

**HEARING OFFICER –Kelly Conference Room #155
November 1, 2017 @ 2:00 p.m. – Record of Meeting**

The Hearing Officer meeting was held on Wednesday, November 1, 2017 in the Kelly Conference Room #155. Hearing Officer present: Scott Robinson.

REPORTS RESOLUTIONS AND COMMUNICATIONS: None at this time.

PETITIONS:

- V-28-17 **Doug Wissing**
1015 W. Cottage Grove
Request: Variance from front yard building setback standards to allow for the construction a single-family residence in the Residential Core (RC) zoning district.
Case Manager: Eric Greulich

Eric Greulich, Zoning Planner, presented the staff report. Staff recommends approval of this petition based on the written findings and two conditions outlined in the staff report.

Doug Wissing, petitioner, said he plans to put the new house in roughly the same spot where the previous lot that was demolished was located.

Scott Robinson, Hearing Officer, said he was somewhat confused in the staff report about the 5-foot build-to line. He said that he was reading that as setbacks so he thanked Staff for the clarification. Robinson said he visited the site. All of the houses on that particular block are all very close to the front. Were you looking further down the street regarding the range in setbacks from 22 feet to 52 feet? Why would you use that as the barometer as opposed to the three structures on that block?

Greulich explained that the Unified Development Ordinance (UDO) directs us to use the houses that are within a block. The block for setback purposes is absolutely the area between Monroe and where 10th Street wraps around. What I was referencing in the staff report was the presence of other houses that are a little bit further east that are not within the block face that would be factored in as part of the block, but that the proposed setback is not out of keeping with some of the other houses on the north side of Cottage Grove. It was certainly not the main factor for the variance but just a secondary note to state the existence of other houses within this immediate area that aren't exactly 5 feet from the property line.

Robinson asked Staff to refresh his memory on the required parking for the RC zone.

Greulich said its two parking spaces. And I believe the petitioner is proposing driveway along the front roughly where the old one may be.

Wissing said it's actually located to the rear.

**HEARING OFFICER –Kelly Conference Room #155
November 1, 2017 @ 2:00 p.m. – Record of Meeting**

Robinson said in the proposed drawings you're showing phase II for parking. He questioned the timing of the parking. So its two required parking spaces, correct? (Greulich: Yes).

Robinson asked for an explanation of phase II and what that would imply here.

Wissing said the driveway at the southwest end of the house is part of phase I. So that driveway—the parking is right there. Phase II is the other shaded area and that is a 2-car garage with storage area.

Greulich said the driveway itself would be installed with the initial house construction? (Wissing responded that is correct).

Greulich: The garage would be constructed at a time later to be determined? (Wissing said that is correct).

Robinson: How would somebody access that?

Wissing said through the driveway.

Greulich added that there is a public alley that runs along the west side of the property.

Robinson: But it's not an improved alley, correct?

Wissing said correct. We had talked to Dan and James initially, and our agreement is that we will grade and gravel this alley according to City specs up to the end of that driveway.

Robinson said looking at the site it looks like there is sort of a curb cut west of tree. I'm assuming that is roughly where the alley is? There is a row of trees?

Wissing: That's the alley.

Robinson asked if those trees would have to be taken down for the drive.

Wissing said there are a lot of scrub bushes and a few junk trees; the bigger trees would stay. The scrub brush and that kind of stuff would come out.

Robinson: At a minimum there will be parking provided on site?

Wissing: Yes. In this phase I parking area.

Robinson thought it was a good idea to add a condition of approval #3 for the purposes of clarity.

**HEARING OFFICER –Kelly Conference Room #155
November 1, 2017 @ 2:00 p.m. – Record of Meeting**

Robinson asked about house placement. The lot is fairly wide. He said it seems like you could move the house to the east to avoid the tree footprint and you wouldn't have to have the setback.

Wissing explained that this was the original location of the house, where the new house is being placed. The 75 feet is actually 1-1/2 lots. This is then planted with nice size pines and dogwood and will eventually become the greenspace as the lot develops.

Robinson asked about the sidewalk near the tree.

Wissing said this is a 6-foot wide sidewalk that goes down to a 4-foot wide—pinch point around the tree, which would be with permeable material, and then the permeable material links up with the 6-foot sidewalk so it's all level.

Public Comment:

Ruth Beasley lives on W. 10th Street directly behind this lot. She is in favor of the proposal and thinks it will be a nice addition to the neighborhood.

Diane Kromoff (sp?) resides at 1011 W. Cottage Grove. She agreed with everything that Mr. Wissing would like to do. She said the proposal sounds wonderful.

Greulich added that Staff is proposing to bring forward some changes to the zoning code at the end of 2018 to not require sidewalks for single-family lots on existing lots of record. It's entirely likely that if that gets approved, the petitioner would not be required to install a sidewalk at this location and would probably forego the installation of the sidewalk. In the meantime, he is required to install a sidewalk including the specifics of how it would work around the tree while still preserving the tree.

Robinson asked if a sidewalk variance was considered for this lot.

Greulich said no it wasn't. There was no hardship in terms of installing a sidewalk at this location and the petitioner did not pursue a sidewalk variance. If changes are made to the zoning code, a variance could be requested in the future.

****Robinson approved V-28-17 based on the written findings and two conditions outlined in the staff report, including condition #3 stating that, "A driveway for at least two (2) parking spaces must be provided."**

Meeting adjourned.