

April 24, 2022

As the owner of Lot 104, Meadowgreen at Stagecoach Replat No. 4, I am submitting this application for a Plat Correction. Currently note 7 on the Plat reads as:

***“Any residence on Lot 104 shall contain no more than 2000 sq ft of living area, balconies, porches, decks, garages and any area wholly or partially underground unless this area shall have full walkout access shall not be considered interior living area.”***

We purchased this lot to build our retirement home and have already designed and engineered the home. When we checked with the Planning Department to confirm there were NO height restrictions, we found out there were no height restrictions, other than the standard 40 feet requirement. However, the planner also noticed Note No. 7, which limits the square footage of any home on the property to 2000 square feet.

We met with the Planner and went through documentation and correspondences related to the original re Plat process back in 1996/97. Our findings showed that this was intended to be a visual mitigation requirement, not an affordability issue. (Exhibit A). This appears to be a height issue. (Exhibit B) “She, (Commissioner Garren) said due to visual concerns she does not want a height that would impede views.” Please reference Exhibit B for the full verbiage.

We have tried to redesign our home plan to meet the 2000 square foot limitation and it just does not work. We also considered making some of the square footage into a basement, but that is impractical because of the expansive soils on the lot, and we would still build the home to the same height, which is well within the county maximum height limits. If we were to build the home with a basement and meet their specifications, as written, .....***any area wholly or partially underground unless this area shall have a full walkout access shall not be considered interior living area.....***, the height of the home will still remain the same at 31ft. 10in, well within the county requirements. Eliminating the 2,000 square foot requirement and allowing us to build the home that we designed (Exhibit D) with 2,652 square feet will not impact the views of the homes behind us (see uploaded photos); the height restriction is the same with or without the restriction.

The Meadowgreen at Stagecoach Replat. No. 4 consisted of Lot 104 (our lot), Lot 105, Lot 106 and Lot 107 and Lot 108 and 2 open spaces (Exhibit C). Currently Lot 105, 106 and 107, which are located behind Lot 104, have homes that would NOT be visually impacted by a new home with the height we are proposing.

We have discussed this matter with the County Planning Department and they also agreed that it would be in our best interest to ask for an immediate plat correction to change the verbiage to **ELIMINATE** the 2000 sq ft living area requirement to mitigate a visual impairment by limiting the square footage of a home to be built. This absolutely does not serve the intended purpose for which it was written.

Therefore, we respectfully ask that this change be taken into consideration as soon as possible so that we may move forward with our building plans.

Regards,

James A Martin