

The Enclave

Description of Proposal / Use

The Subject Property is approximately 4.82 acres located on the east side of Book Road, just north of the Zion Evangelical Lutheran Church, 11007 S. Book Road, and just south of the River Run Subdivision Clearwater Lane entrance.

This same property was the subject of PZC 18-1-001, which was approved by the City Council on June 5, 2018. This past approval was for the Annexation, Subdivision, into 8 lots, Zoning to R1, and a variance to the side yard setback. While approved, the Annexation and Plats have not yet been recorded.

The current Petitioner is the contract purchaser for the Subject Property. The Petitioner desires to create an age restricted development, with R1 underlying zoning, for a ten (10) lot subdivision on the Subject Property. The project will provide a selection of fourteen (14) different elevations, with seven (7) different floor plans. The goals of the age restriction development include first floor master suites, ranch home design alternatives, and reduced maintenance from reduced lot size alternatives.

To accommodate the intent of the age restricted development, with City zoning requirements and the existing contiguous development, the Petitioner is requesting several variances.

Reduced Side Yard Setback Variance: From 25 ft. total, minimum of 10 ft., to 22 ft. total, minimum of 10 ft, conditioned on the selection of the 3-car garage option. Six (6) of the seven (7) proposed floor plans and elevations offer a three-car garage option. The two-car option homes are 45' wide, and the three-car garage plans are 56' wide. The minimum lot width in the proposed development is 78' (six lots). Therefore, the total minimum side yard setback, on the narrowest lots, would be 33' for the two-garage plan, 8' greater than required under R1; and 22' for the three-garage plan, 3' less than required under R1. In other words, if all future home buyers elected the two-car option, we would not need a variance and the total side yard setback would be 33' (far in excess of the required 25'). We feel that with this being an age restricted development there will be a higher probability that the two-car garage would be selected, resulting in a very acceptable separation of homes.

Reduced Front Yard Setback Variance: From 30 ft. to 25 ft, for lots 4-7. The proposed development contains a cul-de-sac. Maintaining the 30' front yard setback around the "bulb" of the cul-de-sac forces the subject homes substantially back from the sight lines of the homes on the street before the bulb, and closer to the rear lot lines, and existing neighbors. The intent and purpose of the underlying zoning district is to provide for consistent sight lines and minimize impact on neighboring properties. The requested deviation provides for a more consistent sight line and greater distance from the rear lot line minimizing impact on existing contiguous homes.

Reduced Lot Width Variance: From 85 ft. to a minimum of 78 ft, for lots 2 through 9. With the limited home widths of either 45' or 56', as determined by garage selection, the required 85' lot width would result in total side yard setbacks of up to 40', far in excess of the 25' total required

in the R1 zoning district. This would be inconsistent with the surrounding development and would defeat the goal of reducing maintenance requirements of an age restricted development. The intent and purpose of the underlying zoning district is to provide for consistent home separation and minimize impact on neighboring properties. The requested variance provides for a more consistent home separation.

90% Rule Variance. The unique aspect of this development is that it is age restricted. A key component of age restricted developments is smaller lot sizes and reduced maintenance. Strict adherence to the 90% rule is in direct conflict with the smaller lots required for the planned 45' or 56' wide homes and the amount of maintenance required for larger lots. Furthermore, the age restriction limits the number of people living in each home, thus limiting the population and traffic impact on the surrounding community.

Lastly, age restricted developments are exempt from paying the City's required school donation.