

Memorandum

TO: Planning Commission
FROM: Allison Eddins , Senior planner
DATE: October 28, 2025
SUBJECT: 5208 Oxford Street -Residential Design Review and Variance for Front Setback - Mike Mezzenga
ITEM NUMBER: 7.A
SECTION: NEW BUSINESS

REQUESTED MOTION

To approve the residential design review and Resolution 25-81 approving the variance request to reduce the required front yard setback from 160.2 feet (+/- 10 feet) to 138.9 feet for the construction of a new home on a substandard riparian lot at 5208 Oxford Street subject to the following conditions:

1. The project must be completed in accordance with the plans submitted as part of the Residential Design Review application. Any significant changes to these plans, as determined by city staff, will require review and approval by the Planning Commission.
2. The front yard setback shall be reduced from 160.2 feet (+/- 10 feet) to 138.9 feet.
3. A tree replacement fee shall be paid prior to issuance of a land disturbance or building permit.
4. A shoreland mitigation plan shall be executed prior to the issuance of a building permit.
5. A watershed district permit shall be issued prior to the city issuing a land disturbance or building permit.
6. The grading plan shall be revised along the north side yard to show a drainage swale and grading that will meet the standards for maximum slope (3:1).
7. This approval will expire after one year if a building permit has not been issued and construction commenced.
8. This approval is subject to a 5-day appeal period.

This action is based on the following finding of fact:

1. Practical difficulty is present as stated in Resolution 25-81.
2. The project as presented meets the design requirements for R1 zoning district and the Shoreland Overlay District.

INTRODUCTION

The applicant, Mike Mezzenga, on behalf of the property owners, has submitted a residential design review application and a variance application for the property at 5208 Oxford Street. Mr. Mezzenga intends to remove the existing home and the majority of the existing detached garage in order to construct a new two-story walkout with an attached garage. The owners

intend to keep 240 square feet of the existing detached garage.

The property currently has a 1,371 square foot house with an attached deck and detached garage. The home was constructed in 1929 and the original detached garage was constructed in 1962. A residential design review was approved in May 2000 for the reconstruction of the garage.

The subject lot is 54 feet wide and 325 feet deep, and has a total lot size of 16,317 square feet. The minimum lot width required is 100 feet so the lot is considered substandard. [Section 115-155 \(b\)\(1\)](#) requires a residential design review for new construction on substandard riparian lots.

[Section 103-5](#) describes the review process. The criteria for review states that the planning commission may grant approval of the design review only when the proposed improvements comply with the applicable design standards of this chapter. Any variances to the design standards require review and approval by the planning commission.

The applicant is requesting a variance to the front yard setback requirement to allow for a setback of 138.9 feet. Front yard setback requirements are determined by taking the average setbacks of the abutting properties. In this case, the abutting properties are 5214 Oxford Street, with a setback of 192.7 feet, and 5204 Oxford Street, with a setback of 127.7 feet. This setback range creates a front yard setback requirement of 160.2 feet (+/- 10 feet). [Section 103-163](#) describes the review criteria for variance requests and will be discussed later in the report.

DISCUSSION

Project Description

The plans include the demolition of the existing house, deck and the majority of the existing 1,200 square foot detached garage followed by the construction of a new home with a 620 square foot attached garage, and a lakeside porch and patio. The applicant intends to keep 240 square feet of the existing detached garage in the front yard. A detached accessory structure permit for a lake lot is required to keep that detached garage and can be approved administratively ([Section 103-96](#)).

The plans also include the relocation and narrowing of the existing driveway. As part of the project, three landmark trees will be removed. The trees are located in the front yard and are not within the required lakeside setback or shoreland impact zone. [Section 115-52](#) requires a 1:1 landmark tree replacement ratio for single-family residential development on lots that are less than 20,000 square feet. In lieu of replacement, a fee of \$250.00 per tree removed shall be paid to the city as part of the city's tree replacement fund.

The lot currently has 32.5% impervious surface coverage. With the proposed plans, the impervious surface coverage would decrease to 32.3%. [Section 115-155 \(3\) \(a\)](#) states that substandard riparian shall not exceed 25% impervious surface coverage. However, this section goes on to state that *if the existing impervious surface coverage exceeds the allowable impervious surface coverage, existing impervious surface coverage may remain but shall not be increased. Existing impervious surface coverage is the impervious surface legally present on or before March 20, 2000, or approved thereafter by the city.*

Residential Design Review for Substandard Lots

Design Standard	Allowed	Proposed
Lot Coverage	5,308 sq. ft. (32.5%)	5,265 sq. ft. (32.3%)
Foundation Area	2,937 sq. ft. (18%)	2,925 sq. ft. (17.9%)
Building Height	35 feet	35 feet
Setbacks	Front - 160.2 feet (+/- 10 feet) OHW - 72 feet (+/- 10 feet) Sides - Living space: 10 feet / Garage: 5 feet	Front - 138.9 feet** OHW - 62.3 feet Sides - Living space: 10 feet from both side lot lines* / Garage: 7 feet from north side; 20 feet from south side

* The living space above the garage is setback 10 feet from the northern side lot line, as demonstrated in the plans provide by the architect and available as an attachment to this report.

** 138.9 feet does not meet the required setback and a variance has been requested.

Variance Review Criteria

When considering a variance request, the planning commission must determine whether meeting the code requirement causes the property owner practical difficulty and find that granting the variance is in keeping with the spirit and intent of the code. [Section 103-63](#) defines practical difficulty as:

- Reasonable manner. The property owner proposes to use the property in a reasonable manner not permitted by the city development regulations.
- Unique circumstances. The plight of the property owner is due to circumstances unique to the property not created by the property owner.
- Character of the neighborhood. The variance, if granted, will not alter the essential character of the neighborhood.

Applicant's Statement

The applicant states that a unique circumstance is present in the narrow lot configuration that forces a linear home design and the lack of an attached garage on the property to the north results in an unusually large front yard setback which is not consistent with the modern development pattern.

Staff's Review

Residential Design Review - Staff has reviewed the proposal in accordance with the standards specified for the R1 zoning district and for substandard riparian lots. The proposal, with the exception of the front yard setback, meets the code requirements.

The lot width necessitates a house design that is long and narrow to match the lot's shape. When the front yard, OHW, and side yard setbacks are all considered, the lot has a building pad roughly 34 feet wide and 88 feet deep. The building pad includes any attached accessory structures, such as garages, porches and decks. The applicants are proposing a 30 foot wide by 63 foot deep home with an attached garage and a porch in the rear. The house is being built to

suit the lot.

Variance request - Staff has reviewed the request in accordance with the criteria in Section 103-63 and determined that practical difficulty is present. The lot, at 54 feet wide, is one of the narrower lots along Oxford Street. This narrow width represents the original development pattern from the 1920s.

The abutting property to the north, 5214 Oxford Street, has the largest front yard setback of the surrounding lots. The large front yard setback of small home from 1929 is creating a standard for the subject property that makes the construction of a home and attached garage difficult when looking at the setbacks of from the OWH and the street.

Staff finds that a unique circumstances exists that was not created by the owner and the applicant's front yard setback proposal is keeping with the character of the neighborhood with all of the adjacent homes being closer to the street than 5214 Oxford.

Shoreland Mitigation

In accordance with [Section 115.156](#), a shoreland mitigation plan must be submitted for residential development that requires land use approval, including residential design review. A shoreland mitigation plan must include at least two of the following practices: establish a vegetation protection area, establish a vegetation restoration area, the use of natural color and materials on the exterior of the structures (architectural mass), removal of nonconforming structures and reduction of impervious surface coverage. As a condition of approval, a shoreland mitigation plan must be submitted prior to the issuance of a building permit.

Public and Agency Comment

Property owners within 150 feet were notified of the applicant's request. As of the writing of this report, staff has one comment from a neighbor who is in favor of the application.

Comments were received from the public works department and have been incorporated into the conditions of approval.

RECOMMENDATION

Staff has reviewed the proposed project and has found it to be generally compliant with the requirements in Section 107 and 115, as well as Section 103-63. Staff is recommending that the planning commission approve the residential design review and adopt resolution 25-81, approving the variance request for the construction of a new home on the substandard riparian lot located at 5208 Oxford Street subject to the following conditions:

1. The project must be completed in accordance with the plans submitted as part of the Residential Design Review application. Any significant changes to these plans, as determined by city staff, will require review and approval by the Planning Commission.
2. The front yard setback shall be reduced from 160.2 feet (+/- 10 feet) to 138.9 feet.

3. A tree replacement fee shall be paid prior to issuance of a land disturbance or building permit.
4. A shoreland mitigation plan shall be executed prior to the issuance of a building permit.
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This action is based on the following finding of fact:

1. Practical difficulty is present as stated in Resolution 25-81.
2. The project as presented meets the design requirements for R1 zoning district and the Shoreland Overlay District.

ATTACHMENTS

[Location Map](#)

[Application Materials](#)

[Resolution 25-81](#)

[Public Comment](#)