



Legislation Details (With Text)

**File #:** 20-3642      **Version:** 3      **Name:** Ordinance - Third and Final Reading of an Ordinance Approving a Zoning Change from SF-7.5/12 Single-Family Residential District to PD, Planned Development District for Single-family Residential Uses on Approximately 0.547 Acres Located at 911 Noah Street

**Type:** Ordinance      **Status:** Passed

**File created:** 7/20/2020      **In control:** City Council

**On agenda:** 8/24/2020      **Final action:** 8/24/2020

**Title:** Ordinance - Third and Final Reading of an Ordinance Approving a Zoning Change from SF-7.5/12 Single-Family Residential District to PD, Planned Development District for Single-family Residential Uses on Approximately 0.547 Acres Located at 911 Noah Street and 906 Cope Street; Ben Hartman, owner/developer (ZC#20-007)

**Sponsors:** Joe Smolinski, Matt Jones, Shirley Emerson

**Indexes:**

**Code sections:**

**Attachments:** 1. Ordinance, 2. Maps and Supporting Information, 3. Exhibit A, 4. Revised Exhibit B - 3rd Reading

Date	Ver.	Action By	Action	Result
8/24/2020	3	City Council	Approved on Third And Final Reading	Pass
8/10/2020	2	City Council	Approved on Second Reading	Pass
7/27/2020	1	City Council	Approved on First Reading	Pass

Ordinance - Third and Final Reading of an Ordinance Approving a Zoning Change from SF-7.5/12 Single-Family Residential District to PD, Planned Development District for Single-family Residential Uses on Approximately 0.547 Acres Located at 911 Noah Street and 906 Cope Street; Ben Hartman, owner/developer (ZC#20-007)

To consider the subject zoning change request.

The Planning and Zoning Commission held a public hearing July 20, 2020 and voted 6-0 to recommend approval with the condition that the applicant removes the minimum 8:12 roof pitch option as part of the development standards and relocates the existing carport at 911 Noah Street further from the proposed side property line.

Staff recommends approval of the proposed PD with the elimination of the minimum roof pitch requirement.

*Existing Use: Single-family residences*

*Existing Zoning: SF-7.5/12*

*Surrounding Land Use & Zoning:*

North - Residential, SF-7.5/12

South - Residential, SF-7.5/12

East - Residential, SF-7.5/12  
West - Residential, SF-7.5/12

*Official Land Use Plan:*

The property is located in Sub-Area 6. The Land Use Plan recommends the following for Sub-Area 6:

- Continue development as suburban residential
- Allow rural residential streets and lots south of the railroad.

**Comments and Considerations**

The subject property consists of 0.547 acres for two platted lots, one located on the west side of Cope Street and other on the east side of Noah Street. The property on Cope Street is currently occupied by a single-family home and a small detached shed. The lot facing Noah Street is currently occupied by a single-family residential home with a detached carport in the front and a detached shed in the backyard. The applicant is requesting to re-zone the property from SF-7.5/12 Single-Family Residential District to PD Planned Development District for single-family residential uses.

Development Plan (Exhibit B)

The applicant plans to divide the existing lots into 4 smaller lots as shown on Exhibit B. The existing houses and detached buildings will be located on the two larger lots. The smaller lots will have two new single-family homes.

The applicant is proposing the following development standards:

- Minimum Lot Depth: 90'
- Minimum Lot Width: 50'
- Minimum Lot Area: 4,600 sq. ft.
- Minimum Front Yard: 20'
- Minimum Rear Yard: 15'
- Minimum Side Yard for Existing Residence: 3'
- Minimum Side Yard for New Residences: 5'
- Front porches exceeding 70 sq. ft. may encroach into the front yard setback by up to 5'
- Minimum Floor Area per Unit: 1800 Square Feet for New Residences.
- Maximum Lot Coverage: 55%
- Parking requirements shall comply with Section 7200 of the Zoning Ordinance.
- Accessory Structure must comply with Section 7800 of the Zoning Ordinance
- Landscaping must comply with Section 7300 of the Zoning Ordinance.

The following architectural features are required on the new houses:

- Minimum two car garages
- Maximum height: 1 story plus attic or 35'
- Minimum living area: 1800 square feet
- 25 year architectural shingles
- Eight foot tall front door

The new homes must also include at least 3 of the 5 architectural features listed below:

- Front Porches with a minimum of 70 square feet.

- Siding with more than one pattern (for example, horizontal lap style siding on the body and shake style siding in the gables)
- Stone or masonry wainscot or accents on the front elevation
- Craftsman elements utilized in the gables, such as knee braces or gable pediments
- Craftsman style windows

The detached carport at 911 Noah Street was originally shown on Exhibit B to be approximately one foot from the proposed side property line. The Planning and Zoning Commission recommended that the carport be moved further from the side property line. The applicant has revised Exhibit B to show that the carport will be moved approximately four feet from the side property line.

The proposed side property line for the existing house at 906 Cope Street will be 3.8 feet from the side of the house. There is an air conditioning condenser on that side of the house that is approximately 26 inches long and 26 inches wide. This will leave approximately 1 foot between the condenser and the new property line.

### **Changes for 2nd Reading**

The City Council held a public hearing and first reading on July 27, 2020 and voted 6-1 (Moore voting no) to approve the PD with the conditions that the applicant add an 8:12 Roof Pitch requirement and change the 25-year architectural shingles to 30-year shingles. The applicant has made these changes to the Development Plan as shown in revised Exhibit B in the Council packet.

### **Changes for 3rd Reading**

The City Council held a public hearing and second reading on August 10, 2020 and voted 7-0 to approve the PD with the condition that the applicant add a required 6' wood privacy fence on all four lots. The applicant has made these changes to the Development Plan as shown in revised Exhibit B in the Council packet.

Shirley Emerson, Planner  
817-276-4259