

Bauman Residence

5928 77th Ave SE

Reasonable Use Exception

Project Narrative

The Bauman residence is a single-family residence with attached 3-car garage. The site is moderately sloped and is composed of generally competent soils. The site is burdened with three critical areas, a wetlands setback and buffer from an off-site wetlands area, a watercourse buffer and setback from an off-site open watercourse, and a storm drain and attendant setback that bisects the property in the east-west direction. Further constraints upon the property are generated by an access easement and buffer that bisects the property in the north-south direction and a building pad restriction that increases the year yard setback from 25 feet to 42'.

The Baumans are applying for the Reasonable Use Exception to obtain relief from the three critical areas of the wetlands, watercourse and storm drain. The application of the watercourse alone would deny all reasonable use of the property. The single-family home as designed has the least impact on the property. Great care has been taken to minimize the impact of the development on the critical areas. The main design features that minimize the impact are:

1. Placing the home and garage in the southwest corner of the property. This creates the greatest distance from the home to the critical areas.
2. Creating a 3-story home that minimizes the building footprint.
3. Minimizing the size and lot coverage of the home.
 - a. Gross floor area is 76% of the allowable
 - b. PLOT Hardscape is 56% of the allowable
 - c. Landscaping area is increased to 113% of the allowable

The requested relief from the critical areas are as follows:

1. Placement of the home and garage in the watercourse setback
2. Placement of the garage in the wetlands setback area
3. Reduction of the storm drain setback from 10'to 5' on only the south side of the storm drain to allow for deck areas and roof overhangs to protect the building from weather. The owners are currently in negotiations with the east neighbor to move the building pad line 4-5 feet to the north to allow for the extension the north roof overhangs another 3-4 feet.

In summary the response to the reasonable use exception are as follows:

1. The application of this chapter would deny all reasonable use of the property; There is no other reasonable use with less impact on the critical area;
 - a. **The watercourse covers the buildable area of the site**
2. Any alteration to critical areas and associated buffers is the minimum necessary to allow for reasonable use of the property;
 - a. **The home is designed to have the least impact on the critical areas as constrained by the existing easements, zoning setbacks and building pad**
3. The proposal does not pose an unreasonable threat to the public health, safety, or welfare on or off the development proposal site;
 - a. **The proposal does not pose any threat**

4. The proposal is consistent with the purpose of this chapter and the public interest; and
 - a. The proposal is consistent with the purpose of the reasonable use exception and public interest
5. The inability of the applicant to derive reasonable use of the property is not the result of actions by the current or prior property owner.
 - a. Inability of the applicant to derive reasonable use from the property is solely based upon the critical areas of the site and not of any action by current or prior property owners.