

Garden City Council Meeting

07/10/2023

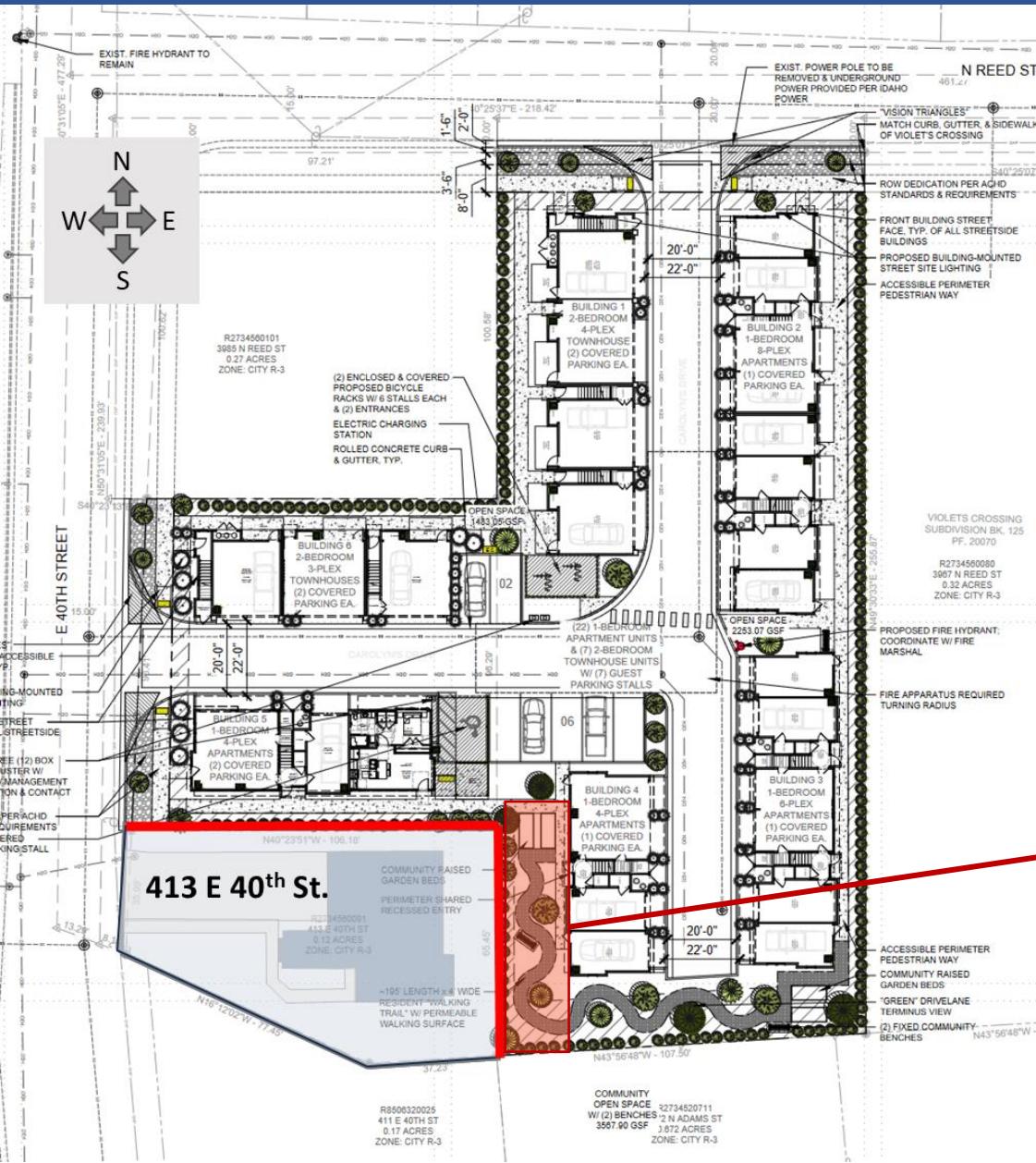
Comments about application SUBFY2023-0002, Carolyn Circle

Geneva Ayarra
413 E 40th St, Garden City, 83714

Garden City Council Meeting

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Comments about application SUBFY2023-0002, Carolyn Circle



Our property, 413 E 40th St.

Property line shared with the proposed subdivision

171 feet of shared property line with the proposed subdivision

Common Open Space

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Perimeter landscaping standards detailed in the Garden City Municipal Code (section 8-4I-5):

1. A perimeter landscaping area shall be **at least ten feet (10') wide** measured from the property line to the interior of the lot;
2. A **screen consisting of vegetation** shall be **at least six feet (6') wide** and **six feet (6') in height at maturity**;
3. At least one tree shall be planted for every fifteen (15) linear feet of perimeter length (or as appropriate to the selected species) to **quickly establish continuous canopy coverage**.

Applicant's proposal

5 feet (50% decrease)

Arborvitae trees

Arborvitae trees

This application **does not meet** any of the perimeter landscaping standards.

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The applicant has asked for a **variance** explaining that this is needed “*due to the narrowness of the lots and the benefits of the types of residential housing to the community*”.

This request does not meet the considerations listed in the City Development Code for variances (section 8-7B-1):

- a) *The need for the variance is not the result of actions of the applicant or property owner;*
- b) *The variance will not unreasonably diminish either the health, safety or welfare of the community neighborhood;*
- c) *The variance is the only reasonable alternative to overcome the undue hardship;*
- d) *The variance is the minimum relief necessary to allow reasonable use of the subject property.*

NO VALID REASON HAS BEEN PROVIDED BY THE APPLICANT TO ASK FOR OR EXPECT A VARIANCE.

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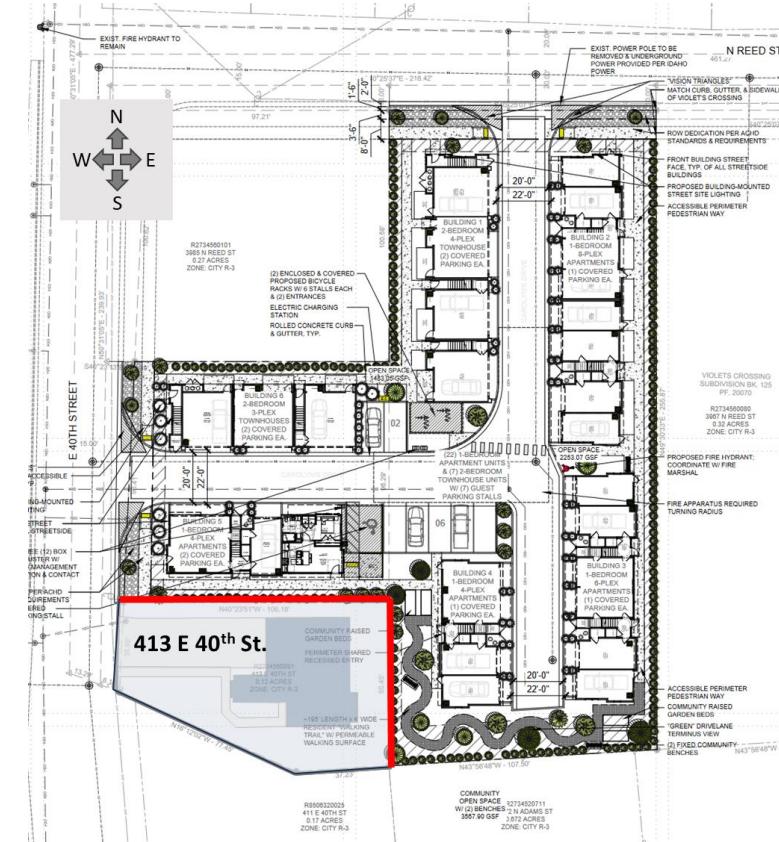
The Staff Report mentions that “*The city has continuously enforced 5' wide perimeter landscape buffers, with the knowledge that the adjacent property would also be required to install 5' perimeter landscaping upon redevelopment. The intent of this is to create the required 10' buffer as opposed to both developments providing 10' for a total of 20'.*”

This interpretation of the Development Code is not applicable to our case.

Our property will not be further redeveloped.

This is a new home. No other redevelopment will come in the future to add the missing 5-foot perimeter landscaping to the 171 feet perimeter that we share.

If the standards are not implemented now, they will never be, therefore depriving us of the benefits of a 10-foot perimeter landscaping buffer.



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The applicant has not established a substantial need for such a perimeter landscaping variance, as required in the Garden City Development Code.

Due to the above referenced arguments, **this perimeter landscaping variance should be denied and the applicant asked to implement the standards**, at least around our property lines.

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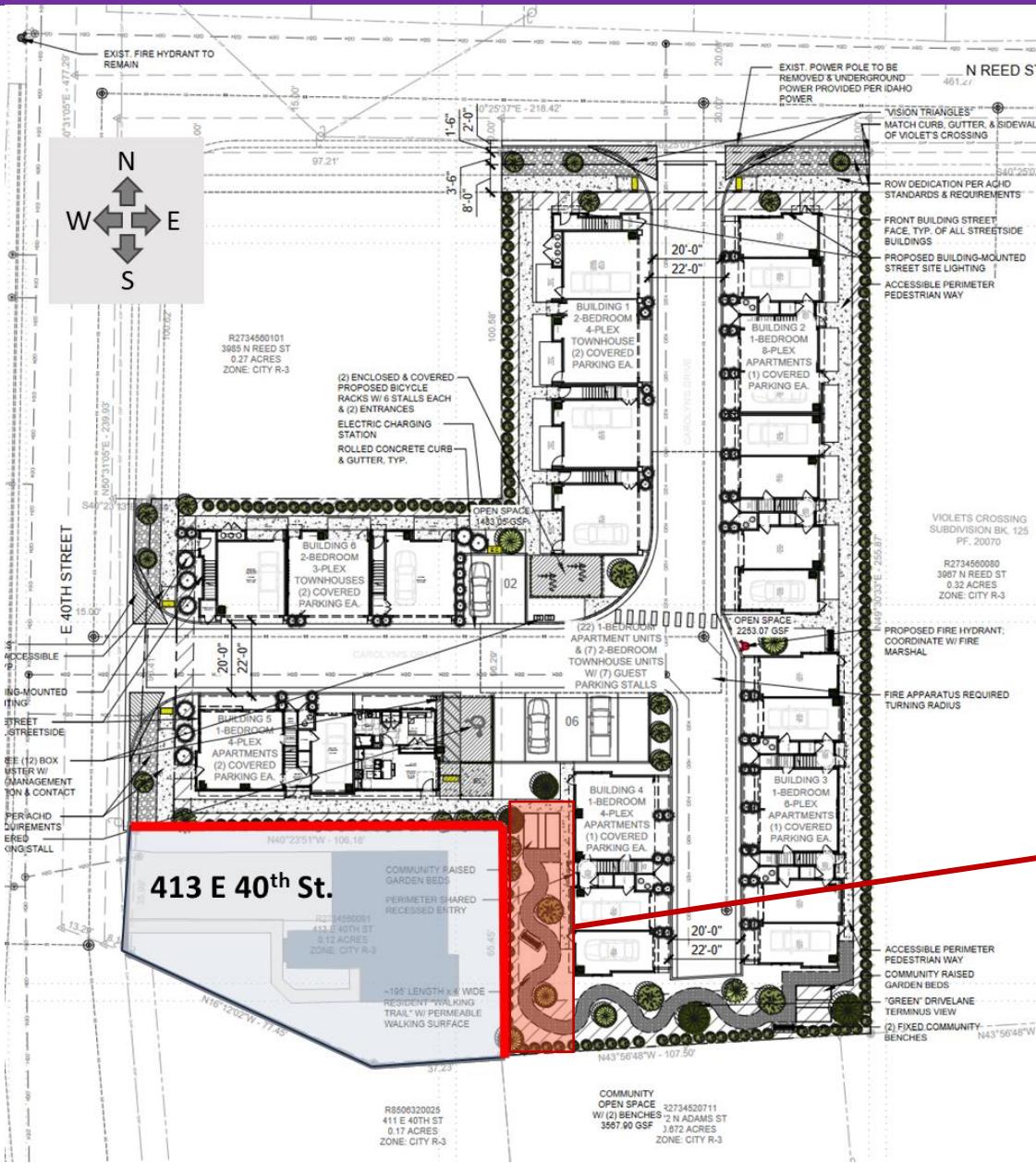
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Todor Azurtza
413 E 40th St, Garden City, 83714

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This application does not meet the perimeter landscaping requirements, and no substantial reasons have been provided to ask for or expect a variance.

Therefore, **this variance that reduces by 50% the perimeter landscaping width should be denied** and the Garden City perimeter landscaping standards should be implemented.