

## **SUPPORTING STATEMENTS**

### **FINDINGS REQUIRED TO GRANT A VARIANCE**

Brisbane Municipal Code Section 17.46.010

*Applications for variances from the strict application of the terms of this title may be made and variances granted when the following circumstances are found to apply:*

*A. That any variance granted shall be subject to such conditions as will assure that the adjustment hereby authorized shall not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and district in which the subject property is located.*

*B. That because of special circumstances applicable to subject property, including size, shape, topography, location or surroundings, the strict application of this title is found to deprive subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification.*

What special circumstances, such as size, shape or topography of the property, or its location or surroundings, apply to your site?

I installed the pond in the flattest area of the yard. According to Doug Rider, ponds less than 24" deep do not require building permits so I do not believe the pond itself needs to adhere to any setback requirements.

How do these special circumstances impact your site when the Zoning Ordinance is applied to the site?

Repositioning the entire pond would be a major effort and I don't even know where else on my lot I could put it.

What privileges enjoyed by other properties in the vicinity and same zoning district would you be deprived of when the Zoning Ordinance is applied to your site, given its special circumstances?

What conditions of approval could be attached to the variance to assure that you comply with the intent of the Zoning Ordinance and other applicable regulations?

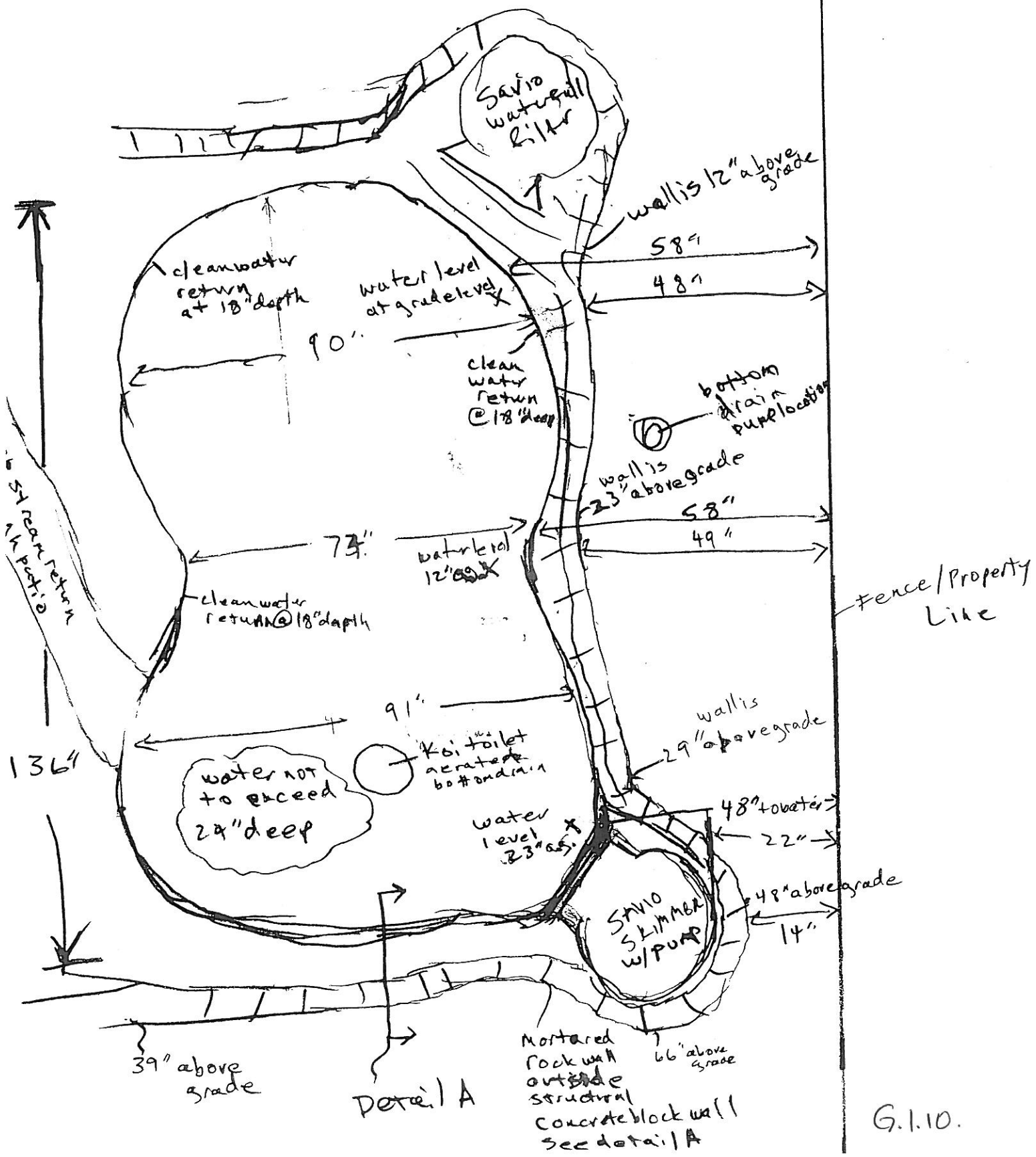
As I understand it, the ordinance regarding the pumps was to prevent annoying noise such as the noise from A/C units. I believe if my pond were kept at no more than 24" deep and that a reasonable requirement regarding any noise from the pumps were conditions that I would be complying with the intent of the ordinance. One of my pumps is submerged and cannot be heard. The other pump is advertised as being very quiet and it is. I would enclose this pump as well making it even quieter. Although not ideal, another option would be for me to purchase a more powerful pump and position it near the bead filter which would comply with the ordinance.

## SCOPE OF WORK

1. Level area in front of hot tub to walkway leading up to back yard using the dirt from the back (high) portion to fill the front (low) portion.
2. Build a retaining wall at the back of the newly leveled area.
3. Build a retaining wall at the front of the newly leveled area where necessary.
4. Dig and support a 24" deep liner pond on west end of new patio area.
5. Construct a 13' x 16' shade arbor over the new patio area with decking in section 3' adjacent to hot tub for access.
6. Level with sand and lay flagstone for patio surface.

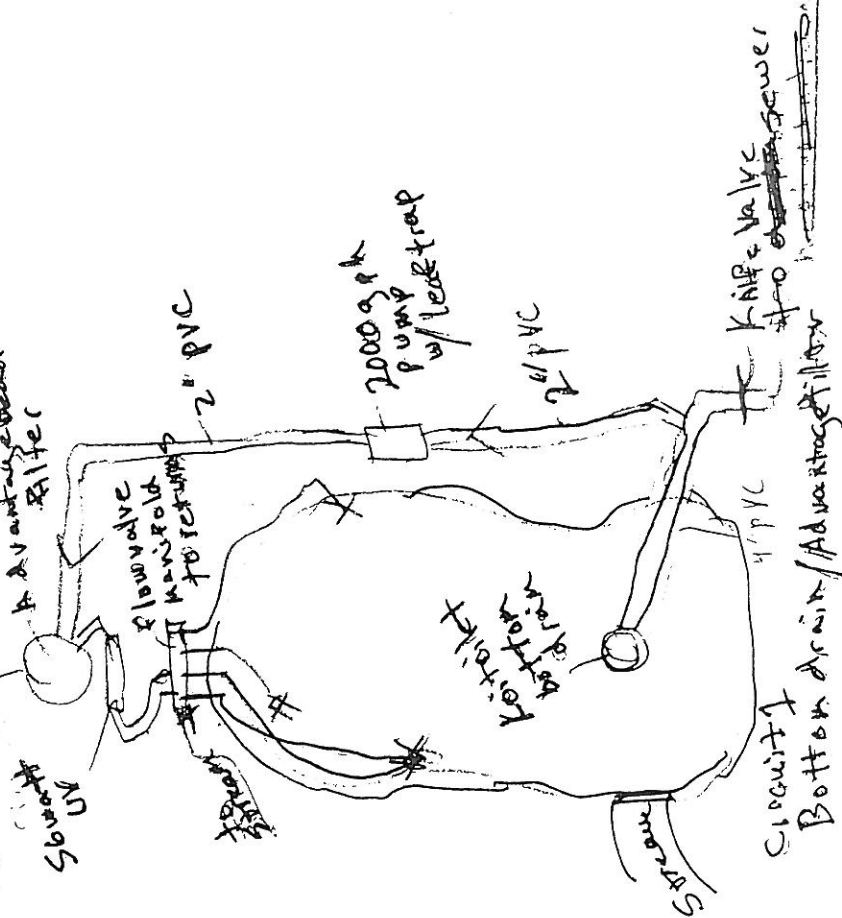



 Advantage  
 bed filter  
 up light

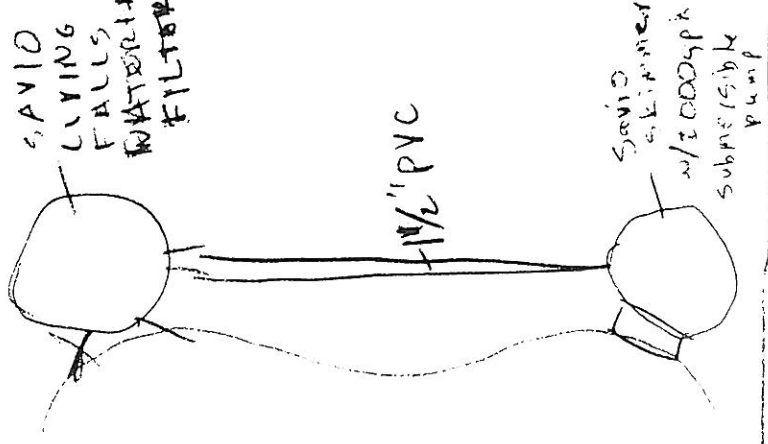


G.I.10.

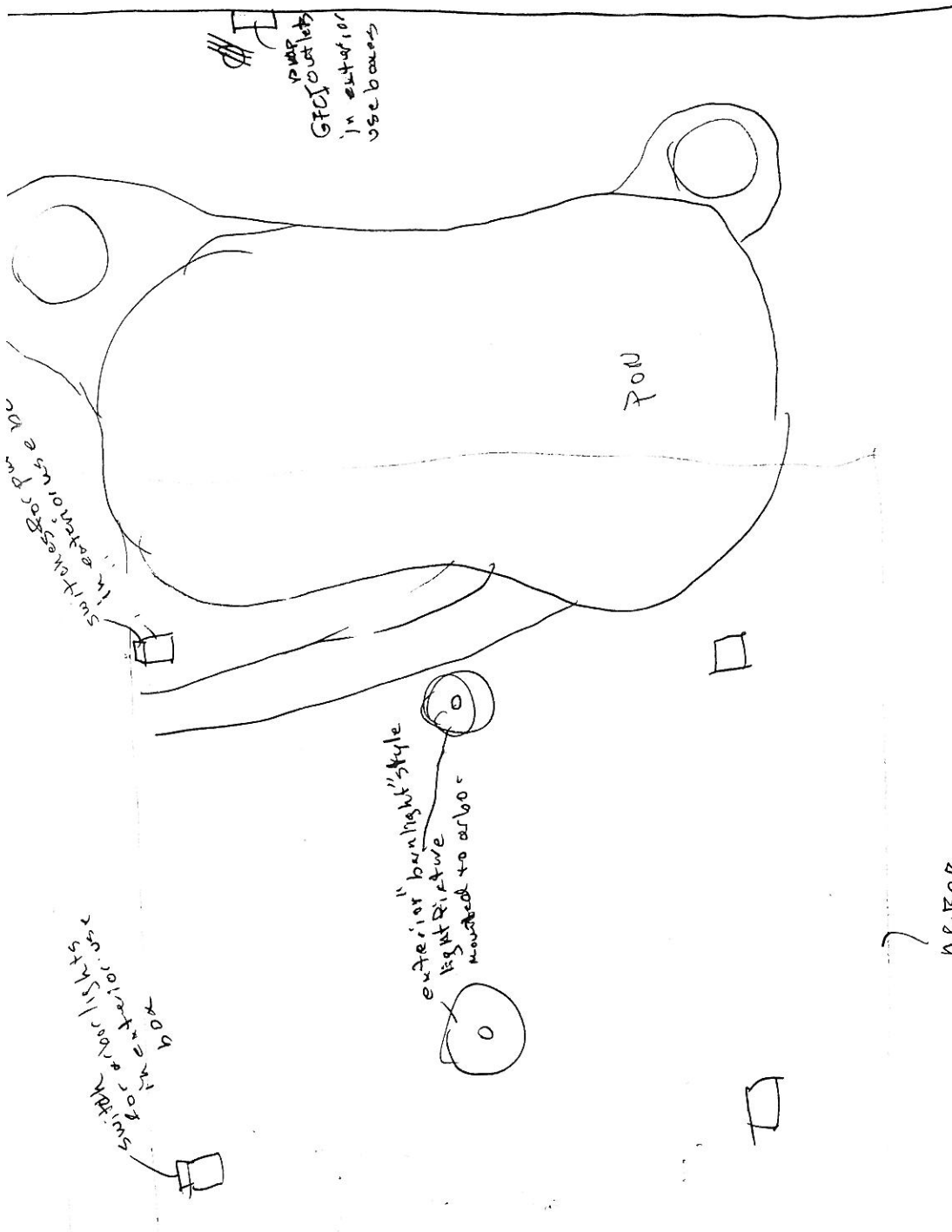
PLUMBING - N.T.S.



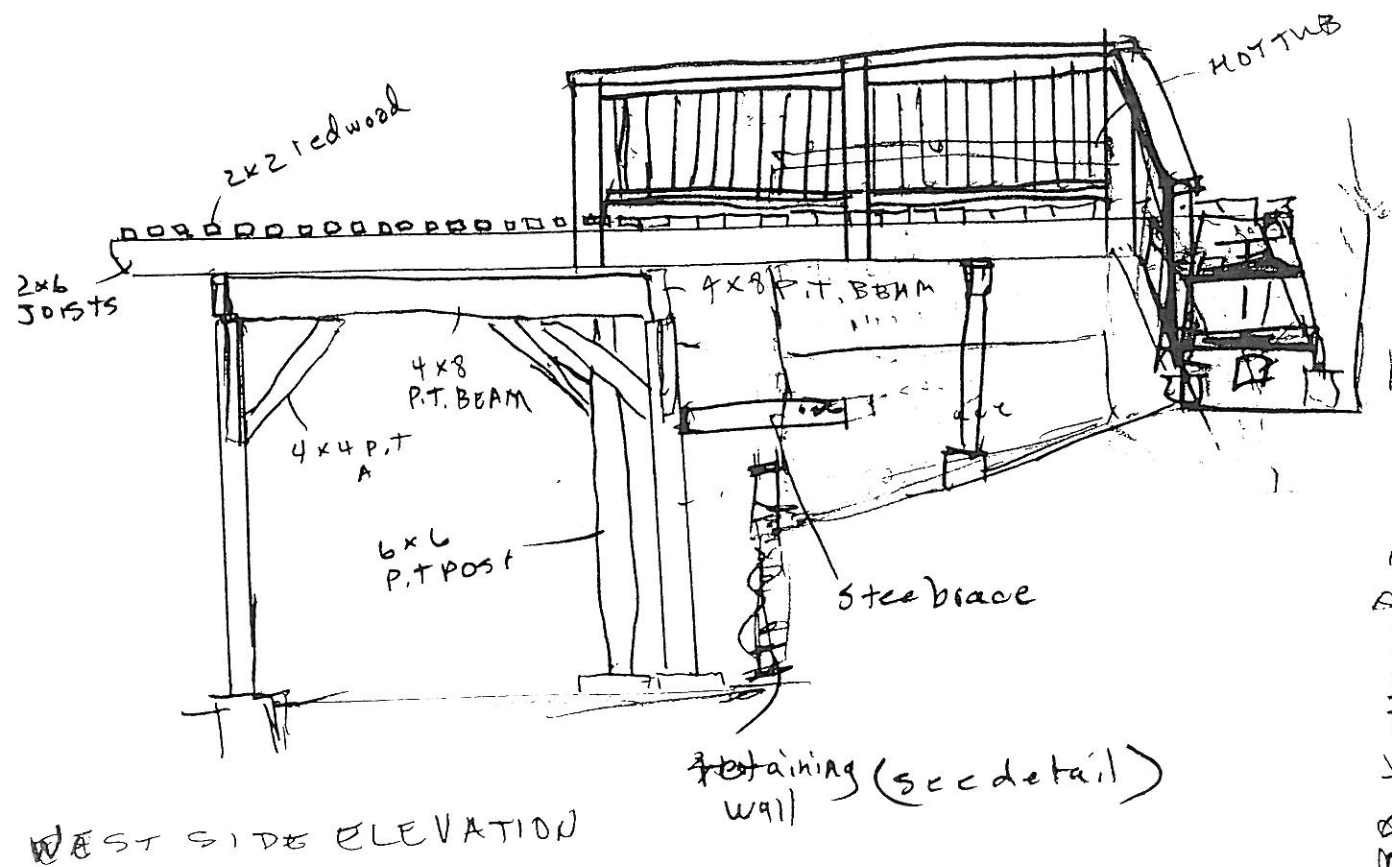
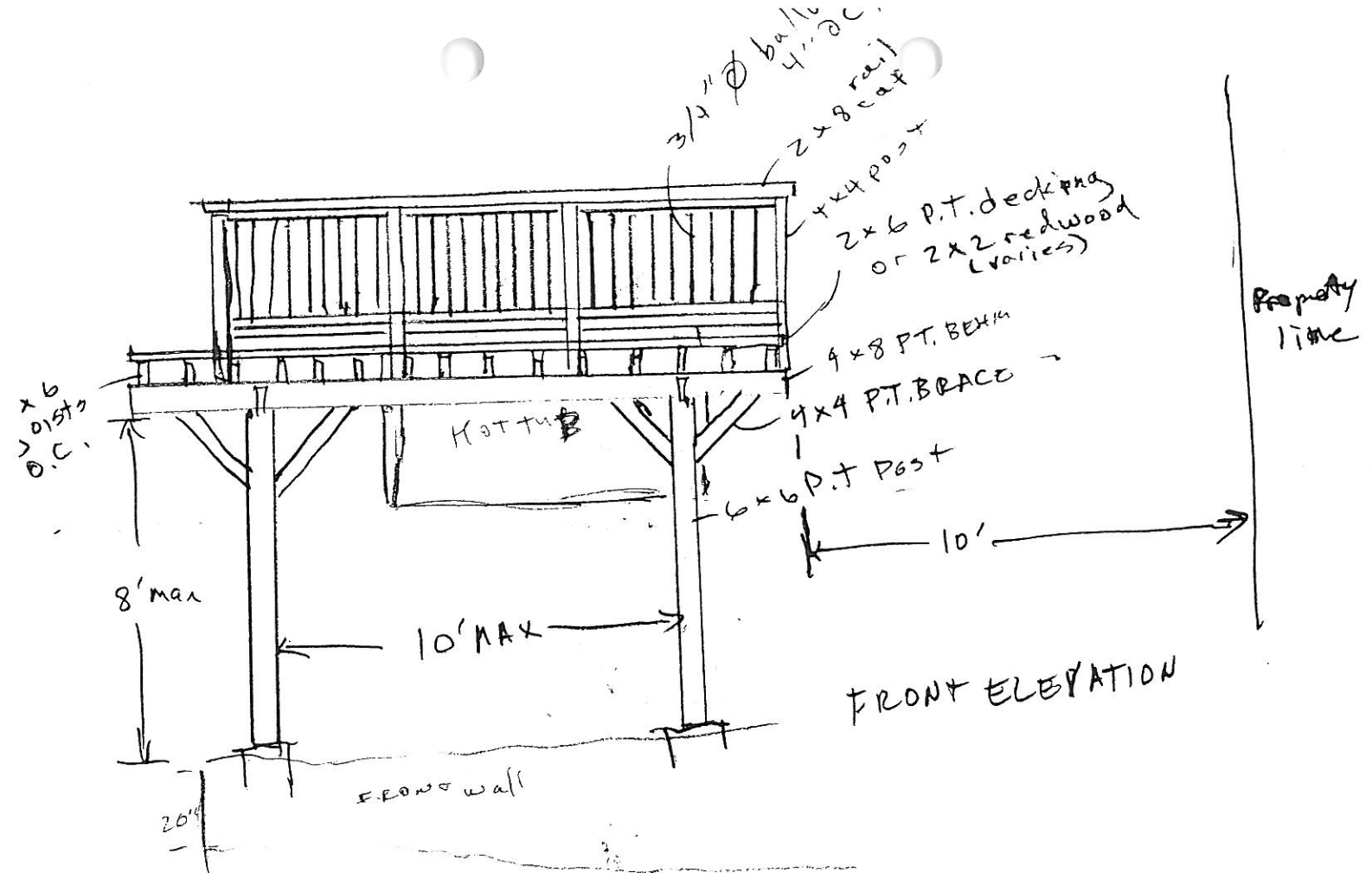
Circuit 2 - SKimmer, to water filter



2-2 1 15

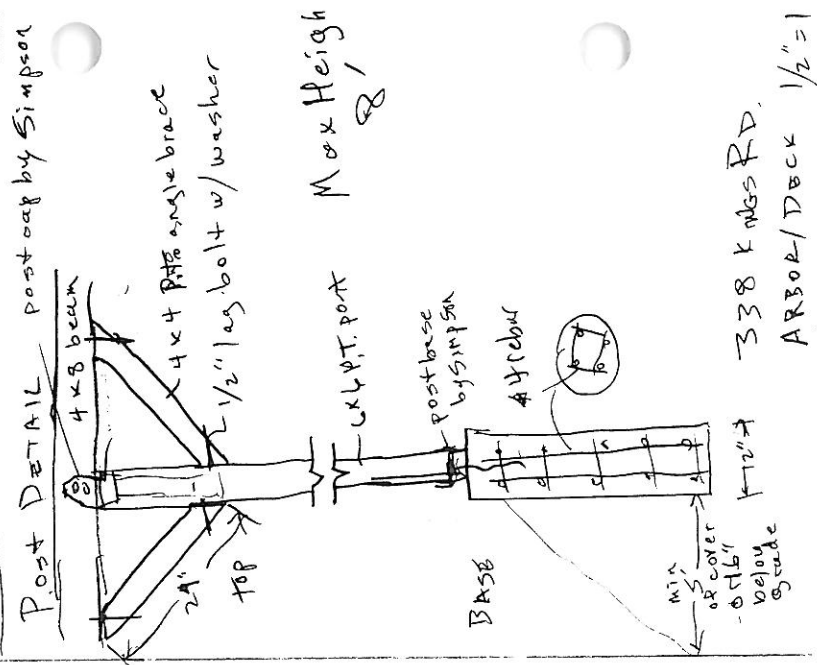


338 k mgs Road  
 PATIO/POND/ARBOR/DECK  
 ELECTRICAL  
 N.T.S.

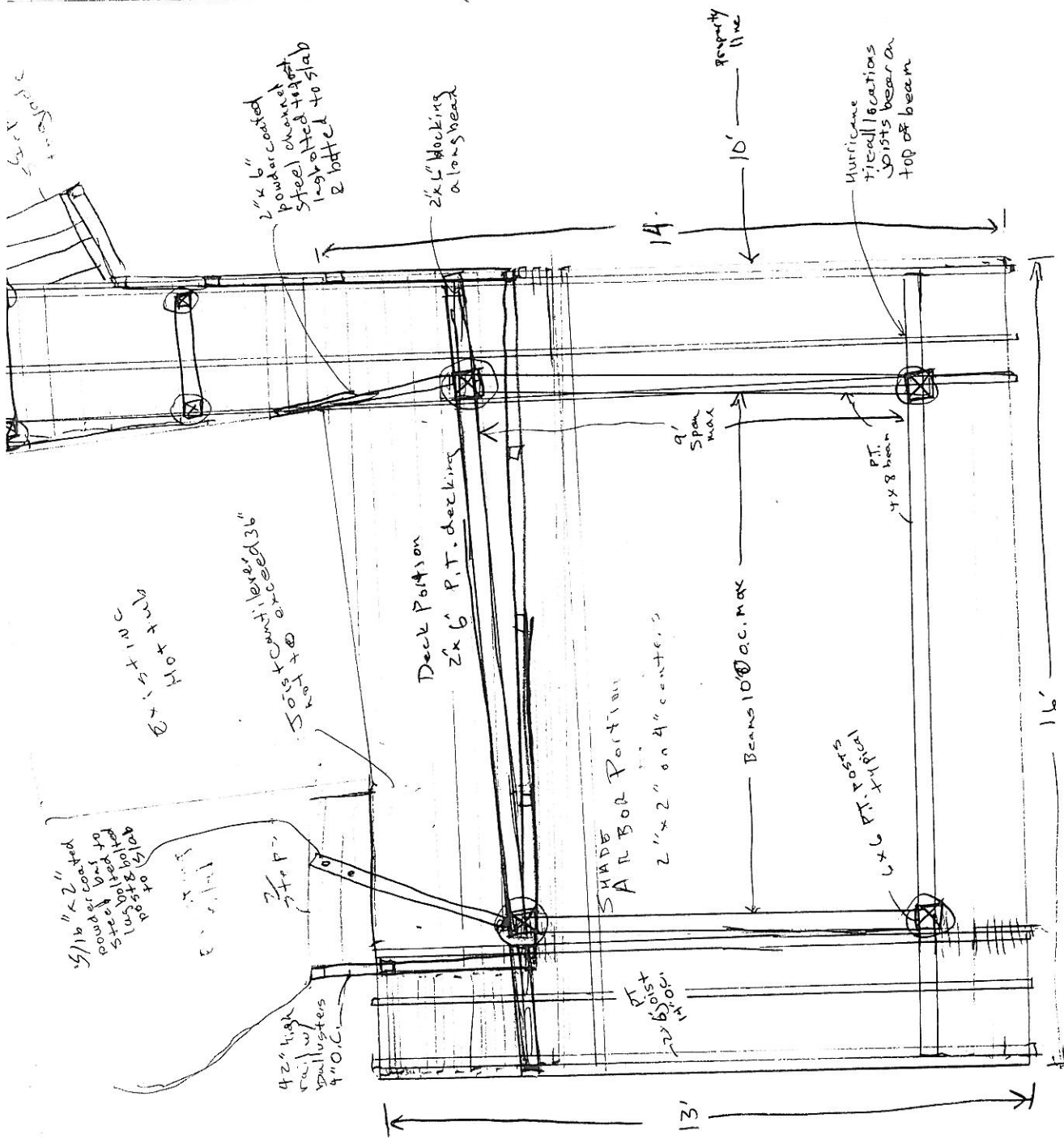


G.1.13.

338 KINGS RD.  
DECK / ARBOR ELEVATION  
1/4" = 1'



338 KMS RD.  
ARBOR/DECK 1/2"=1  
PLAN & DETAILS











G.1.16





6.1.17.





A hand-drawn map on a piece of paper with two punch holes at the top. The map features numerous contour lines, some of which are thick and bold, indicating specific elevations. Several rectangular shapes represent building footprints, some of which are clustered together. A road is labeled "KINGS RD." and a specific location is marked with the number "338". At the bottom, two more elevation points are marked: "458" and "475". The drawing is done in black ink on a white background.

KINGS RD.

338

458

475

G.1.18.

# SITE PLAN DETAIL ANNOTATED BY STAFF TO SHOW PORTION WITHIN SETBACK

