

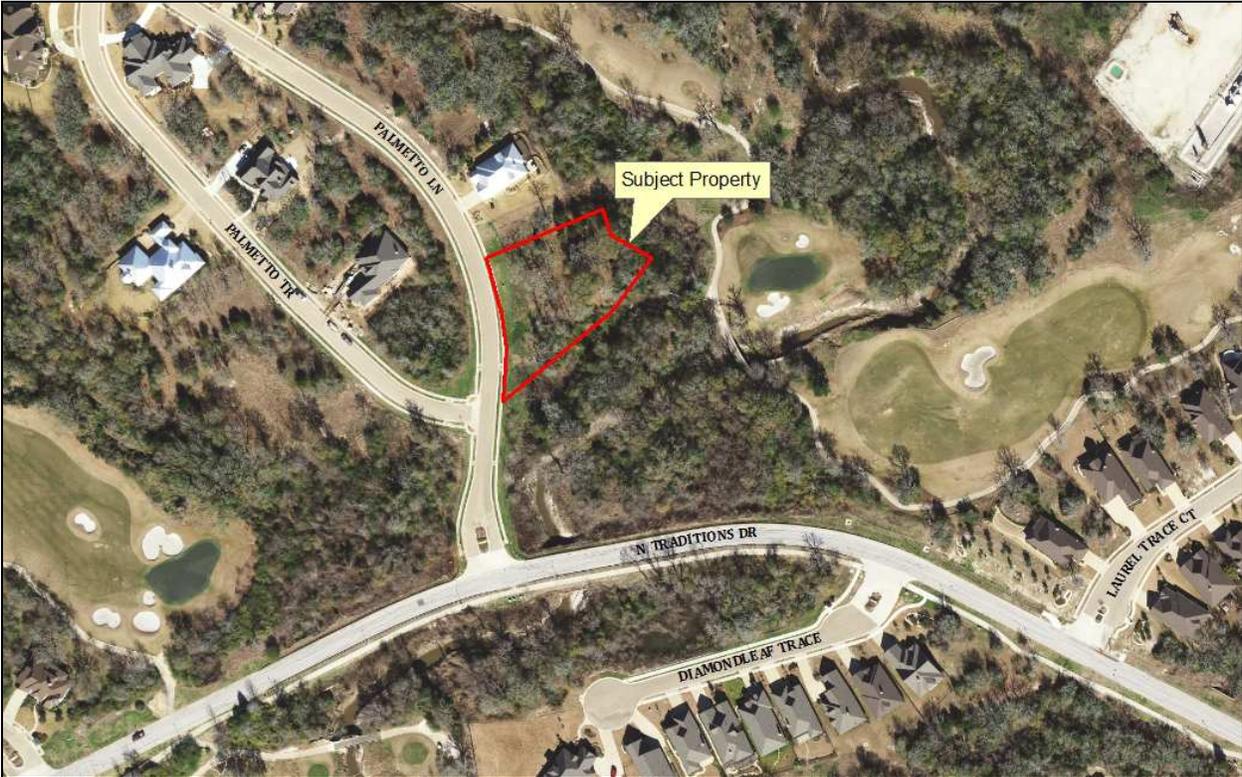
August 4, 2016

Planning Variance case no. PV 16-15: Flagship Custom Homes

- CASE DESCRIPTION:** request for approval of a 13-foot variance to the 25-foot maximum driveway width typically required on residential home sites, to allow two driveways with a total driveway width of 38 feet on a residential home site, specifically on property located at 3109 Palmetto Lane
- LOCATION:** 3109 Palmetto Lane located approximately 325 feet north of the intersection of North Traditions Drive and Palmetto Lane
- LEGAL DESCRIPTION:** Lot 18A in Block 1 of The Traditions Subdivision – Phase 15
- ZONING:** Planned Development – Mixed Use (PD-M)
- EXISTING LAND USE:** single-family residential
- PROPERTY OWNER:** Eli and Fern Jones
- APPLICANT:** Raven Homes, Andy Brooks
- STAFF CONTACT:** Randy Haynes, AICP, Senior Planner
- SUMMARY RECOMMENDATION:** Staff recommends **approving** the requested variance.



AERIAL PHOTOGRAPH, 2015:



SITE PLAN DETAIL:



EXCERPT FROM APPLICATION:

Variance Supplement B



The following page should be completed for all variance requests EXCEPT setback variances. Please proceed to the last page if this request is for a setback variance.

Please describe the type of variance being requested;

Driveway width variance

Are there special circumstances or conditions affecting the land involved such that the strict application of the ordinance would deprive you reasonable use of the land:

Location of PUE dictates orientation of the garage on the north end of the property - Front - Accessibility to Palmetto Lane is not possible in this area

Is the variance necessary for the preservation and enjoyment of substantial property rights:

Yes, it is necessary for ease of access to and from the garage & front entry court. Guests parked at the entry court will be able to navigate a generous turning radius at both ends of the circle drive, which will reduce possible conflicts when entering Palmetto Lane.

State how the granting of the variance would not be detrimental to the public health, safety, or welfare or injurious to other property in the area:

This design provides for off-street guest parking. The Owner is the Dean of the Mays Business School and will be frequently entertaining guests at his home. This design remains courteous to neighboring residents by removing a large number of on street guest parking vehicles.

State how this variance will not affect the orderly development of the subject property and/or land in the vicinity in accordance with City of Bryan Ordinances:

This variance has nothing to do with the orderly development of this property. This variance is related to the ease and convenience of day to day access to and from the property. It is an attempt to reduce congestion & increase visibility to provide for a safe environment for the home owners, their guests, and being conscious & courteous to the other residents living on Palmetto Lane.

BACKGROUND:

On behalf of the property owners, Eli and Fern Jones, Andy Brooks of Flagship Custom Homes is requesting approval of a 13-foot variance from the maximum 25-foot driveway street access width that is generally allowed on residential home sites, to allow two proposed driveways with a total driveway width of 38 feet on this residential home site at 3109 Palmetto Lane. Chapter 62 of the Bryan Code of Ordinances (Land and Site Development) regulates access of private properties to public rights-of-way. Land and Site Development Ordinance Subsection 62-296(d)(1) limits the maximum width of a single-family residential driveway to 25 feet.

ANALYSIS:

The Planning and Zoning Commission may authorize a variance from regulations stipulated in the Land and Site Development Ordinance. No variance shall be granted unless the Planning and Zoning Commission finds that all of the following criteria are met:

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

The subject tract is almost one acre in size (0.937) and features an exceptionally long front property line adjacent to Palmetto Lane; 245 feet. In addition to the wide lot frontage, the subject property lies 360 feet from the intersection of Palmetto Lane and North Traditions Drive. The adjacent land on the same side of the street between the subject tract and North Traditions Drive is composed entirely of Traditions Homeowner’s Association common area; almost all of which is encumbered by Turkey Creek floodway or 100-year flood hazard area. The residential lot opposite the subject property is 0.55 acres in size and has frontage on both Palmetto Lane and Palmetto Trail comprising over 400 feet.

The exceptionally wide street frontage of the lot, coupled with the presence of long distances of Palmetto Lane adjacent to the subject tract where development will never occur due to flood hazards, serve to render in part moot the standard limiting driveway widths to 25 feet per residential lot. If the same linear distance of Palmetto Lane were developed to the minimum lot width standard allowed in Bryan, there could potentially be 10 residential lots with a cumulative total of 250 feet of driveway width between North Traditions Drive and the northernmost property corner of the subject tract adjacent to Palmetto Lane.

Staff contends that the aforementioned conditions affect the subject property, combining to create a special circumstance such that strict observance of the standard limiting residential driveway access width to 25 feet would serve to deprive the owners of the property the reasonable use of their land.

2. That the variance is necessary for the preservation and enjoyment of substantial property rights of the applicant;

Staff submits that the request for a variance of 13 feet in this specific location, given the identified special circumstances, particularly when placed in balance against the benefit that would be derived by the public by strict observance of the standard, is necessary for the property owner to enjoy reasonable property rights.

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

As defined by the ordinance, a driveway is an access typically constructed partially within a public right-of-way, connecting a public roadway to an adjacent property. Such a structure is intended to provide vehicular access to that property in a manner that will not cause the blocking of any other public facility, whether a sidewalk, curbside or drainage path. Standards regulating maximum driveway width exist for a number of reasons. The Land and Site Development Ordinance specifies that such standards are to ensure that facilities are located and designed with respect to both the public street and the on-site circulation to provide maximum safety and to minimize interference with street traffic (Sec. 62-296(2)).

Staff contends that in this particular case, given the subject property's location adjacent to very long distances of Palmetto Lane where future development will be either unlikely if not impossible, granting a variance to increase the driveway access width will not be detrimental to public safety.

4. That the granting of the variance will not have the effect of preventing the orderly development of the applicant's land and/or land in the vicinity in accordance with the provisions of this article.

Staff contends that granting the requested variance, accompanied by findings of a clearly defined special circumstances and conditions affecting the land will not have the effect of impairing orderly development of other land in the immediate vicinity or in other areas of Bryan. Staff further contends that such an approval, supported by such findings will preserve the opportunity for this or future Planning and Zoning Commissions to deny similar requests, which could then produce detrimental impacts (i.e. very wide driveway curb cuts) in all of Bryan's neighborhoods.

RECOMMENDATION:

Staff recommends **approving** the requested 13-foot variance to allow two driveways with a total driveway width of 38 feet to access to the subject property.