



**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

November 4, 2024

Case Number: 2024-CVR-838 / 2024-CPL-838A / 2024-CPL-838B

Property Address: 2451 – 2682 West 78th Street, 7649 – 7757 (odd) Diamond Street, 2822 – 2863 Emerald Street, 2801 – 2936 Moonstone Street, 2808 – 2863 Ruby Boulevard, and 7650 – 7740 (even) Walnut Drive (approximate addresses)

Location: Pike Township, Council District #1

Petitioner: Apex Realty Group, by David A. Retherford

Current Zoning: D-5

Request: Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for:

- a. Construction of some dwelling units, depending on the home model, at three stories in height (maximum 2.5 stories in height permitted)
- b. Construction of some dwelling units, depending on the home model, with front loaded garages of up to 70% of the front façade (maximum 30% of the front façade, if within 12 feet of the front building line, or 45% of the front façade if behind 12 feet of the front building line permitted),
- c. 60% landscaped living material in the front yard (minimum 65% landscaped living material in the front yard required),
- d. Minimum main floor area of 550 square feet of livable space on the main floor of a dwelling over one story in height (minimum 660 square feet of livable space on the main floor of a dwelling over one story in height required).

Approval of a Subdivision Plat, to be known as Augusta Heights, Phase 2, dividing 12.28 acres into 83 lots.

Approval of a Subdivision Plat, to be known as Augusta Heights, Phase 3, dividing 3.88 acres into 32 lots.

Current Land Use: Undeveloped

Staff Recommendations: To be determined.

Staff Reviewer: Marleny Iraheta, Senior Planner



PETITION HISTORY

Staff is requesting a **continuance for cause from the November 14, 2024 hearing to the December 12, 2024 hearing** to allow the petitioner additional time to amend the request with the addition of a few variances and another address. This will require new notice to be sent.

STAFF RECOMMENDATION

Staff recommendation to be determined.

PETITION OVERVIEW

This petition is to be continued to the December 12, 2024 hearing.