



## Legislation Details (With Text)

**File #:** 21-387      **Version:** 1      **Name:**

**Type:** Hillside      **Status:** Passed

**File created:** 11/22/2021      **In control:** Hillside Building Committee

**On agenda:** 12/8/2021      **Final action:** 12/8/2021

**Title:** Combined review for a hillside designation removal at 6010 N 41st Street (APN 169-22-068).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Hillside Map.pdf, 2. Vicinity Map.pdf, 3. Aerial.pdf, 4. Application.pdf, 5. Notification Materials.pdf, 6. Plans.pdf, 7. Street View.pdf, 8. Report.pdf

Date	Ver.	Action By	Action	Result
12/8/2021	1	Hillside Building Committee	Approved	Fail

**To:** Hillside Building Committee

**From:** Hugo Vasquez; Hillside Development Administrator

**Date:** December 8<sup>th</sup>, 2021

**Subject:** Combined review for a hillside designation removal at 6010 N 41st Street (APN 169-22-068).

**Narrative:** The applicant has requested that the hillside designation be removed for the 1.01 acre property. The application is dated November 24<sup>th</sup>, 2020 and will be reviewed under the 2018 Hillside Development Regulations.

Lot Data		
1.	Area of Lot	1.01 ac or 43,985 ft <sup>2</sup>
2.	Existing Building Site Slope	2.00%
3.	Average Site Slope	3.20%

### Background

The property located at 6010 N 41<sup>st</sup> Street currently contains a 2,800 ft<sup>2</sup> residential home constructed in 1963 and sits on a 1.01 acre lot. The lot is within the Hillside Development Area, per Figure 1 of the Hillside Development Regulations. The application was previously presented to the Hillside Building Committee on June 16<sup>th</sup>, 2021 and the Hillside Building Committee elected to recommend denial to remove the hillside designation from the property. The applicant requested to present this as a new application and will serve as the representative in the request.

### Request for Hillside Designation Removal

The subject property has a slope of 3.20% and a building pad slope of 2.00%. For more information, please refer to sheets A01-A03. By removing the Hillside designation, the property would be required to conform with non-Hillside building regulations which allow for freestanding site walls but reduces the overall maximum allowable height of the residence.

Section 2210 of the current Hillside Development Regulations provides the removal process:

The Hillside Building Committee and Town Council shall review plans for any request to remove a property from the Hillside Development Area. This process applies to properties that are designated within a Hillside Development Area and have a slope of less than ten percent (10%). If a property owner elects to remove the property from the Hillside Development Area, the following applies:

- 1. The applicant must provide documentation that the property has a Building Pad Slope and a site slope of less than ten percent (10%) in accordance with Section 2202 and Section 2209B.*
- 2. The request will be reviewed by the Hillside Building Committee, which will make a recommendation of approval, approval with stipulations, or denial to remove the property from the Hillside Development Area.*
- 3. The applicant shall have no other code violations.*
- 4. The Town Council will either approve, deny, or approve the request with stipulations, which may include eliminating any non-conformities.*

Staff notes that other factors, in addition to the less than ten percent (10%) slope prerequisite, may be considered when a request to remove a property from a Hillside Designated Area is made.

The applicant may take the request to remove the property from the Hillside Development Area to the Town Council for consideration with a either a recommendation for approval or denial from the Hillside Building Committee.