



December 16, 2016

City of Stillwater  
Board of Adjustment Application

Re: Lot 10, Block 1, Teal Ridge, 5<sup>th</sup> Section, Findings Necessary for Granting Variances

**Rear Building Setback, 20 feet (reduce to 15)**

**1. The application of the ordinance to the particular piece of property would create an unnecessary hardship.**

Heritage Residential, LLC builds the same floor plan on their duplex projects for consistency and aesthetics. (Devin Place, Pecan Hill and Dryden Ct.)

They are currently building 3 bedroom units. They could build 2-story buildings on the lots without a variance. In order to make a 2-story building cost effective, they would have to have a minimum of 4 to 5 bedrooms per side on each building. Their concern with building more than 3 bedrooms per side is the potential for more congestion and forcing Owner and Tenants to park on the street. This is evidenced by the existing 2-story duplexes located on 22<sup>nd</sup> Street, in another section of Teal Ridge.

Two-story buildings also limit access to individuals unable to negotiate stairs. (elderly and physically challenged persons)

**2. Such conditions are peculiar to the particular piece of property involved.**

Utilities and streets were in place prior to Heritage Residential, LLC acquiring the property. The 50-foot radius right-of-way on all cul-de-sac lots forces the buildings too far back on the lot. In essence, the front setback becomes 40 feet in lieu of the required 20 feet.

The irregular shape of the lots may cause the building to be placed on the lot at a strange angle to the street. We feel this would not be pleasing to the overall appearance of the project and could complicate the stacking of cars on the driveways.

**3. Relief, if granted, would not cause substantial detriment to the public good, or impair the purposes and intent of the ordinance or the comprehensive plan.**

In our opinion, approval of our request would not be a detriment to the public good and would in fact, help serve the public interest by providing a safe and aesthetically pleasing duplex community. We also feel that we have met the intent of both the ordinance and the



Comprehensive Plan by being consistent with the size, type and use of the other structures and property in the fifth phase of Teal Ridge.

**4. The variance, if granted, would be the minimum necessary to alleviate the unnecessary hardship.**

The minimum necessary is the requested decrease to a 15-foot rear setback.

