

Montgomery Planning and Zoning Commission  
**AGENDA REPORT**

<b>Meeting Date:</b> March 7, 2023	<b>Prepared By:</b> Dave McCorquodale
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**Subject**

Consideration and possible action on a recommendation to City Council on minimum lot width, minimum lot area, and side yard setback requirements for R1-Single Family Residential zoning districts within the City of Montgomery.

**Recommendation**

Form a recommendation on minimum lot width, area, and side yard setback for City Council.

**Discussion**

The City Council has asked to amend the minimum residential lot width to better reflect current development patterns and reduce the need for variance requests by developers. Lot width requirements are also related to lot area and side yard setbacks.

CURRENT lot size requirements	PROPOSED lot size requirements
Lot width = 75 feet	Lot width = 60 feet
Lot area = 9,000 square feet	Lot area = 7,200 square feet
Side yard setback = 10 feet	Side yard setback = 5 feet

No change is recommended to the current lot depth requirement of 120 feet. This is a reduction of 20% in the minimum lot size. A graphic is attached to illustrate the proposed changes. One policy change for future developments and building permits related to setbacks, and particularly side yard setbacks is the definition of a structure. The Code of Ordinances defines a structure as:

***Structure** means anything constructed or erected which requires location on the ground, or attached to something having a location on the ground, including, but not limited to, buildings of all types, advertising signs, billboards, and poster panels, but exclusive of customary fences, or boundary or retaining walls. (Section 98-1)*

Past residential construction has allowed air conditioners, generators, pool equipment, etc. within side yard setbacks. This contradicts the underlined portion of the definition above. The City will be notifying homebuilders for existing subdivisions as well as new developers that we will no longer allow these type of appurtenances in side yards. The primary reason for doing so is safety—if a lot has a 5-foot side yard with a 3-foot AC unit in it there is not adequate room for emergency responders to access the rear of the property from any side of the house. Generators and pools are typically installed after home construction and there’s no guarantee that they’d be installed on the same side of the house as AC units. This leaves a potential for both side yards to be partially blocked.

**Approved By**

Assistant City Administrator	Dave McCorquodale	Date: 03/02/2023
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