

To	Planning Commission
Hearing Date	April 08, 2021
Case Number	JZ 21 PUD 61D Minor Amendment No. 01 Beacon
Request	<i>Approve reduction of 25 ft. rear yard setback to 23 ft.</i>
Location	North of 131 st and West of Lewis
Applicant	Beacon Homes

Staff Report Preparer | Marcaé Hilton

Attachments Preparer
 Plot Plan Beacon Homes

Background Information

Staff was contacted by Beacon Homes regarding a request to lessen a rear yard setback. Staff chose to process the variance request as a PUD Minor Amendment, it is the understanding of Staff there are several homes which have been built across the rear setback line. Staff is in the process of coordinating a larger minor amendment to correct several other homes which have encroached the buildline. After reviewing the lot, staff found no evidence of public harm or detriment to the community or subdivision.

Zoning Request	PUD 61D Minor Amendment No. 1 Change the rear build line on Lot 2, Block 47 from 25 feet to 23 feet. No other lots are impacted by the request.
Public Comment	None Minor Amendments are not advertised
Use	Single-family Subdivision No change
Zoning	RS-2, PUD 61D Single-family Residential No change to the zoning
Comprehensive Plan	Medium Intensity Single-family (Horizon Jenks New Comp Plan)
General Location	North of 131 st and between Elm and Lewis
Plat	Yorktown Blks. 45-49 Plat No. 6782
• Parcel ID	60462730638220
• Property Address	708 E 126 ST S
• Legal	Lot 2 Block 47
• Gross Acres	0.17
PUD 61D DoD	Requirements

Use Unit 6 Single-family Dwellings
Lot Width 60 feet
Lot Area 7,200 sq. ft.
Dwelling Size 1,500 sq. ft.
Building Setbacks Side | 5 feet

Rear | 25 feet

STR Section: 06, Township: 17N, Range: 13E

Zoning North | AG | SUP 111 | 5 Oaks Ranch & Single-family Residence
 East | RS-1 | Single-family Residential | Undeveloped
 South | RS-2 | PUD 106 | Single-family Residential
 West | RS-2 | PUD 61 | Single-family Residential

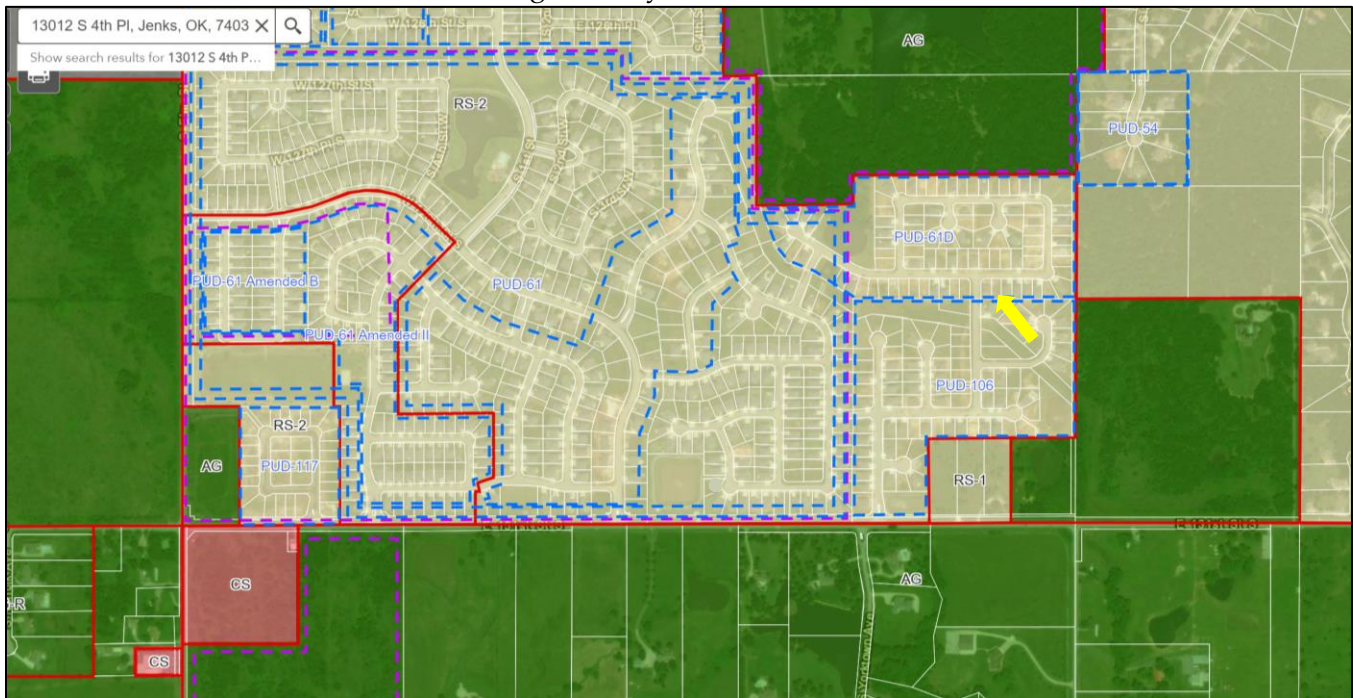


Figure 1: Zoning Map | INCOG | No Change

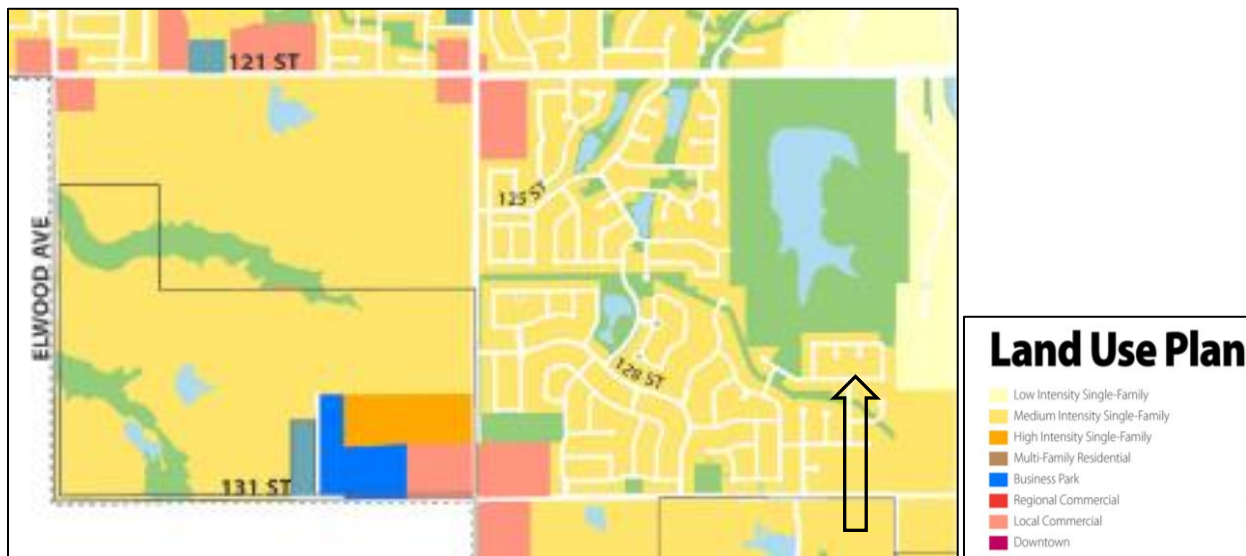


Figure 2: LAND USE MAP

PUD ZONING LANGUAGE | [Sec. 980. - Amendments.](#)

A. Minor Changes in the PUD may be authorized by the Planning Commission and City Council, which may direct the procession of an amended subdivision plat, incorporating such changes, so long as substantial compliance is maintained with the development plan and the purposes and standards of the PUD provisions hereof.

B. Changes which would represent a significant departure from the site development plan shall require compliance with the notice and procedural requirements of an original Planned Unit Development. It shall be the duty of the zoning administrator to determine whether any specific request shall be considered a major or minor change, but this decision may be reversed when reviewed by Planning Commission and the City Council. If it is determined that a major change is requested, then a new application will be process in accordance with the provision of Chapter 15 of the Zoning Code.

Staff Evaluation & Recommendation

Evaluation | 25 ft. rear build line encroachment relief request:

1. Approving this request would allow the current and future property owners which have been identified by Parcel and Lot & Block relief from the required 25-foot setback by changing it to a 23-foot rear build line setback.
 - a. This home is in the process of being built.
 - b. The encroachment requires a 1-foot reduction, but staff has asked for a 2-foot reduction to cover unforeseen errors.
 - c. No other lots in Yorktown are impacted by this decision.
2. Approving this request will clear the title of the encroachment.
3. Consider
 1. Whether the PUD (amendment) is consistent with the comprehensive plan; (Consistent)
 2. Whether the PUD (amendment) harmonizes with the existing and expected development of surrounding areas; (Yes, it harmonizes)
 3. Whether the PUD (amendment) is a unified treatment of the development possibilities of the project site; (Yes)
 4. Whether the PUD (amendment) is consistent with the stated purposes and standards of this chapter. (Yes)

RECOMMENDATION | Staff recommends approval of the requested rear build-line reduction from 25' to 23' for PUD 61D | Minor Amendment Number 01.

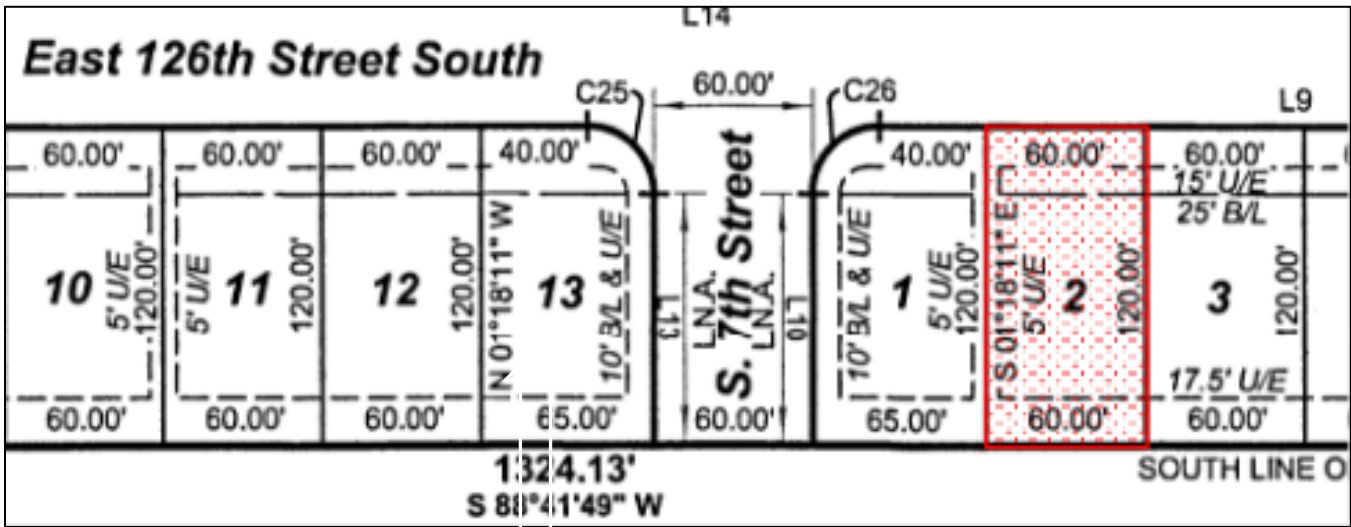


Figure 3: Plat View of Lot

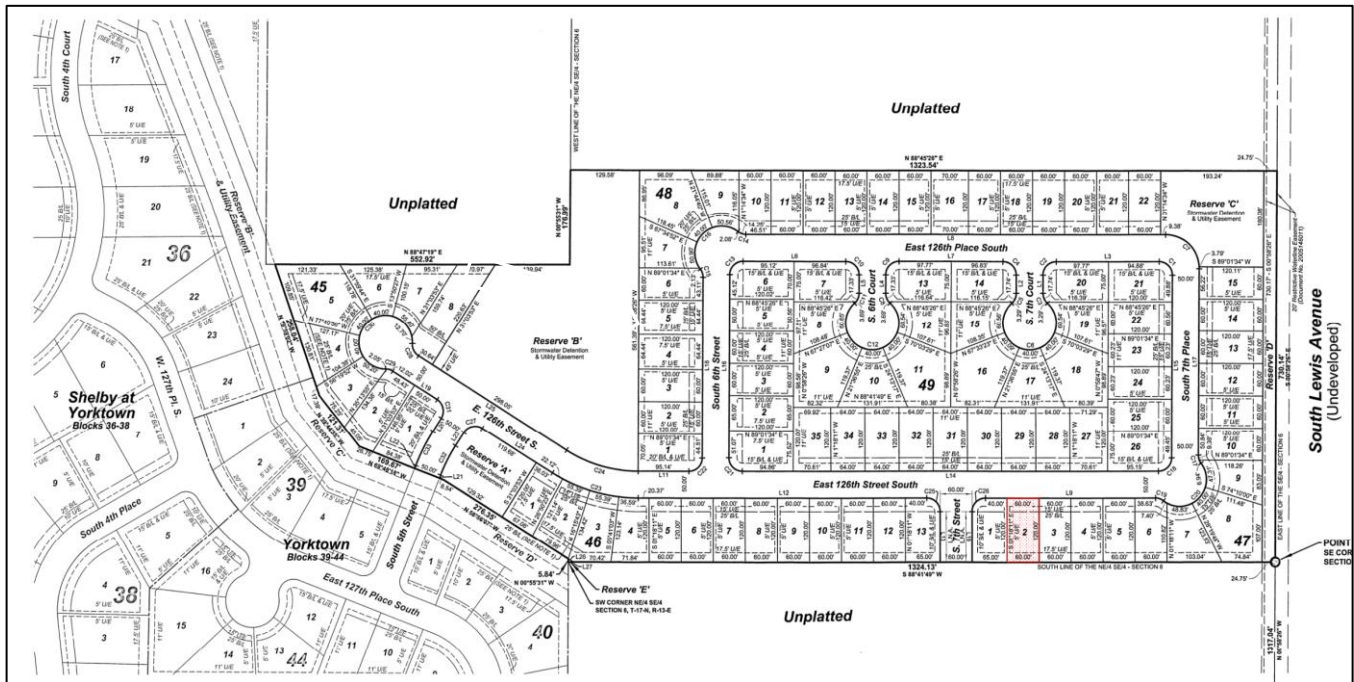


Figure 4: Yorktown Plat Blocks 45-49

YORKTOWN BLOCKS 45-49 NEIGHBORHOOD P.U.D. DEVELOPMENT STANDARDS INCLUDES ALL LOTS LOCATED WITHIN YORKTOWN BLOCKS 45-49:

PERMITTED USES:

USE UNIT 6, SINGLE-FAMILY DWELLINGS, AND CUSTOMARY FACILITIES AND AMENITIES, INCLUSIVE OF COMMON SPACE AREA USES AND ACTIVITIES GENERALLY FOUND WITHIN MASTER-PLANNED RESIDENTIAL COMMUNITIES.

MINIMUM LOT WIDTH: 60 FEET

MINIMUM LOT AREA: 7,200 SQUARE FEET

MINIMUM DWELLING SIZE: MINIMUM OF 1,500 SQUARE FEET OF FINISHED HEATED LIVING AREA.

MINIMUM BUILDING SETBACKS:

FROM INTERNAL STREET RIGHT-OF-WAY LIMITS: 25 FEET, WITH THE EXCEPTION OF CORNER SUBDIVISION LOTS WHICH MAY HAVE ONE 15' B/L SETBACK ALONGSIDE ONE STREET IN WHICH THE LOT HAS FRONTAGE UPON. IN THOSE PARTICULAR INSTANCES IN WHICH THE FRONT FACE OF A HOME ON A CORNER LOT IS DIRECTED TOWARDS THE 15' B/L SETBACK OF THE CORNER LOT, A MINIMUM 25' B/L SETBACK MUST BE MAINTAINED FROM THE OTHER STREET FRONTAGE RIGHT-OF-WAY ABUTTING THAT CORNER LOT. ADDITIONALLY, ON ALL CORNER SUBDIVISION LOTS IN WHICH THE FRONT FACE OF THE HOME IS DIRECTED TOWARDS THE 25' B/L SETBACK AND A SIDE-LOADED GARAGE IS PROPOSED (GARAGE DOORS FACING TOWARDS THE 15' B/L SETBACK), A MINIMUM 20' B/L SETBACK FROM THE STREET RIGHT-OF-WAY MUST BE MAINTAINED FOR SUCH SIDE-LOADED GARAGES.

FROM SIDE LOT LINES: 5 FEET

FROM REAR LOT LINES: 25 FEET

MAXIMUM STRUCTURE HEIGHT: 35 FEET, WITH THE EXCEPTION OF CHIMNEYS, CUPOLAS, OR OTHER ARCHITECTURAL STRUCTURES WHICH MAY EXTEND TO A MAXIMUM HEIGHT OF 45'.

Figure 5: Yorktown Plat Blocks 45-49 | Deed of Dedication