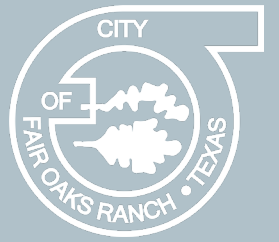


Planning and Zoning Commission Public Hearing

Stone Creek Ranch Unit 2B

Variance Request

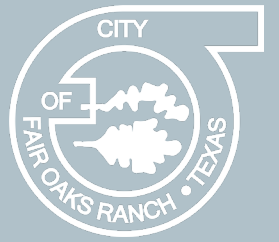


September 12, 2024

PV# 2024-02

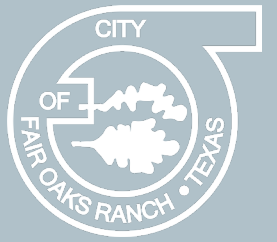
Lee Muniz, P.E., CFM
Manager of Engineering Services

Introduction



Proposed Variance Request (PV No. 2024-02) will change the required street lot frontage requirements based on Chapter 10 Subdivision Regulations for approximately 13 acres generally located northwest of the intersection of Rolling Acres Trail and Ammann Road in the Stone Creek Ranch subdivision.

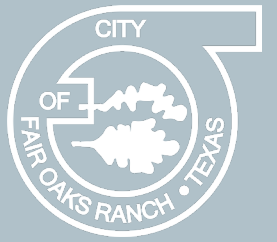
Reason for Request



- The proposed variance is part of a Preliminary Plat that will establish the Stone Creek Ranch 2B Subdivision Plat.
- The Subdivision Regulations requires a minimum of 150' street frontage for lots served by public water and private sewer septic.
- Three (3) lots with street frontage less than the required 150' are proposed in this subdivision.

Lots in a subdivision within the corporate limits of the City and outside the corporate limits of the City, but within the limits of its extraterritorial jurisdiction which are served by either individual private wells and public sewer systems, or public water systems and private on-site sewage disposal systems, shall have a minimum street frontage of 150 feet and total lot area greater than 45,000 square feet.

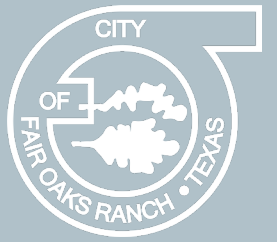
Criteria for Review



According to Section 3.9 (g) of the UDC, no variance will be granted unless the authorizing body finds that all of the following apply (further detailed in Staff Report)

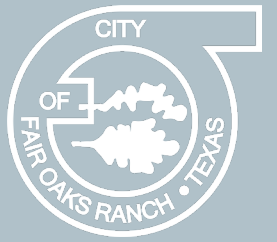
- 1. Extraordinary or special conditions affecting the land involved such that strict application of the provisions of this Code deprives the applicant of a reasonable use of its land;*
- 2. Preserves property rights of the applicant;*
- 3. Ensures public health, safety, or welfare is upheld;*
- 4. Ensures there is no detrimental effect to surrounding properties;*
- 5. Conditions do not create a need for additional variances to surrounding properties;*

Criteria for Review, Cont'd



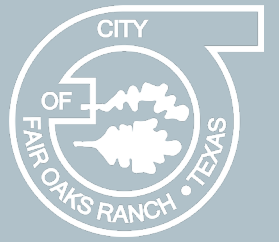
6. *Conditions that create the need for the Variance are not the result of the applicant's own actions;*
7. *Does not substantially conflict with the Comprehensive Plan and the purposes of this Code;*
8. *Application of this Code effectively prohibits or unreasonably restricts the utilization of the property; and,*
9. *Insufficient Findings - the following types of possible findings do not constitute sufficient grounds for granting a variance*
 - a. *Property cannot be used for its highest and best use;*
 - b. *There is a financial or economic hardship. There is a self-created hardship by the property owner his / her agent; or*
 - c. *The development objectives of the property owner are or will be frustrated*

Staff Recommendation



- Minimum street frontages of 108.13', 111.85', 116.90' are proposed for three lots in the proposed 12-lot Stone Creek Ranch Unit 2B subdivision.
- These three (3) lots will have similar lot area as other lots in the subdivision and will meet the minimum lot area requirement of 45,000 square feet.
- These three (3) lots meet the minimum lot size of one acres for on-site sewage facilities (OSSF) as specified in the Kendall County Development Rules. Kendall County is the regulatory authority for permitting, inspecting and monitoring OSSF in this area.
- The existing Water Supply Agreement with Green Land Ventures, amended in 2024, allows for the construction of 247 single family residential lots.

Next Steps



- P&Z will convene at the consideration portion of this meeting to discuss the case and make a recommendation for City Council consideration of approval or denial.
- P&Z may table the item if additional information is warranted.
- City Council will hold their public hearing on October 3, 2024.
- City Council will consider the variance request and the P&Z recommendation at their October 3 meeting.