

Montgomery City Council
AGENDA REPORT

Meeting Date: February 14, 2023	Budgeted Amount: N/A
Department: Admin	Prepared By: Dave McCorquodale

Subject

Consideration and possible action on an Amendment to the Development Agreement between the City of Montgomery and Pulte Homes of Texas, LP addressing side yard setbacks in Montgomery Bend.

Recommendation

Authorize an Amendment to the Development Agreement to allow five-foot side yards for the Montgomery Bend development.

Discussion

This Development Agreement was approved by City Council in September 2022. The development includes 309 single-family homes and a recreation/amenity center. The approved minimum residential lot size is 45-ft wide x 120-ft deep and 5,400 square feet.

The developer has submitted a variance request to allow five-foot side yards for all of the lots in the subdivision instead of the 10-foot side yard required by current city regulations. When the developer presented the project to City Council in July 2022, they indicated they would be requesting a smaller side yard setback.

Five-foot side yards are found in neighborhoods like Hills of Town Creek, Terra Vista, Villas of Mia Lago, and newer sections of the Buffalo Springs development with lots widths of 50-60 feet. The City can place conditions on a reduced side yard such as not allowing air conditioners, generators, or other equipment in the smaller side yards. Other neighborhoods in the city do not restrict the placement of accessory equipment in the side yards.

The Planning & Zoning Commission's recommendation is to approve the request with the condition that accessory equipment not be allowed in the side yard. The engineer's memo is attached for review and they offer no objections to the request.

Approved By

Assistant City Administrator	Dave McCorquodale	Date: 02/10/2023