

Kevin Dean  
Planning Commission  
City of Crossville

May 18, 2017

Re: Variance from a 15' to a 10' side and rear building setback on Phase 8-1.  
Variance to a 6' building setback on any lot line bordering a Green Space or Common Property.

Mr. Dean,

I respectfully submit a Variance Request for the use of a 10' sideline and rear building setback from the 15' current requirement. The front setbacks are acceptable for this project and can be addressed on an individual basis if needed. The reasoning is as follows.

1. The business model for "The Gardens" was first established in 1994 and utilized a 10' set-back on all non-zero lot lines. That was the City of Crossville's previous long held standard. Those initial phases represent over 120 homes constructed with this standard without problems. The project is engineered such that no primary water or sewer lines are located between the units with these setbacks. So the city public works department has no interest in the increased requirements, and the fire and building codes as they exist today are compliant as well.
2. This request was also requested, noted on the recorded plat, and granted for the last major recorded Phase 6 plat BK/PG: PL11/630 dated 10/23/2014, and the subsequent replats, in order to make the project consistent throughout.
3. This regulation does not really fit well with this type of development. Gardens is more of an urban land planning type of community with a higher accepted unit density than perhaps the regulations were written in expectation of (we have a competitor in Tampa Florida with 400 units having 6' sidelines). This particular setback concerning zero property line developments was changed in the last revision of the Subdivision Regulations after we were already developing. We unfortunately failed to notice and give input during any public meetings.
4. Our owners, with few exceptions, are not worried about side lines and side yards. In fifteen years of doing this development maybe one couple has stressed about side yards. They all want to know how big and wide the garage is (sideline setback), and how long and steep is the driveway (rear setback). That is the main consideration on every house. So our homes are bigger because of the garages, but that is also the reason for the success of this particular niche.
5. I need our realtors and designers to be able to assure customers who are making a buying decision that they can build an extra wide garage without having to stop and seek a variance that may take 30 days or more. We need a good solid rule and the 10' rule has always been acceptable in the neighborhood. It's always the width of the garage, or the back deck extension that wants to fall into the 15' setbacks and we need to assure our potential customers we can get this done instead of having them leave and "get back to us after the variance". Furthermore,

the issue is complicated that potential customers can-not ask for variances, only the lot owner can, so this can stop a sale.

6. The 6' setback against the common grounds and the greenspace just allows the utilization of this property for decks and Bay windows overlooking these areas. There are no opposing building conflicts and once a plat is recorded the Owners Association is not really in a position to seek this variance due to their legal structure.

I appreciate the Commissions consideration with the matter. I wish we had addressed this with the full Phase 8 preliminary plat instead of having to do this with every section of phase 8, but this will keep us from having to run up and get special calls just because someone wants an extra few feet on a garage or a little longer and less steep driveway.

Respectfully,

Tim Wilson  
Owner,  
"The Gardens RV Village"