



Legislation Details (With Text)

File #:	19-448	Version:	1
Type:	New Business	Status:	Approved
File created:	8/23/2019	In control:	City Council
On agenda:	10/1/2019	Final action:	10/1/2019
Title:	Consider a resolution approving 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. 100119_RichGarageUDC-19-0018_Resolution 4170, 2. 100119_RichGarageUDC-19-0018_Maps, 3. 100119_RichGarageUDC-19-0018_ExhibitA(1of2), 4. 100119_RichGarageUDC-19-0018_ExhibitA(2of2), 5. G-1 501 Elaine St Presentation		

Date	Ver.	Action By	Action	Result
10/1/2019	1	City Council	approve	

To: Mark Hafner, City Manager

From: Julie Smith, Community Development Director

Subject:

Consider a resolution approving a variance to the Unified Development Code, Article 8, Zoning Districts, Development Standards, Tree Preservation, Section 8.07, Off-Street Parking and Loading Requirements, to allow an attached front facing garage be located in front of the main structure with a total of 112 square-feet of garage door exposure to the street, located on an approximately 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 suite and expand west from that new room to create another garage with the same dimensions as the previous one.

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) states "garage door(s) exposure to the street to exceed seventy-two square feet (72') is not permissible unless "allowed with a Planned Development zoning district or the following provisions of this Code."

Section 2.07 states "The Planning and Zoning Commission and City Council may authorize a variance or deviation from these regulations when special conditions exist that prevent strict compliance of this Code."

Variance Request:

The UDC requires two variances, because the garage would be front facing and the garage door exceeds the UDC seventy-two square-foot limit. The current garage faces the street and has a door that exceeds seventy-two square-feet. There is limited space to the south of the house, so a side-swing garage cannot be accommodated. If approved, this new garage would be approximately ninety-nine feet from the street.

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

Citizen Input:

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

Planning and Zoning Recommendation:

The Planning and Zoning Commission recommended approval by a vote of 7-0 on September 9, 2019.

Alternatives:

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

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