



Legislation Details (With Text)

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Title: Consider a resolution approving a variance to the City of Keller Unified Development Code, Article 8, Zoning/Development Standards, Tree Preservation, Section 8.07, Off-Street Parking and Loading Requirements, for the total garage door exposure of a detached building facing the street to exceed one hundred forty-four (144) square feet, located on an approximately 1.46-acre tract of land on the north side of Florence Road approximately 1210 feet west of the intersection of Florence Road and North Pearson Lane, being Lot 1, Block 1, Greer Place, at 1847 Florence Road, and zoned SF-36 (Single-Family - 36,000 square foot minimum). John Heresz, owner/applicant. (UDC-17-0010)

Attachments: 1. 062017_1847_Florence_Road_Accessory_Planning_andZoning_Draft_Minutes, 2. Resolution No. 3899, 3. 062017_ExhibitA_1847_Florence_Road_Narrative_Letter, 4. 062017_ExhibitA_1847_Florence_Road_Building_Plans, 5. 062017_StaffAttachment_Letters_from_Neighbors, 6. 062017_StaffAttachment_Greer_Place_Plat, 7. 062017_Maps_1847_Florence_Road

Date	Ver.	Action By	Action	Result
6/20/2017	1	City Council		

To: Mark Hafner, City Manager

From: David Hawkins, Planning Manager

Subject:

Consider a resolution approving a variance to the City of Keller Unified Development Code, Article 8, Zoning/Development Standards, Tree Preservation, Section 8.07, Off-Street Parking and Loading Requirements, for the total garage door exposure of a detached building facing the street to exceed one hundred forty-four (144) square feet, located on an approximately 1.46-acre tract of land on the north side of Florence Road approximately 1210 feet west of the intersection of Florence Road and North Pearson Lane, being Lot 1, Block 1, Greer Place, at 1847 Florence Road, and zoned SF-36 (Single-Family - 36,000 square foot minimum). John Heresz, owner/applicant. (UDC-17-0010)

Action Requested:

Consider a resolution approving a variance for the total garage door exposure of a detached accessory building facing the street to exceed one hundred forty-four (144) square feet.

Background:

The property was platted as Greer Place on October 11, 1993. The main house was constructed in 1994 according to the Tarrant County Appraisal District. There are two (2) accessory buildings, one of which is a small pole barn.

Analysis:

The applicant is proposing to build a detached metal barn with two (2) one hundred (100) square foot garage doors facing the street. The building will be located at the end of the existing driveway, approximately two hundred seventy-five feet (275') from the street. The building will be used to store

hay, animal feed, and other materials necessary to support goats and chickens. A portion of the building would also be used as shelter for the animals during inclement weather. The existing pole barn will remain and a second detached metal accessory building will be removed. There is a third structure identified on the aerial being a playhouse, which is not classified as an accessory building.

The proposed building will be 1,200 square feet and does not require an SUP.

The exterior of the building will be metal. Per UDC Section 8.06 (A.1.e.5) a metal exterior is allowed for barns and agricultural structures within the SF-36 zoning district. No variance is required to allow the proposed building exterior.

Garage Doors:

Section 8.07 (C.4) states: "A detached front facing garage located behind the main structure is permitted. The garage door(s) exposure to the street shall not exceed one hundred forty-four square feet (144')."

The proposed structure has two (2) doors, each one hundred (100) square feet (10'X10'), facing toward the street which total two hundred (200) square feet of garage door exposure.

Variance request:

1. A variance is requested to Section 8.07 (C.4) of the UDC to allow the combined square footage of garage doors facing the street on a detached accessory building to exceed one hundred forty-four (144) square-feet, up to two hundred (200) square feet.

Surrounding Zoning & Land Uses:

North, East, and West: Single-Family Homes, zoned SF-36

South: Greenbriar Residential Subdivision, zoned SF-20

Variances Requested:

The applicant is requesting one (1) variance to the UDC with this application:

1. A variance is requested to Section 8.07 (C.4) of the UDC to allow the combined square footage of garage doors facing the street on a detached accessory building to exceed seventy-two (144) square-feet, up to two hundred (200) square feet.

Summary:

Section 2.07(A.2) of the UDC, lists criteria for approval of a variance. Staff's comments are added in bold italics.

- a. That there are special circumstances or conditions affecting the land involved such that the strict application of the provisions of this Code would deprive the applicant of the reasonable use of his land.

Staff could not identify any special conditions with the land.

The building would be used primarily to support agricultural uses. The building size would not exceed 1,200 square feet.

- b. That the granting of the variance will not be detrimental to the public health, safety or welfare,

or injurious to other properties in the area.

This request should have no impact on other properties in the area. A grading plan will be required for City review with the building permit.

The applicant has supplied three (3) letters of support from the surrounding properties with this application.

- c. That the granting of the variance will not have the effect of preventing the orderly subdivision of other lands in the area in accordance with the provisions of this Code.

The area surrounding the subject property is already developed. This will not impact the orderly subdivision of the land.

- d. That the granting of the variance will not constitute a violation of any other valid ordinance of the City of Keller.

The proposed addition will not constitute a violation of any other valid ordinance of the City of Keller.

- e. That strict compliance with the regulations, and/or that the purpose of the regulations will be served to a greater extent by the alternative proposal.

The intent of the Code is to maintain neighborhood aesthetics. There are five (5) properties in the immediate area (912 Greenbriar, 1753 Florence Road, 1879, Florence Road, 1889 Florence Road, and 1907 Florence Road) with large metal buildings identifiable on the aerial. If placed at the end of the drive way, the building would be located approximately two hundred seventy-five feet (275') from the front property line. The front of the property also contains heavy tree cover, which would limit visibility from the street. With the distance of the building from the property line and the dense tree cover providing some screening, staff believes the intent of the code is met by the alternative proposal requested by the applicant.

Citizen Input:

A UDC variance application does not require a public hearing, so no public hearing notifications were sent out to the surrounding property owners for this request. There has been no response from the public to this application. The public will have an opportunity to speak on this agenda item at the "Persons To Be Heard".

Professional Opinion:

Staff's professional opinion to **support** this UDC variance application. The purpose of limiting garage door exposure to the street preserves the aesthetic appeal of a neighborhood. Staff believes the distance from the public R.O.W. and the trees in the front of the property will provide sufficient screening of the garage doors.

Staff forwards this UDC variance request for City Council consideration with the following condition:

1. A variance for the combined square footage of garage doors facing the street on a detached accessory building to exceed one hundred forty-four (144) square-feet, up to two hundred (200)

square feet to be considered.

Board Review:

The Planning and Zoning Commission considered this UDC Variance application on June 12, 2017 and recommended approval with a vote of 7-0 with the following condition:

1. A variance for the combined square footage of garage doors facing the street on a detached accessory building to exceed one hundred forty-four (144) square-feet, up to two hundred (200) square feet shall be allowed.

City Council Action:

The City Council has the following options when considering a UDC variance request application:

- Approve as submitted (with requested variance)
- Approve with modifications or additional condition(s)
- Tabling the agenda item to a specific date with clarification of intent and purpose
- Deny