

Mike Johnson

From: Scott Murphy <[REDACTED]>
Sent: Wednesday, April 12, 2023 9:30 PM
To: Jennifer Murphy; [REDACTED]; Planning
Subject: [EXT:]Variances for 7950 South Top of the World

To the Appeals Hearing Officer

RE: 7950 South Top of The World Variance Request.

My name is Scott Murphy. My Wife Jennifer and I own the house to the south at [REDACTED] South Top of the World and the 1.76 acres to the west of the property. The house to the North is owned by Dr. Mark Nary and we have discussed this request for variance with him as well with other neighbors. Those of us who are most effected by this request for variance are generally of the opinion that a house should not be built on top of the natural drainage ditch for the adjacent mountain side.

Our arguments against the requested variances...

1st The math seems to be a bit askew as to having a building pad of 3200 feet. The lot is 94 front to back by 88 side to side. If we adhere to standard setbacks of 25' from front, 30' from back 10' on one side and 15' from other, I calculate 2,457 sq.ft. as the maximum. Far below the 3500 sq.ft. standard.

2 Of course if he adhered to the standards in section 1 there would no longer be the impervious surface standard of 30% violation.

3 Retaining wall. If you look at the pictures below, you will see that this property is the natural drain for the mountainside. You can see the erosion just from when the picture was taken. If the foundation of the house, and this requested retaining wall is built. You will have two unnatural dams blocking a natural drain. Obviously the water has to go somewhere. So that would either go to my House or Dr Nary's house causing degradation of one or both of our foundations. Since we own the property to the west of the lot in question we suffer either way. If you look at the 5th picture below you will see the slope is not only greater than 30 degrees but is about 45 degrees. According to his proposed schematic this new structure cuts right into the hill side that holds up Dr Nary's garage.

4 Almost every house in the immediate vicinity is on a 30 foot set back not a 25. Having one house only 20 feet back is going to stick out.

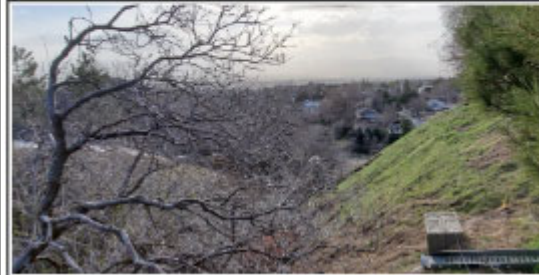
We take exception at some of the comments. We have lived here for 20 years and I have never seen anybody indiscriminately dumping dirt on property ever. All we have witnessed is the dirt eroding away.

There have been numerous attempts to build on this land over the last 43 years and they have all been, logically, denied.

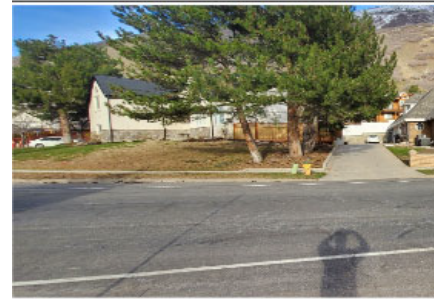
The image to the right was what was provided in the Variance request. The date is not indicated but the picture below it was taken this week on 4/12/2023. As you can see there is massive erosion since this top picture was taken.



The pictures to the right are of the drainage ditch. According to the drawing, the new house will cross the 'gorge' and the north wall of the proposal will cut into the hill side beyond the block you see in the lower right of the bottom picture. This will create an unnatural dam of the natural drain. The water will either go to the south or the north. Probably under Dr Nary's land further degrading the support



This is a picture of the house across Top of the World drive. In the back ground you can see how the mountain has created a shallow canyon to drain. This leads under the drive across, under the street and into the drain on the lot. A couple of years ago the owner had to replace the driveway since the dirt underneath had eroded.



Scott and Jennifer Murphy

7966 South Top of the World Drive



EXTERNAL ATTACHMENT: Only Open if you trust this sender.