



# City of Keller

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## Legislation Text

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**File #:** 16-489, **Version:** 1

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**To:** Mark R. Hafner, City Manager

**From:** Michele Berry, Senior Planner

**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 two hundred fifty-two (252) 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 0.81-acre tract of land on the north side of Meadowview Drive approximately 900 feet east of the intersection of Meadowview Drive and North Pearson Lane, being Lot 6, Block 1, Timberknoll Southshore Addition, at 2051 Meadowview Lane, and zoned SF-20 (Single-Family - 20,000 square foot minimum). Deborah Ramsay, owner/applicant. (UDC-17-0019)**

**Action Requested:**

**This item was tabled at the October 17, 2017 meeting to obtain input from the neighbors, which the applicant has provided and is included in the staff attachments. Information was also requested on the width of the proposed home compared to the existing home. The proposed home meets all side setbacks and would be a very similar width should the garage doors be front, side or rear facing.**

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 two hundred fifty-two (252) square feet in total, exceeding the maximum allowed seventy-two (72) square feet of front facing garage door exposure to the street.

**Background:**

The zoning for this property was established by the 1992 City-wide rezoning effort. The existing home was built in 1972, according to the Tarrant County Appraisal District. The property was platted on August 16, 2017.

**Analysis:**

The applicant intends to make major renovations to the existing house including updating the exterior, enlarging the house footprint, and adding attached garages. The garages are front facing and the doors will be exposed to the street. The proposed design of the house has four (4) attached garages located on the west and east side of the house.

The proposed building will be 6,845 square feet with 4,667 square feet of air-conditioned space. The exterior of the building will be one hundred percent (100%) masonry below the first floor. No variance is required to allow the proposed building exterior.

### **Garage Doors:**

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(s) exposure to the street shall not exceed seventy-two (72) square feet.”* This requirement is only applicable to properties platted after December 15, 1992.

Each garage has two (2) sixty-three (63) square foot (9x7) garage doors, equaling a total of two hundred fifty-two (252) square feet exposed to the street.

Each garage has a different setback from the property line. The closest garage is located approximately fifty-four feet (54’) from the property line and the furthest is setback approximately eighty-four feet (84’).

### **Variance request:**

1. A variance is requested to Section 8.07 (C.5) of the UDC to allow the combined square footage of garage doors facing the street, attached to the main building, to exceed seventy-two (72) square-feet, up to two hundred fifty-two (252) square feet.

### **Existing Roadway Access:**

Meadowview Road, a two lane rural road.

### **Surrounding Zoning & Land Uses:**

North, South, East, and West: Single-Family Homes, 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 (72) square-feet, up to two hundred fifty-two (252) square feet.

### **Summary:**

UDC variances require consideration by the Planning and Zoning Commission and City Council. The applicant is requesting one (1) variance to be considered. The applicant will meet all other UDC requirements. If this UDC variance request was to be approved by the City, then the applicant would be allowed to move forward with the building permit.

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 property dimensions. The lot meets the minimum width, depth and area of the SF-20 zoning district.***

***The applicant does refer to a well behind the house on the west side of the property and a septic system utilizing the area behind the house on the east side of the property.***

***The lot does have a significant grade change behind the house. Elevations change six to seven feet (6'-7') from 766' at the house to 759' approximately thirty feet (30') behind the house. There are five (5) trees on the east side of the property and nine (9) trees on the west side which may be affected if a side or rear entry garage were utilized.***

- 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. The house addition was designed in an area around the house free of trees. A second driveway approach will be needed for the proposed layout.***

***Along Meadowview Lane there are three (3) homes with attached front facing two (2) car garages and two (2) detached garages with front facing doors (one (1) of which is enclosed behind an eight foot (8') privacy fence).***

- 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.

***It is possible to meet the UDC requirements with a side entry or rear entry garage. The side entry garages would require a minimum setback of twenty-five feet (25') front the side property lines to allow for vehicle maneuvering, which is feasible. Grading would be necessary, which would reduce the amount of room for water to flow around the house. According to the drainage plan, the flow of water occurs from the south to the north across the subject property. A rear entry garage would require significant grading and possible relocation of existing utility lines and other improvements. Both options would see the removal of several trees (estimated twelve (12) trees) in the front and side yard.***

***There are other homes fronting on Meadowview that have attached front facing garages. The character of the neighborhood includes many newer homes mixed with the original homes. There is a lack of a specific house style or unifying product (ref. the "dome house" on Fawkes Lane). Most of the redeveloped or remodeled homes in the area reflect an independent design choice left up to the individual property owner.***

***UDC Section 8.19 Tree and Natural Preservation (A.5) does promote site planning that is sensitive to the location of existing trees.***

**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".

**The applicant has provided letters from neighbors offering support for this request. The letters and a map have been included with the "Staff Attachments."**

**Professional Opinion:**

Staff's professional opinion is to support this UDC variance application. The purpose of limiting garage door exposure to the street preserves the aesthetic appeal of a neighborhood. In this case, houses within the surrounding neighborhood are not restricted to a certain style or product. Several houses have front facing attached or detached garages. UDC Section 8.19 (D) would allow the applicant to remove any trees without penalty. It is the opinion of staff that the proposed design meets the intent of the Tree and Natural Preservation site planning.

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 seventy-two (72) square-feet, up to two hundred fifty-two (252) square feet to be considered.

**Board Review:**

The Planning and Zoning Commission considered this item on September 25, 2017 and recommended approval by 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 seventy-two (72) square-feet, up to two hundred fifty-two (252) 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