



Planning and Economic Development
Ed Anzek, AICP, Director

From: James Breuckman, AICP
To: Zoning Board of Appeals
Date: 5/3/2012
Re: 2666 Leach Road Supplemental Information (file number ZBA-12-003)

Updated Survey. The City has not completed a new survey. Please refer to the City Attorney's letter attached to this memo for an explanation.

1993 Survey. Historic aerial photographs show a prior accessory structure at the garage site, and that prior structure grew and evolved over time. However, the garage is a new structure, is larger than the previous structure and is demonstrably closer to the property line, so it has no nonconforming building status. The ZBA is therefore advised to disregard the 1993 survey as it has no relation to or impact on the current variance request other than as a historic document.

Please refer to the aerial photographs on the following pages showing the property over time.

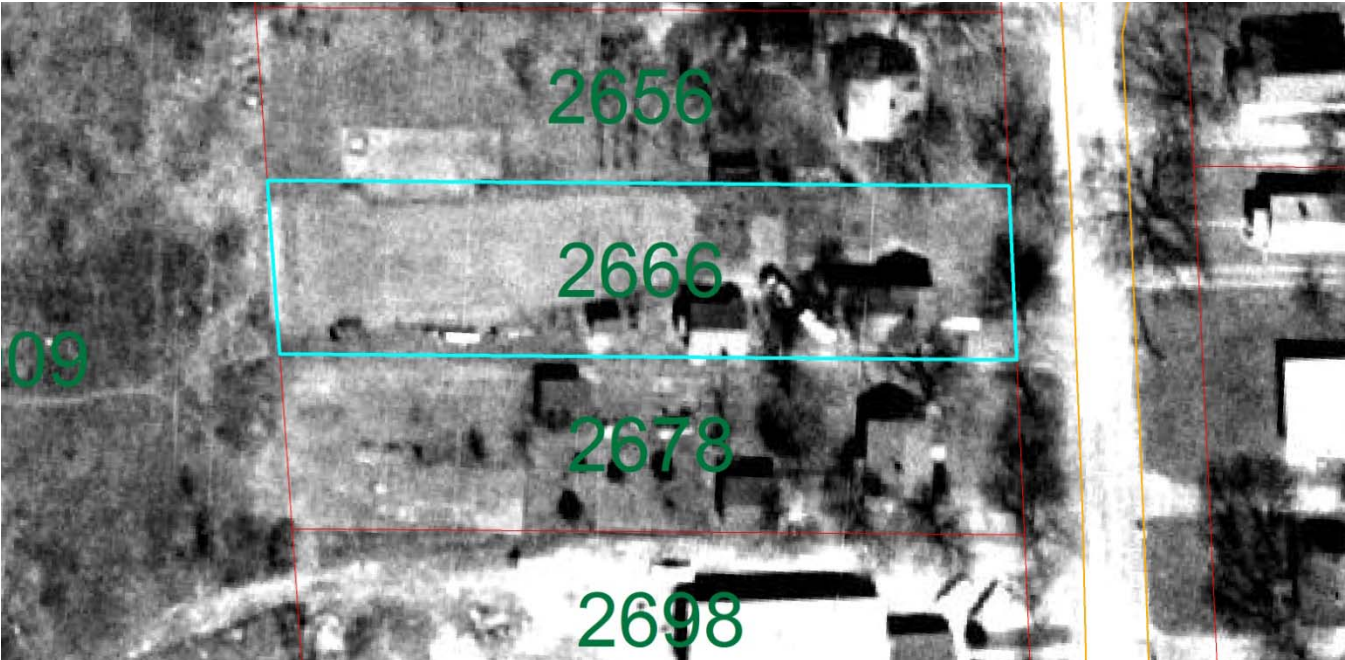
Chronology.

- September 2004. The City responded to a complaint that a garage was being built without a permit.
- September 2004. The owner applied for a building permit on 9/27/2004. The plot plan provided by the property owner with the building permit application showed a 7.5 foot setback from the property line, compliant with Zoning Ordinance requirements.
- October 2004. The permit was issued on 10/14/2004.
- December 2004 – March 2005. Inspections were completed on 12/27/04, 12/29/04, and 3/22/05 but the final inspection was never fully approved. The setback issue was not identified in the field, as there was no reason to suspect that the structure was built too close to the property line.
- January 2012. A complaint was filed by the property owner to the south stating the detached garage was too close to the property line. The City followed up on the complaint and Mr. Parker submitted a certified survey to verify the location of the accessory structure. The new survey shows the structure located one foot from the property line.

Inspections. Building department has inspected the site and the previously identified issues have been corrected. However, the building department cannot issue a final decision until the ZBA decides on the variance request because the requirements will be determined by the ultimate setback of the garage.

Overhang Encroachment. The building has 20" overhangs, and the building is 12" from the staked property line, so the overhangs encroach 8" over the property line. This encroachment must be rectified regardless of the ZBA's decision.

1963:



1980:



1990:



2002:



2005:



2011:

