



City Council Planning Department Staff Report

City Council Meeting: May 22, 2024
Project No: VAR2023-0006
Project Planner: Tory Carpenter, AICP – Planning Director

Item Details

Project Name: N/A
Property Location: 424 Reata Way
Legal Description: Bunker Ranch Phase 1, Block 4, Lot 6
Applicant: David Chodniewicz
Property Owner: David Chodniewicz
Request: Waiver to allow an accessory dwelling in excess of 700 square feet and closer than 10 feet to the primary structure.
Staff Recommendation: Approval as submitted



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Overview

The applicant is requesting a waiver to allow an accessory 835 square foot accessory dwelling unit which is closer than 10 feet to the existing structure.

In April 2021, the City Council adopted an ordinance updating standards for accessory dwelling units (ADUs). While this ordinance allows ADUs by right in several single-family zoning districts, there are specific standards for height, location, and size of accessory dwelling units. Any deviation from these standards requires approval of a Waiver by City Council.

The applicant is requesting a waiver from the following sections:

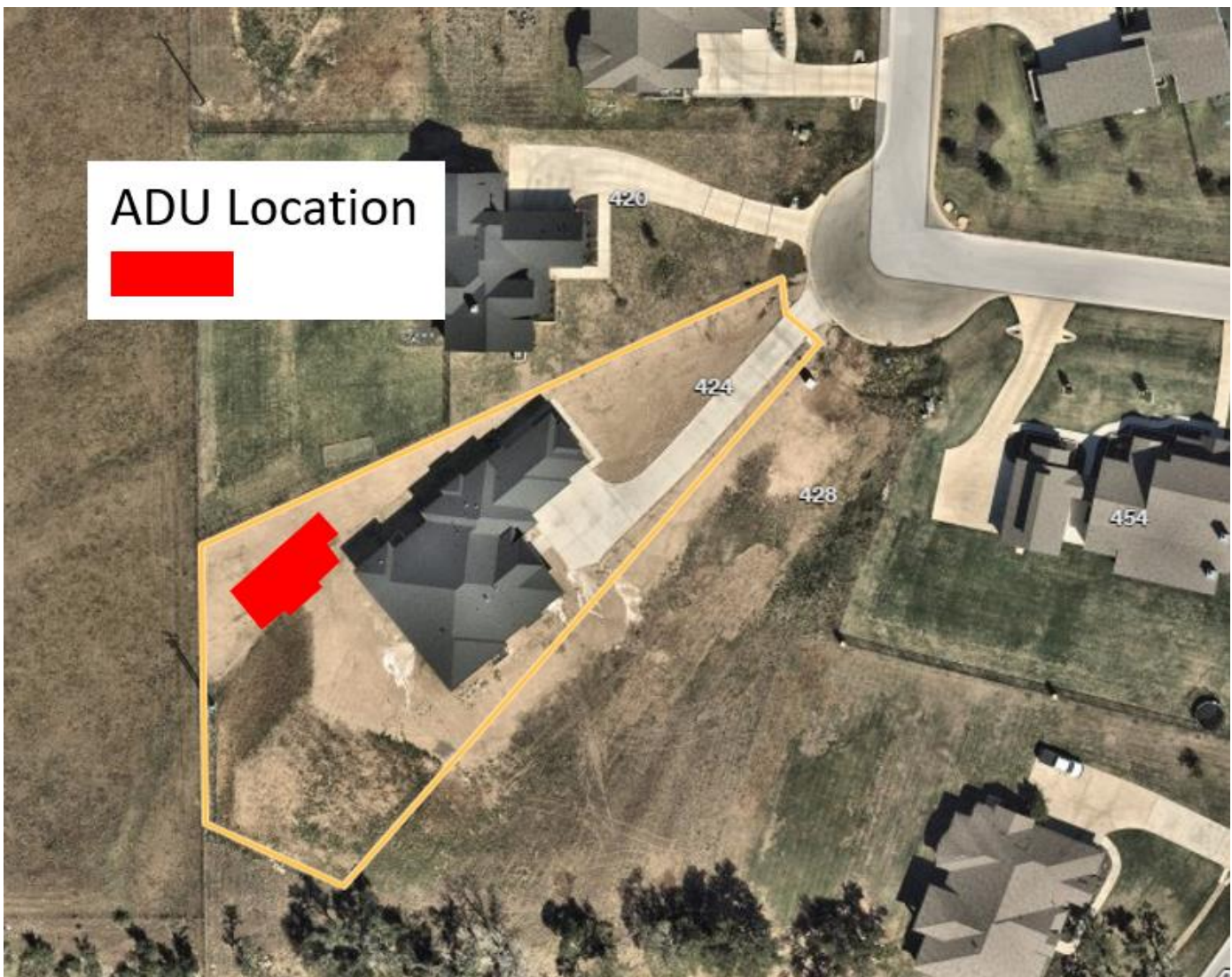
5.53.2(b) - Detached ADUs must maintain a minimum ten-foot buffer between the ADU and the primary structure.

5.53.5 – ADU size . The maximum livable area of an ADU shall not exceed the lesser of:

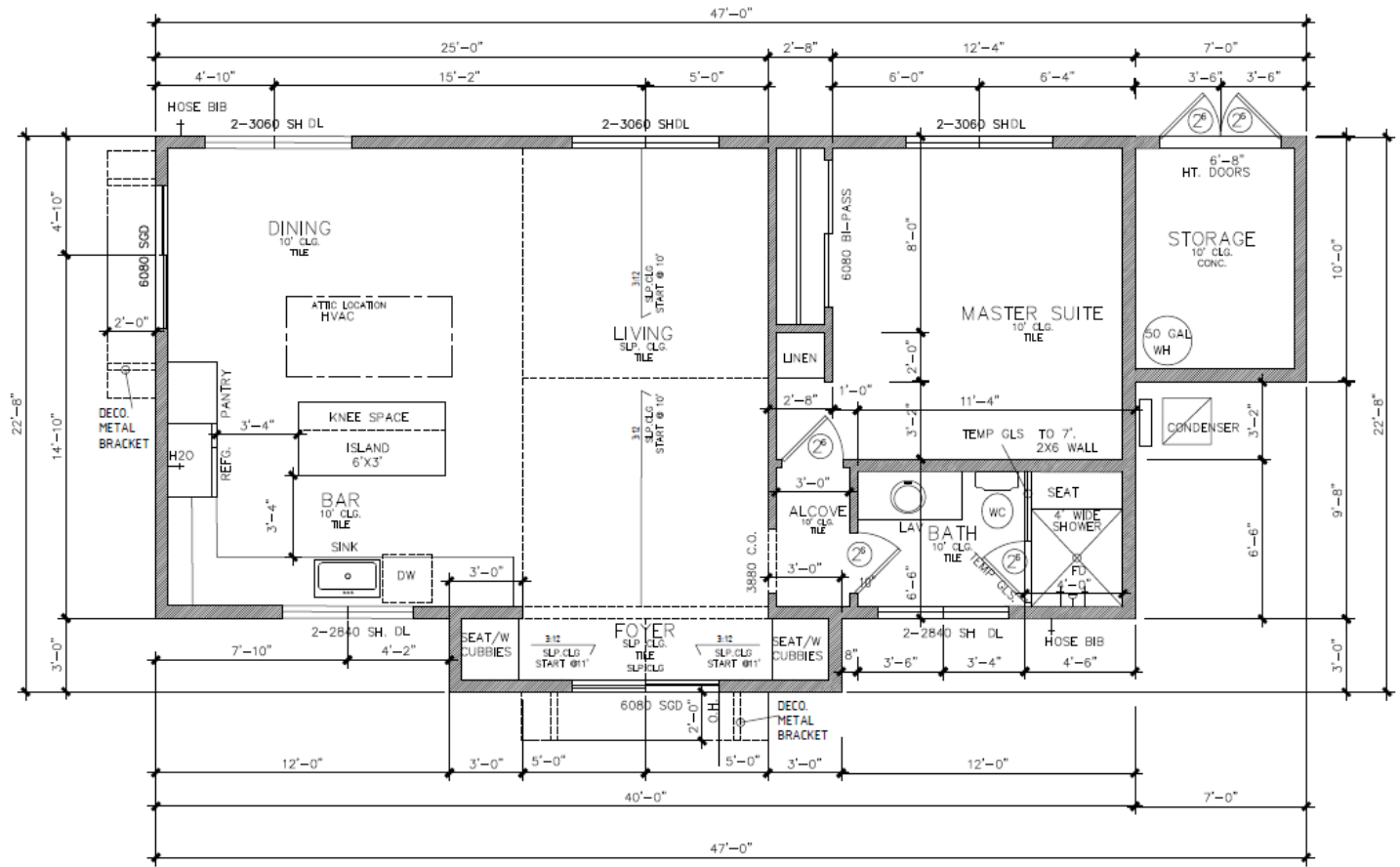
(a.) 700 square feet; or

(b.) 50 percent of the square footage of the livable area of the main house.

The proposed ADU consists of a 835 square foot one bedroom unit and includes a full bath and kitchen. The plans also a 70 square foot external storage closet which is not included in the calculations of “livable area.” The unit is 6’3” away from the primary structure.



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Surrounding Properties

The current zoning and existing uses of the adjacent properties to the north, south, east, and west are outlined in the table below:

Direction	Zoning District	Existing Use	Comprehensive Plan
North	SF-2	Residence	Not Shown
East	SF-2	Residence	
South	SF-2	Residence	
West	ETJ	Agricultural / Homestead	

Approval Criteria for ADU Waivers (3.17.6-Zoning Ordinance)

Approval Criteria	Staff Comments
1. The requested deviation will not adversely affect neighboring properties.	The requested deviation will not adversely affect neighboring properties. The structure will meet all required setbacks and is approximately 16% of the size of the primary structure. The location of the ADU in the rear of the property makes it minimally visible from the street.
2. The requested deviation is not contrary to the public interest.	The requested deviation is not contrary to the public interest. The Building Official stated that the structure

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	closer than 10 feet to the primary home does not conflict with the building code.
3. The requested deviation is consistent with the design of the primary structure	The ADU appears to be consistent with the design of the primary home. While the ADU exceeds the maximum 700 square feet allowed by right, it is well under 50% of the square footage of the home at approximately 16%.
4. The requested deviation is consistent with the character of the neighborhood	The deviation is consistent with the neighborhood. There are accessory structures larger than the proposed ADU in the neighborhood. Additionally, the ADU will be located in the backyard and will be minimally visible from the street.
5. The requested meets all other supplemental standards of the zoning ordinance and related land use requirements.	All other standards will be met.
6. The deviation provides for mitigation of any adverse effects or impact of the requested deviation.	Staff has not noted any adverse effects or impacts associated with this request.

Public Notification

A legal notice advertising the public hearing was placed in the signs were posted on the site, notice was placed on the City Website, and all property owners within a 300-foot radius of the site were notified of the Waiver request. At the time of this report, staff received one general inquiry regarding the request.

Meetings Schedule

May 21, 2024 - City Council Meeting

Attachments

Attachment 1 – Waiver Application

Attachment 2 – Floor Plan

Attachment 3 – Site Plan

Recommended Action:	Staff recommends approval of the request as submitted.
Alternatives/Options:	Approve with conditions or deny the request.
Budget/Financial Impact:	None noted.
Public Comments:	Staff has received one general inquiry.
Enforcement Issues:	N/A
Comprehensive Plan Element:	Support housing options in Dripping Springs.