive in Hyak Estates, Snoqualmie Pass, Kittitas County. The property's water and sewer is serviced by Snoqualmie Pass Utility District. There is no septic system on the property. The size of the property is .17 Acres. We are requesting a modification to the front setback criteria for the property to build up to a 24' X 22' garage. The applicant requests a variance to front setback criteria of 10 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 Circumstance or Conditions that apply to our property

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 South 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. As shown in the attached site plan, the property across the street to the west has only a 6 feet distance between the right of way and the pavement edge. This is the basis for requesting approval for a variance to 10 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. I wouldn't want to build a garage/home approximately 11 feet below the existing roadway. This elevation difference would cause a significant safety challenge with a long driveway at an approximate 25% slope. We are concerned that such a steep slope would present a risk of vehicles breaking free and injuring someone or our future home. Building a garage at a reduced setback would decrease the potential for injury and mitigate the significant elevation difference between the road and future home.

Our property contains 1 recorded easement which reduces the buildable area and represent public benefit for drainage, utility and additional snow storage. On our South 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. The applicant is requesting approximately 360 square feet of additional buildable are for the garage footprint with this variance application. Overall snow storage for street plowing does not change with this variance application. In fact, if the 25 feet setback was used it would add 24x15 feet or 360 additional snow square footage to the neighborhood. In essence, this variance decreases snow storage required for the community.

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

Due to Covid-19 restrictions we have been unable to communicate during HPOA meetings that have been suspended.

We have notified and communicated with the Hyak Property Owners Association (HPOA). The HPOA prefers homes to be built with a garage and this variance of 10 feet setback is the only way to achieve this. There are no public utilities in the setback area that are impacted. There would be no public harm and only positive benefit in approving this variance to the front setback of property. In addition to communicating with the HPOA, we have communicated with 2 of the 3 surrounding property owners and have their full support.

The last 4 homes constructed on our street have been built with garages. All of which 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 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.

Most homes built in Hyak Estates have an approximate 30 feet deep driveway from the pavement edge to their front face. Our property would have a similar look with the approved variance setback. Refer to the attached site plan showing the approximately 17 foot driveway proposed with the 10 feet front setback variance approval.

- C. The authorization of a variance will not be materially detrimental to the public welfare or injuries to the property vicinity. With this variance and approval there would be 360 sq. feet less snow removal, more off street parking with a garage and a safe entrance to our home. 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. There would also be no reduction in area available for the street snow plowing as this area would not change. With a garage and associated low slope driveway, public interest would be improved with less 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.

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 and safety. There would be no injury to adjacent properties 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 a steep slope and long driveway to our future home and replacing with a 37 feet deep low slope driveway and internal garage with access to our home entry.

Overall street appeal would be improved with matching setbacks from pavement for homes both east and west. Our home would be approximately 55 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 37 feet from edge of pavement creating a street appeal that is consistent. Refer to pictures attached of homes that would look similar to ours with 37 feet deep and low slope driveways to the face of garage. These homes meet the comprehensive development plan. With approval of this variance our future home could also better meet the comprehensive development plan. With such a steep slope to the property, having a garage will be essential.

The driveway approach from the edge of the pavement for our property with this decreased setback from the current requirement would be over 37 feet deep from the edge of pavement to the face of garage. Without the setback variance there would be a significant additional depth for our driveway of 52 feet. Without our requested variance, the longer depth of 52 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

will not^{be} 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. Street appeal is improved with more equal setbacks from the constructed roadway pavement edges. Snow storage would be less and unbuildable property from easements already mitigates street snow removal.

The applicant request 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 to be detrimental and not adversely affect the comprehensive development pattern. The community and the HPOA would benefit from this variance approval. The health, safety, visual appeal and snow storage would be improved with this variance approval.