



## Legislation Text

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**File #:** 18-2769, **Version:** 1

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Consideration of a Request for a Modification of the Approved Planned Development District Standards to Revise the Provisions Related to Accessory Buildings on Property Located at 307 W. Kimball Drive; Felix Wong (ZC#17-015A)

To consider the proposed modification described below.

The City Council approved the original Planned Development for this property on October 23, 2017.

The Planned Development District zoning approved for the property at 307 W. Kimball Street allows for accessory buildings that comply with the City's Zoning Ordinance regulations for detached residential accessory buildings. These regulations require the following:

- The maximum square footage of accessory buildings on a property of 20,000 square feet or larger is 2% of the lot area. The lot at 307 W. Kimball St. is approximately 21,954 square feet, and the maximum allowable area for all detached buildings would be 439 square feet.
- The maximum height of an accessory building is 12 feet, measured from the ground to the highest point of the structure.
- The minimum side yard setback for an accessory building with a height of 10 feet or taller is 9 feet.

The applicant is seeking a modification of the approved PD to allow a pool cabana with a height of approximately 18 feet and an area of approximately 500 square feet, and to reduce the side yard setback to 5 feet. To accommodate the proposed pool cabana and any future accessory building, the applicant is proposing to revise the accessory building provisions on Exhibit B to the following:

### "Accessory Use Standards

Accessory uses and structures ~~shall be permitted and shall comply with the Zoning Ordinance requirements for such uses and structures in Single-Family Residential Districts~~ associated with single family residential uses shall be permitted and shall comply with the following regulations:

- Maximum Height - 18' for a pool cabana; not to exceed 20' for other accessory buildings
- Maximum Square Feet - 500 sf for a pool cabana; not to exceed 870 square feet for all total accessory buildings
- Minimum Side Setback - 5' for a pool cabana and other accessory buildings
- Minimum Rear Setback - 45' for a pool cabana; 11.5' for other accessory buildings"

For properties with straight single-family residential zoning, the Zoning Ordinance allows the Zoning Board of Adjustment to grant exceptions to the accessory building regulations if the following conditions are met:

- The property must be at least one-half acre in size.
- The maximum square footage of the structure cannot exceed 4 percent of the square footage of the lot.
- The height of the structure cannot exceed 24 feet for buildings or structures located on lots of one-half acre to 2 acres in size.

- A reduction in the minimum side yard setback cannot be closer than 5 feet from the side property line.
- There cannot be any negative impact to the abutting properties.

Because the property is zoned PD and has the provision that accessory buildings will comply with the area, height, and setback regulations, the proposed pool house is not eligible for an exception from the Board of Adjustment, but must be approved by a modification of the PD standards. The Council may wish to consider the same criteria that the Board would in reviewing this modification.

Staff recommends approval.

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