



## Legislation Details (With Text)

<b>File #:</b>	18-352	<b>Version:</b>	1
<b>Type:</b>	New Business	<b>Status:</b>	Approved
<b>File created:</b>	12/6/2018	<b>In control:</b>	City Council
<b>On agenda:</b>	12/18/2018	<b>Final action:</b>	12/18/2018
<b>Title:</b>	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, to allow front facing garage doors, approximately one hundred and forty four (144) square feet in total, exceeding the maximum allowed seventy-two (72) square feet of front facing garage door exposure to the street, located on an approximately 9.3306-acre tract of land on the south side of Union Church Road, located at the intersection of South Pearson Lane and Union Church Road, being Lots 1-13, Block A, The Enclave at Sky Creek, and zoned Planned Development Single-Family - 30,000 square foot minimum lot sizes (PD-SF-30). Calais Custom Homes, owner/applicant. (UDC-18-0022)		
<b>Attachments:</b>	1. 121818_EnclaveatSkyCreek_proposedresolution, 2. 121818_EnclaveatSkyCreek_ExhibitA_Application, 3. 121818_EnclaveatSkyCreek_ExhibitA_Photos, 4. 121818_EnclaveatSkyCreek_Maps, 5. 121818_StaffAttachment_TheEnclaveatSkyCreekApprovedPlat, 6. H-3 Presentation		

Date	Ver.	Action By	Action	Result
12/18/2018	1	City Council	approve	

Mark Hafner, City Manager

om: Katasha Smithers, Planner I

### 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, to allow front facing garage doors, approximately one hundred and forty four (144) square feet in total, exceeding the maximum allowed seventy-two (72) square feet of front facing garage door exposure to the street, located on an approximately 9.3306-acre tract of land on the south side of Union Church Road, located at the intersection of South Pearson Lane and Union Church Road, being Lots 1-13, Block A, The Enclave at Sky Creek, and zoned Planned Development Single-Family - 30,000 square foot minimum lot sizes (PD-SF-30). Calais Custom Homes, owner/applicant. (UDC-18-0022)

### Background:

- On September 5, 2017, City Council approved the Planned Development for The Enclave at Sky Creek by Ordinance number 1858;
- On October 9, 2017, Planning and Zoning Commission approved the Preliminary Site Evaluation;
- On February 12, 2018, Planning and Zoning Commission approved the Final Plat for The Enclave at Sky Creek.

### Analysis:

Section 8.07 (C.5) states: “an attached front facing garage is permitted, in lieu of a detached garage, if located at the rear of the lot, with a minimum of forty-five feet (45’) behind the property line. The maximum garage door exposure to the street shall not exceed seventy-two (72) square feet.” This requirement is only applicable to properties platted after December 15, 1992.

The applicant is requesting for the future owners of the lots to have the flexibility to choose between front facing garages or the required j-swing garage. The variances that are being requested is for each lot in the Enclave at Dry Creek private subdivision development.

**Variance requests:**

A variance to allow the garage doors facing the street shall be allowed.

A variance to exceed the allowed maximum of seventy-two (72) square feet, up to one hundred forty four (144) square feet for garage doors shall be allowed.

**Professional Analysis and Opinion:**

While this is a private subdivision and approved by a Planned Development, staff’s professional analysis and opinion is **not supportive** of this request, as it does not meet the code criteria. The houses are located in a private gated subdivision but still allows public access. There is a potential that this private street could become a public street in the future. The purpose of limiting garage door exposure to the street preserves the aesthetic appeal of a neighborhood. In this subdivision, each home is customized and could potentially have either a front facing garage or a j-swing garage.

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

A variance to allow the garage doors facing the street shall be allowed.

A variance to exceed the allowed maximum of seventy-two (72) square feet, up to one hundred forty four (144) square feet for garage doors shall be allowed.

**Board Opinion:**

On December 10, 2018, Planning and Zoning Commission recommended to approve by a vote of 6-1.

**Alternatives:**

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)
- Table the agenda item to a specific date with clarification of intent and purpose
- Deny