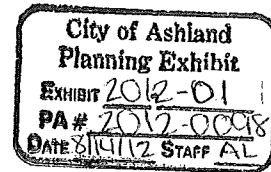


August 14, 2012
Catherine Dimino
423 Strawberry Lane
Re: PA 2012-00981



Four (4) lots were created as part of a rolling partition that came before the Planning Commission in 2004 and 2007. There were neighbors who expressed a number of concerns at the initial meeting (please see May 11, 2004 Planning Commission Regular Meeting minutes). The city partitioned the lot so they could sell 4 legal lots.

When addressing partitioning in 2004, Director McLaughlin mentioned that the property is relatively flat, and there are no significant natural features. The 2004 staff report stated that "Each lot complies with the minimum lot size."

Regarding this application, the proper thing to do is to apply for a lot line adjustment. However, I assume that's not possible since 48 Westwood would fail to meet the city's code for the minimum lot size (18.16.040 A).

Where does the code allow the city to transfer lot coverage to other lots that have been partitioned? I understand transferring coverage to lots in the same subdivision is allowed when there is/are common open space area(s). By transferring lot coverage via a deed restriction, this is effectively changing the minimum lot size.

If the variance for 541 Strawberry Lane has merit, there is no need to encumber 48 Westwood Street.

The variance code (18.100.020 C) requires that the circumstances or conditions have not been willfully or purposely self-imposed. Regarding whether this is self-imposed, there are other designs that allow the applicant to exit the lot without backing out. The question is a tradeoff between what is important to homeowners of a lot. Do they want a larger driveway, a different driveway design, a large home, swimming pool, etc.?

The variance code also states (18.100.020 B) that the proposal's benefits will be greater than any negative impacts on the development of the adjacent uses; and will further the purpose and intent of this ordinance and the Comprehensive Plan of the City. Encumbering 48 Westwood Street is

a greater negative impact on the development of the adjacent lot than it is a benefit to 541 Strawberry since 541 Strawberry could produce a different design without backing out onto Strawberry Lane.

The city recently changed the code and didn't see fit to change how they measure impervious surface for lot coverage (18.08.160). They could have uniformly said all lots that have porous driveways are not considered part of lot coverage.

Some possible alternatives for the applicant are:

- Add signage that the applicants say are lacking.
- Maybe a curb cut change, or adding a mirror.
- Extend the driveway with a small turnaround so vehicles don't have to back out onto Strawberry.
- Consider other designs for the driveway, garage, home, swimming pool.

My husband and I managed to reduce the size of our driveway significantly by redesigning the 3 car garage to share a smaller driveway.

In closing, I'd like to add:

There are a number of requests for larger lot coverage in this area. Should the commission reconsider the 20% lot coverage for .5 acre zoning and/or the definition of impervious surface (i.e., lot coverage)? As people age, it is very desirable to have 1 story homes.

I don't object to 25% lot coverage if everyone in .5 acre zoning were allowed to cover 25% of their lot.

It would be aesthetically pleasing if Ashland had ordinances that encourage applicants to make garages a less prominent feature of a home. For example, additional driveway coverage for hidden garages.

Thank you.