

RE: 4060 E. Brookhaven Dr. N.E. Application for Variance

June 7, 2017

To Whom it May Concern:



This letter serves as an outline for the purpose of requesting an allowance from the stream buffer variance. In purchasing the property it was the applicant's intent to maintain this home as a Brookhaven style ranch, maintaining the residential integrity Historic Brookhaven enjoys. The original variance that was approved almost a year ago was to reduce the amount of impervious surface on the property by removing a sidewalk that was no longer functional. This variance required a temporary encroachment of 17 ft into the 50 ft stream buffer. This variance was also approved for an encroachment of 12 ft into the 75 ft stream buffer for appropriate positioning of a front porch. The intent on the first variance was to determine if it was feasible for the applicant to renovate the existing structure. At this time no thought was put into the landscaping of the home. Once it was determined that the applicant would be allowed to renovate according to their plans, a landscape architect was hired to work in accordance with a civil engineer to produce a site plan. It was months after receiving approval for the original variance that the landscape architect started a discussion on a possible wading pool. The objective of this letter is to outline the challenges of the property to fit a wading pool and surrounding pool deck without encroaching into the stream buffer. Because of this we are asking for an additional variance to further utilize the space granted in the previous variance case, 75' stream buffer up to the 50' stream buffer to be able to install a wading pool and pool deck in an aesthetically pleasing way.

Due to the position of the home on the property, any renovation or addition is considerably challenging. The rear yard is also limited by a storm drain the runs the entire length of the rear yard and is only 50' from the house at its furthest point. This drain is being removed and replaced to limit the amount of water flowing to the house from the neighboring properties. This storm drain severely limits the placement of a wading pool in the rear yard. The request is to encroach into the 75' stream buffer by 25' for the means of a wading pool, deck, and small retaining wall that would account for an additional 701 sf of impervious surface. The storm water of this impervious surface will be managed by adding 5' to the infiltration trench in the rear yard. To limit the amount of impervious surface in the area, the wading pool size is limited to 20' x 25', much smaller than the typical backyard swimming pool. Artificial turf will also be installed to the left of the wading pool, so no additional impervious surface will be inside of the 50' setback. This area is already shown as being disturbed on the previously approved site plan, and there will be no additional disturbance in the stated area. The grant of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements which the subject property is located.

- The requested variance will provide for the same amenities as the surrounding properties surrounding the home, and does not in any way favor this property above another.
- The variance application asks for a second option that will not require a variance. Because of the way the home is positioned on the property along with the new storm water system being

installed in the rear yard we do not see an option to add a pool without encroaching into the 75' setback. Because of this, the applicant does not have a second option.

Buffer Area	Existing Encroachment (square feet)	Proposed Encroachment (square feet)
25 foot (state buffer)	572	572
50 foot (city buffer)	2528	2528
75 foot (city setback)	3636	4337

