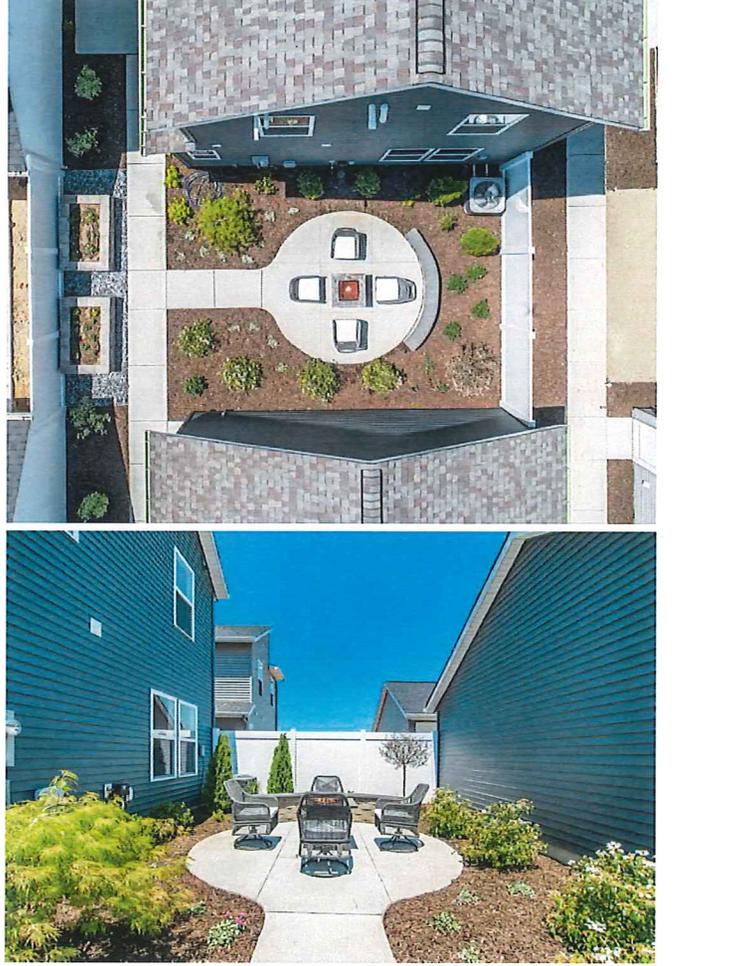


Deviation Table

Ordinance	Text	Deviation	
<p>Sec. 3.6.I.</p>	<p><i>The dwelling shall be provided with an attached accessory building or garage with a minimum of four hundred (400) square feet on the main level.</i></p>	<p>A deviation from Sec. 3.6.I., specifically the requirement that dwellings shall be provided with an attached garage, is being sought. The proposed detached, single family terrace style homes and the rear loaded townhomes both include a proposed detached garage with a minimum of four hundred (400) square feet. The detached nature of the garage allows the front of the home to embody a traditional neighborhood feel that eliminates the garage as a prominent architectural feature. In addition, it allows a 6-foot privacy fence to be installed between the garage and the home creating a private back yard that is not typically enjoyed by traditional front-loaded townhomes or traditional condominium owners. Finally, the spirit of the requirement is met since enclosed storage of at least 400 square feet is still being provided to each future homeowner.</p>	 <p>The top photograph is an aerial view of a detached garage with a circular driveway, situated between a house and a privacy fence. The bottom photograph shows a backyard patio area with outdoor furniture, enclosed by a white privacy fence, adjacent to a blue-sided house.</p>

<p>Sec. 2.63.A.</p>	<p><i>In the case of an interior lot, abutting upon one public or private street or easement, the front lot line shall mean the line separating such lot from such street right-of-way or easement.</i></p>	<p>A deviation from Sec. 2.63.A., specifically, the determination of the front lot line, is being sought. The proposed detached, single family terrace style homes and the rear loaded townhomes both feature a rear, alley loaded garage. This requires a public or private street or easement on the rear of the home to provide adequate vehicular access to the garage structure. Therefore, this allows the front of the homes to embody a traditional neighborhood feel that eliminates the garages as a prominent and forward facing architectural feature. In addition, a public or private street or easement is no longer required to provide access to the front side of the home. Therefore, a deviation is being sought to make a determination that the lot line abutting the alley is a rear lot line.</p>	 

Sec. 10-213.A.2.

Sidewalks shall be installed, constructed and maintained adjacent to all paved streets in all new development and projects (and shall be installed or paid for by the developer or land owner) as follows:

2. *All new site condominium or other condominium projects or developments.*

A deviation from General Ordinance Sec. 10-213.A.2., specifically the requirement to install sidewalks adjacent to all paved streets, is being sought. This deviation is once again necessary due to the innovative style of development being proposed featuring rear, alley loaded garages. Therefore, a deviation is being sought to establish that the spirit of the ordinance is met with sidewalks proposed along the front face of every townhome and detached, single family terrace home (as opposed to along all streets). This proposed design choice continues to provide safe and efficient pedestrian connection throughout this area of the Lowing Woods community from each unit's front door. In addition, a deviation is being sought to allow sidewalk on a single side of the perimeter road around the condominium area. This provides for safe and efficient pedestrian connection because it eliminates any driveways from crossing the sidewalk, therefore pedestrians will not have to compete with vehicular circulation and movements. Finally, this allowance would be more consistent with the sidewalk ordinance than other condominium phases within Lowing Woods which did not provide any sidewalk. *



*Previously approved sidewalk waiver requests in condominium developments (non-exhaustive list):

1. Black Star Cove
2. Unity Timbers
3. Andre's Crossing
4. Gleneagle PUD (PUD1702)
5. Gleneagle Driving Range
6. Lowing Woods Condos No. 1 (Braeburn Condominiums)
7. Lowing Woods Condos No. 2 (Brayridge Condominiums)
8. Lowing Woods Townhomes No. 1
9. Eagle's Roost Condominiums
10. Sheldon Crossings

**Lowing
Woods Final
Development
Plan**

Side yard setbacks are currently approved at 7 feet, or 14 feet between buildings.

A deviation from the previously approved Final Development Plan for Lowing Woods is being sought that would allow the proposed detached, single family terrace homes to maintain a 10-foot separation, a deviation of four (4) feet from what is currently allowed. This dimension allows the buildings to maintain an acceptable separation distance per the fire code, but more importantly it furthers the innovative design. Since each of these homes has a private fenced courtyard space, this proposed building separation spacing allows consistent and attractive fencing between each home.

