

December 4, 2014



Planning Exception case no. PE14-03: Messina Hof Estates Subdivision

CASE DESCRIPTION: a request for approval of an exception from the minimum 150-foot lot width standard of the Subdivision Ordinance (Bryan Code of Ordinances Chapter 110) required for lots of one acre or more and located in the City of Bryan’s extraterritorial jurisdiction (ETJ), to allow 11 proposed new lots with lots widths of less than 150 feet

LOCATION: proposed Lots 1, 8, 13-15, 17-20, 22, and 24 in the proposed Messina Hof Estates Subdivision, on 36.50 acres of land adjoining the east side of Old Reliance Road, at the northeast corner of the intersection of Old Reliance Road and Merka Road in Brazos County, Texas (Bryan’s ETJ)

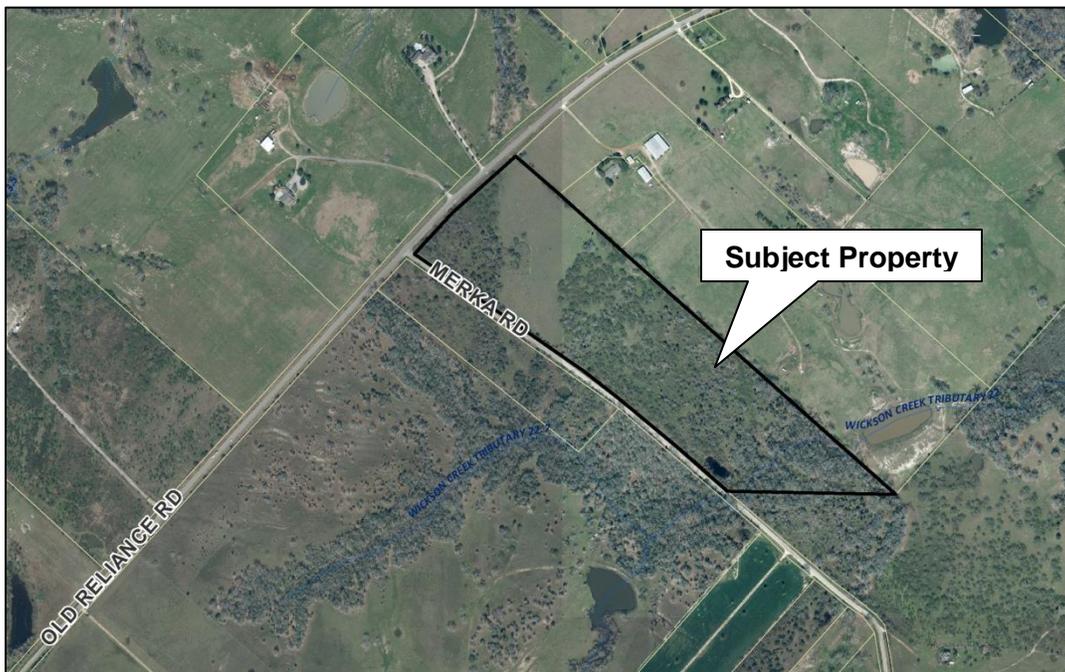
EXISTING LAND USE: vacant acreage

APPLICANT(S): Paul and Merrill Bonarrigo, Owners

AGENT: Stewart Kling, Civil Engineering Consultants

STAFF CONTACT: Matthew Hilgemeier, Staff Planner

SUMMARY RECOMMENDATION: Staff recommends **approving** the requested exception.



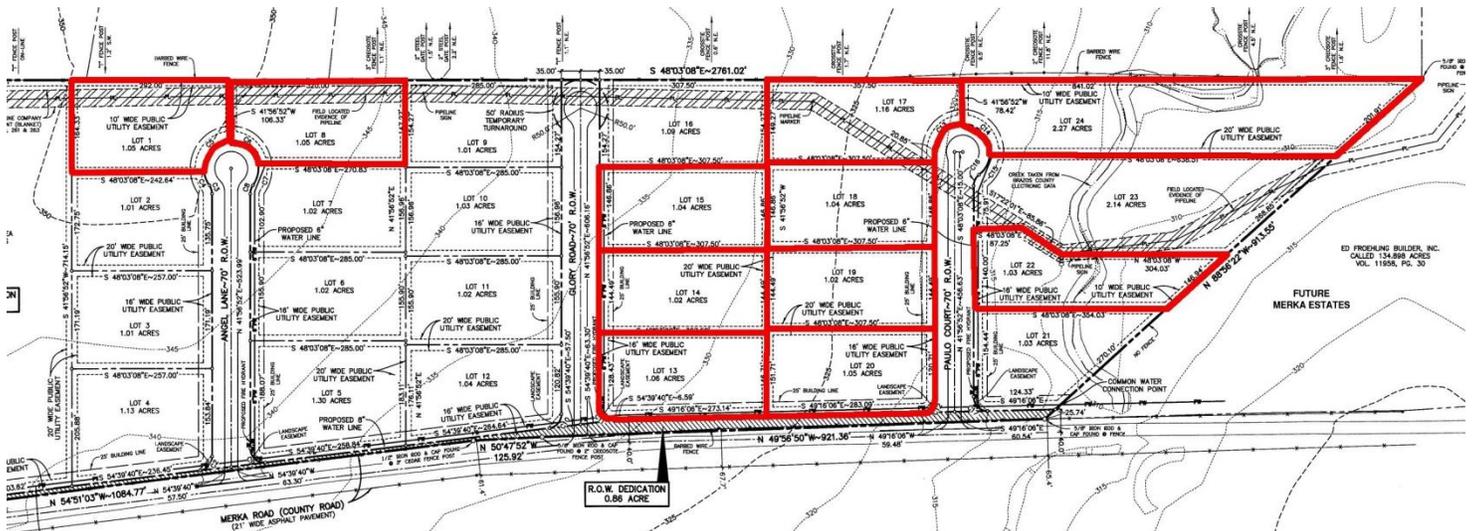
BACKGROUND:

The applicant/property owners, Paul and Merrill Bonarrigo, are requesting an exception to Article IV, Section 110-79(4)b. of the Subdivision Ordinance (Bryan Code of Ordinances Chapter 110), which requires a minimum lot width of 150 feet for lots of 1 acre or more in the City’s extraterritorial jurisdiction (ETJ). The request was made in order to allow for the proposed subdivision of approximately 36.50 acres of land at the intersection of Old Reliance Road and Merka Road into a new rural residential subdivision (Messina Hof Estates Subdivision). If granted, the exceptions to the design standards of the Subdivision Ordinance will allow the Bonarrigo’s to develop this property into a 21 lot subdivision in a manner that is consistent with other rural subdivision located in the City of Bryan’s ETJ.

Bryan’s Subdivision Ordinance defines lot width as “the shortest distance between side lot lines measured at their intersection with the front setback line” (Section 110-4). Eleven proposed lots in this new subdivision are planned to be less than the minimum required 150 feet in width. The table below provides the specific exception requested for each lot, while the graphic below provides a visual representation of the lots for which the exceptions have been requested.

Lot	Proposed Width	Exception Requested
Lot 1	147.27’	2.73’
Lot 8	147.27’	2.73’
Lot 13	149.94’	0.06’
Lot 14	144.49’	5.51’
Lot 15	146.86’	3.14’
Lot 17	149.27’	0.73’
Lot 18	146.86’	3.14’
Lot 19	144.49’	5.51’
Lot 20	148.41	1.59’
Lot 22	140.00’	10.00’
Lot 24	132.17’	17.83’

Excerpt from Proposed Preliminary Plan of Messina Hof Estates Subdivision



ANALYSIS:

The Planning and Zoning Commission may authorize exceptions from standards of the Subdivision Ordinance. The Planning and Zoning Commission may authorize such exceptions when, in its opinion, compliance would not be in the public interest. In granting an exception, the Planning and Zoning Commission shall prescribe only conditions that it deems necessary or desirable in the public interest.

In making its findings, the Planning and Zoning Commission shall take into account the nature of the proposed use of the land involved, existing uses of land in the vicinity, the number of persons who will reside or work in the proposed subdivision, and the probable effect of such exception upon traffic conditions and upon the public health, safety, convenience, and welfare in the vicinity.

No exception shall be granted unless the Planning and Zoning Commission finds:

1. That there are special circumstances or conditions affecting the land involved such that the strict application of the provisions of the standards would deprive the applicant of the reasonable use of the land.

While requested exceptions range in size from 0.06 feet to 17.83 feet for the 11 lots in question, staff believes that, in this circumstance, their substandard lot width may be offset by the lots' proposed extraordinary lot depth; the shortest being 307.50 feet, the longest being over 800 feet, and due to the fact that all proposed lot exceed the minimum 1 acre lot requirement. All 11 lots have proposed lot depths that will provide ample room for development with new single-family homes and on-site sewage systems.

2. That the exception is necessary for the preservation and enjoyment of the property.

Staff believes that the overall effect of reduced lot widths on 11 of the 24 lots proposed in this subdivision will be negligible, if at all noticeable, given the properties' extraordinary lot depth and size in excess of 1 acre. Granting the request will still allow for the development of a rural, low-density residential subdivision at this location.

3. That the granting of the exception will not be detrimental to the public health, safety, or welfare, or injurious to other property in the area.

Staff believes that granting the exception will not be detrimental to the public health, safety, or welfare, or injurious to other property in the area.

4. That the granting of the exception will not have the effect of preventing the orderly subdivision of adjoining land in the vicinity in accordance with the provisions of this Ordinance.

Staff believes granting of the exception will not have the effect of preventing the orderly subdivision of adjoining land in the vicinity in accordance with the provisions of the Subdivision Ordinance.

RECOMMENDATION:

Staff recommends **approving** the requested exception.