



Legislation Details (With Text)

File #:	19-431	Version:	1
Type:	New Business	Status:	Approved
File created:	8/19/2019	In control:	Planning & Zoning Commission
On agenda:	9/9/2019	Final action:	9/9/2019
Title:	Consider a request for a variance to the Unified Development Code, Section 8.07 (C), Garage Requirements in Residential Zoning Districts, to allow two variances, one for a front facing garage and for the garage door to exceed seventy-two square-feet, this property is located on 0.913-acre lot, on the south side of Bear Creek Parkway, being Lot 34A, Block 3, Bear Creek Estates, at 501 Elaine Street (Account # 04541243), and zoned Single Family Residential - 36,000 square-foot lot size minimum (SF-36). David Rich, applicant. David and Delia Rich, owners. (UDC-19-0018)		
Attachments:	1. 082619_RichGarageUDC-19-0018_ProposedResolution, 2. 082619_RichGarageUDC-19-0018_Maps, 3. 082619_RichGarageUDC-19-0018_ExhibitA(1of2), 4. 082619_RichGarageUDC-19-0018_ExhibitA(2of2)		

Date	Ver.	Action By	Action	Result
9/9/2019	1	Planning & Zoning Commission	approve	Pass

To: Planning and Zoning Commission

From: Matthew Cyr, Planning Technician

Subject:

Consider a request for a variance to the Unified Development Code, Section 8.07 (C), Garage Requirements in Residential Zoning Districts, to allow two variances, one for a front facing garage and for the garage door to exceed seventy-two square-feet, this property is located on 0.913-acre lot, on the south side of Bear Creek Parkway, being Lot 34A, Block 3, Bear Creek Estates, at 501 Elaine Street (Account # 04541243), and zoned Single Family Residential - 36,000 square-foot lot size minimum (SF-36). David Rich, applicant. David and Delia Rich, owners. (UDC-19-0018)

Background:

The Applicant wants to convert the original garage into a master bedroom and expand west from that new room to create another garage with the same dimensions as the previous one. The UDC requires a Variance because the garage would be front facing and the proposed garage door already exceeds the UDC seventy-two square-foot limit.

If the variances are approved, the Applicant will plat the property before constructing the proposed garage.

Residential Garage Requirements:

Section 8.07 (C) states, "In all subdivisions platted after December 15, 1992, garages shall not face or be in view from a public street unless allowed with a Planned Development zoning district or the following provisions of this Code." Section 8.07 (C) (5) also states. The garage door(s) exposure to the street shall not exceed seventy-two square feet (72')."

Variance Request:

The applicant is requesting two variances: one to allow a front -facing garage and another to allow

the front-facing garage to exceed seventy-two square-feet

Citizen Input:

A UDC variance application does not require a public hearing. The public will have an opportunity to speak on this agenda item at the "Persons To Be Heard".

Alternatives:

The Planning and Zoning Commission has the following options when considering a UDC Variance request:

- Recommend approval of the two variances submitted.
- Recommend approval with modifications or additional condition(s).
- Table the agenda item to a specific date with clarification of intent and purpose.
- Recommend denial.

Council Action:

If the Planning and Zoning Commission takes action and makes a recommendation on this agenda item, then this item will be scheduled for City Council action on Tuesday, October 1, 2019.