



Legislation Text

File #: 23-0681B, Version: 1

CITY COUNCIL AGENDA ITEM

ACTION REQUESTED:

Receive the staff report for 818 E. Franklin Avenue and 25 N. Huffman Street (Franklin Flats) - PZC 23-1-014 (Item 1 of 3)

DEPARTMENT: Transportation, Engineering and Development

SUBMITTED BY: Gabrielle Mattingly, AICP

BOARD/COMMISSION REVIEW:

The Planning and Zoning Commission (PZC) considered PZC 23-1-014 on June 7, 2023 and provided a positive recommendation on the variance request (approved 8,0). Staff concurs.

BACKGROUND:

The subject property consists of two lots located at the southwest corner of Franklin Avenue and Huffman Street. The subject property is zoned R2 (single family and low-density multiple family residence district) and is currently improved with a single-family home and a detached garage at 818 E. Franklin Avenue and a single-family home at 25 N. Huffman Street.

The Petitioner, Franklin Huffman LLC, is proposing to demolish the existing structures and construct two duplex buildings. The proposed development requires a preliminary/final plat of subdivision and a variance to the maximum permitted lot coverage.

DISCUSSION:

Preliminary/final plat of subdivision

The Petitioner is requesting a preliminary/final plat of subdivision to create legal lots of record. The lots were originally created in 1922 through the Declara Heights subdivision and were oriented perpendicular to Huffman Street. Since then, the orientation of the lots has been altered resulting in the two lots being oriented perpendicular to Franklin Avenue (as currently laid out). The lot sizes are both 8,030.5 sf. The submitted plat of subdivision slightly shifts the size of the lots resulting in a lot which is 7,760 square feet (818 E. Franklin) and a lot which is 8,301 square feet (25 N. Huffman).

Although no new lots will be created through the submitted plat of subdivision, Section 7-2-5:2.2 (Administrative Plat Procedures) of the Municipal Code specifies that a plat cannot be administratively approved if the proposed plat changes the existing orientation of any lot. Since the proposed subdivision plat changes the orientation of the lots, City Council review is required. The proposed lots comply with the minimum required lot size and lot width.

Staff is supportive of the proposed preliminary/final plat of subdivision and recommends approval by the City Council.

Lot Coverage Variance

The Petitioner proposes to develop the properties with two duplexes, one duplex on each lot. The duplex units will be attached horizontally (side by side) and will share a common wall. Each unit will have a two-car garage which is accessed off of Franklin Avenue and an attached patio located in the rear yard. Per the R2 zoning regulations, duplexes are permitted by right.

The proposed duplexes are subject to the teardown/infill regulations (Section 6-2-26) which include limitations on the maximum permitted height and lot coverage for new construction resulting from demolition. These regulations allow a maximum lot coverage of 35% or 2,280 square feet, whichever is greater. Based on the proposed lot sizes, the duplexes are allowed to cover a maximum of 35% of each lot. The proposed duplexes exceed the maximum permitted lot coverage. The table below identifies the permitted and proposed lot coverages for each property:

	Permitted Lot Coverage	Proposed Lot Coverage	Requested Increase
818 E. Franklin Ave	2,716 sf (35%)	3,179 sf (41%)	463 sf
25 N. Huffman St	2,905 sf (35%)	3,179 sf (38.4%)	274 sf

The submitted variance request is to increase the maximum permitted lot coverage by 463 square feet at 818 E. Franklin Avenue and 274 square feet at 25 N. Huffman Street. The Petitioner has noted that the requested variance is driven by the proposed floor plans which feature a first-floor primary bedroom which is found to be desirable for the City's aging population.

Staff notes that the maximum 35% lot coverage, as identified by the teardown/infill regulations, is applicable to both single family homes and duplex developments and does not vary based on the housing type. The proposed duplexes will comply with the maximum permitted height and all required R2 setbacks.

Findings of Fact

The Petitioner's responses to the Standards for Granting a Zoning Variance can be found in the attachments. While the request is to increase the maximum permitted lot coverage, it is not an increase for a large single-family home, rather it is an increase to allow for a side-by-side duplex which is permitted by right in the R2 zoning district. The proposed duplexes comply with all required setbacks and the maximum permitted height. Additionally, the proposed duplexes diversify the City's housing stock which is identified as a goal in the City's Land Use Master Plan.

For these reasons, staff and the PZC are supportive of the requested variance and recommends the City Council adopt the findings of fact as presented by the petitioner.

Planning and Zoning Commission

The Planning and Zoning Commission considered PZC 23-1-014 on June 7, 2023. No members of the public provided testimony during the meeting. Two comments in objection to the proposal were received in writing (see attachments). The PZC discussed the proposal and expressed their support finding the proposed housing type (duplexes with a first-floor primary bedroom) are a needed housing type within the City and help to diversify the housing stock. The PZC closed the public hearing and

provided a positive recommendation on the variance request (approved 8,0).

Key Takeaways

- The subject property consists of two lots, 25 N. Huffman Street and 818 E. Franklin Avenue. The Petitioner intends to demolish the existing structures to allow for the construction of a duplex on each lot. The proposed duplexes require a variance to increase the maximum permitted lot coverage.
- The proposal requires a preliminary/final plat of subdivision to create legal lots of record, slightly shift the lot lines, and modify the orientation of the lots.

Related Files

The following agenda items are related to PZC 23-1-014:

- Pass the ordinance approving a Preliminary/Final Plat of Subdivision for Franklin Flats - PZC 23-1-014 (Item 2 of 3)
- Pass the ordinance approving a variance to 6-2-26:5.1 for the property located at 818 E. Franklin Avenue and 25 N. Huffman Street (Franklin Flats) - PZC 23-1-014 (Item 3 of 3)

FISCAL IMPACT:

N/A