

AGENDA ITEM SUMMARY SHEET

City of Rollingwood

Meeting Date: February 2, 2022

Submitted By:

Director of Development Carrie Caylor

Agenda Item:

Discussion and possible action to consider a subdivision variance for 304 Vale Street.

Description:

The applicant seeks a subdivision variance in conjunction with the replat their lot at 304 Vale Street. from the original Cadden & Foster Subdivision Plat. The applicant has submitted a request for a plat variance because their rear lot abuts the side yard of Cadden & Foster Lot 1. Section 107-76(c)(3) of the City's Code of Ordinance allows a twenty foot side yard on a corner lot, "when two lots extend the length of one block and have *abutting rear lot lines*."

The plat variance process is subject to the rules outlined in the platting procedures. The Planning and Zoning Commission may rule in favor of subdivision plat variances when they meet the following requirements as outlined in the City's Code of Ordinances:

Sec. 105-31. Variances.

- (a) Where literal enforcement of a provision of this article will render the subdivision, or resubdivision, of a tract of land impractical, and where the variance requested shall not render the proposed subdivision to be in violation of the substantive provisions of this article, or where such literal enforcement will be confiscatory of the property in question, then the approving authority of such subdivision shall have authority to grant a variance from such provision.
- (b) The granting of a variance under this section shall be authority only for the subdivision plat so approved. Where a variance allows less than all of a parent tract of land to be included in the subdivision plat, the granting thereof shall not be construed as approval of the remainder of the parent tract out of which the platted lots or tracts were carved, nor shall the remainder of the parent tract, by virtue of the action, be relieved from the requirement of compliance with all applicable statutes and ordinances.

(Code 1987, ch. 11, subch. E, § 22; Code 1995, § 10.02.022)

As the rear and side yards were not established in the original Cadden & Foster Subdivision plat, that the front yard of 304 Vale Street has always faced Vale Street, and the lot otherwise meets the conditions of forming a block, this request does not render the proposed subdivision to be in violation of the provisions of the article. Approval of the request would be consistent with the approvals granted to 601 Riley Road and 603 Riley Road.

Action Requested:

Staff recommends approval.

Fiscal Impacts:

N/A

Attachments:

- Variance Request Letter
- Plat
- Cadden & Foster Subdvision Plat