

## Variance Justification Form

Project Description: Design Review and Tentative Tract Map approval for a Planned Residential Development with 41 numbered lots and 7 lettered lots with one and two story single family residential units.

Project Location: SEC of Lurin Avenue and Obsidian Drive

Assessor's Parcel Number (APN): 266-100-025-4

Variance Requested: Reduce the required setback from the right-of-way line to the property/block wall line at Lots 17-23 along Lurin Avenue.

### Required Findings

- 1. Will the strict application of the provisions of the Zoning Code result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the Zoning Code?*

The Planned Residential Development standards for the R-1-13000 Zone would require 15 to 25 feet landscape setback, free of any structures including walls and fences, adjacent to public streets. The intent of the required setback is to ensure a well-designed project appearance from the public street but strict compliance with the setback requirement would result in a wide, reverse frontage landscape areas along Lurin Avenue that are substantially larger than those of the surrounding development. Compliance with the setback requirement would require a reduction in the usable private and common open space areas in exchange for creating unusable, passive landscape areas along the perimeter street resulting in practical difficulty and an unnecessary hardship contrary to the intent and purpose of the Zoning Code, and more specifically the purpose of the Planned Residential Development Permit ordinance.

- 2. Are there special circumstances or conditions applicable to your property or to the intended use of development of your property that do not apply generally to other property in the vicinity and under the identical zoning classification.*

The proposal complies with this finding. Majority of the surrounding developments consists of conventional subdivisions which are not subject the perimeter setback requirements applicable to PRD's. In conventional subdivisions in R-1 zones, reverse and side frontage lots are not subject to any perimeter landscape setback requirement. Fences and wall setbacks, observed at existing developments in the immediate project area, range from zero to twelve feet. In addition, reduced setbacks along Lurin Avenue and Wood Road were recently approved for Tentative Tract 37593, a PRD project adjacent to and east of the proposed project. Compliance with the required landscaped setback provision would create a landscape setback area that would be inconsistent

with the surround pattern of development, and thus constitute an exceptional circumstance that does not apply to other properties in the same zone or neighborhood.

3. *Will granting of such a variance prove materially detrimental to the public welfare or injurious to the property or improvements in the zone or neighborhood in which your property is located.*

The granting of this request is not detrimental to public welfare or injurious to the properties and improvements in the neighborhood in which the property is located. The proposed project design includes parkway landscaping in the right-of-way along Lurin Avenue and Obsidian Drive consistent with right-of-way improvements along conventional subdivisions in other areas of the neighborhood. In addition, reduced setbacks along Lurin Avenue and Wood Road were recently approved for Tentative Tract 37593, a PRD project adjacent to and east of the proposed project.

4. *Will the granting of such variance be contrary to the objectives of any part of the General Plan?*

Granting this request to allow reduced setbacks is consistent with the objectives and policies of the General Plan 2025. Specifically, the proposed project will provide a diversity of single-family residential housing and project types within an existing single-family neighborhood consistent with General Plan 2025 Goal H-2, Policy LU-8.1, Objective LU-35, Policy LU-35.2, Policy LU-36.1, Policy LU-36.5, Objective LU-75, Policy LU-75.4.