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# Lot Construction Controversy

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Sierra Vista Way (Formerly First Street)

Is a steep, narrow lot, with a road running through the middle of it, the best location for a home? That's the question the Planning Commission faced recently, when addressing a request for a Hillside Development Permit. Throw in quite a few unhappy neighbors, a sticky easement issue, a public hiking trail, along with the property owner being a Planning Commissioner, and you've got a bit of a situation. The applicant, Dick Holt is hoping to build a home that was originally slated to be 3,507 square feet, but is now 2,877 square feet on a vacant 26,340 square foot parcel at the corner of Sessions Road and Sierra Vista Way. Holt has consistently followed the Fair Political Practices Act, recusing himself from proceedings. "Knowing that the lot is extremely constrained making development very difficult, the many trees that we'd like to save, neighbor's privacy and drainage concerns, etc. my wife and I have tried to address all the issues and still end up with a very small home by today's standards, and we are hopeful that something that is fair and reasonable to both us and to our neighbors can be worked out and ultimately approved by the City," said Dick Holt. City Staff and the City Attorney have done extensive research and determined that it is a buildable lot, as allowed by the R-10 zoning district, according to City Planner on the project Christine Sinnette. In addition, she noted, the "City is required to offer the owner an economically viable use of the property." Finally, the City Attorney has decided that the easement issue is a private matter among the affected property owners and is officially staying out of it. This project is in phase one of the two phase process for

approval. Phase one deals with the location and size of a structure. According Sinnette there were not a whole lot of siting options with this particular parcel, although the location of the home was moved twenty feet up the hill to minimize impact on the neighbor. "One of the main issues with this property is that the adjacent house, is non-conforming to current setback distance, but has been grandfathered in." If approved, the project moves on to the phase two application which includes design review of the architecture, colors, materials, landscaping and more. At the recent Planning Commission meeting, Sessions Road neighbor Jeff Harmon said, "Once again, I want to register my strong opposition to this project and re-iterate that I am one of 22 residents that have a deeded property easement over, under, and around the subject property that the applicant should resolve before this proposal is reviewed." A statement from the Swarts family complains that among other things, the lot is "extremely unsuitable," and the proposed home, "grossly impedes on the privacy of the adjacent neighbor." The Northridge Park Homeowners Association sent a letter to Planning Services that was signed by thirteen families, stating at their annual meeting, "The Homeowners of Northridge Park passed unanimously a motion to state our concerns and inform you that collectively we oppose the above referenced construction." "This is the most constrained lot I've ever looked at, I think privacy is very important and the impact on the neighbors is important" said Planning Commission member Thomas Chastain. Many of his fellow commissioners agreed. The Holt application was continued to the Sept. 4th meeting of the Planning Commission. If the past two meetings have been any indication, the controversy will continue.

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