



## City Council Planning Department Staff Report

### Planning & Zoning Commission Meeting:

September 28, 2021

### Project No:

VAR2021-0012

### Project Planner:

Tory Carpenter, Senior Planner

### Item Details

#### Project Name:

709 Business Park Plat

#### Property Location:

709 Business Park

#### Legal Description:

0.64 acres out of the P.A. Smith Survey

#### Applicant:

Randy Hutto

#### Property Owner:

709 Holdings LLC

#### Request:

Subdivision Variance request to vary from Section 14.7, minimum lot or unit size.

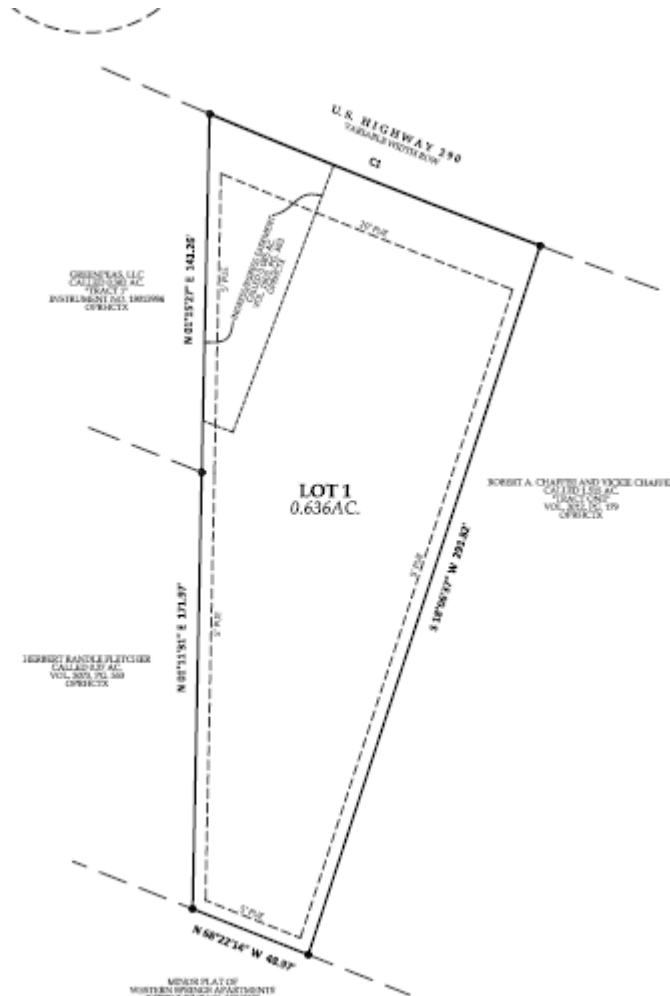


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## Overview

This property is located on Hwy 290 and is within a Commercial Services zoning district. Surrounding uses include various commercial businesses and a multifamily development. The property is developed and consists of an office building and small warehouse. The entire site is currently served by a private septic system. The applicant has stated that they do not intend to redevelop the site but are only interested in creating a legal platted lot.

Per Section 14.7 of the City's Subdivision Ordinance, a property is required to have a minimum of .75 acres to be eligible to be served by a private septic wastewater system.



## Summary

Section 1.7 requires that the Commission shall consider the following factors:

Factors	Staff Comments
Granting the variance will not be detrimental to the public safety, health or welfare, and will not be injurious to other property or to the owners of other property, and the waiver will not prevent the orderly subdivision of other property in the vicinity	Granting these variances will not be detrimental to the public safety, health, or welfare, and will not be injurious to other property or to the owners of other property. It will also not prevent orderly subdivision of other property in the vicinity.
The conditions upon which the request for a variance is based are unique to the property for which the variance is sought, and are not applicable generally to other property;	The requests are unique and not applicable to another other property in the vicinity.

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and	
Because of the particular physical surroundings, shape and/or topographical conditions of the specific property involved, a particular hardship to the property owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out; and	This property is 0.114 acres smaller than the required lot. Furthermore, the site is already served by a private septic system and this request is necessary to create a legal lot.
The variance will not in any manner vary the provisions of the Zoning Ordinance, Planned Development District Ordinance, or Comprehensive Plan, or any other adopted plan(s) or ordinance(s) of the City; and	The property owner is still required to follow all zoning requirements for the site if it is redeveloped.
An alternate design will generally achieve the same result or intent as the standards and regulations prescribed herein; and	There is not an alternative plan for this site because the property is already developed.
The waiver variance will enable the applicant to preserve more native trees, provide more open space, or ensure more wildlife preservation than would be possible complying with the strict mandates of this Chapter.	N/A

### Public Notification

This request was included on the posted agenda for the September 28 Planning and Zoning commission meeting.

### Meetings Schedule

September 28, 2021 – Planning and Zoning Commission

### Attachments

Exhibit 1: Variance Application for lot Size

Exhibit 2: Preliminary Plat

Recommended Action:	Staff is recommending approval of the requested with the following condition; 1. This variance only applies to the property in its current configuration and will cease to be valid if the parcel is further divided by sale or other means as this will require replatting and connection to a public wastewater system.
Alternatives/Options:	Denial of the variance applications.
Budget/Financial Impact:	None calculated at this time.
Public Comments:	No public comment was received for this request.
Enforcement Issues:	N/A