

**PARK COUNTY BOARD OF ADJUSTMENTS
PLANNING DEPARTMENT STAFF REPORT**

Board of Adjustment Hearing Date: April 14, 2021

To: Board of Adjustment Members

Date: April 7, 2021

Prepared by: John Deagan, AICP; Planner

Case Number: 21SET-03

Subject: Carpenter-Miller Variance

Request: The applicant is requesting a twenty-foot variance from the thirty-foot setback from a structure to the front lot line in order to build a garage.

Application Summary:

Applicant:	Michael S. Carpenter-Miller
Owner:	Same
Location:	Roland Valley Unit 1 Lots 88 and 89, addressed as 20 Meadow Drive, Bailey
Current Zone District:	Residential
Surrounding Zoning:	Residential in all directions
Lot Size:	1.86 acres (both lots)
Existing Use:	Single Family Residential
Proposed Use:	Same

Background:

The subject lots are located on the south side of Roland Gulch, a mile and a half southeast of Highway 285. A Vicinity Map is included as Attachment 1. The applicant wants to construct a garage and claims that the topography of the lots and the location of an electrical line would cause exceptional practical difficulty in meeting the normal setback requirements. He is therefore requesting a twenty-foot variance from the normal setback requirement, resulting in a ten-foot setback from the garage to the front lot line. The applicant is aware that prior to issuance of a building permit for the proposed garage he would need to have a lot consolidation application approved, and that prior to the final inspection of the garage he would need to demolish the two accessory structures at the southwest corner of lot 88.

Land Use Regulations and Strategic Master Plan:

Each of the Land Use Regulation's standards for approval of a variance (Section 3-100 B) is addressed below.

- 1. A strict application of the Resolution causes peculiar and exceptional practical difficulties or exceptional and undue hardship by reason of exceptional narrowness, shallowness, or shape of a specific piece of land or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the land:**
Exceptional practical difficulty in construction within the normally required setbacks is caused by the lot's steep slope. Staff opinion is that this standard of approval is met.
- 2. The applicant provided reasonable and adequate evidence that the variance request is not a self-imposed hardship that can be rectified by means other than relief through a variance:**
Garages are usually thought by staff and the Board to be more of a necessity than a luxury in Park County's climate. Staff opinion is that this standard of approval is met.
- 3. There exists no substantial detriment to any neighbor or to the public by the granting of the variance:**
The Advisory Board on the Environment was concerned about the possibility of runoff from the garage roof affecting the lot to the south. Staff opinion is that any detriment would not be substantial.
- 4. The intent and purpose of the regulation being varied is not substantially impaired or defeated by the granting of the variance.**
Setback regulations exist, in this case, to provide space between structures on adjacent lots. Staff opinion is that this standard of approval is met.

Staff does not find this variance request to be contrary to any of the Guiding Principles of the Strategic Master Plan.

Impact Analysis:

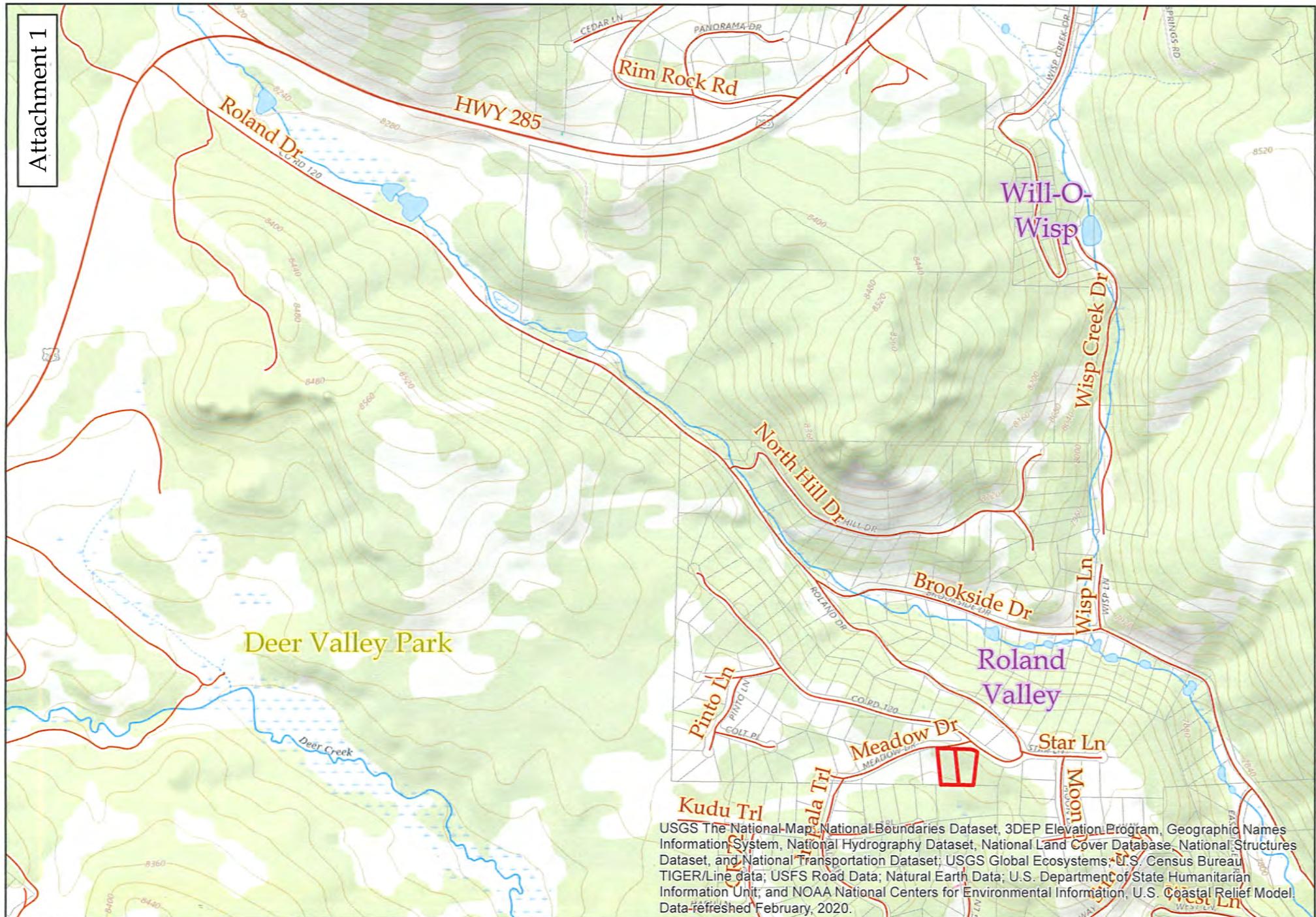
Negative physical impacts are considered unlikely.

Public Comment:

No public comment has been received as of this time.

Recommendation:

Staff recommends approval of the application with no conditions.



USGS The National Map, National Boundaries Dataset, 3DEP Elevation Program, Geographic Names Information System, National Hydrography Dataset, National Land Cover Database, National Structures Dataset, and National Transportation Dataset; USGS Global Ecosystems; U.S. Census Bureau TIGER/Line data; USFS Road Data; Natural Earth Data; U.S. Department of State Humanitarian Information Unit; and NOAA National Centers for Environmental Information, U.S. Coastal Relief Model. Data refreshed February, 2020.



Vicinity Map
Contour Interval is 40 Feet

